



Administrative Policies and Procedures: 24.11

Subject **SNAP Work Requirements**

Approved by

Danielle White Barnes

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Application All Family Assistance employees

Policy Statement

Certain recipients receiving Supplemental Nutrition Assistance Program (SNAP) benefits are required to either meet a specific work requirement or meet the criteria for an exemption.

Purpose

The purpose of this policy is to identify SNAP recipients who have to register for work, who have work requirements, who are exempt from work registration and work requirements, and the procedures when a customer does not meet these requirements.

Procedures

A. Work Registration

1. Each household (HH) member who is not otherwise exempt from work registration requirements must register for employment prior to certification for Supplemental Nutrition Assistance Program (SNAP) and once a year thereafter.
2. Persons losing their exemption due to a change that is required to be reported by the HH must register for work as a condition of continued eligibility for SNAP.
3. Registration is accomplished when a SNAP application is signed. The adult who signs the application registers all individuals in the SNAP unit for work who are required to register for work.

B. Work Registration and Employment Training Requirements

The eligibility counselor must take the following steps to complete the work registration and Employment & Training (E&T) and referral process. To determine the difference between work registration and E & T staff shall refer to [Difference Between Work Registration and Employment & Training](#).

1. Explain to the HH:

- a. the statement on the application concerning E & T;
 - b. the work requirements;
 - c. the rights and responsibilities of the registrants; and
 - d. the consequences of failure to comply.
2. The work program (AEIWP) screen in ACCENT must be documented to reflect:
 - a. the individual's applicable E&T work status code;
 - b. the exemption review date for SNAP E&T Program, if applicable;
 - c. the work registration date, which is the date of application;
 - d. the referral date, which for a person completing the application process would be the date the case is approved. For current recipients it will be the date the referral action is being completed; and
 - e. for E&T registration, deregistration, and determining the date of deregistration staff shall refer to [Registering and Deregistering Clients from Employment & Training](#);
 - f. if the client is sanctioned for non-compliance with work requirements, the referral should be the current date and the registration date should be the application date. Individuals who are sanctioned and are being referred to E&T in order to meet compliance do not have to be authorized for the referral to be sent.

C. Exemptions from Work Registration and E&T Components

Individuals are exempt from work registration and E&T if they meet the criteria for any of the categories below: (Note these are federal exemptions. They are exempt from both E&T and Abled Bodied Adults Without Dependents (ABAWD)).

1. Individuals younger than age sixteen (16) or age sixty (60) or older are exempt. If a child becomes age sixteen (16) within the certification period, he/she will be required to fulfill the work registration requirements at recertification, unless the child qualifies for another exemption.

2. Age sixteen (16) or seventeen (17)

A person age sixteen (16) or seventeen (17) is exempt from work registration if the individual:

- a. is not the head of the household; or
- b. is attending school; or
- c. is enrolled in an employment training program on at least a half-time basis.

3. Physically or mentally unfit for employment.

Individuals who are either physically or mentally unfit for employment are exempt. Verification of Unfitness: Acceptable verification includes, but is not limited to:

- a. a receipt of temporary or permanent disability benefits issued by governmental or private sources (i.e., Supplemental Security Income (SSI), Social Security Disability Insurance (SSDI), workmen's compensation, Veterans' Administration (VA) benefits, etc.);
- b. a statement from a physician or a licensed or certified psychologist which indicates the length of disability;
- c. an approval for vocational rehabilitation services; or
- d. a verified application for SSI (a federal exemption).

4. Families First (FF) Work Registrant

If the recipient is mandatory for Families First work component and is compliant, he/she will be exempt from work registration.

5. Caretaker
 - a. Exempt a parent or other HH member who is responsible for the care of a dependent child under age six (6) or for the care of an incapacitated person.
 - b. If the child becomes age six (6) during the certification period, the HH member must register at recertification, unless the individual qualifies for another exemption.
 - c. If a parent and another HH member claim to be responsible for the care of the same dependent child or incapacitated person, the worker must discuss the responsibility with the applicant and determine who is actually responsible for providing the care.
 - d. Only one person may claim the caretaker exemption for a dependent. If more than one dependent person is cared for, then more than one person may be responsible.
 - e. The care does not have to be provided to a HH member. The person can live in another residence.
 - f. If verification is needed, it is important to know how often the client is caring for the disabled individual and who the disabled individual is to verify they are actually providing the care. Ways that can be accomplished are through a written statement from the disabled individual, calling the individual the client is providing care to or their family or collateral contacts.
6. Applicants or recipients of Unemployment Compensation
 - a. A person who receives unemployment compensation is exempt. Persons who have applied for unemployment compensation are exempt if they were required to register for work with the local Department of Labor and Workforce Development (DLWD) office as part of the unemployment compensation application process. Verify the exemption with the appropriate DLWD office, if questionable.
 - b. Verification - The individual's notice of approval for unemployment compensation benefits, the Tennessee Clearinghouse System or Data Exchange Unemployment Compensation (DEUC) screen on the Automated Client Certification and Eligibility Network for Tennessee (ACCENT) may be used to verify the receipt of benefits.
7. Participation in Drug/Alcohol Rehabilitation Program
 - a. Regular participants in drug addiction or alcoholic treatment and rehabilitation program either on a resident or non-resident basis.
 - b. Verification - The regular participation of an individual in an alcohol or drug treatment and rehabilitation program may be verified through the organization or institution operating the program.
8. Migrant and seasonal farm workers, if they are under contract or similar agreement with an employer to begin employment within thirty (30) days.
 - a. There are conditions that could prevent migrants with secured employment that do not affect the person's exemption from work registration.
 - b. Examples include, but are not limited to, inclement weather, delays in crops, etc.
9. Employed and Self-Employed

Employed/self-employed individuals are exempt as follows:

 - a. persons who are employed or self-employed and work a minimum of thirty (30) hours weekly; or
 - b. persons who are employed/self-employed and receiving weekly earnings at least equal to the federal minimum wage multiplied by thirty (30) hours or is

a youth under age twenty (20) receiving a training wage mandated by the Fair Labor Standards Act (FSLA) of 1989 (Limited to ninety (90) day period): or

- i. persons who have fluctuating work hours but work an average of thirty (30) hours per week or receive average weekly earnings at least equal to the federal minimum wage multiplied by thirty (30) hours; or
- ii. The average should be based on the information used to compute the budget income.

Verification of Employment - When the employment status is questionable, the amount of income received from employment may be used to establish the work registration exemption. The amount must be consistent with wages paid for a thirty (30) hour workweek, based on the general conditions prevailing in the community.

Verification of Self-Employment - When income does not conclusively reflect thirty (30) hours a week employment, and the applicant still claims to be self-employed, establish the following:

- i. that the income received from the self-employment enterprise is at least sufficient to be consistent with wages for a thirty (30) hour work week, based on the general conditions prevailing in the community; and
- ii. that the volume of work claimed justifies a determination that the self-employment enterprise is a full-time job for the purposes of this exemption. The HH must cooperate in providing adequate documentation to substantiate the claim that someone is self-employed.

10. Students

- a. Eligible students enrolled at least half-time in any recognized school (including high school), training program, or institutions of higher education are exempt from work registration.
- b. These students will remain exempt during normal periods of class attendance, recesses and vacations, provided that they intend to return to school when the recess or vacation is over.
- c. If the student graduates, is suspended, expelled, drops out, or does not intend to register for the next normal school term (excluding summer), he/she no longer eligible for this exemption.

D. Identified Exemptions to Employment & Training Work Components

Conditions that may qualify as an exemption from E&T, include:

1. Temporary illness or injury- an illness or injury of the individual that is temporary in nature and is obvious or verified;
2. Temporary disability- disability is temporary in nature and is obvious or verified;
3. Temporary emergency- may be a family emergency, such as illness or disaster, or an emergency related to the job;
4. On call – back to job- examples include, but are not limited to temporary layoff or temporary shutdown;
5. No access to transportation (the individual does not have a reliable vehicle, there is no public transportation available, or the individual does not have the resources to use public transportation or purchase gas).
6. Other exemptions approved by State office.
 - a. The individual resides in a non-funded E&T county;
 - b. Homeless individuals who do not have a fixed residence are considered to have a barrier that prohibits their participation in E&T Program, however they

can still volunteer to participate;

- c. If the customer does not meet an exemption, a barrier, or does not volunteer to go to DLWD;
- d. Other approved condition – DHS will explore federal exemptions if the individual does not meet a federal exemption, eligibility counselors shall explore other state barriers.

E. Eligibility Counselor Responsibilities

At application, recertification, and when an individual is registered for work during the certification period, the eligibility counselor will explain the work requirements to the client, including the HH's rights and responsibilities and the consequences of failure to comply.

1. The individual will be appropriately coded on the work program screen (AEIWP) using the [SNAP Work Codes](#).
2. When a referral date is put on AEIWP, a referral will be sent to the Department of Labor and Workforce Development (DLWD) for the voluntary and/or mandatory participant at least once every twelve (12) months.
3. Appropriate action and documentation will be completed upon receipt of information from DLWD regarding the participant.
4. The eligibility counselor must deregister an individual from work registration when the individual:
 - a. was registered but later the application was actually denied; or
 - b. has a work program sanction or fails to comply with a work program requirement; or
 - c. obtains a job working thirty (30) hours a week or earnings equal to federal minimum wage times thirty (30); or
 - d. leaves assistance; or
 - e. becomes otherwise exempt.

F. Work Registrant's Responsibilities

Currently Tennessee is operating under a Voluntary E&T program. If the state returns to a mandatory program, then mandatory work registrants must:

1. participate in an employment and training program if assigned to mandatory E&T by the department;
2. respond to a request for supplemental information regarding employment status or availability for work;
3. report to an employer when referred by the DLWD as long as the potential employment meets the suitability requirements —Unsuitable Employment; and
4. accept a bona fide offer of employment unless the employment is unsuitable (See Section G).

G. Unsuitable Employment

Any employment will be considered unsuitable if:

1. The wage offered is less than eighty (80%) percent of the federal minimum wage;
2. The training wage shall be substituted for the minimum wage for persons under age twenty (20) receiving the training wage mandated by the FLSA. This is limited to a ninety (90) day period;
3. The employment offered is on a piece-rate basis, and the average hourly yield the employee reasonably can expect to earn is less than the applicable hourly wages specified above;
4. The HH member is required to join, resign from, or refrain from joining any legitimate labor organization;

5. The work offered is at a site subject to a strike or lockout at the time of the offer, unless the strike has been enjoined under Section 208 of the Labor-Management Relations Act (commonly known as the Taft-Hartley Act), or unless an injunction has been issued under Section 10 of the Railway Labor Act;
6. The risk to health and safety is unreasonable;
7. The HH member is physically or mentally unfit to perform the employment. Document the medical evidence or reliable information from other sources;
8. The employment offered within the first thirty (30) days of registration is not in the registrant's major field of experience. Offers after thirty (30) days must be accepted;
9. The distance from the registrant's home to the place of employment is unreasonable, such as:
 - a. daily commuting exceeds two (2) hours per day, not including the transportation of a child to and from a child care facility;
 - b. public and private transportation is unavailable and the distance to the place of employment is too far to walk; or
 - c. the cost of transportation to the job site is excessive based on the expected wage.
10. The working hours or nature of the employment interferes with the HH member's religious observance, convictions, or beliefs;
11. Other good reasons that justify a conclusion that employment is unsuitable.
12. The determination of unsuitable employment will be based on the above listed criteria and any additional criteria established in the SNAP E&T program.

H. Deregistration

The eligibility counselor must be sure to deregister an individual when appropriate. The individuals should be deregistered when the person:

1. was registered but later the application was actually denied; or
2. has a work program sanction or fails to comply with a work program requirement; or
3. obtains a job working thirty (30) hours a week or earnings equal to federal minimum wage times thirty (30); or
4. no longer a SNAP recipient; or
5. ABAWD Non-Compliant; or
6. becomes otherwise exempt.

I. Employment & Training Components

1. Each work registrant will be reviewed.
2. Mandatory work registrants and volunteers may be assigned or exempted from work components.
3. Currently E&T is offered in all 95 counties.

All counties will not have the same component because the number of participants will vary due to county size.

J. Failure to Comply with Work Components

1. Disqualify the individual for the appropriate period when the individual refuses or fails to comply, without good cause, with any of the following work requirements:
 - a. registration for employment at application and every twelve (12) months thereafter; or
 - b. accepting an offer of employment; or
 - c. providing one department with sufficient information to allow TDHS to

- determine the employment status or the job availability of the individual; or
- d. voluntarily quits a job or reduces work effort to less than thirty (30) hours per week. (See Chapter 12 of the SNAP Manual for further explanation of Voluntary Quit).
2. When a person in a mandatory SNAP E&T county is exempt from the SNAP work requirement because of participation in a FF work component or unemployment compensation work requirement fails to comply with the FF work requirements, the eligibility counselor must evaluate the individual for SNAP E&T. If the person is not otherwise exempt from the SNAP E&T requirement, then he/she is non-compliant and must be sanctioned.
 3. If the individual fails to comply with a FF work requirement but does not have a SNAP work requirement, he/she is not subject to a SNAP sanction. However, since the individual did fail to comply with the FF requirement, the SNAP allotment will be reduced by ten (10%) percent as a penalty.
 4. The SNAP sanctions for E&T non-compliance only apply to mandatory E&T participants.

K. Able-Bodied Adults Without Dependent Children

Adult SNAP HH members without a dependent child must meet special eligibility requirements. The work requirements apply to able-bodied adults who:

1. Are at least age eighteen (18) but not yet fifty (50) years of age;
2. Are not in a SNAP HH with children under eighteen (18); and
3. Are not otherwise federally exempt from work registration.

L. ABAWD Exemptions

In some instances, the able-bodied adult may be exempt from the ABAWD work requirement. The exemptions for this group of individuals are:

1. Under age eighteen (18) or age fifty (50) or above
 - a. under age eighteen (18) (The child does not have to be in school. The month the person turns eighteen (18) is not a countable month.); or
 - b. age fifty (50) or above (The month the person turns fifty (50) is not a countable month.).
2. Determined Disabled by Social Security or one hundred (100%) percent disabled by the VA
3. Working with Department of Labor and Workforce Development
 - a. Individuals participating in a component through the Department of Labor and Workforce Development (DLWD) for eighty (80) hours per month.
 - b. They must be working with DLWD in order to receive this exemption.
 - c. A referral is not cause for an exemption, but would still be coded a code C until participating in an approved activity.
4. Greater than Ten (10%) Percent Unemployment

County specific; only used with an approved waiver for counties that have greater than ten (10%) percent unemployment (not currently used).
5. Fifteen (15%) Percent Exemption

Only allowed to be used for reasons approved by SNAP Policy and on an individualized basis
6. In-kind Work

Working twenty (20) hours a week or eighty (80) hours a month in exchange for goods or services not income.

 - a. Job Training and Partnership Act (JTPA/WIOA)

- Participation in Workforce Innovation and Opportunity Act
- b. Responsible for the care of an ill or incapacitated person
 - c. Labor Surplus
County specific; only used with an approved waiver for counties that have a labor surplus; use an individual specific code if possible before this code.
7. Unfit for employment or work programs
- a. Unfit based upon the eligibility worker's observations (can be physically or mentally unfit).
 - b. A doctor's statement is not required if a condition is observable.
 - c. The condition does not have to be for a specific length of time.
 - d. A client can be medically certified as physically or mentally unfit for employment by providing a statement from a qualified professional, or if the client is receiving VA disability that is anything other than one hundred (100%) percent.
8. Non-Issuance
Individual did not receive any SNAP benefits for this month.
9. Dependent children under eighteen (18) in the SNAP HH
All adults in the SNAP HH are exempt from the ABAWD requirement if there is a child under 18 in SNAP HH. The child does not have to be related to the adult being exempted. (The child must be in the same sequence. The adult can claim this exemption even if the child is not eligible for benefits.)
10. In Alcohol/Drug Treatment
11. Student enrolled at least half-time in any recognized school, training program, or institution of higher education
12. Trade Adjustment Act Program
13. Unemployment
Receiving unemployment compensation or applied for unemployment compensation if they were required to register for work with DLWD as part of the unemployment compensation application process.
14. Volunteer Work
Volunteering for at least twenty (20) hours a week or eighty (80) a month at religious or community events or public/private agencies.
15. Working
Individual employed working eighty (80) hours per month [twenty (20) hours a week average monthly] and being paid for such employment.
16. Pregnancy
Pregnancy in any month temporarily exempts the person from this work requirement. This does not have to be verified for SNAP. Do not complete the AEIIM screen unless the details have been verified. AEIIT can still be coded with a Y without verification. Pregnancy needs to be documented in CLRC.
17. 0-Proration
This code is only to be used if the proration amount is \$0.
18. Initial Proration
To be used during an initial proration month when the amount is greater than \$0.
19. Appeal

Client is receiving a continuation of benefits due to an appeal and their code was X.

M. ABAWD Eligibility

An able-bodied adult with no dependents, who does not meet an ABAWD exemption, may be eligible to receive three (3) months of SNAP benefits in a thirty-six (36) month period. The countable months for this group of individuals are:

- a. Benefit out of state
Out of state countable month(s); considered to be a countable month for Tennessee
- b. Countable month
A countable month; not otherwise exempt; not meeting the work requirement
- c. Re-entry month
Customer meets re-entry criteria to receive up to three (3) additional consecutive months of ABAWD benefits. Use only when three (3) countable months have been used and no other exemption is applicable.

N. Maintaining Eligibility

An individual, who has received his/her initial three month period of participation within the current thirty-six (36) month fixed period, can become exempt from the ABAWD requirement, or he/she can maintain eligibility by:

1. Working eighty (80) hours per month or more
If an individual would have worked an average of twenty (20) hours per week but missed some work for good cause, the individual shall be considered to have met the work requirement if the absence from work is temporary and the individual retains his or her job (new employment projected hours may be used from date of application); or
2. completing volunteer work or work for benefits in lieu of wages or a combination of the types of work for at least twenty (20) hours per week; or
3. participating in and complying with a JTPA Program, Trade Adjustment Act Program, or E & T (other than Job Search or Job Search training program) for eighty (80) hours per month or more; or
4. participating in and complying with a state-approved work experience program for 80 hours or more per month; or
5. participating in a Workfare Program through DLWD (hours are based on allotment).

O. Regaining Eligibility

1. When an individual becomes exempt from the ABAWD twenty (20) hour work requirement (either by a county exemption or personal exemption) or complies with a requirement for thirty (30) days an individual can regain eligibility. The person will remain eligible as long as an exemption exists or requirement is met.
2. An individual that became ABAWD ineligible, that is not otherwise exempt, shall regain eligibility to participate in SNAP if, during any thirty (30) consecutive days, he or she:
 - a) worked eighty (80) or more hours; or
 - b) participated in and complied with the requirements of a work program for eighty (80) or more hours; or
 - c) any combination of work and participation in a work program for a total of eighty (80) hours; or
 - d) participated in and complied with a workfare program.
3. There is no limit on how many times an individual may regain eligibility and subsequently maintain eligibility by meeting the work requirement.
4. If the individual has used the original three (3) months in the thirty-six (36) month period, has regained eligibility and subsequently loses employment or stops

working or participating in training or a work experience program, the individual is eligible for up to three (3) consecutive months (beginning the date the county is notified that work activity has ended). Once initiated, this three (3) month period must be consecutive. The individual is only eligible for one consecutive three (3) month period during the thirty-six (36) months.

5. After the individual has received the months of entitled eligibility and is not exempt or meeting the work requirements, he/she is ineligible for SNAP benefits. The able-bodied individual's resources are counted in their entirety to the remaining SNAP HH members. The ineligible ABAWD's income is prorated among all SNAP HH members and the ineligible ABAWD member's portion is not counted. The ABAWD individual is not counted in computing the utility standard.

P. ABAWD's Work Hours Decrease

1. When an individual is exempt from the ABAWD work requirement due to being employed 20 hours per week and the hours decrease, the eligibility counselor will look at the circumstances.
2. Good cause will be determined.
3. The ABAWD shall be considered to have met the work requirement if the absence is temporary and the job is retained.

Q. Good Cause Determination

1. If an individual would have worked an average of twenty (20) hours per week but missed some work for good cause, the individual shall be considered to have met the work requirement if the absence from work is temporary and the individual retains his or her job.
2. Good cause shall include circumstances beyond the individual's control, such as, but not limited to, illness, illness of another HH member requiring the presence of the member, a HH emergency, or the unavailability of transportation.

R. Non-Compliant ABAWD

When an ABAWD does not follow through with an appointment or no longer wishes to volunteer in an E & T component as a participant:

1. If the individual has no countable months left and has no other exemptions, he/she is ineligible and must be removed.
2. If an individual is ABAWD only with countable months remaining, no E&T penalty would be applied.
3. When an ABAWD does not follow through with an appointment or component, check to see if he/she is also a mandatory E&T participant.
 - a. If so, follow the E&T procedures for non-compliance with a work program. When someone refuses or fails to comply, the recipient can comply by:
 - i. Registering for employment
 - ii. Participating in E&T
 - iii. Accepting an offer of employment
 - iv. Providing sufficient information
 - b. The eligibility counselor will determine if there was good cause. Good cause reasons:
 - i. Individual illness or illness of other HH members
 - ii. HH Emergency
 - iii. Lack of Transportation
 - iv. Notification was not received
 - v. Unable to make satisfactory progress
 - c. If good cause does not exist, the appropriate penalty is applied.

- i. 1st Violation – one month
- ii. 2nd Violation – three months
- iii. 3rd or Subsequent Violation – six months
- iv. The sanction is the number of months for the violation or until compliance, whichever is later.

S. ABAWD Closure The ACCENT reason code 654 must be used to authorize the adverse action so that the HH will receive the appropriate notice.

Forms N/A

Collateral Documents [SNAP Work Codes](#)
[Registering and Deregistering Clients from Employment & Training](#)
[The Difference Between Work Registration and Employment & Training](#)

Additional Resources [ABAWD-AEIT Tracking Codes](#)
[Timeframes for Filing an Appeal](#)
[ABAWD and E&T Exempt Counties Desk Guide](#)
[SNAP ABAWD Implementation Process PUN](#)

Retention of Records Pending

Glossary

Term	Definition
Bona fide	Made with earnest intent.
Countable months	Months during which the person is not otherwise exempt from meeting work requirements and is; not meeting the work requirement.
Fixed clock	A definite start and stop date, starts on a given date and runs continuously for three (3) years, and the state can opt to use individual periods or the same three (3) year period for everyone.
Half time enrollment	The criteria for determining half time enrollment shall be whatever criteria the institution of higher education has established for half time enrollment.
Non-Compliant ABAWD	ABAWD that does not follow through with an appointment or required component.

Acronyms

Abbreviation

Expansion

ABAWD

Able-Bodied Adults without Dependent Children

ACCENT

Automated Client Certification and Eligibility Network for Tennessee

E & T

Employment and Training

DEUC

Data Exchange Unemployment Compensation

DLWD

Department of Labor & Workforce Development

FF

Families First

FLSA

Fair Labor Standards Act

HH

Household

JTPA

Job Training and Partnership Act

SNAP

Supplemental Nutrition Assistance Program

WIOA

Workforce Innovation and Opportunity Act

Supersedes

Administrative Policies and Procedures: 24.00 SNAP Work Requirements in current SNAP Policy Manual, July 2017