



Administrative Policies and Procedures: 23.24

Subject Families First Work and/or Educational Activity

Approved by

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Authority

42 U.S.C. §607;
45 CFR §261;
Tenn. Code Ann. §71-3-104;
Tenn. R. and Regs. 1240-1-49

Application

Family Assistance Staff

Policy Statement

All adults and minor parents who are mandatory assistance unit (AU) members must participate in a work and/or educational activity, unless exempt, as part of a Personal Responsibility Plan (PRP).

Purpose

The purpose of this policy is to outline the requirements, processes, and exceptions for the Families First work and/or educational activities that are designed to promote self-sufficiency by strengthening families through education, training, and work.

Procedures

A. The Work and/or Educational Activity

1. The Families First Work Requirement applies to all adult mandatory AU members and minor parent caretakers, including those mandatory AU members who are excluded from the AU as outlined in [Policy 23.01 Assistance Units](#).
2. All cases with a mandatory work and/or educational activity are assigned to a client representative to provide a Families First program orientation, including detailed information concerning the activity, and to complete all necessary follow-up.
3. The requirement consists of thirty (30) hours per week:
 - a) A minimum of twenty (20) hours must be in Core Activities.

- b) The remaining ten (10) hours may be in Core or Non-Core Activities.
 - c) Minor caretakers may meet the work requirement by either attending high school or its equivalent, or they may choose to attend thirty (30) hours of a work and/or educational activity.
4. Customers who are participating in a work and/or educational activity are referred to an Employment and Case Management Services (ECMS) provider using [HS-2944 ECMS Providers](#).
 5. The ECMS provider will work with the customer to:
 - a. Develop the Individual Career Plan (ICP) and/or Family Empowerment Plan (FEP);
 - b. Monitor participation in the activity; and
 - c. Provide needed support services.

B. Core Activities

Only the following Core work activities will be countable PRP activities:

1. Unsubsidized Work
2. Job Search and Job Readiness Assistance
 - a) This activity is time-limited to four (4) consecutive weeks or twelve (12) weeks total within a calendar year beginning with the date of engagement with ECMS.
 - b) Following the four (4) consecutive weeks, a one (1) week break is required prior to resuming Job Search and Job Readiness.
3. Work Experience
 - a) Limited to six (6) months in a twelve (12) month period.
 - b) The ECMS provider and Client Representative will monitor hours spent in the activity to ensure that the six (6) month time period is not exceeded
4. Community Service
 - a) Limited to three (3) months in a twelve (12) month period
 - b) The ECMS provider and Client Representative will monitor hours spent in the activity to ensure that the three (3) month time period is not exceeded
5. Vocational Education
 - a) Time assigned to Vocational Education is limited to twelve (12) months in a lifetime.
 - b) No more than thirty percent (30%) of the Families First caseload can be enrolled in Vocational Education at a given time.
 - c) Customers who are participating in a post-secondary degree or other vocational specific diploma or certificate program may count this program as a core activity under vocational education, if the customer has not exhausted the Vocational Education twelve (12) month limit. This includes, but is not limited to:
 - Bachelor's or other advanced degree
 - Two (2) year degree programs

- Vocational diplomas
- Vocational certificates.

6. Subsidized Employment

C. Non-Core Activities

Only the following Non-Core activities are countable PRP activities. They are limited to a total of ten (10) hours per week.

1. Job Skills Training Directly Related to Employment

- a. Job-specific or general training, including literacy or language instruction.
- b. Post-Secondary Education, if the individual has exhausted the Vocational Educational training limit of twelve (12) months
 - i. Supervised homework/study time must be verified and documented to be countable.
 - ii. The total countable homework/study time may not exceed the hours required or advised by the educational program.

2. Adult Education

- a. Courses to provide knowledge and skills for a specific occupation or work setting
- b. Adult basic education
- c. English as a second language courses
- d. Secondary school or GED courses for those who do not have a high school diploma or the equivalent.

D. Residential Treatment Facilities

Customers who are residents of treatment centers required to participate in the facility's program have met their thirty (30) hour work requirement. These customers may be referred to an ECMS contractor for support services only.

E. Renewal House

Residents of Renewal House have met their thirty (30) hour work requirement. These customers may receive support services through the ECMS contractor.

F. Catholic Charities

Customers who are receiving Refugee Cash Assistance (RCA) and are engaged in a work activity through Catholic Charities have met their thirty (30) hour work and/or educational activity requirement. These customers may be referred to an ECMS contractor for support services only.

G. Vocational Rehabilitation

Participants in Vocational Rehabilitation (VR) who are deemed fully active by VR will be considered to have met their thirty (30) hour work and/or educational activity requirement. These customers may be referred to an ECMS contractor for support services only.

H. Minor Parent Caretakers

As long as minor parent caretakers are in high school or an equivalent program, they will be considered to have met their thirty (30) hour work and/or educational activity requirement. These cases will be monitored by the client representative. When the minor parent caretaker no longer meets the age requirement for a dependent child, he or she will have a thirty (30) hour work and/or educational activity requirement and must be referred to an ECMS provider, whether or not he or she has graduated from high school or completed an equivalent program. If the minor parent caretaker will continue in

school after age twenty (20), ten (10) hours of the thirty (30) required activity hours may still be used for education.

- Minor parent caretakers in high school or an equivalent program, who need support services, may be referred to an ECMS provider for those services only.

I. Exemptions

An adult or minor parent caretaker is exempt from the work and/or educational activity when he/she is:

- A child only caretaker,
- Sixty-five (65) years old or older,
- Disabled,
 - To be exempt based on disability, the customer must be receiving:
 - RSDI/SSDI based on his/her disability;
 - SSI;
 - VA benefits based on his/her 100% disability;
 - Black Lung benefits based on his/her own disability.
- A single parent caring for an infant less than one (1) year of age,
- A parent in a two parent household who is caring for an infant less than sixteen (16) weeks of age,
 - Only one parent in a two parent household can qualify for this exemption.
- Caring for an in-home disabled relative with an MEU approval,
- Temporarily incapacitated with an MEU approval, or
- A non-citizen who does not have a valid US work permit.

J. DRS Evaluation

1. The caseworker must refer the following customers, except for SSI recipients or Child Only Caretakers, to the Division of Rehabilitation Services (DRS) at intake and renewal using [HS-2686 Vocational Rehabilitation Referral](#):
 - a. RSDI/SSDI based on his/her disability;
 - b. VA benefits based on his/her 100% disability;
 - c. Black Lung benefits based on his/her own disability
 - d. Customers with an MEU approved incapacity determination that is expected to last 6 months or longer.
2. DRS will determine whether the Families First customer is eligible for DRS services and whether those services would provide the customer an opportunity to voluntarily participate in the Families First work and/or educational activity.
3. Customers approved for services through DRS will be referred to the client representative.
4. Customers who do not want to participate, attend the referral appointment, or comply with DRS will retain their exempt status and will not be subject to sanction.

- K. ADAAA Accommodation** Some individuals may need Americans with Disabilities Act Amendments Act of 2008 (ADAAA) accommodations in order to participate in the Families First program and be able to fulfill their work and/or educational activity requirements. Individuals who are being assessed for an ADAAA accommodation will be exempt during the assessment period. See [Rights and Responsibilities](#) collateral for additional information.
- L. Victims of Domestic Violence** In order to accommodate victims who are actively seeking safety and/or shelter from domestic violence, several participation options are available. The available options are:
1. Customers who are living in a residential shelter that provides rehabilitative services, such as therapy or other activities geared toward work, and requires **sole** participation in the shelter's program have met their thirty (30) hour work and/or educational activity. These individuals may be referred to the ECMS provider for support services, if needed.
 2. Customers who are living in a residential shelter that does not require **sole** participation in the shelter's program and/or does not provide work programs will have a mandatory work and/or educational activity to participate in Families First.
 - a. Work and/or educational activity participation hours for individuals who are victims of domestic violence and are unable to meet the thirty (30) hour requirement may be modified, if necessary, to protect the safety of the individual.
 - b. Modified hours for the work and/or educational activity can only be adjusted based on a recommendation from Family Focused Solutions (FFS).
 3. Victims of domestic violence who are unable to participate in a Families First activity because it would pose a threat to their welfare or to the welfare of their children will be granted a temporary waiver from the work requirement not to exceed thirty (30) calendar days due to a "short-term temporary crisis".
- M. Volunteers**
1. Exempt customers may volunteer to participate in Families First work and/or educational activities, except for child only caretakers, non-citizens who do not possess a valid work permit, and SSI recipients. They will be referred to a client representative. The client representative will refer them to ECMS, and they will be eligible for support services. Volunteers are eligible to receive support services even if they participate for less than thirty (30) hours.
 2. Customers who volunteer are not required to participate and cannot be sanctioned.
 - a. If an exempt single parent volunteers prior to the time his/her child reaches sixteen (16) weeks of age and decides he/she is unwilling or unable to continue participation, the parent may return to exempt status that can continue until the child's first (1st) birthday.
 - b. If an exempt single parent volunteers after his/her child has reached sixteen (16) weeks of age, the volunteer action becomes mandatory and, if the parent is unwilling to continue participation, he/she may be subject to a sanction.

N. Sanctions

1. Customers who are non-compliant with the work and/or educational activity without good cause will be sanctioned by having the case closed.
 - a. Customers who have an unexcused absence from a work and/or educational activity will be considered non-compliant. One unexcused absence will result in a sanction.
 - b. The ECMS provider will determine whether an absence is excused or unexcused. See [Families First Work and/or Educational Activity Procedures](#) for additional information.
2. Excused absences will not be sanctioned.
3. All unexcused absences will be sanctioned.
4. Once a sanction has been imposed, the customer must serve a mandatory sanction period, reapply for Families First, and complete a ten (10) business day compliance period in order to reestablish Families First benefits.
 - a. The first sanction results in a mandatory one (1) month sanction period.
 - b. The second sanction results in a mandatory three (3) month sanction period.
 - c. The third sanction results in a mandatory six (6) month sanction period.
 - d. The fourth and all subsequent sanctions result in a mandatory twelve (12) month sanction period.
5. Customers who meet the following criteria may qualify for early re-entry if applying during the mandatory sanction period:
 - a. For the first (1st), second (2nd) and 3rd sanctions:
 - i. the receipt of cash assistance would prevent removal of a child from the home by the Department of Children's Services (DCS);
 - ii. the caretaker has become disabled;
 - iii. The caretaker has become incapacitated and/or is caring for an in-home disabled relative;
 1. Incapacity and/or caring for an in-home disabled relative must be approved by the MEU.
 2. The application cannot be approved during the mandatory sanction period until the MEU approves the incapacity and/or caring for an in-home disabled relative. The AU must have interim benefits issued on the 49th day as outlined in [Policy 23.00 Families First Application Process](#).
 - iv. the caretaker is under the threat of domestic violence;
 - v. the receipt of cash assistance would prevent the AU from becoming homeless;
 - vi. the recipient filed an Appeal;
 - vii. the recipient won an Appeal;

- viii. the sanction was entered in error.
 - ix. A two-week compliance period is required prior to approval unless the early-re-entry reason is one that causes the individual to be exempt from the work requirement, the sanction was entered in error, or the approval is due to an order from appeals.
- b. For the 4th or subsequent sanction:
- i. the customer:
 - 1. has been continuously employed for a period of three (3) consecutive months for a minimum of (30) thirty hours each week at the time of application; and
 - 2. the individual is currently employed at the time of application; and
 - 3. the individual is able to verify the employment; or
 - ii. the customer filed an Appeal;
 - iii. the customer won an Appeal;
 - iv. the sanction was entered in error;
 - v. the caretaker has become disabled; or
 - vi. The caretaker has become incapacitated and/or is caring for an in-home disabled relative.
 - 1. Incapacity and/or caring for an in-home disabled relative must be approved by the MEU.
 - 2. The application cannot be approved during the mandatory sanction period until the MEU approves the incapacity and/or caring for an in-home disabled relative. The AU must have interim benefits issued on the 49th day as outlined in [Policy 23.00 Families First Application Process](#).
 - vii. A two-week compliance period is required for the first re-entry reason above.

O. Voluntary Quit

Customers who voluntarily terminate employment without good cause will be subject to the same sanction(s) as those who are non-compliant with their engagement with the ECMS Provider unless the customer:

- 1. Is an ineligible AU member
- 2. Is, or has become, exempt from the work and/or educational activity; or
- 3. Is a minor

O. Good Cause

Examples of acceptable good cause reasons for not participating in the work and/or educational activity can be found on [Families First Good Cause for Non-Compliance](#).

Forms [HS-2944 ECMS Providers](#)
[HS-2686 Vocational Rehabilitation Referral](#)

Collateral Documents [Policy 23.00 Families First Application Process](#)
[Policy 23.01 Assistance Units](#)
[Rights and Responsibilities](#)
[Families First Good Cause for Non-Compliance](#)
[Families First Work and/or Educational Activity Procedures](#)

Additional Resources

Retention of Records

Glossary

Term	Definition
Family Empowerment Plan	A family-centered, strengths-based plan that focuses on the family's progress from a Two-Generation Approach throughout the case to ensure services are tailored to best address the family's strengths and needs. The plan acts as a bridge from the assessments to the actual delivery of services and supports.
Minor Parent Caretaker	Biological parent who is under the age of eighteen (18) and is the head of his/her own AU.
Subsidized Employment	Employment in the public or private sector for which the employer receives a subsidy from Families First or other public funds to offset some or all of the wages and costs of employing a Families First customer.

Acronyms

Abbreviation	Expansion
ADAAA	Americans with Disabilities Act Amendments Act of 2008
AU	Assistance Unit
DCS	Tennessee Department of Children's Services

DRS	Division of Rehabilitation Services, a division of DHS
ECMS	Employment and Case Management Services
FEP	Family Empowerment Plan
FFS	Family Focused Solutions
GED	General Education Diploma
ICP	Individualized Career Plan
MEU	Medical Evaluation Unit
PRP	Personal Responsibility Plan
RCA	Refugee Cash Assistance
SSI	Supplemental Security Income
VA	Veteran's Administration
VR	Vocational Rehabilitation

Supersedes

- Families First Online Policy Manual Chapter 27
- Families First Handbook pp 91-99
- Policy 23.13 Families First Work Requirement Sanctions effective 7/1/16
- Policy 23.14 Sanctions for Voluntary Termination of Employment effective 7/1/16
- Bulletins:
 - FA-14-03
 - FA-14-13
 - FA-13-03
 - FA-11-27
 - FA-10-09
 - FA-09-02
 - FA-08-26
 - FA-08-28
 - FA-08-11
 - FA-08-20
 - FA-07-06
 - FA-06-01
 - FA-06-03
 - FA-06-23
 - FA-06-25
 - FA-06-29
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 - FA-05-24

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- FA-05-31
- FA-04-05
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- FA-03-40
- FA-03-44
- FA-03-46
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- FA-02-06
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- FA-02-32
- FA-02-38
- FA-01-15
- Numbered Memoranda:
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 - FA-09-13
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