

DEPARTMENT OF HUMAN SERVICES FAMILY INVESTMENT ADMINISTRATION	TEMPORARY CASH ASSISTANCE MANUAL	
BASIC REQUIREMENTS WORK & EDUCATION 401	COMAR: 07.03.03.07	WORK PROGRAMS 400

401.1 REQUIREMENTS

- A. The primary goal of Temporary Cash Assistance (TCA) is to help each family achieve independence as soon as possible, generally through employment.
- B. A significant percentage of work eligible TCA recipients must be in a federally defined work activity.
 - The actual percentage is calculated each month as the Federal Work Participation Rate (WPR).
- C. TCA in Maryland operates under a Universal Engagement policy for all work eligible individuals. UE defines individuals as:
 1. Engageable - a work eligible individual not in an activity, or
 2. Engaged - a work eligible individual in a work activity, or
 3. Unengaged - the individual is:
 - a. Exempt, or
 - b. Has good cause for not participating.
- D. Customers who are not counted or are disregarded in the UE participation rate are:
 1. Single custodial parents, caring for a child under age 1.
 2. Needy caretaker relatives with no children of their own in the assistance unit.
 3. Adults and teens subject to sanction for non-compliance with work requirements.
- E. During the application process, the case manager and customer develop an Independence Plan that includes agreed upon work activities that will help the family meet the goal of independence. The Plan is:
 1. Tailored to meet the needs, resources and skills of the family members; and
 2. Updated as needed, but no less often than each redetermination. Local departments determine the range of work activities they offer.
- F. Work eligible adults are required to participate in a work activity for a minimum of 30 hours per week, unless they have a child under age 6.
 - Work eligible individuals with a child under age 6 must complete a minimum of 20 hours per week.
- G. Failure to comply with work requirements without good cause requires sanctions.

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H. Long term disabled customers who have a disability lasting 12 months or more are countable in the federal work participation rate (effective October 1, 2015) but exempt from work activities under Human Services Article §5-308(b)(2)(ii) and COMAR 07.03.03.07-1D(2). They may volunteer for work activities but are not mandatory.

401.2 TEEN PARENTS

- A. A custodial minor parent age 16 or 17, with a child over 12 weeks old, who dropped out of school and does not have a high school diploma **must re-enroll and attend full-time in:**
1. A school or other educational program that will lead to a high school diploma or its equivalent, or
 2. An alternative education or training program approved by the State.
- B. Minor parents and the spouse of the minor parent must be registered in school, attend 80% of the time.
1. If the minor parent or the spouse of the minor parent drops out of school, begin conciliation and sanction.
 2. A minor parent or the spouse of a minor parent who is under 18 years of age and has graduated from high school or obtained a GED is a work eligible individual.
 3. Although the spouse of a teen parent is not included in the federal WPR, in Maryland the requirements for the spouse do not change.
 4. A teen parent may not claim the child-under-one exemption.
- C. All teen parents, either heads of household or children on a case, and full time students who will graduate during the year of their 19th birthday are considered fully participating in federally defined work activities by maintaining satisfactory school attendance (80%). (The school determines full time.)
- D. **Teen parents, age 18-19, who are the head of household on their own TCA, who do not have a high school diploma or GED, must be engaged in:**
- High school leading to a diploma or a GED program or work based training or training that does not require a diploma or GED; or
 - Skills training program.

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401.3 NON-PARENT TEENS

- A. Non-parent teens (age 16-18 or 19, if graduating high school in the year the teen turns 19) must be in school and attending 80% of the time.
- B. 19 year olds not in school are removed from the TCA or the TCA is closed, if that child is the only child.
- C. For non-parent teens (age 16-18) not in school without good cause, impose a PPI disallowance and refer to a work activity.
 1. At redetermination ask for verification of school attendance.
 - If the minor does not go to school, impose a PPI disallowance and require the teen to register in school and attend 80% of the time.
 - Refer the teen to a work activity.
 - The teen has the choice of going to school or working.
 2. If the minor does not comply with work requirements, remove the PPI disallowance and implement conciliation and an individual sanction.
 3. If the minor complies with the work requirement but does not go to school, the PPI disallowance continues. School is the goal.
- C. In the case of an 18 or 19 year old not in school and without good cause, remove the 18 or 19 year old from the TCA case. Close the case after timely and appropriate adverse action if the 18 or 19 year old child is the only eligible child on the TCA case.
 - A 19 year old, who is not attending high school or who will not graduate before the end of the year in which he or she turns 19 is not eligible for TCA.
- E. **All 16 and 17 year old teens who are not enrolled full time in school, home school or Job Corps must participate in federally defined work activities as mandatory adults.**

401.4 EXEMPTIONS FROM WORK REQUIREMENTS

- A. Exempt the following individuals from work activities.
 1. A parent caring for a child under age 1.

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- a. The exemption lasts for 12 months in the parent's lifetime.
 - b. A teen parent who does not have a high school diploma or its equivalent cannot be exempt to care for a child under the age of 1.
 - c. Teen parents must meet school requirements when their child is 12 weeks old.
2. A severely disabled adult is limited to 12 months exemption unless:
 - a. The individual's disability will last more than 12 months,
 - b. The individual has applied for SSI and is cooperating with the SSI process, and
 - c. The adult is cooperating with the Disability Advocacy Program.
 3. An adult needed in the home to care for a severely disabled person living in the home, whether or not the disabled person is in the assistance unit.
 4. An adult working 30 hours or more per week and earning at least minimum wage.
 5. A child younger than 16 years old.
 6. A minor parent younger than 16 years old must be a full-time student in school or an alternative educational or training program and attending at least 80% of the time.
 7. An adult relative with no natural or adopted children in the assistance unit.
 8. An individual who is a victim of family violence may be exempt based on an evaluation by the local family violence expert.
 9. When two able-bodied parents are in the home, both may be required to participate unless child care is needed, but is not available.
 - For Universal Engagement (UE) both parents must be participating in an activity.
 10. An exempt individual may volunteer to be in work programs.

401.5 TWENTY-FOUR MONTH WORK REQUIREMENT

- A. Federal law requires that all adults who have received TCA for 24 cumulative months be in a work activity in order to continue receiving benefits. In Maryland, Universal Engagement requires participation in an activity beginning with the date of application.
- B. The 24 month provision does not apply in Maryland.

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- The exemptions and good cause allowed under the 24 month provision are incorporated into Universal Engagement requirements.

401.6 CONCILIATION, GOOD CAUSE, AND SANCTIONS

- A. A customer is entitled to **one** conciliation period for non-compliance with work requirements.
- Conciliation is the 30 day period allowed to assist customers in cooperating with work or other activity requirements.
- B. Good cause for not complying with work requirements is allowed for the following reasons (See Exemptions and Good Cause Reasons for Noncompliance with Work or Education Requirements, Section 402.5 of this Manual):
1. Documented illness or incapacity;
 2. Quitting a job to take a new job with another employer;
 3. Quitting or not taking a job due to discrimination based on race, color, national origin, sex, religious creed, disability, age, political beliefs or sexual orientation;
 4. Breakdown in transportation arrangements when there is no other accessible means of transportation;
 5. Hazardous working conditions;
 6. Breakdown in child care arrangements or lack of child care resources;
 7. Verified court-ordered appearances;
 8. Incarceration;
 9. Domestic violence or other family crisis that threatens normal family functioning (see definition of family crisis in 402.5.C);
 10. Housing crisis or homelessness;
 11. Death in the family (immediate family or household member);
 12. Problems at school, such as suspensions, expulsion, mandatory school meetings;
 13. Family in counseling to resolve a crisis;
 14. Lack of supportive services identified in the initial assessment and agreed upon by the recipient and the local department;
 15. Resignation at employer's request;

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16. An assignment that is more than 30 hours per week and the adult is providing care for a child younger than one-year-old (This exemption applies only for 12 months in the adult's lifetime.); and

17. Other circumstances determined to be good cause by the local department.

- C.** Do not impose a sanction if the customer verifies good cause during the conciliation period.
- D.** Lift the sanction if the customer verifies good cause or an exemption after the sanction was imposed.
- E.** When non-compliance with work requirements occurs during the application process, there is no sanction.
 - Deny the case if the individual who is not complying is the adult or minor parent head of household.
 - Do not include the needs of the non-compliant individual in the benefit calculation if the non-complying individual is a minor child.
- F.** Impose a sanction when non-compliance without good cause occurs in an active case.
- G.** Close the case with a full-family sanction if the non-compliant individual is an adult or minor parent head of household.
- H.** Use an individual sanction to remove that person's needs if the non-compliant individual is a minor child.
- I.** The sanction time period depends on the instance of non-compliance:
 1. First instance – until the individual has complied for 1 day.
 2. Second instance – until the individual has complied for 10 days.
 - The sanction period ends the day after the 10th day during which the customer complied for all the available activity days.
 3. Third and subsequent instances – until the individual has complied for 30 days.
 - The sanction period ends, the day after the 30th day during which the customer complied for all available activity days.

NOTE: Investigating the reasons for non-compliance to determine if there is good cause is always required before sending a Notice of Adverse Action (NOAA).

401.7 VERIFICATION

- A. Require verification of:

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1. Disability
 - a. Use the **Medical Evaluation Form DHS/FIA 500** if the disability is 12 months or more.
 - b. The 500 or other proofs such as statements on the physician’s letterhead stationary or other medical forms are acceptable when the disability is less than 12 cumulative months.
 2. Needed in the home to care for a disabled person
 - a. Doctor’s statement which verifies the need for the customer to be in the home full-time to care for the disabled person.
 - b. DHS/FIA 500 for the disabled person unless the person receives federal disability benefits.
 - c. 434 C if the disabled individual is a child.
 - The parent completes the 434 C stating why they are needed in the home.
- B. Require other verification only if the situation is questionable.

401.8 WORK PROGRAMS

- A. Local departments determine which work programs and activities will be offered in their jurisdiction.
- B. Local departments can operate the work programs in-house, contract program operation to the American Job Center or other vendors, or use a combination of both strategies by:
 1. Coordinating with existing local programs; and
 2. Developing new local initiatives.
- C. The federal government specifies countable work activities for calculating a State’s work participation rate. Local departments should place TCA customers in these activities whenever possible.
- D. Local departments have the flexibility to offer work activities that are not countable, but meet the abilities and needs of their customers.
 - These activities must be submitted to DHS in the annual PASS plan and should only be used for customers who cannot engage in one of the 12 countable federal activities.

401.9 WORK ACTIVITIES –9 FEDERALLY AUTHORIZED “CORE” ACTIVITIES

- A. **Unsubsidized Employment** (WEJ) – the individual’s wages are not subsidized with governmental funds.

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1. Self-employment, Armed Services, and other government employment are included.
 2. Tax credits to employers are not considered a subsidy.
- B. **Subsidized Private Sector Employment** (WSU) – the individual’s wages are subsidized with government funds in private-for-profit and private-non-profit employment.
- Includes Grant Diversion, which uses part or all of the TCA grant to reimburse the employer.
- C. **Subsidized Public Sector Employment** (WSP) – the individual’s wages are subsidized with government funds in public employment.
- Includes Grant Diversion.
- D. **Work Experience** (WEX) – the individual acquires skills and knowledge in public or private work situations.
1. The individual is not paid while in a work experience, but may receive a needs-based payment to cover costs of participating in the work experience.
 2. Work experience slots are subject to federal Fair Labor Standards Act (FLSA) requirements.
 3. Individuals in WEX slots are not considered trainees, but are considered employees for FLSA requirements. (See the section in this chapter on Trainees and Employees).
- Note: Work experience activities are time limited. Customers may be referred to another WEX position, including a different position with the same employer.**
- E. **On-the-Job Training** (OJT) – the individual is an employee being taught the skills needed to perform the job the individual was hired to do by a private or public employer.
1. The individual is paid a wage that is considered a training wage.
 2. The local department or vendor must enter into a contractual relationship with the employer specifying which funds will be used to reimburse the employer for providing training and supervision.
 - Reimbursement to the employer cannot exceed an average of 50% of the training wage.
- F. **Job Search and Job Readiness Assistance** the individual is given instruction in various strategies to obtain unsubsidized employment.

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1. **JBS**

- a. Includes interviewing skills, resume writing, telephone techniques, job acquisition strategies, job opening information, workplace expectations, and career exploration.
- b. May include space and supplies for job searches.
- c. Can be a federally countable activity for 240 hours per year, of which only 160 can be consecutive.

2. **JBT**

- a. Substance Abuse Treatment:
 - When substance abuse treatment is the activity, make follow-up appointments every 4 months or sooner to assess compliance.
 - Customers may be able and should be referred to a work activity during treatment.
 - If a customer is in in-patient treatment review the activities the customers completes to determine if more suitable activity categories can be used.

3. **JBM**

- Mental Health Treatment

4. **JBR**

- Rehabilitation Services

G. **Community Service** (WEM) – the individual engages in work that provides a benefit to the public.

1. These are not usually paid positions, but the individual may receive a stipend.
2. The individual may find a community service position or be placed by the local department or vendor.

H. **Vocational Education** (BEV) – the individual receives instruction in an institutional or work-site setting to upgrade skills.

- Can be a federally countable activity for a maximum of 12 months.

I. **Providing Child Care Services to an Individual Who is Participating in a Community Service Activity** (WEC).

1. This is an unpaid activity and must be a structured program designed to improve the employability of the participant.

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2. If paid, the individual is in unsubsidized employment and must meet the State's child care licensing regulations.
3. One parent in a two parent household may not participate in a WEC activity caring for his or her own children while the other parent participates in a WEM.

401.10 FEDERALLY AUTHORIZED 'Non-Core' WORK ACTIVITIES

- A. **BED – Satisfactory School Attendance at a Secondary School or in a Course of Study Leading to a Certificate of General Equivalency, in the Case of a Recipient Who Has Not Completed Secondary School or Received Such a Certificate.**
 1. Includes instruction by a secondary school or alternate program leading to a diploma or high school equivalency (GED).
 2. Applies to recipients of any age.
 3. The hours are only countable toward the State's participation rate if the individual has participated for 20 hours per week in one of the "core" activities.
 4. Countable activity for teen parent head of household or teen spouses, regardless of the number of hours of participation and without first participating in a core activity.
 5. Does not include adult education or English language classes unless the classes are directly linked to attending a secondary school or GED program.
- B. **BER- Education Directly Related to Employment, in the Case of a Recipient Who Has Not Received a High School Diploma or a Certificate of High School Equivalency.**
 1. The individual receives education directly related to employment.
 2. Includes courses designed to provide knowledge and skills for specific occupations or work settings.
 3. Teen parent head of households can be countable participants when this is the sole activity.
 - All others must also be in a federally authorized core activity for education to be countable.
 4. On a case by case determination, immigrants and refugees who hold foreign diplomas may qualify for this activity.
 - It may be difficult to determine whether an immigrant or refugee's high school diploma is the equivalent to a US diploma.

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Example: The 19-year old parent without a diploma is a countable participant in BER if the only activity is secretarial school.

A 20-year old parent without a diploma may need to be in a core activity, such as community service (WEM) or work experience (WEX), to have secretarial school also count toward the federal participation rate.

C. IST- Jobs Skills Training Directly Related to Employment

1. Focuses on education or training that is designed specifically help individuals move into employment or advance or adapt to changing demands of the work place.
2. The individual receives training at an institutional or worksite setting that is designed to upgrade skills and information needed to perform a specific job.
3. Can include customized training to meet the needs of as specific employer or general training an individual for employment.
4. Countable activity only if the individual is also in a core activity for 20 hours per week.
5. May include higher education, literacy instruction or language instruction when the instruction is explicitly focused on skills needed for employment.

401.11 PARTICIPATION REQUIREMENTS-FEDERAL

- A. The State participation requirement for individuals who are work eligible is 30 hours per week except for those with a child under age 6 who are required to complete only 20 hours per week.
- B. The federal government set standards for an individual to be a countable work activity participant.
 1. Only adults and teen parent heads of household can be countable participants.
 2. Teen parents are countable if they meet the 80% school attendance requirement in a BED or BER.
 3. Households with two able-bodied parents must participate at least:
 - a. 35 hours per week with 35 in a core activity (one or both parents can complete the hours) , or
 - b. 55 hours per week with 50 in a core activity if using federally funded child care.

401.12 TRAINEES VS EMPLOYEES

- A. An individual, who is considered an employee rather than a trainee, must receive compensation in accordance with the minimum wage provisions of the

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Fair Labor Standards Act (FLSA).

1. Multiply the number of hours the customer is in an activity, times the federal or State minimum wage (whichever is higher) to determine what the individual's compensation must equal.
2. Add the TCA and FSP benefit received together to determine what the customer's compensation is.
3. Compare the two amounts. If the value of the TCA and FSP benefit exceeds the amount of the minimum wage times the hours per month, the compensation equals or exceeds FLSA requirements. If the value of the TCA and FSP benefit is less than the minimum wage times the hours per month, the hours of participation in the "employment" must be reduced. The individual may be referred to an additional "non-employment" assignment to reach the total hours of participation needed.

B. An individual is a trainee when:

1. The training, although at a work site, is similar to that available in a vocational school;
2. The training is primarily for the benefit of the trainee;
3. The employer receives no immediate advantage from the trainee's activities;
4. No regular employees are displaced and the trainee works under close supervision;
5. There is no promise of a job at the end of the training; or
6. The employer and trainee understand that no wages are paid while in training, although a stipend may be given to offset the trainee's expenses.

C. Trainees may not be in an internship or trainee program for more than 90 days.

D. All placements that do not meet the federal definition of training are considered employment and FLSA minimum wage standards apply.

401.13 WORK ACTIVITY LIABILITY

A. Individuals placed in work activities are covered by the State's Workers' Compensation Statute.

1. When the individual is receiving a TCA grant rather than wages, Worker's Compensation does not apply because the grant is unaffected. The customer will continue to receive his or her TCA benefits.
2. Individuals in vendor sponsored programs are considered State employees for compensation purposes only.

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- B. Individuals placed in work activities are covered by the State Worker's Compensation Statute for medical insurance through the Medical Assistance program.
- C. The Compensation Statute does not protect against civil suits. The vendor's liability insurance should provide protection if the individual was not negligent.
- D. The individual may be held responsible if negligent or acting outside the direction of the vendor.

EXAMPLES

- Example 1. Madeline Maine receives TCA for herself and her 4-year-old daughter. She is assisted by the local department to find child care.
- The local department may require her to be in a countable activity for 20 hours per week.
 - If she complies, she will be a countable participant for federal purposes because she is participating at least 20 hours per week and is a single parent with a child under age 6.
- Example 2. Nancy Nebraska begins a work experience (WEX) position. After 60 days she is offered a part-time (20 hours per week) unsubsidized job with the company, which she accepts. Ms. Nebraska remains eligible for a \$25 TCA grant. She wants to take computer courses at the local community college, which are given at night, to increase her job skills. The case manager agrees that this is a good plan and it is incorporated into her Family Independence Plan.
- Ms. Nebraska's case became state-funded when she became employed, thus stopping the time limit clock.
- Example 3. Cora Colorado has a 5-year-old and a 7-year-old. She has started and stopped many jobs and work training programs, but has not been able to maintain consistent attendance and has been sanctioned several times. The school is concerned because both children do not attend school regularly. The family has been working with Social Services. The case manager and Ms. Colorado agree that her current Family Independence Plan needs to be centered on activities that will improve the children's school attendance and her ability to become a productive employee. Activities agreed upon include regular appointments with the social worker and volunteering in the school.
- Ms. Colorado is compliant if she follows the Family Independence Plan even though she may not be a federally countable participant
 - If Ms. Colorado is volunteering in her children's school, it may meet the definition of a community service activity.

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- The Family Independence Plan is reviewed when there is a change, at each recertification, or at more frequent intervals to determine if the activities in the plan are still appropriate or if other activities should be initiated.

Example 4. The family consists of Mr. and Mrs. Vermont and their children, Frank, who is 16, a high school dropout, and Frieda, age 12. Mr. and Mrs. Vermont and Frank are all in work activities for 32 hours a week. Mr. Vermont is in an On-the-Job Training position, Mrs. Vermont is in Work Experience (WEX) and Frank is in Vocational Education (BEV) as a welder's apprentice.

- Mr. and Mrs. Vermont are countable participants.
- Frank is complying with the work requirement, but is not a countable participant for work participation because he is not a teen parent head of household. He is countable for universal engagement.
- Depending on how the program is set up, Frank may be coded as participating in a work experience (WEX) or an on the job training (OJT) instead of a BEV.

Example 5. Ms. Nashua applied for assistance for herself and 3 children when her marriage ended. She is currently attending college to become a registered nurse. She will receive her degree and certification in 18 months.

Ms. Nashua volunteers in her children's school 5 hours per week. She has 30 hours per week of clinical training as part of the course work for her nursing degree.

The local department can accept Ms. Nashua's nursing program as an allowable work activity.

- Her work activities are:
- 5 hours of community service (WEM) for volunteering in her children's school; and
- 30 hours of clinical training can count as Work Experience (WEX) or if she is working in a hospital or hospital setting with patients, the work could be counted as Community Service (WEM).

Once she has met the 20 hour core activity requirement, any classroom hours could be coded IST-Job Skills training Directly Related to Employment.

By determining the activities are other than Vocational Education (BEV), Ms. Nashua's 12 months lifetime of Vocational Education activities is

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Example 6. Mrs. Nottingham receives TCA for herself and 5 children, ranging in age from 5 months – 6 years. She is expecting another child in 7 months. The oldest child is in school. Mrs. Nottingham is being helped by the local department to find child care for her children. One center cannot take them all, but spaces are available if they go to 3 different locations.

- Mrs. Nottingham previously used her child under one exemption.
- Since child care is available, the local department can require Mrs. Nottingham to participate in work activities until the new baby arrives. At that time she is exempt until the baby is 12 weeks old.
- Since getting the children to child care is time consuming because she has to go to three locations on a bus, the local department may elect to reduce the number of hours in the work activity until different child care arrangements can be made.

Example 7. Ms. Raymond receives TCA for herself and 2 children over age 6. She has been sanctioned twice for failure to comply with work activities. When faced with being sanctioned again, Ms. Raymond states that she has a substance abuse problem and is willing to get help.

- The local department helps Ms. Raymond find an out-patient treatment program.
- Substance Abuse Treatment (JBT) may qualify as her work activity for four consecutive weeks and a total of 180 hours in a federal fiscal year.
- Individuals receiving out-patient substance abuse treatment may participate in federally defined work activities other than JBT. The case manager working with the addictions specialist has the final decision regarding an individual's ability to participate in other federally defined work activities.
- The case is re-evaluated every four months to determine that she is still in treatment.

Example 8. Ms. Michaels applies for TCA for herself and her 2-year-old daughter. Testing reveals that Ms. Michaels needs remedial education to be able to obtain most jobs.

- Ms. Michaels is placed in a program that offers remedial education for half a day and a combination of job skills and community service for the other half.

Example 9. Ms. Jones receives assistance for herself, her 6-year-old daughter and her 4-year-old son. She searched for a job during the application period, but

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was not successful. She took a secretarial course in high school, but has never been employed. She would like to work in an office. Ms. Jones can take a computer class and refresher course at the local high school at no charge, but it does not start for 5 months.

- Require her to begin another activity, such as work experience or job readiness, immediately and then start the class later.
- Ms. Jones may be good candidate for a work experience position in the local department.

Example 10. Ms. Blue, age 19, applied for TCA for herself and her 6-month-old son. She dropped out of school in the 11th grade and has worked at various part-time jobs. Ms. Blue is applying because her boyfriend walked out on her and the baby.

- Ms. Blue is not exempt because she has not completed high school and is a teen parent, even though she has a child under age 1, she must register in and attend school.

Example 11. Ms. Bacon receives assistance for herself, her 7-year-old son and her 10-year-old daughter. Ms. Bacon has been staying at home because her son is disabled. He just began to receive SSI. He attends special education classes and has done so for 2 years with few absences. Ms. Bacon feels she should be home in case there is an emergency.

- Ms. Bacon is exempt.
- Ms. Bacon may participate in activities tailored to the school day but is not required to meet work requirements.

Example 12. Ms. Barber receives assistance for herself and 3 children, ages 6, 8 and 10. She cares for her aged and severely disabled mother who is also in the home and receives disability benefits.

- Ms. Barber is exempt if Mrs. Johnson's doctor provides proof that she is needed in the home to care for her mother
- The disabled person does not have to be in the assistance unit for the customer to be exempt.

Example 13. Ms. Dawson applies for assistance for herself, and her 5-year-old son. Ms. Dawson stopped working last month to care for her mother who lives next door. Her mother suffered a severe stroke and needs full-time help in the home. She provided documentation from her mother's doctor.

- Ms. Dawson is not exempt because the disabled person does not live in the same household.

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Example 14. Ms Arkansas applies for assistance for herself, her 14-year old daughter, Andrea, Andrea's 6 month-old son, her 16-year-old daughter, Sara, and Sara's 4-month old son. Andrea is enrolled in school, but has not attended for over a year. Sara is not enrolled in school.

- Sara cannot be exempt to care for her child since she is a teen parent and the baby is more than 12–weeks old. Because she is a minor parent, she must be enrolled in and attending school or an alternative educational or training program to be paid TCA.
- Andrea is exempt from work requirements since she is under age 16, but as a minor parent, she is required to be enrolled in and attending school or an alternative educational or training program to be paid TCA.
- Ms. Arkansas can be exempt until Sara's son is one-year old if Andrea and Sara return to school and she provides child care for her grandchildren.
- If both teenagers continue to stay at home and do not return to school, Ms. Arkansas is not exempt and the girls should be sanctioned.
- If one of the girls returns to school, Ms. Arkansas may need to remain in the home to care for that daughter's child. The local department will need to evaluate appropriate childcare.

Example 15. Mr. and Mrs. James receive assistance for themselves and their sons, ages 7 and 11. Mr. James was injured on the job and collected compensation for several months, but the compensation stopped before they applied for TCA. At application, he had medical proof that he could not work for at least 6 months. At recertification, he did not provide a medical report (**DHS/FIA 500**), but claimed he still could not work.

- a. Mr. James had good cause for not cooperating with work requirements for 6 months.
 - He no longer has good cause, because he did not provide proof of a disability.
 - Mr. James will need to meet work requirements.
- b. Mrs. James has been required to meet work requirements since the family applied.
- c. Both Mr. and Mrs. James are now required to meet work requirements.

Example 16. Mrs. Johnson receives assistance for herself and two nephews.

- Mrs. Johnson is exempt from work requirements because she is a non-parent caretaker relative. She may volunteer to be placed in a work

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activity.

Example 17. Mrs. Ranch receives assistance for herself and her two daughters, ages 6 and 7. She received TCA and worked with a counselor for the past two years because of the violence and abuse she and her daughters experienced from Mr. Ranch. The family violence expert continued to recommend that Mrs. Ranch have good cause from work requirements because the family was in therapy 3 days a week. After another 6 months, the family violence expert recommended that Mrs. Ranch begin some work activities.

- Mrs. Ranch had good cause for 2 ½ years because of family violence.
- The family violence expert should help the case manager and Mrs. Ranch develop a family Independence Plan.

Example 18. Carrie Carson applied for TCA for herself and her two children who were in elementary school. She was required to do job search as part of the application process. Although she completed all the other requirements, she did not participate in job search.

- Deny the case because Ms. Carson did not comply with the work requirements.

Example 19. Ms. Cooper is receiving TCA for herself and her two twin boys who are 4 years old. Ms. Cooper was attending the work activity program for the past month. Ms. Cooper is unable to attend the work program because she is focusing on securing safe and stable housing with heating/cooling.

- Ms. Cooper is living in substandard housing that threatens the health and safety of her family, which is a housing crisis. Ms. Cooper has good cause because she is experiencing a housing crisis, which is a family crisis. Give Ms. Cooper good cause to allow her time to address her family crisis.
- Refer Ms. Cooper to a legal services organization for help with her landlord tenant problem. Connect Ms. Cooper with any local resources available.

Example 20. Ms. Davis is living with her aunt. She applied for TCA and was referred to a work activity program. Instead of going to the program, Ms. Davis comes back into the local office and explains that she cannot attend the work program because her aunt asked her to move out as soon as possible. Ms. Davis has not moved out yet, but she was given a date by which she must leave. Ms. Davis must find another place for her and her children to live.

- Ms. Davis is losing her current place of residence and has not yet

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secured a place where she can stay, which is a housing crisis. A housing crisis is a family crisis, so Ms. Davis has good cause to not participate in the work activity.

- Provide Ms. Davis with available local resources on shelters. If the local department has a Housing Navigator, connect Ms. Davis with that person. Discuss with Ms. Davis what address is best for receiving timely correspondence with the LDSS.

ADDITIONAL INFORMATION

TCA MANUAL:

- **Work and Education Requirements 0402**
- **Non-compliance 1000-1007**
- **Good Cause Section 1001**