**THE WORK BOOK**

**WORK PARTICIPATION**

**Revised December 2022**

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**Background**

Temporary Assistance for Needy Families (TANF) is the federal program that was established out of the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996. Maryland’s program is Temporary Cash Assistance (TCA). Primary funding for the TANF program comes from Federal Title I funds (Block Grants for Temporary Assistance for Needy Families). The Deficit Reduction Act (DRA) of 2005 reauthorized the TANF program. The DRA required States to change their work participation programs effective October 1, 2006.

The [Workforce Innovation and Opportunity Act (WIOA)](https://www.congress.gov/113/bills/hr803/BILLS-113hr803enr.pdf) was signed into law on July 22, 2014, and became effective on July 1, 2015. WIOA supersedes the Workforce Investment Act of 1998 and amends the Adult Education and Family Literacy Act, the Wagner-Peyser Act, and the Rehabilitation Act of 1973. TANF is a mandated partner. WIOA is designed to help both job seekers and businesses: WIOA addresses the needs of jobseekers through establishing a workforce system that helps them access employment, education, training, and support services to succeed in the labor market; WIOA addresses businesses’ needs by matching them to the skilled workers they need to compete in the global economy. Listed below are a few of our WIOA partners. This is not an exhaustive list.

  

**Reasonable Accommodations**

When there is customer contact with the local department, regardless of who initiated the contact, the local department must ask the customer if the customer requires special accommodation because of a disability. Equal rights for disabled individuals is required by many Federal and State laws. Reasonable accommodation requirements are covered under the Americans with Disabilities Act (ADA). When the local department contacts a customer about a required interview, participation in a work activity or for other reasons, the local department must advise the customer that reasonable accommodations will be made to assist the customer. Customers who are not able to come to the LDSS or a vendor appointment because of a disability should be offered a phone interview, home visit, an interview with their authorized representative or provided other accommodation to meet the customer’s needs. Although the customer may be considered disabled under the ADA, the disability may not exempt the customer from a work activity (and they may not be able to complete a DHS/FIA medical form). More information on working with TCA customers with disabilities is available in the Work Book TCA for Disabled Customers.

**101 Definitions**

1. **Assessment:**  an opportunity for the caseworker to identify the customer's skillset, educational level, overall preparedness for employment and employment & training activities as well as potential barriers and appropriate resources for a family. It must include an evaluation of the following areas for each adult recipient:
2. educational level;
3. literacy;
4. health;
5. mental or physical impairments;
6. housing stability;
7. childcare needs;
8. transportation needs;
9. history or presence of domestic or family violence;
10. job skills and readiness, and interests; and
11. language barriers for Limited English Proficiency customers.

***NOTE: Under HB 1041, we are in the process of streamlining the assessment process for a trauma informed approach (TBD).***

1. **Excused absence-**means that a customerparticipating in non-employment activties can be granted up to 16 hours per month (not to exceed 80 hours during the most recent 12 month period) of excused absence from their assigned work activity without being found in non-compliance. The hours are counted towards work participation as excused hours.
* Credit for days missed due to an excused absence is not available for unpaid leave for participants in employment activities (WEJ, WSP, WSU and OJT).
* In order for excused absence hours to count the WEI (work eligible individual) must be scheduled in the activity or activities for those days.
1. [**Fair Labor Standards Act**](https://www.dol.gov/agencies/whd/flsa)  (FLSA)

The Fair Labor Standards Act (FLSA) establishes minimum wage, overtime pay, recordkeeping, and youth employment standards affecting employees in the private sector and in Federal, State, and local governments. FLSA applies to two Federal core work activity codes, WEX and WEM. Customers can not participate in the WEX and WEM work activity codes for more hours than they receive public benefits. WORKS will automatically calculate the appropriate amount of FLSA hours a customer can participate in WEX and WEM activity. The calculation is as follows:

**(TANF/TCA benefit + the SNAP benefit) divided by the State minimum wage = total number of hours customers can participate in WEX or WEM activity**

1. **Family Independence Plan** (FIP) or **Self-Sufficiency Plan** (SSP) is a written and signed agreement mutually agreed upon between the customer and the case manager. The FIP details the objectives, goals, and outcomes for the family to become self-sufficient.The FIP is completed based on the results of the assessment.
2. **Federally defined work activities-** are activities specifically designated and defined by Federal law defining what are considered countable or non-countable hours for work participation. There are core activities and non-core activities. Core activities are those activities the federal law determined to be most effective in helping people obtain employment.

The core activities are countable towards the work participation rate and non-core activities are not countable towards the work participation rate.

1. **Good cause-** means the customer is trying or tried to comply with the requirements but through no fault of their own was not able to comply. ***NOTE: Good cause is only determined by the LDSS case manager.***
2. **Good faith effort** means the customer has made every effort to meet the terms outlined for the customer’s FIP but through no fault of their own can’t.
3. **State defined activities** - primarily designated as “O” coded activities (however, there are some state defined activities that don’t start with “O”), these activities designate what the customer is “doing” for self-sufficiency when the customer is not participating in a federally defined activity.
4. **Supervision**- daily supervision means a responsible person that has daily oversight of the individual’s participation, but not necessarily daily contact. (ex. WEX/WEM)
5. **Supportive services-** services provided to the TCA family based on the assessed needs of the customer by the local department or through referrals to service providers (such as, but not limited to, counseling, Social Services, vocational rehabilitation referral, education, training, other evaluations).
6. **Universal Engagement-** Universal Engagement (UE) requires everyone receiving TCA to participate in a federal or state-defined activity on a continuous basis no later than 30 days following the disposition of the case.
7. **Work eligible** **individuals-** (WEI) are the individuals (mandatory people) applying for or receiving TCA benefits who are required to be counted in the federal work participation rate.
8. **Work Participation Rate (WPR)** The actual percentage of countable recipients in a federally defined work activity each month is called the federal work participation rate.

Current Federal benchmark of 50% of WPR must be engaged in a countable work activity.

**102 What is Work Participation?**

Federal law requires eligible individuals receiving TCA benefits to participate in a work activity. Work participation allows customers to gain needed skills to obtain self sufficiency and provide for their families.

Federal lawdivides work participation activities into core activities and non-core activities. Core activities are those activities the federal law determined to be most effective in helping people obtain employment.

**102.1 Strategic Goals and Benchmarks**

DHS adopted strategic goals from WIOA to ensure alignment with our WIOA State combined plan. The importance of strategic goals and benchmarks is to connect the dots and highlight the critical role of the case manager. This will allow the opportunity to educate front line case managers and ensure clear and concise understanding of the requirements of the local plan. Strategic goals and benchmarks also highlight how credit will be given for case management and work in work participation rate and job placement.

Strategic Goals: SFY 2022 will create the baseline for the upcoming SFY 2023, 2024, and beyond.

* A - Placement goals will be tracked by UMD reports.
* B - Employment goals will be tracked by UMD reports.
* C - Barriers to employment and increasing core life skills will be tracked in E&E and the WORKS system.
1. **Increasing the earning capacity of Maryland’s Temporary Cash Assistance (TCA) customers through employment**.

i. Increase the median earnings of Maryland’s TCA customers by X%.

ii. Increase the annual % of Maryland’s TCA customers who earn at least 130% of the federal poverty level within one year after program exit from X% to Y% by date.

iii. Increase the annual % of Maryland’s TCA customers who earn at least 165% of the federal poverty level within one year after program exit from X% to Y% by date.

iv. Increase the annual % of Maryland’s TCA customers who earn at least 200 % of the federal poverty level within one year after program exit from X% to Y% by date.

v. Decrease the annual % of Maryland’s TCA customers who earn 50% or less of the federal poverty level within one year after program exit.

vi. Increase by XX% the number of TCA leavers who remain employed a full quarter after program exit.

1. **Increasing the earning capacity of Maryland’s Temporary Cash Assistance (TCA) customers through skills and credentialing.**

i. Increase the annual % of Maryland’s TCA customers who earn a High School Diploma.

ii. Increase the annual % of Maryland’s TCA customers who obtain an industry-recognized credential and/or occupational skills training completion from X% to Y% by date.

1. **Increase the earning capacity of Maryland’s TCA customers by eliminating barriers to employment and increasing core life skills.**

i. Provide X% of TCA customers needed childcare services by date.

ii. Increase the annual % of Maryland’s TCA customers who receive needed substance use treatment from X% to Y% by date.

iii. Increase the annual % of Maryland’s TCA customers who receive needed mental health services from X% to Y% by date.

iv. Increase the annual % of Maryland’s TCA customers who receive needed housing services from X% to Y% by date.

v. Increase the annual % of Maryland’s TCA customers who receive needed physical health services from X% to Y% by date.

vi. Increase the annual % of Maryland’s TCA customers who receive needed transportation services from X% to Y% by date.

vii. Increase the annual % of Maryland’s TCA customers who complete a financial literacy course.

viii. Increase the annual % of Maryland’s TCA customers who receive needed criminal record expungements or similar services.

ix. Increase the annual % of Maryland’s TCA customers who actively participate in their individual case plan from X% to Y% by date.

x. Increase the % of Maryland’s TCA foreign-trained customers who receive needed foreign degree credential evaluation from X% to Y% by date.

 xi. Increase the % of Maryland’s TCA customers who receive needed English for Speakers of Other Languages (ESOL) classes from X% to Y% by date.

 **102.2 Universal Engagement**

1. Each week, mandatory TCA recipients also known as work eligible individuals are required to participate in work activities for 30 hours. The participant may engage in a blend of activities to achieve 30 hours in the week.
2. **A minimum** of 20 hours each week must be in one of the Federal Core Work Activities.
3. The customer may be engaged for the full 30 hours in the Federal Core Work Activity.
* If the customer is engaged for at least 20, but less than 30 hours per week in a Core Work Activity, engage the customer in other activities up to the remaining 10 hours each week so that the total number of hours of engagement equals 30.

 D. Encourage customers to participate for additional hours, but do not sanction:

1. Customers who achieve 30 hours of participation, but do not achieve 40 hours per week, or
2. Customers with a child under age 6 who achieve 20 hours per week, but not 40.

Note: Closely monitor and enforce participation for the initial 30 (or 20) hours in one of the Federal Core Work Activities.

E. If a participant is absent, for any reason, and the absence results in achieving less than 30 hours (20 hours for families with a child under 6) in Federal Core Work Activities in the week, the participant must make up those hours in additional Federal Core Work Activities unless the absence is an excused absence. (Excused absences are discussed further in this section.)

F. Participation includes but is not limited to, cooperating with the work program vendor, performing up-front job search, attending orientation, completing an employability assessment, and developing a Family Independence Plan (FIP).

G. The FIP plan should be done as soon as **possible, but no later** than **30 days** after the customer files a TCA application.

H. Participation must continue as long as the customer receives TCA.

1. **All of the following are work eligible TCA recipients and must be engaged in a countable activity**:
	* 1. Adults
		2. Teen parents coded as either the head of household or children on the case, with no high school diploma who are not enrolled full-time in school
		3. Teens, ages 16 -18 with no children in the assistance unit and with no high school diploma, who are not enrolled full-time in school and
		4. Full-time students who are to graduate during the year of their nineteenth birthday
		5. Legal immigrants

6. 2 parent families when both parents are able bodied

* + To meet universal engagement requirements both parents must be engaged in an activity. (Universal engagement is not the same as the Federal Work Participation Rate.)
	+ One parent who is providing child care for their own children is not a countable activity for universal engagement.
1. **The following individuals are exempt from work participation:**
2. Long term disabled (LTD) adults or children applying for or receiving SSI and SSDI , unless they want to voluntarily participate in a work activity.
* This is an exemption allowed under State law. As long as the customer has a 12 month or more medical disability and has an active SSI claim pending or in appeal status.
* LTD customers are still included in the federal work participation rate.
* LTD customers are work mandatory with a good cause reason that meets the criteria for the state exemption.
1. Single parents may receive an exemption based on caring for a child under the age of 1 year (child under one exemption) and are no longer restricted to 12 months in the adult’s lifetime. Single parents are no longer subject to a one time exemption.

 There are two components to the child under one exemption: **Federal and State**.

* + The exemption begins the day the baby is born .
	+ The exemption ends at the baby’s first birthday.
	+ The initial 12 month exemption period will be a **Federal** exemption code.
* Any 12 month exemption period used after the initial 12 month period, will be a State exemption code.
* The Federal exemption is not included in our denominator, while the **State** exemption remains in the denominator when calculating the work participation rate.

1. Needy caretaker relatives
2. Children under age 16
3. Parent caring for a disabled family member who lives in the home

 6. New TCA customers who have received TCA less than 6 months. TCA customers who have a TCA counter of one (1) through and including six (6).

* This is an exemption allowed under **State law**.
* New TCA customers are still included in the federal work participation rate.
* New TCA customers are work mandatory with a good cause reason that meets the criteria for the state exemption.

K. Special Circumstances Limiting Work Hours

 1. Customers may have circumstances, such as short-term illness or incapacitation, which prohibit them from participating in a federally defined work activity. They are not exempt, they have good cause with documentation.

 2. For the purposes of making them countable toward the 100% universal engagement rate, the case manager must require that these customers participate in State defined activities. For example, a customer with a broken leg who will not be able to participate in a federally defined work activity for 9 months would be placed in the State defined activity code OTM (wellness rehabilitation).

 · In order to remain in OTM and to avoid non-compliance, the customer must go to all doctors’ appointments and physical therapy sessions during the 9-month period of incapacitation.

 3. Also included in this category are the Work Eligible customers who have a covered disability under ADA(American Disabilities Act).

· This could include for example, someone who has migraines. Most days the customer can participate, but maybe 2-3 days a month the customer may have a migraine.

**103 Specific Households**

**103.1 Subject** **to Sanction**

When the customer is non-compliant with work requirements they are given a 30-day conciliation period. During the 30-day conciliation period the case manager should explore any good cause reasons the customer may have had to not participate in the work activity. After god cause has been explored and the 30-day conciliation period has expired, the adult portion of the TCA grant is reduced by 30%.

* Case managers must notify non-compliant individuals that the non-compliance without good cause makes them subject to sanction by sending the customer the Notice of Non-Compliance (NONC). Conciliation process begins the first day of the NONC and ends on the 30th day.
* Send the customer a Notice of Adverse Action informing them of the non-compliance behavior and that the TCA grant will be reduced by 30% indicating the effective date of TCA benefit reduction.

 Code WORKS:

1. **OTC** for customers in conciliation.
2. OTU for customers under appeal for work sanction

**103. 2 Two Parent Households**

 C. Two parent households are households in which:

1. The adults have a child in common,
2. Both parents receive TCA, and
3. Both parents **are able bodied**.

Note: If one or both parents are disabled, the household is not counted as a two parent household. The household should be counted as a single parent household. Two parent households are paid out of State General funds and are not in the WPR.

1. The parents in the household are required to participate for a combined minimum of:
2. 35 hours averaged weekly when one parent is providing child care to their own child and the other parent is completing all of the hours, or
3. 55 hours per week averaged weekly if the household receives federally funded child care.
4. The first 30 of the 35 hours of participation must be in a federally defined core activity. The hours of participation may be attained by one parent or both parents.
	1. Example for One Parent Participating: Customer participating in a Work Experience (WEX) (core activity) activity for 30 hours each week and (Adult Basic Education) (BED) (non-core activity) for 5 hours each week. The other parent will be home with the child/children.
5. If the assistance unit receives benefits through the Child Care Scholarship Program (CCS), the number of required hours is 55 with 50 of the 55 hours in core activities. The hours must be completed by both parents.
	1. Example for both parents participating: Parent 1 - participating in a WEX (core activity) activity for 25 hours each week and Job Readiness (JBS) (core or non-core activity) for 5 hours each week. Parent 2 - participating in a WEX (core activity) activity for 25 hours each week and BED (non-core activity) for 5 hours each week. Both parents **combined** meet the 55 hours and 50 are in core activities.
6. A two parent household is not eligible for the child under one exemption. (Federal or State). That exemption is allowed for a single custodial parent only.
* The two parent household may be eligible for 12 weeks postpartum good cause.

**103.3 Households with SSI Recipients**

1. SSI (Social Security Income) and SSDI (Social Security Disability Insurance) recipients are exempt from work requirements in Maryland.
2. Encourage SSI recipients to contact Social Security about the Ticket to Work program if they would like to participate in a work activity. They may also be referred to an appropriate TCA work activity.
3. The **Data Manager/WPS (work participation specialist)** must manually register an SSI recipient in WORKS, if the SSI recipient wants to volunteer.

**103. 4 Families with Disabled Members (For more detailed information on disabled households see the Work Book TCA for Disabled Individuals )**

1. Households with an individual who is disabled for 12 months or more
	1. Long term disabled individuals are work eligible individuals, however they can be exempt under Maryland law. They are required to:

a. Apply for all benefits the customer is potentially eligible for, and

* + - 1. Follow all Social Security Administration requirements for obtaining SSI or SSDI including appealing any denial, and

c. Have a medical disability form DHS/FIA 500 completed verifying the impairment.

Remember, **pregnancy is not a disability** and does not give the customer good cause for not participating. There must be some other factor that prevents the customer from participating in a work activity to have good cause or an exemption. Some other factors could include: doctor putting the customer on bed rest for a verified medical condition (use DHS/FIA 500) such as but not limited to, high blood pressure or swelling. The condition can be a result of the pregnancy, but the pregnancy is not a good cause for not participating in a work activity.

1. Code long term disabled individuals as OTD in WORKS for universal engagement purposes.
2. Customers who have a concern and documented disability can choose to participate in a work program.
3. Case managers and vendors must appropriately identify available programs and activities that are suitable when referring a disabled customer to a work activity. Determining a reasonable accommodation is required for each placement (ADA compliance).
4. Review the DHS/FIA 500. If the form indicates the customer may participate in an educational or vocational program, evaluate available programs to ensure the customer will have the opportunity to succeed and gain employment skills and knowledge.

We must ensure that customers are **not**:

1. Placed in activities that are not attainable, and
2. Placed in an activity that does not foster independence and self sufficiency.

B. Short term disabled

1. Short term disabled individuals (disabled less than 12 months) are work eligible individuals, but may have good cause for not complying. They are included in the WPR (denominator) and count against us in the WPR calculation.
2. Short term disabled individuals can meet universal engagement requirements by participating in wellness activities. Code the short term disabled person **OTM** in WORKS. Examples of wellness activities can be keeping all doctor appointments, taking medication as prescribed, participating in nutrition classes, etc.
3. The disability must be verified with a DHS/FIA 500 medical form or doctor’s statement on letterhead.

Remember that a disability is not a technical factor of TCA. If the customer does not provide a medical form/documentation to verify the disability, **when the customer does not provide a DHS/FIA 500 form/documentation to verify his or her disability, refer the customer to a work activity before determining to approve or deny the application.**

**103.5 Parent Caring for a Disabled Family Member**

1. A parent caring for a disabled family member, **MUST be living in** the home, is exempt from work requirements.
2. The disabled person may be a spouse, child or other adult living in the household.
3. The disabled individual, in the assistance unit, must have a medical statement or DHS/FIA 500 (unless the individual receives SSI or other federal disability assistance) verifying the disability.
4. The applicant or recipient must also provide a statement from the health care provider that the TCA applicant/recipient is needed in the home to provide care for the disabled individual. The statement must also clearly state a time frame for how long the applicant or recipient is needed in the home to provide care.

4. If the disabled individual is a child, the parent must complete a 434-C form stating why the parent is needed in the home to care for the child.

* If the disabled person is a child and the parent did not complete the 434-C, do not deny, close or sancton the case, refer the customer to work activity. ***NOTE: The case manager must explore good cause prior to referral to work activity.***
* The case manager should carefully review the information that has been submitted to confirm the parent is needed in the home and verify the time frame the parent is needed in the home.
* Narrate the case record very thoroughly about the disability and why the decision was made.

**Case example #1**: Customer has three year old triplets. One of the children receives SSI and has severe medical problems (lung/ breathing problems, a tracheotomy (a tube in the child’s throat) and a colostomy (a tube and bag to help eliminate body waste). All medical conditions were verified by a DHS/FIA 500. The mother did not complete a 434C. The TCA case was denied.

***Note:*** *In this example, one of the children has severe medical problems, submitted 500 medical form and receives SSI. The case manager should have reviewed the situation and determined “good cause”. Therefore, not requiring the completion of the 434 C form.*

The TCA case **should not have been denied or closed**. The case manager was able to determine that the customer is clearly needed in the home to care for the child/ren. Please remember that while we have work requirements to meet, we want to put people before performance.

* If the customer receives a letter from the physician stating the customer is needed in the home to care for the disabled child, the form 434 C is **NOT** needed.

**Case example #2**: Customer submitted a DHS/FIA 500 medical for a family member. The medical clearly states the family member is disabled and needs someone to provide care. The TCA applicant *does not live with the disabled family member*. The TCA applicant should be referred to participate in the work program.

**Note:** In this example, The TCA case was handled correctly. The customer was referred to the work program instead of denying the case. Disability is not a technical factor in determining eligibility. If the customer doesn’t provide verification of a disability that prevents them from participating in the work program they should be referred to the work program.

**103.6 Needy caretaker relatives other than parents**

1. Needy non-parent caretaker relatives are exempt from work requirements in Maryland. If the spouse of a needy caretaker relative lives in the home, the spouse must be included in the TCA and is also exempt from work requirements.

**EXAMPLE:**

The TCA for a ***non-needy*** caretaker and 2 children is $545. The TCA grant would never be lower than $545 (unless the children have income) regardless of how much income the caretaker has. The caretaker’s income would not count against the TCA grant amount. See the TCA Manual section 303 for additional information on ***needy vs non-needy*** caretaker relatives and counting their income.

1. You may encourage a caretaker relative to participate in a work activity, but not require and/or sanction for not participating.

**103.7 Citizenship And Immigrants**

 Each member of the assistance unit must be one of the following:

* A citizen of the United States or its territories who was
* Born in the U.S.;
* Born in Puerto Rico, Virgin Islands, Guam, or the Northern Marianna Islands;
* Born to a U.S. citizen living outside the U.S.; or
* A naturalized citizen.

Qualified Immigrants

The following conditions for Federally-Funded TCA for Qualified Immigrants are:

* Refugees admitted under § 207 of the Immigration and Nationality Act
* Asylees admitted under §208 of the Immigration and Nationality Act.
* Immigrants whose deportation has been withheld under §§243 (h) or 241(b)(3) of the Immigration and Nationality Act.
* Cuban and Haitian immigrants as defined in §501(e) of the Refugee Education Assistance Act of 1980.
* Amerasians admitted for permanent residence.
* Immigrants who are victims of severe trafficking
* Veterans who were honorably discharged for reasons other than immigrant status, spouses and unmarried dependent children also qualify.
* Active military duty personnel, except those on active duty only for training, spouses and unmarried dependent children also qualify.
* Immigrants who have worked 40 qualifying quarters (see qualifying quarter information in Section 310.5).
* Immigrants who have had a “qualified” immigrant status for 5 or more years.
* Immigrants that have arrived in the US on or before August 22, 1996.

Note: Immigrants who are ineligible for federal TCA benefits solely due to their immigrant status are eligible for state-funded TCA if they meet all other technical and financial TCA eligibility requirements.

* See TCA manual section 310 for more details regarding Citizenship and Immigrants
1. Qualified immigrants are required to participate in work activities if not otherwise exempt and may be sanctioned for not participating.
	* They are exempt from the federal work participation rate.
2. **Eligible immigrant adults are paid a “Room and Board payment” (excluded income from TCA) equal to the number of children in the TCA assistance unit plus the eligible parent/s. This is completed at FIA Central and is invisible to the local department.**
	* + 1. Ineligible and Undocumented Immigrants
3. Undocumented immigrants are people who are in the United States without proper legal status. They are here without the consent of the United States Department of Citizenship and Immigration Services (US CIS).
4. Immigrants who do not have a “qualified” status are not eligible for federally-funded or state paid TCA.
5. Although undocumented immigrants are not eligible for TCA, **citizen children of undocumented immigrants are eligible for TCA.** Most children born in the US are considered citizens even if their parents aren’t.
6. Do not require ineligible immigrants to participate in a work activity and do not sanction them for not participating.
7. The income and resources of ineligible immigrant parents of citizen children is countable to the assistance unit.
8. When an immigrant does not have documentation of immigration status or has expired documentation, refer the person to US CIS. Do not contact US CIS directly to obtain documentation unless requested to do so by an immigrant who is:
* Hospitalized,
* Disabled, or
* Has other good cause for not having the documentation and obtaining it would cause undue hardship

**103.8 Minors**

1. A Minor parent is anyone under the age of 18 who has a child/ren
2. Minor parents and the spouse of the minor parent have a requirement to be registered in school, attend 80% of the time
3. If the minor parent or the spouse of the minor parent drops out of school, implement conciliation and sanction.
4. Minor parents 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.
5. Although the spouse of a minor parent is not included in the WPR, the requirements for the spouse (in Maryland) do not change.
6. A minor parent may not claim the child under one exemption.
7. Non-parent minors (age 16-18 or 19 if graduating high school in the year the minor turns 19) must be in school and attending 80 percent of the time
	* A 19 year old, who is not attending high school or who will not graduate before the end of the year in which the child turns 19, is **not eligible for TCA**.
8. If the non-parent minor under age 19 is 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.

2. If the minor does not go to school, impose a disallowance and refer to a work activity.

3. If the minor does not comply with work requirements, remove the PPI disallowance and implement conciliation and an individual sanction.

4. If the minor complies with the work requirement, but does not go to school, the PPI disallowance continues. School attendance is the goal.

* 1. In the case of an 18 or 19 year old not in school without good cause, remove the 18 or 19 year old from the TCA or close the case after timely and appropriate adverse action if the 18 or 19 yr. old child is the only eligible child on the TCA.
	2. All teen parents, either heads of household or children in the case, and full time students who will graduate during the year of their nineteenth birthday are considered fully participating in federally defined work activities by maintaining satisfactory school attendance (80%).
	3. 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.

**103.9 Single parent of a child under one**

1. A single parent may receive an exemption based on caring for a child under the age of 1 year and is no longer restricted to 12 months in the adult’s lifetime. Single parents caring for a child under 1 are no longer subject to a one time exemption.

| **NOTE: The child under 1 exemption now has a federal and state level exemption component. The initial use of the 12 month exemption will be federal. All 12 month exemptions thereafter will be coded as state exemptions. The federal exemption is NOT in our denominator, while the state exemption will remain in the denominator when calculating the work participation rate (WPR).**  |
| --- |

1. The 12 months begins the day the baby is born and ends the month before the baby turns one when the exemption begins at the baby’s birth.
2. For customers eligible for the child under 1 exemption, case managers should schedule an appointment with the customer in the last month of the exemption. This appointment is necessary to discuss referring the customer to an activity beginning the first day of the next month and to assist the customer with obtaining child care.
	1. Customers are exempt until the last day of the month before the baby’s first birthday when the exemption begins at the baby’s birth.
	2. An appointment notice must be sent to the parent/caregiver to discuss placement in an activity.
	3. If the customer fails to attend the scheduled appointment, a notice of missed appointment must be sent to the customer requesting contact with the local department within 7 - 10 business days. (Workers must calculate the last day to contact the department before an adverse action takes place and include it on the notice). If the customer does not come in for the appointment, the TCA case may be closed after 10 days of adverse action, for failure to comply with TCA eligibility requirements. All adverse actions **MUST** be uploaded into E&E and ECM .
		* ***Note: This is not a work sanction, this is an eligibility determination.***

**Example:**

Customer gives birth to a baby in the month of February. Customer is exempt with a child under one exemption for February. Customer choose to participate in an activity in the month of April. Customer will be countable for the month of April and exempt for February and March. Customer continue to participate in May but misses too many days to be countable so customer can be exempt for May too as the child is still under the age of one. Customer continues to participate and is countable for June, July and August. The child under one exemption is not used during the months the customer is countable. This is what is meant by customer can ***see-saw*** on and off the child under 1 exemption.

**The customer cannot be exempt and countable in an activity at the same time.**

**103.10** **Substance Use Disorder (SUD), (Formerly Substance Abuse) (See the section on Substance Use Disorder in TCA manual section 700 for additional information.)**

**NOTE: SATS is now referred to as Substance Use Disorder.**

1. Substance Use Disorder can be considered a good cause for non-cooperation with an actual work activity.
* As long as the customer is participating with Substance Use Disorder requirements and is not able to participate in a work activity, the Substance Use Disorder treatment is considered the individual’s activity. (JBT)
1. Individuals participating in Substance Use Disorder treatment beyond 4 consecutive weeks and for more than a total of 120 hours (single custodial parent with a child under 6) or 180 hrs (all other work eligibles) in the previous 12-month period should remain in JBT (actively involved in Substance Use Disorder treatment) for the purposes of being countable toward the universal engagement rate.
2. They, however, will no longer be countable toward the WPR during the year as long as they are in JBT, once they have *exceeded the 4 consecutive weeks* or *120 (child under 6) or 180 hours (all other work eligibles) maximum.*
* WORKS flips the code to an OBT if the hours are not needed for the WPR.
1. It is recommended that individuals receiving Substance Use Disorder treatment on an outpatient basis participate in work activities other than JBT. Most Substance Use Disorder experts recommend that Substance Use Disorders participate in a training program or in work.
2. The TCA case manager, after consulting with the local addictions specialist, has the final decision regarding an individual’s ability to participate in other federally defined work activities.
3. Customers who do not comply with Substance Use Disorder requirements are sanctioned for non-compliance with Substance Use Disorder requirements.
* Refer the customer to a work activity
* If the customer is non-compliant with work requirements, also implement a work sanction.

**103.11 Domestic or family violence (OTV)**

1. A victim of domestic family violence is someone who is subjected to one or more of the following:
* Physical acts that result in or threaten to result in, physical injury to the individual
* Sexual abuse
* Being forced as a caretaker relative of a dependent child to engage in nonconsensual sexual acts or activities
* Threats of, or attempts at, physical or sexual abuse
* Neglect or deprivation of medical care
* False imprisonment
* Mental injury, verbal abuse (i.e. threats, controlling behavior, deprivation of freedom, denial of personal liberties and isolation)
* Intimidation of the caretaker and/or the children in the household

1. Staff in the local departments of social services who interview customers must:
	1. **Screen and attempt to identify victims of domestic/family violence (See Services Referral Document) :**
* When a TCA applicant or recipient is identified as a victim of domestic/family violence the case manager should advise them of their rights as a victim of domestic/family violence and the protections and services available.
1. **Refer victims of domestic/family violence to appropriate services:**
	* Case managers must refer victims to the domestic/family violence experts in order for the customer to receive appropriate counseling and other supportive services.
2. **Grant “good cause” waivers from certain TCA requirements when it is determined to be in the best interest of the family.**
3. The family Violence Expert (*referral to services is required*) determines if a victim of domestic/family violence is eligible for a “good-cause waiver”.
4. Good-cause waivers temporarily waive TCA program requirements until victims can meet the requirements safely.
5. Victims may receive a waiver of their work requirement or their child support cooperation requirement. Legal action against an abuser may place the victim at greater risk.
6. **Protect the confidentiality of domestic/family violence victims and their children:**
* All information on domestic violence victims and their children is to be kept confidential to decrease the risk of violence against them.
1. Case managers and Employment Specialists must use caution when talking with an individual who may be a victim of domestic or family violence.
2. Customers who are or have been in domestic/family violence situations must agree to cooperate with a counselor and attend counseling sessions as long as the cooperation does not put the customer or the customer’s children in jeopardy.
3. In addition to the customer’s statement, the customer **may** have:
	* + 1. Police reports or court documents or other legal documentation of the violence, or
			2. Medical records documenting injuries, or
			3. Statements from witnesses who can verify the abuse.
				1. **Do not** require compliance or sanction any customer for non-compliance if the customer believes that his or her life or the life of his or her children may be in danger if the customer participates in a work activity. The customer must be referred or working with a family violence expert (*referral to services is required*).
				2. At some point in the recovery, if the counselor agrees, the customer may participate in federally defined work activities.
4. **Responsibilities of the Family Violence Expert:**
5. Receives all referrals of Family Violence
6. Provides a safe haven if the customer needs and wants to escape the domestic violence situation immediately
7. Develops and signs a written safety plan with the customer
8. Does an assessment on the customer to determine if domestic violence has taken place
9. Helps the customer document domestic violence
10. Provides therapeutic counseling and consultation for the customer or helps the customer seek therapeutic counseling and consultation
11. Advises the FIA case manager if the customer needs good cause for child support or a waiver for work requirements.
12. Maintain the customer’s right to confidentiality.
13. **Responsibilities of the TCA interviewer:**
14. Interviews each family who is applying for or receives Temporary Cash Assistance, incorporating either the suggested questions for family violence or another method to determine if the family is suffering from domestic violence.
15. Completes (*referral to services is required*)
16. Refers all customers who say they are experiencing or the local department has reason to believe they are experiencing family violence to the in-house family violence expert.
17. If child abuse or neglect is suspected or disclosed, the case manager must refer the case to services.
18. Gives the customer automatic “good cause” from child support requirements until the family violence expert does an assessment.
19. Codes theNon-Custodial Parent page in E&E and provide the details for the Good Cause claim.
20. Makes a decision of good cause within 30 days of the receipt of the domestic violence claim.
21. Reviews the “good cause” claim at each redetermination.

1. [Maryland Safe at Home Address Confidentiality Program ACP](https://sos.maryland.gov/ACP/Pages/default.aspx):

The Maryland Safe at Home Address Confidentiality Program (ACP) is administered by the Office of the Secretary of State and provides an important service to victims of domestic violence and human trafficking. The goal of the ACP is to help those individuals, who have relocated or are about to relocate, in an effort to keep their perpetrators from finding them. The ACP is not for everyone. A trained professional from a domestic violence program can help determine if ACP should be part of the individual's safety plan.

The Program has two components:

* First, the ACP provides a substitute address for victims who have moved or are about to move to a new location unknown to their abuser.
* Second, the Program provides participants with a free confidential mail-forwarding service for first-class mail and legal papers.​
1. Customers escaping from an abusive relationship can register with the Maryland Secretary of State (SOS) for the Maryland Safe At Home Program.
2. When registered, the customer’s mail goes to an SOS address and then forwarded by the SOS to the customer.
3. When customers are registered in the State program or in a County or local domestic violence program that provides a “safe” address, all mail to the customer is sent to the safe address.
* The customer’s true address is not entered in any system or case narration. Use the “Safe” address.
* The customer is not required to provide their actual address.
1. The customer’s information is confidential and should not be provided to anyone.

**104 Federal and State Work Participation Rate**

Federal Work Participation Rate

The [U.S. Department of Health and Human Services (HHS)](https://www.acf.hhs.gov/ofa/data/tanf-acf-im-2020-01-state-work-participation-rates-fy-2019) issues TANF state work participation rates, which measure how well states engage families receiving assistance in certain work activities during a fiscal year. For work participation rate purposes, states include the 50 states, the District of Columbia, and the US territories of Guam, Puerto Rico and the Virgin Islands. A state must meet an overall (or “all families”) and a two-parent work participation requirement or face a potential financial penalty. The statutory requirements are 50 percent for all families and 90 percent for two-parent families, but a ***state’s individual targets equal the statutory rates minus a credit for reducing its caseload***.

Maryland State Work Participation Rate

Beginning in State FY 2022, Maryland shifted focus from compliance to people before performance in an effort to give more targeted case management to clients in need of more intensive support.

* Maryland’s ***new*** adjusted requirement is 30 percent work participation rate (WPR);
* Flexibilities are possible through a caseload reduction credit; and
* Compliance is a secondary driving force while working with our caseloads.
	+ - 1. A significant percentage of all work eligible TCA recipients must be participating in a federally defined work activity.
1. The actual percentage of countable recipients in a federally defined work activity each month is called the federal work participation rate (WPR).
2. Calculating the WPR.
	1. The mathematical calculation of the work participation rate consists of a fraction with a numerator and a denominator.
	2. Dividing the numerator into the denominator produces a percentage. That percentage is the work participation rate.
	3. The numerator includes **all countable** work eligible TCA recipients.
	4. The denominator includes **all work eligible** TCA recipients.
	5. DHS calculates the participation rate every month for each local department and for the State.

**Example:**

If a local department has a numerator of 37 **countable** work eligible TCA recipients and a denominator of 100 work eligible TCA recipients for the month, the local department’s work participation rate is 37%. (37/100 = 37%).

1. Activities must be of a certain type and hours must be of a certain monthly average for the customer to be either countable or non-countable.
2. To be countable in the participation rate calculation, customers must participate in certain activities an average of 30 hours per week each month.
3. WORKS is the system used to track work activities and participation hours. When a customer changes activities the code in WORKS must be updated.

**Note: A minimum of 20 (20 hours total for single parent families with a child under 6) of the 30 hours must be in a federally defined core work activity (FDWA).**

**104.1 Federally Defined Core Activities. There are 9 core activities (All J-codes are lumped as one activity):**

|  **Federally Defined Core Activities** |
| --- |
| **Activity Code** | **Description** | **Time Limits** | **Verification** |
| **WEJ**Unsubsidized | Full - or part-time employment in the public or private sector that is not subsidized by TANF or any other public program.   | **0** | Signed statement from employer, *Employment Inquiry Form (D-FIP-582)*, employer timesheets or pay stubs that show the hours worked for two consecutive weeks Proof required prior to data entry into WORKS. |
| Unsubsidized employment also includes active duty service in the armed forces, entry into a registered apprenticeship program or self-employment. | Pay stubs that show hours worked and salary for each pay period; Employer timesheets signed by a supervisor;Signed statement from supervisor or employerEmployment Inquiry Form (D-FIP-582) |
| **WSU**PrivateSubsidy | Full-time or part-time employment in any private-for-profit or private-non-profit sector job where the employer receives a subsidy from TCA or other public/government funds to offset some or all of the costs of employing a recipient.  The term "subsidized" does not include tax credits to which the employer may be entitled for employing the person**.** | **16 weeks** | Signed statement from employer, Employment Inquiry Form (D-FIP-582) or pay stubs that show the hours worked for two consecutive weeks. Proof required prior to data entry into WORKS. |
| Grant Diversion, where part or the person’s entire grant is diverted to reimburse the employer for some or all of the wages paid to the person;Work-study employment where local, state, or federal funds subsidize the individual’s wages;Supported work programs for individuals with disabilities or other special circumstances. | Pay stubs that show hours worked and salary for each pay period Employer timesheets signed by a supervisorSigned statement from supervisor or employerEmployment Inquiry Form (D-FIP-582) |
|  |
| **Activity Code** | **Description** | **Time Limits** | **Verification** |
| **WSP**Public Subsidy | Full-time or part-time employment in any public sector job where the employer receives a subsidy offsetting the person's wages with government funds, including work-study.  An example of this type of activity is Grant Diversion, in which part or all of the person's grant is diverted to reimburse the employer for some or all of the wages paid to the person by a public sector employer. All subsidized employment is considered a paid internship or apprenticeship.   | **16 weeks** | Signed statement from employer, Employment Inquiry Form (D-FIP-582) or pay stubs that show the hours worked for two consecutive weeks. Proof required prior to data entry into WORKS. |
| Pay stubs that show hours worked and salary for each pay period Employer timesheets signed by a supervisorSigned statement from supervisor or employerEmployment Inquiry Form (D-FIP-582). |
|  |  |  |  |
|  |
| **Activity Code** | **Description** | **Time Limits** | **Verification** |
| **BEV/OEV**Vocational Education | Organized educational programs related to preparing the individual for employment in current or emerging occupations.An educational organization (e.g. Vocational-Technical School, Community College, or proprietary school) must provide the training.  Post secondary education leading to an advanced degree may be counted as Vocational Education.For BEV activity, months 1-12 are countable federal core activities.Months 13 - 24 are federal NON core activities and must be paired with a federal core activity to be countable. | **24 Months**If a customer isn’t countable during the month the code flips to OEV.  The following month if they are countable goes back to BEV | Time sheets or activity logs that report hours of participation for every day of every week in each month are acceptable.  Actual hours spent in class as well as time spent performing clinical requirements, lab work, fieldwork and student teaching that are required for approved vocational educational training programs are countable. |
| **WEC**Child Care for an Individual Participating in Community Service  | WEC is used when a TCA recipient is providing child care for another TCA recipient to participate in community service (WEM).This activity code should only be used when the TCA recipient can not be placed in any other activity code.This activity code is not to be used for a two parent household.  | **0** | FIP Attendance Form signed and dated by the case manager or vendor supervising the activity.  |
|  |  |  |  |
|  |
| **Activity Code** | **Description** | **Time Limits** | **Verification** |
| **WEX**Work Experience | Public or private sector work situations where the person has the opportunity to acquire the skills and knowledge necessary to perform a broad array of jobs, including learning about appropriate work habits and behaviors.  WEX helps to improve the employability of individuals who cannot find unsubsidized employment.  Placements are designed to prepare participants to obtain unsubsidized employment by helping them develop a current work history, establish employment references and develop and improve marketable skills.***Can not be used with WEM activity.*** | Not to use for longer than 90 days in a rolling three year period.**90 Days**See FLSA Section for “deemed hours” | Signed statement on letterhead from the agency providing the Work Experience opportunity (including scheduled hours of participation). |
| FIP Attendance Form signed and dated by the Work Experience supervisorWorksite timesheets signed by the supervisor. |
| **OJT**On-the-Job Training | Training provided to a paid employee by a public or private sector employer.  The training is productive work with the employer, and provides knowledge or skills essential to the full and adequate performance of the position into which he/she was hired.  The employer pays the participant a training wage. | **0** | Signed statement from employer, Employment Inquiry Form (D-FIP-582) or pay stubs for two consecutive weeks. |
| When the activity otherwise meets the definition of OJT and when the participant is paid by the employer to attend them, this activity may include: Internships, Apprenticeships,Practicum, Professional certification or Clinical training required by an academic or training institutionProgram must lead to unsubsidized employment. | Pay stubs that show hours worked and salary for each pay period Employer timesheets signed by a supervisorSigned statement from supervisor or employerEmployment Inquiry Form (D-FIP-582) |
| **WEM**Supervised Community Service Program | WEM must be a structured activity that provides a direct benefit to the community (public or non-profit organizations).  Community service activities must be limited to activities that that serve a useful community purpose in fields such as health, social service, environmental protection, education, urban and rural development, welfare, recreation, public facilities, public safety and child care.  Design community service programs to improve the employability of recipients who may not otherwise be able to obtain unsubsidized employment.  Self-initiated activities are included in WEM. Include a description of how self-initiated WEM provides direct community service and improves the recipient’s employability in the case narrative. The principle difference between work experience and community service is that the community service activity must serve a useful community purpose.***Can not be used with WEX activity.***  | Not to use for longer than 90 days in a rolling three year period.**90 Days**See FLSA Section for “deemed hours” | Signed statement on letterhead from the agency providing the Work Experience opportunity (including scheduled hours of participation).FIP Attendance Form signed and dated by the Work Experience supervisorWorksite timesheets signed by the supervisor |
| **JBS/OBS** | The definition of the “J” codes includes a variety of activities aimed at assisting a TCA parent in locating unsubsidized employment. Assistance in the act of seeking or obtaining employment, including life skills training, and substance use disorder treatment, mental health treatment, or rehabilitation activities.  | If a customer isn’t countable during the month the code flips to OBS.  May only participate for **4 consecutive weeks and 120 hours (child under 6) or 180 hrs. per federal fiscal year** to be countable in the WPR. | FIP Attendance Form signed and dated by the person supervising the job search or workshop activities. Verifiable proof the customer has applied for positions. For example, emails. In addition various job readiness components such as workshops count as JBS activities. |
| **JBT/OBT** | JBT is used to identify customers who are actively participating in substance use disorder treatment.  | If a customer isn’t countable during the month the code flips to OBT.May only participate for **4 consecutive weeks and 120 hours (child under 6) or 180 hrs. per federal fiscal year** to be countable in the WPR. | Time sheets or activity sheets must show daily time. Supervisor is aware of daily activity. Supervision of the individual is performed as part of the normal workday by the site supervisor or the vendor, or case manager. |
| **JBM/OBM** | JBM is used to identify customers who are actively participating in mental health treatment.  | If a customer isn’t countable during the month the code flips to OBM.May only participate for **4 consecutive weeks and 120 hours (child under 6) or 180 hrs. per federal fiscal year** to be countable in the WPR. | Time sheets or activity sheets must show daily time. Supervisor is aware of daily activity. Supervision of the individual is performed as part of the normal workday by the site supervisor or the vendor, or case manager. |
| **JBR/OBR** | JBR is used to identify customers who are actively participating in rehabilitation treatment.  | If a customer isn’t countable during the month the code flips to OBR.May only participate for **4 consecutive weeks and 120 hours (child under 6) or 180 hrs. per federal fiscal year** to be countable in the WPR. | Time sheets or activity sheets must show daily time. Supervisor is aware of daily activity. Supervision of the individual is performed as part of the normal workday by the site supervisor or the vendor, or case manager. |

**104.2 Federally Defined Non-Core Activities**

* Customers completing 20 hours of the required 30 hours in a federally defined, core, activity, may complete the final 10 in either a federally defined core activity or one of the three federally defined non-core activities.
	+ There is no time limit for the three below federally defined activities.
	+ Weekly timesheets signed by the supervisor are required.

| **BED**Secondary School or GED program | Educational instruction provided by a secondary school or an alternative educational program leading to a high school diploma or high school equivalency (e.g., GED)Hours are only countable toward the WPR after the person has participated for 20 hours per week in a core work activity.Teen heads of household (HOH) or teen spouses in this activity are considered to be meeting the work requirement regardless of how many hours per week they participated and without first participating in a core work activity, as long as they attend school 80% of the time.BED may not include activities such as adult basic education or language instruction unless they are linked to attending a secondary school or obtaining a GED |  **0** | Documentation for BED and other unpaid work activities must reflect the actual hours of attendance for each week in the reporting period.For in-school, teen parent heads of households, the school will provide documentation (report card) at the end of each term to verify student/participant full time attendanceDocumentation could include, but is not limited to, report cards, time sheets, service provider attendance records, or activity logs on a biweekly or monthly basis or a signed and dated statement from the BED site supervisor.  For high school, whatever documentation we can obtain from the school will be sufficient to meet this requirement.   |
| --- | --- | --- | --- |
| **BER** Education Directly Related to Employment | Education related to a specific occupation, job or job offer.  This includes: Courses designed to provide the knowledge and skills for specific work settingsAdult basic education or ESL, and for activities that prepare participants for employment requiring a high school educationImmigrants may have the equivalent of a high school diploma from their native country but the diploma is not comparable with an American high school diploma or can not be verified to be comparable. |  **0** | Documentation for BER and other unpaid work activities must reflect the actual hours of attendance for each day of each week in the reporting periodDocumentation could include, but is not limited to, timesheets service provider attendance records on a biweekly or monthly basis or a signed and dated statement from the BER site supervisor, faculty or instructors. |
|  **IST**Job Skills Training Directly Related to Employment | IST includes, training or education for job skills required by an employer to provide an individual with the ability to obtain employment or to advance or adapt to the changing demands of the work place.  |  **0** | Documentation for IST must reflect the actual hours of attendance for each week in the reporting period. IST providers and program participants report actual hours of participation on time sheets or activity logs that report hours of participation for every day of every week in each month. Documentation could include, but is not limited to, time sheets, service provider attendance records on a biweekly or monthly basis or a signed and dated statement from the IST site supervisor.  |

There are certain limitations placed upon the use of core and non-core federally defined work activities.

1. Participation in job search/job readiness (JBS) and Substance Use Disorder treatment (JBT) count for work participation rate purposes, for a maximum of four consecutive weeks and for a maximum of 120 hours for a single custodial parent with a child under 6 and 180 hours for all other work eligibles in the previous 12-month period. (Customer begins a JBS activity in March 2017. The 12-month period ends February 2018.)

**Example:**

Winnie Morris applied for TCA on November 29. She is referred to a Job Search/Job Readiness Workshop that begins on December 6. The four-week program combines classroom, job club, and job search activities, for 30 hours per week. Ms. Morris attends every week. Count Ms. Morris as a work eligible TCA recipient for the month.

Ms. Morris, however, does not find a job. She is scheduled to begin a work experience assignment (WEX). Unfortunately, she must wait a week for the assignment. She and the case manager decide she will complete a supervised Job Search during the week she is waiting. The week Ms. Morris completes Job Search is the 5th consecutive week of JBS (Job Search/Job Readiness). Because it is the 5th consecutive week and TANF regulations do not permit more than 4 consecutive weeks during a 12 month period, Ms. Morris’s hours are not countable for that week.

**Example:**

Two years ago, Maggie Vickers participated for 9 months in a vocational education (BEV) activity. She found a job and her case was closed. She has now reapplied for TCA. Ms. Vickers and the case manager believe that 4 months in a different BEV activity will help her become re-employed. She will be countable for purposes of the participation rate for 3 of the 4 months she is in the BEV activity.

1. Vocational education (BEV) activities are subject to a 24-month lifetime time limit for each participant. However, only the first 12 months are considered Federal Core. The second 12 months of the BEV are Federal Non-Core and would need to be paired with another Federal Core activity to ensure the customer is countable towards the WPR.
2. Travel time from home to a work site or classroom and back is not countable.

**104.3 State Defined Activities**

State defined activities are activities that can not be counted as Federal Core or Federal Non-Core. There are primarily designated as “O” coded activities, however, there are some state defined activities that don’t start with “O”. State defined activities designate what the customer is “doing” for self-sufficiency when the customer is not participating in a federally defined activity. It can also show the good cause reason for not participating in a Federal Core or Federal Non-Core work activity.

Approved State Defined Activities for Maryland are below:

| **State Defined Activities**  |
| --- |
|

| Prenatal/12 week postpartum  | **OTP** | **Up to 3 months** |
| --- | --- | --- |
| Caring for a child under age 1 (initial 12 months) Federal Exemption | **OTB** | **Up to 12 months or until the child turns 1 whichever comes first** |
| Caring for a child under age 1 after initial 12 months (13 months and higher) State Exemption | **CU1** | **Up to 12 months or until the child turns 1 whichever comes first** |
| Disabled for 12 months or more  | **OTD** | **Up to 12 months** |
| Illness or incapacity/wellness rehabilitation < 12 months | **OTM** | **Up to 11 months** |
| Caring for a disabled household member | **OTG** | **Match length of time on documentation** |
| Court ordered appearance  | **OTO** | **Match length of time on documentation** |
| Temporary incarceration  | **OTJ** | **Match length of time on documentation** |
| Family crisis/family services  | **OTF** | **Up to 3 months**  |
| Breakdown in transportation/seeking trans (max. 30 days) | **OTT** | **Up to 30 days** |
| Breakdown in child care/seeking childcare (max. 30 days) | **OTZ** | **Up to 30 days** |
| Substance Use Disorder referral/waiting list  | **OTS** | **Match length of time on documentation** |
| Self-employment training (TANF, E&T, PA2E) only | **SET** | **Match length of time on documentation** |
| Intensive case management. People before Performance | **CMS** | **Up to 30 days** |
| Substance Use Disorder Treatment (when exceeding allowed time) | **OBT** | **System Generated** |
| Expungement services tracking | **CRX** | **Up to 30 days** |
| Mental Health Treatment (when exceeding allowed time) | **OBM** | **System Generated** |
| First time TCA/TANF customers from months 1 - 6 | **NEW** | **Up to 6 months** |
| Rehabilitation Services (when exceeding allowed time) | **OBR** | **System Generated** |
| Domestic /family violence  | **OTV** | **Up to 30 days** |
| In conciliation  | **OTC** | **Up to 30 days** |
| Pursuit of Income Supports | **OTL** | **Up to 30 days** |
| Under appeal for work sanction  | **OTU** | **Up to 30 days** |
| Customer transferring between districts or district offices | **OTQ** | **Up to 30 days** |

 |

Note: All customers should be re-assessed prior to the end of their State Defined activity code to determine if the time should be extended or if the customer can transition to a Federally Defined Core activity.

**104.4 Holidays and excused absences**

* 1. Holidays

The following ten (10) designated holidays are allowable holidays for TCA:

 January 1, for New Years Day

 January 15, Dr. Martin Luther King Jr’s. Birthday

 The third Monday in February for President’s Day;

 May 30, for Memorial Day

 July 4, for Independence Day;

The first Monday in September for Labor Day;

 November 11, for Veteran’s day;

 The fourth Thursday in November, for Thanksgiving;

 The Friday following Thanksgiving;

 December 25, for Christmas;

**Note: *Juneteenth holiday,* LDSS are to determine good cause for this date if a customer is engaged in an activity where the worksite is closed for this Federal/State recognized holiday.**

* 1. Excused Absence
1. Local departments may develop policies regarding excused absences and creditable hours of participation similar to those in common personnel practices.
2. Examples of good cause activities include but are not limited to: sick time, doctor’s visits or meetings at the child’s school or other activities deemed appropriate by the case manager.
3. In order for holiday and excused absence hours to count the customer **must be scheduled to participate** in the activity or activities on those days.
4. Absences should be scheduled in advance when possible.
5. Good cause absences are considered excused absences.
6. **Customers may not use more than 16 hours of excused absences** in a month and no more than 80 hours excused absences per federal fiscal year (October 1-September 30.)
	1. Note: If the good cause reason extends beyond 16 hours or two days code the customer using a State defined activity code that corresponds to the good cause reason. This will save the customer’s excused absence hours to be used at a later time.
7. Excused absence may also be used to cover some periods of time that a customer is in a program that extends past any time limits (such as BEV or JBS or Job Readiness)
8. Customers not able to attend their work activities on specific days because the State work site is closed should be coded with an excused absence in WORKS.
9. Customers may not be excused for more than 16 hours when a placement site is closed. (Such as a college closing for spring break.)
10. For scheduled breaks lasting longer than 16 hours in a report month, the participant should be scheduled in a ***temporary activity so that he or she may generate countable hours during the break period***.

 **Example:**

Customer has to go to her child’s school for a meeting. She will be 3 hours late for her activity. This is a good cause for absence. She has 3 hours of excused absence.

Note: For federal reporting purposes, an excused absence does not count in the WPR unless the excused absence hours make the customer countable for a month. However, for case management purposes, all excused hours, regardless of whether or not they made the customer countable, must appear on State reports.

**Example:**

Estelle Brauer has medical documentation to support her incapacitation for 5 months. She is not exempt from participation in federally defined work activities. The case manager places her in the State defined activity OTM (disabled for less than 12 months). Because she is a mandatory TCA recipient, Ms. Brauer appears in both the UE and WP denominators. She is countable for the universal engagement rate. She is not countable for the federal work participation rate.

**105 FEDERALLY DEFINED CORE WORK ACTIVITIES**

# 105.1 Unsubsidized Employment (WEJ)

1. WEJ is full or part-time employment in the public or private sector that is not subsidized by TANF or any other public program.
2. Unsubsidized employment also includes active duty service in the armed forces, entry into a registered apprenticeship program or self-employment.

## 105.2 Subsidized Private Sector Employment (WSU)

1. **WSU** includes full-time or part-time employment in any private-for-profit or private-non-profit sector job where the employer receives a subsidy from TCA or other public/government funds to offset some or all of the costs of employing a recipient. The term "subsidized" does not include tax credits to which the employer may be entitled for employing the person.
2. Subsidized private sector employment includes:
3. Grant Diversion, where part or the person’s entire grant is diverted to reimburse the employer for some or all of the wages paid to the person.
4. Work-study employment where local, state, or federal funds subsidize the individual’s wages.
5. Supported work programs for individuals with disabilities or other special circumstances.
6. Employment contract is limited to 16 weeks.

## 105.3 Subsidized Public Sector Employment (WSP)

* **WSP** includes full-time or part-time employment in any public sector job where the employer receives a subsidy offsetting the person's wages with government funds, including work-study. An example of this type of activity is Grant Diversion, in which part or all of the person's grant is diverted to reimburse the employer for some or all of the wages paid to the person by a public sector employer.

* All subsidized employment is considered a paid internship or apprenticeship.
* Employment contract is limited to 16 weeks.

**NOTE:** Pay stubs or a wage form listing hours the customer worked can be used for verification for subsidized or unsubsidized employment and hours of employment.

### 105.4 Work Experience (WEX)

1. WEX includes public or private sector work situations where the person has the opportunity to acquire the skills and knowledge necessary to perform a broad array of jobs, including learning about appropriate work habits and behaviors.
	* 1. The maximum work experience placement for the individual ***can not exceed 90 days in a three-year period***.
2. WEX helps to improve the employability of individuals who cannot find unsubsidized employment.
3. Placements are designed to prepare participants to obtain unsubsidized employment by helping them develop a current work history, establish employment references and develop and improve transferable/marketable skills.
4. Prior to placement, potential work experience providers are evaluated to match the participant with a position that is related to ***the participant’s employment goals*** and the needs of the work site supervisor.
5. Examples of WEX placements are:
6. Learning routine office skills in a work setting such as a school, church, or non-profit agency
7. Learning specific work skills in a hospital setting.
	1. Typically, the person is not paid for participating in a work experience activity, although he or she may receive a needs-based payment to cover the incidental costs of participating.
	2. WEX is defined as a work activity.
8. The WEX activity code is subject to the Fair Labor Standards Act (FLSA).
9. Work Eligible Individuals participating in a WEX assignment cannot be required to participate for more hours than the combined Temporary Cash Assistance (TCA) and Supplemental Nutrition Assistance Program (SNAP) grants divided by the State minimum wage.
10. Hours of participation are “deemed” to participants who are limited by FLSA and they are considered participating for the full 20 of the core activity hours for each week they participate for the number of hours allowed under FLSA.

### 105.5 On-the-Job Training (OJT)

1. Training provided to a paid employee by a public or private sector employer. The training is productive work with the employer, and provides knowledge or skills essential to the full and adequate performance of the position into which he/she was hired. The employer pays the participant a training wage.
2. When the activity otherwise meets the definition of OJT and when the participant is paid by the employer to attend them, this activity may include:
	* + - Internships
			- Apprenticeships
			- Practicum
			- Professional certification
			- Clinical training required by an academic or training institution
3. As long as the program is designed to lead to unsubsidized employment, the activity meets the primary goal.

**105.6 “J”CODED Work Activities and Needy State Status**

1. Participation in a job search and job readiness activity can count for a maximum of 120 hours (for a recipient with a child under age 6) or 180 hours (for all other work mandatory recipients) in a fiscal year with no more than four consecutive weeks being countable.
2. In two instances this can be extended:
* if a State has an unemployment rate at least 50 percent greater than the unemployment rate of the United States or
* if the State meets the definition of a “needy State” under the Contingency Fund provisions of the federal law.
1. A State qualifies as a “needy State,” based on its unemployment rate or on increases in its Supplemental Nutrition Assistance Program (SNAP) caseload. **Maryland qualifies as a “Needy State” because of the increase in the SNAP caseload.**
2. TCA customers whose work activity falls under one of the “J” codes (JBM-Mental health Treatment, JBR-Rehabilitation Services, JBS-Job search and Job Readiness or JBT- Substance Use Disorder Treatment) **may have their hours of participation extended from 120 hours to 240 hours for an individual with a child under age 6 and from 180 to 360 hours for all others.**
	1. **Two able bodied parent households may have their hours of participation extended from 210 to 420.**

**NOTE: The four consecutive week limitation still applies.**

Examples**: Week starts on Monday.**

June is a five week month. Four weeks as a “J” code are countable the Fifth week must be another core activity to be countable for the month (ex. WEX/WEM/BEV).

**1. Customer A participates in a “J” coded activity for 30 hours per week for the weeks of:**

June 1, June 8, June 15, June 22 and June 29. The week of June 29 is the 5th week and the customer is not countable because she has used 4 consecutive weeks.

2. Customer participates in a “J” coded activity for 30 hours per week for the weeks of:

June 1, June 8, June 15, June 22. She does not participate in a “J” coded activity for the week of June 29. She does participate in a WEX activity for the week of June 29. The customer is countable.

July is a four week month.

The week of July 6, the customer goes back into her “J” coded activity for 30 hours per week. She participates 30 hours per week for the weeks of July 6, July 13 and 20. The week of July 27, the customer participates in a community service (WEM) activity for 30 hours per week. She is countable in all four weeks, but has only 3 consecutive weeks of “J” code activity.

August is a five week month.

The customer has been in her “J” code activity for 8 weeks (240 hours). It is determined that she needs additional time in the “J” code activity. In August, the customer participates 30 hours per week for the weeks of August 3, August 10, August 17, and August 24. She exhausts her 360 hours of countable “J” code activity. It is determined she needs one more week of “J” code activity to be work ready. The week of August 31, the customer participates for 30 hours. She has exceeded the allowable 360 hours and is not countable. It is in the customer’s best interest that she continues in the “J” code activity regardless of whether she **is** countable.

Customer B

Customer is in a “J” code activity 20 hours per week (child under age 6) one week per month. She participates in a community service activity the other weeks. The customer can participate and be countable for 12 months per year (a total of 240 hours). She has no consecutive weeks of “J” code activity.

Customer C

June is a five week month.June 1, June 8, June 15, June 22 and June 29.

Customer is in a “J” code activity for 8 hours per week, 12 hours of WEX and 10 hours of BER. The week of June 29 is the 5th week and the customer is not countable because she used 4 consecutive weeks. Any hours used are countable against the 4 consecutive weeks.

July is a four week month and the customer may not be in a “J” code activity for the first week of July or she will not be countable because it would be the fifth consecutive week.

### 105.7 Job Search and Job Readiness Assistance (JBS)

1. The definition of these codes includes a variety of activities aimed at assisting a TCA parent in locating unsubsidized employment. Assistance in the act of seeking or obtaining employment, including life skills training, and Substance Use Disorder treatment, mental health treatment, or rehabilitation activities for people.
2. Job search and job readiness activities must have a direct connection to improving customer employability or finding employment.
3. Travel time between job interviews when multiple interviews are scheduled on the same day is countable, but travel time to the first interview or travel time home after the last interview are not countable.
* Estimated hours are not allowed. Only actual hours of travel may be counted.
1. Participants in these activities do not count as engaged in work activities for more than 120 hours for a single custodial parent with a child under 6 and 180 hrs. for all other work eligibles, in a 12 month period year and no more than four consecutive weeks. **(See Section 105.6 “J” codes and extension of time limits)**
* A countable week equals 20 hrs for a single custodial parent with a child under 6 and 30 hrs for all other work eligible households.
* Any hours of participation in job search/job readiness during a 7-day period triggers a week for the 4-week limit.
1. Job Search also includes the following activities and codes:
* Substance Use Disorder Treatment **(JBT)**
* Mental Health Treatment **(JBM)**
* Rehabilitation Services **(JBR)**
1. **Job Search activities** include:

1. Instruction in effective strategies that can be used by individuals in seeking/obtaining their own jobs;

 2. Making contact with potential employers,

 3. Applying for vacancies,

 4. Resume writing,

 5. Interviewing skills,

 6. Labor market information,

 7. Telephone techniques,

8. Information on job openings, and job acquisition strategies, as well as the provision of office space and supplies for the job search.

1. **Job Readiness Assistance** includes:

Instruction in career exploration,

Instruction on basic workplace expectations and behaviors.

Note: Substance Use Disorder Treatment (JBT) or other barrier removal activities can be considered to be a form of Job Readiness activities.

 Although only work programs that involve preparing for and seeking work meet the definition of job search and job readiness, some Substance Use Disorder treatment activities should be reviewed to determine if they are countable as another activity. These activities may include housekeeping, preparing meals, or scheduling group activities. It does not matter whether the person is in residential treatment or outpatient if the other activities are performed.

1. **Substance Use Disorder Treatment (JBT), Mental Health Treatment (JBM) and Rehabilitation Services activities (JBR)**
2. Such treatment or therapy must be determined to be necessary according to a qualified medical or mental health professional.
3. This is a treatment-oriented service to help individuals make the transition from welfare to work.
4. If a portion of the activity more closely meets the definition of another work activity, then the hours associated with that activity may count under the appropriate work category
5. JBT includes all stages of Substance Use Disorder treatment including referral, waiting list, and treatment.
6. Treatment includes both residential and outpatient:
* Detoxification,
* Medical or mental health treatment,
* Therapy, counseling, and other services to address mental, physical or emotional disorders that can interfere with an individual’s ability to work or look for work.

**Note:** A recipient’s participation in job search/job readiness (JBS) counts, for WPR purposes, for a maximum of four consecutive weeks and for a total of 120 hours in any 12 month period for a single custodial parent with a child under six or 180 hours for all other families.

Individuals participating in Substance Use Disorder treatment beyond four consecutive weeks and for more than a total of 120 or 180 hours should remain in JBT (now coded OBT) for the purposes of being countable toward the universal engagement rate. They, however, will not be countable toward the federal WPR during the 12 month period.

#### 105.8 Community Service Programs (WEM)

1. The WEM activity is subject to the Fair Labor Standards Act (FLSA).
2. WEM includes two key elements: it must be a structured activity that provides a direct benefit to the community (public or non-profit organizations).

 i. The maximum community service placement for a customer ***can not exceed 90 days in a three year period***.

1. Community service activities must be limited to activities that serve a useful community purpose in fields such as health, social service, environmental protection, education, urban and rural development, welfare, recreation, public facilities, public safety and child care.
2. Community service activities (WEM) can not be offered in conjunction with Work Experience activities (WEX).
3. Design community service programs to improve the employability of recipients who may not otherwise be able to obtain unsubsidized employment.
4. ***Self-initiated activities are included in WEM. Include a description of how self-initiated WEM provides direct community service and improves the recipient’s employability in the case narrative.*** (See attached example)
5. The principal difference between work experience and community service is that the community service activity must serve a useful community purpose. Customers offered community service (WEM), as an activity may not be offered work experience (WEX) as an activity.

 H. Community service activities are subject to the requirements of the FLSA

**Example:**

A TCA recipient develops a WEM opportunity at her church. The case manager, employment specialist or vendor representative needs to know the direct community service the program provides. The recipient provides a letter from the pastor that she will cook and deliver meals to shut-in and ill parishioners five days per week under his supervision. This level of structure meets the direct community service requirement. After a discussion with the recipient, the LDSS staff or vendor decides that the activity improves the employability of the recipient as it is a tangible work-like assignment that can be added to a resume and her performance of duties creates a work habit profile of punctuality, customer service skills, making deliveries timely and representing an institution to the public.

1. **Supervision:** A responsible person has daily responsibility for oversight of the individual’s participation but may not have daily in-person contact.

**105.9 Child Care for an individual participating in a community service program (WEC)**

1. Providing childcare to enable another TCA recipient to participate in a community service activity.
2. WEC is used only when an individual cannot be placed in another activity.
3. The activity must be structured and designed to improve the employability of the individual who completes the WEC activity.
4. One parent in a two parent family may not participate in WEC so the other parent can participate in a community service activity.
* Providing care for the individual does not help prepare the parent providing the care for employment.
* There is no supervision involved in the activity if the individual is providing care for his or her own children.
* Hours **may not** be projected for this activity.

#### 105.10 Vocational Education (BEV)

* 1. BEV includes organized educational programs related to preparing the individual for employment in current or emerging occupations. BEV is now considered a career and technical education activity.
	2. An educational organization (e.g. Vocational-Technical School, Community College, or proprietary school) must provide the training.
	3. Post secondary education leading to an advanced degree may be counted as Vocational Education.

*Note: Do not place a teen head of household who does not have a GED or is not a high school graduate in a BEV activity. Place the teen HOH in BED or BER. Determine if there is a need for adjustment for the client (case by case basis) for training programs that do not require GED/HS diploma.*

* Time sheets or activity logs that report hours of participation for every day of every week in each month are acceptable.
	+ - Actual hours spent in class as well as time spent performing clinical requirements, lab work, fieldwork and student teaching that are required for approved vocational educational training programs are considered to be a part of the primary activity for which they are required and are countable.
1. Vocational Education can be counted for up to 24 months during a customer’s lifetime. Months 1-12 are considered as Federal Core countable activities, ***months 13-24*** are considered ***Federal Non-Core*** activities and ***must be paired with a federal core activity*** to be countable. (BEV - 10hrs non-countable, WSP (work study) - 20 hrs/wk countable)
2. If as little as one hour of BEV is used, it counts as a week of the 24-month limit during a customer’s lifetime.
3. For federal reporting purposes, FIA will not count any BEV hours unless the BEV hours help make the customer countable for the month.
4. For case management purposes, all BEV/OEV hours must appear on State reports.
5. If the BEV code is used and the customer does not need the hours to be countable for the month, WORKS will change the BEV code to a companion State Defined Activity (SDA) code (OEV).
* Case record paper documentation may not show the same codes. End of month files must be reviewed to prevent audit issues.
	1. The case manager should evaluate any program a customer is enrolled in to determine whether the program meets the definition of a BEV program. By carefully structuring participation, activities may be countable under several different work activities.

**Examples:**

* + - 1. Customer is in a construction trade vocational school that lasts 24 months. The customer is only countable in BEV for 12 months and has never been in a BEV coded activity before. The customer is gaining skills that enable him or her to become employed when the program is completed.

Customer is in a Certified Nursing Assistant (CNA) training program that lasts 24 months. The customer is only countable in BEV for 12 months and has never been in a BEV coded activity before.

The customers in the above scenarios are gaining skills that enable him or her to become employed when the program is completed. They should remain in the programs.

* Clinical training in a hospital or other setting could count as work study, work experience or community service.
	1. To become a licensed practical nurse usually takes at least two years. The training usually involves a combination of classroom instruction and clinical activities.
* Clinical training in a hospital or other setting could count as work study, work experience or community service.
* If the student gets paid the activity could be considered on the job training or unsubsidized employment.
1. **Review** thecustomer’s activity **options** and try to “Save” the customer’s BEV hours for those activities that do not count as any other activity**:**
	* If the decision is to use the BEV , the hours spent in adult basic education (ABE), as well as English as a Second Language (ESOL) do not count as BEV unless the following conditions are met:
* There must be a need. The results of the individual’s initial assessment are used to determine the need for ABE or ESOL.
	+ The ABE or ESOL education must be embedded in an activity that meets the definition of BEV and it must clearly state in the FIP plan, vendor contract or participant independence plan that the classes are needed to meet the goals and
	+ There must be an explicit statement of the number of hours per week and the number of weeks the program lasts.

**106 FEDERALLY DEFINED NON-CORE WORK ACTIVITIES**

##### 106.1 Satisfactory Attendance at a Secondary School or GED program (BED)

1. BED includes educational instruction provided by a secondary school or an alternative educational program leading to a high school diploma or high school equivalency (e.g., GED/HS Dilpoma in Maryland)
2. Countable hours of participation
	1. The number of hours verified as spent in BED is the number of hours countable for the activity.
	2. Hours are only countable toward the WPR after the person has participated for 20 hours per week in one of the federally defined core work activities that have been listed above.
	3. Teen heads of household (HOH) ages 16 - 19 years or teen spouses in this activity are considered to be meeting the work requirement regardless of how many hours per week they participated and *without first participating in a core work activity, as long as they attend school 80% of the time*.
3. Time spent on unsupervised homework assignments counts for up to one hour of homework time for each hour of class time.
4. Actual hours spent in class as well as time spent performing clinical requirements, lab work, fieldwork and student teaching that are required for approved BED programs may be considered to be a part of the primary activity for which they are required and are countable under that category or may be reviewed to determine eligibility for another category.
5. Verification
6. Documentation for BED and other unpaid work activities must reflect the actual hours of attendance for each week in the reporting period.
7. For in-school, teen parent heads of households, the school will provide documentation (report card) at the end of each term to verify student/participant full time attendance.
8. Documentation could include, but is not limited to, report cards, time sheets, service provider attendance records, or activity logs on a *biweekly or monthly basis* or a signed and dated statement from the BED site supervisor. *For high school, whatever documentation we can obtain from the school will be sufficient to meet this requirement.*
9. Documentation must verify the other component of progress, attendance. Participants must participate 80% of the scheduled days.
10. Supervision
11. Daily supervision of an unpaid work activity consists of a responsible party who is aware of the participant’s daily activities. Daily supervision does not necessarily mean daily in person contact.
12. Faculty, instructors, instructional aides, lab supervisors, study hall supervisors, and supervisors of work-based learning activities provide daily supervision for the hours of education.
13. The responsible party must sign documentation related to attendance; the participant’s statement is not acceptable. The exception to this is for teen parents, who are supervised in the classroom by educators.

**106.2 Education Directly Related to Employment (BER)**

1. BER includes education related to a specific occupation, job or job offer. This includes:
	1. Courses designed to provide the knowledge and skills for specific work settings.
	2. Adult basic education or ESOL, and for activities that prepare participants for employment requiring a high school education.
2. Immigrants may have the equivalent of a high school diploma from their native country but the diploma is not comparable with an American high school diploma or can not be verified to be comparable.
	* + ***Determine on a case by case basis whether an immigrant should participate in this activity.***
3. GED class.
4. Education related to a specific occupation, job or job offer.

B. Hours are only countable toward the WPR after the person has participated for 20 hours per week in one of the federally defined core work activities that have been listed above.

C. Teen HOH or teen spouses who participate in this activity are considered countable participants, without first having participated in a core work activity.

D. Countable hours of participation

* 1. The number of hours verified as spent in BER is the number of hours countable for the activity.
	2. BER includes monitored and documented study sessions. Actual hours spent in class as well as time spent performing clinical requirements, lab work fieldwork, student teaching that are required for approved BER programs are considered to be a part of the primary activity for which they are required and are countable.
		+ - *Review the curriculum with the student to determine if all of the hours are actually BER hours or can the hours be considered WEX, WEM or OJT hours.*
	3. Time spent on unsupervised homework assignments count for up to one hour of homework time for each hour of class time.
1. Verification
2. Documentation for BER and other unpaid work activities must reflect the actual hours of attendance for each day of each week in the reporting period.
3. Documentation could include, but is not limited to, time sheets, service provider attendance records on a ***biweekly or monthly basis*** or a signed and dated statement from the BER site supervisor.
4. A responsible party who may sign the documentation includes faculty, instructors, instructional aides, lab supervisors, study hall supervisors, and supervisors of work-based learning activities.
5. Supervision
6. Daily supervision of an unpaid work activity consists of a responsible party who is aware of the participant’s daily activities but may not have daily in person contact.
7. The responsible party must sign documentation related to attendance; the participant’s statement is not acceptable.
8. The local department case manager provides overall supervision and monitoring of participant progress and compliance.

**106.3 Job Skills Training Directly Related to Employment (IST)**

1. IST includes training or education for job skills required by an employer to provide an individual with the ability to obtain employment or to advance or adapt to the changing demands of the workplace.
2. Job skills training directly related to employment must be supervised daily.
3. IST may include literacy or language instruction when the instruction is explicitly focused on skills needed for employment or combined in a unified whole with the job training.
4. Countable hours of participation
	* + 1. Hours are only countable toward the WPR after the person has participated for 20 hours per week in one of the federally defined core work activities that have been listed above.
			- As with other programs, review the skills training requirements to determine if portion of the training can be considered a countable activity in another category.
			- Job skills sometimes require activities that could be determined to meet the definition of WEX or OJT.
5. The number of hours verified as spent in IST is the number of hours countable for the activity.
6. IST includes monitored and documented study sessions. Time spent on unsupervised homework assignments is countable up to one hour for each hour of class time.
7. Verification
	* + 1. Documentation for IST and other unpaid work activities must reflect the actual hours of attendance for each week in the reporting period. IST providers and program participants report actual hours of participation on time sheets or activity logs that report hours of participation for every day of every week in each month.
			2. Documentation could include, but is not limited to, time sheets, service provider attendance records on a biweekly or monthly basis or a signed and dated statement from the IST site supervisor.

 F. Supervision

1. Daily supervision of an unpaid work activity consists of a responsible party who is aware of the participant’s daily activities.
2. A responsible party who may sign the documentation includes faculty, instructors, instructional aides, lab supervisors, study hall supervisors, and supervisors of work-based learning activities.
3. The responsible party must sign documentation related to attendance; the participant’s statement is not acceptable.
4. The local department case manager provides overall supervision and monitoring of participant progress and compliance.

#  VERIFICATION OF WORK ACTIVITIES – IN GENERAL

1. Participants in work activities or Employment and Training service providers must submit periodic (weekly, bi-weekly or monthly) verification of hourly attendance for each work activity.
2. Accept attendance verification on:
3. Approved attendance tracking forms,
4. Employer letterhead or pay stubs,
5. Service provider letterhead or forms, or
	1. The **documentation must clearly support the hours** **entered** on the **WORKS attendance screen** that indicates the customer is engaged in the assigned work activities for the month.
* **WORKS does not verify information. It only holds the information that has been data entered. What is in WORKS must be verified and must match the documentation in the case record.**
1. For customers engaged in **federally defined** work activities:
2. The LDSS must make a “reasonable effort” to obtain written documentation.
3. “Reasonable effort” means the LDSS or their vendors attempted to obtain written evidence from a “reliable source” that the customer actually participated for the number of hours of attendance recorded in WORKS.
4. “Reliable source” means someone other than the customer or his/her immediate family whom the local department believes to be truthful.
5. If documentation of the customer’s attendance in the work activity is not available and attempts to verify the attendance in other ways cannot clearly demonstrate that the customer participated in the activity that month, **do not enter any attendance in WORKS**.

**Example:**

Ms. Rogers has been assigned to the local community college for vocational education and work experience. She is required to participate in 20 hours of classroom instruction each week and 20 hours of work experience. As part of their contract with DSS, the community college keeps records of attendance for the classroom instruction and has sign-in sheets for the work experience activity. Each month the community college provides those documents to the local department. A copy of the records for Ms. Rogers is maintained in her file by the community college, local department, or both.

**Example:**

Mrs. Baxter is needed in the home to care for her disabled husband. The local department has a current DHS/FIA 500 medical for the husband and a statement from his doctor that Mrs. Baxter is needed in the home to care for him.

1. For customers engaged in State defined work activities:
2. The LDSS must make a “reasonable effort” to obtain written documentation.
3. The term “reasonable effort” means that the LDSS or their vendors attempted to obtain written evidence from the customer or other knowledgeable person that the customer participated in the designated state defined activity, consistent with their Family Independence Plan, in the month.
4. The documentation must clearly indicate that the customer was engaged in an activity: otherwise,
5. Refer the customer to a work program
6. If the customer does not comply with the work program, follow appropriate conciliation and sanction procedures.

**Example:**

Ms. Jones has a torn Achilles tendon and provided a DHS/FIA 500 medical statement showing the length of her disability to be less than 12 months. The LDSS determines that Ms. Jones is in compliance with her Family Independence Plan for the specified time period by receiving necessary medical treatment. For universal engagement purposes Ms. Jones is coded in wellness rehabilitation. (OTM)

## 108 GUIDELINES ON ACCEPTABLE VERIFICATION

| **Level of Acceptability** | Source of Documentation | Examples of Documentation |
| --- | --- | --- |
| Preferred | Reliable person who supervises or oversees the activities of the customer. | **Signed statement of attendance** from employer/supervisor; pay stubs; daily/weekly attendance sheets that are signed by both the customer and a supervisor. A copy of the dated conciliation letter for customers in an OTC WORKS activity code. WORK NUMBER screens showing pay and # of hours worked. |
| Acceptable | Reliable person who has knowledge of the customer’s attendance, excluding family members.Customer’s word or statement for activities in which supervision of the customer’s attendance is not possible.  | Signed and dated written summaries **of a conversation between a staff member and the supervisor of the customer’s activities, or other reliable person;** signed and dated **statement from customer for individual Job Search or other activities in which the customer is not being directly supervised.** WORK NUMBER screens showing pay and # of hours worked. |
| Not Acceptable | Customer’s word or statements from members of the customer’s family (except for individual Job Search or other activities in which supervision of the customer’s attendance is not possible). | Copies of the WORKS Attendance Screen, unsigned documents and documents that are undated or dated for periods other than the report period.  |

**108.1 Attendance**

1. At *least monthly,but preferred weekly*, the LDSS must enter work activity and attendance information into WORKS for every customer engaged in one or more of the federally defined activities. Attendance data must be recorded in WORKS **no later than the last day of the following month.**
	1. Best practice is to monitor, track and enter attendance hours weekly if possible.
2. Attendance documentation must reflect actual daily attendance for each week in the month, except for unsubsidized employment where weekly or bi-weekly pay stubs showing total hours worked are acceptable.
3. The weeks in the month begin with the first Monday in the month and include all Mondays in that month.

 **Example:** October 2022 includes five weeks with the first week (the first Monday) beginning on October 3 and the last week beginning on October 31st and ending on November 6th.

1. Participants in work programs are to be credited with hours of attendance equal to the normal daily maximum hours for the program for days in which the service provider or employer is closed:
* Due to a holiday, inclement weather, or
* For days the participant is engaged in jury duty.
* **Example:** The terrible winter weather in 2014 meant that State offices and many other facilities were closed part or all of specific days. Customers could not complete their work activities and maintain countable hours. In situations like this, use excused absence for up to 16 hours and good cause for the remaining missed hours. ***Customers cannot be penalized for problems beyond their control.***
	1. Participants engaged in programs through a community college or other educational institution cannot be given credit for attendance during any breaks (e.g. Spring Break) or any period lasting more than 2 days in a week.
	2. Participants engaged in Vocational Education, Secondary Education/GED or Education, directly related to employment, may be given credit for hours of participation in classroom activities. Homework credit may be given for up to one hour of homework time for each hour of class time according to the standards set by the educational institution.

 **Example:** A college states that the “rule of thumb: is 1 hour of homework for each hour of class time. Allow the customer 1 hour of homework time per hour of class time. If a copy of the syllabus is not available to confirm projected home assignment/lab work/etc.

* 1. Attendance information is captured on the WORKS Attendance Screen.
* Enter the customer’s social security number on the Customer’s Search Page and press enter or click the Search Customer button. The Search Results Page displays basic information on the customer.
* Once you select the appropriate program i.e. TCA, SNAP, the left navigation bar expands.
* Select Attendance from the left navigation bar and the Attendance Screen will open and display activity codes with the service providers.
* Enter the actual attendance hours for each activity, for each week based on the documentation.
* Totals will automatically display at the bottom of each column for each week and monthly totals are displayed to the right.
* After entering all attendance information, press the submit button and you will see Database Update Successful.
* Select another function from the left navigation bar to leave the Attendance Screen and continue working in WORKS or log out.
* Run the WORKS Missing Attendance Report or Current Caseload Report to identify customers recorded in WORKS, as engaged or unengaged, for whom there has been no attendance entered for the report period.
	+ - This is a helpful management tool that will assist local departments in meeting the data entry requirement.

**109 FAIR LABOR STANDARDS ACT (FLSA)**

**109.1 Determining if the Work Program is Employment or Training.**

Local departments should review each of their work programs to determine whether the program is employment or training and ensure the program meets the requirements associated with each. The key in determining whether a placement meets the definition of employment, rather than training, is **who benefits the most from the placement (refer to the activity review sheet in the appendix.)** FLSA is based on hours per week. Participants may not exceed the FLSA hours allowed perweek.

1. **When the employer benefits more than the customer:**
2. The activity is considered employment, and
3. FLSA minimum wage provisions apply.
4. **When the customer benefits more than the employer**:
5. The placement is considered to be training, and
6. FLSA provisions do not apply, and
7. Placement in such activities is limited to a period of 90 days or less in a three (3) year period.

1. **Bona fide trainee and internship placements** are not subject to FLSA. A trainee or intern is not considered an employee if all the following factors are met:
2. The training offered is similar to that provided in a vocational school, although training may include operations of the employer’s facility.
3. Training is for the benefit of the trainee or intern.
4. The trainee or intern does not displace regular employees, and works under close observation.
5. The trainee or intern activities provide no immediate advantage to the employer and may actually hinder operations.
6. Trainees or interns are not necessarily entitled to a job upon completion of the trainee or internship assignment.
7. Both the employer and the trainee or intern understands that the trainee or intern is not entitled to wages for the time spent as a trainee or intern.
8. The length of time a trainee or intern can stay in any particular assignment is limited to a period of 90 days or less in a three (3) year period.
9. All placements that do not meet the federal definition of training are considered employment and FLSA minimum wage standards apply.
10. FLSA standards apply to Work Experience (WEX) and Community Service (WEM) activities.
11. The participant receives knowledge and skills in an actual work setting.
12. The employer receives more of a benefit because he receives the customer's labor.
13. Since the employer receives more benefit, the participant is considered to be working and federal Fair Labor Standards Act (FLSA) requirements apply.
14. The monthly combined TCA and SNAP grant for the household must equal or exceed the monthly federal minimum wage.
15. Work Experience (WEX) and Community Service (WEM) are now time limited. The length of time is not to exceed 90 days within a three (3) year period.
16. Local department autonomy in designing employability strategies has created activities variously described as trainee or internship programs.
17. Each local department must ensure that their trainee and/or internship programs meet the federal definition of training.
18. Local departments must limit the length of these programs to 90 days or less within a three (3) year period.
19. At the end of the 90-dayperiod, the trainee or intern must be reassigned to a different activity other than work experience (WEX) or community service (WEM).

**Example:** Mary Green is a trainee at a local hospital in the medical records department. Her 90-day assignment is now ending. Both Mary and her case manager believe that while it has been a beneficial placement she still requires additional training. The hospital has another paid trainee position in one of the clinics. Mary could be referred to the paid trainee position and this is an on the job (OJT) work activity placement.

**109.2 FLSA Minimum Wage Provision**

* FLSA does **not** mean that the employer must pay the customer a salary since the TCA and SNAP benefits a family receives counts towards the minimum wage requirement. In many instances, the combined monthly TCA and SNAP amount meets or exceeds the monthly minimum wage used in assigning actual work hours. Local departments must complete a minimum wage calculation for all customers assigned to Work Experience. (Refer to the calculation sheet in the appendix.)

**Examples.**

The first example uses 30 hour per week activities to determine if FLSA standards are met. Regardless of the number of hours in the activity, the calculation must be completed to determine if the combined TCA and SNAP grant equals or exceeds the Monthly Minimum Wage.

*The amounts used in the calculations below are for illustration only and do not reflect current minimum wage or benefit amounts*.

30 hrs. per week x $8.00 hourly minimum wage = $240.00 per week

$240.00 x 4.3= $1032 (monthly minimum wage)

Customers whose TCA and SNAP do not equal $1032 per month may not be assigned a WEX or Community Service activity that is considered work for more than 30 hrs per week.

To determine the number of hours a customer may participate in an activity considered work, divide the total of the TCA and SNAP by the minimum wage. A customer may work that monthly total. Divide that amount by 4.3 to obtain the weekly number of hours.

**Example 1:** A single parent with 2 children under six years old: The parent is engaged in a placement that meets the definition of employment for 24 hours per week and in job skills training (IST) for 16 hours per week. Monthly combined TCA ($549.00) and SNAP benefits ($408.00) is $957.00.

$957/$8.00 = 119 hours per month

119/4.3= 27 hours per week

The placement for the above customer meets FLSA requirements because she can not exceed 27 hours per week.

**Example 2:** A single parent with one child under six. The parent is engaged in a placement that meets the definition of work. She is in the activity 20 hours per week. Her TCA grant is $276.00 because she receives Social Security (survivor’s benefit) of $100. SNAP benefits are $259.00 per month. The customer’s combined TCA and SNAP amount is $535 per month.

$535 (TCA + SNAP) /$8.00 = 66.8 hrs. per month

66.8 hrs /4.3 = 15.5 hrs per week.

The placement for the above customer exceeds the FLSA requirements. The customer can not be assigned in an activity classified as work for more than 15.5 hours per week. Work hours in the WEX or WEM activity must be reduced.

**Maryland’s minimum wage is $12.50 per hour and is scheduled to reach $13.25 per hour on January 1, 2023 and $14.00 per hour on January 1, 2024.**

**110 SUBSTANCE USE DISORDER**

**110.1 Overview of Substance Use Disorder activity requirements**

1. Certified addictions specialists conduct Substance Use Disorder screening for all 24 LDSSs. The certified addictions specialists conduct or refer for customer assessment, refer drug felons for testing, refer for treatment, and provide information case managers need to determine eligibility for benefits.
2. Substance Use Disorder treatment providers are required to report information concerning TCA customers directly to addictions specialists.
3. When a TCA customer is referred, on a waiting list or enrolled and actively participating in a substance use disorder treatment program, the treatment may be considered a federally defined work activity for a maximum of four consecutive weeks and for a total of six weeks in any federal fiscal year*.* The appropriate activity code to use when documenting this activity is **Substance Use Disorder Treatment (JBT).**
4. If the recipient fails to cooperate in the treatment program (as defined by the Alcohol and Drug Abuse Administration), **only an individual sanction may be imposed (refer to section 110.12 for more details)**.
5. When an individual sanction is imposed for substance use disorder, the customer loses the good cause for non-cooperation with work requirements. When the customer is referred to Family Services and cooperates with Family Services, he or she is meeting the work requirement, however the customer is still not in compliance with substance use disorder requirements.
6. Failure to cooperate with Family Services will require the customer to participate in federally defined work activities other than JBT. Failure to participate in work activities results in a work program requirement sanction and will result in a reduced benefit.

**110.2 The Addictions Specialist:**

1. Is the liaison between the Family Investment Program (FIP) case manager and the substance use disorder treatment provider for TCA customers referred to treatment.
2. Maintains ongoing contact with treatment providers who are required to report certain information concerning the treatment status of TCA recipients.
3. Reports information needed to determine eligibility to the FIP case manager concerning the customer's compliance with substance use disorder requirements and treatment protocols.
4. Makes referral for supportive services for customers who screen positive or self identify for substance use disorder.
5. Provides monthly reports to the Family Investment Administration (FIA) and the Alcohol and Drug Abuse Administration (ADAA) on TCA Substance Use Disorder treatment activity.

**110.3 Referral to Addictions Specialist for screening/signature requirement**

1. The FIP case manager:
2. Informs all TCA adults and minor parent applicants/recipients and all TCA custodial parents convicted of a drug related felony about the **FIP substance use disorder** **Treatment and Services** requirements and the sanctions imposed for failure to comply with screening and treatment.
3. After the application interview, refers the applicant or recipient to the on-site addictions specialistfor screening using the **Screening Referral** (**DHS/FIA 1177**) form.
* Completes the top portion of the form, providing as much demographic information as possible and forwards to the addictions specialist.
1. The addictions specialist returns the 1177 to the FIP case manager, within 10 working days of the referral date, indicating the individual's compliance with signature requirements, screening and/or assessment referral.
2. The FIP Case manager:
3. Reviews the information on the 1177 returned by the addictions specialist.
4. Processes the TCA application or recertification within appropriate time frames.
5. Uses appropriate E&E coding (see E&E Procedures) and
6. Certifies the case for 12 months, if all TCA eligibility requirements are met.

## 110.4 Redetermination or Interim Change

1. Only recipients who self identify or are identified by the case manager as needing substance use disorder services are referred to the addictions specialist.
2. Whenever an adult is added to the assistance unit or a minor in the unit becomes a parent, refer the individual to the addictions specialist for signature requirements, screening and assessment.

**110.5 Screening and referral for assessment**

1. Upon receipt of the 1177, the addictions specialist:
2. Interviews the individual,
3. Secures the individual's signature on the **Consent For the Release of Confidential Alcohol and Drug Treatment Information** (**DHS/FIA 1176**) when the substance use disorder screen is positive, and
4. Screens the TCA adult or minor parent applicant or recipient for substance use disorder using instruments approved by the addiction’s agency.
5. Notifies the FIP case manager using the middle section of the 1177 about:
6. The results of the substance use disorder screening and referral for assessment, or if
7. The TCA adult or minor parent / custodial parent convicted of a drug related felony fails to sign the 1176, or

 c. Fails to complete the screening or assessment,

d. Referral for drug testing

1. All adult and minor parents FIP applicants/recipients **who screen positive** are required to sign the 1176 consent form authorizing the release of confidential information.
2. The addictions specialist secures the TCA adult or minor parent's signature on the 1176.
3. The addictions specialist gives the pink copy of the 1176 and 1177 to the FIP case manager to be scanned into ECM as part of the TCA customer’s record.
4. If necessary, the addictions specialist forwards a copy of the 1176 to an assessor and
5. When appropriate, to treatment providers.
6. If the substance use disorder screen is negative (#3 on 1177):
7. No further action concerning substance use disorder treatment is required by the addictions specialist or the FIP case manager.
8. Process the TCA application or recertification using appropriate E&E coding (see E&E How-To-Guides ).

**110.6 Compliance**

When the case manager receives an 1177 or 1178 from the addictions specialist, the case manager must review the information to determine if the customer is in compliance with FIP substance use disorder treatment requirements.

1. The 1177 indicates whether the individual has complied with the substance use disorder signature and screening requirements.
2. An individual is in compliance if he or she completes the substance use disorder screen and signs the 1176 **when screened positive**, regardless of the results of the screen (#3, 5, 6, 7, and 9).
3. The individual is not in compliance if the 1177 indicates he or she:
4. Screened positive and failed or refused to sign 1176 (#4), or
5. Failed or refused to appear for screening or assessment(#1, 2 and 8), or
6. If a custodial parent convicted of a drug related felony fails to complete the drug test (#13).
7. The 1178 indicates that the individual:
8. Screened positive for substance use disorder,
9. Was referred for a comprehensive assessment, drug testing, and/or treatment services, and
10. Provides ongoing information concerning the individual's compliance with the recommended treatment protocol.
11. If the individual is in compliance, eligibility for TCA is continued as long as the individual meets other TCA eligibility requirements.
12. The addictions specialist gives the pink copy of the 1178 to the case manager with the assessor/treatment provider’s findings.
13. The individual is considered in compliance if the 1178 indicates that the:
14. Results of the comprehensive assessment indicate no need for treatment,
15. Individual is awaiting availability of a treatment vacancy,
16. Individual is enrolled in a treatment program,
17. Individual has successfully completed the treatment program, or
18. Individuals were referred to a new program.
19. The individual is considered not in compliance if the 1178 indicates that he or she:
20. Failed to keep appointment for comprehensive assessment, treatment referral, drug test or enrollment,
21. Is not maintaining active attendance/participation, or
22. Was discharged from a treatment program for non-compliance.
23. If the customer’s substance use disorder screen is positive or the customer acknowledges a substance use disorder problem:
24. The addictions specialist also requests a copy of the customer’s Family Independence Plan from the case manager.
25. This becomes a permanent part of the addictions specialist's record.

**110.7 Work Requirements**

1. TCA customers who participate in substance use disorder treatment programs are, potentially countable in the monthly calculation of the federal work participation rate.
2. To be countable for a particular month, the customer must:
3. Attend treatment as required.
4. Attend as the only activity for the required number of hours (20 hours per week if they have a child under 6) or in combination with other federally defined work activities for the required number of hours per week.
5. State regulations cite participation in a residential treatment program as potentially being “Good Cause” for not participating in other federally defined work activities.
	1. Individuals receiving substance use disorder treatment on an outpatient basis may, and often should, participate in federally defined work activities other than JBT. The addictions specialist, after consultation with the treatment provider, notifies the TCA case manager regarding an individual’s ability to participate in other federally defined work activities.
6. The addictions specialist, after consultation with the treatment provider, advises the case manager when the addictions specialist believes the customer is able to work or participate in job readiness/training/ education.
7. After the consultation with the addictions specialist the case manager makes the final decision on referring the customer to a work activity.
8. Many substance use disorders have secondary medical conditions including but not limited to: mental health issues, hepatitis, and HIV. Follow up to see if the customer should be granted good cause or an exemption because of a medical condition or if the customer is disabled 12 months or more.
* Code E&E and WORKS appropriately based on the good cause or exemption status allowed by the underlying medical condition and not the substance use disorder. Save the limited JBT hours or include them if needed to make the customer countable.
1. The addictions specialist and the FIP case manager work together with the customer to ensure that the individual's Independence Plan is consistent with the recommended substance use disorder treatment plan.
2. Participating in substance use disorder treatment is countable as a federally defined work activity for the purposes of work participation for no more than four consecutive weeks or a total 120 hours during each federal fiscal year.
* Participating in substance use disorder treatment is countable as a State defined activity (OBT) for the purposes of Universal Engagement. There is no time limit on the length of OBT participation.
1. When the 1177 indicates the individual screened positive, acknowledged a substance use disorder problem, or is currently in treatment at application, the case manager does not refer the customer for up-front job search or work readiness activities. The addictions specialist, after consultation with the treatment provider, will advise the case manager via the 1178 of the individuals’ ability to work and whether he or she can participate in work readiness activities.
* After the consultation with the addictions specialist the case manager makes the final decision on referring the customer to job readiness activities.
1. When a treatment provider indicates an individual is not able to work or has not assessed the individual's job readiness, and the individual fails to comply with substance use disorder treatment requirements, follow the established substance use disorder conciliation and sanction procedures.
* Register the customer in treatment for substance use disorder in WORKS as **JBT**.
* Register a customer who has been referred for treatment and is beyond their 4 consecutive or 6 total weeks in WORKS as **OTS**.

# 110.8 Supportive Services

1. When there is a positive assessment for substance use disorder, the addictions specialist makes referrals:
2. For supportive services needed to enter treatment such as, transportation, childcare, or other wraparound services.
3. To the Family Services unit if the customer is non-compliant
4. The addictions specialist indicates on the referral that the customer has a substance use disorder problem and may need preventive services and interventions for the difficulties intrinsic to families of substance use disorders.
5. The addictions specialist or the case manager notifies the Family Services unit when the customer fails to comply with treatment.

**110.9 Social Services Referrals**

* + 1. Referrals to Family Services are initiated by the addictions specialist or the case manager via the DHS/FIA 461 “Referral for Services” form when:
1. The substance use disorder screen is positive
2. The case manager has begun the conciliation process or has sanctioned the recipient for non-compliance with substance use disorder requirements, or
3. The family requests Family Services' intervention.
	* 1. The addictions specialist or the case manager completes Section I and II of the DHS/FIA 461 indicating:
			1. Case Information
			2. Who is being referred
			3. The reason for the referral (In comments section #11, indicate the customers being referred because they are in need of substance use disorder treatment)
		2. FIA case manager or the addictions specialist:
			1. Maintains a copy of the DHS/FIA 461 in their case record when referring the customer for Family Services.
			2. Does not refer the individual to work activities if the sanctioned individual accepts Family Services intervention
			3. Refers the individual to the appropriate work program or work activity if the sanctioned individual does not accept the referral to Family Services, and
			4. Follows procedures for notification, conciliation, and sanction for failure to meet work requirements if the individual fails to comply with the work referral or work activity.
		3. The Child Welfare Screener completes Section III of the DHS/FIA 461 indicating
4. Whether the customer has an active Child Welfare or Family Services case.
5. Forwards a copy of the DHS/FIA 461 to the appropriate Child Welfare case manager if the individual has an active services case.
6. Follows existing LDSS procedures to coordinate a team meeting between the customer, FIA, Child Welfare and the addictions specialist to develop goals for the Independence Plan.
7. Forwards the DHS/FIA 461 to the Child Welfare Voluntary Services component, Family Services Intake unit for review and disposition if the individual does not have an active services case.
8. Returns the DHS/FIA 461 to the FIA case manager or the addictions specialist within 10 days of the referral.

**110.10 Employment**

1. When the FIA case manager has information that a customer who is currently in or has completed substance use disorder treatment has become employed , the case manager :
	1. Notifies the addictions specialist of the individual’s employment via the #1177 in block 11 indicating:
		* Date employment began
		* Name of employer
		* Address of employer
	2. Upload copy of form #1177 into ECM.
2. When employment information is reported to the addictions specialist he or she:
	1. Reminds the customer that he or she is required to notify the FIA case manager of the employment.
	2. Reminds the individual about personal responsibility and about the benefits of reporting:
		* Employment must be reported within 10 days of the first paycheck
		* The 60 month clock stops when the individual is employed
3. Notes employment information in the substance use disorder case record if the customer is still active with substance use disorder treatment.
4. Records the number of customers who are in treatment or who have completed treatment and are employed on the ADAA/FIA SATS report.

**110.11 Non-Compliance with substance use disorder policy requirements**

1. When an applicant is non-compliant:
2. If the individual is an adult or minor parent who is head of household, deny the TCA application.
3. If two parents are in the household and one or both parents fails to comply, deny the TCA application.
4. If the individual is a minor parent who is not the head of household, process the application, but do not include the minor parent’s needs in the TCA assistance unit. Include the minor parent’s child.
5. Procedures for Processing Non-Compliant Individuals Being Added to TCA Assistance Units
6. Individuals being added to TCA assistance units at interim change or recertification are to be treated as **applicants** and are not subject to sanctioning procedures since they have not received cash benefits. This provision remains consistent with substance use disorder regulations governing TCA eligibility requirements at application.
7. Any mandatory applicant being added to a TCA household who refuses to comply with the substance use disorder treatment and services (SATS) requirements; completing the screening requirement, signing the 1176 when the substance use disorder screen is positive, or completing the drug-testing component, is ineligible for TCA and will be **denied.**

**NOTE: Below is an offline calculation and E&E will automatically do the calculation. No action is needed from the case manager.**

* To calculate the earned income of an ineligible parent use either TCA Calculation Worksheet (DHS FIA 428) form to determine the countable net income. Make sure that you allow all disregards and the case record must include the calculation worksheet.

 3. Count the unearned income of the ineligible parent, as it is actually received.

4. Follow these steps to calculate the countable net income amount when the ineligible parent has earnings:

* + - * Apply the 20% disregard (initial needs test) that is applied to all new applicants with earned income , allowing all disregards
* Apply the 40% gross income test when the customer passes the initial needs test.

**EXAMPLE 1:**

Carrie is a 17-year-old, applying for TCA for herself and her one-year-old son. She lives with a non-relative friend since her parents moved out of town and left her. Carrie attends the screening with the addictions specialist. The substance use disorder screen is positive but when asked to sign the 1176 consent form, she refuses. Carrie says that she is not signing the form, she does not have an alcohol or drug problem, and does not see why signing that form is part of what she has to do to get benefits. The addictions specialist notifies the case manager via the 1177 that Carrie failed to sign the 1176. If Carrie does not comply by the end of the 30th day of the application, deny the TCA application. Her applications for SNAP benefits and Medical Assistance must be processed.

**EXAMPLE 2:**

Mr. and Mrs. Carson are applying for TCA for themselves and two children. After the interview with the case manager, both adults are referred to the addictions specialist using 1177s. Mr. Carson completed the screening with the addictions specialist and the screen was negative. However, Mrs. Carson leaves after the interview and tells her husband she is "not going to any screening for substance use disorder." After ten days, the addictions specialist returns both 1177's to the case manager. Although Mr. Carson completed the screening and his screen was negative, Mrs. Carson's 1177 indicates that she failed to appear for screening. (Mrs. Carson has until the end of the 30th day of the application to comply). If Mrs. Carson fails to comply by the end of the 30th day, deny the TCA application. The SNAP benefits and Medical Assistance applications must be processed.

**NOTE**: In a two-parent household, if one or both parents refuse to comply with the screening requirement the entire household is ineligible at application.

1. When a recipient is non-compliant:
2. The case manager sends a Notice of Non-Compliance to the individual.
3. The case manager refers the individual to Family Services.
4. If the customer continues to be non-compliant, the case manager begins conciliation procedures and after the 30-day conciliation period and appropriate adverse action, sanctions the individual as the result of information received from the addictions specialist.
5. The case manager informs the addictions specialist the customer is in conciliation using 1178.
* During the conciliation and sanctioning process, the case manager and the addictions specialist attempt to get the non-compliant individual to comply.
* An individual sanction is imposed for failing to comply with FIP substance use disorder treatment requirements by removing the non-compliant individual's needs from the TCA grant.

**110.12 Individual Sanctions**

* 1. When an individual refuses to participate or fails to comply with the FIP substance use disorder treatment requirements, the case manager must send appropriate notice and follow the conciliation procedures.
	2. The case manager or the addictions specialist refers the customer to the Family Services Unit. If the customer cooperates with the Family Services Unit, he or she is in compliance with work requirements but remains in non-compliance with substance use disorder requirements.
	3. If the individual fails to comply after 30 days, the individual’s needs (difference between the grant amount with the customer included and without the customer) are removed from the grant.

**EXAMPLE:**

The Johnson’s are receiving TCA for themselves and 2 children. Mr. Johnson kept his appointment for a comprehensive assessment in February and was referred to an outpatient counseling program. The addictions specialist provided an 1178 to the case manager in February confirming that Mr. Johnson was enrolled in the treatment program, but was not able to work.

April 18: The addictions specialist gives the case manager an 1178 indicating that Mr. Johnson was discharged from his treatment program for not maintaining active participation. The addictions specialist notifies the Family Service Unit that Mr. Johnson has failed to comply with substance use disorder treatment.

April 20: The case manager sends a notice of non-compliance and begins the 30 day conciliation period. (This is his one-time-only conciliation for substance use disorder Treatment and Services requirements.)

April 27: The case manager calls to try to persuade Mr. Johnson to return to the program. The case manager talks with Mrs. Johnson who says she has tried but cannot get her husband to return to the program. She says he has been taking her money, making it difficult to pay rent and purchase needed items for the children. In addition, since her husband returned to the home, her son has been having problems in school and is currently on disciplinary removal for fighting. Mrs. Johnson says she is trying her best to complete her work-training program and needs help with holding her family together, especially in dealing with her son, until she completes the training and gets employment.

May 9: The Family Service case manager contacts the Johnson’s. Mr. Johnson agrees to work with the Family Service case manager in resolving family issues and his non-compliance with the substance use disorder requirement.

May 12: Although Mr. Johnson is working with the Family Service case manager he remains in non-compliance with the substance use disorder requirement. A NOAA is sent to Mrs. Johnson notifying her that her TCA grant will be reduced effective June 1. Mr. Johnson is meeting the work requirement because he is working with the Family Service Unit.

June 1: Mr. Johnson’s needs are removed from the grant ($727- $575------------------------------------------------------------------------------------------------------------------ = $152) (September 1, 2022). The TCA benefit is reduced to $640. The case manager completes an 1178 to notify the addictions specialist of the sanction and also informs the Family Service unit of Mrs. Johnson's request for help with family support. Mrs. Johnson remains payee of the benefit.

NOTE: A substance use disorder sanction is cured by compliance with the substance use disorder provision for which the sanction was imposed. The addictions specialist will notify the case manager via the 1178 if the individual is in compliance with the provision for which the sanction was imposed. Following the LDSS procedures the addictions specialist will notify the Family Service Unit that the customer has complied. Benefits are resumed (prorated) from the day after the customer complies.

**See Appendix for MA and SNAP policy when there is a TCA substance use disorder sanction and E&E How To Guides .**

**111 VOLUNTARY QUIT AND REDUCTION OF EFFORT**

**111.1 General policy**

1. TCA applicants and recipients, age 16 (not a parent and not in school) and older may not voluntarily quit a job or reduce the number of hours they work without good cause.
2. Applicants or recipients aged 16–18, whose participation requirement is education, are exempt from the voluntary quit/work reduction provision provided that the individual is registered in and attending school.
3. Children, age 16-17 not registered in school or attending 80% of the time, are subject to Primary Prevention Initiative (PPI) requirements.
4. To be considered a *voluntary quit* the following conditions must exist:
5. The job was 30 hours or more per week or provided weekly earnings at least equivalent to the minimum wage multiplied by 30 hours;
6. The quit happened within 30 days prior to the application being filed or any time after filing, up to the time an eligibility decision is made, or while the assistance unit receives TCA benefits.
7. The quit was without good cause.
8. The *reduction of work* effort applies if:
9. Before the reduction, the individual was employed 30 hours or more per week or received weekly earnings at least equivalent to the minimum wage multiplied by 30 hours;
10. The reduction occurred within 30 days prior to the date the application was filed or any time up to the date the eligibility decision is made, or the assistance unit receives TCA; and
11. The reduction was voluntary and without good cause.

## 111.2 Good cause for quitting a job or reducing work hours

1. Good cause for quitting a job includes one or more of the following:
* Quitting a job to take a new job with another employer;
* Discrimination based on race, sex, disability, religious or sexual orientation;
* Breakdown in transportation arrangements when there is no other accessible means of transportation;
* Breakdown in child care arrangements or lack of child care resources;
* Domestic violence or other family crisis that threatens normal family functioning;
* Hazardous working conditions;
* Documented illness or incapacitation;
* Incarceration;
* Resignation at employer's request;
* Lack of supportive services identified in the Family Independence Plan and agreed upon by the recipient and the local department; and
* Other circumstances determined to be good cause by the local department.
1. Acceptable verification.
2. Accept the best available information to verify good cause.
3. Acceptable verification comes from a variety of sources.
4. Accept the customer’s statement when other verification is not available.

For example, it would be highly unlikely for an employer to acknowledge that he discriminated against an employee. It may also be impossible for a customer to verify family violence.

**111.3 Applicants**

1. Eligible adult head of the TCA Assistance unit.
2. If the work eligible adult head of the TCA assistance unit (or either or both adults in a two-parent household), quits a job or reduces his or her work hours, without good cause, within 30 days of filing an application for TCA or from the time the application is filed and the eligibility decision is due, the assistance unit is ineligible for TCA for 30 days following the quit.
3. The TCA application should be pended the day of the application and then denied. Re-pend the application the day after the 30th day following the quit or reduction of effort. Use the date of the day after the 30th day following the quit or reduction of effort as the application date. Narrate E&E very clearly.

**Example 1:** Tamara Johnson quit her job at WAWA on December 31. The manager would not give her the evening off and she wanted to go out with her friends. Ms. Johnson applied for TCA on January 10 for herself and her 18-month-old child. The case manager discusses the situation with Ms. Johnson and explains the voluntary quit policy to her. The case manager advises Ms. Johnson that she is not eligible for TCA until January 31. January 31 is the day after the 30th day following the quit.

**Example 2**: Margaret Green applied for TCA benefits on January 4. Ms. Green told the case manager she quit her job because the employer wanted her to work more than 40 hours per week but would not pay her for the additional time. The case manager determined the quit was for good cause and did not apply the voluntary quit penalty.

1. When the applicant individual is not the head of household, but is work eligible, and has reduced his/her work hours or quit a job, the needs of the individual are removed from the TCA benefit until the day after the 30th day following the quit or reduction in work effort.

**111.4 Recipients**

1. When a customer is working, **update the Family Independence Plan (FI)** to include the employment and the requirement that the customer must maintain employment or find equal subsequent employment if the customer quits the job.
2. When the FI plan has been updated properly, the customer’s failure to maintain employment or work hours without good cause is non-compliance with the Family Independence Plan.
3. The customer is not entitled to a conciliation period. Conciliation and sanction policies do not apply to voluntary quit or reduction of effort penalties.
4. Contact the customer to determine whether a good cause exists. If a good cause does not exist, send adverse action to the customer and take the following action.

i. Close the TCA case for 30 days from the date of the quit or reduction of hours when the head of the household or either parent in a two-parent household quits a job or reduces work hours without good cause. The household must reapply.

ii. Remove from the TCA grant the needs of an individual who is not the head of household and is not a parent in a two-parent household. At the end of the 30-day penalty contact the household regarding any changes prior to adding the individual back to the TCA benefit.

**Example:** Garrett and Sarah Washington applied for TCA for themselves and two children on July 9. Mr. Washington quit his job on June 28. He knew he was going to get fired because he was always late for work. The case manager discusses the voluntary quit policy with Mr. and Mrs. Washington. Mr. Washington does not have enough quarters of earnings to be eligible for unemployment. The case manager determines the quit to be without good cause and advises the Washingtons that they can reapply on July 29, the day after the 30th day following the quit.

**111.5 Closing the TCA assistance unit**

1. Use E&E closure reason non-cooperation with eligibility process code 566 to close a TCA case when the head of household recipient quits a job or reduces work hours without good cause while receiving TCA.
2. Conciliation and sanction procedures do not apply for voluntary quit.
3. E&E lists **COMAR citation 07.03.03.04** “You did not cooperate with the eligibility process of the program in accordance to regulations” on the notice.

**EXAMPLES**

**Example 1:** Martha Johnson sent in her case information form (CIF) on herself and her three children for her TCA redetermination on April 17. Ms. Johnson reported that her oldest child, Susan, who is 17, quit her job on March 28because of an argument with her boss. Susan had previously quit school and was mandatory for the work program. The case manager had updated the Family Investment Plan identifying Susan’s job as her work activity. Susan and her mother had both agreed to the Plan.

 The local department determined that there was no good cause for Susan quitting her job. Susan’s needs are removed from the TCA grant after 10 days of adverse action.

**Example 2:** Steuart Hill has been receiving TCA for himself and his son. On March 25 Mr. Hill reported that his son quit his job at McDonald’s on February 18. Mr. Hill’s son is age 17 and a senior in high school. He attends school regularly. The voluntary quit penalty does not apply due to Mr. Hill’s son attending school at least 80% of the time.

**Example 3:** Tanya Spring applied for TCA on May 10for herself and her daughter. Ms. Spring reported that she quit her job on April 27 because her supervisor was harassing her. Ms Spring indicated she filed for unemployment (UI) benefits on May 2. Unemployment denied her benefits indicating the employer stated she quit her job. Ms. Spring filed an appeal. The case manager inquired on BEACON and verified UI status was under appeal because Ms. Spring is disputing what the employer reported. Ms. Spring is eligible for TCA (as long as she meets all other eligibility factors).

On June 20, the case manager followed up on a work alert. Ms. Spring lost her UI appeal. Ms. Spring remains eligible for TCA (it is past 30 days after she quit) and she is not required to pay back any of the TCA benefits she received during May and June.

**Example 4:** Dorothy has received TCA for herself and 2 children for 2 years. Her oldest son, Michael (age 17) quit school before graduating and started working at the local grocery store. The case manager added the requirement that Michael remain employed or return to school to the FIP plan. On June 10, Dorothy reported that Michael quit his job. The case manager determined the quit, which occurred on June 9, was without good cause. Michael does not intend to return to school.

 A Notice of Adverse Action was sent to Dorothy advising her that Michael’s needs were being removed from the TCA for 30 days from the date of the quit. Michael’s needs are removed from the grant until July 10th.

The difference between the TCA for 3 people and the TCA for 2 people is the amount that would be prorated for restoring Michael to the TCA after 30 days.

**Note: See Appendix for E&E procedures for voluntary quit and reduction in work hours.**

**Assessments**

A thorough assessment allows the case manager to recommend a course of action in collaboration with the customer to address any potential health, mental or physical conditions that could impair their ability to work or train.

A well done assessment will:

* Lay the groundwork for customer success in becoming self-sufficient
* Identify customer’s skills and resources
* Identify existing and potential obstacles to customer success
* Help to determine how long it will take the customer to reach his/her goals.

Starting with a good assessment is the best way to help the family become self- sufficient and independent of TCA. A good assessment may help identify hidden barriers that the customer has. The more that is known about the customer’s situation, the more able to provide appropriate referrals and work activity placements. All assessments must include at minimum an evaluation of the following: educational level, literacy, health, mental or physical impairments, housing stability, childcare needs, transportation needs, history of presence of domestic violence or family violence, job skills and readiness and interests and language barriers for Limited English Proficiency.

In addition to being a good start, an assessment is required by law. Temporary Assistance to Needy Families (TANF) law requires an assessment as does the Americans with Disabilities Act (ADA) and in Maryland COMAR requires an assessment 07.03.03.04.

1. Without an assessment it would be difficult to determine the family’s needs in order to help the customer achieve self-sufficiency.
2. The Family Investment Plan should not be developed until the assessment is completed.

Let’s look at an example:

Mary Jones receives TCA for herself and her two children-ages 10 and 14. Ms. Jones was referred to a work activity at a local hospital. She has been late 3 times in the last week. She also missed two days in the last month. The case manager sent her a notice of non-compliance to investigate for good cause and start the 30 day conciliation period.

At the conciliation conference, Ms. Jones indicates she has a child who has problems at school and is not receiving the help she needs. Ms. Jones indicated she has had to go to her child’s school twice this week. In addition, Ms. Jones’ oldest child has diabetes and has not been following her diet, resulting in some serious health issues for her. Her daughter passed out several times and Ms. Jones had to stay with her until her daughter was alert and active.

In general, the basic TCA/SNAP interview would not have uncovered what was going on in Ms. Jones’ household. It would seem reasonable for Ms. Jones to be referred to an activity and expect her to be successful. She doesn’t need child care. She can go to her activity and the sooner, the better.

 What could you learn from an assessment?

By asking questions like the following, the case manager may have found out that Ms. Jones’ family has serious issues that need to be addressed before she can be successful in a work activity. The case manager could potentially refer Ms. Jones to people or places that could help her and her children.

Other similar questions about the customer or the household help case managers and other LDSS staff identify needed steps in the groundwork for the customer’s success.

 Do any of your children . . .

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| a | Have health problems? |  |  |  |
| b | Have behavioral problems? |  |  |  |
| c | Have special needs? |  |  |  |
| d | Experience frequent disciplinary problems at school? |  |  |  |
| e | Miss school frequently?  |  |  |  |
| f | Face suspension or expulsion from school? |  |  |  |
| g | Face charges, involvement with the juvenile justice system, detention or on probation? |  |  |  |

 Are you the primary caregiver for an elderly, disabled or sick family member or friend?

 In this example, after completing the assessment the case manager gave Ms. Jones a medical form to have her childs’ doctor to complete. If Ms. Jones is needed in the home to care for her sick/ill child then she can be coded as OTG (caring for ill family memeber). The OTG code will exempt Ms. Jones from wor participation and remove her from the WPR calculation. In addition, it will allow her to focus on assisting her ill child with getting better.

FIA encourages the use of the Online Work Readiness Assessment (OWRA), however, if a local department would like to designate a different assessment that is used consistently, they may do so with approval by the FIA Executive Director. The assessment tool can be submitted to the Office of Cash Programs Director and MD TANF Workforce Manager to be reviewed and then submitted to the FIA Executive Director for approval.

**Family Independence Plan**

* + 1. After an assessment has been completed, the family and the case manager work together to develop and sign an agreed-upon document referred to as the Family Independence Plan (FIP). The FIP must:

● Be developed, agreed upon, and signed by both case manager and all adults on the TCA case;

● Specify any reasonable accommodations that a local department will provide to a recipient with a disability;

● State whether the family qualifies for an exemption or has good cause to not participate in the work requirement;

● This is an opportunity to determine needs and identify barriers;

 ● Both the case manager and the family share the responsibility to meet their agreed-upon portions of the FIP;

 ● Lists programs and resources to which the customer will be referred to address their employment barriers.

* Include a statement of the customer's short and long term goals.
* Activities and other actions the customer is expected to complete such as (*This is not an exhaustive list)*:
	+ Education programs
	+ Job Readiness
	+ Work experience
	+ Employment
* The supportive services the local department is expected to provide to the family.
* Barriers or problems identified that must be overcome such as current or historical barriers of (*This is not an exhaustive list)*:
* Identified disabilities including illnesses that may be in remission
* Family violence
* Substance use disorder
* Information regarding counseling referrals, acceptance, or refusal:
* Social Services supports
* Other supportive services

Be sure to refer to Section 205 of the TCA Manual for a comprehensive list of all FIP requirements including, but not limited to, addressing the 60-month time limit.

* + 1. The FIP plan tells the case manager and the customer where the customer is going and how the customer is going to get there.
			- The FIP plan must be completed in its entirety. Leaving any portion of the FIP plan incomplete is likely to hinder and delay the customer’s success.
			- Non-compliance with the FIP includes:
* Failure to provide required verification(s)
* Refusal to sign required forms
* Not complying with any items listed in the FIP Plan

* + - * **Send a Notice of Adverse Action (NOAA) and close the case after the 10 days adverse action period expires** for not complying with the FIP and *TCA eligibility requirements*.
			* ***Do not close the case, after 10 days adverse action, because the customer did not comply with work requirements that are included in the FIP. Non-compliance with work requirements requires conciliation and sanction.***

The FIP is an opportunity for the case manager and customer to collaborate and develop attainable goals the customer can work towards to become self-sufficient.

**REPORTS**

There are many reports that assist case managers, supervisors, work participation specialists (WPS), and vendors monitor various aspects of work participation. These reports can be found in several locations: (1) WORKS administrative data system, (2) the University of Maryland School of Social Work (UMSSW), (3) E&E Qlik reports and (4) reports can also be requested that are not readily available in WORKS, UMSSW or E&E Qlik reports. These reports are called ad hoc reports. Below is a list of helpful reports from WORKS and UMSSW, however, this list is not exhaustive of all available reports.

**WORKS**

There are many reports in WORKS that are helpful to LDSS offices in tracking customers and their activity participation. Reports such as the Missing Attendance and TANF Countable Participants are two that will show you who is registered, how many hours they are participating and if the data has been entered into the WORKS system. A user ID and password are required for access. Reports can be downloaded into Excel for further analysis.

**University of Maryland School of Social Work (UMSSW)**

The UMSSW also develops numerous other reports that are available on the SSW reporting website. Access is provided to specific individuals and a Log In and password are required. The security monitor at your LDSS must complete the 670 and 672 security forms to request access. These reports provide data on the core caseload breakdown including the number of disabled people in the caseload, the number of work eligibles, and those with a child under age 6 to name a few. Reports can be downloaded into Excel for further analysis.

**E&E Qlik Reports**

E&E Qlik provides access to numerous reports from applications received, applications processed and cases closed to application compliance and numerous other areas. Reports can be downloaded into Excel for further analysis.

**Various Ad-Hoc Reports**

Various Ad-Hoc or non production reports can be created in E&E, UMSSW, and WORKS. A memo request has to be provided to the Office of Cash Programs Attention: Assistant Director for Workforce Development. The request should state the information needed, why the ad hoc is needed, and the timeframes of dates needed. The request should indicate whether the report should be in paper or electronic format and if electronic, whether it should be in Excel format.

**Reports in WORKS**

| **REPORT** | **DESCRIPTION** | **DATA PROVIDED** | **USER** |
| --- | --- | --- | --- |
| **Caseload Current Status Report** | This report includes the following information on TCA adult household members: 301 closures/denials (income above limit), disability start/end dates, child-under one exemption cases, and cases approaching the time limit (55+ months and 60+ month cases.**Why use this report:** This is the most comprehensive report in WORKS. It identifies individual case information for TCA adult members and is useful for monitoring customers’ current TCA status as well as work activity assignments.**Instructions for use:** Login to WORKS, select Local report, select Current Caseload Reports. Refer to WORKS User Manual section 28.3, p. 129 for step-by-step instructions. | Name, District Office, Client ID, Time Limited Eligibility, Household Relationship code, Exemption reason, Maintenance of Effort code, Disability dates, Referral dates, Activity dates, Benefit begin and end date, Closure code, Employee ID, Client status, TCA application date, Instance of Non-compliance, Sanction status | WPS, Vendor, Case Manager, Supervisor |
| **Missing Time and Attendance Report** | This report identifies TCA registrants who are members of single- or two-parent families engaged in countable work activities during the report month who do not have attendance records. This means attendance was not recorded for that month.**Why use this report:** Identifies countable activities entered in WORKS for which attendance has not been entered.**Instructions for use:** Login to WORKS, select Local report, select Missing Attendance report. Refer to WORKS User Manual section 28.13, p. 152 for step-by-step instructions. | Name, District Office, Client ID, TCA Code, Employee ID, Benefit start date, Benefit end date, Closure Code, Activity Code, Sub code, Activity start date, Activity end date, Application date, Scheduled weekly hours, Hours in each week, Total hours | WPS, Case Manager, Vendor, |
| **Universal Engagement Report** | This report identifies mandatory TCA recipients and their engagement status in a work activity as well as a summary of specific work activities (federal and state). It also calculates the Universal Engagement Rate. **Why use this report:** Identifies customers who are Engaged in an activity as well as Unengaged customers.**Instructions for use:** Login to WORKS, select Local report, select the Universal Engagement report. Refer to WORKS User Manual section 28.24, p. 180 for step-by-step instructions. | Name, District Office, Client ID, Deregistration date and status, Placement date, Activity start date and end date, Activity code, Recipient date of birth, Employee ID, Benefit begin date and end date, Closure code, Current sanction date, TCA application date | WPS, Case Manager, Supervisor, Vendor |
| **TANF/SNAP Referral Report** | This report provides a list of individual TCA and SNAP customers who have been referred to the vendor and have appointments scheduled during the reporting period. **Why use this report:** Important tool for monitoring/tracking the referral status of customers, including the specific vendor referred, date of referral, and outcome of referral.**Instructions for use:** Login into WORKS, select Local reports, select TANF/SNAP Referral Report. Refer to the WORKS User Manual section 28.21, p. 174 for step-by-step instructions. | Name, District Office, Client ID, Address, City, State, Zip, Phone (home and message), TLE (counter and month), Child <6, FLSA hours, Childcare, Reg user defined (1,3,5), TCA code, Referred Provider, Referral date, Appointment date, Referral result, Benefit begin and end date, Closure code, Current sanction date | WPS, Vendor, Case Manager |
| **Vendor Attendance Report** | This report identifies mandatory TCA recipients and provides their total weekly attendance entered for a specified month along with a complete list of their attendance hours entered for each activity during the month. This report allows you to identify customers who may have 0 or less than required weekly attendance hours entered and may fall short of reaching countable status.**Why use this report:** This is important for monitoring/tracking customers engaged with a vendor and their weekly/monthly attendance hours in a federally defined core work activity (FDWA) to assist in determining whether a customer is countable and/or compliant with work program requirements. **Instructions for use:** Login into WORKS, select Local reports, select Vendor Attendance Report. Refer to WORKS User Manual section 28.25, p. 183 for step-by-step instructions. | Name, District Office, Client ID, Activities (WEJ-16), week 1 - week 5, Total hours, Core, Noncore, Closure code, Benefit begin date and end date, Child <6, FLSA hours, Current sanction date, Current sanction type, Date completed (begin and completed), Application date | WPS, Vendor |
| **Employment Discrepancy E&E Data Report** | This report identifies individuals who have employment information in E&E but no corresponding employment activity (WEJ, WSP, WSU) in WORKS. While helpful, this report can be lengthy as it lists cases with any employment data discrepancy entered in WORKS.**Why use this report:** This report can help capture job placements that could increase WPR.**Instructions for use:** Login into WORKS, select Local reports, select Employment Discrepancy E&E Report. Refer to WORKS User Manual section 28.9, p. 143 for step-by-step instructions. | District Office, Employee Specialist, Client ID, Name, AU, Employer Name, FEIN (Federal Employment Identification Number), Address, City, State, Zip, Employer phone, Employer Start Date, Income frequency, Weekly hours, Hourly Wage, Wage Verification, Benefit Month, Employer End Date, Voluntary Quit (Indicator, good cause, date), E&E E&E create date, Source, Application date, Benefit begin date and end date, Closure code | WPS, Case Manager, Vendor (verify invoices) |
| **Activity Estimated End Date**  | This report identifies customers whose work activity or state defined activity has been scheduled to end, so that appointments can be scheduled. The report output can be limited to customers with open activities that have an estimated end date in a specific month. This same information is included in Caseload Current Status Report.**Why use this report:** This allows the vendor/agency to prepare and plan activities to prevent gaps in engagement.**Instructions for use:** Login into WORKS, select Local reports, select Activity Estimated End Date Report. Refer to WORKS User Manual section 28.1, p. 124 for step-by-step instructions. | District Office, Client ID, Name, Activity Provider Subcode, Activity Code, Activity Start Date, Activity Estimated End Date, Disability End Date, Benefit Begin Date, Benefit End Date, Closure Code, Application Date, Employee Specialist ID | WPS, Case Manager, Vendor, Supervisor |
| **Non-****Compliance Report** | This report provides information on work-eligible individuals who are not compliant with work participation requirements. **Why use this report:** This is useful in monitoring non-compliance with work activities to enforce timely sanctions or tracking case status.**Instructions for use:** Login into WORKS, select Local reports, select Client Activity Status (Sanction and Conciliation). Refer to WORKS User Manual section 28.6, p. 137 for step-by-step instructions. Note: this report will be revised to reflect the new sanction policy. | Last Name, First Name, Masked SSN, E&E E&E Client ID, Registration Date, Deregistration Date, District Office, Provider Subcode, Actual Start Date, Actual End Date, Total Number of Actual Reductions (Sanctions), Date of the Current Non-Compliance, All Instances of Non-Compliance, Number of Good Causes | WPS, Case Manager, Vendor, Supervisor |

**Reports from the University of Maryland School of Social Work (UMSSW)**

UMSSW provides several reports related to the Work Participation Rate (WPR). These reports allow you to drill down to the individual customer, and you can export these reports to Excel to review and reorganize the data.

Access: Complete the OTHS Security Form 670 and 672 and select UMSSW reports​. The authorization form is available through your local security monitor who will submit it to OTHS for approval​. Once approved, you will be able to set up an account and access the reports.​

| **REPORT** | **DESCRIPTION** | **DATA PROVIDED** | **USER** |
| --- | --- | --- | --- |
| **Work Participation Rate (WPR) Monthly Report** | This report provides the WPR for a specified month with details on core caseload designations.**Why use this report:** Allows staff to review a single month of WPR and identify individual customers who did not meet WPR.**Instructions for use:** After logging into the Report Server, select the Work Participation folder and then the report name. Select the month of interest from the dropdown menu and select View Report. Select any blue hyperlinks to view individual customers. Select the Save icon to export the file. | WPR, total cases, count of cases in each core caseload designation, count of WEI cases count of cases meeting WPR, count of cases failing to meet WPR | WPS, Supervisors, Managers, vendors |
| **Work Participation Rate YTD Report** | This report provides the monthly WPR of all cases with work-eligible individuals (WEI) during the FFY.Additional reports:* Work Participation Rate YTD Report - No OTD Cases (this report excludes long-term disabled cases)
* Work Participation Rate YTD by District Office

**Why use this report:** Allows staff to examine WPR progress throughout the year to identify trends and plan strategies for their work program.**Instructions for use:** After logging into the Report Server, select the Work Participation folder and then the report name. Select the FFY of interest from the dropdown menu and select View Report. Select any blue hyperlinks to see a specific month/jurisdiction and select blue hyperlinks to view individual customers. Select the Save icon to export the file. | Count of the recent month’s caseload size, count of the recent month’s WEI cases, the percent WEI cases make of the entire caseload, monthly percentage of WEIs meeting WPR. | WPS, Supervisors, Mmanagers, vendors |
| **Cases Not Meeting Work Requirement - Avg Weekly Hours Needed** | This report identifies the number of WEIs that need additional hours to be countable in a specified month.**Why use this report:** Identifies customers who may need excused hours or need to complete additional hours to be countable.**Instructions for use:** After logging into the Report Server, select the Work Participation folder and then the report name. Select the month of interest from the dropdown menu and select View Report. Select any blue hyperlinks to view individual customers. Select the Save icon to export the file. | Count of WEIs who need 1-3 hours, 4-5 hours, 6-10 hours, or 11+ hours to be countable | WPS, Case Manager, Managers, Vendors |
| **Work Participation Rate Zero Hour Report** | This report provides the count of WEIs with zero hours in an activity. This information is provided by whether the WEIs are not engaged, sanctioned, exempt, or have a good cause. **Why use this report:** Identifies customers who may need to be engaged in a work activity.**Instructions for use:** After logging into the Report Server, select the Work Participation folder and then the report name. Select the month of interest from the dropdown menu and select View Report. Select any blue hyperlinks to view individual customers. Select the Save icon to export the file. | Count of: WEI cases, WEI cases with zero hours, not engaged, sanctioned, exemption codes, good cause codes, OT assignment, WEI cases with zero hours and good cause code | WPS, Case managers, vendors |
| **Work Participation Rate Zero Hour Not Excused Detail** | This report provides the list of customers who have no countable hours and no documented excuse for a specified jurisdiction and month(s).Additional Reports:* Work Participation Rate Zero Hour OT Codes Detail (provides the specific code assigned to the customer)

**Why use this report:** Provides the specific customers who had zero hours and no excused absences.**Instructions for use:** After logging into the Report Server, select the Work Participation folder and then the report name. Select the jurisdiction and beginning and ending month of interest from the dropdown menus and select View Report. Select the Save icon to export the file. | District office, AU#, HOH IRN, HOH name, and average hours for the specified month | WPS, Case managers, Vendors |
| **Core Caseload Summary** | This report provides the count of WEIs by each core caseload designation in a specified month.Additional Reports:* Core Caseload Summary by District Office

**Why use this report:** Allows staff to analyze the caseload and to identify customers in specific categories.**Instructions for use:** After logging into the Report Server, select the Work Participation folder and then the report name. Select the month of interest from the dropdown menu and select View Report. Select any blue hyperlinks to view individual customers. Select the Save icon to export the file. | Count of WEI cases, count of cases in each core caseload designation | WPS, Case Managers, Vendors |
| **Total Placements by SFY & FFY** | These reports provide the monthly count of any job placement during the State Fiscal Year (SFY) or the Federal Fiscal Year (FFY).**Why use this report:** Determine the number of jobs obtained by customers. Note: customers can be in the file multiple times if they obtained multiple jobs during the specified year.**Instructions for use:** After logging into the Report Server, select the Job Placement Reports folder and then the report name. Select the year of interest from the dropdown menu and select View Report. Select any blue hyperlinks to view individual customers. Select the Save icon to export the file. | Annual goal, year-to-date (YTD) goal, count of job placements in each month, percent of YTD goal, and percent of annual goal. | WPS, Supervisors, Managers, Administration |

#

**APPENDIX**

 **Appendix 1-** How TCA substance use disorder Sanctions affect Supplemental Nutrition Assistance Program and Medical Assistance Eligibility

**Appendix 2-** E&E Procedures for when an Applicant or Recipient Voluntarily Quits a Job or Reduces Work hours

### Appendix 3-FLSA- Activity Review sheet

**Appendix 4-** FLSA Minimum Wage Calculation

**FORMS**

DHS/FIA 1176

**Consent for the Release of Confidential Alcohol and Drug Treatment Information**

DHS/FIA 1177

**Substance Use Disorder Screening Referral Form**

DHS/FIA 1178

**Substance Use Disorder Identification and Treatment Notification**

**Sample Assessment Form**

**DOMESTIC VIOLENCE SUPPLEMENT-**

* Introduction
* Hidden Losses to the Workplace
* Tips to Make The Workplace Safer
* Danger Assessment

**Appendix 1**

* 1. **How TCA Substance Use Disorder Sanctions affect the Supplemental Nutrition Assistance Program (SNAP) and Medical Assistance Eligibility**
1. **SNAP** (**for Substance Use disorder sanction cases**)
* If the TCA application is denied and the family has also applied for the SNAP, process the SNAP application and pay benefits to all eligible household members based on any income received (TCA is not counted as phantom income at application).
* If the TCA benefit amount is reduced because of a substance use disorder sanction, base SNAP benefits on the TCA income (phantom income) and any other income received by members of the assistance unit prior to the sanction. E&E will automatically apply the phantom income.
* If the TCA case was closed due to non-compliance with the drug testing provision and the customer subject to drug testing is also receiving SNAP, the SNAP will be reduced.
* Customers are still subject to and must meet the SNAP work registration requirements.
	1. **MEDICAL ASSISTANCE** (**for substance use disorder sanction cases**)

**Medical Assistance for families is processed in the Maryland Health Center (MHC) and not in E&E. E&E coding of TCA cases for substance use disorder individual sanction no longer affects MA cases.**

E&E Notices

* When the customer has been determined non-compliant with substance use disorder requirements and the customer’s needs are removed from the grant, complete the following procedures:
1. Follow the steps in the E&E How To Guide titled Add/Remove Sanctions.

 b**.** This will maintain the SNAP allotment at the level prior to the sanction.

Note: If the sanctioned individual is also a drug felon and fails to comply with the drug-testing provision or SATS requirements, the SNAP benefit will be reduced.

3. Case managers should use the Xpressions letter or manual letter for explanations.

According to Code of Maryland Regulations 07.03.03.09.

When a minor parent who is not the head of household does not sign the consent form, we cannot pay TCA for that person.

Individual’s Name failed to sign the substance use disorder consent form so your grant was reduced by $ . You may contact the Family Services Unit for help.

 **OR**

According to Code of Maryland Regulations 07.03.03.09.

When an adult or minor parent does not have a substance use disorder screening or an assessment, we cannot pay TCA for that person.

Individual’s Name failed to have a Screening and/or Assessment so your TCA grant was reduced by $\_\_\_. You may contact the Family Services Unit.

**OR**

According to Code of Maryland Regulations 07.03.03.09.

When an adult or minor parent does not enroll in appropriate and available substance use disorder treatment, we cannot pay TCA for that person.

Individual’s Name failed to enroll in treatment so your TCA grant was reduced by $\_\_\_\_.

You may contact the Family Services Unit.

 OR

According to Code of Maryland Regulations 07.03.03.09.

When an adult or minor parent does not stay enrolled in appropriate and available treatment, we cannot pay TCA for that person.

Individual’s Name failed to stay enrolled in treatment so your TCA grant was reduced by $\_\_\_\_. You may contact the Family Services Unit.

 OR

According to Code of Maryland Regulations 07.03.03.09.

When an adult or minor parent does not stay enrolled in a substance use disorder treatment program, we cannot pay TCA for that person.

Individual’s Name was discharged from a treatment program for not keeping program rules so your TCA grant was reduced by $\_\_\_\_. You may contact the Family Services Unit.

OR

According to Code of Maryland Regulations 07.03.03.09, when a custodial parent convicted of a drug felony committed after August 22, 1996 fails to have a drug test we cannot pay TCA for that person. Individual’s Name failed to have a drug test so your TCA grant was reduced by $\_\_\_\_. You may contact the Family Services Unit for help.

OR

According to Code of Maryland Regulations 07.03.03.09**,** Individual’s Namewas convicted of a drug felony after July 1, 2000 and cannot get TCA through MMYY.

1. WORKS

Following are some guidelines for properly documenting TCA substance use disorder treatment in WORKS:

***Activity Code*** *–* On the Add Activity Screen, create a new Activity File record identified with the Activity Code **JBT**. This Activity Code is a variation of Activity Code **JBS** and has been created to separately identify substance use disorder treatment from other types of activities categorized as job search or job readiness assistance. The remainder of this Activity File record should be completed following the guidelines in the WORKS Manual.

**Appendix 2**

**E&E Procedures for when an Applicant or Recipient Voluntarily Quits a Job or Reduces Work hours**

1. **Denying the TCA application**

Use E&E closure reason non-cooperation with eligibility process code 566 to deny a TCA application when the head of household applicant quit a job without good cause within 30 days prior to the TCA application date or eligibility decision date.

E&E lists **COMAR citation 07.03.03.04:** “You did not do what you needed to do according to regulations” on the notice. Add customer specific free-form text to explain why the application is being denied.

1. **Reducing the assistance unit because of individual non-compliance**

Reduce the TCA grant because of the non-compliant actions of an individual in the household who is not the head of household.

1. Reduce the grant amount by the difference between the grant for the full household size and the grant for the household size without the sanctioned individual.
2. Enter the difference between the grant for the full household size and the grant for the household size without the sanctioned individual on the sanctioned individual’s E&E income screen under unearned income tab.
3. E&E will remove the individual’s needs from the TCA.
4. Do not remove the individual from the TCA household. The individual remains part of the TCA assistance unit.
5. **Restoring the individual after the 30 day penalty**

The day after the 30th day from the voluntary quit or reduction of work hours without good cause, the individual can be added back to the household.

1. Follow these E&E procedures to prorate the benefit when the needs of the non-compliant individual are added back to the grant effective current and ongoing month.
2. The amount that was removed from the E&E Income screen is the amount that is to be prorated when restoring the individual during current month only.
3. Using the proration chart find the amount equal to the individual’s needs that were removed from the Income screen under unearned income tab.
* Follow the chart over to the day the individual is being restored to the TCA. That is the prorated amount of the BEG that needs to be issued. (See Prorating Initial Allotment Table SNAP Manual section 412).
1. Follow the steps in the E&E How To Guide titled Manual Claim Creation
2. Create the BEG for the prorated amount.
3. The supervisor approves the BEG.

**Appendix 3**

**Activity Review for Determination of Training or Employment Status**

To be completed by the WORK ACTIVITIES COORDINATOR

**Date of Review: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Activity Title: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**WORKS Activity Code\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**According to the Wage and Hour Division of the U.S. Department of Labor, a trainee or intern is not considered an employee, if all the following factors are met:**

1. Training provided by the employer is similar to that offered in vocational schools.

 Yes\_\_\_\_\_\_ No\_\_\_\_\_\_

1. Training benefits the trainee or intern more than the employer.

 Yes\_\_\_\_\_\_ No\_\_\_\_\_\_

1. The trainee or intern does not displace any regular employee.

 Yes\_\_\_\_\_ No\_\_\_\_\_\_

1. The trainee or intern is under close observation.

 Yes\_\_\_\_\_\_ No\_\_\_\_\_\_

1. The trainee or intern activities provide no immediate advantage to the employer and may on occasion impede the operation of the business.

 Yes\_\_\_\_\_\_ No\_\_\_\_\_\_\_

1. The trainee or intern is not entitled to a job after training.

 Yes\_\_\_\_\_\_ No\_\_\_\_\_

1. The employer, trainee or intern all understand that trainees or interns are not entitled to wages for any time spent in a trainee or internship activity.

 Yes\_\_\_\_\_ No\_\_\_\_\_\_

1. The trainee or internship activity is limited to ninety days or less.

 Yes\_\_\_\_\_ No\_\_\_\_\_\_

*If the response is* ***no*** *to any statement, the activity is considered employment.*

**Employment: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (**Fair Labor Standards Act provisions apply. May only be for 90 days or less (WEX).

**Training: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (**May only be for 90 days or less**)**

Signature of Reviewer: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Appendix 4**

**Minimum Wage Calculation for Employment Activities**

For each customer in a federally defined work activity, the case manager responsible for the work participation placement determines whether the TCA grant amount and SNAP benefit amount equal or exceed the State minimum wage.

**Participant’s name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Customer ID: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Activity: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

1. Number of Hours per week: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
2. Multiplied by State minimum hourly wage: x $8.75 as of July 1, 2016

 $9.25 as of July 1, 2017

1. Equals Weekly Rate: =\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
2. Multiplied by 4.3 weeks per month: x 4.3

1. Equals monthly State minimum wage: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

6. TCA grant amount: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

7. Plus FS grant amount: + \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

8. Equals combined TCA and FS amounts =\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. Does the combined TCA and SNAP amount on line 8 equal or exceed the monthly minimum wage on line 5?

 Yes\_\_\_ No\_\_\_

 If no, review participation hours for possible adjustment.

Reviewer’s Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date of calculation: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 **FORMS**

### CONSENT FOR THE RELEASE OF

## CONFIDENTIAL ALCOHOL AND DRUG TREATMENT INFORMATION

### by Substance Use Disorder Assessment and Treatment Providers to Departments of Social Services

### Head of Household \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ DSS Office \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

### MA#\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ AU ID#\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ SS#\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, authorize the substance use disorder assessment or

 Print name

**treatment provider that I am referred to for assessment or treatment, or that is treating me, to report to the Department of Social Services (DSS) office named above the information listed below, if it has this information about me:**

* That the substance use disorder treatment provider has received my consent form and referral for treatment from the Addictions Specialist;

* That I did not keep an appointment for a comprehensive substance use disorder assessment ordered by the Addictions Specialist in the DSS office;
* That a comprehensive substance use disorder assessment indicates that I am not in need of substance use disorder treatment;
* That I have been referred for substance use disorder treatment;
* That I did not schedule and appear for my first appointment for substance use disorder treatment within 30 days of referral or as soon as I could get an appointment;
* That I am waiting for room for me in the kind of substance use disorder treatment program I was referred to;
* That I am enrolled in a substance use disorder treatment program;
* That I am not maintaining active attendance or participation in the treatment program;
* That I have been discharged from a treatment program for noncompliance;
* That I successfully completed the substance use disorder treatment that I was referred to;
* That I was referred to another substance use disorder treatment program, and the name of that program.
* That I have been tested for drug use and results of the test. **(FOR PERSONS CONVICTED OF A DRUG FELONY)**

This release is necessary to comply with State law which requires that this information has to be reported to your local DSS office if you are going to receive Temporary Cash Assistance (TCA) benefits, and to receive TCA and Food Stamps if you have been convicted of a drug felony.

**I understand that my records are protected under the federal regulations governing Confidentiality of Alcohol and Drug Abuse Patient Records, 42 CFR Part 2, and cannot be reported to anyone without my written consent unless those regulations provide otherwise. I also understand that I can cancel this consent at any time, but the cancellation will not apply to the past acts of someone who was covered by this consent at the time and relied on it; if I do cancel this consent, I could lose my TCA or Food Stamp benefits. In any case, this consent will automatically be canceled when my TCA and Food Stamp benefits end.**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Signature Date 

#### Substance Use Disorder

#### SCREENING REFERRAL FORM

####  Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

##### DSS Office \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ MA No. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

# Head of Household \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ AU No. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Applicant/Recipient Name \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ SS No. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Address \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**\_\_\_\_\_\_\_\_\_\_\_**\_ Telephone No.** ( ) -

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Zip \_\_\_\_\_\_\_\_\_\_\_ . **Drug Felon**

# DOB \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ MCO (if applicable) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

# LDSS Case Manager \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Telephone No. ( ) -

### Addiction Specialist Completes

 1.  Customer failed to appear for screening.

 2  Customer refused to be screened and/or assessed.

 3.  Customer’s screen was negative.

 4.  Customer failed to sign 1176 when the substance use disorder screen was positive.

 5.  Customer’s screen was positive. (Forward Independence Plan to Addiction Specialist)

 6.  Customer acknowledged a substance use disorder problem. (Forward Independence Plan to AS)

 7.  Customer referred for assessment/treatment to: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ on \_\_\_\_\_\_\_\_\_\_

  (Name of Provider) (Date)

 8.  Customer failed to appear for referred assessment/treatment by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

( Date)

 9.  Customer currently in treatment at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Verified by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ ( ) - \_\_\_\_\_\_\_\_\_\_\_\_\_

 (Contact person at provider) (Telephone No.) (Date)

10.  Service Referral made on \_\_\_\_\_\_\_\_\_\_\_\_\_\_

 (Date)

11.  Comments: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

# For persons convicted of a drug felony

12. Referred for drug testing/assessment to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Name of Provider) (Date)

13.  Results  Positive  Negative \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  No Show

 (Date)

**Addiction Specialist \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Telephone No. ( ) -**

Substance Use Disorder IDENTIFICATION AND TREATMENT NOTIFICATION

Enrollee Name \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ AU No.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 MA No.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Address\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Zip\_\_\_\_\_\_\_\_\_\_ SS No. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

DOB \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Telephone No. ( ) - MCO \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

# Addiction Specialist/DSS Office \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Address** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ **Telephone No.** ( ) -

**Treatment Provider** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Address** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ **Telephone No.** ( ) -

**SAMIS Identification No.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Provider No.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Part I. Comprehensive Substance Use Disorder Assessment**  **or Drug Test**  (Check one)

1. Date provider received consent form and referral \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_
2. Date of appointment \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_

 3. Results of drug test: Positive  Negative 

 4.  Patient failed to keep appointment for comprehensive substance use disorder assessment or drug test.

 5.  Comprehensive assessment indicates patient not in need of substance use disorder treatment.

 6.  Patient referred for treatment to: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ on \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_.

 Signature of addictions specialist \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Telephone No. ( ) -

 Print or type name \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Part II. Treatment Compliance Notification**

Level of Care Provided \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 1. Date provider received consent form and referral \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_

 2.  Patient failed to appear for an initial appointment within 30 days of referral or if no appointment was available within 30 days of referral, the patient failed to schedule and appear for the first available appointment.

 3.  Awaiting available vacancy.

 4.  Enrolled in treatment program

 5.  Not maintaining active attendance/participation.

 6.  Discharged for noncompliance.

 7.  Successfully completed program.

 8.  Referred to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ on \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_.

 New Program Date

Admission date: \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_ Discharge date: \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_

Discharged to (provider) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Level of Care \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

New Provider’s Address \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Zip \_\_\_\_\_\_\_\_\_\_\_\_ Telephone No. ( ) -

Signature of addictions specialist \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_

Print or type name \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Telephone No. ( ) -

# Part III. Work Readiness

1.  Not able to work
2.  Not ready to work but could participate in job readiness/training/education
3.  Able to work.
4.  Other\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature of addictions specialist \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_

# Part IV. Case Manager Action Taken Case Manager Name\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1.  Conciliation \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_ date began.
2.  Sanction \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_ effective date.
3. Active Service case  YES  NO Comments:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 bkbjbnjkbbjjjj

**DOMESTIC/FAMILY VIOLENCE SUPPLEMENT**

In order to successfully help victims of domestic or family abuse become employed and self-sufficient you have to understand what domestic violence is. Domestic violence is about power. The abuser has power over his victim. Domestic violence is against the law. Following is information about some of the issues case managers and employment specialists may see.

**Domestic violence robs victims of their fundamental human right to maintain a sense of control over their own lives. Victims of domestic violence often feel hopeless and powerless in escaping the continuous abuse.**

Source: The above information was adapted from materials provided on the following websites: [*http://www*.*houseofruth.org/*](http://www.houseofruth.org/)*;* [*http://www.fvpf.org*](http://www.fvpf.org)*;* [*http://www.ncadv.org*](http://www.ncadv.org/)

**The act of leaving an abusive relationship is a process.**

Victims cannot assume that violence or the threat of violence will end when he/she leaves the perpetrator. Many perpetrators of domestic violence will stalk and harass former partners and victims of domestic violence for years.

**Why Does the Victim Stay?**

A question often posed by the victim’s family and friends. There are numerous reasons for which men or women decide they should not leave an abusive relationship. Some of the more common reasons are listed below.

* **Children** – victims often desire for their children to grow up with both parents.
* **Control** – victims often believe that they can control the violence by doing what the abuser wants. This is almost never true.
* **Shame or embarrassment** about their situation.
* **Isolation** – many abusers will cut off relationships the victim has with family and friends, leaving the victim to feel alone and with no control over the situation.
* **Fear** – the perpetrator will often make threats of increased violence and even homicide if the victim threatens or attempts to leave. Women who leave their batterers are at a 75% increased risk of being killed by the abuser as compared to women who stay with the abuser (House of Ruth, 1998).
* **Financial concerns** – victims of domestic violence often feel they have lost all control over money and feel hopeless about their situation. In their first year after a divorce, a woman’s standard of living drops, on average, 74%, while a man’s standard of living improves by an average of 42% (Action Notes, 1989).
* **Deserve abuse** – victims often have the false belief that the abuse is ‘deserved.’
* **History of childhood abuse** – victims with a history of being abused as a child or witnessing domestic abuse in their family often believe that violence is a normal part of a relationship.

**Five Things You Can Say to a Victim Reluctant to Leave:**

* I am afraid for your safety and the safety of your children.
* Without a change, the abuse tends to get worse.
* I am here for you when you are ready to leave.
* You deserve better than this.
* There are people who can help you.

**Show Support:**

* I believe you.
* The abuse is not your fault.
* How can I assist you in feeling safe?
* Help me to understand how you feel.
* Your reactions are normal for such a horrible experience.

**Things NOT to Say to a Victim of Domestic Violence:**

* I know that you are a battered woman/man.
* Did you try to stop the abuse?
* What did you do to provoke the abuse?
* Why don’t you just leave?
* If someone ever hit me, I know I’d leave immediately.
* That happened a while ago; can’t you just forget about it?

*(Source: Sarah Buel, “Prosecuting Batterers Without A Witness” Workshop, Tulsa, OK February, 1994 and* [*U.S. Office of Personnel Management Website*](http://www1.opm.gov/ehs/workplac/html/domestic1.htm)*.)*

Today, the lines between work and home are becoming increasingly blurred, domestic violence can and does easily spill into the workplace, often as incidents of workplace violence.

Victims and perpetrators of domestic violence impact the workplace in many ways. In addition to the increased risk for workplace violence, domestic violence also results in decreased productivity, increased absenteeism, increased stress, increased health care costs, and increased turnover rates. The victim of domestic violence often has to flee his/her home in an effort to escape an abusive relationship. Escape from the home often includes abruptly leaving the workplace as well.

**Hidden Losses to the Workplace**

There are two primary reasons that domestic violence comes to work:

* ***Domestic violence is about control*** – the victim’s job represents independence and while the victim is at work, she/he is not under the abuser’s immediate control.
* ***The victim is vulnerable at work*** because his/her work hours, parking arrangements, and geographical location are predictable. The abuser knows where and when he/she can find the employee.
* Domestic violence is responsible for an estimated **175,000 lost workdays per year** *(Family Violence Prevention Fund, San Francisco, 1997)*.
* According to the most recent statistics available, domestic violence costs employers between **$3 & $5 billion dollars per year** in medical expenses *(Bureau of National Affairs, 1990)*.
* Businesses forfeit an additional **$100 million a year in lost wages, sick leave, absenteeism**, and non-productivity due to domestic violence. *(Colorado Violence Coalition, 1991)*
* 37% of women victims of domestic violence reported feeling the effects of abuse in the workplace reflected in lateness, missed work, difficulty keeping a job, and difficulty advancing in their careers *(EDK National Telephone Poll, 1997 – A Survey for the Liz Claiborne Company)*.
* In a recent study of Fortune 1000 Senior Executives regarding domestic violence and the related costs to the workplace:
* 66% reported that their company’s financial performance would likely benefit from addressing domestic violence among their employees;
* 47% reported that domestic violence negatively affects productivity;
* 44% reported that domestic violence directly increases health care costs.

**Tips to Make the Workplace Safer**

Because domestic violence is so prevalent in our society, it is safe to assume that there is currently someone employed at your organization that is involved in an abusive relationship.

As a supervisor or manager, it is no longer acceptable to say, “That’s a personal problem” or “There’s nothing I can do.” Supervisors and managers can help to improve the safety of the work environment for both victims of domestic violence and co-workers who could be placed at increased risk for becoming a victim of workplace violence.

Listed below are some suggestions to use in the workplace to improve safety.

**Things to be observing and documenting regarding the employee:**

* unusual absences and/or late arrivals
* bruises, or other signs of emotional distress
* changes in work performance
* mood swings or changes in personality

**Things you can do to educate yourself and your workforce in an effort to prevent incidents of workplace violence and to offer assistance to the employee you are concerned about:**

* Contact your Employee Assistance Program (EAP) professional and the Office of Human Resources to discuss concerns and resources, as well as to discover ways to offer support to the employee.
* Know the work-site and community resources
* Read and understand the policies and procedures regarding workplace and domestic violence.
* Educate the victim and other employees about the workplace violence policy and procedures for reporting incidents of violence.
* Provide security with a picture of the perpetrator.

**Actions you can take with an employee you are concerned about:**

* Discuss safety/security issues with the employee and suggest possible actions (i.e. safety plan, referral to EAP).
* Help the employee document all incidents of harassment and/or stalking that occur in the workplace.
* Encourage the victim to save any threatening e-mail or voice-mail messages. These can be used in the future for legal action and/or evidence or violations of an existing restraining order. Offer to change parking arrangements for the victim so that he/she is close to the building entrance.
	+ Offer to screen phone calls and transfer potentially harassing calls to security.
	+ Assess the safety of the victim’s workplace, and relocate the victim to another more secure building or area when appropriate.
	+ Make sure the restraining order includes the workplace, and make sure the workplace has a copy on hand at all times (if applicable).
	+ Encourage the victim to identify an emergency contact person if the supervisor or manager is unable to contact the victim.
	+ Use an escort service to walk the victim to and from his/her vehicle.

**Do not ignore the situation**.

If a workplace intervention is appropriate, either at the employee’s request or to respond to a workplace threat, early intervention can often prevent incidents of workplace violence.

Ask the victim what additional changes are needed to make the workplace safer and more secure.  No one knows the perpetrator better than the victim!

*Source – The information above was adapted from U.S.* [*U.S. Office of Personnel Management Website*](http://www1.opm.gov/ehs/workplac/html/domestic1.htm)*.*

**Danger Assessment**

Each situation of domestic violence is different and there are no true indicators that will point to the fact that the violence will occur again, or how severe. However, there are indicators that increase the likelihood that your customer may be in danger.

**Case managers should review these questions with customers who indicate there is current abuse in the household.**

**DO NOT ASK THESE QUESTIONS IF THE SUSPECTED ABUSER IS IN THE INTERVIEW WITH THE CUSTOMER.**

***Note:*** *Even if there are few indicators present, this does not mean that your customer is safe. He or she is the best judge as to whether or not they feel safe.*

 **Ask Yourself:**

(On a scale of 1 to 10, 10 being the highest)

1. How dangerous do you think your partner is?
2. How safe do you feel?

**Other Questions to Ask Yourself:**

1. Has the frequency of the abuse increased? (Is it happening more often?)
2. Has the severity of the abuse increased? (Are the injuries getting worse?)
3. Does your partner use drugs or alcohol?
4. Is your partner obsessive? (Is he/she very controlling?)
5. Do you feel isolated (or does your partner restrict who you can have contact with)?
6. Are there, or has there ever been, weapons involved?
7. Does your partner suffer from mental illness (suicidal or strange behaviors)?
8. Is there sexual abuse involved?
9. Is the abuser abusive to the children?
10. Are you pregnant, or has your partner abused you while you were pregnant?

 *Abuse does not always have to manifest itself into physical behavior in order for it to be harmful. Below are some indicators of Non-Physical Indicators of Abuse.*

**Non-Physical Indicators of Abuse**

1. My partner screams and yells at me.
2. My partner insults or shames me in front of others.
3. My partner does not respect my feelings.
4. My partner frightens me.
5. My partner demands obedience to their orders.
6. My partner does not allow me to have friends of the opposite sex (or same sex if appropriate).
7. My partner demands that I stay home, or follows me when I go out.
8. My partner demands sex, whether I want it or not.
9. My partner is controlling with money.

**Creating A Safety Plan**

Regardless of how dangerous the situation appears, a safety plan is an important piece of information that can help you think about how to keep yourself safe. In developing a safety plan, it is important to consider some of the following suggestions --

**Are you thinking about leaving your partner?**

* Identify things that have worked in the past to keep you safe.
* Think about what has happened in the past and how the abuser has acted. Identify clues that indicate when things are about to get violent (i.e. behavioral -- body language, drug/alcohol use, etc. -- and event driven -- paydays, holidays, etc.).
* Identify what you will do if the violence starts again. Can you call the police? Is there a phone in the house? Can you work out a signal with the children or neighbors to call the police or get help?
* Explore ways to have dangerous weapons (i.e. guns, hunting knives, etc.) removed from the house.
* Identify dangerous locations in the house (i.e. the kitchen - knives, hot water, oven, etc.) and try not to be trapped in them. Install a lock on the inside of the bathroom or other room where you can be safe.
* Make a routine for going out each day (i.e. walking the dog, taking out the trash, etc.). Let others know your routine so they will know when something is off.
* Plan an escape route and practice it. Know beforehand where you can go and who you can call for help. Keep a list of addresses and phone numbers where you can go in crisis and keep them in a place where the abuser cannot find it.

**Are you planning on leaving your partner?**

* What is your plan? How and when can you most safely leave? Do you have transportation, money and a place to go? What are you waiting for?
* Inform people you trust about your plan and allow them to help you. Consider alternative plans if you have to leave prior to their scheduled leave date.
* Make sure you have a safe place to go; somewhere where someone is supportive and the abuser does not know about (shelter, relative, hidden apartment, etc.).
* Who will you tell and not tell about leaving? Who in your support network do you trust?
* Pack a bag and keep it in an undisclosed but accessible place (either at home, at a friend or neighbor's house, or at work) in order to leave quickly.
* How will you travel safely to and from work, or to school to pick up the children?
* Seek legal advice so that you know what they can and cannot do, and what you can and cannot have. (i.e. Can you take the car? Can you take the children to another state?)
* It is important to see your life first and their possessions second.
* If possible, open a bank account or hide money to establish or increase independence (i.e. tell the abuser you paid $40 for a coat you bought for $10).
* Leave money, an extra set of keys, copies of important documents, and extra clothes with someone you trust so you can leave quickly. Some items you want to consider having available: birth certificates, social security cards, marriage and driver's license, car title, bank account number, credit and/or ATM cards, savings account information, lease agreements, house deed, mortgage papers, insurance information and forms, school and health records, welfare or immigration documents, medications and prescriptions, divorce papers or other court documents, phone numbers/addresses for family/friends/community agencies, clothing and comfort items for them and their children, extra keys.

**Are you living on your own (not with your partner)?**

* Change the locks on doors and windows (if the abuser has a key or access to a key).
* Install a better security system (window bars, locks, better lighting, smoke detectors, and fire extinguishers).
* Increase emergency response's (police, ambulance) ability to find your house (have large visible street address outside the house).
* Obtain a PO Box and have all mail sent to it.
* Ensure that the phone company, BGE, etc. does not give out your information.
* Determine the safest way to communicate with the abuser if you must have contact with them. If you agree to meet, always do it in a public place (preferably a place with a security guard or police officer), and it's best to bring someone else. Make sure you are not followed home.
* If your partner follows in their car, drive to a police station or fire station and keep honking the horn.
* Create a safety plan for leaving work. Talk with your supervisor and building security at work and provide a picture of the abuser if possible. Arrange for a Domestic Violence presentation at your worksite.
* Teach your children a safety plan, including calling the police or family and friends if they are taken.
* Talk to your schools and childcare provider about who has permission to pick up the children and develop other special provisions to protect the children.
* Inform neighbors and/or landlord of the situation and advise them to call the police if they see suspicious activity around your house/apartment.
* Use the legal system. Understanding the legal system cannot provide total protection. You must contribute to your own safety. Follow any court orders. If a judge orders your partner to stay away and not have contact, you should not speak to the abuser if contacted. Inform the police or judge immediately.
* Keep a journal of harassing phone calls and times you may see your abuser around the workplace or neighborhood. Keep a journal of anything that happens between you, the abuser, and the children regarding visitation.
* Concentrate on staying safe and don't let your guard down.

**Safety planning around technology issues**

* If you are leaving, or making plans to leave, use a public computer (i.e. at a library), or a work computer where the abuser does not have access.
* Be aware when visiting domestic violence sites on the internet that it's not possible to completely erase the history. Likewise, it may raise more questions, if the history is suddenly blank.
* Be careful with sent or received email on an account that is shared by your abuser.
* Know what features your cell phone is equipped with. Many cell phones now come standard with GPS (Global positioning satellites) that can be traced.
* Save and/or print any threatening emails.
* In addition to the information provided here, there is information on the DHS website:

www.DHS.state.md.us.

**SAFETY PLAN**

**What is a Safety Plan?**

A safety plan is a plan that helps you to reduce the risks that you and your children face.

There is no right or wrong way to do a safety plan. Check off and fill in the things that work for you. Make it your plan. Review it often. Make changes as you need to.

There is help for you to develop a safety plan. You can ask your social worker, family violence worker or some other person in the community to work with you on this.

Safety Plans will help you be as safe as you can be from future abuse. They are used by people who:

• Want to leave, but it is not safe

• Are not sure about leaving, but need help in case the abuser gets violent

• Have left and the threat of violence is still there

 Safety Plans Can Help You:

• Get help in an emergency

• Get away safely

• Keep children safe

• Safely get your clothes, pets or other personal items

**Personalized Safety Plan**

The following steps are my plan for increasing my safety and preparing for possible further violence.

Although I do not have control over my (ex) partner’s violence, I do have a choice about how I respond and how to get myself and my children to safety.

**STEP 1: SAFETY DURING A VIOLENT INCIDENT.**

*In order to increase safety, battered people may use a variety of strategies.*

**I can use some or all of the following strategies:**

• If I decide to leave, I will \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. (Practice how to get out safely. What doors, windows, elevators, stairwells or fire escapes would you use?)

• I can keep my purse/wallet and vehicle keys ready and put them (place) in order to leave more

quickly.

• I can tell \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ about the violence and ask that they call the police if they hear suspicious noises coming from my home.

• I can also tell \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ about the violence and ask that they call the police if they hear suspicious noises coming from my home.

• I can teach my children how to use the telephone to contact the police and fire department.

• I will use \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ as my code word with my children or my friends so they can call for help.

• If I have to leave my home, I will go to, (Decide this even if you don’t think there will be a next time.)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

• If I cannot go to the place above, then I can go to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ or \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

• When I expect we are going to have an argument, I will try to move to a space that is lowest risk, such as \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

(Try to avoid arguments in the bathroom, by the telephone, garage, kitchens, near weapons or in rooms without access to an outside door.)

• I will use my judgment, experience and intuition. If the situation is very serious, I can give my partner whatever is necessary to maintain my own and my children’s safety.

• I have to protect myself until I/we are out of danger.

**STEP 2: SAFETY WHEN PREPARING TO LEAVE.**

*Battered people frequently leave the residence they share with the battering partner. Leaving may be done quickly, but sometimes leaving must be done over a period of time in order to increase safety. Batterers often strike back when they believe that a battered person is leaving a relationship.*

**I can use some or all of the following safety strategies:**

• I will leave money and an extra set of keys with \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_so I can leave quickly.

• I will keep copies of important documents or keys at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

• I will open a savings account by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, to increase my independence.

• I can get legal advice from a lawyer who understands domestic abuse.

**Other things I can do to increase my independence are:**

• The local shelter number is \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. I can seek shelter and support by calling this help line.

• I can keep money for phone calls at all times. I understand that if I use my telephone credit card, the following month the telephone bill could tell my batterer those numbers that I called after I left. If I use a cell phone, the following month's bill could tell the perpetrator the numbers that I have called or the perpetrator may be able to have the company trace my calls. To keep my telephone communications confidential, I must either use coins or I might get a

friend to let me use her telephone credit card for a while when I first leave.

• I will check with \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ to see who would be able to let me stay with them or lend me some money.

• I can leave extra clothes with \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

• I will sit down and review my safety plan every \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ in order to plan the safest way to leave the residence. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (women’s advocate or friend) has agreed to help me review this plan.

• I will rehearse my escape plan and, as appropriate, practice it with my children.

**STEP 3: SAFETY IN MY OWN HOME.**

**Safety measures I can use include:** *There are many things that a person can do to increase safety in their own residence. It may not be possible to do everything at once, but safety measures can be added step by step.*

• I can change the locks on my doors and windows as soon as possible.

• I can replace wooden doors with steel/metal doors.

• I can install security systems including additional locks, window bars, poles to wedge against doors, an electronic alarm system, etc.

• I can purchase rope ladders to be used for escape from second floor windows.

• I can install smoke detectors and purchase fire extinguishers for each floor in my house/apartment.

• I will teach my children how to use the telephone to make a collect call to me and to

(friend/helper/other) in the event that my (ex) partner abducts them.

• I can install the “call blocking” option on my telephone. This will allow me to make telephone calls, even to the batterer, without my number being identified on another telephone’s display mechanism.

• I will tell all the people who provide child care for my children about who has permission to pick up my children and who does not. The people I will inform about pick-up permission include:

• School \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

• Day Care Staff \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

• Babysitter \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

• Sunday School Teacher \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

• Teacher \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

• Other \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

• I can tell \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (neighbor),

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (clergy), and \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(friend) that I am separated and they should call the police if my (ex)partner is seen near my

residence.

**STEP 4: SAFETY WITH A PROTECTION ORDER.**

*Protection orders are legal restrictions on movement and actions that come in different forms: peace bonds, restraining orders, bail conditions, parole conditions, child custody/access orders, etc. Many batterers do obey protection orders, but one can never be sure which violent partner will obey and which will violate probation orders. It is often necessary to ask the police and the courts to enforce a protection order.*

**The following are some steps that I can take to help the enforcement of my protection order.**

• I will keep my protection order document(s) (original if possible) in \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(location). (Always keep it on or near your person. If you change purses , that’s the first thing that you should check).

• I will inform my employer, my clergy support, my friend and \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_and \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ that I have a protection order in effect.

• If my partner destroys my protection order, I can get another copy from the courthouse, my lawyer, or\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

• If my (ex) partner violates the protection order, I can call the police and report the violation, contact my (ex) partner’s parole officer, contact my lawyer and/or my advocate, and/or advise the court of the violation. (Report every violation of the order.)

• If the police do not help, I can contact my support worker, my (ex) partner’s parole officer, or my lawyer as well as filing a complaint with the police department.

• I can also file a private criminal complaint with the court in the jurisdiction where the violation occurred. I can charge the batterer with a violation of the protection order and all the crimes committed in violation of that order. I can call the local shelter to help me with this.

**STEP 5: SAFETY ON THE JOB AND IN PUBLIC.**

*Each battered person must decide if and when he or she will tell others that their partner has battered them and that he or she may be at ongoing risk. Friends, family and co-workers can help.*

**I might do any or all of the following:**

• I can tell my boss, building security and or my supervisor and \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ at work of my situation.

• I can ask \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ to help screen my calls at work.

• When leaving work, I can \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

• When going home if problems occur, I can \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

• If I use the bus/taxi, I can \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

• I can use different grocery stores/shopping malls and shop at different times than I did before to reduce the risk of contact with my (ex) partner.

• I can also \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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**STEP 6: SAFETY AND DRUG OR ALCOHOL CONSUMPTION.**

*Many people drink alcohol or use drugs (legal or otherwise). The legal consequences of using illegal drugs can be very hard on a battered person, may hurt their relationship with their children and put them at a disadvantage in other legal actions with their abusive partner. Therefore, people should think carefully about the potential cost of using illegal drugs. But beyond this, the use of any alcohol or other drugs can reduce an individual’s awareness and ability to act quickly to protect themselves from their abusive partner. Furthermore, the use of alcohol or other drugs by the batterer may be used as an excuse for violence. A battered individual needs to make specific safety plans for when he or she drinks or takes drugs.*

*If drug or alcohol consumption has occurred in my relationship with the abusive partner, I can increase my safety by some or all of the following:*

**If I am going to drink alcohol or use drugs, I can do it in a safe place and with people who**

**understand the risk of violence and care about my safety.**

I can also \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

If my partner is consuming, I can \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

To safeguard my children, I might \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

and \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

**STEP 7: SAFETY AND MY EMOTIONAL HEALTH.**

*The experience of being battered and verbally degraded by partners is usually exhausting and*

*emotionally draining. The process of building a new life requires much courage and incredible energy.*

**To conserve my emotional energy and resources and to avoid hard emotional times, I can do some of the following:**

• If I feel down and ready to return to a potentially abusive situation, I can

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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• When I have to talk with my partner in person or by telephone, I can

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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• I can try to use “I can...” statements with myself and to be assertive with others.

• I can tell myself - “\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_” - whenever I feel others are trying to control or abuse me.

• I can call, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, and \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ as other resources to support me.

• I can find out about and attend workshops and support groups in the community by calling the local shelter for information.

**STEP 8. ITEMS TO TAKE WHEN LEAVING.**

*When an individual leaves abusive partners, it is important for them to take certain items with them. Beyond this, individuals can sometimes give extra copies of papers and an extra set of clothing to a friend just in case they have to leave quickly.*

*Items with asterisks on the following list are the most important to take. If there is time, the other items might be taken, or stored outside the home. Keeping them all together in one location makes it easier if a woman needs to leave in a hurry.*

**When I leave, I should take:**

\_ Identification for myself

\_ Protection Order papers/documents

\_ Social insurance cards

\_ School and vaccination records

\_ Checkbook, bank cards

\_ Keys - house/vehicle/office

\_ Medications

\_ Divorce/separation papers

\_ Lease/rental agreement, deed, mortgage

\_ Insurance papers

\_ Address book

\_ Items of special sentimental value

\_ Children’s favorite toys and/or blankets

\_ Children’s birth certificates

\_ My birth certificate

\_ Immigration papers

\_ Money

\_ Credit cards

\_ Driver’s license and ownership

\_ Passport

\_ Medical records

\_ Bank books

\_ Small saleable objects

\_ Pictures/photos

\_ Jewelry

**Telephone numbers I need to know:**

RCMP:

Counselor:

Battered Women’s Program:

Domestic Violence Helpline (24 hours):

Lawyer:

Work number:

Supervisor’s home number:

Minister/Rabbi/Priest/Elder:

Other: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_