



MFIP Employment Services Manual Description of Changes

Revised Sections – Issued August 2012

1, TABLE OF CONTENTS

Updated section headings according to changes and removed Appendix F which is obsolete.

3.9, GLOSSARY: C...

Removed definition of CASE MANAGER: A county-designated staff person or employment services counselor.

Removed definition of CASE MANAGEMENT: Services provided by or through the county agency or an employment services agency to participating families, including assessment, information, referrals and assistance in the preparation and implementation of a Family Stabilization Plan. For the definition of FAMILY STABILIZATION PLAN, see §3.18 (Glossary : F...).

3.18, GLOSSARY : F...

FAMILY definition: Replaced term “natural” parent with the term “birth” parent.

FAMILY STABILIZATION SERVICES definition: Removed reference of services provided through a case management model. Added “Family Stabilization Services serve families who are not making significant progress within the regular employment and training services track.”

FOOD SUPPORT PROGRAM definition: Removed old definition and replaced it with Minnesota’s new Supplemental Nutrition Assistance Program (SNAP) name. “The former name for benefits issued under the Supplemental Nutrition Assistance Program (SNAP) for the purchase of food. It is now known as SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP).”

FRAUD definition: Update section heading name in referencing §14.33 (Fraud and EBT Misuse).

3.33. GLOSSARY: O-Q...

PARENT definition: Replaced term “natural” mother or father with the term “birth” mother or father.

MFIP Employment Services Manual Description of Changes

Revised Sections – Issued August 2012

3.39, GLOSSARY: S...

STEPPARENT definition: Replaced term “natural” parent with the term “birth” parent.

4.6, MFIP ASSISTANCE UNIT

Replaced term for those who must be included in the unit from “natural” parents to “birth” parents.

4.21, GRANT STANDARDS

Added the following information about use of and restrictions for the EBT card for the MFIP grant.

TRANSITIONAL STANDARD

The MFIP grant is issued on an Electronic Benefit Transfer (EBT) card. Both the cash portion and the food portion are on the same EBT card imprinted with the name of the head of household. One additional card restricted to the food portion is also available on request, allowing children and other family members to purchase food. No name is printed on this card.

- **RESTRICTION ON EBT CARDS**

The cash portion of benefits on an EBT card cannot be used to purchase alcohol or tobacco products. A participant found guilty of using their benefits in this way will be disqualified from the program (other assistance unit member continue to be eligible).

- For MFIP, the disqualification is one year for the first offense, two years for the second, and a permanent disqualification for the third. See § 14.33 (Fraud and EBT Misuse).
- DWP families with a disqualified participant are no longer eligible for DWP. An MTAF must be completed to open MFIP for the rest of the assistance unit.
- WB will close and does not reopen.

MFIP Employment Services Manual Description of Changes

Revised Sections – Issued August 2012

5.6, TIMING FOR EMPLOYMENT SERVICES

Replaced terminology from “natural” parents to “birth” parents.

7.3, EMPLOYMENT PLAN (EP)

Update section heading name in referencing §11.18 (FSS Requirements and Sanction Provisions).

9.6, INJURY PROTECTION PROGRAM

Added the following to the COMPENSATION FOR CERTAIN COSTS section:

A provider (for example, a medical provider) who accepts, or agrees to accept, an IPP program payment for services to an individual may not require any payment from that individual. This provision extends third party liability protection to program participants.

11.3, FAMILY STABILIZATION SERVICES (FSS)

Removed references to the term “case management” and replaced it with FSS. Removed bullet points and rephrased and clarified definition and description of FSS services. This better aligns this information with statute and current practices.

New information is as follows:

FSS serves families who are not making significant progress in the regular employment and training services track. Services include, but are not limited to, assessment and development of a family stabilization plan. FSS participants must also have access to all employment and training services to the same extent as other MFIP participants.

Bulleted information that was removed is as follows:

FSS means programs, activities, and services that provide participants and their family members with assistance to:- :

- Get and keep employment.
- Improve family stability.

MFIP Employment Services Manual Description of Changes

Revised Sections – Issued August 2012

- Increase economic stability.
- Reduce barriers.

FSS serves 2 purposes:

- FSS participants are not included in the TANF work participation rate calculation, giving counties more flexibility to develop appropriate plans.

AND

- FSS will serve families who are not making significant progress in MFIP or DWP due to a variety of barriers to employment.

11.9, FSS SERVICE TIMELINES

Removed reference to 90 day timeline requirement for working with FSS participants.
Removed references to “case manager.”

11.12, FSS COMMUNICATION & CONTACT REQUIREMENTS

Changed reference to “FSS case managers” to “county designated case managers.”
Removed entire section on Communication with FSS Participants:

COMMUNICATION WITH FSS PARTICIPANTS

The job counselor and/or FSS case manager must establish a schedule for periodic review of the EP that includes personal contact with the participant at least once per month. The job counselor and/or FSS case manager must also review and modify the plan under any of the following circumstances:

- There is a lack of satisfactory progress in achieving the goals of the plan.
- The participant has lost unsubsidized or subsidized employment.
- A family member has failed or is unable to comply with plan requirements.
- Services, supports, or activities required by the plan are unavailable.
- Changes to the plan are needed to promote the well-being of the children.

MFIP Employment Services Manual Description of Changes

Revised Sections – Issued August 2012

- The participant and case manager determine that the plan is no longer appropriate for any other reason.

11.15, FSS SERVICES AND SUPPORTS

Changed heading of this section from FSS CASE MANAGEMENT MODEL to FSS SERVICES AND SUPPORTS. Also changed references to this section name throughout the ES manual.

Added: Family Stabilization Services (FSS) may be delivered by the county or an employment services agency.

Removed the following bullet points:

- Identify a case manager, who may be the ES counselor, a social worker, or other professional working with the participant.
- Make personal contact with the participant at least once a month.

Update section heading name in referencing §11.18 (FSS Requirements and Sanction Provisions).

11.18, FSS REQUIREMENTS AND SANCTION PROVISIONS

Changed title of section from FSS SANCTION PROVISIONS to FSS REQUIREMENTS AND SANCTION PROVISIONS. Clarified wording on sanction provisions that must be followed. Also changed references to this section name throughout the ES manual.

Added section on identifying barriers or concerns and steps of the FSS sanction process:

Employment services staff are often aware that something is interfering with a participant's ability to follow through with program expectations. The precise nature of the barrier is often not clear. Although signals which raise concerns are not necessarily indicators that a participant may meet FSS eligibility criteria, they may be signs that the participant could benefit from a professional assessment or engagement in other social service systems.

Basic requirements of the FSS sanction process include the follow steps which must be completed by the county or the employment services providers.

- Conduct a review to determine whether the plan was appropriate to needs of the participant and the family;

MFIP Employment Services Manual Description of Changes

Revised Sections – Issued August 2012

- Attempt a face-to-face meeting with the participant or a home visit if the participant does come in for a face-to-face meeting;
- Obtain a current assessment by a behavioral health or medical professional confirming that the participant in all ways had the ability to comply;
- Notice of Intent to Sanction if appropriate.

Once the pre-sanction requirements have been met an ES sanction should be imposed. All FSS cases are sanctioned under pre-60 month sanction policy, regardless if it is a pre or post-60 month case.

Removed the following section:

Employment services staff are often aware that something is interfering with a participant's ability to follow through with program expectations. The precise nature of the barrier is often not clear. Although signals which raise concerns are not necessarily indicators that a participant may meet FSS eligibility criteria, they may be signs that the participant could benefit from a professional assessment or engagement in other social service systems.

14.3.3, PRE 60-MONTH TYPE/LENGTH OF ES SANCTIONS

Updated MFIP standard of need date in Example from 10/1/09 to 10/2011.

Removed the following section on vendoring in the example because vendoring does not apply for a first occurrence:

“County has chosen to vendor utilities, which are \$50 per month.”

Added the following section under “For the 2nd through the 6th occurrence of non-compliance”

For the 2nd through 6th occurrence of non-compliance, the financial worker vendor pays rent (up to the amount of the cash portion). Utilities may also be vendor paid (up to the cash portion) at county option. The residual amount of the grant is reduced by 30% of the MFIP standard of need for an assistance unit of the same size with the residual grant paid to the participant. The grant reduction must be in effect for a minimum of 1 month and must be removed in the month after the month the participant returns to compliance.

MFIP Employment Services Manual Description of Changes

Revised Sections – Issued August 2012

Removed the following sentence:

The reduction in the grant must be in effect for a minimum of 1 month and must be removed the month after the month the participant returns to compliance.

Removed the following section:

The residual amount of the cash grant after vendor payment, if any, and the food assistance portion must be reduced by an amount equal to 30% of the MFIP standard of need for an assistance unit of the same size with the residual grant paid to the participant.

Added the following section:

Counties must stop vendor payments for rent immediately if they become aware the housing unit is uninhabitable. No further vendor payments may be made until the landlord demonstrates that the housing is fit for use. Landlords cannot take eviction actions against anyone in the assistance unit because vendor payments were stopped.

14.9, SANCTION PROVISIONS FOR FSS

Update section heading name in referencing § 11.18 (FSS Requirement and Sanction Provisions).

14.33, FRAUD AND EBT MISUSE

Changed section heading from “Fraud” to “Fraud and EBT Misuse.” Also changed references to this section name throughout the ES manual.

Removed the following section from Fraud:

Failure to comply could result in sanctioning of the MFIP grant issued for the remaining members of the household, unless good cause is determined during the disqualification period count toward the caregiver’s 60-month time limit.

A caregiver who is disqualified due to fraud on or after October 1, 2007, is not eligible for MFIP child care assistance. The family may be eligible for Basic Sliding Fee (BSF) Child Care if all eligibility requirements for the BSF program are met however; in many counties there is a waiting list for BSF.

Note: Transition year child care assistance is not available to families who have been disqualified from MFIP or DWP due to fraud.

MFIP Employment Services Manual Description of Changes

Revised Sections – Issued August 2012

Added the following section to Fraud:

Failure to comply could result in a sanction unless good cause is determined or the participant is eligible for, and claims, the child under 12 months exemption. Good cause includes ineligibility or unavailability of child care assistance.

MFIP child care cannot be paid if an MFIP disqualification is in place for all caregivers. When one parent in a two parent family is disqualified, MFIP child care can be used if the disqualified parent's employment plan meets Basic Sliding Fee (BSF) requirements. BSF child care can be used when a disqualification causes the case to become child-only, if it is available and the parent meets eligibility requirements.

Added the following section about EBT Misuse:

EBT MISUSE

The cash portion of benefits on an Electronic Benefit Transfer (EBT) card cannot be used to purchase alcohol or tobacco products. A participant found guilty of using their benefits in this way will be disqualified from the program (other assistance unit member continue to be eligible).

- For MFIP, the disqualification is one year for the first offense, two years for the second, and a permanent disqualification for the third. See § 14.33 (Fraud and EBT Misuse).
- DWP families with a disqualified participant are no longer eligible for DWP. An MTAF must be completed to open MFIP for the rest of the assistance unit.
- WB will close and does not reopen.

Disqualified participants must participate in in MFIP Employment Services during the disqualification period. Failure to comply could result in a sanction unless good cause is determined or the participant is eligible for, and claims, the child under 12 months exemption. Good cause includes ineligibility or unavailability of child care assistance.

MFIP child care cannot be paid if an MFIP disqualification is in place for all caregivers. When one parent in a two parent family is disqualified, MFIP child care can be used if the disqualified parent's employment plan meets BSF requirements. Basic Sliding Fee (BSF) child care can also be used when a disqualification causes the case to become child-only, if it is available and the parent meets eligibility requirements.

MFIP Employment Services Manual Description of Changes

Revised Sections – Issued August 2012

The determination of whether months count toward the time limit of a disqualified participant is made applying the same banked months and exception policies that apply to other participants.

15.6, WORKFORCE ONE (WF1)

Removed the following reference to Appendix X which is obsolete:

If a county has any questions about this form, please, contact the regional representative. See Appendix F (Regional Teams/Contact Lists for MFIP & DWP).

17.6, DWP REQUIREMENTS AND SEQUENCE OF EMPLOYMENT SERVICES

Removed bullet under “All caregivers eligible for DWP are required to participate in Employment Services EXCEPT in the following two situations:”

- A one-parent household that includes a child under age 1, with no other DWP exclusion reason, must participate in DWP. If the parents have NOT already used all of the 12-month lifetime limit between them while previously on MFIP or DWP, one parent is allowed to claim the child under age one ES exemption.

Added bullets under “All caregivers eligible for DWP are required to participate in Employment Services EXCEPT in the following two situations:”

- Participants eligible for FSS. See §17.9 (Unlikely to Benefit)
- A 2-parent household that includes a child under age 1, with no other DWP exclusion reason, must participate in DWP. If the parents have NOT already used all of the 12-month lifetime limit between them while previously on MFIP or DWP, 1 parent is allowed to claim the child under age 1 ES exemption.

EP FOR PARTICIPANTS WITH A DISABILITY 7.18.3

Update section heading name in referencing § 11.18 (FSS Requirement and Sanction Provisions).

MFIP Employment Services Manual Description of Changes

Revised Sections – Issued August 2012

APPENDIX F, REGIONAL TEAMS/CONTACT LISTS FOR MFIP & DWP

Section removed – regional teams and contact lists are obsolete. Also changed references to this section name throughout the ES manual. This has been replaced with a central e-mail address has been created for the DHS MFIP Policy & Performance team for the purpose of addressing issues that are not client specific or systems related. The new e-mail address is: dhs.dwp-mfip@state.mn.us.

APPENDIX H, FSS SANCTION GUIDANCE

Changed the introductory paragraph to read:

When an FSS participant is not cooperating, the county or Employment Services provider must follow these steps below. Additional guidance can be found on the Family Stabilization Services Pre-Sanction Checklist (DHS-6075).

Removed the following:

Additional guidance can be found on the Family Stabilization Services Pre-Sanction Checklist (DHS-6075).

TABLE OF CONTENTS

CHAPTER 1	TABLE OF CONTENTS
CHAPTER 2	INTRODUCTION AND PROGRAM GOALS
2.3	Introduction and Program Goals
2.6	Work Force Attachment Model
CHAPTER 3	GLOSSARY
3.3	Glossary: A...
3.6	Glossary: B...
3.9	Glossary: C...
3.12	Glossary: D...
3.15	Glossary: E...
3.18	Glossary: F...
3.21	Glossary: G...
3.24	Glossary: H-K...
3.27	Glossary: L...
3.30	Glossary: M-N...
3.33	Glossary: O-Q...
3.36	Glossary: R...
3.39	Glossary: S...
3.42	Glossary: T-Z...
CHAPTER 4	GENERAL MFIP POLICY
4.3	Client Responsibilities and Rights
4.3.3	Client Rights
4.3.6	Client Rights - Civil Rights
4.3.9	Civil Rights and the Americans with Disabilities Act
4.3.12	Client Rights - Limited English Proficiency (LEP)
4.3.15	Client Rights - Data Privacy
4.6	MFIP Assistance Unit
4.9	Family Cap
4.12	Treatment of Income
4.15	Assets
4.18	Work Incentives
4.21	Grant Standards
4.24	Budgeting Policies
4.27	Significant Change Policy
4.30	Actual Budgeting
4.33	Opting Out of MFIP Cash Portion
4.36	Case Transfer Policy

TABLE OF CONTENTS

1

CHAPTER 5	ORIENTATION AND OVERVIEW TO MFIP
5.3	Orientation to Financial Assistance
5.3.3	Good Cause for Failure to Attend Financial Orientation
5.6	Timing for Employment Services
5.9	Referring Participants to ES/Choice of Providers
5.12	Employment Services Overview
5.15	Requirements and Sequence of Services
CHAPTER 6	CONTINUOUS ASSESSMENT
6.3	Assessment
6.3.3	Contents of an Assessment
6.3.6	Strengths-Based Approach
6.3.12	Chemical/Mental Health/Learning Needs Screening
6.3.15	Intervention Levels
6.3.18	Intervention Levels - Obtaining/Exchanging Information
6.3.21	Chemical & Mental Health Assessments: Referrals/Costs
6.3.24	Intervention Documentation & Plans
6.6	Employability Measure
CHAPTER 7	EMPLOYMENT PLAN
7.3	Employment Plan (EP)
7.3.3	Plan Types
7.3.6	Functions of the EP
7.3.9	Goals in the EP
7.6	Minimum Hourly Activity Requirements
7.9	Allowable Activities
7.9.3	Order of Preference for Allowable Activities
7.12	Plan for Victims of Family Violence
7.15	EP - Reduced Hours Due to Good Cause
7.18	Accommodations for Disabled Participants
7.18.3	EP for Participants with a Disability
7.21	Supporting Participants with Limited English
7.24	Importance of Monitoring - 2-Way Responsibility
7.27	Importance of Monitoring - Evaluation & Reporting
7.30	Monitoring Employment
7.33	Monitoring Self-Employment
7.36	Family Violence Waiver Option
7.36.1	Safe At Home Program
7.36.3	Person Trained in Domestic Violence
7.38	Requirements for Teen Parents

TABLE OF CONTENTS

CHAPTER 8	PAID EMPLOYMENT ACTIVITIES
8.3	Unsubsidized Employment
8.6	Self-Employment
8.6.3	Self-Employment Earnings & Hours
8.9	OJT & Paid Work Experience
8.12	Grant Diversion
8.15	Paid Employment Documentation & Verification
8.18	Non-Displacement
CHAPTER 9	UNPAID ALLOWABLE ACTIVITIES
9.3	Unpaid Employment Activities
9.6	Injury Protection Program
9.9	Unpaid Employment Documentation & Verification
9.12	Job Search Activities
9.12.3	Structured Job Search
9.12.6	Referrals to Employers/Temporary Employment
9.15	Preparing for Self-Employment
9.18	Job Search/Job Readiness Documentation & Verification
9.21	Training & Education
9.24	Basic Education or GED
9.27	Post-Secondary Training & Education
9.27.3	Approving Post-Secondary Training/Ed. at Assessment
9.30	ESL & Functional Work Literacy (FWL)
9.33	Education/Training Documentation & Verification
9.36	Social/Legal/Health-Related Services
9.39	Social Services Activities
9.42	Social Services Documentation & Verification
9.45	Holding & Other Activities
9.45.3	Holding & Other Activities Documentation & Verification
9.47	Rounding Unpaid Activity Hours
9.48	Holidays & Excused Absences
9.51	Identifiers
CHAPTER 10	SUPPORT SERVICES
10.3	MFIP Child Care
10.3.3	General Requirements for Child Care Assistance
10.3.6	Job Counselor's Role
10.3.9	Child Care for Preliminary Activities
10.3.12	Allowable Child Care Expenses
10.3.15	Child Care for Job Search Activities

TABLE OF CONTENTS

1

10.3.18	Child Care for Employment
10.3.21	Child Care for Self-Employment
10.3.24	Child Care for Training and Education
10.3.27	Child Care for Social Services in the Employment Plan
10.3.28	Child Care For Medical Restrictions in the EP
10.3.30	Child Care for 2-Parent Families
10.3.33	Special Needs Child Care
10.3.36	Good Cause - Inability to Obtain Child Care
10.6	Continuation of Support Services
10.6.3	Chemical/Mental Health Assessment Support Services
10.6.6	Transition Year Child Care
10.6.9	Basic Sliding Fee Child Care
10.6.12	Transitional MA Programs
10.9	Use of Funds
CHAPTER 11	FAMILY STABILIZATION SERVICES (FSS)
11.3	Family Stabilization Services (FSS)
11.6	FSS Eligibility Criteria
11.9	FSS Service Timelines
11.12	FSS Communication & Contact Requirements
11.15	FSS Services and Supports
11.18	FSS Requirements and Sanction Provisions
CHAPTER 12	TANF FUNDING & REGULAR ES
12.3	(Returning Cases to TANF Funding & Regular ES)
CHAPTER 13	EXTENSIONS
13.3	60-Month Lifetime Limit
13.6	Transition Period - 48 to 60 Months
13.9	180 to 60 Days Before MFIP Closes
13.12	60-Month Notice Requirements
13.15	Hardship Extensions
13.15.3	Ill/Injured/Incapacitated Extensions
13.15.6	Ill/Injured/Incapacitated Extension Criteria
13.15.9	Special Medical Criteria Extension
13.15.12	Needed in the Home Extension Criteria
13.18	Hard to Employ Extensions
13.18.3	Developmental Disabilities/Mental Illness Extension Criteria
13.18.6	Learning Disabled Extension Criteria
13.18.9	IQ Below 80 Extension Criteria

TABLE OF CONTENTS

13.18.12	Unemployable Extension Criteria
13.18.15	Family Violence Extension Criteria
13.21	Employed Extensions
13.21.3	Employed Extension Criteria - 1-Parent Units
13.21.6	Employed Extension Criteria - 2-Parent Units
13.21.9	Limited Work Due to Illness/Disability Extension Criteria
CHAPTER 14	NON-COMPLIANCE & SANCTIONS
14.3	Non-Compliance
14.3.3	Pre 60-Month Type/Length of ES Sanctions
14.3.6	Drug Felons Sanctions - Job Counselor Responsibilities
14.6	Good Cause for Non-Compliance
14.9	Sanction Provisions for FSS
14.12	Communicating With the County Agency
14.15	Notifying the Participant
14.15.3	Options for Preventing a Sanction
14.15.6	Failure to Respond & Notice of Adverse Action
14.18	Time Lines for Curing the Sanction
14.21	Removal of a Sanction
14.24	Case Review Requirements for Occurrences of Sanctions
14.27	Reduction or Discontinuation of Support Services
14.30	Post 60-Month Type/Length ES Sanctions - General Provisions
14.30.3.3	Post 60-Month Type/Length ES Sanctions - Removing Caregivers
14.33	Fraud and EBT Misuse
14.36	Guidelines for Working with Sanctioned Participants
14.39	Dispute Resolutions
CHAPTER 15	SYSTEM INFORMATION
15.3	MFIP Data Supporting Systems
15.6	Workforce One (WF1)
15.9	MAXIS Tracking for Certain Data Elements
CHAPTER 16	PERFORMANCE MEASURES
16.3	TANF Participation Rate
16.9	Self Support Index

TABLE OF CONTENTS

1

CHAPTER 17	DWP PROGRAM COMPONENTS AND POLICIES
17.3	DWP Program Introduction and Goals
17.6	DWP Requirements and Sequence of Employment Services
17.9	Unlikely to Benefit – Conversion or Referral to MFIP
17.12	Transition to MFIP After 4-Month DWP Period
17.15	Initial DWP Employment Plan
17.18	Revised (Ongoing) DWP Employment Plan
17.21	Modified DWP EPs and Special Circumstances
17.24	Addressing Barriers
17.27	Allowable DWP Work Activities
17.30	Structured and Intensive Job Search
17.33	Non-Compliance and Disqualification
17.36	Good Cause
17.39	Impact on Other Programs
17.42	DWP Assistance Standards

APPENDICES

Appendix A	MFIP Assistance Standards
Appendix A-1	MFIP Initial Eligibility Threshold Guide
Appendix A-2	Amount of Earnings Needed to Exit MFIP Cash
Appendix A-3	Amount of Earnings Needed to Exit MFIP
Appendix B	DHS Forms
Appendix C	How to Track Hours Per Week
Appendix D	What to Include in the MFIP/DWP ES Paper Files
Appendix E	MFIP Activity Table
Appendix E-1	Exit Reasons
Appendix E-2	Activity Tip sheet
Appendix G	Resources for Americans with Disabilities (ADA)
Appendix G-1	Decision Points for Employment Counselors
Appendix G-2	Decision Points for Financial Workers
Appendix G-3	DHS - SSI Advocates List
Appendix G-4	Disability Criteria for SSI Benefits
Appendix H	FSS Sanction Guidance

CALENDAR MONTH :

A period that begins with the 1st day of the month and ends with the last day of the month.

CAREGIVER :

A person who provides care and support to a MINOR CHILD. The person may or may not receive benefits. For example, a grandparent may care for a child but not receive MFIP with the child.

CASH ASSISTANCE :

Assistance received from 1 of the cash programs, excluding the food portion of an MFIP grant.

CHILD :

See MINOR CHILD in §3.30 (Glossary: M-N...).

CHILD CARE SUPPORT :

A court-ordered payment by a non-custodial parent for a portion of the child care costs incurred by the custodial parent.

CHILD SUPPORT :

A voluntary or court-ordered payment by non-custodial parents for the support of their children.

CITIZENSHIP :

The status of being a native born or naturalized citizen of the United States.

CLIENT :

A person who is an APPLICANT or PARTICIPANT.

COMMUNITY WORK EXPERIENCE PROGRAM (CWEP) :

A county agency implemented program that helps MFIP participants gain employment experience in a actual work setting, by placing them in temporary, non-paid positions with public or private not-for-profit employers.

COMMUNITY SERVICE PROGRAMS :

Structured programs in which TANF recipients perform work for the direct benefit of the community under the auspice of public or non profit organizations.

CONCILIATION CONFERENCE :

An informal meeting offered to the caregiver by the EMPLOYMENT SERVICES PROVIDER or county agency to resolve Employment Services-related non-compliance issues. This opportunity is also offered to a minor caregiver to resolve non-compliance issues related to education requirements.

CONSOLIDATED FUND :

A combination of state and federal dollars the state allocates to counties and tribes to administer Welfare Reform. Counties and tribes have the flexibility to use these funds to develop local programs and services designed to improve MFIP participant outcomes. These programs and services may include Employment Services, social services and emergency funds, as well as others with the goal of improving the economic stability of MFIP participants. Services may also be provided to families whose incomes are under 200% of Federal Poverty Guidelines (FPG), and to non-custodial parents of a child receiving MFIP. See §16.3 (TANF Participation Rate).

COUNTED ACTIVITIES :

Activities that count toward the work participation rate. These activities are divided into core, non-core, and other allowable activities. For more information, see §7.9 (Allowable Activities), §16.3 (TANF Participation Rate).

COUNTED EARNINGS :

The earned income that remains after applicable disregards have been subtracted from gross earned income.

COUNTY AGENCY :

The local human services office.

FAIR HEARING :

A hearing conducted by the DHS Appeals Office to decide disagreements concerning eligibility determinations and benefit amount.

FAIR LABOR STANDARDS ACT (FSLA):

All work experience participants are considered employees under the FSLA. Participant would not be required to participate in unpaid work experience more hours than the monthly MFIP cash assistance amount plus the monthly food benefit amount divided by the federal minimum wage. See §9.3 (Unpaid Employment Activities) for more information on the FAIR LABOR STANDARDS ACT (FSLA).

FAMILY :

The following people who live together: a minor child or group of minor children related to each other as siblings, half-siblings, step-siblings, or adopted siblings; together with their **birth**, step, or adoptive parents or their caregiver; or a pregnant woman with no other children.

FAMILY STABILIZATION SERVICES:

A state funded service track in MFIP/DWP. Participants are not included in the TANF work participation calculation. **Family Stabilization Services serve families who are not making significant progress within the regular employment and training services track.** See Chapter 11 (FAMILY STABILIZATION SERVICES (FSS)).

FAMILY VIOLENCE :

An act or a combination of acts such as: physical harm, bodily injury or assault, the infliction of fear of imminent physical harm, bodily injury or assault, terroristic threats, criminal sexual conduct committed against or committed by a family or household member. See §7.3 (Employment Plan (EP)), §7.12 (Plan for Victims of Family Violence), §7.36 (Family Violence Waiver Option).

For family violence purposes, family or household members are:

- Spouses and former spouses.
- Parents and children.
- People related by blood.
- People who are residing together or who have resided together in the past.
- People who have a child in common regardless whether they have been married or have lived together at any time.
- A man and a woman if the woman is pregnant and the man is alleged to be the father, regardless of whether they have been married or have lived together at any

time.

- People involved in a current or past significant romantic or sexual relationship.

FAMILY VIOLENCE WAIVER OPTION :

A provision under which participants, who are victims of FAMILY VIOLENCE, may be exempt from the 60-month lifetime limit. See §7.3 (Employment Plan (EP)), §7.12 (Plan for Victims of Family Violence), §7.36 (Family Violence Waiver Option).

FAMILY WAGE LEVEL :

A standard used for calculating benefits for families with earned income which is set at 110% of the TRANSITIONAL STANDARD.

FOOD SUPPORT PROGRAM :

The former name for benefits issued under the Supplemental Nutrition Assistance Program (SNAP) for the purchase of food. It is now known as SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP).

FRAUD :

A person is considered to have committed fraud when obtaining, attempting to obtain, or aiding and abetting another to obtain assistance benefits to which the person is not entitled or in amount greater than the person's entitlement, through material and intentionally false statements, representations, or the withholding of information. See §14.33 (Fraud and EBT Misuse).

FRAUD OVERPAYMENT :

An overpayment which is determined to be fraud by:

- Court action, including criminal conviction, disqualification consent agreement, pre-trial diversion plan, or civil fraud judgment.
- Administrative Disqualification process (an ADH hearing or ADH waiver).
- Confession of Judgment which admits intentional program violation.

FULL-TIME STUDENT :

A person who is enrolled in a graded or ungraded primary, intermediate, secondary, GED preparatory, trade, technical, vocational, or post-secondary school, and who meets the school's standard for full-time attendance. Summer vacations and school holidays do not affect the student's full-time status.

FUNCTIONAL WORK LITERACY (FWL) :

Intensive work-focused ENGLISH AS A SECOND LANGUAGE instruction for MFIP participants. See §9.30 (ESL and Functional Work Literacy (FWL)).

OCCURRENCE OF NON-COMPLIANCE :

A month a participant is not in compliance with MFIP requirements. In post 60-month MFIP, an occurrence of non-compliance refers to non-cooperation with Employment Services and may result in sanction, removal (disqualification) of a household member, or case closure (disqualification of case) depending on the extension criteria.

ON-LINE DIPLOMA :

For an 18- or 19-year old with an on-line diploma other than from a program approved by the Dept. of Education, explain the MFIP policy and place the teen in the “work option”. See §7.38 (Requirements for Teen Parents).

For caregivers under 18 years of age, who are enrolled in an on-line secondary school or GED program, refer to the school district to determine its legitimacy. Each district has a transfer specialist who will sort this out, probably by doing testing.

ON-THE-JOB TRAINING (OJT) :

Training in the public or private sector that is given to a paid employee while he or she is engaged in productive work and that provides knowledge and skills essential to the full and adequate performance of the job.

PARENT :

A child's **birth**, step, or adoptive mother or father. Also see STEPPARENTS in §3.39 (Glossary: S...).

PARTICIPANT :

A recipient of assistance who participates or is required to participate in the Diversionary Work Program or MFIP Employment Services.

PATERNITY :

Legal fatherhood, either adjudicated or established through a Recognition of Parentage.

PAYMENT MONTH :

The calendar month for which assistance is paid.

PERMANENT DISQUALIFICATION :

For extension purposes, permanent disqualification occurs when 1 or both caregivers are no longer eligible to receive MFIP due to failure to comply with Employment Services. Both caregivers may reach this point in post 60-month MFIP after the 6th occurrence of non-compliance with Employment Services, or 1 caregiver in a 2-parent case may reach this point upon 2nd removal from the MFIP grant due to non-compliance with Employment Services.

PERSONAL NEEDS ALLOWANCE :

An allowance of up to \$70 per month for each Diversionary Work Program unit member to pay for expenses such as household products and personal products.

PERSON TRAINED IN DOMESTIC VIOLENCE :

An individual who works for an organization designated by the Minnesota Center for Crime Victim Services as providing services to victims of family violence, a county staff person who has received similar training, or any other person or organization designated by a qualifying organization. See §7.3 (Employment Plan (EP)), §7.12 (Plan for Victims of Family Violence), §7.36 (Family Violence Waiver Option).

POST-SECONDARY SCHOOL :

A school serving students beyond the 12th grade, such as a community college, university, or technical college.

PROSPECTIVE BUDGETING :

A method of anticipating income and determining benefit levels in which the budget month and payment month are the same. See §4.24 (Budgeting Policies).

PROTECTIVE PAYMENT :

Assistance payments made to people outside the unit who receive the entire assistance benefit on behalf of the unit and are responsible for paying for the basic needs of the unit to the extent of the assistance payment.

PROTECTIVE SERVICES :

Social service programs designed to prevent abuse or neglect and safeguard dependent children and vulnerable adults.

QUALIFIED PROFESSIONAL:

Licensed physician, a physician's assistant, a nurse practitioner, a certified midwife, or a licensed chiropractor. For qualified mental health professional or qualified professional to determine Developmental Disabilities, see §13.18.3 (Developmental Disability/Mental Illness Extension Criteria). For qualified professional to determine learning disability or IQ, see §13.18.6 (Learning Disabled Extension Criteria). For qualified professional to determine if participant is "unemployable", see §13.18.12 (Unemployable Extension Criteria).

SANCTIONED MONTH :

A month a participant is in sanction on the MAXIS system.

SANCTIONS :

Reduction of a family's assistance payment by a specified percentage of the MFIP standard of need because a non-exempt participant fails to comply with the MFIP Employment Services requirements, a parental caregiver fails without good cause to cooperate with the child support enforcement requirements or a participant fails to comply with other program requirements.

SAFE AT HOME (SAH) PROGRAM :

The Safe At Home (SAH) Program is a Minnesota address confidentiality program that assists survivors of domestic violence, sexual assault, and stalking by providing a substitute address for people who move or are about to move to a new location unknown to their aggressors. The Minnesota Secretary of State's office administers this program. See §7.36.1 (Safe At Home Program) for more information.

SECONDARY SCHOOL :

A school accredited by the Minnesota Department of Education as a secondary school. This includes grades 7 through 12 or an equivalent technical, vocational, or GED program.

SELF-EMPLOYMENT :

Employment where people work for themselves rather than an employer, are responsible for their own work schedule, do not have taxes or FICA withheld by an employer, and do not have coverage under an employer's liability or workers' compensation insurance.

SELF-SUPPORT INDEX :

An MFIP/DWP outcome measure that tracks whether adults are either working 30 or more hours per week, or no longer receiving MFIP/DWP cash payments 3 years after a baseline quarter.

SHARED HOUSEHOLD STANDARD :

The standard used when unrelated people reside in the same household as the ASSISTANCE UNIT and no exception is met.

NOTE: For extension purposes, the standard used when a mandatory household member is removed from the MFIP household for non-compliance with Employment Services requirements. The financial worker is responsible for implementing this standard on MAXIS.

SIBLINGS :

Brothers and sisters related through birth or adoption to 1 or both parents.

SIGNIFICANT CHANGE :

The unit's gross earned and/or unearned income for the payment month declines by 38% or more from the gross earned and/or unearned income budgeted in the budget month. See §4.27 (Significant Change Policy).

SNAP:

See SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.

SOCIAL SERVICES :

The services included in a county's community social services plan which are administered by the county board as described under Minnesota Statutes, section 256E.03, subdivision 2.

SPOKEN LANGUAGE PROFICIENCY :

A test that measures the English language speaking skills of people whose native language is not English.

SPL :

See SPOKEN LANGUAGE PROFICIENCY.

SPOUSAL SUPPORT :

An allowance for support that a court orders a person to pay to his or her SPOUSE or former SPOUSE.

SPOUSE :

A person who is legally married to another person; husband or wife.

SSA :

Social Security Administration.

SSI :

See SUPPLEMENTAL SECURITY INCOME (SSI) below.

STEPPARENT :

The spouse of a child's **birth**, adoptive, or legal parent.

SUBSIDIZED PRIVATE SECTOR EMPLOYMENT:

Employment in the private sector for which the employer receives a subsidy from TANF or other public funds to offset some or all of the wages and costs of employing a recipient or when the wages paid to a participant are made by a hired party, such as the county, the MFIP ES provider or a temporary staffing agency that has a contract to provide subsidized employment for MFIP participants.

SUBSIDIZED PUBLIC SECTOR EMPLOYMENT:

Employment in the public sector for which the employer receives a subsidy from TANF or other public funds to offset some or all of the wages and costs of employing a recipient or when the wages paid to a participant are made by a hired party, such as the county, the MFIP ES provider or a temporary staffing agency that has a contract to provide subsidized employment for MFIP participants.

SUITABLE EMPLOYMENT :

Suitable employment:

- Is within the participant's physical and mental capacity.
- Pays hourly gross wages which are not less than the federal or state minimum wage for that type of employment.
- Meets health and safety standards set by federal, state, and county agencies.
- Complies with federal, state, and local anti-discrimination laws.

Do not knowingly refer participants to employers who offer employment that violates these standards.

SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP):

The federal Food and Nutrition Service Program of the United States Department of Agriculture. Also known as: food assistance, food benefits, Food Support, nutrition assistance or nutrition assistance benefits. Formally known as Food Stamps.

SUPPLEMENTAL SECURITY INCOME (SSI) :

A program operated by the Social Security Administration that provides monthly income to low-income people who are aged, blind, or have a disability.

SUPPORTED WORK :

A subsidized or unsubsidized work experience placement with a public or private sector employer, which may include services such as individualized supervision and job coaching to support the participant on the job.

SUSPENSION :

A 1-month interruption in eligibility for benefits. Benefits suspended 1 month are reinstated the next month without a new application.

SWORN STATEMENT :

A written declaration made by participant. It is similar to an affidavit, but unlike an affidavit, it does not need to be sealed by an official such as a notary public or other authorized officer. The signing of the statement only needs to be witnessed if a Notary is not available.

MFIP ASSISTANCE UNIT

4.6

Basic MFIP eligibility factors include who can or must be in the assistance unit. The MFIP assistance unit includes minor children under the age of 18, or age 19 and in school full-time in a secondary school. All minor siblings, and step siblings must be included in the unit, as well as **birth** and adoptive parents and stepparents.

Stepparents are also mandatory members of the unit whether or not there are children in common.

Eligible relatives and legal custodians (whether relatives or not) can also receive MFIP benefits for minor children, if the children have no parent present in the home. Eligible relatives include, but are not limited to, grandparents, aunts, uncles, cousins, and siblings. An eligible relative can choose to be in or out of the assistance unit. If an eligible relative chooses to be in the unit, her or his spouse (if living in the home) must also be included in the unit. When an eligible relative chooses to be in the unit, all of her or his income, as well as the income of the spouse, will be counted toward the grant. Eligible relative caregivers must also participate in Employment Services, unless exempt.

Pregnant women and their spouses are also mandatory members of the assistance unit.

Other people may be eligible to receive MFIP but are not mandatory unit members, including some optional caregivers. Consult with the financial worker if you have questions about who is in the MFIP unit.

For information on an additional child due to the birth of a baby, see §4.9 (Family Cap).

Work incentives and tax credits provide families with new opportunities. They can make choices which can increase their income and make self-sufficiency a reality. Participants can enter the job market slowly and with entry-level jobs still see a benefit to their family in terms of increased income. See DHS Bulletin [#11-11-01](#) (DHS Reissues “Work Will Always Pay...With MFIP”) handout to show changes effective October 1, 2011). Also see Appendix A (MFIP Assistance Standards), Appendix A-1 (MFIP Initial Eligibility Threshold Guide), Appendix A-2 (Amount of Earnings Needed to Exit MFIP Cash), Appendix A-3 (Amount of Earnings Needed to Exit MFIP) for MFIP Assistance Standards and tables comparing family size, grant amounts, income amounts, and “exit levels”.

A general description of the components that affect the MFIP grant are as follows:

➤ **TRANSITIONAL STANDARD**

The MFIP Transitional Standard is the base standard issued for most families with no earnings or with only unearned income. The Transitional Standard has a cash portion and a food portion. The MFIP grant is issued **on an Electronic Benefit Transfer (EBT) card. Both the cash portion and the food portion are on the same EBT card imprinted with the name of the head of household. One additional card restricted to the food portion is also available on request, allowing children and other family members to purchase food. No name is printed on this card.**

In a small number of cases, where unrelated people reside in the same household, families receive a reduced benefit called a Shared Household Standard.

➤ **RESTRICTION ON EBT CARDS**

The cash portion of benefits on an EBT card cannot be used to purchase alcohol or tobacco products. A participant found guilty of using their benefits in this way will be disqualified from the program (other assistance unit member continue to be eligible).

- For MFIP, the disqualification is one year for the first offense, two years for the second, and a permanent disqualification for the third. See § 14.33 (Fraud and EBT Misuse).
- DWP families with a disqualified participant are no longer eligible for DWP. An MTAF must be completed to open MFIP for the rest of the assistance unit.
- WB will close and does not reopen.

EARNINGS DISREGARD

The earnings disregard of 38% is applied every month the family has earnings. The disregard is available to each working member of the unit.

➤ **FAMILY WAGE LEVEL**

Whenever a family has earnings, 38% of the earnings are disregarded and the resulting net is subtracted from the Family Wage Level (which is 110% of the Transitional Standard). This means that, up to a certain level of earnings, a family may not experience a reduction in the grant amount. For example, a family with 1 adult and 2 children could have \$149 in gross earnings and would still receive the full Transitional Standard of \$1,005. A family will never receive a grant payment greater than the Transitional Standard.

NOTE: Families receiving cash benefits are limited to 60 months of assistance during their lifetime. Every month a family receives an MFIP grant that includes a cash portion counts toward the 60-month limit. Any month the grant amount includes the food portion ONLY does NOT count toward the lifetime limit.

TIMING FOR EMPLOYMENT SERVICES**5.6**

All caregivers receiving MFIP during the 1st 60 months, and caregivers in post 60-month extension categories, must be engaged in Employment Services (ES), with the exception of participants with a **birth** child under 12 months, see below. For more information on extension categories, see Chapter 13 (Extensions). Caregivers with a fraud disqualification on or after October 1, 2007, are also required to participate in employment services during the disqualification period.

CHILD UNDER 12 MONTHS EXEMPTION

Under the law there is a time-limited ES exemption for MFIP and DWP caregivers with a **birth** child under 12 months.

An ES exemption begins the 1st month after the month the participant claims the child under 12 months exemption.

The 3 time periods a participant can claim an ES exemption for the care of a child under 12 months are:

- The original child under 1 exemption that was in effect from January 1, 1998 through June 30, 2004.
- The child under 12 weeks ES exception that was in effect from July 1, 2004 through February 28, 2010. Do NOT count more than a total of 3 months for any participant who used the 12-week exception during this period.
- The child under 12 months ES exemption effective March 1, 2010.

All months used on DWP and MFIP under any of these periods count toward the 12 month lifetime limit for a household.

MFIP parents who have not used a total of 12 months of the exemption (up to 12 months combined total per household for a 2-parent family) may choose to use the remaining months beginning March 1, 2010. Parents are allowed to choose to claim the exemption for more than 1 child, and in different spans of time. This ES exemption applies even if the child's needs are not included in the grant, such as for a child that is ineligible for cash under the Family Cap policy or due to receipt of Supplemental Security Income (SSI).

In a 1-parent household, the ES exemption for the care of a child under 12 months is available for a cumulative 12 months lifetime limit.

TIMING FOR EMPLOYMENT SERVICES**5.6**

In a 2-parent household, the parents' exemption months are combined to determine the months used towards the 12-month total rather than being available in full to each caregiver. Only 1 parent is allowed to claim the exemption in any 1 month but the exemption can switch between parents from month to month.

If a parent in a 2-parent household moves out and joins a 1-parent assistance unit to form a new 2-parent assistance unit, the parent who moves in retains any of their unused exemption months. The newly formed unit is limited to 12 months total when the 2 parents' exemption months are added together. If the combined months of the new unit exceed 12 months, they would not be eligible for any more exempt months as long as they live together.

TEEN PARENTS

The ES exemption to care for a child under 12 months is NOT available to minor parents under age 18, or 18- or 19-year old parents who do not have a high school diploma or its equivalent and choose an Employment Plan with an education option. Such parents may choose to claim a 6-week exemption to care for a child under 6 weeks.

An 18- or 19-year-old parent(s) without a high school diploma or its equivalent who choose an Employment Plan with a work option may choose to claim the child under 12 months ES exemption.

VICTIMS OF FAMILY VIOLENCE

The ES exemption to care for a child under 12 months IS available to participants who have an approved Employment Plan (EP) for FSS Participants under the Family Violence Waiver Option.

The Employment Plan should be revised to indicate that the participant is choosing to use the exemption and the review date should reflect the date the exemption is expected to end. Participants should be made aware that while they are using the exemption they would not have access to support service dollars or MFIP child care.

The employment counselor must use the child under 12-month identifier on WF1 to indicate the participant is choosing the exemption.

The participant must come in to revise the Employment Plan the month after the month the exemption ends.

TIMING FOR EMPLOYMENT SERVICES**5.6**

If an applicant wants to request both the Family Violence Waiver and the 12-month exemption they must be referred to Employment Services and must first develop an Employment Plan (EP) for FSS participants under the Family Violence Waiver Option. Once that plan is written, approved and the waiver is in place the participant can choose the exemption. The EP would need to be revised to indicate the participant is choosing to use the exemption.

An Employment Plan (EP) is a social contract between the county/ES provider and each participant. The purpose of the plan is to identify for each participant the most direct path to unsubsidized employment and any subsequent steps that support long-term economic stability. The plan should clearly outline commitments on the part of both the county/ES provider and the participant. See §3.15 (Glossary: E...) for the definition of Employment Plan.

Plans may be created using the Workforce One (WF1) employment plan function or the paper employment plan found on eDocs:

- MFIP/DWP Employment Plan ([DHS-4209](#))
- Employment ([DHS-4209A](#))
- Job Search Requirements ([DHS-4298B](#))
- Unpaid Work Activities ([DHS-4209C](#))
- Education ([DHS-4209D](#))
- Family Safety ([DHS-4209E](#))
- Child Care or Transportation ([DHS-4209H](#))
- Health ([DHS-4209I](#))
- Housing ([DHS-4209J](#))
- Personal/Family Activity ([DHS-4209K](#))
- Legal Issues ([DHS-4209L](#))
- County/State Social Services ([DHS-4209M](#))

WHO MUST COMPLY WITH AN EP

All MFIP participants:

- Are mandatory ES participants.
AND
- Must develop an EP, unless they:
 - Have a child under 12 months.
AND
 - Have any remaining months of the child under 12 months ES exemption.
AND
 - Choose to use any remaining months of the child under 12 months ES exemption. See §5.6 (Timing for Employment Services).

Failure on the part of a mandatory participant to develop or comply with hourly requirements in a plan may result in a sanction:

- Failure to sign an Employment Plan is considered failure to develop an EP and should result in a sanction. See §7.6 (Minimum Hourly Activity Requirements), §14.36 (Guidelines for Working with Sanctioned Participants).
- Failure to develop or comply with the EP on the part of a participant in the FSS service track may also result in a sanction however pre-sanction FSS provisions apply. See §11.18 (FSS Requirements and Sanction Provisions).

WHEN TO DO AN EP

Employment Plans are based on information gathered during the assessment process and throughout participation in the program. Development of a basic EP should begin during the first meeting with a job counselor, or shortly thereafter. The EP is a “living document” that should be reviewed at least every 3 months and revised whenever necessary. See §6.3 (Assessment). For additional information, see:

- §7.3.6 Functions of the EP
- §7.3.9 Goals in the EP
- §7.9 Allowable Activities.
- §7.9.3 Order of Preference for Allowable Activities.
- §7.12 Plan for Victims of Family Violence.
- §7.15 EP - Reduced Hours Due to Good Cause.
- §7.18.3 EP for Participants with a Disability.
- §7.38 Requirements for Teen Parents.

CONTENTS OF THE EP

The EP must include:

- The participant's overall employment goal.
- Activities and steps necessary to reach that goal.
- Hours of participation and a time line for each activity.
- Expectations and measure(s) used to determine satisfactory progress.
- Meetings with the job counselor.
- Documentation/verification requirements.
- The support services that will be provided.

Clearly indicate that all activities in the plan are mandatory unless otherwise specified. See §7.9 (Allowable Activities). EPs must be signed and dated by you and the participant. Revisions to an existing EP should also be signed and dated by you and the participant.

EPs should include enough hours to meet participation requirements unless a compelling reason to do less is case-noted in the participant's file. See §7.6 (Minimum Hourly Activity Requirements). Note that teen parents meet secondary education requirements by enrolling in and attending school. See §7.38 (Requirements for Teen Parents) and §7.6 (Minimum Hourly Activity Requirements).

Employment Plans may include any allowable activity, however, participation in activities that meet core hourly requirements are a primary consideration when developing or revising an EP. Use the information in §9.12.3 (Structured Job Search) to determine core and non-core activity hours, and the Levels of Activities list in §7.9.3 (Order of Preference for Allowable Activities) as a guide to selecting activities.

VICTIMS OF FAMILY VIOLENCE

Victims of family violence who want to be exempt from the 60-month lifetime limit MUST request a Family Violence Waiver Option and develop an Employment Plan for FSS participants and follow FSS requirements. See §7.12 (Plan for Victims of Family Violence), §7.36 (Family Violence Waiver Option), §7.36.3 (Person Trained in Domestic Violence).

EP FOR PARTICIPANTS WITH A DISABILITY

7.18.3

When the caregiver has a documented disability the job counselor and participant should develop a plan that includes reasonable accommodations. When designing the plan, job counselors should seek input from those professionals who assessed the participant and can evaluate his or her ability to perform the activities in the plan. It is the responsibility of the job counselor to inform all participants of their right to reasonable accommodations per guidance under the Americans with Disabilities Act. See §4.3.9 (Civil Rights and the Americans with Disabilities Act).

EXAMPLES OF EPs

- **Ill or incapacitated for more than 30 days:**
Caregivers in this category should have documentation from a qualified professional on file stating the nature and duration of the illness or incapacity. The plan should be based on this documentation until it is either updated or expires. If the participant is unable to participate for 30 days or more, verification in the file should document the participant's inability to work 20 or more hours a week. This plan should include follow through with treatment recommendations, regular meetings with the job counselor, and the date when the verification must be updated.

Employment Services providers should help with any special transportation requirements and make other accommodations as necessary.

NOTE: Medical Assistance can reimburse participants for the cost of transportation for medical services covered by Medicaid. Refer participants to their financial worker for information about MA reimbursement.

Alternate arrangements should be made if the participant's condition prohibits him or her from coming to the Employment Services office. Alternate arrangements also include home visits, telephone interviews, and mailing the Employment Plan for signature if necessary.

The plan should only contain activities and hourly requirements appropriate to the participant's circumstances. If appropriate, an application for SSI should be pursued.

Non-Compliance:

Participants may not be sanctioned for failure to follow through with treatment recommendations. However, a sanction may be imposed for non-compliance

with developing a plan or other activities in the plan (required meetings, maintain contact, verifications, etc.) as long as those activities are within the participant's abilities and necessary accommodations have been made. The participant may also be eligible to claim good cause if unable to meet the requirements of the plan. See §14.6 (Good Cause for Non-Compliance). There are certain provisions that need to be met prior to sanctioning when:

- Information has been received that an MFIP recipient may meet FSS Eligibility.
- OR
- Eligibility for FSS has been determined. See §11.18 (FSS Requirements and Sanction Provisions).

➤ **Participant is unable to participate for less than 30 days:**

The plan for a participant with verification of an illness or incapacity that expires within 30 days will most often include the same activities listed in the example above, as well as activities that will be required after the verification of illness expires.

Some participants may have recovered fully and will not need a specialized plan. Others may be able to participate but on a more limited basis. Activities included in the plan should be based on recommendations from the medical or other qualified professional who treats the participant. Continued treatment or therapy should be included in the plan as necessary and with the participant's agreement. The plan should not include an expectation that the participant will accept a job that aggravates an identified disability/condition or that requires skills the disability prevents the person from acquiring. For example, an individual with a stress related mental health disorder should not be required to accept a position that would increase exposure to a stress level (demanding workload; deadline pressure) that would negatively impact the participant's recovery.

The plan should only contain activities and hourly requirements appropriate to the participant's circumstances. Employment Services providers should help meet any special transportation requirements and make other accommodations as necessary.

NOTE: Medical Assistance can reimburse participants for the cost of transportation for medical services covered by Medicaid. Job Counselors should refer participants to their financial worker for information about MA reimbursement.

Non-Compliance:

Participants may not be sanctioned for failure to follow through with treatment recommendations. However, a sanction may be imposed for non-compliance with developing a plan or other activities in the plan as long as those activities and hourly requirements are within the participant's abilities and necessary accommodations have been made. A participant may have good cause for failure to comply. See §14.6 (Good Cause for Non-Compliance). There are certain provisions that need to be met prior to sanctioning when there is information that an MFIP recipient may meet FSS_eligibility or eligibility has been determined. See §11.18(FSS **Requirement and** Sanction Provisions).

➤ **Participant is needed in the home to care for a disabled household member:**

The plan for participants with verification from a qualified professional should include information about the level of participation that can be reasonably expected from the participant given the family circumstances and the extent to which the caregiver is needed in the home.

If the household member is a child active in an educational program during part of the day, activities may be scheduled during the time the child is not under the parent's supervision. For example, the plan may require the caregiver to attend parenting classes 2 days a week from 11:00 to 2:00 or could require the participant to seek part time work that does not interfere with the caregiver's ability to care for the disabled household member.

The plan should only contain activities and hourly requirements appropriate to the participant's circumstances.

Non-Compliance:

The participant can be sanctioned for non-compliance if he or she fails to cooperate with developing a plan or with activities in the plan that do not interfere with their responsibilities for providing care for the disabled household member. In situations where their plan conflicts due to changes in the needs of the household member, the plan should be modified. Good cause policies remain in effect. See §14.6 (Good Cause for Non-Compliance). There are certain provisions that need to be met prior to sanctioning when there is information that an MFIP recipient may meet FSS eligibility or eligibility has been determined. See §11.18 (FSS **Requirement and** Sanction Provisions).

INJURY PROTECTION PROGRAM

9.6

Use the instructions below to determine payment of any claims resulting from an alleged injury or death of a person participating in a county or a tribal unpaid work experience program that is approved by the Commissioner of DHS and operated by:

- The county agency.
- The tribe.
- A department of the state.

OR

- A community-based organization under contract, prior to April 1, 1997, with a county agency to provide a community work experience program or a Supplemental Nutrition Assistance Program (SNAP) community work experience program, provided the organization has not experienced any individual injury loss or claim greater than \$1,000.

This determination method is available to the community-based organization identified in the 4th bullet above only for claims incurred by participants in the community work experience program, unpaid work experience, or the SNAP Community Work Experience Program.

Injury Protection Program (IPP) covers unpaid work experience for the following programs:

- MFIP including CWEP.
- DWP.
- FSET.
- Tribal unpaid work experience.
- Other unpaid work experience programs approved by the Commissioner of DHS.

NOTE: Do not use IPP to cover volunteer placements with employers who have other volunteers, or volunteer positions, that are, or should be, covered under workers' compensation. If you have questions or concerns about a client's placement and whether Minnesota Workers' Compensation laws covers the work site, contact the Department of Labor and Industry customer assistance line at 651-284-5030 or 800-342-5354.

INVESTIGATION OF THE CLAIM

Claims must be investigated by the county agency or the tribal program responsible for supervising the work to determine whether the claimed injury occurred, whether the claimed medical expenses are reasonable, and whether the loss is covered by the claimant's insurance. If insurance coverage is established, the county agency or tribal program shall submit the claim to the appropriate insurance entity for payment. However, medical bills associated

INJURY PROTECTION PROGRAM**9.6**

with work related injuries should not be submitted to medical assistance. The investigating county agency or tribal program shall submit all valid claims, in the amount net of any insurance payments, to the Department of Human Services. Claims should not be submitted to the Department of Human Services until the treatment has been completed and all bills associated with the work related injury have been received.

SUBMISSION OF CLAIM FOR PERMANENT PARTIAL DISABILITY COMPENSATION

The Commissioner shall submit all claims for permanent partial disability compensation to the Commissioner of Labor and Industry. The Commissioner of Labor and Industry shall review all submitted claims and recommend to the Department of Human Services an amount of compensation comparable to that which would be provided under the permanent partial disability compensation schedule of Minnesota Statutes, Section 176.101, subd. 2a.

CLAIMS LESS THAN \$1,000

The Commissioner shall approve a claim of \$1,000 or less for payment if appropriated funds are available, if the county agency or tribal program responsible for supervising the work has made the determinations required by this section, and if the work program was operated in compliance with the safety provisions of this section. The Commissioner shall pay the portion of an approved claim of \$1,000 or less that is not covered by the claimant's insurance within 3 months of the date of submission.

CLAIMS MORE THAN \$1,000

On or before February 1 of each year, the Commissioner shall submit to the appropriate committees of the Senate and the House of Representatives a list of claims in excess of \$1,000 and a list of claims of \$1,000 or less that were submitted to but not paid by the Commissioner, together with any recommendations of appropriate compensation. These claims shall be heard and determined by the appropriate committees of the Senate and House of Representatives and, if approved, must be paid under the legislative claims procedure.

COMPENSATION FOR CERTAIN COSTS

Compensation is limited to reimbursement for reasonable medical expenses and permanent partial disability compensation for disability in like amounts as allowed in Minnesota Statutes, Section 176.101, subd. 2a. Compensation for injuries resulting in death shall include reasonable medical expenses and burial expenses in addition to payment to the participant's estate in an amount up to \$200,000. No compensation shall be paid under this section for pain and suffering, lost wages, or other benefits provided in Minnesota Statutes, Section 176. Payments made under this section shall be reduced by any proceeds received by the claimant from any insurance policy covering the loss. For the purposes of this section, "insurance policy" does not include the medical assistance program authorized under Minnesota Statutes, Section 256B or the general assistance medical care program authorized under Minnesota Statutes, Section 256D.

A provider (for example, a medical provider) who accepts, or agrees to accept, an IPP program payment for services to an individual may not require any payment from that individual. This provision extends third party liability protection to program participants.

EXCLUSIVE PROCEDURE

This procedure is exclusive of all other legal, equitable, and statutory remedies against the state, its political subdivisions, or employees of the state or its political subdivisions. The claimant shall not be entitled to seek damages from any state, county, tribal, or reservation insurance policy or self-insurance program.

INVALID CLAIMS

A claim is not valid for purposes of this section if the county agency responsible for supervising the work cannot verify to the Commissioner:

- That appropriate safety training and information is provided to all persons being supervised by the agency under this section.

AND

- That all programs involving work by those persons comply with federal Occupational Safety and Health Administration and state Department of Labor and Industry safety standards.

A claim that is not valid because of failure to verify safety training or compliance with safety standards will not be paid by the Department of Human Services or through the legislative claims process and must be heard, decided, and paid, if appropriate, by the local government unit or tribal program responsible for supervising the work of the claimant.

FORMS REQUIRED FOR FILING A CLAIM

The following forms are required to file an Injury Protection claim for unpaid work experience participants. The forms are created so you may type the information directly onto the form before printing:

- Injury Protection Program (IPP) - Participant Information & Authorization to Release Medical Information (DHS-3994).
- Injury Protection Program (IPP) - First Report of Injury (DHS-3995).
- Injury Protection Program (IPP) - Participant Medical Referral and Medical Care Provider Information Letter (DHS-3996).
- Injury Protection Program (IPP) - Participant Injury Status Report (DHS-3997).

NOTE: The client must also receive a copy of the Notice of Privacy Practice (DHS- 3979).

Family Stabilization Services (FSS) is a new service track in the Minnesota Family Investment Program (MFIP) and Diversionary Work Program (DWP). **FSS serves families who are not making significant progress in the regular employment and training services track.** FSS participants are not included in the TANF work participation rate calculation, giving counties more flexibility to develop appropriate plans.

FSS is intended to help families achieve the greatest possible degree of economic self-sufficiency and family well-being. **Services include, but are not limited to, assessment and development of a family stabilization plan. FSS participants must also have access to all employment and training services to the same extent as other MFIP participants.**

To the extent possible, FSS participants should be assisted in becoming job ready and expected to return to the MFIP-ES track as soon as possible.

NOTE: The 60-month time limit policy does not change for families receiving FSS.

MFIP EMPLOYMENT SERVICES MANUAL

ISSUE DATE 08/2012

FAMILY STABILIZATION SERVICES (FSS)

11.3

Within 30 days after **FSS eligibility is determined**, the job counselor or a county-designated case manager (social services, disability services, or housing services) must meet with the participant to develop a plan.

COMMUNICATION BETWEEN WORKERS

Communication between financial workers, job counselors or **county designated** case managers is critical in determining eligibility for FSS and to providing the appropriate services for the family.

FSS eligibility may be determined by a financial worker or a job counselor. If the financial worker determines FSS eligibility based on documentation in the case file, MAXIS must be updated and a referral to Employment Services or the **county designated case manager** must be initiated. For existing cases already active with an MFIP-ES provider, that provider will receive an electronic Status Update on Workforce One (WF1). The FSS status code on MAXIS will be included on the referral or Status Update on WF1.

If a job counselor determines FSS eligibility (for example, receives documentation of incapacity from a medical professional), a paper Status Update or a secure e-mail must be sent to the financial worker. The financial worker will update MAXIS to ensure the case is coded correctly to be removed from TANF funding and in turn the WPR calculation.

MFIP EMPLOYMENT SERVICES MANUAL

ISSUE DATE 08/2012

FSS COMMUNICATION & CONTACT REQUIREMENTS

11.12

FSS SERVICES AND SUPPORTS**11.15**

Family Stabilization Services (FSS) **may be delivered by the county or an employment services agency.** There are minimum requirements for FSS services:

- Complete an assessment of strengths, barriers, and special circumstances that impact, or may impact, progress toward goals in the Employment Plan (EP). Consider organizing the assessment into the 11 areas covered by the Employability Measure.
- Identify services, supports, education, training, and accommodations needed to address barriers and enable the caregiver(s) to meet personal and family obligations.
- Develop an EP that addresses long-term self-sufficiency and an employment goal when applicable; include activities and hours of participation as appropriate. Assist families in accessing the identified services and supports when necessary.
- Monitor progress.
- Set a schedule for periodic review of the EP (at least every 6 months), and modify the plan as appropriate.

Initiate sanctions when appropriate, once the specific FSS sanction provisions have been followed. See §11.18 (FSS **Requirements and Sanction Provisions**).

MFIP EMPLOYMENT SERVICES MANUAL

ISSUE DATE 08/2012

FSS SERVICES AND SUPPORTS

11.15

FSS participants must participate in Family Stabilization Services (FSS) for the number of hours determined appropriate based their needs and the needs of their families.

There are specific sanction provisions that MUST be followed when an FSS participant is not cooperating even if an EP has not been developed, and when there is information indicating the participant MAY be meet FSS eligibility criteria.

Examples of what could constitute “information” include:

- Documentation of previous mental health diagnosis.
- Past involvement with other systems; adult or children’s mental health, development disability services, waived services.
- Self-reported attempts to get help for a mental health condition that has impacted their ability to obtain or maintain suitable employment.
- Previously diagnosed with a chronic health condition that has impacted their ability to obtain or maintain suitable employment.

Employment services staff are often aware that something is interfering with a participant’s ability to follow through with program expectations. The precise nature of the barrier is often not clear. Although signals which raise concerns are not necessarily indicators that a participant may meet FSS eligibility criteria, they may be signs that the participant could benefit from a professional assessment or engagement in other social service systems.

Basic requirements of the FSS sanction process include the follow steps which must be completed by the county or the employment services providers.

- Conduct a review to determine whether the plan was appropriate to needs of the participant and the family;
- Attempt a face-to-face meeting with the participant or a home visit if the participant does come in for a face-to-face meeting;
- Obtain a current assessment by a behavioral health or medical professional confirming that the participant in all ways had the ability to comply;
- Notice of Intent to Sanction if appropriate.

For a detailed guide to required steps in the sanction process, see Appendix H (FSS Sanction Guidance) and the Family Stabilization Services Pre-Sanction Checklist ([DHS-6075](#)). The

provisions must also be followed at the time the provider has information that a participant may meet the eligibility criteria. These provisions apply to pre or post 60-month cases.

Once the pre-sanction requirements have been met an ES sanction should be imposed. All FSS cases are sanctioned under pre-60 month sanction policy, regardless if it is a pre or post-60 month case. See Chapter 14 (Non-Compliance & Sanctions).

The provisions also apply to FSS participants who were disqualified from MFIP due to fraud after October 1, 2007. In these cases, if a sanction is imposed, it would be applied against the household's remaining grant amount.

There are specific provisions that must be followed prior to determining whether a sanction can be imposed on a participant:

- Who has been determined eligible for Family Stabilization Services (FSS).
OR
- At the time the provider has information that a participant may meet the eligibility criteria for FSS.

For information on specific provisions for FSS, See § 11.18 (FSS **Requirement and** Sanction Provisions).

**POST 60-MONTH TYPE/LENGTH OF ES SANCTIONS -
REMOVING CAREGIVERS****14.30.3.3**

Two-parent families have the option to remove a non-compliant parent from the grant. The option to remove the non-compliant parent must occur as part of a discussion and decision-making process between the county/Employment Services Provider and the participants. The county **MUST NOT** automatically remove a non-compliant parent.

A parent who is removed from the grant may reapply once. A subsequent removal of this parent from the grant for non-compliance will result in permanent disqualification from MFIP. Only 1 parent may be removed at a time. Removals are counted per CAREGIVER for purposes of determining permanent disqualification of that caregiver from the MFIP unit.

Before removing a participant under this policy, the county agency must review the participant's case to determine if the Employment Plan is still appropriate and must make a good faith effort to meet with the participant face-to-face. If the participant does not comply, the county agency must send the participant a notice of adverse action.

WHEN BOTH PARENTS REACH MONTH 60 AT THE SAME TIME:

When BOTH parents reach month 60 at the same time, there are 2 situations when 1 of the parents may be removed from the grant and the remainder of the family continued on MFIP:

- **Effective month 61:** If 1 of the parents does not meet an extension category, or is in sanction in month 60, that parent may be removed from the grant upon request, effective month 61. Either parent may make the request. If the remaining parent is extended as employed, the single parent hourly requirement applies (30/25 hours). The Shared Household Standard and deeming provisions apply. Only 1 parent may be removed from the MFIP unit under this provision.
- **After month 61:** After an extension has been approved, either parent may request removal of a non-compliant parent from the MFIP grant. Pre 60-month notice requirements apply.

EXAMPLE: Both parents reach month 60 **and both parents are extended under the employed/employed limited hour extension criteria.** Parent 2 is out of compliance with Employment Services. You must send an MFIP Notice of Intent to Sanction (DHS-3175) (NOITS) and allow 10 days for a response. If either caregiver responds with a request to remove parent 2, the financial worker removes the non-compliant parent the 1st of the month after 10-day legal notice is sent from MAXIS. If no response to the NOITS is received, a

**POST 60-MONTH TYPE/LENGTH OF ES SANCTIONS -
REMOVING CAREGIVERS****14.30.3.3**

status update is sent to the financial worker to impose a sanction.

WHEN 1 PARENT REACHES MONTH 60 BEFORE THE OTHER:

There are situations when 1 parent in a 2-parent family can be removed from the grant when 1 parent reaches month 60 before the other:

- **Effective month 61:** The parent who has reached month 60 is requesting an extension and is in compliance with MFIP requirements, but the parent who has not reached month 60 is NOT in compliance. The non-compliant parent, at either caregiver's request, can be removed (disqualified) effective month 61. This parent may reapply and be removed 1 additional time before he/she is permanently disqualified from MFIP. If the non-compliant parent (who has not reached month 60) is not removed, post 60-month ES sanctions apply **only if the parent who has reached month 60 is extended under the employed/employed limited hour's extension criteria. If the parent is extended under any of the other extension criteria pre-60 month sanction policy must be applied because the participant meets Family Stabilization Services (FSS) eligibility criteria.**

EXAMPLE: Parent 1 reaches month 60 and is employed the minimum hourly requirement to be extended (30/25). Parent 2 reaches month 40 and is in sanction with Employment Services. Parent 1 requests removal of parent 2 effective month 61 and the case is extended under the employed category. If parent 1 is out of compliance with ES requirements, the post 60-month sanction sequence is applied.

- **Effective month 61:** The parent who has reached month 60 and requesting an extension is NOT in compliance with MFIP requirements, but the parent who has not reach month 60 IS in compliance. The non-compliant parent, at either caregiver's request, can be removed (disqualified) effective month 61 and the shared household standard applied. This family is considered a pre-60 month case, which means the 60 months clock is ticking according to the number of months used by the parent who remains on the grant, pre-60 month sanctions apply. Since the parent who reach 60 months was disqualified because of non-compliance in the 60th month, this parent may not reapply or be added back onto the grant at any point in the future.
- **After month 61:** After an extension is approved, either caregiver may request removal of a non-compliant caregiver, regardless of who reached month 60 first. Pre 60-month notice requirements apply.

**POST 60-MONTH TYPE/LENGTH OF ES SANCTIONS -
REMOVING CAREGIVERS**

14.30.3.3

See §14.30 (Post 60-Month Type/Length ES Sanctions - General Provisions).

FRAUD AND EBT MISUSE**14.33****FRAUD**

Notify the financial worker whenever you believe a participant intentionally misled the county or provider to get payments or services. The county may conduct a fraud investigation and/or initiate the process of recovering fraudulently obtained payments.

Recovery actions are the responsibility of the county agency. The financial worker will notify Employment Services staff through a Status Update Form (DHS-3165) if a participant is found guilty of fraud and is disqualified from receiving a grant for a period of time.

Caregivers who are disqualified due to fraud must participate in MFIP Employment Services during the disqualification. **Failure to comply could result in a sanction unless good cause is determined or the participant is eligible for, and claims, the child under 12 months exemption. Good cause includes ineligibility or unavailability of child care assistance.**

MFIP child care cannot be paid if an MFIP disqualification is in place for all caregivers. When one parent in a two parent family is disqualified, MFIP child care can be used if the disqualified parent's employment plan meets Basic Sliding Fee (BSF) requirements. BSF child care can be used when a disqualification causes the case to become child-only, if it is available and the parent meets eligibility requirements.

If the caregiver needs childcare to participate, and it is not available, they meet good cause and cannot be sanctioned for failure to develop or comply with an employment plan.

EBT MISUSE

The cash portion of benefits on an Electronic Benefit Transfer (EBT) card cannot be used to purchase alcohol or tobacco products. A participant found guilty of using their benefits in this way will be disqualified from the program (other assistance unit member continue to be eligible).

- **For MFIP, the disqualification is one year for the first offense, two years for the second, and a permanent disqualification for the third. See § 14.33 (Fraud and EBT Misuse).**
- **DWP families with a disqualified participant are no longer eligible for DWP. An MTAF must be completed to open MFIP for the rest of the assistance unit.**
- **WB will close and does not reopen.**

Disqualified participants must participate in in MFIP Employment Services during the disqualification period. Failure to comply could result in a sanction unless good cause is

determined or the participant is eligible for, and claims, the child under 12 months exemption. Good cause includes ineligibility or unavailability of child care assistance.

MFIP child care cannot be paid if an MFIP disqualification is in place for all caregivers. When one parent in a two parent family is disqualified, MFIP child care can be used if the disqualified parent's employment plan meets BSF requirements. Basic Sliding Fee (BSF) child care can also be used when a disqualification causes the case to become child-only, if it is available and the parent meets eligibility requirements.

The determination of whether months count toward the time limit of a disqualified participant is made applying the same banked months and exception policies that apply to other participants.

Workforce One (WF1) is a web-based case management tool that was developed in partnership between Department of Employment and Economic Development (DEED) and DHS. In addition to MFIP, WB, DWP and FSET, many other DEED programs also use WF1.

Throughout the Employment Services Manual, timing for entering data and using other functions in WF1 is referenced. DEED maintains a User Guide that can be accessed directly from WF1.

MAXIS – WF1 Interface

The MAXIS computer system is an electronic referral interface with the WF1 system. The electronic referral interface provides notification to a specific employment services provider that the county is referring MFIP, WB, DWP, or FSET participants to employment services.

The MAXIS-WF1 electronic referral interface requires the state to maintain an accurate and up to date list of authorized employment services providers for the MFIP, DWP, and FSET programs. Only authorized employment services providers listed in the provider table will be able to receive electronic referral from the county.

Employment Services Provider Authorization and Notification Form (DHS-4193)

Counties must submit an Employment Services Provider Authorization and Notification (DHS-4193) to add or remove a provider from the table of authorized providers or to make changes to the programs from which a provider can receive electronic interface referral from MAXIS.

This form will only be accepted from the county who responsible from administering the MFIP, WB, DWP, or FST programs and is only used for these programs. The DHS-4193 must be submitted no less than one month prior to the effective date of a change. This will allow time for new provider staff to receive training and the WF1 and MAXIS systems to update the provider tables.

NOTE: FSET Services must be delivered by a statewide workforce development system unless such services are not available. Counties desiring to change FSET providers must obtain written approval from the state FSET coordinator prior to submitting the DHS-4193.

DWP REQUIREMENTS AND SEQUENCE OF EMPLOYMENT SERVICES 17.6

All DWP job seekers, including both parents in a two-parent family, are required to develop and sign initial Employment Plans before they are approved for any DWP cash benefits, including vendor paid shelter and utilities, phone service, and personal needs allowances. Counties have the flexibility to determine the activities and supports to include in each individual's Employment Plan.

A job seeker who does not comply with an Employment Plan is subject to disqualification from DWP. See Chapter 7 (Employment Plan), Chapter 14 (Non-Compliance & Sanctions).

All caregivers eligible for DWP are required to participate in Employment Services EXCEPT in the following two situations:

- A one-parent household that includes a child under age 1, with no other DWP exclusion reason, is ineligible for DWP unless the parent has already used all the 12-month lifetime ES exemptions. The family should be converted to MFIP.
- **Participants eligible for FSS. See §17.9 (Unlikely to Benefit)**
- **A 2-parent household that includes a child under age 1, with no other DWP exclusion reason, must participate in DWP. If the parents have NOT already used all of the 12-month lifetime limit between them while previously on MFIP or DWP, 1 parent is allowed to claim the child under age 1 ES exemption.**

REFERRAL TO EMPLOYMENT SERVICES

Counties are required to refer a DWP job seeker to Employment Services within 1 working day of determining the job seeker meets all of the DWP financial eligibility tests.

Counties do have the flexibility to refer a job seeker to Employment Services prior to determining whether the job seeker meets eligibility requirements. Counties that choose to do this can use their MFIP Consolidated Funds to provide Employment Services and supportive services to the job seeker, provided the job seeker's family income is below 200% of the Federal Poverty Guidelines (FPG). See Combined Manual §0016.18.01 (200 Percent of Federal Poverty Guidelines).

The referral to DWP Employment Services must be in writing and must contain the following information:

- Notification that, as part of the application process, a DWP job seeker is required to develop a DWP Employment Plan or the DWP application will be denied.

- The name and phone number of the Employment Services provider.
- The immediate availability of supportive services, including, but not limited to, child care assistance, transportation, and other work-related aid. See ES Manual Chapter 4 (Supporting Participant Progress).
- The rights, responsibilities, and obligations of job seekers in the program, including but not limited to, the job seekers rights under the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973, the grounds for good cause, the consequences of refusing or failing to participate fully with program requirements, and the appeal process. See §4.3.9 (Civil Rights and the Americans with Disabilities Act), §5.3.3 (Good Cause for Failure to Attend Financial Orientation).

The job seeker has up to 10 days to meet with a Job Counselor to develop the initial Employment Plan. See §17.15 (Initial DWP Employment Plan). Remind the job seeker that DWP benefits will not be issued until the Employment Plan is developed and signed. The county should make every reasonable effort to accommodate any job seeker who expresses interest in meeting with Employment Services as soon as possible.

INITIAL EMPLOYMENT SERVICES MEETING

The Employment Services Provider and the job seeker have up to 10 days to meet for the purpose of developing and signing the initial DWP Employment Plan. For information on an initial DWP employment plan, see §17.15 (Initial DWP Employment Plan). At this 1st meeting, the Employment Counselor should, at a minimum:

- Review the goals and benefits of the program.
- Review the job seekers rights and responsibilities.
- Provide an opportunity for the job seeker to self-disclose any issues or matters which may affect the job seekers ability to obtain or retain employment.
- Develop the job seekers initial Employment Plan. For information on an initial Employment Plan, see §17.15 (Initial DWP Employment Plan).

The job counselor should review the progress the job seeker is making throughout the 4-month DWP period. If, toward the end of the 4-month DWP period, it appears that the job seeker may benefit from receiving assistance under MFIP, the job counselor should discuss the possibility of MFIP eligibility and benefits with the job seeker.

The job counselor should refer the job seeker to the county if the job seeker expresses interest in applying for MFIP. Whenever possible, the referral to the county should be made before the end of the 4-month DWP period.

In addition, the job counselor should inform job seekers that they can apply for MFIP at any time after the 4-month DWP period ends.

When an FSS participant is not cooperating, the county or Employment Services provider must follow these steps below. Additional guidance can be found on the Family Stabilization Services Pre-Sanction Checklist (DHS-6075).



