

Cooperation Rules and Procedures

# Overview

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1. Overview

These procedures explain how to identify customers who are required to cooperate and those who can volunteer to cooperate with us to get certain benefits or service; the rules for cooperation; how we document, verify and record cooperation; and how and when we penalize customers who don’t cooperate.

* Cooperation is required by federal and/or state law for individuals to receive some public assistance benefits.
* The goal of cooperation is to help customers of public assistance get a job, keep a job, or get a better job.
* Our service is the same kind we offer to any customer: matching education and skills with open jobs, providing professional advice—including information about local labor markets and employers—on looking for work and applying for jobs, providing professional advice on education and training needed for good jobs, and finding financial assistance to support work search, work or education.
* The differences for customers who are required to cooperate include:
* Requirements on how much time a customer must spend in work-related activities, including job search and/or job readiness, basic skills training, education, occupational or vocational training and work
* Guidelines on how a customer may combine activities
* Requirements that customers demonstrate their cooperation
* Penalties for customers who don’t meet requirements or don’t demonstrate they have met requirements

ANYTIME YOU ARE UNCERTAIN, DOCUMENT IN A COUNSELOR NOTE

 THE ACTION YOU HAVE TAKEN AND WHY.

1. Requirements for Cooperation
	1. Who Must Cooperate?
		1. Individuals who have applied for or are receiving Temporary Assistance for Needy Families (TANF) and those who are receiving Supplemental Nutrition Assistance (SNAP) are required to cooperate with Workforce Solutions, unless the Texas Health and Human Services Commission (HHSC) has excused the individual from these requirements.
		2. Individuals whom HHSC has excused from cooperation may volunteer to work with us. If someone who has been excused volunteers, they must meet the requirements for cooperation.
		3. Individuals who must work with us include:
			1. TANF customers who are adults or teen head-of-household mandatory work registrants, including *extended TANF recipient*, *conditional applicant*s, and *sanctioned families*
				1. *Extended TANF customers* are adults who receive TANF cash assistance past the 60-month federal time limit because of a hardship exemption.
				2. *Conditional applicants* are adults or teen heads of household who left TANF in a sanctioned status, but who are *reapplying* for TANF cash assistance.
				3. *Sanctioned families* are adults or teen heads of household who must demonstrate cooperation for one month in the month following a penalty month in order to reinstate TANF cash assistance.
			2. Applicants for Temporary Assistance for Needy Families (TANF) must work with us to receive financial aid but cannot have benefits sanctioned until HHSC certifies them to receive benefits
			3. Customers of Supplemental Nutrition Assistance (SNAP) who are *mandatory work registrants*, including
				1. Individuals aged 18 to 50 years who are employed less than 20 hours a week, unemployed or on temporary lay-off and who are classified as “able-bodied adults without dependents” or ABAWD;
				2. Individuals aged 16 to 60 years who are employed less than 30 hours a week, unemployed or on temporary lay-off, who are classified as “general population” and whom we call in; and
				3. ABAWD or general population individuals who have served a penalty for noncooperation and are again eligible to work with us.
		4. Individuals who may volunteer to work with us (i.e., those exempt from work requirements) include:
			1. TANF customers or guardians of children receiving TANF who are excused by HHSC from required participation
			2. Supplemental Nutrition Assistance customers who are excused by HHSC from required participation (i.e., exempt customers), including
				1. ABAWDs who are employed 20 hours a week;
				2. Individuals who are classified as meeting one of the federal SNAP exemptions;
				3. SNAP customers who are employed or self-employed at least 30 hours a week, or receiving earnings of at least $217.50 per week (minimum wage multiplied by 30 hours);
				4. Students enrolled at least half-time in a degree or certificate program; and
				5. Other exempt general population customers.
	2. How Do We Know Who Must Cooperate?
		1. HHSC assigns work codes to individual [TANF](#TANFWorkCodes) and [SNAP](#SNAPWorkCodes) customers. We can check a customer’s work code in TWIST or HHSC’s management information system, TIERS, and see if they are required to cooperate with Workforce Solutions.
		2. TWIST has outreach pools for both TANF and SNAP customers. If an individual with a mandatory HHSC work code falls into the TANF outreach pool or any individual falls into the SNAP ABAWD pool, they are required to cooperate with Workforce Solutions. Individuals in the SNAP General Population outreach pools with mandatory work codes must cooperate with us if we call them in.
		3. Customers with mandatory work codes who volunteer to participate in SNAP E&T (customers we haven’t outreached) must meet the requirements for participation. If a customer fails to cooperate with Workforce Solutions as required, Workforce Solutions staff must follow the procedure to request a penalty (see [4.3.2](#SNAPNoCooperation): No Cooperation – SNAP E&T.
	3. Workforce Orientation

Individuals who are required to cooperate with Workforce Solutions and those who volunteer to work with us must attend a workforce orientation (in person or virtual) as part of their eligibility to receive TANF cash assistance and/or SNAP benefits. The purpose of the workforce orientation is to provide an overview of the services and activities available through Workforce Solutions to help customers find suitable employment.

Career Advisors will assess the customer’s career goals, educational and work history, and challenges to finding or keeping a job, using the Job Search Map assessment tool. If the customer is job ready, staff will provide professional advice and resources to help the customer become employed and place the customer in job search and if needed, job readiness activities.

If the Career Advisor determines that a customer needs additional assistance to address challenges to employment, such as a customer without a high school diploma or its equivalent requires basic education before effectively looking for work, staff must collaborate with the customer to create an employment plan with an expected timeframe for completion and actionsteps to help the customer become employed. Staff must record the information in the TWIST Service Plan and Counselor Notes, have the customer sign the employment plan, and store a copy in the customer’s file.

Career Advisors must also inform the customer of their:

* participation requirements and consequences for nonparticipation (see section [2.8](#BasicRequirements)), and
* right to file an appeal if a determination adversely affects the type and level of services related to Choices and/or SNAP activities and support services.

Customers who agree to participate are eligible for support services, including child care assistance, immediately following the orientation. Staff should identify the customer’s needs and leverage services and resources to address the customer’s employment challenges.

***Career Advisors must document the orientation in TWIST Counselor Notes and indicate the customer’s preferred method of contact – phone, text, e-mail, or letter.***

* + 1. **TANF/Choices**
			1. Alternative Orientation

If extraordinary circumstances prevent a customer from attending an in-person or virtually scheduled orientation, Career Advisors must conduct an alternative orientation such as conducting the orientation over the phone or during non-business hours. Extraordinary circumstances may include any of the following:

* + No available transportation;
	+ Residing more than 30 miles from the nearest Workforce Solutions office;
	+ Caring for a child under four months of age;
	+ Conflicting work or school schedule;
	+ Illness or injury of the applicant or spouse;
	+ Illness or injury of another household member that requires the applicant’s care; or
	+ Being a victim of family violence in a situation such that attending the orientation would place the applicant or family in danger.

Career Advisors must document in TWIST Counselor Notes:

* + the date of the alternative orientation, and
	+ an explanation of the reason an alternative orientation was conducted.
		- 1. Literacy Assessment – Test of Adult Basic Education (TABE)

Career Advisors or other designated staff must administer the TABE to determine the functional literacy level for all Choices customers who are:

* + at least 18 years of age; or
	+ heads of households, as determined by HHSC who are not yet age 18, have not completed secondary school or received a General Educational Development diploma (GED)/high school equivalency (HSE) credential and are not attending secondary school.

The following customers are exempt from this requirement:

* + Individuals who are employed for 30 hours per week and earn at least $700 per month;
	+ Individuals who receive a hardship exemption after their time limits expire;
	+ Individuals who have a language barrier; and
	+ Individuals who lack literacy and may not be able to complete the assessment.

Career Advisors must schedule the customer to complete the TABE during the orientation and enter in TWIST Counselor Notes:

* the date the TABE was scheduled, or
* an explanation of why the customer is exempt from taking the TABE.

Once the customer completes the TABE, Career Advisors must enter in TWIST:

* the date the TABE was administered (in counselor notes) and
* the customer’s scores on the Assessment tab.

Scores do not expire so retesting is not required.

Note: After conducting an assessment with the customer, a Career Advisor may refer a customer who previously completed the TABE to retest for determining:

* + whether there is an improvement in basic skills after participation in an educational component; or
	+ if a customer is suitable for a training program that requires a demonstrated educational functioning level.

Career Advisors must document in TWIST Counselor Notes an explanation of the reason the customer retested.

* + - 1. Two-Parent Families

Mandatory adults in a two-parent family must sign a Choices Family Cooperation Agreement acknowledging they:

* + are responsible for meeting the work requirement; and
	+ may elect to have only one of the adults meet the work requirement.

The required hours of participation will be divided between one or both adults in accordance with the household’s participation agreement for compliance with Choices program requirements (see [2.8](#BasicRequirements)).

If the program requirements are not met, the family will be subject to a penalty.

* + 1. **SNAP E&T**
			1. ***Career office staff*** must notify HHSC of an ABAWD customer’s initial participation in SNAP E&T activities. Career office staff must send the Work Requirement Verification form (Form H1822) to HHSC within two weeks of an ABAWD’s initial participation in SNAP E&T activities. It is a best practice to submit the 1822 immediately following the SNAP orientation where the customer has agreed to participate in work activities. Career office staff must:
* complete Form H1822, Work Requirement Verification;
* enter into TWIST Counselor Notes a statement that Form H1822 was sent to HHSC, including the date Form H1822 was sent to HHSC; and
* keep a copy of Form H1822 and fax confirmation in the document management system.
	+ - 1. All allowable SNAP E&T activities are made available to SNAP E&T customers immediately following the orientation, and as funding permits. Workforce Solutions staff should leverage funding through co-enrollment in other allowable workforce programs, such as Workforce Innovation and Opportunity Act (WIOA) or partnerships with local organizations.
			2. Career Advisors must assess each customer to identify the most appropriate activity(ies) to help meet the customer’s goal(s). For example, a Career Advisor may determine a SNAP customer requires a service, such as literacy and ESL, before placement in job search.
			3. Career office staff must keep services open for all SNAP E&T customers (ABAWDs and General Population) until they obtain employment or are no longer eligible for the SNAP E&T program.
	1. Reconsideration

Sometimes HHSC makes a mistake in assigning a work code, an individual has extenuating circumstances that would result in HHSC excusing them from cooperation, or the individual’s circumstances change. When a customer makes us aware, or we determine a customer should be excused, we refer the matter back to HHSC.

* + 1. **TANF/Choices**

We can request that HHSC change a work code for a TANF recipient, most often because of a disabling condition for the recipient or a family member that prevents any participation by the recipient. ***Career office staff*** must:

* + - * complete and send Form H2583 to HHSC;
			* ***send a copy of the customer’s medical documentation, if the customer submits a doctor’s letter or Form 1836 A/B, to HHSC and store a copy in the document management system;***
			* ***include in TWIST Counselor Notes:***
* ***the request to reconsider the customer’s work code,***
* ***the date Form H2583 and medical documentation was sent to HHSC; and***
* ***that copies are maintained in the document management system;***
	+ - * leave ***the TWIST TANF Program Detail open;***
			* ***determine and document good cause until HHSC changes the work code to exempt or until the customer can work or participate in activities to prepare for work. See steps for documenting Good Cause TANF.***
		1. **SNAP E&T**

Career Advisors do not conduct redeterminations of all SNAP customers who attend an orientation. If a customer responds to an outreach to participate in SNAP E&T activities and informs a Career Advisor they meet one of the federal exemptions, or if a Career Advisor determines the SNAP customer is not suited for any employment and/or training activity, ***career office staff*** must:

* + - * complete and send Form H1817 to HHSC requesting the customer’s work code be reconsidered;
			* provide the reason for the determination and recommendations for next steps in the Comments section of the 1817;
			* record the reconsideration request in TWIST under the Good Cause tab;
			* include in TWIST Counselor Notes:
			* the date Form H1817 was sent to HHSC; and
			* that a copy is maintained in the document management system; and
			* close the SNAP E&T Program Detail unless the reconsideration is due to the customer entering full-time employment.

Note: Career Advisors must consider how to enable an individual to participate and make a reasonable effort to assist customers’ participation in SNAP E&T. When a Career Advisor determines that a customer is unable to participate in any SNAP activity, ***career office staff*** must submit Form H1817 to HHSC.

If the individual enters full-time employment, follow the steps identified on page 22.

If the reconsideration is for reasons other than employment of 30 hours or more per week, staff may determine whether an exempt customer can voluntarily participate in SNAP E&T services (before closing the SNAP E&T Program Detail) based on:

* a discussion with the exempt customer regarding whether they wish to voluntarily participate; and
* available funding.

If the exempt customer chooses to voluntarily participate, but later fails to cooperate without good cause, they must not be sanctioned for noncooperation. If the exempt customer chooses to discontinue voluntary participation in SNAP E&T services, or if funds are not available, close out all SNAP E&T activities, support services, and the SNAP E&T Program Detail in TWIST with the appropriate final completion reason.

A mandatory SNAP customer pending approval of a reconsideration will appear in the TWIST SNAP E&T outreach pool 61 days from the date the SNAP E&T Program Detail is closed. If the reconsideration is not processed and the SNAP customer reappears in the SNAP E&T outreach pool, Tracking Unit staff must review the customer’s case information in TIERS or contact a local HHSC office by phone or e-mail to obtain the individual’s work registration status (work code), prior to sending them an outreach letter.

Based on HHSC’s response, the SNAP customer:

* resumes SNAP E&T participation if the reconsideration is denied; or
* is not required to resume participation in SNAP E&T if the reconsideration is pending or approved.
	1. HHSC Regional Support Team

On occasion, HHSC may not change a customer’s work code or take an action as requested. In this instance, career office staff needs to contact HHSC to resolve the issue. HHSC has implemented a centralized unit (Regional Support Team) to handle such requests.

Before contacting the HHSC Regional Support Team, follow the procedures outlined below:

* + - Continue to submit 2583 or 1817 as appropriate.
		- Continue to initiate penalties through TWIST when necessary.
		- Allow HHSC sufficient time to process action (usually five business days).
		- If HHSC does not complete an action as requested, email the HHSC Regional Support Team - oes\_ccc\_ic@hhsc.state.tx.us. Include the following information:
* Customer’s Name
* HHSC Case #
* Specific issue
* When circumstances require immediate action, include “Need by (Date)” or “Urgent” in the subject line of email.
* If there are multiple inquiries, email each issue separately.
	1. Who Do We Recruit?

HHSC sends TANF applicants, conditional applicants, and sanctioned families to Workforce Solutions. We actively recruit all other individuals who are required to cooperate and individuals who can volunteer.

We send an outreach letter to mandatory SNAP E&T (ABAWDs and General Population) and TANF customers who fall into the outreach pool via mail or email, if we have an email address on file. Additionally, we may also contact customers via phone or send a notification via text message.

***Note: Outreach letters should be sent to all mailing addresses listed in TWIST.***

All outreach attempts must be documented in TWIST Counselor Notes and must contain:

* + - time, date, and place to which the mandatory customer must report in order to begin activities,
* name and telephone number of a contact person at the Workforce Solutions Office,
* an opportunity to provide a good cause reason on or before the scheduled appointment date, if the customer is not able to attend, and
* consequences for noncooperation.
	1. What Are the Basic Requirements?

Individuals who are required to cooperate—and those who volunteer—must participate in job search and/or job readiness, education and/or training, or work activities to help them prepare for employment.

Career Advisors must assess the customer to determine the most appropriate activity based on the customer’s situation and may combine activities to help the customer meet participation requirements. For example, to facilitate a quick return to work or entry into the workforce, staff may engage the customer by offering a work-based learning opportunity for the customer to gain work skills and improve their employability.

Customers tagged in TANF may cooperate by engaging in an appropriate mix of activities leading toward employment.

|  |
| --- |
| **TANF Activities Classified for Cooperation** |
| **Job Search and Job Readiness*** Supervised job search – counseling, online job search, hiring events, job development, job placement, etc.
* Self-directed job search – job fairs, interviews, applying for jobs, etc.
* Job skills training
* Substance abuse or mental health counseling
 |
| **Education and Training*** Basic education (literacy, ABE/GED or HSE preparation, ESL)
* Occupational/vocational training
* High school/Middle school
* Entrepreneurial training
 |
| **Work*** Unsubsidized employment including self-employment
* Subsidized employment
* On-the-job (OJT) training
* Work-based literacy
 |
| **Volunteer Work*** Community service
* Work experience
 |

Customers tagged in SNAP E&T may cooperate by engaging in similar activities.

|  |
| --- |
| **SNAP E&T Activities Classified for Cooperation** |
| **Job Search and Job Readiness Activities*** Supervised job search – counseling, online job search, hiring events, job development, job placement, etc.
* Self-directed job search – job fairs, interviews, applying for jobs, etc.
* Job skills training
* Financial literacy
 |
| **Non-Vocational and Vocational Education and Training*** Basic education (literacy, ABE/GED or HSE preparation, ESL)
* Occupational/vocational training
* Other non-vocational education
 |
| **Work*** Workfare (allowed for ABAWDs only)
* Work experience – paid or unpaid work activity (allowed for General Population only) such as apprenticeships, internships and work-based learning
* Workforce Innovation and Opportunity Act (WIOA) work programs – on-the-job training
* TAA work programs

Note: Unsubsidized employment does not count for cooperation unless it is combined with one of the other activities. You may, however, subtract the hours of unsubsidized employment from the number of required hours for cooperation. |

The following chart summarizes the basic time participation requirements for cooperation that apply to customers we’ve tagged in TANF and SNAP E&T.

| **Family Situation** | **Cooperation Requirement (Total average hours)** |
| --- | --- |
| **TANF** | ***Single-parent with a child age six and over\**** | 30+ hours/week |
| ***Single-parent with a child under age six\**** | 20+ hours/week |
| ***Two-parent family without child care***One or both parents cooperate to meet the requirement. *Signed Family Cooperation Agreement form on file.* | 35+ hours/week |
| ***Two-parent family with child care***Both parents may cooperate to meet the requirement and the hours may be split among the two.*Signed Family Cooperation Agreement form on file.* | 55+ hours/week |
| ***Teen head of household attending school (middle school, high school, GED/HSE classes)***Attending school means the customer is enrolled in middle school, high school or GED/HSE classes. Teens attending school satisfactorily count as 20 hours or actual hours, whichever is greater.  | Teen must have satisfactory school attendance.During summer break, customer must cooperate a minimum of 20+ hours per week. |
| ***Teen head of household not attending school without GED/HSE or diploma***A teen not attending school must be participating in other educational activities or any other allowable activity for at least 20+ hours. | 20+ hours/week |

|  |  |  |
| --- | --- | --- |
| **TANF** | ***Disabled or caring for a disabled child or adult in the household***The family member no longer needs to attend school full- time to exclude a parent caring for a disabled family member. | Customer must cooperate the amount of time allowed by a physician – as stated on HHSC Form 1836A/B |
| ***Sanctioned families must*** demonstrate cooperation for 4 consecutive weeks before the end of the month following the month in which the family failed to cooperate. | Hours/week areset according to family situation when not sanctioned. |
| ***Conditional applicants*** have minimum-hour requirements for the prorated week based on their normal participation requirementCustomer has 40 days from the date of referral from HHSC to attend orientation and demonstrate cooperation for 4 consecutive weeks. | Total hours per week set according to family situation when not sanctioned. See above.Customer must attend a workforce orientation, sign a new employment plan***, if applicable, and*** demonstrate cooperation for four consecutive weeks. |
| ***Exempt (Volunteer) parents or caretakers***Children under six yearsChildren six years and older Two-parent family without child careTwo-parent family with child care | 20+ hours/week30+ hours/week35+ hours/week55+ hours/week |

| **WORKFORCE SOLUTIONS****BASIC PARTICIPATION REQUIREMENTS FOR COOPERATION** |
| --- |
| **Family Situation** | **Cooperation Requirement (Total average hours)** |
| SNAP E&T | ***ABAWD Mandatory and Exempt (Volunteer)*** | 30 hours/week* If in Workfare, FLSA determines required hours.
* If Exempt volunteer and working 20 hours per week or more, additional hours in other activities up to a total of 30.
 |
| ***General Population Mandatory and Exempt (Volunteer)*** | 30 hours/week up to 120 hours per month, including hours in unsubsidized employment* If exempt and working part-time, volunteer can participate in activities to reach a total of 30 hours per week (part-time work plus Workforce Solutions service).
* If customer is employed 30+ hours per week (work code P):
	+ accepts a job offer of at least 30 hours per week; and
	+ is scheduled to begin work immediately, or within 30 calendar days of reporting the employment,

the customer cannot volunteer to participate. * If the customer’s job is not scheduled to begin immediately, but will begin within the next 30 days, the customer may voluntarily participate in SNAP E&T until the job begins. Tracking Unit staff must not initiate a penalty if the customer does not voluntarily continue participation in SNAP E&T.
 |

Note: Customers must participate for the listed minimum number of hours in activities, however Career Advisors should encourage the customer to participate more than the required number of hours to cover weeks when the months split or unforeseen circumstances that may prevent the customer from participating for a short period of time, such as one or two days.

* 1. What Are the Limits on Activities?

Workforce Solutions helps customers find employment. Customers who are required to participate with us to maintain a benefit may participate in a combination of activities to help them achieve this goal. Activity requirements may differ depending on whether a customer is receiving TANF/Choices or SNAP E&T benefits.

There aren’t any time limits for customers participating in any of the [allowable activities](#TANFActivities) for TANF/Choices. To facilitate a quick return to work, Career Advisors have the flexibility to work with customers to create an individualized employment plan to include a variety of activities and durations.

At a minimum, Career Advisors must evaluate the customer’s progress in a particular activity monthly. Career Advisors must determine whether the customer should remain in the activity or transition to a different activity. Career Advisors must document progress and create or update the customer’s TWIST Service Plan and Counselor Notes.

The maximum monthly participation requirement for SNAP E&T customers is 120 hours. The 120 hours include hours in all SNAP E&T activities, including any hours worked, regardless of compensation. SNAP E&T customers who are scheduled to participate more than 120 hours per month must not be sanctioned by Tracking Unit staff for noncooperation after 120 hours have been met. The 120-hour monthly cap applies to SNAP E&T General Population customers and ABAWDs but does not apply to exempt customers who volunteer to participate.

* + 1. **Job Search and Job Readiness Activities**

Job search and job readiness activities prepare customers for employment and improve their employability through:

* + career counseling,
	+ job development services,
	+ information on available jobs,
	+ assistance with completing job applications, and
	+ professional advice and motivation for development of positive work behaviors necessary for the job market.

Customers must make weekly contact with a Workforce Solutions office ***based on their preferred method of contact.*** Customers must also submit proof of their activities weekly in job search and/or job readiness. Career Advisors must review the customer’s job search logs and provide professional advice to improve job search efforts.

* + - 1. **TANF/Choices**

We can count a partial week of at least three days of job search or job readiness as a full week of cooperation once in a 12-month period for customers tagged in TANF. The customer must record some measure of time for three of the days in that week.

* + - 1. **SNAP E&T**

Customers tagged in SNAP E&T as ABAWD participate in job search or job readiness activities only in conjunction with a workfare assignment.

* An ABAWD is limited to four weeks total in job search.
* An ABAWD may only participate in job search and job readiness activities once, following our initial job search tag, unless they did not complete the full four weeks.
* An ABAWD may exceed the four-week limit in job search only if the job search is in conjunction with another allowable activity and the job search is not more than half the time required for cooperation.
* An ABAWD who is working at least 20 hours per week and has volunteered to cooperate with us cannot participate in workfare and therefore cannot participate in job search or job readiness to meet cooperation requirements.

Customers tagged as General Population are limited to four consecutive weeks of job search/job readiness and to six weeks total in a federal fiscal year (October to September).

* Customers may exceed the four-week and six-week limits only if the job search is in conjunction with another allowable activity and the job search is not more than half the time required for cooperation.
* Customers who reach the annual limit on job search must participate in other allowable activities up to a total of 120 hours each month.
	+ 1. **Education and Training Activities**

Education and training activities include such things as attending high school, attending adult basic education/GED or HSE preparation classes, engaging in literacy and English language instruction, some basic skills/nonvocational training, and vocational/occupational training. For customers participating in this activity, Career Advisors must:

* + Develop an employment plan that includes an estimated time frame for completion of educational and training services, based on individual factors;
	+ Determine monthly if the customer is making good or satisfactory progress, as reported by the educational institution, document in TWIST Counselor Notes the customer’s progress and store verification/supporting documents in the customer’s file. Career Advisors must also provide counseling and coaching if the customer is not making progress. Documentation includes the following:
		- A conversation with designated staff from the institution, documented in TWIST Counselor Notes;
		- A copy of the grades or evaluation; or
		- A letter or e-mail from staff designated by the institution.
	+ Co-enroll a customer into WIOA funds for education and training activities to facilitate successful completion of the training program;
		- To be eligible for WIOA funds, the training program must be related to a high skill, high growth occupation and be listed on the statewide eligible training provider list (ETPL) by the Texas Workforce Commission (TWC).
		- All WIOA activities that a customer engages in must be tracked under TANF/Choices or SNAP E&T participation and WIOA funding.
	+ Consider online learning such as courses available through Metrix to help the customer gain new and additional work skills to improve their employability. Hours spent in online learning courses count for participation in TANF/Choices and SNAP E&T programs, however only hours completed in Metrix count toward Choices full engagement.

Note: To determine the appropriate service code, staff must determine the type of education/training the customer is engaged in:

* + - basic skills/adult education or Metrix courses – education to enhance the customer’s employability (service 2);
		- ESL – English as a Second Language (service 44); or
		- occupational/vocational – training that provides technical skills and knowledge for a specific career and results in a certificate (service 1).

For verification documentation, see the Documentation Requirements Chart.

Customers who don’t have a high school diploma or GED/HSE can attend high school, adult basic education classes, or literacy/English language instruction (called “Educational Services”) based on an assessment by staff. Customers who have a high school diploma or GED/HSE credential are not eligible.

Customers can also engage in job skills training: training or education for job skills required by an employer to provide a customer with the ability to obtain employment or to advance or adapt to the changing demands of the workplace.

* + - 1. **TANF/Choices**

Customers can engage in literacy or English language classes related to employment, entrepreneurial training to start a business, or receive help with a small business they already operate to increase their employability.

Customers can participate in occupational training that prepares them for a specific trade, occupation, or vocation (“Vocational Educational Training”).

* If the training results in a credential, it must be less than a baccalaureate or advanced degree for the time to count toward requirements. Career office staff should request a copy of the credential, store it in the customer’s file , and update the information in TWIST Intake Common and Performance Outcomes.
	+ - 1. **SNAP E&T**

Customers can participate in vocational education which includes entry-level job skills training; short-term, pre-vocational or entrepreneurial training; financial literacy; customized training for a particular employer; institutional occupational skills training; and upgrade training.

In general, time in nonvocational or vocational training should be limited to facilitate the customer becoming employed full-time in a reasonably well-paying job.

Customers can have hours in training count toward cooperation for up to 24 months, if the training leads to a license or certificate, except a baccalaureate or graduate degree (i.e., a master’s or doctoral degree).

* + 1. **Work Activities**

In general, engaging in work activities is the easiest way to meet cooperation requirements, particularly for TANF customers. Work can include unsubsidized work, subsidized work, workfare (SNAP ABAWDs only), on-the-job training, or work experience.

When requiring and counting time in work activities, if the activity itself would otherwise be classified as non-exempt under the federal Fair Labor Standards Act (FLSA), the requirements and limits on time in the activity must take into account FLSA rules.

* + - 1. **TANF/Choices**
				1. **Unsubsidized Work**

Unsubsidized work can include: (1) full-time or part-time employment (wages paid in full by the employer), (2) internship (wages or stipend paid in full by the employer), and self-employment.

* + Self-employment is an income-producing enterprise. A self-employment enterprise may be an established business – one the customer has developed over time – or a prospective business – one the customer is starting.
	+ We are required to verify and document a customer’s self-employment enterprise before we begin tracking self-employment cooperation hours for customers tagged in TANF/Choices.
	+ Documents to verify the existence of the customer’s self-employment enterprise may include:
* Federal income tax forms or quarterly income reports, such as: Form 1040; or Schedule C, F, or SE federal income tax returns for the most recent tax year;
* Property titles, deeds, or rental agreement for the place of business; Recent business bank, phone, utility, or insurance bill; Recent state sales tax return;
* Business records that provide proof of income and expenditures, such as: copies of money orders or checks received and lists of individuals/customers served (if available); or personal wage records with third-party signed verification; or business plans.
* Other evidence indicating the customer is preparing to open a business, such as: advertising, state tax registration, assumed name certificate; business plan; or bank account information.

**Note**: We cannot accept a *receipt* as documentation for verification of a self-employment enterprise.

* + During the orientation we provide the customer with the form titled: *Initial Verification of a Self-Employment Enterprise – List of Acceptable Documents*. The customer must provide one of the listed documents as proof of their self-employment enterprise.
	+ Staff must document the initial verification in TWIST Counselor Notes and keep a copy of the verification documents in the customer’s file.

**TWIST Counselor Note Example:**

Subject: Self-Employment Initial Verification

Mary Jones is self-employed as a house cleaner. She currently has two clients who pay her $50 each week. Mary provided a copy of a recent check received from one of her clients in payment of her cleaning service. She also provided names and contact information for her clients. She has no business expenses as her customers provide their own supplies. Copies of the check and client list are stored in the customer’s file.

* + The individual’s net self-employment income (gross self-employment wages minus business expenses) is divided by the federal minimum wage to determine the number of hours worked.
	+ ***Documentation that provides information on the amount of income generated and the associated business expenses are required to track a customer’s ongoing participation in self-employment. Examples of documents include:***
* ***Invoices signed by the Choices customer’s clients containing their names, contact information, dates and locations of services provided, and amounts received;***
* ***Receipts of payments received;***
* ***Copies of checks for payments; or***
* ***Expense receipts***
	+ There are no limits on unsubsidized employment; however, at some point a customer will lose the TANF cash payment after continuous employment in unsubsidized work.
		- * 1. **Subsidized Work**

Subsidized work is full or part-time employment in which the worker’s wages are paid in full or in part by Workforce Solutions or a source other than the employer.

Career Advisorsmust work with a customer who has participated in subsidized work to place them in unsubsidized work, including working with employers that may transition customers to regular employment once the customer successfully completes the subsidized placement.

* + - * 1. **On-the-Job Training**

On-the-job training (OJT) is full-time employment with a private or public employer in which Workforce Solutions reimburses an employer a percentage of the worker’s wages to cover costs of training. Career Advisorsmust make sure that OJT:

* Provides knowledge or skills essential to the full and adequate performance of the job;
* Is limited in duration, as appropriate, to the occupation for which the Choices customer is being trained, considering the content of the training, the customer’s prior work experience, and the service strategy of the customer; and
* Includes training specified by the employer (i.e., customized training).

Unsubsidized employment after satisfactory completion of the training is expected. Workforce Solutions must not contract with employers who have previously exhibited a pattern of failing to provide Choices customers in OJT with continued long-term employment, which provides wages, benefits and working conditions that are equal to those provided to regular employees who have worked a similar length of time and are doing a similar type of work.

Workforce Solutions must be aware that OJT placements are allotted to employers that expect to retain Choices customers as regular, unsubsidized employees once the OJT placement has ended, unless successful completion of the placement is expected to result in unsubsidized employment with a different employer.

* + - * 1. **Work-based Literacy**

A work-based literacy component such as ABE, ESL or Workforce Adult Literacy may only count toward Choices engagement when it is tied to an employment activity. Work-based literacy programs are provided through a partnership between Adult Education and employers in our region. Career Advisors may refer customers who need literacy skills to an Adult Education Connector for further assistance.

Career Advisors must:

* Develop an employment plan that includes an estimated time frame for completion of educational service;
* Determine monthly if the customer is making good or satisfactory progress, as reported by the Adult Education Connector, document in TWIST Counselor Notes the customer’s progress, and store verification/supporting documents in the customer’s file. Career Advisors must also provide counseling and coaching if the customer is not making progress, which may include referring the customer to tutoring service. Documentation includes the following:
	+ - A conversation with designated staff from the institution, documented in TWIST Counselor Notes;
		- A copy of the grades or evaluation; or
		- A letter or e-mail from staff designated by the institution.
* Career Advisors may also contact an Adult Education Connector for assistance.
	+ - * 1. **Volunteer Work**

Volunteer work is unpaid work. TWIST classifies volunteer work in different ways, depending upon the kind of work arrangement and a customer’s tag (i.e., TANF, SNAP E&T, etc.). Workforce Solutions Career Offices are responsible for:

* Developing volunteer work opportunities and making sure an adequate number of sites are available for their career office.
* Pre-arranging all volunteer work activities. Customers may not arrange their own volunteer work.
* Designing volunteer work opportunities to be short-term and help the customer move into regular employment quickly.
* Storing all signed Non-Financial Agreements for each volunteer work site in the document management system.

It is important to note that all volunteer work is limited by FLSA requirements.Staff must keep current FLSA calculations to determine allowable hours in volunteer work for each month during which a customer is required to cooperate with us. Career office staff cannot stack two FLSA-covered activities.

* + **FLSA Limitations**

Following are our procedures for calculating FLSA limitations:

* Calculate the FLSA maximum hours allowed the first time you assign community service, workfare or other volunteer work activities subject to FLSA limits.
* Discuss the maximum hours with the customer, and make sure you arrange for additional activities if the FLSA maximum hours don’t allow the customer to meet cooperation requirements in volunteer work.
* When a customer begins community service, workfare or other volunteer work activity, document FLSA maximum hours for the month in a TWIST Counselor Note.
* For TANF Single Parent & Two Parent Families: Calculate the FLSA maximum allowed hours for volunteer work by adding together the family’s TANF and SNAP benefit amounts and divide by the federal minimum wage. If both parents in a two-parent family are involved in activities subject to FLSA, divide the hours between the parents.  If only one parent is involved in this type of activity, that parent may complete the entire maximum-allowed hours for the family.
* For TANF Sanctioned Families or Conditional Applicants: Calculate the FLSA maximum hours by dividing the monthly SNAP benefit amount by the minimum wage.
* ***For SNAP E&T ABAWDs: Calculate the FLSA maximum hours required by dividing the SNAP monthly benefit amount by the number of ABAWDs in the household, if more than one, and then divide the result by the federal minimum wage. Fractions of hours should be rounded down to the nearest whole number (27.58=27 hours).***
* ***For SNAP General Population Customers: Calculate the FLSA maximum hours required by dividing the household SNAP monthly benefit amount by the federal minimum wage. Fractions of hours should be rounded down to the nearest whole number.***

**Notes**: SNAP ABAWDs cannot combine another SNAP E&T activity with the workfare activity.

Court-ordered community service is subject to FLSA limitations.

Time spent in work required as part of an occupational skills training program may be counted as work experience but is not subject to FLSA limitations. i.e. nursing program clinical. Be sure to have a work experience agreement with the school making the work assignments.

* For subsequent months, verify TANF and/or SNAP benefit amounts each month a customer is engaged in a volunteer work activity (community service, unpaid work experience, workfare, etc.).
	1. If benefit amounts have changed from the previous month(s), recalculate the maximum hours and document in TWIST as above. Discuss any changes with the customer.
	2. If benefit amounts have not changed, document the FLSA maximum hours in TWIST as above.
* Workforce Solutions Career Offices are responsible for assigning which staff carry out the above duties and for making sure FLSA calculations are accurate, timely, and correctly entered in TWIST.
* Staff may not schedule customers for volunteer activities more than the allowed FLSA hours in any month. If a customer reports hours beyond the maximum allowed, let the customer know they are not required to volunteer over the maximum and that hours beyond the maximum do not count towards cooperation. Document this in a counselor note.

**Note:** DO NOT enter hours above the monthly FLSA maximum allowed in the TWIST screen for recording cooperation.

**Community Service**

Community service is volunteer work in a structured, supervised activity performed with a public or private nonprofit organization that provides a direct benefit to the community.

Work can be performed at schools, head-start programs, church, government or non-profit agencies or as an AmeriCorps, VISTA or other volunteer organization. The positions should be in fields such as healthcare, social service, environmental protection, education, urban and rural redevelopment, welfare, recreation, public facilities, public safety and child care.

**Work Experience**

Work experience is unpaid training in the public or private sector designed to improve the employability of Choices customers who have been unable to find employment. Work experience may be performed with a public or private organization (nonprofit and for-profit).

* + - 1. **SNAP E&T**
				1. **Unsubsidized Employment**

*Unsubsidized employment*is full- or part-time employment with wages paid in full by an employer.

*For SNAP E&T customers, full-time employment is considered:*

* employment of 30 hours per week or more, for which the individual receives wages or compensation from an employer or from self-employment; or
* weekly wages from an employer or from self-employment that are at least equal to 30 hours per week multiplied by the federal minimum wage.

If —*during* participation in SNAP E&T— a SNAP customer enters full-time employment, Workforce Solutions office staff:

* sends **Form H1817** to HHSC to reconsider the customer’s work registration status;
* records the reconsideration in TWIST;
* ***enters in TWIST Counselor Notes***
	+ ***a statement that the form H1817 was sent to HHSC;***
	+ ***the date Form H1817 was sent to HHSC;***
	+ ***the reason for the reconsideration; and***
* closes all SNAP E&T activities, unless the customer requests to continue participating.
* ***If the customer requests to continue participating, staff must*** ***add service 39-Unsubsidized Employment with sub fund code 44-SNAP E&T Job Retention and*** leave the SNAP E&T Program Detail open for 30 days to enter any job retention services that may be requested.

**Note:** When SNAP retention funds are not available, customers may ***receive*** work-related support ***services through WIOA Adult funding for up to 30 days. If the customer needs one-time assistance, staff should use the Work Addendum for short-term support. If the customer needs additional assistance or ongoing support (up to 30 days), staff must work with the customer to complete a Financial Aid Application to receive substantial assistance paid for with WIOA funds.***

If—*prior to* receiving SNAP E&T services—the SNAP customer enters full-time employment, Workforce Solutions Office staff:

* sends **Form H1817** to HHSC to reconsider the customer’s work registration status;
* ***enters in TWIST Counselor Notes***
	+ ***a statement that the form H1817 was sent to HHSC;***
	+ ***the date Form H1817 was sent to HHSC;***
	+ ***the reason for the reconsideration;***
* records the reconsideration in TWIST;
* closes all SNAP E&T activities, and the *SNAP E&T Program Detail*; and
* does not provide job retention services

**Note:** For support services, a customer may receive assistance through WIOA funding.

*Federal Exemption for Customers Who Become Employed Full Time*

A SNAP customer is considered to be meeting the federal exemption (Work Code P)—and as such is exempt from SNAP E&T participation—if the customer:

* accepts a job offer of at least 30 hours per week; and
* is scheduled to begin work immediately, or within 30 calendar days of reporting the employment.

If the SNAP customer’s job is not scheduled to begin immediately, but will begin within the next 30 days, the customer may voluntarily participate in SNAP E&T services until the job begins. Workforce Solutions must be aware that a penalty cannot be initiated if the customer does not voluntarily continue participation in SNAP E&T.

* + - * 1. **Part-time Employment**

Part-time employment is employment of fewer than 30 hours per week, for which the individual receives wages or compensation from an employer or from self-employment. SNAP customers employed part time must be enrolled in other SNAP E&T activities as follows:

* **ABAWDs (not meeting work requirements)—**ABAWDs who are employed fewer than 20 hours per week must also participate in a SNAP E&T activity that will increase the total number of hours of participation to 30 hours per week.
* **ABAWDs (meeting work requirements)—**ABAWDs who are employed at least 20 hours per week and who volunteer must also participate in a SNAP E&T activity that will increase the total number of hours of participation to 30 hours per week.

**Note**: ABAWDs meeting the work requirements cannot be enrolled in workfare activities. If an ABAWD decides not to participate, immediately close out all services and support services.

* + - * 1. **Work Experience**

Work experience is a paid or unpaid work assignment designed to move a customer into regular employment as quickly as possible. Work experience may be a work activity or work-based learning.

A work activity:

* provides customers opportunities to acquire skills, knowledge, and work habits necessary to obtain employment; and
* improves employability of customers who cannot find unsubsidized full-time employment.

Work-based learning:

* is aligned with curriculum and instruction;
* involves sustained interactions with industry professionals in real-world or simulated environments at an educational institution that fosters in-depth engagement with a career field;
* emphasizes employer engagement;
* includes specific training objectives;
* leads to regular employment;
* includes unsubsidized employment models; and
* may include the following activities:
	+ internships (a planned, structured learning experience that takes place in a workplace for a limited period of time);
	+ apprenticeships including pre-apprenticeships (a paid on-the-job training activity that is conducted under the supervision of an experienced worker with related classroom instruction); and
	+ on-the-job training as defined under WIOA; and
	+ includes unsubsidized employment models.

Career Advisors must work with SNAP E&T customers to find permanent, suitable employment following the successful completion of a work experience placement.

All WIOA activities that SNAP E&T customers engage in must be tracked under SNAP E&T participation and WIOA funding.

Note: Career Advisors must advise customers and document in TWIST Counselor Notes that earnings from a work-based learning activity under an E&T program could decrease the amount of SNAP benefits they receive or make their household ineligible for SNAP and SNAP E&T.

* + - * 1. **Workfare**

Workfareis volunteer work in a public or private non-profit organization to improve the employability of an ABAWD and help them transition into regular employment. As noted previously, an ABAWD who has not gone to work after four weeks of job search and job readiness activities must engage in workfare in order to cooperate.

Workforce Solutions Career Offices are responsible for making sure enough workfare slots are available to serve all ABAWDs who require workfare placement***. A workfare slot is defined as one opening that may be filled by one individual.***

* ***If no workfare slot is available, staff must work with the customer to participate in another appropriate and allowable activity.***
* ***If there is no other appropriate or allowable activity, staff must submit a good cause recommendation. See*** [***steps to recommend good cause***](#GoodCauseActions)***.***

***Workforce Solutions Career Offices must have non-financial agreements in place with workfare providers and must review them annually to determine if there are enough slots to serve ABAWD customers needing placement. Workforce Solutions must have workfare opportunities in all thirteen counties we serve.***

***If Workforce Solutions or a workfare provider terminates an agreement, staff must immediately send an email to*** ***workforcepolicy@wrksolutions.net******.***

***Note: Board staff will send an email to*** ***ChoicesTechnicalAssistance@twc.texas.gov*** ***to notify TWC of the workfare agreement termination.***

* 1. When Do We Excuse Required Participation?

Sometimes customers are unable to meet cooperation requirements for a reason that allows us to excuse them. Good cause is the name we give to a temporary excused absence from Workforce Solutions activities and cooperation requirements for an acceptable reason.

Staff must ensure that good cause:

* is based on individual or family circumstances;
* is based on face-to-face or telephone contact;
* includes a temporary period when a customer is unable to attend scheduled appointments or participate in ongoing TANF/Choices or SNAP E&T activities;
* is made at the time Workforce Solutions Office staff learns of the change in circumstances;
* is conditional upon efforts to address circumstances that limit the customer’s ability to participate in TANF/Choices or SNAP E&T services;
* is monitored at least monthly and results are shared with HHSC if there is a change in the circumstances surrounding the good cause exception;
* is extended in TWIST if the circumstances giving rise to the good cause exception are not resolved after available resources to remedy the situation have been considered;
* does not exceed a total of 12 consecutive months per occurrence if the good cause is based on the existence of family violence;
* is used only for purposes of temporarily excusing customers who have a legitimate reason for not participating in TANF/Choices or SNAP E&T activities; and
* is not used for administrative or case management-related reasons.
	+ 1. **Good Cause TANF**

We can give a customer tagged in TANF a good cause excuse for:

* Temporary illness or incapacitation
* Required appointments in a court of law;
* A need to care for a disabled family member in the home;
* A demonstrated lack of available transportation and distance for participation prohibits walking; or a demonstrated lack of a job within reasonable commuting distance;
	+ We define a “reasonable commuting distance” to be two hours. In general, a distance is considered reasonable if it takes two hours or less to travel to the child care provider and from there to the work site or from the work site to the child care provider and back to the customer’s home.
	+ For customers who walk to a child care provider and from there to work, a reasonable distance is considered to be under a total of 1 l/2 miles each way.
	+ For individual customers who travel by car or bus, a reasonable distance is considered to be two hours or less. Factors such as, the length of time on the bus, the frequency of bus runs, the number of bus connections, (including wait times) and whether the customer receives rides in addition to others who are also dropped off or picked up must be taken into consideration.
	+ For customers who own cars, a reasonable distance is considered to be two hours or less. Reasonable costs are considered to be affordable if the cost of gas, car maintenance and car insurance to travel to a child care provider is no more than the individual’s cost to travel to their work site, shopping centers (including grocery and department stores) or medical facilities.
* A demonstrated inability to find or obtain child care which is necessary to allow our customer to participate;
* A lack of support services;
* An individual/family crisis or circumstance that precludes participation, such as substance abuse, mental health, and disability-related issues (as long as our customer participates in services to help resolve problems, such as counseling or treatment);
* A circumstance in which our customer is the victim of family violence; or
* A receipt of a job referral resulting in an offer of work at a wage impermissibly below the federal minimum wage.

We grant good cause on an individual basis and re-evaluate the circumstances surrounding the good cause excuse at least once each month. If the doctor statement ***or medical documentation such as a Form 1836A/B*** says the customer is unable to work for a period of less than six (6) months, grant good cause. If the customer reports a change in their good cause status, or if you have reason to believe there is a change, request that the customer provide you with an updated medical statement.

* If a customer reports that they are permanently disabled and unable to work, ask for the supporting documentation, grant good cause and contact HHSC to request a change in work code. DO NOT penalize any customer who has provided documentation stating that they are permanently disabled. Document the situation in a counselor note.
* The customer must provide a doctor’s statement or other medical documentation at least once every six (6) months.
* We limit good cause for family violence to no more than 12 months.
* We always discuss good cause during a face-to-face or telephone conversation with a customer. We never allow a good cause excuse before having a direct conversation with the customer first.
* We don’t use good cause for administrative or case management-related reasons.
* Staff must ensure that while the Choices customer is in good cause status, support services are discontinued, except child care, unless support services are needed to address barriers that resulted in the good cause determination.
* To document good cause in TWIST:
	+ In the TANF History on the good cause tab, choose action type and reason for good cause, and add both begin and end dates.  Begin and end dates will always be the same service month.
	+ In Service Tracking, add a good cause activity (Service 14 - Activity 91) and specify the start and planned completion/end dates.
	+ When entering dates, make sure the planned completion date is no later than the last day of the month to remind you to review the customer’s situation and determine whether they should be excused from cooperating for another month.  Always enter a start and stop date for good cause in the same month.
	+ Though good cause is granted for the *service month* in which the customer is unable to meet requirements, the good cause service will be open only for the length of time that the customer is unable to participate in other services and may be less than the entire month.  If good cause is needed for only part of the month, close other services before the start of the good cause service.  The good cause service must be closed prior to opening subsequent services.
	+ Only enter good cause if you believe a customer cannot meet their monthly participation requirement.  If the customer does complete enough hours by the end of the month - the cooperation will override good cause and the customer will count in the performance measure. There is no need to delete either the good cause information in the history tab or the good cause service.
* When entering cooperation hours in the Daily Time Tracking screen, a correlating service activity must be open. Service code 91-Good Cause cannot be open for the same period as a service for tracking activity. Staff must change the dates of the good cause service to reflect only the period of time in the month when the customer didn’t have cooperation hours for the month.
	+ If you receive a form 1836A or B, you must document all pertinent information on the 1836A/B tab in TWIST.  Other forms or physician statements do not require an entry on this tab.  When the 1836 form indicates the customer is unable to work at all for a period of time, this constitutes a reduced work requirement of zero hours.
	+ Always document your conversation with the customer about their good cause situation in TWIST Counselor Notes. You must talk to the customer, including a customer who is permanently disabled, at least once a month. Your notes must include the following:
		1. Date of the initial approval of good cause
		2. Your conversation with the customer confirming that circumstances related to the good cause remain the same or explaining any changes.

***Note: Do not document a customer’s medical diagnosis in TWIST Counselor Notes.***

* ***Staff must store a copy of the customer’s medical documentation, such as a doctor’s statement or Form 1836A/B, in the document management system in a confidential file.***
	+ - 1. **Things to consider before allowing good cause**
1. If the customer can participate for additional hours in the following weeks so that it is possible for them to meet the requirements for the month, don’t grant good cause. Instead, work with the customer to establish a plan for the customer to cooperate fully for the month.
2. If the customer cannot participate in their current activity, discuss their ability to participate in another one. Do not grant good cause if they are able to cooperate.
3. Staff must ensure that a good cause determination is granted to sanctioned families and conditional applicants during the period of demonstrated cooperation, if warranted.
4. Talk to a customer in late-term pregnancy whose doctor is not restricting her from work about how she can cooperate. If she feels it is not the best time to look for a job, provide her the opportunity to prepare for her work search using other activities such as workshops, school, community service, etc.
5. Most customers with disabilities can work and search for work. These customers may need the help of a Career Advisor to plan and pursue employment goals. Customers with disabilities often have documentation that supports a reduced work requirement. Do not initiate a penalty if the customer is meeting their reduced work requirement.
6. Require a doctor’s statement if the customer says they cannot participate due to their own or a family member’s illness for a period of more than three days.
7. Customers requesting good cause are highly likely to need the services of a Career Advisor to help them continue to work or look for work.
	* + - 1. **Holiday Excused Absences**
	* For customers tagged in TANF who are working in unsubsidized employment, we count paid holidays or other paid leave as actual cooperation hours.
	* For customers tagged in TANF who are participating in volunteer work, we count the excused absence as actual participation if they were scheduled to participate in the activity when the absence occurred and the absence is due to a holiday, and the number of absences total no more than 80 hours in a 12-month period, with no more than 16 hours per month.
	* If employers or service providers are closed on the following dates, we will consider the date to be a holiday for customers in an unpaid work activity.
* New Year’s Day
* Birthday of Martin Luther King, Jr.
* Washington’s Birthday
* Memorial Day
* Independence Day
* Labor Day
* Columbus Day
* Veterans Day
* Thanksgiving Day
* Christmas Day
	+ When staff enters hours for a week in the Daily Time Tracking tab, they should add the holiday hours as appropriate under “Holiday.”
		- * 1. **Short-Term Excused Absences**

We allow short-term excused absences for the same reasons as good cause, but we expect them to last only one or two days rather than an entire month. Short-term excused absences are limited to 80 hours in a 12-month period and cannot exceed 16 hours of short-term excused absences per month. This limit does not apply to holiday excused absences.

Short-term excused absences are only for one day at a time. Hours we credit to a short-term excused absence cannot exceed the number of hours the customer was scheduled to participate. We can give short-term excused absences only for unpaid activities.

* + When staff enter hours for a week in the Daily Time Tracking tab, they should add the short-term hours as appropriate under “Excused Absence.”

**Note**: Ensure that verification entry covers the holiday and excused absence dates so that hours count for participation

* + - * 1. **Reduced Requirements**

Career Advisorsmay discover a change in the customer’s family situation or personal circumstances during a customer interview or other contact that affects the customer’s requirement to look for and go to work.

* Sometimes the customer has a disability or cares for a disabled family member and can participate, but they cannot fulfill their full requirement. Refer the customer to complete Form H1836B and work with the customer to develop a plan for reduced participation requirements.
* Use Form H1836A, or other correspondence provided by a doctor, to record the number of hours a customer with a disability can participate in work activities.
* Use Form H1836B, or other correspondence provided by the doctor, to record how many hours a customer who is caring for a disabled family member can participate.
* Staff must ensure that sanctions are not requested for Choices customers who participate the full number of hours indicated on Form H1836 A/B.
Staff must ensure all pertinent information is documented in TWIST under the H1836A/B tab in the TANF History section.

#### Recording a Reduced Work Requirement. If the number of hours a customer is required to work changes after they turn in a form H1836 A/B and/or a doctor’s statement, then we will record the change.

#### To data enter information on the Form 1836A/B tab:

1. Go to TANF History and click on the **Form 1836A/B** tab
2. Right-click in the space below the column headings, and then select Add or Insert from the short-cut menu.
3. **Begin Date**. Type in the start date of the new participation requirements.
4. **End Date**. Type in the end date of the new participating requirements.
5. **Req Hrs**. Type in the number of hours the customer is required to participate per week.
6. **Reduced Work Requirement**.Click on this check box to indicate the customer is eligible for a reduced work requirement.
7. In Daily Time Tracking, for each week a customer cooperates with their reduced work requirement, the Tracker will track their cooperation hours under the appropriate activity.
* Staff must be aware of the following:
	+ Single-parent families have a reduced work requirement if the physician-identified participation requirement is fewer than 30 hours.
	+ Single-parent families with a child under age six have a reduced work requirement if the physician-identified participation requirement is fewer than 20 hours.
	+ Two-parent families have a reduced work requirement if the physician-identified participation requirement is fewer than 35 hours ***(without child care) or 55 hours (with child care).***
* Special provisions for two-parent families include the following:
	+ If one adult in the family is a mandatory adult with Form H1836A/B and the other adult in the family is exempt, the family will meet its work requirement if the mandatory adult meets their work requirement.
	+ If both adults are mandatory adults with Form H1836A/B, the family will meet its work requirement if each adult meets their work requirement.
	+ If one adult is a mandatory adult without good cause and meets their work requirement and the second adult is a mandatory adult with Form H1836A/B, the family will meet its work requirement.
		- * 1. **Voluntary Withdrawal**

At times, customers may choose to withdraw from the TANF/Choices program due to personal circumstances. Career Advisors should refer a Choices customer to complete Form H1802, Voluntary Withdrawal from TANF, when the customer decides to voluntarily withdraw. The form contains information on continued eligibility for Medicaid and other services and informs the customer of their options and the consequences of voluntary withdrawal.

Career Advisors must:

* inform the customer they must continue to meet participation requirements until the withdrawal is processed; if a customer fails to continue cooperation, a penalty will be initiated;
* send the signed original Form H1802 to HHSC;
* provide the customer with a copy;
* store a copy in the customer’s file; and
* document the date sent to HHSC in TWIST Counselor Notes.

Note: If the customer is receiving child care assistance, voluntary withdrawal from TANF/Choices does not withdraw the customer from child care services.

* + 1. **Good Cause SNAP**

Good cause is a determination that the mandatory work registrant’s lack of participation is warranted by illness, court appearance, no available transportation, or other acceptable reason. How a good cause request is handled depends on the timing of the request. Good cause includes, but is not limited to:

* Temporary illness or incapacitation
* Required appointments in a court of law;
* A need to care for a disabled family member in the home;
* A demonstrated lack of available transportation and distance for participation prohibits walking; or a demonstrated lack of a job within reasonable commuting distance;
* A demonstrated inability to find or obtain child care which is necessary to allow our customer to participate;
* A lack of support services;
* An individual/family crisis or circumstance that precludes participation, such as substance abuse, mental health, and disability-related issues (as long as our customer participates in services to help resolve problems, such as counseling or treatment);
* A circumstance in which our customer is the victim of family violence;
* A receipt of a job referral resulting in an offer of work at a wage impermissibly below the federal minimum wage; or
* A work schedule conflict.

If a reconsideration is not requested, ***career office staff*** are required to monitor good cause monthly, leave the SNAP E&T Program Detail open in TWIST, and add new information ,as needed, into TWIST Counselor Notes.

Career office staff must use Service Code *91 – Determined Good Cause* when good cause has been approved for SNAP customers not engaged in any other SNAP E&T activity.

***Career office staff*** must ensure that ABAWDs wishing to claim good cause are informed that, to continue receiving benefits (for the fourth and subsequent months), they must enter a SNAP E&T activity before the three-month in 36-month time limit expires. Although good cause temporarily releases ABAWDs from participation in SNAP E&T activities, benefits will not be extended beyond three months if ABAWDs do not resume participation within the three-month time frame.

Good cause can be **recommended** to HHSC for **noncompliant** SNAP customers who are unable to participate in SNAP E&T because of personal circumstances or a crisis. Good cause can be recommended if:

* mandatory work registrants have a legitimate reason for failing to respond to the SNAP E&T outreach notice; or
* mandatory work registrants or exempt customers have a legitimate reason for failing to comply with SNAP E&T participation requirements.

Mandatory work registrants can claim good cause **before** or **after** a penalty has been initiated in TWIST, as long as the penalty has not been imposed by HHSC (that is, the 13-day Adverse Action period has not ended).

If it is determined before the 13-day adverse action period has expired that a customer did not have good cause, ***career office staff*** must document the reason in TWIST Counselor Notes. No other action is needed.

Claims for good cause must be forwarded to HHSC through the TIERS/TWIST interface for noncompliant SNAP customers who are unable to participate in SNAP E&T because of personal circumstances or a crisis.

Good cause can be entered into TWIST either before or after a penalty has been initiated.

Sometimes months after a penalty has been initiated, SNAP customers contact career office staff to state that they had good cause. To ensure the SNAP E&T Program Detail corresponds to the most recent penalty transaction, career office staff must enter good cause by the 30th day after the penalty is initiated (unless reason for good cause occurred after the 13-day adverse action period).

If a penalty was initiated, and career office staff attempts to enter good cause after the adverse action period (even if the penalty has not been imposed), HHSC will deny the request. If this occurs, career office staff must inform the individual that they will need to contact HHSC directly for a good cause determination.

* + - 1. **Good Cause Actions before a Penalty Is Initiated**
	1. If—*before* a penalty has been initiated—a SNAP customer claims good cause after failing to respond to outreach or failing to participate in SNAP E&T, staff must notify HHSC of the circumstance and that the customer is asking for good cause.

 ***Career Advisors*** must identify whether the mandatory work registrant:

* + - can immediately resume participation after HHSC good cause approval is received through the TIERS/TWIST interface; or
		- needs more time to address the circumstances or situation. If more time is needed,

***Career Advisors*** must:

* + - receive approval from HHSC through the TIERS/TWIST interface;
		- enter one of the good cause reasons in TWIST (e.g., illness, court appearance);
		- evaluate good cause monthly to determine whether it still exists; and
		- determine when the customer can resume participation in SNAP E&T.

Staff must ensure that a penalty is initiated on the fourth day following noncooperation, unless the customer indicates before the three-day compliance period (see definition on page 46) expires, that they have good cause. Day one of the compliance period begins the date of the customer’s noncooperation.

* 1. Actions in TWIST

Career office staff must document on the TWIST SNAP E&T History menu selection, Penalty tab as follows:

* Selects a Penalty Reason—*Failed to Participate, Good Cause Recommended, or Failed to Respond to Outreach, Good Cause Recommended*; and
* Enters a noncooperation date (this must be the same as the documented Good Cause Decision date).

Career office staff must document on the TWIST SNAP E&T History menu selection, Good Cause tab as follows:

* Selects the Action Type—SNAP E&T Good Cause;
* Selects a Good Cause Action Reason;
* Enters a Good Cause Decision Date (this must be the same as the documented noncooperation date); and
* Enters a Good Cause End Date.

This action is electronically transmitted to HHSC through the TIERS/TWIST interface to notify HHSC of the good cause claim.

* + - 1. **Good Cause Actions after a Penalty Is Initiated**
1. When HHSC receives a penalty, they will:
2. send a notice to the SNAP customer that includes an opportunity to provide good cause;
3. if no good cause recommendation has been received from Workforce Solutions staff, HHSC will send the SNAP customer a letter informing the customer that their SNAP benefits will be denied; and
4. allow a 13-day adverse action period in which the SNAP customer can contact HHSC or Workforce Solutions to claim good cause and avoid denial of benefits.
5. If a noncompliant SNAP E&T customer contacts HHSC to indicate that they had good cause for not cooperating with SNAP E&T requirements and HHSC determines good cause, Workforce Solutions will be notified through the TIERS/TWIST interface.
6. If a noncompliant SNAP E&T customer contacts Workforce Solutions staff to indicate that they had good cause for not cooperating with SNAP E&T requirements and staff determines that the 13-day adverse action period has not expired, Workforce Solutions staff must:
7. Reopen the SNAP E&T Program Detail that corresponds to the most recent penalty transaction and remove the exit reason and date;
8. On the SNAP E&T History menu selection, Penalty tab:
	* Select “*19 – Penalty reviewed, good cause recommended”*
	* Enter a noncooperation date (this must be the same as the documented Good Cause Decision date); and
9. On the SNAP E&T History menu selection, Good Cause tab:
	* Select Action Type—SNAP E&T Good Cause;
	* Select a Good Cause Action Reason;
	* Enter a Good Cause Decision Date (this must be the same as the documented noncooperation date); and
	* enter a Good Cause End Date.

**Note**: This good cause recommendation will be transmitted electronically to HHSC through the TIERS/TWIST interface to alert HHSC of the good cause claim.

1. Document in TWIST Counselor Notes the Good Cause Decision Date, the Good Cause End Date, and the good cause reason (for example, temporary illness, court appearance).
2. If HHSC provides a good cause determination, allow the customer to resume participation in SNAP E&T.
3. If HHSC denies the good cause claim, the SNAP E&T case must be closed immediately.

Example: *Charlie Wonder missed his initial SNAP E&T appointment because his daughter was in the hospital. Charlie did not realize he missed the appointment until he received a notice of adverse action from HHSC stating that his SNAP benefits would be denied in 13 days. He contacted the Workforce Solutions Office to report good cause. Because Charlie contacted the Workforce Solutions Office before the HHSC 13-day adverse action period expired, a Good Cause recommendation was sent through the TWIST/TIERS interface to HHSC staff for a determination. If HHSC denies the good cause recommendation, the SNAP E&T case must be closed immediately.*

1. If a noncompliant SNAP E&T customer claims good cause that does not meet one of the above criteria, Workforce Solutions Office must:
	1. Select “19 – Penalty reviewed, good cause recommended” in TWIST under the penalty tab with “55 – Other” entered under the good cause tab in TWIST;
	2. Document in TWIST Counselor Notes the specific circumstances claimed as good cause by the SNAP customer; and
	3. Complete the SNAP E&T Noncompliance Report (Form H1816) and submit to HHSC for review.
		1. On form H1816, the box in front of “We explored good cause with the client. Good cause recommended.” can be checked if you are recommending good cause or left unchecked if you are not recommending good cause.
		2. The comments section can be used to explain the reason the customer provided for not responding to outreach
2. If—after the 13-day adverse action period has expired—it is determined that a customer had good cause, career office staff must:
* Refer the individual back to HHSC to reapply for SNAP benefits or to inquire about how HHSC can reinstate their benefits;
* Not make any type of good cause recommendation;
* Not send any type of penalty in error notice to HHSC; and
* Note the following in counselor notes:
	+ The 13-day adverse action period
	+ The referral to HHSC
	+ The good cause information provided by the SNAP customer.
		- 1. **Temporary Interruption SNAP**
				1. **Temporary Interruptions for SNAP Customers**

A temporary interruption can be granted by ***career office*** staff for SNAP customers who are complying with SNAP E&T but are temporarily unable to participate in SNAP E&T because of personal circumstances or a crisis.

Staff must ensure that temporary interruptions:

* are based on individual or family circumstances;
* are based on face-to-face or telephone contact;
* includes a temporary period when SNAP customers are unable to attend scheduled appointments or participate in ongoing SNAP E&T activities;
* are made at the time Workforce Solutions Office staff learns of the change in circumstances;
* are conditional upon efforts to address circumstances that limit SNAP customers’ ability to participate in SNAP E&T services;
* are reevaluated at least monthly;
* are extended in TWIST if the circumstances giving rise to the temporary interruption are not resolved after available resources to remedy the situation have been considered;
* do not exceed 30 days or a total of 12 consecutive months per occurrence if the temporary interruption is based on the existence of family violence;
* are used only for purposes of temporarily excusing SNAP customers who have a legitimate reason for not participating in SNAP E&T activities; and
* are not used for administrative or case management-related reasons.

If a reconsideration is not requested, Workforce Solutions staff must reevaluate the temporary interruption monthly, leave the TWIST SNAP E&T Program Detail open, and enter new information (as necessary) into TWIST Counselor Notes.

Workforce Solutions staff may use service code 91–Determined Good Cause when temporary interruption has been approved for SNAP customers not engaged in any other SNAP E&T activity.

Career Advisorsmust ensure that ABAWDs wishing to claim a temporary interruption are informed that, to continue receiving benefits (for the fourth and subsequent months), they must enter into a SNAP E&T activity before the three-month in 36-month time limit expires. Although temporary interruption releases ABAWDs from participation in SNAP E&T activities, benefits will not be extended beyond three months if ABAWDs do not resume participation within the three-month time frame.

**Note**: An ABAWD customer is limited to four weeks total in job search. If a temporary interruption is granted during the four-week job search period, staff must ensure the customer does not exceed their job search limits before placing them into another activity.

* + - * 1. **Resuming Participation after a Temporary Interruption**

When an exempt SNAP customer indicates that they have a legitimate reason for failing to participate in SNAP E&T, a temporary interruption can be granted. The exempt SNAP customer resumes participation in SNAP E&T activities once the situation is resolved. If the exempt customer chooses not to continue participation in SNAP E&T activities, Workforce Solutions staff must immediately close out all services and support services, except for SNAP E&T child care.

* + - * 1. **Temporary Interruption Actions in TWIST**

Workforce Solutions staff must document the temporary interruption using the TWIST SNAP E & T History menu selection, Good Cause tab as follows:

* selects the Good Cause Action Type;
* selects a Good Cause Action Reason;
* enters a Good Cause Decision Date;
* enters a Good Cause End Date;
* closes all open SNAP E&T activities with an end date of the last day of the month prior to the month in which temporary interruption is granted; and
* enters TWIST service code 91–Determined Good Cause in Service Tracking.

Because Workforce Solutions staff are required to reevaluate the individual’s circumstances monthly, the SNAP E&T Program Detail must remain open.

1. Reporting and Documenting Cooperation
	1. How Do Customers Report Time?

Reporting and Documenting Time for Cooperation

Customers who must cooperate with Workforce Solutions must demonstrate that they are engaging in activities for the required amounts of time.

We have a set of specific rules which customers and staff must follow about *documenting* time (i.e., writing it down) and *verifying* time (i.e., supporting or proving the customer actually engaged in an activity for the reported length of time).

We count the actual time spent in education and training activities (basic education, high school, occupational/vocational training, etc.) and most work activities (unsubsidized employment, subsidized employment, on-the-job training, etc.) except for self-employment.

We count time reported to the nearest hour for job search and job readiness activities.

***Note****: We will record the time reported by the customer. If the customer submits a job search log with time reported in hours and minutes, Tracking Unit staff must convert the time to decimals and enter it in TWIST Daily Time Tracking. Staff should contact the customer to inform or remind them to report job search time to the nearest hour.*

We require verification for time spent in all education/training and work activities for TANF/Choices and SNAP E&T customers, with the exception of verification of unsubsidized employment (full or part-time employment with wages paid by an employer) and self-employment not being required for SNAP E&T customers.

**3.1.1 Job Search & Job Readiness Activities**

Customers report their time to us using the Workforce Solutions Job Search Log or other acceptable documents.

* Signatures of Workforce Solutions staff on the completed Workforce Solutions “Supervised Job Search Report” form serve as documentation for time spent in supervised job search.
* A customer must deliver Job Search Logs to their career office each week, on the day which office staff has specified to them in the manner which the customer and staff have arranged.
* Staff are responsible for reviewing a Job Search Log for completeness and accuracy and providing advice to a customer about their job search efforts.
* Based on guidance from the Texas Workforce Commission, customers cannot conduct online job search at home.
* Texas Workforce Commission distinguishes between online job search and applying for a job online. A customer may apply for jobs online at home and document their application efforts on the Job Search Log.

**3.1.2 Education and Work Activities**

For education/training, volunteer work and employment, customers report their time and activity to us using the Workforce Solutions Verification of Hours form, paycheck stubs, online documentation sources, or other payroll documentation, attendance records from the service provider, a letter or email directly from the employer, or self-employment invoices, copies of checks, or receipts.

* A customer may fax, mail or hand-deliver Verification of Hours forms to their career office on or by the day office staff have specified to them that the forms or other documentation is due.
* For ongoing monthly verification of a self-employment enterprise, a customer must submit:
* Documentation that provides information on the amount of income generated and the associated business expenses, which must include invoices signed by their clients/customers and contain:
	+ client/customer names and contact information;
	+ dates and locations of services provided; and
	+ amounts received; and
* Business expense receipts that substantiate the expenses to be deducted from the gross income, when applicable.

**3.1.3Alternative Arrangements**

Customers who are participating in TANF/Choices and SNAP E&T activities may not be able to obtain verification of their activities each week. For example, an employer or instructor may refuse to sign the Verification of Hours form each week. In these instances, Career Advisors should work with the customer to arrange an alternative to submitting and/or verifying their participation hours. For hours to count toward participation, they must be submitted by the agreed upon arrangement. Refer to the Documentation Requirements Chart for a list of verification documents.

Staff must document in TWIST Counselor Notes what arrangements have been agreed to with the customer and remind the customer if they fail to meet cooperation requirements, a penalty will be initiated.

Example 1: John is working as a Scheduler at a medical service company. His Supervisor says he doesn’t have time to sign John’s Verification of Hours form each week. A Career Advisor makes an arrangement with John to submit an unsigned Verification of Hours form each week and a copy of his paycheck stub semi-monthly, as he gets paid. Staff documents the arrangement in TWIST Counselor Notes and reminds John that his paycheck stubs are needed for him to prove cooperation in the Choices program.

Example 2: Jane is attending basic education classes at a community college to prepare for the GED exam. She explained to her instructor that she is working with Workforce Solutions to find employment and asks her Instructor to complete the Attendance Report form. The Instructor agrees to sign the form biweekly, after the class is scheduled to take tests. Jane agrees to submit the signed Attendance Report form to Workforce Solutions every two weeks. Staff documents the arrangement in TWIST Counselor Notes and reminds Jane that she must continue to submit her signed Attendance Reports a***s agreed.***

**3.1.4 Things to Remember**

1. We tell a customer how and when to deliver documentation to the office each week to meet requirements.
2. We work with customers to help them find employment that will provide sustainable wages for their family. If a customer is underemployed, we work with them to find a better career opportunity.
3. We can count the time staff spends assisting customers with job search, providing professional advice such as labor market information and following up on referrals, as allowable job search for customers. Staff should record the time on a Supervised Job Search Report form.
4. All Job Search Logs, Verification of Hours forms, and any additional documentation from outside organizations must be kept in a customer’s file in the document management system. While verification of job search activities is not required, customers must still report time spent in supervised job search activities using the Supervised Job Search Report form.
	* Supervised Job Search Report forms will be attached to the Log to which they apply, in the order in which the activities they document are listed on the Log.
5. Job Search Logs and Verification of Hours forms should be filled out completely. If a change is made the customer needs to line out the incorrect information and initial the change. White-out should not be used. Career offices should not develop additional forms for counting or documenting hours.
6. Other kinds of allowable verification documents may be faxed, hand-delivered, or mailed by the organizations that are providing the documentation. Documents must arrive at the career office by the day/date that office staff has specified to our customer.
7. TANF/Choices and SNAP E&T customers submitting job search logs are not required to provide verification for employer contacts on the log. Customers may count a minimum of one hour for each employer contact on the log.
8. Staff must enter all job search hours in TWIST Daily Time Tracking, but staff are not required to enter verification of time spent in job search/job readiness.
9. File completed logs with documentation for supervised job search in the customer’s file.

The Documentation Requirements Chart shows how to document time and list acceptable verification by activity.

* 1. How Do We Review and Record Time?

Customers tagged in TANF/Choices or SNAP E&T are required to provide documentation for the time spent in any allowable activity.

* + 1. **Calculating and Recording Hours**
* It is very important to accurately count and enter the correct cooperation hours for the week. The hours entered in TWIST must exactly match the hours that are documented.
* Cooperation hours are recorded weekly from ***Sunday through Saturday.*** If the office staff believes the hours a customer has reported are false or inaccurate, staff will investigate before recording the hours and enter a counseling note to document the customer’s explanation.
* Partial hours can be entered in TWIST and will be automatically rounded at the end of the month.
* Enter partial hours using the decimal format (Refer to the Time Conversion Chart Desk Aid).

**Example**: One hour and six minutes would be entered as 1.10 (six minutes=.10 of an hour). One hour and 30 minutes would be entered as 1.50 hours (30 minutes=.50 of an hour). TWIST will calculate total hours and round appropriately.

* + 1. **CalculationScenarios**
* **Straight Cooperation:** If the customer completed all cooperation hours (with no excused absence or state-approved holiday hours), you may divide the total number of hours by seven when you don’t have verification for daily hours. If the ending calculation results in an even number, record the same number of hours for each day.

**Note**: If you have documented and verified hours by day, enter the daily totals.

**Example*:*** Mark worked at Target 35 hours for the week, and you have a pay check showing 35 hours for the entire period. Divide 35 by seven and enter five hours for each day.

 Activity: Unsubsidized Employment-35 hours

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| *Sun.* | *Mon.* | *Tues.* | *Wed.* | *Thurs.* | *Fri.* | *Sat.* |
|  *7/15* |  *7/16* | *7/17* | *7/18* | *7/19* | *7/20* | *7/21* |
|  *5* |  *5* |  *5* |  *5* |  *5* |  *5* |  *5* |

* **If the ending calculation results in a decimal format number**, divide the total number by seven and record the daily average for 6 days of the week. Adjust the hours for the remaining day to ensure that the total hours entered, exactly match the total hours documented.

***Example:*** Beth worked at Hobby Lobby 31 hours for the week, and you only have a pay stub showing 31 hours for the entire period. Divide 31 by seven (4.428 rounded up to 4.43) and enter 4.43 hours for six days. Subtract 26.58 (4.43 times six) from 31 and enter the remaining 4.42 hours for one day.

 Activity: Unsubsidized Employment-31 hours

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| *Sun.* | *Mon.* | *Tues.* | *Wed.* | *Thurs.* | *Fri.* | *Sat.* |
|  *7/15* |  *7/16* | *7/17* | *7/18* | *7/19* | *7/20* | *7/21* |
|  *4.43* | *4.43* | *4.43* | ***4.42*** |  *4.43* |  *4.43* |  *4.43* |

* + **If the week includes both supervised job search hours and self-directed job search recorded on the job search log,** use the daily totals. Enter the daily total—converted into a decimal—in TWIST. It is not necessary to divide by 7.

***Example:*** Carol reported 6 hours of supervised job search in a Workforce Solutions office on Monday. She reported 2 interviews – one for 2 hours and the other for 1 hour on Tuesday. She had a combined total of 7 hours job search on Wednesday, 8 hours of supervised job search in our office on Thursday. On Friday she had two interviews - one for 2 hours and one for 1 hour. She applied online to 5 companies totaling 1 hour and worked under our supervision in our office for 2 hours.

Activity: Job Search – 14 hours

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| *Sun.* | *Mon.* | *Tues.* | *Wed.* | *Thurs.* | *Fri.* | *Sat.* |
|  *7/15* |  *7/16* | *7/17* | *7/18* | *7/19* | *7/20* | *7/21* |
| *0* | *0* | *3* | *7* | *0* | *4* | *0* |

Activity: Supervised Job Search – 16 hours

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| *Sun.* | *Mon.* | *Tues.* | *Wed.* | *Thurs.* | *Fri.* | *Sat.* |
|  *7/15* |  *7/16* | *7/17* | *7/18* | *7/19* | *7/20* | *7/21* |
| *0* | *6* | *0* | *0* | *8* | *2* | *0* |

* If the week **includes an excused absence or state approved holiday** or both, first subtract those days from the weekly seven days and divide the total number of hours left by the number of remaining days. Use this method when you don’t have a verification of daily hours.

***Example:*** Susan reported 24 hours of community service for the week. Her work location was closed for one day on Friday for a state approved holiday. If it had been open, she would have worked an additional six hours. Six hours should be recorded for the holiday on Friday. The remaining 24 hours would be divided by 6 days to calculate the average daily participation for the rest of the week (4 hours each day).

Activity: Community Service: 24 hours Excused Absence: 6 hours

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| *Sun.* | *Mon.* | *Tues.* | *Wed.* | *Thurs.* | *Fri.* | *Sat.* |
|  *7/15* |  *7/16* | *7/17* | *7/18* | *7/19* | *7/20* | *7/21* |
|  *4* |  *4* |  *4* |  *4* |  *4* |  *6* |  *4* |

* If the customer is **cooperating in 2 different activities and both activities are open for the entire week** divide the total number of hours by seven and record the daily average. Use this method when you don’t have a verification of daily hours.

***Example:*** Susan volunteered for 35 hours and worked for 20 hours.

Activity: Volunteer Work - 35 hours

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| *Sun.* | *Mon.* | *Tues.* | *Wed.* | *Thurs.* | *Fri.* | *Sat.* |
|  *7/15* |  *7/16* | *7/17* | *7/18* | *7/19* | *7/20* | *7/21* |
|  *5* | *5* | *5* | *5* | *5* | *5* | *5* |

Activity: Unsubsidized Employment-20 hours

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| *Sun.* | *Mon.* | *Tues.* | *Wed.* | *Thurs.* | *Fri.* | *Sat.* |
|  *7/15* |  *7/16* | *7/17* | *7/18* | *7/19* | *7/20* | *7/21* |
|  *2.86* | *2.86* | *2.86* | *2.86* | *2.86* | ***2.84*** | *2.86* |

* + If the customer is **cooperating in 2 different activities and the activities begin or end during the week**, enter the actual number of hours per day that the customer participated.

***Example:*** Robert job searched for 28 hours (7 hours on Sunday, Tuesday, Thursday and Friday). He was hired by Burger King and worked a total of 16 hours on Friday and Saturday.

Activity: Job Search-28 hours

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| *Sun.* | *Mon.* | *Tues.* | *Wed.* | *Thurs.* | *Fri.* | *Sat.* |
|  *7/15* |  *7/16* | *7/17* | *7/18* | *7/19* | *7/20* | *7/21* |
|  *7* |  *0* |  *7* |  *0* |  *7* |  *7* |  *0* |

Activity: Unsubsidized Employment-16 hours

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| *Sun.* | *Mon.* | *Tues.* | *Wed.* | *Thurs.* | *Fri.* | *Sat.* |
|  *7/15* |  *7/16* | *7/17* | *7/18* | *7/19* | *7/20* | *7/21* |
|  *0* |  *0* |  *0* |  *0* |  *0* |  *8* |  *8* |

* + **If one month ends and another month begins** during the week, divide the total number of hours by seven and record the daily average in the appropriate month. Use this method when you don’t have a verification of daily hours.

***Example:*** Morgan volunteered for 35 hours July 29 through August 4. Divide 35 by seven and enter 15 hours for July (5 hrs. each day) and 20 hours for August (5 hrs. each day).

 **March Activity: Volunteer Work -20 hours**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| ***Sun.*** | ***Mon.*** | ***Tues.*** | ***Wed.*** | ***Thurs.*** | ***Fri.*** | ***Sat.*** |
|  *7/29* |  *7/30* | *7/31* | *8/01* | *8/02* | *8/03* | *8/04* |
|  *5* |  *5*  |  *5* |  *5* |  *0* | *0* | *0* |

 **April Activity: Volunteer Work -15 hours**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| ***Sun.*** | ***Mon.*** | ***Tues.*** | ***Wed.*** | ***Thurs.*** | ***Fri.*** | ***Sat.*** |
|  *7/15* |  *7/16* | *7/17* | *7/18* | *7/19* | *7/20* | *7/21* |
|  *0* | *0* | *0* | *0* |  *5* |  *5* |  *5* |

* + 1. **Recording Cooperation in TWIST**
* Enter Cooperation hours in TWIST ***Service Tracking on the Daily Time Tracking Tab.***
* Select the appropriate month and year and click on the applicable week.
* The open services will populate automatically for the service month that is selected.
* All current open services for the selected month will display in the Service section of the screen.
* Click on the plus sign + next to the left of the service section of the screen to expand the view.
* Enter the cooperation hours for each day of the week.
* Participation Type Codes:
* Classroom Instruction
* Study/Homework
* Self-Directed Job Search
* Work
* Holiday
* Excused Absence
	+ 1. **Entering Daily Time Verification**
* In the Daily Time Tracking screen under Last Verification, click on the Verification tab. The Daily Time Verification screen displays.
* Right click to add a Daily Time Verification.
* Complete all data fields in the sections for Verification Information and Verification Provider Information. Comments can be added, if needed.
* Verification Type = click on the drop-down box and select the appropriate verification type code:
* Attendance Records
* Pay Check Stubs
* Time Card (Signed)
* Signed Letter
* Phone Call (Employer Representative)
* Self -Employment: Invoices, Copies of Checks and business expense receipts
* Online Services

**Note*:***Only enter verification for activities allowable for Choices full engagement (refer to the Documentation Requirement Chart). Do not enter verification for TANF/Choices Job Search (self-directed or supervised). Do not enter verification for any SNAP E&T hours. For self-employed Choices customers, Tracking Unit staff must:

* not count more hours toward the work activity than the number derived by dividing the customer’s net self-employment income (gross self-employment wages minus business expenses) by the federal minimum wage; and
* enters the calculation of self-employment into TWIST Daily Time Tracking
* Received Date = enter the date the verification document was received at Workforce Solutions office.  The Verification Received Date must be greater than or equal to the Verification “Valid To” date.
* Date fields for Verification Valid From and Verification Valid To = enter the period of time covered by the verification document.  The maximum duration between the Valid From and Valid To dates is 14 days.
1. Penalties for Non-Cooperation
	1. When and How Do We Penalize?

We impose penalties upon customers who have not cooperated with us. This includes (1) individuals who don’t respond to one of our outreach letters and (2) individuals who don’t cooperate with requirements.

* + 1. **TANF/Choices**

The first time a TANF customer fails to cooperate, we will send a warning or “non-compliance” letter. This serves the customer with notice and is our “timely and reasonable attempt to contact” the customer after seeing that they are not cooperating. ***In some cases, we negotiate a Make-Up Hours Agreement with the customer. If the customer fails to meet the terms of the Make-Up Hours Agreement, the customer will be penalized.***

* + 1. **SNAP E&T**

We don’t send non-cooperation letters to customers we’ve tagged in SNAP E&T when they fail to cooperate. Instead, SNAP E&T customers are given a three-day compliance period (see definition below) following the date of noncooperation. During the compliance period, the customer is still considered compliant with the requirements of the SNAP E&T program and staff cannot penalize a customer during the compliance period.

**Compliance period**—a three-business day grace period that follows a SNAP customer’s non-compliance with SNAP E&T program requirements. Holidays are excluded from the compliance period calculations***.*** During the compliance period, the SNAP customer is still considered compliant with program requirements and is not subject to sanctions. Day one of the compliance period begins the day the customer failed to cooperate.

When we initiate a penalty, we start the process to remove a customer’s TANF cash benefits and the adult family member’s Medicaid benefits, or to deny a customer’s SNAP benefits, as appropriate.

Remember:

* We verify cooperation weekly to ensure that customers:
	+ comply with cooperation requirements as set forth in their family employment plan(s); or
	+ have good reason for not cooperating.
* There are different rules for penalizing TANF and SNAP customers who volunteer to work with us.
* We don’t initiate a penalty for TANF applicants, exempt TANF or SNAP customers who volunteer to cooperate then later choose not to cooperate. We do immediately stop any Workforce Solutions financial aid.
* Effective, August 1, 2019, all scheduler appointments created for non-compliance must include the customer’s date of non-compliance.
	1. **No Response to an Outreach Letter**

Workforce Solutions mails outreach letters to TANF and SNAP customers who are required to cooperate with us and haven’t yet received an orientation.

We tailor the letter for each customer group, state the consequences for failing to respond, and give a timeframe for responding.

* + 1. **TANF/Choices**

***Customers must respond to our outreach letter by 12 pm on the seventh calendar day from the date of the letter.***

***If a Choices customer fails to respond and does not have good cause, our procedure for initiating a penalty is as follows:***

* ***On the seventh day from the date of our outreach letter, a Tracker checks the customer record in TWIST to determine if they responded to our letter. The Tracker looks for one of the following as evidence:***
1. ***A record that the customer participated in an orientation;***
2. ***A rescheduled orientation appointment; or***
3. ***A record of good cause.***
* ***If the customer hasn’t responded by 12 pm, the Tracker initiates a penalty in the customer’s record in TWIST by 5 pm on the seventh day.***

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| ***Sun - 10/4*** | ***Mon - 10/5*** | ***Tues - 10/6******Outreach letter sent******Day 1***  | ***Wed - 10/7******Day 2*** | ***Thurs - 10/8******Day 3*** | ***Fri - 10/9******Day 4*** | ***Sat - 10/10******Day 5*** |
| ***Sun - 10/11******Day 6*** | ***Mon - 10/12******Customer required to respond by 12 pm.******Trackers take action by 5pm.******Day 7*** | ***Tues - 10/13*** | ***Wed - 10/14*** | ***Thurs - 10/15*** | ***Fri - 10/16*** | ***Sat - 10/17*** |

* + 1. **SNAP E&T**

**Customers must respond to our letter no later than ten (10) calendar days from the date of the letter.** If the customer fails to respond on the tenth day, we allow them a three-day grace period (see [compliance period](#CompliancePeriod) above) to contact us.

Our procedures for initiating penalties when a customer doesn’t respond to an outreach letter by the end of the grace period, are:

* **On the fourth day** from the date of our outreach letter, a Tracker checks the customer record in TWIST to determine if they responded to our letter. The Tracker looks for one of the following as evidence:
1. A record that the customer participated in an orientation;
2. A rescheduled orientation appointment; or
3. A record of Good Cause/Temporary Interruption.
* If the customer hasn’t responded, the Tracker initiates a penalty in the customer’s record in TWIST **on the fourth day following the customer’s three-day compliance period**.

**Example 1**: An outreach letter was mailed to Mr. Smith directing him to attend an orientation by Wednesday, October 7th, but he failed to attend the orientation. Mr. Smith has until close of business on Friday, October 9th, to reschedule or communicate a temporary interruption reason. If Mr. Smith has made no contact by close of business on Friday, October 9th, staff will initiate a penalty the following ***business*** day, Monday, October 12th.

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Sun - 10/4** | **Mon - 10/5**  | **Tues - 10/6** | **Wed - 10/7**Customer missed orientation.Day 1 Compliance Period | **Thurs - 10/8**Day 2 Compliance Period | **Fri - 10/9**Day 3 Compliance Period | **Sat - 10/10** |
| Sun - 10/11 | Mon - 10/12Sanction is initiated.Day 4  | Tues - 10/13 | Wed - 10/14 | Thurs - 10/15 | Fri - 10/16 | Sat - 10/17 |

Example 2: Mr. Smith attended a SNAP E&T orientation on Wednesday and decided he did not want to participate in the program. He notified staff on Friday. Unless Mr. Smith changes his mind and decides to stay in the program, staff must initiate a penalty by the close of business on the following Wednesday.

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Sun - 10/4 | Mon - 10/5  | Tues - 10/6 | Wed - 10/7Customer attends orientation | Thurs -10/8 | Fri - 10/9Customer notifies staff he will not participate in the program.Day 1Compliance Period | Sat - 10/10 |
| Sun - 10/11 | Mon - 10/12Day 2Compliance Period | Tues - 10/13 Day 3Compliance Period | Wed -10/14Sanction is initiated.Day 4 | Thurs - 10/15 | Fri -10/16 | Sat - 10/17 |

* 1. No Cooperation

During an orientation, we give customer instructions about how to report their cooperation to Workforce Solutions. The customer must submit their proof of cooperation each Monday unless the office is closed for holiday/emergency. If the office is closed on Monday, the customer’s proof of cooperation is due on Tuesday and all our tracking entries move forward one day. **Customers sign family employment plans to show they agree to the plan’s requirements and that they will cooperate by following instructions provided by staff.**

A customer cooperates with Workforce Solutions by participating in the activities they have agreed to carry out for the number of required hours, or by reporting back to us – and receiving approval from us – for good cause, a short-term excused absence, reduced requirements, or reconsideration.

* + 1. **TANF/Choices**

We must make an attempt to contact the customer about their non-cooperation within one business day of the date of non-cooperation. We do this with a non-cooperation letter or with the Make-Up Hours Agreement. The non-cooperation letter serves as our timely and reasonable attempt to contact the customer. Examples below explain when to use the letter and when to use the Agreement.

* + - 1. **TANF – Mandatory** – The customer does not comply:
1. When the customer does not comply with requirements, and they have not already signed a Make-Up Hours Agreement, the Tracker sends a non-cooperation letter by Tuesday of the week after they do not prove compliance. This letter warns the customer that they must comply within four calendar days or we will initiate a penalty and they will lose their benefits.
2. Again, *comply with requirements* means the customer provides to us, on the date we specify (e.g. Monday, unless the office is closed), and in the format we have requested, a record and proof that they are engaging in the activities required as a part of their employment plan for the required number of hours.
3. You might send several non-cooperation letters during a 12-month period year if a customer returns to cooperating with us after receiving a non-cooperation letter, but then some point in the future again fails to cooperate.

**Example 1:** The customer does not report as instructed on Monday, July 2nd.

We discover the non-compliance for customers failing to report to us on Monday through TWIST reports we run on Tuesday, July 3rd.

* We send a non-cooperation letter on the day of discovery, Tuesday, July 3rd, giving the customer four days to report. They must report by Friday, July 6th.
* They do not come in by Friday, July 6th, and we discover that they did not report to any office when we review the reports on Monday, July 9th.

We sanction the customer on Monday, July 9th using a non-cooperation date of Monday, July 2nd - because that is the date they failed to report and participate as required.

**Example 2:** The customer does report to the office on or before the date required on our non-compliance letter, but they do not have sufficient hours when they report. Staff has the following options:

*Option 1:* Give the customer a Make-Up Hours Agreement if the two of you believe they can reasonably make up the hours by the end of the month.

1. Come to an agreement with the customer when they are in the office on how they can make up enough hours to meet their monthly cooperation.
2. Ask the customer to sign the Make-Up Hours Agreement. Always require her to report her cooperation hours on the following Monday, or the last day of the month, whichever comes first. In this example, ask her to return on Monday, July 16th.
3. Give her a copy of the Agreement and file the original.
4. Post a counselor note labeled “Make-Up Agreement”. State the terms of the agreement including dates to report and number of hours required each week.
5. Data enter all her verified hours on the date they give them to us.

*Do not penalize this customer.*

*Option 2*: If it isn’t reasonable to expect that the customer will be able to meet her monthly cooperation requirements by the end of the month, don’t execute a Make-Up Hours Agreement – penalize the customer.

1. You mailed the customer a non-cooperation letter on Tuesday, July 17th, telling the customer they must report with cooperation by Friday, July 20th.
2. The customer comes in on or before Friday, July 20th, but does not have enough hours and cannot possibly make up the required hours by the end of the month.
3. Explain to the customer it appears they will not meet cooperation for the month. Tell the customer we will have to notify HHSC that they have not complied with the requirements and they will likely lose benefits. Send a notice to the tracking unit to sanction the customer.

***Note:*** *When we do not have a Make-Up Hours Agreement, the non-cooperation date is the date of the non-cooperation letter.*

**Example 3:** After receiving the non-cooperation letter we sent on Tuesday, July 17th, the customer comes to the office as instructed on Friday, July 20th, but does not have sufficient hours. They sign a Make-Up Agreement agreeing to provide a record and proof of her cooperation based on the plan in the agreement by Tuesday, July 31st. They do not cooperate as agreed by Tuesday, July 31st.

1. We confirm the customer’s non-cooperation in TWIST by Wednesday, August 1st.
2. We sanction the customer on Wednesday, August 1st with a non-cooperation date of Tuesday, July 31st, the date they agreed to cooperate in their Agreement.

***Note:*** *When we do have a Make-Up Hours Agreement, the non-compliance date is the date they agreed to cooperate in the Agreement and did not meet the requirement in the Agreement - always a Monday or the last day of the month.*

**Example 4:** The customer reports as required on Monday, July 16th, for their first appointment after TANF certification and gives us her cooperation hours. They do not have sufficient hours. The customer has not received a non-cooperation letter.

1. Follow the instructions on Example 2 by using your judgment about giving the customer a Make-Up Hours Agreement.
2. In this example you and the customer sign a Make-Up Hours Agreement stating they will return on Monday, July 23rd, with 35 hours and Tuesday, July 31st with 35 hours.
3. They return with 36 hours on Monday, July 23rd but delivers only 30 hours on Tuesday, July 31st.
4. You sanction the customer no later than Tuesday, August 5th with a non-cooperation date of Tuesday, July 31st – the date they did not comply with the Agreement.

 ***Note:*** *When a customer meets their monthly cooperation requirement earlier than required by the agreement, do not sanction them because they did not meet a later weekly requirement.*

The Tracker manages the customer’s TWIST program detail by leaving it open until the end of the month following the month in which they initiated the penalty.

* If the customer meets cooperation or we grant good cause for the month after the penalty, the TWIST program detail remains open.
* If the customer has not sufficiently returned to cooperating and we did not grant good cause for the month after the penalty, the Tracker closes the TWIST Program Detail at the end of the month after the penalty.
* In some cases, the Tracker finds that HHSC has restored benefits to a customer who did not meet participation.  Keep the Program Detail open, check with HHSC before resubmitting the sanction, and continue to track cooperation.
	+ - 1. **TANF – Exempt** (i.e., Volunteers to Cooperate)
1. We do not initiate penalties in TWIST for voluntary TANF customers.
2. An exempt customer must “comply with requirements” by providing us, on the date we specify and in the format we have requested, a record and supporting proof that they are engaging in the activities required as a part of their employment plan for the required number of hours.
3. If the exempt customer does not comply, we must warn them with a non-cooperation letter or the Make-Up Hours Agreement that they will lose her Workforce Solutions Financial Aid if they do not meet their requirements.
4. We follow the same procedures for warning the exempt customer as noted above for Mandatory Customers.
5. If the customer doesn’t fix their failure to comply, or give us good reason for not cooperating, the Tracker will close the case within 2 days of the customer’s failure to comply and open an interruption period if the customer is receiving financial aid for child care.
	* + 1. **TANF Applicant**
6. We ask a TANF applicant to begin cooperating as soon as they come to the office and before they are certified to receive TANF benefits.
7. If a TANF Applicant has a pending TANF application at Health & Human Services Commission and needs to attend an orientation to complete the application process, aCareer Advisor must conduct the orientation. Career Advisorsmust not deny the customer from attending the orientation due to their interview date.
8. The customer’s required cooperation does not start until they are certified to receive TANF.
	* 1. **SNAP E&T**

We don’t send non-cooperation letters to customers we’ve tagged in SNAP E&T when they fail to cooperate.

When a mandatory customer fails to cooperate with SNAP E&T requirements or notifies staff that they do not wish to participate, Tracking Unit staff must initiate a penalty request into TWIST on the fourth day following noncooperation, unless the SNAP customer indicates that they were unable to participate based on an extenuating circumstance, and a ***Career Advisor*** recommends good cause to HHSC. Day one of the compliance period begins the day the customer does not cooperate with SNAP E&T requirements.

**Example:** The customer does not report as instructed on Monday, August 2nd.

* If the customer does not contact Workforce Solutions staff within **three days** (by the end of the day on Wednesday, August 4th), we will initiate a penalty on the fourth day (August 5th), and the customer will lose their benefits. The three-day compliance period (see definition on page 46) allows the customer to tell us whether they:
* were in compliance;
* need to reschedule the appointment; or
* had good cause;
* If the customer provides a good cause reason, Workforce Solutions staff follows the procedures set forth in SNAP E&T Good Cause Actions in TWIST above.
* If the customer needs to reschedule their appointment, they must contact Workforce Solutions before the end of the three-day compliance period. Workforce staff must enter in TWIST Counselor Notes:
	+ - The date of the rescheduled appointment; and the reason for rescheduling the appointment.
* For any mandatory SNAP E&T customer who notifies Workforce Solutions Office staff that they do not wish to participate in the program, Workforce Solutions Office staff must document in TWIST Counselor Notes that staff explained to the customer the consequences of noncooperation.
* Mandatory work registrants who notify Workforce Solutions Office staff that they will not fulfill their SNAP E&T requirements must be granted the same three-day grace period.
* Staff should consider a temporary interruption or granting good cause if the customer needs to reschedule their appointment more than 30 days out.

**Note:** A customers can only reschedule their appointment once.

* + If the customer fails to attend the rescheduled appointment, the three-day compliance period will not start over and the customer’s noncompliance date will be the date of the rescheduled appointment.
* If the customer is found to be in non-compliance and does not have good cause, a sanction is initiated on the fourth day following noncooperation.
* By the fourth calendar day from the date of noncooperation, the SNAP E&T customer must meet one of the following conditions, or a penalty will be initiated:
	+ - the customer’s appointment has been rescheduled,
		- the customer is fully participating or
		- the customer has claimed good cause.

Workforce Staff must take the following actions as appropriate:

* ABAWD – Required to Cooperate (i.e., Mandatory): Closes out all Workforce Solutions support services, initiates a penalty in TWIST, and closes TWIST SNAP E&T program detail.
* ABAWD – Volunteer (i.e., Exempt): Closes out all Workforce Solutions

support services and closes TWIST program detail. The Tracker does not initiate a penalty in TWIST.

* General Population with Work Requirements (i.e., Mandatory): For this tag, we do not sanction customers who are scheduled for more than 120 hours in a month and have reached at least 120 hours for that month, unless the customer has not cooperated for the required 30 hours in a particular week in which the total monthly participation hours are less than 120. This means we don’t allow customers to “make up” cooperation hours later in the month.

When we sanction these customers for non-cooperation, the Tracker closes out all Workforce Solutions support services, initiates a penalty in TWIST, and closes TWIST SNAP E&T program detail.

* General Population Voluntary Customers (i.e., Exempt): Close out all Workforce Solutions support services and closes TWIST program detail. The Tracker does not initiate a penalty in TWIST.
	1. Recording Penalties in TWIST

We use the Penalty tab to initiate a penalty. We enter all penalties before 5:00 p.m. Penalties entered after 5:00 p.m. will show in TWIST as one day later.

**Note:** A penalty cannot be initiated in the same month that the customer has good cause, another penalty has been initiated, another penalty is in effect (the customer’s Work code for the service month is "Failure to comply with participation requirements"), or another penalty is pending a response from HHSC.

Also, a penalty cannot be initiated if the customer is ineligible (e.g., is not eligible for the TANF or SNAP E&T tag) at the time of non-compliance.

To complete the TWIST Penalty tab:

1. Click on the **Penalty** tab.
2. Right-click in the space below the column headings, and then select **Add** or **Insert** from the short-cut menu.
3. The **Penalty Detail** window will display.
4. **Penalty Actions**. The following fields are used to initiate a penalty.
5. **Reason**. Click on the arrow to the right of the drop-down box to select the reason that a penalty is being initiated.
6. **Noncooperation/Cooperation or Decision date**. Type in the date of non-compliance. (Example: Type in 04041984. TWIST will format it as 04/04/1984.)
7. **TWC Send Date**. This view-only field will display the date that TWC sent the penalty request to HHSC. This is the date the penalty is officially initiated. Penalties entered after 5:00 p.m. will show a TWC Send Date of the next day.
8. **Staff**. This view-only field will display the staff that is currently logged in.
9. **Action Adjustments**. The following fields are used to modify the original penalty request.
	1. **Resend to DHS**. Click on the check box to resend the penalty request to HHSC.
	2. **Resend Date**. This view-only field will display the date that the penalty request was resent to HHSC.
	3. **Overturned Date**. Type in the date that the customer’s penalty was overturned in appeal by HHSC. (Example: Type in 04041984. TWIST will format it as 04/04/1984.)
10. **Return from HHSC**. The following fields are used to display HHSC’s response to the penalty request.
	1. **Imposed Date**. This view-only field will display the date that HHSC imposed the penalty against the customer.
	2. **DHS Response Date**. This view-only field will display the date that HHSC responded to the penalty request.
	3. **Eligibility Response**. This view-only field will display HHSC’s response to the penalty request.
	4. **Reject Reason**. This view-only field will display the reason that HHSC rejected the penalty request.
	5. **DHS/EIN**. This view-only field will display the Employee Identification Number of the HHSC staff that responded to the penalty request.
	6. **Good Cause Determination Due**. This view-only field will display the date that HHSC requested TWC determine good cause for the customer. (See the *Good Cause Tab* section in this chapter for instructions on how to add a good cause record.)
	7. **Penalty Counter**. This field will display the number of penalties that have been initiated and imposed against the customer. To change it, type in the number of penalties that have been initiated and imposed against the customer.
11. Click on the **OK** button.
12. The penalty request that you initiated on the **Penalty Detail** window will be summarized view-only below the column headings **Penalty Reason**, **Initiate Date**, **Imposed Date**, **HHSC Response**, and **Reject Reason**.
	1. How Do Customers Come Back?

After we initiate a penalty for a customer, there is a path that customer can take to regain their benefits (TANF or SNAP) and the benefits associated with being tagged in TANF or SNAP E&T.

We at Workforce Solutions are part of that path.

* + 1. **TANF/Choices**
* Conditional applicants and sanctioned families are required to demonstrate four consecutive weeks of cooperation to become eligible for reinstatement of TANF cash assistance.
* Staff will immediately notify HHSC if:
	+ - a sanctioned family denied TANF cash assistance because of noncooperation has demonstrated full cooperation with work requirements for four consecutive weeks before the end of the month following the month in which the family failed to cooperate.
		- in TWIST in the Penalty Tab - right click and add a Penalty Action
		- select reason code *9-Cooperating Program Month*
		- enter the date the customer met their cooperation requirement for four consecutive weeks.
		- a conditional applicant whose HHSC TANF case is closed because of two or more months of noncooperation has demonstrated full cooperation with work requirements for four consecutive weeks.
			* in TWIST in the Penalty Tab - right click and add a Penalty Action
			* select reason code *10-Cooperating 4 Weeks*
			* enter the date the customer met their cooperation requirement.
		- a sanctioned family or conditional applicant has been granted good cause during the demonstrated cooperation period.
		1. **SNAP E&T**

SNAP mandatory work registrants must reapply for benefits and be accepted before we can tag them in SNAP E&T again.

* ABAWD who have been sanctioned and have stopped receiving SNAP benefits, can regain their eligibility for benefits if, in a 30-day period, they:
* Work 80 or more hours (as monitored by HHSC);
* Participate in and comply with requirements associated with Workforce Solutions services under the Workforce Innovation and Opportunity Act (WIOA) or Trade Adjustment Assistance tags for 80 or more hours;
* Combine work and participation in Workforce Solutions services; or
* Become exempt.
* At SNAP recertification, HHSC staff provides Form H1822 to each nonexempt registrant in the household to verify participation with SNAP E&T or another employment program. The SNAP recipient must take the form to a Workforce Solutions Office for verification of participation and then return the completed form to HHSC.
* We take the following steps to help these customers:
	+ We let the customer know that we can help them with what they want and need to look for work/go to work.
	+ We tag the customer appropriately in WIOA (or, if the customer is eligible for Trade Adjustment Assistance, there) if they need help looking for work and track the service we’re providing in TWIST.
	+ After a customer has engaged in job search or a combination of job search and employment for at least 80 hours, we confirm participation by signing and returning the customer’s 1822 to HHSC.

Appendix

Table 1: TANF/Choices Work Codes

|  |  |  |
| --- | --- | --- |
| **Workforce Solutions****TANF Work Code Description**  | **Work Codes** | **Classification for Choices Work Rate** |
| Mandatory Registrant | **M** | **1** | **Employment Expected or Ramp-Up** |
| Certified Child Attending School | **3** | **B** |
| Disabled | **5** | **D** |
| Too Remote to Participate | **10** | **I** |
| Pending during Counseling or Appeal | **12** | **K** |
| Time-Limited Local Economic Factor | **13** | **L** |
| Employed of Self-Employed 30 or More Hours | **15** | **P** |
| Vista Volunteer | **18** | **S** |
| Failure to Comply with Choices Program | **20** | **W** |
| Failure to Comply with Choices Program (not in federal universe since 2006) | **20** | **W** | **Employment Preferred** |
| Child Under 16 | **2** | **A** |
| Incapacitated | **6** | **E** |
| Age 60 or Older | **7** | **F** |
| Time-Limited: Employment Not Available | **14** | **N** |
| Time-Limited: Severe Personal Hardship | **16** | **Q** |
| Pregnant and unable to work | **19** | **T** |
| Single grandparent age 50 or over caring for a child under age 3 | **22** | **U** |
| Legal Parent who exhausted State Time Limit with child(ren) receiving TANF  | **23** | **X** |
| ***Legal Parent Receiving SSI with Children Receiving TANF - Not included*** | ***24*** | ***V*** |
| Other Disqualified Parent with child(ren) receiving TANF | **25** | **Y** |
| Exempt Due to Caring for an Ill or Disabled Child | **4** | **C** |
| Exempt Due to Caring for a Certified Child under age 1 | **8** | **G** |
| Presence Required in Home to Care for an Ill or Disabled Adult | **9** | **H** |
| Exempt Due to Caring for a Non-Certified Child under age 1 | **17** | **R** |
| Cares for a Disabled Child who does not attend School | **21** | **Z** |

Table 2: SNAP Work Codes

|  |  |
| --- | --- |
| **Workforce Solutions****Supplemental Nutrition Assistance (SNAP) Work Code Descriptions** | **Work Code** |
| Mandatory/Employed < 30 hours a week | **2** |
| Mandatory/Not working | **3** |
| Mandatory/Temporarily laid off from job | **4** |
| Mandatory/Registered again after previously serving E&T penalty | **R** |
| Child < 16 or age 16-17 who attends school at least half-time | **A** |
| Three to nine months pregnant | **D** |
| Physically or mentally unfit for employment | **E** |
| 60 years of age or older | **F** |
| Caring for a child under age 6 years old | **G** |
| Required in home for care of a disabled person | **H** |
| In drug addiction/alcoholic treatment | **J** |
| Receiving/applying for UI benefits | **N** |
| Employed 30 + hours/week | **P** |
| Choices mandatory or volunteered for Choices | **Q** |
| Student exemption (age 18 or older) | **S** |
| Disqualified household member | **T or Y** |
| Primary Wage Earner failed to comply with E&T services | **U** |
| Too remote | **X** |

Table 3: Time Conversion Chart (Minutes to Decimal Hours)

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Minutes** | **Decimal Hours** | **Minutes** | **Decimal Hours** | **Minutes** | **Decimal Hours** |
| **1** | .02 | **21** | .35 | **41** | .68 |
| **2** | .03 | **22** | .37 | **42** | .70 |
| **3** | .05 | **23** | .38 | **43** | .72 |
| **4** | .07 | **24** | .40 | **44** | .73 |
| **5** | .08 | **25** | .42 | **45** | .75 |
| **6** | .10 | **26** | .43 | **46** | .77 |
| **7** | .12 | **27** | .45 | **47** | .78 |
| **8** | .13 | **28** | .47 | **48** | .80 |
| **9** | .15 | **29** | .48 | **49** | .82 |
| **10** | .17 | **30** | .50 | **50** | .83 |
| **11** | .18 | **31** | .52 | **51** | .85 |
| **12** | .20 | **32** | .53 | **52** | .87 |
| **13** | .22 | **33** | .55 | **53** | .88 |
| **14** | .23 | **34** | .57 | **54** | .90 |
| **15** | .25 | **35** | .58 | **55** | .92 |
| **16** | .27 | **36** | .60 | **56** | .93 |
| **17** | .28 | **37** | .62 | **57** | .95 |
| **18** | .30 | **38** | .63 | **58** | .97 |
| **19** | .32 | **39** | .65 | **59** | .98 |
| **20** | .33 | **40** | .67 | **60** | 1.0 |

Table 4: List of Revisions

Note: The guide contains minor editorial changes that are not included on the List of Revisions. Some sections of the guide have been moved into other sections.

August 2022

|  |  |
| --- | --- |
| **SECTION** | **REVISION** |
| **Section 2: Requirements for Cooperation** |
| **2.3** Workforce Orientation | Added guidelines for staff when conducting orientationsTANF/Choices: Added information about alternative orientation, literacy assessments (TABE) and two-parent familiesSNAP E&T: Added information for the provision of services for SNAP E&T customers |
| **2.4** Reconsideration | Added guidelines for staff when determining that a SNAP E&T customer is unable to participate in any activitiesAdded procedure for customers pending approval of a reconsideration |
| **2.7** Basic Requirements | Added guidelines for staff to assess customers to determine the most appropriate activity based on the customer’s situationUpdated TANF and SNAP Activities chartsAdded guidelines for SNAP E&T customers who volunteer to participate and are employed 30+ hoursAdded instructions for staff to encourage customers to complete more than the minimum required participation hours |
| **2.8** What Are the Limits on Activities? | Added information regarding the activities and limits for TANF and SNAP customers  |
| **2.8.1** Job Search and Job Readiness | Removed instructions to close SNAP General Population customers after four weeks |
| **2.8.2** Education and Training | Added guidelines to co-enroll TANF and SNAP customers into WIOA funds to facilitate successful completion of training Added information about online learning courses including Metrix and Choices full engagement, and corresponding service codes   |
| **2.8.3** Work Activities | Added work-based literacy to the work activities allowable under TANF/Choices Added work experience as an allowable volunteer work activity under TANF/Choices and SNAP E&T |
| **2.9.1** Good Cause TANF | Added information for staff when granting good causeAdded clarification for reduced work requirements Added guidelines for staff when customers decide to voluntarily withdraw from TANF |
| **Section 3: Reporting and Documenting Time for Cooperation** |
| **3.1** How Do Customers Report Time? | Updated information on when we count actual time spent in allowable activities and when we round the time to the nearest hourUpdated guidelines for verification of activities  |
| **3.1.3** Alternative Arrangements | Added instructions for arranging alternative ways for customers to submit participation and/or verification of their activity hours |
| **Section 4: Penalties for Non-Cooperation** |
| **4.1** When and How Do We Penalize? | Updated definition for compliance period  |
| **4.1.1** No Response to an Outreach Letter | Added an example to non-cooperation for SNAP E&T  |

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| **SECTION** | **REVISION** |
| **Section 2: Requirements for Cooperation** |
| **2.3** Workforce Orientation | Added guidance for staff to document in TWIST Counselor Notes the customer’s preferred method of contact |
| **2.6** How We Outreach | Added instructions to send outreach letters to all mailing addresses in TWIST |
| **2.8.3** Work Activities  | Added documentation for verification of self-employment for TANF/Choices customersUpdated FLSA calculation for customers participating in SNAP E&T Updated guidelines for providing service under SNAP E&T retention fundsAdded guidance for establishing workfare slots for SNAP E&T ABAWDs |
| **2.9** When Do We Excuse Required Participation | Added guidance requiring staff to store a customer’s medical documentation in the document management system in a confidential file |
| **Section 4: Penalties for Non-Cooperation** |
| **4.2** No Respond to an Outreach Letter – TANF/Choices | Updated guidelines for a customer’s response to the outreach letter to seven (7) daysUpdated example |
| **Appendix** |
| **Appendix: Table 1**TANF/Choices Work Codes  | Added work code 24 (V**) -** Legal Parent Receiving SSI with Children Receiving TANF - Not included |