

Clear Statement of Workforce Solutions Policy for Appeal Hearings

SNAP Recipient Failure to Respond to Recruitment/Outreach Letter

The purpose of this document is to provide hearing officers with a clear statement of Workforce Solutions policy for use in appeals hearings.

Failure to Respond to Recruitment/Outreach Letter

Workforce Solutions will initiate a penalty *for* a SNAP recipient who doesn't respond within our required timeframe to our outreach/recruitment letter.

▪ **We will demonstrate:**

- Workforce Solutions is required by SNAP E&T Rules to “ensure that mandatory work registrants, and exempt recipients who volunteer, participate in allowable SNAP E&T activities”.
- Workforce Solutions mailed a recruitment letter to the customer on a specific date.
- Workforce Solutions mailed the recruitment letter to the customer's current mail address, which is the same mail address used by HHSC.
- In the letter, Workforce Solutions informed the customer he or she must respond to Workforce Solutions by a certain date or we would initiate a penalty and the customer would lose her benefits.
- Workforce Solutions initiated a penalty because the customer:
 - failed to respond to the recruitment letter by the date required, or
 - the customer responded, but chose not to cooperate and didn't offer a good cause for not cooperating.

▪ **We will present the following evidence:**

1. **The recruitment letter mailed to the customer.** The recruitment letter mailed by Workforce Solutions to the appellant customer. The letter is dated and informs the customer of cooperation requirements, the consequences for noncooperation and who to contact if working or unable to cooperate.
2. **TWIST Counseling Record.** The counseling note is a system entry, automatically created by our MIS system. The note documents the mailing address and the mail date. The mailing address is the same address listed for the customer in HHSC's database.
3. **Workforce Solutions Policy Regarding Recruitment.**

Workforce Solutions Policy – SNAP E&T Recruitment

Source: Texas Workforce Commission SNAP E&T Rules: 40 TAC Chapter 813, Section 813.2.(3) Definitions and Section 813.3.(a) General Board Responsibilities

Excerpt: § 813.2.(3) Definitions.

- (3) Full-service counties--counties in which Boards ensure that:
- (A) ABAWDs, who are not working at least 20 hours per week, are outreached and receive SNAP E&T services;
 - (B) the SNAP E&T General Population receives SNAP E&T services based on available funding;
 - (C) mandatory work registrants shall be sanctioned (i.e., SNAP benefits are denied) for failure to cooperate with SNAP E&T requirements; and
 - (D) exempt recipients who voluntarily participate in SNAP E&T services shall not be sanctioned for failure to cooperate with SNAP E&T requirements.

The provisions of this §813.2 adopted to be effective August 17, 2009, as published in the Texas Register, August 14, 2009, 34 TexReg 5589.

Excerpt: § 813.3.(a) General Board Responsibilities

- (a) Role of Boards. A Board shall:
- (1) ensure that SNAP eligibility is verified monthly before providing SNAP E&T services for mandatory work registrants and exempt recipients who voluntarily participate in SNAP E&T services; and
 - (2) ensure that mandatory work registrants, and exempt recipients who volunteer, participate in allowable SNAP E&T activities. The allowable activities shall meet the needs of employers and prepare the mandatory work registrants and exempt recipients who voluntarily participate in SNAP E&T services for unsubsidized employment.

The provisions of this §813.3 adopted to be effective August 17, 2009, as published in the Texas Register, August 14, 2009, 34 TexReg 5589.

Workforce Solutions Policy – SNAP E&T Recruitment

Source: **Workforce Solutions Operations Policies and Procedures, Expanded Service Standard, VII. Information Resources for Staff, H. Cooperation Rules & Procedures**

No Response to a Recruiting Letter

Workforce Solutions mails recruiting letters to TANF and SNAP recipients 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.

Customers must respond to our letter no later than seven calendar days from the date of the letter.

Our procedures for initiating penalties when a customer doesn't respond to a recruiting letter are:

- **On the eighth day** from the date of our recruiting letter, a Tracker checks the customer record in TWIST to determine if she or he 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, the Tracker initiates a penalty in the customer's record in TWIST **on the eighth day.**

Example: If the date of the letter is Monday February 14th – we expect the customer to respond by Monday February 21st. (In this example: Mon = day 0, Tues = day 1, Wed = day 2, Thurs = day 3, Fri = day 4, Sat = day 5, Sun = day 6, Mon = day 7).

In TWIST, initiate a penalty on Tuesday February 22nd and enter the non-cooperate date as Monday February 21st.