

# Clear Statement of Workforce Solutions Policy for Appeal Hearings

## SNAP Recipient Failure to Cooperate as Required

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 Cooperate as Required

Workforce Solutions will initiate a penalty for a SNAP recipient who fails to cooperate as required and agreed or who does not offer a good cause for non-cooperation.

- **We will demonstrate the customer**
  - was required to cooperate a specific number of hours;
  - was informed about the requirement to cooperate and how to report cooperation to Workforce Solutions;
  - agreed to cooperate;
  - didn't present to Workforce Solutions staff - a good reason for non-cooperation; and,
  - didn't cooperate as required.
  
- **We will present the following evidence:**
  - A copy of the Family Employment Plan. The customer signs a statement of agreement to acknowledge she understands she must cooperate with the requirement of the Family Employment Plan or she will lose her SNAP benefits.
  
  - A copy of Workforce Solutions Policy Regarding Cooperation Requirements.

## Workforce Solutions Policy – SNAP E&T Cooperation

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 Cooperation

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

### **No Cooperation**

During an orientation, we give customer instructions about how to report his or her cooperation to Workforce Solutions. The customer must submit her 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 plans' requirements and that they will cooperate by following instructions provided by staff.

A customer cooperates with Workforce Solutions by participating in the activities she or he has 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.

- **SNAP E&T – Mandatory**

The first time we become aware that a customer we've tagged in SNAP E&T and who is required to cooperate fails to do so, the Tracker as soon as possible, but no later than three calendar days from the day we are aware, takes the following actions as appropriate:

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

- *General Population Volunteers (i.e., Exempt):* Closes out all Workforce Solutions financial aid and closes TWIST program detail. The Tracker does not initiate a penalty in TWIST.