

**CLEAR STATEMENT OF THE WORKSOURCE POLICY
TO BE FAXED OR EMAILED TO APPEALS HEARING OFFICERS**

**FAILURE TO RESPOND TO RECRUITMENT/OUTREACH LETTER
(FOOD STAMP RECIPIENTS)**

PURPOSE

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

FAILURE TO RESPOND TO RECRUITMENT/OUTREACH LETTER

- **The WorkSource Policy**

The WorkSource will initiate a penalty for a TANF recipient who does not respond within our required timeframe to our outreach/recruitment letter.

 - **Texas Workforce Commission Food Stamp Employment and Training Rules section that permits us to do this: Texas Workforce Commission Food Stamp E&T Rules: 40 TAC Chapter 813, Section 813.3.**
 - **The WorkSource Procedures: The WorkSource Basic Service Standard and Guidelines, Section III. Description of Basic Services, Paragraph 2: Recruiting Customers.**

- **What we will demonstrate**
 - It is the policy of The WorkSource to mail recruitment letters to Food Stamp recipients who have a mandatory work requirement and who have not been seen at an office of The WorkSource.
 - The WorkSource mailed the outreach/recruitment letter to the customer on a specific date.
 - The WorkSource mailed the outreach/recruitment letter to the customer's current mail address, which is the same mail address used by HHSC.
 - The letter instructed the customer to respond within 7 calendar days of the date on the letter.
 - The customer did not respond and The WorkSource initiated a penalty on the 8th calendar day from the date of the letter. Or,
 - The customer responded, but did not want to cooperate and did not offer a good cause for not cooperating.

- **The documents we will present**

- Copy of Recruitment Letter sent to the individual customer who is appealing. The letter is dated and states that the customer has “7 calendar days from the date of the letter to respond to The WorkSource”.
- Copy of TWIST Counseling Record. The counseling note is a system entry, automatically created by the system and shows the address and date the letters were created. The address is the same address used by HHSC.
- Copy of The WorkSource Policy Regarding Recruitment.

POLICY REGARDING RECRUITMENT

Source: Texas Workforce Commission Food Stamp E&T Rules: 40 TAC Chapter 813, Section 813.2. Definitions and Section 813.3. General Board Responsibilities

§ 813.2. Definitions.

The following words and terms, when used in this chapter, shall have the following meanings unless the context clearly indicates otherwise.

- (1) ABAWD -- a food stamp household member who is determined by the Texas Health and Human Services Commission to be a mandatory work registrant and is:
 - (A) classified as an able-bodied adult;
 - (B) at least 18 but less than 50 years of age;
 - (C) without dependents; and
 - (D) subject to a limitation on the receipt of food stamp benefits for three months out of 36 months if the person does not work at least 20 hours per week or participate in employment and training activities as specified in 7 U.S.C. §2015(o)(2)(A)-(B).
- (2) Exempt recipient -- an individual who is part of the General Population, is not required to participate in FSE&T services, as set forth in 7 U.S.C. §2015(d)(2), and shall not be sanctioned for failure to cooperate with FSE&T requirements as set forth in §813.12.
- (3) FSE&T activities -- Food Stamp Employment and Training activities as specified in §813.31 of this chapter.
- (4) FSE&T support services -- Food Stamp Employment and Training support services as specified in §813.41 of this chapter.
- (5) 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 FSE&T services;**
 - (B) the FSE&T General Population receives FSE&T services based on available funding;
 - (C) mandatory work registrants shall be sanctioned (i.e., food stamp benefits are denied) for failure to cooperate with FSE&T requirements; and
 - (D) exempt recipients who voluntarily participate in FSE&T services shall not be sanctioned for failure to cooperate with FSE&T requirements.
- (6) General Population -- a mandatory or exempt food stamp household member who is:
 - (A) at least 16 but less than 60 years of age; and
 - (B) not classified as an ABAWD.

The provisions of this §813.2 adopted to be effective March 29, 2005, as published in the Texas Register, March 25, 2005, 30 TexReg 1803.

§ 813.3. General Board Responsibilities.

(a) Role of Boards. A Board shall:

- (1) ensure that food stamp eligibility is verified monthly before providing FSE&T services for mandatory work registrants and exempt recipients who voluntarily participate in FSE&T services; and
 - (2) ensure that mandatory work registrants, and exempt recipients who volunteer, participate in allowable FSE&T activities. The allowable activities shall meet the needs of employers and prepare the mandatory work registrants and exempt recipients who voluntarily participate in FSE&T services for unsubsidized employment.
- (b) Board Planning. A Board shall develop, amend, and modify its integrated workforce training and services plan to incorporate and coordinate the design and management of the delivery of FSE&T activities and support services with the delivery of other workforce employment, training, and educational services identified in Texas Government Code §§2308.301-2308.3165 as well as other training and services included in the One-Stop Service Delivery Network as set forth in Chapter 801 of this title (relating to Local Workforce Development Boards).
- (c) Board Management. Pursuant to this chapter, and Chapter 801 of this title (relating to Local Workforce Development Boards), a Board shall coordinate workforce employment, training, and educational services that meet the needs of employers for its local workforce development area and shall incorporate and coordinate the management and strategy for FSE&T activities and support services into the comprehensive One-Stop Service Delivery Network provided to help low-income families as they move toward self-sufficiency.
- (d) Coordination with HHSC. A Board shall coordinate with HHSC on a regular and ongoing basis, as determined by the Board, regarding referrals, good cause, sanction procedures, and fair hearings or appeals.

The provisions of this §813.3 adopted to be effective March 29, 2005, as published in the Texas Register, March 25, 2005, 30 TexReg 1803.

**Source: The WorkSource Basic Service Standard and Guidelines, Section III.
Description of Basic Services, Paragraph 2: Recruiting Customers**

SECTION III. DESCRIPTION OF BASIC SERVICE

PARAGRAPH 2:

Recruiting customers to offer The WorkSource job search assistance – The WorkSource staff often contact customers required to use The WorkSource in order to get or maintain government benefits. We contact TANF applicants or recipients, Food Stamp recipients, Unemployment Insurance recipients and some customers who may be eligible to receive TAA benefits. Special efforts are made to recruit youth who are about to graduate from high school and are beginning to make career decisions. The WorkSource makes special efforts to recruit youth in the foster children program by working with schools and government agencies. We contact other groups of customers as well. Initiating contact to offer The WorkSource service is a Basic Service.