
POLICY TRANSMITTAL NO. 06-52	DATE: NOVEMBER 22, 2006
FAMILY SUPPORT SERVICES DIVISION	DEPARTMENT OF HUMAN SERVICES OFFICE OF LEGISLATIVE RELATIONS & POLICY

TO: ALL OFFICES

SUBJECT: MANUAL MATERIAL

OAC 340:10-2-1.

EXPLANATION: **Policy revisions were approved by the Commission and the Governor as required by the Administrative Procedures Act.**

OAC 340:10-2-1 is revised to: (a) define each work activity, core or non-core, to promote consistency in the measurement of the work participation rates; (b) define work-eligible individuals to determine how the individual counts in the calculation of the work participation rate; and (c) include calculations for work participation hours for individuals in unpaid allowable work activities who missed participation due to holidays and a maximum number of excused absences.

Original signed on 11-22-06

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WF # 06-11 (NAP)

INSTRUCTIONS FOR FILING MANUAL MATERIAL

OAC is the acronym for Oklahoma Administrative Code. If OAC appears before a number on an Appendix or before a Section in text, it means the Appendix or text contains rules or administrative law. Lengthy internal policies and procedures have the same Chapter number as the OAC Chapter to which they pertain following a “DHS” number, such as personnel policy at DHS:2-1 and personnel rules at OAC 340:2-1. The “340” is the Title number that designates DHS as the rulemaking agency; the “2” specifies the Chapter number; and the “1” specifies the Subchapter number.

The chronological order for filing manual material is: (1) OAC 340 by designated Chapter and Subchapter number; (2) if applicable, DHS numbered text for the designated Chapter and Subchapter; and (3) all OAC Appendices with the designated Chapter number. For example, the order for filing personnel policy is OAC 340:2-1, DHS:2-1, and OAC 340:2 Appendices behind all Chapter 2 manual material. Any questions or assistance with filing manual material will be addressed by contacting Policy Management Unit staff at (405) 521-6392.

REMOVE

340:10-2-1

INSERT

340:10-2-1, pages 1-7, revised 11-1-06

340:10-2-1. Work requirements

All parents or needy caretakers who apply for or receive cash assistance from the State of Oklahoma are required to be engaged in a work activity. The parent(s) or needy caretaker must participate in work activities for the number of hours weekly that are necessary to move that individual into employment and self-sufficiency. 1

(1) **Work-eligible individual.** A work-eligible individual is defined as an adult or minor head-of-household included in the Temporary Assistance for Needy Families (TANF) assistance unit. Excluded from this definition is a parent providing care for a disabled family member living in the home who does not attend school on a full-time basis, provided the need for such care is supported by medical documentation. 2

(2) **Minimum hours of work activities.**

(A) All TANF applicants and recipients who meet the definition of a work-eligible individual are required to participate the minimum hours of work activities.

(i) A work-eligible individual is required to participate an average of 30 hours per week, with the exception of a single custodial parent with a child under age six who must participate an average of 20 hours per week. 3

(ii) In a two-parent family when deprivation is based on incapacity, the non-incapacitated adult must average 30 hours per week, unless required in the home to provide care for the incapacitated work-eligible parent. 4

(iii) In a two-parent family when deprivation is based on unemployment, one adult must participate in work activities an average of 35 hours per week and the other adult must participate an average of 30 hours per week. If one parent is an ineligible alien, the other parent must participate an average of 35 hours per week.

(B) Hours missed due to holidays and a maximum of an additional 80 hours of excused absences count as hours of participation for any unpaid scheduled work activity.

(i) Federal law establishes public holidays. State holidays are ordered observed by the Governor. Scheduled short-term closures by the facility the participant attends can be included as holidays. 5 If the facility where the participant is scheduled to attend is open on a designated holiday, this day is not considered a holiday for participation purposes.

(ii) Excused absences are reasonable, short-term hours missed from a scheduled work activity. There are a maximum of 10 days or 80 hours of excused absences in any 12-month period. No more than two days or 16 hours of excused absences in a month are counted as hours of TANF Work participation. 6 All excused absences must be approved by the worker.

7 An excused absence is defined as:

(I) unavailability of appropriate child care;

(II) illness or injury of the participant or a family member who lives in the household. The family member must meet the definition of a relative per OAC 340:10-9-1;

(III) scheduled doctor appointments for the participant or a family member who lives in the household;

(IV) court-required appearance by the participant;

(V) required attendance at parent and teacher conferences by the participant;

(VI) temporary unavailability of planned transportation when needed or inability to arrange for transportation;

(VII) occurrence of inclement weather that prevented the participant, and other persons similarly situated, from traveling to, or participating in, the prescribed activity;

(VIII) crisis intervention needed due to domestic violence issues;

(IX) family crisis; or 8

(X) required attendance of the participant for a specific appointment by another governmental entity.

(iii) To count an excused absence or holiday as hours of participation, the individual must have been scheduled to participate in an allowable work activity for the period of the absence. Participation allowances are paid for approved holidays and approved excused absences.

(3) Work activities. Work activities are defined as core and non-core and must be scheduled, structured, and supervised. 9 TANF Work participants are placed in core work activities when appropriate.

(A) Core work activities are:

(i) unsubsidized employment that is full-time or part-time employment in the public or private sector that is not subsidized by TANF or any other public program;

(ii) subsidized private sector employment that is employment in the private sector for which the employer receives a subsidy from TANF or other public funds to offset some or all of the wages and costs of employing a recipient;

(iii) subsidized public sector employment that is employment in the public sector for which the employer receives a subsidy from TANF or other public funds to offset some or all of the wages and costs of employing a recipient;

(iv) Work Experience Program (WEP) that is a work activity that provides an individual with an opportunity to acquire general skills, training, knowledge, and work habits necessary to obtain employment;

(v) on-the-job training that is training in the public or private sector that a paid employee receives while he or she is engaged in productive work and that provides knowledge and skills essential to the full and adequate performance of the job;

(vi) job search that is the act of seeking or obtaining employment and job readiness that prepares the person to seek or obtain employment, and includes life skills training, substance abuse treatment, mental health treatment, or rehabilitation activities for those who are otherwise employable;

10

(vii) community services that are structured programs in which TANF recipients perform work for the direct benefit of the community under the auspices of public or non-profit organizations; and

(viii) vocational training, not to exceed 12 months, that are organized educational programs directly related to the preparation of individuals for employment in current or emerging occupations requiring training other than a baccalaureate or advanced degree.

(B) Non-core work activities are:

(i) job skills training directly related to employment that is training or education for job skills required by an employer to provide an individual with the ability to obtain employment or to advance or adapt to the changing demands of the workplace;

(ii) education directly related to employment, in the case of a recipient who has not received a high school equivalency, that is education related to a specific occupation, job, or job offer; and

(iii) satisfactory school attendance at a secondary school or in a course of study leading to a General Educational Development (GED) certificate, in the case of a recipient who has not completed secondary school or received such a certificate, that is regular attendance with the requirements of the secondary school, or in a course of study leading to a GED certificate.

(4) Limitations and special rules. A single custodial parent who has:

(A) not attained 20 years of age and has not completed high school is determined to be in a work activity for the month if the recipient maintains satisfactory attendance at a secondary school or equivalent during the month; or
11

(B) a child under the age of four months is not required to participate in a work activity. The recipient can use this special rule for a lifetime limit not to exceed 12 months.

INSTRUCTIONS TO STAFF

1. **(a) Application.** During the application process, the worker reviews with the applicant his or her responsibilities listed on Form **08TW002E**, TANF Work/Personal Responsibility Agreement, which is initiated during the application process.

(b) Employability plan. The activities related to the parent(s)' or needy caretaker's employability plan are:

(1) determining the most appropriate work activity for the parent(s) or needy caretaker;

- (2) determining the parent(s)' or needy caretaker's hours of participation in a work activity;
- (3) informing the parent(s) or needy caretaker of the:
 - (A) work requirements, including providing Oklahoma Department of Human Services (OKDHS) Publication No. 93-10, "TANF Work - The Future is Yours"; and
 - (B) availability of supportive social services, such as medical assistance, child care, housing, and transportation;
- (4) assisting the parent(s) or needy caretaker to complete Form **08TW002E** and update Section 7, Participant Agreement/Employability Plan, as often as indicated by the individual's needs;
- (5) providing assistance in arranging for child care during participation in activities;
- (6) initiating the sanction process as outlined in OAC 340:10-2-2 if the parent(s) or needy caretaker fails to meet the work requirements;
- (7) establishing or maintaining community and participant contacts that support Temporary Assistance for Needy Families (TANF) Work activities;
- (8) maintaining records of current resource materials that provide information and assistance to staff and parent(s) or needy caretaker;
- (9) establishing and maintaining a cooperative working relationship with local agencies or groups that provide job readiness and employment opportunities;
- (10) developing new resources or identifying existing resources to create new work sites;
- (11) providing consultation and assistance to ensure orderly program operations, which requires meeting with OKDHS staff, work participants, community groups, and employers;

(12) conducting small group workshops on an as-needed basis to provide information and instruction regarding the various work activities available; and

(13) updating the TANF Work tab and Auth. ET&E tab on Family Assistance/Client Services (FACS), showing the participation status of each parent or needy caretaker and using Case Notes to document the participation activities and other needs of the family members.

(c) Termination of TANF cash assistance. At the time TANF cash assistance is terminated, the worker explores with the family any continued need for social services. When termination of cash assistance is due to employment or increased earnings, the worker explains availability of transitional child care, medical services, and the earned income tax credit.

2. Worker updates FACS, TANF Work tab to CD, caring for a disabled individual. A good cause authorization is coded on FACS, Auth. ET&E tab.

3. Countable hours of TANF Work participation must include a minimum of 20 core hours of work activities. Refer to paragraph (4) of OAC 340:10-2-1 for the limitations for a single custodial parent under the age of 20 who has not completed high school.

4. (a) The incapacitated work-eligible parent is not required to participate in TANF Work activities. FACS, TANF Work tab, ET&E status must be updated to DI, disabled individual. A good cause authorization is coded on FACS, Auth. ET&E tab.

(b) When medical documentation is provided that substantiates the work-eligible spouse of the incapacitated parent is required in the home to provide care, FACS, TANF Work tab, ET&E Status must be updated to CD, caring for a disabled individual. A good cause authorization is coded on FACS, Auth. ET&E tab.

5. (a) Federal holidays are set by law and state holidays are declared by the Governor. If the holiday falls on a Saturday, usually Friday is observed as the holiday; if it falls on a Sunday, usually Monday is observed as the holiday. Refer to:

(1) www.opm.gov/Fedhol/ for a list of federal holidays; and

(2) www.sos.state.ok.us/holidays.htm for a list of state holidays.

(b) A facility closure, such as spring break, fall break, and Christmas break, is considered a holiday for participation purposes. Summer break for a secondary school is not considered a holiday for minor parents attending high school.

6. Holidays and excused absences must be entered using the ETPANEW transaction on the appropriate ET&E authorization. Participation allowances are paid for holidays and approved excused absences. Holidays must be coded as H on the appropriate day(s). Approved excused absences are coded E with the appropriate number of hours on the specific day(s). The payment of a part-time or full-time participation rate is dependent on the number of hours coded for the approved excused absence(s). The maximum number of countable approved excused absence hours are:

(1) 16 hours for any given month; or

(2) 80 hours for the federal fiscal year.

7. Coordination between the participant, facility, and worker must be ongoing to accurately verify and document the number of hours coded as an excused absence.

8. Examples of a family crisis are attendance at a funeral or emergency home maintenance issues.

9. Refer to OAC 340:10-2-2 for the determination of good cause.

10. Job search and job readiness activities are limited in counting toward the participation rate to four consecutive weeks and a maximum of 12 weeks in the federal fiscal year.

11. Refer to OAC 340:10-2-6 Instructions to Staff 2 for participation requirements.