



**MFIP EMPLOYMENT SERVICES MANUAL
DESCRIPTION OF CHANGES ATTACHMENT
REVISED SECTIONS – ISSUED 11/2015**

1 (Table of Contents) changes section title of 9.3 (Uncompensated Employment Activities), 9.9 (Uncompensated Employment Documentation & Verification), 9.47 (Rounding Uncompensated Activity Hours). It also deletes 9.51 (Identifiers).

2.3 (Introduction and Program Goals) in the 1st paragraph deletes reference to AFDC and Project STRIDE because this is out of date. It also deletes the last paragraph containing information about MFIP policies and replaces it with a reference to see the Combined Manual for information on MFIP policies and budgeting.

2.6 (Work Force Attachment Model) in the 3rd paragraph deletes "professional" from "job counselors". It in the last paragraph updates the MFIP earned income disregard. It also deletes the cross-reference to Chapter 4 (General MFIP Policy) and replaces it with a cross-reference to the Combined Manual.

3.12 (Glossary : D) updates the definitions of DEEM and DISQUALIFIED PERSON. It deletes the definitions of DENIAL and DISQUALIFICATION. It also adds a new definition for DIVERSIONARY WORK PROGRAM.

3.18 (Glossary : F...) updates the definitions for FAIR LABOR STANDARDS ACT (FLSA), FAMILY STABILIZATION SERVICES, FAMILY VIOLENCE WAIVER, and FUNCTIONAL WORK LITERACY (FWL). It also deletes the definitions for FAMILY, FAMILY WAGE LEVEL, FOOD SUPPORT PROGRAM, and FRAUD OVERPAYMENT.

3.24 (Glossary : H-K...) deletes the definitions for HOUSEHOLD and INITIAL ELIGIBILITY. It also updates the definition for IN COMPLIANCE.

3.30 (Glossary: M-N...) updates the definition of MANDATORY PARTICIPANT. It also deletes the definitions for MEDICALLY NECESSARY, MINNESOTACARE, MONTHLY INCOME TEST, and NET INCOME.

3.33 (Glossary: O-Q...) updates the definitions for OCCURRENCE OF NON-COMPLIANCE, PARTICIPANT, and PERMANENT DISQUALIFICATION. It also deletes the definitions for PARENT, PATERNITY, PAYMENT MONTH, PROSPECTIVE BUDGETING, and PROTECTIVE PAYMENT.

3.39 (Glossary: S...) updates the definitions for SANCTIONS, SIGNIFICANT CHANGE, SOCIAL SERVICES, and SPOKEN LANGUAGE PROFICIENCY (SPL). It adds a new definition for SATISFACTORY PROGRESS. It also deletes the definitions for SIBLINGS, SPL, SPOUSAL SUPPORT, SPOUSE, and STEPPARENT.

3.42 (Glossary : T-Z...) updates the definitions for TANF PARTICIPATION RATE, TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) GRANT, and UNIVERSAL PARTICIPATION. It also deletes definitions for UNIT MEMBERS, VENDOR PAYMENT, and WAGE MATCH.

7.6 (Minimum Hourly Activity Requirements) updates cross-references to 9.3 (Unpaid Uncompensated Employment Activities) due to section title change. No policy was changed.

7.9 (Allowable Activities) adds and deletes policy throughout. It also updates the cross-references throughout to 9.3 (Uncompensated Employment Activities) due to section title change.

7.12 (Plan for Victims of Family Violence) adds and deletes language for clarity throughout.

9.3 (Uncompensated Employment Activities) changes section title to Uncompensated Employment Activities. It adds and deletes policy throughout. It also changes "unpaid" to "uncompensated" throughout.

9.6 (Injury Protection Program) changes "unpaid" to "uncompensated" throughout. It also updates FSET to SNAP E&T.

9.9 (Uncompensated Employment Documentation & Verification) changes section title to UNCOMPENSATED EMPLOYMENT DOCUMENTATION & VERIFICATION. It changes "unpaid" to "uncompensated" throughout. It also in the 6th paragraph changes that documentation submitted to the employment counselor by participants who provide child care to another MFIP participant in a community service program uncompensated position must be provided no less than monthly.

9.12 (Job Search Activities) deletes and adds policy throughout.

9.47 (Rounding Uncompensated Activity Hours) changes section title to Rounding Uncompensated Activity Hours. It changes "unpaid" to "uncompensated" throughout and changes "unpaid non-countable" to "allowable". It also updates language for clarity.

9.51 (Identifiers) deletes section as identifiers are no longer used.

16.3 (TANF Participation Rate) adds and deletes policy throughout. It also updates the cross-references throughout to 9.3 (Uncompensated Employment Activities) due to section title change.

17.27 (Allowable DWP Work Activities) deletes cross-reference to 9.51 (Identifiers) as this section was deleted.

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The Minnesota Family Investment Program (MFIP) is a comprehensive work-focused program for families in Minnesota. The MFIP grant includes cash and food benefits. MFIP participants are encouraged and expected to work. Supports are provided to enable them to go to work, and earnings disregards ensure they are better off financially when they work.

The goals of MFIP are:

- To encourage and enable all families to find employment.
- To help families increase their income and move out of poverty.
- To prevent long-term dependence on welfare as a primary source of family income.

§2.6 (Work Force Attachment Model) explains more about the emphasis on the work expectation for MFIP participants.

Chapters 5 through 16 explain the MFIP program and Employment Service Providers' responsibilities for MFIP clients during their 1st 60 months of eligibility for MFIP.

See the [Combined Manual](#) for additional information on MFIP eligibility policies and budgeting.

MFIP is designed to encourage and enable early work force attachment for participants in order to build job skills, experience, and work history. This approach has been shown to be effective in increasing earnings and income while promoting self-esteem and independence for participant families.

MFIP encourages participant employment by vigorously promoting the financial, social, and psychological advantages of employment. Financial workers, job counselors, managers, and support staff should encourage work by:

- Delivering a strong and consistent message about the 60-month time limit for MFIP and the importance of work.
- Providing easy access to materials and equipment that facilitate job search and promote positive work messages by means of posters and displays of success stories.

The core methods for getting participants to work are setting clear work expectations, and providing encouragement and support for participants as they obtain and retain employment. This encouragement and support should be system-wide; that is, provided by job counselors and reinforced by financial, child care, and child support workers. When necessary, sanctions are applied if participants refuse to cooperate with the program. See Chapter 14 (Non-Compliance & Sanctions).

MFIP enables participants to work by supporting program activities with child care funding and health care coverage, both of which can extend through the period where families are off MFIP but not yet at a level of full self-support. These supports are available for up to 1 year after a participant becomes ineligible for a grant because of increased earnings, child/spousal support, or a combination of earnings and child/spousal support. Transitional Year Child Care (TYCC) funding is available for up to 1 year for families that meet the income guidelines. Families that still meet the income guidelines at the end of the transition year are eligible for Basic Sliding Fee Child Care Assistance.

Grants for working families are calculated from a higher standard than those for families that do not work. An ongoing disregard of the 1st \$65 of earned income per wage earner plus half of the remaining earned income of the assistance unit of gross earned income helps to cover work-related expenses and increases net income. Federal and state tax credits are also available. The result of these MFIP policies is that **WORK ALWAYS PAYS**; participants are always financially better off working. See the [Combined Manual](#) for additional information on MFIP eligibility policies and budgeting.

DEDUCTION :

An amount of income not counted in the computation of a person's income because its use or intended use is for certain specific expenses.

DEEM :

To allow a participant to meet the TANF core hour requirement when the participant meets 1 of the following conditions:

- If participating in uncompensated work experience or a community service program the maximum number of hours allowed under the Fair Labor Standards Act (FLSA). See §9.3 (Uncompensated Employment Activities).

OR

- If a teen parent is attending high school or GED classes an average of 1 or more hours per week and is meeting the school's attendance requirements.

DHS :

The Minnesota Department of Human Services.

DISQUALIFIED PERSON :

A person who is ineligible for assistance due to non-cooperation with a program procedure. The length of disqualification may vary depending on which program provisions the person violated or failed to comply with.

DISQUALIFY :

To make a person ineligible for assistance because of non-cooperation with a program procedure.

DISREGARD :

An amount of income which is excluded in determining NET INCOME.

DIVERSIONARY WORK PROGRAM:

A short-term, work focused program for families applying for cash benefits. It provides a maximum of 4 consecutive months in a 12-month period, of necessary services and supports to families which will lead to unsubsidized employment, increase economic stability, and reduce the risk of needing longer term assistance under MFIP.

DOCUMENTATION :

A written statement or record that substantiates or validates an assertion made by a person or an action taken by a person, agency, or entity. For example, supporting evidence that the hours and activities have been verified.

FAIR HEARING :

A hearing conducted by the DHS Appeals Office to decide disagreements concerning eligibility determinations and benefit amount.

FAIR LABOR STANDARDS ACT (FSLA):

All work experience participants are considered employees under the FSLA. Participant would not be required to participate in uncompensated work experience more hours than the monthly MFIP cash assistance amount plus the monthly food benefit amount divided by the state minimum wage. See §9.3 (Uncompensated Employment Activities) for more information on the FAIR LABOR STANDARDS ACT (FSLA).

FAMILY STABILIZATION SERVICES:

Serves families who are not making significant progress within the regular employment and training services track, giving employment services providers more flexibility to develop appropriate plans. See Chapter 11 (Family Stabilization Services (FSS)).

FAMILY VIOLENCE :

An act or a combination of acts such as: physical harm, bodily injury or assault, the infliction of fear of imminent physical harm, bodily injury or assault, terroristic threats, criminal sexual conduct committed against or committed by a family or household member. See §7.3 (Employment Plan (EP)), §7.12 (Plan for Victims of Family Violence), §7.36 (Family Violence Waiver Option).

For family violence purposes, family or household members are:

- Spouses and former spouses.
- Parents and children.
- People related by blood.
- People who are residing together or who have resided together in the past.
- People who have a child in common regardless whether they have been married or have lived together at any time.
- A man and a woman if the woman is pregnant and the man is alleged to be the father, regardless of whether they have been married or have lived together at any time.
- People involved in a current or past significant romantic or sexual relationship.

FAMILY VIOLENCE WAIVER:

A provision under which participants, who are victims of FAMILY VIOLENCE, may be exempt from the 60-month lifetime limit. See §7.3 (Employment Plan (EP)), §7.12 (Plan for Victims of Family Violence), §7.36 (Family Violence Waiver

Option).

FRAUD :

A person is considered to have committed fraud when obtaining, attempting to obtain, or aiding and abetting another to obtain assistance benefits to which the person is not entitled or in amount greater than the person's entitlement, through material and intentionally false statements, representations, or the withholding of information. See §14.33 (Fraud and EBT Misuse).

FULL-TIME STUDENT :

A person who is enrolled in a graded or ungraded primary, intermediate, secondary, GED preparatory, trade, technical, vocational, or post-secondary school, and who meets the school's standard for full-time attendance. Summer vacations and school holidays do not affect the student's full-time status.

FUNCTIONAL WORK LITERACY (FWL) :

An Intensive ENGLISH AS A SECOND LANGUAGE program that is work focused and offers at least 20 hours of class time per week. See §9.30 (ESL and Functional Work Literacy (FWL)).

HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA):

The Health Insurance Portability and Accountability Act of 1996, established the HIPAA Privacy Rule in December of 2000. The HIPAA Privacy Rule is a federal rule designed to protect individuals' medical records and other Personal Health Information.

HOUSEHOLD REPORT FORM (HRF):

A form (DHS-2120) used by clients to report income and circumstance changes.

IN COMPLIANCE:

A participant is meeting the requirements in his or her EMPLOYMENT PLAN .

INCOME:

Cash or in-kind benefit, whether earned or unearned which is, received by or available to an applicant or participant, that is not an asset.

INELIGIBLE PERSON:

A person who does not meet eligibility requirements for assistance.

JOB SEARCH:

The act of seeking or obtaining employment, preparation to seek or obtain employment, including life skills training, substance abuse treatment, mental health treatment or rehabilitation activities for those who are otherwise employable.

KNOWN TO THE AGENCY:

Information about a family's circumstances that the county agency receives from the family or discovers from sources: such as MAXIS, PRISM, or MMIS. For the purposes of this determination, the county agency includes the Minnesota Department of Human Services and the county human service agency(s) responsible for the administration of the child care, cash, food, and health care programs. It also includes any agency(s) that contracts with the human service agency(s) for the delivery of financial, health care, child care programs, and employment services.

MANDATORY PARTICIPANT :

All MFIP participants are mandatory in employment services except 1 parent with a child under the age of 12 months, who chooses to take the child under 12-month exemption and have not used their 12-month lifetime limit.

Caregivers with a fraud disqualification on or after October 1, 2007, are also required to participate in employment services.

MAXIS :

Minnesota's statewide automated eligibility system for public assistance programs.

MEDICAL ASSISTANCE (MA) :

The program established under Title XIX of the Social Security Act and Minnesota Statutes 256B providing for health care to needy people.

MFIP EMPLOYMENT SERVICES (MFIP-ES) :

The program that provides Employment Services to current and former MFIP participants.

MINIMUM WAGE :

The lowest wage established by law that an employer may pay an employee. See **SUITABLE EMPLOYMENT** in §3.39 (Glossary: S...).

MINNESOTA FAMILY INVESTMENT PROGRAM (MFIP) :

Minnesota's family assistance program. The program is both TANF-funded and state-funded.

MINNESOTA WORKING FAMILY CREDIT :

A state tax credit for which low or moderate income individuals and families are eligible if they qualify for the federal **EARNED INCOME CREDIT**. See **EARNED INCOME CREDIT** in §3.15 (Glossary: E...). The Minnesota Working Family Credit can be applied for by filing a Minnesota income tax return.

MINOR CAREGIVER :

A person who (a) is under the age of 18 years and not emancipated, and (b) has applied for or receives assistance as a caregiver on behalf of himself or herself and his or her minor child.

MINOR CHILD :

A child who lives with parents or other caregiver, is not the parent of a child in the home, and who is 1 of the following:

➤ Less than 18 years old.

OR

➤ Under the age of 19 and a full-time student in a secondary school or equivalent level of vocational or technical training, designed to fit students for gainful employment.

OCCURRENCE OF NON-COMPLIANCE :

A month a participant is not in compliance with MFIP requirements.

ON-LINE DIPLOMA :

For an 18- or 19-year old with an on-line diploma other than from a program approved by the Dept. of Education, explain the MFIP policy and place the teen in the “work option”. See §7.38 (Requirements for Teen Parents).

For caregivers under 18 years of age, who are enrolled in an on-line secondary school or GED program, refer to the school district to determine its legitimacy. Each district has a transfer specialist who will sort this out, probably by doing testing.

ON-THE-JOB TRAINING (OJT) :

Training in the public or private sector that is given to a paid employee 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.

PARTICIPANT :

A recipient of cash assistance who participates or is required to participate in the Diversionary Work Program or MFIP Employment Services.

PERMANENT DISQUALIFICATION :

When 1 or both caregivers are no longer eligible to receive MFIP due to failure to comply with Employment Services.

PERSONAL NEEDS ALLOWANCE :

An allowance of up to \$70 per month for each Diversionary Work Program unit member to pay for expenses such as household products and personal products.

PERSON TRAINED IN DOMESTIC VIOLENCE :

An individual who works for an organization designated by the Minnesota Center for Crime Victim Services as providing services to victims of family violence, a county staff person who has received similar training, or any other person or organization designated by a qualifying organization. See §7.3 (Employment Plan (EP)), §7.12 (Plan for Victims of Family Violence), §7.36 (Family Violence Waiver Option).

POST-SECONDARY SCHOOL :

A school serving students beyond the 12th grade, such as a community college, university, or technical college.

PROTECTIVE SERVICES :

Social service programs designed to prevent abuse or neglect and safeguard dependent children and vulnerable adults.

QUALIFIED PROFESSIONAL:

Licensed physician, a physician's assistant, a nurse practitioner, a certified midwife, or a licensed chiropractor. For qualified mental health professional or qualified professional to determine Developmental Disabilities, see §13.18.3 (Developmental Disability/Mental Illness Extension Criteria). For qualified professional to determine learning disability or IQ, see §13.18.6 (Learning Disabled Extension Criteria). For qualified professional to determine if participant is "unemployable", see §13.18.12 (Unemployable Extension Criteria).

SANCTIONED MONTH :

A month a participant is in sanction on the MAXIS system.

SANCTIONS :

Reduction of a family's assistance payment by a specified percentage if a participant fails to comply with the MFIP Employment Services requirements, a parental caregiver fails without good cause to cooperate with the child support enforcement requirements or a participant fails to comply with other program requirements.

SAFE AT HOME (SAH) PROGRAM :

The Safe At Home (SAH) Program is a Minnesota address confidentiality program that assists survivors of domestic violence, sexual assault, and stalking by providing a substitute address for people who move or are about to move to a new location unknown to their aggressors. The Minnesota Secretary of State's office administers this program. See §7.36.1 (Safe At Home Program) for more information.

SATISFACTORY PROGRESS:

Determined by the training or education program, used to determine compliance with secondary, GED and training or educational programs.

SECONDARY SCHOOL :

A school accredited by the Minnesota Department of Education as a secondary school. This includes grades 7 through 12 or an equivalent technical, vocational, or GED program.

SELF-EMPLOYMENT :

Employment where people work for themselves rather than an employer, are responsible for their own work schedule, do not have taxes or FICA withheld by an employer, and do not have coverage under an employer's liability or workers' compensation insurance.

SELF-SUPPORT INDEX :

An MFIP/DWP outcome measure that tracks whether adults are either working 30 or more hours per week, or no longer receiving MFIP/DWP cash payments 3 years after a baseline quarter.

SIGNIFICANT CHANGE :

The unit's gross earned and/or unearned income for the payment month declines by \$65 plus 50% or more from the gross earned and/or unearned income budgeted in the budget month.

SNAP:

See SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.

SOCIAL SERVICES :

The services included in a county's community social services plan.

SPOKEN LANGUAGE PROFICIENCY (SPL) :

A test that measures the English language speaking skills of people whose native language is not English.

SSA :

Social Security Administration.

SSI :

See SUPPLEMENTAL SECURITY INCOME (SSI) below.

SUBSIDIZED PRIVATE SECTOR EMPLOYMENT:

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 or when the wages paid to a participant are made by a hired party, such as the county, the MFIP ES provider or a temporary staffing agency that has a contract to provide subsidized employment for MFIP participants.

SUBSIDIZED PUBLIC SECTOR EMPLOYMENT:

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 or when the wages paid to a participant are made by a hired party, such as the county, the MFIP ES provider or a temporary staffing agency that has a contract to provide subsidized employment for MFIP participants.

SUITABLE EMPLOYMENT :

Suitable employment:

- Is within the participant's physical and mental capacity.
- Pays hourly gross wages which are not less than the federal or state minimum wage for that type of employment.
- Meets health and safety standards set by federal, state, and county agencies.
- Complies with federal, state, and local anti-discrimination laws.

Do not knowingly refer participants to employers who offer employment that violates these standards.

SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP):

The federal Food and Nutrition Service Program of the United States Department of Agriculture. Also known as: food assistance, food benefits, Food Support, nutrition assistance or nutrition assistance benefits. Formally known as Food Stamps.

SUPPLEMENTAL SECURITY INCOME (SSI) :

A program operated by the Social Security Administration that provides monthly income to low-income people who are aged, blind, or have a disability.

SUPPORTED WORK :

A subsidized or unsubsidized work experience placement with a public or private sector employer, which may include services such as individualized supervision and job coaching to support the participant on the job.

SUSPENSION :

A 1-month interruption in eligibility for benefits. Benefits suspended 1 month are reinstated the next month without a new application.

SWORN STATEMENT :

A written declaration made by participant. It is similar to an affidavit, but unlike an affidavit, it does not need to be sealed by an official such as a notary public or other authorized officer. The signing of the statement only needs to be witnessed if a Notary is not available.

TANF :

See TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) GRANT below.

TANF PARTICIPATION RATE :

The federally mandated work performance requirement for states that have a TANF program. See §16.3 (TANF Participation Rate).

TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) GRANT :

In Minnesota it is called the MINNESOTA FAMILY INVESTMENT PROGRAM (MFIP), see §3.30 (Glossary: M-N...).

TRANSITIONAL STANDARD :

The basic standard for a family with no earnings consisting of a combination of the cash assistance needs and the food assistance needs for a family of that size. See Appendix A (MFIP Assistance Standards).

UNEARNED INCOME :

Income a person receives without being required to perform any labor or service as a condition of receiving the income.

UNSUBSIDIZED EMPLOYMENT :

Full- or part-time employment in the public or private sector that is not subsidized by TANF or any other public program. Self-employment is not subsidized by TANF or any other public program. Self-employment is included in this activity.

UNIVERSAL PARTICIPATION :

Starting February 1, 2008 all caregivers must work with employment services and develop an Employment Plan or a Family Stabilization Services Employment Plan.

VERIFICATION :

The process and evidence used to establish accuracy or completeness of information from an APPLICANT, PARTICIPANT, THIRD PARTY, etc. For example, it could also be an action taken by the county or employment services provider to validate the hours and activities of program participants.

WORK STUDY :

Federal or non-federally funded employment arranged for students by a post-secondary school; or a program operated or approved by a SECONDARY SCHOOL or its equivalent which allows students to earn academic credit for employment.

MINIMUM HOURLY ACTIVITY REQUIREMENTS

7.6

The general expectation is that participants will participate to the greatest extent possible and obtain full-time employment as soon as possible. Activities supporting these goals should be included in the Employment Plan. See §7.3 (Employment Plan (EP)), §7.12 (Plan for Victims of Family Violence). The number of hours in the Employment Plan must meet the requirements below, unless there is a compelling reason to do otherwise.

Document activity hours for each participant. Documentation and verification **MUST** be contained in each case file.

Participants who are new to MFIP Employment Services with a skill level likely to succeed in obtaining suitable employment must job search a minimum of 30 hours per week for 6 weeks initially. To meet participation requirements any remaining hours may be met by including other allowable work activities in the plan. This applies to parents in single-parent families and to both parents in 2-parent families.

After the initial 6 weeks of job search, participants must continue to meet the following hourly requirements:

- 87 hours per month of work activities for single-parent families with a child under 6.
- 130 hours per month of work activities for single-parent families with no children under 6.
- Combined total of at least 55 hours per week for 2-parent families.

Employment plans are written with weekly activity and sometimes daily expectations.

Follow this guidance in order to meet the monthly minimum:

- **Minimum Weekly activity requirements for single-parent families with children under 6.**

Plans should be written with at least a minimum of 21 hours a week. ($87/4.3 = 20.23$ rounded up is 21). For participants for whom it is realistic and achievable, DHS recommends writing the plans up to the equivalent of full-time work.

- **Minimum Weekly activity requirements for single-parent families with no children under 6.**

Plans should be written with at least a minimum of 31 hours a week. ($130/4.3 = 30.23$ rounded up is 31). DHS recommends writing the plans up to the equivalent of full-

MINIMUM HOURLY ACTIVITY REQUIREMENTS

7.6

time work each week if appropriate for the individual circumstances.

➤ **Minimum Weekly activity requirements for 2-parent families.**

When 1 parent in a 2-parent family is participating 55 hours per week, the 2nd parent is still expected to participate. This 2nd parent is not exempt from the requirement to participate. Use your professional discretion to decide the appropriate number of hours required of this parent to help achieve the goal of leaving MFIP.

NOTE: In 2-parent families where only 1 parent is receiving MFIP, for example, the 2nd parent is receiving SSI; follow the single parent minimum hourly requirements.

Job counselors have the discretion and should make a determination of the appropriate number of hours for each case.

Additional guidelines for determining the number of hours written in a participant's plan:

- **Maximum** - For participants for whom it is realistic and achievable, DHS recommends writing plans that mirror full-time work. No participant may be required to participate more than 40 hours per week.
- **Between the maximum and minimum** - Making a determination of the appropriate number of hours between the minimum and maximum should be based on the participant's personal and family circumstances that impact or restrict the participant's ability to obtain or retain employment. This could include, but is not limited to: any assessment results, the participant's performance, observations of the participant, any special needs of the participant or children, family violence issues, the level of English proficiency, involvement with social services or legal issues.
- **Below minimum** - Plans should be written for less than the minimum if the participant qualifies for a modified plan or if the participant has good cause. See §7.15 (EP - Reduced Hours Due to Good Cause) and §14.6 (Good Cause for Non-Compliance) for further details.

NOTE: In some rare situations, a participant may request an additional activity be added to his or her employment plan that exceeds the 40 hour maximum requirement. For example, the person is working full-time and chooses to go to school in the evening. The reason for this request is the participant wants additional childcare or other support services that can only be provided by the job counselor in support of an

MINIMUM HOURLY ACTIVITY REQUIREMENTS**7.6**

EP. In these situations, a job counselor should use professional discretion in determining the additional activity or hours is appropriate and ensure other polices are not violated (for example, FLSA see §9.3 (Uncompensated Employment Activities)). The EP can be written for more than 40 hours provided it was requested by the participant, approved by the job counselor AND it is clearly written in the EP that the additional hours and activity is voluntary.

The rationale for the number of hours in the plan should be documented in case notes.

Do not sanction a participant if the participant is meeting the number of hours required in the participant's employment plan, or the minimum number of hours set forth above, whichever is less. If the plan requires more hours than the participant is achieving, the job counselor should explore the reason for the difference and consider revising the plan.

Do not count transportation time from home to a child care provider, and to and from work or other work activities, toward a participant's hourly requirement. However, count transportation that is a part of the work activity. For example, transportation from the Employment Services office to an interview or between interviews can be counted.

TEEN PARENTS WITHOUT A DIPLOMA OR GED

Minor parents without a diploma or its equivalent and 18- and 19- year old parents who choose a school option meet the minimum participation requirements by attending school. Decide whether to include additional activities, especially in cases where school attendance is less than full time. See §7.38 (Requirements for Teen Parents).

EP FOR VICTIMS OF FAMILY VIOLENCE

The number of hours in a plan with a Family Violence Waiver are based on the circumstances of the family and must be agreed to by the participant, Family Violence professional and the job counselor. See §7.12 (Plan for Victims of Family Violence).

EMPLOYMENT PLAN FOR FSS PARTICIPANTS

Due to the flexible nature of Family Stabilization Services (FSS), the number of hours in the EP should be based on the needs of the family. When applicable, qualified professionals should be consulted on the appropriate number of hours in an activity.

ALLOWABLE ACTIVITIES

Types of allowable Employment Services (ES) activities are divided into “core”, “non-core”, and “other allowable activities”. The following lists each allowable Employment Services activity under its respective category. The column on the right shows how the activity appears in Workforce One (WF1).

CORE ACTIVITIES

Track in WF1 as...

Employed 30 Hours or More Per Week Chapter 8 (Paid Employment Activities)	Employed full time
Employed Less Than 30 Hours Per Week Chapter 8 (Paid Employment Activities)	Employed part time
On-The-Job Training (OJT), Public Sector Chapter 8 (Paid Employment Activities)	OJT public
On-The-Job Training (OJT), Private Sector Chapter 8 (Paid Employment Activities)	OJT private
Paid Work Experience Chapter 8 (Paid Employment Activities)	Paid work experience
Grant Diversion Chapter 8 (Paid Employment Activities)	Grant diversion
Community Service Program §9.3 (Uncompensated Employment Activities) Chapter 8 (Paid Employment Activities)	Community service
Child Care for Employment in Community Service Program §9.3 (Uncompensated Employment Activities)	Providing childcare Community service
Uncompensated Work Experience §9.3 (Uncompensated Employment Activities)	Uncompensated work experience
Post-secondary vocational education and Training/Education up to 12 months §9.33 (Ed/Training Daily Supervision, Doc. & Verif.)	Training lasting 12 months or less
Vocational Training & Education, 13+ Month (12 months in a lifetime)	Training/Education 13+mos.

ALLOWABLE ACTIVITIES

7.9

§9.33 (Ed/Training Daily Supervision, Doc. & Verif.)

Job search (for 6 weeks in a fiscal year)

Job search

§9.18 (Job Search/Job Readiness Documentation & Verification)

NON-CORE ACTIVITES

Track in WF1 as...

Job skills training directly relating to Employment
§9.33 (Ed/Training Daily Supervision, Doc. & Verif.)

Job skills training directly related to employment

English as a Second Language (ESL) Training
§9.33 (Ed/Training Daily Supervision, Doc. & Verif.)

ESL training

Adult Basic Education (ABE)
§9.33 (Ed/Training Daily Supervision, Doc. & Verif.)

ABE/remedial training

Functional Work Literacy (FWL)
§9.33 (Ed/Training Daily Supervision, Doc. & Verif.)

Functional Work Literacy

High School Completion
§9.33 (Ed/Training Daily Supervision, Doc. & Verif.)

High School completion

GED Classes
§9.33 (Ed/Training Daily Supervision, Doc. & Verif.)

GED Training

Vocational Training/Education, 13–24 Months (12 mos. lifetime limit used up)
§9.33 (Ed/Training Daily Supervision, Doc. & Verif.)

Training/Education 13+ mos.

OTHER ALLOWABLE ACTIVITIES

Track in WF1 as...

Job search (after 120/180 hours is used)
§9.18 (Job Search/Job Readiness Documentation & Verification)

Job search

Assessment
§9.39 (Social Services Activities)

Assessment

Participating in Social Services

Social Service

ALLOWABLE ACTIVITIES

§9.39 (Social Services Activities)

Holding
 §9.45 (Holding & Other Activities)

Holding

Holding – Child under 12 months
 §9.45 (Holding & Other Activities)

Holding – Child under 12 months

Holding - Sanction
 §9.45 (Holding & Other Activities)

Holding Sanctioned

Other
 §9.45 (Holding & Other Activities)

Other

Local Flag
 §9.45 (Holding & Other Activities)

Local Flag

For further information on these ES activities, see §9.48 (Holidays & Excused Absences).

PLAN FOR VICTIMS OF FAMILY VIOLENCE

7.12

Victims of family violence may be exempt from the 60-month time limit when they comply with an EP under the Family Violence Waiver Option.

Plans for participants with Family Violence Waivers should include activities designed to lead to economic stability **when these activities do not endanger the safety of the participant or the children.**

DEVELOPING A PLAN FOR VICTIMS OF FAMILY VIOLENCE

The EP for a participant with an approved Family Violence Waiver (FVW) must be developed, or revised, with:

- The job counselor.
- AND
- The participant.
- AND
- A person trained in domestic violence.

See person trained in domestic violence in §3.33 (Glossary: O-Q...).

Every EP for victims of family violence should be:

- Focused on safety first.
- Realistic and achievable.
- Individually created, based on the participant's circumstances.

Development of a plan must include the understanding that participants should contact their job counselor immediately if they are having difficulty complying with the activities in the plan. If issues related to family violence impact the participant's ability to comply, the plan should be revised.

POSSIBLE WORK ACTIVITIES TO BE INCLUDED IN AN EP FOR VICTIMS OF FAMILY VIOLENCE

Use the work activities in §7.9 (Allowable Activities), and levels of work activities in §7.9.3 (Order of Preference for Allowable Activities). The list below is provided as guidance only.

Safety-related items:

- Checking in with a domestic violence advocate.
- Carrying a cell phone (if available).
- Changing phone numbers.

- Changing locks and improving security of building/apartment. (Funding is sometimes available for these purposes through victim/witness projects.)
- Investigating the possibility of court action (Order for Protection or criminal prosecution).
- Assuring that school or day care is aware of the current situation, and that the abuser is not authorized to pick up the children.
- Setting up code words or arrangements at work to call police if necessary.
- Making a police report.

Other supports:

- Having children work with a children's advocate from the community or battered women's program.
- Providing additional time for counseling appointments or support groups

Employment activities:

- Having independent job search activities, such as searching the Internet, or volunteer work activities in community or school.
- Continuing work, if proper safety precautions are followed by management.
- Changing job sites or duties.
- Changing jobs to a place unknown to the abuser.

NOTE: A participant cannot be required to have or obtain an Order for Protection or to attend counseling when developing a plan. A participant also cannot be required to move away from the abuser.

EXEMPTION FROM 60-MONTH TIME LIMIT

As long as a participant has an approved EP and is complying with it, he/she is exempt from the 60-month time limit. There is no limit on the number of months a participant may be exempt from the time limit. It is **extremely important** that all parties involved inform each other about the status of the plan so that information in the computer systems is current.

APPROVAL OF AN EMPLOYMENT PLAN (EP)

Approval of the plan should only be made after careful consideration and consultation with the participant and the person trained in domestic violence to ensure that decisions made are in the best interest of the participant and children.

REVISING/REVIEWING A FVW EMPLOYMENT PLAN

The purpose of the review is to determine if the activities are still appropriate and the

participant is able to safely comply with the plan.

Take into consideration any changes in the participant's safety level, when reviewing the Employment Plan. Discuss possible revision or modifications with the client and the person trained in domestic violence. Not all participants will be able to engage in employment work activities. You and county staff will need to rely on the expertise of the person trained in domestic violence and the participant to determine what is appropriate and safe. You must grant "good cause" when incidents beyond the participant's control interfere with their ability to comply with activities mutually agreed to in the plan.

Whenever a plan is developed or revised, you or the county must include the person trained in domestic violence and the participant in determining what activities to be include in the plan.

FAILURE TO COMPLY WITH A FVW EMPLOYMENT PLAN

When a participant fails to comply with the plan, meet with the participant and their advocate to review the plan and determine whether the plan is still appropriate. If the participant is unable to safely comply with activities, the plan should be revised. If the participant is able to comply with activities, but fails to do so, the exemption from the 60-month limit ends and the participant is subject to the FSS sanction-process.

For information on non-compliance and sanctions, see Chapter 14 (Non-Compliance & Sanctions).

UNCOMPENSATED EMPLOYMENT ACTIVITIES**9.3**

Uncompensated employment activities include: uncompensated work experience, CWEP, and community service. Track AmeriCorp and AmeriCorp/Vista Programs under paid work experience because these programs provide a form of compensation. See Chapter 8 (Paid Employment Activities).

All of the following activities are **core** activities. These activities should be coded accordingly and the hours should be tracked on Workforce One (WF1).

Uncompensated work experience is an option if the participant agrees to participate or the uncompensated work experience meets following criteria:

- The participant has been unable to obtain or maintain paid employment in the competitive labor market and there are NO paid work experience programs-available.
AND
- The uncompensated work experience provides specific skills or experience that cannot be obtained through other work activity options where the participant lives or is willing to live.
AND
- The skills or experience result in higher wages than the participant would earn without the uncompensated work experience.

Paid work is the ultimate goal for everyone in the program. However, uncompensated work may be a necessary intermediate step that provides a work experience and core activity hours that count toward the participation requirement. See §16.3 (TANF Participation Rate). MFIP is designed to put participants on "the most direct path to unsubsidized employment".

UNCOMPENSATED WORK EXPERIENCE (Core Activities)

This activity is used when a participant is in a placement in a public, non-profit, or private sector work site. This can include uncompensated supported work and uncompensated internships.

COMMUNITY SERVICE PROGRAM (Core Activities)

Community service placements must fulfill a useful public purpose. MFIP Employment Services Providers (ESPs) must identify and document this purpose in the case file. Some examples include work performed for a school, Head Start Program, providing clerical support for a government or not-for-profit agency and working for a church preparing meals for the elderly, as well as participation in volunteer organizations, such as Volunteers in Service to America or private volunteer organizations.

Document how the community service program work assignment enhances the participant's

employability.

This activity includes sentence-to-serve community service.

COMMUNITY WORK EXPERIENCE PROGRAM (CWEP) (Core Activities)

This activity is used to improve the employability of MFIP individuals not otherwise able to obtain employment by providing work experience and training to assist them to move into regular employment. The participant must have completed job search prior to entering CWEP. Placements must serve a useful public purpose.

CWEP may be used for a particular participant after exhausting other employment opportunities, including opportunities to participate in other work activities. This means that as a condition of making a CWEP placement the participant must first be provided with:

- An opportunity for placement in suitable subsidized or unsubsidized employment through participation in job search.

OR

- Placement in suitable employment through participation in On-The-Job Training, if such employment is available.

CWEP work sites developed are limited to projects that serve a useful public service such as: health, social services, environmental protection, education, urban and rural development and redevelopment, welfare, recreation, public facilities, public safety, community service, services to aged or disabled citizens, and child care. To the extent possible, the prior training, skills, and experience of the participant should be considered in making appropriate work experience assignments. Structured, supervised volunteer work with an agency or organization, which is monitored by the county service provider, may, with the approval of the county agency, be used as a CWEP placement.

For information on non-displacement in work activities, see §8.18 (Non-Displacement).

The maximum number of hours any participant may work in a CWEP placement is limited to the amount of the MFIP Transitional Standard divided by the federal or state minimum wage, whichever is higher. The placement may not continue beyond 9 months unless the maximum number of hours the participant works is no greater than the amount of the MFIP Transitional Standard divided by the rate of pay for individuals employed in the same or similar occupations by the same employer at the same site. This limit does not apply if it would prevent a participant from working enough hours to count toward the work participation rate.

For the Transitional Standard amounts, see Appendix A (MFIP Assistance Standards).

County agencies and ES providers may place participants in Uncompensated Work Experiences

UNCOMPENSATED EMPLOYMENT ACTIVITIES**9.3**

that are not part of CWEP.

Uncompensated placements that do not meet all of the CWEP criteria listed in this section should be coded as Uncompensated Work Experience.

Uncompensated Work Experience Placements are subject to non-displacement restrictions. See §8.18 (Non-Displacement).

The participant's Employment Plan must include the length of time needed in the CWEP or Uncompensated Work Experience placement, the need to continue job search activities during the placement, and the participant's employment goals.

After each 6-month participation period in a CWEP or uncompensated work experience placement, and at the conclusion of the assignment, review the Employment Plan and revise as necessary.

PROVIDING CHILD CARE FOR PARENT WORKING IN A COMMUNITY SERVICE PROGRAM (Core Activities)

This activity is used only for participants who are providing child care for other participants in a community service program. This is an uncompensated activity, if the participant is being paid for the childcare, code as you would any self-employed person, in unsubsidized employment.

FAIR LABOR STANDARDS ACT (FLSA)

Participants who are engaged in work experience or community service program activities are subject to the provisions of the Fair Labor Standards Act (FLSA). When developing a work schedule for a participant in an uncompensated work experience, volunteer or Community Work Experience Programs position, hours are determined by dividing the participant's actual MFIP grant (cash, food portion, and housing assistance grant) by the state minimum wage \$9.00/hour.

NOTE: Use the actual amount of the participant's MFIP grant after applying a sanction, when applicable.

For example, a participant's MFIP grant is \$400. Divide by \$9.00/hour. The maximum number of hours the participant is permitted to work in an uncompensated employment activity during the month is 44. Always round down to the nearest whole number of hours.

In the above example, the individual would fall short of the 87 hours per month core requirements. However, because of the FLSA restrictions, the TANF regulations allow states to deem the participant to have met the TANF core hour requirement of 87 hours per month if he/she worked the maximum number of hours allowed under the FLSA.

UNCOMPENSATED EMPLOYMENT ACTIVITIES

9.3

Deeming means that the participant's hours will count towards the federal TANF Work Participation Rate core hour requirement without having participated in the additional hours needed to add up to 87 hours.

Using the example above, if the participant is engaged in an uncompensated work activity (for example, uncompensated work experience, community service programs or a combination of the two) for 44 hours (the maximum number of hours allowed under the FLSA), the participant will have met the 87 core hour requirement. The state is allowed to "deem" the additional 43 hours needed to meet the 87 core hour requirement (44 actual hours plus 43 deemed hours = 87 core hour requirement).

If a participant fails to participate the maximum number of hours allowed under the FLSA, no additional hours are deemed. Again, using the above example, if the participant was engaged in an uncompensated work activity for 43 (or fewer) hours, no additional hours would be deemed. The participant will not meet the 87 core hour requirement (unless the participant was engaged in additional core activities which, when added to the actual number of hours the participant was engaged in uncompensated work activities, total 87 hours or more).

Do not allow deeming of additional hours to meet the 130 hours per month requirement for families without a child under the age of 6. These participants must be engaged in additional countable activities, not subject to the FLSA, in order to meet the 130 hour per month participation requirement.

Occasionally though, a participant expresses interest in voluntarily exceeding the maximum hours that are allowed under the FLSA. When this situation arises it is important that the participant is informed of the following:

- The activities included in the participant's employment plan are required. The participant cannot substitute time spent in the additional voluntary job for the required activities in the employment plan.
- The maximum number of hours the participant could be required to work in an uncompensated job is determined by dividing the participant's MFIP grant (cash, food portions, and housing assistance grant) by the state minimum wage.
 - The maximum number of hours allowed under the FLSA will not change until the participant's MFIP or DWP grant amount changes;
 - Employment counselor should make changes to the participant's employment plan with the correct number of hours when the participant's MFIP grant amount changes.

-
- Any additional time the individual chooses to voluntarily work in any uncompensated job is not associated in any way with the MFIP or DWP programs.
 - The additional volunteer time the participant wishes to work is a free choice the participant is free to make on his or her own. It is not required or otherwise approved by the participant's employment counselor. Therefore, the county/provider cannot sanction a participant for failing to follow through with the additional volunteer assignment.
 - The additional volunteer time will not be included in the participant's employment plan;
 - The participant will not be compensated for the additional volunteer time, including any additional support services;
 - No additional child care will be available for the additional volunteer time;
 - The participant's activity log/time sheet should only include required work activity hours. The additional volunteer time should not be entered on an activity log/time sheet.
 - In the event the participant records hours from the additional volunteer job on his/her time sheet, the employment counselor should identify the additional voluntary time, and record a case note to explain the additional hours;
 - Do not time track these additional volunteer hours.

NOTE: This guidance does not apply to participants who are sentenced to court ordered community service. For participants engaged in court ordered community service record the required hours in the employment plan and enter a case note that the hours in the plan are for court ordered community service.

TWO-PARENT CASES

The maximum number of hours allowed under the FLSA is case based (not person based). Use the family's MFIP grant (cash, food portion, and housing assistance grant) to determine the maximum number of hours the family can participate in uncompensated work activities. A two-parent family with both parents

engaged in an uncompensated work activity, the total of their uncompensated work hours cannot exceed the maximum allowed under the FLSA.

ADDITIONAL HOURS OF OTHER CORE AND NON-CORE ACTIVITIES IS ALLOWED

A participant may be engaged in other core and non-core activities without violating the FLSA. The FLSA governs the number of hours we can require or permit a participant to work in an uncompensated work activity.

Additional hours of job search/job readiness assistance, education and training, and paid employment may be added to the participant's employment plan without violating the FLSA.

Note: Activities or hours a participant participates in for political purposes, which are defined as "an act that is intended or done to influence, directly or indirectly, voting at a primary or other election" are not countable work activities.

INJURY PROTECTION PROGRAM

9.6

Use the instructions below to determine payment of any claims resulting from an alleged injury or death of a person participating in a county or a tribal uncompensated work experience program that is approved by the Commissioner of DHS and operated by:

- The county agency.
- The tribe.
- A department of the state.

OR

- A community-based organization under contract, prior to April 1, 1997, with a county agency to provide a community work experience program or a Supplemental Nutrition Assistance Program (SNAP) community work experience program, provided the organization has not experienced any individual injury loss or claim greater than \$1,000.

This determination method is available to the community-based organization identified in the 4th bullet above only for claims incurred by participants in the community work experience program, unpaid work experience, or the SNAP Community Work Experience Program.

Injury Protection Program (IPP) covers uncompensated work experience for the following programs:

- MFIP including CWEP.
- DWP.
- SNAP E&T.
- Tribal uncompensated work experience.
- Other uncompensated work experience programs approved by the Commissioner of DHS.

NOTE: Do not use IPP to cover volunteer placements with employers who have other volunteers, or volunteer positions, that are, or should be, covered under workers' compensation. If you have questions or concerns about a client's placement and whether Minnesota Workers' Compensation laws covers the work site, contact the Department of Labor and Industry customer assistance line at 651-284-5030 or 800-342-5354.

INVESTIGATION OF THE CLAIM

Claims must be investigated by the county agency or the tribal program responsible for supervising the work to determine whether the claimed injury occurred, whether the claimed medical expenses are reasonable, and whether the loss is covered by the claimant's insurance. If insurance coverage is established, the county agency or tribal program shall submit the claim to the appropriate insurance entity for payment. However, medical bills associated

with work related injuries should not be submitted to medical assistance. The investigating county agency or tribal program shall submit all valid claims, in the amount net of any insurance payments, to the Department of Human Services. Claims should not be submitted to the Department of Human Services until the treatment has been completed and all bills associated with the work related injury have been received.

SUBMISSION OF CLAIM FOR PERMANENT PARTIAL DISABILITY COMPENSATION

The Commissioner shall submit all claims for permanent partial disability compensation to the Commissioner of Labor and Industry. The Commissioner of Labor and Industry shall review all submitted claims and recommend to the Department of Human Services an amount of compensation comparable to that which would be provided under the permanent partial disability compensation schedule of Minnesota Statutes, Section 176.101, subd. 2a.

CLAIMS LESS THAN \$1,000

The Commissioner shall approve a claim of \$1,000 or less for payment if appropriated funds are available, if the county agency or tribal program responsible for supervising the work has made the determinations required by this section, and if the work program was operated in compliance with the safety provisions of this section. The Commissioner shall pay the portion of an approved claim of \$1,000 or less that is not covered by the claimant's insurance within 3 months of the date of submission.

CLAIMS MORE THAN \$1,000

On or before February 1 of each year, the Commissioner shall submit to the appropriate committees of the Senate and the House of Representatives a list of claims in excess of \$1,000 and a list of claims of \$1,000 or less that were submitted to but not paid by the Commissioner, together with any recommendations of appropriate compensation. These claims shall be heard and determined by the appropriate committees of the Senate and House of Representatives and, if approved, must be paid under the legislative claims procedure.

COMPENSATION FOR CERTAIN COSTS

Compensation is limited to reimbursement for reasonable medical expenses and permanent partial disability compensation for disability in like amounts as allowed in Minnesota Statutes, Section 176.101, subd. 2a. Compensation for injuries resulting in death shall include reasonable medical expenses and burial expenses in addition to payment to the participant's estate in an amount up to \$200,000. No compensation shall be paid under this section for pain and suffering, lost wages, or other benefits provided in Minnesota Statutes,

INJURY PROTECTION PROGRAM**9.6**

Section 176. Payments made under this section shall be reduced by any proceeds received by the claimant from any insurance policy covering the loss. For the purposes of this section, "insurance policy" does not include the medical assistance program authorized under Minnesota Statutes, Section 256B or the general assistance medical care program authorized under Minnesota Statutes, Section 256D.

A provider (for example, a medical provider) who accepts, or agrees to accept, an IPP program payment for services to an individual may not require any payment from that individual. This provision extends third party liability protection to program participants.

EXCLUSIVE PROCEDURE

This procedure is exclusive of all other legal, equitable, and statutory remedies against the state, its political subdivisions, or employees of the state or its political subdivisions. The claimant shall not be entitled to seek damages from any state, county, tribal, or reservation insurance policy or self-insurance program.

INVALID CLAIMS

A claim is not valid for purposes of this section if the county agency responsible for supervising the work cannot verify to the Commissioner:

- That appropriate safety training and information is provided to all persons being supervised by the agency under this section.

AND

- That all programs involving work by those persons comply with federal Occupational Safety and Health Administration and state Department of Labor and Industry safety standards.

A claim that is not valid because of failure to verify safety training or compliance with safety standards will not be paid by the Department of Human Services or through the legislative claims process and must be heard, decided, and paid, if appropriate, by the local government unit or tribal program responsible for supervising the work of the claimant.

FORMS REQUIRED FOR FILING A CLAIM

The following forms are required to file an Injury Protection claim for uncompensated work experience participants. The forms are created so you may type the information directly onto the form before printing:

- Injury Protection Program (IPP) - Participant Information & Authorization to

- Release Medical Information (DHS-3994).
- Injury Protection Program (IPP) - First Report of Injury (DHS-3995).
- Injury Protection Program (IPP) - Participant Medical Referral and Medical Care Provider Information Letter (DHS-3996).
- Injury Protection Program (IPP) - Participant Injury Status Report (DHS-3997).

NOTE: The client must also receive a copy of the Notice of Privacy Practice (DHS- 3979).

UNCOMPENSATED EMPLOYMENT DOCUMENTATION & VERIFICATION 9.9

The Employment Services Provider must verify hours of uncompensated employment activity in order to count these hours toward the work participation rate.

A time sheet or similar attendance document must be used to document hours a participant is engaged in an uncompensated employment activity. The document used to verify hours of participation must include the days and number of hours worked each day.

Time sheets or other attendance documents must be submitted to the employment services provider no less than monthly. Verify work hours by reviewing the time sheet or other attendance documents.

Time sheets or attendance documents must be signed by a supervisor in order to be an acceptable form of documentation for uncompensated employment activities. When a participant submits an unsigned time sheet or other attendance document, the employment services provider must contact the work site to verify the hours are correct or have the participant obtain the necessary signature in order for the hours to be countable. A signed release of information from the participant must be obtained prior to contacting the uncompensated employment activity supervisor. When hours are verified by contacting the work site, an employment services staff person must sign the time sheet or attendance document and enter a case note in the participant's file.

The number of hours a participant provides child care for another MFIP participant who is participating in a community service program must be verified in order for the hours to count towards the work participation rate.

For participants who provide child care to another MFIP participant in a community service program uncompensated position, it is necessary to obtain a statement that supports the hours the participant provides child care. Acceptable documentation includes a statement from the participant in a community services program or another individual who has knowledge of the time spent providing child care. The document used to support the hours must be submitted to the employment services provider no less than monthly.

A statement from the MFIP participant who provides the child care is not an acceptable form of verification for this activity. An employment services provider that receives a statement or other document that is not signed by the participant who is participating in the community service program or other responsible individual must confirm with the participant in a community services program that the hours are correct in order for the hours to be countable. The employment services provider must write a case note to document the verification of hours.

DAILY SUPERVISION OF UNCOMPENSATED EMPLOYMENT ACTIVITIES

Require participants who are engaged in **uncompensated employment activities** to be supervised on an ongoing basis no less frequently than daily. Daily supervision means participants have an assigned supervisor they report to daily, preferably at the work site. Supervision includes developing and overseeing the participant's work schedule and assignments. An employer, work site sponsor or other responsible individual, such as an employment services staff person, can provide daily supervision of the participant in an uncompensated employment activity. **NOTE: DHS recommends development of a written agreement between the work site and the employment services provider that specifies the party responsible for providing daily supervision of a participant engaged in an uncompensated employment activity.**

Require participants who are providing child care to another MFIP participant who is participating in a community service program to be supervised on an ongoing basis no less frequently than daily. Supervision may be by a responsible individual, such as an employment services provider staff person. The employment services provider and the participant must develop an agreed upon employment plan that lists the days and hours the participant will be providing child care for another MFIP participant who is in a community service program.

TRACKING UNCOMPENSATED WORK HOURS (WF1)

Record the actual number of hours the participant is engaged in an uncompensated work activity each week. When the total monthly hours **equals** the maximum number allowed under the FLSA, DHS will report the additional "deemed" hours (behind the scene). Do NOT record the "deemed" hours on WF1. See §9.3 (Uncompensated Employment Activities).

JOB SEARCH ACTIVITIES**9.12**

Most caregivers will participate in job search and job readiness activities (JS/JRA) at some point during their involvement with Employment Services. Job search is an important and central activity that should be designed not just to help locate a job, but also to prepare participants for work. See §9.12.3 (Structured Job Search). Under MFIP policy, JS/JRA is a permissible activity in a participant's employment plan regardless of whether the JS/JRA hours count towards the TANF Work Participation Rate requirement.

TANF WORK PARTICIPATION RATE

For the purposes of meeting the TANF work participation rate, 120 or 180 hours of job search is counted as a core activity.

120 or 180 Hour Job Search 12-Month Limit

The JS/JRA limits are defined in hours. The maximum number of hours of JS/JRA that count as a TANF Core Activity for a single parent family with a child under the age of 6 is 120 over a 12 month period. For all other families, the maximum number of JS/JRA hours that count as a TANF Core Activity is 180 hours over a 12-month period.

12-Month Period

The period of time used to determine the 120 or 180 hour job search JS/JRA limit is a 12-month period (11 preceding months, plus current month).

Four Consecutive Week Limit and Definition of a "Week"

The TANF rule that prohibits states from counting a participant's JS/JRA hours for more than 4 consecutive weeks remains in effect. JS/JRA hours tracked in a 5th consecutive week cannot be reported as JS/JRA in the TANF Work Participation Rate report. A JS/JRA week is defined as Sunday through Saturday. All JS/JRA hours from a week are included in the TANF Work Participation Rate report based on the Saturday's date. For example, a week is Sunday, October 26 through Saturday, November 1. All JS/JRA hours from that week (October 26 through November 1) are reported in the November TANF Work Participation Rate report since Saturday's date is November 1. Continue to track hours on WF1 in the month the activity was done. Determining the "week" is done behind the scenes.

Hours not captured as core hours

Any hours reported as JS/JRA that do not help make the participant rate in a given month will be reported under the "Other Work Activities" category behind the scenes.

Keeping track of the 120/180 JS/JRA limit - Role of employment service provider

Employment counselors will not know when a participant has met the job search limit. Do not write employment plans with participants in an attempt to maximize the work

JOB SEARCH ACTIVITIES**9.12**

participation rate. Employment counselors must use their professional judgment in determining the activities that are included in each participant's employment plan with the goal of increasing the family's economic stability. Whether or not a participant has exhausted the maximum number of countable JS/JRA hours should not be the basis for determining whether that participant's employment plan should continue to include JS/JRA activities. An employment counselor should continue to include JS/JRA in a participant's employment plan when JS/JRA is an appropriate activity for the individual.

JOB SEARCH (Core Activity for 120/180 hours a year)

This activity is used for both the initial job search and all subsequent periods of job search.

This includes:

- Job search. Includes filling out applications, submitting resumes, attending interviews with employers, as well as job clubs, job readiness and job placement.
- Job readiness. Includes preparing a resume or job application, training in interviewing skills, instruction on appropriate attire and behavior on the job, effective job seeking as well as life skills training.
- Job readiness assistance for Chemical Health Treatment, Mental Health Treatment and Rehabilitation Services.

Counties and Employment Services Providers should ask for the least amount of information necessary to verify hours of participation.

NOTE: Although Chemical Health treatment, Mental Health Treatment and Rehabilitation Services are subject to the 120/180 hours limit for reporting purposes (with no more than 4 of the weeks being consecutive), the actual length of time services are allowable will be determined by a qualified professional based on the participant's needs.

FIRST 12 WEEKS OF JOB SEARCH

At enrollment in Employment Services, participants that you determine possess sufficient skills to succeed in obtaining unsubsidized employment must job search at least 30 hours per week for up to 12 weeks, and accept any offer of suitable employment. Additional work activities necessary to meet hourly requirements should also be included in the Employment Plan (EP). The goal is to actively engage each participant in **intensive** job search activities that meet the minimum requirements of §7.3 (Employment Plan (EP)). Job search activities should be tailored to meet local economic conditions, and the participant's individual needs when possible. See

JOB SEARCH ACTIVITIES**9.12**

§9.12.3 (Structured Job Search). Participants who are unable to find suitable employment after 12 weeks must complete the MFIP Self Screen (DHS-3482) and the Brief Screening Tool for Special Learning Needs (DHS-3504), and meet with a job counselor to determine whether other activities should be incorporated into the plan. See §6.3.3 (Contents of an Assessment) and §6.3.12 (Chemical/Mental Health/Learning Needs Screening).

Upon agreement by the job counselor and the participant, an Employment Plan may limit a job search to jobs that are consistent with the participant's employment goal. Participants may search for any currently available job that matches their current skills and abilities. For example, a participant with graphic arts skills and/or experience may limit job search to businesses that hire graphic artists, as long as there are jobs currently available in those firms. However, if the participant is unable to obtain employment among the firms with current openings, the search must be expanded to other employers with current openings, regardless of whether the job matches the participant's interests, skills, or training. Make clear to participants when the job search must be expanded to include other employers and what constitutes "suitable employment".

JOB SEARCH AFTER 12 WEEKS

Job Search activities which are continued after 12 weeks must be structured and supervised. Participation in job search activities beyond 12 weeks should be continued as necessary, and recorded in Workforce One (WF1). It may also be necessary to add job search into an EP at a later time for participants who were initially determined unable to obtain unsubsidized employment, after a job loss, or for participants who are not meeting participation requirements though unsubsidized employment after completion of an education or training activity. See §9.12.3 (Structured Job Search).

Job search activities may be terminated or reduced if it becomes obvious that the job search is not appropriate or the participant is having difficulty successfully following through with activities in the Employment Plan. Revisions of the plan should take into account relevant issues identified during any additional assessment and any changes in circumstances.

ROUNDING UNCOMPENSATED ACTIVITY HOURS**9.47**

There are 2 types of rounding methods. The rules governing which method depends on the type of activities participant is engaged in.

For each week, the Employment Counselor should enter the number of hours the participant was engaged in an uncompensated activity, and round to the nearest whole number when the hours of participation are not equal to a whole number.

- Round **down** to the nearest whole number if the number of hours the participant was engaged in an uncompensated activity is from 00.01 to 00.49.
- Round **up** to the next whole number if the number of hours the participant was engaged in an uncompensated activity is from 00.50 to 00.99.

The rounding policy also applies to all allowable activities.

Apply the same rounding policy for a participant who is engaged in more than 1 uncompensated activity during the month. Round the hours of participation for each uncompensated activity separately each week.

This rounding policy applies to the following uncompensated core and non-core activities:

- Job Search/Job Readiness Assistance.
- (Uncompensated) Work Experience.
- Community Service Programs.
- Educational and Training (0 – 12 months and 13+ months).
- Job Skills Training Directly Related to Employment.
- Adult Basic Education (ABE).
- English as a Secondary Language (ESL).
- General Equivalency Degree (GED).
- Functional Work Literacy (FWL).
- High School Completion.

- Providing Child Care to Participant Engaged in Community Service Program.

TANF PARTICIPATION RATE**16.3**

The Temporary Assistance for Needy Families Work Participation Rate (WPR) is the federally mandated work performance requirement for states that have a TANF program. States must meet a 50% WPR. This State Standard can be adjusted or reduced by the Case Reduction Credit (CRC).

WHO IS PART OF THE CALCULATION

Work Eligible Individuals (WEI) is the Deficit Reduction Act (DRA) term for who is included in the WPR denominator. A WEI must successfully meet the hourly work requirements to be included in the WPR numerator and count towards meeting the 50% requirement.

- WEI's that are included in the denominator:
 - An adult or minor caregiver receiving assistance (includes children not removed from the grant when they turn 19).
 - An adult or minor caregiver receiving SSDI- If there are enough hours to meet the rate.
 - A non-recipient parent due to a time limit.
 - A non-recipient parent due to other reasons; participants removed for fraud; parents that failed SSI test and have SSI >\$0, etc.
 - A non-recipient parent receiving SSI - If there are enough hours to meet the rate.
- Non-WEI adults (not counted):
 - A non-recipient, but not a parent (ineligible relative caregivers, for example, grandma, aunt, etc.).
 - An ineligible alien (parent) due to immigration status.
 - A non-recipient parent receiving SSI - If there are not enough hours to meet the rate.
 - An adult or minor caregiver receiving SSDI - If there are enough hours to meet the rate.
 - A parent caring for a disabled family member in the home who does not attend

school on a full-time basis.

CALCULATION OF THE TANF PARTICIPATION RATE

The steps used to calculate the TANF WPR are listed below.

1. For each month in the quarter, active TANF cases with a WEI are selected.
2. Numerator = Determine the number of cases in Step #1 for the month that meet the required hours of participation. Sum the numbers from each of the 3 months of the quarter.
3. Denominator = Determine the cases in Step #1 with a WEI for each month of the quarter.
4. TANF WPR = Percentage of cases meeting the required hours of participation for the quarter is calculated by dividing the numerator (#2) by the denominator (#3).

REQUIRED HOURS OF PARTICIPATION

Number of hours of participation needed to meet the TANF WPR requirements:

- **Single parent (1 WEI) and a dependent child under age 6.** 87 core hours are required to successfully participate and be included in the numerator.
- **Single parent (1 WEI) and no dependent child under age 6.** 130 hours (core and non-core) of which at least 87 of the 130 hours must be core to successfully participate and be included in the numerator.
- **Teen parents who are either married or the only eligible adult in the household.** These caregivers are counted as meeting the participation requirements if they attend high school (or are taking GED classes) an average of at least 1 hour per week. **NOTE:** The requirement for unmarried teens with another eligible adult in the household is 130 hours per month, 87 of which must be core hours.

TANF WPR COUNTABLE ACTIVITIES

Core Activities

- Paid work (all types):

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- Unsubsidized employment.
 - Self-employment.
 - Subsidized private and public sector employment.
 - On-The-Job Training.
 - Community work experience*
 - Uncompensated work experience*.
 - Job search (120/180 hours in a 12-month period.)
 - Training & Education (maximum of 12 months in a lifetime).
 - Providing child care for parents participating in community service.

Non-Core Activities

- Job skills training directly related to Employment.
- Vocational Training & Education (13+ months).
- English as a Second Language (ESL).
- Adult Basic Education (ABE).
- Functional Work Literacy (FWL).
- High School (HS)/General Equivalency Diploma (GED) teens. *
- HS/GED for age 20 and above.

* Participants who are <age 20 are **deemed** to meet the numerator criteria when they average of an hour or more per week in HS/GED.

Neither Core nor Non-Core Activities but Allowable Activities

- Assessment.

-
- Social Services.
 - Holding.
 - Holding – Child under 12 months
 - Holding-Sanctioned.
 - Other (job search in 5th consecutive week or after the countable 6 weeks).
 - Job search/Job Readiness Assistance (after 120/180 hours per 12 months).

WHY THE WORK PARTICIPATION RATE IS IMPORTANT

The work participation rate is a key performance measure both for counties and for the state as a whole. Each county in Minnesota is required to meet the 50% WPR.

If a county does not meet the rate, they must submit a Performance Improvement Plan (PIP), as part of their biennial Service Agreement Plan, to their county regional representative in the DHS Economic Assistance and Employment Supports Division.

Your role as the job counselor substantially impacts the work participation rate because the data gathered from participants and entered into the various computer systems is used to calculate the WPR.

WHERE THE DATA COMES FROM TO CALCULATE THE WPR

The data used to complete the federal TANF report is pulled from the DHS Data Warehouse information that consists of data collected from the following source systems:

- MAXIS, for example: JOBS, BUSI, RBIC, MEMI, IMIG, MEMB, PROG, EMPS, MONY, ELIG, etc.

Some MAXIS data is frozen at 31 days after the end of the TANF WPR report month, while hour data is frozen 61 days after the end of the TANF WPR report month. For example: the March WPR is calculated based on the hour information as of June 1. This is why it is important for financial workers to make previous month corrections even if they cannot approve that version.

- Workforce One (WF1), for example: individual activity hours such as job search, volunteer work experience, ESL, FWL, etc.

WF1 data is frozen on the last day of the second month after the report month. For example: the March WPR data would be frozen on May 31. At this time it is loaded on the DHS Data Warehouse.

STEPS JOB COUNSELORS AND LOCAL AGENCIES CAN TAKE TO IMPROVE PERFORMANCE ON THE TANF WPR

There are 3 steps local agencies and job counselors can take to improve performance on the TANF WPR:

1. Know the cutoff dates and ensure all countable hours of paid employment are correctly entered in MAXIS and all non-paid countable hours are reflected in WF1.
2. Write Employment Plans that include core activities to the greatest extent possible, and supplement as necessary with non-core activities. Non-countable activities should only be included when necessary to address issues that interfere with employment. See §7.3 (Employment Plan (EP)), §7.9 (Allowable Activities), §7.9.3 (Order of Preference for Allowable Activities), §7.12 (Plan for Victims of Family Violence).
3. Develop work placements (paid work, subsidized jobs, uncompensated work experience or CWEP) which will count as core activities for participants who are unable to find unsubsidized employment. See Chapter 8 (Paid Employment Activities), §9.3 (Uncompensated Employment Activities).

ALLOWABLE DWP WORK ACTIVITIES**17.27**

An Employment Plan may include any activity that is allowable under MFIP, although some activities allowed under MFIP may not be appropriate for most DWP job seekers. For example, self-employment is an allowable activity under MFIP and DWP, but it is highly unlikely that this activity will increase their family's economic stability within the 4-month DWP period. Self-employment should rarely, if ever, be included in a DWP job seeker's Employment Plan.

Grant diversion is another activity that, while allowed, is not consistent with DWP policy. Because DWP does not consider income from a job that a job seeker finds after becoming eligible for DWP in determining the family's DWP benefits, diverting the family's DWP benefits to an employer through grant diversion greatly reduces the benefit of this policy. Engaging a DWP job seeker in the grant diversion activity is not recommended.

There are also activities that are allowable, but with certain restrictions. The restricted activities are all education related, and with 1 exception, the restrictions are identical to restrictions these activities have under the MFIP program. For information on allowable activities and identifiers, see §7.9 (Allowable Activities).

