

**MFIP EMPLOYMENT SERVICES MANUAL
DESCRIPTION OF CHANGES ATTACHMENT
REVISED SECTIONS – ISSUED 11/2009**

§0001 (Table of Contents) renames §7.15 (EP - Reduced Hours Due to Good Cause). It adds Appendix H (FSS Sanction Guidelines).

Deletes (TEAMS in Hennepin County) in the following sections as it has been replaced by WF1:

§4.36 (Case Transfer Policy)

§8.9 (OJT & Paid Work Experience)

§9.3 (Unpaid Employment Activities) deletes (TEAMS for Hennepin) as it has been replaced by WF1. Under the sub-heading, “FAIR LABOR STANDARDS ACT (FLSA)” it updates the federal minimum wage and hours. It also adds a NOTE under the sub-heading, “FAIR LABOR STANDARDS ACT (FLSA)” to use the actual amount of the participant’s MFIP grant after applying a sanction, when applicable.

§9.21 (Training & Education)

§9.42 (Social Services Documentation & Verification) deletes "Teams in Hennepin" in the 1st paragraph as it has been replaced by WF1. It replaces modified plan in the 1st & 2nd examples with FSS employment Plan as the modified plan no longer exists.

§9.45.3 (Holding & Other Activities Documentation & Verification)

§15.3 (MFIP Data Supporting Systems)

Appendix E (MFIP Activity Table) deletes TEAMS in Hennepin throughout the section.

The following sections contain COLA changes are effective 10/01/2009:

Appendix A (MFIP Assistance Standards)

Appendix A-1 (MFIP Initial Eligibility Threshold Guide)

Appendix A-2 (Amount of Earnings Needed To Exit MFIP Cash)

Appendix A-3 (Amount of Earnings Needed to Exit MFIP)

Miscellaneous changes:

§3.3 (Glossary: A...) changes page 1 of the CAF to "page number 1 of the CAF" in the definition of APPLICATION.

§3.18 (Glossary: F...) updates the federal minimum wage to \$7.25 in the definition for FAIR LABOR STANDARDS ACT. This was effective 7-24-09.

§3.39 (Glossary: S...) adds clarifying language in the definitions of SUBSIDIZED PRIVATE SECTOR EMPLOYMENT and SUBSIDIZED PUBLIC SECTOR EMPLOYMENT.

- §3.42 (Glossary: T-Z...)** adds a new definition for WB and Work Benefit Program.
- §4.3.9 (Civil Rights and the Americans with Disabilities Act)** deletes modified plan information in the 4th paragraph as it no longer exists and adds FSS information.
- §4.21 (Grant Standards)** updates Bulletin #09-11-04 link for October 2009 in the 1st paragraph. It also updates earnings disregard percentage and Family Wage Level amounts to reflect the new amounts.
- §5.6 (Timing for Employment Services)** deletes all information on modified plans and MAXIS tracking for certain cases.
- §5.12 (Employment Services Overview)** adds a new bullet for Family Stabilization Services and deletes the Modified Employment Plans bullet as they no longer exist.
- §6.3 (Assessment)** adds a new bullet under the sub-heading of "Purpose of an Assessment" for Family Stabilization Services and a cross-reference to Chapter 11 (Family Stabilization Services). It deletes under the sub-heading "FSS Participants", "for this purpose" at the end of the paragraph as it is redundant.
- §7.3 (Employment Plan (EP) & FSS EP)** corrects the cross-reference title of §7.15 (EP - Reduced Hours Due to Good Cause) under the sub-heading of, "When to do an EP". It also adds and deletes information under the sub-heading, "When to do an FSS EP".
- §7.3.3 (Plan Types)** deletes modified plans information in the 1st paragraph as modified plans no longer exist and adds "plans with reduced hours". It deletes the sub-heading and the information under "Employment Plan/age 60+" as modified plans no longer exist. In the last bullet under the sub-heading, "Reduced Hours Due to Good Cause" it corrects the cross-reference title of §7.15 (EP - Reduced Hours Due To Good Cause). It also updates FSS Plan Types throughout the section and adds a new FSS category.
- §7.6 (Minimum Hourly Activity Requirements)** corrects the cross-reference title of §7.15 (EP - Reduced Hours Due to Good Cause) in the last bullet of the 7th paragraph.
- §7.15 (EP - Reduced Hours Due to Good Cause)** changes the title of the section because modified plans no longer exist. It deletes all information on modified plans. It also deletes and adds information on reduced hours due to good cause.
- §7.18.3 (FSS EP or EP for Participants with A Disability)** deletes and adds information under the sub-heading of "Examples of FSS EPs or EPs".
- §7.36 (Family Violence Waiver Option)** deletes and adds information in the 1st paragraph on FSS for participants who meet the Family Violence Waiver Option. It also deletes "or

credible evidence that supports the participant's statement" throughout the section as that is no longer needed.

§9.30 (ESL & Functional Work Literacy (FWL)) replaces "student" with "spoken" proficiency level (SPL) in the 1st bullet of the 2nd paragraph under the sub-heading, "FUNCTIONAL WORK LITERACY (FWL) (Non-Core Activity).

§9.39 (Social Services Activities) deletes modified plan in the NOTE under the sub-heading, "Employment Plan For Family Violence Waiver (Not Countable Activity)" as it no longer exists and replaces it with an individualized plan.

§9.45 (Holding & Other Activities) deletes Integrated Services Project activities throughout the section.

§9.51 (Identifiers) deletes "Ill/Incapacitated or" under the sub-heading of Mental Health (MH) Diagnosis.

§11.6 (FSS Eligibility Criteria) deletes and adds language in the following FSS Eligibility Criteria: Ill or Incapacitated, Mentally Retarded or Mentally Ill, Participants With IQ below 80, Learning Disabled and adds a new category for Age 60 or Older.

§11.18 (FSS Sanction Provisions) deletes and adds FSS sanction provision language.

§13.15.6 (Ill/Injured/Incapacitated Extension Criteria) deletes and adds language in the 1st bullet of the 1st paragraph clarifies the Ill, injured or incapacitated extension.

§13.18 (Hard To Employ Extensions) clarifies by adding FSS before Employment Plan throughout the 2nd paragraph to specify the correct plan for participants who are extended in the Hard to Employ categories.

§13.18.3 (Mental Retardation/Mental Illness Extension Criteria) deletes and adds language in the 1st paragraph to clarify the mental retardation/mental illness extension criteria.

§13.18.6 (Learning Disabled Extension Criteria) deletes and adds language in the 1st sentence for MFIP participants with learning disabilities.

§13.18.9 (IQ Below 80 Extension Criteria) deletes and adds language in the 1st paragraph for MFIP participants with an IQ below 80.

§13.18.15 (Family Violence Extension Criteria) adds in the 1st paragraph a cross-reference to §7.36 (Family Violence Waiver Option) for a list of acceptable verifications to prove family violence.

§14.03 (Non-Compliance) clarifies the 2nd paragraph by dividing it into 2 paragraphs. It deletes and adds FSS language in these 2 paragraphs. It also adds a cross-reference to §11.18 (FSS Sanction Provisions) in the 1st divided paragraph.

§14.06 (Good Cause for Non-Compliance) adds a new good cause bullet for a cooperative participant whose documentation of eligibility for FSS is unavailable. It also deletes the last sentence of the section with information on making referral to Social Security Administration for long term disabilities.

§14.9 (Sanction Provisions for FSS) deletes all text and replaces it with one paragraph and a cross-reference to Appendix H (FSS Sanction Guidance).

§14.30 (Post 60-Month ES Sanctions - General Provisions) deletes sanction information throughout the section and adds cross-references to §14.9 (Sanction Provisions for FSS), Appendix H (FSS Sanction Guidance).

§15.6 (WORKFORCE ONE (WF1)) adds WB throughout the section.

§16.3 (TANF Participation Rate) deletes the 7th bullet for HS & GED teens under the sub-heading, TANF WPR Countable Activities - core activities, and moves it under, “Non-Core Activities” and adds an asterisk and an accompanying foot note. It also deletes several paragraphs on (TEAMS in Hennepin).

Appendix H (FSS Sanction Guidance) adds a new Appendix to be used as a FSS Sanction Guidance.

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ADA:

Americans with Disabilities Act.

AFDC :

AID TO FAMILIES WITH DEPENDENT CHILDREN.

AFFIDAVIT :

A written declaration made under oath before a notary public or other authorized officer.

AID TO FAMILIES WITH DEPENDENT CHILDREN (AFDC) :

The program authorized to provide financial assistance and social services to needy families with a minor child. The Personal Responsibility and Work Opportunity and Reconciliation Act (PRWORA) replaced AFDC with a block grant called Temporary Assistance for Needy Families Grant (TANF). In Minnesota, AFDC was replaced by the MINNESOTA FAMILY INVESTMENT PROGRAM (MFIP). See MINNESOTA FAMILY INVESTMENT PROGRAM (MFIP) in §3.30 (Glossary: M-N...).

ALIMONY :

An allowance for support that a court orders a person to pay to his or her SPOUSE.

AMERICORPS :

The NATIONAL AND COMMUNITY SERVICES TRUST ACT of 1993 amended the NATIONAL AND COMMUNITY ACT of 1990 and established a CORPORATION FOR NATIONAL AND COMMUNITY SERVICE. This Corporation merged the work and staff of two predecessor agencies, ACTION and the Commission on National and Community Service and administers national service programs that include three AmeriCorps programs among others:

- AmeriCorps State and AmeriCorps National (together these two programs are also known as AmeriCorps USA) support a broad range of local service programs that engage thousands of Americans, age 17 years and older, in intensive service to meet critical community needs.
- AmeriCorps VISTA (formerly known as VISTA) provides full-time members, in the age groups 18 years and older, to community organizations and public agencies to create and expand programs that build capacity and help bring low-income individuals and communities out of poverty.

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- AmeriCorps NCCC (AmeriCorps National Civilian Community Corps) is a full-time residential program for men and women, ages 18-24, that strengthens communities while developing leaders through direct, team-based national and community service.

In addition to a stipend/living allowance and an educational award, payments to AmeriCorps participants may include child care allowance if needed to participate in the program, health insurance if not otherwise available, and reasonable accommodations, supplies and services for individuals with disabilities. As an alternative to the AmeriCorps Education Award, members may choose to take a post-service cash stipend instead.

APPEAL :

A CLIENT's or authorized representative's request to the State of Minnesota appeals referee for review of a county agency's action or inaction.

APPLICANT :

A person who has submitted a request for assistance for whom no decision has been made regarding eligibility, and whose application has not been acted upon or voluntarily withdrawn.

APPLICATION :

A request for assistance made by submitting a signed and dated page **number 1** of the [Combined Application Form \(CAF\)](#).

ASSET LIMIT :

The maximum amount of net counted assets clients may own or have available and remain eligible for MFIP.

ASSETS :

Real property and personal property owned wholly or in part by the client.

ASSISTANCE PAYMENT :

Assistance received from the MINNESOTA FAMILY INVESTMENT PROGRAM (MFIP), General Assistance (GA), Minnesota Supplemental Aid (MSA), Refugee Cash Assistance (RCA), and emergency cash programs.

ASSISTANCE STANDARD :

An amount set under Minnesota Statutes to provide for an ASSISTANCE UNIT's shelter, food, fuel, clothing, utilities, household supplies, and personal expenses. See FAMILY WAGE LEVEL in §3.18 (Glossary: F...), TRANSITIONAL STANDARD in §3.42 (Glossary: T-Z...). Also see MFIP Assistance Standards in Appendix A (MFIP Assistance Standards).

ASSISTANCE UNIT :

A group of people receiving or applying for benefits together.

ATTEMPT TO MEET :

The county or job counselor contacts the participant in writing and by telephone, if a telephone number is available about the proposed time and place for the face-to-face meeting. Counties further defined guidelines for attempting to meet in their local service unit plan. The Department of Human Services recommends that counties attempt a face-to-face meeting up to 3 times.

FAIR HEARING :

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

FAIR LABOR STANDARDS ACT (FLSA) : All work experience participants are considered employees under the FLSA. Participant would not be required to participate in unpaid work experience more hours than the monthly MFIP cash assistance amount plus the monthly food support amount divided by the federal minimum wage (\$7.25/hr.).

FAMILY :

The following people who live together: a minor child or group of minor children related to each other as siblings, half-siblings, step-siblings, or adopted siblings; together with their natural, step, or adoptive parents or their caregiver; or a pregnant woman with no other children.

FAMILY STABILIZATION SERVICES :

A state funded service track in MFIP/DWP. Participants are not included in the TANF work participation calculation and services are provided through a case management model. 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) and FSS 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 OPTION :

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) and FSS EP), §7.12 (Plan for Victims of Family Violence), §7.36 (Family Violence Waiver Option).

FAMILY WAGE LEVEL :

A standard used for calculating benefits for families with earned income which is set at 110% of the TRANSITIONAL STANDARD.

FOOD STAMP PROGRAM :

A United States Department of Agriculture program that issues benefits in the form of food coupons or electronic benefits to increase food purchasing power. In Minnesota it is called the FOOD SUPPORT PROGRAM.

FOOD SUPPORT PROGRAM :

Minnesota's name for the FOOD STAMP PROGRAM.

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).

FRAUD OVERPAYMENT :

An overpayment which is determined to be fraud by:

- Court action, including criminal conviction, disqualification consent agreement, pre-trial diversion plan, or civil fraud judgment.
- Administrative Disqualification process (an ADH hearing or ADH waiver).
- Confession of Judgment which admits intentional program violation.

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) :

Intensive work-focused ENGLISH AS A SECOND LANGUAGE instruction for MFIP participants. See §9.30 (ESL and Functional Work Literacy (FWL)).

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 of the MFIP standard of need because a non-exempt 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.

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.

SHARED HOUSEHOLD STANDARD :

The standard used when unrelated people reside in the same household as the ASSISTANCE UNIT and no exception is met.

NOTE: For extension purposes, the standard used when a mandatory household member is removed from the MFIP household for non-compliance with Employment Services requirements. The financial worker is responsible for implementing this standard on MAXIS.

SIBLINGS :

Brothers and sisters related through birth or adoption to 1 or both parents.

SIGNIFICANT CHANGE :

The unit's gross earned and/or unearned income for the payment month declines by 39% or more from the gross earned and/or unearned income budgeted in the budget month. See §4.27 (Significant Change Policy).

SOCIAL SERVICES :

The services included in a county's community social services plan which are administered by the county board as described under Minnesota Statutes, section 256E.03, subdivision 2.

SPOKEN LANGUAGE PROFICIENCY :

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

SPL :

See SPOKEN LANGUAGE PROFICIENCY.

SPOUSAL SUPPORT :

An allowance for support that a court orders a person to pay to his or her SPOUSE or former SPOUSE.

SPOUSE :

A person who is legally married to another person; husband or wife.

SSA :

Social Security Administration.

SSI :

See SUPPLEMENTAL SECURITY INCOME (SSI) below.

STEPPARENT :

The spouse of a child's natural, adoptive, or legal parent.

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 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 :

See §16.3 (TANF Participation Rate).

TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) GRANT :

A federal grant which replaced the AFDC program nationwide. 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.

UNIT MEMBERS :

People living together as part of an ASSISTANCE UNIT.

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 Plan.

VENDOR PAYMENT :

A payment made by a 3rd party to a vendor on behalf of the unit; or, ASSISTANCE PAYMENTS made directly to a provider of goods and services on the unit's behalf.

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.

WB:

See **WORK BENEFIT PROGRAM** below.

WAGE MATCH :

An Income Eligibility Verification System (IEVS) exchange with the Minnesota Department of Employment and Economic Development completed quarterly for participants and monthly for applicants of federal programs. It provides information on wages earned in Minnesota.

WORK BENEFIT PROGRAM (WB):

A monthly cash benefit for families who have exited DWP or MFIP and are working a required number of hours with income below 200% FPG. See Combined Manual §0016.18.01 (200 Percent of Federal Poverty Guidelines).

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.

In January, 2001, a policy guidance prohibiting discrimination against people with disabilities was issued by the U.S. Dept of Health and Human Services Office of Civil Rights (OCR). This guidance focused on TANF programs and was based on Title II of the Americans with Disabilities Act of 1990 and on Section 504 of the Rehabilitation act of 1973.

Two concepts central to compliance are:

1. Individual treatment: individuals with disabilities should be treated on a case by case basis consistent with facts and objective evidence.
- AND
2. Effective and meaningful opportunity: individuals with disabilities must be afforded the opportunity to benefit from TANF programs that are as effective as the opportunity afforded to individuals without disabilities.

An individual with disabilities, for purposes of compliance with ADA and Section 504, means an individual with a physical or mental impairment that substantially limits one or more major life activity, a record of such an impairment, or being regarded as having such an impairment. (Disabilities that are temporary in nature are not included under the ADA.) This definition is different than that typically used to determine eligibility in programs that provide cash assistance based upon disability, such as SSI and SSDI.

County and Employment Services workers are required to inform all participants of their right to equal access to all services and benefits regardless of a physical or mental disability. This means that Employment Plans for all individuals with disabilities must take into consideration any/all limitations due to a disability. For many individuals, **they will meet the eligibility criteria for Family Stabilization Services (FSS) and an FSS employment plan must be developed based on the participants individual circumstances.**

The OCR guidance can be found at <http://www.hhs.gov/ocr/prohibition.html>.

Caregivers must be informed of their rights under the ADA. DHS has developed a brochure, "Do you have a disability?" ([DHS-4133](#)), which provides job seekers with information about the Americans with Disabilities Act (ADA). The brochure, or something comparable, must be used at application for DWP or MFIP, at recertification for MFIP, during the Employment Services overview, when an Employment Plan is developed or revised, and prior to assessment, including the MFIP self screen.

Also see Appendix G (Resources for Americans with Disabilities (ADA)), Appendix G-1 (Decision Points for Employment Counselors), Appendix G-2 (Decision Points for Financial Workers), Appendix G-3 (DHS - SSI Advocates List), Appendix G-4 (Disability Criteria for

SSI Benefits).

GRANT STANDARDS

4.21

Work incentives and tax credits provide families with new opportunities. They can make choices which can increase their income and make self-sufficiency a reality. Participants can enter the job market slowly and with entry-level jobs still see a benefit to their family in terms of increased income. See DHS Bulletin [#09-11-04](#) (DHS Updates Work Will Always Pay...With MFIP Handout to show changes effective October 1, 2009). Also see Appendix A (MFIP Assistance Standards), Appendix A-1 (MFIP Initial Eligibility Threshold Guide), Appendix A-2 (Amount of Earnings Needed to Exit MFIP Cash), Appendix A-3 (Amount of Earnings Needed to Exit MFIP) for MFIP Assistance Standards and tables comparing family size, grant amounts, income amounts, and “exit levels”.

A general description of the components that affect the MFIP grant are as follows:

➤ **TRANSITIONAL STANDARD**

The MFIP Transitional Standard is the base standard issued for most families with no earnings or with only unearned income. The Transitional Standard has a cash portion and a food portion. The MFIP grant is issued as cash through Electronic Benefit Transfer (EBT) and food through EBT at the grocery store. In a small number of cases, where unrelated people reside in the same household, families receive a reduced benefit called a Shared Household Standard.

➤ **EARNINGS DISREGARD**

The earnings disregard of 37% is applied every month the family has earnings. The disregard is available to each working member of the unit.

➤ **FAMILY WAGE LEVEL**

Whenever a family has earnings, 37% of the earnings are disregarded and the resulting net is subtracted from the Family Wage Level (which is 110% of the Transitional Standard). This means that, up to a certain level of earnings, a family may not experience a reduction in the grant amount. For example, a family with 1 adult and 2 children could have \$149 in gross earnings and would still receive the full Transitional Standard of \$1,005. A family will never receive a grant payment greater than the Transitional Standard.

NOTE: Families receiving cash benefits are limited to 60 months of assistance during their lifetime. Every month a family receives an MFIP grant that includes a cash portion counts toward the 60-month limit. Any month the grant amount includes the food portion ONLY does NOT count toward the lifetime limit.

The purpose of this policy is to:

- Provide an efficient method for transfer of electronic case records.
- Define county financial assistance and Employment Services Provider responsibilities to ensure good communication and consistent provision of services to families who move between counties.
- Enhance performance on the statewide participation rate.

MFIP EMPLOYMENT SERVICES CASE TRANSFER POLICY:

Communication between MFIP ES Providers and between ES Providers and county agencies is critical to successfully manage case records and provide services when clients move from one county to another. Use the process outlined below to improve coordination and communication and to ensure continuity of Employment Services.

1. When the receiving county gets notice on MAXIS of a client's move, submit an Employment Services referral within 7 working days (in Hennepin County within 7 working days after the designation of the Employment Services Provider). A case is added to the denominator for the county's participation rate on the date the receiving county issues benefits.
2. Once you receive the ES referral, you have full authority to require the client to participate in all activities, including developing a plan, attending job clubs and workshops, and monthly reporting. You have full authority to impose sanctions for failure to comply with any of these activities, within the provisions of MFIP policy. For cases that have an ES sanction when transferred, you are responsible for managing the sanction resolution process.
3. Once you receive the ES referral, notify the departing county's ES provider within 7 working days. The departing county within 7 working days, unless otherwise agreed upon between the 2 providers. This will allow you to establish a case on WF1.
4. Once the departing county's provider has terminated the case on WF1, you will be responsible for:
 - a. Completing an assessment and developing a new Employment Plan.
 - b. Making case management decisions, including sanctions.

-
- c. Authorizing child care assistance (once a new Employment Plan has been completed).
 - d. Tracking participation hours (See item #5, below.).
 - e. Providing support services.
5. The departing county must record participation hours for the weeks up to the date that service is closed on WF1; they have up to 2 calendar months after the date of closure to do this, as with other MFIP cases. You must record participation hours beginning with the week you open services on WF1.
 6. Within the constraints of HIPPA and other privacy laws, and with a signed release from the client, old and new ES providers may share copies of relevant assessments and other paper records.

NOTE: Once you develop a new Employment Plan, authorize and implement necessary childcare through your county's child care assistance program. The departing county is no longer responsible for administering child care assistance to that family.

There are some instances where the child care case would stay with the departing county, for example, when a working participant continues to use the same provider but has not yet developed a new Employment Plan in the receiving county.

TIMING FOR EMPLOYMENT SERVICES**5.6**

All caregivers receiving MFIP during the 1st 60 months, and caregivers in post 60-month extension categories, see Chapter 13 (Extensions), must be engaged in Employment Services, with the exception of participants with a natural born child under the age of 12 weeks, see below. Caregivers with a fraud disqualification on or after October 1, 2007, are also required to participate in employment services during the disqualification period.

CHILD UNDER 12 WEEKS OF AGE EXCEPTION

Under the law there is a time-limited exception for caregivers with a natural born child under 12 weeks of age, regardless if the child's needs are included in the grant, if the assistance unit has NOT already used the child under 12 weeks exception or all the months of the previous ES exemption allowed for a child under 1 year of age. This is an option and assistance units are not required to choose this option if it would not be advantageous for them to do so.

The child under 12 week exception ends the first full month after the child reaches 12 weeks of age. This provision is available only once in a caregiver's lifetime and may not be split between births. In a 2-parent household only 1 parent may use this exception. The participant must be referred to ES and must meet with the job counselor to revise the participant's EP by the 10th day of the month following the month the child reaches 12 weeks of age. Until the Employment Plan is developed, consider the participant in compliance with the participation requirements as long as the participant is cooperating with development of an EP.

TEEN PARENTS

All parents (in 1- or 2-parent families) under the age of 20 who do not have high school diplomas or the equivalent must have an individual assessment done as soon as possible, but no later than 30 days after receipt of MFIP, unless the caregiver is an 18 or 19 year old who chooses an Employment Plan with a work option. See §6.3.9 (Requirements for Teen Parents).

EMPLOYMENT SERVICES OVERVIEW**5.12**

Counties must provide Employment Services within 30 days after a caregiver is determined eligible for MFIP, or within 10 days when the caregiver participated in the Diversionary Work Program (DWP) within the past 12 months.

FUNCTION OF THE OVERVIEW

It is critical that the MFIP program be presented as an opportunity. Participants must be given a clear, uniform message that MFIP expects, supports, and rewards work. Participants are expected to work, search for work, and/or meet other program requirements. MFIP provides the supports necessary to meet these expectations, and ensures that a job will increase family income and serve as a step toward financial independence.

REQUIREMENT TO ATTEND THE OVERVIEW

All MFIP caregivers, with the exception of participants who have or are in the process of qualifying for a family violence waiver, are required to attend an ES overview.

Participants who have or are in the process of qualifying for a family violence waiver must be provided the same information but cannot be required to attend an overview done in a group setting. In these cases the information in the overview must be covered during the development of the Employment Plan. For more information, see §7.3 (Employment Plan (EP) and FSS EP), §7.36 (Family Violence Waiver Option).

Child care cost should be covered for attending the overview.

CONTENT OF THE OVERVIEW

Prior to the overview, most participants will have attended an orientation to financial assistance as part of the MFIP intake or recertification process. Although the messages are similar, the orientation focuses on the financial work incentives and the income maintenance portion of the program. Overviews, which may be offered in a group setting or on an individual basis, should focus on providing specific information about the Employment Services portion of the program and the supportive services available to help the participant transition to work. However, the overview also provides an opportunity to repeat the very important message that “work pays”. Repetition of information about the work incentives increases the likelihood that participants will understand and take advantage of the program. The overview should convey a sense of the urgency and opportunity of obtaining employment, review the financial assistance information from the orientation, and explain resources available to facilitate a transition to employment.

Specifically, the overview should cover:**➤ The expectation to work**

MFIP is primarily a work program. The purpose of the program is to help participants move into the labor market quickly. Support services and cash assistance are provided to facilitate a transition to employment.

Inform participants that there may be probationary periods new employees must serve after being hired and that job retention services may be available at the ES provider or county.

➤ The necessity and opportunity of working

Under federal law, cash assistance is limited to 60 months in a lifetime. Going to work immediately increases the chance of going off assistance completely or reducing assistance to the MFIP food portion only and preserving the limited months of assistance for times when no work is available.

MFIP expects, rewards, and supports work. MFIP participants are expected to work or participate in work-related activities. Doing so provides significant rewards. Participants must clearly understand how MFIP policies make work pay and that they are always financially better off working than not. Work also provides other less tangible rewards such as enhanced self-esteem and a positive role model for children. Participants have access to child care assistance and other supports necessary to obtain and retain employment.

Families do not have to choose between welfare and work. Under MFIP, any job increases family income, and provides valuable work experience and a step up the ladder to a better job. Tax credits can also substantially increase family income. See §4.24 (Budgeting Policies), §4.30 (Actual Budgeting).

➤ The range of allowable Employment Services work activities

Participants need to know that activities necessary to move them toward employment and self-sufficiency may be included in their plan, with job counselor approval. Provide this information in the context of the general sequence of services, order of preference for work activities, and hourly participation requirements. Retain the basic message that participants are expected to take the most direct route to employment. Work-related activities should be seen as supplementary and should not routinely replace job search and employment.

You may want to include the list of 9 approvable activities in an information packet to supplement your verbal explanation. See §7.9 (Allowable Activities).

➤ **Family Stabilization Services**

Participants who meet certain criteria may qualify for Family Stabilization Services (FSS). See §11.6 (FSS Eligibility Criteria). If it appears a participant may meet one of the criteria begin the process of securing documentation to make this determination.

➤ **Training opportunities**

Training opportunities are available to participants who meet specific criteria. Include the Education and Training in MFIP brochure ([DHS-3366](#)) in the caregiver's information packet as a source of reference. This brochure explains the general parameters of MFIP education and training.

While you should cover general information about education and training opportunities during the overview, it is recommended that detailed and serious discussion of specific educational plans be done during the assessment.

➤ **Child care resources and referral**

Child care expenses are paid for MFIP families who work or participate in other activities in an approved Employment Plan as long as child care program requirements are met, for example: complete an application timely; use a licensed or legal non-licensed provider. Participants may be responsible for a small co-payment. See §10.3 (MFIP Child Care). Participants should be informed about the child care resources available to enable them to participate. For child care assistance for victims of family violence, see §7.3 (Employment Plan (EP) and FSS EP).

➤ **Rights, responsibilities, and obligations of participants**

MFIP has high expectations for participants but offers ongoing support to enable them to meet those expectations. The program sets up a shared responsibility among families, the Employment Services system, and the county. Job counselors are responsible to help participants develop a realistic plan for the future and for supporting the plan with the full range of available resources. Participants are responsible to develop and follow through with the plan and for working toward the greatest level of self-support possible. Employment Services - Rights and

Responsibilities ([DHS-3172](#)) is a concise summary of the participant's protections and obligations.

➤ **Rights under the Americans with Disabilities Act (ADA)**

Job counselors can use DHS brochure "Do you have a disability?" ([DHS-4133](#)). See §4.3.9 (Civil Rights and the Americans with Disabilities Act).

➤ **Consequences for failure to meet requirements.** See §14.3 (Non-Compliance).

➤ **Eligibility for Transition Year Child Care.** See §10.6 (Continuation of Support Services), §10.6.6 (Transition Year Child Care).

➤ **Family violence referral information.**

- Provide information on exemption from the 60-month time limit based on family violence. See §7.36 (Family Violence Waiver Option). Provide the MFIP Family Violence Waiver ([DHS-3477](#)) brochure.
- Provide caregivers with a Family Violence Referral ([DHS-3323](#)). You may include this form with other information distributed at the overview or provide it during the 1st meeting with a job counselor. For more information, see §7.3 (Employment Plan (EP) and FSS EP), §7.36.3 (Person Trained in Domestic Violence).
- Provide information about battered women's community shelter programs and other services for victims of family violence.

➤ **Availability of all health care programs, including transitional Medical Assistance.** See §10.6.12 (Transitional MA Programs).

ASSESSMENT

6.3

An assessment is the process of gathering information related to employability for the purpose of identifying both the participant's strengths and strategies for coping with issues that interfere with employment. The assessment process begins at the first meeting between the participant and a job counselor and continues throughout participation in Employment Services. This information serves as the basis for the initial Employment Plans (EPs), as well as updates and revisions. The assessment process begins at the first meeting between the participant and a job counselor, and continues throughout participation in Employment Services. This information serves as the basis for the initial Employment Plans, as well as updates and revisions. In MFIP, assessments should be done on a continuing basis. Job counselors assess participants each time they meet with a participant to revise or review an employment plan. Depending on the needs and circumstances of each participant, transportation, childcare, need for training, or job seeking skills are assessed on an ongoing basis. Thorough, comprehensive assessments should also be done, but are recommended less frequently.

PURPOSE OF AN ASSESSMENT

MFIP Employment Services focuses on helping participants make a successful attachment to the labor force as quickly as possible. The assessment supports this intent. The primary purposes are to:

- Use information from the assessment process to develop and update the Employment Plan.
- Assess the participant's ability to obtain and retain employment.
- Identify the participant's strengths and strategies for coping with issues that interfere with finding employment.
- Identify participants with barriers to obtaining and retaining employment that won't be overcome by 6 weeks of job search.
- Identify participants who may qualify for Family Stabilization Services. See Chapter 11 (Family Stabilization Services (FSS)).
- Evaluate proposals for education and training.

TIMING OF AN ASSESSMENT**Intake**

To reinforce the message of urgency, complete an assessment as soon as possible after the

overview for caregivers who are mandatory in MFIP Employment Services. Delays between the overview and the assessment for mandatory caregivers should only occur in limited circumstances. Department of Human Services (DHS) recommends completing a thorough assessment at intake but no later than the third month on MFIP.

12-Month Comprehensive Review

The purpose of the review is to determine the need for additional services and supports, including placement in a paid or unpaid work experience.

Conduct a comprehensive review of participation and progress with participants who received MFIP assistance but did not work in unsubsidized employment during the past 12 months. Whenever possible conduct this review together with the financial worker or other county staff (for example, during the annual recertification). For more information on what should be included in a comprehensive review, see §6.3.3 (Contents of an Assessment)

DHS recommends a comprehensive review to be done at twelve months and then annually after that.

FSS Participants

The purpose of the FSS service track is to help families achieve the greatest degree of economic self-sufficiency and family well-being possible. A thorough assessment is needed to develop a FSS EP which requires that strengths and barriers, including any special family circumstances that impact, or are likely to impact progress towards goals, be in the plan.

In order to fulfill the purpose of the FSS service track a comprehensive review as described in §6.3.3 (Contents of an Assessment) is recommended.

Continuous Assessment

As job counselors meet with participants, review and revise EPs, and assist them to meet their goals ongoing assessments will be happening. See §6.3.3 (Contents of an Assessment) for more information on content of continuous assessments.

For additional information, see:

- §6.3.3 Contents of an Assessment.
- §6.3.6 Strengths-Based Approach.
- §6.3.9 Requirements for Teen Parents.
- §6.3.12 Chemical/Mental Health/Learning Needs Screening.
- §6.3.15 Intervention Levels.
- §6.3.18 Intervention Levels - Obtaining/Exchanging Information.
- §6.3.21 Chemical & Mental Health Assessments: Referrals/Costs.
- §6.3.24 Intervention Documentation & Plans.

-
- §7.18 Accommodations for Disabled Participants.
 - §10.6.3 Chemical/Mental Health Assessment Support Services.

Both an Employment Plan (EP) and a Family Stabilization Services (FSS) EP is a social contract between the county/ES provider and each participant. The purpose of these plans is to identify for each participant the most direct path to unsubsidized employment and any subsequent steps that support long-term economic stability. For FSS EPs specifically, the purpose can also be family stability or barrier reduction. The plan should clearly outline commitments on the part of both the county/ES provider and the participant. See §3.15 (Glossary: E...) for the definition of Employment Plan.

Both plans may be created using the Workforce One (WF1) employment plan function or the paper employment plan found on eDocs:

- MFIP/DWP Employment Plan ([DHS-4209](#))
- MFIP/DWP Employment Plan ([DHS-4209A](#))
- Job Search Requirements MFIP/DWP Employment Plan ([DHS-4298B](#))
- Unpaid Work Activities MFIP/DWP Employment Plan ([DHS-4209C](#))
- Education MFIP/DWP Employment Plan ([DHS-4209D](#))
- Family Safety MFIP/DWP Employment Plan ([DHS-4209E](#))
- Other Goals and Activities MFIP/DWP Employment Plan ([DHS-4209F](#))
- Referrals & Support Services MFIP/DWP Employment Plan ([DHS-4209G](#))

WHO MUST COMPLY WITH AN EP OR FSS EP

All MFIP participants are mandatory and must develop and comply with a plan, unless they have a child under the age of 12 weeks and they have not previously used this exception. See §5.6 (Timing for Employment Services).

Failure on the part of a mandatory participant to develop or comply with hourly requirements in a plan may result in a sanction:

- Failure to sign an Employment Plan is considered failure to develop an EP and should result in a sanction. See §7.6 (Minimum Hourly Activity Requirements), §14.36 (Guidelines for Working with Sanctioned Participants).
- Failure to develop or comply with the FSS EP on the part of a participant in the

FSS service track may also result in a sanction however pre-sanction FSS provisions apply. See §11.18 (FSS Sanction Provisions).

WHEN TO DO AN EP

Employment Plans are based on information gathered during the assessment process and throughout participation in the program. Development of a basic EP should begin during the first meeting with a job counselor, or shortly thereafter. The EP is a “living document” that should be reviewed at least every 3 months and revised whenever necessary. See §6.3 (Assessment). For additional information, see:

§7.3.6	Functions of the EP and FSS EP.
§7.3.9	Goals in the EP and FSS EP.
§7.9	Allowable Activities.
§7.9.3	Order of Preference for Allowable Activities.
§7.12	Plan for Victims of Family Violence.
§7.15	EP - Reduced Hours Due to Good Cause.
§7.18.3	FSS EP or EP for Participants with a Disability.

CONTENTS OF THE EP

The EP must include:

- The participant’s overall employment goal.
- Activities and steps necessary to reach that goal.
- Hours of participation and a time line for each activity.
- Expectations and measure(s) used to determine satisfactory progress.
- Meetings with the job counselor.
- Documentation/verification requirements.
- The support services that will be provided.

Clearly indicate that all activities in the plan are mandatory unless otherwise specified. See §7.9 (Allowable Activities). EPs must be signed and dated by you and the participant. Revisions to an existing EP should also be initialed and dated by both.

EMPLOYMENT PLAN (EP) & FSS EP**7.3**

EPs should include enough hours to meet participation requirements unless a compelling reason to do less is case-noted in the participant's file. See §7.6 (Minimum Hourly Activity Requirements). Note that teen parents meet secondary education requirements by enrolling in and attending school. See §6.3.9 (Requirements for Teen Parents) and §7.6 (Minimum Hourly Activity Requirements).

Employment Plans may include any allowable activity, however, participation in activities that meet core hourly requirements are a primary consideration when developing or revising an EP. Use the information in §9.12.3 (Structured Job Search) to determine core and non-core activity hours, and the Levels of Activities list in §7.9.3 (Order of Preference for Allowable Activities) as a guide to selecting activities.

WHEN TO DO AN FSS EP

When a participant is in the FSS service track, an FSS EP must be developed with the participant as soon as possible. FSS EPs are based on information gathered during **the assessment process as well as the results of any professional assessments the participant may have had**. As with the regular EP, the FSS EP is a "living document" that should be reviewed at least every 6 months and revised whenever necessary.

CONTENTS OF THE FSS EP

The FSS EP must include:

- A plan for long-term self-sufficiency, including an employment goal where applicable.
- Statements on both strengths and barriers, including any special family circumstances that impact, or are likely to impact, progress towards goals in the plan
- Identification of services, supports, education, training and accommodations needed to address barriers, and to enable the participant to fulfill personal and family responsibilities and achieve self-sufficiency.
- Hours of participation and a time line for each activity.
- Meetings and/or monthly contact with the job counselor.
- The support services that will be provided.

An assessment on strengths and barriers of a participant must be completed and results included in the FSS EP. It is recommended to assess the areas covered in the Employability Measure.

VICTIMS OF FAMILY VIOLENCE

Victims of family violence who want to be exempt from the 60-month lifetime limit **MUST** request a Family Violence Waiver Option and develop an Employment Plan or FSS Employment Plan. See §7.12 (Plan for Victims of Family Violence), §7.36 (Family Violence Waiver Option), §7.36.3 (Person Trained in Domestic Violence).

PLAN TYPES**7.3.3**

This is a function in the Workforce One (WF1) system that provides a place in employment services to keep track of Family Stabilization Services (FSS) plans and **plans with reduced hours**. Plan types are selected on the employment plan page under the Program tab. In addition to the online plans, plan types can also be chosen when a paper plan is completed.

Use 1 of the FSS or other specialized plan types when the plan includes hours below the minimum hourly requirements:

- 20 hours a week for participants with children under 6.
- 30 hours for participants with no children under 6.

One and only 1 plan type should be open at a time. New plan types will close the previous one.

Employment Plan

Use this when the participant is in a “regular” employment plan. There are no deviations from the range of expected performance and they do not qualify for FSS.

Reduced Hours Due to Good Cause

There are circumstances where participants meet good cause and therefore, need the hours of their plan to be reduced. These participants would not otherwise fit into any of the “FSS/modified plan” criteria.

Correct use:

- The participant meets good cause.
- Good cause is the reason for the reduced hours.
- Data perspective - ability to glean quantitative data about these cases.

Incorrect Use:

Reduced hours should not be used:

- On a long term basis, (recommend no longer than 3 months).
- To justify the reduced hours in the plan, only meeting good cause can justify

the need.

- To eliminate the need to complete the assessment and diagnostics. See §7.15 (EP - Reduced Hours Due To Good Cause).

FSS - Non-citizen/Refugee/Asylee (MFIP Only)

Use this when the participant is a new immigrant within the first 12 months. After the 12 months is up, the participant can continue on FSS if the county/ES provider determines there is a need. See §11.6 (FSS Eligibility Criteria).

FSS - Non-Citizen (DWP Only)

Most new citizens who are refugees or asylees will move to MFIP immediately due to the unlikely to benefit category which now includes this group. However, there is a potential that a participant could qualify for FSS under non-citizen in DWP. See §11.6 (FSS Eligibility Criteria).

FSS - Ill or Incapacitated

Use this when the participant has a diagnosis by a qualified professional as suffering from an illness or incapacity that is expected to **continue for more than 30 days and severely limits the person's ability to obtain or maintain suitable employment**. See §11.6 (FSS Eligibility Criteria).

In DWP, if they meet the unlikely to benefit category they will move to MFIP. But, if the documentation does not exceed 60 days, the participant can still qualify for FSS, but remains in DWP.

EXT/FSS - Ill or Incapacitated

Use this when the participant has a diagnosis by a qualified professional as suffering from an illness or incapacity that is expected to **continue for more than 30 days and severely limits the person's ability to obtain or maintain suitable employment**. This is for post-60 month extended cases. See §11.6 (FSS Eligibility Criteria).

FSS - Needed in Home

Use this for a participant who is determined by a qualified professional as being needed in the home to care for an ill or incapacitated family member for over 30 days. See §11.6 (FSS Eligibility Criteria).

PLAN TYPES

7.3.3

In DWP, if they meet the unlikely to benefit category they will move to MFIP. But, if the documentation does not exceed 60 days, the participant can still qualify for FSS, but remains in DWP.

EXT/FSS - Needed in the Home (MFIP Only)

Use this for a participant who is determined by a qualified professional as being needed in the home to care for an ill or incapacitated family member for over 30 days. This is for post-60 month extended cases. See §11.6 (FSS Eligibility Criteria), §13.15.9 (Special Medical Criteria Extension).

FSS - Special Medical Criteria (MFIP Only)

Use this for a participant with a child or an adult in the household who meets the disability or medical criteria for home care services or a home and community based waiver services program or meets the criteria for severe emotional disturbance or serious and persistent mental illness. See §11.6 (FSS Eligibility Criteria).

EXT/FSS - Special Medical Criteria (MFIP Only)

Use this for a participant with a child or an adult in the household who meets the disability or medical criteria for home care services or a home and community based waiver services program or meets the criteria for severe emotional disturbance or serious and persistent mental illness. This is for post-60 month extended cases. See §11.6 (FSS Eligibility Criteria), §13.15.9 (Special Medical Criteria Extension).

FSS - Hard-to-Employ

Use this when the participant has a diagnosis of mental illness, mental retardation, learning disability, IQ under 80 or unemployable as defined by the current extension categories. In addition to the diagnosis, **the condition must severely limit the person's ability to obtain or maintain suitable employment.** See §11.6 (FSS Eligibility Criteria).

EXT/FSS - Hard-to-Employ (MFIP Only)

Use this when the participant has a diagnosis of mental illness, mental retardation, learning disability, IQ under 80 or unemployable as defined by the current extension categories. In addition to the diagnosis, **the condition must severely limit the person's ability to obtain or maintain suitable employment.** This is for post-60 month extended cases. See §11.6 (FSS Eligibility Criteria).

FSS - Applied for SSI/RSDI (MFIP Only)

Use this for participants when they qualify for FSS because they have applied or are appealing an SSI/RSDI application.

There may be overlap between this plan type and others, but you can only pick one. The “official” FSS category will be taken from MAXIS. Therefore, financial workers and employment services staff should communicate so both sides have an FSS case type recorded. An exact match is not necessary. See §11.6 (FSS Eligibility Criteria).

FSS - Family Violence Waiver

Use this when a participant is in an approved family violence waiver. See §11.6 (FSS Eligibility Criteria).

EXT/FSS - Family Violence Waiver (MFIP Only)

Use this when a participant is in an approved family violence waiver. This is for post-60 month extended cases. See §11.6 (FSS Eligibility Criteria).

FSS - Age 60+

Use this for participants when they qualify for FSS because they are 60 or older.

EXT - Working (MFIP Only)

Use this for participants who are extended for working at least 30 hours a week for a single parent and at least 55 hours combined for a 2-parent family. See §11.6 (FSS Eligibility Criteria).

EXT - Working Limited Hours (MFIP Only)

Use this for participants who are working limited hours due to a disability and are extended in this category. See §11.6 (FSS Eligibility Criteria).

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) and FSS 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

MINIMUM HOURLY ACTIVITY REQUIREMENTS**7.6**

support of an 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 (Unpaid 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 §6.3.9 (Requirements for Teen Parents).

EP OR FSS 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).

FSS EMPLOYMENT PLAN

Due to the flexible nature of the Family Stabilization Services (FSS) plan, the number of hours 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.

EP - REDUCED HOURS DUE TO GOOD CAUSE**7.15**

Hours in a plan may be reduced below the minimum participation requirements **in circumstances where the participant meets good cause but does not otherwise qualify for Family Stabilization Services**. See §14.6 (Good Cause for Non-Compliance). The job counselor determines whether good cause can be established, and may customize a plan with hours reduced below the minimum requirements.

Reduced hours due to good cause should not be used:

- Long term (recommended no longer than 3 months).
- To justify the reduced hours in the plan reducing the participation requirements for a participant who does not meet good cause.
- To eliminate the need to complete an assessment and diagnostics.

EXAMPLE: The participant is homeless and doesn't have transportation or childcare. The counselor determines that the participant can only do 10 hours of activity a week resolving the emergencies in her/his life.

The reduced hours plan is appropriate because the participant meets good cause for having an emergency situation, and lacking childcare and transportation. The hours in the plan may be reduced for the short term while the participant is resolving these issues.

EXAMPLE: The participant has agreed to get a psychological assessment.

This plan type may apply if the job counselor determines the participant meets good cause. The job counselor **MUST** document the reason for good cause and that a plan with reduced hours was developed pending the results of the professional assessment.

This plan type may not apply if the job counselor determines the participant does not meet good cause and is still able to do the minimum required hours in the plan.

When the caregiver has a documented disability the job counselor and participant should develop a plan that includes reasonable accommodations. When designing the plan, job counselors should seek input from those professionals who assessed the participant and can evaluate his or her ability to perform the activities in the plan. It is the responsibility of the job counselor to inform all participants of their right to reasonable accommodations per guidance under the Americans with Disabilities Act. See §4.3.9 (Civil Rights and the Americans with Disabilities Act).

EXAMPLES OF FSS EPs OR EPs

- **Ill or incapacitated for more than 30 days:**
Caregivers in this category should have documentation from a qualified professional on file stating the nature and duration of the illness or incapacity. The plan should be based on this documentation until it is either updated or expires. If the participant is unable to participate for 30 days or more, verification in the file should **document the participant's inability to work 20 or more hours a week**. This plan should include follow through with treatment recommendations, regular meetings with the job counselor, and the date when the verification must be updated.

Employment Services providers should help with any special transportation requirements and make other accommodations as necessary.

NOTE: Medical Assistance can reimburse participants for the cost of transportation for medical services covered by Medicaid. Refer participants to their financial worker for information about MA reimbursement.

Alternate arrangements should be made if the participant's condition prohibits him or her from coming to the Employment Services office. Alternate arrangements also include home visits, telephone interviews, and mailing the Employment Plan for signature if necessary.

The plan should only contain activities and hourly requirements appropriate to the participant's circumstances. If appropriate, an application for SSI should be pursued.

Non-Compliance:

Participants may not be sanctioned for failure to follow through with treatment recommendations. However, a sanction may be imposed for non-compliance with developing a plan or other activities in the plan (required

meetings, maintain contact, verifications, etc.) as long as those activities are within the participant's abilities and necessary accommodations have been made. The participant may also be eligible to claim good cause if unable to meet the requirements of the plan. See §14.6 (Good Cause for Non-Compliance). There are certain provisions that need to be met prior to sanctioning **when:**

- Information has been received that a MFIP recipient may meet FSS Eligibility.
- OR
- Eligibility has been determined that a participant may meet FSS eligibility. See §11.18 (FSS Sanction Provisions).

➤ **Participant is unable to participate for less than 30 days:**

The plan for a participant with verification of an illness or incapacity that expires within 30 days will most often include the same activities listed in the example above, as well as activities that will be required after the verification of illness expires.

Some participants may have recovered fully and will not need a specialized plan. Others may be able to participate but on a more limited basis. Activities included in the plan should be based on recommendations from the medical or other qualified professional who treats the participant. Continued treatment or therapy should be included in the plan as necessary and with the participant's agreement. The plan should not include an expectation that the participant will accept a job that aggravates an identified disability/condition or that requires skills the disability prevents the person from acquiring. For example, an individual with a stress related mental health disorder should not be required to accept a position that would increase exposure to a stress level (demanding workload; deadline pressure) that would negatively impact the participant's recovery.

The plan should only contain activities and hourly requirements appropriate to the participant's circumstances. Employment Services providers should help meet any special transportation requirements and make other accommodations as necessary.

NOTE: Medical Assistance can reimburse participants for the cost of transportation for medical services covered by Medicaid. Job Counselors should refer participants to their financial worker for information about MA reimbursement.

Non-Compliance:

Participants may not be sanctioned for failure to follow through with treatment recommendations. However, a sanction may be imposed for non-compliance with developing a plan or other activities in the plan as long as those activities and hourly requirements are within the participant's abilities and necessary accommodations have been made. A participant may have good cause for failure to comply. See §14.6 (Good Cause for Non-Compliance). There are certain provisions that need to be met prior to sanctioning **when there is information that an MFIP recipient may meet FSS eligibility or eligibility has been determined**. See §11.18(FSS Sanction Provisions).

➤ **Participant is needed in the home to care for a disabled household member:**

The plan for participants with verification from a qualified professional should include information about the level of participation that can be reasonably expected from the participant given the family circumstances and the extent to which the caregiver is needed in the home.

If the household member is a child active in an educational program during part of the day, activities may be scheduled during the time the child is not under the parent's supervision. For example, the plan may require the caregiver to attend parenting classes 2 days a week from 11:00 to 2:00 or could require the participant to seek part time work that does not interfere with the caregiver's ability to care for the disabled household member.

The plan should only contain activities and hourly requirements appropriate to the participant's circumstances.

Non-Compliance:

The participant can be sanctioned for non-compliance if he or she fails to cooperate with developing a plan or with activities in the plan that do not interfere with their responsibilities for providing care for the disabled household member. In situations where their plan conflicts due to changes in the needs of the household member, the plan should be modified. Good cause policies remain in effect. See §14.6 (Good Cause for Non-Compliance). There are certain provisions that need to be met prior to sanctioning **when there is information that an MFIP recipient may meet FSS eligibility or eligibility has been determined**. See §11.18 (FSS Sanction Provisions).

The Family Violence Waiver Option **stops the MFIP 60-month time clock. Participants who have been determined eligible for the Family Violence Waiver are also considered to meet the eligibility criteria for Family Stabilization Services.** To qualify, the participant must take the following steps:

1. Request a Family Violence Waiver.

- Financial Worker Responsibility

If a participant reveals to the financial worker that he/she is a victim of family violence and requests a Family Violence Waiver, the financial worker must identify the participant (with the participant's written permission) as someone needing help or assistance to develop an Employment Plan for Victims of Family Violence. For procedures on developing the plan, see §7.12 (Plan for Victims of Family Violence). The financial worker must ensure that the participant with access to a person trained in domestic violence. See §7.36.3 (Person Trained in Domestic Violence).

- Job Counselor Responsibility

If a participant reveals to the job counselor that she/he is a victim of family violence and requests a Family Violence Waiver, the job counselor must refer the participant to a person trained in domestic violence if the participant is not already working with a domestic violence advocate. The job counselor must ensure the participant has access to a person trained in domestic violence. The job counselor, in collaboration with the person trained in domestic violence, must assist the client in developing an Employment Plan. See §7.12 (Plan for Victims of Family Violence).

Once the plan has been approved, inform the financial worker. Financial workers must enter an approved Family Violence Waiver in MAXIS.

2. Provide Documentation of Family Violence.

The financial worker or job counselor must advise the participant about documentation required to substantiate a claim of family violence. Refer to the list below for acceptable documentation. The county must assist the client if she/he has difficulty in securing any of these items. The client may also be referred to a domestic violence advocate or legal services for assistance. **DO NOT** require the participant to comply with regular Employment Services activities or impose an ES sanction during the period of time that a participant is

obtaining documentation.

Consider any 1 of the following items as an acceptable verification of family violence:

- Police, government agency, or court records.
- OR
- Statement from a battered women's shelter staff person or a sexual assault or domestic violence advocate with knowledge of the circumstances.
- OR
- Statement from a professional from whom the client has sought assistance about the abuse.
- OR
- Sworn statement from the participant.
- OR
- Sworn statement from any other person with knowledge of the circumstance.

NOTE: A notarized statement is recommended from the participant and other person with knowledge of the circumstances, but it is not required. A sworn statement is needed at the minimum. For the definition of a sworn statement see, §3.39 (Glossary: S...).

ON-THE-JOB TRAINING (OJT) PUBLIC SECTOR & PRIVATE SECTOR (Core Activity)

Counties and Employment Services Providers (ESP) who develop On-The-Job Training programs for MFIP participants may make payments to employers for costs that, during the period of the training, must not exceed 50% of the wages the employer pays to the participant. Payments to employers are considered compensation for the extraordinary costs associated with training participants and in compensation for costs associated with lower productivity during training. See §3.33 (Glossary: O-Q...) for the definition of On-The-Job Training.

Participants in On-The-Job Training must be compensated by the employer at the same rates, including periodic increases, as similarly situated employees or trainees, and in accordance with applicable law, but in no instance less than the federal or applicable state minimum wage, which ever is higher.

The limit on length of training should be based on the complexity of the job and the participant's previous work experience and training. Placement in an On-The-Job Training position with an employer is for the purpose of training and employment with the same employer who has agreed to retain the person upon satisfactory completion of training.

- **On-The-Job Training (OJT), Public Sector.** This activity is used when a participant is hired by a **public** employer and while engaged in productive work receives training that provides knowledge or skills essential to the full and adequate performance of that job.
- **On-The-Job Training (OJT), Private Sector.** This activity is used when a participant is hired by a **private** or **private non-profit** employer and while engaged in productive work receives training that provides knowledge or skills essential to the full and adequate performance of that job.

PAID WORK EXPERIENCE (Core Activity)

This activity is used when a participant is in a temporary employment experience in the public, nonprofit or private sector.

Paid work experience may or may not be considered **subsidized employment**. Paid work experience is considered subsidized employment when the ESP reimburses the employer for wages paid to the participant. Paid work experience is not considered subsidized employment when the ESP pays the participant's salary directly (unless the participant is an employee of the employment services provider). In either case, hours in paid work

experience count as core hours and are collected from the MAXIS system. It is important for ESPs to inform financial workers when a job is subsidized.

Tax Credits are not considered subsidies for the purpose of determining if a participant is in subsidized employment.

AmeriCorp

According to the Department of Labor and the Corporation for National and Community Service, the provisions of the Fair Labor Standards Act do not apply to AmeriCorp members as each member receives some form of compensation for participating in the AmeriCorp program. Cash payments to participants enrolled for full-time service as a volunteer under AmeriCorp programs including AmeriCorps VISTA, AmeriCorps State, AmeriCorps National and AmeriCorps NCCC are considered excluded income.

Counties should record both income received for participating in Americorp programs and hours of participation in AmeriCorp programs in the MAXIS system. In Workforce One (WF1), code this activity under paid work experience.

UNPAID EMPLOYMENT ACTIVITIES**9.3**

Unpaid employment activities include: unpaid 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).

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

- The participant has been unable to obtain or maintain paid employment in the competitive labor market and paid work experience programs are available.
- AND
- The unpaid 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 unpaid work experience.

Paid work is the ultimate goal for everyone in the program. However, unpaid 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".

UNPAID 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 unpaid supported work and unpaid 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.

UNPAID EMPLOYMENT ACTIVITIES

9.3

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

County agencies and ES providers may place participants in Unpaid Work Experiences that are not part of CWEP.

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

Unpaid 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 Unpaid 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 unpaid 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 unpaid 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 unpaid work experience, volunteer or Community Work Experience Programs position, hours are determined by dividing the participant's actual MFIP grant (both cash and food portions) by the federal minimum wage \$7.25/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 \$7.25/hour. The maximum number of hours the participant is permitted to work in an unpaid employment activity during the month is 55. Always round down to the nearest whole number of hours.

UNPAID EMPLOYMENT ACTIVITIES

9.3

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.

Do not allow deeming of additional hours to meet the 130 hours per month requirement for families without a child under the age of six. 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. 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 unpaid work activity (for example, unpaid work experience, community service programs or a combination of the two) for 55 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 32 hours needed to meet the 87 core hour requirement (55 actual hours plus 32 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 unpaid work activity for 54 (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 unpaid 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 six. 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.

TWO-PARENT CASES

The maximum number of hours allowed under the FLSA is case based (not person based). Use the family's MFIP grant (both cash and food portions) to determine the maximum number of hours the family can participate in unpaid work activities. A two-parent family with both parents engaged in an unpaid work activity, the total of their unpaid 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 unpaid 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.

Education and Training activities include secondary, post-secondary education and adult education. This also includes job skills training directly related to employment.

Encourage participants who participate in at least 20 hours of work activities to also participate in education and training activities in order to meet the federal hourly participation rates. Discuss when the participant's employment services education plan is developed or reviewed. Employment plans must be reviewed every 3 months.

All of the following activities are either **core or non-core** activities. See the activity description for specifics. These activities should be coded accordingly and the hours should be tracked on Workforce One (WF1). **NOTE: For students under 20 completing a GED or High School, the hours are deemed if at least 1 hour per week is tracked on WF1.**

The primary focus of MFIP is to move participants into the labor market as quickly as possible. Although training and education programs are often not the most direct path to unsubsidized employment, these activities are appropriate in some cases and may be approved in an Employment Plan.

For additional information, see:

- §9.24 Basic Education or GED
- §9.27 Post-Secondary Training & Education
- §9.27.3 Approving Post-Secondary Training/Ed. at Assessment
- §9.30 ESL & Functional Work Literacy (FWL)
- §9.33 Education/Training Documentation & Verification

Participants should enroll in English as a Second Language (ESL) classes offered by a state approved provider. The MN Department of Education/Adult Basic Education maintains a list of state approved public and non-profit ESL providers. Most of these providers are public schools or non-profits that are associated through partnerships/collaborations with approved providers. All approved programs and their partners must follow state requirements to maintain their approved status and funding through the Department of Education.

The Department of Education funds a “literacy hotline” database at the Minnesota Literacy Council that includes all ABE consortia, their partner providers as well as “unaligned” providers who are considered state approved public and non-profit ESL providers. To determine whether an ESL provider is in the database call 1-800-222-1990 and give the hotline operator the zip code for the area you are interested in. The operator will provide information about the nearest programs, operating hours and contact information. Hotline information can also be found at: <http://www.themlc.org/hotline.html/index.htm>

ENGLISH AS A SECOND LANGUAGE (ESL) TRAINING (Non-Core Activity)

This activity includes proficiency training for participants who need to improve their ability to speak, read, or write English. Participants must be below a spoken language proficiency level (SPL) of SPL 6 for ESL to be an approved work activity. The combined total months of participation in ESL and FWL may not exceed 24 months. No more than 1/2 of the participant’s requirement can be met through ESL.

See §9.33 (Education/Training Documentation & Verification) for information on study time.

FUNCTIONAL WORK LITERACY (FWL) (Non-Core Activity)

This activity consists of participants in an intensive and work focused ESL program that offers at least 20 hours per week of class time. Participants must be below a spoken language proficiency level (SPL) of SPL 6 for this activity to be approved. No more than 2/3 of the participant’s requirement can be met through FWL. The combined total months of participation in ESL and FWL may not exceed 24 months.

Limits on English as a Second Language (ESL) and Functional Work Literacy (FWL) activities in the Employment Plan (EP) are as follows:

- In order for ESL or FWL to be an approved work activity, the participant must be below a **spoken** proficiency level (SPL) of SPL 6 or its equivalent as measured by a nationally recognized test (for example, CASAS). As part of monitoring progress for ESL and FWL activities, testing procedures should be in place so that

a participant's SPL can be gauged on a regular basis. If the participant's proficiency exceeds SPL 6 or the equivalent and the approved plan includes ESL or FWL, allow the participant to continue ESL or FWL for the remainder of the period approved in the EP, not to exceed 3 months.

- No more than 24 months of participation in ESL or FWL may be approved while a person is on MFIP. The actual time allowed in ESL or FWL is governed by the EP. There is no entitlement to 24 months of ESL or FWL. An Employment Plan with ESL or FWL as an approved activity should include clear measures for Progress and be reviewed quarterly.
- Participants may fulfill no more than 1/2 of the required hours of participation in an Employment Plan by attending ESL classes.
- Participants may fulfill no more than 2/3 of the required hours of participation by attending FWL classes.
- When deciding whether to enroll a participant in an ESL or FWL program, give preference to enrollment in an FWL program if one is available.

Advise participants of these limits prior to approving ESL or FWL in their plan. At the point when ESL or FWL is no longer approved, rewrite the participant's plan to include other appropriate activities.

Participants must have an approved Employment Plan in order to access support services such as child care or transportation for ESL classes.

See §3.15 (Glossary: E...) for the definition of English as a Second Language. See §3.18 (Glossary: F...) for the definition of Functional Work Literacy (FWL).

See §9.33 (Education/Training Documentation & Verification) for study time information.

SOCIAL SERVICES ACTIVITIES**9.39**

This section includes social services as well screening and assessments that can lead to participation in social services. Hours tracked in these activities are **not countable** towards the participation rate.

NOTE: Chemical health, mental health or rehabilitation services may be counted as part of the first 6 weeks of “job readiness”. See §9.18 (Job Search/Job Readiness Documentation & Verification).

ASSESSMENT (Not Countable Activity)

Assessment means the continuing process of gathering information related to employability. Although assessments may identify barriers to employment, the focus and tone should be based on identifying each participant’s strengths. See §6.3.6 (Strengths-Based Approach).

SCREENING (Not Countable Activity)

This activity includes using the MFIP Self-Screen ([DHS-3482](#)) and the Brief Screening Tool for Special Learning Needs ([DHS-3504](#)).

No hours are tracked in this activity on Workforce One (WF1). Open and close the activity on the day these screening tools are administered to indicate that the screening has been done.

EMPLOYMENT PLAN FOR FAMILY VIOLENCE WAIVER (Not Countable Activity)

This activity includes the process where victims of family violence develop and utilize a plan to ensure the safety of herself/himself and his/her children. The plan should also include activities designed to lead to self-sufficiency, provided they do not endanger the participant or the children.

NOTE: Open the identifier “family violence waiver” indicating that the person has **an individualized plan** due to a family violence waiver. Track hours using the applicable categories (job search, part time employment, etc.). For activities related to safety and supporting the safety plan, those hours should be tracked in “participating in social services”.

PARTICIPATING IN SOCIAL SERVICES (Not Countable Activity)

This activity is used for participants who are involved in all forms of social service interventions. Possible interventions include: child protection, chemical dependency

assessment or treatment, mental health assessment or treatment, assessment for learning disabilities, domestic violence services.

For participants engaged in social service activities that are not being tracked for job readiness under “Job Search” in Workforce One (WF1), document the following social service interventions:

- Treatment plans.
- OR
- Chemical Dependency or Mental Health services.
- OR
- Counseling.
- OR
- Meeting with advocates.
- OR
- Child protection.

These activities should be documented by the participant on their activity log. Although it is not required that the professionals working with the participant sign the activity log it is seen as good practice.

Hours of Social Services being reported as Job Readiness Assistance for each participant engaged in these activities must be documented and verified in order for the hours to count towards the work participation rate. You must have a signed release to communicate with the social service provider.

Acceptable documentation for the weekly check-in is a case note in the participant’s file or an indication on the activity log that the check-in was satisfactorily completed for each/all activities.

When daily supervision is not required, a general guideline for checking in with the participant is no less than monthly. If you have reason to check in less frequently, document the reason in a case note.

DAILY SUPERVISION OF SOCIAL SERVICE ACTIVITIES

Daily supervision **may or may not be required** for someone who is in Social Service activities.

Require participants who are engaged in Social Services being tracked as Job Readiness (“Job Search” on WF1) to be supervised no less frequently than daily. Daily supervision can be provided by the service treatment provider, an employment services staff person, or other responsible individual.

At a minimum, daily supervision means the employment counselor and participant must have developed an agreed upon schedule of daily activities. For mental health, substance abuse, or rehabilitation activities, hours will be based on the recommendations or treatment plan signed by a qualified health professional, and/or a schedule of group meetings.

Supervision also includes at least 1 in-person or phone check-in each week. During the check-in, the participant and the employment counselor must review progress, identify support service needs, and make any necessary changes in the schedule of activities.

Do **not require** daily supervision if the participant is only engaged in Social Service activities and is not being tracked for Job Readiness in WF1 under “Job Search”. Follow up with the participant no less than monthly. Update the Employment Plan at least every 3 months. If the Employment Plan warrants less frequent contact, case note why less contact is required and how often the follow-up will occur.

EXAMPLE 1: A participant has a family violence waiver **and receiving Family Stabilization Services (FSS)**. The **FSS Employment Plan**, written with the advocate only includes safety activities. This does not fit the definition of job readiness nor are there activities that can be tracked in any other category. **There is no requirement of daily supervision**. Follow up should be provided no less than monthly with the participant and the **FSS** Employment Plan should be updated every 3-6 months.

EXAMPLE 2: A participant has a family violence waiver **and is receiving Family Stabilization Services (FSS)**. The **FSS Employment Plan**, written with the advocate includes safety activities, job search, and mental health counseling. Job search should be tracked under “Job Search” in WF1. The counseling can be tracked under “Job Search” because it fits the definition of “Job Readiness”. The safety activities should be tracked in “Social Services”. **In this case daily supervision of counted activities is required.**

Hours tracked in these activities are **not countable** towards the participation rate.

HOLDING (Not Countable Activity)

This non-activity temporarily places a participant in “suspension”. Holding is commonly used to allow some time to pass before anticipated entry into another activity. It is also recommended to use this when someone already enrolled in MFIP takes the 12 week exception, in order to avoid a new referral process.

HOLDING – SANCTION (Not Countable Activity)

This non-activity is used when a participant is in sanction status for non-cooperation with MFIP Employment Services.

OTHER (Not Countable Activity)

This activity is used to track hours for activities not included in other activity categories. Efforts to stabilize the family by securing suitable housing, doctor appointments, etc. may be included.

HOLDING & OTHER ACTIVITIES DOCUMENTATION & VERIFICATION 9.45.3

The following is a list of mandatory verification for Holding and Other activities:

- Holding. Document in case notes why the Holding activity is being used.
- Holding Sanction. Copies of the Notice of Intent to Sanction should be in the case as well as any other supporting case notes documenting the reason for the sanction. Attempts to contact the participant to discuss how to cure the sanction should also be documented in case notes. Although the participant may choose not to respond to your contacts, continue contact at least once per month.
- Other. Document in case notes why the Other activity is being used. Hours of activity should be tracked on an activity log and recorded in Workforce One (WF1).
- Integrated Services Project. Usage of this code documents that the participant is enrolled in one of the pilot projects.

DAILY SUPERVISION

Daily supervision is not a requirement for these activities.

It is not uncommon for participants in the “Other” activity to have a plan that has multiple activities. Department of Human Services (DHS) recommends follow-up on the “Other” activities at the same time you are checking in with the rest of the plan.

IDENTIFIERS**9.51**

This is a function in the Workforce One (WF1) system that provides a means for Employment Services to keep track of additional characteristics of a case. Additional information about a plan type, person, or activity can be collected by using identifiers. Identifiers are found on the activity page under the program tab and can be entered in 3 places:

- On the identifier table.
- As part of entering an activity.
- As part of entering an Employment Plan.

Close the identifier when it no longer applies to the participant or the case closes.

You may have zero to many identifiers.

IDENTIFIERS THAT FURTHER DESCRIBE THE PLAN TYPE OR A CHARACTERISTIC OF THE PERSON

Mental Health (MH) Diagnosis - Use this identifier when the participant is diagnosed with a mental health condition. This identifier will be used most likely in conjunction with the Hard to Employ FSS plan type, but could also be used with any other plan type including "Employment Plan". People with mental health issues can successfully work and fully participate in work activities.

Developmental Disability (DD) - Use this identifier when the participant is diagnosed with a developmental disability. The diagnosis of mental retardation (MR) is included here. This identifier will most likely be used with the Hard to Employ FSS plan type, but could also be used with any other plan type, including "Employment Plan". People with developmental disabilities can successfully work and fully participate in work activities.

Learning Disability (LD) - Use this identifier when the participant is diagnosed with a learning disability. This identifier will most likely be used with the Hard to Employ FSS plan type, but could also be used with any other plan type, including "Employment Plan". People with learning disabilities can successfully work and fully participate in work activities.

Low IQ - Use this identifier when the participant is diagnosed with an IQ under 80. This identifier will most likely be used with the Hard to Employ FSS plan type, but could also be used with any other plan type, including "Employment Plan". People

with low IQs can successfully work and fully participate in work activities.

Physical Illness/Incapacity - Use this identifier when medical treatment for an illness or incapacity is expected to last 30 days or more. This identifier will most likely be used with the FSS – Ill or Incapacitated plan type, but could also be used with any other plan type, including “Employment Plan”. People with physical illness/ incapacity can successfully work and fully participate in work activities.

Unemployable - Use this identifier for a participant who meets the definition of “unemployable”. The definition can be found in the current extension policy, §13.18.12 (Unemployable Extension Criteria). This is the only identifier that is associated with a plan type and is not a diagnosis. Department of Human Services (DHS) recommends the use of this identifier only if the person has been found eligible for the Hard to Employ – Unemployable category (FSS/extended & pre 60 month FSS). See §13.18 (Hard To Employ Extensions).

IDENTIFIERS THAT FURTHER DESCRIBE THE ACTIVITY OR OTHER SPECIAL CIRCUMSTANCE:

Integrated Services Project - There are 9 pilot projects in the Integrated Services Project. If the participant is enrolled in one of these projects, open this identifier on the date they are enrolled. Close the identifier when the case on WF1 is closed.

12-Week Exception - Use this identifier when the participant is using the baby under 12 weeks exception in a lifetime. This will primarily be used with the “Holding” activity.

Chemical Dependency (CD) Assessment - Use this identifier when a participant agrees to complete a CD assessment in his/her employment plan. This identifier can be opened when the CD assessment is put into the Employment Plan. Close it when you receive the assessment. If the participant does not follow through with completing the assessment, close the identifier, put “unsatisfactorily” completed and write in comments that they did not follow through. This will primarily be used with the “Job Search”, “Assessment”, or “Social Services” activities.

Mental Health (MH) Assessment - Use this identifier when a participant is scheduled for and completes an assessment. This identifier can be opened when the MH assessment is put into the employment plan. This identifier can be closed when you receive the assessment. If the participant does not follow through with completing the assessment, close the identifier, put “unsatisfactorily” completed and write in comments that they did not follow through.

IDENTIFIERS

9.51

Use in conjunction with “Job Search”, “Assessment”, or “Social Services” activities.

Mental Health (MH) treatment - Use this identifier when the participant has agreed to mental health treatment as part of the Employment Plan. This includes but not limited to: counseling, in-patient or out-patient mental health services, and support groups.

Use in conjunction with the “Job Search” or “Social Services” activities.

Chemical Health (CD) treatment - Use this identifier when the participant has agreed to do CD treatment as part of the Employment Plan. Close it when all treatment is completed. Include Alcoholics Anonymous (AA) and Narcotics Anonymous (NA) meetings here as well.

Use in conjunction with the “Job Search” or “Social Services” activities.

Self Screen - This is the **MFIP Self Screen** for mental and chemical health issues. When you administer this screening, open and close this identifier the same day. Hours (or minutes in this case) for this should be captured in whichever activity you are using for the appointment, typically “Job Search”, “Assessment”, or “Social Services”. This simply documents that the screening has been completed.

Learning needs screen - This is the **Brief Screening Tool for Special Learning Needs**. When you administer this screening, open and close this identifier on the same day. Hours (or minutes in this case) for this should be captured in whichever activity you are using for the appointment, typically “Job Search”, “Assessment”, or “Social Services”. This simply documents that the screening has been completed.

Rehabilitation Services - Use this identifier when a participant has been referred to Rehabilitation Services (RS). This identifier can be opened when the referral is made to RS and can be left open throughout the eligibility determination process. Close this if the RS Counselor finds them ineligible for services, puts them on a waiting list, or discontinues services with the participant.

Use in conjunction with the “Job Search” or “Social Services” activities.

Child protection - Use this when a participant is working with child protection and you have included activities related to child protection in the Employment Services Plan.

Use in conjunction with the “Social Services” activity.

IDENTIFIERS

9.51

Medical treatment - Use this when a participant has an illness or incapacity expecting to last 30 days or more and the Employment Plan includes medical treatment activities such as medical appointments, physical therapy, dialysis, etc. Use in conjunction with the “Other” activity.

Safety activities - Use this identifier when a participant has a Family Violence Waiver. This identifier will be for specifics in the Plan related to the violence such as meeting with the domestic violence advocate, doing activities through a battered women’s shelter, participating in domestic violence support groups, etc.

Bachelor’s degree - Use this identifier when the participant is in an approved education plan to complete a bachelor’s degree.

Use in conjunction with the “Job Skills Training Directly Related to Employment” activity.

Advanced degree - Use this identifier when the participant is in an approved plan for obtaining an advanced degree such as a master’s degree or certificate. (For example, a certificate might be a teaching certificate).

Use in conjunction with the “Job Skills Training Directly Related to Employment” activity.

CWEP - Use this identifier 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.

Use in conjunction with the “Community Service” activity.

FSS ELIGIBILITY CRITERIA**11.6**

A person who is applying for or receiving DWP or MFIP (pre or post 60 months) or a person who was disqualified due to fraud on or after October 1, 2007, who meets 1 or more of the following criteria is eligible for Family Stabilization Services (FSS).

The following are the “ill or incapacitated” eligibility categories:

ILL OR INCAPACITATED

Participants who are ill, injured, or incapacitated **MUST** provide professional certification of an illness, injury, or incapacity that is expected to last more than 30 days and **severely limits the participant’s ability to obtain or maintain suitable employment.**

NOTE: A participant is considered to have met the employment related criteria for this category if the qualified professional determines that the participant’s condition prevents him/her from working 20 or more hours per week.

Participants who are ill or incapacitated **ARE REQUIRED** to develop an FSS Employment Plan (EP) and follow FSS service requirements. See §13.15.3 (Ill/Incapacitated Extensions).

NEEDED IN THE HOME

Participants who are needed in the home **MUST** provide verification that they are needed to provide care for another member of the assistance unit, a relative in the household, or a foster child in the household who has a professionally certified illness or incapacity that is expected to continue for more than 30 days. Participants in this category are not expected to work but **ARE REQUIRED** to develop an FSS EP and follow FSS service requirements. See §13.15.12 (Needed In The Home Extension Criteria).

SPECIAL MEDICAL CRITERIA

Participants with a child or an adult in the household who meets the special medical criteria for home care services or a home and community-based waiver services program, severe emotional disturbance, or serious and persistent mental illness. Those meeting the special medical criteria must be receiving or eligible to receive these services or programs. Verification of the ability of caregivers to obtain or retain employment is not required. The participant in a single parent MFIP unit and 1 of the parents in a 2-parent unit are presumed to be unable to work but **ARE REQUIRED** to develop an FSS EP and follow FSS service requirements.

If the participant’s health care provider cannot or will not provide the information needed to determine if the participant is eligible for FSS, obtain a release of information from the

FSS ELIGIBILITY CRITERIA**11.6**

participant authorizing you to contact the health care provider. Explain to the health care provider that this information is needed to determine if the participant is eligible for a service track in MFIP. If the health care provider still does not respond, contact the consumer representative at the health plan. If the health plan does not respond, contact DHS Health Care Purchasing Division, at 651-296-3386 or 1-800-657-3756. Indicate which health plan you have contacted. See §13.15.9 (Special Medical Criteria Extension)

The following are the “hard to employ” eligibility categories:

UNEMPLOYABLE

Before determining whether a participant is unemployable for purposes of FSS, counties and Employment Services Providers should assess whether he or she is eligible under a different FSS category. If he or she does not meet the criteria for another category, but appears to have significant and severe issues that impact their ability to work, a determination of unemployability should be done by a vocational rehabilitation specialist or another qualified professional designated by the county. For more information on Qualified Professional, see §3.33 (Glossary: O-Q...).

There is no single factor or cluster of factors which would indicate unemployability, but take the following into consideration:

- The participant’s work history over the past 5 years. If the person has worked, review his or her work history and the reason or reasons the participant left employment to determine whether any barriers exist which prevent the participant from maintaining a job. If the participant has not worked, review the reason he or she has not been employed to identify any barriers to employment.
- Extremely limited ability to speak or understand English, despite efforts to learn it. There must be documentation of the participant’s efforts to learn English.
- Felony record that inhibits employment in existing positions.
- Other severe and chronic mental health or chemical dependency issues that have not been professionally certified because the nature of the illness interfere with the participant’s ability to seek assessment or treatment. There must be documentation of the agency or other professionals attempt to engage the participant in necessary services.

Participants in this category ARE REQUIRED to develop an FSS EP and follow FSS service requirements.

FSS ELIGIBILITY CRITERIA

11.6

NOTE: Factors such as lack of child care, transportation, or housing, while they may be significant barriers to employment, do not in and of themselves constitute a basis for unemployability.

After reviewing the above, determine whether there are any factors that would result in the participant being unable to work. If there are not significant factors that would result in the participant being unable to work, he or she is considered employable and is NOT eligible for FSS. If the participant cannot work, determine whether he or she could work with a reasonable investment of available supports to address his or her limitations.

- If yes, these supports must be provided. The participant is not eligible for FSS under the category of “unemployable”.
- If no, the county must document the lack of available supports, and the participant may be extended as “unemployable”. When appropriate, the county should assist a participant who is assessed as “unemployable” to apply for SSI.

See §13.18.12 (Unemployable Extension Criteria).

MENTALLY RETARDED OR MENTALLY ILL

Participants who are mentally retarded or mentally ill must be diagnosed by a licensed physician, psychological practitioner, or other qualified professional as mentally retarded or mentally ill or **the condition severely limits the participant’s ability to obtain or maintain suitable employment**. See §13.18.3 (Mental Retardation/Mental Illness Extension Criteria).

NOTE: A participant is considered to have met the employment related criteria for this category if the qualified professional determines that the participant’s condition prevents him/her from working 20 or more hours per week.

Participants in this category ARE REQUIRED to develop an FSS EP and follow FSS service requirements.

PARTICIPANTS WITH IQ BELOW 80

Participants with an IQ below 80 must have been assessed by a vocational specialist **qualified professional to determine that the condition severely limits the participant’s ability to obtain or maintain suitable employment**.

FSS ELIGIBILITY CRITERIA

11.6

NOTE: A participant is considered to have met the employment related criteria for this category if the qualified professional determines that the participant's condition prevents him/her from working 20 or more hours per week.

Participants in this category ARE REQUIRED to develop an FSS EP and follow FSS service requirements.

Determining if a person has an IQ below 80 may be difficult due to limited English proficiency or lack of cultural assessment tools. Standard methods used to determine IQ may be inappropriate or ineffective. Only accept statements from professionals who are qualified to determine IQ scores AND who have experience assessing functional limitations with non-English speakers. See §13.18.9 (IQ Below 80 Extension Criteria).

LEARNING DISABLED

Participants with a learning disability must have been assessed by a vocational specialist or qualified professional to determine that the condition severely limits the participant's ability to obtain or maintain suitable employment. Learning disabled means that the person has a disorder in 1 or more of the psychological processes involved in perceiving, understanding, or using language. The determination must be based on a statement provided by a licensed professional who is qualified to assess learning disabilities. Statements from qualified professionals submitted for purposes of **determining eligibility for this criteria** must include verification that:

- There is a pattern of intra-individual discrepancy when compared to similar language of peers.
- That the disability is not primarily the result of visual, hearing, or motor handicaps, mental retardation, emotional disturbance or due to environmental, cultural, or economic disadvantage.

NOTE: A participant is considered to have met the employment related criteria for this category if the qualified professional determines that the participant's condition prevents him/her from working 20 or more hours per week.

Participants in this category ARE REQUIRED to develop an FSS EP and follow FSS service requirements.

Determining if a person has a learning disability may be difficult due to limited English proficiency or lack of cultural assessment tools. Verify by seeking and only accepting statements from professionals who are qualified to determine learning disabilities, and have

FSS ELIGIBILITY CRITERIA**11.6**

experience assessing functional limitations with non-English speaking clients. See §13.18.6 (Learning Disabled Extension Criteria).

FAMILY VIOLENCE WAIVER

Participants who are victims of family abuse are considered FSS participants. The abuse **MUST** be verified. See §7.36 (Family Violence Waiver Option) for a list of acceptable forms of verification. These participants must work with a job counselor and/or FSS case manager and a person trained in domestic violence (if they are not already working with a domestic violence advocate) to develop an FSS EP. The primary goal of an FSS EP for Victims of Family Violence is to ensure the safety of the caregiver and the children. The job counselor and/or FSS case manager has the final approval of an FSS EP, see §7.12 (Plan for Victims of Family Violence). Participants in this category **ARE REQUIRED** to develop a FSS EP and follow FSS service requirements.

The following are the remaining eligibility categories:

IN THE COUNTRY 12 MONTHS OR LESS

Participants who are legal non-citizens in the United States 12 months or less are considered an FSS participant and **ARE REQUIRED** to develop an FSS EP and follow FSS service requirements.

NOTE: Legal non-citizens may continue to receive FSS beyond the initial 12 month period if it is determined by the participant and the case manager that the participant should continue with ESL or skills training or both.

APPLYING FOR SSI/RSDI

Participants who are applying for or those who are appealing a denial of an SSI or RSDI application are considered an FSS participant and **ARE REQUIRED** to develop an FSS EP and follow FSS service requirements.

AGE 60 OR OLDER

Participants who are age 60 or older are considered FSS participants. They **ARE REQUIRED** to develop an FSS EP and follow FSS service requirements.

There are specific sanction provisions that **MUST** be followed once a participant has been determined eligible for Family Stabilization Services (FSS), even if the participant has not developed an FSS EP. For more information, see Appendix H (FSS Sanction Guidance). The provisions must also be followed at the time the provider has information that a participant may meet the eligibility criteria. These provisions apply to pre or post 60-month cases.

Examples of what could constitute “information” include:

- Documentation of previous mental health diagnosis.
- Past involvement with other systems; adult or children’s mental health, development disability services, waived services.
- Self-reported attempts to get help for a mental health condition that has impacted their ability to obtain or maintain suitable employment.
- Previously diagnosed with a chronic health condition that has impacted their ability to obtain or maintain suitable employment.

Employment services staff are often aware that something is interfering with a participant’s ability to follow through with program expectations. The precise nature of the barrier is often not clear. Although signals which raise concerns are not necessarily indicators that a participant may meet FSS eligibility criteria, they may be signs that the participant could benefit from a professional assessment or engagement in other social service systems.

Sanction policy regarding notices, amounts and closure/counting occurrences are the same for FSS as they are for child support and ES sanctions. However, the FSS sanction requirements prior to imposing a sanction, are different. See Chapter 14 (Non-Compliance & Sanctions).

The provisions also apply to FSS participants who were disqualified from MFIP due to fraud after October 1, 2007. In these cases, if a sanction is imposed, it would be applied against the household’s remaining grant amount.

PROVISIONS FOR ALL FAMILIES

Ill, injured, or incapacitated extension criteria apply to the health status of the participant, not to other family or household members. Participants who request this extension must:

- Provide professional certification of an illness, injury, or incapacity that is expected to last more than 30 days which **severely limits the person's ability to obtain or maintain suitable employment.**

NOTE: A participant is considered to have met the employment related criteria for this category if the qualified professional determines that the participant's condition prevents him/her from working 20 or more hours per week.

The certification of an illness, injury, or incapacity should be from a qualified professional who is a licensed physician, a physician's assistant, a nurse practitioner, a certified nurse midwife, or a licensed chiropractor.

AND

- Follow the treatment recommendations of the health care provider certifying the illness, injury, or incapacity. The extension may end for caregivers who do not follow treatment recommendations without good cause. Good cause may be granted when the nature of a caregiver's disability interferes with follow through on treatment recommendations.

Participants under this category are considered FSS participants and **ARE REQUIRED** to develop an FSS Employment Plan and follow FSS service requirements.

Participants who are pregnant may be extended under the ill or incapacitated category if there is a medical professional's statement verifying that they are unable to work and the condition is expected to last for more than 30 days. The extension under ill or incapacitated lasts only as long as the illness or incapacity lasts.

NOTE: A participant is considered to have met the employment related criteria for this category if the qualified professional determines that the participant's condition prevents him/her from working 20 or more hours per week.

Continuation of care activities for participants with chemical health issues are considered part of the treatment plan for purposes of this extension when the activities are led by a

chemical health professional, based on an assessed need, and provided according to a treatment plan as part of a licensed program.

EXTENDING THE CASE WHEN DOCUMENTATION IS PENDING

Counties may extend MFIP benefits beyond the 60 months for participants requesting extension under the ill/incapacitated category if documentation is not available by the 60th month. Participants must cooperate with efforts to obtain the documentation, and they may be responsible for an overpayment if they are later determined to not qualify for an extension. Also see §13.6 (Transition Period - 48 to 60 Months).

See §13.3 (60-Month Lifetime Limit) for an explanation of the 60-month lifetime limit and exceptions. See §13.15 (Hardship Extensions) for an explanation of the requirements for hardship extensions. Also see §13.15.3 (Ill/Incapacitated Extensions), §13.15.9 (Special Medical Criteria Extension), §13.15.12 (Needed in the Home Extension Criteria).

PROVISIONS FOR 2-PARENT FAMILIES

When Both Parents Reach Month 60 at the Same Time

Evaluate both adults for an extension, when both parents reach month 60 at the same time. If both qualify for an extension as ill, injured, or incapacitated category, both are considered FSS participants and ARE REQUIRED to develop an FSS Employment Plan and follow FSS service requirements. Neither one is required to participate in Employment Services. However, both parents are required to follow treatment recommendations to maintain the extension.

When 1 Parent Reaches Month 60 Before the Other

When 1 parent reaches month 60 before the other, evaluate the parent who has reached 60 months for an extension. A parent extended as ill, injured, or incapacitated category must follow treatment recommendations of their health care provider and is considered an FSS participant and IS REQUIRED to develop an FSS Employment Plan and follow FSS service requirements.

HARD TO EMPLOY EXTENSIONS

13.18

MFIP participants who have reached their 60-month life time limit may be extended if they meet eligibility criteria for 1 of the following categories:

- Mental Retardation or Mental Illness. See §13.18.3 (Mental Retardation/Mental Illness Extension Criteria).
- Learning Disabled. See §13.18.6 (Learning Disabled Extension Criteria).
- IQ below 80. See §13.18.9 (IQ Below 80 Extension Criteria).
- Unemployable. See §13.18.12 (Unemployable Extension Criteria).
- Family Violence. See §13.18.15 (Family Violence Extension Criteria).

Participants who are extended in any of the Hard to Employ categories are considered Family Stabilization Services (FSS) participants and ARE REQUIRED to develop an FSS Employment Plan and follow FSS service requirements. The FSS Employment Plan should be developed in consultation with other professionals who work with the individual, and incorporate activities and hours appropriate to each person's abilities and overall family circumstances. Hourly requirements must be written into the FSS Employment Plan and non-compliance may result in sanction, however, FSS sanction provisions must be followed prior to imposing a sanction. Once it has been determined that a participant can be sanctioned disqualification is part of the post 60-month sanction process. See §14.30 (Post 60-Month ES Sanctions - General Provisions). For information on Employment Plans, see §7.3 (Employment Plan (EP) and FSS EP).

NOTE: Victims of family violence are considered FSS participants and ARE REQUIRED to develop an FSS Employment Plan and follow FSS service requirements. See §7.12 (Plan for Victims of Family Violence), §13.18.15 (Family Violence Extension Criteria).

Counties may extend MFIP benefits for participants in the above categories after 60 months when documentation is not available by the 60th month. Participants must cooperate with efforts to obtain the documentation, and they may be responsible for an overpayment if they are later determined to not qualify for an extension. Also see §13.6 (Transition Period - 48 to 60 Months).

Participants are required by law to apply for benefits from other programs for which they are potentially eligible. If it appears that their condition would make them eligible for Social Security benefits or benefits from other programs, they are required to apply.

WHEN BOTH PARENTS REACH MONTH 60 AT THE SAME TIME

When both parents reach month 60 at the same time, evaluate both adults for an extension. If both parents qualify for 1 or more of the hard-to-employ categories, both must participate in and comply with an Employment Plan. Review to determine whether revisions are necessary if 1 or both parents have an existing plan. Encourage both parents to attend meetings to develop or revise Employment Plan. Maximum participation should be expected from both parents unless there are compelling reasons to do otherwise.

WHEN 1 PARENT REACHES MONTH 60 BEFORE THE OTHER

If 1 parent reaches month 60 before the other, evaluate the parent who has reached 60 months for an extension. Participants who meet the hard to employ extension criteria are considered FSS participants and ARE REQUIRED to develop an FSS Employment Plan and follow FSS service requirements. If this parent has an existing plan, it should be reviewed to determine whether revisions are necessary. The Employment Services status and Employment Plan of the parent who has not reached month 60 should also be reviewed at this time.

See §13.3 (60-Month Lifetime Limit) for an explanation of the 60-month lifetime limit and exceptions. See §13.15 (Hardship Extensions) for general information and requirements for hardship extensions. Also see §13.15.3 (Ill/Incapacitated Extensions), §13.21 (Employed Extensions).

MFIP participants with mental illness or mental retardation are eligible for an extension of their benefits when the condition **severely limits the participant's ability to obtain or maintain suitable employment.**

NOTE: A participant is considered to have met the employment related criteria for this category if the qualified professional determines that the participant's condition prevents him/her from working 20 or more hours per week. These participants are considered Family Stabilization Services (FSS) participants and **ARE REQUIRED** to develop an FSS Employment Plan and follow FSS service requirements.

FSS Employment Plans developed for participants who are extended due to mental illness or mental retardation should be developed in consultation with other professionals working with the participant. The plan should include only activities and hourly requirements appropriate to that person's abilities and current situation.

DETERMINATION OF MENTAL ILLNESS

The determination of mental illness must be made by a licensed physician or a qualified mental health professional. Qualified mental health professional means:

- **In psychiatric nursing, for children:** A registered nurse who is licensed under [Minnesota Statutes, Sections 148.171](#) and who is certified as a clinical specialist in child and adolescent psychiatric or mental health nursing by a national nurse certification organization, or who has a master's degree in nursing or 1 of the behavioral sciences or related fields from an accredited college or university or its equivalent, with at least 4,000 hours of post-master's supervised experience in the delivery of clinical services in the treatment of mental illness.
- **In psychiatric nursing, for adults:** A registered nurse who is licensed under [Minnesota Statutes, Sections 148.171](#) and who is certified as a clinical specialist in adult psychiatric and mental health nursing by a national nurse certification organization or who has a master's degree in nursing or 1 of the behavioral sciences or related fields from an accredited college or university or its equivalent, with at least 4,000 hours of post-master's supervised experience in the delivery of clinical services in the treatment of mental illness.
- **In clinical social work:** A person licensed as an Independent Clinical Social Worker (LICSW) under [Minnesota Statutes, Section 148D.050](#), subdivision 6, or a person with a master's degree in social work from an accredited college or university, with at least 4,000 hours of post-master's supervised experience in the delivery of clinical services in the treatment of mental illness.

- **In psychology:** An individual licensed by the board of psychology under [Minnesota Statutes, Sections 148.90](#), who has stated to the Board of Psychology competencies in the diagnosis and treatment of mental illness.
- **In psychiatry:** A physician licensed under [Minnesota Statutes, chapter 147](#), and certified by the American Board of Psychiatry and Neurology or eligible for board certification in psychiatry.
- **In marriage and family therapy:** A marriage and family therapist licensed under [Minnesota Statutes, Sections 148B.29](#), with at least 2 years of post-master's supervised experience in the delivery of clinical services in the treatment of mental illness.

DETERMINATION OF MENTAL RETARDATION

The determination of mental retardation must be made by a professional qualified by training and experience to administer the tests necessary to make such a determination (tests of intellectual functioning, assessment of adaptive behavior, adaptive skills, and developmental function). These professionals include licensed psychologists, certified school psychologists, or a certified psychometrist working under supervision of a licensed psychologist.

Person with mental retardation means a person who has been diagnosed as having substantial limitations in present functioning, manifested as significantly sub-average intellectual functioning, existing concurrently with demonstrated deficits in adaptive behavior and who manifests these conditions before the person's 22nd birthday.

Deficits in adaptive behavior means a significant limitation in an individual's effectiveness meeting the standards of maturation, learning, personal independence, and social responsibility expected for the individual's age level and culture group, as determined by clinical assessment and generally standardized scales.

Significantly subaverage intellectual functioning means a full scale IQ score of 70 or less based on assessment that includes 1 or more individually administered standardized intelligence tests developed for the purpose of assessing intellectual functioning. Errors of measurement must be considered.

Substantial functional limitations means the long-term inability to significantly perform an activity or task.

WHEN THE PARTICIPANT SPEAKS LIMITED ENGLISH

MENTAL RETARDATION/MENTAL ILLNESS EXTENSION CRITERIA 13.18.3

Listed below is guidance to counties and Employment Services Providers to use when the participant speaks limited English:

- Consider other categories of extension 1st before requesting a mental health diagnostic for purposes of determining mental retardation or IQ below 80.
- For purposes of an extension, counties may accept a statement from a qualified professional regarding IQ that identifies a range instead of a specific score. Professionals qualified to administer tests of intellectual functioning, assessment of adaptive behavior, adaptive skills, and developmental function include licensed psychologists, certified school psychologists, or certified psychometrists working under supervision of a licensed psychologist. Counties and Employment Services Providers should make every effort to ensure that professionals making these determinations have experience conducting cross-cultural evaluations.
- Request that the assessment report include a discussion of the limitations of testing.
- Request that the assessment report include a statement of the clinician's confidence in the results.
- Request that the assessment report related to mental retardation or low IQ include a description of the participant's functional level and functional restrictions.
- Request that the assessment report identify the interpreter, his or her qualifications and relationship to the assessor, the participant, and anyone else involved in the process.

Verification of mental retardation or mental illness should include a statement that the person is unable to obtain or retain unsubsidized employment. Participants in this category must participate in ES. The Employment Plan should be developed with input from other professionals working with the participant and should include activities and hours approved to their ability. See §7.3 (Employment Plan (EP) and FSS EP), §14.30 (Post 60-Month ES Sanctions - General Provisions).

See §13.3 (60-Month Lifetime Limit) for an explanation of the 60-month lifetime limit and exceptions. See §13.15 (Hardship Extensions) for an explanation of the requirements for hardship extensions. Also see §13.18.6 (Learning Disabled Extension Criteria), §13.18.9 (IQ Below 80 Extension Criteria), §13.18.12 (Unemployable Extension Criteria), §13.18.15 (Family Violence Extension Criteria).

LEARNING DISABLED EXTENSION CRITERIA

13.18.6

MFIP participants with learning disabilities may be eligible for an extension if the **condition severely limits the participant's ability to obtain or maintain suitable employment**. **NOTE:** A participant is considered to have met the employment related criteria for this category if the qualified professional determines that the participant's condition prevents him/her from working 20 or more hours per week. "Learning disabled" means the person has a disorder in 1 or more of the psychological processes involved in perceiving, understanding, or using concepts through verbal language or non-verbal means. It does not include learning problems that are primarily the result of visual, hearing, or motor handicaps, mental retardation, emotional disturbance, or due to environmental, cultural, or economic disadvantage.

Participants who are extended in the learning disabled category are considered an FSS participant and ARE REQUIRED to develop an FSS Employment plan and follow FSS service requirements. Whenever possible, the FSS Employment Plan should be developed with input from other professionals working with the participant, or with input from the psychologist who made the determination.

DETERMINATION OF A LEARNING DISABILITY

The determination of a learning disability must be made by a qualified professional. A qualified professional for this purpose is a licensed psychologist or school psychologist with experience determining learning disabilities. Counties and Employment Services Providers should request that the determination also include a statement about the extent to which the learning disability impacts work.

WHEN THE PARTICIPANT SPEAKS LIMITED ENGLISH

Determining if a person has a learning disability may be difficult due to limited English proficiency or lack of cultural assessment tools. Listed below is guidance for counties and Employment Services Providers to use when participants who speak limited English are referred for assessments and evaluated for extensions:

- Consider other categories of extension before requesting a mental health diagnosis for purposes of determining a learning disability.
- For purposes of an extension, counties may accept a report from a qualified professional stating that a participant who speaks limited English **may** have a learning disability, as long as other issues have been ruled out and the participant's ability to work is severely impaired. This determination should have been made within the previous 12 months. Counties and Employment Services

Providers should make every effort to ensure that the qualified professional making the determination has experience conducting cross-cultural evaluations.

- Request that the assessment report include a discussion of the limitations of testing.
- Request that the assessment report include a statement of the clinician's confidence in the results.
- Request that the assessment report identify the interpreter, his/her qualifications and relationship to the assessor, the participant, and anyone else involved in the process.

See §13.3 (60-Month Lifetime Limit) for an explanation of the 60-month lifetime limit and exceptions. See §13.15 (Hardship Extensions) for general information and requirements for hardship extensions. Also see §13.15.3 (Ill/Incapacitated Extensions), §13.18.3 (Mental Retardation/Mental Illness Extension Criteria), §13.18.9 (IQ Below 80 Extension Criteria), §13.18.12 (Unemployable Extension Criteria), §13.18.15 (Family Violence Extension Criteria).

IQ BELOW 80 EXTENSION CRITERIA**13.18.9**

MFIP participants with an IQ below 80 may be eligible for an extension of benefits if they have been assessed by a vocational specialist or **qualified professional to determine that the condition severely limits the participant's ability to obtain or maintain suitable employment.**

NOTE: A participant is considered to have met the employment related criteria for this category if the qualified professional determines that the participant's condition prevents him/her from working 20 or more hours per week.

Participants extended in this category are considered a Family Stabilization Services (FSS) participant and ARE REQUIRED to develop an FSS Employment Plan and follow FSS service requirements. Employment Plans developed for participants who are extended due to mental retardation should be developed in consultation with other professionals working with the participant. The plan should include only activities and hourly requirements appropriate to that person's abilities and current situation.

DETERMINATION OF IQ

The determination of IQ must be made by a professional qualified by training and experience to administer the tests necessary to make such a determination (tests of intellectual functioning, assessment of adaptive behavior, adaptive skills, and developmental function). These professionals include a licensed psychologist, certified school psychologists, or certified psychometrists working under supervision of licensed psychologists.

WHEN THE PARTICIPANT SPEAKS LIMITED ENGLISH

Determining if a person has an IQ below 80 may be difficult due to limited English proficiency or lack of cultural assessment tools. Listed below is guidance for counties and Employment Services Providers to use when participants who speak limited English are referred for assessments and evaluated for extensions:

- Consider other categories of extension before requesting a mental health diagnostic for purposes of determining mental retardation or IQ below 80.
- For purposes of extensions, counties may accept statements from qualified professionals regarding IQ that identifies a range instead of a specific score. Professionals qualified to administer tests of intellectual functioning, assessment of adaptive behavior, adaptive skills, and developmental function include licensed psychologists, certified school psychologists, or certified psychometrists working under supervision of licensed psychologists. Counties and Employment Services Providers should make every effort to ensure that the professional making the determination has experience conducting cross-cultural evaluations.

- Request that the assessment report include a discussion of the limitations of testing.
- Request that the assessment report include a statement of the clinician's confidence in the results.
- Request that the assessment report related to mental retardation or low IQ include a description of the participant's functional level and functional restrictions.
- Request that the assessment report identify the interpreter, his or her qualifications and relationship to the assessor, the participant, and anyone else involved in the process.

See §13.3 (60-Month Lifetime Limit) for an explanation of the 60-month lifetime limit and exceptions. See §13.15 (Hardship Extensions) for general information and requirements for hardship extensions. Also see §13.18 (Hard to Employ Extensions).

MFIP participants who are victims of family abuse may be eligible for an extension of benefits. Participants who request this extension must verify the abuse. **See §7.36 (Family Violence Waiver Option) for a list of acceptable forms of verification.** Participants with a family violence extension are considered Family Stabilization Services (FSS) participants and **ARE REQUIRED** to develop an FSS Employment Plan (EP) and follow FSS requirements.

These participants **MUST** work with a job counselor and/or FSS case manager and a person trained in domestic violence (if they are not already working with a domestic violence advocate) to develop the EP. The primary goal of an FSS Employment Plan for Victims of Family Violence is to ensure the safety of the caregiver and the children. The job counselor or FSS case manager has the final approval of an FSS Employment Plan, see §7.12 (Plan for Victims of Family Violence). The FSS Employment Plan must be approved prior to approval of the extension, and participants must comply with activities in their plan to continue receiving the extension.

For information on post 60-month sanctions for failure to comply with an FSS Employment Plan, see §14.30 (Post 60-Month ES Sanctions - General Provisions).

See §3.18 (Glossary: F...) for the definition of family violence. Also §7.36 (Family Violence Waiver Option), §7.36.3 (Person Trained in Domestic Violence), §13.3 (60-Month Lifetime Limit), §13.15 (Hardship Extensions).

UNLESS THERE IS GOOD CAUSE, consider a participant out of compliance with the requirements of MFIP Employment Services under these circumstances:

- The participant fails to attend the overview. See §5.12 (Employment Services Overview).
- The participant fails to conduct the required job search. See §9.12 (Job Search Activities).
- The participant fails to cooperate in the development of an Employment Plan. See §7.3 (Employment Plan (EP) and FSS EP), §7.12 (Plan for Victims of Family Violence). This includes failure to attend the initial appointment with the job counselor, or failure to attend all sessions necessary to develop a signed Employment Plan.
- The participant fails to comply with or make satisfactory progress in the activities specified in the Employment Plan. The Employment Plan must clearly specify the criteria for satisfactory progress.
- The participant fails to accept or terminates suitable employment. See §7.30 (Monitoring Employment), §13.21.3 (Employed Extension Criteria - 1-Parent Units), §13.21.6 (Employed Extension Criteria - 2-Parent Units).
- The participant fails to meet school attendance requirements. See §6.3.9 (Requirements for Teen Parents).

Do not sanction a Family Stabilization Services (FSS) participant, unless all FSS sanction provisions have been met. See §11.18 (FSS Sanction Provisions).

Do not sanction a participant if there is information that the participant may meet FSS eligibility, unless all FSS sanction provisions have been met. See §11.18 (FSS Sanction Provisions).

Do not sanction a participant if the participant is unable to meet participation hours because their place of employment is closed and the participant is not eligible for holiday pay. In addition, do not increase the hours of participation to offset hours that were missed due to the holiday.

Do not sanction a participant if the participant is meeting minimum hourly activity requirements for the participant's family composition even if the employment plan is written for more than the minimum. See §7.6 (Minimum Hourly Activity Requirements). 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.

For non-compliance with an Employment Plan for victims of family violence, see §7.12 (Plan for Victims of Family Violence). “First” and “subsequent” occurrences of non-compliance with program requirements are subject to different sanctions, see §14.3.3 (Pre 60-Month Type/Length of ES Sanctions). For information on drug felons that are non-compliant, see §14.3.6 (Drug Felons Sanctions - Job Counselor Responsibilities). For information on good cause, see §14.6 (Good Cause for Non-Compliance). For post 60-month sanctions, see §14.30 (Post 60-Month ES Sanctions - General Provisions), §14.30.3 (Post 60-Month ES Sanctions - 2-Parent Units).

GOOD CAUSE FOR NON-COMPLIANCE

14.6

Caregivers may claim the following good cause reasons for failure to comply with the expectations of MFIP Employment Services. Good cause exists when:

- Appropriate child care is not available. For the definitions which govern good cause, see §10.3.36 (Good Cause - Inability to Obtain Child Care).
- The job does not meet the definition of suitable employment. See §3.39 (Glossary: S...) for the definition of Suitable Employment.
- The participant is ill or injured.
- A member of the unit, a relative in the household, or a foster child in the household is ill and needs care by the participant that prevents the participant from complying.
- The participant is unable to secure needed transportation.
- The participant is in an emergency situation that prevents compliance with the Employment Plan.
- The schedule of compliance with the Employment Plan conflicts with judicial proceedings.
- A mandatory MFIP meeting is scheduled during a time that conflicts with a judicial proceeding or a meeting related to a juvenile court matter, or a participant's work schedule.
- The participant is already participating in acceptable work activities.
- The Employment Plan requires an educational program for a participant under the age of 20, but the educational program is not available.
- Activities identified in the Employment Plan are not available.
- The participant is willing to accept suitable employment, but employment is not available.
- The participant documents other verifiable impediments to compliance with the Employment Plan beyond the participant's control.

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- The documentation needed to determine if a participant is eligible for family stabilization services is not available, but there is information that the participant may qualify and the participant is cooperating with the county or employment services provider's efforts to obtain the documentation necessary to determine eligibility.

Follow the guidelines below for determining good cause:

- It is the participant's responsibility to offer "good cause" reasons for failure to comply. Information on the opportunity to show good cause is provided at the overview of Employment Services on the Employment Services Rights and Responsibilities ([DHS-3172](#)) and on the MFIP Notice of Intent to Sanction ([DHS-3175](#)) form. If you are aware that good cause applies, even if the participant has not claimed good cause, verify and document the reason and work with the participant to decide on what the next step should be. Do not impose a sanction.
- Use professional judgment in deciding what circumstances justifies verifying a good cause claim and determining the length of the claim. Bear in mind shorter is better than longer. Request formal verification, for example: medical statements, proof of judicial proceedings, documentation of participation in acceptable activities, if the good cause claim is questionable or if using good cause claims becomes a pattern.

Follow specific sanction provisions once a participant has been determined eligible for FSS, even if the participant has not developed a Family Stabilization Services (FSS) EP. The provisions must also be followed at the time the provider has information that a participant may meet the eligibility criteria. These provisions apply to pre or post 60-month cases. See Appendix H (FSS Sanction Guidance).

POST 60-MONTH ES SANCTIONS - GENERAL PROVISIONS

14.30

All extended participants, excluding those extended as employed, are considered Family Stabilization Services (FSS) participants and ARE REQUIRED to develop and comply with an FSS Employment Plan. Participants extended as employed are also required to participant with Employment Services but are not considered FSS.

Although general sanction policies are the same in FSS, requirements prior to imposing a sanction differ. See §14.9 (Sanction Provisions for FSS), Appendix H (FSS Sanction Guidance).

Once the FSS sanction provisions are met the post 60-month Employment Services sanction policies apply to all extended cases.

Post 60-month sanctions differ from action taken during the 1st 60 months in several important ways:

- Non-compliance may result in permanent closure of MFIP.
- Pre-60 month occurrences do not carry into extended MFIP.
- Two-parent provisions are more complex.

SANCTION SEQUENCE

When an extended participant is out of compliance, send an MFIP Notice of Intent to Sanction ([DHS-3175](#)) (NOITS). Notify the financial worker if the participant does not respond within 10 days or does not follow through with steps necessary to comply as listed on the NOITS. See §14.15 (Notifying the Participant). The financial worker will issue a notice of adverse action.

Participants may claim good cause for not complying as outlined in §14.6 (Good Cause for Non-Compliance).

Participants who do not respond or take steps necessary to comply will be sanctioned as follows:

- **1st Occurrence of Non-Compliance:**
 - MFIP Notice of Intent to Sanction ([DHS-3175](#)) (NOITS).
 - Notice of Adverse Action (NOAA), MAXIS generated.
 - 10% of the Transitional Standard (grant reduction).

➤ **2nd Occurrence of Non-Compliance:**

- Case review.
- NOAA, MAXIS generated.
- Vendor pay rent, and utilities (at county option).
- 30% of the Transitional Standard (grant reduction) after vrending.

➤ **3rd Occurrence of Non-Compliance:**

- Vendor pay rent, and utilities (at county option).
- 30% of the Transitional Standard (grant reduction) after vrending.

➤ **4th Occurrence of Non-Compliance:**

- Case closed (1st disqualification from MFIP for the case). If the family reapplies, participant(s) must comply with ES for up to 1 month BEFORE the case is reopened.

DISQUALIFICATIONS

Participants who have been removed from the MFIP assistance unit or whose MFIP case has been closed under the 4th occurrence of post 60-month sanction policy above may reapply for assistance one time. In order to be reopened, the participant(s) must demonstrate compliance with Employment Services for up to 1 month, OR meet criteria for another extension category before the participant may be added back to the unit or the MFIP case may be reopened. If the participant(s) demonstrates compliance with Employment Services, the effective date must not be prior to the date of cooperation.

When the participant is added back into the MFIP assistance unit or the MFIP case is reopened, the participants must remain in compliance. When an extended participant is out of compliance, send an MFIP Notice of Intent to Sanction ([DHS-3175](#)). Notify the financial worker if the participant does not respond within 10 days, or does not follow through with steps necessary to comply as listed on the NOITS. See §14.15 (Notifying the Participant). Participants who do not respond or take steps necessary to comply will be sanctioned as follows:

➤ **5th Occurrence of Non-Compliance:**

- NOITS.
- NOAA.
- 10% of the Transitional Standard (grant reduction).

➤ **6th Occurrence of Non-Compliance:**

- Case closed. Permanent disqualification of the case/MFIP unit, or the individual participant.

NOTE: Before disqualifying a participant under the above policy, the county must review the participant's case to determine if the Employment Plan is still appropriate and must make a good faith effort to meet with the participant face-to-face. If the participant does not comply, the county agency must send a notice of adverse action informing the participant that the MFIP case will be permanently closed or the MFIP participant will be permanently disqualified.

During the face-to-face meeting, the county agency must:

- Determine whether continued non-compliance can be explained and mitigated by providing a pre-employment activity or services.
- Inform the participant that non-cooperation with Child Support does not result in permanent case closure.
- Determine whether the participant qualifies for a good cause exception.
- Inform the participant of the sanction status and explain the consequences of continuing non-compliance.
- Identify other resources that may be available to meet the needs of the family.
- Inform the participant of the right to appeal.
- Inform the participant of the family violence waiver criteria and make appropriate referral if the participant requested for a waiver.

For information on Employment Services sanctions for pre 60-month time limit participants, see §14.3.3 (Pre 60-Month Type/Length of ES Sanctions).

For information on post 60-month for 2-parent units and removing a caregiver in a 2-parent unit, see §14.30.3 (Post 60-Month ES Sanctions - 2-Parent Units), §14.30.3.3 (Post 60-Month ES Sanctions - Removing Caregivers).

There are many systems that support participants in the MFIP program. The following is a brief description of the various state systems.

System	User	Function
MAXIS DHS	Financial Workers	Eligibility and on-going maintenance of cash and food assistance programs Also determines eligibility for Medical Assistance (MA).
Workforce One (WF1) DEED	Job Counselors	Case management and data collection system for employment services.
MMIS DHS	Financial Workers	Payment system for MA and health plans
MEC2 DHS	Childcare Workers	Eligibility and on-going maintenance for the Childcare Assistance Program (CCAP)
PRISM DHS	Child Support Officers (CSO)	System that tracks and distributes child support payments

MAXIS WF1 Interface

There is a 1-way interface between MAXIS and WF1. WF1 can receive information from MAXIS only. Referrals and Status Updates come across on the interface.

Workforce One (WF1) is a web-based case management tool that was developed in partnership between Department of Employment and Economic Development (DEED) and DHS. In addition to MFIP, **WB**, DWP and FSET, many other DEED programs also use WF1.

Throughout the Employment Services Manual, timing for entering data and using other functions in WF1 is referenced. DEED maintains a User Guide that can be accessed directly from WF1.

MAXIS – WF1 Interface

The MAXIS computer system is an electronic referral interface with the WF1 system. The electronic referral interface provides notification to a specific employment services provider that the county is referring MFIP, **WB**, DWP, or FSET participants to employment services.

The MAXIS-WF1 electronic referral interface requires the state to maintain an accurate and up to date list of authorized employment services providers for the MFIP, DWP, and FSET programs. Only authorized employment services providers listed in the provider table will be able to receive electronic referral from the county.

Employment Services Provider Authorization and Notification Form (DHS-4193)

Counties must submit an Employment Services Provider Authorization and Notification ([DHS-4193](#)) to add or remove a provider from the table of authorized providers or to make changes to the programs from which a provider can receive electronic interface referral from MAXIS.

This form will only be accepted from the county who responsible from administering the MFIP, **WB**, DWP, or FST programs and is only used for these programs. The [DHS-4193](#) must be submitted no less than one month prior to the effective date of a change. This will allow time for new provider staff to receive training and the WF1 and MAXIS systems to update the provider tables.

If a county has any questions about this form, please, contact the regional representative. See Appendix F (Regional Teams/Contact Lists for MFIP & DWP).

NOTE: FSET Services must be delivered by a statewide workforce development system unless such services are not available. Counties desiring to change FSET providers must obtain written approval from the state FSET coordinator prior to submitting the [DHS-4193](#).

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*
 - Unpaid work experience*.
 - Job search (6 week limit per federal fiscal year (FFY)).
 - Training & Education (maximum of 12 months in a lifetime).
 - Providing child care for parents participating in community service.

*Also referred to as volunteer work experiences or unpaid work activities.

Non-Core Activities

- Job skills training directly related to employment (includes bachelor and advanced degree if < 2 years left).
- 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

-
- Screening.
 - Assessment.
 - Participating in Social Services.
 - Family Violence Waiver Activities.
 - Integrated Services Project (ISP) Activities.
 - Holding.
 - Holding-Sanctioned.
 - Other (job search in 5th consecutive week or after the countable 6 weeks).
 - Job search/Job Readiness Assistance (after 4 consecutive weeks or 6 weeks in FFY).

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 or have a 5% improvement from the previous year to earn their 2.5% WPR performance bonus.

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 Transition to Economic Stability Division. If the PIP is approved, the county may receive the 2.5 % WPR performance bonus.

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) and FSS 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, unpaid 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 (Unpaid Employment Activities).

MFIP ASSISTANCE STANDARDS

APPENDIX A

MFIP Transition Standards and Shared Household Standards effective **October 1, 2009**.

# Eligible People	FAMILY WAGE LEVEL	-----TRANSITIONAL STANDARD-----		
		Full Standard	Cash Portion	Food Portion
1	\$ 471	\$ 428	\$ 250	\$ 178
2	\$ 840	\$ 764	\$ 437	\$ 327
3	\$1,106	\$1,005	\$ 532	\$ 473
4	\$1,344	\$1,222	\$ 621	\$ 601
5	\$1,539	\$1,399	\$ 697	\$ 702
6	\$1,769	\$1,608	\$ 773	\$ 835
7	\$1,929	\$1,754	\$ 850	\$ 904
8	\$2,134	\$1,940	\$ 916	\$1,024
9	\$2,338	\$2,125	\$ 980	\$1,145
10	\$2,534	\$2,304	\$1,035	\$1,269
Each add'l person	\$ 196	\$ 178	\$ 53	\$ 125

Use the Family Wage Level (FWL) standard only for units with earned income.

For families with a child subject to the family cap, apply the FWL for the household size including that child. To determine the Transitional Standard to apply, add the cash portion for the household size **not including** the child to the food portion for the household size **including** the child.

Some state and federal programs do not count the food portion as income. Examples of these programs include housing subsidy programs, low income energy assistance program, Relative Custody Assistance program (RCAP), and Supplemental Security Income when determining interim assistance amount.

SHARED HOUSEHOLD STANDARD :

# Eligible People	Full Standard	Cash Portion	Food Portion
1	\$ 403	\$ 225	\$ 178
2	\$ 720	\$ 393	\$ 327
3	\$ 952	\$ 479	\$ 473
4	\$1,155	\$ 559	\$ 601
5	\$1,323	\$ 627	\$ 702
6	\$1,525	\$ 696	\$ 835

MFIP ASSISTANCE STANDARDS

APPENDIX A

7	\$1,663	\$ 765	\$ 904
8	\$1,842	\$ 824	\$1,024
9	\$2,021	\$ 882	\$1,145
10	\$2,195	\$ 932	\$1,269
Each add'l person	\$ 173	\$ 48	\$ 125

NOTE: Assistance standards for a household of more than 10 are calculated by MAXIS.

The Shared Household Standard does NOT apply if:

- The MFIP member is a victim of family violence.
- OR
- The non-MFIP member meets the eligible caregiver requirement.
- OR
- The MFIP family includes a child subject to the family cap.

Use the Shared Household Standard unless unrelated household members meet at least 1 of the following EXCEPTIONS:

- Receiving Public Assistance:
 - Minnesota Family Investment Program (MFIP).
 - General Assistance (GA).
 - Emergency General Assistance (EGA).
 - Minnesota Supplemental Aid (MSA).
 - Minnesota Food Assistance Program (MFAP).
 - Refugee Cash Assistance (RCA).
 - Food Support (FS).
 - Medical Assistance (MA).
 - General Assistance Medical Care (GAMC).
 - MinnesotaCare.
 - Supplemental Security Income (SSI).
 - Adoption Assistance.
 - Relative Custody Assistance.
 - Foster Care.

- Roomer, Boarder, or a Person to whom Room or Board Is Paid:

For this to apply, the unit must meet the definition of ROOMER/BOARDER, not simply share living expenses. If the MFIP unit is receiving roomer/boarder income, consider the income as self-employment.

- **Minor Child**
- **Minor Caregiver:**
This includes minor caregivers living with parents or in an approved supervised living arrangement, if applicable.
- **Caregiver of a Child not in the MFIP Assistance Unit:**
This refers to the relationship of an unrelated person in the household to a child that is not considered part of the MFIP assistance unit.
- **Providing Child Care to a Child in the MFIP Assistance Unit:**
This refers to the unrelated person providing care for a child who is part of the MFIP assistance unit.

MFIP INITIAL ELIGIBILITY THRESHOLD GUIDE

APPENDIX A-1

The maximum earnings on this initial eligibility threshold chart are calculated assuming that the unit is employed at application, has only earned income, has not been on MFIP in the previous 4 months, receives the regular Transitional Standard and has no children subject to the Family Cap. The earnings amounts listed assume that the unit has no child care expenses, makes no child or spousal support payments and allocates no income to others in the household. Unless otherwise noted, the table assumes working 40 hours per week and 4.3 weeks per month.

This chart should be used only as a guide and not to determine eligibility.

To be eligible for MFIP, the assistance unit's gross earnings minus an 18% disregard must be below the Transitional Standard for that size unit in the month of application. These earnings thresholds apply to a DWP family who applies for MFIP after having received 4 months of DWP benefits.

Household Size	Transitional Standard	Maximum Gross Earnings of Applicant to be Eligible for MFIP	Hourly Wage of Applicant to be Eligible for MFIP	*2009 Monthly Federal Poverty Guidelines	Percent of Federal Poverty Guideline at Threshold
1	\$ 428	\$ 520	16hrs/wk @\$ 7.25	\$ 903	58%
2	\$ 764	\$ 930	29 hrs/wk @ 7.25	\$1,214	77%
3	\$ 1,005	\$1,224	39 hrs/wk @ \$7.25	\$1,526	80%
4	\$1,222	\$1,489	\$ 8.65	\$1,838	81%
5	\$1399	\$1,704	\$ 9.90	\$2,149	79%
6	\$1,608	\$1,959	\$11.38	\$2,461	80%
7	\$1,754	\$2,137	\$12.41	\$2,773	77%
8	\$1,940	\$2,364	\$13.73	\$3,084	77%
9	\$2,125	\$2,590	\$15.05	\$3,396	76%
10	\$2,304	\$2,808	\$16.31	\$3,708	76%

*The 2009 FPG amounts are effective for Calendar Year 2009.

AMOUNT OF EARNINGS NEEDED TO EXIT MFIP CASH

APPENDIX A-2

This table is used to calculate the amount of earnings needed to exit the MFIP cash portion and eligible only for the food portion.

NOTE: MFIP does not count against 60-month clock if only the food portion is received. A participant can choose to “opt out” of cash portion to stop the 60-month clock.

Unless otherwise noted, this table assumes working 40 hours per week and 4.3 weeks per month. It also assumes no allocation, deeming or sanctions. Calculations are based on MFIP standards effective October, 2009. The current federal minimum wage is \$7.25 per hour for large employers. The earned income disregard is 37% of gross earnings.

Amount of Earnings Needed to Reach the Food Portion

HH Size	Full MFIP Food Portion	Monthly Income	Annual Income	Weekly Hours Must Work at Minimum Wage	Hourly Wage	Child Care Co-Pay when Lose Cash Portion	*2009 Federal Poverty Guidelines (FPG)	Percent of FPG when Lose Cash Portion
1	\$ 178	\$ 464	\$ 5,568	15 hrs	15 hrs/wk @ \$7.25	None	\$10,830	51%
2	\$ 327	\$ 813	\$ 9,756	27 hrs	27 hrs/wk @ \$7.25	None	\$14,570	67%
3	\$ 473	\$1,004	\$12,048	33 hrs	33 hrs/wk @ \$7.25	None	\$18,310	66%
4	\$ 601	\$1,178	\$14,136	38 hrs	38 hrs/wk @ \$7.25	None	\$22,050	64%
5	\$ 702	\$1,327	\$15,924	43 hrs	\$ 7.72	None	\$25,790	62%
6	\$ 835	\$1,481	\$17,772	48 hrs	\$ 8.62	None	\$29,530	60%
7	\$ 904	\$1,626	\$19,512	53 hrs	\$ 9.46	None	\$33,270	59%
8	\$1,024	\$1,761	\$21,132	57 hrs	\$10.24	None	\$37,010	57%
9	\$1,145	\$1,893	\$22,716	61 hrs	\$11.01	None	\$40,750	56%
10	\$1,269	\$2,007	\$24,084	65 hrs	\$11.67	None	\$44,490	54%

*The 2009 FPG amounts are effective for Calendar Year 2009.

AMOUNT OF EARNINGS NEEDED TO EXIT MFIP

APPENDIX A-3

This table is used to calculate the amount of earnings needed to exit the MFIP program (both the cash and food portion). The figures on this table are EFFECTIVE 10-1-09.

HH Size	Family Wage Level	Monthly Income	Annual Income	Hourly Wage	*Child Care Co-Pay when Exit MFIP	**Annual 2009 Federal Poverty Guidelines (FPG)	Percent of FPG when Exit MFIP
1	\$ 471	\$ 747	\$ 8,964	24 hrs/wk @ \$7.25	NA	\$10,830	83%
2	\$ 840	\$1,332	\$15,984	\$ 7.74	\$17	\$14,570	110%
3	\$1,106	\$1,754	\$21,048	\$ 10.20	\$21	\$18,310	115%
4	\$1,344	\$2,132	\$25,584	\$12.39	\$27	\$22,050	116%
5	\$1,539	\$2,442	\$29,304	\$14.20	\$30	\$25,790	114%
6	\$1,769	\$2,807	\$33,684	\$16.32	\$35	\$29,530	114%
7	\$1,929	\$3,061	\$36,732	\$17.80	\$42	\$33,270	110%
8	\$2,134	\$3,386	\$40,632	\$19.69	\$46	\$37,010	110%
9	\$2,338	\$3,710	\$44,520	\$21.57	\$56	\$40,750	109%
10	\$2,534	\$4,021	\$48,252	\$23.38	\$61	\$44,490	108%

* The child care co-pay amounts are effective 7/1/09.

** The 2009 FPG amounts are effective for calendar year 2009.

MFIP ACTIVITY TABLE

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MFIP Paid Employment Activities	
<p>Activities</p> <ul style="list-style-type: none"> ▪ Unsubsidized Employment. ▪ Subsidized Private Sector Employment. ▪ Subsidized Public Sector Employment. ▪ On-The-Job Training (both public and private sector). ▪ Grant Diversion (reported as Subsidized Private or Subsidized Public Sector Employment). ▪ Paid Work Experience¹. 	<p>Core Activity (applies to all types of paid employment).</p> <p>Daily Supervision – Provided by the participant’s employer.</p> <p>Documentation Requirement – Wage stubs or other employer produced document (submitted with Household Report Form). Documentation must include the participant’s name, the dates/pay period for the hours paid, the number of paid hours (including paid holidays, vacation and sick leave and other paid time off), and the employer’s name (and signature, if available). NOTE: If a wage stub or other employer produced document cannot be obtained, documentation can be obtained by a phone call to the employer.</p> <p>Documentation Retention – Financial Worker retains a copy of the wage stub or other employer produced document in the participant’s case file. Follow MFIP records retention schedule. When verification is based on information obtained from a phone call, the Financial Worker must enter a case note to document the substance of the call, including the name and contact information of the person verifying the hours, the number or hours and the dates/pay period.</p> <p>Recording/Tracking Hours – All types of paid employment are recorded and tracked on the MAXIS system. Apply all hours of paid employment to the month the earned income is received; not the month in which the hours were actually worked.</p> <p>Verification Requirements – Financial Worker verifies the participant’s name, earned income amount, the number of hours, the pay period dates and employer name (and signature and phone number, if available).</p>

MFIP ACTIVITY TABLE

APPENDIX E

<p>▪ Self-employment² (reported as Unsubsidized Employment).</p>	<p>Core Activity.</p> <p>Daily Supervision – Provided by the participant’s employment counselor. The employment counselor must have a check-in meeting with the participant who is self-employed no less frequently than monthly to review the participant’s self-employment status and progress toward self-sufficiency. FW should inform the employment counselor when self-employment hours do not meet TANF hourly participation requirements.</p> <p>Documentation Requirements –Self-Employment Report Form (DHS-3336) or comparable document (submitted with Household Report Form (DHS-2120)) containing the participant’s name, the dates covered, the amount of gross income and allowable business expenses for the month, and the participant’s signature.</p> <p>Documentation Retention – Financial Worker retains DHS-3336 form or comparable document in the participant’s case file. Follow MFIP records retention schedule.</p> <p>Recording/Tracking Hours – All (paid) self-employment hours are tracked on the MAXIS system.²</p> <p>Verification Requirements – Financial Worker verifies the participant’s name, the amount of gross income and allowable business expenses for the month and the participant’s signature.</p>
<p>▪ Family Stabilization Services (FSS)</p>	<p>Follow all supervision, documentation, retention, tracking, and verification standards for paid employment activities.</p>

¹ Paid Work Experience is reported as unsubsidized employment when the wages are paid directly to the participant. Paid Work Experience is reported as subsidized employment when payment is made to the participant’s employer to reimburse the employer for wages that are paid to the work experience participant.

² Self-Employment hours of participation are derived by dividing the participant’s net business income (gross income less allowable business expenses) by the federal minimum wage (\$7.25/hour). The hours are derived automatically by the MAXIS system.

<p>MFIP Unpaid Work Activities</p>	
<p>Activities</p>	<p>Core Activity (applies to both types of unpaid work activities).</p> <p>Daily Supervision – Provided by the work site supervisor or other responsible individual employed by or</p>

MFIP ACTIVITY TABLE

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<ul style="list-style-type: none"> ▪ (Unpaid) Work Experience. ▪ Community Service Program¹. 	<p>stationed at the work site.</p> <p>Documentation Requirement – Time sheet (or activity log) submitted no less frequently than monthly. Must include the participant’s name, the dates covered by the time sheet (or activity log), the actual number of hours of participation each day, the name of the worksite supervisor, the worksite supervisor’s signature and phone number. NOTE: Another responsible individual who is employed by or stationed at the worksite may also sign the timesheet if the worksite supervisor is unable to do so.</p> <p>Additional Documentation Requirements for Community Service Program Placements - Community Service Program placements and the work performed by participants engaged in them must serve a useful public purpose and the work performed by the participant must improve the participant’s employability. Employment Service Providers must enter a case note that describes the useful public purpose of the position and how the placement will improve the participant’s employability.</p> <p>Documentation Retention – Employment Service Provider retains the time sheet (or activity log) in the participant’s case file. Follow MFIP records retention schedule.</p> <p>Recording/Tracking Hours – All unpaid work hours are recorded and tracked on the Workforce One (WF1) system.</p> <p>Verification Requirements – Employment Service Provider verifies the participant’s name, the number of actual hours, the dates and worksite supervisor’s or other responsible individual’s name, signature and phone number.</p> <p>Fair Labor Standards Act (FLSA) – Most MFIP participants engaged in unpaid work experience or community service programs are covered under the FLSA and may not be required or permitted to work more than the number of hours equal to their combined MFIP cash and food support benefits divided by the federal minimum wage (\$7.25/hr). Participants who are engaged in the maximum number of hours as allowed by the FLSA are deemed to be meeting the TANF work participation rate. Exceptions to this are participants working for AmeriCorp and AmeriCorp/VISTA.</p>
<ul style="list-style-type: none"> ▪ Family 	<p>The only differences for unpaid employment is that a time sheet or activity log must be submitted no less</p>

MFIP ACTIVITY TABLE

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<p>Stabilization Services (FSS)</p>	<p>frequently than monthly and it can be completed by the participant, case manager or the job counselor with information provided by the participant or unpaid work supervisor. Ensure that any contact with the participant is case noted. Verification is only necessary if any activities on the time sheet or activity log are questionable.</p>
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¹ Community Service Program placements must serve a useful public purpose in fields such as health, social services, environmental protection, education, urban and rural redevelopment, welfare, recreation, public facilities, public safety and child care.

<p>CD/MH Treatment and Rehabilitation Services</p>	
<p>Activities</p> <ul style="list-style-type: none"> ▪ Chemical/ Substance Abuse Treatment. ▪ Mental Health Treatment. ▪ Rehabilitation Services. 	<p>Core Activity (when tracked and reported as Job Search/Job Readiness Assistance - counts toward the Job Search/Job Readiness Assistance 120 or 180 hour limit over a 12-month period (current month plus previous 11 months). Hours recorded in more than 4 consecutive weeks are not countable as a core or non-core activity.</p> <p>Neither Core nor Non-Core¹ when:</p> <ul style="list-style-type: none"> ➤ The participant does not have enough countable hours to meet the numerator requirement ➤ The participant has more countable hours than are needed to meet the numerator requirement ➤ The 120 or 180 hour 12-month limit is reached ➤ Hours are reported in the 5th week following 4 consecutive weeks with countable Job Search/Job Readiness Assistance hours <p>AND</p> <ul style="list-style-type: none"> ➤ The CD/MH treatment or Rehabilitation Services are tracked under Participating in Social Services category. <p>Daily Supervision – Provided by a responsible individual overseeing the treatment or services provided to the participant or another responsible individual employed by or stationed at the treatment or service provider facility.</p> <p>Documentation Requirement – Time sheet or activity log submitted no less frequently than monthly. Must include the participant’s name, the dates covered by the time sheet or activity log, the actual number of hours of participation each day, the name, signature and phone number of the person providing the daily supervision for the treatment or rehabilitation services provider. NOTE: Another responsible individual who is employed by</p>

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	<p>or stationed at the treatment or rehabilitation service provider may also sign the timesheet if the person providing the daily supervision is unable to do so.</p> <p>Documentation Retention – Employment Service Provider retains the time sheet or activity log in the participant’s case file. Follow MFIP records retention schedule.</p> <p>Recording/Tracking Hours – All Treatment, Rehabilitation Services and Social Services hours are recorded and tracked on the Workforce One (WF1) system.</p> <p>Verification Requirements – Employment Service Provider verifies the participant’s name, the number of actual hours, the dates and name, signature and phone number of the person providing the daily supervision of the participant receiving treatment or rehabilitation services (or other responsible individual’s name, signature and phone number).</p>
<ul style="list-style-type: none"> ▪ Family Stabilization Services (FSS) 	<p>CD/MH documentation and verification standards do not apply to FSS. See documentation and verification standards for MFIP Allowable Activities That Do NOT Count toward TANF Work Participation Rate.</p>

¹ See MFIP Allowable Activities That Do NOT Count Toward TANF Work Participation Rate for information about daily supervision and the levels of documentation and verification for Chemical Abuse Treatment, Mental Health Treatment and Rehabilitation Services that are not tracked and reported under the TANF Job Search/Job Readiness Assistance category.

Vocational Educational Training	
<p>Activities</p> <ul style="list-style-type: none"> ▪ Post Secondary Vocational Educational Training ¹ (1-12 month educational program). 	<p>Core Activity: (12 month lifetime limit. The first 12 months of either vocational educational training program [1-12 month and 13-24 months] is reported as a core activity under the Vocational Educational Training activity category).</p> <p>Non-Core Activity: (after a participant reaches the 12 month lifetime Vocational Educational Training limit, hours in either vocational educational training program activity [1-12 month and 13-24 month] is reported (behind the scene) as non-core under the Job Skills Training Directly Related to Employment activity category).</p>

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<p>▪ Post Secondary Vocational Educational Training ¹ (13-24 month educational program). Includes baccalaureate and advanced degree programs.</p>	<p>Daily Supervision – Provided by a responsible individual employed by or stationed at the vocational educational training institution, including but not limited to, course instructors, student advisors, or attendance office personnel.</p> <p>Documentation Requirement – Time sheet or activity log submitted no less frequently than monthly. Must include the participant’s name, the dates covered by the time sheet or activity log, the actual number of hours of participation each day, the name, signature and phone number of the individual responsible for providing the daily supervision for the vocational educational training provider. NOTE: Another responsible individual who is employed by or stationed at the vocational educational training provider may also sign the timesheet if the person providing the daily supervision is unable to do so. Electronic attendance records must contain all of the above information, but do not need to be signed by a responsible individual.</p> <p>Study Time Documentation - In order to count any hours of study time, the employment services provider must receive a statement from the Vocational Educational Training provider or course instructor (including baccalaureate and advanced degree education programs) which specifies the amount of study time that is required or advised in order to make satisfactory progress or complete the education and training program. Up to 1 hour of unsupervised study time per class time hour is allowed, provided it does not exceed the specified number of hours. Any additional study time must be supervised. The total unsupervised and supervised study time cannot exceed the amount of study time required or advised by the education program or instructor. The amount of study time that is accepted by the employment provider must be documented on the activity log or in a case note.</p> <p>On-line and Distance Learning Programs - Allowed when:</p> <ul style="list-style-type: none"> ➤ The on-line or distance training program has mechanisms for providing reports that document the actual time the participant is accessing the on-line training program. <p>OR</p> <ul style="list-style-type: none"> ➤ The on-line or distance training program is conducted in a supervised setting. <p>AND</p> <p>Daily supervision is provided by the course instructor or other responsible individual who is overseeing the participant’s on-line or distance course work and progress.</p>
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	<p>Documentation Retention – Employment Service Provider retains the time sheet or activity log in the participant’s case file. Follow MFIP records retention schedule.</p> <p>Recording/Tracking Hours – All Vocational Educational Training hours are recorded and tracked on the Workforce One (WF1) system.</p> <p>Verification Requirements – Employment Service Provider verifies the participant’s name, the number of actual hours, the dates and name, signature and phone number of the person providing the daily supervision of the participant attending vocational educational training (or other responsible individual’s name, signature and phone number).</p>
<ul style="list-style-type: none"> ▪ Family Stabilization Services (FSS) 	<p>The only difference for vocational education training is that a time sheet or activity log must be submitted no less frequently than monthly. It can be completed by the participant, case manager or the job counselor with information provided by the participant. The individual responsible for providing the supervision and signing the time sheet or activity log can be the job counselor or case manager. Verification is only necessary if any activities on the time sheet or activity log are questionable.</p>

¹ The appropriate activity for a participant enrolled in Post Secondary Vocational Educational Training is based on the length of the educational program. For example, if a participant is attending a 2-year program, enroll the participant into Post Secondary Vocational Educational Training (13-24 months) starting with the initial month in the Post Secondary program. Do not enroll the participant in Post Secondary Vocational Educational Training (1-12) months for the first 12 months of a program lasting more than 12 months.

The reporting process used in the TANF Work Participation Report will automatically determine the number of months a participant has been engaged in the training and report the hours as Vocational Educational Training until the participant has reached the 12 month lifetime limit. Any additional months are reported (behind the scene) under the Job Skills Training Directly Related to Employment category. This is done at DHS and will not require additional coding by employment service providers or counselors.

Jobs Skills Training Directly Related to Employment	
<p>Activities ¹</p>	<p>Non Core Activity.</p>
<ul style="list-style-type: none"> ▪ Adult Basic 	<p>Daily Supervision – Provided by a responsible individual employed by or stationed at the job skills training</p>

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<p>Education (ABE).</p> <p>▪ English as a Secondary Language (ESL).</p> <p>▪ Functional Work Literacy (FWL).</p> <p>▪ Job Skills Training Directly Related to Employment Courses.</p>	<p>directly related to employment institution, including but not limited to, course instructors, student advisors, or attendance office personnel.</p> <p>Documentation Requirement – Group attendance sheets or time sheet or activity log submitted no less frequently than monthly. Must include the participant’s name, the dates covered by the group attendance sheets, individual time sheet or activity log, the actual number of hours of participation each day, the name, signature and phone number of the individual responsible for providing the daily supervision for the job skills training directly related to employment provider. NOTE: Another responsible individual who is employed by or stationed at the job skills training directly related to employment provider may also sign the timesheet if the person providing the daily supervision is unable to do so. Electronic attendance records must contain all of the above information, but do not need to be signed by a responsible individual.</p> <p>Study Time Documentation - In order to count any hours of study time, the employment services provider must receive a statement from the Job Skills Training Directly Related to Employment provider or course instructor which specifies the amount of study time that is required or advised in order to make satisfactory progress or complete the education and training program. Up to 1 hour of unsupervised study time per class time hour is allowed, provided it does not exceed the specified number of hours. Any additional study time must be supervised. The total unsupervised and supervised study time cannot exceed the amount of study time required or advised by the education program or instructor. The amount of study time that is accepted by the employment provider must be documented on the activity log or in a case note.</p> <p>On-line and Distance Learning Programs Allowed when:</p> <ul style="list-style-type: none"> ➤ The on-line or distance training program has mechanisms for providing reports that document the actual time the participant is accessing the on-line training program. <p>OR</p> <ul style="list-style-type: none"> ➤ The on-line or distance training program is conducted in a supervised setting <p>AND</p> <p>Daily supervision is provided by the course instructor or other responsible individual who is overseeing the participant’s on-line or distance course work and progress.</p> <p>Documentation Retention – Employment Service Provider retains the time sheet or activity log in the participant’s case file. A group attendance sheet may be filed in the participant’s case file or a location that is</p>
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	<p>readily accessible to program monitors. Follow MFIP records retention schedule.</p> <p>Recording/Tracking Hours – All Job Skills Training Directly Related to Employment hours are recorded and tracked on the Workforce One (WF1) system under the specific categories listed in the left hand column.</p> <p>Verification Requirements – Employment Service Provider verifies the participant’s name, the number of actual hours, the dates and name, signature and phone number of the person providing the daily supervision of the participant attending job skills training directly related to employment training (or other responsible individual’s name, signature and phone number).</p>
<ul style="list-style-type: none"> ▪ Family Stabilization Services (FSS) 	<p>Documentation requirements for Job Skills Training Directly Related to Employment activities is a time sheet or activity log submitted no less frequently than monthly. The time sheet or activity log should include the number of hours of participation for the month. Verification is only necessary if any activities on the time sheet or activity log are questionable.</p>

¹ All activities listed in the left hand column of this chart are reported (behind the scene) as Job Skills Training Directly Related to Employment.

² A participant may be approved for college (including advanced degrees) when the participant is within 24 months of completing his/her educational program and the participant meets the conditions outlined in [Minnesota Statutes 256J.53, Subd 2](#).

<p>Providing Child Care to Child(ren) of a Participant who is Participating in a Community Service Program</p>	
<p>Activities</p> <ul style="list-style-type: none"> ▪ Providing Child Care to Children of a Participant who is Participating in a Community Service Program. 	<p>Core Activity.</p> <p>Daily Supervision – Provided by the participant’s employment counselor (and in conjunction with the participant who is participating in the community service program). The employment counselor must meet with the participant who is providing child care to child(ren) of a participant who is participating in a community service program to review the services provided by the participant and the participant’s progress toward self-sufficiency.</p> <p>Documentation Requirement – A time sheet or activity log submitted no less frequently than monthly. Must include the participant’s name, the dates covered by the time sheet or activity log, the actual number of hours of participation each day, the name, signature and phone number of the participant who is participating in the</p>

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	<p>community service program.</p> <p>Documentation Retention – Employment Service Provider retains the time sheet or activity log in the participant’s case file. Follow MFIP records retention schedule.</p> <p>Recording/Tracking Hours – All hours of Providing Child Care to Child(ren) of a Participant who is Participating in a Community Service Program are recorded and tracked on the Workforce One (WF1) system.</p> <p>Verification Requirements – Employment Service Provider verifies the participant’s name, the number of actual hours, the dates and the name, signature and phone number of the participant whose child(ren) is/are being cared for by the participant providing the child care (or other responsible individual’s name, signature and phone number).</p>
<ul style="list-style-type: none"> ▪ Family Stabilization Services (FSS) 	<p>The only difference for Providing Child Care to Child(ren) of a Participant who is Participating in a Community Service Program is that a time sheet or activity log must be submitted no less frequently than monthly and it can be completed by the participant, case manager or the job counselor with information provided by the participant. Verification is only necessary if any activities on the time sheet or activity log are questionable.</p>

<p>Satisfactory Attendance at a Secondary School And Courses Leading to a Certificate of General Equivalence</p>	
<p>Activities</p> <ul style="list-style-type: none"> ▪ Satisfactory Attendance at a Secondary School (for participants who are under 20 years old)¹. 	<p>Non-Core Activity.¹</p> <p>Daily Supervision – Provided by personnel from the secondary school or GED course instructor.</p> <p>Documentation Requirement – High School Attendance - There are several methods of documenting satisfactory attendance of a secondary school including: (1) a time sheet or activity log submitted no less frequently than monthly, (2) Request for Verification of School Attendance/Progress (DHS-2883) or similar form submitted no less than monthly, (3) an on-line attendance record collected no less than monthly, or (4) via the phone. The documentation must include the participant’s name, the dates covered, the actual number of hours of participation each day, the name, signature and phone number of the school official verifying the</p>

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<p>▪ General Educational Development (GED) (for participants who are under 20 years old)¹.</p> <p>▪ Satisfactory Attendance at a Secondary School or General Educational Development (for participants who are 20 years and older).</p>	<p>hours of participation. NOTE: If an on-line attendance record is used to document school attendance, the record must include the participant’s name, the dates covered by the on-line attendance record, and the number of hours of attendance (or the methodology used to determine the actual hours). If the student’s attendance information is received by phone, the employment provider must document the hours, the name and contact information of the person providing the attendance information. Electronic attendance records do not need to be signed by a responsible individual.</p> <p>Documentation Requirement – GED – In addition to the above mentioned documentation requirements, a group attendance sheet may be used to document attendance for a participant who is less than 20 years old and engaged in GED.</p> <p>Study Time Documentation - In order to count any hours of study time, the employment services provider must receive a statement from the secondary or GED provider or course instructor which specifies the amount of study time that is required or advised in order to make satisfactory progress or complete the education and training program. Up to one hour of unsupervised study time per class time hour is allowed, provided it does not exceed the specified number of hours. Any additional study time must be supervised. The total unsupervised and supervised study time cannot exceed the amount of study time required or advised by the education program or instructor. The amount of study time that is accepted must be documented on the activity log or in a case note.</p> <p>On-line and Distance Learning Programs – Allowed when:</p> <ul style="list-style-type: none"> ➤ The on-line or distance training program has mechanisms for providing reports that document the actual time the participant is accessing the on-line training program <p>OR</p> <ul style="list-style-type: none"> ➤ The on-line or distance training program is conducted in a supervised setting <p>AND</p> <ul style="list-style-type: none"> ➤ Daily supervision is provided by the course instructor or other responsible individual who is overseeing the participant’s on-line or distance course work and progress. <p>Documentation Retention – Employment Service Provider retains a copy of the activity log, Request for School Attendance/Form (or similar form), or a copy of the on-line attendance record in the participant’s case file. When the attendance information is received by phone, the information must be entered as a case note or</p>
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	<p>retained in the case file. Follow MFIP records retention schedule. For GED, a group attendance sheet may be filed in the participant’s case file or a location that is readily assessable to program monitors. Follow MFIP records retention schedule.</p> <p>Recording/Tracking Hours – All hours of Secondary School Attendance and GED are recorded and tracked on the Workforce One (WF1) system.</p> <p>Verification Requirements – Employment Service Provider verifies the participant’s name, the number of actual hours, the dates and the name, signature and phone number of the school official verifying the hours of participation. If on-line attendance records are used, the Employment Service Provider verifies the participant’s name, the number of actual or derived hours of participation, the method used to derive the hours of participation and the dates. If the information is received by phone, the employment provider must verify the name and contact information of the person providing the attendance information.</p>
<p>▪ Family Stabilization Services (FSS)</p>	<p>Follow all supervision, documentation, retention, tracking, and verification standards for Satisfactory Attendance at a Secondary School and Courses Leading to a Certificate of General Equivalence.</p>

¹ Participants who are less than 20 years old and are the head of household or married are deemed to be meeting the TANF Work Participation Rate if they are attending a secondary school or GED classes an average of at least one hour per week during a month.

<p>Job Search and Job Readiness Assistance (Not CD/MH Treatment or Rehab Services)¹</p>	
<p>Activities</p> <p>▪ Job Search and Job Readiness Assistance (not including CD/MH treatment or Rehabilitation Services).</p>	<p>Core Activity - counts toward the Job Search/Job Readiness Assistance 120 or 180 hour limit over a 12-month period (current month plus previous 11 months). Hours recorded in more than 4 consecutive weeks are not countable as a core or non-core activity.</p> <p>Neither Core nor Non-Core¹ when:</p> <ul style="list-style-type: none"> ➤ The participant does not have enough countable hours to meet the numerator requirement ➤ Then the participant has more countable hours than are needed to meet the numerator requirement ➤ The 120 or 180 hour 12-month limit is reached <p>AND</p> <ul style="list-style-type: none"> ➤ Hours are reported in the 5th week following 4 consecutive weeks with countable Job Search/Job Readiness Assistance hours.

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	<p>Daily Supervision – Provided by the employment counselor and other responsible individuals, such as other employment provider or workforce center staff.</p> <p>Documentation Requirement – There are 3 documents that can be used to record participation in job search and job readiness assistance:</p> <ul style="list-style-type: none"> ➤ An activity log is used by the participant to list the job search and job readiness assistance activities a participant completed. The participant must submit the activity log no less frequently than weekly. The activity log must contain the date of and time spent on each contact or job search/job readiness assistance task, the type of contact or task, the position the participant was interested in, the status of the contact or task, the name of the employer/business and contact information, plus the participant’s signature stating the activity log and the hours contained on it are accurate. ➤ A sign-in attendance sheet can also be used to document job search and job readiness assistance for group meetings, such as job club and when the participant is engaged in job search and job readiness assistance at a workforce center or other location that uses sign-in attendance sheets. The sign-in attendance sheet must contain each participant’s name, the date, actual hours of participation, and a signature of a responsible individual who oversees the job search and job readiness assistance activity.² ➤ A computerized printout stating the amount of time a participant was engaged in on-line job search activities. <p>Documentation Retention – Employment service provider retains the activity log in the participant’s case file. A group attendance sheet may be filed in the participant’s case file or a location that is readily assessable to program monitors. Follow MFIP records retention schedule.</p> <p>Recording/Tracking Hours – All hours of job search and job readiness assistance are recorded and tracked on the Workforce One (WF1) system.</p> <p>Verification Requirements – As part of the weekly check-in meetings, the employment service provider will review the activity log and verify all of the required information that is contained on the activity log. The employment counselor should sign the activity log attesting that the required information is contained on the</p>
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	<p>activity log and the hours have been verified. A case note may also be used to document the participant’s activity log was reviewed and the hours have been verified.</p> <p>Verification of a Job Contact - In addition, the employment service provider must verify at least 1 job contact no less frequently than bi-weekly. Methods for verifying a job contact include (1) asking the employer to verify the job contact, (2) obtaining a copy of a computerized “receipt” for on-line applications, and (3) copies of applications, letters and business cards when questions are asked during a check-in meeting to corroborate the job contact. The employment services provider will sign a statement on the activity log or enter a case note indicating the employment provider has reviewed the activity and note whether the information contained on it was acceptable and the method used to verify the job contact. NOTE: When the activity log contains a statement such as...” By signing this activity log I am verifying at least one of the job contacts contained on the activity log” no additional documentation is needed to meet the verification of a job contact requirement.</p>
<ul style="list-style-type: none"> ▪ Family Stabilization Services (FSS) 	<p>FSS participants do not need to follow the daily supervision requirements as specified by the Deficit Reduction Act (DRA) however; it is good practice to support FSS participants who are in job search by doing a weekly check in. FSS documentation requirements for job search include a monthly time sheet or activity log completed by the participant or the case manager with information provided by the participant or the structured job search supervisor. Verification is only necessary if any activities on the time sheet or activity log are questionable.</p>

¹ See CD/MH Treatment and Rehabilitation for Chemical Dependency treatment, Mental Health treatment, and Rehabilitation Services when tracked and reported under the Job Search/Job Readiness Assistance TANF category.

² DHS Recommendation: For participants who have exhausted their 6 weeks of countable (core) Job Search/Job Readiness Assistance, use the same documentation and verification standards after the 6 weeks are exhausted. It will be less confusing for the participant if the documentation standards do not change back and forth.

MFIP Allowable Activities That Do NOT Count Toward TANF Work Participation Rate	
<p>Activities</p> <ul style="list-style-type: none"> ▪ Assessment. 	<p>Non-Countable Activities.</p> <p>Daily Supervision – Provided by the employment services counselor. Weekly or bi-weekly check-ins are recommended but no less frequently than monthly. Case note or enter on participant’s employment plan the</p>

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<ul style="list-style-type: none"> ▪ Social Services¹. ▪ Screening. ▪ Family Violence Waiver. ▪ Integrated Services Project. ▪ Holding. ▪ Holding Sanctioned. ▪ Other. 	<p>frequency of the check-in meetings.</p> <p>Documentation Requirement – Participant employment plans must include activities. Case notes should be used to document the activity hours. Additional documentation varies according to the non-countable activity.</p> <p>Assessment: Professional MH or CD assessments, ES counselor’s assessments and/or case notes that assess participants for, including but not limited to, chemical health, mental health, physical health, child behavior, personal skills, childcare, dependent care, transportation, legal, safe living environment, housing, financial, education and social support, employability measure (if information is in WF1, additional documentation in paper file is not necessary).</p> <p>Social Services: Treatment plans, correspondence from health care, CD and MH professionals, counseling, meeting with advocates and child protection (signatures of professionals are recommended to reduce complication).</p> <p>Screening: MFIP Self-screen (DHS-3482), learning disabilities screen and other screening tools used by the county or ES provider.</p> <p>Family Violence Waiver: Employment plan created with and signed by an advocate. Examples of supporting documentation used to approve the Family Violence Waiver include, but are not limited to, police reports and sworn statements.</p> <p>Integrated Services Project: Employment plan should reflect participation in this project.</p> <p>Holding: Case note the reason why the person is in Holding (at the minimum).</p> <p>Holding-Sanction: MFIP Notice of Intent to Sanction (DHS-3175). Status Update (DHS-3165) implementing the sanction.</p> <p>Other: Medical opinion form. Correspondence and other statements from qualified medical providers.</p> <p>Documentation Retention – Employment Service Provider retains the time sheet, or activity log or other forms</p>
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	<p>of documentation in the participant’s case file. Follow MFIP records retention schedule.</p> <p>Recording/Tracking Hours – All hours of activities that are neither core nor non-core are recorded and tracked on the Workforce One (WF1) system.</p> <p>Verification Requirements – Employment provider verifies the information contained on the various forms, documents, related correspondence, and signatures (if required by the provider) to ensure the information is complete and accurate.</p>
<p>▪ Family Stabilization Services (FSS)</p>	<p>The only difference for MFIP Allowable Activities That Do NOT Count Toward TANF Work Participation Rate is that a time sheet or activity log must be submitted no less frequently than monthly and it can be completed by the participant, case manager or the job counselor with information provided by the participant. Ensure that any contact with the participant is case noted. Verification is only necessary if any activities on the timesheet or activity log are questionable.</p> <p>If the case manager is from another discipline, hours may be documented in accordance with the standard practices of the discipline but must be recorded on WF1 on a monthly basis by the case manager.</p>

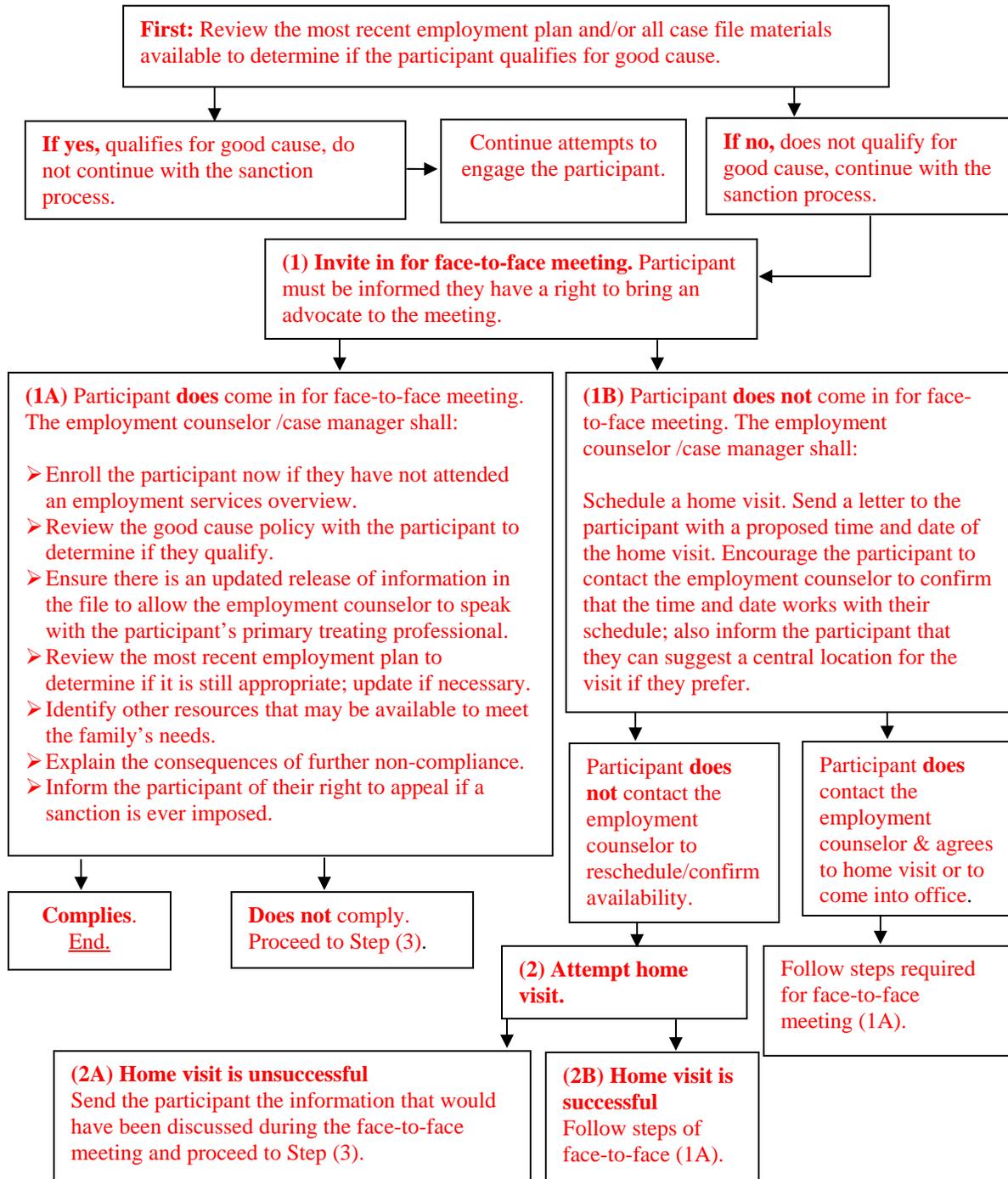
¹ See CD/MH Treatment and Rehabilitation for Chemical Dependency treatment, Mental Health treatment, and Rehabilitation Services when tracked and reported under the Job Search/Job Readiness Assistance TANF category.

DHS Recommendation: For participants who are receiving CD/MH treatment or Rehabilitation services that previously were reported as Job Search/Job Readiness Assistance, use the same documentation and verification standards after the 6 weeks of job search are exhausted. It will be less confusing for the participant if the documentation standards don’t change back and forth.

FSS SANCTION GUIDANCE

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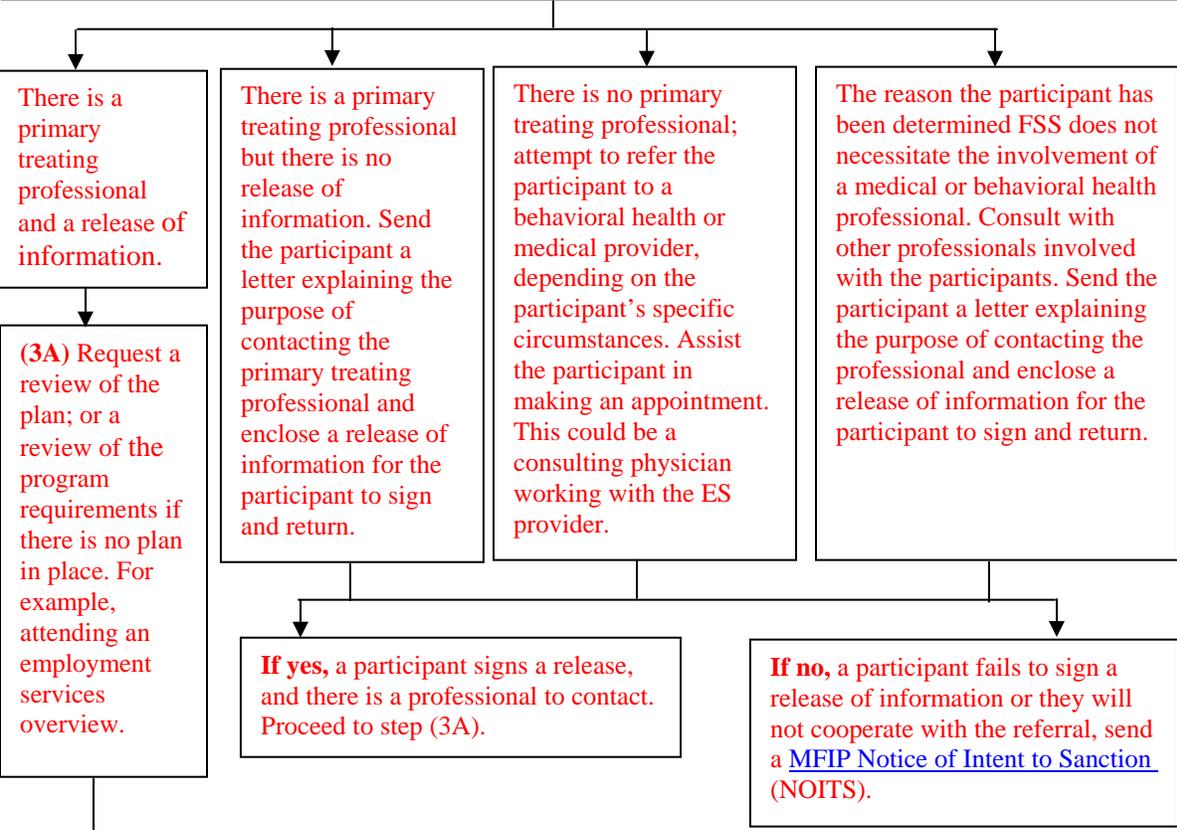
**A participant has qualified for Family Stabilization Services
(Or there is information that indicates the participant would qualify for FSS)
At the point of non-compliance:**



FSS SANCTION GUIDANCE

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(3) Obtain a current assessment by a behavioral health or medical professional. The intent is, prior to any sanction being imposed, a participant's situation be evaluated by a behavioral or medical professional. The professional must determine the participant had the ability to comply with the specific requirements of the program, such as following their FSS employment plan or developing an FSS employment plan. Reasonable steps should be taken to obtain the primary treating professional's opinion.



(4) A current assessment (review) is obtained and the professional indicates the participant **did** have the capacity to either, follow the plan or comply with program requirements; send a [MFIP Notice of Intent to Sanction \(NOITS\)](#).

OR

A current assessment (review) is obtained and the professional indicates the participant **did not** have the capacity to either, follow the plan or comply with program requirements; do not send a [MFIP Notice of Intent to Sanction \(NOITS\)](#). Inform the participant that the professional indicated that the plan or the program requirements were not appropriate based on their individual circumstances and continue attempts to work with them to develop an appropriate plan.

OR

A current assessment (review) is **not** obtained; continue steps to engage the participant and the primary treating professional.

FSS SANCTION GUIDANCE

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Date Accomplished	<p align="center">Family Stabilization Services Pre-Sanction Checklist</p> <p>The county/ES provider must do the following prior to initiating a sanction for participants who meet FSS eligibility criteria or if the provider has information that a participant may meet the eligibility criteria</p>
	<p>Review the most recent employment plan and/or all case file materials to determine if the participant qualifies for good cause.</p>
	<p>Invite participant to face-to-face meeting. The following must be covered during the meeting:</p> <ul style="list-style-type: none"> ➤ Review good cause policy with the participant to determine if they qualify. ➤ Update/obtain a release of information to allow the employment counselor to speak with the participant's primary treating professional. ➤ Identify other resources that may be available to meet the family's needs. ➤ Explain the consequences of further non-compliance. ➤ Inform the participant of the right to appeal if a sanction is ever imposed. <p>Date and Method of attempt: _____ Successful: <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
	<p>Attempt at least 1 home visit if the face-to-face is unsuccessful.</p> <p>Date scheduled: _____ Successful <input type="checkbox"/> Yes <input type="checkbox"/> No Date scheduled: _____ Successful <input type="checkbox"/> Yes <input type="checkbox"/> No Date scheduled: _____ Successful <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
	<p>If home visit is unsuccessful, send information that would have been covered in face-to-face meeting to participant.</p>
	<p>Obtain a release of information, if there is not one currently on file. (The participant can choose to obtain the needed assessment themselves if they do not want the employment counselor to contact the primary treating professional.)</p>
	<p>Obtain a current assessment by a behavioral health or medical professional. Confirm the ability of the participant to comply with activities in the employment plan or program requirements by a behavioral health or medical professional.</p> <p>Date and Method of attempt: _____</p>

Date Notice of Intent to Sanction Sent: _____
 Date Sanction Imposed: _____
 Signature of Employment Counselor or Case Manager _____

