

Introduction

Certain recipients receiving Supplemental Nutrition Assistance Program (SNAP) benefits are required to either meet a specific work requirement or meet the criteria for an exemption.

Scope

The purpose of this policy is to identify SNAP recipients who have to register for work, who have work requirements, who are exempt from work registration and work requirements, and the procedures when a customer does not meet these requirements.

Policy

Work Registration

1. Each household member who is not otherwise exempt from work registration requirements must register for employment prior to certification for Supplemental Nutrition Assistance Program (SNAP) and once a year thereafter.
2. Persons losing their exemption due to a change that is required to be reported by the household must register for work as a condition of continued eligibility for SNAP.
3. Registration is accomplished when a SNAP application is signed. The adult who signs the application registers all individuals in the SNAP unit for work who are required to register for work.
4. For each intake and renewal interview, staff will need to provide [The SNAP Consolidated Work Notice](#) in the procedure manual to the customer and have a discussion over the requirements by using the [Work Requirements Oral Script](#) form.

Work Registration and Employment Training Requirements

The eligibility counselor must take the following steps to complete the work registration and Employment & Training (E&T) and referral process. To determine the difference between work registration and E&T staff shall refer to Difference Between Work Registration and Employment & Training in the [SNAP Work Requirements Procedure Manual](#).

1. Explain to the household:
 - a. the statement on the application concerning E&T;
 - b. the work requirements;
 - c. the rights and responsibilities of the registrants; and
 - d. the consequences of failure to comply.
2. The eligibility counselor must screen the customer prior to referring them to E&T to ensure a valid referral is made. The screening tool can be found in in the [SNAP Work Requirements Procedure Manual](#) under section for Screening Process for Employment and Training (E&T).
3. Staff shall refer to Registering and Deregistering Customers from E&T in the [SNAP Work Requirements Procedure Manual](#) for the steps to register or deregister a customer from the E&T program and how to determine the date of deregistration.

Exemptions from Work Registration and E&T Components

Individuals are exempt from work registration and E&T if they meet the criteria for any of the categories below: (Note these are federal exemptions. They are exempt from both E&T and Abled Bodied Adults Without Dependents (ABAWD)).

1. Individuals younger than age sixteen (16) or age sixty (60) or older are exempt. If a child becomes age sixteen (16) within the certification period, he/she will be required to fulfill the work registration requirements at recertification, unless the child qualifies for another exemption.

2. Age sixteen (16) or seventeen (17)

A person aged sixteen (16) or seventeen (17) is exempt from work registration if the individual:

- a. is not the head of the household; or
- b. is attending school; or
- c. is enrolled in an employment training program on at least a half-time basis.

3. Physically or mentally unfit for employment.

Individuals who are either physically or mentally unfit for employment are exempt. Verification of Unfitness: Acceptable verification includes, but is not limited to:

- a. a receipt of temporary or permanent disability benefits issued by governmental or private sources (i.e., Supplemental Security Income (SSI), Social Security Disability Insurance (SSDI), workmen's compensation, Veterans' Administration (VA) benefits, etc.);
- b. a statement from a physician or a licensed or certified psychologist which indicates the length of disability;
- c. an approval for vocational rehabilitation services; or
- d. a verified application for SSI (a federal exemption).

4. Families First (FF) Work Registrant

If the recipient is mandatory for Families First work component and is compliant, he/she will be exempt from work registration.

5. Caretaker

- a. Exempt a parent or other household member who is responsible for the care of a dependent child under age six (6) or for the care of an incapacitated person.
- b. If the child becomes age six (6) during the certification period, the household member must register at recertification,

unless the individual qualifies for another exemption.

- c. If a parent and another household member claim to be responsible for the care of the same dependent child or incapacitated person, the worker must discuss the responsibility with the applicant and determine who is actually responsible for providing the care.
- d. Only one person may claim the caretaker exemption for a dependent. If more than one dependent person is cared for, then more than one person may be responsible.
- e. The care does not have to be provided to a household member. The person can live in another residence.
- f. If verification is needed, it is important to know how often the customer is caring for the disabled individual and who the disabled individual is to verify they are actually providing the care. Ways that can be accomplished are through a written statement from the disabled individual, calling the individual the customer is providing care to or their family or collateral contacts.

6. Applicants or recipients of Unemployment Compensation

- a. A person who receives unemployment compensation is exempt. Persons who have applied for unemployment compensation are exempt if they were required to register for work with the local Tennessee Department of Labor and Workforce Development (TDLWD) office as part of the unemployment compensation application process. Verify the exemption with the appropriate TDLWD office, if questionable.
- b. Verification - The individual's notice of approval for unemployment compensation benefits, the Tennessee Clearinghouse System or Data Exchange Unemployment Compensation (DEUC) screen on the Automated Client Certification and Eligibility Network for Tennessee (ACCENT) may be used to verify the receipt of benefits.

7. Participation in Drug/Alcohol Rehabilitation Program
- Regular participants in drug addiction or alcoholic treatment and rehabilitation program either on a resident or non-resident basis.
 - Verification - The regular participation of an individual in an alcohol or drug treatment and rehabilitation program may be verified through the organization or institution operating the program.
8. Migrant and seasonal farm workers, if they are under contract or similar agreement with an employer to begin employment within thirty (30) days.
- There are conditions that could prevent migrants with secured employment that do not affect the person's exemption from work registration.
 - Examples include, but are not limited to, inclement weather, delays in crops, etc.
9. Employed and Self-Employed
- Employed/self-employed individuals are exempt as follows:
- persons who are employed or self-employed and work a minimum of thirty (30) hours weekly; or
 - persons who are employed/self-employed and receiving weekly earnings at least equal to the federal minimum wage multiplied by thirty (30) hours or is a youth under age twenty (20) receiving a training wage mandated by the Fair Labor Standards Act (FLSA) of 1989 (Limited to ninety (90) day period): or
 - persons who have fluctuating work hours but work an average of thirty (30) hours per week or receive average weekly earnings at least equal to the federal minimum wage multiplied by thirty (30) hours; or
 - The average should be based on the information used to compute the budget income.
- Verification of Employment - When the employment status is questionable, the amount of income received from

employment may be used to establish the work registration exemption. The amount must be consistent with wages paid for a thirty (30) hour workweek, based on the general conditions prevailing in the community.

Verification of Self-Employment - When income does not conclusively reflect thirty (30) hours a week employment, and the applicant still claims to be self-employed, establish the following:

- that the income received from the self-employment enterprise is at least sufficient to be consistent with wages for a thirty (30) hour work week, based on the general conditions prevailing in the community; and
- that the volume of work claimed justifies a determination that the self-employment enterprise is a full-time job for the purposes of this exemption. The household must cooperate in providing adequate documentation to substantiate the claim that someone is self-employed.

10. Students

- Eligible students enrolled at least half-time in any recognized school (including high school), training program, or institutions of higher education are exempt from work registration.
- These students will remain exempt during normal periods of class attendance, recesses, and vacations, provided that they intend to return to school when the recess or vacation is over.
- If the student graduates, is suspended, expelled, drops out, or does not intend to register for the next normal school term (excluding summer), he/she no longer eligible for this exemption.

Identified Exemptions to Employment & Training Work Components

Conditions that may qualify as an exemption from E&T, include:

- Temporary illness or injury- an illness or injury of the individual that is temporary in nature and is obvious or verified;

2. Temporary disability- disability is temporary in nature and is obvious or verified;
3. Temporary emergency- may be a family emergency, such as illness or disaster, or an emergency related to the job;
4. On call – back to job- examples include, but are not limited to temporary layoff or temporary shutdown;
5. No access to transportation (the individual does not have a reliable vehicle, there is no public transportation available, or the individual does not have the resources to use public transportation or purchase gas).
6. Other exemptions approved by State office.
 - a. The individual resides in a non-funded E&T county;
 - b. Homeless individuals who do not have a fixed residence are considered to have a barrier that prohibits their participation in E&T Program, however they can still volunteer to participate;
 - c. If the customer does not meet any state or federal exemption or barrier, and does not volunteer to go to TDLWD;
 - d. Other approved condition – DHS will explore federal exemptions if the individual does not meet a federal exemption, eligibility counselors shall explore other state barriers.

Eligibility Counselor Responsibilities

At application, recertification, and when an individual is registered for work during the certification period, the eligibility counselor will explain the work requirements to the customer, including the household's rights and responsibilities and the consequences of failure to comply.

1. The individual will be appropriately coded on the work program screen (AEIWP) using the [SNAP Work Codes](#).
2. When a referral date is put on AEIWP, a referral will be sent to the Tennessee Department of Labor and Workforce Development (TDLWD) for the voluntary and/or mandatory participant.
3. Appropriate action and documentation will be completed upon receipt of information from TDLWD regarding the participant.

4. The eligibility counselor must deregister an individual from work registration when the individual:
 - a. was registered but later the application was actually denied; or
 - b. has a work program sanction or fails to comply with a work program requirement; or
 - c. if TDLWD is unable to place that individual into a suitable work activity (see also Employment and Training (E&T) Provider Determinations in the [SNAP Work Requirements Procedure Manual](#) for more info); or
 - d. obtains a job working thirty (30) hours per week or have earnings equal to federal minimum wage times thirty (30); or
 - e. leaves assistance; or
 - f. becomes otherwise exempt.

Work Registrant's Responsibilities

Currently Tennessee is operating under a Voluntary E&T program. If the state returns to a mandatory program, then mandatory work registrants must:

1. participate in an employment and training program if assigned to mandatory E&T by the department;
2. respond to a request for supplemental information regarding employment status or availability for work;
3. report to an employer when referred by the TDLWD as long as the potential employment meets the suitability requirements —Unsuitable Employment; and
4. accept a bona fide offer of employment unless the employment is unsuitable (See the section below for Unsuitable Employment).

Unsuitable Employment

Any employment will be considered unsuitable if:

1. The wage offered is less than eighty (80%) percent of the federal minimum wage;
2. The training wage shall be substituted for the minimum wage for persons under age twenty (20) receiving the training wage mandated by the FLSA. This is limited to a ninety (90) day period;

3. The employment offered is on a piece-rate basis, and the average hourly yield the employee reasonably can expect to earn is less than the applicable hourly wages specified above;
4. The household member is required to join, resign from, or refrain from joining any legitimate labor organization;
5. The work offered is at a site subject to a strike or lockout at the time of the offer, unless the strike has been enjoined under Section 208 of the Labor-Management Relations Act (commonly known as the Taft-Hartley Act), or unless an injunction has been issued under Section 10 of the Railway Labor Act;
6. The risk to health and safety is unreasonable;
7. The household member is physically or mentally unfit to perform the employment. Document the medical evidence or reliable information from other sources;
8. The employment offered within the first thirty (30) days of registration is not in the registrant's major field of experience. Offers after thirty (30) days must be accepted;
9. The distance from the registrant's home to the place of employment is unreasonable, such as:
 - a. daily commuting exceeds two (2) hours per day, not including the transportation of a child to and from a childcare facility;
 - b. public and private transportation is unavailable and the distance to the place of employment is too far to walk; or
 - c. the cost of transportation to the job site is excessive based on the expected wage.
10. The working hours or nature of the employment interferes with the household member's religious observance, convictions, or beliefs;
11. Other good reasons that justify a conclusion that employment is unsuitable.
12. The determination of unsuitable employment will be based on the above listed criteria and any additional criteria established in the SNAP E&T program.

Deregistration from Employment & Training

The eligibility counselor must be sure to deregister an individual when appropriate. The individuals should be deregistered when the person:

1. was registered but later the application was actually denied; or
2. has a work program sanction or fails to comply with a work program requirement; or
3. obtains a job working thirty (30) hours per week or have earnings equal to federal minimum wage times thirty (30); or
4. no longer a SNAP recipient; or
5. ABAWD Non-Compliant; or
6. becomes otherwise exempt.

Employment & Training Components

1. Each work registrant will be reviewed.
2. Mandatory work registrants and volunteers may be assigned or exempted from work components.
3. Currently E&T is offered in all 95 counties.

All counties will not have the same component because the number of participants will vary due to county size.

Failure to Comply with Work Components

1. Disqualify the individual for the appropriate period when the individual refuses or fails to comply, without good cause, with any of the following work requirements:
 - a. registration for employment at application and every recertification thereafter; or
 - b. accepting an offer of employment; or
 - c. providing one department with sufficient information to allow TDHS to determine the employment status or the job availability of the individual; or
 - d. voluntarily quits a job or reduces work effort to less than thirty (30) hours per week. (See Voluntary Quit section below for further explanation of Voluntary Quit).
2. When a person in a mandatory SNAP E&T county is exempt from the SNAP work requirement because of participation in a FF work component or unemployment compensation work requirement fails to comply with the FF work requirements, the eligibility counselor must evaluate the individual for SNAP E&T. If the person is not otherwise exempt from the SNAP E&T requirement, then he/she is non-compliant and must be sanctioned.

3. If the individual fails to comply with a FF work requirement but does not have a SNAP work requirement, he/she is not subject to a SNAP sanction. However, since the individual did fail to comply with the FF requirement, the SNAP allotment will be reduced by ten (10%) percent as a penalty.
4. The SNAP sanctions for E&T non-compliance only apply to mandatory E&T participants.

Non-Compliance by a Mandatory Household Member

An individual is considered non-compliant with work requirements if they refuse any of the work components listed below:

1. to register for employment at application and every 12 months thereafter;
2. to participate in an employment and/or training program if considered a mandatory participant;
3. to accept an offer of employment (Note: To ensure the offer is suitable, See the section below for Unsuitable Employment);
4. to provide TDHS or its designee, Tennessee Department of Labor and Workforce Development (TDLWD) with sufficient information to determine the employment status or the job availability of the individual; or
5. voluntarily quits a job or reduces work hours to less than thirty (30) hours per week.

If the individual refuses or fails to comply with the above requirements, the eligibility counselor must evaluate the individual to determine the next appropriate steps.

Determining Good Cause for Failure to Comply with the Work Requirements

1. When a voluntary participant or an individual who is exempt from the work requirements fails to comply with their work requirement, the eligibility counselor does not have to determine good cause for failure to comply with the work requirements.
2. When a mandatory Supplemental Nutrition Assistance Program (SNAP) E&T or work registrant fails to comply with his/her work requirement, the eligibility counselor must contact the household and determine whether good cause exists for failure to comply.

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3. Staff shall refer to [Determining Good Cause](#) in the procedure manual on whether good cause exists for failure to comply with the work requirements.

Disqualification

When a mandatory participant who does not have good cause fails to cooperate with the SNAP work requirements, he/she will be disqualified.

1. Staff shall refer to SNAP Disqualifications in the [SNAP Work Requirements Procedure Manual](#) on how to disqualify an individual in ACCENT for not cooperating with the work requirements.
2. Before applying the appropriate penalty review the circumstances to determine if good cause exists for failure to comply with the work requirements, using the Determining Good Cause in the [SNAP Work Requirements Procedure Manual](#).
3. Staff shall refer to Registering and Deregistering Clients from E&T in the [SNAP Work Requirements Procedure Manual](#) when an individual stops participating with E&T needs to be deregistered.

A voluntary participant who does not have good cause will not be disqualified.

Ending the Disqualification for a Mandatory Participant

1. An individual shall be disqualified for the appropriate time period listed in SNAP Disqualifications.
2. If an individual has failed to comply at the end of the minimum disqualification period, the disqualification shall continue until the individual cures the disqualification or becomes exempt from work registration requirements.
3. To cure the disqualification, the individual must comply with the work requirement. The minimum period of the disqualification must be served, even if the individual complies before the time period expires.
4. The disqualification will end, regardless of whether the minimum disqualification period has been served, when the individual meets one of the exemptions from work registration and E&T components above.

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Non-Compliance with Work Requirements in Families First

1. When an individual fails to comply with the Families First (FF) work requirements, the eligibility counselor must evaluate the individual to determine if a ten percent (10%) penalty or sanction should be applied.
2. If the individual is a voluntary participant or meets another exemption to the SNAP Work Requirement, the SNAP allotment will be reduced by a ten percent (10%) penalty. Since a ten percent (10%) penalty was applied, a sanction would not be applied.
3. If the individual is a mandatory SNAP E&T participant and they do not meet any other exemption in the SNAP E&T Program, the participant will be sanctioned and removed from the SNAP budget. Since a sanction was applied, a ten percent (10%) penalty would not be applied.
4. The FF household which does not comply with the FF work requirement will not have both a SNAP sanction and a SNAP ten percent (10%) penalty.

Voluntary Quit

No individual who voluntarily quits his/her most recent job of at least thirty (30) hours per week or voluntarily reduces his/her work hours to less than thirty (30) hours per week will be eligible to participate in Supplemental Nutrition Assistance Program (SNAP), unless there is a good cause reason.

When the household files an application, or when a participating household reports a job loss or reduction in the number of hours, the eligibility counselor must determine whether this is a voluntary quit or voluntary reduction in hours.

Voluntary quit will be applied when;

1. The employment was for thirty (30) hours or more per week or provided weekly earnings at least equal to the federal minimum wage multiplied by thirty (30) hours.
2. The voluntary reduction of hours caused employment to be less than thirty (30) hours per week by the individual.
3. For applicant households, the quit or reduction of hours occurred within sixty (60) days prior to the date of application or anytime thereafter prior to the disposition of the case.

4. For participating households, the quit or reduction occurred while the individual was participating in the program.
5. Federal, State, or Local Government employees who participates in a strike against such governments and is dismissed from their job because of participation in the strike, shall be considered to have voluntarily quit their job without good cause

Good Cause for Quitting a Job or Reducing Hours of Employment

Good cause for quitting a job or reducing the hours of employment includes, but is not limited to the following:

1. The job is determined to be unsuitable;
2. Circumstances beyond the individual's control, such as illness, illness of another household member which requires the individual's presence, a household emergency, or unavailability of transportation;
3. Discrimination by an employer based on age, sex, race, color, handicap, religious beliefs, national origin, or political beliefs;
4. Work demands or conditions that render continued employment unreasonable, such as working without being paid on schedule;
5. Enrollment at least half-time in any recognized school, training program or institution of higher education that requires the household member to leave employment or reduce work hours;
6. Another household member has accepted employment or enrolled at least half-time in a recognized school, training program, or institution of higher education in another county, which requires the household to relocate;
7. Resignation by a person under age sixty (60) which is recognized by the employer as retirement;
8. The individual accepted a bona fide offer of employment of more than thirty (30) hours a week or in which the weekly earnings are equivalent to the Federal minimum wage multiplied by thirty (30) hours. However, because of circumstances beyond the individual's control, the new job does not materialize or results in employment of less than thirty (30) hours per week or weekly earnings of less than thirty (30) times the Federal minimum wage; or

9. The individual left a job in connection with patterns of employment in which workers frequently move from one employer to another, such as migrant farm labor or construction work. The household may apply for SNAP between jobs, particularly when work is not available at the new job site. In such instances, the individual will be considered to have quit for good cause if this is a normal pattern of that type of employment

Staff shall refer to Applying a Voluntary Quit/Reduction of Work Hours Disqualification in the [SNAP Work Requirements Procedure Manual](#) when disqualifying an applicant or participating household from SNAP.

Verification for Voluntary Quit/Reduction of Hours and Good Cause Determination

The household has the primary responsibility for providing verification of questionable information related to the voluntary quit/reduction of good cause determination. Staff may refer to Sources to Aid in Verifying Voluntary Quit in the [SNAP Work Requirements Procedure Manual](#) for ways to verify voluntary quit, reduction of hours, and good cause determination

Ending the Voluntary Quit Disqualification

1. The disqualification of an individual shall be applied for the appropriate time period (Staff shall refer to Applying a Voluntary Quit/Reduction of Work Hours of Disqualification). To become exempt from the disqualification, the individual must meet one (1) of the following federal work requirement exemptions:
 - a) subject to and complies with a work registration requirement under Families First (FF) or Unemployment Compensation;
 - b) parent or other member of a household with responsibility for a dependent child under age six (6) or for an incapacitated person;
 - c) student enrolled at least half-time in any recognized school, training program or institution of higher education;
 - d) regular participant in a drug addiction or alcoholic treatment and rehabilitation program;
 - e) employed a minimum of thirty (30) hours per week or receives weekly earnings which will equal the minimum hourly wage rate multiplied by thirty (30) hours; or;

- f) between the ages of sixteen (16) and eighteen (18) and who is not head of a household or is attending school or enrolled in an employment training program at least half-time.
- g) physically or mentally unfit for employment

Please be advised once the individual becomes exempt they are potentially eligible for SNAP again. They do not have to serve the minimum disqualification period.

When the Voluntary Quit Provision Does Not Apply

1. A voluntary quit or voluntary reduction for an applicant HH occurred more than sixty (60) days prior to the date of application, unless the HH was receiving benefits at the time of the quit or reduction, and TDHS did not learn about it until reapplication;
2. The individual was on leave from a paid position of employment pursuant to the provisions of the Family Medical Leave Act of 1993, unless the individual does not return to work at the end of the period of leave;
3. An involuntary reduction of work hours is imposed;
4. The individual terminates a self-employment enterprise;
5. The individual resigns from a job at the demand of the employer;
6. The HH member who quits his/her job, secures new employment at comparable wages or hours, and is then laid off, or through no fault of his/her own loses the new job. In this instance the earlier quit will not require his/her disqualification. Consideration must be given to new employment which might entail fewer hours or a lower salary, but which offers greater opportunities to improve job skills or for future advancement.
7. It is determined that the individual quit or reduced his/her hours with good cause; or
8. The individual is exempt from the work requirements provisions at the time of the quit.

Able-Bodied Adults Without Dependent Children (ABAWD)

Adult SNAP household members without a dependent child must meet special eligibility requirements. The work requirements apply to able-bodied adults who are:

1. at least age eighteen (18) but not yet fifty (50) years of age;
2. not in a SNAP household with children under eighteen (18); and
3. not otherwise federally exempt from work registration.

ABAWD Exemptions

In some instances, the able-bodied adult may be exempt from the ABAWD work requirement. The exemptions for this group of individuals are:

1. Under age eighteen (18) or age fifty (50) or above
 - a. under age eighteen (18) (The child does not have to be in school. The month the person turns eighteen (18) is not a countable month.); or
 - b. age fifty (50) or above (The month the person turns fifty (50) is not a countable month.).
2. Determined Disabled by Social Security or one hundred (100%) percent disabled by the VA
3. Working with TDLWD
 - a. Individuals participating in a component through the TDLWD for eighty (80) hours per month.
 - b. They must be working with TDLWD in order to receive this exemption.
 - c. A referral is not cause for an exemption but would still be coded a code C until participating in an approved activity.
4. Greater than Ten (10%) Percent Unemployment

County specific; only used with an approved waiver for counties that have greater than ten (10%) percent unemployment (not currently used).
5. Fifteen (15%) Percent Exemption

Only allowed to be used for reasons approved by SNAP Policy and on an individualized basis
6. In-kind Work

Working twenty (20) hours a week or eighty (80) hours a month in exchange for goods or services not income.

 - a. Job Training and Partnership Act (JTPA/WIOA)

- Participation in Workforce Innovation and Opportunity Act
- b. Responsible for the care of an ill or incapacitated person
- c. Labor Surplus

County specific; only used with an approved waiver for counties that have a labor surplus; use an individual specific code if possible before this code.

7. Unfit for employment or work programs
 - a. Unfit based upon the eligibility worker's observations (can be physically or mentally unfit).
 - b. A doctor's statement is not required if a condition is observable.
 - c. The condition does not have to be for a specific length of time.
 - d. A customer can be medically certified as physically or mentally unfit for employment by providing a statement from a qualified professional, or if the customer is receiving VA disability that is anything other than one hundred (100%) percent.
8. Non-Issuance

Individual did not receive any SNAP benefits for this month.
9. Dependent children under eighteen (18) in the SNAP household

All adults in the SNAP household are exempt from the ABAWD requirement if there is a child under 18 in SNAP household. The child does not have to be related to the adult being exempted. (The child must be in the same sequence. The adult can claim this exemption even if the child is not eligible for benefits.)
10. In Alcohol/Drug Treatment
11. Student enrolled at least half-time in any recognized school, training program, or institution of higher education
12. Trade Adjustment Act Program
13. Unemployment

Receiving unemployment compensation or applied for unemployment compensation if

they were required to register for work with TDLWD as part of the unemployment compensation application process.

14. Volunteer Work

Volunteering for at least twenty (20) hours a week or eighty (80) a month at religious or community events or public/private agencies.

15. Working

Individual employed working eighty (80) hours per month [twenty (20) hours a week average monthly] and being paid for such employment.

16. Pregnancy

Pregnancy in any month temporarily exempts the person from this work requirement. This does not have to be verified for SNAP. Do not complete the AEIIM screen unless the details have been verified. AEIIT can still be coded with a Y without verification. Pregnancy needs to be documented in CLRC.

17. 0-Proration

This code is only to be used if the proration amount is \$0.

18. Initial Proration

To be used during an initial proration month when the amount is greater than \$0.

19. Appeal

Customer is receiving a continuation of benefits due to an appeal and their code was X.

ABAWD Eligibility

An able-bodied adult with no dependents, who does not meet an ABAWD exemption, may be eligible to receive three (3) months of SNAP benefits in a thirty-six (36) month period. Staff may also refer to SNAP ABAWD Process in the [SNAP Work Requirements Procedure Manual](#) for further procedures and examples.

The countable months for this group of individuals are:

a. Benefit out of state

Out of state countable month(s); considered to be a countable month for Tennessee

b. Countable month

A countable month; not otherwise exempt; not meeting the work requirement

c. Re-entry month

Customer meets re-entry criteria to receive up to three (3) additional consecutive months of ABAWD benefits. Use only when three (3) countable months have been used and no other exemption is applicable.

Maintaining Eligibility

An individual, who has received his/her initial three-month period of participation within the current thirty-six (36) month fixed period, can become exempt from the ABAWD requirement, or he/she can maintain eligibility by:

1. Working eighty (80) hours per month or more

If an individual would have worked an average of twenty (20) hours per week but missed some work for good cause, the individual shall be considered to have met the work requirement if the absence from work is temporary and the individual retains his or her job (new employment projected hours may be used from date of application); or

2. completing volunteer work or work for benefits in lieu of wages or a combination of the types of work for at least twenty (20) hours per week; or

3. participating in and complying with a JTPA Program, Trade Adjustment Act Program, or E&T (other than Job Search or Job Search training program) for eighty (80) hours per month or more; or

4. participating in and complying with a state-approved work experience program for 80 hours or more per month; or

5. participating in a Workfare Program through TDLWD (hours are based on allotment).

Regaining Eligibility

1. When an individual becomes exempt from the ABAWD twenty (20) hour work requirement (either by a county exemption or personal exemption) or complies with a requirement for thirty (30) days an individual can regain eligibility. The person will remain eligible as long as an exemption exists, or requirement is met.

2. An individual that became ABAWD ineligible, that is not otherwise exempt, shall regain eligibility to

participate in SNAP if, during any thirty (30) consecutive days, he or she:

- a. worked eighty (80) or more hours; or
 - b. participated in and complied with the requirements of a work program for eighty (80) or more hours; or
 - c. any combination of work and participation in a work program for a total of eighty (80) hours; or
 - d. participated in and complied with a workfare program.
3. There is no limit on how many times an individual may regain eligibility and subsequently maintain eligibility by meeting the work requirement.
 4. If the individual has used the original three (3) months in the thirty-six (36) month period, has regained eligibility and subsequently loses employment or stops working or participating in training or a work experience program, the individual is eligible for up to three (3) consecutive months (beginning the date the county is notified that work activity has ended). Once initiated, this three (3) month period must be consecutive. The individual is only eligible for one consecutive three (3) month period during the thirty-six (36) months.
 5. After the individual has received the months of entitled eligibility and is not exempt or meeting the work requirements, he/she is ineligible for SNAP benefits. The able-bodied individual's resources are counted in their entirety to the remaining SNAP household members. The ineligible ABAWD's income is prorated among all SNAP household members and the ineligible ABAWD member's portion is not counted. The ABAWD individual is not counted in computing the utility standard.

ABAWD's Work Hours Decrease

1. When an individual is exempt from the ABAWD work requirement due to being employed 20 hours per week and the hours decrease, the eligibility counselor will look at the circumstances.
2. Good cause will be determined.
3. The ABAWD shall be considered to have met the work requirement if the absence is temporary and the job is retained.

Good Cause Determination

1. If an individual would have worked an average of twenty (20) hours per week but missed some work for good cause, the individual shall be considered to have met the work requirement if the absence from work is temporary and the individual retains his or her job.
2. Good cause shall include circumstances beyond the individual's control, such as, but not limited to, illness, illness of another household member requiring the presence of the member, a household emergency, or the unavailability of transportation.

Non-Compliant ABAWD

When an ABAWD does not follow through with an appointment or no longer wishes to volunteer in an E&T component as a participant:

1. If the individual has no countable months left and has no other exemptions, he/she is ineligible and must be removed.
2. If an individual is ABAWD only with countable months remaining, no E&T penalty would be applied.
3. When an ABAWD does not follow through with an appointment or component, check to see if he/she is also a mandatory E&T participant.
 - a. If so, follow the E&T procedures for non-compliance with a work program. When someone refuses or fails to comply, the recipient can comply by:
 - i. Registering for employment
 - ii. Participating in E&T
 - iii. Accepting an offer of employment
 - iv. Providing sufficient information
 - b. The eligibility counselor will determine if there was good cause. Good cause reasons:
 - i. Individual illness or illness of other household members
 - ii. Household Emergency
 - iii. Lack of Transportation
 - iv. Notification was not received
 - v. Unable to make satisfactory progress

- c. If good cause does not exist, the appropriate penalty is applied.
 - i. 1st Violation – one month
 - ii. 2nd Violation – three months
 - iii. 3rd or Subsequent Violation – six months
 - iv. The sanction is the number of months for the violation or until compliance, whichever is later.

ABAWD Closure

The ACCENT reason code 654 must be used to authorize the adverse action so that the household will receive the appropriate notice.

Supporting Documents

[SNAP Work Requirements Procedure Manual](#)

[SNAP Work Codes](#)

[Work Requirement Oral Script](#)

Definitions/Acronyms

Term	Definition
Entry	Definition
ABAWD	Able-Bodied Adults without Dependent Children
ACCENT	Automated Client Certification and Eligibility Network for Tennessee
Bona fide	Made with earnest intent.
Countable months	Months during which the person is not otherwise exempt from meeting work requirements and is; not meeting the work requirement.
DEUC	Data Exchange Unemployment Compensation
TDLWD	Tennessee Department of Labor & Workforce Development
E&T	Employment and Training
FF	Families First
Fixed clock	A definite start and stop date, starts on a given date and runs continuously for three (3) years, and the state can opt to use individual periods or the same three (3) year period for everyone.
FLSA	Fair Labor Standards Act
Half time enrollment	The criteria for determining half time enrollment shall be whatever criteria the institution of higher education has established for half time enrollment.
JTPA	Job Training and Partnership Act
Non-Compliant ABAWD	ABAWD that does not follow through with an appointment or required component.
SNAP	Supplemental Nutrition Assistance Program
WIOA	Workforce Innovation and Opportunity Act

Supersedes

Policy 24.11 SNAP Work Requirement effective 6/1/2018, Policy 24.15 SNAP Failure to Comply with Work Requirements effective 1/15/2019, Policy 24.16 SNAP Voluntary Quit effective 1/15/2019

Approval History

Approved By	Approver Title	Approved Date	Effective Date
Clarence Carter	Commissioner	01/30/2023	03/01/2023
Danielle Barnes	Commissioner	05/09/2018	06/01/2018

Revision History

Date	Version	Location of Change	Description/Reason for Change
01/30/2023	03/01/2023	Policy Section	Updated supporting documents. Added Oral Script supporting document and Screening Process for E&T for workers to discuss. ABAWD Process PUN put into supporting document. Policy 24.15 and 24.16 was added to this policy.
05/09/2018	06/01/2018	New Document	Revision of existing manual into policy document.

Approved By	<i>Clarence H. Carter</i>	Approval Date	01/30/2023
Authority	7 CFR § 273.7 and 7 CFR § 273.24	Effective Date	03/01/2023
Application	All Family Assistance employees		