

## **MEMORANDUM**

**TO:** EES Program Administrators

**FROM:** Sandra Kimmons

**DATE:** 10/1/2022

**SUBJECT:** Implementation Instructions - KEESM Revision 107

This memo provides implementation instructions and information for the following October 1, 2022, policy changes in the Kansas Economic and Employment Services Manual (KEESM).

### **FOOD ASSISTANCE**

Effective July 1, 2022 the Food Assistance Employment & Training (E&T) program converted from a voluntary to a mandatory program due to a change in the state law. All Able-Bodied Adults without Dependents (ABAWDs) who are not meeting 30 hour per week work requirements or exempt are required to participate in the Food Assistance E&T program for 30 hours per week.

Failure to participate in the program or to meet 30-hour weekly participation requirements will result in a Food Assistance Violation of 3 months for the first violation, 6 months for the second violation and 12 months for the third violation.

Good cause must be requested before a food assistance violation for failure to participate in the Food Assistance E&T program can be approved. Food assistance violations must be stacked with potential employment violations. Refer to KEESM 3530.

### **EMPLOYMENT SERVICES**

Mandatory Food Assistance E&T participants must meet 30 hours per week participation requirements. At least 11 hours per week must come from Employment Training or any activity other than Job Search or Job Readiness, otherwise the client's ABAWD month will be counted.

## FOOD ASSISTANCE & EMPLOYMENT SERVICES

### Eligibility Worker:

- Determine if the client is an ABAWD and required to participate in the E&T program.
  - Use the *ABAWD* indicator and the *Work Eligible* indicator on the Food Assistance EDBC Summary page to determine if the Food Assistance client is an ABAWD AND required to participate in the E&T program. The *ABAWD* indicator and the *Work Eligible* indicator must both read Yes. If the ABAWD indicator is Yes and the *Work Eligible* indicator is *Exempt* or *No*, then mandatory participation for the client is not needed.

**NOTE:** If the client is already employed 30 hours a week or more, then the *Work Eligible* Indicator displays as *Exempt*.

- Next, check to see if the client is Exempt from ABAWD work/training requirements. If the client is Exempt from ABAWD work/training requirements, then mandatory participation for the client is not needed. Exemption reasons for ABAWD work/training requirements include:
  - Alcohol or drug treatment program
  - Care of incapacitated FA household member
  - Pregnant
  - Receiving unemployment compensation
  - Student
- Read the client the Consolidated Work Requirements and notify the client they are being referred to the E&T program.
- Send an email referral to the E&T regional inbox.

### KEES:

- Sends the *Food Assistance Work Rules Notification* form to approved Food Assistance households via a nightly batch.

### E&T Supervisors:

- Use weekly report and referrals in inbox to assign referrals to E&T career navigators using a round robin assignment method.

### E&T Career Navigator:

- Create an *Active* FAET program block in KEES when referral is received.
- Engage with the client and send an appointment letter from KEES using standard copy and paste text in the V808.
  - If the client fails to show for their appointment, send an email to the Non-Compliance Coordinator to start the good cause process.
- Work with the client to gain meaningful employment. The client must be in an activity and/or employed for a combination of 30 hours per week.
- Check the client's ABAWD status on the ABAWD Time Limit page and notify the Non-Compliance Coordinator to edit the months if needed.

- Non-Compliance Coordinator: If the client was not meeting work/training requirements at the time of approval for Food Assistance but is now meeting the work/training requirements through participation with E&T, then edit the status to *Met work/training requirement* from the month of E&T engagement through the future months listed.
- If the Food Assistance program block was discontinued by batch because the ABAWD months were not updated, then contact a supervisor to have the program block rescinded.
- Monitor the client's total hours of employment and participation through a weekly report distributed by supervisors.
  - If the client falls below the 30-hour minimum requirement, send an email to the Non-Compliance Coordinator to start the good cause process.

### **Non-Compliance Coordinator:**

- Request good cause.
  - Cold call the client to obtain good cause.
  - If the cold call attempt fails, then request good cause in writing from KEES using standard copy and paste text in the V808. Give the client 10 days to provide good cause.
- If good cause is received and approved, notify the career navigator.
- If good cause is not received, or received but not approved, then start the violation process.
  - Enter a Non-Compliance in KEES using a Type of *Generic*, manually enter the End Date, and indicate in the Comments box using standard copy and paste text the appropriate violation tier.
    - *1st violation: 3 months Failed to meet 30 hours per week participation to meet mandatory E&T work requirements.*
    - *2nd violation: 6 months Failed to meet 30 hours per week participation to meet mandatory E&T work requirements.*
    - *3rd violation: 12 months Failed to meet 30 hours per week participation to meet mandatory E&T work requirements.*
  - Update the client's ABAWD Status on the ABAWD Time Limits page if appropriate. For example, the client's status may need to be updated from *Meeting Work Requirements* to *Not Meeting Work Requirements* if the client is working below 20 hours/week.
  - Run EDBC to *Discontinue* Food Assistance.
  - Add a note using standard copy and paste text in the Comments box of the KEES generated notice to indicate the reason for the violation.

### **KEES:**

- If the violation did not result in a full program closure, KEES will generate a *Penalty Period Ending* task for the Orange-Purple queue via batch when the violation period ends if Food Assistance is still *Active* when the batch runs.

## SCENARIOS:

1. Bob is a non-exempt ABAWD working 10 hours a week and currently receiving food assistance. He is referred to Mandatory E&T on October 1st. The Career Navigator schedules his first appointment for October 11th and sends notice.

Bob does not show up for his October 11th appointment. His Career Navigator can't reach him. On October 11th his Career Navigator sends an email to Non-Compliance Coordinator letting them know that Bob is not in cooperation with Mandatory E&T requirements.

On October 13th a letter requesting good cause is sent to Bob. He is given until October 23rd to provide good cause. On October 24th, the Non-Compliance Coordinator claims the case and sees that Bob has not provided good cause. While working the violation, the worker notices that Bob had a previous potential employment violation in 2018. This Food Assistance Violation must stack with potential employment violations, so this will be his 2nd violation. His food assistance will close November 30th. He will not be eligible for food assistance until May 1<sup>st</sup>.

2. Sheila is approved for food assistance on October 17th. She is a non-exempt ABAWD and is not employed. A referral is sent to the E&T on October 17th.

Sheila's Career Navigator schedules her assessment appointment for October 27th and sends notice. Sheila does not show up for her first appointment and does not call. Her Career Navigator can't reach her. On October 27th she sends an email to the Non-Compliance Coordinator letting them know Sheila is not in cooperation with Mandatory E&T requirements.

On October 31st the Non-Compliance Coordinator sends a letter requesting good cause to Sheila. She is given until November 10th to provide good cause. On November 8th Sheila calls DCF and leaves a message on the phone line that she forgot about the appointment. This is not a good cause excuse. The Non-Compliance Coordinator proceeds with the potential employment violation. Sheila's food assistance is closed November 30th. This is her first food assistance violation or potential employment violation, and Sheila will not be eligible for food assistance until March 1st.

On December 12th, Sheila reapplies for food assistance. The eligibility worker conducts the interview. Sheila is now working 20 hours a week. However, Sheila's food assistance violation is in effect until March 1st. Her food assistance is denied because she has not completed serving her food assistance violation.

3. Chris is approved for food assistance on November 1st. He is a non-exempt ABAWD and is not working. A referral is sent to the E&T on November 1st.

Chris's Career Navigator schedules an assessment appointment for November 14th and sends notice. Chris shows up for his first appointment. He agrees to volunteer for 15 hours a week at the food pantry and do 15 hours a week of job search. He agrees to send in verification that he has completed these activities by December 6th. On December 7th, Chris's Career Navigator sends an email letting the Non-Compliance Coordinator know that Chris has not turned in verification that he completed his activities and has not made contact.

On December 9th the Non-Compliance Coordinator sends a letter requesting verification of good cause for not cooperating with E&T.

On December 12th, Chris leaves a voicemail stating he hasn't been feeling well and hasn't been able to complete his activities. He doesn't give any additional information.

On December 14th, the Non-Compliance Coordinator hears the voicemail and is unsure if Chris has good cause. A notice requesting verification of his illness for good cause exemption is sent and gives him until December 24th to provide the information. On December 21st, Chris brings in a copy of a positive Covid test from November 20th. Chris is given good cause. An email is sent to his Career Navigator letting him know that good cause has been established.

On December 22nd Chris's Career Navigator schedules him for a new appointment on January 5th and sends notice of appointment.

4. Brandi is currently receiving food assistance. She has been receiving Unemployment Compensation and is an exempt ABAWD. On October 25th Brandi comes into the office to let eligibility know that her Unemployment income has ended. Eligibility Worker updates case and determines that Brandi is no longer an exempt ABAWD. Referral is made to E&T.

A Career Navigator gets the referral and schedules Brandi for an assessment appointment on November 8th and sends notice of appointment.

5. Tammy (46) is currently receiving food assistance for herself and her husband who is 52. She is meeting ABAWD criteria as she is currently working 40 hours per week. On November 2nd Tammy reports that her employer closed the store she was working at and moved her to a new store. Eligibility Worker verifies with Employer that she started working at new location 20 hours per week effective November 2nd. Eligibility worker updates income effective December. Tammy is no longer meeting Mandatory E&T work requirements. A referral is made to E&T program.

Tammy is scheduled for an assessment appointment on December 10th and a notice is sent. Tammy does not show up for her first appointment and does not call

her Career Navigator. The Career Navigator can't reach her and sends an email to the Non-Compliance Coordinator.

On December 12th, the Non-Compliance Coordinator sends Tammy a good cause notice and gives her until December 22nd to provide good cause.

On January 2nd, the Non-Compliance Coordinator claims the case. Tammy has not responded to the request for good cause. Tammy will become an excluded household member for food assistance effective February 1st. This is her first food assistance or potential employment violation. She is not eligible to receive food assistance until May 1st.

6. Steve applies for food assistance on October 25th. He is a non-exempt ABAWD. He states during the interview that he was working at a car dealership, however, he got into an argument with a co-worker on October 13th and walked out. Since the job quit occurred during the month of application and Steve does not have good cause for the job quit, this means Steve has failed potential employment requirements. Eligibility sends request for information for Steve to complete 20 job contacts due November 5<sup>th</sup>. Eligibility worker claims verification not received task on November 15th and Steve has not provided 20 job contacts. Eligibility Worker will add Potential Employment Violation non-compliance record and deny application.

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