

13.2 GENERAL SNAP WORK REQUIREMENTS AND EXEMPTIONS

All SNAP recipients are subject to a work requirement, unless exempt. There are 2 separate and distinct policies which define these work requirements and the exemptions from these requirements.

A. SNAP WORK REQUIREMENTS FOR NON-WV WORKS RECIPIENTS

The following work requirements apply to all SNAP recipients who:

- Do not receive and/or are disqualified from WV WORKS; or
- Do not receive WV WORKS, but do receive SNAP benefits in the same SNAP AG with WV WORKS recipients.

NOTE: Applications which qualify for Expedited Service may require special considerations in meeting work requirements. See Section 1.4.

NOTE: When an applicant is ineligible until he meets one of the following requirements, this period of ineligibility does not count as a penalty period.

1. Work Requirements

- Registration with WorkForce West Virginia. Details are in Section 13.5. Failure of an individual to register within the time limits found in Section 13.5, and each 12 months results in application of a penalty for not meeting the work requirement.
- The work requirements found in this section (item A only) also apply to ABAWDs. These work requirements are in addition to, rather than a substitution for, the ABAWD work requirements.

Work Requirements

- Voluntary Quit, including Voluntary Reduction in hours. Details are in Section 13.3. Not having voluntarily quit or reduced hours of employment is an eligibility requirement for non-exempt applicants, as well as a work requirement for non-exempt recipients. The applicant who takes either of these actions without good cause, is ineligible the month of application and 2 calendar months following the month of application or until he reports a change which makes him exempt from the SNAP work requirement, whichever is earlier. This 3-month-ineligibility period is not counted as one of the applicant's SNAP penalties.

Voluntarily quitting employment after becoming a recipient results in application of a SNAP penalty for failure to meet the work requirement. Neither an applicant nor a recipient may be required to return to the same or comparable employment before eligibility is reestablished. Work-requirement eligibility is reestablished at the end of the 3-month ineligibility period for applicants, or at the end of the appropriate penalty period for recipients, unless they report their exempt status earlier.

- Refusal of Employment. Details are in Section 13.5. Applicants who refuse an offer of employment are ineligible to be included in the AG until they accept employment, or until they report a change that makes them exempt from the SNAP work requirement, whichever is earlier. Refusal of employment by non-exempt recipients results in application of a penalty for failure to meet the work requirement.
- Providing Information about Employment Status and Job Availability. Details are in Section 13.5. Refusal to provide this information to WorkForce West Virginia and SNAP E&T results in ineligibility for the non-exempt individual. The applicant who fails to provide such information is ineligible until the information is provided or he reports a change that makes him exempt. A recipient's failure to supply this information results in application of a penalty for failure to provide information about employment and job availability.

2. Exemptions From SNAP Work Requirements

NOTE: The SNAP work requirements are waived for individuals who complete a joint SNAP/SSI application at the SSA office until SSI eligibility is determined. See Section 1.4.

Work Requirements

The following SNAP recipients are exempt from the SNAP work requirements and are not subject to a SNAP penalty for failure to comply.

When any recipient loses eligibility for an exemption, the Worker must determine if the client meets any other exemption criteria prior to imposing a penalty.

If the exemption is lost during the certification period and clients are not required to report the change, they become subject to SNAP work requirements at next recertification. However, if the client reports losing the exemption, they become subject to SNAP work requirements at the time the change is reported.

NOTE: See the last exemption listed below for recipients of WV WORKS who do not meet any other listed exemption.

- A person under age 16.
- A person age 16 or 17 who is not the SNAP payee or eRAPIDS primary person.

EXAMPLE: An AG consists of two 17 year olds. One is designated as the RAPIDS primary person and SNAP payee and is, therefore, subject to the work requirements, unless another exemption is met. The other AG member is exempt from the work requirements.

- A person age 16 or 17 who is attending school or enrolled in an employment training program on at least a half-time basis.
- A person enrolled at least half-time in any recognized school, recognized training program, or institution of higher education. If enrolled in an institution of higher education, the student must meet one of the exceptions to the restriction on student participation listed in Section 9.1. This exemption continues through normal periods of vacation, unless the person does not intend to register for the next term, excluding summer terms.
- A person age 60 or over.

Work Requirements

- A parent, or other member of the AG who has the responsibility for the care of a child under the age of 6, or of an incapacitated and/or disabled individual. The person receiving the care is not required to reside with the AG or be a member of the SNAP AG. Unborn children are not considered children under the age of 6.

Separate families included in the same AG may have one person from each family exempted. Separate families, not in the same AG, but living together, may also have one person from each family exempted.

EXAMPLE: Two sisters live together and are in the same AG. They each have two children under age 6. Both women may be exempt for caring for a child under age 6.

EXAMPLE: A man and woman apply for SNAP benefits. They have one child, age 5. The man receives RSDI based on his disability and is, therefore, exempt from the SNAP work requirements. He is, however, able to care for the child, so the mother is not exempt from the requirements.

- Individuals receiving UCI, as a result of registering with WorkForce West Virginia. This includes persons receiving benefits under the Trade Readjustment Act (TRA).

When a client reports the loss of UCI income, the Worker must evaluate the circumstances to determine if a penalty must be applied. A penalty is applied when the individual is exempt from SNAP work requirement due solely to the fact that the client was registered with WorkForce West Virginia, unless another exemption is met. Good cause for failure to comply with UCI requirements include all situations described in Section 13.3 for voluntarily quit.

If an individual's UCI benefits are suspended, he becomes subject to the SNAP work requirements when the change is reported, unless a SNAP penalty is applied, or unless exempt for some other reason.

Work Requirements

- Individuals who are physically or mentally unfit for employment. An individual who meets the definition of disability found in Section 12.15 is considered unfit for employment. Other individuals may be considered unfit for employment if it is verified through a written statement from a licensed medical professional or if it is obvious to the worker. An individual who meets the definition of unfit for employment, but not disability, should not be coded as disabled in the eligibility system.
- Regular participants in a drug addiction or alcoholic treatment and rehabilitation program, either on a resident or non-resident basis.
- Individuals who are employed or self-employed and working a minimum of 30 hours per week, or receiving weekly earnings equal to the federal minimum wage multiplied by 30 hours. When the client is employed or self-employed for at least 30 hours per week, no consideration is given to the amount earned.
- Individuals who receive WV WORKS and do not meet any of the other SNAP exemptions listed above, so long as they are subject to and complying with a WV WORKS work requirement. These individuals would be required to meet the SNAP work requirements if they did not receive WV WORKS. When an individual who is exempt only for this reason becomes exempt from WV WORKS work requirements, he is also considered exempt from SNAP work requirements. See Section 13.11 for the effect of a WV WORKS sanction on SNAP benefits.

B. SNAP WORK REQUIREMENTS FOR WV WORKS RECIPIENTS

The following requirements apply only to SNAP recipients who are also WV WORKS recipients. They do not apply to non-WV WORKS recipients who

Work Requirements

are included in the SNAP AG with WV WORKS recipients, or to individuals who would normally be included in the WV WORKS AG, but who have been disqualified or excluded by law. These individuals must meet the work requirements in item A,1 above, unless exempt, disqualified, or excluded by law from the SNAP Program.

1. Work Requirements

The SNAP work requirements for WV WORKS recipients are outlined in Sections 24.6 – 24.13. As long as an individual is subject to the WV WORKS work requirement and is meeting his work requirement, he is also meeting his SNAP work requirement.

2. Exemptions from SNAP Work Requirements

a. Individuals Exempt from WV WORKS Work Requirements

WV WORKS recipients who are temporarily exempt from meeting a WV WORKS work requirement, as found in Section 13.8, are also exempt from meeting the SNAP work requirements, as long as they receive cash assistance. These individuals are not subject to either a WV WORKS sanction or SNAP penalty for not complying with the work requirements when the individual meets a WV WORKS exemption found in Section 13.8 or a WV WORKS good cause requirement found in Section 13.10.

b. Individuals Exempt from SNAP Work Requirements

WV WORKS recipients who are subject to the WV WORKS work requirement, and who fail, without good cause, to meet a WV WORKS work requirement, are not subject to a SNAP penalty for not meeting the work requirement if they meet an exemption listed above in item Exemptions From SNAP Work Requirements.

NOTE: An individual who fails to meet a WV WORKS PRC requirement is not subject to a SNAP penalty unless that PRC requirement is directly related to one of the following WV WORKS work requirements found in Section 24.6 through 24.13.

- Employment (Unsubsidized and Subsidized)
- On-the-job Training (OJT)
- Job Search and Job Readiness Assistance (JR)
- Work Experience
- Community Service Programs (CS)
- Vocational Educational Training (VT) / College (CL)

Work Requirements

- Providing Child Care for a Community Service Participant (CC)
- Non-Core Work Activities

Other PRC requirements that may result in a WV WORKS sanction, but not a SNAP sanction, include but are not limited to, enumeration, immunizations and cooperation with BCSE.