

- The contract number will begin with the word CWEP. Each contract is assigned a 6-digit control number. The first 2 digits are the fiscal year; the second 2 digits are the county number. The last two digits are assigned sequentially beginning with 01.

EXAMPLE: CWEP-04-22-14 (CWEP contract negotiated in FY 2004 by Lincoln County, contract number 14).

- Contracts are completed in triplicate. One copy is distributed to each of the following: the sponsor, the client's case record, and the DFA Family Support Policy Unit.
- A detailed job description, form DFA-JD-1, Job Experience Description, must be attached to each contract for each position.
- All contracts are renegotiated annually. If the circumstances warrant it, a contract may be renegotiated earlier. Renewal (renegotiation) of CWEP contracts are completed using the CWEP Addendum/Renewal, DFA-CWEP-3A. Renewals are to be completed prior to July 1. In addition to the Addendum/Renewal, staff must have Job Experience Descriptions, DFA-JD-1, completed and signed by the sponsor if there are any new or changed job descriptions. These job descriptions must be attached to the Addendum/Renewal. It is not necessary to complete an entire contract, DFA-CWEP-3, on renewals. In addition, the fiscal year and contract sequence number does not change on renewed contracts. Placements must not be continued with a CWEP sponsor past June 30 if there is not a signed CWEP Addendum/Renewal contract with that sponsor. Contracts not negotiated within 90 days after the expiration date of the existing agreement require a new contract, DFA-CWEP-3.
- A contract may be terminated by either party with 30 days written notice.

4. Determining The Hours Of Participation

The Department of Labor (DOL) has mandated that the requirements of the Fair Labor Standards Act (FLSA) of 1938 be applied when determining the maximum hours of CWEP participation. The following procedure is used to determine the monthly maximum number of hours of participation. The monthly CWEP placement obligation is based on the amount of **SNAP** benefits and WV WORKS cash assistance a family is eligible to receive during a month.

NOTE: A CWEP Individual Participation Agreement, DFA-CWEP-1, must be completed as a condition of placement in a CWEP position. The original DFA-CWEP-1 is provided to the contractor, the second copy is placed in the participant's case record, and the bottom copy is given to the participant. The client must not work more hours for the CWEP sponsor, regardless of the amount calculated below. A new DFA-CWEP-1 is required to increase or decrease hours when the client's WV WORKS and/or **SNAP** benefits increase, decrease, or there is a change in the state or federal minimum wage used to calculate the number of participation hours assigned. In addition, a new DFA-WVW-FLSA-1 must be completed and filed in the client's case record.

NOTE: The minimum wage used for the calculation is the federal or state minimum wage, whichever is higher.

The maximum monthly participation obligation is based on the following process:

Step 1: Determine the amount of the WV WORKS benefit actually received by the AG, including the amount of the Child Support Incentive and any amount withheld from the check to repay a previous overpayment.

Step 2: Subtract the amount of current child support **retained** for the month by the Bureau for Child Support Enforcement (BCSE). Only current support payments are subtracted not arrearages or other payments. Use the amount of child support **retained** by BCSE 2 months prior to the month for which the obligation is calculated.

NOTE: Support service payments, EA, and payments other than the cash assistance check and Child Support Incentive which are made from TANF funds, are not added to the benefit amount when determining the obligation.

Step 3: Determine the amount of the AG's **SNAP** entitlement. This is the amount actually received by the AG, plus any amount withheld to repay a previous overissuance.

NOTE: When the WV WORKS recipients are included in the same **SNAP** AG with non-WV WORKS recipients, a separate calculation must be performed, as follows, to determine the share of the **SNAP** benefits that belongs to the WV WORKS recipients.

- Divide the **SNAP** allotment by the number of people in the **SNAP** AG.

- Multiply this amount by the number of people in the WV WORKS AG. Drop all cents. The result is the amount of **SNAP** benefits used to determine the obligation.

Step 4: Add the results of Steps 2 and 3 together and divide by the federal or state minimum wage, whichever is higher. This is the client's maximum monthly obligation. The resulting figure is rounded down to the nearest whole number.

EXAMPLE: The household consists of Mr. and Mrs. Smith and their 2 children. Mrs. Smith receives SSI and she is not included in the WV WORKS AG. When determining Mr. Smith's CWEP obligation, Mrs. Smith's portion of the **SNAP** benefits are not included. The family's total **SNAP** allotment is divided by the number of people in the **SNAP** AG and this amount is multiplied by the number of people in the WORKS AG. Drop all cents, and this amount is what is used to determine Mr. Smith's CWEP obligation.

\$542	Smith family's SNAP benefit
$\div 4$	Number of people in the SNAP AG
\$135.50	Individual SNAP allotment
$\times 3$	Number of people in the WV WORKS AG
\$406.50	(Drop all cents)
\$406	SNAP amount used to determine Mr. Smith's CWEP obligation

EXAMPLE:

Add the AG's monthly benefits of:

\$340	WV WORKS Benefit
$+\$399$	SNAP Benefit
$\$739 \div \$7.25 = 101.93 \text{ hours} = 101 \text{ participation obligation hours}$	

EXAMPLE:

\$384	WV WORKS Benefit
$+\$506$	SNAP Benefit
\$890	
$+ \$25$	CSI
\$915	Total
$-\$250$	Child Support Retained by BCSE
$\$665 \div \$7.25 = 91.72 \text{ hours} = 91 \text{ participation obligation hours}$	

Under no circumstances is the client required to participate more than 40 hours in one week.

5. Meeting The Minimum Core Hours in CWEP

The minimum required core hours of 20 (1-parent) or 30 hours per week (2-parent) are met if the calculation of the CWEP obligation hours (using the Conversion Chart) equals less than the minimum average requirement of 20 or 30 core hours per week. When this occurs, the Worker must assign additional core or non-core work activities not regulated by FLSA to meet the applicable minimum total of 30, 35, or 55 average participation hours per week.

EXAMPLE: The participant is required to complete 20 hours in a Core activity. The participant is assigned 15 hours/week in CWEP using FLSA calculations. On WPSC the assigned hours of 15 are entered for the work activity, CW, as well as the FL component. When the timesheet is received, actual hours are entered for the work activity, CW. The scheduled hours are re-entered for the FL component. If the participant completes the 15 hours as scheduled, he is deemed to be meeting his Core requirement.

NOTE: FL is not a work component, it is a RAPIDS reporting mechanism which indicates the point where the individual is deemed to be meeting his Core participation requirements based on the FL calculation. If the FLSA calculation is more than the required core hours, enter the required core hours under the FL component as scheduled hours. The hours scheduled in FL always equal the completed hours in FL.

EXAMPLE: In the same scenario as above, the participant is assigned 15 hours. He actually participates 12 hours **and has 12 hours of excused absence for the month. There were no holidays.** The following figures are entered on WPSC:

Component	Scheduled Hours	Completed Hours	Monthly Excused Hours	Monthly Holiday Hours
CW	15	12	12	--
FL	15	15	--	--

Because he did not complete the number of hours scheduled, he is not deemed to be meeting his Core requirement.

EXAMPLE: 1-parent household with children over age 6 for participation purposes:

\$340	WV WORKS Benefit
<u>+\$384</u>	SNAP Benefit
$\$724 \div \$7.25 = 99.86 \text{ hours} = 99 \text{ participation obligation hours}$	

To determine the weekly average hours, refer to the TANF Participation Hours chart on the DFA Intranet website.

Since the individual in this example is required to participate 30 hours per week, and the FLSA calculations only permits this individual to complete 23 hours per week, the participant must be assigned 23 hours per week in the CWEP activity and 7 additional hours in another activity not regulated by the FLSA, such as JT. **There were no excused absences or holidays.** The individual participates his required hours, the following figures are entered on WPSC:

Component	Scheduled Hours	Completed Hours	Monthly Excused Hours	Monthly Holiday Hours
CW	23	23	--	--
FL	20	20	--	--
JT	7	7	--	--

When the time sheet indicates the client participated the monthly assigned CWEP hours (including applicable excused absences and holidays) and this equals the required average hours per week, the Worker must record in CMIC that the required core activity hours are deemed to be met. When the actual weekly hours participated are less than required, the Worker must record in CMIC that the core hours are not deemed to be met. A full recording must be made each month indicating whether or not the required hours were met or deemed to be met.

NOTE: In all cases, the Worker must enter the actual hours participated in WPSC **as a weekly average. Federal holiday or excused absence hours must each be entered separately as a monthly total.**

6. Placement In DHHR Offices

The Supervisor to whom the CWEP participant is assigned is responsible for ensuring that the client understands and abides by all agency rules, regulations, and policy regarding confidentiality, security of records, information, and property. The Supervisor must provide an orientation which includes, at a minimum:

- What constitutes confidential information
- Penalties for Breach of confidentiality
- Discussion of public laws dealing with document integrity and penalties for altering, destroying, or concealing or making false statements.
- Responsibilities for maintaining program integrity

CWEP participants may not be assigned to work in areas which provide access to sensitive data as defined in the Common Chapters. These restrictions are as follows:

- May not be assigned to job duties that require face-to-face interaction with other agency clients
- May not handle documents that contain client information other than name, address, and benefit amount
- Not authorized to use computers to transmit data
- May not handle negotiables or be assigned duties in the financial area
- May not be involved in policy decisions
- May not type confidential memoranda, letters, or other communication, or provide direct service to other clients
- May not complete or process applications

Participants may be assigned to perform the following functions:

- Answer phones and take messages for staff
- Pull and re-file records
- Schedule appointments
- Prepare and review letters or any pre-printed notification letters
- Sort/distribute mail and file printouts
- Complete and maintain logs
- List scheduled appointments on staff calendars
- Prepare packets of training or orientation materials
- Schedule meetings and notify attendees of date, time, and location
- Alphabetize any loose filing
- Type routine form letters

DFA-J-3, on renewals. In addition, the fiscal year and contract sequence number does not change on renewed contracts. Under no circumstances will placements be continued with a JOIN sponsor past June 30 if there is not a signed JOIN Addendum/Renewal contract with that sponsor. Contracts not negotiated within 90 days after the expiration date of the existing agreement require a new contract, DFA-J-3.

4. Determining The Hours Of Participation

NOTE: A JOIN Individual Participation Agreement, DFA-J-1, must be completed as a condition of placement in a JOIN position. The original DFA-J-1 is provided to the JOIN sponsor, the second copy is placed in the participant's case record, and the bottom copy is given to the participant.

The client must not work more hours for the JOIN sponsor, regardless of the amount calculated below (see 24.9,2, sixth dash for hours worked in excess). A new DFA-J-1 is required to increase or decrease hours should the client's WV WORKS benefits increase or decrease, or if there is a change in the minimum wage.

NOTE: The minimum wage used for the calculation is the Federal or State minimum wage, whichever is higher.

The Department of Labor (DOL) has mandated that the requirements of the Fair Labor Standards Act of 1938 be applied when determining the maximum hours of participation. The following procedure is used to determine the weekly maximum number of hours of participation. The weekly JOIN placement obligation is based on the amount of **SNAP** benefits and WV WORKS cash assistance a family is eligible to receive during a month.

The maximum monthly participation obligation is calculated using the DFA-WVW-FLSA-1 and based on the following process:

- Step 1: Determine the amount of the WV WORKS check actually received by the benefit group, including the amount of the Child Support Incentive and any amount withheld from the check to repay a previous overpayment.
- Step 2: Subtract the amount of current child support **retained** for the month by the Bureau for Child Support Enforcement (BCSE). Only current support payments are subtracted, not arrearages or other payments. Use the amount of child support **retained** by BCSE 2 months prior to the month for which the obligation is calculated.

Support Service payments, EA, and payments other than the cash assistance check and Child Support Incentive which are made from TANF funds, are not added to the check amount when determining the obligation.

Step 3: Determine the amount of the AG's **SNAP** entitlement. This is the amount actually received by the AG, plus any amount withheld to repay a previous over-issuance.

NOTE: When the WV WORKS recipients are included in the same **SNAP** benefit group with non-WV WORKS recipients, a separate calculation must be performed, as follows, to determine the share of the **SNAP** benefits that belongs to the WV WORKS recipients.

- Divide the **SNAP** allotment by the number of people in the **SNAP** AG.
- Multiply this amount by the number of people in the WV WORKS AG. Drop all cents. The result is the amount of **SNAP** benefits used to determine the obligation.

Step 4: Add the results of Steps 2 and 3 together and divide by the federal or state minimum wage, whichever is higher. This is the client's maximum monthly obligation. The resulting figure is rounded down to the nearest whole number.

NOTE: There may be some fluctuation in the number of hours worked each week to meet the requirements of the contractor. This is acceptable as long as the total number of hours per month is met.

EXAMPLE:

Add the AG's monthly benefits of:

\$340	WV WORKS Benefit
<u>+\$399</u>	SNAP Benefit
$\$739 \div \$7.25 = 101.93 \text{ hours} = 101 \text{ participation}$	
	obligation hours

EXAMPLE:

\$384	WV WORKS Benefit
<u>+\$506</u>	SNAP Benefit
\$890	
<u>+ \$25</u>	CSI
\$915	Total
<u>- \$250</u>	Child Support Retained by BCSE
$\$665 \div \$7.25 = 91.72 \text{ hours} = 91 \text{ participation obligation hours}$	

Under no circumstances is the client required to participate more than 40 hours in one week.

5. Meeting The Minimum Core Hours In JOIN

The policy for meeting the minimum core hours of participation for JOIN is the same as listed in Section 24.9,A, Item 5 under CWEP.

C. OTHER WORK EXPERIENCE PROGRAMS (WE)

This would include any other Work Experience programs offered in the community. Programs offered by other agencies must be submitted to the DFA Family Support Policy Unit for review and approval to ensure they meet all requirements for the Work Experience component.

The policy for meeting the minimum core hours of participation is the same as listed under CWEP and JOIN.