

NOTE: If he meets all eligibility requirements, an employed, non-recipient Work-Eligible Individual who was living with a child who was receiving assistance is also eligible to choose one of these employment support options. These services, support payments, and employment assistance are handled in the same manner as for former recipients who were included in the WV WORKS AG.

EXAMPLE: Mr. Johnson has been living in a WV WORKS AG since July 2005. The AG includes his wife and 2 children. He is not included in the AG due to a drug felony conviction in 2001. Mr. Johnson found employment in January 2008 and the WV WORKS AG is closed. Because Mr. Johnson was a non-recipient Work Eligible Individual in the household, the family is eligible for and may choose either of the 6-month employment support options. The eligibility period extends from February 2008 through July 2008, if they meet all other eligibility requirements.

EXAMPLE: A child-only WV WORKS AG is closed effective February due to the new earnings of the mother. The mother was not included in the AG because she is an SSI recipient. Even though she is employed, she is not eligible for either employment support option because she was neither included in the AG nor a non-recipient Work Eligible Individual in the household.

NOTE: An individual who was in a PL period as of January 1, 2008, may be eligible for PL payments through the end of their 6-month period if he becomes employed during that period.

A. ELIGIBILITY REQUIREMENTS FOR EMPLOYMENT SUPPORT OPTIONS

Individuals who meet all of the following requirements may choose a post employment option:

- Gross family income is 150% or less of the current FPL; and
- The family resides in West Virginia; and
- One adult in the family, who lives in the household, meets all of the following requirements:

- Is employed ,

For the EAP, this must be full-time employment defined **for a 1-parent family as 128 hours or more per month or 85 hours** for a single parent with a child under 6; **and defined for a 2-parent family as 150 hours or more per month or 236 hours when the family receives federally funded child care. For a 2-parent household, the hours required may be met by combining the work hours of both parents.**

- Due to employment, the AG exceeds the program income limit or requested the benefit be closed due to employment;

WV WORKS Activities/Requirements

- Received a monthly WV WORKS benefit, not solely a DCA payment, as a Work-Eligible Individual or was in the household as a non-recipient Work-Eligible Individual; and
- Has a dependent child in the home. Dependent child is defined in the WV WORKS parts of Sections 15.2,A,C and D.

EXAMPLE: A woman receives WV WORKS for herself and her 2 children. She marries a man who is employed and his earnings close the case effective April. The 6-consecutive-month period begins on May 1st and ends October 31st. In August the family requests support services to fix the husband's car. Even though the family is within the 6-month period, the request must be denied. The household is not eligible for either of the employment support options because the working adult has not received a WV WORKS benefit.

EXAMPLE: A man has been receiving WV WORKS for himself and 2 children. He acquires some equipment and begins his own lawn service. He begins receiving income from his business and requests that his benefits be closed. He reports his weekly income and the Worker determines that he is working the equivalent of 15 hours per week. Since he is a single parent with a child under 6, he must be working at least 20 hours to qualify for EAP, but he is still eligible to receive support services through the support services option after he signs the DFA-WVW-15.

EXAMPLE: The parent in a WV WORKS AG reports employment and requests that her WV WORKS benefits close. She signs the DFA-WVW-15 and chooses the EAP. She is currently in the 1st month of a 2nd sanction so her benefits had been reduced by two-thirds. Even though she has gone to work, she must complete her sanction period so her EAP benefits are reduced by two-thirds for the 1st 2 months. When the sanction period is completed, the EAP benefits will be increased to the original grant amount based on the 100% earned income disregard.

EXAMPLE: A husband and wife receive WV WORKS for their 4 children. The 16-year-old child quits school and moves out on his own effective October. He starts working at a fast-food restaurant in October and requests support services to help maintain his employment. Even though he is within the time frame for receipt of employment support services and is working, he is ineligible for either program because he was not included in the AG as an adult and there is no dependent child living with him.

EXAMPLE: A woman receives WV WORKS for herself and her 2 children. She is working part-time and marries a man who is working full-time. Counting his income makes the AG ineligible for WV WORKS effective November. She signs the DFA-WVW-15 and opts to receive employment support payments. The 6-consecutive-month period begins December 1st and continues through May 31st.

In February, the husband has a wreck and they request support services to repair the vehicle. He meets all of the requirements except that he was not a WV WORKS recipient. However, because the wife was working and was a Work-Eligible Individual, she meets all of the requirements, so the family qualifies for support services to repair his vehicle.

The Worker must provide a narrative explanation of the reason the payment is denied, in terms that are easily understood by the client.

EXAMPLE: A non-recipient Work-Eligible Individual's family last received a WV WORKS check in January and applies for payment for vehicle repairs in August.

The Worker includes the following statement in the letter: Your last WV WORKS check was for January _____. Payments may be made to former WV WORKS recipients for only 6 months after the last check. Since you applied for the payment in August _____, you are not eligible to receive this payment. Your eligibility for these payments ended in July.

EXAMPLE: A former recipient last received a WV WORKS check 4 months ago. Five months ago his youngest child had his 19th birthday. The Worker includes the following statement in the letter: Our records show that Andrew is your youngest child and that he turned 19 on _____. Since he is now an adult, you do not meet the requirement of having a dependent child in your home.

Under no circumstances is it correct to give or mail a DFA-WVW-NL-3 to a client without a narrative Worker-composed explanation of the reason for the denial.

The DFA-WVW-NL-3 offers the client the right to a Fair Hearing on this denial and must be mailed or given to the client with a Hearing request form.

NOTE: Continued support service payments are made to those who exhaust 60 months receipt of cash assistance if an adult in the household was employed during the 60th month of receipt and they otherwise meet the qualifications in this section.

D. EMPLOYMENT ASSISTANCE PROGRAM (EAP)

The Employment Assistance Program allows the employed former WV WORKS recipient to continue to receive cash assistance benefits through a 100% earned income disregard for the 6-month period following WV WORKS closure. **Child support must continue to be redirected while receiving the EAP payment.**

The Worker must explain that EAP payments count against the 60-month time limit for receiving WV WORKS and the effect of the EAP on other benefits the family may receive. The Worker must note in CMIC this is the option that the individual has chosen, and place the DFA-WVW-15 form in the case record. The family may decide at any time during the 6-consecutive-month period that they no longer wish to receive the EAP payment, but may not chose to receive PL services instead. Once the EAP is discontinued, no additional EAP may be issued unless the individual is found eligible for a new 6-month period. Families

choosing this option are not eligible for support service payments, with the exception of car repairs, during the 6-month period. They may still receive bonuses.

EXCEPTION: When a participant's hours are reduced by the employer to below what is required for EAP, the participant may receive PL services for the remainder of his original 6-month period only when the following conditions are met:

- He remains over income for WV WORKS benefits; and
- His hours were reduced through no fault of his own.

NOTE: Any participant who is currently enrolled in the PL component for January 2008 cannot move to the EAP for the remainder of his 6-month period. The EAP is only available for closures occurring in January 2008 or after.

1. Projecting Hours Of Participation In The EAP

The hours of participation for participants in the EAP may be projected for up to 6 months. The number of hours projected are based on the 30 days of pay stubs or signed wage statements from the employer. These hours may be used to project the participant's hours for up to the 6-month limit, unless the Worker becomes aware of a change or the participant reports a change in circumstances that requires recalculation. The pay stubs or wage statements must be from the preceding 30-day period and may include hours for which the individual was paid, but did not work, including paid leave and paid holidays. If the wage statements/pay stubs available are not representative of continuing circumstances, the actual hours must be reported each month by using a time sheet, employer's statement, or pay stubs and participation hours are not projected. See Section 10.24,A for WV WORKS budgeting methods.

EXAMPLE: Ms. Jones has been receiving WV WORKS for 15 months and obtains employment and requests that her WV WORKS benefits be closed for February. The Worker receives an employer's statement that Ms. Jones is expected to work 30 hours/week at \$6.50/hour. She chooses to receive the EAP and signs the DFA-WVW-15. The Case Manager enters 30 hours weekly on WPSC in the FU component for each of the 6 months that Ms. Jones remains in the EAP. She is also entered into the EA component and her participation hours are also entered in this component. Any car repair payments are issued through the EA component.

2. Calculating the EAP Benefit Amount

The amount of child support pass-through is excluded as unearned income for EAP. See Section 10.24,B,2.

- Step 1: Add the non-excluded unearned income of the AG and any disqualified person(s). The resulting amount is the countable income.
- Step 2: Determine the maximum WV WORKS benefit amount for the AG size, using Appendix A.
- Step 3: If the amount arrived at in Step 1 equals or exceeds the amount in Step 2, the AG is ineligible. If the amount arrived at in Step 1 is less than the amount in Step 2, the AG is income eligible and the amount from Step 1 is subtracted from the amount in Step 2.
- Step 4: Subtract any repayment amount from the amount remaining. This amount is found on EAWG in RAPIDS. The result is the EAP benefit amount. The Worker must send an e-mail to the Repayment Investigator for his county so that the repayment amount will be credited to the participant's account.

EXAMPLE: Mr. Smith was eligible for a WV WORKS payment of \$340, but was receiving a payment of \$306 due to a repayment amount of \$34 shown on EAWG. When calculating his EAP benefit amount, \$34 is subtracted in Step 4 and an e-mail is sent to the Repayment Investigator for that county.

A RAPIDS Work-Around, PRD 40, must be followed when the participant requested to receive EAP payments. This workaround may be found on the RAPIDS website.

NOTE: This program is not available to participants who will reach their 60-month time limit within the 6-month period of eligibility.

E. WORK PROGRAMS CODING

During a 6-month continuation of support services and payments period, individuals are enrolled in Work Programs component PL.

During the 6-consecutive-month period for the EAP the participant must be placed in Work Programs component for full-time unsubsidized employment, FU. See Section 24.6, A. He must also be placed in the EA component for vehicle repair payment processing and tracking purposes.

If the WV WORKS case is reopened prior to the end of this 6-month period, the component code is changed to the appropriate work component.

In a two-parent household, both Work-Eligible Individuals must be placed in the same post-employment option component.

F. APPROVAL OF SUPPORT SERVICES PAYMENTS

With the exception of vehicle repair, no support service payments are made to individuals who choose the EAP. Up to the limit of \$1,500 in vehicle repair may be made to individuals who chose the EAP as long as all other requirements in Section 24.14 C,9 are met. The car repair payment, RC, paid through the EA component is a different payment than that used for WV WORKS support payments or PL payments, CR, and is available even when the AG has used the vehicle repair lifetime limit. See Section 24.14,C,9.

EXAMPLE: Mr. and Mrs. Smith choose to receive the EAP. They have requested vehicle repair and submitted an estimate for \$500 for tires and an alignment. The Worker checks IQWH for support payment disbursement history for each of their PINs and notes they have previously used their lifetime limit for vehicle repair. Because they have chosen the EAP, they are approved for payment of the \$500 and have an additional \$1,000 available for future vehicle repair needs while in EAP.

EAP support service payments for vehicle repair must be approved by a Family Support Supervisor or a person designated to complete supervisory functions in RAPIDS (back-up Supervisor) using screen BIAP in RAPIDS. All PL support service payments, except transportation, must be approved by a Family Support Supervisor or a person designated to complete supervisory functions in RAPIDS (back-up Supervisor) using screen BIAP in RAPIDS. Supervisors and back-up Supervisors cannot approve support payments which they have entered into the system themselves. A back-up Supervisor may not approve payments entered by a Supervisor. Payments entered by a Supervisor must be approved by another Supervisor. Each Supervisor, back-up Supervisor, or Worker may cancel his own payment requests on RAPIDS screen BICQ. If a Family Support Supervisor must cancel a support payment for a Worker, other than his own, he must use BIAP.