

- 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, **CSI and pass-through payments** 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.

WV WORKS Activities / Requirements

- 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 #1: 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

Add the AG's monthly benefits of:

\$340	WV WORKS Benefit
+\$406	SNAP Benefit Used
\$746 \div \$7.25 = 102.89 hours = 102 participation obligation hours	

EXAMPLE #2:

\$384	WV WORKS Benefit
+\$506	SNAP Benefit
\$890	
+ \$225	CSI and Pass-through
\$1,115	Total
- \$50	Child Support Retained by BCSE
\$1,065 \div \$7.25 = 146.90 hours = 146 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

	Single Parent Child Under Age 6		All Family Household		Two-Parent Household		Two-Parent Household Receiving Federal Day Care	
	Minimum Monthly Hours	Average Weekly Hours	Minimum Monthly Hours	Average Weekly Hours	Minimum Monthly Hours	Average Weekly Hours	Minimum Monthly Hours	Average Weekly Hours
Core Hour Requirement	78	20	78	20	118	30	198	50
Non-Paid work Components: Participation Requirements AB, CL, CC, CS, CW, ED, HS, JN, JR, JT, VT, WE	78	20	118	30	138	35	218	50

The minimum monthly required core hours of 78 (1-parent) and 118 or 198 hours/month (2-parent) are met if the calculation of the CWEP obligation hours equals less than the minimum average core hours requirement. 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 118, 138, or 218 average participation hours/month.

EXAMPLE: The participant is required to complete 78 hours in a Core activity. The participant is assigned 67 hours monthly in CWEP using FLSA calculations. On WPSC the assigned monthly hours of 67 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 67 hours as scheduled, he is deemed to be meeting his Core requirement.

The job description(s) must include the following items:

- Job title
- Minimum educational level required for the position
- Weekly work schedule
- Special licenses required
- Special physical requirements
- Tools required
- Description of the job duties and responsibilities
- Special safety concerns or hazardous conditions
- Name of the supervisor
- Name of the individual responsible for evaluations and time sheets

WV WORKS staff must monitor each placement to ensure that the contractor is in compliance with the contract. Any contract may be canceled with 30-days notice when the contractor does not comply. Any contractor who shows a pattern of non-compliance may be denied future contracts. Renewal (renegotiation) of JOIN contracts are completed using the JOIN Addendum/Renewal form, DFA-J-3A. These renewals are to be completed prior to July 1 or the new state fiscal year. 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, which must be attached to the Addendum/Renewal. It is not necessary to complete an entire contract, 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 monthly maximum number of hours of participation. The monthly 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 (CSI) 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, CSI, **and pass-through payment** 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>+ \$75</u>	CSI and Pass-through
\$965	Total
<u>- \$250</u>	Child Support Retained by BCSE
$\\$715 \div \\$7.25 = 98.63 \text{ hours} = 98 \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.