

13.9 WV WORKS SANCTIONS

When a member of the AG or non-recipient Work-Eligible Individual does not comply with requirements found on his PRC or SSP, a sanction must be imposed unless the Worker determines that good cause exists. Information about development of the SSP is found in Chapter 24. Information about the PRC and SSP as an eligibility requirement is found in Chapter 1.

NOTE: When the person whose actions cause a sanction to be imposed becomes an SSI recipient prior to imposition of the sanction, no sanction is imposed. In addition, the offense is not counted when determining the level of subsequent sanctions. If the family has already been sanctioned when the offender becomes an SSI recipient, the sanction is lifted as soon as possible considering RAPIDS deadlines. The partial sanction already served counts when determining the level of the subsequent sanctions.

NOTE: If a disabled client chooses to participate, no sanction is imposed for failing to meet the work requirements if the Worker or Supervisor determines the participant failed to meet the SSP requirements due to his disability. WV WORKS participants who have a documented disability must be placed in the AD component in Work Programs in addition to other component codes.

A. DEFINITION OF SANCTION

NOTE: Once a sanction has been imposed, it cannot be stopped until the appropriate time has elapsed.

WV WORKS sanctions do not require supervisory approval.

Sanctions are applied in the form of benefit reductions and, for the 3rd or subsequent offense, termination of benefits. The amount of the benefit reduction is a fixed amount and is determined as follows:

1st Offense = 1/3 reduction in the benefit amount, prior to recoupment, that the AG is currently eligible to receive, for 3 months

2nd Offense = 2/3 reduction in the benefit amount, prior to recoupment, that the AG is currently eligible to receive, for 3 months. If the case is in a 1/3 reduction when the 2nd sanction is applied, the 2/3 reduction is applied to the benefit amount the client would be eligible to receive, prior to recoupment; if it was not already reduced by 1/3.

3rd and All Subsequent Offenses = Ineligibility for cash assistance for 3 months.

NOTE: See item C below for information about the mandatory home visit after imposition of the 2nd sanction.