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Form WT-34			Form OFS-TA-34		1/2000
Form EIP-1a		Obsolete			
Form EIP-JD1		Obsolete			
DATE: JANUARY, 2000 TO: ALL INCOME MAINTENANCE MANUAL HOLDERS					

This change is being made to correct and clarify some of the policy in this Chapter and to put into effect changes made in the TANF State Plan. Changes were made as follows:

1. Section 24.1-The examples were further clarified and a statement was added to the last paragraph about WP in RAPIDS. Because there are many cases being referred to WP, but some are not being enrolled, we thought some Workers might think that referral is the same thing as enrollment. It is not. There is procedure in WP that Workers must complete in order to enroll the client.
2. 24.3-One-parent and two-parent families have been redefined.
3. 24.3,C-Changes were made to the first paragraph of the Section.
4. 24.4,G,2,a(1)(a)-Clarification was added to show that the poor work history requirement is in unsubsidized employment.
5. 24.4.,G,2,b(1)(a)-Two clarifications were added.
6. 24.5-Changes were made to correspond to the changes in Section

24.3. Also, a note was added to inform the Worker that hours of participation are to be recorded in WP for the month the client actually participated at that level.

7. 24.7,B-The minimum number of EIP hours has been reduced from 35 to 30. This is to allow 1-parent families to participate in EIP. Contracts may still be completed for other families of more than 30 hours, but no more than 40 hours.
8. 24.8,E-Completion of a CWEP-1 was made a condition of CWEP participation.
9. 24.10,C-A correction was made so that a client may not meet his work requirement by providing care to his own child when he is the custodial parent of the child.
10. 24.11-Clarification was added so that the client may be placed in job search even though it does not meet his participation requirement.
11. 24.14,A-Clarification was added to explain that self-employed clients are WP vendors for themselves.
12. 24.14,B-Support service payment levels have increased. In addition some restrictions were removed and some were changed. Daily rates for private transportation have increased. The cost of driver's education has been added to Vehicle Repairs as a legitimate expense.
13. Typographical errors were corrected as found and some terminology changes not affecting the policy were made.
14. Missing text was replaced on page 56 of Chapter 11.
15. Chapter 10 was updated to show the new amount of the WVW earned income disregard of 60%. Also, Appendix G was removed because the new disregard amount will be the actual check amount minus 60%. Form IM-WVW-1 has been revised to reflect this change and has been renumbered as the OFS-WVW-1. When you receive an initial supply of the new form, destroy all the old ones.
16. The WT-EIP-1 has been changed to the OFS-EIP-1 and has been revised. Thanks to Leslie Ventura in the WV WORKS Unit of OFS for providing the draft changes to us for review. With this revision, the EIP-1a and the EIP-JD-1 are obsolete. In addition, Leslie provided us with draft changes to the WT-34, which is now the OFS-TA-34. Appendix C of Chapter 24 now contains the instructions for completion of the OFS-EIP-1, again provided by Leslie. When you receive an initial supply of the new form, destroy all the old ones.
17. The WVW orientation form has been revised and renumbered as the OFS-WVW-4. When you receive an initial supply of the new form, destroy the old ones.
18. The requirement to offer domestic violence assistance was added as item H, Section 24.4.

19. Section 24.16 has been entirely rewritten. There is no longer a 90-day limit for providing continued services to those who lose WVW eligibility. There is no time limit. Instead, any former WV WORKS family with gross income at or below 185% of the current FPL qualifies for services indefinitely. A new support service was added to Section 24.16. WVW recipients do not qualify for this payment, so it was not included with the other payments. It is payment for health insurance coverage for the worker or the worker and spouse. The eligibility requirements are listed in this Section. **Recipients continue to qualify for all support services, but not for payment of health insurance premiums. Former recipients are eligible for all support services and for payment of the health insurance premiums.**
20. Section 24.5 has been entirely rewritten. It shows the same general list of activities. However, it now also shows which activities must be used for the majority of the hours of participation according to the minimum number of hours required, i.e., 25, 35 or 55. The requirement for some families to meet a 55-hour requirement was added.
21. Section 24.10,D now shows limitations on the use of job readiness to meet the participation requirement.
22. Section 24.10,C- Information about Support Service payments that are limited to one payment only was removed because there are no longer any such payments.
23. New Section 24.4,I was added to provide referral instructions for the new pre-employment vision and dental services which begin 1/2000. The Worker's role is limited to OMCH referral only, using form OFS-R-1. NCR forms will be distributed when printed. In the meantime, make enough copies of the attached form to ensure that all those involved receive a copy. The distribution is printed on the form. As soon as the provider list is made available to us from OMCH, it will be shared with you.

RAPIDS Instructions

RAPIDS Reference Tables TWCS and TWCX for Work Programs Components and Support Payments will be updated at the end of December to reflect the changes contained in this release.

A new component of 'PL'-Poverty Level Follow-Up, and a new payment of 'HI'-Health Insurance have been created to support the policy in section 24.16.

WorkAround WW-43 should be used to re-enroll former recipients, or recipients disenrolled in error. Once re-enrollment is completed the appropriated Work Programs Support Payments can be issued.

Thanks to the following people who contributed toward these changes:

George Thomas, who gathered comments from the WV WORKS Unit and attended the policy reviews; Tom Glass, who was responsible for completing the TANF State Plan so that many of these changes could be made; and Cecilia Matheny and the staff of RAPIDS who assisted with system changes and testing.

Questions should be directed to the OFS Policy Unit.

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Projected income is determined as follows.

Step 1: See above.

Step 2: See above.

Step 3: Earnings of $\$700 \div 4 = \175 average.
UCI of $\$150 \div 2 = \75 average.
Earnings of $\$1200 \div 12 = \100 average.

Step 4: Weekly earnings of $\$175 \times 4.3 = \752.50
converted.
Biweekly UCI of $\$75 \times 2.15 = \161.25 converted.
Annual contract earnings = $\$100$ converted.

Step 5: $\$752.50$
 $+100.00$
 $\$852.50$ Projected monthly earned income

Step 6: $\$161.25$ Projected monthly unearned income

B. INCOME DISREGARDS AND DEDUCTIONS

The following disregards and deductions are applied to income.

1. Earned Income

If new employment is not reported, without good cause, within 10 days of the date an AG member or disqualified person begins the employment, the earned income disregards and deductions are not applied to any month's income for which earnings were not reported. These same disregards and deductions are not applied to any earnings received during the time the employment is unreported. In addition, when new employment is not reported, as required by the PRC, the appropriate sanction is applied. See Chapter 13.

a. Earned Income Disregard

The gross earned income of all AG members is reduced by 60%. The remaining amount is the countable earned income.

b. Dependent Care Deduction

When the employed benefit group member or disqualified person must pay for dependent child or incapacitated adult care to accept or continue employment or training, a deduction from income must be allowed. The amount must be allowed, as paid, up to the maximum amounts shown below. The maximum amounts are based on the age of the dependent and are the maximum allowed for each dependent. The dependent need not be receiving WV WORKS for the deduction to apply.

AGE OF DEPENDENT	MAXIMUM MONTHLY DEDUCTION
Under Age 2	\$200
Age 2 or Over	\$175

Only payments made from the person's own funds are deductible. Clients with these expenses must be offered a referral to the Office of Social Services for help in meeting these expenses. However, there is no penalty for failure to accept these services.

2. Unearned Income

The only unearned income disregard or deduction is the first \$50 of child support received. This is the Child Support Incentive.

Special consideration must be given to applicants as follows.

If the client is receiving child support payments at the time of application, and the application is approved, it may not be possible or practical for him to redirect the support payment received during the effective month of approval. It is also possible that the child support, which has already been redirected to BCSE, has been released to the client. In these situations, the first \$50 is disregarded and the remainder is counted as income.

The client is not considered out of compliance with the redirection requirement if he fails to redirect when:

- The child support payment is received during the effective month of approval of the application. The Worker considers the unredirected child support payment in excess of \$50 as income only in the month of application.
- It is the initial child support payment that is received by a recipient. The overpayment is recovered through the BCSE repayment process and the child support payment is not counted as income.

All child support must be redirected, unless only a DCA payment is received.

C. DETERMINING ELIGIBILITY AND BENEFIT LEVEL

NOTE: See Section 2.17,D for the procedure used to determine an individual's portion of a cash assistance check when requested by SSA for an SSI recipient.

To determine eligibility for a DCA payment, see Chapter 1. Countable income is used to determine eligibility only. It is not used to determine the amount of the DCA payment.

NOTE: The income of the disqualified person(s) is included in determining the amount of income available to the benefit group. However, the needs of the disqualified person(s) are not considered in any step of the eligibility determination process.

NOTE: The earned income of a child or parent, under age 18, who is enrolled in secondary school or a program for a GED, is disregarded at all steps of the eligibility determination process.

1. Determining Eligibility - 100% of Need Test

The benefit group is ineligible in any month that its non-excluded monthly gross income exceeds 100% of the Standard of Need. The test is applied as follows:

Step 1: Add together the total non-excluded gross earned income, the gross profit from self-employment and the non-excluded gross unearned income of the benefit group and any disqualified person(s).

Step 2: Determine the 100% of Need amount in Appendix A of this Chapter for the appropriate benefit group size, excluding the disqualified person(s).

Step 3: If the amount in Step 1 is greater than the amount in Step 2, the benefit group is ineligible.

Step 4: If the amount in Step 1 is equal to or less than the amount in Step 2, the benefit group is eligible for further determinations.

2. Benefit Reductions and Incentives

a. Non-Benefit Group Member(s) or Non-Disqualified Individual(s) Living With The Benefit Group - Benefit Reduction

When an adult(s) or foster child(ren), who is not a benefit group member or disqualified individual, lives in the home with the benefit group, regardless of the relationship to benefit group members or the disqualified person(s), the benefit amount is reduced by 25%.

In the following living situations, the benefit is not reduced:

- A child(ren) who is not a foster child(ren) and who is not required to be in the benefit group lives in the home.
- A child(ren) lives with a non-parent caretaker relative and the caretaker chooses not to be included in the benefit group. This applies regardless of the number of adults in the home.
- An mp lives with a legal guardian; an adult relative, other than a parent; or an unrelated adult who is not eligible to be included or chooses not to be included in the benefit group.
- An mp lives in a group setting because she cannot live with a parent.

- Residents of homeless or domestic violence shelters or rehabilitation or treatment centers where the family of the patient is allowed to reside.
- An individual who would otherwise be included, but is excluded by law, lives with the benefit group. These are as follows:
 - Individuals who cannot be included in the benefit group because they have been convicted in federal or state court of having made a fraudulent statement or representation about residence to receive TANF, WV WORKS, Medicaid, Food Stamps or SSI.
 - Individuals who cannot be included in the benefit group because they are fleeing to avoid prosecution, or custody/confinement after conviction, for a felony or an attempt to commit a felony.
 - Individuals who cannot be included in the benefit group because they are violating a condition of probation or parole which was imposed under federal or state law.
 - Individuals who cannot be included in the benefit group because they have been convicted on or after 8/23/96 of a felony under federal or state law when the offense involves the possession, use or distribution of a controlled substance, as defined in Section 102(6) of the Controlled Substance Act.
 - Parent(s) disqualified for failure to report that child is or will be absent from the home for more than 30 days.

NOTE: The reduction is applied to the benefit amount after all disregards and deductions are applied to income. The reduction is never more than 25%, regardless of the number of non-benefit group members living in the home.

The reduction is effective at application or the month following the month in which the person(s)

begins to live with the benefit group. Advance notice requirements apply.

b. Benefit Group Includes Legally Married Parent(s)
- Marriage Incentive

A 10% benefit increase is provided to any WV WORKS family when the benefit group includes a man and woman who are legally married to each other and the dependent child(ren) of one or both. The marriage incentive is 10% of the calculated benefit amount for the family. It is determined after all applicable disregards and deductions are applied to income and after all applicable reductions are applied. The incentive amount is then added to the calculated benefit amount. See Chapter 4 for verification requirements for the incentive.

NOTE: The incentive is applicable, even when the family is eligible for the maximum WV WORKS payment.

For applicants, the incentive is effective at approval. For recipients, the incentive amount is added effective the month following the month in which the marriage is verified. If the couple separates or divorces while receiving WV WORKS with the incentive, the incentive is removed. Adverse action notice requirements apply.

c. Child Support Incentive

See item B,2 above.

3. Determining Countable Income

Once the 100% of Need test is met, the following steps are taken.

Step 1: Add together the non-excluded gross earned income of the benefit group and any disqualified person(s).

Step 2: Subtract the Earned Income Disregard, i.e., 60% of earnings.

Step 3: Subtract the Dependent Care Deduction for each person who pays dependent care.

- Step 4: Add the non-excluded unearned income of the benefit group and any disqualified person(s). The resulting amount is the countable income.
- Step 5: Determine the maximum WV WORKS check amount for the benefit group size, using Appendix A.
- Step 6: If the amount arrived at in Step 4 equals or exceeds the amount in Step 5, the case is ineligible. If the amount arrived at in Step 4 is less than the amount in Step 5, the case is income eligible and the amount from Step 4 is subtracted from the amount in Step 5.
- Step 7: If the 25% reduction is applicable, multiply the amount in Step 6 by .25 and drop any cents, or use Appendix F of this Chapter. Subtract this amount from the Step 6 amount.
- Step 8: If the Marriage Incentive is applicable, multiply the amount from Step 7 by .1 and drop any cents. Add this amount to the Step 7 amount.
- Step 9: If a sanction is applicable, multiply the Step 8 amount by .3333 (1/3) or .6666 (2/3) and drop any cents, or use Appendix F. Subtract this amount from the Step 8 amount.
- Step 10: Subtract any repayment amount from the amount remaining after Step 9.
- Step 11: Add any special needs amount to the Step 10 amount. The result is the WV WORKS check amount.

D. SPECIAL SITUATIONS

1. Categorical Eligibility

Food Stamp Categorical Eligibility has no bearing on the WV WORKS check or how the check is issued.

2. Expedited Service

The Food Stamp requirement of Expedited Service has no bearing on the WV WORKS check or how the check is issued.

3. Destitute Benefit Groups

The Food Stamp requirement of Destitute Benefit Groups has no bearing on the WV WORKS check or how the check is issued.

4. Self-Employment Income

When the benefit group member or disqualified individual(s) receives self-employment income, the instructions below must be used to arrive at the gross profit which is used to calculate countable income. This is determined by subtracting allowable business expenses from the gross income.

a. Determining Gross Income

The method used to determine monthly gross income from self-employment varies with the nature of the enterprise. It is necessary to determine which of the following types of self-employment applies to the client's situation. Once the pattern of self-employment is determined, this is used to determine how the income is counted.

(1) Persons Receiving Regular Income

These persons receive income on a more or less regular schedule (weekly, monthly, etc.), or receive a specific amount from the business each week or month and/or receive the balance of profit from the enterprise at the end of the business year.

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6. Low Profit From The Sale of An Asset

In addition to assets which may be considered inaccessible according to the provisions in item 3 above, an asset which meets one of the following criteria is considered inaccessible and is, therefore, excluded because it cannot be sold for a significant return.

- The asset has an expected sale price of less than one half of the benefit group's applicable asset limit; or
- The cost of selling the asset will likely result in a return of less than one half of the benefit group's applicable asset limit. The benefit group's ownership interest must also be considered when determining the potential return.

This applies to a single asset, not to a combination of assets.

NOTE: This provision does not apply to vehicles, stocks, bonds and negotiable financial instruments.

NOTE: An asset cannot be subdivided solely to obtain an exclusion as inaccessible.

7. Burial Funds

Burial funds in an irrevocable trust are excluded. When accessible to the benefit group, the amount of a pre-paid funeral agreement, up to a maximum of \$1,500 for each benefit group member, is excluded. The amount in excess of \$1,500 for each person which is in an accessible burial fund is an asset.

B. WV WORKS, AFDC MEDICAID and AFDC-RELATED MEDICAID

NOTE: When an asset is deemed, the full countable value is deemed with no disregards or deductions applied.

1. Assets of Disqualified/Ineligible Individuals

a. AFDC Medicaid

The assets of disqualified parents are counted in their entirety for the AG. Assets of other ineligible persons, including stepparents, are not deemed. When a parent and an ineligible person jointly own an asset, see item 3 below.

b. AFDC-Related Medicaid

NOTE: Assets of the ineligible stepparent are deemed to the parent, but never to the stepchildren.

The asset limit used for the AG is based on the size of the Needs Group. Assets of the members of the BFU are counted, except that the assets of a sibling are never counted for his sibling(s) and the assets of a child are never counted for his parents.

EXAMPLE: A mother and three children are included in the AFDC-Related Medicaid AG. Her husband, who is the stepfather of the recipient children, and his two dependent children are in the home. The asset limit for the mother is the asset limit for a 7 person Needs Group. The asset limit for the children is the asset limit for a 4 person Needs Group.

c. WV WORKS

The assets of disqualified individuals and excluded SSI recipients age 18 or over, who would otherwise be required to be included in the AG, are counted as if they were members of the AG, i.e., the WV WORKS asset exclusions are applied and the remainder is counted. Assets of other ineligible persons are not deemed. For jointly owned assets, see item 3,b below.

2. Assets of Ineligible Students

Student status has no bearing on asset eligibility.

3. Jointly Owned Assets

Also see Section 11.2.

a. AFDC Medicaid and AFDC-Related Medicaid

Treatment of jointly owned assets becomes significant when all the joint owners are not included in the AG.

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24.1 INTRODUCTION

This Chapter describes the work requirements of WV WORKS and the services available to assist clients in meeting these requirements and maintaining independence from cash assistance.

The purpose of WV WORKS is to help economically dependent, at-risk families become self-supporting. It is a work-oriented, performance-based, time-limited Program that emphasizes employment and personal responsibility.

WV WORKS expects parents and other caretaker relatives to support their own dependent children and those in their care. Every parent and other caretaker who is included in a payment has a responsibility to participate in an activity to help prepare for, obtain and maintain gainful employment.

The goals of WV WORKS are to: achieve more efficient and effective use of public assistance funds, reduce dependency on public programs by promoting self-sufficiency, and structure assistance to emphasize employment and personal responsibility.

The Sections that follow discuss the requirement that all adults in the AG meet a work requirement and describes minimum participation rates to which the State must adhere. There are several loosely-defined activities described in Sections 24.6-24.13. Based on the client's participation in one or more of these activities, the State's participation rate is determined. However, the goals of WV WORKS do not include meeting a participation requirement. Instead, the foundation of the Program is self-sufficiency. There are, therefore, many activities which allow the client to meet his work requirement, but which do not lead to self-sufficiency. The Worker may allow the client to continue in the activity which meets the participation requirement while developing plans with the client to begin another activity which will accomplish or lead to self-sufficiency.

EXAMPLE: Mrs. Smith is a single parent with 2 children. She provides home-schooling for both children. By doing this, she meets the participation requirement by participating in a Community Service activity. However, home-schooling her children will not lead her to self-sufficiency. The Worker must negotiate a PRC which will lead the client toward becoming self-sufficient. In the meantime, however, Mrs. Smith continues to meet the work participation requirement by home-schooling her children.

EXAMPLE: Miss Jones is a single parent with 1 child. Her mother owns a small grocery store and she helps her mother in the store and delivers groceries for their homebound customers. She works between 35-40 hours/week. For this work, her mother pays her \$100/month. Miss Jones is meeting her work requirement, but she is not moving toward self-sufficiency. The Worker must negotiate a PRC which will lead the client toward becoming self-sufficient, by encouraging her mother to pay her what her work is worth, by finding other employment or by participating in another activity that will lead her toward self-sufficiency. In the meantime Miss Jones continues to meet the work participation requirement by working for her mother.

The Work Programs subsystem (WP) of RAPIDS provides automated support for WV WORKS work requirements by tracking the client's involvement in employment and other activities and by providing for the storage and retrieval of information necessary for the assessment process. After eligibility and the benefit level for WV WORKS have been confirmed in RAPIDS, appropriate recipients are automatically referred to WP. Even though referral is automatic, registration in WP is not. The Worker must enroll the client in WP. Failure to do so could result in sanctions against the State for not meeting the federal work requirement.

24.2 PARTICIPATION RATES

West Virginia must meet established work participation requirements. Statewide standards are prescribed by federal law and rates increase over time.

A. ALL FAMILIES

Federal FY 1997 - 20%	Federal FY 2000 - 40%
Federal FY 1998 - 30%	Federal FY 2001 - 45%
Federal FY 1999 - 35%	Federal FY 2002 and beyond - 50%

B. TWO-PARENT FAMILIES

Federal FY 1997 - 75%
Federal FY 1998 - 75%
Federal FY 1999 and beyond - 90%

NOTE: No more than 30% of individuals, regardless of the number of parents in the home, may be considered to meet the work requirement by participation in vocational/skills, educational training, education directly related to employment, or in maintaining satisfactory attendance in school. Parents under the age of twenty, described in Section 24.3,A,1,b, are included in the count.

The State's participation rate is determined by the Administration for Children and Families (ACF), based on the information from a random sample of cases submitted by the State Office.

24.3 MINIMUM HOURS OF PARTICIPATION

Each adult and emancipated minor who receive WV WORKS benefits must meet a work requirement at a minimum rate of participation. The work requirement does not necessarily mean that the participant must be employed. Work, however, is the focus of WV WORKS. The activities that meet the work requirement are listed in Section 24.5.

A. REQUIRED PARTICIPATION

Throughout this Chapter, reference is made to 2-Parent Families and 1-Parent Families. These terms are used to determine a family's minimum work participation requirement. For these purposes only, the terms are defined as follows:

- A 2-Parent Family, for these purposes only, meets all of the following criteria:
 - Both parents live together and are included in the same WV WORKS payment; and
 - Both parents are age 20 or over; and
 - Both parents are married to each other; and
 - Both parents are the natural or adoptive parents of all the eligible children living in the home; and
 - Neither parent is incapacitated or disabled according to item D below; and
 - Neither parent is providing care for a severely disabled child.
- A 1-Parent Family, for these purposes only, is a family that does not meet all of the 6 criteria above, regardless of the number of parents or other adults included in the payment.

One-parent families include, but are not limited to, the following situations:

- Families with only 1 parent included in the WV WORKS check;
- Families with 2 parents included in the check when one or both parents is incapacitated or disabled according to item D below;

- Families with 1 parent and 1 stepparent included in the check, even if they have a common child;
- Families with 1 or 2 non-parent caretaker relatives included in the WV WORKS payment;
- Families with 2 parents included in the check when one or both parents is under age 20;
- Families with 2 parents included in the check when a parent provides care for a severely disabled child.

The minimum requirements for each group are found below.

1. One-Parent Families

The minimum hours of participation increase over time as follows:

Federal FY 97-98	20 hours/week (average)
Federal FY 99	25 hours/week (average)
Federal FY 2000	30 hours/week (average)
and later	

The federal fiscal year begins on October 1st of the preceding year, i.e., FY 2000 begins 10/01/99.

There are 2 special considerations that do not apply to families with 2 parents included in the AG even though the families work requirement is that of a 1-parent family in setting work requirements for a family with parent. Details of these considerations are below.

a. Parent Of A Child Under Age 6

A single parent with a child under age 6 must not be required to participate more than an average of 20 hours/week. The parent may

choose to participate for more than 20 hours/week, but no sanction may be imposed as long as the 20 hours/week requirement is met.

b. Parents Under Age 20

A parent who is under age 20 and who does not have a high school diploma or the equivalent, meets the family's work requirement as long as he:

- Maintains satisfactory attendance at a secondary school, or the equivalent, during the month; or
- Participates in education that is directly related to employment for at least the minimum average number of hours per week identified above in item 1.

2. Two-Parent Families

The minimum hours of participation for 2-Parent Families depend upon the receipt of federally funded child care.

When the family does not receive federally funded child care, the minimum number of hours of participation is 35 hours/week. The participation requirement may be met by one or both parents. There is no requirement that each parent participate equally.

When the family receives federally funded child care, the minimum number of hours of participation is 55 hours/week. The participation requirement may be met by one or both parents. There is no requirement that each parent participate equally.

The activities that may be used to meet the work requirement are found in Section 24.5.

B. ABSENCES

With the exception of inclement weather, Workers must determine whether absences are excused or unexcused. Participation is calculated on the actual hours of attendance or participation each month and converted to a weekly average. The following guidelines are used to determine actual hours of attendance/participation for planned school breaks, inclement weather or individual absences.

When excused absences are used in the total number of hours of participation, according to the instructions below, the Worker includes the excused absences on WP screen WPSC and records on CMIC how the total was computed.

1. Planned School Breaks

When calculating hours of participation certain rules must be followed. The specific activity determines when school breaks can be used as hours of participation.

- High School, Junior High or Middle School: When the student expects to return after the summer break, the normal hours of attendance are treated as participation hours for the summer. Breaks during the school year are also included, such as Thanksgiving, Christmas, Spring break, school holidays, etc.
- ABE: Only planned school breaks which occur during the regular school year are counted as participation hours. These include Thanksgiving, Christmas, Spring Break and other scheduled school holidays. Summer breaks are not counted.
- Vocational/Skills Training and Proprietary Schools: Only planned breaks which occur during the regular school year are counted as participation hours. Summer breaks are not counted.

2. Inclement Weather

When inclement weather results in school closings or imposition of a state of emergency that prevents travel, the client is considered to have participated.

Contact the OFS Policy Unit for approval when a closure of more than one day is anticipated or occurs.

3. Individual Absences

This policy establishes the guidelines for the treatment of hours missed in a participation under WV WORKS. All missed time whether excused or unexcused, must be made up within the month in which it is missed. When it is impossible to make up time missed, the Worker must decide if the absence is excused or unexcused.

Excused absences of up to three days/month may be counted as hours worked in the month. The hours worked include the excused hours when participation did not actually occur. An excused absence includes illness or other good cause which prevented participation. It is the responsibility of the Worker to determine if the absence is excused or unexcused. Close contact must be maintained with the employer/contractor to ensure that the determination is made timely. A determination of good cause may only be made by the WV WORKS staff.

Unexcused absences that cannot be made up during the month are not counted as hours of participation. Only the hours actually worked count.

Record the results of all contacts with the employer/contractor concerning this issue on RAPIDS screen CMIC. At the end of the month the time sheet must correctly identify any absence. Any inconsistency or irregularity on the time sheet must be worked out with the employer/contractor. Absences that are made up during the month are not reported as excused or unexcused.

C. PARTICIPANT DOCUMENTATION

Written documentation of participation is required, when possible. The Worker may, in very unusual circumstances accept the information from the employer verbally, as long as he records on CMIC the same information found most on time sheets.

Some employers/sponsors/contractors have their own time sheets. These are normally acceptable, as long as they provide the necessary information and are signed by the employer or his representative.

The Participant Time Sheet (WT-12) may be used to document participation and satisfactory progress for work requirement activities. When used, it is given to providers to report attendance and satisfactory progress on a monthly basis. It may also be given to the client for self-declaration of his participation when no other source is available.

In addition, this form may also be used by participants to report days of actual participation for payment documentation purposes.

D. DISABILITY/INCAPACITY - DEFINITION ONLY FOR MINIMUM PARTICIPATION RATE

NOTE: The following definitions are used to determine the family's minimum hours of participation, i.e., whether or not there is a disabled or incapacitated parent. See item A above. Meeting either definition does not automatically exempt the family or individual from the 60-month or 24-month time limits described in Section 15.6 and 15.7.

Disability and incapacity may be established with or without a physician's statement as follows:

1. Establishing Disability Without A Physician's Statement

Disability is established without a physician's statement as follows:

- The individual receives benefits from a governmental or private source, and these benefits are based on his own illness, injury or disability.

This includes, but is not limited to: Workers' Compensation, RSDI, SSI, Veteran's Administration (VA) benefits, Black Lung benefits, Medicaid (incapacity, blindness or disability), private insurance, sickness benefits, etc. However, if any of these conditions is questionable, such as a low percentage disability for VA benefits, a physician's statement may still be required.

For SSI and RSDI purposes, being certified for these benefits (approved, but not yet receiving payment withheld to repay, etc.) is synonymous with receiving them.

- The individual is a veteran with a service-connected or non-service connected disability, rated or paid as total, under Title 38 of the United States Code.
- The individual is a veteran who is considered by the VA to be in need of regular aid and attendance, or permanently housebound, under Title 38 of the United States Code.
- The individual is a surviving spouse of a veteran and is considered by the VA to be in need of aid and attendance, or permanently housebound, under Title 38 of the United States Code.
- The individual is a surviving child of a veteran and is considered by the VA to be permanently incapable of self-support, under Title 38 of the United States Code.
- The individual has one of the following conditions:
 - Permanent loss of use of both hands, both feet or one hand and one foot
 - Amputation of leg at hip
 - Amputation of leg or foot because of diabetes mellitus or peripheral vascular diseases

24.4 LOCAL OFFICE RESPONSIBILITIES IN THE WORK PROGRAM ASPECT OF WV WORKS

In addition to the responsibilities contained in other chapters of this Manual, the Worker has responsibilities related to the work program aspect of WV WORKS.

The Worker must assist the client in all reasonable ways to achieve self-sufficiency. To accomplish this, the Worker must assess the client's knowledge and skills, work with the client and make informed recommendations about courses of action appropriate for each individual to develop a plan that is expected to lead to self-sufficiency. In addition, he must enter into an agreement with the client concerning his involvement in the process of becoming self-sufficient, monitor the client's progress to determine changing needs and the need for support service payments and take appropriate follow-up action based on the client's actions.

The eligibility requirement of the negotiated agreement, the Personal Responsibility Contract, is detailed in Chapter 1. Other requirements, particularly those dealing with the client's continuing eligibility, are found throughout this Manual. Chapter 13 contains other information about the eligibility aspect of the work requirements. The following sections in this Chapter are devoted to work activities and follow-up actions and contain information necessary for the Worker to assist the client in becoming self-sufficient and in developing opportunities for him.

A. CASE MANAGEMENT

The Work Programs (WP) sub-system in RAPIDS assists the Worker in managing the work program aspect of WV WORKS.

To meet the goals of the WV WORKS Program, a Worker performs the following activities for WV WORKS families:

- Determines initial and ongoing case and individual eligibility. When the WV WORKS family also receives Food Stamps and/or Medicaid, eligibility for these Programs is also determined and maintained by the same Worker
- Negotiates the PRC with the client to determine the best means to achieve self-sufficiency and accept personal responsibility. The initial PRC, including Part II, must be manually completed by the Worker. Once this is completed and all other eligibility requirements are met, the case is confirmed in RAPIDS and the referral to the WP

subsystem is accomplished. The Worker may complete WP information after that time, but must not require the client to visit the office again to be present during the WP enrollment process.

Changes to Part II of the initial PRC are made using WP screens WPJS and WPAS. Such changes are attached to the initial PRC.

- Establishes for the client only reasonable and appropriate requirements related to the client's capability to perform the tasks on a regular basis, including physical capacity, skills, experience, family responsibilities and place of residence. In addition, reasonable and appropriate requirements take into account the client's proficiency and child care and other support services needs.
- Monitors compliance with the PRC
- Provides continuous assessment of the client's needs and goals and negotiates adjustments to the PRC as necessary
- Determines which clients are temporarily exempt from meeting the work requirement and assists the client in becoming able to participate
- Determines good cause for failure to comply with the PRC
- Applies sanctions as appropriate
- Develops employment and other work activity opportunities for the client within the community
- At the discretion of the CSM, WV WORKS staff may continue to carry the Medicaid and/or Food Stamp portion of the case once WV WORKS benefits are stopped, to allow for continuity and follow-up on the client's progress.
- Makes referrals to other community services
- Provides payment for support services, as appropriate

- Identifies potential resources and makes appropriate referrals to secure them

This case management process provides for substantial flexibility in administration of the work component of WV WORKS, but the mandates must be met for each adult to meet a work requirement and for the State to meet and maintain an established participation rate. The Worker has the discretion to tailor the work requirements to the needs and goals of each family. Therefore, there are no mandatory procedures or processes that must be applied to each family. Instead, the Worker's reasonable and appropriate guidance and discretion are used to assist the client in accepting personal responsibility and achieving self-sufficiency.

Self-sufficiency is defined as being able to provide for the family's basic needs without relying on WV WORKS monthly cash assistance. It is recognized that some families will not be able to become completely self-sufficient. For these families the goal is to reduce the reliance on cash assistance as much as possible.

B. ASSESSMENT

Assessment is the ongoing process of determining each adult's goals, skills, needs and challenges. Assessment begins at application and does not end until case management stops.

An in-depth assessment is necessary to discover the client's challenges to meeting his goals and to develop plans to overcome them.

The assessment is limited to producing information useful to both the client and the Worker in evaluating the client's challenges and in meeting his goals.

Rather than being a fixed process with mandated procedures, assessment is an ongoing activity. As the client's circumstances change, his goals and/or challenges may change, resulting in changes in the actions or activities necessary for him to succeed.

The assessment process necessarily includes a series of interviews/conversations with the client. It may also include educational and/or aptitude/interest testing and interpretation of this information; identification of the client's skills, abilities and interests; use of community resources; and research into possible

employment opportunities. Assessment form, WT-3, is available for use as a means to record and track pertinent information during the assessment. Use of the WT-3 is optional by county. Its use is mandatory only when RAPIDS is down. The following RAPIDS screens record the appropriate assessment result. Their use is mandatory.

- WPED (Education)
- WPAW (Employment)
- WPJR (Participation Readiness)

The product of the assessment is a plan for progressively moving toward the client's goals. The plan is used to negotiate the PRC which specifies the steps and actions necessary to achieve the goals. Failure without good cause to keep appointments to initiate or continue the assessment process indicate a failure/refusal to cooperate and/or participate, and a sanction may be applied.

The Worker may develop a PRC to schedule educational, aptitude and interest testing. A referral may be made to the Department of Education Assessment Specialist for ABLE testing, as appropriate. Aptitude and interest testing (ABCD/IBCD), may be scheduled for those who have ABLE reading comprehension scores at the eighth grade level or above and total mathematics scores at the sixth grade level or above. Referral is accomplished by completion of a WT-70 referral form for each individual, or by memorandum for a group referral. The memorandum must list each individual to be tested. The test administrator is responsible for completing a release of information for each client.

When the test results are received, the Worker records the information on the appropriate RAPIDS screen and may complete form WT-3B, the Aptitude/Interest Chart, identifying the participant's aptitudes and the aptitude/interest matches. An interview is scheduled with the client as soon as possible, to discuss the test results. At this interview, the client is provided with a copy of the Aptitude/Interest Chart as well as a copy of the Occupational Family Recommendations.

If the client indicates substance abuse problems, referral for evaluation and counseling should be made prior to scheduling vocational testing. Any determination of substance abuse problems is based on statements made by the client, not on the feelings or perceptions of the Worker.

In assessing the client's current situation and negotiating the PRC, the Worker must explore family situations, education, work history, skills, aptitudes, attitude toward work, employment potential, possible social services or other support systems, and the need for support payments. Form WT-3A may be used as an interviewing guide, but the areas explored are not limited to those on the form. Individual circumstances may require more or less exploration.

C. DEVELOPMENT OF THE PRC SELF-SUFFICIENCY PLAN

RAPIDS screens WPJS and WPAS allow for the recording and printing of Part 2 of the PRC.

The PRC is a document that consists of 2 parts. Part I contains information and requirements applicable to all individuals who are required to sign it. Part II is the Self-Sufficiency Plan which is the result of

negotiations between the client and the Worker. The Self-Sufficiency Plan is subject to renegotiation throughout the client's receipt of cash assistance. Initial and ongoing assessment produces information that allows the Worker to provide reasonable guidance to the client to attain his goals and forms the basis of the Plan.

The promotion of self-sufficiency is accomplished primarily through the use of the Personal Responsibility Contract (PRC). The PRC is completed during a negotiation between the Worker and the adult(s) in each case. During the negotiation, the client must be encouraged to provide information about his goals for becoming self-sufficient and the means by which his goals may be achieved. If the client does not have defined self-sufficiency goals, the Worker must encourage him to consider such goals in consultation with his family before the PRC is updated.

NOTE: Signing the PRC is an eligibility requirement (See Chapter 1). However, at the time of application, the PRC may not include all goals and all plans necessary to achieve the goals. The PRC may be a document that is in a constant state of change to adjust to the client's changing needs.

The Worker must explore all of the desires and work goals presented by the client to determine which are possible, which can be accomplished with the resources available to the client and to the Department, which can be accomplished in an appropriate time and, ultimately, which is most likely to result in self-sufficiency for the client. In addition, the Worker must explore other possibilities not presented by the client and offer these to the client as alternatives. At all times, the Worker is expected to balance the client's wishes with his need to achieve self-sufficiency and the Department's goal of meeting federally-established participation rates.

All requirements listed on the PRC must be reasonable and appropriate for the individual client.

The PRC Self-Sufficiency Plan must be specific enough to provide direction for the client and must reflect careful analysis of the client's needs and potential. It must also be flexible enough to change as opportunities and situations warrant. Changes in occupational goals or activities to meet the client's

work requirement require revisions to the Self-Sufficiency Plan or a new PRC signed by the client and the Worker. Each time the Self-Sufficiency Plan is revised, the client and the Worker must initial and date the changes. When a new PRC is completed, both must sign and date the form. The client must be provided with a copy of the PRC each time a new one is completed or a revision is made to an existing one.

The PRC Self-Sufficiency Plan outlines the objectives and the steps needed to achieve self-sufficiency, as well as a time frame for the completion of program requirements. Specific duties are required.

It may be possible for the client to achieve self-sufficiency without a document defining specific activities. However, clarifying goals and actions to reach the goals helps the client and Worker to focus on the most appropriate actions. This makes their efforts more productive. Although the primary concern should be the development of a meaningful Self-Sufficiency Plan, the PRC itself is helpful to the client in understanding the expectations. Committing the plan to writing also helps the Worker be more specific in his responsibilities. By signing the PRC, each party agrees to fulfill his respective responsibilities.

D. JOB DEVELOPMENT

Job development and the subsequent placement of individuals in employment are the primary focus of WV WORKS. The WV WORKS staff is expected to be visible in the community and participate in various employment-related activities and initiatives. The WV WORKS staff is expected to relate to private employers and related organizations professionally, honestly and with integrity.

Job development and placement efforts must be coordinated closely with the local Job Service Office. As appropriate, clients are required to register with the Job Service Office and to keep their applications current. The results of ABLE or other career-oriented testing is shared with the Job Service Office as needed. A Release of Information form must be signed by the client prior to the sharing of information. The form must be placed in the case record. To increase the resources available to the client, contacts are established and maintained with DRS, Department of Education, Community Action agencies and other public

and skills training appropriate to the job, as well as other services to ensure lasting unsubsidized employment. The goals are based on those of the WV WORKS Program and were developed to provide extra help for those who continue to receive cash assistance after the initial caseload reduction due to the implementation of welfare reform legislation. The purpose of WtW is to provide transitional assistance which moves hard-to-employ WV WORKS recipients who live in high-poverty areas into unsubsidized employment and economic self-sufficiency.

WtW functions by cooperation among the following entities: OFS and WV WORKS staff of DHHR; Job Training Partnership Act (JTPA) and Assessment and Case Management Center (ACMC) staff of BEP; Private Industry Councils (PICs).

Each group has its own responsibilities in moving the hard-to-employ client into self-sufficiency. However, the WV WORKS staff has the primary responsibility for case management services for all WV WORKS applicants, recipients and former recipients, including those who participate in WtW. Therefore, even though some case management services may be provided by the other agencies involved in WtW, the WV WORKS staff must take the lead. Referral to WtW does not eliminate the client's PRC requirements. Instead, cooperation with the WtW requirements must be made a part of the PRC, once the client becomes involved. WtW activities will be structured by BEP to allow the client to comply with WtW requirements and meet his work participation requirement at the same time.

1. Referral Process

Referrals to WtW are made using form OFS-WtW-1. The form is self-explanatory. The client's PRC, including all updates, and the latest results of all tests must be attached to the form prior to referral to the ACMC. Copies are distributed according to instructions on the bottom of the form.

Some Job Service Offices have set limits on the number of referrals that may be made to an ACMC for WtW. It is necessary to determine this information locally and monitor for compliance with the limits.

There are separate categories of clients who may be served through WtW. The WV WORKS Worker makes the decision about which client is an appropriate referral and the category in which he is placed. Details about determining the appropriate category are found in item 2, below.

Other referral requirements may be established locally by mutual consent between the WV WORKS and APMC staff.

2. Appropriate Referrals

The following 2 items identify the groups for which WtW funding may be spent. Funding may be used for both custodial and non-custodial parents as detailed below.

Seventy percent of the WtW funding must be spent for individuals who meet the criteria of any of the categories described below in item a.

Not more than thirty percent of the funding may be spent for individuals who meet the criteria of any of the categories described below in item b.

NOTE: The percentages described below refer to the portion of the WtW funding that may be spent for each group and do not refer to the number or percentage of WtW referrals from each group.

a. 70% Provision

(1) Custodial Parent(s)

Custodial parents are eligible as follows.

(a) Long-Term Recipient With Employment Barriers

A custodial parent(s) is eligible to be served under the 70% Provision if he meets all 3 of the criteria listed below.

- He is included in the WV WORKS payment; and

- He has at least 2 of the following 3 barriers to employment:
 - Has not completed high school or has not obtained a GED and has low skills in reading or math. At least 90% of the individuals determined to have low skills must be proficient at or below the 8.9 grade level.
 - Requires substance abuse treatment in order to work.
 - Has a poor work history in unsubsidized employment. At least 90% of the individuals must have worked no more than 3 consecutive months in the past 12 calendar months; and
- He is a long-term recipient as defined by meeting 1 of the 2 following criteria:
 - Has received WV WORKS, TANF and/or AFDC/U for at least 30 months. The months need not be consecutive. Or,
 - Will become ineligible for cash assistance within 12 months due to the 60-month time limit on receipt of benefits. This includes those who are exempt from the time limit but who would become ineligible without the exemption.

(b) Former Recipient With Employment Barriers

A former recipient is eligible when both of the following criteria are met.

- He would be eligible to receive WV WORKS, but is no longer receiving because he has reached the 60-month time limit; and
- He has at least 2 of the following 3 barriers to employment:
 - Has not completed high school or has not obtained a GED and has low skills in reading or math. At least 90% of the individuals determined to have low skills must be proficient at or below the 8.9 grade level.
 - Requires substance abuse treatment in order to work; or,
 - Has a poor work history. At least 90% of the individuals must have worked no more than 3 consecutive months in the past 12 calendar months.

(2) Non-Custodial Parent(s)

A non-custodial parent is eligible when both of the following requirements are met.

- He has at least 2 of the following 3 barriers to employment:
 - Has not completed high school or has not obtained a GED and has low skills in reading or math. At least 90% of the individuals determined to have low skills must be proficient at or below the 8.9 grade level.
 - Requires substance abuse treatment in order to work.
 - Has a poor work history. At least 90% of the individuals must have worked no more than 3 consecutive months in the past 12 calendar months.
- The minor child(ren) of the non-custodial parent must be a long-term recipient as defined by meeting 1 of the 2 following criteria:

- The minor children received WV WORKS, TANF and/or AFDC/UC for at least 30 months. The months need not be consecutive. Or,
- The minor children will become ineligible for cash assistance within 12 months due to the 60-month time limit on receipt of benefits.

b. 30% Provision

(1) Custodial Parent(s)

Custodial parents are eligible as follows:

(a) Recipients With Characteristics of Long-Term Dependence

A custodial parent(s) is eligible to be served under the 30% Provision if he meets both of the criteria listed below.

- He is included in the WV WORKS payment; and
- He has characteristics associated with, or predictive of, long-term welfare dependence, such as, but not limited to:
 - Having dropped out of school; or
 - Teenage pregnancy. This includes those who are now adults who were pregnant as minor teens; or
 - Having a poor work history, in the Worker's judgement

(b) Former Recipients With Characteristics of Dependence

A former recipient is eligible when both of the following criteria are met.

- He would be eligible to receive WV WORKS, but is no longer receiving because he has reached the 60-month time limit; and
- He has characteristics associated with, or predictive

of, long-term welfare dependence, such as, but not limited to:

- Having dropped out of school; or
- Teenage pregnancy; or
- Having a poor work history

(2) Non-Custodial Parent(s)

A non-custodial parent(s) is eligible to be served under the 30% Provision if he meets both of the criteria listed below.

- He is the non-custodial parent of a minor child(ren) who is included in a WV WORKS payment; and
- He has characteristics associated with, or predictive of, long-term welfare dependence, such as, but not limited to:
 - Having dropped out of school; or
 - Teenage pregnancy; or
 - Having a poor work history

3. Allowed Activities

WtW funds may be used for the following activities. The agencies that operate the project determine how the funds are used.

- Job readiness activities financed through job vouchers or through contracts with public or private providers.
- Employment activities, as follows: community service programs, job creation through public or private wage subsidies, work experience, on-the-job training.
- Job placement services financed through job vouchers or through contracts with public or private providers.
- Post-employment services through job vouchers or through contracts with public or private providers. Placement in any subsidized or unsubsidized job qualifies the client for post-employment services. Such services include, but are not limited to: basic educational skills training, occupational skills training, English as a second language, mentoring.

- Job retention services and support services following placement in a job readiness activity or in any subsidized or unsubsidized job. These services include, but are not limited to: transportation, non-medical substance abuse treatment, child care, emergency or short-term housing.

H. DOMESTIC VIOLENCE ASSISTANCE

The Worker must inform each applicant/recipient of the availability of services related to prevention of domestic violence. To protect the abused person when the information is offered to more than one adult in the family at the same time, it must be stressed that the Worker is required to provide the information to all clients. The instructions about domestic violence assistance in Sections 1.2 and 1.25 must be followed.

I. VISION AND/OR DENTAL SERVICES

Providing pre-employment dental and vision services is a cooperative effort between the WV WORKS Program the office of Maternal and Child Health (OMCH). The WV WORKS staff's responsibility is limited to completion of form OFS-R-1 to refer eligible clients to OMCH and to certify that the client is eligible to receive vision and/or dental services. To be eligible to receive these services, the client must meet both of the following requirements:

- The individual must be an adult recipient of WV WORKS when the referral is made and when the service begins. Receipt of DCA alone does not qualify the individual for these services. Once the treatment begins, it continues whether or not the client remains eligible for WV WORKS; and
- The individual is participating in an activity listed in Section 24.6 through Section 24.13. The rate of participation required to qualify for these services is the rate shown on the individual's PRC.

OMCH has signed agreements with service sites which detail the allowable services, reimbursements scope of services, etc. In addition, OMCH will provide a list of all

providers to the appropriate county. The client may choose his own provider from this list. Distribution of copies of the form in a timely manners is crucial; distribution instructions are printed on the form.

There is a maximum lifetime limit on the payment for these services. This limit is monitored by OMCH. Closure of the vision and/or dental services case by OMCH occurs when services are completed or the maximum allowable benefits are reached.

24.5 WORK REQUIREMENT ACTIVITIES

NOTE: The definitions of 1-Parent and 2-Parent Families in Section 24.3,A apply here.

NOTE: Participation is recorded on WPCS in RAPIDS. The Worker must be certain to enter the hours of participation for the correct month. The hours must be entered for the actual month(s) of participation regardless of the month the information is being entered into RAPIDS. See the RAPIDS User Guide.

To meet the State's participation rate found in Section 24.2, clients must be engaged in certain work activities listed below for the number of hours specified in Section 24.3. More details of each type of activity are in Section 24.6 - 24.13.

- Unsubsidized employment
- Subsidized private sector employment, including on-the-job training programs, such as EIP
- Subsidized public sector employment, including on-the-job training programs, such as EIP
- Work experience, such as JOIN, CWEP, or other work experience programs available in the community
- Community service programs, such as volunteer work, life skills classes, parenting classes, providing dependent care, job readiness programs, sheltered workshop participation, substance abuse treatment, mental health counseling

NOTE: Job readiness programs are limited to 6 weeks/year to meet the work participation requirement. No more than 4 of these weeks may be consecutive.

- Job search

NOTE: There is a 6-week limit/year on using job search to meet the work participation requirement. No more than 4 of these weeks may be consecutive.

The client must participate in job search for a full work week. However, not more than once per individual, participation in job search activities for 3 or 4 days during a week may be counted as a full week of participation

- Vocational education or job skills training. There is a 12-month lifetime limit for each individual.
- Provision of child care to an individual who is participating in a community service program.

NOTE: When pay is received for providing child care, it must be entered in RAPIDS as employment.

- Education directly related to employment. This activity is limited to clients who do not have a high school diploma or its equivalent. Unlike attending high school or a course designed to lead to its equivalent, a parent under age 20, must participate for at least 20 hours per week in order to meet the work participation requirement.
- Satisfactory attendance at a high school or in a course designed to lead to the equivalent of a high school diploma. This activity is limited to clients who do not have a high school diploma or the equivalent. When a parent is under age 20 without a high school diploma or its equivalent, the work requirement may be met in full by participation in this activity, regardless of the number of hours of actual attendance.

The federal government determines WV's 2 participation rates based on samples submitted by the State. One rate is for 2-Parent Families and the other is for All Families, which includes 1-Parent and 2-Parent Families, both of which are defined in Section 24.3,A.

The participation rate is determined not only by the total number of hours of the client's participation, but also by the type of activity in which the adult(s) are engaged as found below.

A. TWO-PARENT FAMILIES

NOTE: See Section 24.3,A for the definition of a 2-Parent Family.

NOTE: See Section 24.3,A,1,b for requirements for parents under age 20. They are not subject to the following 30/50-hour average minimum rule.

The activities which may be used to meet the client's work participation requirement are based on the minimum number of participation hours the family must meet, according to Section 24.3,A, i.e., whether or not federally funded child care is received.

1. Family Has Minimum Requirement Of 35 Hours; Does Not Receive Federally Funded Child Care

A minimum of 30 of the average minimum participation hours must be attributable to:

- Unsubsidized employment
- Subsidized private-sector employment
- Subsidized public-sector employment
- Work experience, such as JOIN, CWEP, or others in the community
- Job search
- Community service programs
- Vocational education, but not job skills training*
- Provision of child care for a community services participant

Therefore, no more than 5 of the average minimum hours may be attributable to: education related to employment, high school, high school equivalent, or *job skills training.

NOTE: See Sections 24.6 - 24.13 for clarifying details about work activities.

2. Family Has Minimum Requirement Of 55 Hours; Receives Federally Funded Child Care

A minimum of 50 of the average minimum participation hours must be attributable to:

- Unsubsidized employment
- Subsidized private-sector employment
- Subsidized public-sector employment
- Work experience, such as JOIN, CWEP, or others in the community
- Job search
- Community service programs
- Vocational education, but not job skills training*
- Provision of child care for a community services participant

Therefore, no more than 5 of the average minimum hours may be attributable to: education related to employment, high school, high school equivalent, or *job skills training.

NOTE: See Sections 24.6 - 24.13 for clarifying details about work activities.

B. ALL FAMILIES

NOTE: See Section 24.3,A,1,b for requirements for parents under age 20. They are not subject to the following 20-hour average minimum rule.

A minimum of 20 of the average minimum participation hours must be attributable to:

- Unsubsidized employment
- Subsidized private-sector employment
- Subsidized public-sector employment
- Work experience, such as JOIN or CWEP or others in the community
- Job search
- Community service programs
- Vocational education, but not job skills training*
- Provision of child care for a community services participant

Therefore, no more than 10 of the average minimum hours may be attributable to: education related to employment, high school, high school equivalent, or *job skills training.

NOTE: See Section 24.6 for clarifying details about work activities.

24.6 EMPLOYMENT

The first priority of WV WORKS is placement of the individual into full-time unsubsidized employment. When this is not possible, part-time unsubsidized, part-time or full-time subsidized employment and other activities must be explored.

The client's entry into employment may be the result of job development by DHHR staff, the efforts of other employment agencies, or the result of the client's own efforts. If the number of hours of employment does not meet the client's work requirement, additional activities must be required. Hours of employment count toward the client's work requirement each month that he actually works and receives a WV WORKS check.

Items A and B below define unsubsidized and subsidized employment and provide other necessary information.

A. UNSUBSIDIZED EMPLOYMENT

Unsubsidized employment is work with earnings provided by an employer who does not receive a subsidy for the creation and maintenance of the employment position.

NOTE: An employer who receives only a tax credit is considered to be providing unsubsidized employment.

1. Displacement/Replacement

There is no consideration of the displacement of other employees when the client is placed in unsubsidized employment.

2. Employment Standards

Unsubsidized employment must meet the following criteria to be considered appropriate. The employment is appropriate when the starting wage is at or above the applicable state or federal minimum wage. When employment does not meet the criteria, the client has good cause for refusing or failing to take action to secure the employment.

B. SUBSIDIZED EMPLOYMENT

Subsidized employment is work with earnings provided by an employer who receives a subsidy for the creation and maintenance of the employment position.

To place an individual in subsidized employment, the displacement/replacement policy found below and the employment standards found below apply.

1. Displacement/Replacement

Placement of WV WORKS clients into subsidized employment and on-the-job training must not dislocate, displace, or otherwise have an adverse effect on an employer's regular labor force. The following apply:

- The regular employees must not suffer a reduction in work hours, overtime, fringe benefits or the opportunity for advancement.
- The employer must not decline to hire a regular employee in anticipation of a WV WORKS placement.
- The employer must not allow a reduction in his regular labor force by increasing the labor force with WV WORKS placements.
- WV WORKS placements must not cause a relocation of workers from one geographical area to another.
- The regular employees at a work site must be informed that WV WORKS placements may not cause any dislocation and that they may file a grievance if they feel their job has been adversely affected by WV WORKS placements. See Appendix A and B.
- WV WORKS placements must not be made at job sites involved in any abnormal labor condition, such as a strike or lockout.

2. Employment Standards

Subsidized employment must meet the employment standards listed below. When the subsidized employment does not meet all of the criteria, the client has good cause for refusing or failing to take action to secure the position.

- The employer must not be in violation of the Civil Rights Act, the Americans with Disabilities Act or any other law governing the equal treatment of employees in the workplace.

- The employer must pay wages, not commissions. However, commissions may be paid in addition to the wage specified in the EIP contract.
- The working conditions and fringe benefits of the EIP employee must be the same as for any other employee in the same class.
- The occupation must require a training period of at least 200 hours.
- The job must be within the scope of the client's assessment and must be one that he may be reasonably expected to learn.
- The employer must guarantee at least 30 hours of employment per week. The maximum number of hours per week is 40.
- The employer must not have employees in lay-off status in the occupation/job title for which the contract is being negotiated.
- Employers must keep daily attendance records for each client. When the WT-12 is used, it must be completed in its entirety and signed by both the client and supervisor monthly when all training/work hours have been completed. The participation documentation must be received by the Worker by the 5th working day of the following month. A copy is retained by the contractor for audit purposes.

The WT-12 may also serve as the employer's request for an EIP payment or the employer may submit a request for payment on the business letterhead. The Worker must review the WT-12 for accuracy prior to issuing payment.

C. STANDARDS FOR CONTRACT DEVELOPMENT

The standards for contract development are:

- An EIP contract may be written for one job slot only.
- The EIP contract may be written for a minimum of 200 hours and a maximum of 600 hours.
- The starting wage must be equal to or above the current federal minimum wage.

- The number of EIP training hours are based upon the starting wage as shown in the following chart.

Beginning Hourly Wage	EIP Training Hours
\$5.99 or less	200
\$6.00 through \$6.99	300
\$7.00 through \$7.99	400
\$8.00 through \$8.99	500
\$9.00 or more	600

- EIP contracts are only written with private employers, when the training site is outside of West Virginia.
- Contracts are not written for employers in a highly mobile industry.
- Contracts are not written for occupations that require certification and/or licensure, such as for a CNA, LPN or RN, if the schooling/training results in the certificate or license.
- Contracts are not written for occupations that require minimal training.

D. PLACEMENT IN DHHR OFFICES

NOTE: Contracts are negotiated with the Director, OFS, or designee when placements are made within the Department.

The supervisor to whom the client is assigned is responsible for ensuring that the client understands and complies with all agency rules, regulations and policies regarding confidentiality, security of records, information and property. The supervisor must provide 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.

Clients may not be assigned to work in areas which provide access to sensitive data as defined in Common Chapters. In addition, clients may not:

- Be assigned to functions where they make policy decisions
- Type confidential memoranda, letters or other communication
- Provide a direct service to other clients
- Complete or process applications
- Have access to items that require specific or special security measures, such as the handling of negotiables.

Clients may be assigned to perform the following functions: taking messages, answering telephones, typing or writing appointment letters and others duties, as assigned, as long as confidentiality issues are not involved.

E. DETERMINING THE HOURS OF PARTICIPATION

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 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 FS benefits and WV WORKS cash assistance a family is eligible to receive during a month.

NOTE: A CWEP-1 must be completed as a condition of placement in a CWEP position. The client must not work more hours for the CWEP sponsor, regardless of the amount calculated below. A new CWEP-1 is required to increase or decrease hours.

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

- Step 1. Determine the amount of the WV WORKS check 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 received 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 received 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 check amount when determining the obligation.

- Step 3. Determine the amount of the AG's Food Stamp 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 Food Stamp AG with non-WV WORKS recipients, a separate calculation must

be performed, as follows, to determine the share of the Food Stamp benefits that belongs to the WV WORKS recipients.

- Divide the Food Stamp entitlement by the number of people in the Food Stamp AG.
- Multiply the result of the division by the number of people in the WV WORKS AG. Drop all cents. The result of this multiplication is the amount of Food Stamp benefits used to determine the obligation.

Step 4. Add the results of Steps 2 and 3 together and divide by the minimum wage, which is currently \$5.15/hour. This is the client's maximum monthly obligation.

The CWEP obligation does not have to be met by participating each week. As long as the client participates for the appropriate number of hours per month, he has met his CWEP obligation. However, if the Worker wants to establish a weekly obligation, the result of Step 4 is divided by 4, not 4.3.

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

NOTE: If the CWEP monthly obligation does not allow the client to meet his work participation requirement, he must be assigned to another activity in addition to his CWEP placement, but must not be assigned to JOIN.

24.9 JOIN

The Joint Opportunities for Independence Program (JOIN) is a State-operated employment program that provides clients the opportunity to participate in a work program that closely resembles full-time employment. The client may receive work experience in the private or public sector to improve his present job skills or to train him in new job skills. The work experience must meet local labor market demands.

A client is eligible if he has the necessary motivation, employment potential, education, previous work history and skills to benefit from the program. A placement should match the client's interests as determined during the assessment process. While participating in JOIN, the client must also complete 6 hours/week of job search. No client may participate in JOIN for more than 12 months.

Prior to placement, a JOIN participation agreement must be completed. The client must be given copies of the job description and informed of the job requirements and general working conditions.

A review of the client's progress must be conducted at the end of the first 6 months of participation or earlier, to determine if there is satisfactory progress toward the goal of employment. The expected result of JOIN participation is employment, either at the JOIN training site or with another employer. The possibility of obtaining employment at the JOIN training site must be evaluated. Any contractor who repeatedly fails to commit to hiring placements may be denied future contracts. The client must be given the opportunity to evaluate his own placement and be involved in the review process.

A. WHO MAY BE A JOIN CONTRACTOR

Any employer licensed to conduct business in West Virginia is eligible to be a JOIN contractor, provided all business tax payments are current. In addition, the potential contractor must agree to the requirements specified below in item B.

B. REQUIREMENTS OF THE CONTRACTOR

To become a JOIN contractor, the following requirements must be met:

- JOIN placements may not exceed the number of full-time employees already on the contractor's payroll.

- 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.

D. DETERMINING THE HOURS OF PARTICIPATION

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 FS benefits and WV WORKS cash assistance a family is eligible to receive during a month.

The maximum weekly participation obligation is 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 received 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 received 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 Food Stamp 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 Food Stamp benefit group with non-WV WORKS recipients, a separate calculation must be performed, as follows, to determine the share of the Food Stamp benefits that belongs to the WV WORKS recipients.

- Divide the Food Stamp entitlement by the number of people in the Food Stamp AG.
- Multiply the result of the division by the number of people in the WV WORKS AG. Drop all cents. The result of this multiplication is the amount of Food Stamp benefits used to determine the obligation.

- Step 4. Add the results of Steps 2 and 3 together and divide by the minimum wage, which is currently \$5.15/hour. This is the client's maximum monthly obligation.

- Step 5. Convert the monthly obligation to a weekly obligation by dividing the result of Step 4 by 4, not by 4.3.

If the converted weekly obligation is 32 hours or more, the weekly JOIN obligation is a maximum of 32 hours.

If the converted weekly obligation is less than 32 hours, the weekly JOIN obligation is a maximum of the result of Step 5.

NOTE: JOIN participation requires 6 hours/week of job search in addition to the maximum obligation.

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.

24.10 COMMUNITY SERVICE PROGRAMS

When there is no employment or work-experience position for the client, the work participation requirement may be met by participation in a community service program. In addition, community service programs may eliminate some barriers to full-time employment by developing necessary skills and exposing the client to new experiences he may not have considered as possible means to becoming self-sufficient. Community service programs include, but are not limited to: life skills classes, parenting classes, dependent care, job readiness instruction, volunteer work, participation in a sheltered workshop, substance abuse treatment or mental health counseling. More information about these items follow, but the Worker is encouraged to develop other opportunities within the community.

A. LIFE SKILLS

Life-skills classes may include information on proper nutrition and hygiene, budgeting, telephone usage, time management, housing, consumer skills, citizenship and community awareness. Referrals to such classes are based on need following the Worker's assessment and the availability.

Such classes may be funded through JTPA or other funding sources. If the client is referred to JTPA for certification and placement, form JTPA-1 is used. Other funding sources may have special referral procedures that the Worker must follow.

B. PARENTING CLASSES

Parenting classes may include information on appropriate discipline, nutrition, health, parent/child interaction, anger and impulse control, hygiene, resources enhancement and other topics as needed.

C. DEPENDENT CARE

A client may meet his work requirement by providing care to an incapacitated adult relative who lives in the client's home. If such care prevents institutionalization, the individual need not be related to the client, but must live in the client's home.

In addition, a client may meet his work requirement by providing care, without pay, to a child or incapacitated adult, when providing this care allows another WV WORKS recipient family to participate in a Community Service program. The care may be provided at any location.

NOTE: Providing dependent care under circumstances other than those described above in this item does not meet the work requirement unless the client is a paid caregiver. When the client is paid, the activity is not a community service activity; it is employment and the number of work hours determines if the work requirement is met.

D. JOB READINESS

NOTE: Job Readiness activities are limited to 6 week per fiscal year to meet the work participation requirement. No more than 4 weeks may be consecutive.

Job Readiness activities are for career planning and self assessment. They are designed to lead the client to take positive first steps toward self sufficiency. These activities also enable clients to recognize that the quality of their lives may be enhanced by becoming employed.

Job Readiness activities are designed to assist the participant in developing skills and a positive attitude toward achieving self-sufficiency through: problem-solving, decision making, interpersonal and communication skills and career exploration. Job Readiness participants learn the importance of entering or re-entering the work force; discover their own worth; recognize the importance of skills developed through life and work experience, acquire in-depth knowledge about potential occupations, define factors that limit employability and develop steps to overcome them, develop skills for managing home, life, and career, and to set realistic career goals and detailed steps in achieving that goal.

Classes must be scheduled for an average of at least 20 hours per week.

Job Readiness may be used as part of the Worker's assessment to determine how the individual will move to self-sufficiency and to complete the PRC.

A record of the participant's progress must be kept. This includes, but is not limited to, a Participant Time Sheet and evaluation, WT-12.

Flexibility must be maintained so that the client may leave Job Readiness activities at any time to accept employment.

E. VOLUNTEER WORK

Volunteer work may include activities in schools, libraries, government offices and community organizations. The Worker and client agree on the most appropriate location after determining the client's needs and available resources. Volunteer work is distinguished from CWEP and JOIN activities by the fact that the client finds his own volunteer placement and no negotiated agreement between the volunteer site and the Department is required.

Hours of participation are scheduled to best meet the needs of the client and the volunteer site and to meet the client's work requirement.

The staff at the volunteer site must verify hours of participation monthly.

F. PARTICIPATION IN A SHELTERED WORKSHOP

When a disabled individual is referred to DRS, DRS determines if retraining is feasible and if placement in a sheltered workshop is appropriate. Hours of participation and pay must be verified monthly.

G. SUBSTANCE ABUSE TREATMENT/MENTAL HEALTH COUNSELING

When the Worker determines that there is a need for substance abuse treatment and/or mental health counseling and the client agrees, a referral must be made to the appropriate source of such services.

Verification of attendance at scheduled sessions is required.

24.11 JOB SEARCH

NOTE: There is a limit on the number of weeks that Job Search may be used to meet the client's work requirement. The limit is 6 weeks, no more than 4 of which may be consecutive. However, the client may be required to continue in Job Search activities after this time limit has expired, even if it can no longer be used to meet the work requirement, as long as it is negotiated as part of the PRC.

Job Search activities assist clients in the process of looking for and obtaining employment.

Job Search activities must be flexible to allow the client to be available to apply for potential jobs. Activities may be offered on an individual or group basis. Activities may be contracted, if resources are available or may be provided by WV WORKS staff.

The Job Search activity may be offered as structured or independent.

Structured Job Search follows a recognized Job Search model that is provided by a contractor or WV WORKS staff. It is a combination of classroom instruction and seeking employment. The classroom instruction includes, but is not limited to, how to prepare for an interview and complete an application, telephone techniques, grooming and job retention skills.

While seeking employment, the client is expected to return to the classroom to report progress and to receive additional instruction, assignments and employment information. If part of a group, he is expected to report his experiences and participate in the reports of other group participants. The client is required to maintain a Job Search log showing all employers contacted. The number of required contacts may vary according to each individual's PRC.

Independent Job Search allows clients to seek employment independently. The Worker is responsible for establishing a Job Search plan and monitoring progress. The plan must include the number of employer contacts, hours of participation, the completion and return of contact sheets and employment follow-up activities.

Clients may be assigned to Independent Job Search at any time. This may be combined with any other activity. The

number of required contacts may vary according to each individual's PRC.

Existing programs, offered through JTPA, Department of Education and other agencies must be used first when services are available without cost. These providers are not reimbursed, unless all existing training positions have been filled and it is necessary to create additional positions for WV WORKS clients.

24.12 JOBS SKILLS/VOCATIONAL TRAINING

Jobs skills/vocational training enables individuals to acquire the necessary knowledge and skills to compete in a specific occupation. It may be used only when the training is likely to lead to employment. This activity is provided through existing resources available in the community on a non-reimbursable basis, until such resources have been exhausted.

This training is preparation for a specific occupation and is conducted by an instructor in a non-work site or classroom setting. Entry into this activity is restricted, and training is authorized only for programs that can be completed in 1 year or less.

NOTE: Some college classes may be considered to be job skills or vocational training when the participant is receiving the same kind of instruction that would be received in a job skills or vocational training venue.

A. PLACEMENT CRITERIA

An individual, who has demonstrated the ability to do the course work and who meets the entrance requirements, may participate when:

- His goal is an occupation that requires completion of a vocational course prior to employment; or
- He has no job skills, or has only obsolete or non-marketable skills and must be retrained to find employment; or
- He does not have a high school diploma/GED, and the skill training has been identified as an alternative which can lead to employment.

B. STANDARDS

The training institution and instructor must meet licensing and certification standards of the appropriate governing agency. Unlicensed or uncertified instructors are not approved for training when licensing or certification standards exist.

A participant's evaluation for an appropriate skill training situation must include appropriate testing when the individual does not have a high school diploma or a GED.

No client may be assigned to training unless the Worker is assured the client will accept training-related employment upon completion of the training.

24.14 PAYMENT OF SUPPORT SERVICES

Payment for support services is authorized to assist clients in securing or maintaining employment, or participating in other activities. A client whose case is in a 1st or 2nd sanction period is eligible to receive support services payments. There is no reduction in the amount of the support services payment due to imposition of the 1st or 2nd sanction. Those whose AG's are closed due to imposition of the 3rd or subsequent sanction are not eligible for payment for support services.

Beginning in January, 2000, former WV WORKS recipients are eligible for support services payments indefinitely as long as the conditions in Section 24.16 are met.

Benefit Issuance screens for Work Programs are used to request (BIRQ), stop payment (BIWS) and to replace (BIPL) support service payments. Inquiry screens related to support service payments are IQWH, IQWD and IQVN.

A. GENERAL REQUIREMENTS

The following general information applies to all support services payments.

- Support payments are not required to be paid at the maximum rate available. The amount of the payment is based on the verified need, but may not exceed the maximum amounts.
- When the client participates in more than one activity, payment may be made for each activity. However, the total may not exceed the maximum payment for each expense.

EXAMPLE: Assume the limit is \$300/Federal FY. During one 12-month period, a client participates in job search, CWEP and part-time employment. As a job search participant, he receives \$75 for clothing. While a CWEP participant, he receives an additional \$150 for clothing. When he finds employment he is only eligible for an additional \$75 for his special clothing needs, because the maximum payment for clothing has been reached. (\$75+\$150+\$75=\$300)

- The need for a payment must be verified. The verification may be obtained from the client, the employer or training facility. An offer of

employment may be verified in writing or verbally. The client's student or training status must be verified by the institution or training site.

- A recording must be made on RAPIDS screen CMIC for each payment, explaining the need for the payment. The only exception is for recurring transportation costs after the initial payment. The initial recurring transportation cost must be recorded along with the daily rate and the number of days for which payment is made.
- Unless specified below, the same item may only be purchased once in a 12-month period for each individual. The 12-month period begins the month in which the first support payment is issued.
- Checks may be written to the client or to the vendor. A vendor may be a private individual or a licensed business. Each vendor must be assigned a number to allow payment to be made through RAPIDS. If a RAPIDS client is the vendor, the individual's PIN number is the vendor number. Self-employed clients are entered as their own vendors.
- All payments are requested on RAPIDS screen BIRQ.
- Any payment made to a vendor requires an itemized invoice or written estimate of the charges. The invoice must be on the vendor's invoice form, or on his business' letterhead. The invoice is filed in the case record.
- When payment is made to a vendor, the invoice or estimate must not include sales tax. When payment is made to reimburse the client, sales tax is included.
- Support payments are not counted as income in determining eligibility for any OFS program.
- Recoupment of overpayments is made by reducing subsequent support service payments until the amount of the overpayment has been repaid. The amount withheld and the reason must be documented in the case record.
- Misdirected, lost or stolen checks are handled according item C below.

- Multiple payments may be issued, unless specifically limited to one payment only in item B below.

B. ALLOWABLE SUPPORT SERVICE PAYMENTS

NOTE: There is no requirement that the support services payment be issued only to those who need it to meet a work participation requirement. Requested payments are made unless there is a substantive reason to deny the payment. Denials of support service payments must be recorded on CMIC.

Additional information about the specific types of support services that are allowed is contained in this item. No other support service payments may be made.

RAPIDS' Work Programs screen BIRQ is used to request support service payments.

The following chart shows the type of support service payments available and lists the WV WORKS activities and RAPIDS components for which such payments may be made.

WV WORKS recipients may be participating in more than one activity simultaneously and entered as such in RAPIDS. However, the WtW participant may not be shown in WtW and any of the following RAPIDS components at the same time:

- AB
- CO
- HS
- JO
- JR
- LS
- PD
- TB



WtW participants may be entered in WtW and any employment-based RAPIDS component at the same time, including CW, JN and EI, and with VT.

1. Collateral Expenses

NOTE: Payments for collateral expenses must not be used to pay for medical treatment or items such as eyeglasses, dentures, physical examinations, doctor visits, prescriptions, etc.

Collateral payments may be made for items such as grooming expenses, testing fees, gasoline, or other expenses necessary to obtain employment or to participate in a work activity. Persons with no earned income may be reimbursed for their day care charges of \$.25/day under collateral expenses.

Payment may be made for collateral expenses as follows:

WV WORKS Activity	RAPIDS Component	Limitations
Employment: Subsidized, Unsubsidized, Full- or Parttime.	FU, FB, FV, PB, PU, PV	 
JOIN	JN	
EIP	EI	
Jobs Skills/Vocational Trng.	VT	
Education (High School, GED, ABE, Literacy Only)	HS, AB, LS	
Community Services	CS, JR	
Job Search	JO	
CWEP	CW	
WtW-Competitive Grant	CG	\$300/Federal FY
WtW-Formula Grant	FG	

2. Clothing

Clothing may be authorized for a verified offer of employment, or to attend short-term training that is expected to lead directly to employment. This expense includes uniforms or work clothing, including shoes or boots, but may include dress clothing when the client accepts a job that requires it. Payments may be made incrementally, as long as the maximum amount is not exceeded.



Payment may be made for clothing as follows:

WV WORKS Activity	RAPIDS Component	Limitations
Employment: Subsidized, Unsubsidized, Full- or Parttime	FU, FB, FV, PB, PU, PV	\$600/Federal FY
JOIN	JN	\$600/Year
EIP	EI	\$600/Year
Jobs Skills/Vocational Trng.	VT	Payment limited to approved training, when uniforms or special clothing is required. \$600/Year
Job Search	JO	Payment limited to clothing appropriate for a job interview. \$600/Year
Community Services	CS, JR	Payment limited to clothing appropriate for a job interview. \$600/Year
CWEP	CW	\$600/Year
WtW-Competitive Grant	CG	\$600/Year
WtW-Formula Grant	FG	\$600/Year

3. Tools And/Or Equipment

Tools and equipment may be purchased when there is a verified offer of employment, the need for the tools has been verified by the employer and the employer does not furnish them. The purchase of tools may also be authorized for specialized training activities. Verification of the cost must be provided.

Payment may be made as follows:

WV WORKS Activity	RAPIDS Component	Limitations
Employment: Subsidized, Unsubsidized, Full- or Parttime.	FU, FB, FV, PB, PU, PV	 \$1,000/Year 
EIP	EI	
Jobs Skills/Vocational Trng.	VT	
WtW-Competitive Grant	CG	
WtW-Formula Grant	FG	



4. Drivers/Chauffeurs License

Payment may be made for a drivers and/or chauffeurs license as follows:

Employment: Subsidized, Unsubsidized, Full- or Parttime.	FU, FB, FV, PB, PU, PV	↓
JOIN	JN	\$120/lifetime
EIP	EI	Payment for WV drivers license and/or chauffeurs license
Jobs Skills/Vocational Trng.	VT	Payment must not be made for the test required due to traffic violations or for classes required for DUI convictions.
Education (High School, GED, ABE, Literacy Only)	HS, AB, LS	
Community Services	CS, JR	↑
Job Search	JO	
CWEP	CW	
WtW-Competitive Grant	CG	
WtW-Formula Grant	FG	

5. Commercial Drivers License (CDL)

Payment may be made for a CDL as follows:

WV WORKS Activity	RAPIDS Component	Limitations
Employment: Subsidized, Unsubsidized, Full- or Parttime.	FU, FB, FV, PB, PU, PV	
EIP	EI	\$600/lifetime
Jobs Skills/Vocational Trng.	VT	Payment must not be made for the test required due to traffic violations or for classes required for DUI convictions.
WtW-Competitive Grant	CG	
WtW-Formula Grant	FG	

6. Professional License



A professional license may be paid for when required to work in a specific occupation. The client must have a job offer, or the Worker must be reasonably certain that the client can obtain employment after obtaining the license. Payment may be made for a professional license as follows:

WV WORKS Activity	RAPIDS Component	Limitations
Employment: Subsidized, Unsubsidized, Full- or Parttime.	FU, FB, FV, PB, PU, PV	\$600/lifetime
EIP	EI	\$600/lifetime
JOIN	JN	\$600/lifetime
Job Skills/Vocational Trng.	VT	Payment limited to the cost of the license when not included in the cost of the course and obtaining the license is part of the course completion. \$600/lifetime.
WtW-Competitive Grant	CG	\$600/lifetime.
WtW-Formula Grant	FG	\$600/lifetime.

7. Relocation

A client may be relocated to a different area of the State or to a different state when an offer of unsubsidized employment has been verified. Payment may be made for relocation within the same general vicinity when the move reduces the client's usual commuting time from more than in normal traffic one hour to one hour or less in normal traffic. The payment may include such items as a rental vehicle, mileage for a personal vehicle, food and lodging for travel and initial living expenses in the new employment area.

Payment may be made for relocation expenses as follows:

WV WORKS Activity	RAPIDS Component	Limitations
Employment: Unsubsidized, Full- or Parttime only.	FU, PU	<div style="text-align: center;">  \$1,000/Year </div>
WtW-Competitive Grant	CG	Payment may be made for relocation within the same general vicinity when the move reduces the client's usual commuting time in normal traffic from more than one hour to one hour or less in normal traffic.
WtW-Competitive Grant	FG	
		

8. Transportation

Payments are made to a client who is beginning to participate in an activity to assure that transportation is not a barrier. A prepayment for travel requires an estimate of the daily mileage for two weeks.

Transportation payments may be authorized only if expenses have been incurred or are reasonably expected to be incurred.

General limitations, in addition to those in item A above, are as follows. Limitations specific to an activity are shown in the chart below.

- Clients who must travel one mile or less to their place of employment or other participation site are not eligible for payment. In making this determination, consideration must be given to the distance traveled to deliver children to day care.
- Those who ride school buses or other conveyances without cost are not eligible for transportation payments for the days such conveyances are used.
- Those who use public transportation are reimbursed for the actual cost of the service.
- When clients share private transportation, only the owner of the vehicle is entitled to a payment. However, if the owner of the vehicle charges the other passengers, the passengers may be reimbursed for their charges. Members of the owner's AG may not be reimbursed when traveling in the same vehicle.

NOTE: If the owner of the vehicle charges his passengers for transportation, the amount he receives is counted as unearned income to the owner.

- Those who use a private vehicle are reimbursed as follows:

2-40 miles/day	\$10.00/day
41 + miles/day	\$16.00/day



Payment may be made for transportation as follows:

WV WORKS ACTIVITIES	RAPIDS Component	Limitations
N/A	PD	Payment is limited to those who are required to attend testing and/or orientation to an activity.
Employment: Subsidized, Unsubsidized, Full- or Parttime.	FU, FB, FV, PB, PU, PV	
JOIN	JN	
		↓
EIP	EI	\$400/month
		↑
Jobs Skills/Vocational Trng.	VT	
Education (All activities except college)	AB, LS, HS	
Community Services	CS, JR	
Job Search	JO	
CWEP	CW	
WtW-Competitive Grant	CG	
WtW-Formula Grant	FG	

9. Vehicle Repair

Payment can be made for items such as, but not limited to, tires, mufflers or brakes necessary to pass a State inspection. State inspection stickers, license plates and vehicle insurance may also be purchased.

Payment may be made for vehicle repair as follows:

WV WORKS Activity	RAPIDS Component	Limitations
Employment: Subsidized, Unsubsidized, Full- or Parttime.	FU, FB, FV, PB, PU, PV	
JOIN	JN	\$1,500/lifetime, including repairs and/or insurance.
EIP	EI	
CWEP	CW	Funds must not be used to purchase a vehicle.
Jobs Skills/Vocational Trng.	VT	May be used to pay for driver's education for those without a driver's license.
Job Search	JO	Any support services payment plus other available resources for repairs must make the vehicle roadworthy
WtW-Competitive Grant	CG	
WtW-Formula Grant	FG	
		

C. CORRECTING THE SUPPORT SERVICE CHECK AMOUNT

When the Worker discovers that a support service payment has been requested for less than was intended, an additional payment for the difference is requested on RAPIDS screen BIRQ.

D. SUPPORT SERVICE CHECK RETURNED BY THE CLIENT TO THE LOCAL OFFICE

For any support service check returned to the local office, the Worker must complete an ES-14, attach the check and mail both to the Check Control Unit. The Unit disposes of the check according to the instructions on the ES-14.

E. SUPPORT SERVICE CHECK RETURNED BY THE POST OFFICE TO THE STATE OFFICE

Upon receipt of a check returned by the Post Office, the Check Control Unit notifies the appropriate county Worker by a RAPIDS-generated alert. The Worker must determine the appropriate disposition of the check. Once the disposition of the check is determined, the Check Control Unit must be notified promptly.

F. LOST, STOLEN OR DESTROYED SUPPORT SERVICE CHECKS

A check is considered lost when a client reports that a correctly addressed check was not received or that it was received but stolen, lost or accidentally destroyed.

The Worker must verify that the payee's address is correct in RAPIDS and that the check has been written.

To ensure that the check is not delayed in the mail, no replacement action is taken until 5 days (Sundays and mail holidays excluded) after the check was mailed.

Form DF-36, Lost Check Affidavit, must be completed to initiate the replacement process. A notary seal or stamp is preferable, but only required when the form is notarized outside of WV. The Worker prepares an original and three copies of form DF-36, Lost Check Affidavit. Each copy must have an original signature. A copy of the form is filed in the case record. The Worker completes screen BIWS to indicate the reason for stopping payment of the check.

The DF-36 is then submitted to the Check Control Unit. The Worker must explain to the client that if he receives or finds the lost check, he must immediately notify the Worker. The Check Control Unit enters into RAPIDS the date the DF-36 is received and completes screen BIPL to issue a replacement check.

If a client reports a lost check and is issued a replacement, then finds, cashes and spends the original check, the Worker will be notified of this by the Check Control Unit. The client is expected to reimburse the Department. If the client does not reimburse the overpayment, he is ineligible for future replacement checks.

G. RECOUPMENT OF SUPPORT SERVICE PAYMENTS

Recoupment of support service overpayments is accomplished by adjusting subsequent support service payments. When adjusting subsequent payments is not possible, the Worker must contact the client to request repayment. If the payment is returned, it is sent to the Check Control Unit with an ES-14. It is necessary to identify such returned payments by indicating "WT" in the upper right corner. Do not include an account number for deposit of the funds.

24.15 PAYMENTS TO EMPLOYERS AND TRAINING FACILITIES

The following instructions apply to issuing payments to EIP employers and providers of skills training.

A. EIP EMPLOYERS

Employers are reimbursed up to 50% of the client's gross wages. Payments are issued monthly and are based on information from the Time Sheet, (WT-12).

Payments are made to employers from RAPIDS screen BIRQ.

B. PROVIDERS OF VOCATIONAL/SKILLS OR LIFE SKILLS TRAINING

A payment can be made only in response to an invoice from the service provider. Care must be taken to ensure that the payment limit is not exceeded for any contract. Supervisors must monitor the negotiation of these contracts and the payments made to vendors to determine if problems exist and to take corrective action, as necessary. Payment cannot be made until the Worker verifies that the client has begun participation. This must be recorded on CMIC.

Payment may also be made for life skills training such as, but not limited to: Parenting, family planning, mentoring or truancy problems.

Payments are made to training facilities from RAPIDS screen BIRQ.

24.16 CONTINUATION OF SERVICES

Beginning in January, 2000, individuals who meet all of the following requirements may continue to receive services indefinitely, as long as all of the following conditions are met.

- The family previously received a monthly WV WORKS check, but not solely a DCA payment.
- Gross family income is 185% of the current FPL or less; and
- There is a child in the home who would be eligible for WV WORKS, except for the family's income; and
- An adult in the family is employed

Services provided may include case management; support services payments; continuation of and payment for activities such as job search, job readiness and skill training.

One type of support service payment is available only to those who meet all of the conditions described above, but not to current WV WORKS recipients. The Department will pay for health insurance coverage for the employed adult and/or spouse when such coverage is available through the employer. Payment is limited to a maximum of \$125/month for each adult who is working. If the amount will not buy coverage for the non-working spouse, payment is made for the employed adult only. If the maximum amount will not meet the entire cost of the insurance for the worker and/or spouse, the maximum amount is made available to the client only when he agrees to pay the difference between \$125 and the cost of the coverage. The employer's coverage for the child(ren) must not be included in the payment, except when it is required by the employer as a condition of coverage for the worker.

The Worker must encourage the client to apply for Medicaid and/or CHIP coverage for the children when the children have no other medical insurance.

APPENDIX D

INSTRUCTIONS FOR COMPLETION OF OFS-EIP-1

An OFS-EIP-1 must be completed for each individual placed into the Employer Incentive Program (EIP) Group contracts are not acceptable. In addition all agreements must be negotiated and signed by all parties prior to the initial start date. Payment to the employer will be based on the hours of work shown on the appropriate time sheet.

Section I

Address:	Local DHHR Office address and telephone number.
Agreement Number:	Authorized Representative: Person authorized by employer to sign EIP Agreement. The agreement number shows agreement, the State fiscal year, the county and the sequential agreement number for that county. EXAMPLE: EIP 00-01-05 is the EIP agreement number for the fifth (05) contract for county 01 (Barbour County) during Fiscal Year 2000 (00).
Client Name:	Name of person being assigned.
Social Security Number:	Client's Social Security Number
PIN Number:	Client's PIN Case Number
Vendor Number:	Assigned by fiscal office

Section II

Employer:	Names of Employer
Address:	Address where reimbursement is to be mailed and phone number
FEIN Number:	Federal Employer TAX Identification Number assigned by fiscal Office

Section III

Effective EIP Training Dates:	Date the placement is to begin and the estimated ending date.
Employer's product or service:	The business in which the employer is engaged.
Payment Schedule:	Monthly itemized invoice. EIP payments are made monthly upon receipt of the WT-12 or other appropriate time sheet.

Section IV

Identify the total fixed price the EIP Agreement cannot exceed. Enter the dollar amount the Agreement can not exceed. (Example: $\$5.15 \times 200 + 50\% = \515.00)

Section V

Signatures:	Enter signatures, titles, date signed.
-------------	--

Section VI

Location and Person in Charge:	Enter the location of the placement and the person in charge.
Statement of Employer's Need for EIP:	A brief statement of the Employer's need for the EIP is to be entered here. (If additional space is needed attach a separate sheet of paper).
Job Description	A brief job description is to be entered here. (If additional space is needed attach a separate sheet of paper).

Section VII

Concurrence of the Collective Bargaining Agent:	If the occupation is subject to collective bargaining, enter the name, title and union affiliation of the bargaining representative.
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Section VIII

General Provisions to the
EIP Agreement:

The employer's authorized representative must read this section. His signature signifies that these conditions will be followed.

PRE-EMPLOYMENT SERVICES PROJECT REFERRAL

Funded By: Bureau for Children & Families

Administered By: Bureau for Public Health

Name of Individual Referred: _____

Address: _____

Mailing Address (if different): _____

Phone Number: _____ Date of Birth: _____

Social Security Number: _____ RAPIDS Case Number: _____

I certify that the individual identified above is eligible to receive Pre-employment Services as follows. If the client requires both dental and vision evaluations, they are to receive two authorization forms.

☐ Dental Care

☐ Vision Care

Signature of Family Support Specialist

Family Support Specialist (Please Print): _____

Office Address: _____

Phone Number: _____ Name of Supervisor: _____

Referral Date: _____

This NCR form is to be distributed as follows:

Original in area file, first copy given to the individual being referred, and second copy sent to the Office of Maternal and Child Health at Room 427, 350 Capitol Street, Charleston, WV 25301-3714.

Questions or concerns should be addressed to:

Pre-employment Services Project
1-800-642-8522 or 304-558-5388

Disclaimer: Services are those authorized by the Department, and only those providers agreeing to participate in this project, reflected by a signed agreement, may provide services for the person cited above.

**WEST VIRGINIA DEPARTMENT OF HEALTH AND HUMAN RESOURCES
OFFICE OF FAMILY SUPPORT
EMPLOYER INCENTIVE PROGRAM (EIP) AGREEMENT**

I. **West Virginia DHHR, Office of Family Support** Agreement No. _____

Address: _____ **Client Name:** _____

Phone Number: _____ **SS Number:** _____

Authorized Representative: _____ **Vendor No.** _____

II. **Employer:** _____ **FEIN:** _____

Mailing Address: _____

City: _____ **State** _____ **Zip** _____

Phone Number: _____

Authorized Representative: _____

III. **A. Effective EIP training dates: Beginning** _____ **Estimated Completion** _____

B. Employer's product or service _____

C. Payment Schedule: Time Sheets must be completed and returned to the local DHHR Office by the fifth of the following month. EIP Payments will be made monthly.

Occupation	DOT Code	Starting Hourly Wage	Number of Training Hours	Total Amount to be Paid

IV. The parties hereto, as shown in Section V, agree that the employer shall employ one trainee and provide all basic on-the-job training services in accordance with this agreement. In consideration of services to be provided, the employer will receive a total fixed price in an amount not to exceed \$_____, such amount to be pursuant to the terms and conditions set forth herein and the General Provisions attached which are a part of this agreement. It is further agreed that the trainee in this program is certified as eligible by the DHHR Office of Family Support and that the employer may not subcontract the on-the-job

training provided for under this agreement and the hours of work shall conform to those customary to the occupation with a **minimum of thirty scheduled hours per week**. It is further agreed that the fixed cost for reimbursement to the employer provides for greater than average supervision and training and compensates for providing training for this position and assures the Office of Family Support of the intention to retain the trainee on a permanent basis upon successful completion of the training.

The employer will be required to submit a monthly time sheet in the format prescribed to the local DHHR Office.

V.

Name of Employer	WV DHHR Office
Signature/Date	Signature/Date
Title	Title
Trainee Signature	Date

VI. PROGRAM DESCRIPTION

A. **Work Place Location and Person in Charge:** _____

B. **Statement of Employer's Need for EIP** _____

C. **Job Description** _____

VII. CONCURRENCE OF THE COLLECTIVE BARGAINING AGENT

Is the occupation in which employment is offered subject to a collective bargaining agreement? **YES**____ **NO** _____. If yes, indicate the name, title, and union affiliation of the bargaining representative from whom concurrence to this agreement was received.

Name and Title	Union Affiliation	Date

VIII. GENERAL PROVISIONS TO EIP AGREEMENT

- A. **LAW Applicable.** The employer will perform the duties in accordance with Part F, Title IV of the Social Security Act, as amended, and the regulations, procedures, and standards promulgated there under. The employer will comply with all applicable Federal, State, and local laws, regulations which deal with, or are related to, the performance of this agreement. The agreement in no way relieves the employer of responsibility for compliance with the provisions of the Fair Labor Standards Act, as amended.
- B. **Maintenance of Effort.** The employer sponsored level of training in existence prior to imitation of this program shall be continued and shall not be reduced in level of effort in any way as a result of this agreement, except for reduction unrelated to the provisions or purposes of this agreement.
- C. **Nondiscrimination.** The employer must agree that no individual served under this agreement will be subject to discrimination on the grounds of age, race, creed, color, sex, disability and national origin. Civil rights disputes under this agreement will be processed according to equal opportunity provisions established by the U.S. Department of Health and Human Services at 45 CFR Part 80 and to the extent applicable in compliance with Title VI of the Civil Rights Act of 1964 (78 Stat.252) and the regulations issued thereunder.
- D. **Trainee Wages.** Hourly wages paid to EIP trainees by the employer shall not be less than the following, whichever is higher:
 - 1. The minimum rate required under the Fair Labor Standards Act (including any special rate provided by certification under Section 14 of the Act) to the extent that such Act is applicable to the trainee; or
 - 2. Any minimum rate applicable to the trainee and required under any Federal, State, or local law; or
 - 3. For trainees employed on federally funded or federally assisted construction projects, the prevailing rate as established by the Secretary of Labor, in accordance with the Davis-Bacon Act, as amended; and in addition.
 - 4. The minimum entrance rate for inexperienced workers in the same occupation in the establishment, or if the occupation is new to the establishment, the prevailing entrance rate for the occupation among other establishments in the community.
- E. **Treatment of EIP Trainees**
 - 1. The trainee shall be treated no less favorably than other employees in similar occupations in the establishment.
 - 2. Trainees under the OFS/EIP Agreement are entitled to the same benefits as all other employees, including paid holidays, annual and sick leave, health benefits, established wages increases and Workers' Compensation. All legal holidays which fall within the agreement period and for which other employees are paid shall be considered days in which training occurred for purposes of reimbursement.

The employer agrees to maintain the confidentiality of any information regarding WV WORKS trainees or their immediate families which may be obtained through trainee forms, interviews, tests, reports from public agencies or counselors, or any other source. Without the permission of the trainee, such information shall be divulged only as necessary for purposes related to the performance or evaluation of the agreement and to persons having responsibilities under the agreement, including those furnishing services to the project under subcontract.

4. EIP trainees, while the agreement is in force, will not be terminated without prior notice to the trainee and reasonable opportunity for corrections or improvement of performance, as well as notification of the local OFS staff by the training facility.

F. Audit and Records

1. The employer shall maintain records sufficient to support all payments and, upon request, shall make such records available to the OFS staff and/or to the Federal Government.
2. The employer shall preserve and make records available until the expiration of three years from the date of the final payment under the EIP Agreement, or for such longer period, if any, as is required by applicable statute, or by other clauses of this Agreement. If the Agreement is partially terminated, the records relating to the work terminated shall be preserved and made available for a period of three years from the date of any final statements.

G. Examination of Records and Facilities. The employer agrees that the Secretary of the U.S. Department of Health and Human Services and the Comptroller General of the United States or any of their duly authorized representatives shall, until the expiration of three years after final payment under this agreement, have access to and the right to examine, any directly pertinent books, documents, papers, records, and facilities of the employer involving transactions related to this agreement.

H. Covenant Against Contingent Fees. The employer warrants that no persons or selling agency has been employed or retained to solicit or secure this agreement for a commission, percentage, brokerage or contingent fee, excepting bona fide employees or bona fide establishment commercial or selling agencies maintained by the employer for the purpose of securing business. For breach or violation of this warranty, the Family Support Specialist staff shall have the right to annul this Agreement without liability or, at its discretion, to deduct from the negotiated price or consideration, or otherwise recover, the full amount of such commission, percentage, brokerage, or contingent fee.

I. The employer agrees not to hire any immediate family members of a present employee or owner who has management responsibilities. The term "Immediate Family" members means wife, husband, son, daughter, mother, father, brother, sister, brother-in-law, sister-in-law, daughter-in-law, aunt, uncle, niece, nephew, stepparent, and stepchild.

WV WORKS COMPUTATION SHEET

Eligibility Determination (WV WORKS and DCA)

Case Name _____

Case Number _____

Assistance Group Size _____

1. \$ _____ Gross Monthly Non-Excluded Earned Income
2. + _____ Gross Monthly Non-Excluded Unearned Income
3. \$ _____ Total Monthly Non-Excluded Income
4. \$ _____ 100% Standard of Need for Family Size

If Step 3 is greater than Step 4, the family is not eligible. If Step 4 is equal to or greater than Step 3, the family is eligible. Complete Side 2.

Eligible

Ineligible



Complete Side 2

Worker Signature

Date

Case Name _____

Case Number _____

Determining the Amount of the WV WORKS Payment

Assistance Group Size _____

Living With Others: YES NO

Married Couple: YES NO

1. \$ _____ Gross Monthly Non-Excluded Earned Income
2. x.40 Earned Income Disregard
3. \$ _____ Remainder
4. - _____ Dependent Care Expense
5. \$ _____ Countable Earned Income
6. + _____ Gross Monthly Non-Excluded Unearned Income
7. \$ _____ Total Monthly Countable Income
8. \$ _____ Maximum Payment Amount
9. - _____ Countable Income
10. \$ _____ Remainder
11. - _____ Subtract 25% for Living With Others
12. \$ _____ Remainder
13. + _____ Add 10% Marriage Incentive to Step 12 Amount
14. \$ _____ Check Entitlement
15. - _____ Reduction for Sanction (circle One) **1/3 Reduction 2/3 Reduction**
16. \$ _____ Remainder
17. - _____ Monthly Repayment Amount
18. \$ _____ Remainder
19. _____ Special Needs
20. _____ WV WORKS Check Amount

MAXIMUM
\$175 - each, age 2 or above
\$200 - each, birth to age 2

Worker Signature _____

Date _____

WV WORKS ORIENTATION INFORMATION

PURPOSE

The purpose of WV WORKS is to provide assistance to needy families with dependent children, so that the children may be cared for in their own homes. In addition, WV WORKS promotes job preparation, work, and marriage to reduce dependency on cash assistance.

Adults in at-risk families will be expected to support their dependent children, or the children for whom they care. Every adult who receives cash assistance has the responsibility to participate in an activity to help prepare for, obtain and maintain gainful employment. WV WORKS staff assist the individual in all such endeavors and will promote the value and capabilities of each individual.

The goals of WV WORKS are:

- To achieve more efficient and effective use of public assistance funds;
- To reduce dependency on cash assistance programs by promoting self-sufficiency; and
- Emphasize employment and personal responsibility by restructuring public assistance.

WORK FIRST

The first priority of WV WORKS is to place participants into full-time, unsubsidized employment. Employment is defined as any job that a participant may reasonably be expected to perform.

Participants are required to report to scheduled employment interviews, to make a good faith effort to secure employment and to accept any bona fide offer of employment. Failure to meet these requirements will result in a check reduction.

MINIMUM WORK REQUIREMENTS

Families With One Parent = 30 hours per week
Families With Two Parents = 35 hours per week; 55 hours if federally funded child care is received

In most situations, attending school, including college, or training will not meet your work requirement. Your plans for education may be continued, but you must also meet your work requirement by participating in another activity.

You will be required to begin your work requirements immediately upon approval.

PERSONAL RESPONSIBILITY CONTRACT

All adults who are included in a cash assistance payment must sign a Personal Responsibility Contract which is negotiated with the WV WORKS staff. This contract list general requirements that apply to all WVW recipients as well as your specific goals and the tasks necessary to achieve them. You must take an active role in deciding the specific goals and tasks entered in the Contract because you will be expected to adhere to the terms of the Contract.

TIME LIMITS

There is a 60-month lifetime limit on the receipt of cash assistance in West Virginia. Any months you received cash assistance in any other state will count toward your 60 months. In addition, any adult who is not participating in a work activity in the 25th month of receipt and every month thereafter, makes the entire family ineligible to receive cash assistance, even if the 60-month time limit has not been reached.

PENALTIES

If you do not comply with the requirements of the WV WORKS Program and you do not have a good reason, the following penalties will be applied:

1st Penalty = a 1/3 reduction in your check for 3 months;

2nd Penalty = a 2/3 reduction in your check for 3 months; and

3rd Penalty (and all others after that) = Your check will stop for at least 6 months.

DOMESTIC VIOLENCE

Domestic Violence issues are discussed with all applicants/recipients of WV WORKS, even when there is no indication that it exists. No individual is specifically targeted to receive the domestic violence information which is available throughout the office and from the Worker. **If you need help, please take advantage of this information.** The Department and your Worker will act only in ways that will protect you from harm.

All the information on this form has been discussed with me during my orientation to WV WORKS and I have been given the opportunity to ask questions.

Caretaker's Signature and Social Security Number

Date

Spouse's Signature and Social Security Number

Date