

## CHANGE NOTICE FOR MANUAL

DATE: June 24, 2008

**MANUAL:** Food and Nutrition Services Certification Manual

**CHANGE NO.:** 3-2008

**TO:** County Directors of Social Services

**EFFECTIVE:** July 1, 2008, make the following changes to the Food and Nutrition Services Certification Manual

### I. BACKGROUND

The purpose of this change notice is to provide new procedures for the Work Requirements Policy to the Food and Nutrition Services Certification Manual. The purpose is to also add clarifications, updates, and corrections for the Employment and Training (E&T) Program as reflected in updated interpretations from the United States Department of Agriculture (USDA).

The FNS program will target ABAWDs for participation in the E&T program. The goal is to simplify the work registration process, increase the participation rates in North Carolina, and to alleviate the burden of increasing caseloads.

This change notice clarifies that a cure is not mandatory for Voluntary Quit or Voluntary Reduction of work hours to less than 30 hours per week. The FNS unit member must only serve the minimum disqualification period (1 month, 3 months, or 6 months). No compliance or cure is required.

### II. SPECIFIC CHANGES

#### A. Section 240, Work Requirements

1. Clarifies the work registration process in an E&T and non-E&T county in Section 240.00A, Work Requirements
2. Updates policy to state that only ABAWDs must be referred to a work program and redefines the work programs in Section 240.00B, Work Requirements
3. Clarifies the work program referral process in Section 240.00C, Work Requirements
4. Includes Career Start as a work program and deletes reference to Voluntary Quit provision in Section 240.01, Disqualification Due to Failure to Comply with Work Requirements
5. Adds a note to see Section 243.03 and 243.04 for good cause reasons and suitability of employment to Section 240.01, Disqualification Due to Failure to Comply with Work Requirements
6. Adds a "NOTE" that voluntary quit disqualification time frames differ from other work requirement disqualification time frames in Section 240.01A, Disqualification Due to Failure to Comply with Work Requirements
7. Adds Career Start, deletes reference to Voluntary Quit provision, and adds to see Section 243 for Voluntary Quit penalties to the second "NOTE" in Section 240.01A, Disqualification Due to Failure to Comply with Work Requirements
8. Updates "Example" to show that disqualification types are interchangeable in Section 240.01A, Disqualification Due to Failure to Comply with Work Requirements

9. Updates reference in Section 240.01B2, Disqualification Due to Failure to Comply with Work Requirements
10. Adds "NOTE" that an 18 year old becomes subject to ABAWD rules the month after the 18th birthday and, unless exempt, countable months must be recorded to Section 240.02A, Exemptions From Work Requirements, Age
11. Clarifies a doctor's statement is needed for a woman who is obviously pregnant to verify disability and for Work Registration Code "B" in Section 240.02D, Exemptions From Work Requirements, Physically or Mentally Unfit for Employment
12. Clarifies Work Registration Code K allows a medical deduction and uncapped shelter deductions in Section 240.02E, Exemptions From Work Requirements, Disabled Specified
13. Clarifies a student includes an individual enrolled at least half-time in an on-line curriculum, via the internet in Section 240.02I, Exemptions From Work Requirements, Students
14. Adds Section 240.03, Deferrals From Work Requirements, which clarifies that deferrals apply to all individuals deferred from work registration; deletes reference to ABAWDs not being deferred; deletes "Homeless Individuals" as a deferral, and adds temporary disability (Work Registration Code X) as a deferral
15. Updates Unemployment Insurance Benefits in Section 240.05, Unemployment Insurance Benefits (UIB) Applicant/Recipient

**B. Section 241, Employment and Training (E&T)**

1. Adds The Community College (CC) to the title in Section 241.01, Requirements for Referring FNS Members To The Employment Security Commission (ESC)
2. Adds policy to refer ABAWDs and volunteers to ESC or the CC and to obtain a FNS unit members signature in Section G of the new DSS-2624 in Section 241.01, Requirements for Referring FNS Members To The Employment Security Commission (ESC)
3. Updates instructions for completing the revised DSS-8640 in Section 241.02B, E&T Client Rights and Responsibilities
4. Clarifies that each ABAWD member is required to participate in E&T activities unless exempt or deferred in 241.02D, E&T Client Rights and Responsibilities
5. Adds policy to refer ABAWDs to ESC or the CC, unless exempt or deferred, and to obtain a FNS unit members signature in Section G of the new DSS-2624 in Section 241.03, FNS Employment Registration/Deregistration Instructions
6. Adds a note to see Section 243.03 and 243.04 for good cause reasons and suitability of employment; that participants cannot be required to participate in E&T if their participant expenses exceed the amounts allowed, as a good cause reason for non-compliance; and to document good cause reasons in the case file to Section 241.06, Non-Compliance with E&T Requirements
7. Adds clarification that the Local DSS is responsible for determining if ESC or CC provided sufficient information to make a good cause determination for failure to comply with E&T activities to 241.06A, Non-Compliance with E&T Requirements
8. Adds there is no limit to the number of times a participant can claim good cause for non-compliance but documentation is required if claims become unreasonable to Section 241.06B2a, Non-Compliance with E&T Requirements

9. Adds a note that deferrals do not cure non-compliance with E&T Requirements to Section 241.07A, Non-Compliance with E&T Requirements
10. Clarifies when not to send a DSS-8553, Notice of Adverse Action in Section 241.06B5, Non-Compliance with E&T Requirements
11. Clarifies that incurred expenses must be reimbursed, up to the maximum limits even if the participant fails to complete the full participation requirements in Section 241.10, Participant Reimbursement Requirements
12. Updates the Career Start counties in Figure 241-2

**C. Section 243, Voluntary Quit and Voluntary Reduction of Work Effort**

1. Clarifies the definition of voluntary reduction of work effort in Section 243.01A, Requirement for Determining Voluntary Quit and Voluntary Reduction
2. Clarifies the penalty periods for voluntary quit and voluntary reduction and that no compliance activity (cure) is required after the minimum penalty ends in Section 243.01B, Requirement for Determining Voluntary Quit and Voluntary Reduction

**D. Section 245, Able-Bodied Adults Without Dependents (ABAWDs)**

1. Adds an ABAWD is restricted to receiving FNS benefits for a period of three months within the set 36-month period, unless the individual is deferred from E&T/CC participation due to a temporary obvious disability to Section 245.00, Able-Bodied Adults Without Dependents (ABAWDs).
2. Clarifies ABAWD provisions begin the month after the 18th birthday for ongoing cases in all recertification categories to include SR households in Section 245.01, Exemptions From the ABAWD Provisions
3. Adds definition of "Potential" ABAWDs, certification periods for potential ABAWDs may be assigned to ensure only three (free) months are received, and the requirement to provide all ABAWDs with the DSS-8640, which explains ABAWD work requirements to Section 245.02, Exemptions From the ABAWD Provisions
4. Adds an "Example" to clarify subjectivity to ABAWD provisions begins the month after the 18th birthday and to use the ABAWD tracking chart to code non-compliant (free) months to Section 245.02A, Exemptions From the ABAWD Provisions
5. Adds clarification and criteria to review and recode non-compliant (free) months to Section 245.03A3, Eligibility Limits For ABAWDS
6. Updates ABAWD waiver counties in Figure 245-2

**III. IMPLEMENTATION INSTRUCTIONS**

These changes are effective with each application, change in situation, or recertification taken or processed on or after July 1, 2008.

For individuals who have been disqualified for Voluntary Quit, review the case record to determine if the non-compliance is the first, second, or third. If the one, three, or six month disqualification has ended, add the individual back to the FNS case.

For NCSES-2625's received for non-compliance after 7-1-08, follow procedures as outlined in Section 241.06.

**IV. INSTRUCTIONS FOR MAINTENANCE OF THE FOOD and NUTRITION SERVICES MANUAL**

<u>REMOVE</u>		<u>INSERT</u>	
<u>Section</u>	<u>Pages</u>	<u>Section</u>	<u>Pages</u>
240	1-8	240	1-9
Figure 240-1	1	240	1
241	1-9	241	1-10
Figure 241-2	1	Figure 241-2	1
243	1-5	243	1-5
245	1-6	245	1-7
Figure 245-1	1	Figure 245-1	1
Figure 245-2	1	Figure 245-2	1

If you have any questions, please contact your Food and Nutrition Services & Energy Programs Representative.

Sincerely,



Dean Simpson, Chief  
Economic Services Section

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