

WORKFORCE SOLUTIONS TEXOMA POLICIES & PROCEDURES

CHAPTER 8 - PROGRAM SERVICES

SECTION - 6 SUPPLEMENTAL NURTRITION ASSISTANCE PROGRAM EMPLOYMENT & TRAINING (SNAP E&T)

Texas Workforce Commission Rule Chapter 813
Supplemental Nutrition Assistance Program Employment and Training

Adopted September 4, 2009

and

Workforce Solutions Texoma Policies
8.6.1 – 8.6.19

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WST Policy 8.6.1 Adoption of TWC Rule Chapter 813

The Workforce Solutions Texoma (hereinafter referred to as WST) agrees to adopt all of Texas Workforce Commission's Rule Chapter 813 pertaining to Supplemental Nutrition Assistance Program Employment and Training (SNAP) as policy. WST's additional policy references are to clarify local policy with regard to these TWC SNAP Rules.

TEXAS WORKFORCE COMMISSION

The rules are adopted under Texas Labor Code §§301.0015 and 302.002(d), which provide the Texas Workforce Commission with the authority to adopt, amend, or repeal such rules as it deems necessary for the effective administration of Agency services and activities.

Chapter 813. SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM EMPLOYMENT AND TRAINING

SUBCHAPTER A. GENERAL PROVISIONS

§ 813.1. Purpose.

The purpose of Supplemental Nutrition Assistance Program Employment and Training (SNAP E&T) activities and support services is to assist SNAP recipients who are not receiving Temporary Assistance for Needy Families in entering employment through participation in allowable job search, training, education, or workfare activities that promote self-sufficiency. These rules may be cited as the SNAP E&T rules.

The provisions of this §813.1 adopted to be effective August 17, 2009, as published in the Texas Register, August 14, 2009, 34 TexReg 5589.

§ 813.2. Definitions.

The following words and terms, when used in this chapter, shall have the following meanings unless the context clearly indicates otherwise.

- (1) ABAWD--a SNAP household member who is determined by the Texas Health and Human Services Commission to be a mandatory work registrant and is:
 - (A) classified as an able-bodied adult;
 - (B) at least 18 but less than 50 years of age;
 - (C) without dependents; and
 - (D) subject to a limitation on the receipt of SNAP benefits for three months out of 36 months if the person does not work at least 20 hours per week or participate in employment and training activities as specified in 7 U.S.C. §2015(o)(2)(A) - (B).
- (2) Exempt recipient--an individual who is part of the General Population, is not required to participate in SNAP E&T services, as set forth in 7 U.S.C. §2015(d)(2), and shall not be sanctioned for failure to cooperate with SNAP E&T requirements as set forth in §813.12 of this chapter.
- (3) Full-service counties--counties in which Boards ensure that:
 - (A) ABAWDs, who are not working at least 20 hours per week, are outreached and receive SNAP E&T services;
 - (B) the SNAP E&T General Population receives SNAP E&T services based on available funding;
 - (C) mandatory work registrants shall be sanctioned (i.e., SNAP benefits are denied) for failure to cooperate with SNAP E&T requirements; and
 - (D) exempt recipients who voluntarily participate in SNAP E&T services shall not be sanctioned for failure to cooperate with SNAP E&T requirements.
- (4) General Population--a mandatory or exempt SNAP household member who is:
 - (A) at least 16 but less than 60 years of age; and
 - (B) not classified as an ABAWD.

- (5) HHSC--the Texas Health and Human Services Commission.
- (6) Mandatory work registrant--a SNAP household member who is required to register for SNAP E&T services, and is:
 - (A) classified as General Population; or
 - (B) an ABAWD.
- (7) Minimum-service counties--counties in which:
 - (A) SNAP recipients (i.e., mandatory or exempt) may volunteer to participate in SNAP E&T services;
 - (B) Boards may provide services to SNAP recipients based on available funds;
 - (C) outreach is not conducted; and
 - (D) SNAP recipients (i.e., mandatory or exempt) who voluntarily participate in SNAP E&T services shall not be sanctioned for failure to cooperate with SNAP E&T requirements.
- (8) Nonprofit organization--any corporation, trust, association, cooperative, or other organization that is operated primarily for scientific, educational service, charitable, or similar purpose in the public interest; is not organized primarily for profit; and uses its net proceeds to maintain, improve, or expand its operations.
- (9) SNAP E&T activities--Supplemental Nutrition Assistance Program Employment and Training activities as specified in §813.31 of this chapter.
- (10) SNAP E&T support services--Supplemental Nutrition Assistance Program Employment and Training support services as specified in §813.41 of this chapter.
- (11) Volunteer--an individual who is not required to participate, but who voluntarily participates, in SNAP E&T services, including:
 - (A) exempt recipients in full-service counties; and
 - (B) exempt recipients and mandatory work registrants in minimum-service counties.
- (12) Workfare--a work-based activity that consists of placement of an ABAWD with a public or private nonprofit entity in an unpaid job assignment for the number of hours per month equal to an ABAWD's monthly household SNAP allotment amount divided by the federal minimum wage.

The provisions of this §813.2 adopted to be effective August 17, 2009, as published in the Texas Register, August 14, 2009, 34 TexReg 5589.

§ 813.3. General Board Responsibilities.

- (a) Role of Boards. A Board shall:
 - (1) ensure that SNAP eligibility is verified monthly before providing SNAP E&T services for mandatory work registrants and exempt recipients who voluntarily participate in SNAP E&T services; and
 - (2) ensure that mandatory work registrants, and exempt recipients who volunteer, participate in allowable SNAP E&T activities. The allowable activities shall meet the needs of employers and prepare the mandatory work registrants and exempt recipients who voluntarily participate in SNAP E&T services for unsubsidized employment.
- (b) Board Planning. A Board shall develop, amend, and modify its integrated workforce training and services plan to incorporate and coordinate the design and management of the delivery of SNAP E&T activities and support services with the delivery of other workforce employment, training, and educational services identified in Texas Government Code §§2308.301 - 2308.3165 as well as other training and services included in the One-Stop Service Delivery Network as set forth in Chapter 801 of this title (relating to Local Workforce Development Boards).
- (c) Board Management. Pursuant to this chapter, and Chapter 801 of this title (relating to Local Workforce Development Boards), a Board shall coordinate workforce employment, training, and educational

services that meet the needs of employers for its local workforce development area and shall incorporate and coordinate the management and strategy for SNAP E&T activities and support services into the comprehensive One-Stop Service Delivery Network provided to help low-income families as they move toward self-sufficiency.

- (d) Coordination with HHSC. A Board shall coordinate with HHSC on a regular and ongoing basis, as determined by the Board, regarding referrals, good cause, sanction procedures, and fair hearings or appeals.

The provisions of this §813.3 adopted to be effective August 17, 2009, as published in the Texas Register, August 14, 2009, 34 TexReg 5589.

§813.4. Board Policies and Local Procedures.

- (a) A Board shall establish policies and procedures regarding the methods and limitations for the provision of the following:
 - (1) Work-related expenses; and
 - (2) Housing assistance.
- (b) A Board may establish optional policies that require the use of the Eligible Training Provider System and Individual Training Accounts, as set forth in Chapter 841 of this title (relating to the Workforce Investment Act), to provide SNAP E&T-funded services for SNAP E&T participants.
- (c) If a Board establishes the optional policies described in subsection (b) of this section, the Board shall ensure that corresponding procedures are developed for the policies.

The provisions of this §813.4 adopted to be effective August 17, 2009, as published in the Texas Register, August 14, 2009, 34 TexReg 5589.

§813.5. Documentation, Verification, and Supervision of Work Activities.

- (a) A Board shall ensure that all required information related to the documentation and verification of participation in SNAP E&T work activities, as described in this section, is documented in The Workforce Information System of Texas (TWIST).
- (b) A Board shall ensure that all participation in SNAP E&T is verified and documented and that self-attestation is not allowed.
- (c) For the activity described in §813.31(5) of this chapter, Boards shall ensure that all participation is verified and documented in TWIST at least monthly.
- (d) For the activities described in §813.31(1) and (4) and §813.32(a)(4) of this chapter, Boards shall ensure that all participation is:
 - (1) supervised daily; and
 - (2) verified and documented in TWIST at least monthly.
- (e) For the activities described in §813.31(2) and (3) of this chapter, Boards shall ensure that:
 - (1) no more than one hour of unsupervised study or homework time per each hour of class time is counted toward participation in SNAP E&T;
 - (2) all study and homework time in excess of one hour per hour of class time is directly monitored, supervised, verified, and documented;
 - (3) study or homework time is only counted toward participation in SNAP E&T if:
 - (A) the study or homework time is directly correlated to the demands of the coursework for out-of-class preparation as described by the educational institution; and
 - (B) the educational institution's policy requires a certain number of out-of-class preparation hours for the class;
 - (4) good or satisfactory progress, as determined by the educational institution, is verified and documented in TWIST at least monthly;
 - (5) all participation in SNAP E&T is supervised daily; and
 - (6) all participation in SNAP E&T is verified and documented in TWIST at least monthly.

The provisions of this §813.5 adopted to be effective August 17, 2009, as published in the Texas Register, August 14, 2009, 34 TexReg 5589.

8.6.2 WST RESPONSIBILITIES & SERVICE STRATEGY POLICY

In accordance with §813.3, WST supports ensuring that Service Provider staff SNAP eligibility is verified monthly and that said eligibility shall be verified prior to providing SNAP services to mandatory work registrants, and exempt recipients. In addition, WST shall provide SNAP allowable activities to mandatory work registrants and exempt recipients who volunteer. WST staff and service providers will adhere to all state and federal statutes, regulations, and rules in development and implementation of the SNAP program. It is the policy of the Workforce Solutions Texoma (WST) that all customers are treated in a fair, equitable manner and that a nondiscrimination and equal opportunity policy is followed. WST is committed to ensuring that all customers in the Texoma Board area have equal access to all services, programs, and facilities. It is WST's policy that no customer will be denied access or services on the basis of race, color, religion, sex, national origin, age, disability, political affiliation, or belief. Refer to WST Equal Opportunity Policy, [Chapter 16-at-8.1](#) for additional equal opportunity policy and procedures.

WST's strategic planning process incorporates researching, developing, and publishing a list of demand occupations on an at least yearly basis. WST's Business Services Unit will coordinate with local employers through board-sponsored meetings, informal meetings, and individual meetings to develop opportunities to assist mandatory SNAP customers with opportunities for early attachment to the labor force. WST service providers will develop procedures to ensure that the work first philosophy in the integrated one-stop setting is pursued for all SNAP program participants. Service providers must establish ongoing coordination, good working relationships, and opportunities for coordinated case management with local Texas Health and Human Services Commission (HHSC) Staff that supports effective joint referral strategies. In reference to Texas Human Resources Code §31.0128, WST and HHSC has updated their adopted local Memorandum of Understanding to improve the transition of customers between local HHSC offices and WST. This MOU describes the responsibilities of the principal parties related to improving coordinated case management to assist with transitioning customers; providing coordinated services that addresses barriers to assisting customers with finding and retaining employment; and enhancing coordinated case management between WST and local HHSC offices. To support WST's work first design, ongoing coordination and working relationships will be established with local entities, such as the local housing authorities, substance abuse and mental health providers, and family services agencies to assist SNAP participants in overcoming barriers to employment. In addition, SNAP customers will be screened for access to additional one-stop partner activities/services that can assist in their progress toward employment.

WST's workforce centers are staffed with the highest quality staff and resources available to assist customers to access employment. Resource room access and services, specialized screening and referral services, group and individual activities, and

an individualized Employment Plan, are combined to provide SNAP customers with the tools and skills needed to access employment opportunities as an alternative to public assistance. WST's work first service delivery approach supports all SNAP customers in accessing early attachment to employment through use of community collaborative opportunities and specialized WFC services including assessments, specialized job assistance services, support services, individualized family employment plan, referrals to local work-oriented educational and training opportunities, and intensive case management. All program activities are designed to assist SNAP customers in finding and retaining employment as soon as possible. Mandatory SNAP recipients (both ABAWD and General Population) will be served through WST's SNAP program. Exempt and volunteer SNAP recipients will be served in the SNAP program as long as sufficient funds exist. WST's Service Provider will be notified via e-mail by the WST Fiscal Officer or designee when it is necessary to stop serving volunteer general population recipients due to insufficient program funds. Exempt or volunteer SNAP recipients can be served as part of the core services population with non-program funds in all Texoma Workforce Centers (WFC).

UBCHAPTER B. ACCESS TO EMPLOYMENT AND TRAINING ACTIVITIES AND SUPPORT SERVICES

§813.11. Board Responsibilities Regarding Access to SNAP E&T Activities and Support Services.

- (a) A Board shall ensure that allowable SNAP E&T activities and support services, as set forth in Subchapters D and E, respectively, of this chapter, are provided as specified in the annual state plan of operations approved by the United States Department of Agriculture (USDA), to individuals who are:
 - (1) classified as the General Population; or
 - (2) ABAWDs.
- (b) A Board shall ensure that the monitoring of SNAP E&T requirements and participant activities is ongoing and frequent, as determined appropriate by the Board, and consists of:
 - (1) tracking and reporting SNAP E&T participation hours;
 - (2) tracking and reporting support services hours;
 - (3) determining and arranging for any intervention needed to assist the individual in complying with SNAP E&T service requirements;
 - (4) ensuring progress toward achieving the goals and objectives in the employment plan; and
 - (5) monitoring all other requirements.
- (c) A Board shall ensure that all ABAWDs in full-service SNAP E&T counties are provided with an offer of a work activity within 10 calendar days from the date of referral from HHSC.
- (d) A Board shall ensure that HHSC is notified in a timely manner if a mandatory work registrant fails to comply with participant responsibilities, as set forth in §813.12 of this subchapter.
- (e) A Board shall ensure that employment and training activities are conducted in compliance with the Fair Labor Standards Act (FLSA) (29 U.S.C. §201 et seq.) as follows:
 - (1) the amount of time per week that a mandatory work registrant or exempt recipient who voluntarily participates in SNAP E&T services may be required to participate in activities that are not exempt from minimum wage and overtime under the FLSA shall be determined by the SNAP benefits amount being divided by the minimum wage, so that the amount paid to the mandatory work registrant or exempt recipient who voluntarily participates in SNAP E&T services would be equal to or more than the amount required for payment of wages, including minimum wage and overtime; and
 - (2) if a Board provides activities that meet all the following criteria set forth in this paragraph, the activity is considered "training" under FLSA and minimum wage and overtime are not required:
 - (A) The training is similar to that given in a vocational school.
 - (B) The training is for the benefit of the trainees.
 - (C) Trainees do not displace currently employed workers.
 - (D) Employers derive no immediate advantage from trainees' activities.
 - (E) Trainees are not entitled to a job after training is completed.
 - (F) Employers and trainees understand that trainees are not paid.
- (f) A Board shall ensure that placement in work-based services does not result in the displacement of currently employed workers or impair existing contracts for services or collective bargaining agreements.

The provisions of this §813.11 adopted to be effective August 17, 2009, as published in the Texas Register, August 14, 2009, 34 TexReg 5589.

8.6.3 SNAP PROGRAM ACCESS

WST hereby ensures that all program allowable activities and support services will be provided as specified in §813.11.

8.6.4 EMPLOYMENT PLANNING SESSION (EPS)

All outreached ABAWD and General Population recipients will be required to attend an Employment Planning Session (EPS) where necessary paperwork and programmatic information will be disseminated and job search activities will begin. The EPS should provide information about SNAP Program services and expectations; begin the assessment process, employment planning process, and job search activities. The EPS is considered the first day of job search. Both the assessment and employment planning process continues from initiation through closure of the customer's case. It is imperative that timely request for a penalty be entered into TWIST for mandatory ABAWD and Non-ABAWD customers who do not attend their EPS sessions or fail to comply with program requirements.

The SNAP EPS will be provided in a motivating, positive, upbeat manner, and will include a review of the SNAP program requirements and services, an explanation of the client's rights including confidentiality, nondiscrimination, and the right to file appeals about program decisions and the procedures for doing so, client assessment and employability planning, registration of customer for work in the job matching system, explanations of job search services and requirements, and an explanation of the center resources and services combined with a tour of the resource room.

WST Service Provider will develop procedures to ensure that the customer's employability plan is created on an individual basis for all SNAP program participants. For participating SNAP customers, the employability plan will have a specific employment goal based on the individual / family assessment that is targeted to assisting the customer to obtain or maintain employment and self-sufficiency. The employability plan will contain objectives to assist the customer in meeting the employment goal within a specific timeframe and be reevaluated as needed with a minimum review period every four weeks. The employability plan will also include supportive services, community referrals, and customer's responsibilities in participating in the SNAP program. The employability plan will be signed and dated by the customer and his/her career specialist. A copy of each employability plan will be provided to the SNAP customer with the original to be placed in the customer file.

WST Service Providers will develop employability plan procedures in accordance with the above WST Policy and TWC Rule §813.11.

8.6.5 MONITORING

In accordance with §813.11(b), WST service provider will provide weekly case management monitoring of SNAP customers and their activities on an at least weekly basis to assist customers in meeting programmatic requirements and obtain needed customer information. In addition, WST Service Providers will develop internal monitoring procedures to comply with TWC Rule §813.11(b). WST Service Providers should perform internal monitoring of a sample of SNAP cases on an at least monthly basis and documentation of same should be made in each individual case file in the TWIST case notes section with a report to the service provider management staff. Said report will be made available to WST monitoring staff upon request.

WST monitoring staff will monitor all aspects of the SNAP program as specified in §813.11(b), with a focus on holistic case management to include data entry of all aspects of the program and programmatic compliance of local, state, and federal policy. WST monitoring of SNAP cases will be performed in accordance with the WST Monitoring Policy, which is located in Chapter 6 of the WST Policies and Procedures.

8.6.6 OUTREACH

Only mandatory ABAWDS and General Population customers can be outreached. To comply with §813.11(c), service providers will ensure that each workforce center will outreach 100% of all eligible mandatory ABAWDS on an at least weekly basis to ensure that a work activity is offered within 10 calendar days from the date of referral from the HHSC. All ABAWDS appearing in the Outreach Pool must be outreached within 10 days of their appearance in the Outreach Pool. In addition, service providers will ensure that ABAWD orientations will be held on an at least weekly basis in all workforce centers, with the option to hold individual, one-on-one orientations, should that need arise in order to ensure the 10 calendar day timeline is met. WST service provider will ensure that an additional outreach is conducted on the last working day of the month to ensure compliance with the contracted goal of 100% outreach of mandatory recipients. Service provider will also outreach ABAWD customers with Work Code 5 within 10 days of their appearance in the TWIST outreach pool in accordance with WD 11-10.

WST service providers will ensure that General Population outreach will occur in each county on an at-least monthly basis. The amount of individuals outreached per county will depend on funds availability and will be determined by the WST service provider.

Pursuant to WD_10-08, only one outreach letter will be forwarded to SNAP recipients as long as the letter contains the verbiage required by WD 10-08 (page 39). This letter will serve as the first and final notice of the customer's requirement to participate in the SNAP program at the workforce center. This outreach letter must include information on the consequences SNAP customers will face if they do not keep the appointment scheduled in the call-in letter, and it must indicate that this letter is the only notice they will receive.

Pursuant to §813.11(c) and WD_10-08, SNAP mandatory recipients who appear in the Outreach Pool must be outreached within 10 days.

8.6.7 PENALTY REQUESTS

8.6.7.1 FAILURE TO RESPOND TO OUTREACH

WST Service provider will ensure that a penalty will be requested within three days for SNAP recipients who fail to show for the appointment listed in the outreach letter.

8.6.7.2 FAILURE TO PARTICIPATE

Penalty requests will also be requested within three days for customers who fail to show for required appointments or activities.

Once the penalty has been requested and appropriate case note documentation of same has been completed, the SNAP Case will be closed in TWIST.

8.6.8 FAIR LABOR STANDARDS ACT REQUIREMENTS POLICY

All employment and training activities required by WST services providers for SNAP participants will be in compliance with the Fair Labor Standards Act (FLSA) as detailed in TWC Rule §813.11(e-f) and TA Bulletin 207. Workfare activities or work experience training requirements for ABAWDs who have completed at least 4 job search weeks and are not able to obtain employment will be utilized. Hours for workfare activities or work experience training will be determined by taking the monthly SNAP benefit divided by the federal minimum wage. Under no circumstances will participants be required to participate in workfare activities or work experience training for more hours than is equal to their full FES&T benefit calculation as stated above. In addition, Board service providers will ensure that placement in work-based activities will not result in the displacement of currently employed workers or impair existing contracts for services or collective bargaining agreements. Pursuant to §813.11(e)(2), if a customer is enrolled in a "training" activity sponsored by the SNAP Program or other resources, minimum wage and overtime hourly restrictions will not apply. See WST P&P, Chapter 8, Section 17, Subsidized Employment & Training for additional information on SNAP Workfare activities and requirements.

8.6.9 TRAINING ACTIVITIES

Training activities for SNAP Program participants will only be authorized pursuant to availability of funds and must be approved by the Board due to limited funds. If the Board Executive Director determines sufficient SNAP funds are available, SNAP participants may use, but are not required to use, the Eligible Training Provider Certification System (ETPCS) and Individual Training Accounts (ITAs). However, SNAP participants may be screened for co-enrollment suitability if training is deemed the most appropriate activity.

Pursuant to WD 47-09, SNAP customers may attend stand-alone English as a Second Language (ESL) classes provided they are linked directly to job readiness or employment

activities. In compliance with WD 47-09, ESL classes should be directly linked to job readiness or employment. In addition, ESL instruction should be part of a continuum of services leading to employment and noted as such on the customers employment plan. In support of this requirement, the service provider must document participation in job training services and when ESL classes are provided in relation to other services. WST has established local-area partnerships with Grayson County College who offers ESL classes in all three counties in the WST area and the Fannin Literacy Council, which offers ESL classes in Fannin County. WST Service provider is referred to WD 47-09 to develop procedures to assist SNAP customers with their ESL needs.

§813.12. Participant Responsibilities.

Mandatory work registrants and exempt recipients who voluntarily participate in SNAP E&T services shall:

- (1) attend scheduled appointments;
- (2) participate in assigned SNAP E&T activities for at least a minimum weekly average of 30 hours, within the restrictions set forth in §813.14 of this subchapter;
- (3) report to an employer to whom they are referred;
- (4) accept a job offer; and
- (5) report activity hours, including hours of employment.

The provisions of this §813.12 adopted to be effective August 17, 2009, as published in the Texas Register, August 14, 2009, 34 TexReg 5589.

8.6.10 PARTICIPANT OPPORTUNITIES

WST Service Providers will ensure that SNAP mandatory work registrants and exempt recipients who voluntarily participate are offered opportunities to participate in activities as described in §813.12. Pursuant to TWC WD 10-08 in the event a SNAP exempt recipient who voluntarily participates fails to cooperate or decides not to cooperate with the SNAP requirements, staff will not initiate a sanction request and will immediately close out all service component activities and support services. All counties in the Texoma area are designated as Mandatory Service Counties; therefore, any mandatory SNAP participant who fails to cooperate with all provisions outlined in §813.12 will be sanctioned in accordance with 8.6.7 above.

Additionally, the service provider will follow guidance given in WD 15-08 which allows for exemptions for adults that care for children under six years of age.

§813.13. Good Cause for Mandatory Work Registrants and Exempt Recipients Who Voluntarily Participate in SNAP E&T Services.

- (a) Good cause applies only to mandatory work registrants and exempt recipients who voluntarily participate in SNAP E&T services. A Board shall ensure that good cause is determined before SNAP benefits are denied when:
 - (1) mandatory work registrants state that they have a legitimate reason for failing to respond to the outreach notification; and
 - (2) mandatory work registrants and exempt recipients who voluntarily participate in SNAP E&T services have legitimate reasons for failing to participate in SNAP E&T activities.
- (b) A Board shall ensure that a good cause determination:
 - (1) is based on individual and family circumstances;
 - (2) is based on face-to-face or telephone contact;
 - (3) includes a temporary period when mandatory work registrants or exempt recipients who voluntarily participate in SNAP E&T services may be unable to attend scheduled appointments or participate in ongoing work activities; and
 - (4) is made at the time the change in circumstances is made known to the Board's service provider.

- (c) For purposes of this chapter, the following reasons constitute good cause:
- (1) temporary illness or incapacitation;
 - (2) court appearance;
 - (3) caring for a physically or mentally disabled household member who requires the recipient's presence in the home;
 - (4) no available transportation and the distance prohibits walking; or no available job within reasonable commuting distance, as defined by the Board;
 - (5) distance from the home of the mandatory work registrant, or exempt recipient who voluntarily participates in SNAP E&T services, to the Texas Workforce Center or employment service provider requires commuting time of more than two hours a day (not including taking a child to and from a child care facility), and the distance prohibits walking and there is no available transportation;
 - (6) farmworkers who are away from their permanent residence or home base, who travel to work in an agriculture or related industry during part of the year, and are under contract or similar agreement with an employer to begin work within 30 days of the date the individual notified the Board of his or her seasonal farmwork assignment;
 - (7) an inability to obtain needed child care, as defined by the Board and based on the following reasons:
 - (A) informal child care by a relative or child care provided under other arrangements is unavailable or unsuitable, and based on, where applicable, Board policy regarding child care. Informal child care may also be determined unsuitable by the parent;
 - (B) eligible formal child care providers, as defined in Chapter 809 of this title (relating to Child Care Services), are unavailable;
 - (C) affordable formal child care arrangements within maximum rates established by the Board are unavailable; and
 - (D) formal or informal child care within a reasonable distance from home or the work site is unavailable;
 - (8) an absence of other support services necessary for participation;
 - (9) receipt of a job referral that results in an offer below the federal minimum wage, except when a lower wage is permissible under federal minimum wage law;
 - (10) an individual or family crisis or a family circumstance that may preclude participation, including substance abuse and mental health and disability-related issues, provided the mandatory work registrant or exempt recipient who voluntarily participates in SNAP E&T services, engages in problem resolution through appropriate referrals for counseling and support services; or
 - (11) an individual is a victim of family violence.
- (d) A Board shall ensure that good cause:
- (1) is reevaluated at least on a monthly basis;
 - (2) is extended if the circumstances giving rise to the good cause exception are not resolved after available resources to remedy the situation have been considered; and based on the existence of family violence, does not exceed a total of 12 consecutive months per occurrence.

The provisions of this §813.13 adopted to be effective August 17, 2009, as published in the Texas Register, August 14, 2009, 34 TexReg 5589.

8.6.11 GOOD CAUSE

Pursuant to TWC Rule §813.13, WST service providers will determine good cause on a case-by-case basis through individual face-to-face or telephone contact with SNAP mandatory work registrants and exempt recipients who voluntarily participate in SNAP services on at least a monthly basis. The Good Cause request should be made at the time the staff learns of the change in circumstance. Good cause will be determined only for the reasons listed in Rule §813.13(c) and will be for a temporary period. Prior to granting good cause, WST service providers will support customers in offering opportunities/options to obtain additional hours by the end of the service month to supplement missed hours due to short-term issues such as temporary illness, court appearances, or temporary lack of transportation, in order to encourage customer responsibility in meeting participation requirements. If missed hours can be made up by the end of the service month, no good cause will be granted. Good cause will be granted as a last resort measure.

Good causes granted for customer's inability to participate in program requirements due to a medical condition will require written documentation from a physician that customer is physically unable to participate in program requirements for an extended period. Good cause will not be granted for illnesses lasting less than one week.

Although TWC Rule §813.13(c)(4) permits good cause for "no available transportation and the distance prohibits walking; or no job available within reasonable commuting distance," WST service providers will assist customers in researching all available options, such as: public transportation (TAPS), seeking ride-sharing opportunities, opportunities to borrow transportation or procure transportation from family or friends, prior to granting good cause. In order to comply with TWC Rule §813.13(c)(4) (c)(7)(D), WST's definition of "reasonable commuting distance" is defined as customers commuting one hour on a one-way basis to or from home to a child care provider or an employment opportunity.

TWC Rule §813.13(c)(7)(A-D) details specific instances when good cause may be granted for inability to obtain needed childcare. WST service provider will assist SNAP customers in researching all available child care alternatives. Eligible SNAP customers needing child care services will be assisted in exploring relative care options or eligible child care provider options. In addition, WST service provider will assist customers in developing a back-up plan for child care if the primary child care provider is unable to provide child care on a short-term basis. With the wide range of child care options available in the Texoma area, it is unlikely that good cause will need to be granted on an extended basis for this reason. WST's definition of "inability to obtain needed child care" is a short-term emergency situation that should last no longer than a one-month period. Good cause for inability to obtain child care should be granted for no more than a one-month period at a time and should only be granted when all other alternatives have been researched. WST service providers will notify SNAP customers that failure to participate for lack of child care can not exempt customers from SNAP program requirements on an extended basis and will only be granted when all other available options have been explored. WST service providers will document in detail options

explored by customers and reasons why customers state they cannot obtain child care in TWIST case notes prior to granting good cause.

All good causes will be reevaluated on a monthly basis by a face-to-face or telephone contact. WST service providers will work with customers in resolution of barriers or circumstances that led to the customer's inability to participate in the SNAP program.

WST Service Provider will ensure that ABAWD's wishing to claim good cause are informed that, in order to continue receiving benefits (for the fourth and subsequent months), they must enter into an SNAP activity before the three-month in 36-month time limit expires. Although good cause temporarily releases ABAWD's from participation in SNAP activities, benefits will not be extended beyond three months if ABAWD's do not resume participation within the three-month time frame.

Mandatory work registrants may claim good cause before or after a penalty has been initiated in TWIST, as long as the penalty has not been imposed by HHSC. Specific details for reasons behind granting good cause will be documented in the case notes section of TWIST.

§813.14. Special Provisions Regarding Sanctions for Noncooperation.

General population mandatory work registrants who are scheduled to participate more than 120 hours per month may not be sanctioned for noncooperation after 120 hours have been reached, as described in the Food and Nutrition Act , 7 U.S.C. §2015(d)(4)(F)(ii). The 120 hours include hours in all SNAP E&T activities, including any hours worked for paid or unpaid compensation.

The provisions of this §813.14 adopted to be effective August 17, 2009, as published in the Texas Register, August 14, 2009, 34 TexReg 5589.

8.6.12 GENERAL POPULATION REQUESTS FOR SANCTIONS AFTER 120 HOURS PER MONTH POLICY

WST Service providers will create individualized employment opportunities for all general population mandatory recipients that will allow participation in SNAP Program job search and other activities for a minimum of 30 hours per week, but no more than 120 hours per month within the parameters of activities outlined in §813.14, as required for participant programmatic participation in §813.2. WST Service Providers will ensure that requests for sanctions will not be made for general population mandatory work registrants who complete 120 hours of scheduled participation in compliance with §813.14. The 120-hour monthly cap does not apply to ABAWD's.

SUBCHAPTER C. EXPENDITURE OF FUNDS

§813.22. Use of Funds.

Boards shall ensure that the following funding provisions are followed:

- (1) The following SNAP E&T grant funds shall be expended on SNAP E&T activities for mandatory work registrants and exempt recipients who voluntarily participate in SNAP E&T activities listed in §813.31 and §813.32 of this chapter:
 - (A) 100 percent federal SNAP E&T grant and 100 percent federal ABAWD-only grant (100 percent funds)
 - (B) 50 percent federal SNAP E&T grant and 50 percent state SNAP E&T grant (50/50 funds)
- (2) SNAP E&T-funded support services, listed in §813.41 of this chapter, shall be funded only with 50/50 funds.
- (3) Job retention services for SNAP recipients who participated in SNAP E&T activities and obtained full-time employment may be provided for no more than 90 days and shall be funded with one or both of the following:
 - (A) 100 percent funds
 - (B) 50/50 funds
- (4) Job retention support services for SNAP recipients who participated in SNAP E&T activities and obtained full-time or part-time employment may be provided for no more than 90 days and shall be funded with 50/50 funds.

The provisions of this §813.22 adopted to be effective August 17, 2009, as published in the Texas Register, August 14, 2009, 34 TexReg 5589.

8.6.13 EXPENDITURE OF FUNDS

WST and its service providers will ensure that SNAP Program funds will be used pursuant to §813.22. In addition, monthly eligibility verification will occur through the HHSC SNAP program to continue participation in the program and prior to dispensing supportive services funds. Said eligibility must be documented in the case file.

§813.32. SNAP E&T Activities for ABAWDs.

- (a) Boards shall ensure that SNAP E&T activities for ABAWDs are limited to participating in the following:
 - (1) services or activities under the Trade Act of 1974, as amended by the Trade Act of 2002;
 - (2) activities under the Workforce Investment Act (29 U.S.C. §2801, et seq.);
 - (3) education and training, which may include:
 - (A) vocational training as described in §813.31(2) of this subchapter; or
 - (B) nonvocational education as described in §813.31(3) of this subchapter; and
 - (4) workfare activities that shall:
 - (A) be designed to improve the employability of ABAWDs through actual employment experience or training, or both;
 - (B) be unpaid job assignments based in the public or private nonprofit sectors;
 - (C) have hourly requirements based on the ABAWD's monthly household SNAP allotment divided by the number of ABAWDs in the SNAP household, as provided by HHSC and then divided by the federal minimum wage; and
 - (D) include a four-week job search period prior to placement in a workfare activity.
- (b) Boards shall ensure that ABAWDs who are referred to a Texas Workforce Center and subsequently become engaged in unsubsidized employment for at least 20 hours per week are not required to continue participation in SNAP E&T services because they have fulfilled their work requirement, as described in 7 U.S.C. §2015(o)(2)(A). In addition, Boards shall ensure that HHSC is notified when ABAWDs obtain employment.

The provisions of this §813.32 adopted to be effective August 17, 2009, as published in the Texas Register, August 14, 2009, 34 TexReg 5589.

8.6.14 ALLOWABLE ACTIVITIES

WST Service providers will create individualized employment plans for all enrolled SNAP participants that support allowable activities as outlined in §813.31 & 813.32. Employment plans should provide for sufficient activities to meet a minimum of 30 hours per week, but no more than 120 hours per month, within the parameters of activities outlined in §813.31 & 813.32, and WD 10-08.

8.6.14.1 JOB SEARCH

Pursuant to TWC Rule §813.31(1)(B)(i-ii) mandatory recipients are limited to four weeks of intensive job search, and general population recipients are limited to six weeks of intensive job search and job readiness activities per federal fiscal year. The Federal Fiscal Year runs from October through September. Of the six weeks, no more than 4 weeks of consecutive activity will be allowed. For ABAWDs, the 4 weeks must be consecutive. If employment is not obtained after the 4 weeks of job search, the customer must be immediately enrolled in a workfare activity. Participation in workfare must continue as long as Supplemental Nutrition Assistance Programs are being received, or until 20 hours of employment per week is obtained, or the customer enters into an

education/training activity. See WST P&P, Chapter 8, Section 17, Subsidized Employment & Training for additional information about SNAP workfare activities and requirements. In accordance with §813.31 (1)(B)(iii), ABAWDS who have exhausted their 4 weeks of job search activities and General Population participants who have exhausted their 6 weeks of job search activities who are now participating in an allowable activity but are lacking the required 30 hours per week in order to meet the mandated work requirement could be enrolled in job search activities as long as the job search activities comprise less than half of the required time spent in the other activity.

Exceptions to the 4 or 6 weeks of allowable job search activities include ABAWDS that are co-enrolled as Re-Integration of Offenders (RIO) or WIA customers. RIO and WIA customers have no time limitations placed on job search activities. However, SNAP ABAWD customers enrolled in workfare must still participate in the workfare activity as long as they continue to receive Supplemental Nutrition Assistance Programs, until 20 hours of employment per week is obtained, or the customer enters into an education/training activity. See WST P&P, Chapter 8, Section 17, Subsidized Employment & Training for additional information about SNAP workfare activities and requirements. No job search activity hours the customer participates in through the RIO or WIA program will count as SNAP participation, unless they meet the specifications of the last sentence in the above paragraph.

WST service providers will develop procedures that will enable SNAP customers to participate in high-quality, intensive job-search activities designed to engage customers in employment in the fastest possible manner. Since job search and job readiness weeks are time limited, customers should focus on these activities. Intensive job search and job readiness while customers are involved in their allowable 4 or 6 weeks per program year should yield the best use of this time-limited benefit for our customers.

8.6.14.1.1 SUPERVISED JOB SEARCH

According to WD Letter 41-07, Change 2, self-attestation does not serve as acceptable documentation for SNAP participation hours. SNAP participation in job search activities must be documented and verified. However, TA Bulletin 190 offers service provider a detailed definition of Self-Declaration and how it relates to participation hours. Additionally, WD Letter 62-07, Change 2, addresses the removal of phone calls as a source of documentation to verify participation hours. Supervised job search must include supervision of participation to ensure that:

- 1) an adequate amount of time is spent in the activity
- 2) participants are on task
- 3) WFC staff is available to answer questions and provide guidance.

Only the following forms of documentation to verify hours of participation in supervised job search will be accepted.

- 1) attendance records from the service provider
- 2) time cards or timesheets signed by the service provider or the service provider's designated representative (supervisor)
- 3) signed letters, by mail or fax from the service provider or the service provider's designated representative, certifying the participant's hours of participation

No online job searches will be allowed at home. Online job search is allowed only if it is conducted in a supervised setting (Workforce Center) or another setting with a responsible party physically present to verify that the participant is conducting online job search activities.

8.6.14.1.2 SELF-DIRECTED JOB SEARCH

WD Letter 41-07, Change 2, also states that all participants in self-directed job search activities must maintain a daily log of their job search participation and employment contacts and submit their logs at least weekly. WST job search logs should be turned in for verification each day during STAR class attendance. Printouts of job applications submitted while in an unsupervised setting are not acceptable verification of employer contacts. Only the following forms of verification of participation in self-directed job search will be accepted:

- 1) fax transmittal receipts for resumes/applications submitted to employers-only if the fax number has been verified as belonging to the listed employer
- 2) business cards or brochures from the contacted employer
- 3) signed contact verification forms
- 4) printouts of e-mail submissions of resumes/applications-only if the e-mail address had been verified as belonging to the employer.
- 5) Contact Verification Form approved by the Board may be used by customers to provide independent verification of self-directed job search activities.

8.6.14.1.3 VERIFICATION OF SELF-DIRECTED JOB SEARCH

WD Letter 41-07, Change 2, offers additional guidance on verification of participation in self-directed job search by offering three options to Boards. WST will utilize Option 1, 100% Verification, in which SNAP participants will furnish service provider staff with verification for 100% of the employer contacts on each job search log. Service provider staff will enter all job search hours into TWIST. Job search hours that are unverified employer contacts will not be data entered into TWIST. Service provider staff will enter verification for 10% of the verified employer contacts into TWIST.

If employer contacts cannot be validated (job search logs are incomplete or information related to a specific contact is missing), those participation hours may not be reported.

8.6.14.2 WORKFARE ACTIVITIES

See WST P&P, Chapter 8, Section 17, Subsidized Employment & Training for information on SNAP Workfare activities and requirements, including subsidized employment guidance offered in WD 56-09.

8.6.14.3 CUSTOMIZED TRAINING

See WST P&P, Chapter 8, Section 17, Subsidized Employment & Training for information on SNAP Customized Training activities and requirements.

8.6.14.4 NON-VOCATIONAL & VOCATIONAL EDUCATIONAL TRAINING

All vocational educational and non-vocational educational training for SNAP participants is dependent upon funds availability and will be tied to the needs of the employer and local labor market. Board approval must be obtained prior to enrolling any SNAP Customer in an SNAP-funded vocational activity. Any vocational education training for SNAP customers must be short-term tied directly to a specified employment goal. As stated in §813.31(2), training must be consistent with employment goals identified in the employment plan and training activities are only allowable if there is an expectation that employment can be secured upon completion of the training.

WST service provider will ensure that SNAP participants considered for non-vocational educational training and/or vocational educational training have exhausted their initial four weeks of intensive job search. Justification as to why the SNAP participant is being referred to training must be documented. Determination of referral for vocational and non-vocational training must be made on an individualized basis with documented information that the training is directly related to employability and consistent with employment goals outlined in the employability plan.

WST will pay for GED testing for SNAP customers who identify themselves as ready to test at any time during active participation in the SNAP program. SNAP Customers who need assistance becoming ready to test for the GED, or request other non-vocational assistance will be referred for said assistance only after four weeks of intensive job search has been completed without securing employment. Non-vocational activities should be targeted to assisting SNAP Customers in increasing employability skills. Non-vocational activities will be designated as time-limited and closely monitored by the SNAP Case Manager who will

document weekly progress. If, at any time, the minimum hourly requirement per week of participation in non-vocational activities is not met, a penalty request will be submitted. In addition, if, at any time, the customer is not showing progress in the non-vocational activity, customer will be removed from said activity and placed in their last 2 weeks of job search, or if job search component is not available, will be referred to a community service activity.

8.6.14.4.1 Training Data Entry

Pursuant to WD 33-07, WST service provider will ensure training codes and information is correctly entered into TWIST in the Service Detail window. In addition, service provider will ensure that the correct service completion reason and date is entered to close the training component. Additionally, service provider is referred to WD 38-09 for details on appropriate data entry of ONET and CIP codes for training services on customers co-enrolled in WIA.

8.6.14.5 CUSTOMER CONTACT

WST service provider will ensure that SNAP customers are provided with at least weekly face-to-face or telephone contact. Customer contact will serve to assist customers with their job search and/or employment needs, including assessing the need for continued or new supportive services, tracking program requirements, and gathering performance information. Documentation of all customer contact will be placed in TWIST case notes.

8.6.15 REPORTING

WST service providers will ensure that all changes in customer address and telephone numbers are reported to HHSC via completion of the appropriate HHSC form.

8.6.15.1 REPORTING EMPLOYMENT

WST service providers will ensure that HHSC is notified immediately when SNAP participants obtain either full-time or part-time employment through submission of the HHSC Form 1822. Said employment must also be appropriately documented in TWIST. However, the SNAP TWIST case will not be closed unless the participant is working the required minimum hours, which are for ABAWDS, 20 hours per week, or for General Population participants, 30 hours per week.

According to WD 10-08 WST service provider must ensure that SNAP services are not provided to exempt Supplemental Nutrition Assistance Program recipients who are employed or self-employed at least 30 hours per week, or who are receiving earnings equal to 30 hours multiplied by the federal minimum wage.

8.6.15.2 REQUESTING RECONSIDERATIONS

8.6.15.2.1 INDIVIDUALS RESPONDING TO OUTREACH WHO SHOW EVIDENCE OF WORKING

Individuals who respond to an outreach letter with a report of working the required minimum hours are exempt from work registration. Therefore, WST service provider will ensure that reconsideration is appropriately requested from HHSC, through use of HHSC Form 1817, upon verification of employment for SNAP mandatory work registrants who report to the EPS showing evidence that they are working the required minimum number of hours per week. Work requirements for ABAWDS are 20 hours per week and for General Population recipients 30 hours per week. In these circumstances, WST service provider will ensure that no TWIST case will be opened or services provided other than general core services.

8.6.15.1.2 OTHER RECONSIDERATIONS

Reconsiderations will also be requested from HHSC, through use of the HHSC Form 1817, upon any mandatory work registrant providing proof of meeting one or more Federal Employment Services Exemption(s). If this information is provided prior to or within 3 working days of the date recipient is required to report for work registration pursuant to the Outreach Letter, said information will be transmitted to HHSC, and no TWIST case will be opened. However, if said information is not provided by the end of the three-day period, recipient will either begin participating in a work activity or a request for sanction for failure to participate will be requested.

8.6.15.3 REPORTING PROGRAM PARTICIPATION

Upon completion of the second successful week of an ABAWD's SNAP program participation, WST service provider staff will ensure that a HHSC Form 1822 is completed and sent to HHSC to report program participation.

8.6.15.4 REPORTING CASE CLOSURE

Any active SNAP case must be reported as "closed" in TWIST in the event:

- 1) minimum employment hours are obtained.
- 2) customer fails or refuses to participate in program activities and a sanction is requested, or
- 3) HHSC SNAP case is denied.

§813.33. Job Retention Activities.

- (a) Boards may provide job retention activities:
- (1) similar to the SNAP E&T activities described in §813.31(1) - (3) of this subchapter, and as specified in the annual SNAP E&T state plan of operations and any subsequent amendments approved by USDA;
 - (2) for up to 90 days to SNAP recipients who participated in SNAP E&T activities and obtained full-time employment; and
 - (3) in full-service or minimum-service counties as funding permits and as specified in paragraphs (1) and (2) of this subsection.
- (b) Boards shall ensure that SNAP eligibility is verified each month that job retention activities are provided.

The provisions of this §813.33 adopted to be effective August 17, 2009, as published in the Texas Register, August 14, 2009, 34 TexReg 5589.

§813.34. Job Retention Support Services.

Boards may provide job retention support services for up to 90 days to assist:

- (1) mandatory work registrants who obtain part-time employment while participating, or after successfully participating, in SNAP E&T activities; and
- (2) exempt recipients who participated in SNAP E&T activities and obtained full-time employment.

The provisions of this §813.34 adopted to be effective August 17, 2009, as published in the Texas Register, August 14, 2009, 34 TexReg 5589.

SUBCHAPTER E. SUPPORT SERVICES FOR PARTICIPANTS

§813.41. Provision of SNAP E&T Support Services.

- (a) Boards shall ensure that SNAP E&T support services are provided to mandatory work registrants and exempt recipients who voluntarily participate in SNAP E&T services, if the support services are reasonable, necessary, and directly related to participation in SNAP E&T activities, as follows:
- (1) **Mandatory Work Registrants.** Boards shall ensure that:
 - (A) support services are provided to assist mandatory work registrants with participation in SNAP E&T activities and in obtaining employment; and
 - (B) if the monthly expenses directly related to participation by a mandatory work registrant exceed available funds, the mandatory work registrant is:
 - (i) exempted from further participation in an assigned SNAP E&T activity; or
 - (ii) reassigned to a SNAP E&T activity that will not require the provision of support services.
 - (2) **Exempt Recipients Who Voluntarily Participate in SNAP E&T Activities.** Boards shall ensure that:
 - (A) support services are provided to assist exempt recipients with participation in SNAP E&T activities and in obtaining employment; and
 - (B) if the monthly expenses directly related to participation for an exempt recipient who voluntarily participates in SNAP E&T services exceed available funds, the exempt recipient is:
 - (i) informed that assigned activities will be discontinued; or
 - (ii) reassigned to a SNAP E&T activity that will not require the provision of support services.
- (b) Support services include payment or reimbursement for:
- (1) child care services governed by Chapter 809 of this title;
 - (2) transportation services that may be provided for participating mandatory work registrants and exempt recipients who voluntarily participate in SNAP E&T services, if alternative transportation resources are not available to the participants. Boards shall ensure that costs to provide the transportation services are:
 - (A) reasonable and necessary for participation in SNAP E&T activities; and
 - (B) paid for based on the methods and amounts determined by each Board to be consistent with state policy that requires use of the most economical means of transportation to meet the SNAP E&T participant's needs;
 - (3) training or education-related items:
 - (A) including, but not limited to, costs for uniforms, personal safety items, or other necessary equipment, and books or training manuals provided; and
 - (B) excluding the cost of meals away from home;
 - (4) work-related expenses that are:
 - (A) reasonable, necessary, and directly related to accepting or retaining employment such as tools, uniforms, equipment, transportation, and car repairs; and
 - (B) paid for based on methods and amounts established in Boards' local policies and procedures; and
 - (5) housing expenses that are:

- (A) reasonable, necessary, and directly related to participation in SNAP E&T activities or retaining employment such as assistance with rent or utility payments; and
- (B) paid for based on methods and amounts established in Boards' local policies and procedures.

The provisions of this §813.41 adopted to be effective August 17, 2009, as published in the Texas Register, August 14, 2009, 34 TexReg 5589.

8.6.16 SUPPORT SERVICES

WST will provide support services in accordance with §813.41. Supportive services such as transportation, childcare, etc. will only be provided to participants who are participating in allowable activities as outlined in §813.31 and §813.32. Documentation must be maintained that provided support services are related to SNAP programmatic participation, and in accordance with §813.41 and WD 10-08, will be dispensed to assist Supplemental Nutrition Assistance Program recipients with obtaining or accepting employment. Allowable supportive services will be provided upon the request of the customer if no local alternative or local funding is available and will be determined on a case-by-case basis throughout the ongoing assessment process. Childcare and vocational educational training will be provided based on funds' availability. Details of allowable supportive services are outlined in WST Supportive Services Policy at Chapter 8, Section 15. Prior to authorizing supportive services, documentation must be maintained to support verification of customer's continuing eligibility in the HHSC SNAP program.

Supportive services are reserved for use by participants in compliance only. WST service providers will take action immediately to terminate supportive services for SNAP participants not in programmatic compliance. Immediately is defined as the first time a customer misses an appointment or scheduled activity without good cause or notification to the career specialist, or the first time the career specialist is unable to reach the customer at any of the provided addresses or phone locations, such as through employment, family, or at home. WST Service Provider is directed to review WST Supportive Services P&P (Chapter 8, Section 15) for additional instructions on the dissemination of supportive services. Additionally, service provider is referred to TA Bulletin 178, Change 2, and WD Letter 34-09, for further information regarding new allowable transportation services available to SNAP E&T participants. Additionally, effective 9/1/09, SNAP E&T participants who enter full or part-time employment are eligible for the transportation services listed in TA Bulletin 178, Change 2, to help them retain employment.

8.6.16.2 JOB RETENTION SERVICES AND SUPPORT

SERVICES

Effective October 1, 2009, job retention services, supportive services or both, are allowable, if requested, to SNAP E&T participants for up to 90 days. In order for an individual to be eligible for such services, the following criteria must be met:

- SNAP recipient (eligibility must be verified)
- participated in regular SNAP services on or after October 1, 2009, and
- then entered full or part-time employment during or immediately after participation in regular SNAP E&T services.

Service provider shall verify SNAP eligibility when services are requested and each month that the individual receives job retention services, support services, or both. Additionally, job retention services or support services may not be given to participants while on sanction or penalty status.

As additional funding will not be allocated for job retention services or support services, service provider must work within the existing SNAP allocation.

Service provider is referred to WD 35-09 for further guidance on job retention services and support services. Additionally, data entry will be conducted in accordance with WD 35-09.

8.6.17 DATA ENTRY POLICY

All SNAP customer contact and other programmatic data entry, including participation hours will be entered in TWIST and/or customer's case file on an at least weekly basis. Effective October 22, 2009, service provider is no longer required to enter supportive service information on the Support Services tab in TWIST. In accordance with 23-07, Change 1, 62-07, Change ~~1~~2, and TA Bulletin 170, participation hours will be entered under daily time tracking and verification sources will be entered as well. Further guidance on verification of participation hours is noted in WD 41-07, change 2. In addition, the service provider is not required to document each day's activities in TWIST counselor notes. In addition, data entry of contact with employers and other agencies, such as HHSC, DARS, etc., will be placed in case notes with documentation of who was spoken to, when the call occurred, and specific details of conversation.

Service provider staff must understand data entry as it relates to the DINT process and TA Bulletin 182.

Additionally, service provider staff must ensure that data entry deadlines are met as set forth in 41-09.

SUBCHAPTER F. COMPLAINTS

§813.53. Discrimination Complaints.

- (a) A mandatory work registrant alleging discrimination on the basis of age, race, color, national origin, or physical or mental disability has a right to file a written complaint of alleged discriminatory acts within 180 calendar days from the date of the alleged discriminatory act. Complaints must be submitted to the Texas Workforce Commission Equal Opportunity Department, 101 East 15th Street, Room 220, Austin, TX 78778-0001.
- (b) Boards shall ensure that the Board or the Board's service providers advise individuals who express an interest in filing a discrimination complaint of their right to file a complaint and the complaint procedures.

The provisions of this §813.53 adopted to be effective February 26, 2003, as published in the Texas Register, February 21, 2003, 28 TexReg 1657.

8.6.18 APPEALS POLICY

WST's Program Grievance/Complaint Policy is outlined in WST Policy 8.2, and supports TWC Rules §813.53. WST's SNAP Service Provider will develop procedures to ensure that all customers receive written notice of their right to appeal program decisions in accordance with WST Policy 8.2 and TWC Rules §813.53. Copy of customer's signature on written notice of program grievance/complaint policy will be maintained in customer file with original notice being given to the customer.

Further, these procedures will support referring customers back to HHSC to appeal decisions regarding termination or reduction of benefits.

8.6.19 PRIORITY OF SERVICE FOR ELIGIBLE VETERANS AND ELIGIBLE FOSTER YOUTH POLICY

Pursuant to House Bill 1452 (enacted by the 81st Texas Legislature), Texas Family Code §264.121, Jobs for Veterans Act of 2002, USDOL TEGL 5-03, USDOL TEGL 10-09, TWC WD Letters 04-09 (and Changes 1, & 2, & 3), 01-08, and 58-05, qualified Veterans and foster youth will receive priority of service in the following priority order for workforce services:

- a. Federal/State qualified veterans,
- b. Federal qualified spouse,
- c. State qualified spouse

~~Federal qualified veterans and federal qualified spouses~~ These persons will continue to receive priority over all other equally qualified individuals in the receipt of services funded in whole or in part by DOL, in accordance with 38 U.S.C. §4215.

~~Note: Among federal qualified veterans and spouses, the following priority order applies:~~

- ~~a. Special disabled veterans~~
- ~~b. Disabled veterans~~
- ~~c. Eligible veterans (Federal/State qualified veteran)~~
- ~~d. Other eligible individuals~~

~~State qualified veterans receive priority over all other equally qualified individuals in the receipt of employment assistance or job training services funded in whole or in part by state funds, in accordance with HB 1452.~~

Eligible foster youth (includes current and former foster youth) receive priority over all other equally qualified individuals—except federal qualified veterans and spouses, and state qualified veterans as defined in Chapter 801—in the receipt of federal and state-funded services.

Service provider must ensure that eligible veterans are identified at the point of entry in all workforce centers and that they are informed of their right to priority of service, the full array of services available, and any applicable eligibility requirements for such programs. Service provider will develop and implement procedures to ensure the actions noted above occur. Provider will also ensure that non-eligible persons who are currently receiving workforce services are not displaced in order to provide priority of service to eligible veterans. Additionally, service provider will ensure that any Veteran that receives staff-assisted services sign a self-attestation form to certify that they meet the definition of eligible veteran. However, per WD 04-09, Change 23, if a veteran presents a DD-214 upon arrival at a workforce center, staff may use the DD-214 instead of a self-attestation form. Additionally, if a DD-214 is on file at the workforce center or if the veteran is registered in WorkInTexas.com, the self-attestation form is neither necessary nor required.

The following three categories of qualified job training programs in which priority of service will apply are:

1. Universal access programs
2. Discretionary targeting programs
3. Statutory targeting programs (Temporary Assistance for Needy Families)

Service provider will determine each individual's eligible veteran status and apply priority of service as described in WD 04-09 (and subsequent Changes 1, & 2, & 3).

Service provider will ensure workforce services are prioritized and targeted for youth transitioning out of the foster care system and for former foster care youth.

Additionally, to ensure that eligible veterans and foster youth receive priority over all other equally qualified individuals in the receipt of workforce services, they also must have access to needed support services. However, child care for state qualified veterans and eligible foster youth is contingent upon the availability of Commission child care funds. When a waiting list exists, care can not be discontinued for a child already enrolled in child care services in order to serve the child of a state qualified veteran or child of a foster youth. The following priority order exists for children on the waiting list:

1. children who need to receive protective services child care
2. children of a qualified veteran
3. children of an eligible foster youth
4. children of teen parents
5. children with disabilities

Additionally, service provider will document the receipt of staff-assisted workforce services in TWIST or WorkInTexas.

Service provider will utilize WD 04-09, Change [23](#), for specific definitions and further explanation of priority of service expectations.

References:

WD 33-07 – Training Services Information in The Workforce Information System of Texas (6/6/07)

~~WD 65-07 – Reporting the Number of Customers Served with Texas Department of Transportation Funds (10/5/07) (Rescinded per WD 34-09)~~

~~WD 66-07 – Job Training Course Requirements for English as a Second Language Classes (10/29/07) (Rescinded per WD 47-09)~~

~~WD 62-07, Change 1 – Acceptable Verification and Required Documentation for Choices and Food Stamp Employment and Training Work Activities (1/11/08) ([Rescinded per WD 62-07, Change 2](#))~~

[WD 23-07, Change 1 – Implementation of Amended Choices Rules – Update \(12/27/07\)](#)

WD 15-08 – New Food Stamp Exemption Policy for Adults Caring for Children Under Six Years of Age (3/24/08)

WD 08-08 – Implementation of the New Integrate Complaints, Hearings, and Appeals Rules (4/29/08)

WD 10-08 – Food Stamp Employment and Training-A Comprehensive Guide (5/29/08)

WD 41-07, Change 2 – Verification Procedures for Choices and Food Stamp Employment and Training Participation in Job Search – *Additional Guidance* (9/23/08)

~~WD 41-08 – Workforce Automated Systems’ Data Entry Deadlines for Board Contract Year 2009 (10/3/08) (Rescinded per WD 41-09)~~

WD 62-07, Change 2 – Acceptable Verification and Required Documentation for Choices and Food Stamp Employment and Training Work Activities: *Update* (10/22/08)

WD 09-09 – Changing the Name of Supplemental Nutrition Assistance Program Employment & Training to Supplemental Nutrition Assistance Program Employment & Training (4/3/09)

~~WD 04-09, Change 2 – Priority of Service for Eligible Veterans and Eligible Foster Youth: Update (8/7/09)~~ (Rescinded per WD 04-09, Change 3)

WD 41-09 – Workforce Automated Systems' Data Entry Deadlines for Board Contract Year 2010 (9/11/09)

WD 34-09 – Transportation Services and Job Access and Reverse Commute Projects (9/15/09)

WD 38-09 – Changes to Reporting Training Activities in the Workforce Information System of Texas (9/16/09)

WD 35-09 New Supplemental Nutrition Assistance Program Employment and Training Rules (9/29/09)

WD 47-09 – Job Training Course Requirements for English as a Second Language Classes (11/30/09)

WD 56-09 – Temporary Assistance for Needy Families Subsidized Employment Initiatives (11/30/09)

WD 04-09, Change 3 – Priority of Service for Eligible Veterans and Eligible Foster Youth: Update (2/20/10)

WD 11-10 – Supplemental Nutrition Assistance Program Employment and Training: Services to Individuals Assigned Work Code 5 (2/25/10)

TA Bulletin #170 – TWIST: Entry of Participation Hours and Verification of Participation Hours for Choices and Food Stamp Employment and Training (1/11/08)

~~TA Bulletin #178 – Transportation Services (4/18/08)~~

~~TA Bulletin #178, Change 1 – Transportation Services (5/13/09)~~ (Rescinded per TA Bulletin 178, Change 2)

TA Bulletin #182 – Edits on the Daily Time Tracking Verification Screen (5/30/08)

TA Bulletin #190 – Choices and Food Stamp Employment and Training Clarification of Self-Attestation and Self-Declaration (9/23/08)

TA Bulletin #207 – Calculating Participation Hours Subject to the Fair Labor Standards Act Using the New Minimum Wage (6/9/09)

TA Bulletin #178, Change 2 – Transportation Services – *Update* (9/15/09)

TA Bulletins located at: <http://www.twc.state.tx.us/boards/tabull/tabull.html>