

ARKANSAS REGISTER

Transmittal Sheet



SHARON PRIEST
SECRETARY OF STATE
STATE OF ARKANSAS

BY _____

Sharon Priest
Secretary of State
State Capitol Rm. 01
Little Rock, Arkansas 72201-1094

For Office
Use Only:

Effective Date

7/1/97

Code Number

016.20.97--016

Name of Agency Division of County Operations

Department of Human Services

Contact Person Roy Kindle, Assistant Director

Phone 682-8251

Statutory Authority for Promulgating Rules

Federal Personal Responsibility and Work Opportunity
Reconciliation Act of 1996 and Arkansas Act 1058
of 1997, the Arkansas Personal Responsibility and
Public Assistance Reform Act

Date

Intended Effective Date

Legal Notice Published 5/19/97

☐ Emergency

Final Date for Public Comment 6/17/97

☐ 10 Days After Filing

Filed With Legislative Council 5/19/97

☒ Other

Reviewed by Legislative Council _____

7-1-97

Adopted by State Agency 7-1-97

CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted
In Compliance with Act 484 of 1967 As Amended.

A handwritten signature in dark ink, appearing to read "Roy Kindle", written over a horizontal line.

Signature

682-8375

Phone Number

Director

Title

5/15/97

Date

NOTICE
OF PUBLIC HEARING
 Pursuant to the Federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) and Arkansas Act 1058 of 1997, the Arkansas Personal Responsibility and Public Assistance Reform Act, the Director, Division of County Operations, Arkansas, proposed Program Policy, procedures and Forms for Implementation July 1, 1997, of the Transitional Employment Assistance (TEA) program under Title IV-A of the Social Security Act.

Copies of the proposed changes may be obtained by writing the Division of County Operations, P.O. Box 1437, Slot 1220, Little Rock, AR 72203, Attention: Office of Program Planning & Development. All comments must be submitted in writing to the address indicated above no later than 30 days from the date of this notice.

If you need this material in a different format, such as large print, contact our Americans with Disabilities Act Coordinator at 682-8920 (voice) or 682-8933 (TDD).

The Arkansas Department of Human Services is in compliance with Titles VI and VII of the Civil Rights Act and operates, manages, and delivers services without regard to age, religion, disability, political affiliation, veteran status, sex, race, color, or national origin.

Roy Hart, II
 Director

7904460

QUESTIONNAIRE FOR FILING PROPOSED RULES AND REGULATIONS WITH
THE ARKANSAS LEGISLATIVE COUNCIL AND JOINT INTERIM COMMITTEE

DEPARTMENT/AGENCY Department of Human Services
DIVISION of County Operations
DIVISION DIRECTOR Roy Hart
CONTACT PERSON Roy Kindle, Assistant Director, OPPD
ADDRESS P.O. Box 1437, Office of Program Planning & Development,
Slot 1220, Little Rock, AR 72203
PHONE NO. (501) 682-8251 FAX NO. (501) 682-1597

RECEIVED

INSTRUCTIONS

JUN 20 1997

- A. Please make copies of this form for future use.
B. Please answer each question completely using layman terms. **SHARON PRIEST**
You may use additional sheets, if necessary. **SECRETARY OF STATE**
C. If you have a method of indexing your rules, please give the BY _____
proposed citation after "Short Title of this Rule" below.
D. Submit two (2) copies of your proposed rule and mail or deliver to:

Donna K. Davis
Subcommittee on Administrative Rules and Regulations
Arkansas Legislative Council
Bureau of Legislative Research
Room 315, State Capitol
Little Rock, AR 72201

1. What is the short title of this rule?

Arkansas' Transitional Employment Assistance Program Policy,
Procedures and Forms

2. What is the subject of the proposed rule?

To implement July 1, 1997, the Transitional Employment
Assistance program

3. Is this rule required to comply with federal statute or
regulations? Yes X No _____

If yes, please provide the federal regulation and/or statute
citation.

Federal Personal Responsibility and Work Opportunity
Reconciliation Act of 1996 and Arkansas Act 1058 of 1997, the
Arkansas Personal Responsibility and Public Assistance Reform
Act

4. Was this rule filed under the emergency provisions of the
Administrative Procedure Act? Yes _____ No X

If yes, what is the effective date of the emergency rule?

When does the emergency rule expire?

Will this emergency rule be promulgated under the regular

Questionnaire
Page 2

provisions of the Administrative Procedure Act? Yes _____
No _____

5. Is this a new rule? Yes X No

Does this repeal an existing rule? Yes X No

Is this an amendment to an existing rule? If yes, please
attach a markup showing the changes in the existing rule and
a summary of the substantive changes.

This is a new rule. We are repealing the current AFDC State
Plan and program policy established by Title IV-A of the
Social Security Act.

6. What state law grants the authority for this proposed rule?
If codified, please give Arkansas Code citation.

Arkansas Act 1058 of 1997, the Arkansas Personal
Responsibility and Public Assistance Reform Act

7. What is the purpose of this proposed rule? Why is it
necessary?

To be in compliance with the Federal Personal Responsibility
and Work Opportunity Reconciliation Act of 1996 and Arkansas
Act 1058 of 1997 and Arkansas Act 1058 of 1997, the Arkansas
Personal Responsibility and Public Assistance Reform Act.

8. Will a public hearing be held on this proposed rule?
Yes _____ No X If yes, please give the date, time, and
place of the public hearing?

Between November 19, 1996 and December 13, 1996, sixteen
public forums were held across the state to inform the
public of the Transitional Employment Assistance program and
to solicit comments. Also, hearings were held by both the
House and Senate and testimony was taken from the public.

9. When does the public comment period expire?

The public comment period expires on June 17, 1997.

10. What is the proposed effective date of this proposed rule?

July 1, 1997

11. Do you expect this rule to be controversial? Yes _____
No X If yes, please explain.

12. Please give the name of persons, groups, or organizations
which you expect to comment on these rules? Please provide
their position (for or against) if known.

None

PLEASE ANSWER ALL QUESTIONS COMPLETELY

July 28, 1995

DEPARTMENT of Human Services
DIVISION of County Operations
PERSON COMPLETING THIS STATEMENT

Roy Kindle, Assistant Director,
Office of Program Planning &
Development
FAX NO. 682-1597

TELEPHONE NO. 682-8251

RECEIVED

JUN 20 1997

SHARON PRIEST
SECRETARY OF STATE

To comply with Act 884 of 1995, please complete the following
Financial Impact Statement and file with the questionnaire
proposed rules.

SHORT TITLE OF THIS RULE - Arkansas' proposed Program Policy,
Procedures & Forms-Transitional
Employment Assistance program

1. Does this proposed, amended, or repealed rule or regulation
have a financial impact? Yes ☒ No
2. If you believe that the development of a financial impact
statement is so speculative as to be cost prohibited, please
explain.
3. If the purpose of this rule or regulation is to implement a
federal rule or regulation, please give the incremental cost
for implementing the regulation.

<u>1997-1998 Fiscal Year</u>		<u>1998-99 Fiscal Year</u>	
General Revenue	\$19,590,698	General Revenue	\$19,590,698
Federal Funds	53,335,415	Federal Funds	53,335,415
Cash Funds		Cash Funds	
Special Revenue		Special Revenue	
Other		Other	
Total	\$72,926,113	Total	\$72,926,113

4. What is the total estimated cost by fiscal year to any party
subject to the proposed, amended, or repealed rule or
regulation?

<u>1997-98 Fiscal Year</u>	<u>1998-99 Fiscal Year</u>
None	None

5. What is the total estimated cost by fiscal year to the agency
to implement this regulation?

\$19,590,698

FORMS

DCO-1, Notice of Action

DCO-180, Application for Transitional Employment Assistance

DCO-181, TEA Self-Administered Skills Assessment and Employment Plan

DCO-182, Diversion Assistance Agreement

**Arkansas Department of Human Services
Notice of Action**

TO: _____

DATE: _____
FROM: _____

Only the items checked below apply to you:

SECTION I TRANSITIONAL EMPLOYMENT ASSISTANCE (TEA)

- | | |
|--|--|
| <input type="checkbox"/> Your application has been approved for \$ _____ month. | <input type="checkbox"/> Your application has been denied. |
| <input type="checkbox"/> Your case will be closed if you do not provide the information listed below or that is checked on the attached form DCO-84, Request for information, by the date shown below. Contact your caseworker if you need more time or help in getting the information. | <input type="checkbox"/> Your benefits will increase from \$ _____ to \$ _____ |
| | <input type="checkbox"/> Your benefits will be/have been held. |
| | <input type="checkbox"/> Your case will be/has been closed. |
| | <input type="checkbox"/> Your benefits will be/have been reduced from \$ _____ to \$ _____ |

REASON FOR ACTION:

Our policy supporting this action is _____.
The above action will be/has been taken on _____. If you appeal this action by _____ your assistance may continue at or be reinstated to its previous level until a hearing decision is issued. However, if the county office action is upheld, you will be liable for repayment of monies paid you to which you were not entitled.

SECTION II FOOD STAMPS

- | | |
|---|---|
| <input type="checkbox"/> Your application has been approved for the period _____ through _____.
The first month you will receive \$ _____ in benefits which covers the month(s) _____.
After the first month you will receive \$ _____ in benefits. | Because of a change in your household circumstances and/or policy:
<input type="checkbox"/> Your Food Stamp benefits will change from \$ _____ to _____
<input type="checkbox"/> You must provide proof of _____ by _____
or _____ |
| <input type="checkbox"/> Your application has been denied effective _____ | <input type="checkbox"/> Your case will be closed effective _____
<input type="checkbox"/> Your Food Stamp benefits will remain the same. |

REASON FOR ACTION:

Our policy supporting this action is _____.
The above action will be taken on _____. If you appeal this action by _____ your benefits may be continued at its present level until a decision is issued unless you request this action be taken as scheduled or your Food Stamp certification period expires.

PLEASE READ THE BACK OF THIS NOTICE FOR INFORMATION ABOUT WHAT TO DO IF YOU DISAGREE WITH THIS ACTION.

Signature of County Office Representative

Phone Number

DCO-1 (R.7/97)-100010

SECTION III

YOUR RIGHT TO A HEARING

If you disagree with the action we plan to take you may request and receive a Hearing.

If you request a Hearing by the date shown in the box on the front page, your assistance may be continued at its present level or reinstated to its previous level pending a decision on your appeal. If assistance is continued at its present level or reinstated until a decision is reached, you may be required to repay the additional benefits if the hearing decision is not in your favor. For TEA, the latest you may file an appeal is 30 days from the date of this action. For Food Stamps benefits, the latest you may file an appeal is 90 days from the date of this notice.

If you wish to discuss your case with the County Office before deciding whether to file for a hearing, you should contact the person who signed this notice.

SECTION IV

HOW TO FILE FOR A HEARING

If you are not satisfied with the decision on your case, you may request a Hearing by writing or talking to a member of the local Human Services Office or by writing the Appeals and Hearings Section, P. O. Box 1437, Little Rock, AR 72203-1437. For TEA, your hearing request must be in writing.

SECTION V

YOUR RIGHT TO REPRESENTATION

If you request a Hearing, you have the right to appear in person and to be represented by a lawyer or other person you select. If you wish to have a lawyer, you may ask your local Human Services Office to help you arrange for one. If free legal services are available where you live, you may ask your Human Services Office for their address and phone number.

Prior to the hearing, you and/or your representative have the right to review your record and other evidence which will be presented at the hearing. You have the right to present evidence in your own behalf, to bring witnesses, and to question any person who is presented as a witness against you.

SECTION VI

YOUR RESPONSIBILITY TO REPORT CHANGES

It is your continuing responsibility to report changes in income, resources or circumstances which might affect your eligibility for TEA or Food Stamps or the amount of your benefits. Changes must be reported within 10 days. Failure to report changes within 10 days may constitute an overpayment which is subject to legal action for collection and prosecution for fraud. Collection action may involve the withholding of a specified amount from your TEA check.

Instructions for DCO-1

Purpose

Form DCO-1 is used to notify TEA and/or Food Stamp applicants of the disposition of their application. The DCO-1 is also used to notify TEA recipients of any action which will be or has been taken to reduce, increase, hold, or terminate TEA benefits. In addition, the DCO-1 is used to notify Food Stamp households of the effect of a reported change or the results of a change which affects the household's eligibility.

Completion

The Case Manager will indicate the action which will be or has been taken by checking (✓) and completing the appropriate item. For TEA actions which contain the phrase "will be has been", either "will be" or "has been" will be lined out so as to indicate whether the action has already been taken or will be taken on a later date.

A clear and concise statement as to the reason for action will be shown in the space provided. This statement should be specific and in language which the applicant/recipient can be expected to understand. The specific TEA and/or FSC manual policy reference will be shown.

In the appropriate spaces, the following dates will be entered:

1. The actual date on which the action will be or has been taken.
2. The date which is 10 days following the date the DCO-1 is sent. In cases in which a 10 day advance notice is being given, this date will be the same as the actual date on which the action will be taken.

Routing

The original DCO-1 will be sent to the applicant/recipient with a copy filed in the TEA and/or Food Stamp case record.

IF YOU NEED THIS MATERIAL IN A DIFFERENT FORMAT SUCH AS LARGE PRINT, CONTACT YOUR LOCAL DHS OFFICE.

ARKANSAS DEPARTMENT OF HUMAN SERVICES
Application for Transitional Employment Assistance

INSTRUCTIONS

1. If you are eligible for Transitional Employment Assistance (TEA), this form will be used to determine eligibility for Medicaid and Food Stamps.
 - ◆ If your application for Transitional Employment Assistance (TEA) is denied and you wish to continue the application process, you may be required to provide additional information in order to determine your eligibility for Food Stamps and Medicaid.
2. Please fill out all the information on the application. You may do this now or wait until your interview. However, it will speed up the application process if you fill out the information before the interview. Fill out as much of the information as you can. Let us know if you need help. The date you turn your application in to the DHS County Office is your application date.
3. If you are applying for Food Stamps and are found eligible, we must send your first food stamps within 30 days from your application date.
4. You must furnish the following information.
 - ◆ Proof of your identity, ages of your children, and your relationship to them.
 - ◆ Proof of your residency.
 - ◆ Proof of liquid resources (checking or savings accounts, etc.) owned by you or any other household member.
 - ◆ Proof of money (earnings, checks, cash, etc.) received by you or any other household member.
5. You must have an interview with a case manager before your application for TEA can be processed. All of the pages of your application must be turned in no later than the time of your interview.

ARE YOU ENTITLED TO GET FOOD STAMPS WITHIN SEVEN DAYS?

If your household is eligible to get food stamps and meets the condition listed below, you may be able to get your food stamps within seven days of your date of application.

Your monthly gross income is less than \$150, and your liquid resources total \$100 or less. Income means money from work, money from checks or money people give you. We will count your income and the resources of all other household members.

SOCIAL SECURITY NUMBERS - You must give us a social security number (SSN) for each household member. This is required by the Food Stamp Act of 1977, as amended by P.L. 97-98, and by the Social Security Act for cash and medicaid assistance. SSNs are subject to verification and reviews or audits to ensure your household is eligible for food stamps, TEA and/or medicaid. SSNs are used to check the identity of household members, to prevent duplicate participation and to facilitate mass changes. During this process, we may contact your employer, bank or other parties. SSNs are also used in a computer match through the State Income and Eligibility Verification System to secure wage, unearned income and benefit information from the Social Security Administration, Employment Security Division, and Internal Revenue Service. Information received may be verified through collateral contact when discrepancies are found by DHS and may affect eligibility or level of benefits.

PENALTIES

If it is determined by the Administrative Disqualification Hearing section or a federal or state court that a family member has committed an Intentional Program Violation in the Transitional Employment Assistance program (that is, received assistance to which you were not entitled because you willfully withheld information or reported incorrect information), the family will not be eligible for assistance for (a) one year for the first offense; (2) two years for the second offense; and (3) permanently for more than two.

Any member of your household who intentionally breaks any of the following rules will not be able to get food stamps for one year. The second time a household member intentionally breaks one of these rules, he or she will not be able to get food stamps for two years. The third time a household member intentionally breaks one of these rules, he or she will never again be allowed to get food stamps.

- ☞ DO NOT GIVE FALSE INFORMATION OR WITHHOLD INFORMATION IN ORDER TO GET OR TO CONTINUE TO GET FOOD STAMPS.
- ☞ DO NOT ALTER ANY AUTHORIZATION DOCUMENT TO GET FOOD STAMPS YOU ARE NOT ELIGIBLE TO RECEIVE.
- ☞ DO NOT USE FOOD STAMPS TO BUY NON-FOOD ITEMS LIKE ALCOHOLIC DRINKS, TOBACCO, OR PERSONAL GROOMING ITEMS.
- ☞ DO NOT TRADE OR SELL FOOD STAMPS OR AUTHORIZATION CARDS.
- ☞ DO NOT USE SOMEONE ELSE'S FOOD STAMPS OR AUTHORIZATION CARDS FOR YOUR HOUSEHOLD'S BENEFIT.

Any member of your household found to have made a fraudulent statement or representation about their identity or residence in order to get food stamp benefits in two locations during the same month will be barred from getting food stamps and cash assistance for ten years.

.....
ADDITIONAL PENALTIES. A court of law can ban anyone who intentionally breaks Food Stamp Program rules from getting food stamps for an additional 18 months. A court can also impose fines of up to \$250,000, or send the violator to jail for up to 20 years or both.

Violators found guilty in a court of law of any of buying or selling fire arms, ammunition, explosives, or controlled substances (illegal drugs or certain for which a doctor's prescription is required) in exchange for food stamps will be permanently barred from getting food stamps.

Violators convicted in a court of law of trafficking food stamps in excess of \$500 will be permanently barred from getting food stamps.

.....
NOTICE: FLEEING FELONS AND PAROLE/PROBATION VIOLATORS ARE INELIGIBLE TO PARTICIPATE IN THE FOOD STAMP PROGRAM, THE TEA PROGRAM, AND THE MEDICAID PROGRAM.

Issuance of Benefits

You will be provided information during the interview about the method by which your benefits are to be issued to your household.

**Arkansas Department of Human Services (DHS)
Division of County Operations (DCO)**

FOR OFFICE USE ONLY

REG	ACES REG #	FS REG #	APP DT	COUNTY	CAT.	ADULTS	CHILD	WORKER #	WORKER NAME	MRT	KEY DATE	OP. INT
	1											
	2											
DEN	WORKER #	DENIAL DATE	REASON			CATEGORY	CN	KEY DATE	OP. INT			
	1											
	2											

Application For Transitional Employment Assistance

If you need this material in a different format, such as large print, contact your DHS county office.

Please answer all questions as completely and as accurately as possible. If you do not understand a question the caseworker you speak with will help you. If you do not have enough space for your answer, attach another sheet of paper to this application.

SOCIAL SECURITY NUMBER	LAST NAME	FIRST NAME	MI	BIRTH DATE	RACE	SEX
MEDICARE NUMBER	MARITAL STATUS	TELEPHONE NUMBER WHERE YOU CAN BE REACHED				
STREET ADDRESS		CITY	STATE	ZIP CODE		
MAILING ADDRESS (IF DIFFERENT)		CITY	STATE	ZIP CODE		

Please list everyone in your home and complete each space by their name:

Social Security Number	Name		Birthdate	Race	Sex	Relationship to you	Is this person a			Office Use Only MRT
	Last	First					US Citizen	Legal Alien	Other	
	APPLICANT									

EXPEDITED SERVICE - Certain eligible households will receive food stamps within seven days of the date they file an application. The answers to the questions below will help us decide if you qualify for expedited service. Answer for yourself and all other household members.

1. Will your household's total income for this month be less than \$150? (Include money already received this month. Also, include money you expect to receive later this month.) YES ☐ NO ☐
2. Does your household have \$100 or less in cash, checking accounts, savings accounts, etc.? YES ☐ NO ☐

Does anyone in your household have earned income? YES ☐ NO ☐

If yes, enter gross amount \$ _____

Does anyone in your household have unearned income (such as Social Security, SSI, Child Support, Unemployment benefits)? YES ☐ NO ☐

If yes, enter the name of the person who receives any type of income listed above and the total monthly payment.

Name _____ Amount _____

Do you expect a change in any of the above? _____ If yes, what and when? _____

You can authorize someone outside your household to get your food stamps or EBT benefits to buy food for your household. If you would like to authorize someone, write the name or names below.

Name _____ Name _____

Address _____ Address _____

Telephone _____ Telephone _____

Family Planning - I may be eligible for Family Planning Services and:

- ☐ I do want Family Planning Services
☐ I want more information
☐ I do not want Family Planning Service

Is anyone in your household pregnant? ☐ YES ☐ NO

Child Health Services (Health Checkups) The health checkup program has been explained to me and:

- ☐ I do want this service for all eligible persons
☐ I do want this service for only the following persons:

_____ ☐ I do not want this service.

Unpaid Medical Expenses

Do you have any unpaid medical expenses from the past 3 months? ☐ YES ☐ NO

Would you like to register to vote? ☐ YES ☐ NO

DO YOU HAVE?	YES	NO	OWNER'S NAME	Total Value	OTHER
Cash or savings				\$	
Certificates of Deposit (CD)				\$	
Credit Union Accounts				\$	Bank Name
Checking accounts				\$	Bank Name
Stocks, bonds, IRAs Keogh Plans, Mutual Funds				\$	
Real Estate other than your home				\$	Location Amount Owed \$
Other (Prepaid burial plans, trust funds, etc.)				Total Value \$	Description -

How many cars, trucks and vans do you and the members of your household have? _____

Please list below:

Make & Year	Amount Owed	Who Owns	Medical Benefits
			YES <input type="checkbox"/> NO <input type="checkbox"/>
			YES <input type="checkbox"/> NO <input type="checkbox"/>

● Do you or anyone in your home own or are you buying other buildings or property? ☐ YES ☐ NO

● How have you been meeting your expenses for the past 6 months? _____

● Do you or any other household member pay money for a room or meals to a person with whom you live? YES ☐ NO ☐

● Are you or any other household member participating in the Food Stamp Program in another place? YES ☐ NO ☐

● Are you or any other household member now disqualified or have you or any other household member ever been disqualified from the Food Stamp, AFDC Program, or TEA for providing incorrect information or for failing to provide information that affected eligibility and benefits? YES ☐ NO ☐

If yes, which program? _____

● Have you or a member of your household been found guilty of or pleaded guilty or nolo contendere to a felony offense involving the manufacture or distribution of an controlled substance on or after July 1, 1997? YES ☐ NO ☐

CHILD SUPPORT PAYMENTS - List child support paid by a household member to someone outside the home. Do you or anyone else in your home pay child support? YES ☐ NO ☐

If yes, who pays? _____ Amount paid \$ _____ How often? _____

READ THE FOLLOWING CAREFULLY BEFORE YOU SIGN THIS APPLICATION.

I understand that I must help establish my eligibility by providing as much information as I can about my circumstances.

I authorize DCO to obtain information from other state agencies and other sources to confirm the accuracy of my statements.

I understand that no person may be denied TEA, Food Stamps, or Medicaid benefits on the grounds of race, color, sex, age, handicap, religion, national origin, or political belief.

I may request a hearing from DHS if a decision is not made on my case within the proper time limit or if I disagree with the decision.

I agree to notify the DCO county office within 10 days if I or any of my dependents cease to live in my home, if I move, if I become employed or my earnings change, or if any other changes occur in my circumstances.

I authorize DHS to examine all records of mine or records of those who receive or have received Medicaid benefits through me to investigate whether or not any person has committed Medicaid fraud, or for use in any legal, administrative or judicial proceeding.

I understand that cash assistance will be limited to twenty-four (24) months of my lifetime.

CHILD SUPPORT ENFORCEMENT REQUIREMENTS

TRANSITIONAL EMPLOYMENT ASSISTANCE (TEA) - I understand that if I accept TEA cash assistance, by state law, I will have assigned all rights, title, and interest in any support that I have in my own behalf or in behalf of any other person for whom I am receiving TEA. I understand that all support payments including those received by me directly from the absent parent, are to be paid to the Office of Child Support Enforcement. I understand that this assignment ends when I no longer receive TEA except as to any unpaid support obligation that has accrued at the time my TEA case is closed. I also understand that as a condition of eligibility for TEA, I must cooperate with the Office of Child Support Enforcement in establishing paternity and obtaining child support.

MEDICAID - As a condition of eligibility for Medicaid, each applicant or recipient must cooperate with the Office of Child Support Enforcement (OCSE) in establishing paternity and obtaining medical support for each child who has a parent absent from the home. All other OCSE services, including collection of child support payments from the absent parent, will be provided unless OCSE receives a written notice from me that I do not want these services.

ASSIGNMENT OF MEDICAL PAYMENTS

I authorize any holder of medical or other information about me to release information needed for a Medicaid claim to DHS. I further authorize release of any information to other parties who may be liable for my medical expenses. As an eligibility condition, I automatically assign my right to any settlement, judgment, or award which may be obtained against any third party to DHS to the full extent of any amount which is paid by DHS on my behalf. I authorize and request that funds, settlement or other payments made by or on behalf of third parties, including tortfeasors or insurers arising out of a Medicaid claim, be paid directly to DHS. My application for Medicaid benefits shall in itself constitute an assignment by operation of law and shall be considered a statutory lien of any settlement, judgment, or award received by me from a third party. A third party is any person, entity, institution, organization or other source which may be liable for injury, disease, disability or death sustained by me or others named herein, including estates of said individuals. I also assign all rights in any settlement made by me or on my behalf arising out of any claim to the extent of medical expenses paid by DHS, whether or not a portion of such settlement is designated for medical expenses. Any such funds received by me shall be paid to DHS. A copy of this authorization may be used in place of the original.

Personal Responsibility Agreement

I understand public assistance is temporary as I seek to become self-supportive and economically independent. I understand that it is my responsibility to find and keep a job and to secure all other potential sources of income for the support of myself and my dependent children.

In return for public assistance, I agree to be held responsible for:

1. Looking for employment or following up on job referrals required by my case worker before, during, and after approval of my application for assistance.
2. Cooperating with my case worker in developing and following my Employment Plan.
3. Accepting full or part-time employment that may be offered.
4. Not voluntarily terminating employment.
5. Ensuring that my children receive their age appropriate childhood immunizations.
6. Ensuring that my school age children attend school.
7. If I am an unmarried minor parent, I will reside in the household of a parent, legal guardian, other adult relative, or in an approve adult-supervised living arrangement unless my case worker approves other living arrangements.
8. Cooperating with the Office of Child Support Enforcement in seeking child support payments and/or establishing paternity.

I understand that in some circumstances the agency may determine that I had good cause for not complying with the above requirements and in certain unique circumstances I may be granted an extension or exemption of a specific program requirement. I also understand that I must sign this Agreement in order to apply for Transitional Employment Assistance.

I declare under penalty of perjury that the information I have provided on this form is true and correct. If I receive benefits for which I am not eligible because I withheld information or provided inaccurate information, such assistance will be subject to recovery by DCO. Any assistance I receive in the future may be reduced to recover this overpayment, and I may be subject to prosecution for fraud and fined and/or imprisoned.

Parent/Caretaker Relative Signature

Date

Parent/Caretaker Relative Signature

Date

Minor Parent Signature (if appropriate)

Date

Case Worker's Signature

Date

**Arkansas Department of Human Services
Division of County Operations**

TEA Self-Administered Skills Assessment and Employment Plan

If you need this material in a different format, such as large print, contact your local DHS County Office.

Part A. TEA Self-Administered Skills Assessment

Please answer the questions below as completely as possible.

Name _____ Social Security Number _____ Date _____

1. Do you have a high school diploma? Yes () No () If not, do you have you GED? Yes () No ()

2. What is the highest grade you completed? _____

3. Do you have any post-secondary education (college, vo-tech, etc.)? Yes () No ()
If yes, what? _____

4. Would you like to learn to read better? Yes () No ()

Employment Skills - Please check any of the employment skills that you have below.

Clerical () Manufacturing () Fast Foods () Hotel () Restaurant () Child Care () Janitorial () Nursing ()

Teacher () Sales Clerk () Cashier () Housekeeping () Lawn & Garden () Masonry () Carpentry ()

Auto Mechanic () Truck Driver () Cosmetology () Security Guard () Machine Operator ()

Maintenance Mechanic () Other (please specify) _____

Employment History - Please list your employment history. List your most recent employment first.

Employer's Name&Address	Job Title	Date Started	Date Left	Reason for Leaving	Wages

**Transitional Employment Assistance
Employment Plan**

Part B. TEA Employment/Plan

I. Type of Employment/Plan Initial EP () Date _____
EP Update () Date _____
EP Update Type Letter () Phone () In Person ()

II. The participant states that his/her employment goals are as follows:

1. _____ 2. _____
3. _____ 4. _____

III. Participant Activities: To achieve the participant's goals, the following activities will occur:

1. _____ 2. _____
3. _____ 4. _____

IV. Services Needed By The Participant Or Family Member In Order To Achieve Goals:

1. _____ 2. _____
3. _____ 4. _____

V. Agency Activity: To assist the participant in achieving his/her employment/education goals, the Agency Will:

1. _____ 2. _____
3. _____ 4. _____

VI. Work Activities Assignment:

1. _____ Start Date _____ 2. _____ Start Date _____
3. _____ Start Date _____ 4. _____ Start Date _____

VII. The Case Manager has explained and I understand my participation requirements, the services available to me and my rights and responsibilities as a TEA recipient.

Participant's Signature

Date

Case Manager's Signature

Date

INSTRUCTIONS

DCO-181

Self-Administered Skills Assessment and Employment

Part A. Self-Administered Skills Assessment

The Self-Administered Skills Assessment will be completed by each parent and or stepparent living in the home and is used to determine if the immediate job search should begin or if a further employability assessment should be made.

The instructions for completion are self-explanatory.

Part B. Employment Plan (EP)

The purpose of the Employment Plan is to identify a participant's goal(s) and the activities that will occur in order to meet the goal. The Case Manager and client will develop the EP as part of the assessment process. This may be done during the application process or after approval.

The instructions for completion are self-explanatory.

A copy of the EP will be given to the participant. The original will be filed in the case record and retained until the case record is destroyed.

**ARKANSAS DEPARTMENT OF HUMAN SERVICES
DIVISION OF COUNTY OPERATIONS**

DIVERSION ASSISTANCE AGREEMENT

If you need this material in a different format, such as large print, contact your local DHS county office.

Applicant's Name _____ **SSN** _____

County _____

I (we) understand that:

- ◆ I am being approved for a Diversion Assistance payment in the amount of \$ _____.
- ◆ Diversion Assistance is a one-time payment and even though I repay it in full, I am not entitled to another payment in the future.
- ◆ I cannot receive Transitional Employment Assistance for a period of 100 days from the date of application for Diversion Assistance.
- ◆ If I fail to repay the Diversion Assistance payment, any unpaid amount will be applied to my 24 month time-limit for Transitional Employment Assistance if I receive it in the future.

I (we) agree:

- ◆ To accept a one-time Diversion Assistance payment to meet the immediate need as stated and verified during my interview for Transitional Employment Assistance.
- ◆ To accept the Diversion Assistance payment in lieu of any other on-going TEA benefits for which my family may be eligible.
- ◆ To repay the Diversion Assistance payment to the State of Arkansas when able to do so.

My Case Manager has reviewed this agreement with me (us) and I (we) accept the conditions as stated.

_____ Signature of Applicant	_____ Date	_____ Signature of County Representative
_____ Signature of Applicant	_____ Date	_____ Date

INSTRUCTIONS

DCO-182

The Case Manager will review the Diversion Assistance Agreement with the applicant. The applicant and second parent (if appropriate) will sign and date the agreement. The agreement will serve as the approval notice.

Routing

A copy of the agreement will be provided to the applicant. The original will be filed in the case record.

Retention

The Diversion Assistance Agreement will be kept until the case record is destroyed.

**TRANSITIONAL EMPLOYMENT
ASSISTANCE
PROGRAM
(TEA)**

POLICY AND PROCEDURES MANUAL

TO THE USERS OF THIS MANUAL

This document is a compilation of general guidance, policies, and procedures that will form the basis for implementing Arkansas' Transitional Employment Assistance program.

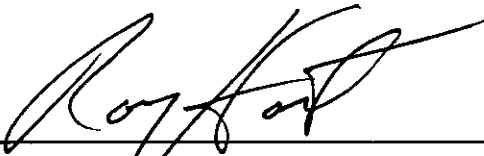
In it you will find a menu of support services designed to assist needy families in reaching employment and to help them stay on the job.

There is ample room in this program for flexibility required by extraordinary circumstances found in many families. However, let there be no mistake, the OUTCOME on which this program will be measured is EMPLOYMENT. A job and job retention are the surest first steps toward long-term independence and self-sufficiency.

Although it is not total and complete, the State has more flexibility than it has ever had in the past in administering a program of this nature. Staying focused on outcomes, this flexibility will be yours to the greatest degree possible. Your judgment and first hand knowledge of a family's needs will be absolutely critical to the ultimate success of this effort.

Working together within our own agency, with other government agencies, the private sector, and the local community, we have an opportunity to make a long-term positive difference in the lives of thousands of people, one family at a time.

Sincerely,



Division Director

5/15/97

Date

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TEA MANUAL
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**ARKANSAS
DEPARTMENT OF HUMAN SERVICES
Transitional Employment Assistance Manual
Introductory Statement**

Audience

The Transitional Employment Assistance (TEA) manual is used by staff implementing the Transitional Employment Assistance (TEA) program.

Purpose of the Manual

The purpose of the manual is to provide policy consistent with federal and state law and the TEA State Plan for the implementation of the TEA program. The manual also provides information to DCO staff to help them produce the outcome of putting people in jobs as a means of moving families from welfare to work.

Preparation of the Manual

The Office of Program Planning and Development, Division of County Operations, has primary responsibility for the preparation of the TEA manual. However, policy and procedure to be included in the TEA manual may originate with any member of the Department staff.

Policy and procedure are prepared in draft form. Developers must have the draft approved by the Assistant Director, Office of Program Planning and Development, and the Division Director. Upon final approval, the developers will ensure that the promulgation requirements of the Arkansas Administrative Procedures Act are met, if applicable, prior to issuance of the policy or procedure. The final draft will be sent to the Office of Program Planning and Development for publication and distribution.

Manual Format and Maintenance

Structure

The majority of the TEA manual (Sections 2000-5000) is structured to follow, as reasonably as possible, the flow in which county staff would be dealing with a TEA family. That is, it begins with the Application Process (interview, eligibility determination, and disposal - TEA 2000 sections), followed by the delivery of Employment Services and other changes and issues which may arise while the family is receiving TEA cash assistance (TEA 3000 and 4000 sections), and ending with the termination of cash assistance (TEA 5000).

The other sections (TEA 1000 and TEA 6000-8000) provide general administrative policy and procedures regarding the program and its implementation.

Format

The manual is formatted so as to clearly distinguish policy statements from other procedural types of information,

This is an example of a policy statement. Policy statements are easily identified by the shadow box border around them.

Policy statements must be adhered to by all Division staff.

All of the information outside of the policy statement boxes are procedural guidelines or information. These describe the procedures for applying the policy or provide information to help explain the policy or procedure.

"Procedures" are identified by a 1/4" indentation from both the right and left margins. A "procedure" may be either a mandatory procedure or a flexible procedure.

Mandatory procedures must be followed by staff and usually involve the actual authorization or delivery of benefits or are for the purpose of maintaining program integrity. Mandatory procedures use verbs such as "must" and "will."

Flexible procedures allow the county office staff to use their own judgment or discretion in applying a policy or procedure. In conjunction with the intent stated in TEA 1020, the intent of these procedures is to enable the County Administrator to develop county procedures, through training and supervision, so that individual case decisions are made at the lowest possible level. Flexible procedures are identified by verbs such as "may" or "should."

Procedural information and examples are provided to help explain a policy or its application. Text that is not indented from either margin is strictly informational.

Examples are labeled **EXAMPLE** and are indented 1/2" from each margin.

Numbering

A decimal numbering system will be used to organize policy material in the manual. The manual will have a Table of Contents to be filed at the front of the manual to assist in locating policy and procedure. This will be updated periodically.

Transmittal

Material issued for inclusion in the body of the TEA manual, including policy revisions, deletions, etc., will be accompanied by a Manual Transmittal cover memo explaining the filing of the material. Each issuance will be coded (e.g., TEA 97-1). In addition to filing instructions, the cover memo may contain a policy summary and specific implementation procedures for new or revised policy. At the bottom of the cover memo will be an inquiry line which will give the name and telephone number of the Central Office staff person responsible for answering questions regarding the issuance.

Cover memos and Policy Directives will be filed at the front of the manual in numerical order with the most recent memo/directive filed at the front.

At least once a year, a checklist will be issued containing a complete list of material which should be included in the manual in the order in which it should be filed. This checklist will enable each person maintaining a TEA manual to check his or her manual to ensure that all material is filed in the proper order. After a manual has been checked against the checklist, cover memos for all issuances prior to the checklist which do not contain specific implementation procedures may be removed from the manual. Those containing implementation procedures may also be removed provided the procedures are no longer in effect. Policy Directives will be removed only when specific instructions to delete a directive are issued to the manual.

Requests for Manuals

All requests for manuals are to be directed to the Office of Program Planning and Development, Division of County Operations.

Distribution of Manual Issuances

The Office of Program Planning and Development (OPPD), Division of County Operations, will maintain the master distribution list for the Transitional Employment Assistance manual. Changes in distribution such as changes in address, additions, deletions, and changes in the number of copies should be requested by memo to the Assistant Director, OPPD. If the proper number of copies of manual is not received, additional copies may be requested from OPPD.

1000 General Provisions

1010 *Purpose of Transitional Employment Assistance (TEA)*

The purpose of the Transitional Employment Assistance (TEA) program is to help economically needy families become more responsible for their own support and less dependent on public assistance. Central to this purpose is helping adults and minor parents increase their employment potential, helping to reduce out-of-wedlock births, and promoting family unity.

Through employability assessments, employment planning, and the provision of employment related services, the TEA program helps recipients recognize their employment possibilities and helps direct them into jobs as soon as possible. Minor parents are encouraged and supported in completing a high school education or equivalency so that they are better prepared to enter the job market as adults. Since TEA benefits are time-limited, emphasis is placed on short-term goals so that the recipient enters employment before the end of his or her time limit.

In addition to case management and employment related services, the TEA program provides monthly cash assistance to eligible families to help meet the family's basic needs while the parent or other adult relative works toward increasing his/her earning potential.

TEA cash assistance is also available to help meet the needs of children who are being cared for by non-parent adult relatives. Assistance to such relatives may be provided without regard to a specified time limit.

TEA Diversion Assistance provides a one-time lump sum payment in lieu of other TEA services or assistance to help a family accept or retain employment.

1020 *Administration*

The Transitional Employment Assistance program is governed by federal law (Title IV-A of the Social Security Act), State law (Arkansas Act 1058 of 1997), and the state's Transitional Employment Assistance Program State Plan.

The program is jointly funded by the State and Federal governments. The federal funding source is the Temporary Assistance for Needy Families (TANF)

block grant under Title IV-A of the Social Security Act. State general revenues also fund the program.

The TEA program is administered by the Department of Human Services with primary responsibility for the day-to-day operation of the program vested with the Division of County Operations.

An individualized approach to the delivery of TEA services is paramount to the program purpose of moving families to self-sufficiency in a short timeframe. To promote this approach, the program is administered with a high degree of flexibility provided to the county office, or front-line, staff.

1030 *Personnel*

The Division of County Operations is responsible for the provision of personnel to determine eligibility, authorize payments, and provide case management services to eligible families.

DHS County Administrators will develop procedures within their individual offices, through training and supervision, whereby decision-making occurs at the lowest possible level.

1040 *Volunteers*

Volunteers are subject to the rules, regulations, and policies of the office where they are assigned. This includes the policies which govern the disclosure of information concerning DHS and its clients. The volunteer's supervisor in the DHS County Office is responsible for informing the volunteer of the disclosure policy for each program in which the volunteer works.

Volunteers may perform any duty in the DHS County Office as determined appropriate by the County Administrator. However, a paid DCO employee, as designated by the County Administrator, must review and approve any certification or benefit determination decisions recommended by a non-paid volunteer.

1050 *Disclosure of Information*

Information concerning an applicant, recipient, or other persons known to the agency will not be made available without the written consent of the client except to authorized employees of the Department of Human Services, the Office of Child Support Enforcement, the Social Security Administration, the federal Department of Health and Human Services, or for purposes directly connected with the following:

1. Any investigation, prosecution, or criminal or civil proceeding conducted in connection with the administration of any program administered by the Department of Health and Human Services.
2. The administration of any other Federal or federally assisted program which provides assistance, in cash or in-kind, or services, directly to individuals on the basis of need.
3. The certification of receipt of TEA cash assistance to an employer for purposes of claiming the Work Opportunity Tax Credit.
4. Any audit or similar activity, e.g., review of expenditure reports or financial review, conducted in connection with the administration of any such program by any governmental entity which is authorized by law to conduct such audit or activity.

In addition, the current address of a recipient may be disclosed to a state or local law enforcement officer at his/her request without the recipient's consent provided the law officer provides the recipient's name and Social Security number and satisfactorily demonstrates that (1) the recipient is a fugitive felon, a probation or parole violator, or is fleeing prosecution for a felony offense, (2) the location or apprehension of such person is within the law officer's official duties, and (3) the request is made in the proper exercise of those duties. A felon is defined as a person who has been convicted of a crime which was termed a felony by the court which heard the case.

1060 *Coordination with Other Programs*

The County Administrator will establish procedures to insure coordination between the TEA program and other programs administered by the County Office.

1070 *Maintenance of Case Records*

The maintenance of DCO case records is the responsibility of the County Administrator. In order to facilitate the processing and review of case actions and participant activity, a uniform case organization system will be adhered to for all TEA cases.

The **TEA Face Sheet** (Form DCO-186) will be filed on top of the case record with the Social Security card copies or SS-5's attached to or filed immediately behind the face sheet. A divider sheet will be used on the bottom of the case record with the brad inserted from the bottom.

The case record will be divided into three sections - Case Summary; Overpayment/Fraud; and Documents. All information within each section will be filed with the most recent on top.

Case Summary Section - This section will immediately follow the Face Sheet. It will contain all case actions including applications, assessments, Employment Plans and updates, certification and denial information, etc. The most current case action with any supporting documentation will be filed on top.

Overpayment/Fraud Section - This section will be filed following the Case Summary Section with a divider sheet identifying it. It will contain all claim and fraud documents, including Administrative Disqualifications decisions. Information received or submitted about a specific claim will be filed together.

Documents - This section will follow the Overpayment/Fraud Section with a divider sheet identifying it. It will contain all documents related to the case such as birth certificates, marriage licenses, divorce decrees, deeds, etc.

1080 ***Disposition of Records***

TEA records may be destroyed when the case has been closed continuously for three years unless an audit is being conducted at that time or there is an outstanding overpayment claim. In this context, "case closure" refers to the closure of the case for purposes of TEA program services, including Extended Support Services (and therefore does not refer to "closure" of the cash assistance aspect of the case). When a TEA case record, or any of its contents, is to be destroyed, it will be done by burning or shredding to ensure the confidentiality of the material.

The three year timeframe will apply to cases in which the adult's lifetime maximum period to receive TEA benefits has been reached. This is to ensure case record information is available should an audit be conducted on the case during those three years following closure.

A printout identifying cases which have been closed continuously for three years is sent to county offices monthly. This printout may be used to identify cases for destruction.

7/1/97

6

2000 TEA Application

The DHS County Office will accept and process applications for Transitional Employment Assistance.

A TEA application must be disposed of by either approval or denial as quickly as possible but no later than thirty (30) calendar days from the date the application was received in the county office, unless the worker determines that the applicant needs more time in order to establish his or her eligibility for services.

2001 TEA Eligibility Requirements

The TEA eligibility requirements are the following:

1. Personal Responsibility Agreement Requirement
2. Social Security Number (SSN) Enumeration
3. Minor Parent Requirements
4. Children's Age and Relationship to Parent or Adult Caretaker Requirement
5. Citizenship or Alienage Requirement
6. State Residence Requirement
7. Time Limit Requirement
8. Resource Requirement
9. Income Requirement
10. Work Participation Requirement
11. Child Support Requirement

Each of the above requirements is discussed in detail in manual sections dealing with the specific requirement.

Information to establish whether a family meets the above requirements is obtained from the application form and/or during the application interview.

2002 *Nondiscrimination*

No person shall be prevented from participation, be denied benefits or be subject to discrimination on the basis of age, religion, disability, political affiliation, veteran status, sex, race, color or national origin. The Department will comply with provisions of the Civil Rights Act of 1964.

The Department has the responsibility of informing applicants and recipients that assistance is provided on a nondiscriminatory basis and of their right to file a complaint with the agency or federal government if they think that discrimination has occurred on the basis of age, religion, disability, political affiliation, veteran status, sex, race, color or national origin.

2003 *Application*

Requests for assistance will be made by completing an application form DCO-180, Application for Transitional Employment Assistance (TEA). Application must be made by the parent or other adult caretaker relative of the child.

The TEA application must be signed by the applicant(s) under penalty of perjury. If both parents are in the home with the child, or if a stepparent is living in the home, then both parents, or both the parent and stepparent, must sign the form. The county office will provide assistance with completing the form if requested.

The Personal Responsibility Agreement (PRA) will be reviewed with the applicant and/or second adult during the interview to ensure that he or she understands it and does agree to comply with it.

If the family includes a non-head of household minor parent, the PRA will also be reviewed with such minor parent who must also sign it. See TEA 2120 for specific requirements related to minor parent households.

As part of the application process, the child's parent(s) will complete a Self-Administered Skills Assessment form (DCO-181, Part A).

The application date will be the date the signed application form is received in the DHS County Office. The application will be registered on the ACES system no later than by close of business the first workday after that date.

2004 ***Application Interview***

A face-to-face interview with the applicant is required. If the household consists of two adults, both will be interviewed. If only one parent is present for the initial interview and it is determined that the family is potentially eligible, an interview will be scheduled for the second adult to ensure that both parents understand their responsibilities. The applicant will be seen at the office or a place of convenience if incapacitated or otherwise incapable of coming to the office.

If the applicant family is a non-head of household minor parent and his or her child(ren), then the adult with whom such minor parent and child are living will also be interviewed with the minor parent. See the Note below.

NOTE: The adult caretaker of the minor parent is required to attend to ensure that he or she is aware of the program requirements and responsibilities that will be expected of the minor parent. In addition, the adult with whom the minor parent is living will, in most situations, be made the payee for the cash assistance grant and, therefore, will be responsible for ensuring that the grant is used on behalf of the minor parent and child. This will be explained to the adult and minor parent during the interview.

The application form and the Self-Administered Skills Assessment will be reviewed with the applicant. At the discretion of the county office, an Employability Assessment may also be conducted during the application interview. (Form DCO-1402, Employability Assessment, may be used.) If it is determined that an in-depth assessment is not necessary for a particular client, then a partial assessment may be conducted. The Self-Administered Skills Assessment may be accepted as the Employability Assessment for those clients who are already job ready. The Employment Plan may also be developed during the application interview. (See TEA 2160, 3100, 3150.)

EXAMPLE: Ms. Bradford has shown on her application form and Skills Assessment that she last worked two weeks ago when she was laid-off from her factory job. She had worked at that job for several years and had done similar work prior to it. She has her own car and has stated that she can arrange before and after-school care for her school age children. She wants to find another job as soon as possible. Based on this information, the worker determines no further assessment is needed and therefore, accepts the Skills Assessment as the Employability Assessment. Ms. Bradford and the worker then develop her Employment Plan.

Based on the information obtained during the application interview, the county office may determine that the family does not necessarily need on-going cash assistance. Any possible alternatives to cash assistance should be discussed with the applicant. For example, on-going child care assistance or Medicaid coverage may be all that is needed to support the parent(s) in work. Another alternative may be Diversion Assistance if one-time assistance is all that is needed for the adult to obtain or retain employment.

If it is agreed that an alternative to cash assistance is appropriate, then the TEA application will be denied with an applicable denial code. If regular on-going TEA benefits are appropriate, then the worker will proceed with the application process (See TEA 2100).

The interview will be documented on Form DCO-96. If an Employability Assessment was conducted in any way during the interview, this should also be clearly documented in the case record.

2005 *Obtaining Information to Determine Eligibility*

The applicant is the primary source of information and is responsible for providing necessary verifications, as requested, to establish initial and on-going eligibility. However, if the applicant is unable to provide essential information, or is having difficulty in obtaining it, the County Office will assist the applicant in obtaining required information.

The applicant is expected to provide information as requested. Although the County Office may assist the applicant, when necessary, the applicant should be encouraged to obtain as much information on his/her own before requesting assistance. Such assistance may range from simply advising the applicant how or where to get the information to actually obtaining the necessary document (e.g. sending a DHS-47 for an Administrative Copy of a birth certificate).

Form DCO-81, Consent for Release of Information, is used to secure essential information from a collateral source. This form must be signed by the applicant/recipient so information may be released to the agency.

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2010 *Diversion Assistance*

Diversion Assistance is intended to help a family through a financial problem which jeopardizes employment and which, if not solved, could result in the family coming on to regular on-going cash assistance. Diversion Assistance is not a supplement to regular assistance but is in place of it.

Diversion Assistance is a one-time payment to or on behalf of the family which will resolve a financial problem so that the adult can maintain and/or obtain employment. Diversion is available to an adult only once during his or her lifetime.

The eligibility requirements for Diversion Assistance are as follows:

1. A minor child must live in the home.
2. The adult has never received a Diversion Assistance payment.
3. The Diversion Assistance amount will alleviate the crisis.
4. The adult (a) is currently employed but having a problem that jeopardizes the employment; or (b) has been promised a job but needs help in order to accept the job (e.g. needs car repairs, uniforms, etc.).
5. The adult agrees to forego regular TEA cash assistance for a period of 100 days from the date of application, and signs a Diversion Assistance Agreement to that effect.

The regular TEA income and resource requirements do not have to be verified and established. However, if the family's income or resources are obviously over the income and resource limits, then Diversion Assistance will not be authorized. (For example, the client has \$10,000 in the bank.)

The Diversion Assistance payment will be the actual amount needed to resolve the crisis up to a maximum of three months of maximum grant payments for the household (e.g., h/h of 3 = \$204 x 3 months = \$612 maximum diversion payment). If the amount needed to resolve the problem is more than the maximum payment, it will be determined whether the maximum will alleviate the crisis in any way. If not, the payment will not be authorized.

Under Arkansas state law, a Diversion Assistance payment is a loan which the client should repay to the State of Arkansas when able to do so. Repayment, though, does not entitle the individual to another Diversion payment in the future.

A Diversion Assistance payment counts as a TEA month(s) for purposes of the twenty-four month time limit if the adult later applies for TEA assistance unless the payment has been repaid. If not repaid, the diversion payment counts for up to three (3) months of the time limit based on the amount of the diversion payment divided by the maximum grant for the family size. The number of months will be rounded up to the next higher number. (See TEA 2130.)

EXAMPLE: Ms. Brown comes in to apply for TEA. She has 2 children. During the interview and review of the skills assessment, it is determined that she has found a job but because her car needs repair work, she can't accept it. The cost to repair the car is \$550 and she cannot afford to have it repaired. The grant amount Ms. Brown and her family could receive is \$204. The maximum Diversion Assistance payment Ms. Brown could receive is \$550 (the actual cost, which is less than three times her maximum monthly benefit level). If this Diversion payment is not repaid, it will count as three (3) months of the twenty-four month time limit. ($\$550/204 = 2.7$ rounded up to 3 months)

If the cost to repair the car was \$700, the maximum Diversion Assistance payment Ms. Brown could receive is \$612 ($\204×3). However, before authorizing this, it should be verified with the repair shop that they will accept this amount to make the repairs or that the car could be repaired sufficiently for that amount so that she could drive it.

The applicant may be required to furnish verification of the problem to be resolved by the Diversion Assistance and his or her employment situation. This decision is left to the discretion of county office staff.

Whether the applicant has received a Diversion Assistance payment in the past may be verified by inquiring to the TEPC (TEA Payment Count) screen.

Before Diversion Assistance is authorized, the Diversion Assistance Agreement, Form DCO-182, will be reviewed with the applicant and the appropriate signature(s) obtained. A copy of the agreement will be provided to the applicant and will serve as the approval notice.

2011 Authorizing The Diversion Assistance Payment

To authorize payment, the following steps will be taken:

1. Complete form DCO-58, Relocation/Diversion Assistance/Medicaid Transportation, and have it keyed to the WAGR screen. For appropriate codes, refer to the DCO User's Manual.
2. Deny the TEA application using the denial code for Diversion Assistance approval.

The County Office will explain to the customer that the Diversion Assistance payment is being approved and that the check will be mailed on the following day.

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2100 TEA Application Process

2101 *Preliminary Income and Resource Eligibility Screening*

The income and resource sections of the application will be reviewed with the applicant to determine whether the family may be eligible for assistance. If the income or resources are above the maximums of \$223/month for income (TEA 2351) or \$3000 for resources (TEA 2272), it is not necessary to continue the application interview. The TEA application will be denied. If it appears that the family may be eligible for assistance, the interview process will continue.

2110 *Social Security Enumeration*

Each member of the family must meet the Social Security Enumeration requirement.
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To meet the Social Security enumeration requirement, each person included in the TEA unit must either:

1. Provide a Social Security number (SSN); or
2. Apply for an SSN if one has not been issued, or has been issued but is not known.

A person who does not meet the SSN enumeration requirement may not be included in the assistance unit.

During the application interview, the DCO-180 will be reviewed and if appropriate, related case records, to determine which persons already have an SSN and which persons do not. The procedure described below will be followed.

2110.1 Persons Who Have an SSN

If the client knows and provides the SSN, the enumeration requirement is met. If the application is certified, the SSN will be entered on the DCO-56.

The Social Security card for each person who already has an SSN will be requested. A photocopy of the card should be made and filed in the case record. If the client does not have the card with him, he will be requested to provide it as soon as possible.

The purpose of obtaining and photocopying the card is to help ensure the accuracy of the number and to help resolve any mismatches which may occur when the SSN is submitted to the Social Security Administration for verification. Therefore, the card should be viewed and photo-copied whenever possible.

If he states he does not have the card, an SS-5, Application for a Social Security Number Card, should be completed to obtain a replacement card.

2110.2 Persons Who Do Not Have An SSN or the SSN Is Not Known

An application for an SSN will be made for each person who does not have an SSN and for each person for whom the client states an SSN has been issued but the number is not known. For such persons, the enumeration requirement is met when a complete SSN application is received by the Social Security Administration. Assistance may not be denied nor delayed pending receipt of the SSN.

A pseudo-SSN for the person will be obtained. Pseudo-SSN's will be assigned according to the procedures outlined in the DHS Social Security Number Procedures Manual.

Through an agreement with the Social Security Administration, procedures have been established for DHS staff to submit SSN applications to SSA on behalf of individuals under 18 years of age and to refer adults and non-U.S. citizens to SSA to make the application in person. SSA will in turn verify to the county office that a complete SSN application has been received and provide the SSN to DHS when the number is assigned. These procedures are described in more detail below.

1. Individuals Under Age 18

An SS-5 and DCO-12, Enumeration Referral, will be completed for each person under age 18 who must apply for an SSN. The SS-5 must be signed by the person applying for the SSN or by his parent or guardian. **Note:** If the client presents verification that an SSN application has already been made, this will be noted in the appropriate box on the SS-5. Identifying information must be substantiated by evidence establishing the correct date of birth or age, identity, and U.S. citizenship. The county office will gather this evidence and submit it to SSA with the SS-5.

Acceptable types of evidence will normally be the same used to establish Age and Relationship for TEA. However, there are some differences in what may be accepted for TEA and SSA purposes. It should also be noted that original copies of documents must be submitted with the SS-5. Staff should refer to the SSA Program Operations Manual System (POMS), Welfare Enumeration, for instructions regarding the proper completion of the SS-5 and acceptable types of evidence.

It is the responsibility of the applicant to provide the county office the documents needed to submit the SS-5. However, if the applicant is having difficulty or is unable to obtain the required documents, the county office should assist. As soon as the necessary documents are provided, the county office will submit the completed SS-5 with the original documents attached and Form DCO-12 to the local Social Security Administration district office. If the client does not wish to relinquish the original documents needed to submit the SS-5, then he will be referred to the local SSA office to make the SSN application in person. The procedures described in Section 2 below will be followed for referring such persons.

Prior to submitting the SS-5 and DCO-12, or to referring the person to the SSA office to apply in person, the pseudo-SSN, preceded by the state BENDEX code (040), must be entered in the appropriate spaces on the SS-5 and DCO-12. Entry of the pseudo-SSN on the SS-5 and DCO-12, as well as on the DCO-56 if the application is certified, is essential for proper feedback of the SSN from the Social Security Administration through the enumeration system.

A photocopy of the SS-5 and DCO-12 should be retained in the county office. In addition to serving as a referral form to SSA, the DCO-12 serves as verification that SSA received the complete SSN application. Assistance for persons who must apply for an SSN should not be authorized until the DCO-12 is received from SSA showing that a complete SSN application has been received. SSA will

return the documents to the county office with the DCO-12. The photocopy of the SS-5 and DCO-12 may be destroyed at that time. The completed DCO-12 will be filed in the case record. It will be the responsibility of the county office to return all appropriate documents to the client.

If the DCO-12 is returned by SSA indicating the application was not complete and that additional evidence is required, the county office will obtain the additional evidence and re-submit the entire SSN application and DCO-12. If the additional evidence must be obtained from the applicant, a DCO-1 will be sent requesting the information within ten days and advising that if it is not, the application will be processed without this person's needs included in the unit.

If an SS-5 has already been submitted to SSA in another program (Food Stamps or Medicaid), do not submit another SS-5. The pseudo-SSN already assigned to the person will be obtained and entered on the DCO-56 if the TEA application is certified.

2. Individuals Age 18 or Older or Non-U.S. Citizens

An SS-5 and a DCO-12 with the identifying information and pseudo-SSN completed will be issued to each individual age 18 or older and each non-U.S. citizen who must apply for an SSN. It will be the responsibility of the applicant to take the forms along with the necessary evidence documents to the local SSA district office to apply for an SSN in person.

It will be explained to the applicant which documents may be acceptable to SSA but will not forward any evidence to SSA for the applicant unless SSA specifically requests such evidence. A photocopy of the SS-5 and DCO-12 should be retained in the county office until the completed DCO-12 is returned by SSA.

If the DCO-12 is returned by SSA showing that a complete SSN application has not been received, a DCO-1 will be sent to the applicant advising that he must submit a complete SSN application to SSA within ten days or the TEA application will be processed without the person's needs included in the unit. If SSA indicates that additional evidence is needed, the DCO-1 will also advise the applicant as to what additional information is needed by SSA.

In both of the above situations, SSA will provide the SSN to DHS through the enumeration system when the number is assigned. Based on the person's pseudo-SSN, all systems records (ACES, Food Stamps, Etc.) for the person will automatically

be updated to reflect the SSN. It will not be necessary for the client to provide the Social Security card. Once the SSN appears on an DCO-56 turnaround form or on the person's ACES record (WAFM), the DCO-12 may be destroyed.

Pending receipt of the DCO-12, processing of the TEA application will continue in the usual manner (i.e. verify and determine other factors of eligibility). Since the enumeration requirement is an individual eligibility requirement, assistance for the otherwise eligible children and adult(s) may be authorized, in the event there is a delay in completing the SSN application or in receiving the DCO-12 from SSA.

EXAMPLE: Ms. Smith applies for TEA for herself and three children. She and two of the children already have SSN's. The third child was born out of state and Ms. Smith is having difficulty in obtaining his birth certificate or any other acceptable evidence of age, etc. Since the other two children have SSN's and are otherwise eligible, the application may be approved, excluding the third child who does not yet meet the SSN enumeration requirement. Once acceptable evidence is obtained and a DCO-12 is received which shows that the SS-5 was accepted by SSA as complete, then that child will be added to the case. (Note: A new application is not required to add the child in this situation.)

2120 *Minor Parent Households*

If the family includes a minor parent (i.e. under 18 years of age), certain requirements must be met. If the minor parent is not determined to be a "head of household", these requirements include signing the Personal Responsibility Agreement along with the adult in the home and living in an adult supervised setting. All minor parents must attend school or engage in other educational activities. These requirements are described in more detail in the following sections (TEA 2121 - 2122).

2120.1 "Head of Household" Minor Parent

For purposes of the TEA program, a "head of household" minor parent is defined as:

1. A minor parent who is legally married under Arkansas state law, regardless of whether he or she is currently living with the spouse and regardless of whether he or she is currently living with his or her own parent; or
2. A minor parent who is living on his or her own without adult supervision and it has been determined, in accordance with TEA 2122.1, that this is an appropriate living arrangement for the minor parent and child.

If the minor parent is determined to be a "head of household", then he or she may be the TEA casehead and payee and the requirements specific to a non-head of household minor parent will not apply.

NOTE: A head of household minor parent is required to sign the Personal Responsibility Agreement just as any adult parent or other adult caretaker is required to do.

2121 *Minor Parent Personal Responsibility Agreement*

For purposes of this section, "minor parent" means a non-head of household minor parent.

A minor parent will be required to sign the Personal Responsibility Agreement on the application form along with the adult applicant. The minor parent's signature is required whenever the TEA application includes the minor parent's child. It does not matter if the minor parent is one of several siblings for whom application is being made or if the minor parent and child are the only members of the TEA applicant family. As long as the minor parent's child is included, the minor parent will be required to sign the Personal Responsibility Agreement along with the adult.

If the minor parent refuses to sign the PRA, then the minor parent and child are ineligible for TEA benefits.

The responsibilities outlined on the PRA will be discussed with the minor parent. These include requirements in relation to the TEA program such as child support requirements, and participation in education and training activities. The availability of services such as child care assistance, Child Health Services, and Family Planning Services to help meet the minor parent's personal and family responsibilities will be explained..

If possible, the PRA will be signed at the application interview. However, if the minor parent is not at the application interview, a time will be scheduled for the minor parent to come in and sign the PRA.

2122 *Non-Head of Household Minor Parent Living Arrangements*

A non-head of household minor parent and his or her child must live in the home of the minor parent's parent, legal guardian, or other adult relative except in certain situations listed in TEA 2122.1.

If an application is made by an unmarried minor parent who is living on his or her own with a child or in a home that does not meet the above criteria, then it will be determined if he or she meets one of the exception situations listed in the following section. If the first exception is met, then no further development is required. If he or she meets one of the exceptions listed in TEA 2122.1, #2-6, then the county office will help in locating a second chance home, maternity home, or other appropriate adult-supervised living arrangement.

If the minor parent does not meet any exception, then the minor parent will be advised of the living arrangements requirement and that such arrangements must be resolved before TEA benefits can be authorized. A timeframe within which the minor parent and child must move into an appropriate living arrangement may be designated. Such timeframe should be reasonable based on the minor parent's individual circumstances but should not result in the application being unreasonably delayed.

If an appropriate living arrangement is available to the minor parent and she refuses such arrangement, then the application will be denied.

Note: Referrals to DCFS - A minor parent under the age of 16 should be referred to the Division of Children and Family Services if sexual abuse is suspected. Also, if deemed appropriate, a referral to DCFS on a homeless minor parent and child may be made..

2122.1 Exceptions to Minor Parent Living Arrangements

If an unmarried minor parent and child are not living in a living arrangement as described in the previous section, then the county office will first determine whether the minor parent meets one of the following exception situations before requiring a change in living arrangements or denying the application:

1. The minor parent's current living arrangement is determined to be appropriate. In this situation, the parent and minor child(ren) must continue to reside in such living arrangement as a condition of continued receipt of cash assistance. (An example of such an arrangement might be that the minor parent and child are living with an unrelated adult who has been acting as a parent to the minor.)
2. The minor parent has no parent, legal guardian, or other appropriate adult relative of his or her own who is living or whose whereabouts are known.

3. The minor parent's parent or legal guardian will not allow the minor parent and child to live in his/her home and there is no other appropriate adult relative who will allow the minor parent and child to live in their home.
4. The minor parent or child is being or has been subjected to serious physical or emotional harm, sexual abuse, or exploitation in the home of the minor parent's parent or legal guardian.
5. Substantial evidence exists of an act or failure to act that places the minor parent or child at risk of imminent or serious harm in the home of the minor parent's parent or legal guardian.
6. It is otherwise determined that it is in the best interest of the minor parent's child to waive the living arrangement requirement for the minor parent and child.

The decision as to whether a particular living arrangement is appropriate under Item #1 above is made at the county office level. The case record should be documented as to why a living arrangement was determined to be appropriate.

The type or amount of verification requested of the minor parent to establish any of the above exceptions will be determined by the county office. Since the intent of the "living arrangement" requirement is to ensure as many minor parents and their children live in adult supervised settings as possible, attempts to verify the basis of an exception should be made. However, depending upon the individual situation, the minor parent's declaration may be accepted, if deemed appropriate.

In situations in which it is determined that either Exception #4 or #5 apply, a referral to the Division of Children and Family Services will be made on behalf of the minor parent and child.

2123 *Minor Parent Education*

A minor parent who does not have a high school diploma or equivalency and whose child is over three (3) months old must attend school or participate in other educational activities directed toward the attainment of a high school diploma or its equivalent. Regular attendance and satisfactory progress will be the minor parent's continuing work participation activity. The minor parent will be advised of this requirement during the application or PRA interview.

If the minor parent is enrolled in school or is participating in other educational activities when application is made, the County Office should verify enrollment and attendance before approving the application and document the case record accordingly. If the minor parent is not enrolled in school or other educational activities, he or she will be advised of this requirement and that enrollment and regular attendance in school or participation in other approved educational activities will be required. The application may be approved if all other eligibility requirements are met, but the minor parent will be required to verify enrollment as her first scheduled work participation activity. (See TEA 3300-3350 for a more detailed discussion regarding the minor parent education requirement.)

If school is not in session when the application is made, it will be discussed with the minor parent as to what her plans are when school resumes. As long as she plans to attend school when it resumes, the application may be approved, if otherwise eligible. However, verification of enrollment will be obtained as soon as school resumes.

2130 *Time Limit*

Beginning July 1, 1998, a family who meets all the eligibility requirements may receive TEA cash assistance benefits for a period of up to 24 total months. The months counted are based on receipt by the adult recipient or "head of household" minor parent. (See TEA 4141 for situations in which the time limit may be extended.)

The time limit does not apply to cases in which the only parent in the home, or both parents if both are living in the home, receives SSI benefits, and therefore, no adult is included in the case.

The time limit applies to non-parent caretaker relatives only when such relative chooses to be included in the TEA payment with the child. If a non-parent relative is a payee only, then the time limit does not apply to the case. This will be explained to the non-parent adult relative during the application interview. (See the Example below.)

The time a child receives assistance will not count toward his/her time limit when he or she becomes an adult.

Payments made by another state under a Temporary Assistance for Needy Families program count toward the twenty-four month limit in Arkansas if the adult has received more than thirty-six such payments in another state. Only the payments from another state in excess of thirty-six will count toward Arkansas' twenty-four month limit.

EXAMPLE: A grandmother is applying (after July 1998) for her grandchild. Grandmother chooses to be included in the unit. After six months of receiving TEA benefits, the case closes because the child has returned to his parent. Grandmother later reapplies for herself and a child of her own. Because she previously received six months of assistance, she has eighteen months remaining in the twenty-four months limit. Had she not been included with her grandchild previously, her 24 month period would begin at one.

Diversion assistance payments count towards the 24 month time limit **unless** the payment has been repaid. The number of months a diversion payment counts is based on the diversion amount divided by the maximum grant for which the family would have been eligible had the diversion not been made. The number of months are rounded up to the next higher number. (See TEA 2010.)

Inquiry to the TEA Payment Count (TEPC) screen on ACES may be made to determine the number of months an adult has received TEA benefits. Regular TEA payments and diversion payments are listed on this screen as well as payments paid by another state which must be counted toward the time limit.

2140 *Child Support Requirements*

When one or both parents are not living in the home with the child, or when legal paternity has not been established, the person receiving assistance for the child must comply with the child support enforcement requirements unless it would be against the best interests of the child.

These requirements are:

- ◆ The assignment of child support rights. Arkansas State Law, Act 1296 of 1997, provides for an automatic assignment of child support rights when an individual accepts Transitional Employment Assistance. (Refer to TEA 2141)
- ◆ Cooperation in obtaining child support and establishing legal paternity (Refer to TEA 2142).

The TEA application will be denied, or the case closed, if the casehead or minor parent fails to cooperate, without good cause, with child support enforcement requirements.

The purpose of the Child Support Enforcement Program is to promote greater financial responsibility of parents to their children and to provide a child support collection service to reduce dependency upon public assistance.

This purpose may be stated in the following objectives:

1. Identifying and locating non-custodial parents of children for whom assistance is requested;
2. Establishing paternity of children born out of wedlock for whom assistance is requested; including situations in which both parents are living with the child;
3. Obtaining support payments due individuals for whom assistance is requested; and
4. Obtaining any other payments or property due individuals for whom assistance is requested.

During the application interview, the child support enforcement requirements will be explained to the applicant.

2141 *Assignment of Child Support Rights*

Under Arkansas state law, when an individual accepts TEA for or on behalf of a child or children, such individual will be deemed to have assigned to the Department of Human Services any rights to child support from any other person as such individual may have:

- ◆ In his own behalf or in behalf of any other family member for whom he is receiving assistance; and
- ◆ Which have accrued at the time such assistance, or any portion thereof, is accepted.

The effective date of the assignment is the date the case is certified for cash assistance, or the child(ren) is added. The duration of the assignment will extend until: (a) the termination of TEA with respect to current support rights; and (b) such time as past TEA assistance has been reimbursed to the State with respect to accrued unpaid support rights.

Failure to turn in support payments will result in an overpayment which will be subject to recovery and may result in a sanction for non-cooperation.

The automatic assignment of child support rights will be explained to each TEA applicant. This will include reviewing with the applicant the "Assignment of Support" portion of the DCO-180. It is important that the casehead be made fully aware of his or her responsibility to pay to the Office of Child Support Enforcement any support payments received from the non-custodial parent once the assignment becomes effective; i.e. approval of the application. It should be explained to the casehead that paying to the OCSE all support payments covered by the assignment is a part of the child support cooperation requirement..

2142 *Cooperation in Establishing Paternity and Obtaining Support*

An individual may be freed from the requirement to cooperate in terms of Items 1-5 below, only if good cause for refusal to cooperate is determined to exist per TEA 2143. Good cause is not allowed for refusal to cooperate in terms of Items 6 and 7 below.

"Cooperate" includes the following:

1. Providing information necessary to the completion of Form DCO-115, (OCSE Referral).
2. Appearing at the offices of the state or local agency or of the Office of Child Support Enforcement (OCSE) as necessary to provide verbal or written information, or documentary evidence known to, possessed by, or reasonably obtainable by the casehead that is relevant to the achieving of the objective of identifying and locating non-custodial parents, establishing paternity, and obtaining support;
3. Appearing as a witness at court or other proceedings necessary to achieving the objective of identifying and locating non-custodial parents, establishing paternity and obtaining support;
4. Providing information, or attesting to the lack of information, under penalty of perjury;
5. Providing information necessary to establish legal paternity for children included in the assistance unit for whom legal paternity has not been established.
6. Paying to the OCSE any child support payments received from a non-custodial parent which are covered by assignment after an assignment of child support becomes effective.
7. If required by the OCSE, entering into a formal repayment agreement, and complying with that agreement, to pay back any child support payments covered by the assignment which were received directly from the non-custodial parent and retained by the client.

2143 *Good Cause for Refusal to Cooperate*

An individual may be determined to have good cause for refusing to cooperate with the State in child support enforcement activities and thus, be freed from the cooperation requirement. Good cause may be determined to exist in certain specified circumstances under which cooperation would be against the best interests of the child.

Each TEA casehead and/or minor parent subject to the cooperation requirement must be informed in writing via Form DCO-90 of his/her right to claim good cause prior to the requiring of cooperation.

TEA will not be denied, delayed, or discontinued pending claim determination if all other eligibility requirements have been established. The OCSE will not undertake activities to establish paternity or to secure support when notified that an individual has claimed good cause.

2143.1 *Claiming Good Cause*

A claim of good cause will be made by the casehead or minor parent completing Form DCO-105 specifying the circumstance under which good cause is believed to exist. The casehead must provide corroborative evidence to establish the existence of the good cause circumstance and if requested, to provide sufficient information to permit the County Office to conduct an investigation. Evidence and/or information must be provided within 20 days from the date the claim was made unless the County Office grants an extension.

Upon request, the County Office will advise the casehead how to obtain the necessary documents and will make a reasonable effort to obtain any specific documents which the casehead is not able to obtain without assistance.

If the application is ready to be certified but the claim is still pending, the worker will complete the certification but no referral to the OCSE will be made at that time. (See TEA 2511.1.)

If the application is denied due to other factors, all procedures relating to the claim may be discontinued at that time. A narrative entry should be made to explain the discontinuance of good cause procedures.

All claims of good cause and circumstances on which claims are based should be carefully documented in the record. Claims of good cause based on the circumstances subject to change should be reviewed periodically.

2143.2 Circumstances Under Which Good Cause May Exist

Good cause will be determined to exist only if cooperation in establishing paternity and securing support would be against the best interests of the child due to at least one of the circumstances listed below.

1. The cooperation of the casehead in establishing paternity or securing support is reasonably anticipated to result in physical or emotional harm to the child, or to the mother or other relative with whom the child is living. The potential physical or emotional harm must be of a serious nature to justify a finding. A finding of good cause for potential emotional harm may only be based upon a demonstrable impairment that substantially affects the functioning of an individual.
2. The County Office believes that proceeding to establish paternity or to secure support would be detrimental to the child for whom aid is sought due to the existence of at least one of the following circumstances:
 - a. The child was conceived as a result of incest or forcible rape;
 - b. The adoption of the child is pending before a court of competent jurisdiction; or
 - c. The parent(s) is currently being assisted by a State or Licensed private social agency to resolve the issue of whether to keep the child or to relinquish him for adoption; and the discussions have not gone on for more than three months.

A claim of good cause which has been substantiated based upon the circumstance defined under Item 2(c) above will not be valid for more than 90 days from the time such determination was made.

If, after the 90 days referenced above, the issue regarding the continued presence of the child(ren) in the home has not been resolved, the casehead must submit to the County Office each month thereafter evidence and/or information showing that the issue has not been resolved and that efforts to reach a decision are continuing. If such evidence and/or information is not provided at such time, Form DCO-1 will be sent (if appropriate) notifying the casehead that such must be provided or the non-custodial parent information for Form DCO-115 provided within ten days. A failure to provide such evidence

and/or information will be viewed as a failure to cooperate and the sanction will be applied.

If, during the 90 days, the issue is resolved that the child(ren) will remain in the home of the casehead, the good cause claim or decision substantiating the claim will become void. The casehead must then cooperate as required, or the sanction will be applied.

2143.3 Substantiation of Good Cause Claim

A good cause claim may be substantiated by:

1. Evidence which corroborates the claim, or
2. An investigation conducted by the County Office when the basis of the claim is anticipated physical harm and no corroborative evidence is available; or
3. Both corroborative evidence and an investigation.

It is the responsibility of the casehead to provide corroborative evidence and, if the County Office determines that an investigation is necessary, to provide sufficient information to enable such investigation.

The County Office will, upon request, advise the casehead how to obtain the necessary documents and make a reasonable effort to obtain any specific documents which the casehead is not able to obtain without assistance. Such requests will be documented on Form DCO-105.

2143.4 Types of Corroborative Evidence

Good cause claims may be corroborated with the following types of evidence:

1. Birth certificates or medical or law enforcement records which indicate that the child was conceived as a result of incest or forcible rape;
2. Court documents or other records which indicate that legal proceedings for adoption are pending before a court of competent jurisdiction;

3. Court, medical, criminal, child protective services, social services, psychological or law enforcement records which indicate that the putative father or non-custodial parent might inflict physical or emotional harm on the child or relative;
4. Medical records which indicate emotional health history and present emotional health status of the casehead or of the child for whom support would be sought; or written statements from a mental health professional indicating diagnosis or prognosis concerning the emotional health of the casehead or of the child for whom support would be sought;
5. A written statement from a public or licensed private social agency that the child's parent(s) is being assisted by the agency to resolve the issue as to whether to keep the child or to relinquish him for adoption; and
6. Sworn statements from individuals other than the casehead with knowledge of the circumstances which provide the basis for the good-cause claim. A sworn statement is a statement made and sworn to before a person authorized by law to take such a statement. Those persons who are authorized include a notary public, clerk of the court or a judge. (list not inclusive)

Any evidence considered must have a direct and logical relation to the circumstance(s) under consideration, or it will be insufficient to substantiate good cause i.e., it must verify the claim. Corroborative evidence is to be provided by the casehead within 20 days (or 40 days in exceptional cases) from the date the claim was made.

2143.5 Investigation

Anticipated physical or emotional harm may be the basis of a claim for which there is no corroborative evidence particularly in the case of battered women. When no corroborative evidence is submitted in support of past physical or emotional harm, the County Office will investigate the claim when it believes that the claim is credible without corroborative evidence, and such evidence is not available.

Good cause will be found to exist if the statement of the casehead and the investigation satisfy the County Office that good cause exists. The casehead

has the burden of establishing credibility and the reason no evidence exists. The agency investigation may not verify good cause, but should establish to the County Office's satisfaction the credibility of the casehead.

A determination that good cause exists due to anticipated physical or emotional harm under this section will be reviewed and approved or disapproved by supervisory staff. The record will document the findings (Form DCO-105).

In addition to cases in which physical harm is the basis of the claim and no corroborative evidence is available, the County Office may conduct an investigation to further substantiate a claim when the corroborative evidence provided is insufficient to make a determination.

The non-custodial parent or putative father may be contacted during an investigation if the County Office determines that such contact is necessary in order to establish the claim. The casehead must be notified 10 days in advance of such contact via Form DCO-1 and given an opportunity to:

1. Present additional evidence or information so that such contact will not be necessary;
2. Withdraw the application for assistance or have the case closed;
3. Cooperate in child support enforcement activities; or
4. Have the good cause claim denied.

2143.6 Special Consideration Related To Emotional Harm

The following should be considered in every case in which the good cause determination is based in whole or in part upon the anticipation of emotional harm to the child, the mother, or the caretaker relative:

- ◆ Present emotional state of the person subject to emotional harm;
- ◆ Emotional health history of that person;
- ◆ Intensity and probable duration of upset;
- ◆ Degree of cooperation to be required; and
- ◆ The extent of the involvement of the child in the paternity establishment or support enforcement activities to be undertaken.

2143.7 Good Cause Claim Made at Application

If the applicant makes a good cause claim, he or she will be advised of the information needed to substantiate it and that the information must be provided within 20 days of the date the claim is made. If the application is ready to be processed, though, before the 20th day and the evidence has not been provided, it will not be delayed. Refer to TEA 2511.1.

2144 *Providing Information for the OCSE Referral*

Unless good cause for refusal to cooperate has been claimed or has been determined to exist, the TEA casehead must provide information necessary for the completion of Form DCO-115. OCSE Referral Information. The DCO-115 information must be completed on each parent who is absent from the home and on the putative father when both parents are living in the home with the child and legal paternity has not been established.

If the casehead refuses to provide the necessary information to complete form DCO-115, the application will be denied for non-cooperation with the child support enforcement requirements.

2145 *Cooperation with the OCSE Following Non-Compliance*

The sanction for non-cooperation with child support requirements will be lifted upon actual cooperation by the person who failed to cooperate. (Refer to TEA 4151 for a description of the sanction.) It may be lifted at any time following a first sanction but must remain in effect for a minimum of three (3) consecutive calendar months following a second sanction.

When a client whose case was closed due to child support non-compliance reapplies, he or she must cooperate with the OCSE before TEA cash assistance is authorized. The cooperation requirement will be discussed with the client to determine if he or she intends to cooperate now. If the client states a willingness to cooperate, then he or she will be referred to the OCSE. Processing of the application may continue pending notification from the OCSE as to whether the client has cooperated.

If the reason for the prior non-compliance was the parent's (or other adult relative's) failure to appear in court, then full cooperation cannot occur until the OCSE schedules a court date and the client actually appears. If the OCSE advises that the client has agreed to cooperate but that a court date must be scheduled, then the application may be approved for the children but the parent or other adult will be excluded from the payment determination until he or she actually appears in court.

2150 *Other Explanations*

Other explanations to be given during the application interview are listed below.

2150.1 Family Cap

A child who is born while the mother is receiving TEA cash assistance, either for other children or as a minor child herself, will not be included in the case for cash assistance purposes. In addition, a child who is born within nine (9) months of the month TEA benefits were terminated to the mother will not be included for payment unless the mother's case has been closed continuously for six (6) months.

This provision applies equally to applicants who are pregnant and deliver after certification, and to recipients who become pregnant after certification. There are no exceptions.

Note: The family cap provision does not apply to a child who moves into the home from another home (See TEA 4132.)

The County Office will thoroughly explain this provision to the applicant, and minor parent if appropriate. It should be pointed out to the applicant that the provision applies to teenagers included in the unit as well as the adult. Therefore, if a teen gives birth after the case is certified, that newborn will not be added to the payment. (See TEA 4131.)

This discussion of the family cap provision should lead into the explanation and offer of family planning services described in the next section.

2150.2 Family Planning Services

The County Office will explain the availability of Family Planning services offered through the local Health Department or local physician and provide the applicant with the Family Planning Pamphlet, PUB-096. At least the first two sections of the pamphlet should be reviewed with the applicant so that the client has a clear understanding of the importance of family planning. The applicant will be encouraged to read the Family Planning Pamphlet to find out what services are offered and how to obtain them. It should be explained that these services are also available to teenagers living in the home and that if the family is receiving Medicaid, it will cover the costs.

2150.3 Administrative Hearings

The County Office will explain that the applicant may request a hearing if his application is denied or is not acted upon with reasonable promptness. In addition, if approved for benefits, it will be explained that he or she will have the right to request a hearing if the assistance payment is reduced, discontinued, or terminated. Refer to TEA 8000 for more detailed information concerning Administrative Hearings.

2150.4 Voter Registration

If the applicant indicated on the application form that he or she would like to register to vote, the applicant will be offered a Voter Registration Application. Refer to Appendix V for Voter Registration policy and procedures.

2150.5 Extended Support Services (formerly called Transitional Benefits)

The County Office will explain the availability of extended support services, which include Medicaid and child care assistance when a case is closed due to employment. (See TEA 5000 for detailed information regarding those services.).

2160 ***Applicant Job Search***

Applicants who have been determined to be job ready as defined below will be required to engage in Job Search activities while the application is being processed.

The purpose of applicant job search is to require applicants who have no obvious circumstances preventing them from becoming employed to look for a job while the application is being processed rather than waiting until after approval. The intent of applicant job search is not just to require the applicant to be engaged in a "work activity" but that the applicant will actually find a job and start employment rather than receive assistance. In essence, applicant job search, if successful, should result in diversion from assistance.

Notwithstanding the fact that the job market itself ultimately determines whether an individual is truly job ready, it is important to recognize that almost everyone is capable of finding work sooner or later. Therefore, for purposes of Applicant Job Search, an individual is presumed to be "job ready" and therefore available for immediate job search unless the worker determines that an exception to the presumption is warranted based upon an initial assessment of circumstances. At a minimum, an individual with a recent work history (as defined at the county office level) or a tenth (10th) grade or higher educational attainment level should be given strong consideration for applicant job search. The county office may determine other individuals to be job ready based on an assessment of the individual's abilities and circumstances.

At the initial interview, the skills assessment form will be reviewed with the applicant and second adult, if appropriate, to determine if immediate job search should be required. The purpose of applicant job search should be emphasized with the applicant so that it is clear that the intent is not simply to have the applicant "engaged in an activity" but that there is the expectation that he or she will find a job and not need on-going cash assistance.

Applicants who meet the job search requirements will be informed that job search is a condition of eligibility and that failure to seek employment will result in the denial of the TEA application.

2161 *Participation in Job Search*

The applicant must make a number of job contacts, as determined by the County Office, within ten days from the date of the application interview. If all other eligibility requirements are met, the application will be held pending until the job search requirement is met, or the applicant finds a job, whichever occurs first. Failure to meet this requirement will result in denial of the TEA application.

The County Office will determine the number and type of job contacts the applicant will be required to make. The County Office will develop guidelines to follow when making this determination (e.g., employment opportunities within that county or surrounding counties). **NOTE:** It is important to set up a process whereby it is clear to the applicant that the job search activity is taken seriously and to avoid merely setting up a paperwork requirement that does not result in finding work.

A job search applicant may also be referred for job placement if such placements are available in the county.

Child care assistance may be available for the individual while engaged in applicant job search. However, other supportive services or reimbursements which would be paid with TEA funds will not be provided to an applicant. Therefore, applicants required to engage in job search should have available transportation.

2162 *Reporting Job Search Participation By The Applicant*

The applicant will complete form DCO-1429, TEA Applicant Job Search, listing the job contacts made, date of contact, type of contact, and outcome of the contact. The applicant will provide this information to the county office by the date specified.

If the applicant finds a job and chooses to continue with the application process, the earned income will be considered as for any other applicant. The worker should discuss possible alternatives to on-going cash assistance at this point, though. For example, now that the applicant has a job, he or she may only need Medicaid coverage or child care assistance. Diversion assistance could also be considered.

2200 Eligibility Determination

In addition to the eligibility requirements dealt with during the application interview (i.e., the PRA, applicant job search, providing or applying for an SSN for all family members, and initial cooperation with the OCSE), it will be determined and documented in the case record whether the family meets the remaining TEA eligibility requirements as described in the following sections..

If it is determined, at any point, that an eligibility requirement is not met, it is not necessary to determine any other requirements. The application may be denied based on the requirement not met. Each requirement is discussed in more detail in the following sections.

2201 *TEA Family/Assistance Unit Defined*

For purposes of the TEA program, the terms "TEA family" and "assistance unit" have the same meaning and are used interchangeably throughout this manual.

The above terms mean: the under age 18, non-SSI child(ren) for whom application is made and the following persons:

1. The parent(s), including minor parents, living in the home with the child unless such parent receives SSI benefits. **NOTE:** If the child has a legal father (according to state law) who does not live in the home but the alleged biological father does, such biological father will not be included as the child's parent until the issue of the legal father has been legally resolved.
2. The non-SSI step-parent living in the home with the child.
3. Any non-SSI sibling of the child for whom application is made who is living in the home and for whom the parent or other adult caretaker has responsibility even if application is not made for that child. (See EXAMPLE #1 below.)

NOTE: If there are two or more otherwise separate families living in the same house, such families will not be combined into one single TEA family even if some of the children may be half-siblings to each other. (See EXAMPLE #2 below.)

4. Any non-parent, non-SSI adult caretaker relative who **chooses** to be included as an eligible family member.

The persons described in Items 1-3 are required to be included as TEA family members except when a specific individual eligibility requirement is not met by such person. Individual eligibility requirements are the following:

- a. SSN Enumeration (TEA 2110).
- b. Child's Relationship to the Caretaker Relative (TEA 2210).
- c. Citizenship or Alienage (TEA 2220).
- d. Felony Drug Conviction (TEA 2230).
- e. Fleeing Felon or Parole or Probation Violator (TEA 2240).
- f. Family Cap Provision (TEA 2361 and 4131).

All minor non-SSI children in the home for whom a legally married couple has responsibility and for whom they are receiving, or wish to receive, assistance will be included with the couple as one TEA family, or assistance unit. (See EXAMPLE #3 below.)

EXAMPLE #1: Ms. Adams applies only for her son James and does not want to apply for her daughter Crystal because Crystal receives SSA benefits from her deceased father's account. Even though Ms. Adams is not applying for Crystal, she must be included in the application and the TEA family.

EXAMPLE #2: Ms. Jones and Ms. Smith each have two children. Mary, Ms. Jones' child, and Tom, Ms. Smith's child, have the same father making them half-siblings. The Jones and Smith families will remain separate families under TEA even though Mary and Tom are half-siblings.

EXAMPLE #3: Mr. and Mrs. Madison each have a child of their own from a previous marriage living with them. Even though they have no child in common, the four of them (Mr. and Mrs. M. and the two children) will be considered to be one TEA family, not separate families.

The eligibility requirements described in the following sections will be determined in relation to the TEA family members as defined above. If a requirement affects only an individual's eligibility, the section specific to that requirement specifies so and describes how to treat an individual family member who is ineligible due to the requirement.

2210 *Age and Relationship Requirement*

The non-SSI child(ren) must be under 18 years of age and must live in the home of a parent or other adult caretaker who is in a specified degree of relationship to the child.

A home is defined as the family setting maintained or in the process of being established, as evidenced by the assumption and continuation of responsibility for the day to day care of the child by the relative.

A child is considered to be living with a parent or other relative even though:

1. The child is under the jurisdiction of a court (receiving probation services or protective supervision).
2. Legal custody is held by an agency or other individual provided, though, the child is physically residing with the applicant.
3. The child or adult is hospitalized provided that, upon release, the child or adult will return to the home of the applicant.
4. The child or adult is otherwise temporarily absent from the home not to exceed 45 consecutive days. (See NOTE below.)

NOTE: The intent of the "temporary absence" provision above (#4) is to continue assistance to a family during short periods of time in which the adult or child may not be in the usual family setting (e.g., a child may visit the non-custodial parent for up to 45 days). It is not intended to provide assistance to an adult on behalf of a child who, on a regular basis, lives in another adult's home the majority of the time (e.g., resides with another relative during the week to enable either the child or parent to attend school in another location).

2211 *Degrees of Relationship*

The child must be living with a relative who is in one of the following degrees of relationship to the child:

1. A blood or adoptive relative who is within the fifth degree of kinship. Such relatives by degree of kinship are as follows:

1st degree - Parent.

2nd degree - Grandparent, sibling.

3rd degree - Great-grandparent, uncle, aunt, nephew, niece.

4th degree - Great-great-grandparent, great-uncle, great-aunt, first cousin.

5th degree - Great-great-great-grandparent, great-great-uncle, great-great-aunt, first cousin once removed (i.e., the child of one's first cousin).

Half-relationships will be considered the same as full relationships.

2. Step-father, step-mother, step-brother, step-sister.
3. Spouses of any persons named in the above groups. Such relatives may be considered within the scope of this provision though the marriage is terminated by death or divorce.

2212 *Methods of Proving Age and Relationship*

The child's age and relationship to the parent or other adult caretaker must be verified. The inability of the casehead to verify the age or relationship of one child does not affect the eligibility of other children in the family.

Acceptable documents to verify age and relationship include the following:

1. Birth Certificates/Hospital Certificates: Original birth certificates are considered the strongest proof of age. Delayed birth certificates will be accepted. A hospital certificate is also acceptable proof.

County staff have on-line access to the Arkansas Department of Health birth records file through the system terminals located in each county office. Birth information from this file may be printed and used to verify age and relationship in lieu of an actual birth certificate. Refer to the DCO User's Manual, Appendix M, for detailed instructions on how to access the Health Department file.

If the applicant cannot provide a birth certificate or other acceptable birth verification and the birth information is not on the Health Department file, then Form DHS-47 may be used to obtain an Administrative Copy of an Arkansas birth certificate.

For verification of births out of state, the applicant is responsible for obtaining the necessary verification. If the applicant cannot obtain such verification, the agency may assist by writing the Social Service Agency in the other state to request their assistance in obtaining verification.

2. **Government Records:** Civil records, court records, draft records, military records, records of the Census Bureau, Social Security records, and other government records may furnish conclusive proof of age and/or relationship.
3. **Organization Records:** The records of public and private agencies, fraternal societies, organizations such as trade unions, or medical records which give the age or birthdate of an individual will be acceptable evidence of age.
4. **School Records:** School enumeration records or registration records will be acceptable proof if made at the time the child was first registered or at least one year prior to the date of the application.
5. **Employment Records:** The records kept by an organization or individual who has formerly employed the applicant will be considered acceptable proof of age. This record must be at least five (5) years old.
6. **License:** The applicant may be able to provide a marriage license which will furnish conclusive proof of age.
7. **Family Birth Records:** Family records of births, marriages, and deaths of members are kept in a permanent register, usually a Bible. For evidence of birth dates for children, such a record may be accepted. The condition of entries should show the siblings in the sequence in which they were born. When a family record is accepted, the case record must contain a description of the birth record, the reason it was determined to be authentic and long standing, the permanent location of the record, and the date and place it was seen by the worker.
8. **Record of Physician:** A copy of a birth record of a physician can be accepted as verification.

9. Statement of Witness to Birth: A notarized statement of a witness (such as a doctor, nurse, midwife, or other person present at the time of birth) is acceptable. The following facts must be included:
- a. Name of the child and parents.
 - b. Date and place of birth.
 - c. Relationship of the witness to the family, such as attending physician or nurse.
 - d. Facts showing that knowledge is primary and direct, not hearsay.

If proof of one child's age or relationship cannot be obtained, or the client is having difficulty obtaining it, this will not affect the eligibility of any other child in the family. Assistance will be approved for the otherwise eligible children. When proof of the excluded child's age or relationship is provided, that child will be added. See the Example below. (Note: A new application will not be required to add the child in this situation.)

EXAMPLE: Ms. Jones applied for three children. The two youngest children were born in Arkansas and Ms. Jones provided their birth certificates to verify their ages and relationship to her. However, the oldest child was born in Maine and Ms. Jones lost the copy of the birth certificate she had in a house fire. She has written to the state of Maine to get another copy but has not received anything back yet. All other factors are met so the application is approved with Ms. Jones and the two younger children included as eligible family members. As soon as the birth certificate is received for the oldest child, he will be added.

2213 *Verifying Presence of Child in Home of Relative*

The worker will verify that the child(ren) are living with the parent or other relative.

Acceptable methods of verification include:

- ◆ Collateral Statement, Form DCO-76, completed by a friend or neighbor showing the child as a household member. (Primary type)
- ◆ Phone contact with a friend or neighbor.
- ◆ Information from current school records
- ◆ Other types of collateral contact.

The verification used will be documented or filed in the case record.

2220 Citizenship or Alienage Requirement

Each individual for whom application is made must be one of the following:

1. A United States citizen (native born or naturalized); or
2. An alien lawfully admitted for permanent residence prior to August 23, 1996; or
3. A qualified alien for whom federal law requires benefits under Title IV-A of the Social Security Act to be provided.

An alien lawfully admitted for permanent residence prior to August 23, 1996 includes the following:

- ◆ A refugee admitted under Section 207 of the Immigration and Nationality Act (INA);
- ◆ An alien granted asylum under Section 208 of the INA;
- ◆ An alien who was paroled into the United States under Section 212(d)(5) of the INA for a period of at least one (1) year;
- ◆ An alien whose deportation is being withheld under Section 243(h) of the INA;
- ◆ An alien who was granted conditional entry pursuant to Section 203(a)(7) as in effect prior to April 1, 1980.

A qualified alien under Item #3 above is one who meets one of the following criteria:

- a. Was admitted to the United States less than five (5) years ago as a **refugee** under Section 207 of the Immigration and Nationality Act.
- b. Was granted **asylum** under Section 208 of the Immigration and Nationality Act less than five (5) years ago.
- c. Whose **deportation** is being withheld under Section 243(h) of the Immigration and Nationality Act and such withholding decision was made less than five (5) years ago.
- d. Has been admitted for **permanent residence** under the Immigration and Nationality Act **and has worked forty (40) qualifying quarters** of coverage as defined under title II of the Social Security Act or can be credited with such qualifying quarters as follows:
 - (1) All of the qualifying quarters of coverage worked by the alien's parent while the alien was under 18 years of age will be credited to the alien;
 - (2) All of the qualifying quarters of coverage worked by the alien's spouse during their marriage provided they are still married or the spouse is deceased.

- (3) No qualifying quarter of coverage described above, beginning on or after January 1, 1997, worked by the alien, parent, or spouse) will be credited to the alien if the alien, parent, or spouse (as appropriate) received any Federal means-tested public benefit during the period for which the qualifying quarter of coverage is so credited.
- e. Is lawfully residing in the State and is (1) a **veteran** with an honorable discharge from the military; (2) on **active duty** (other than for training) in the Armed Forces of the United States; or (3) the **spouse or unmarried dependent child** of an individual described in (1) or (2).

2221 *Methods of Proving Citizenship or Alienage Status*

An declaration of citizenship will be accepted unless the County Office determines that the declaration is questionable in which case verification such as birth certificates or naturalization papers will be required.

The following documents may be used to verify alien status:

1. Refugee: INS Form I-94 annotated "Admitted as a refugee pursuant to Sec. 207 of the INA"; INS form I-688B or I-766 annotated "274a.12(a)(3)"; or Form I-571. Date of entry must be less than five (5) years from the current date.
2. Asylee: Form I-94 annotated "Asylum status granted pursuant to Sec. 208 of the INA"; a grant letter from the Asylum Office of the INS; Form I-688B or I-766 annotated "274a.12(a)(5)"; or an order of an immigration judge granting asylum. (If a court order is presented, verify that the order was not overturned on appeal by sending a G-845 to INS, attaching a copy of the document.) The date asylum was granted must be less than five (5) years from the current date.
3. Deportation Withheld: An immigration judge's order showing deportation withheld under Sec. 243(h) and date of the grant; or Forms I-688B or I-766 annotated "274a.12(a)(10). (If a court order is presented, verify that the order was not overturned on appeal by sending a G-845 to INS, attaching a copy of the document.) The date deportation was withheld must be less than five (5) years from the current date.
4. Lawfully Admitted for Permanent Residence: I-551 (Green Card); or, for recent arrivals, a temporary I-551 stamp on a foreign passport or on Form I-94.

5. Worked Forty (40) Qualifying Quarters of Coverage - SSA Query screen (WQRY) will be used to determine if an alien has 40 qualifying quarters of coverage, including credited quarters from his or her parent or spouse. Form SSA-3288, SSA Consent for Release of Information, must be signed by the person for whom quarter of coverage information is needed before making the inquiry. (If the person is deceased, no consent is needed.) Refer to the DCO User's Manual for instructions on how to inquire to WQRY for this purpose.
6. Honorable Discharge: A U.S. military discharge certificate (DD Form 214) that shows character of service as "Honorable" and does not show, in the narrative reason for discharge entry, that the discharge was based on alien status, lack of U.S. citizenship, or other "alienage" reason.
7. Active Duty Member of the Armed Forces: The green service identity card (U.S. Form DD-2) or (rarely) red service identity card and copy of current orders showing active duty (not active duty for training purposes only).
8. Spouse or Dependent Child of Veteran or Active Duty: A marriage license or birth certificate verifying the individual's relationship to the veteran or active duty military person along with the appropriate verification for honorable discharge or active duty.

2222 Declaration of Citizenship

As a condition of eligibility, a declaration of citizenship, or lawful alien status, must be made in writing, under penalty of perjury, for each TEA family member.

The Immigration Reform and Control Act (IRCA) of 1986 (P.L. 99-603) requires an applicant for public benefits to declare in writing, under penalty of perjury, whether he is a citizen or national of the United States, or if not, that he is an alien in satisfactory immigration status. An individual must be given certain status options from which to choose to make his citizenship declaration.

Form DCO-9 (Declaration of U.S. Citizenship or Satisfactory Immigration Status) is used to obtain the written declaration for the family. The TEA casehead completes and signs the form on behalf of all adults and children included in the assistance unit.

Aliens included in the unit must be listed on Form DCO-9, along with their INS numbers. It must be verified, as described in TEA 2221, that the INS status meets the TEA eligibility criteria for an alien.

Once a DCO-9 declaring citizenship for the adult(s) and children listed on the DCO-180 is obtained, it is not necessary to obtain another declaration for as long as the case remains open unless a new member is added to the case. If the case is closed and the client reapplies, a new DCO-9 for all members listed on the DCO-180 and included in the unit will be needed.

2230 *Drug-Related Convictions*

An individual who has been found guilty of or has pleaded guilty or nolo contendere to any state or federal offense classified as a felony by the law of the jurisdiction involved, and which has as an element of the offense, the distribution or manufacture of a controlled substance (as defined in section 102(6) of the Controlled Substances Act) is ineligible for TEA benefits. This provision applies only to offenses occurring after July 1, 1997.

The eligibility of other family members is not affected by the ineligibility of a person described above. Such ineligible person will not be included in the family size for purposes of determining the payment amount. However, if the person is the parent or stepparent of any child included in the unit, then his or her income will be counted.

If the question regarding the above type of felony conviction was answered Yes on the application form, the worker will find out which family member has such conviction. If the question was answered No, then no further action is needed.

2240 *Fugitive Felons and Parole or Probation Violators*

An individual who is fleeing to avoid prosecution, or custody or confinement after conviction, of a felony offense is ineligible for TEA benefits.
An individual who is violating a condition of probation or parole imposed under Federal or State law is ineligible for TEA benefits.

The eligibility of other family members is not affected by the ineligibility of a person described above. Such ineligible person will not be included in the family size for purposes of determining the payment amount. However, if the person is the parent or stepparent of any child included in the unit, then his or her income will be counted.

2250 *Residence Requirement*

The family must presently reside in Arkansas and intend to make it their home.

No specific duration of residence is required. If the applicant has the present intention to make the state his home, current eligibility will not be affected even if the applicant intends to leave the state at some future time. Residence is not affected by a temporary absence from the state, provided the absence is less than one (1) month.

Homeless families who do not have a fixed or permanent address but reside in the state as residents of Arkansas are eligible for TEA provided they meet all other eligibility requirements. The county office will determine an address of choice (e.g., a PO Box, homeless shelter, etc.) for such families. If otherwise eligible, the case may be certified with this chosen address.

2260 ***Initial Compliance with the Personal Responsibility Agreement Requirement***

The Personal Responsibility Agreement requires the adult caretaker, or minor parent, to insure that school-age children attend school regularly and that the children receive immunizations as needed. "School-age" is defined as five (5) years through seventeen (17) years of age.

If the adult, or minor parent, reports at application that all school-age children are enrolled in and satisfactorily attending school, the worker may accept the statement of the applicant. Enrollment and satisfactory attendance will be verified with the school, and documented in the case record, in those cases where it is reported that one or more children in the family has failed to enroll or attend school regularly. Such reports may come from any of several sources including, but not limited to, the school system locally, courts, system-generated reports supplied by the state Department of Education, etc. Satisfactory attendance is defined in accordance with the school's definition of attendance. If the children are not enrolled, the application may be approved if all other eligibility requirements are met. However, the adult, or minor parent, will be advised that the children must be enrolled and that certification of enrollment must be provided by the parent no later than thirty (30) days from the date the application is approved. If school is not in session when the application is made (e.g. summer vacation), then the parental certification must be provided within thirty (30) days of the date school resumes. (See TEA 4152.)

If the children are being home-schooled, the applicant's statement will be accepted unless questionable. If questionable, then verification that there is an approved home-schooling application on file with the school superintendent should be required.

Proof of current immunizations of all pre-school-age children will be requested prior to approval of the application. (See Appendix A for the immunization schedule.) If such proof is provided, the case record will be documented accordingly or a copy of the immunization record filed in the record. If any pre-school-age children are in need of immunizations, the application may be approved if all other eligibility requirements are met but the adult, or minor parent, will be advised that the children must receive the needed immunizations and proof that they have must be provided no later than thirty (30) days from the date the application is approved (See TEA 4153.).

2270 *Resource Requirement*

The countable resource limit for all family sizes is \$3000.

The resources of all persons included in the assistance unit must be determined. This includes all adults, children, and minor parents. In addition, the resources of a non-SSI parent or step-parent living in the home are always considered in determining the children/step-children's eligibility even if such parent or step-parent is not included in the unit as an eligible member.

Certain types of resources, specified in TEA 2272, are not counted in determining the family's resource eligibility.

Resource eligibility is determined as of the first day of a calendar month. If the countable resources are equal to or less than \$3000.00 on the first day of the month, then the family is resource eligible for the entire month even if the resource value increases and exceeds the limit later in the month.

2271 *Definition of a Resource*

A resource is any real or personal property available to an individual to meet his needs (i.e., can be turned into cash). Only those resources currently available, or which the individual has the legal ability to make available, will be considered. Accumulations in trust funds, retirement, and profit-sharing plans, or other arrangements which preclude the use of the property for meeting current needs will not be considered until such time as the property is actually available

All or any portion of a payment that is considered as income in the month of receipt cannot be considered as a resource in the same month.

EXAMPLE: Ms. Smith has a checking account with a balance of \$750. On March 5, she deposits her regular monthly \$100 Social Security check into it. Since the \$100 she deposited is income for March, it cannot be included as part of the resource (the checking account) for March. Any of the March \$100 remaining in the account as of April 1, however, would then be considered as a resource.

2271.1 **Verification of a Resource**

The countable value of a resource which is not disregarded must be verified. See TEA 2272 for disregarded resources.

2272 ***Resources to be Disregarded***

The following resources are not considered in determining the family's TEA eligibility:

1. The family's homestead. (See TEA 2272.1 for more information regarding the homestead.)
2. One motor vehicle.
3. Household and personal goods.
4. Income-producing real or personal property.
5. Earmarked resources. This includes educational grants, loans, settlement payments that are intended and used for purposes which preclude their use for current living costs, etc.
6. Earned Income Credit (EIC) and other tax refunds.
7. Any type of life insurance policy, including the cash surrender value of the policy.
8. One burial plot per TEA family member.
9. Payments made under any federal, state, or local disaster assistance program.
10. Any property or payment required to be disregarded for eligibility purposes according to federal or state statute. See the Note below.

NOTE: At any time there is a question as to whether a particular type of property or payment may be disregarded under Item #10 above, the worker should submit the pertinent documents or information concerning the property or payment to the Office of Program Planning and Development, Slot 1220 for a determination. This information should include the specific federal or state statute under which it is believed the disregarded treatment is required.

2272.1 The Homestead

A homestead is a house and tract of land which a person considers his home. A mobile home or trailer used as a home will be considered as a homestead, regardless of whether the person also owns the property on which the mobile home is situated.

Only one such tract will be considered a homestead. However, there is no limit to the acreage or number of lots so long as the property is contiguous. Any other dwelling units or apartments on the property will be considered a part of the homestead.

The family must be presently residing on the property or intend to move on to it within a period of six months from the date of application or date of purchase, whichever is later.

If the family ceases to live on the property, it will continue to be regarded as a homestead for a period of six months from the date they left the home or the date of application, whichever was later, provided they intend to return to it. A request to extend the period beyond six months may be approved by the County Administrator, if it is determined that extenuating circumstances exist in the case. Unless the period has been extended, the recipient will be advised that the homestead becomes excess property after six months.

If the homestead is sold, the net proceeds received from the sale will be disregarded for a period of eighteen (18) months from the date of the sale provided the casehead intends to apply such proceeds towards the purchase of another homestead. A request to extend the period beyond eighteen months may be approved by the County Administrator, if it is determined that extenuating circumstances exist in the case. When the conditions of the sale of the homestead are such that the proceeds will be received through installment payments, then such proceeds will be disregarded as they are received provided they are applied to the payment of another homestead. Only that portion of the proceeds, whether received in full or through installment payments, which are actually applied towards the purchase of the new homestead may be disregarded. Any remaining amount will be considered according to TEA 2274, Items 3 or 4, as appropriate.

EXAMPLE #1: A client receives \$10,000 for his homestead. He re-invests only \$8000 into a new home. Therefore, the remaining \$2000 will be considered a resource.

EXAMPLE #2: A client sells his homestead through an installment payment contract for which the entire balance is not payable upon demand. The monthly payment from the sale is \$200. He uses \$150 from that payment to make the payment on his new home. Therefore, the remaining \$50 will be considered as unearned income.

The casehead will be advised that if another homestead is not purchased within the eighteen month period, then at the end of the 18 months, the proceeds will be considered a resource if received in full, or as unearned income if received in installment payments (Refer to TEA 2275) beginning with the month after the proceeds first became available. Therefore, an overpayment may occur if the proceeds are not reinvested in another homestead. If a client who is receiving installment payments later purchases another homestead and applies the installment payment to the new home, then that portion applied may be disregarded.

2273 *Resources Considered in Full*

Except for property specifically disregarded in TEA 2272 and excess motor vehicles, the equity value of any other real or personal property available to the family will be considered in full. If the family has more than one motor vehicle, then the market value of any additional vehicles will be considered in full.

When a TEA client has joint ownership of a resource, the client's ownership interest and the availability of the resource to the family must be determined. If the resource is available to the unit, the net equity must then be determined. **NOTE:** If the jointly held resource is a motor vehicle which is not disregarded, then the market value will be determined rather than the net equity.

Sections 2276 - 2279 provide more detailed discussions of real and personal property.

2273.1 Requesting a Legal Opinion on Resource Ownership or Availability

There are situations in which the client's ownership interest or ability to access the resource are not clearly evident. In such situations, it may be necessary to request a legal opinion from the Office of Chief Counsel (OCC).

To request an OCC opinion regarding a resource owned or jointly owned by a member of a TEA family, the following procedure will be followed:

1. The County Office will submit a memorandum to the Assistant Director, Office of Program Planning and Development (OPPD), Slot 1220.
2. The memo will specify that the request is for a TEA case and will include a complete description of the circumstances surrounding the resource with copies of all documentation (deeds, titles, trusts, etc.) attached.
3. OPPD staff will screen the request to determine if all necessary information has been provided and will research the files to determine if an opinion on the issue has been obtained previously. If information is missing, the requesting office will be contacted. Once all necessary information is obtained, the request will be forwarded to the Office of Chief Counsel if it is determined no previously obtained opinions address the issue.
4. Upon receipt of the OCC opinion or upon the determination that a prior opinion addresses the issue, a written interpretation, via memorandum from the Assistant Director, OPPD, will be provided to the requesting county office with a copy to the Office of Field Operations. This memo will be filed in the TEA case record.

2274 *Sale of a Resource*

The sale of a resource, including disregarded resources, is considered a conversion of one type of resource (property) to another type (cash) except when the terms and conditions of the sale preclude the seller's ability to obtain full payment on demand.

When an individual sells either real or personal property, the amount the individual received for the property and any terms or conditions of the sale will be determined. The net proceeds from the sale (sale price less any outstanding encumbrances and costs related to the sale) will be considered as follows:

1. If the homestead was sold, refer to TEA 2272.1.
2. If the family's only car/truck is sold, the proceeds may be disregarded if the proceeds are applied to the purchase of another car/truck within 30 days of the sale.

3. If full payment was received, apply that amount to the resource limit.
4. If the individual sold the property through an installment contract, then the installment payment, less any amount for which the seller is still obligated to pay on the sold property, will be considered as unearned income.

EXAMPLE: Mr. and Mrs. Warren have agreed to sell five acres of land they are currently buying in another county. The contract they have entered into with the buyer specifies that the buyer will pay them \$200 per month for five years. The Warrens will continue to make payments to the bank on the land in the amount of \$150 per month. Therefore, only \$50 of the \$200 payment made to the Warrens will be counted as unearned income.

2275 *Excess Real Property*

The equity value of any real property not used as a homestead (excess property) will be considered a resource in determining TEA eligibility.

2275.1 *Determining Ownership*

Ownership may be verified by any of the following:

- ♦ Deeds
- ♦ Wills
- ♦ Contract of purchase
- ♦ Other documentary evidence

When two or more persons own an interest in the property, the client's ownership interest and the availability of the property as a resource to the family must be determined (Refer to TEA 2276.3).

Questions of title, ownership, and property interest which cannot be resolved by the County Office may be submitted to the Office of Program Planning and Development, Slot 1220, who will request a legal opinion from the Office of Chief Counsel. The memorandum should present the question involved, any relevant facts, with relevant documents (deeds, contracts, etc.) attached. (See TEA 2273.1.)

2275.2 Forms of Ownership

1. Fee Simple Ownership - When property is held in fee simple, the owner has sole ownership interests. He alone (or his legal guardian if mentally incompetent) may sell or transfer ownership interest without conditions imposed by others.
2. Shared Ownership - Shared ownership means that ownership interest in property is vested with more than one person. Shared ownership may be by "joint tenancy", "tenancy in common", or, for a married couple, "tenancy by the entirety."
 - a. Joint Tenancy - In joint tenancy, each of two or more joint tenants has an equal interest in the whole property for the duration of the tenancy. On the death of one of two joint tenants, the survivor becomes sole owner.
 - b. Tenancy-in-Common - In tenancy-in-common, two or more persons have an undivided fractional interest in the whole property for the duration of the tenancy. There is no right to survivorship to a tenancy-in-common.
 - c. Tenancy-by-the-Entirety - Tenancy-by-the-entirety results when a conveyance is made to a husband and wife, whereupon each becomes possessed of the entire estate, and after death of one, the survivor takes the whole. Real estate owned by a married couple by the entirety is marketable only by consent of both parties. When a marriage has been legally dissolved, former spouses become tenants-in-common of the property, and either person can market his half share, unless conditions in the divorce decree specify otherwise.
3. Life Estates
 - a. Life Estates - A life estate conveys upon an individual(s) for his lifetime, certain rights in property. Its duration is measured by the lifetime of the tenant or of another person. The owner of a life estate has the right of possession, the right to use the property, the right to obtain profits from the property and the right to sell his life estate interest. (However, the document establishing the life estate may restrain one or more of the individual's rights.) He does not have title to the property or the right to sell the property.
 - b. Remainder Interest - When an individual conveys property to another for life (life estate) and to a second person(s) (remainder man) upon the death of the life estate holder, both a life estate interest and a remainder interest have been created in the property. Upon death of the life estate holder, the remainder man

will own full title. Several individuals may be designated as remainder men who would hold ownership jointly or in common, as specified by will or deed.

4. Ownership Interest in Unprobated Estate

An individual may have ownership interest in an unprobated estate if he is an heir or relative of the deceased, or has acquired rights on the property due to the death of the deceased, in accordance with a will or State intestacy laws.

5. Dower/Curtesy

State law for Dower and Curtesy gives a spouse an interest in the other spouse's property. When the deceased leaves no will, Dower or Curtesy may be claimed. When the deceased leaves a valid will, a widowed spouse can elect to take against the will when he would have a greater right to Dower or Curtesy than the will provides.

If there are questions regarding the Dower or Curtesy interest, the Office of Chief Counsel will be contacted. A memorandum will be submitted to the Office of Program Planning and Development, Central Office, Slot 1220. The memo should be from the ES Supervisor and should contain a complete description of the circumstances and copies of all pertinent documents. When requesting an opinion, indicate whether or not there are direct descendants (children, grandchildren, etc.)

6. Rights to Use

An individual may have ownership of certain property rights such as:

- a. Mineral Rights - A mineral right is an ownership interest in certain natural resources which are usually obtained from the ground such as coal, sulfur, petroleum, sand, natural gas, etc.
- b. Timber Rights - Timber rights permit an individual to cut and remove freestanding trees from property owned by another. A life tenant also has certain timber rights in keeping with good husbandry.
- c. Easement - An easement is a property right whereby one has the right to use of the land of another for a special purpose.

- d. **Leasehold** - A leasehold conveys to an individual, at the owner's will and usually for an agreed rent, the control of property for a definite period of time. It does not designate rights of ownership. Leaseholds may be carved out of life estates.

2275.3 Determining Value of Ownership Interest

In determining the equity value (i.e. current market value less encumbrances) of real excess property, the type of ownership, the number of additional owners, and the individual's actual ownership interest must all be taken into consideration.

1. **Fee Simple Ownership (Sole Ownership)** - If the individual is the sole owner of excess property and has the right to dispose of it, the equity value of the property is a countable resource.
2. **Shared Ownership** - If the excess property is jointly owned by two or more individuals, the equity value of the property is charged to the individual in proportion to his ownership interest.
 - a. **Joint Tenancy** - The property's equity value is divided by the number of owners in proportion to the ownership interest. When the individual's ownership interest plus other countable resources exceed the resource limit, determine if the individual is free to sell his interest. If the other owners will not consent to selling the property, then the property will not be considered a countable resource. If they will sell, the property will be counted.
 - b. **Tenancy-in-Common** - The property's equity value is divided by the number of owners in proportion to the ownership interest of each to determine the individual's ownership interest. The value of the individual's interest will be considered a countable resource, regardless of the other owners' desire to sell.
 - c. **Tenancy-by-the-Entirety** - The property's equity value is divided by 1/2 to determine the individual's ownership interest. If the individual's spouse is willing to sell the property, then it will be considered a countable resource. If the spouse will not sell, then the property is not considered
3. **Life Estate or Remainder Interest in Non-home Property** - The values must be determined in accordance with State Law and State Actuary Tables. The county will determine the value of the property in which the person has the life estate/remainder interest and route all the information to the Central Office for a determination on the value of the interest. A memorandum from the ES

Supervisor and all information gathered will be sent to the Office of Program Planning and Development, Slot 1220.

4. **Ownership Interest Held in Unprobated Estate** - An individual's ownership interest in an unprobated estate is considered to be a resource. Ownership interest is determined by dividing the equity value of the property by the number of heirs.

The costs of settling the estate including funeral expenses, payment of mortgages and other debts, attorney fees, etc. will be deducted from the value of the whole estate before determining the individual net interest. A knowledgeable source estimate of these costs may be used in making the determination if the actual costs are not known.

Once probate proceedings are initiated, the property will be considered inaccessible until probate is completed.

5. **Rights to Use** - Mineral rights, timber rights, easements, or leaseholds may all be countable resources if they have a cash value available to the individual. However, in many cases, none of the above are salable and, therefore, would not be a countable.

2276 *Determining Market Value and Net Equity of Real Property*

The market value of real property is determined by obtaining an estimate of current market value from a knowledgeable source. Knowledgeable sources include:

- ◆ Real estate brokers.
- ◆ Local office of the Farmer's Home Administration (for rural land).
- ◆ Local office of the Agricultural Stabilization and Conservation Service (for rural land).
- ◆ Banks, mortgage companies, and similar lending institutions.
- ◆ County Agricultural Extension Service (for rural land).
- ◆ Tax assessor of the county in which the property is located. If this source is used, then the assessed value must be multiplied by the county multiplier 5 to arrive at the market value.

The estimate should be written, signed and dated, and have enough information so the source can be identified.

The client is primarily responsible for obtaining the estimate. However, if requested, assistance to obtain a free estimate will be provided.

Only the net equity in the property is considered. Net equity is determined by subtracting the value of any liens, mortgages, or other encumbrances from the market value. If the market value of the property exceeds the \$3000 resource limit (alone or with other countable resources), then the amount of any encumbrances will be verified.

2277 *Personal Property*

Personal property is property other than real property and consisting primarily of liquid assets. Ownership of personal property can be in the same form as real property. The following sections describe more commonly held types.

2277.1 *Cash and Money on Deposit*

Cash on hand and money on deposit, less the amount received during the month and counted as income, is a countable resource.

Cash on hand includes amounts that the individual has on his person and amounts that he has at home. Money on deposit may be in a bank, savings and loan, credit union, or other financial institution.

Jointly Held Bank Accounts with Non-SSI Recipients

If joint ownership exists, then the amount considered to be owned by each of the joint owners will be a prorata amount rather than the full amount. If it is determined that the TEA client does not actually own the funds in a jointly held account, then none will be considered a resource to the client.

When a TEA client has a bank account with a non-SSI person, ownership of the account must be determined prior to determining whether it is a resource to the client. This applies equally to all situations in which at least one of the persons named on the account is a non-TEA person whose resources are not considered.

A person is considered as the owner of funds in a bank account if that person earned, received, or was given the funds. As this relates to married couples, for TEA purposes, it is normally presumed that both husband and wife are joint owners of funds in a jointly held bank account. However, this presumption does not preclude ownership by just

one. When there is written documentation, clearly establishing that joint ownership is not intended, then ownership by just one may be determined to exist.

Ownership may be verified by:

- ◆ written statements from the persons whose names are on the account (primary method) or,
- ◆ through collateral contacts.

EXAMPLE: Mr. and Mrs. Jones are currently separated but still have a joint savings account with a balance of \$1500. Joint ownership does exist, so one half, or \$750, will be considered to be owned by each one. Therefore, \$750, Mrs. Jones' share, will be considered a countable resource.

Jointly Held Bank Accounts with SSI Recipients

Any funds in a jointly held bank account which are being considered in determining an SSI recipient's eligibility are not considered in determining TEA eligibility. This applies to all situations in which a TEA client's name is on a bank account with an SSI recipient, including situations in which the SSI recipient is the TEA client's child or spouse.

Any funds not being considered for SSI purposes will be considered for TEA purposes according to the above section.

SSI policy presumes that all funds in a bank account which is jointly owned by an SSI recipient and another person belong to the SSI recipient. The SSI recipient may rebut this presumption if some or all of the funds belong to the other person. However, unless the SSI recipient successfully rebuts the presumption, then SSI will consider all of the funds in the account for SSI purposes. In that case, none of the funds are considered for TEA purposes even if the TEA client's name is on the bank account.

When a TEA client's name is on any type of bank account with an SSI recipient, it will be presumed that all of the funds in the account are being considered for SSI purposes. It is not necessary to verify with SSI whether the bank account funds are being considered for SSI purposes unless the TEA client advises that SSI is not considering all of the funds, or the amount in the account would appear to cause SSI ineligibility if considered. In either of those situations, the worker will verify with SSI whether the funds are being considered in determining the SSI recipient's eligibility.

Except in the above two situations, it is not necessary to verify with SSI whether the bank account funds are being considered for SSI purposes. It will be presumed that they are being considered for SSI and therefore, will not be considered for TEA.

2277.2 Trust or Restricted Accounts

A trust or restricted account is one in which monies are held by a person (trustee) for another (beneficiary) with specific instructions for withdrawal.

Trust funds which are legally available to help meet a TEA family member's needs must be considered a countable resource.

Trusts which have, as the only restriction, the requirement of prior court approval are considered accessible until a formal request for withdrawal has been made to the court and the court has formally denied the request.

Trusts which are not accessible to meet the individual's basic needs (e.g. the court has denied a withdrawal request) are not considered in determining the family's TEA eligibility.

If there are questions concerning the accessibility of a specific trust account, the pertinent trust documents and other information describing the situation should be sent to the Assistant Director, Office of Program Planning and Development, Slot 1220 for review and request of an Office of Chief Counsel opinion, if necessary.

If a trust is determined to be inaccessible, it will be reported to the Third Party Liability Unit as a third party resource for Medicaid purposes if the individual is Medicaid eligible. In this situation, the family should be advised that the trust will be considered a third party resource.

2277.3 Motor Vehicles

One car or other mode of personal transportation owned by the family is totally disregarded, without regard to its market or equity value. The market value of any other vehicle is counted in full. The vehicle with the highest market value will be the disregarded vehicle.

If the customer wishes to challenge the value determination made by the County Office, he or she will be given the opportunity to submit at least two appraisals from knowledgeable sources. The County Office will decide which appraisal to accept.

Any one of the following value determination methodologies may be used in arriving at the market value of vehicles used for personal transportation:

- ◆ NADA Used Car Guide (excluding value of optional equipment)
- ◆ Knowledgeable sources such as a local dealer or auto insurance company
- ◆ County personal property tax office

2277.4 U.S. Savings Bonds

A U.S. Savings Bond is an obligation of the Federal government which is nontransferable. These bonds are normally owned by the owner(s) shown on the front of the bond.

If bond ownership is shared, each person's share as a resource is equal, even though any one of the owner's listed on the bond may dispose of it.

2277.5 Stocks and Bonds

Shares of stock represent ownership in a corporation. Stock value is determined by the closing price.

Verification of stock value may be made by consulting the financial section of a newspaper for stock that is listed in either the New York or American stock exchange. For stocks not listed on either exchange, that is "over the counter", the bid price is used to determine market value. If these bids are not listed in the newspaper, a local securities firm may be contacted to obtain the price.

2277.6 Other Types of Personal Property

Any other available property not specifically disregarded is counted as a resource. (See TEA 2272 for disregarded resources.)

2300 Income Eligibility and Payment Determination

The family must be economically needy which means, in part, that the family's countable income is below the Income Eligibility Standard established by the state.

If income and all other requirements are met, then the monthly cash assistance payment is determined. This is based on the family size and the family's gross income.

The following sections describe how to determine what income is countable and how to calculate it, the Income Eligibility Standard, and how to determine the payment amount.

2310 *Persons Whose Income Must be Determined and Verified*

The income of all persons included in the assistance unit must be determined. This includes all adults, children, and minor parents. In addition, the income of a non-SSI parent or step-parent living in the home is always considered in determining the children/step-children's eligibility even if such parent or step-parent is not included in the unit as an eligible member.

All income which is considered in determining eligibility for TEA benefits will be verified. Unless considered questionable, income which is disregarded need not be verified.

2320 *Potentially Eligible for Other Income Benefits*

If any member of the family appears to be potentially eligible for any other benefit which would provide additional income to the family (e.g. Unemployment, SSI, etc.), the applicant will be required to apply for such benefit and provide verification of the application.

Any adult who states he or she is unable to engage in employment or other work activities due to an alleged disability is required to apply for Social Security or Supplemental Security Income (SSI) disability benefits. (See TEA 2430 regarding work activity deferrals pending a Social Security or SSI disability decision.)

Once it is verified that application for the benefit has been made, then TEA benefits will not be denied or delayed pending a decision on the application. The case should be added to the Worker Alert file or other county control system to check on the status of the application.

The worker should be alert to the potential eligibility of a child to Social Security benefits from a deceased parent or a disabled non-custodial parent.

Verification of Unemployment Insurance (UI) benefit applications may be obtained by inquiring to the WESD screen.

2330 *Unearned Income*

Unearned income is generally money paid to or on behalf of an individual which does not represent any type of payment for work or services rendered by an individual.

Except for that specifically disregarded in TEA 2331, unearned income received by a TEA family member is considered in determining the family's eligibility and payment amount.

The following are possible sources of countable unearned income:

1. Pensions, annuities, insurance benefits, Social Security, Railroad Retirement, Veterans' Benefits, military allotments, Teachers' Retirement, State Retirement, and Worker's Compensation.
2. Payments received for the rental of rooms, dwelling units, buildings, or land. Taxes, any interest paid on the property's loan principal, and the expense of upkeep may be deducted.
3. Interest, dividends, and income from capital investments.
4. Payments from estates, trust funds, or other personal property which cannot be converted into cash because of legal provisions.
5. Child support payments. **NOTE:** Child support payments are counted only for purposes of income eligibility. They are not counted for purposes of determining the payment amount.

2331 *Unearned Income to Disregard*

The following types of unearned income are not counted in determining a family's TEA eligibility or payment amount:

1. Supplemental Security Income (SSI) benefits and other income of SSI recipients/eligibles. This includes individuals who do not receive an SSI payment due to an increase in income that exceeds the SSI benefit level but are receiving Medicaid in an SSI category. These individuals are:
 - a. Disabled Widows or Widowers who would be eligible for SSI if the 1984 Reduction Factor Increase and any subsequent COLAS were disregarded (MS 2045). (Categories 11, 31, and 41)
 - b. Disabled Widows or Widowers over age 60 (MS 2046). (Categories 31 and 41)
 - c. Lynch Rank Eligibles (MS 2030). (Categories 11, 31, or 41)
 - d. Disabled Widows, Widowers, and Disabled Surviving Divorced Spouses (MS 2050). (Categories 31 or 41)
 - e. Disabled Adult Children (MS 2050). (Categories 31 or 41).
2. Educational assistance/awards. This includes student loans, grants, scholarships, incentives, work study, etc. Such assistance may be from a governmental entity (federal, state, or local) or from private agencies or organizations.
3. Incentives, reimbursements, or any other payment made from TEA funds resulting from participation in work activities.
4. Assistance from other agencies and organizations which is based, in whole or in part, on financial need. Such assistance includes, but is not limited to: subsidized HUD housing, including utility allowances; payments for rehabilitative services or training, including sheltered workshop payments; Home Energy Assistance Program (HEAP) payments; and cash payments from churches or other charitable organizations for rent, food, or other basic needs.
5. Bona fide loans from any source (e.g. bank, any other establishment engaged in the business of making loans, or an individual).

A loan is considered bona fide if it meets any of the following conditions:

- a. There is a written agreement to repay the money within a specified time, or it was obtained from an individual or establishment engaged in the business of making loans; or
 - b. The borrower acknowledges the obligation to repay (with or without interest); or
 - c. The borrower expresses intent to repay either by pledging real or personal property or anticipated income. It is not necessary that the loan be secured solely by specific items of collateral such as real or personal property. It is only necessary that the borrower express the intent to repay the loan when funds become available in the future and indicate that repayment of the loan will begin when future anticipated income is received.
6. Any cash contribution from a friend or relative.
 7. Lump sum payments. This includes insurance settlements, a single payment intended to cover a period of time (such as a Social Security lump sum), and other one-time payments which exceed the Income Eligibility Standard. (Such payments are considered as resources in the month of receipt.)
 8. Earned Income Tax Credits (EITC) and other tax refunds.
 9. Inconsequential income. This is defined as income which is less than \$5 per month. It may be received on a regular or irregular basis and may be from any source. An example of such income would be interest income paid on a small savings account which amounts to less than \$5 per month.
 10. Irregular income. This is income that is not received on a regular basis and is usually not predictable. Such income may be of any amount and may be from any source. An example of such income would be a cash gift given to a family member for a birthday or other special occasion.
 11. Emergency or disaster assistance payments made by any federal, state, or local agency or entity.

12. Payments made directly to landlords and other vendors on behalf of the family.
13. Federal or state foster care board payments.
14. Any type of income which must be disregarded according to federal or state statute. See the Note below.

NOTE: At any time there is a question as to whether a particular payment may be disregarded under Item #14 above, the pertinent documents concerning the payment should be submitted to the Office of Program Planning and Development, Slot 1220 for a determination. This information should include the specific federal or state statute under which it is believed the disregarded treatment is required.

2332 *Verification of Unearned Income*

Verification will normally be by documentary evidence obtained from the source of the income or through computer matches, or inquiry to system screens, with the agency providing the income, e.g., WESD screen for Unemployment Insurance (UI) benefits. For unearned income which is disregarded, the worker may, at his/her discretion, verify the income to ensure that it is properly disregarded.

2333 *Computation of Monthly Unearned Income*

If unearned income is received more frequently than once per month, then the monthly amount will be computed as follows:

- ♦ If received weekly, the weekly amount will be multiplied by 4.334 for the monthly amount.
- ♦ If received bi-weekly, the bi-weekly amount will be multiplied by 2.167.
- ♦ If received semi-monthly, the semi-monthly amount will be multiplied by 2.

If the amount of unearned income fluctuates from month to month, then an average of the past two months will be computed.

2340 *Earned Income*

Earned income includes wages, salaries, tips, commissions, and any other payment resulting from labor or personal service. Generally, if the person is working as an employee, FICA taxes are withheld from earned income. Earned income also includes income from self-employment.

Most earned income is considered in determining a family's TEA eligibility. However, in certain situations that are specified in the following section, earnings are not counted.

2341 *Earned Income to be Disregarded*

Earned income received in the following situations is not counted in determining the family's TEA eligibility:

1. Earnings received by a family member in an On-the-Job Training (OJT) placement.
2. Earnings received by a family member in a Subsidized Employment placement.

NOTE: OJT and Subsidized Employment wages are not counted for income eligibility in relation to the Income Eligibility Standard. However, such earnings are considered for purposes of determining whether the payment will be the full amount or the 50% amount. (See TEA 2360.)

3. Earnings from any source received by a non-head of household minor parent or a child member of the family.
4. In-kind earned income.

2342 *Verification of Earned Income*

Verification of earnings from employment may be by any one, or a combination, of the following:

- ◆ check stubs
- ◆ pay slips
- ◆ collateral contact with the employer.

Sufficient verification should be obtained so that the actual income of the employee can be determined. The worker should not automatically assume that one check stub accurately reflects earnings for an entire month. The latest two months' verification should be required so that an average monthly earnings amount can be determined. For cases in which the individual has recently started employment and two months' verification is not available, the income should be computed from the best information available.

Verification of earnings from self-employment may be by any one, or a combination of, the following:

- ◆ Federal Income Tax Return
- ◆ purchase, sales, and account books
- ◆ any other source which establishes the source and amount of income.

As soon as an individual is known to be engaged in a farming, business, or other self-employment enterprise, he should be advised of the necessity of keeping accurate records so that his income can be determined.

2343 *Computation of Monthly Gross Earned Income - Employee*

The gross earned income amount which will be used to determine eligibility is an estimate of the amount which the individual can reasonably be expected to have available in the next month(s).

The estimate of monthly earnings is usually based on the assumption that the earnings received in the most recent months are reflective of the earnings which will be received in the current and following months. In most situations, the estimate will be an average of the latest two months' gross earnings. However, in some situations, such as when the client has just started employment or has

had a change in pay rate or hours, this assumption will not hold true. Therefore, the estimate of monthly earnings must be based on the latest information which is available at the time the earnings are being computed.

Gross monthly earnings will be computed as follows:

Determine the average gross pay per pay period. Any advance EIC payments paid to the employee with his regular earnings are excluded.

- ◆ If earnings are paid weekly, multiply the weekly gross by 4.334 for the monthly amount.
- ◆ If paid bi-weekly, multiply the bi-weekly amount by 2.167.
- ◆ If paid semi-monthly, multiply the semi-monthly amount by 2.

In some situations, the average pay per pay period cannot be determined based on the latest two months' earnings because the client has not yet worked a full two months, or a change has occurred within the past two months which has affected current earnings. In these situations, another method which will give a more accurate reflection of the client's earnings should be used to obtain an average pay per pay period. The following examples describe methods which could be used in some typical situations. The actual method used, however, is at the discretion of the worker.

Employment Started Within Past Two Months

EXAMPLE #1: Ms. Smith reports on May 22 that she started working on May 14. She received one paycheck on May 18 for three days of work. The checkstub shows she worked 15 hours at \$5.15/hour. An employer's statement is obtained which shows she is expected to work 25 hours per week at \$5.15/hour and will be paid weekly. Her monthly gross earnings are computed based on the employer's statement, as follows: $\$5.15$ (hourly wage) X 25 (number of hours expected to work per week) = $\$128.75/\text{week}$ X 4.334 = $\$558.00$.

EXAMPLE #2: Ms. Jones has received five paychecks since she started working part-time on May 31. She provides all five checkstubs. The stub for her first check, which was for the pay period ending June 1, shows earnings for eight hours at \$5.15/hour. Since this first check was for only two days of work (4 hours/day), it will be excluded when determining the weekly average. The other four checkstubs are averaged to arrive at a

weekly pay period average of $\$104 \times 4.334 = \450.74 monthly gross.

Change Occurred Within Past Two Months

For purposes of this section, a "change" in the earnings amount does not include changes due to normal fluctuations in the number of hours worked or amount paid, or short-term temporary changes such as working an extra shift one week because another employee was sick. It does include changes in hourly wage, moving from part-time to full-time status or vice versa, obtaining or losing a second job, etc.

EXAMPLE #3: Ms. Doe received a raise from \$5.15/hour to \$5.25/hour on her March 16 paycheck. She continues to work the same number of hours. She is paid bi-weekly so the last four consecutive check stubs are used to determine an average number of hours worked per pay period. Her monthly gross earnings are then computed as follows: $\$5.25$ (new hourly wage) $\times 30$ (average number of hours) = $\$157.50$ (bi-weekly earnings) $\times 2.167 = \$341.30$.

EXAMPLE #4: Ms. Wilson had been working on an "as needed" basis and had been averaging 10 hours/week. On April 24, she was put on regular employee status and her employer expects her to work about 30 hours/week. Her hourly wage remains the same at \$5.50/hour. Her gross monthly earnings are computed as follows: $\$5.50$ (hourly wage) $\times 30$ (new number of hours expected to work) = $\$165$ (weekly earnings) $\times 4.334 = \$715.11$.

EXAMPLE #5: Ms. Jones has been working part-time for one employer for several years. In July, she begins another part-time job in addition to the first job. An average of her last eight consecutive paychecks from the first job is determined and multiplied by 4.334 for monthly gross earnings of \$325.05. A statement from the second employer is obtained which shows Ms. Jones is expected to work 15 hours per week at \$5.15/hour. Based on this information, her monthly gross earnings from the second job are computed to \$334.80. The monthly earnings from the two jobs are then added together for a total monthly gross earnings of \$659.85.

As stated earlier in this section, the worker should use a method which gives the most accurate reflection of earnings and should document the case record as to why the method was selected.

The earnings computation will be documented in the case record.

2344 ***Computation of Earnings from Self-Employment***

Like employee earnings, the monthly amount of self-employment earnings which must be considered is the agency's best estimate of earned income which will be available to the individual in a month or months. Costs directly related to producing the income are subtracted from the self-employment gross. Only those costs without which the income could not be produced will be subtracted. Such costs do not include depreciation, personal business and entertainment expenses, personal transportation, purchase of capital equipment and payments on the principal of loans for capital assets or durable goods.

For room and board income, a standard \$120 per roomer/boarder will be subtracted as the cost related to producing the income.

Self-employment earnings are usually not as predictable as employee earnings and are often received less frequently than monthly. Therefore, in most situations, a time period longer than two months should be used to determine average monthly self-employment earnings.

Income Received Less Frequently Than Monthly (Quarterly, Annually, Etc.)

Income of this type may include farming (including soil bank and related diversion payments), cattle ranching, business, or any other type of self-employment enterprise in which the income resulting from work performed over a period of time is received at one time rather than during the period in which the work is being performed.

The first step in computing monthly gross earnings in these situations is to calculate the gross annual income for the previous calendar year. If available, the individual's Federal Income Tax Return may be used to determine the annual income and the amount of costs related to producing the income. The annual allowable costs are subtracted from the gross annual income. The remainder is then divided by 12 to arrive at an average monthly amount. This figure is treated gross earned income.

EXAMPLE: After expenses, Ms. Smith earns \$1200 annually from farming. This amount prorated over 12 months equals \$100/month. Therefore, \$100 gross earnings would be considered for TEA purposes.

If the previous year's income is not a fair reflection of the current year's income, the worker may determine, by averaging recent months or other means, an amount which will fairly reflect the current year's income. The case record

should be documented to clearly reflect the manner in which the income was determined and the basis for considering it a fair reflection of the current year's income.

Income Received Monthly or More Frequently (Weekly, Daily, Etc.)

Income of this type may include room and board payments, baby-sitting, sales from Avon, Tupperware, etc., or any other type of self-employment in which the income is received at least monthly as the work is performed.

The first step in computing monthly gross income in these situations is to determine an average monthly gross based on the latest two month's income. Verification of the latest two months' gross income and costs related to producing the income should be obtained. After allowable self-employment costs are subtracted from the monthly gross, an average of the latest two months will be determined to arrive at the monthly gross earnings which will be used to determine income eligibility.

NOTE: A standard \$120 per roomer/boarder will be subtracted as the allowable costs for producing room and board income.

EXAMPLE: Ms. Woods sells Tupperware products and provides copies of her last two months' order invoices. These show her total sales and the items she had to purchase such as hostess gifts, receipt books, etc. For each month, her total gross income from sales less the costs related to producing the income is determined. These amounts are then averaged to arrive at a monthly gross earnings amount of \$250.

If the latest two months' income is not a fair reflection of the individual's current income, then another method to determine the average monthly income may be used (e.g., an average of more than two months' income). The case record should be documented to clearly reflect the manner in which the income was determined and the basis for considering it a fair reflection of current income.

The self-employment income computation will be documented in the case record..

2350 *Income Eligibility Determination*

Once the family's countable monthly gross income is computed, then their income eligibility can be determined.

2351 *Income Eligibility Standard*

The Income Eligibility Standard is 25% of the amount a full-time worker would earn at the September 1997 minimum wage of \$5.15 per hour. It is the same amount for all family sizes and is used to determine both initial and on-going income eligibility. Countable unearned income plus net earned income (gross minus certain deductions specified in TEA 2352) is compared to the Income Eligibility Standard. If the total countable income exceeds the Standard, the family is ineligible for TEA benefits.

The Income Eligibility Standard is \$223 per month.

2352 *Earned Income Deductions for Income Eligibility*

Before the monthly income is compared to the Income Eligibility Standard, certain deductions are allowed from the monthly gross earnings. These deductions are:

1. Work-Related Deduction (20%) - This deduction is to account for withholding taxes and other mandatory work-related withholdings from gross earnings. Applicants receive **only** this deduction.
2. Work Incentive Deduction - Recipients who start or continue work while receiving TEA benefits receive both the 20% work-related deduction and this 50% incentive deduction. The purpose of the incentive deduction is to encourage recipients to find employment or to increase their earnings while receiving assistance.

2353 *Determining Income Eligibility*

To determine the family's income eligibility, an Income Eligibility budget is computed. The worker may complete a DCO-7, Budget Sheet, to show the budget or use only the DCO-56.

The following sections outline the Income Eligibility Budget for applicants families and for recipient families.

2353.1 Applicant Income Eligibility Budget

1. Compute the family's countable unearned income.
2. Compute the family's monthly countable gross earned income.
3. From the monthly gross earnings, deduct 20% of the gross amount to arrive at the monthly net earnings. (May multiply the gross earnings by 80%.)
4. Add the net earnings to the unearned income to arrive at the monthly countable income.
5. Compare the total monthly countable income to the Income Eligibility Standard of \$223.
6. If the income is equal to or less than \$223.00, then the family meets the income requirement and the eligibility and payment determination will continue. (See TEA 2360.)
7. If the income is over \$223.00, then the family is ineligible and the application will be denied.

EXAMPLE #1: Ms. Jones has one child and their only income is a \$100 per week Unemployment Insurance benefit. Their monthly countable income is computed to be \$433.33. This exceeds the Income Eligibility Standard of \$223 so the application is denied due to income.

EXAMPLE #2: Mr. and Mrs. Miller have two children and no unearned income. Mr. Miller is currently employed for only a few hours per week at \$5.15/hour. His gross monthly earnings are computed to be \$275. When the 20% work-related deduction is applied to the gross earnings, it results in net countable earnings of \$220. Since this is below the \$223 standard, the family is income eligible.

For applicant families who are income eligible, the earned income deductions available to recipients should be explained so that the adult is aware that assistance will not automatically be terminated if he or she finds a job or increases his or her earnings.

2353.2 Recipient Income Eligibility Budget

1. Compute the family's countable unearned income.
2. Compute the family's monthly countable gross earned income.
3. From the monthly gross earnings, deduct 20% of the gross amount (May be computed by multiplying the gross earnings by 80%.)
4. From the amount arrived at in Step 3, deduct 50% to arrive at the net countable earnings.
5. Add the net earnings to the unearned income to arrive at the monthly countable income.
6. Compare the total monthly countable income to the Income Eligibility Standard of \$223.
7. If the income is equal to or less than \$223.00, then the family continues to meet the income requirement and the payment will be determined. (See TEA 2360.)
8. If the income is over \$223.00, then the family is no longer eligible.

EXAMPLE #1: Ms. Adams who is receiving benefits for herself and two children has started working at a local plant. She works 40 hours a week at \$6.00 per hour. Her gross monthly earnings are \$1040. Her income eligibility budget is computed as follows: $\$1040 \times 80\% = \$832 \times 50\% = \$416$. Since the net countable income of \$416 exceeds the Income Eligibility Standard of \$223, the family is no longer income eligible.

EXAMPLE #2: Mr. Turner has started working part-time and his monthly gross earnings are computed to be \$325. The Income Eligibility budget is as follows: $\$325 \text{ (gross earnings)} \times 80\% = \$260 \times 50\% = \$130$ which is less than the \$223 standard. The family remains income eligible.

2360 ***Payment Determination***

Once all eligibility requirements have been established, including income eligibility, then the family's monthly payment amount is determined.

The payment amounts are based on nine payment levels according to family size. The maximum payment a family may receive is the payment level for the particular family size.

All eligible TEA family members (as defined in TEA 2201) will be included in the family size for payment except a child who is not eligible for payment due to the family cap provision. (See the Discussion regarding the family cap below.)

2361 ***Maximum Payment Levels***

The payment levels by family size are as follows:

Family Size	Maximum Amount
1	\$ 81
2	162
3	204
4	247
5	286
6	331
7	373
8	415
9 or more	457

FAMILY CAP: The family cap provision prohibits payment to a child who is born while the mother is receiving TEA benefits, either for other children or as a minor child herself..

NOTE A: The family cap provision does not affect the child's potential Medicaid or Food Stamp eligibility.

NOTE B: A child who was previously excluded for payment due to the family cap provision but the family's case has been closed continuously for at least six (6) months may be included for payment upon reapplication.

NOTE C: A child who was excluded for payment under the AFDC family cap waiver as of July 1, 1997 will continue to be excluded for payment under TEA unless the case is closed continuously for six (6) months. In addition, a child who was excluded under the AFDC waiver but whose mother's AFDC case had been closed for less than six months prior to July 1997 will be ineligible for payment if a TEA application is submitted and approved within the six (6) month period following the AFDC closure.

2362 *Reduced Payment - Gross Income Trigger*

The payment amount for the family size will be reduced by 50% when the family's countable monthly gross income, excluding assigned child support payments, is equal to or more than \$446. If the reduction does not result in a whole dollar amount, then it will be rounded down if the remaining cents are \$.49 or less, and up if \$.50 or more.

EXAMPLE #1: Mr. and Mrs. Smith have two children. Mr. Smith is disabled and receives both Social Security and SSI disability benefits. Mrs. Smith and the two children receive a total of \$150/month SSA benefits. Since Mr. Smith is an SSI recipient, he is excluded from the family size for payment and his income is not considered. Only Mrs. Smith and the two children are included. They are income eligible, based on the \$223 standard, so their payment is determined as follows. The monthly gross income of \$150 is less than \$446 so their payment is the maximum grant for a family size of three (3) or \$204..

EXAMPLE #2: Ms. Brown has received TEA benefits for one month for herself and one child. She has now found a job and is expected to earn \$500 gross per month. After allowing the recipient earned income deductions (20% of the gross and then 50%), she is income eligible based on the \$223 income standard. The payment is then determined as follows: Gross countable income (\$500) exceeds \$446 so the Browns' payment is 50% of the maximum for a two person family, or \$81.

The payment determination showing the number of persons included in the grant, the family's gross income, and the grant amount will be documented in the case record. Either Form DCO-7, Budget Sheet, Form DCO-56, ACES Data Sheet, may be used to document the payment amount.

When a family's payment amount reduces to the 50% amount, the worker should discuss possible alternatives to continuing to receive cash assistance with the casehead. It should be explained that even though the payment has been reduced, the time limit count is continuing. Therefore, it may benefit the family in the long-term to terminate cash assistance while the family's gross income is at the \$446 or above level rather than continue to receive the reduced TEA payment. It must be emphasized that the decision to close the cash assistance at this time is strictly the client's and he or she should not be made to believe that the cash assistance case must be closed..

2400 Work Activity Participation

All able-bodied adult family members are required to work or participate in work activities which are designed to lead to employment. In addition, all minor parents, including a minor parent whose child is excluded for payment due to the family cap provision, are required to participate in educational activities as their work participation requirement. There are limited exceptions to this. (See TEA 2430.)

TEA employment services are available to all adult family members.

NOTE: A non-parent adult caretaker who has chosen to not be included as an eligible member is not required to participate in work activities.

2410 Compliance with Applicant Job Search

If any adult in the family was required to engage in job search activities while the application was being processed, Form DCO-1429 documenting the required number of job contacts will be required. If the form has not been provided by the date the applicant was advised to provide it, then the application may be denied.

If the applicant reports he or she has found a job, then the job contact form is not required. The worker should discuss possible alternatives to on-going cash assistance with the applicant at this point. For example, now that the applicant has a job, the family may need only Medicaid or child care assistance. However, if the applicant chooses to continue with the cash assistance application, then the earned income will be considered as for any other applicant and included to determine the family's income eligibility.

2420 Determining the First Work Activity

Once all eligibility factors have been established, the first work activity will be determined and the participant will be notified of the required activity when the application is certified.

If an Employability Assessment was not done during the application process, then the first activity should be an assessment and development of the

Employment Plan (See TEA 3100). In two-parent families, the parents should be scheduled for a joint assessment, if at all possible.

For those applicants who have been engaged in up-front job search, pending application approval, job search activities may be continued if appropriate. In that case, the participant will be notified of his/her continued job search requirements.

The participant will be notified in writing of the required activity when the application is certified. **It is important that participation in work activities begins as soon as possible following certification since the customer's time limit has now started.**

2430 *Work Participation Exemptions/Deferrals*

If an individual states he or she is unable to engage in work activities, then discuss this with the participant to ascertain the reasons why the individual believes he or she is unable to participate. During this discussion, it should be stressed to the client that TEA benefits are time limited and that even if a temporary exemption or deferral is allowed, the time limit will not necessarily be extended because of the exemption or deferral.

Work Participation Exemptions

The only persons who may be considered **exempt**, and therefore are not required to participate in work activities while exempt, are parents who are caring for a child:

- a. Under three (3) months of age; or
- b. Between three (3) and twelve (12) months of age if child care for such child is not available, as determined by the County Office.

A parent may be exempted for the above reason for a maximum of twelve (12) months in his or her lifetime.

Work Participation Deferrals

A temporary deferral from participation may be allowed if an individual states he or she is unable to participate due to one of the following situations:

1. The person is medically incapacitated either due to illness, injury, or long-term disability. **Note:** If a person alleges a long-term disability, he or she is required to apply for Social Security or SSI disability benefits. (See TEA 2320)
2. A woman is in the third trimester of pregnancy.
3. The person is needed in the home to care for a seriously ill or incapacitated family member. **Note:** If the family member will require care for an extended period of time, explore other resources or available services (e.g. a home health aide) which would enable the customer to participate.
4. Supportive services necessary to engage in an activity are not available (e.g. child care, transportation). The County Office will make the determination as to whether a particular supportive service is necessary for participation.
5. The person is unable to participate in work activities due directly to the immediate effects of domestic violence.
6. The person is unable to participate due to extraordinary circumstances. This decision will be made at the county office level.
7. In two-parent families, one parent may be deferred from participation to care for the minor child(ren), when appropriate.

If an otherwise required participant meets one of the above, verify, to the extent possible, the reason for deferral and document the case record accordingly.

For short-term medical deferrals, a doctor's statement or other medical documentation should be obtained. The statement should clearly state or otherwise indicate that the person is unable to engage in work activities because of the medical condition and, whenever possible, give an estimated length of incapacity. If the individual alleges a long-term disability, medical

documentation should also be obtained and will be accepted for deferral purposes pending a decision on the SSA or SSI disability application. The deferral will end, though, if the individual is not found to be disabled for SSA or SSI purposes.

2430.1 Continuation of Time Limit During Exemption/Deferral Period

Even though the adult is exempted or deferred from work participation requirements, the time limit continues to run during the exemption/deferral period. The County Office will ensure that the client is aware of that when the exemption/deferral is granted.

Because of the time-limited nature of the program, it is important to determine if there is any activity in which the client could participate rather than be deferred. For example, if the reason for deferral is caring for an incapacitated family member, activities which can be done at home, such as GED on TV, should be considered. When at all possible, the client should be required to be engaged in some activity which could help her obtain employment before she reaches her time limit, or better her chances for employment when TEA benefits are no longer available to the family. Even if the activity or the number of hours she can participate do not qualify for purposes of calculating the state's participation rate, the activity should be assigned rather than a deferral granted.

2500 Application Disposal

A TEA application will be disposed of by either approval, denial, or transferring the application to another county. The following sections describe the procedures for each process.

2510 *Application Approval/Certification*

A TEA application will be approved, or certified, only after all eligibility requirements have been established.

In addition to documentation of all eligibility requirements, including income, resource, and budget computations, the worker will ensure that the case record includes a signed Application for TEA/Medicaid/Food Stamps form.

2511 *Office of Child Support Enforcement (OCSE) Notifications*

Unless a claim of "good cause" has been determined or is pending determination, the OCSE will be notified when TEA assistance is approved for a child who has an absent parent or for whom paternity is not legally established. This notice provides information regarding the child's non-custodial parent and/or putative father so that the OCSE can start paternity or child support enforcement activities for the family.

The referral to the OCSE is system generated from information keyed by the County Office to the WAPU screen on ACES from Form DCO-115. A referral will be made on the following persons:

1. The absent parent of any minor child or unmarried minor parent who is not the head of household.. If both parents are absent from the home, a referral will be made on each parent.

NOTE: If the child has a legal father under State law and such father is absent from the home, the referral will be made on the legal father even if the mother

states he is not the biological father. In that situation, a memorandum explaining it, with information about the alleged biological father, will be sent to the OCSE.

2. The putative (alleged) father of a child for whom legal paternity has not been established, including a putative father living in the home with the child.

In single parent adoption situations, there is no OCSE referral to make unless the adoptive single parent is absent from the home.

If "good cause" has been determined to exist, no referral to the OCSE will be made on the parent on whom the claim was based. The "good cause" indicator code will be entered on the child's member record on ACES.

2511.1 Good Cause Claim Pending

If a "good cause" claim is pending at the time the application is ready to be approved, the approval will not be delayed. Assistance will be authorized in the amount for which the family is otherwise eligible without regard to the good cause claim (i.e., the adult claiming good cause will be included). No OCSE referral on the parent on whom the claim is based will be made while the good cause claim is pending.

The following procedure will be followed to ensure that the claim is resolved in a timely manner following certification:

1. On the same day the approval notice is sent, notify the casehead that the corroborative evidence and/or information to conduct an investigation must be provided by a specified date (20th day from the date the claim was made).
2. If the evidence and/or information is not received by the specified date, notify the casehead via DCO-1 that s/he must provide the evidence, or the absent parent information needed for Form DCO-115, within ten (10) days or the case will be closed for non-compliance with the Child Support requirements.

2512 ***Effective Date of Payment***

Payment will begin on the first day of the month in which the application is being certified. The initial payment will not be prorated based on the date of certification. The first payment will be for a full month even if the application is certified on the last day of the month.

For purposes of this section, the "month of certification" means the month in which eligibility is determined to exist. See example below.

EXAMPLE: The worker determines eligibility and completes the application process on August 28. After a second party review, the supervisor concurs with the eligibility determination and it is entered to the ACES system on September 1. The first month of payment will be for August and it will be a full month's payment.

2513 ***Application Approval - Completion Steps***

The following specific steps will be taken to complete a TEA application approval:

1. Ensure the case record contains sufficient documentation of all eligibility requirements and computations and other pertinent information so that the family's circumstances and all determinations will be clearly understood by a supervisor or other reviewer.
2. Complete Form DCO-56, ACES Family Case Data Sheet, to authorize payment and Form DCO-115 if an OCSE referral is to be made and route to appropriate person for entry to the ACES system. If the worker is entering his/her own data to the ACES system, a manually completed DCO-56 is not required. However, the worker will ensure that the system generated DCO-56 turnaround is filed in the case record upon receipt.
3. Send Form DCO-104, Notice to Absent Parent, if appropriate.

4. Indicate on the DCO-56, for each child, in the "EPSDT Indicator" field whether a child health screening was requested by the casehead for the child and arrange for a screening appointment if scheduling assistance was also requested. Refer to Medical Services Manual Policy, MS 1121.1 -1121.4 for the periodicity schedule.
5. Complete Form DHS-3350 for referrals to appropriate agencies for requested services such as Family Planning Services.
6. Make any other necessary referrals to agencies or organizations to help meet a specific family need such as housing assistance.
7. If there are any requirements still outstanding, such as a child support "good cause" claim pending or providing verification of school enrollment or immunizations, have the case added to the Worker Alert File or other county office control system to ensure the outstanding issues are resolved in a timely manner.
8. In situations in which a system generated approval notice is not sent, complete Form DCO-1 to notify the casehead of the approval and grant amount.
9. Notify the adult(s), and any minor parent in the family, of his/her work participation requirement and the first required work activity no later than the first day the participant information is available on the WISE system.

If the family also applied for Food Stamps and Medicaid and those applications are still pending, the worker will continue processing those applications.

2520 *Application Denial*

An application will be denied when: (1) ineligibility due to a particular eligibility requirement is determined; (2) eligibility cannot be established due to the lack of documentary evidence needed to establish an eligibility requirement; or (3) the applicant requests the application be withdrawn.

When denying an application, the worker will:

1. Ensure that all pertinent information regarding the reason for denial is documented in the case record so that it will be clearly understood by a supervisor or other reviewer.
2. If the reason for denial is withdrawal, obtain a written statement from the applicant requesting withdrawal, if possible. If the applicant does not request the withdrawal in writing, then send Form DCO-1 advising the applicant the application will be denied in ten (10) days at his/her request.
3. Complete Form DHS-3350 to make any referrals for services such as Family Planning requested by the applicant.
4. Enter the denial data on Form DCO-180 and route to the appropriate person for entry to the ACES system.
5. If a system generated notice of denial is not sent, complete Form DCO-1, Notice of Action, to advise the applicant of the denial.

2521 *Transferring an Application to Another County*

If an applicant has a pending application and moves out of the county, transfer the application to the county in which the applicant now lives.

2521.1 Responsibility of Transferring County

When an applicant moves out of the county in which the application was taken, the initial county will:

1. Obtain from the applicant his/her new address and county and any other pertinent information regarding the move.
2. Forward the application, including all forms which have been completed and/or signed by the applicant and any other information which has been obtained regarding the family's eligibility, to the new county with an explanatory memorandum attached.
3. Enter denial data on a copy of the DCO-180 indicating the denial reason as "053 - Transferred to Another County" and route it to the appropriate person for keying to the ACES system.

2521.2 Responsibility of Receiving County

Upon receipt of a transferred application, the county will:

1. Add the application to the Application Data Screen (WIMA) to obtain a register number. The original date of application will be keyed.
2. Arrange for an interview with the applicant to ascertain if any changes have occurred in the family's situation. The interview may be by telephone or face-to-face. It is not necessary to obtain a new DCO-180 or any other application forms which have already been completed and/or signed by the applicant.
3. Process the application in the normal manner. Every attempt will be made to process the application within the 30-day time limit from the original date of application.

3000 CONTINUING PARTICIPATION - EMPLOYMENT SERVICES

Intent - Individualized Approach

Central to the purpose of the TEA program is an individualized approach to employment services. An individual Employment Plan is developed for each TEA participant based on his or her individual and family circumstances. Therefore, the process of working with the customer in employment related activities should, to the maximum extent possible, be geared to the specific needs and circumstances of that individual and family. It is the intent of the policy and procedures described in the following sections to provide county office staff with as much flexibility as possible in making decisions regarding the most appropriate work activities and supportive services which will lead clients to successful outcomes. It is not the intent of the policy or procedures to direct any set order of activities following assessment nor to hinder the county office in developing creative and innovative approaches in the delivery of employment services.

Focus - Time-Limited Nature of Program

In conjunction with an individualized approach, focus must be placed on the time-limited nature of the program. Most recipients will have a maximum of twenty-four months to attain some level of self-support before cash assistance is terminated. Some may have even a shorter time depending upon past periods of TEA receipt. Therefore, it is critical that the worker and customer are always aware of where the family is in terms of the time limit and make decisions which are consistent with that. For example, if a family has only two or three months remaining before the time limit expires, job search or subsidized employment would probably be a more appropriate activity than vocational education training.

3100 EMPLOYABILITY ASSESSMENT

An employability assessment will be conducted on each TEA customer who is not exempt or deferred. Those who are exempt or deferred may be assessed and encouraged to participate in work related activities. **NOTE:** A TEA customer is defined as one who has been approved to receive on-going TEA cash assistance.

The degree to which an assessment is conducted may range from accepting the Self-Administered Skills Assessment to an in-depth assessment, including an

educational assessment. The level of assessment will be left to the discretion of the worker based on the individual's circumstances. The case record will be documented to clearly reflect the type of assessment made.

An Employability Assessment may be conducted during the application interview, at any time while the application is pending, or after application approval. When appropriate, the Self-Administered Skills Assessment form may be accepted as the employability assessment. Form DCO-1402 may also be used as the assessment tool.

3110 *Scheduling the Employability Assessment after Approval*

If the assessment is conducted after application approval, it should be scheduled and completed within twenty (20) days of the application approval. The client should be notified of the assessment appointment at the same time the application approval notice is sent.

3120 *Re-scheduling Assessment*

The decision to reschedule an employability assessment is left to the discretion of the county office.

3130 *Failure to Attend Employability Assessment*

If the individual fails to attend the scheduled employability assessment and does not contact the worker, or fails to attend the rescheduled appointment, the case narrative will be documented accordingly, and the non-compliance sanction initiated. (Refer to TEA 3500.)

3140 *Conducting the Employability Assessment*

The purpose of the employability assessment is to identify the individual's readiness for employment so that a realistic Employment Plan can be developed. In two-parent families, one parent may be deferred from participation to care for the children. (Note: If child care assistance is provided, both parents must participate.) It will be determined during the joint employability assessment if such a deferral is appropriate and if so, which parent will be deferred.

During the employability assessment, the worker presents an orientation/overview of the program, gathers pertinent case information, and identifies life conditions which, if not addressed, may prevent the family from becoming self-sufficient through employment. Information obtained during the employability assessment is used to develop the Employment Plan.

3150 *Developing the Employment Plan*

An Employment Plan will be developed for each TEA customer. The plan will be developed jointly by the individual and the worker.

The employment plan is a written document, which specifies a series of actions necessary for the adult to accept and retain permanent full time employment. Even though the worker and client will jointly develop the employment plan, the final determination of the plan content will rest with the worker.

During the development of the employment plan, the worker should also direct some discussion toward the customer's future goals. Although the focus of the plan is on more immediate goals and actions, the client should be encouraged to think about what he or she sees him or herself doing next year or the year after that. This type of discussion could help the client start looking to the future, particularly to the time when cash assistance may no longer be available to the family.

The plan will contain the following:

1. An employment goal.
2. The activities that will be undertaken by the customer to achieve his or her employment goal.
3. The services to be provided by the agency, including child care and other supportive services.
4. Other needs of the family that might be met by TEA or other agency programs, e.g., Substance Abuse Treatment, Parenting/Life Skills, etc.

The initial plan will also include tentative dates for each work activity in which the client is likely to become engaged.

The participant, as part of developing skills necessary to be self-sufficient, will be encouraged to accomplish, without assistance, as many tasks as is possible

for him or her, such as making arrangements for child care. Provision of services should be limited to those necessary for the customer to accept employment.

3155 ***Modified Employment Plan***

A complete Employment Plan may not be necessary for individuals who are determined to be "job ready" during the intake/assessment process or in other situations deemed appropriate. The decision as to whether a complete plan is necessary will be the county office's. Such decision and the reason for it will be documented in the case record. A job-ready person is one who has no physical, mental, or job skill barriers that prevents employment. Also, the person has the educational background and/or experience to maintain employment.

Individuals determined to be "job ready" may receive employment counseling, referral for a job interview, if available and/or be assigned to Job Search. Completion of the Employment Plan under this situation may consist of the worker just completing the identifying information and listing Job Search and/or job referral on the plan.

3160 ***Employment Plan Update***

The Employment Plan will be updated as necessary. Employment plans may be updated in person, by mail, or by telephone. If the Plan is amended or modified, a copy will be provided to the participant.

The purpose of updating the Employment Plan is to see what progress the customer is making, to identify and resolve any additional needs he or she may have, and to remind the him or her of where the family is in terms of the time limit. Therefore, the frequency of the update should be geared to the individual client but it is recommended that an update be made at least every six months.

3170 ***Emergency Intervention Services***

The worker should be prepared to deal with emergencies which may occur in the family (such as utility cut-offs, domestic violence, etc.) by developing strategies and contingency plans to deal with such emergencies when they occur.

3200 Engaging the Customer in Work Activities

Based on information gathered during the assessment and employment planning, the customer is immediately engaged in work or one or more work related activities designed to move him or her into full time employment in the shortest possible time.

3201 *Work Activity Participation Requirements*

The adult will engage in work or work activities for the maximum number of hours, up to 40 hours per week, which are deemed appropriate based on the work activity and the customer's individual circumstances. However, to be considered engaged in work activities for purposes of the state's work participation rate, a TEA single parent must be engaged in work activities a minimum of 20 hours per week.

In two-parent families, the minimum number of required participation hours (for purposes of the state's participation rate) is higher. One parent must be engaged for a minimum of 35 hours per week. If the other parent is not deferred from participation, then both parents must be engaged in work activities - one for 35 hours per week and the other for a minimum of 20 hours per week.

For purposes of calculating the state's participation rate, the minimum number of required hours may be in a single work activity or a combination of allowable activities.

3210 *ALLOWABLE WORK ACTIVITIES*

The customer will be engaged in one or more of the following activities:

- ◆ Unsubsidized Employment
- ◆ Subsidized Employment
- ◆ Micro- Enterprise
- ◆ On-the-Job Training
- ◆ Group Job Search (Job Club and Assisted Job Search)
- ◆ Community Service/Work Experience
- ◆ Education
- ◆ Vocational Education Training
- ◆ Job Skills Training,

3220 ***Employment***

3221 ***Unsubsidized Employment***

Persons in this activity are those employed in unsubsidized employment.

The purpose of this work activity is to:

- ◆ to motivate customers who are employed full-time to retain employment, and
- ◆ to provide additional services to part-time workers in order to increase their earning potential.

Program services will be arranged so as not to conflict with the person's employment.

3222 ***Subsidized Employment (Private and Public)***

The Subsidized Employment work activity is designed to provide trained customers with actual job/work experience. The person may be hired by a private or public sector employer. Employers are asked to hire customers in positions which would normally call for an employee with experience.

In situations in which a person with job skills has been unsuccessful in obtaining unsubsidized employment and the family is nearing the end of its time-limit on cash assistance, subsidized employment may be available. However, a customer may be engaged in Subsidized Employment at any time. While working in a subsidized job, a portion of the person's wages may be paid by the TEA program.

3223 ***Micro-enterprise (Self-Employment)***

Clients who are already self-employed and those who have a self-employment enterprise they wish to develop may be engaged in this activity if deemed appropriate. The development of this activity will be on a very limited basis, when definite entrepreneurial potential is present. Assistance may include the dissemination of available information on starting businesses, developing a list of sources of possible contacts, locating training and business information centers, determining potential lenders, etc.

3224 *On-The-Job Training (OJT)*

The OJT work activity is designed to provide customers with training that will be essential to permanent employment. Under OJT, the person is hired by a private or public employer. While engaged in productive work, the client receives training that provides knowledge or skills essential to the performance of that job.

Customers in this work activity will receive training and supervision in an occupation for which an employer would normally hire skilled workers. While participating in OJT, the person will be paid at the same rate as other employees performing the same or similar jobs.

Participation in the OJT work activity is limited to a maximum of six (6) months during a twenty-four month period. The level of participation in this activity is limited to at least 20 hours per week with a maximum not to exceed 40 hours per week.

Upon completion of the OJT assignment, it is anticipated that the client will be hired as a regular employee.

3230 *Group Job Search*

Persons engaged in this work activity may include those (1) for whom no major personal or family problems were identified and who are job ready; (2) who are determined to have limited or no job search knowledge or skills; (3) who have limited or no recent employment; and (4) those the worker thinks would benefit from this work activity.

Group Job Search consists of (1) Job Club and (2) Assisted Job Search. Customers are provided group employment counseling and instructions on effective job search and interview techniques followed by a period of assisted job search activities.

Individuals who are job ready may be engaged directly into Assisted Job Search without ever being engaged in Job Club.

3231 *Job Club*

Each county may require up to one week (5 work days) of Job Club activities prior to clients undertaking up to three (3) weeks of assisted job search activities. Activities to be taught in these sessions include, but are not limited to: motivational exercises, job seeking techniques, resumé and job application preparation, mock interviews, and telephone techniques.

The Group Job Search Lesson Plan will be approved at the County Office level. The manner in which Group Job Search will be handled (i.e. number of days/hours, activities for classroom instruction, conducted in-house, out source, etc.) will be fully explained in this plan. Appendix B (Job Club) provides detailed information regarding the Group Job Search Lesson Plan.

3232 *Assisted Job Search*

Individuals engaged in Assisted Job Search will be required to participate in at least twenty (20) hours per week of job search activities, for up to four (4) weeks. The number and type of activities which will be considered to meet the required number of participation hours will be determined by the county office. The client will be clearly advised of the job search activities which will meet his or her participation requirements before engaging in Assisted Job Search.

Although a Job Search customer can be counted for purposes of the State's participation rate for a maximum of four (4) consecutive weeks, an individual should not be removed from the Job Search activity solely for that reason if there is no other activity available. If, though, there is another activity available and appropriate for the individual after the fourth week of Job Search (such as Community Service) the individual should be engaged in that activity. He or she may also continue Job Search activities while engaged in another activity, if determined appropriate, but those Job Search hours will not count for purposes of the State's participation rate after the fourth week.

Customers will be provided a supply of DCO-1446s, for the purpose of documenting job seeking activities and employer contacts and verifying expenses. **Note:** Employer contacts may be defined as completing an employment application, or having a job interview, etc. Postage paid pre-addressed envelopes should be provided to the customer.

3240 ***Community Service/Work Experience***

Community Service/Work Experience is designed to allow participants to develop job skills and improve work habits through time-limited unsalaried job training at a clearly defined, well supervised worksite under an agreement between the employer and the county office

Customers engaged in this work activity may include any person who has not been successful in obtaining employment, and those the worker determines would benefit from Community Service/Work Experience. The customer will be assigned to a Community Service/Work Experience site which is expected to enhance the his or her employability. Make-work assignments should be avoided.

Each person placed at a worksite must complete a Community Service/Work Experience Customer Agreement.

A minimum of twenty (20), but no more than forty (40), hours of activity per week is required. The minimum number of hours may be less if the individual is engaged in another work activity which is counting toward his or her participation requirement (e.g. part-time employment). Participation in Community Service/Work Experience should not exceed three (3) months. Decisions to extend a Community Service/Work Experience engagement will be made at the county office level.

The county office will monitor participation via the Community Service/Work Experience Customer Time/Progress Report and through on-site visits to the worksites. (See TEA 6031.)

3250 ***Education and Training***

3251 ***Education***

In addition to teen head-of-household parents, customers engaged in this activity have been identified as needing certain educational services such as; Adult Basic Education, literacy, GED, English as a second language, Remedial education, etc. to become job ready.

A teen parent who is attending secondary school on a full-time basis will not be required to engage in any other work activity.

To be considered satisfactorily engaged in Education, a customer must attend classes regularly in accordance with the school's requirements for satisfactory attendance. Attendance will be verified bi-monthly.

If determined appropriate, an individual already engaged in educational activities prior to TEA approval may continue in that activity,

NOTE: Assignment/Approval to the Education activity may be subject to the 20% limit on Education/Training for purposes of calculating the State's participation rate.

3251.1 Educational Activities Via Television

Through a Memorandum of Understanding with Arkansas Educational Television Network (AETN), TEA customers engaged in Education may be given an alternative to the traditional classroom setting by accessing educational activities via television broadcasts. Services offered by AETN include four types of programs; GED-ON-TV, for persons functioning at the ninth grade level or above; Learn-To-Read, for those functioning at the third grade level or below; Another Page, for persons functioning between fourth and eighth grade levels; and Math Basic, for those functioning at an eighth grade math level or below.

NOTE: AETN will submit a report at the end of the month to each county listing status and progress of participants.

Customers who are receiving services from AETN should be engaged in a second work activity whenever possible to insure maximum participation.

3252 Vocational Education Training

Customers engaged in this work activity may include those who are pursuing a program of post-secondary instruction. Engagement in Vocational Education Training should be limited to a maximum of 12 months. (This is the maximum time an individual can be counted for purposes of the state participation rate.) However, the county office has the authority to allow an individual to remain in Voc/Ed Training for a longer period of time if it is determined to be the most appropriate activity. The case narrative will be documented accordingly.

To be considered satisfactorily engaged in Voc/Ed Training, the client must attend classes regularly in accordance with the school's requirements for satisfactory attendance. Attendance will be verified bi-monthly.

NOTE: Assignment/Approval to Voc/Ed Training may be subject to the 20% limit on Education/Training for purposes of calculating the State's participation rate.

3254 *Job Skills Training*

This activity provides job skills training in a specific occupation for which there is a written commitment by an employer to offer employment to a recipient who successfully completes the training. The customer may be required to complete an entrance assessment or test before becoming engaged in this activity if assessments or tests are required for employment upon completion of the training.

3260 *Monitoring Successful Employment Outcomes*

Since the intended outcome of the TEA program is that customers will enter and retain employment, it is important for that outcome to be monitored. Therefore, a 30 day follow-up should be completed for all TEA customers who become employed. This includes those whose cases remain open but is primarily intended for those whose cash assistance cases were closed either because of income ineligibility or at the client's request.

The purpose of the contact is to find out if the adult is still employed and to determine if any other services are needed. It can also serve as follow-up encouragement to the client regarding the advantages of on-going employment. The 30 day follow-up may be conducted by the Marketing Specialist or other county staff.

The contact may be by letter, phone call, or face to face and should be documented in the case record, on the DCO-1418, or other county office database or system.

3300 Minor Parent Participation Requirements

For purposes of this section, "minor parent" means a parent under age 18 who is unmarried or is married but not living with his or her spouse.

The worker will assist minor parents in preparing themselves for entrance into the labor market. Emphasis will be on the minor parent completing his or her basic education.

Objectives

- ◆ To enable more minor parents in the TEA Program to complete high school or its equivalent, thus providing them the minimum level of education needed to become productive citizens.
- ◆ To provide minor parents with skills and training necessary to allow them to support themselves and their families.
- ◆ To reduce the prevalence of welfare dependency and promote self-sufficiency among minor parents.
- ◆ To reduce the number of pregnancies occurring among Arkansas' teenage population.

3301 Minor Parent Deferrals

A minor parent receiving TEA benefits is required to participate unless he or she is unable to because one of the following temporary deferrals exists:

1. The minor parent's child is under three (3) months of age
2. The minor parent is in the third trimester of pregnancy.
3. The minor parent is ill or incapacitated which is verified by a physician.
4. Child care or other necessary support service arrangements cannot be made.

3310 Assessment

The assessment process is the same for minor parents as for adults.

The objective of the assessment is to identify any life conditions which prevent the minor parent from completing basic education (high school level) or achieving the goal of self-sufficiency through employment.

The parent, or other adult with whom the minor parent is living, is required to accompany the minor parent to the orientation/assessment session. This is to ensure that the adult relative has a clear understanding of what is expected of the minor parent and the importance of cooperation. **Note:** If the minor parent is not required to live with a parent or other adult, then this requirement will not apply.

The worker should maintain close contact with the minor parent and assist with supportive services and any other needs that will direct him or her toward self-sufficiency. The worker should also provide in-depth counseling and guidance to minor parents as needed.

In cases of abuse/neglect, or homelessness of teen parents, a referral to the Division of Children and Family Services should be made. If the minor parent is under 16 years of age, a referral should be made if sexual abuse is suspected.

If it is determined during assessment that a minor parent is already in school, the process will still be completed. The worker will discuss the existing child care arrangements and any areas of concern. The level of education, school attended, method of transportation (and cost if any), and cost of child care will be obtained from the customer for documentation purposes. Information regarding services being received from other agencies will also be obtained and documented. An explanation of other services available will also be given and referral(s) made, if necessary.

If it is determined during assessment that a minor parent is not in school, the worker will discuss with the minor parent and adult relative the importance of enrolling in school, the time frame for which the minor must be enrolled and the date verification of enrollment is due in the county office.

Minor parents engaged in the education activity must maintain satisfactory attendance as determined by the school and comply with all activities required by the institution.

A schedule of follow-up contacts will be developed with dates of contact identified, reasons for contact, and method and place of contact mutually understood between the worker and the minor parent. Each contact will be documented. The minor parent will be responsible for obtaining written progress reports from their institution of learning and provide to the county office at agreed upon intervals.

3320 *Employment/Education Plan*

The Employment/Education Plan is developed jointly by the minor parent and the worker from information obtained during the assessment.

The Employment/Education Plan outlines a series of activities and services necessary for a minor parent to complete basic education and/or obtain full-time employment.

The plan identifies:

1. The minor parent's education and employment goals;
2. Problems which if not addressed may prevent the minor parent from remaining in school and/or becoming employed;
3. Program services the minor parent will need in order to remain in school or accept employment; and
4. Specific tasks to be performed by both the worker and the minor parent.

The plan will also include tentative completion dates for each activity listed in the Employment/Education Plan .

During the Employment/Education Planning interview, the worker and the minor parent will discuss any problems and identify specific actions required to eliminate the problems.

The Employment/Education Plan will be reassessed and updated as necessary.

3321 *Family Planning Referral*

It will be explained to the minor parent and adult relative that Family Planning Services is a vital part of minor parent participation and why the referral should be made (to prevent subsequent pregnancies). If the referral is accepted, the

worker will call a local Family Planning provider, identify him or herself, and state the need to refer a minor parent for family planning services. If needed, the worker may arrange transportation.

The dates, time, and address of the clinics will be given to the customer in writing. When more than one day and time of clinic services is available, the minor parent will be urged to select a day and time most convenient to their participation. The referral information, (date and time customer is scheduled to attend) will be shown in the narrative.

A DHS-3350 will be completed for all referrals for family planning services. Other relevant information will be documented in the case narrative.

3322 *Minor Parent Referrals to Other Agencies*

In the event a member of a minor parent's household is in need of a particular service, the worker may give information about the availability of the service, identifying the agency and location. If the family member's need for the service creates a problem to the customer's education goal, a formal referral (DHS-3350) for services will be made.

For minor parent caseheads in need of housing assistance, the worker will contact the local Housing Authority on behalf of the customer stating the problem(s) and needs of the family. The information obtained will be explained to the customer and the importance of cooperating with the Housing Agency will be emphasized. Housing needs will be addressed only through referral services.

Minor recipients, under age 16, who become parents should be referred to the Division of Children and Family Services if sexual abuse is suspected and for direct services (i.e. day care, family planning, protective services and services to unmarried parents). Follow-up will be made periodically with DCFS (on behalf of the customer) to monitor progress and continuity.

If the customer is in need of mental health services, the worker will contact the appropriate agency for dates, times, and address of the agency. This information will be given to the customer and documented in the case record.

3330 *Minor Parent Activities*

Minor parents must be engaged in education or vocational education training in order to receive cash assistance.

Teen parents 16 through 17 years of age, can be engaged in education, vocational education training and employed activities. Teen parents employed through a program at school will be assigned to the education activity.

Teen parents who find employment on their own will be assigned to dual activities (education/employed).

3340 *Minor Parents Supportive Services*

All supportive services provided under TEA are available to minor parents.

3341 *Child Care Case Management*

Minor parents will be provided with information about child care and, if appropriate, referrals to suitable facilities will be made. The worker should assist the minor parent, when needed, to ensure that child care is suitable.

The following factors should be considered when selecting a child care provider:

- ◆ The child's age and/or special needs.
- ◆ Location and hours the facility provides care.
- ◆ Transportation needs.
- ◆ Match between child care provider and child.
- ◆ Possibility of caring for all children in the family in one location.

A contingency plan for child care will be developed in case the primary services breakdown.

3350 *Non-Compliance*

Refer to TEA 3500 for complete non-compliance procedures.

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3400 WORK ACTIVITY SUPPORTIVE SERVICES

3410 *Transportation*

Each TEA cash assistance recipient may receive payments or reimbursements up to a maximum of \$175 for transportation expenses incurred during the calendar month. Payment for transportation is limited to expenses associated with required TEA activities.

Payment for transportation will be at the rate of \$.25 per mile or actual expenses, whichever is lower, up to the maximum amount allowed of \$175 per calendar month.

It is expected that the client will make his or her own transportation arrangements. If the person does not have access to transportation, he or she will be encouraged to seek rides with family members or other persons at no cost. If other arrangements cannot be made, assistance with transportation costs may be provided.

Persons who are employed will be expected to arrange and pay for their transportation expenses to and from work from their paychecks. The earned income deductions allowed from a person's gross earnings in determining eligibility are intended, in part, to cover those expenses. However, a newly hired person will not have a paycheck available immediately. Therefore, transportation payments or reimbursements may be provided to a newly hired TEA client until he or she has received his or her first full paycheck.

Payment/reimbursement for transportation costs will be based on total miles driven. Clients and providers will be paid or reimbursed \$1.75 per trip for ten miles or less and \$.25 per mile for over ten miles. (When the provider is paid by TEA, it is considered a payment; when paid to the customer it is a reimbursement).

Payment/reimbursement for transporting more than one participant at the same time will be at the rate of \$.25 per mile for each person and will be based on pick-up point for each one. The provider will complete a separate billing form, DCO-1430 for each person.

Providers of transportation will be given a DCO-1427, Authorization Form. Customers and providers claiming payment or reimbursements from TEA will use form DCO-1430 to document expenses.

If the individual is unsuccessful in arranging transportation, assistance will be provided in securing transportation. If transportation cannot be secured after all efforts have been exhausted, the customer can be temporarily deferred from participation. However, since the time-limit clock continues to run, other appropriate activities should be considered.

County offices may develop alternative methods of providing transportation assistance to clients. These may include developing and entering into agreements, contracts, Memorandums of Understanding (MOUs), etc. with local transit systems or other transportation providers whereby transportation is purchased or arranged other than on an individual client basis. For example, bus tokens or tickets could be purchased and then distributed to individual clients as the need arises. If a county office develops alternative methods, the Resource Development Unit, Office of Program Planning & Development, should be contacted for assistance in developing the agreement, contract, etc.

3420 *Activity Related Expenses*

Payment or reimbursement, up to a cumulative amount of \$200 may be made for expenses related to an individual's participation in TEA work activities. The \$200 cumulative limit may be exceeded on a case by case basis as determined at the county office level.

Examples of items for which payment/reimbursement may be made are listed below. The worker may approve an item for reimbursement at his or her discretion. Even though an item is listed, this should not be the sole reason for approving the reimbursement.

Some activity related expenses include but are not limited to: uniforms, stockings, shoes, telephone expenses, copies, postage, newspaper, fees, criminal background checks, finger printing, drug testing, driver's license fees, tags, and tires. Eyeglasses, physical examinations, and immunizations not covered by Medicaid.

The worker will document in the case record the amount and reason for the payment or reimbursement along with any other pertinent information.

The customer must provide proof (e.g. invoice, bill, etc.) to verify the cost of the needed items. Once the required information is provided, the worker will authorize the payment by keying in all appropriate information to the RSRP screen. See On Line Wise Help for instructions.

3422 *Educational Expenses*

Costs for books and other necessities associated with obtaining a GED, Basic Skills, Literacy, etc., may be paid by TEA.

TEA funds will not be used to pay any costs associated with college or vocational training expenses (e.g., tuition, fees, books, etc.).

Individuals in the Training activity (vocational education) are expected to explore all possible sources for financial assistance with their educational needs. The worker will provide whatever assistance is needed by the customer to ensure that all appropriate resources have been explored.

3430 *Case Management Services*

Case management services will be provided to those individuals who need assistance before and after accepting employment. This service will be provided as long as the customer is eligible, and up to 30 days after cash assistance has been terminated due to employment.

For closed cash assistance cases, case management involves counseling and referral services only. No non-child care supportive services are included.

3435 *Mentoring Services*

The Arkansas Mentors Program created in 1991 is designed to provide clients with support needed to move from welfare to work. Community volunteers serve as mentors to provide positive role models and emotional support to the individual and family.

In counties where the Arkansas Mentors Program is operational, a referral to the Volunteer Mentors Coordinator for services will be made, if deemed appropriate based on the individual's assessment or Employment Plan. Form DHS-3350 will be used to make the referral.

After the participant has been interviewed by the Coordinator, the Coordinator will recruit and match the client (mentee) with a community volunteer (mentor). The coordinator will work with the mentor and mentee as needed to ensure services are being provided. If problems or other concerns arise, the Coordinator and worker will work together to resolve the situation. The Coordinator will keep the worker informed of the mentee's progress.

Although mentoring is basically a supportive service, when deemed appropriate, participation in the Mentoring Program may be a participation requirement provided a mentor is available to work with the customer.

Mentoring services will be provided for as long as it is deemed appropriate by the worker, coordinator and mentee. If the TEA case closes due to employment, these services may be provided for up to six months to give the client continued support that may be needed to retain employment.

3440 *Service Referrals*

Some recipients, or other household members, will need additional assistance or services to help solve problems which may delay or adversely affect the individual's employment or employment related activities. Some such assistance may be available under the TEA program (child care, transportation, etc.) or other programs administered by the Department. The worker may have to refer customers to other agencies or organizations to obtain some services.

Services will be arranged by the worker or the client. The worker should use providers which accept Medicaid, Title XX, or seek other funding to pay for the needed service(s) first. Referrals for needed services will be made by completing form DHS-3350.

3450 *Child Care Assistance*

Child care assistance will be guaranteed for eligible individuals to the extent that it is necessary for an individual to participate in any TEA activity.

3451 *Who is Covered Under the Child Care Guarantee*

Child care will be guaranteed for the following children for whom the TEA participant exercises care and responsibility:

1. A child under the age of 13.
2. A child under the age of 18 who is physically or mentally unable to care for himself as verified by a physician or a licensed/certified psychologist.
3. A child under the age of 18 who is under court-ordered supervision.
4. A child under age 18 who would be required to be included in the TEA grant, if not for the receipt of SSI or foster care payments.

The age limits listed above apply to all eligible children where child care is paid by DHS.

Items 3 and 4 must be verified by the customer by providing necessary proof to the worker.

3452 *Guidelines For Payment Of Child Care Services*

Individuals providing child care services that have been authorized will be paid via the DCFS Automated Child Care System (KIDS).

Child care (including relative care) will be purchased from eligible providers through the DHS Child Care Certificate Program.

The county cap rate is the local market rate determined and established by the Division of Child Care and Early Childhood Development, Child Care Licensing Unit. The county cap rate is based on:

- ◆ an 8-10 hour day of care, and
- ◆ established rates per child.

Up to seven (7) absentee days per month may be paid by TEA. Inclement weather days will also be paid, in addition to the absentee days.

In situations where care exceeding 10 hours per day is required, extended care will be provided. Key in the additional hours separate from the daily rate and the hourly rate, not to exceed the cap for hourly rate.

Child care payments authorized to individuals providing care will be accomplished utilizing the DCFS Automated Child Day Care System (KIDS). Refer to Appendix D, DCFS User Help Guide for additional information.

3460 Provider Eligibility Guidelines for Non-Child Care Providers

Individuals providing supportive services to TEA customers are required to meet established guidelines. Providers must have on file the following:

1. DCO-1400, TEA Provider Agreement, Signature Page;
2. Proof of Employer Identification Number, Social Security Number or Federal Tax
3. Identification number, and
4. Form W-9, Request for Taxpayer Identification Number and Certification.

3461 TEA Provider Agreement (DCO-1400)

The purpose of form DCO-1400, TEA Provider Agreement is to provide all providers with a complete, detailed explanation of the TEA Payment System, including responsibilities of the department, and Provider Assurances.

Form DCO-1400 will be provided to any individual currently providing transportation services for TEA customers and to all individuals designated as potential provider of services for customers.

A DCO-1400 is valid for up to two years (based on State Fiscal Year) and each provider will be required to sign a new agreement at the end of the second fiscal year.

Workers will, when requested, give technical assistance to a provider regarding any portions of the agreement when an explanation is requested.

The original DCO-1400 will be filed in a central location in the county office. Once a valid DCO-1400 is on file, the provider does not have to sign another DCO-1400 if he or she begins providing services to another participant. A copy of the DCO-1400 will be given to the provider and a copy filed in the individual's TEA case record.,

3462 ***Employer Identification Number (EIN)***

An Employer Identification Number (EIN) is a federal number obtained from the Internal Revenue Service (IRS). Anyone operating an established business (i.e., taxi company, bus service, etc.) and conducting/will conduct business with the Department of Human Services in a provider capacity, must have or obtain a federal tax ID/EIN Number from the Internal Revenue Service, prior to becoming a provider.

The individual must provide proof of the number to the worker. Acceptable proof may be:

1. Certificate issued by IRS, or
2. Other correspondence received from/sent to IRS.

The worker will provide information to customer/prospective providers relative to obtaining an EIN/federal tax ID #.

3462.1 ***Social Security Number (SSN)***

A Social Security Number (SSN) is required of providers (e.g., relative, friends, neighbor, etc.) who do not operate an established business. The provider will be required to have/obtain an SSN and furnish proof of the number. Acceptable proof of an SSN includes, but is not limited to:

1. The individual's Social Security card issued by the Social Security Administration;
2. Any correspondence from SSA with the number referenced; or
3. Tax returns.

This proof must be provided prior to any services being authorized.

3463 ***Request for Taxpayer Identification Number and Certification***
(W-9)

All non-child care providers paid with TEA funds must have a completed/signed form on file. Providers will complete and sign this form during completion of DCO-1400 or when proof of EIN/SSN is submitted. The individual signing the form must be the same person who signed the DCO-1400.

If a provider already has a signed W-9 on file in the county office, it will not be necessary to submit another form.

Make certain that all information is the exact same as the information on the IRS verification document.

3463.1 Vendor File Action Form

The worker will complete a Vendor File Action form and forward the signed W-9 to Division of Finance, slot 3000.

3464 *Potential Provider Fails to Meet Eligibility*

When the individual fails to meet the provider eligibility guidelines, explain to the client the reason(s) why and what must be accomplished in order for the individual to become a provider.

Customers in need of immediate services will be provided with information relative to eligible providers who have met all requirements and can be used until the designated provider satisfies all requirements.

3465 Services Not Paid by TEA

When the participant has made transportation or other arrangements that will be provided at no cost, or will be paid by another agency, the worker should obtain a written statement from the client or document the arrangements in the narrative.

3466 *Authorizing Supportive Services*

The following must be obtained from the provider before any services are authorized:

1. Proof of EIN/SSN;
2. Signed W-9; and
3. Signed Signature Page of DCO-1400.

Services cannot be authorized until all necessary information has been submitted.

3466.1 Provider Service Authorization DCO-1427)

Form DCO-1427 authorizes transportation services, provides proof of arrangements via a written and signed agreement between the customer, provider, and worker representing TEA.

Form DCO-1427, TEA Provider Service Authorization, is the only form that will be used to authorize non-child care services by providers paid through the WISE Payment System. TEA will not be liable to pay for any services rendered by a provider without written authorization via form DCO-1427.

For detailed instructions on completing and routing the DCO-1427, please Refer to the DCO-1427 Instructions contained in the TEA forms manual.

3466.2 Beginning Date of Non-Child Care Services

The period of authorization for transportation/other services is listed on the DCO-1427 as "for the period _____ through _____". The service is considered authorized by the county upon signature on the DCO-1427 by the worker. Prior to signing the form, the worker must verify the provider has met all requirements in order to be paid by DHS.

The effective date of service for TEA participants begins the first date transportation or other non-child care services are required by the client provided all provider requirements have been met as of that date. Otherwise, the effective date will be the first date all provider requirements are met.

3466.3 Utilizing the Provider Agreement/Amendment Sheet

The worker will use the amendment to the TEA Provider Agreement when it is deemed appropriate. This includes but is not limited to an increase or decrease in the transportation rate.

The worker will use discretion when using the Provider Agreement Amendment as this form is not intended as a means of giving providers rate raises.

3466.4 Payments/Reimbursements

Participants and Providers will be required to complete form DCO-1430 relative to payment/reimbursement for records of expenses. Form DCO-1430 will be used by participants and providers to document and bill for payment or reimbursement of expenses. Document the case narrative of any information relative to the method of payment or reimbursement.

Form DCO-1430 will be fully completed and signed by the participant and/or provider prior to any payment or reimbursement being made.

3470 *Use of the Wise System*

The worker will utilize instructions contained in the On Line Wise help when authorizing reimbursement payments and generating checks for customers and providers.

If a provider is providing services for more than one participant, a separate entry for each person must be keyed to RSRP in order for a check to be generated.

3480 *Relocation Assistance*

One-time-only cash assistance to help a TEA recipient family move from an area of limited job opportunities to a new locality within Arkansas for full-time employment may be available on a limited basis. Relocation assistance is not intended to move a family to a new location if there are jobs available in the county or area in which they already live. Relocation assistance should be used only in situations in which there is no, or very limited, employment opportunities in the county or surrounding area. In addition, before relocation assistance is provided, the person must have a bona fide offer of full-time employment in the new locality.

The County Administrator, or his or her designee, will review and approve any relocation assistance payments made.

The relocation assistance amount will be the actual cost of what it would take to relocate up to a maximum of \$2000. This could include moving expenses, first month's rent, utilities, etc. Because the amount which may be authorized to relocate a family can be significant, workers should carefully assess the family's circumstances and amount needed to relocate before requesting approval of the payment from the County Administrator.

3480.1 Authorizing Relocation Assistance

Once approval of the payment is received from the County Administrator, or designee, form DCO-58, Relocation/Diversion Assistance, Medicaid Transportation, will be completed and keyed to the WAGR screen to authorize the payment. For appropriate codes, refer to the DCO User's Manual.

The worker will notify the customer that the Relocation Assistance payment has been approved.

3500 Employment Services - Non-Compliance

3501 *Defining Failure to Comply*

Failure to comply occurs when a person who is required to participate in the program fails to participate in a work activity, refuses to accept employment, or terminates employment without good cause.

3510 *Good Cause*

The sanction for non-compliance will not be imposed if the person demonstrates that he or she had good cause for the non-compliance. The determination of good cause is a county office decision.

Good cause for failure to comply will be found to exist if:

1. The individual is the parent or other relative personally providing care for a child under age six (6) years and child care is not available.
2. Child care (or day care for any incapacitated individual living in the same home as a dependent child) is necessary for an individual to participate or continue participation in the program or to accept employment and such care is not available.
3. Transportation is unavailable.
4. The working conditions would be a risk to the person's health or safety.
5. The worksite is only available because of a labor dispute.
6. The individual was subject to discriminatory practices based on age, sex, race, religion, disability, political affiliation, veteran status, color or national origin.

7. The offer of employment is not a specific job at a stated wage which meets the Federal minimum wage.
8. The failure to participate was due to events beyond the customer's control, which include, but are not limited to: inclement weather, family emergency, natural disaster, a short term illness which temporarily prevents employment, or mail loss.

3511 *Determining Good Cause*

Once failure to comply with TEA work requirements has been established, the following procedures will be followed:

1. Contact the client to give him or her an opportunity to explain why he or she failed to comply and make a determination of good cause, if appropriate. This contact should be in writing, (DCO-1, letter, etc.,) if possible, but if made by phone or face-to-face, the case record will be documented accordingly. The worker should provide the client, at a minimum, the following information:
 - a. The specific act of non-compliance;
 - b. A reasonable time (e.g., 10 days if contacting the client by mail) to establish good cause prior to applying the sanction.
 - c. That if the sanction is imposed, it will result in the case being closed.
2. If the participant contacts the county office and good cause is determined to exist, then all sanction procedures will stop and the participant will be rescheduled for an appropriate activity.
3. If good cause does not exist but the participant states a willingness to cooperate, the sanction procedures will be delayed. The customer will be required to engage in an appropriate activity for a period of up to 2 (two) weeks before terminating the sanction procedures. If the customer does not satisfactorily complete the two weeks of participation, then the sanction will be imposed. **NOTE:** If the worker becomes aware that the client had good cause for failing to complete the two weeks of participation, consideration of that will be given. However, it is not necessary to formally provide the person with an opportunity to show he or she had good cause in this situation.
4. In the event good cause is not established and the participant does not state a willingness to cooperate, the case will be closed for non-compliance.

3520 *Non-Compliance Sanction*

The sanction for non-compliance with TEA work requirements is case closure if the non-complying participant is the adult parent of the minor children. If the non-complying person is a minor parent who is the parent of the only or all children in the case, then the sanction will also be case closure. However, if there are other minor children in the case with an adult caretaker, then only the non-complying minor parent and her child(ren) will be ineligible.

Exceptions to case closure may be allowed when it is determined that it is in the best interests of the under age 16 children in the family for assistance to continue. If it is determined that the case should not be closed, then the sanction will be a 25% reduction in the payment amount.

The decision as to whether an exception to case closure will be granted is made at the county office level. Exceptions should be limited to situations of an extraordinary nature, including, but not limited to, situations in which termination of benefits is likely to result in the children entering foster care. If benefits are continued with a 25% sanction reduction and it is believed that the adult may mismanage the payment, then a mismanagement protective payee may also be appointed. (See TEA 4230 for procedures related to the appointment of a mismanagement protective payee.)

3521 *Applying the Sanction*

If good cause was not determined to exist and the participant did not state a willingness to participate during the "good cause" notice period, then the sanction will be imposed as follows:

1. If the non-complying participant is the adult caretaker of the child(ren), or is the minor parent of the only or all of the child(ren) in the case, then the case will be closed. An "adequate" notice (system generated or via DCO-1) will be sent to the participant advising of the closure. An advance notice is not required. However, if the participant appeals the closure within ten days from the date of the notice, the case will be reinstated pending the Administrative Hearing decision.

2. If the non-complying participant is the minor parent of one or some of the children included in the case, then the minor parent and her child(ren) will be dropped from the grant. The payment amount will be redetermined excluding the minor parent and child(ren) from the family size. An "adequate" notice will be sent to the casehead advising of the reduction due to the non-compliance of the minor parent. An advance notice is not required but if the casehead or minor parent appeals within ten days from the date of the notice, the payment will be restored to its previous level pending the Administrative Hearing
3. If an exception to case closure was allowed, then the payment amount will be reduced by 25%. An "adequate" notice will be sent to the casehead advising of the grant reduction. An advance notice is not required but if the casehead appeals within ten days from the date of the notice, the payment will be restored to its previous level pending the Administrative Hearing

3522 *Lifting the Sanction*

Following the imposition of the sanction the first time, the sanction may be lifted at any time upon compliance of the participant. If a sanction for non-compliance is imposed a second or more times, then it may not be lifted for a period of three (3) months following the month the sanction was imposed. (See the Note below.)

Note: "Imposition of the sanction" means the case was closed or, if a closure exception was allowed, the grant was reduced.

If a sanctioned participant reapplies for TEA, he or she will be assigned to an appropriate activity to lead to full participation for a period of up to two (2) weeks before lifting the sanction, i.e. before the case may be certified or the minor parent and child added to the grant.

4000 Continuing Eligibility

The Division of County Operations has a continuing responsibility to provide assistance for eligible recipients as adequately as funds will permit and to insure that no ineligible recipient continues to receive assistance.

Both the County Office and the recipient have the responsibility to insure that information upon which a recipient's eligibility is based is current and complete.

During follow-up contact with the TEA recipient, the worker will ensure that the requirements in the following sections continue to be met.

4050 *Timely" (Advance) and "Adequate" Notice for Reduction, Hold or Termination of Assistance*

When the County Office proposes to terminate, reduce, or hold the assistance payment or change the payee to a protective payee, a "timely" and "adequate" notice (DCO-1 or system generated) will be mailed or given to the recipient prior to the date of the action.

"Timely" or an "advance" notice is one which is mailed at least ten days before the date of action, that is, the date upon which the action would become effective; except that in instances of probable fraud, the notice is timely if it is mailed at least five days before the date of action. Day one is considered the day following the day the notice is sent.

"Adequate" is a written notice that includes a statement of what action the agency intends to take or has taken, the reasons for the intended agency action, the specific policy supporting such action, an explanation of the person's right to request a hearing, and the circumstances under which assistance is continued if a hearing is requested.

If an Administrative Hearing is not requested within the advance notice period, then the action will be taken. If a hearing is requested within the advance notice period, the Family Support Specialist will forward a copy of the DCO-1 to the Central Office and delay action pending the hearing unless the client specifically requests assistance not be continued pending the hearing.

4051 ***When a "Timely" (Advance) Notice is Not Required***

Advance notice is not required when:

1. The agency has factual information confirming the death of the TEA payee and there is no relative to serve as the new payee.
2. The agency receives a written statement signed by a recipient that he no longer wishes assistance; or that gives information which requires termination or reduction of assistance, and the recipient has indicated that he understands the consequences of supplying such information.
3. The recipient has been admitted or committed to an institution, thereby rendering him ineligible.
4. The recipient has been placed in a Long Term Care Facility (LTCF).
5. The recipient's whereabouts are unknown and agency mail directed to him has been returned by the Post Office indicating no known forwarding address. The recipient's check must be made available to him if his whereabouts become known during the payment period covered by the returned check.
6. A recipient has been accepted for assistance in a new jurisdiction (another state) and that fact has been established by the jurisdiction.
7. A TEA child is removed from the home as a result of a judicial determination or voluntarily placed in foster care by his legal guardian.
8. The recipient has been informed in writing at the time of certification that assistance shall automatically terminate at the end of a specific period.
9. The sanction for non-cooperation with child support requirements is imposed following a determination of such non-cooperation by the Office of Child Support Enforcement

In the above situations, an adequate notice is still required. If the client requests a hearing within 10 days of the date the action was taken, then assistance will be re-instated to its previous level unless the client specifically requests assistance not be continued pending the hearing; and except when the reason for closure is reaching the time limit.

4100 Non-Work Participation Eligibility Requirements

4101 *Periodic Reviews*

4101.1 Time Limited Cases

During Employment Updates and other periodic contacts with the client, the worker will ensure that recipients continue to meet eligibility requirements which are subject to change (e.g., child in the home, income, etc.). If it is determined that a family's circumstances have changed, continued eligibility will be determined. The recipient will be also be reminded of his or her responsibility to report changes within 10 days

4101.2 Non-Time Limited Cases

Cases which are not subject to the time limit will be reviewed by mail on a yearly basis. Upon approval of TEA, the worker will advise the recipient of this timeframe and his/her responsibility to report changes within 10 days.

4110 *Resources*

Newly acquired resources should be reported to the County Office within 10 days of receipt. Resources will be verified according to the same standard used to determine original eligibility. If the total countable resources available to the unit are over the limit of \$3000, the TEA case will be closed. A timely notice will be required prior to case closure.

4120 *Income*

The worker will discuss income changes during periodic contacts with the client. The client will be advised that he or she must report changes within 10 days.

Income and eligibility will be redetermined only when significant changes occurs.

A significant change is defined as:

- ◆ A new job.
- ◆ A change in hourly rate or salary.
- ◆ A status change from part-time to full-time and vice versa.
- ◆ Loss of a job.
- ◆ Start or termination of an unearned source of income.

When a change in income is due to termination of employment or a reduction of earnings, the worker will determine the reason for the change to ascertain whether it meets the requirements of good cause. (Refer to TEA 3610.) Verification of a change in income is required.

A decrease in payment or case closure requires a timely notice. If the case remains eligible but the payment increases, an adequate notice will be sent.

In certain situations, extended support services may be authorized when a TEA case is closed due to earnings. Refer to TEA 5003.

4120.1 **Recomputing Income**

When a family reports a significant change in income, the budget will be recomputed to determine the family's continued eligibility.

1. If the net countable income exceeds \$223 (Income Eligibility Standard), the family is no longer eligible (See Example #1). (Refer to TEA 2353.2)
2. If the net countable income does not exceed \$223 and the **gross** countable income does not exceed \$446, the assistance payment will remain the same (See Example #2). (Refer to TEA 2360)
3. If the net countable income does not exceed \$223 but the **gross** countable income exceeds \$446, the assistance payment will be reduced by 50% (See Example #3). (Refer to TEA 2360)

Example #1: Mrs. Jones receives \$286/mo. assistance for herself, husband and three children. Mr. Jones started to work and his monthly gross earnings computed to be \$754. The income eligibility budget is as

follows: $\$754(\text{gross earnings}) \times 80\% = \$603.20 \times 50\% = \$301.60$. Since the net countable income of \$301.60 exceeds the Income Eligibility Standard of \$223, the family is no longer eligible.

Example #2: Mr. Thomas receives assistance for himself and one child (\$162). He started to work and his monthly gross earnings computed to be \$400. The income eligibility budget is as follows: $\$400$ (gross earnings) $\times 80\% = \$320 \times 50\% = \160 . Since the net countable income is less than the Income Eligibility Standard of \$223, the family remains eligible. The assistance payment (\$162) remains the same because the gross earnings (\$400) are less than \$446.

Example #3: Mrs. Hill receives assistance for herself and two children (\$204). She has found employment and her monthly gross earnings are computed to be \$546. The income eligibility budget is as follows: $\$546(\text{gross earnings}) \times 80\% = \$436.80 \times 50\% = \$218$ which is less than the \$223 standard. The family remains income eligible. Since the gross income is greater than the \$446 (refer to TEA 2360), the assistance payment is reduced by 50%. The new assistance payment will be \$102.

Even if the family remains eligible, the client may choose at any time to have his or her case closed. The worker should discuss this option with a client who becomes employed since each month of receipt reduces the number of months he or she may receive benefits in the future.

4120.2 Child Support Income Exceeds Assistance Payment

The Office of Child Support Enforcement sends the TEA family any current monthly child support collected which is in excess of the TEA payment. A printout is sent to the County Office stating that the child support exceeds the TEA payment. If the total child support collected, alone or with other countable income, exceeds the Income Eligibility Standard of \$223, action to close the case will be taken. If the family remains eligible, however, then contact will be made with the client to discuss options, or alternatives to cash assistance which could benefit the family. The contact can be by phone, in writing, or during in person contacts with the client.

When the child support income exceeds the assistance payment but the family remains income eligible, the client will be given the following options:

- ◆ Close the TEA case and receive the full child support. Explain to the client that the child support payment is more than the TEA payment and even though a partial child support payment is being received, the limited months of TEA are continuing to count. Also, explain that Medicaid may continue and if the absent parent stops paying, reapplication for TEA can be made.
- ◆ Continue to receive TEA and the partial child support payments. Explain to the client that if this option is chosen, the payments will continue to count toward the time limitation.

It will be the client's decision as to which option is chosen. If there is no response from the client, no further action will be taken on the case.

Ex. The family's TEA payment is \$204/mo. The absent parent is paying \$220 per month in child support. OCSE is sending the client \$16. It would be to the family's benefit to close the TEA case and receive the child support in full. The time limit clock would stop at this point. If the client reapplies in the future, the time limit will pick up from where it previously ended.

Whichever option is chosen, the worker should redetermine the family's Medicaid eligibility. The family may be eligible for three (3) months of extended Medicaid due to child support income, or may be eligible in another Medicaid category. Please refer to Medical Services (MS) policy.

4130 *Household Composition*

An eligible child must be living in the home in order for a family to continue to be eligible for TEA. Family members must continue to live in the home with the child for continued individual eligibility.

Changes in household composition could result in individuals being added, dropped, or the case closed.

4131 ***Family Cap Provisions - Newborns***

A child who is born while the mother is receiving TEA cash assistance either for other children or as a minor child herself will not be included in the case for cash assistance purposes. In addition, a child who is born within nine (9) months of the month TEA benefits were terminated to the mother will not be included for payment unless the mother's case has been closed continuously for six (6) months.

This provision applies equally to applicants who are pregnant and deliver after certification, and to recipients who become pregnant after certification. There are **no** exceptions. The income and resources of a child excluded due to the family cap are disregarded when determining the family's continued eligibility for and amount of cash assistance.

Since the newborn is not eligible for cash assistance, the father of such newborn living in the home (who is not already included in the assistance unit) will not be added to the unit solely due to the birth of the child. His income and resources will not be considered for cash assistance. However, if he and the mother marry, he will be added (as the stepparent of the child(ren) receiving cash assistance) and his income and resources will then be considered.

The family cap provision does not apply to a child who moves into the home from another home (See TEA 4132.)

A separate Medicaid determination for the child may be required. Refer to Medical Services policy. Form DCO-115, OCSE Information Referral will be completed for referral to the Office of Child Support Enforcement, if appropriate.

4132 ***Adding Other Individuals***

A child or other adult who moves into the home and meets all eligibility requirements will be added to the TEA case and will be eligible for payment.

The county will obtain a new DCO-180 and a skills assessment form, if appropriate, in order to obtain information needed to establish the person's eligibility and the continuing eligibility of other family members.

Note: A child to whom the family cap provision has been applied, either under the AWDP waiver or under TEA, will continue to be subject to the family cap provision, unless the case has been closed continuously for a period of six months. In addition, a child who was born within nine months after case closure will not be added unless the case has been closed continuously for six months. This does not apply to a child who was under the family cap but was later added for payment. He or she will continue to be eligible.

Once all eligibility requirements have been established for the new individual, he or she will be added.

4132.1 *Procedures for Adding a Person*

1. Obtain and record sufficient information to verify all eligibility requirements for the person being added.
2. Complete a new budget to determine the unit's continuing eligibility and grant amount.
3. If appropriate, send notice to the individual advising of his or her work participation activities.
4. Complete Form DHS-3350 for referrals to agencies for requested services such as Family Planning Services.
5. Indicate on the DCO-56 for each child in the "EPSDT Indicator" field whether a child health screening was requested by the casehead for the child and arrange for a screening appointment if scheduling assistance was also requested. Refer to Medical Services Manual Policy, MS 1121.1-1121.4 for the periodicity schedule.
6. Make any other necessary referrals to agencies or organizations to help meet a specific family need such as housing assistance.

7. If a child is being added for whom cooperation with the Office of Child Support Enforcement is required, provide the casehead an opportunity to claim good cause (DCO-90) prior to requiring his or her cooperation. If good cause is not claimed or does not exist, then make the referral to the OCSE as follows:

- a. If the child being added is the child of a parent who has already been referred to OCSE on behalf of other children in the same case, enter the already assigned absent parent number to the child's member record on WAFM. No further action to generate a referral to OCSE is required. However, if any new information on the absent parent has been obtained, WAPU should be updated to reflect such information.
- b. If a child to be added is the child of a parent who has not been referred to the OCSE on behalf of other children in the case, complete a DCO-115.

If good cause is determined to exist, no referral to the OCSE will be made.

8. Complete the DCO-56 to add the individual to the ACES system.
9. In situations in which a system notice is not generated, notify the recipient of the action by form DCO-1.

4132.2 Effective Date of Payment

The effective date of payment for the individual will be the first day of the month in which the worker determines the individual's eligibility.

Applications to add people will be processed within 30 days. Benefits will not be prorated. The grant amount will be adjusted based upon one additional assistance unit member and the countable income of that family member.

Example - Ms. Jones' son had been living with his grandmother. He moved back to his mother's home on July 22nd. Ms. Jones applied on July 23rd to add her son to her TEA case. The worker completed the action on July 25th. Ms. Jones currently receives a payment in the amount of \$204 and her new payment amount will be \$247. For the month of July, Ms. Jones will receive an additional \$43 (difference

between \$247 and \$204). If eligibility is not determined until August, benefits for her son will start in August. No retroactive benefits will be paid.

4133 *Dropping Individuals From the TEA Grant*

Individuals who become ineligible for TEA assistance, e.g., die, move from the home, reach the maximum age for a child, will be dropped. The casehead is eligible to receive assistance for the individual for the month in which the change occurs.

In the case of a payee adult who becomes ineligible because he is no longer living in the home, a change in payee will also be made.

When an individual is dropped from the grant, the worker will complete the following tasks:

1. Record pertinent information in the case record.
2. Complete a new budget to determine the family's continuing eligibility and payment amount.
3. Give advance notice (system generated or DCO-1), if necessary. If advance notice is not necessary, notify the client that the action has been taken via DCO-1 if a system generated notice is not sent.
4. Complete the DCO-56 for keying to the ACES system.

4134 *Marriage of the TEA Parent*

When a TEA recipient reports a marriage, the worker will:

1. Require an application to add the new spouse to the unit unless the spouse is an SSI recipient.
2. Determine if the person married is employed or has any other income or resource.

3. If the family remains eligible, determine the person's work participation requirements and advise of such requirements if appropriate.
4. Record all pertinent information in the case narrative.
5. Complete a new budget.
6. Complete DCO-56 changing name of payee and grant amount, if necessary.
7. Allow the client an opportunity to complete a Voter Registration Application so that he or she can report an address or name change to the county clerk's office if he or she so chooses. Refer to Appendix V.
8. In situations in which a system notice is not generated, notify the client by DCO-1, if appropriate.

4140 Time Limit

Beginning July 1, 1998, a family who meets all the eligibility requirements may receive TEA cash assistance benefits for a period of up to 24 months. The 24 months do not have to be consecutive months. The months counted are based on receipt by the adult recipient or "head of household" minor parent.

The time limit does not apply to cases in which the only parent in the home, or both parents if both are living in the home, receives SSI benefits, and therefore, no adult is included in the case.

The time limit applies to non-parent caretaker relatives only when such relative chooses to be included in the TEA payment with the child. If a non-parent relative is a payee only, then the time limit does not apply to the case.

The time a child receives assistance will not count toward his/her time limit when he or she becomes an adult.

Payments made by another state under a Temporary Assistance for Needy Families program count toward the twenty-four month limit in Arkansas if the adult has received more than thirty-six such payments in another state. The payments from another state in excess of thirty-six will count toward Arkansas' twenty-four month limit.

Diversion Assistance payments also count toward the twenty-four month limit if not repaid. See TEA 2130.

Note: A client may request case closure at anytime during receipt of assistance.

During periodic contacts, the worker will inform the client of the number of months of TEA eligibility remaining. The worker should continue to stress to the client the importance of employment because of the time limit.

The worker will explain to the recipient what action will be taken once the 24 month time limit has been reached. Refer to TEA 5001 for termination procedures. The worker will advise that the TEA case will be closed unless it is determined that an extension, or exemption from the time limit, should be granted. See TEA 4141.

4141 *Time Limit Extension*

A family may receive an extension of the time limit if the adult had been exempted or temporarily deferred from work activities because he or she was or is:

1. A parent caring for a child:
 - a. Under three (3) months of age; or
 - b. Between three (3) and twelve (12) months of age if child care for such child is not available.
2. An individual with a verified physical or mental disability which precludes the individual from working at available employment.
3. A woman in the third trimester of pregnancy.
4. An individual who must remain in the home to care for a resident family member who is seriously ill or incapacitated.
5. An individual for whom support services necessary to engage in a work activity are not available.
6. An individual who is unable to participate in work activities due directly to the immediate effects of domestic violence.
7. An individual unable to participate in a work activity due to extraordinary circumstances.

In addition, the following individuals may be exempted from or receive an extension of the time limit:

8. An individual who cooperated and participated in the required activities but was unable to obtain employment because of extraordinary circumstance beyond his or her control; or
9. A parent or other adult caretaker who is over sixty (60) years of age; or
10. An individual for whom it has been determined appropriate to extend the time limit, particularly, but not limited to, cases in which it is necessary to protect the child from risk of neglect.

The worker may recommend an extension of, or an exemption from, the time limit based on the above criteria when a family is nearing the end of the time limit.

The decision as to whether an exemption or extension to the time limit should be made is made at the county office level.

4142 *Cooperation with Quality Assurance*

A family must cooperate with the Quality Assurance Unit if the case is selected for a TEA program review.

Failure to cooperate will cause the entire family to be ineligible. Upon notification from the QA Unit, that a family has failed to cooperate, a 10-day notice will be issued to the family stating that the TEA case will be closed unless cooperation occurs. If the family contacts the office stating a willingness to cooperate, a referral will be made to the Quality Assurance Reviewer. The closure will be delayed pending notification from the QA Reviewer as to whether the client actually cooperated. If the client did not cooperate, then the case will be closed. The client will be notified of the closure but the notice need not be another advance notice.

4150 ***Failure To Comply With Non-Work Related Aspects of the PRA***

4151 ***Child Support***

Failure to comply with child support requirements will result in closure of the TEA case.

Exceptions to case closure may be allowed when it is determined that it is in the best interests of the under age 16 children in the family for assistance to continue. If it is determined that the case should not be closed, then the sanction will be a 25% reduction in the payment amount.

The decision as to whether an exception to case closure will be granted is made at the county office level. Exceptions should be limited to situations of an extraordinary nature, including but not limited to, situations in which termination of benefits is likely to result in the children entering foster care. Another example of a possible reason to continue benefits at a reduced level is if the adult is fully complying and is actively engaged in a work activity which would end if the case were closed. In that situation, it might be in the best interests of the children to continue assistance so that the adult is in a better position to support the family when benefits must be terminated. Unless there is evidence of mismanagement on the client's part, a protective payee is not required for a child support non-compliance sanctions

The Office of Child Support Enforcement (OCSE) will determine if a parent or other adult caretaker relative has failed to comply with child support requirements. The OCSE will determine if the client had a satisfactory reason for the act of noncompliance and will provide the client an opportunity to appeal the non-compliance decision prior to notifying DHS.

If a parent or other adult relative fails to comply with child support requirements, OCSE will notify the county office in writing to impose the non-compliance sanction. The worker will take the appropriate action and send an adequate notice (10 day advance is not required) to the parent stating the action being taken is due to his or her failure to cooperate with the OCSE. The client will be advised of his or her right to request an Administrative Hearing of the case closure. However, the case closure (or payment reduction) is the only appealable issue to DHS. Since the OCSE made the non-compliance decision

and has already provided the client an opportunity to appeal it, the non-compliance decision is not an appealable issue with DHS.

Note: Each client is given an opportunity to claim "good cause" for not cooperating in child support activities before he or she is required to cooperate. However, if a client who has failed to cooperate makes a "good cause" claim, the county office will follow the procedures for determining good cause even though the claim was not made before cooperation was required. See TEA 2143-2143.6. If it is determined that "good cause" exists, then the sanction will not be imposed. The county office will notify the OCSE that "good cause" exists and that, as a result, child support activities in relation to that particular absent parent should be terminated.

Lifting the Child Support Sanction

For a first non-cooperation sanction, the parent or other adult caretaker relative may reapply at any time and state her willingness to cooperate with OCSE. A referral will be made to OCSE and notification from OCSE that she has cooperated must be received prior to assistance being granted to the family.

For a second sanction, the case will be closed for a minimum of three consecutive calendar payment months. In order for eligibility to be redetermined, the parent or other adult caretaker relative must state his willingness to cooperate, be referred to OCSE and cooperate with OCSE requirements prior to assistance being granted to the family. OCSE will notify the worker when cooperation has occurred.

If a customer whose case was closed due to non-cooperation with OCSE reapplies, states a willingness to cooperate, and appears at the OCSE office but the reason for non-cooperation was that the customer had previously failed to appear in court, then he or she must actually appear at the next scheduled court date OCSE arranges in order to be fully cooperating. In this situation, the case may be recertified with only the children included in the unit. The parent will not be included in the unit for payment determination purposes until he or she appears at the scheduled court date. The OCSE will notify the county office of this stipulation when the applicant is first referred to them for cooperation and will follow-up with a notice to the county office following the customer's appearance at court.

4152 ***School Attendance***

School attendance is required in order for an eligible child to receive assistance.

For purposes of this section, school attendance relates only to children and not minor parents. (Refer to TEA 3300 for minor parent education requirements.)

During the application process, the worker may accept the applicant's statement that all school-age children are enrolled in and satisfactorily attending school. Enrollment and satisfactory attendance will be verified with the school, and

documented in the case record, in those cases where it is reported that one or more children in the family has failed to enroll or attend school regularly. Such reports may come from any of several sources including, but not limited to, the school system locally, courts, system-generated reports supplied by the state Department of Education, etc. "Satisfactory attendance" is defined in accordance with the school's definition of attendance. During periodic contacts with the parent, a declaration of school attendance will be accepted unless attendance appears questionable (e.g. information received from other sources that the child is not attending). Form DCO-65 may be completed by the school to verify attendance. Phone contact or other documentary evidence from the school may also be accepted.

If a child is being home-schooled, verification that there is an approved home-schooling application on file with the school superintendent may be required if the client's home-schooling allegation appears questionable.

If the child is not enrolled in school, a 10-day notice will be issued to the casehead, stating that the child will be dropped from the TEA case unless verification is received that the child is attending school. The income and resources of the child will be counted in determining continued eligibility. In order to be added back to the case, verification must be received from the school that the child has attended satisfactorily for a period of 30 days.

4153 *Immunizations*

Immunizations of pre-school age children is a requirement for Transitional Employment Assistance.

During the application process, verification of immunizations for children age 2 months to 5 years is requested. If a parent was given 30 days to have the children included in the TEA case immunized, verification must be provided by the 30th day. If the parent does not bring the verification, the worker will issue a 10-day notice stating that unless verification of the immunizations is received, the TEA case will be closed. The family may provide the child's immunization (shot) record or verification from the local health department or physician. See Appendix A for the American Academy of Pediatrics Immunization Schedule which identifies the age and type of immunization the child should have.

4200 Non-Eligibility Changes

4210 *Change of Address*

The recipient is responsible for notifying the County Office within 10 days of any change of address. If the address to which the warrant is sent is incorrect, the warrant will be returned by the Postal Service to the Central Office. In order to avoid delay in receipt of the warrant, it is important that the recipient be advised of his responsibility to report any change of address within 10 days and that any change of address reported be processed promptly by the County Office.

4210.1 *To change an Address*

1. Record all pertinent information in the case record.
2. Complete DCO-56 for keying to ACES.
3. Send a Voter Registration Application to the client so that he or she can report this change to the county clerk's office if he or she so chooses.

The worker should also be alert for other changes (acquiring or disposing of property, moving from the homestead, change in assistance unit members, change in income, change in food stamp household), which may be indicated by a change of address.

4210.3 *Change of Address to Another County*

Records of active or closed cases and denied applications will be transferred upon the request of the individual, his authorized representative, or another County Office.

A recipient may visit in another county within the state without transferring his case record, if absence from his home county will not exceed one month. The warrant will be sent to the recipient during this one month period by authorizing a change of address on the DCO-56.

If the absence will exceed one month, the case will be transferred to the county in which the family is located. This is to insure that work participation activities continue. The individual will be advised by letter of the action taken and that the County Office to which his case record has been sent will be contacting him.

4210.4 *To transfer an active case:*

1. Record pertinent information in case record.
2. Complete DCO-56 for keying to ACES. An extra copy of the DCO-56 will be made for the closed file of the transferring county.
3. Mail the case record to the appropriate office.

4210.5 *To transfer a denied application or closed case:*

1. Record pertinent information in the case record
2. Mail the case record to the appropriate County Office with a memo of explanation.

4210.6 **Responsibilities Of The Receiving County**

For active cases being transferred, the receiving county will complete an employment update within 30 days of receipt of the case record. The worker will send a notice to the client advising them of the appointment date and purpose of the appointment. During this assessment, continued eligibility and work participation activities, if appropriate, will be determined.

4220 *Absence from the State*

If a client is absent from the state for more than one month, the case will be closed and the client will be advised that he may reapply once he returns to Arkansas. If the client indicates that his absence will be for one month, his warrant will be mailed to the out-of-state address for that month.

When the county office receives information that a TEA client is or will be absent from the state, the worker will ascertain, if possible, the out-of-state address, whether the client intends to return to Arkansas, and if so, the reason for the absence and the probable length of stay in the other state.

If the client indicates he is moving from the state with no intent to return, then the TEA case will be closed following the appropriate notice (DCO-1) to the client.

If the county office is unable to ascertain the out-of-state address or the client's intention at the time the absence is reported (e.g. neighbor reports, client sends letter, etc.), then a DCO-1 to close in 10 days will be sent. The DCO-1 will advise the client that if his absence from the state is only for one month and he wishes his case to remain open, he should contact the county office prior to the end of the 10 days.

4230 *Protective Payment - Mismanagement*

When there is evidence that the TEA grant is not being used in the best interests of the children, a protective payee to handle the family's cash assistance may be appointed. Protective payment due to mismanagement is intended to be a temporary measure designed to help the client improve his management and use of money.

If mismanagement is determined to exist and DCFS is not already providing services to the family, a referral to DCFS, or other appropriate services or treatment agency, should be made to help the client resolve his/her money management problems. If, because of mental or physical incapacity, there is no substantial likelihood a client will ever be able to manage his own affairs, a protective payment should not be recommended. Such persons should be referred to Legal Services for the appointment of a legal guardian.

4231 *Determination of Need for Mismanagement Protective Payment*

The case record must clearly reflect the evidence upon which the worker's recommendation for protective payment is based. Such evidence should indicate mismanagement of funds by the client to the extent that the children are not receiving the benefit of the assistance payment. Examples of such evidence are:

- ◆ Continued inability to plan for necessary expenditures.
- ◆ Continued evidence that the children are not properly fed or clothed and that expenditures for them are made in such a way as to threaten their chances for health, growth, and development.

- ◆ Persistent and deliberate failure to meet obligations for rent, food, or other essentials.
- ◆ Repeated evictions or incurrence of debts.
- ◆ Drug abuse even if bills are being met (possibly by another relative).

4231.1 *Standards for Selection of Protective Payee*

Persons Who May Be Selected As Protective Payee

A protective payee may be a relative, friend, neighbor, or member of a community service group. The person to act as a protective payee should be selected by the client, or with the client's involvement and consent to the extent possible. The individual selected to act as payee must:

- ◆ Show an interest and concern for the family.
- ◆ Have the ability to help the family make proper use of the assistance payment.
- ◆ Live near the family or have sufficient means of transportation to enable him to maintain close contact with them.
- ◆ Have the ability to establish and maintain a positive relationship with the family.

Be a responsible and dependable individual, capable of fulfilling his responsibilities to the client and the agency.

Except for those specified below, a DHS employee may serve as the protective payee when it is determined that it would be in the best interests of the family for a staff member to act as the payee. This would be more appropriate in mismanagement situations than in sanction cases. Therefore, if such a protective payment is determined to be appropriate, then the staff member selected should be a DCFS employee providing protective services to the family.

Persons Who May Not Act As Protective Payee

The following individuals may not be selected as the protective payee:

1. Any landlord, grocer, or other vendor of goods or services who deals directly with the client.
2. The Director of the Department of Human Services.
3. The Director of the Division of County Operations.
4. The Worker establishing eligibility for the family.
5. Any employee assigned to the Office of Child Support Enforcement.
6. Any employee assigned to the Division of Finance or any employee assigned the function of handling processes related to the client.

4232 *Authorization of Mismanagement Protective Payment*

Protective Payment will be authorized by the County Administrator upon recommendation of the Economic Services Supervisor or his/her designee.

Form DCO-195, Request for Protective Payee Approval, will be used by the county office to recommend a person to act as the protective payee. It will also be used by the County Administrator to authorize a protective payee request.

Once authorization of the protective payee is received, the worker will notify the client via Form DCO-1 that the TEA payment will be changed to a protective payment. This notice must meet the requirements of a "timely and adequate" notice and will include the name of the protective payee. The worker will complete Form DCO-56 changing the payee to the protective payee and showing all appropriate data to reflect the protective payee status of the case. The protective payee's name will go in the guardian field of the DCO-56.

4300 Computer Matches

The worker will resolve any mismatches resulting from enumeration or covered computer matches.

4301 SSA Verification of Social Security Numbers - Resolving Mismatches

Each month, all Social Security numbers entered to ACES by county office staff (enumeration code "V") are submitted to the Social Security Administration to verify both that the number is valid and that it belongs to the individual entered. Records are matched for SSN, name, and date of birth.

If all match data agrees with SSA records, the enumeration code for the individual is changed by the system to an "S" and the SSN is no longer keyable by the county. If one or more of the match items do not agree with SSA records, the enumeration code will be changed to one of the following mismatch codes:

- 1 - SSN not on SSA files
- 3 - Name matches, DOB does not match
- 5 - Name does not match, DOB not checked

The county office will be notified of SSN mismatches via a system generated report entitled "SSN's Not Verified by SSA for Recipients in County ____". The procedures described below will be followed to resolve mismatches.

4301.1 SSN or Name Mismatches (Codes 1 or 5)

1. View the person's Social Security card and obtain a photocopy if one is not already in the case record.
2. If the number shown on the card is different from the number shown on ACES, make the necessary correction to ACES and change the enumeration code to "V". The SSN will then be resubmitted to SSA on the next tape.
3. If the name shown on the card is different from the name on ACES and the person says the name on the card is correct, change the name on ACES to agree with the card and change the enumeration code to "V".

4. If the person says the name shown on the card is wrong, proof of the correct name should be obtained and ACES updated, if necessary. An SS-5 with the documents verifying the correct name attached should then be submitted to SSA to correct their records. A DC0-12 should be sent with the SS-5 and documents to ensure that the documents are returned to the county office. The SS-5 and DC0-12 will be annotated by entering the SSN shown on ACES, preceded by the state BENDEX code (040), in the appropriate spaces. When SSA's records are corrected, an update will be received via the enumeration process and the enumeration code will be changed automatically to "E".
5. If the name and number on the card agree with the name and number on ACES, send a photocopy of the card and the latest DC0-56 turnaround form to the Systems Coordinator, Employment/Income Support Section, Central Office.

4301.2 Date of Birth Mismatch

1. View or obtain a copy of the individual's birth certificate or other proof of age.
2. If the age documentation shows a date of birth different from that shown on ACES, make the necessary corrections to ACES and change the enumeration code to "Y". The SSN will then be resubmitted on the next tape.
3. If the age documentation shows that the date of birth shown on ACES is correct, submit an SS-5 with the age documentation attached to correct SSA's records. A DC0-12 will also be sent with the SS-5 and documents to ensure that the documents are returned to the county office. The SS-5 and DC0-12 will be annotated as for an original SS-5 by entering the SSN shown on ACES, preceded by the state BENDEX code (040), in the appropriate spaces. When SSA's records are corrected, an update will be received via the enumeration system and the enumeration code will be changed automatically to "E".

4302 *Computer Matching Act of 1988 Requirements*

The following procedures will be used to verify and take action on information received as a result of a covered computer match.

IRS: BENDEX Wage; BENDEX Error Matches

For the above matches, independent verification must occur. A 10-day notice requesting verification will be sent to the household. If the information provided results in a closure or a reduction, then a 10-day notice of adverse action will be issued. If the client fails to respond to the 10-day notice requesting verification, the case will be closed at the expiration of the notice period.

BENDEX Change; SSI Match

For the above matches, information is considered verified upon receipt. A 10-day notice to verify is not necessary; however, the worker will send a 10-day notice of adverse action to the household, if appropriate.

4400 TEA Warrant Actions

4410 *Cancel and Reissue of Warrant*

Warrants for incorrect amounts may, at the request of the recipient, be canceled and reissued in the correct amount.

The new warrant will be issued on the next available supplement.

When a client has received a warrant for an insufficient amount, the County Office may advise the client to cash the insufficient warrant, and process the deficiency in payment as a retroactive payment rather than authorizing a cancel and reissue.

4420 *Procedure for Replacing Missing TEA Warrants*

A missing TEA warrant is defined as one that the client has not received within three working days from the first of the month, or one which was received but was lost or stolen prior to the client cashing or depositing it in a bank account.

The following procedures shall be used in replacing such warrants.

1. On or after the 3rd working day of the month, clients who have not received their TEA warrant for that month must report such fact to the County Office.
2. At the time of the report of the missing warrant, the County Office will inquire to the TEA Pay History Screen (WADC) to determine if the warrant has been returned to the Central Office. If the warrant has been returned, it may be released via the Check Action Screen (WACA). Any address correction must be entered to WACE before the check is released via WACA.
3. If the warrant has not been returned to the Central Office, the County Office will prepare Section A of Form DCO-80 and issue to the client. The client will be responsible for completion of Sections B and C. Section B will be completed by a member of an appropriate local law enforcement agency. A local law enforcement agency is defined as a local municipal police department or a county sheriff's office in communities where there is no police department. The form will be returned to the county office.

4. Upon receipt of the completed DCO-80, forms AOS-2 (Notice of Lost Warrant), and AOS-3 (Bond for Reissuing Warrants) will be completed. Note that all forms must be notarized.
5. Once all forms are completed, the County Office will again inquire to the TEA Pay History Screen (WADC) to determine if the check has been returned. If the check has been returned, destroy all forms and release the check via the Check Action Screen (WACA). If the check is still outstanding, forward all forms to the Division of Administrative Services, Program Support, Slot # 3350.

Warrants reported missing on the 3rd working day of the month and determined uncashed by the State Auditor's Office may be reissued beginning the 14th day of the month, but in any event such warrants must be reissued by the 21st day of the month.

Subsequent reported missing warrants determined uncashed by the State Auditor's Office may be reissued 11 days after the initial report but must be reissued within 18 days after the initial report to the County Office.

Warrants reported missing on the 3rd working day of the month and determined cashed by the State Auditor's Office shall be reissued by the 21st day of the month. Warrants reported missing subsequent to the 3rd working day of the month and determined cashed by the State Auditor's Office shall be reissued within 18 days from the date such fact was reported to the County Office. The client shall be instructed that if the original TEA warrant is received, the client must immediately notify the County Office. If the DCO-80 has not been forwarded to DAS, Program Support, it should be voided and placed in the case record with a notation that the warrant was subsequently received. This form should be retained for one year. If the DCO-80 has been forwarded to DAS, Program, Support then the warrant will be forwarded to this section, and a duplicate warrant issued.

4430 ***Holding The Warrant***

A warrant will be held when:

1. The recipients' whereabouts are unknown and Agency mail directed to him has been returned by the Post Office indicating no know forwarding address
2. The recipient requests in writing that his warrant be held.
3. At the discretion of the worker, if the recipient has not provided verification of a work participation requirement.

Warrants will be held by updating the Check Action Screen (WACA) via Form DCO-61. Advance Notice (DCO-1) will be given as required. When a warrant is held, the case will be coded for appropriate follow-up action (e.g. release, closure, etc.)

No more than two warrants will be held except under unusual circumstances.

4440 ***Release Warrant***

When a recipient, whose warrant is held, provides all information necessary to reestablish his eligibility, his warrant will be released by updating the Check Action Screen (WACA).

5000 Termination of Cash Assistance

A case will be closed:

1. When the recipient has requested closure. Advance notice will be given if required. (Reference 4050-4051).
2. Upon notice of another state agency that the recipient is being certified for assistance in that state.
3. When the County Office has factual information that a recipient fails to meet any eligibility requirement.
4. When a recipient has failed to come in for an assessment, furnish requested information, or comply with other Agency procedures necessary to establish his eligibility or participation after specific written notice (DCO-1) that he must do so.
5. When two warrants have been held and the County Office has not received sufficient information to reestablish his eligibility.

Cash assistance will be terminated at any point it is determined that a family is no longer eligible to receive assistance.

5001 Time Limit

A family which includes an adult is eligible for TEA cash assistance benefits for a period of not more than 24 months. The 24 months need not be consecutive months.

During periodic contacts, the client will be informed of how many months of eligibility he or she has remaining due to the time limit. The number of months a TEA family has received benefits can be determined via the WACE screen. The worker should view this screen during periodic interviews with the parent.

The County Office will receive a printout identifying cases which have received TEA for 6, 12, 18 or 22 months. In the last month of TEA eligibility, a system generated notice will be sent to the client advising him/her that the TEA case will be closed due to the time limit. The client will be given the opportunity to appeal the closure. However, benefits will not be continued pending the hearing decision.

Note: The time limit for TEA eligibility has no bearing on Medicaid Eligibility

5002 *Intentional Program Violations (IPV)*

The family of any individual who pleads guilty or nolo contendere to, or is found guilty of, an Intentional Program Violation will be ineligible for further participation in the program for the following minimum periods:

- (a) For the first offense, one (1) year.
- (b) For the second offense, two (2) years.
- (c) For more than two, permanently.

A 10-day notice will be sent to the client stating that the case will be closed due to an Intentional Program Violation. Also, that the case will remain closed until the resulting overpayment (e.g. the total amount of assistance received to which the family was not entitled) has been repaid to the State with interest. This requirement may be waived by the Director of the Division of County Operations or his designee.

Refer to TEA 8100 for detailed policy and procedures concerning IPV Disqualifications.

5003 *Earnings Related*

At any point it is determined that a family is no longer eligible for TEA benefits due to earnings, the TEA case will be closed. An advance notice of closure will be required. In addition, the family's eligibility for extended support services will be determined. Refer to TEA 5100

5100 Extended Support Services

Extended Support Services are available to certain families who lose eligibility for TEA due to earnings. These services are Child Care and Medicaid. Eligibility for these services will be determined by the worker.

5110 *Extended Support Services (ESS) Child Care*

Eligibility for extended child care will be determined if a TEA case closes as a result of earnings. This includes cases involving earned income but which close at the client's request. An application is not needed to determine eligibility

Child care assistance is available to help meet child care expenses for a child for whom child care would be guaranteed while the family was receiving TEA cash assistance (Refer to TEA 3451). Child care will also be available to a child who is born or enters the home after the TEA case closes but during the ESS/CC period provided the child is one described in TEA 3451.

Child care assistance will be available for up to 3 years following the closure of the TEA case. The first year of ESS/CC will be at no cost to the client. The second and third years will be on a cost sharing basis. The amount of ESS/CC assistance for the second and third year will be based on a sliding fee scale (Refer to TEA 5111 and Appendix C).

For ESS/CC cases, the county cap rate will apply to the total charges by the provider. The county cap rate is the sum of the amount paid by TEA and the amount assessed the participant. (Refer to TEA 3452)

NOTE: If a customer has not needed child care prior to obtaining employment, but later requests care to accept or maintain employment, the participant may receive ESS/CC assistance.

5111 *The Sliding Fee Scale*

The sliding fee scale is used by the worker in the second and third year of ESS/CC to determine the percentage of the child care payment for which the family will be responsible.

This will be determined using earnings information reported and verified by the recipient for each employed TEA adult. The sliding fee scale is used as follows:

1. Take the total gross wages for each adult and multiply by
 - ◆ 4.334 if paid weekly
 - ◆ 2.167 if paid bi-weekly
 - ◆ 2 if paid semi-monthly
 - ◆ 1 if paid monthly
2. Total the monthly earned income for all employed TEA adults;
3. Use the gross amount in #2 to determine which income group the family belongs, according to family size.
4. The fee percentage the participant will be required to pay can be found on the bottom row of the scale. A different fee rate is found beneath each income level and ranges from 0% to full rate.

Refer to Appendix C for the sliding fee scale.

5112 *Participant's Responsibility to Pay ESS Fees to Provider*

The following will be explained to the participant:

1. The amount the participant is expected to pay to the provider;
2. The participant's responsibility for making timely payments to the child care provider;
3. When and how often payments will be made will be based on arrangements made between the recipient and provider; and
4. Failure to pay required fees may result in termination of ESS/CC benefits.

5113 *When the Participant Fails to Pay Required Fees*

When the child care provider notifies the County Office that the participant has failed to pay the required fee, the worker will obtain the following information from the provider:

- ◆ total amount of delinquent fee;
- ◆ time period for which fees are owed; and
- ◆ date last payment was made by the participant.

Using the above information, the worker will notify the participant that the ESS/CC case will be closed within ten (10) calendar days of the date of notice. The notice will include the reason(s) why the action is being taken and steps the participant can take to avoid the action. To avoid closure the participant must:

- ◆ pay all delinquent fees to the provider prior to expiration of the notice and provide proof to the County Office; or
- ◆ make satisfactory arrangements with the provider to repay the delinquent fees and provide proof of arrangements.

If the participant pays all fees or makes satisfactory arrangements with the provider to pay the delinquent amount and provides proof to the County Office (statement, receipt from provider) prior to expiration of the notice, ESS/CC will continue and no further action is required. The case record will be documented accordingly.

If the participant fails to respond to the notice, the worker will close the case, notify the participant and the provider via DCO-1404.

5114 *Notifying Provider When Services are Changing/Terminated*

When child care services change or terminate, the worker will notify the provider of the change or termination via form DCO-1404 within ten (10) days of the date the change or termination is determined. The worker may advise the provider in person or by telephone in addition to the written notice.

A copy of the DCO-1404 will be sent to the participant at the same time the form is sent to the provider.

5115 *Notifying the Provider When Participant's Share of Fee Changes*

If at any time the participant's share of the child care cost changes **(increases/decreases)** from the amount previously keyed, the information will be entered on the DCFS System. Refer to DCFS User Help Guide, Appendix D.

5116 *Deobligation of Certificate*

When it becomes necessary for the worker to deobligate a certificate, the information will be entered to screen AZ07 of the child care automated system.

In all situations, the case narrative will be documented.

5120 *Medicaid*

In certain situations, a family who becomes ineligible for TEA benefits due to employment may receive up to one year of extended Medicaid coverage. Refer to Medical Services Policy 2061.

6000 Marketing

Marketing activities for TEA are intended to make the community and the employment sector aware of program services, activities, and goals. Marketing has two elements:

- ◆ Marketing TEA: its purpose, service, strengths and record.
- ◆ Marketing the product (customer): his talents, skills and ability to meet identified employer needs.

Marketing can be done directly or indirectly. Marketing includes, but is not limited to : face-to-face contacts with employers, mailouts (introductory letters, notes of appreciation, newsletters), involvement with the Chamber of Commerce, press releases, networking with other employment agencies, and speaking to civic organizations.

The County Office should coordinate its marketing efforts with the local Employment Security Department (ESD). Coordination with ESD will help avoid duplication of effort as well as provide a broader base for job development and job placements for TEA participants.

Although marketing may be primarily the responsibility of the Marketing Specialist or other county office staff member, all staff involved with TEA market the program. When a worker explains the program to a customer, he is marketing TEA. When a worker tells a relative or community member about TEA, he is giving that person an image of the program.

All county office staff can assist in job development by sharing potential job leads with the TEA Supervisor and/or the Marketing Specialist.

6010 Marketing/Sales Approaches

Many approaches can be taken to persuade someone to accept an idea or product. Marketing involves a degree of trial and error to find which approach will work with a certain employer. County staff responsible for marketing should familiarize themselves with various marketing/sales techniques by researching the volume of current information available in magazines, books, newspapers, and libraries. Information about the local labor market and the economy to understand the needs of employers in a particular area should also be researched.

This research should then be used to select or prioritize employers to contact. Small businesses should not necessarily be overlooked for larger companies. It is important that contact with all or as many employers as possible in the area eventually be made. Staff should not be disappointed if every marketing contact does not yield a job order. County office staff should develop name recognition for TEA and should develop a long-term relationship with the employer.

6020 *Job Orders and Referrals*

A job order is an agreement with an employer to interview/hire a TEA customer. The job order may be for unsubsidized or subsidized employment or unsalaried Community Service and Work Experience. Form DCO-1416 (Job Order) will be used to obtain information about the job opening(s) from the employer. The results of the referrals made will be tracked by using the Job Order form.

When an individual is referred to an employer for unsubsidized employment, the client will be given a Job Referral Card (DCO - 1431) and a postage-paid, self-address envelope. The customer will give these to the employer. The employer will complete his part of the form, providing the results of the interview, and will mail the form back to the TEA program. If the card is not returned, the county office should contact the employer for the information.

6020.1 *Job Bank*

The County Office will also maintain a job bank which can be used for referrals. To develop a job, the county office can interview participants and/or collect data from their case records or employment plans. The job bank can consist of a card file or a computer data base. It should be organized and divided by job titles. The names of interested or experienced customers and pertinent information about them should be contained under each job title. This will assist staff in matching the needs of employers and customers.

6030 *Worksite Development*

The County Office will be responsible for developing worksites for: Community Service/ Work Experience, On- The-Job Training (OJT) and Subsidized Employment.

6031 Community Service/Work Experience Worksite Development

Community service/work experience worksites will be developed with public government entities (city, county, state, and federal agencies), private not for profit agencies, community and charitable organizations..

The Job Order form will be used to take the job opening information. The DCO-1408 TEA Worksite Agreement will be used in developing worksites.

Prior to assignment of a customer to a Work Experience site, the employer will be made aware of the following assurances that must be provided to regular employees:

1. No currently employed worker or position will be displaced/partially displaced, or have normal work shift hours, wages, or employment benefits reduced as a result of activities by TEA program participants.
2. The hiring of TEA customers in Work Experience will not impair existing contracts for services or collective bargaining agreements.
3. Employers will not fill any established, unfilled position or vacancy when regular workers are laid-off from the same or similar positions at the worksite.
4. Currently employed workers will not be terminated in order to fill vacancies with TEA individuals.
5. The hiring of TEA recipients will not infringe upon the promotional opportunities of any currently employed individual at the worksite.

County Office staff will be responsible for discussing these assurances with the worksite employer prior to finalizing the Worksite agreement. It will be the responsibility of the worksite employer to make employees aware of these assurances.

The employer must agree to provide the same benefits (breaks, lunches, days off, etc.) and the same working conditions provided other employees performing comparable tasks.

The DCO-1406 TEA Worksite Participant Agreement should be signed by the customer before participation in Work Experience.

6031.1 Monitoring Community service/Work Experience Worksites

The County Office may monitor participation via the DCO-1407, TEA Participant Time Card/Progress Report, and through monitoring (on-site visit) the worksites. The Worksite Supervisor will submit the DCO-1407 bi-weekly to the TEA program to report progress.

6032 On-The-Job Training (OJT) Worksite Development

The County Office will have responsibility for marketing and developing OJT worksites for the TEA program.

County Office staff will negotiate OJT/Employment agreements with employers in their area (i.e. city, county, multi-county). Private and public employers may be utilized when developing OJT agreements. Form DCO-1437, On-the-Job Training/Employment Agreement will be used to outline the proposal.

In negotiating agreements, the county office will ensure that the employer understands that the purpose of the agreement is to:

1. provide an opportunity for TEA parents to obtain training and job supervision,
2. encourage their participation by providing a mechanism by which TEA customers become self-sufficient employees, and
3. provide employment to clients upon satisfactory completion of the OJT training.

The County Office representative and employer will complete and sign the On-The-Job Training/Employment Agreement.

6032.1 Approval Process/Procedures for OJT/Employment Agreements

Once the DCO-1437 OJT/Employment agreement has been negotiated, it will be submitted to the County Administrator for approval. The County Administrator will review and make a decision within three (3) working days.

Upon approval of the OJT/Employment agreement, county staff will coordinate activities to select customers and make referrals to the employer..

The county office will monitor participation through contact with the Training Supervisor. This contact will be conducted at least once each month either by telephone or in person.

6032.2 Monitoring and Employer Billing/Reimbursement for OJT

The county office will monitor participation through contact with the employer. This contact may be by phone or on-site visits to the worksites. At a minimum, the customer participation should be checked at least once every four (4) weeks while engaged in this activity.

Employers will submit monthly billing to the county office, by the fifth working day of the month following the month of service.

The rate of reimbursement by TEA to employers will be limited to no more than fifty percent of the wages paid by the employer to the customer during the period of the OJT.

Billing for reimbursement will be submitted on letterhead stationery. The customer's name, number of hours/day worked, rate of pay, and total owed will be included on the bill. The letterhead billing will be completed with an original and two copies. Employers will submit the bill to the local county office. The County Administrator will review and approve (by signature and date) billing(s) submitted by the employer. Review and approval will be completed within three (3) working days of receipt by the County Administrator and billing sent to Office of Program Planning and Development, Attention: Contract Unit Resource Development Section, Slot 1230.

6033 *Injuries at the OJT or Community Service/Work Experience Worksite*

If a participant is injured at an OJT or Community Service/Work Experience worksite, the agency provides medical insurance coverage.

If an injury occurs, the following steps should be taken to access medical benefits:

1. The customer will notify the local DHS County office.
2. The local office will notify OPPD Resource Development and provide the name and address of the participant.
3. Resource Development Office will send a claim form to the participant.

6034 *30-Day Employment Follow-up*

The county office will report TEA recipients entering employment on the DCO-1418 or other county office tracking system. Only employment which is reported to the TEA program within 60 days after a client has entered employment will be reported. The county office will do a 30-day follow-up on all persons reported, whether the case is open or closed. The verification of employment follow-up by the worker, may be made by contacting the employer, participant, or relative, by letter, phone call, or face to face contact.

6035 *Work Opportunity Tax Credit*

On August 19, 1996, the President signed into law the Work Opportunity Tax Credit (WOTC) program. WOTC replaces a similar program called Targeted Jobs Tax Credit (TJTC) which expired on December 31, 1994.

The tax credit is 35% of the first year wages (up to \$6,000) paid to eligible workers. The employer can receive a tax credit per employee during the first year the person works. The WOTC program will run from October 1, 1996 to September 30, 1997.

Applicants who qualify for WOTC benefits are:

1. A Welfare Recipient (TEA) who was on welfare for a 9 month period ending during the 9 month period prior to hire.

2. A Veteran who is (a) member of a family receiving Aid for Families with Dependent Children (AFDC) for 9 months ending any time during the 12 months prior to hire; or (b) a veteran who is a member of a food stamp family for 3 months ending anytime the 12 months prior to hire.
3. An Ex-felon whose income was 70% (or less) of the Bureau of labor statistics lower living standards during the 6 month prior to hire.
4. Any 18-24 year old residing in a federal Empowerment Zone (EZs) or Enterprise Community (ECs). Only those wages paid while the youths reside in the EZ or EC are covered.
5. Any Vocational Rehabilitation Referrals.
6. A Summer Youth who works during the period May 1 September 15. The youth must be 16 or 17 years old and reside in an EZ or EC. They are eligible for a credit of 35% of the first \$3,000 of wages.
7. Food Stamp recipients 18 -24 year old, on the hiring date, and who are either (a) a member of a family receiving food stamps for the 6 months prior to the date of hire; or (b) childless food stamp recipients 18 - 24 years old and who have received food stamps for at least 3 months of the 5 months prior to hire.

Other Requirements:

- To qualify, an individual must either have been certified by the designated local agency as being WOTC eligible prior to the hire date, or on or before the day of the job offer, a pre-screening notice is completed by the employer for such individual.
- In the case of the latter, employers have 21 days after the individual begins work to submit, to the designated local agency, the pre-screening form. Such request must indicate why the employer believes the individual is eligible for the program and must be signed, under penalty of perjury, by the employer and the employee.
- The employer then has six months to gather supporting documents from either the employee or government agency and submit the same to the state job service office.
- The minimum work requirement is 180 days (20 days for qualified summer youth) or 400 hours (120 hours for summer youth) of work.

An agreement with Arkansas Employment Security Division gives DCO the authority to provide WOTC certification to TEA participants.

Participants may be certified by the Case Manager or Marketing Specialist. Certification should be done when the participant:

1. Enters a component which may lead to employment.
2. Notifies the worker he/she has a job interview or has been hired, but has not started the job, yet or
3. Is referred to a job by the Marketing Specialist.

When discussing WOTC with employers, emphasis should be placed on the time frames for submitting the vouchers to insure the employer gets the tax credit and that the voucher is returned to the following address: WOTC Unit, Employment Security Department, Post Office Box 2981, Little Rock, AR listed on the form, not to the TEA program.

7000 Fraud Investigations

7001 *Purpose*

The Fraud Investigations Unit identifies, investigates, and refers for prosecution any individual accused of committing Theft of Property or Theft of Public benefits as defined by state law. This includes Agency staff, recipients, providers, or other persons who deliberately violate the rules and regulations of DHS to defraud the state. Fraud Investigations prepares the Administrative Disqualification File on persons accused of committing an intentional program violation.

7002 *Organization*

The Fraud Investigations Unit is organizationally located within the Office of Chief Counsel, Program Services Section.

7003 *Functions*

The Fraud Investigations Unit has the following major functions:

- ◆ Review the case record and independently verify information contained in the file to determine if a criminal investigation is warranted.
- ◆ Investigate to gather evidence in cases where there is a probability that a fraudulent act was committed.
- ◆ Refer to the prosecutor if facts are obtained which indicate that the accused person, by deception, received DHS monies/benefits to which he/she was not entitled.

7004 *Referral Sources*

Reports of suspected fraud may be received from any source within the Department of Human Services, the general public, public officials, or other public agencies, or by the Fraud Investigations Unit, itself.

7005 *Reporting Suspected Fraud*

Criteria for reporting suspected fraud:

- ◆ the suspected fraudulent act(s) resulted in a cumulative overpayment of \$200 or more.
- ◆ cases in which the client is receiving assistance in two or more names, counties or states.

Referrals from DHS sources in which an overpayment has not been established are referred to the Fraud Investigations Unit via DHS-1700.

7006 *Review of Case*

When a referral is made to the Fraud Investigations Unit, the circumstances will be reviewed to determine if the case warrants investigation toward criminal prosecution.

If one or more of the following facts are present, the case will not be referred for prosecution:

- ◆ total amount of the overpayment resulting from the alleged fraud is less than \$500;
- ◆ age/education of the suspect is not conducive to proving criminal intent;
- ◆ statute of limitations has run on all evidence referred;
- ◆ recipient is permanently residing out of state.

If one or more of the following facts are present, the decision to investigate lies with the Director of Fraud Investigations:

- ◆ fraud is not evident in referred material;
- ◆ fraud resulted from failure to report child support payments;

Cases containing one or more of the above facts may be referred for an Administrative Disqualification Hearing. Decisions will be made on a case by case basis as the evidence supporting the case dictates.

7007 *Case Accepted for Investigation*

The following procedures will be completed for reports of suspected fraud that warrant criminal prosecution:

1. The case record and any other pertinent information concerning the suspected recipient will be requested from the County Administrator. DHS offices, sections, and units must release any requested information to the Fraud Investigations Unit.
2. The investigator assigned to the case will:
 - a) examine the case record and/or any other records on file within or outside DHS for suspected false statements of clients, providers or other persons;
 - b) conduct a systematic inquiry to determine validity of allegations of criminal conduct; such investigation may entail interviewing caseworkers with knowledge of the case, providers, division staff, and the suspect for any accounts of alleged conduct;
 - c) determine the net amount of the overpayment which resulted from the fraudulent act within the criminal statute of limitations or within time frames set out in overpayment policy for cases referred for an Administrative Disqualification Hearing;
 - d) examine the Medicaid profile of the client to determine applicable overpayment;

- e) prepare a written, documented report at the completion of the investigation for referral to the Prosecutor;
- f) complete the DHS-1208 for referral for an Administrative Disqualification Hearing;
- g) administratively close the investigation if, at any stage of the inquiry, the investigative staff determines that the case is not suitable for prosecution or for referral for an Administrative Disqualification Hearing;
- h) notify the DHS referral source of the disposition of the investigation and return copies of the case record to the County Office.

7008 *Disposition of Investigations*

The Fraud Investigations Unit will notify the County ES Supervisor of the initial disposition of each referral.

For cases referred for prosecution, the Fraud Investigations Unit will:

- ◆ request the Prosecuting Attorney to file charges and send a copy of the request to the County Office.
- ◆ advise the Overpayment Unit of the factual basis for the overpayment as well as submit overpayment calculation documents.

For cases referred for an Administrative Disqualification Hearing, the Fraud Investigations Unit will prepare a DHS-1208 to the Overpayment Unit for determination of whether or not the cases should be referred to Appeals and Hearings for an Administrative Disqualification Hearing.

For cases containing a signed Waiver of Hearing and Disqualification Agreement (Form DHS-267) the Fraud Investigations Unit will:

advise the County Office and the Overpayment Unit of the facts of the case, send a copy of the DHS-267, and, if negotiated, a copy of the Repayment Agreement.

For cases administratively closed, the Fraud Investigations Unit will:

forward a memo to the County Office and the Overpayment Unit explaining the reason for the closure. If an overpayment has been calculated, these documents will be forwarded to the Overpayment Unit.

The final disposition of cases adjudicated by the court will be furnished to the County ES Supervisor and the Overpayment Unit by the memorandum from the Director of the Fraud Investigations Unit.

7009 *Decision to Prosecute*

The Director of the Fraud Investigations Unit will present to the Prosecuting Attorney of jurisdiction the original investigative report of those cases deemed worthy of prosecution. The prosecutor has sole discretion to either prosecute, accept repayment in lieu of prosecution, or decline to prosecute.

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8000 ADMINISTRATIVE HEARINGS (TEA)

The purpose of the hearing process is to provide a mechanism by which an applicant may appeal the denial of Transitional Employment Assistance; the failure of the County Office to process the applications within specified time frames; and by which a recipient may appeal any Agency action resulting in the suspension, reduction, discontinuance of assistance or a determination that a protective, vendor, or two party payment should be made or continued. A hearing will not be granted when a change in either State or Federal law requiring automatic grant adjustments occurs unless the recipient is alleging incorrect grant computation.

8001 Appeal Procedure

When an applicant or recipient or his designated representative wishes to request a hearing, he may do so by completing a DHS-1200 (Appeal for a Hearing), by completing the reverse side of the DCO-1, or by making a written request to the Appeals and Hearings Section, Office of Chief Counsel. A request for a hearing must be made in writing within 30 days from the date of notice of adverse action.

Requests for a hearing returned to the DCO County Office will be forwarded immediately to the Appeals and Hearings Section. If the applicant or recipient has indicated he wishes the hearing to be held in his home or at a location other than the DCO County Office in the county in which he resides, the Appeals and Hearings Section should be notified of this fact.

8002 Determination by DCO County Office of Timeliness of Appeal

When an appeal is received in the Appeals and Hearings Section, the DCO County Office will be notified via memorandum. The memorandum will request that the County File, including a County Statement, be prepared and submitted within seven (7) days from receipt of the memo if the appeal has been filed timely. If the appeal has not been filed timely, the County Office is requested to provide the date of the adverse action notice to the Appeals and Hearings Section via memorandum.

8003 *Administrative Hearing File*

Upon receipt of the memorandum advising that an individual has requested a hearing, the DCO County Office will prepare a Hearing File which will be separate and apart from that individual's case record. A copy of the Hearing File will be submitted in accordance with TEA Policy 8002.

This file will contain that part of the case record which constitutes documentary evidence to support the notice of adverse action on which the client appealed. The file will include copies of the manual notices of adverse action sent, verification obtained which resulted in the adverse action, any relevant correspondence, a copy of the budget (if need is the issue), and any information supplied by the client. If a computer generated notice has been sent, this should be noted in the County File. The file will also include the County Statement which will summarize the basis for the County Office's action. The County Statement, however, is not evidence, so complete documentation will be required in the Hearing File to support the County Statement.

The County Statement (DHS-1203) will contain the issue as stated by the client and a summary of all facts and evidence supporting the County Office's position. All statements should be in simple language. Ambiguous and technical words and phrases will be avoided. Four copies of the DHS-1203 will be prepared. The original will be mailed to the client prior to the date of the hearing, a copy sent to the appropriate DCO Field Manager, Field Operations, a copy included in the County File sent to the Appeals and Hearings Section, and a copy retained in the County File in the DCO County Office.

The client or his representative will be advised in writing by the Appeals and Hearings Section that he/she has 5 days to review the County File in the County Office and notify the Appeals and Hearings Section of any individuals he/she wishes to subpoena.

The DCO County Office must advise the Appeals and Hearings Section at the time the County File is sent of any witnesses it wishes to have subpoenaed to document the adverse action taken by the County Office. The reverse side of the County Statement provides space for the County Office to request subpoenas for witnesses. Department employees will be expected to attend

hearings without the requirement of a subpoena. The County Office will be advised by the Appeals and Hearings Section of any witnesses the client has requested to be subpoenaed. The County Office will have five days from receipt of this notice to request subpoenas for rebuttal witnesses.

The Department of Human Services, Office of Chief Counsel, will issue the subpoenas, pursuant to the terms of agreement and authority of Ark. Code Ann. § 20-76-408.

8004 ***Continuation of Assistance During Appeal Process***

If a recipient files an appeal within the 10 day advance notice period (five days in case of probable fraud), the proposed action will not be taken until the hearing is conducted unless the client specifically requests that the action be taken pending the hearing decision. **Exception:** If the action taken is case closure as a result of the time limit, benefits will not be continued.

The Appeals and Hearings Section will check very carefully the dates in Section I of the DCO-1 to determine if an appeal has been received within the advance notice period and notify the County Office of this fact. If the appeal is received on the 10th day (fifth day in case of probable fraud), the County Office will be notified by the Appeals and Hearings Section by telephone so that the proposed action will not be taken or the case reopened if closed unless the client specifically requests that action be taken to avoid the risk of an overpayment.

If a subsequent change occurs while the hearing decision is pending which results in adverse action and the client does not appeal such action within the 10 day advance notice period, appropriate action will be taken.

8005 ***Scheduling the Hearing***

After the time frame has expired for subpoenaing client witnesses and county witnesses, the hearing will be scheduled. This letter advises the client of the time, date, place of the hearing and the name of the hearing officer who will conduct the hearing.

8006 ***Place of Hearing***

The hearing will normally be held in the DCO County Office in the county in which the client resides. It may be held in another DCO County Office if this is more convenient for the client or his authorized representative. The hearing may be held in the client's home or at any other reasonable location in the county, if so requested.

8007 ***Group Hearing***

A group hearing may be conducted on several appeals when the sole issue involved is one of a single agency policy. Group hearings will be conducted by the same policy as that governing individual hearings. Each client will be allowed to present his own case and be represented by his own representative. Each client will be allowed to withdraw from the group hearing in favor of an individual hearing.

8008 ***Assistance in Preparation of Appeal***

The DCO County Office will assist the client in preparing for a hearing, if requested.

8009 ***Abandonment of the Appeal***

If the client fails to appear for the hearing and does not contact the Appeals and Hearings Section prior to the date of the hearing of his or her inability to attend, the appeal will be abandoned. The client is advised of this fact in the scheduling letter.

8010 ***County Office Hearing Responsibilities***

It is the responsibility of the DCO County Office to designate a County Representative prior to the time of the hearing in all cases except those which involve a disability determination by the Medical Review Team or the Utilization Review Section. The representative should be familiar with the case and able to answer relevant questions asked by the client, client's representative, and/or the hearing officer. The Representative should be prepared to represent the County Office at the exact time the hearing is scheduled because of the stringent time frames under which the Appeals and Hearings Section operates.

In cases that involve a disability determination by the Medical Review Team or Utilization Review Section, the attendance of a County Office Representative is not required. There will be no need for the client to come to the County Office if he has access to a telephone in his home. However, if witnesses are to appear on behalf of the client, the hearing will be held in the County Office. The County Office will be responsible for ensuring that the speaker telephone is operational, and that the client is directed to the room in which the speaker telephone is located and is comfortable.

The County Office may also request legal assistance in preparing for the hearing and also representation at the hearing by contacting the Office of Chief Counsel.

8011 *Conduct of the Hearing*

The hearing will be conducted by a hearing officer from the Appeals and Hearings Section of OCC. The hearing officers in Appeals and Hearings are independent hearing officers whose sole function is conducting hearings.

The client may be accompanied by friends or other persons and may be represented by a friend, attorney, or other designated representative. The DCO County Office will be represented by the worker responsible for the case, or by the county DCO Supervisor or his designated representative or an OCC attorney if the request has been made and granted.

The hearing officer may not review the case record or other material either prior to or at the hearing unless such material is made available to both the client or his representative and the agency representative.

The hearing will be conducted in an informal but orderly manner and is recorded. In the event the case is appealed to circuit court, the tape is transcribed for use by the court. The hearing officer will explain the hearing procedure to the client. The DCO County Office Hearing Statement will be read by the DCO County Office representative. The DCO County Office will present its case which includes presenting evidence and questioning of witnesses it has subpoenaed to the hearing. The client will be allowed to cross-examine the County Office's witnesses. The client will then be allowed to present his case. He may do so by himself or with the aid of others. The client or his representative will be given the opportunity to present witnesses, advance arguments, offer additional evidence, and to question or refute any testimony or evidence. The DCO County Office representative will be allowed to cross examine the client's witnesses. If the client is unable to present his evidence in a logical manner, the

hearing officer will assist him. Questioning of all parties will be confined to the relevant issues. Other eligibility factors may be addressed when appropriate.

When all relevant information has been obtained, the hearing officer will summarize the issue(s), the evidence, and the agency policy and explain that a decision in the form of a Final Order will be mailed to the client.

The client will also be advised of his right to judicial review in the event of any adverse ruling.

8012 *Right to Different Medical Assessment*

When the appeal involves a disputed medical determination, the client may request an assessment by a medical authority different from the one whose decision is under question. If a different medical assessment is requested or considered necessary by the hearing officer, it will be obtained at agency expense from a source satisfactory to the client. This assessment will be given in writing or by personal testimony and incorporated into the hearing record. The appointment for the medical assessment will be made by the Medical Review Team. The Appeals and Hearings Section will contact the client by letter asking if he/she is willing to have a medical examination. If so, the Medical Review Team will advise the client of the date of the appointment.

8013 *Hearing Decision*

The hearing officer will prepare a final agency decision based on the evidence presented. The decision will consist of an Introduction, Findings of Fact, Conclusions of Law and a Decision. Final administrative action must be completed within 90 days from the date of receipt of the appeal.

8014 *Judicial Review*

If the final agency decision is adverse to the client, he or she has the right to judicial review under the Arkansas Administrative Procedures Act (Ark. Code Ann. § 25-15-20 *et. seq.*)

A petition must be filed in the circuit court of the county in which the petitioner resides or in the circuit court of Pulaski County within 30 days from the date the petitioner

received the Final Order. Copies of the petition are served on the Agency and other parties of record by personal delivery or mail.

Within 30 days from the date of the service of the petition on the Agency or additional time granted by the court, not to exceed 90 days total, the Agency must transmit to the court the original or a certified copy of the entire record of the hearing under review.

The review shall be conducted by the court without jury and will be confined to the record unless a question of irregularity in the procedure before the Agency exists which is not indicated in the record. Testimony may then be taken before the court.

8100 TEA Disqualifications - Intentional Program Violation

A determination of an intentional program violation (IPV) is made either through a court of law or by a hearing officer in an internal hearing process. The internal hearing is known as an Administrative Disqualification Hearing. Penalties in the form of disqualification sanctions are imposed against individuals found guilty of an IPV through a court of law or by a hearing officer in an Administrative Disqualification Hearing.

8101 *Definition of Intentional Program Violation (IPV)*

An intentional program violation of the TEA Program is defined as an action by an individual for the purpose of establishing or maintaining the family's eligibility for TEA or increasing or preventing a decrease in the amount of the grant which is intentionally:

1. A false or misleading statement, misrepresentation, concealment, or withholding of facts; or
2. Any act intended to mislead, misrepresent, conceal or withhold facts, or propound a falsity.

An IPV determination can be made only through the Administrative Disqualification Hearing process or by a court of law. County Office staff will not make IPV determinations.

8102 *Disqualification Sanction - Intentional Program Violation (IPV)*

The family of any individual who pleads guilty or nolo contendere to, or is found guilty of, an Intentional Program Violation in the Transitional Employment Assistance program will be ineligible for further participation in the program for the following minimum time periods:

1. For the first offense, one (1) year.
2. For the second offense, two (2) years.
3. For more than two, permanently.

In addition, the family will continue to be ineligible for TEA assistance until the resulting overpayment has been repaid to the State with interest.

Only IPV's committed against the Arkansas TEA program will be considered in determining the applicable disqualification period in Arkansas.

For cases in which the family is currently receiving assistance, the disqualification sanction period will begin no later than the second month following the month in which the County Office received the decision. For cases in which the family is not currently receiving assistance, the sanction period will begin with the first month following the month the County Office received the decision.

8103 *Fraudulent Misrepresentation of Residence*

The family of an individual who is convicted in a federal or state court of having made a fraudulent statement or misrepresentation of residence in order to receive assistance simultaneously from two (2) or more states will be ineligible to receive Transitional Employment Assistance for a minimum period of ten (10) years beginning with the date of such conviction.

In addition, the family will continue to be ineligible for TEA assistance until the resulting overpayment has been repaid to the State with interest.

8120 *TEA Administrative Disqualification Hearings*

The Appeals and Hearings Section of the Office of Chief Counsel (OCC) conducts TEA Administrative Disqualification Hearings and determines if intentional program violations have occurred.

Administrative Disqualification Hearings will be conducted by a hearing officer who has no involvement in the case.

8120.1 Criteria for Conducting an Administrative Disqualification Hearing

Administrative Disqualification Hearings are conducted when documentary evidence is available to substantiate one or more allegations that an individual has committed an intentional program violation(s) and, as a result of the alleged IPV, has erroneously obtained TEA payments.

A case will not be referred for a TEA Administrative Disqualification Hearing if the total TEA overpayment resulting from the alleged IPV is less than \$400 unless the case is also being referred for a Food Stamp Administrative Disqualification Hearing. If the case is referred for a Food Stamp Disqualification Hearing and there is also a TEA overpayment, then it will be referred for a TEA Disqualification as well, regardless of the amount of the TEA overpayment.

8120.2 Consolidation of Hearings

TEA Administrative Disqualification Hearings may be combined with other hearings, including Food Stamp Disqualification Hearings, if the factual issues arise out of the same or related circumstances, and the individual receives prior notice that the hearings will be combined. If hearings are combined, the time frames for conducting Administrative Disqualification Hearings will be followed unless the household waives the 30-day notice requirement for a disqualification hearing.

8120.3 Participation in the TEA Program During the Hearing Process

The County Office may not disqualify an individual until the Appeals and Hearings Section finds that the individual committed an intentional program violation. However, this does not preclude the County Office from taking adverse action for other reasons.

EXAMPLE: If a change in circumstances has occurred which will adversely affect a TEA grant and such change was not reported timely, benefits will be reduced based on the change even though a determination has not been made as to whether the failure to report resulted from an intentional program violation.

8121 *Referral by the Overpayment Unit*

A request for an Administrative Disqualification Hearing is initiated by the Overpayment Unit of its own volition, at the request of the County Office, or at the request of Fraud Investigations.

The County Office refers cases of suspected intentional program violations to the Overpayment Unit via an Overpayment Report form. The Overpayment Unit and Fraud Investigations will review the form and determine if the case is to be referred (a) for possible prosecution; (b) for an Administrative Disqualification Hearing; or (c) for non-fraud collection. If the Overpayment Unit refers the case for an Administrative Disqualification Hearing, a copy of the referral will be sent to the County Office by the Overpayment Unit.

8122 *Preparation of the Administrative Hearing File*

An Administrative Hearing File must be prepared on cases referred for an Administrative Disqualification Hearing. The Fraud Investigations Section will be responsible for preparing the Hearing File for cases it has developed with a possible intentional program violation (IPV). The County Office will be responsible for preparing the Hearing File for all other cases referred for a Disqualification Hearing.

The Administrative Hearing File will contain:

1. A completed DHS-1208 Food Stamp/TEA Intentional Program Violation Statement; and
2. Any supporting documentary evidence upon which the suspected IPV was established. Examples of documentary evidence include applications, change report forms, collateral statements, copies of award letters and verification of resources.

County Office

Upon receipt of the notification from the Overpayment Unit that a case has been referred for an Administrative Disqualification Hearing, the County Office will prepare the Administrative Hearing File. A copy of the File must be submitted to the Appeals & Hearings Office within seven calendar days of receipt of the referral notification. The original will be retained in the County Office.

Fraud Investigations

Fraud Investigations will prepare the Administrative Hearing File for cases it has developed with a possible IPV. The hearing file will be forwarded to the Overpayment Unit who will send copies of the file, including documentation gathered by Fraud Investigations, to the County Office and to the Appeals and Hearings Section.

The case record and original applications will be returned to the County Office by Fraud Investigations. Neither the case record nor the applications should be destroyed as long as an Administrative Disqualification Hearing is pending.

It is the responsibility of the County Office to review this information prior to the hearing and to present the evidence at the hearing. If any questions arise after receipt of this documentation, the County Office should contact Fraud Investigations prior to the date of the hearing to resolve the issue. The DHS-1208 will contain the name of the Fraud Investigator who prepared the case. If this individual is needed for inquiry or testimony at the hearing, the County Office should contact the Director, Fraud Investigations directly to request whatever assistance is needed.

8123 *Waived Hearings*

Individuals accused of committing an intentional program violation may waive their right to an Administrative Disqualification Hearing.

When a case is referred for an Administrative Disqualification Hearing, the Appeals and Hearings Section must advise the individual that he/she may waive his/her right to an Administrative Disqualification Hearing. The opportunity to sign a waiver in lieu of a hearing is given to the accused individual prior to the date the advance notice of a hearing is sent. If the individual does not sign a waiver by the date specified on the notice, a hearing is scheduled.

If the waiver is signed by the accused individual, the appropriate disqualification sanction will be imposed even if there is no admission to the charges.

The written waiver notification must contain the following information:

1. The date by which the signed waiver must be received by the Appeals and Hearings Section.
2. A signature blank for the accused individual and the caretaker relative.
3. A statement that the accused individual has the right to remain silent concerning the charges and that anything said or written by the individual concerning the charges may be used in a court of law.
4. The fact that the signed waiver will result in disqualification for the appropriate period of time even if the accused individual does not admit to the charges.
5. An opportunity for the accused person to admit the charges or to waive the hearing without admitting to the charges.
6. That the accused individual will be notified at least 30 days in advance of the date the hearing is scheduled if he/she chooses not to waive the hearing.

The Appeals and Hearings Section uses a form titled "Waiver of Right to an Administrative Disqualification Hearing" for this purpose. A copy of the signed waiver is sent to the County Office upon receipt by the Appeals and Hearings Section so that the appropriate disqualification sanction may be imposed. (Refer to TEA 8402 & 8430.)

Waivers Obtained by Fraud Investigations

The Fraud Investigations Section may also obtain a waiver to an Administrative Disqualification Hearing from the accused individual during the course of an investigation and prior to referral to the Appeals & Hearings Office. Form DHS-267, Waiver of Hearing and Disqualification is used for this purpose. Upon receipt of a signed DHS-267, Fraud Investigations will forward the form to the County Office so that the appropriate disqualification sanction may be imposed. (Refer to TEA 8402 & 8430.)

8124 *Advance Notice & Scheduling of Hearing*

The Appeals and Hearings Section must notify the accused individual at least 30 days in advance of the date the hearing is scheduled. The notice must include the following information:

1. The date, time and place of the hearing.
2. The charges against the household member who is believed to have committed the IPV.
3. A summary of the evidence (Administrative Hearing File) and that it may be examined at the County Office.
4. A warning that if the accused individual fails to appear for the hearing without good cause, the decision will be based solely on the evidence provided by the County Office at the hearing.
5. A statement that the accused individual may request a postponement of the hearing provided that the request is made to the Appeals and Hearings Section at least 10 days prior to the date of the scheduled hearing and provided that the request is for good cause.
6. If the accused individual fails to appear and later requests that the hearing be rescheduled, he/she must present good cause for failure to appear within 10 days of the date of the Hearing.
7. Establishment of good cause will be at the discretion of the Appeals and Hearings Section.
8. A warning that if the hearing decision determines that an intentional program violation has occurred, a disqualification period will be imposed according to the following schedule: one year for the first violation; two years for the second violation; and permanently for the third violation.
9. A statement that the state or federal government may still prosecute the household member in civil or criminal court action and collect the overissuances.

10. A statement that the accused individual may contact the County Office for the name and telephone number (if available) of a person who can give free legal advice. If free legal advice is not available, the County Office will provide the number of the lawyer referral service of the local bar association.
11. A statement that the accused individual has the right to remain silent concerning the charges and that anything said or signed by the individual concerning the charges may be used in a court of law.

A statement attached to the notice contains a space for the accused individual to name any persons he or she wishes to subpoena to present testimony on his/her behalf at the hearing. A waiver of the right to subpoena witnesses is also included.

The time and place of the hearing will be arranged so that it is accessible to the member of the household suspected of the intentional program violation.

The advance notice is sent by certified mail, return mail, return receipt requested. When the Appeals and Hearings Section has proof that the household member accused of committing the IPV has received the advance notice of the hearing or has refused such notice, then the notice requirements have been fulfilled and the hearing can proceed. When neither proof of receipt nor proof of refusal exists and the household member fails to appear, the Appeals and Hearings Section has not met its regulatory obligation and cannot proceed with the hearing.

Postponement of Hearing

An accused individual may request a postponement of the scheduled hearing if the request is made at least 10 days in advance of the scheduled hearing and he/she shows good cause for the request. If the accused individual fails to appear but advises the Appeals and Hearings Section not more than 10 days after the hearing date, he/she may be permitted to show good cause for the failure to appear. The Appeals and Hearings Section determines whether or not good cause exists. If good cause is determined to exist, the hearing may be rescheduled within 30 days.

If the hearing is postponed, the time limits for processing will be extended for the number of days between initial scheduling and rescheduling not to exceed 120 days.

8125 *Cancellation of a Hearing by the County Office*

If, at any time prior to the date of an Administrative Disqualification Hearing, the County Office feels that there is insufficient evidence on which to conduct a hearing, the Appeals and Hearings Section should be contacted immediately so that the hearing can be canceled and the case administratively withdrawn. This does not apply to cases prepared for a hearing by Fraud Investigations. The County Office may not cancel a hearing for a case prepared by Fraud Investigations.

8126 *Review of the Administrative Disqualification File*

When the advance notice of the hearing is sent, the accused individual is advised that he/she has 10 calendar days from the date he/she signs the certified mail receipt to review the Administrative File and request subpoenas. This 10-day limit applies only to the request for subpoenas. The accused individual and/or caretaker relative may review the Administrative File anytime prior to, or during, the Hearing. However, he/she may request subpoenas only during the 10 calendar days following the date the certified mail receipt is signed.

The County Office will provide free copies of the Administrative Hearing File if requested by the household or its representative.

8127 *Requesting Subpoenas*

The individual accused of the IPV, the County Office, or Fraud Investigations may request that witnesses be subpoenaed to appear at an Administrative Disqualification Hearing. The accused individual uses the attachment to the Advance Notice of Hearing to request that subpoenas be issued. The County Office will be advised by Appeals and Hearings of any witnesses the accused individual has requested and will have five days from receipt of this notice to request rebuttal witnesses.

The County Office and/or Fraud Investigations may use the reverse side of the County Statement (Form DHS-1208) to request subpoenas. If additional subpoenas are needed by the County Office on cases prepared by Fraud Investigations, these may be requested by contacting Appeals and Hearings.

The Office of Chief Counsel will issue the subpoenas pursuant to the terms of agreement and authority of Ark. Code Ann. §20-76-408.

8128 *The Administrative Disqualification Hearing*

8128.1 Attendance at Hearing

The hearing shall be attended by a representative of the County Office in the county of residence of the accused individual, or the county of residence of the individual's representative. The hearing may also be attended by friends and relatives upon request of the accused individual. If space limitations exist, the Hearing Officer has the authority to limit the number of persons in attendance at the hearing.

8128.2 Rights of the Accused Individual During the Hearing

During the hearing, the accused individual has the right to:

1. Examine the contents of his/her hearing file which includes all documents and records to be used by the County Office at the hearing.
2. Bring witnesses to present testimony on his/her behalf during the hearing.
3. Present his/her case or have it presented by legal counsel or other person.
4. Advance arguments without undue interference.
5. Question or refute any testimony or evidence including the opportunity to confront and cross examine adverse witnesses.
6. Submit evidence to establish all relevant facts and evidence in the case.

8128.3 Accused Individual's Representative

The accused individual may designate in a signed statement the name of a representative to act in his behalf in viewing the Hearing File and/or representing him/her at the hearing. This statement must be contained in the Hearing File.

The designated representative will receive a copy of all correspondence regarding the hearing proceedings.

8128.4 *Role of the Hearing Officer*

The hearing officer will:

1. Administer the oath to all witnesses who will present testimony.
2. Request, receive, and make part of the record all relevant evidence.
3. Advise the accused individual of his/her right to refuse to answer questions during the hearing.
4. Regulate the conduct and course of the hearing consistent with due process to insure an orderly hearing.
5. Order medical assessments at Department expense if necessary to establish intent or lack of intent on the part of the accused individual.

8129 *Hearing Decision*

The hearing officer will prepare a decision based on the evidence presented. The format will consist of an Introduction, Findings of fact, Conclusions of Law and a Decision.

The final decision must be made within 90 days of the date of the advance notice scheduling the hearing unless the hearing has been rescheduled and the time frames have been extended in accordance with the provisions specified under the Advance Notice provisions.

8129.1 Absence of Intentional Program Violation

If the decision is that an intentional program violation has not occurred, the accused individual will be so advised by the Appeals and Hearings Section in writing. A copy of the decision will be sent to the County Office, the Overpayment Unit, and Fraud Investigations (only if this unit prepared the case for an Administrative Disqualification Hearing).

8129.2 Finding of an Intentional Program Violation

If it is determined that an intentional program violation occurred, the accused individual will be advised of this finding by Appeals & Hearings. Two copies of the decision will be sent to the County Office, one copy to the Overpayment Unit and one copy to Fraud Investigations (only if this unit prepared the case for the Administrative Disqualification Hearing).

NOTE: The decision is being sent to the accused individual for information purposes only. The decision should also be attached to the notice of imposition of disqualification sanction sent by the County Office.

8130 *Imposing the Disqualification Sanction*

When the County Office receives a hearing decision finding that an intentional program violation has occurred, a period of disqualification from the TEA program, will be imposed against the family.

The disqualification periods are as follows:

- ◆ One (1) year for the first offense.
- ◆ Two (2) years for the second offense.
- ◆ For more than two, permanently.

In addition, the family will continue to be ineligible for TEA assistance until the resulting overpayment has been repaid to the State with interest.

Upon receipt of a hearing decision, the county office will take the following actions:

1. Establish a disqualification period that begins:
 - a. No later than the second month following the month the County Office received the decision if the family is currently receiving TEA; or
 - b. With the first month following the month the decision was received if the TEA case is closed.
2. Complete and route Form DCO-56.
3. Complete Form DCO-120, Notice of TEA Administrative Disqualification.
(NOTE: A "timely" notice, i.e., 10 day advance, is not required in this situation.) This notice will be completed and routed to family even if the TEA case is already closed.

8140 *Court Imposed Disqualifications*

The County Office will disqualify a family if a member has been found to have committed an intentional program violation by a court of law in accordance with TEA 8102 & 8130.

When a court finds that an individual has committed an IPV, Fraud Investigations will inform the County Office by memo, with a copy to the Overpayment Unit. The procedures relative to imposition of the disqualification are described in TEA 8130.

Appendix A

Immunization Schedule



United States, January - December 1997

Vaccines¹ are listed under the routinely recommended ages. **[Bars]** indicate range of acceptable ages for vaccination. **[Shaded bars]** indicate catch-up vaccination: at 11-12 years of age, Hepatitis B vaccine should be administered to children not previously vaccinated, and Varicella virus vaccine should be administered to unvaccinated children who lack a reliable history of chickenpox.

Age Vaccine	Birth	1 mo	2 mos	4 mos	6 mos	12 mos	15 mos	18 mos	4-6 yrs	11-12 yrs	14-16 yrs
Hepatitis B ^{2,3}	Hep B-1 *		Hep B-2 *							Hep B *	
Diphtheria, Tetanus, Pertussis ⁴			Hep B-3 *						DTaP or DTP	Td	
H. influenzae type b ⁵			Hib	Hib	Hib ⁶						
Polio ⁶			Polio ⁶	Polio					Polio		
Measles, Mumps, Rubella ⁷							MMR		MMR ⁷ or MMR ⁷		
Varicella ⁸							Var			Var ⁸	

Approved by the Advisory Committee on Immunization Practices (ACIP), the American Academy of Pediatrics (AAP), and the American Academy of Family Physicians (AAFP).

Children born on or after November 22, 1991 should be administered the hepatitis B vaccine series regardless of their present age, if not previously vaccinated.

Adolescents (age 11 to 12) and those entering the 7th grade should be administered the hepatitis B vaccine series, if not previously vaccinated (see 3 on reverse).

1 This schedule indicates the recommended age for routine administration of currently licensed childhood vaccines. Some combination vaccines are available and may be used whenever administration of all components of the vaccine is indicated. Providers should consult the manufacturers' package inserts for detailed recommendations.

2 Infants born to HBsAg-negative mothers should receive 2.5 µg of Merck vaccine (Recombivax HB®) or 10 µg of SmithKline Beecham (SB) vaccine (Engerix-B®). The 2nd dose should be administered ≥ 1 mo after the 1st dose.

Infants born to HBsAg-positive mothers should receive 0.5 mL hepatitis B immune globulin (HBIG) within 12 hrs of birth, and either 5 µg of Merck vaccine (Recombivax HB®) or 10 µg of SB vaccine (Engerix-B®) at a separate site. The 2nd dose is recommended at 1-2 mos of age and the 3rd dose at 6 mos of age.

Infants born to mothers whose HBsAg status is unknown should receive either 5 µg of Merck vaccine (Recombivax HB®) or 10 µg of SB vaccine (Engerix-B®) within 12 hrs of birth. The 2nd dose of vaccine is recommended at 1 mo of age and the 3rd dose at 6 mos of age. Blood should be drawn at the time of delivery to determine the mother's HBsAg status; if it is positive, the infant should receive HBIG as soon as possible (no later than 1 wk of age). The dosage and timing of subsequent vaccine doses should be based upon the mother's HBsAg status.

3 Children and adolescents who have not been vaccinated against hepatitis B in infancy may begin the series during any childhood visit. Those who have not previously received 3 doses of hepatitis B vaccine should initiate or complete the series during the 11-12 year-old visit. The 2nd dose should be administered at least 1 mo after the 1st dose, and the 3rd dose should be administered at least 4 mos after the 1st dose, and at least 2 mos after the 2nd dose.

4 DTaP (diphtheria and tetanus toxoids and acellular pertussis vaccine) is the preferred vaccine for all doses in the vaccination series, including completion of the series in children who have received ≥ 1 dose of whole-cell DTP vaccine. Whole-cell DTP is an acceptable alternative to DTaP. The 4th dose of DTaP may be administered as early as 12 mos of age, provided 6 mos have elapsed since the 3rd dose, and if the child is considered unlikely to return at 15-18 mos of age. Td (tetanus and diphtheria toxoids, adsorbed, for adult use) is recommended at 11-12 yrs of age if at least 5 yrs have elapsed since the last dose of DTP, DTaP, or DT. Subsequent routine Td boosters are recommended every 10 yrs.

5 Three *H. influenzae* type b (Hib) conjugate vaccines are licensed for infant use. If PRP-OMP (PedvaxHIB® [Merck]) is administered at 2 and 4 mos of age, a dose at 6 mos is not required. After completing the primary series, any Hib conjugate vaccine may be used as a booster.

6 Two poliovirus vaccines are currently licensed in the US: inactivated poliovirus vaccine (IPV) and oral poliovirus vaccine (OPV). The following schedules are all acceptable by the ACIP, the AAP, and the AAFP, and parents and providers may choose among them:

1. IPV at 2 and 4 mos; OPV at 12-18 mos and 4-6 yrs
2. IPV at 2, 4, 12-18 mos, and 4-6 yrs
3. OPV at 2, 4, 6-18 mos, and 4-6 yrs

The ACIP routinely recommends schedule 1. IPV is the only poliovirus vaccine recommended for immunocompromised persons and their household contacts.

7 The 2nd dose of MMR is routinely recommended at 4-6 yrs of age or at 11-12 yrs of age, but may be administered during any visit, provided at least 1 mo has elapsed since receipt of the 1st dose, and that both doses are administered at or after 12 mos of age.

8 Susceptible children may receive Varicella vaccine (Var) during any visit after the 1st birthday, and unvaccinated persons who lack a reliable history of chickenpox should be vaccinated during the 11-12 year-old visit. Susceptible persons ≥ 13 yrs of age should receive 2 doses, at least 1 mo apart.

Appendix B

Job Club



Job Club

Section I Sample Lesson Plan for One Day of Job Club Activities

This Lesson Plan is a guide (example) to use in the development of Lesson Plans for local TEA Offices.

This Lesson Plan is not all exclusive of elements to be included in the local Lesson Plan.

Listed below are recommended activities for Job Club:

Activities

1. Goal Setting
2. Skills Identification
3. Resume Writing
4. Interviewing Techniques
5. Interest Inventory
6. How to Keep a job.
7. Planning for Job Search
8. Role Planning
9. Completion of job Application
10. Telephone Techniques
11. Values: Welfare vs. Independence
12. Presenter - Guest Speakers
13. Field Trips
14. Video Tapes
15. Staff Role-playing

Section II: Concept of Job Club

The purpose of this section is to provide background information related to Job Club and Job Search techniques. This information is provided as a resource since a wide variety of issues are addressed in the material.

Most information contained in Section II was extracted from the accompaniment to final report to U.S. Department of Labor, entitled "Job Club Procedures and Their Applicability to the WIN Program". The report was prepared by N. H. Azrin, et al, in 1978, as a result of a one-year grant with the National Office of WIN to test the Job Club concept with Welfare-eligible persons. Dr. Azrin developed the Job Club concept in the early '70's to assist persons of all type to gain employment. The following material, therefore, represents years of study.

The material also relays suggestions, by the original developers of the Job Club concept, to many of the current problems faced by TEA. The problems addressed range from lack of transportation to a lack of motivation, and may be of special interest to Case Managers. Since job development/program marketing is essentially job search in behalf of the program's clientele, marketing specialists may find some of the techniques valuable in developing an on-going marketing strategy. Portions of the report are written as though the Job Club leader is addressing the participants.

In addition to the information contained in this appendix, many researchers and professional have published books and articles in recent years. The Department of Labor also publishes periodicals related to employment opportunities. Staff are invited to contact the local public library for additional information.



LESSON PLAN

TIME	OBJECTIVES & METHODS							
minutes	Establish what participants should get from the course.	<div>I. INTRODUCTION</div> <p>Welcome the group and introduce Self Housekeeping: State time of break, location of restrooms and refreshments State time and place of each of the five sessions and that they are expected to be on time. Explain sanction process and requirements regarding attendance cooperation and participation. Explain Incentive Payments. State that each day if they can't come or will be late, they must call. Check roll and notify Supervisor of number of participants. Give overview of course: - A very special service that usually ends in a job for each person who follows the J.C. Leader's instructions. - A new way of looking for work which Work Program will teach you. Methods include: 1. How to organize your job search 2. Help you understand yourself and your needs 3. Help you choose a career and an employer(s) 4. Provide resume (optional) 5. Interview preparations - A proven method</p>						
minutes	Establish ground rules for the course.	<p>Pass out Leader-Client Agreement form and review with group. Have each sign two copies. Client retains one copy and gives original to Job Club Leader to be placed in client's file.</p>						
minutes	Establish group rapport Begin goal-setting	<p>WARM UP EXERCISE: Have each participant introduce herself/himself to the group. Information to be included:</p> <table><tr><td>Name</td><td>Age</td></tr><tr><td>Number of children</td><td>Transportation</td></tr><tr><td>Employment goals</td><td>Plans for the future</td></tr></table>	Name	Age	Number of children	Transportation	Employment goals	Plans for the future
Name	Age							
Number of children	Transportation							
Employment goals	Plans for the future							
minutes	Establish objectives for first session	<ol style="list-style-type: none">1. Define "goal".2. Set personal goals.3. Identify skills of participants.						

TIME	OBJECTIVES & METHODS	LESSON PLAN
minutes	Define GOAL	<p>II. GOAL SETTING</p> <p>Remind participants that each was asked to tell "plan for future" or goal. State that discussion will be about goals this morning. A goal is something you want to do, to have, or to achieve. A goal is a plan for the future. Having goals gives us something to work for, to look forward to. Goals give us a purpose in life. Therefore, having goals affects everything we do.</p> <p>There are some rules about setting goals which help us to set goals that we will be willing to work to achieve. Ask: "Does anyone know what some of the rules for goal-setting might be?" Responses should include:</p> <ol style="list-style-type: none"> 1. Specific 2. Measureable 3. Time-limited 4. Challenging 5. Realistic 6. Attainable 7. Relevant 8. Consistent <p>Since goals are a plan for the future, you will probably need and want to set several goals. Some things take more time, effort and/or money to achieve. Therefore, we should allow ourselves more time to accomplish these long-term goals. Once you choose a goal, you must decide how to achieve the dream, what you must do in order to have, to obtain, or to accomplish your goals. A series of intermediate goals should be established using the rules. As one is accomplished, give yourself a pat on the back and move to the next one. (Example: A long-term goal might be a house. First the short-term goal might be to get a job-----then save money, etc.)</p> <p>A goal must be something that you want badly enough to work for and it should be something you will be happy with once you get it.</p> <p>Pass out blank sheets of paper. Ask the group: "Do you have any dreams?" Anything you would like to achieve? to do? to have?" Group responses may be listed on the board or discussion flip chart. Ask each participant to list the things they dream about having on the paper. Ask if they listed anything they would be willing to work for long and hard. Ask them to put (\$) dollar signs by the ones which require money. Give them about two</p>
	Identify rules for setting goals.	
	Identify goals of participants	

LESSON PLAN

LESSON PLAN									
TIME	OBJECTIVES & METHODS								
	II. GOAL SETTING (CONT'D)								
	minutes. Ask: "Where do you think you might get money?" "How do most people get money?" "How many of you set employment as a method of accomplishing other goals?"								
	III. SKILLS IDENTIFICATION								
	Refer to Flip Chart. Point out that listed on it are three different kinds of jobs in three entirely different kinds of business. Ask: Do you think that the people who have these jobs use any of the same skills?								
	Group discussion----Identify similarities in the three jobs. (Leader can refer to D.O.T. for job descriptions).								
	Refer to Flip Chart pointing out that ALL JOBS including the ones on the Flip Chart have the following shared skills:								
	1. Each compare information								
	2. Each worker takes instruction from someone else. (even the employer takes instruction----he is subject to company policy or demands of consumers)								
	3. Each handles materials								
	In fact, everyone who does any kind of job does: (1) some things with information; (2) some things with, to or for people; and (3) some things with materials or things. What people do with data, people and things are basic skills necessary to do or learn to do any job. The skills checked on the "Personal Skills List" form are also skills which can be used in several different kinds of work.								
	Instruct clients to go down the list and circle/underline the skills that they feel they do really well. Go over three or four items to get them started. Answer questions as needed.								
minutes	Break								
minutes	Establish that the same skills can be used in many different kinds of businesses.								
	Prepare Flip Chart:								
	<table><tr><td><u>BUSINESS</u></td><td><u>JOB TITLE</u></td></tr><tr><td>Hotel</td><td>Cook Helper</td></tr><tr><td>Garment Factory</td><td>Garment Sorter</td></tr><tr><td>Publisher</td><td>Publications Inspector</td></tr></table>	<u>BUSINESS</u>	<u>JOB TITLE</u>	Hotel	Cook Helper	Garment Factory	Garment Sorter	Publisher	Publications Inspector
<u>BUSINESS</u>	<u>JOB TITLE</u>								
Hotel	Cook Helper								
Garment Factory	Garment Sorter								
Publisher	Publications Inspector								

TIME	OBJECTIVES & METHODS	LESSON PLAN
		<p>III. SKILLS IDENTIFICATION (CONT'D)</p> <p>After skills are identified on form, ask one participant to name five skills from his/her list. Write these five skills on blackboard or discussion flip chart. Ask the group to identify three jobs the participant could do based on the skills listed.</p> <p>SUGGESTED ACTIVITY: Break into groups of three. Have participants follow the above procedure. Require the group to identify five jobs for each person and specific employers/businesses in the area which offer employment opportunities for those jobs.</p>
minutes	<p>Identify what participants need to know to obtain employment.</p> <p>Prepare flip chart.</p>	<p>IV. WORK INTEREST AND VALUE IDENTIFICATION</p> <p><u>Employment Search</u></p> <p>If the reason you are working is to reach a long-term goal, then you should seek a job in which you would be happy until you reach the goal. One goal of Job Club is to help you locate such a job. But first, let's talk about how to get any job.</p> <p>Explain flip chart: "What you need to know in order to get a job"</p> <ol style="list-style-type: none"> 1. Know what you want to do 2. Know what you are qualified to do 3. Know where the job is that you want 4. Know how to get a job
minutes	Close Session	<p>V. CLOSING SESSION</p> <p>Review what has been done. Explain that tomorrow's activities include preparing resume and sample application. Assign homework:</p> <ol style="list-style-type: none"> 1. Have clients secure persons for references for resume and application. 2. Have clients make lists of work history and educational background.

Section II: Background

Excerpts from:

ACCOMPANIMENT TO FINAL REPORT TO U.S. DEPARTMENT OF LABOR

The Job-Finding Club as a Method for Obtaining Employment for Welfare-Eligible Clients: Demonstration, Evaluation, and Counselor Training

Grant No.: 51-17-76-04

July 28, 1978

JOB CLUB PROCEDURES AND THEIR APPLICABILITY TO THE WIN PROGRAM

N. H. Azrin, R.A. Philip, L. Borck, and V. Besalel-Azrin

PREFACE

Many persons assisted in the preparation of this manual, which was written over a period of years after the "Job Club" procedures had been developed, tested, and the initial results published. The manual is intended to provide the specific details of procedure that cannot be included in journal publication but which are necessary for use of the "Job Club" method by other counselors.

The overall direction and responsibility for the writing of the manual and its contents was provided by Nathan Azrin, Ph. D., Leslie Borch, M.S., and Robert Philip, M.S., together did most of the writing and Victoria Besalel-Azrin, Ph.D., did part of the writing as did also Pat Thienes, M.S. Ronald Bittle, Ph.D., performed valuable editing and revision. Typing was done by several persons including Sheryl Stone, Judy Houseman, and Glenda Ridgway.

The senior author was assisted by a large number of persons in the development, testing, and utilization of this method since its inception. This includes in chronological order: R. Jones, Ph.D., R. Philip, M.S., L. Borch, M.S., P. Thienes, M.S., V. Besalel-Azrin, Ph.D., S. Frantz, M.S., P. Valesano, M.S., M. Mancera, M.S., and D. Carroll.



Chapter 1

COUNSELING STYLE IN THE "JOB CLUB"

Who Can Be a Qualified Counselor for This Method

The present program requires a distinctive style of counseling, one which may be quite different from that advocated by other counseling philosophies or that have been used by different counselors on an individually determined basis. This present program derives from a field of research known variously as behavior therapy, reinforcement therapy, learning therapy, behavior analysis, etc. Whatever the term used, all of these designations refer to the directive manner, an emphasis on positive statements, learning small steps at a time, constant encouragement, highly structured training procedures, and an emphasis on the final outcome. Consequently, counselors who have been trained in this behavioral-type of counseling will be better prepared to conduct the job-finding club program than would counselors who have not received such formal training. However, the important consideration for effective conduct of the "Job Club" is not what college courses the counselor has taken, but rather, whether he adopts the style of counseling that is necessary for this type of counseling program. This chapter will review some of the major aspects of the counseling style necessary for this program. Many counselors who have not received formal instruction in behavioral counseling will realize that they have been using some of these counseling styles with their clients and will require no change in their usual manner of counseling. The behavioral counseling method is an intrinsic part of the program and should be adopted as an integral part of the "Job Club".

The Positive Approach Rule

The most important aspect of the behavioral method of counseling in this program is that the counselor have a positive approach to the client. The counselor should be continuously looking for those aspects of the client's activities that are correct or that indicate progress and should state his satisfaction to the client.

The counselor should not spend his time lecturing or giving information as to what the client should do. Rather, the counselor should be spending the greater majority of his time telling the clients what they have been doing correctly and what positive progress they are making, and secondarily, providing information.

The counselor should not be looking for items that a client has performed incorrectly or insufficiently. Rather, he should be continuously looking for those items that have been performed somewhat correctly. If the counselor can find no aspect of the client's performance that is correct, then he should try to think back on how different the client's current progress is from his initial performance and comment on the progress that has been made. If he is unable to see substantial progress, then comment on whatever progress has been made, however slight. And, in the even extreme instances in which the counselor finds himself unable to see any progress, he should at least compliment the client on the effects that he is making.

When a counselor makes such comments as "you've made the same mistake, you're having trouble learning this, you'll never get a job doing it that way, etc., then he is not using the positive approach. The above comments point out a deficiency in the client's activities. Instead, the counselor should be describing what aspect of what the client is doing is correct, or is himself entirely to that type of positive comment.

In providing encouragement and praise to the client, be behavior-specific rather than giving a global compliment. It is more informative to tell a client "you've used the telephone script conscientiously, that's great", than it is simply to say "that's great". By following this rule the counselor is doing more than providing encouragement and praise, he is simultaneously providing the client with valuable information about specific aspects of his performance. The overall effect of the use of the positive approach rule is to create a feeling on the part of the client that the counselor is a reliable source encouragement, praise, and specific information.

Positive Group Influence

The motivation and progress of the individual client can be increased by utilizing the positive social influences of the group in several ways. The group is obviously valuable as a method of improving efficiency of information since the counselor speaks to all of the individuals assembled together rather than having to repeat the information individually for each person as would be the case in an individual counseling format. In addition, when praising a client, the counselor should make the praise sufficiently audible that the other members of the group can hear that the individual is being praised. Further, if an individual is being praised for an activity which is causing some difficulty for other members of the group, then the individual and the group will both benefit if the group is invited to examine the individual's activity or to hear a description of it by the counselor, thereby making the praised individual a model for the group. Certainly when an individual has obtained a job, or has secured a very large number of job leads, or received a tentative job, or has secured a very large number of job leads, or received a tentative job, then an announcement of this event to the entire group will provide a valuable modeling influence in that it demonstrates to the group how much progress can result from the "Job Club" activities. Another method of utilizing the group influence is to continuously arrange for the individuals to assist each other. This accomplished in a structured manner in the buddy system to be described in the program, but the counselor can accomplish this objective also by continually arranging for the more rapid learners to assist those who are having some difficulty. The general objective is to use the other group members as sources of confirmatory information and encouragement in addition to that provided by the counselor himself.

Brief Talk Rule

The usual method of teaching a procedure is to describe the procedure verbally, and in addition, perhaps explaining the advantages, disadvantages, possibly its history, and even giving some examples of how this procedure has been useful. This lecture-type method has the advantages of presenting information in a very organized and complete form, but has the unfortunate disadvantage that the details of the information are not too meaningful until the individual has actually been engaging in carrying out the procedure.

The present "brief talk" procedure states that the counselor should describe the procedure very briefly, as a rule for no more than a minute or so, by way of introducing it, and then immediately proceed to having the procedure conducted by the clients or role-played by them. The various explanations and descriptions and justifications of the procedure that would have otherwise been given during the lecture method are then given during the conduct of the procedure, each of the items of information being given preferably at points where they are most relevant. So, for example, in making the general point that by introducing oneself by name to a prospective employer, one is creating a more personal basis of interaction, the counselor would make this comment during the actual role-playing at the time that the client did introduce himself by name. He would, for example, at that moment, make some such comments as, "you see, by saying, 'my name is Reginald Mahoney' you are no longer a 'job-seeker' as you would have been considered had you said 'I'm looking for a job', but rather you are a person." For some of the procedures, the training starts immediately with the individual engaging in the action, such as having him filling out a resume or an application form or perhaps filling out information about one's relatives. In others, the initial step in the procedure involves role-playing, such as in the telephone procedure, or in role-playing for the interview. The explanations in either case should accompany the actions of the client, whether it be the role-playing or whether it be the actual conduct of the procedure. For the same reasons that the extended lecture was not given before introducing the procedure, the explanatory comments of the counselor during the procedure should not be overly long. Again, the rule of no more than a minute is a good guide.

When the counselor follows this procedure of keeping his comments fairly brief and interspersing them with the conduct of the procedure, he is accomplishing two major objectives. First, he is insuring that the comments about the procedure are very meaningful inter-related with the procedure in that the client receives the information at the same time that he is engaged in the procedure or in watching the procedure being conducted. Secondly, the continuing alternations of comments by the counselor and performance by the clients assures that there will be continuing active participation by the clients rather than having them remain in a more passive, listening role for an extended period of time without feedback to the counselor regarding their degree of understanding.

Automatic Rotation Rule

The counselor should interact in systematic rotation with each of the client's in a group with a set maximum period of time allowed for interaction with any single client. The counselor approaches one of the clients regardless of what it is that he is doing, interacts with him and then goes on to the next client. He interacts with all of the clients before he returns to interact with any of the others. A two minute duration is usually a good maximum period of interaction with any one client. No minimum duration need be specified other than the minimum amount of time that would be taken to provide feedback and encouragement for the specific task that the client happens to be engaged in at that moment.

This automatic rotation procedure is designed to have two principal effects. The first effect is that all clients have frequent interaction with the counselor on an individualized basis, even though they may not initiate the interaction, either because of unawareness of their problem or timidity. The second major purpose of the procedure is to prevent the interactions with one client from dominating the session to such an extent that the concerns of the other clients are neglected. This procedure should be used whether all of the clients are engaged in the same task, such as all making up their resumes at the same time, or whether the different clients are engaged in different tasks, such as some clients making up their resumes, others making telephone calls, others looking through help-wanted ads. A corollary to this Automatic Rotation Rule is that if a problem that is being discussed with one of the clients is a general interest and relevance to other clients who are engaged in a similar task, then the counselor makes his comments to all those individuals to whom the comments are relevant by calling their attention to the statements he is about to make.

Should one client require an extended period of interaction because of some confusion or perhaps disagreement, then the manner of terminating the interaction at the end of the two minutes should be such that the client is reassured and is not offended. The counselor should not give as his reason for terminating the fact that the problem is insoluble or unimportant or that basic disagreement of the point being discussed cannot be resolved. Rather, he should state that the reason for terminating is that he must get on to see how the other clients are doing and simultaneously assure the client that he will be returning to him for continuation of that topic or another topic as soon as he has had a chance to talk to all of the other clients. If the client wishes to talk about a point at an extended length, then the topic is important to him. In this case every attempt is being made to meet his need as he perceives it, without giving offense to him and without interfering with the interactions that must be given to the other clients. When telling a client that the extended discussion must be terminated with him in order to go on to the others, it is also appropriate to point out to the client what activities he might be engaging in during the period of time before the counselor does return to him.

Directive Manner of Counseling

Some vocational counseling groups are conducted as "rap" sessions. The clients may well discuss such matter as how they feel about the state of the economy, the statistics about employment, their feelings about being unemployed, the attitudes about the free enterprise system, or about the country, at large, perhaps even their life styles and other experiences. The topic of discussion is allowed to wander freely dependent on the chance comments made at a given moment.

The "Job Club" approach to counseling is, however, a very directive approach. The job counselor has beforehand a set of objectives consisting of specific activities and skills that the clients are to learn. These include how to answer specific interview questions, how to make telephone calls, how to call friends, how to arrange transportation, how to discover job leads, etc. Each session is directed toward fulfilling a specified series of objectives almost in the form of a "lesson plan". The counselor is not viewed as a discussion leader as in a rap session strategy but rather as the knowledgeable source of

encouragement and feedback to the client when he performs them. The topics to be covered within a session are, therefor, specified in advance. Similarly, the skills to be learned are specified in advance and the counselor's participation is task-specific, as should also be the objective of the client.

The general counseling style in the "Job Club" method is one of continuous encouragement and praise while still being very structured and task oriented. The counselor is continuously complimenting and encouraging the clients, speaking to each of them very frequently and yet briefly. He addresses his comments to the group as well as to specific individuals at other times, and promotes mutual assistance between group members. He has a single overriding objective of helping each client to obtain a good job and he devotes every moment of the meeting to instructing and encouraging the members in the specific activities that will help them obtain that objective.

Undivided Attention to Clients

During the "Job Club" sessions, the counselor should give his undivided attention to the clients. As noted elsewhere (in the section on Counseling Style) the counselor should be continuously speaking to, assisting and encouraging the client. A danger in accomplishing this objective is the intrusion of other activities. The counselor should assure that all other duties are scheduled to occur during the ample free time periods. He should arrange committee meetings, reports, agency contacts, making telephone calls, etc., to occur only during the free time hours. Incoming telephone calls should be returned after a session is concluded not allowing telephone interruptions. If interruptions or non-group duties intervene, the clients will not be adequately assisted and motivated and the counselor will be ostensibly present, but factually, non-functional. If the agency duties and other duties are very substantial, do not allow them to interrupt a schedule. Instead, rearrange the schedule to allow more free time, perhaps by reducing the sessions from 3 hours to 2 1/2, or even to 2 hours, but devote the entire session to uninterrupted assistance during its scheduled duration.

For these arrangements to work effectively, the counselor should adhere strictly to the designated group session hours. Otherwise, the free time necessary for the counselor's other activities will likely be curtailed. To assist in schedule adherence, it is recommended that the GROUP SESSION HOURS be posted in a place visible to all entering clients.

The counselor should not meet with the clients before or after those designated hours. Clients arriving early should wait in a waiting room, until the assigned time for the group session. The session should be terminated punctually at the designated time. If a client asks a question after the session, the counselor should try to defer discussion to the next group meeting, perhaps by a reply such as, "That is a good question, bring it up the first thing tomorrow morning". The questions asked by clients after the end of a session are almost always relevant to the questions which other clients have and the other clients would greatly benefit from listening to the counselor's reply. In the rare event in which a client does indeed require a confidential discussion, the small size of the "Job Club" group provides ample

opportunity for such occasional confidential exchanges of information during the scheduled hours for the "Job Club" meeting.

Within-Session Outline of Group Activities

The clients, as well as the counselor, should be aware at the start of each session what accomplishments will be expected each day. Charts outlining the activities for each day should be available. These charts will serve as a reminder to the counselor as well as to the clients as to what is to be accomplished that day. After each step is achieved, the counselor should point out the progress that the group has made and emphasize the group's accomplishments by putting a check mark beside each accomplishment. By so doing, the counselor reinforces clients for their achievements. If the clients feel that a lot has been achieved, they would have further incentive to accomplish more quickly all there is to be done that day. Each daily chart should be posted in an easily visible location, and clients should be made aware of the chart at the beginning of each session.

The Daily Activities Outline Charts are on the following pages.

At the start of each session, the counselor goes over each chart pointing out what is going to be covered that day. The counselor says a few words about each item and checks it off as soon as it is accomplished.

A separate Activity Chart is given for each day of the first week of a new group. The Activity Chart for the fifth day also is to be used on all succeeding days, that is for all morning sessions.

Chapter 2

LEADS

A lead is a place where the client would consider working. There does not have to be an existing opening, only a possibility of a job opening.

SOURCES

Phone Directory

The phone directory is the primary source of job leads. The telephone book has a listing of all the businesses within a particular area. The simplest way for a person to find all the places in which she would consider working is to go through the "Yellow Pages". A systematic method to use to develop leads from the Yellow Pages is to think about each different business and determine the job categories in each organization. If the client is interested in a particular job, she should jot information about the organization on the leads List.

The telephone book is an infinite listing of job leads. When a client informs the leader that there are no more places to contact or if clients appears to be having difficulty developing leads, the leader should assist her in finding more leads in the phone book.

Classified Ad

Most job seekers have used the classified section of the newspaper to identify advertised job possibilities. This procedure will also be used in this program. The Job Club program teaches clients to use the help wanted ads to identify unadvertised possibilities also.

It should be mentioned that it is very important to read each ad carefully because most papers put new ads between old ones. The client should consider all ads even if the client is not interested in the position offered.

Businesses which advertise for a particular opening are frequently hiring for several positions, which they have not advertised. As a result, the client should not only look at an ad to determine if she is interested in the position which is advertised, but she should also try to determine what type of organization has placed the ad. Then she should think about all the possible types of positions there may be at that type of organization. If she feels she could handle one or more of these positions, she should contact the employer and set up an interview.

Clients should be cautioned about the disregarding ads which do not give an exact description of the type of job the client is interested in. The leader should try to encourage the client to explore these possibilities. It doesn't make sense for a client to turn down a job because she assumes there is something wrong with it. For example, an ad may read:

Sales Representative area. We are looking for a responsible individual to advance the growth of our company. Send Resume to Box M-87, c/o Newspaper.

The client might assume a number of negative features regarding the job from the ad, such as it involves considerable travel, or that the work is on a commission basis and does not have a guaranteed salary. However, if the client pursues this lead, she might find that the employer wants someone for a well-paying position in a local department store, with good possibilities for advancement.

Former Employer

The leader should mention that if the client has previously worked in an area where she would not mind working again, she should contact former employers. A previous employer can be helpful to the job-seeker regardless if she left on good terms or bad terms. Even if the employer does not have a position available the client should still talk to him. If he knows that the client is a hard-worker, he may create a new position for her. If the client was fired from a job because she did not get along with the employer, or because she did not work well at her job, the client should still consider the possibility of a job with her previous employer. It may be that she can straighten out her differences with the employer. Or, there may be a different position in which he feels the client can work better.

If the client left a job of her own accord and wants to return to work, she can either call or visit the employer. However, if she was fired from a job, she should be instructed to visit the employer rather than call him on the phone. Seeing the job-seeker in person may make it more difficult for the employer to say "no" without first discussing the job situation and his feelings about rehiring the client.

People I Know

It is important for clients to contact the people they know within the geographical area in which they are interested since all of them can potentially be beneficial to the job search.

A high percentage of the jobs people get are the result of the influence of their friends, relatives and acquaintances. If these people recommend a client to an employer they know, the client's chances of getting a job would be much greater than for a person who just walks in off the street. These people can supply the client with leads to job openings they have heard about, arrange interviews for her, write letters of recommendation. They may go so far as to promise her a job with an employer because of a close friendship with an employer. Because such a high percentage of people get jobs through friends, relative or acquaintances, all possible avenues should be explored with each person. It can never be predicted who may be able to help the client so all such persons should be contacted. The important point is to make maximum use of this element of friendship.

Two of the most difficult things for a client to do when contacting a friend or relative are telling the person contacted that the client is looking for a job and asking for their help. Therefore, these activities should be role-played.

The client should be allowed to role-play before making the initial contact. If the leader feels the client's responses were all appropriate and seemed easy for the client to make, the original role-play may be sufficient. However, if the client offers excuses as to why she shouldn't bother contacting the people she knows, doesn't know how to start the conversation or generally doesn't know what to say, the leader can offer appropriate suggestions.

If the client understands the value of the "People I Know" procedure and is not resistive to making contacts it may be possible to have her ask her friend for more than one kind of assistance. For instance, she may ask for an open letter of recommendation or for information regarding job openings where the friend works. She might also ask her friend if other friends know of any jobs available.

Sometimes the clients will have to call their friends, relatives, and acquaintances at night. Make sure the client knows the proper things to say before you suggest that they call from their home phone. The clients should be instructed to report the content and outcome of the phone calls to the group during the next session.

Other Clients

The leader should have the client go through the list of leads from past clients and write any interesting leads on her leads list. The client should also be encouraged to add any job possibilities to past clients list which he knows about but is not interested in. The leader should point out that it will be to everyone's advantage to list as many leads as possible, so everyone will get a job quicker. All of the places where clients have had an interview are viable leads for other clients.

Help Wanted Ads

A procedure most job-seekers have probably used in their past job-search is to go through the newspaper help wanted ads. This procedure will also be used in this program.

Participants will be expected to be looking not only for leads he can use, but also for leads other group participants may be interested in. This would mean that the other members would be searching the want ads for him and he would be less likely to overlook any possibilities. It should be mentioned that it is very important to read each ad carefully because most papers put new ads between the old ones. As a result, after the client goes through the paper for a few days and he keeps seeing the same ads, they may all start looking alike and he may not notice a new one between twenty or so old ones. This may make the group less likely to overlook things in the future.

The counselor should stress the importance of not overlooking any job possibility. There are several reasons why people overlook job possibilities, such as lack of transportation or skills, or other unfavorable aspects of a job. The more the job-seeker widens the selection of jobs he would be willing to accept, the greater his chances of getting a job quickly.

As discussed elsewhere the job-seeker should not overlook a job possibility because of lack of transportation. If he limits himself to the immediate area, he would exclude many job possibilities.

Lack of training is also a frequent reason for overlooking a job possibility. It is unusually difficult to determine whether one has the necessary skills for a job simply by the description in the help wanted ads. It may be that the job requires fewer skills than he realizes. Also if the ad mentions a particular skill and the employer is having trouble finding someone with that skill he may consider someone with fewer skills. In some cases, employers desperate for help or impressed with a job-seeker's eagerness to learn, will be willing to provide training. For example, if a client has an artistic and creative interest a job as a floral designer may be perfect for him, even if he had no experience or training in designing or arranging flowers and plants.

People often skip over ads which do not give an exact description of the type of job the client is interested in. The counselor should try to encourage the client to explore these possibilities. It doesn't make sense for a client to turn down a job because he assumes there is something wrong with it. For example, an ad may read:

Salesman, area. We are looking for a responsible individual to advance the growth of our company. Send resume to Box M-87, c/o Newspaper.

The client would assume a number of negative features regarding the job from the ad, such as it involves considerable travel, or that the work is on a commission basis and not a guaranteed salary. However, if the client pursued this lead, he might find that the employer wants someone for a well-paying position in a local department store, either good possibilities for advancement.

Another point the counselor should stress is that the client should consider all ads even if they don't mention anything he is interested in.

Business which advertise for a particular opening are frequently hiring for several positions, which they have not advertised. As a result, the client should not only look at an ad to determine if he is interested in the position which is advertised, but he should also try to determine what type of organization has placed the ad. If he can do that, then he should think about all possible types of positions there may be at that type of organization. If he feels he could handle one or more of these positions, then he should contact the employer and set up an interview.

For example, a restaurant may advertise for a waitress, but by calling, the client may find out that they also need cooks and a cashier. Another example might be that a retail store is looking for a clerk. By calling, the client may find they are also looking for someone in management to help the owner.

The counselor should encourage the client to check on these "unadvertised possibilities". For positions which require a resume, the counselor should help the client write a cover letter to accompany the resume. It should be explained that everything will be done to make it as easy as possible for the client to contact potential employers. He will be assisted in writing the cover letter, having it typed and mailed, along with his photo and a copy of his resume and letters of recommendation.

To assist the client in writing his letter, the counselor may show him a copy of a letter from a former client with that participant's name omitted. Basically, the letter should say who the job-seeker is, and what he wants, for example:

The job-seeker should check out every attractive job lead, even if the job seems to have one or two unattractive features. If he would especially like to work in a particular company, it is useful to meet the employer, even if the job advertised isn't exactly what he is interested in. If the employer sees on the resume that he is over-qualified, he may enlarge the nature of the job or even hire the job-seeker for another position. For example, a woman went to a flower shop because she saw a sales position advertised. She was hired to work in sales, but because she displayed a great deal of interest and showed that she had experience in designing, within a few weeks, she was trained to work as a floral designer and someone else was hired for sales. Another example is that a person who obtained a job as a store clerk, but when the manager found out how personable and tactful he was, he asked him to substitute for him on his days off. Eventually, he obtained a job as assistant manager. The important point in these two examples is that neither of these job-seekers would have had the opportunity for these jobs unless they had an interview and met the employers. This point should be stressed to the client. He should not turn down a job possibility because it doesn't sound exactly like the ideal job. When the job-seeker pursues every lead and every interview, he has a much greater chance of finding the job he wants. If the client follows this approach, he should stumble upon unadvertised openings. When he does, his chances of being chosen are much greater than they would be for an advertised opening because there will probably be fewer applicants.



CHAPTER 3

FRIENDS AND ACQUAINTANCES AS SOURCE OF JOB LEADS

A high percentage of the jobs people get are the result of the influence of their friends, relatives and acquaintances. If these people recommend a client to an employer they know, the client's chances of getting a job would be much greater than for a person who just walks in off the street. These people can supply the client with leads to job openings they have heard about, arrange interviews for him, write letters of recommendation, or go so far as to promise him a job with an employer because of a close friendship the friend, relative or acquaintance may have with that employer. Because such a high percentage of people get jobs through friends, relatives or acquaintances, all possible avenues should be explored with each person. It can never be predicted who may be able to help the client so all such persons should be contacted. The important point, therefore, is to make maximum use of this element of friendship.

Many clients will be resistive to contacting someone they know for many reasons including "He already knows I'm looking for a job", "I'm going to be seeing him soon", "I don't want to bother anyone", "They can't help me", "I don't know anyone that can help", "They can't even find work for themselves, how can they help me?", etc. It is important for clients to contact the people they know within the geographical area they are interested in working since all of them can potentially be beneficial to the job search.

Two of the most difficult things for a client to do when contacting a friend or relative are telling the person contacted that the client is looking for a job and asking for their help. Therefore, these activities should be role-played. A list should help the client and counselor arrive at a statement which is non-threatening and satisfactory to each individual client. Use of the statement exactly as worded causes it to become a too-structured activity which often results in the client avoiding its use because of his reluctance at being told by the counselor what to say to his friends.

Procedure

The participant should first be allowed role-play with the counselor and/or other participants. As always, the counselor should give the client positive feedback on some positive aspect of his role-play before offering advice. If the counselor feels the client's responses were all appropriate and seemed easy for the client to make, the original role-play may be sufficient. If, however, the client offers excuses as to why he shouldn't bother contacting the people he knows, doesn't know how to start the conversation or generally, doesn't know what to say, the counselor can offer appropriate suggestions.

If the client understands the value of the People I Know procedure and is not resistive to making contacts it may be possible to have him ask his friend for more than one kind of assistance for instance, an open letter of recommendation for job openings where the friend works, for any job openings anywhere else. He might also ask his friend to see if any of his friends know of any jobs available.

For reluctant clients, the counselor should have the client ask another client one of the least imposing questions and then ask the other client if he feels the request is an imposition. It should be explained that statements such as, "Let me know if you hear of any openings", "Let me know if you hear of anyone that's quitting his job", "Let me know if you know of anyone leaving their job", and "Are there any openings where you work?" are not requiring any substantial effort on the part of the friend.

It should be suggested that the client ask each friend contacted for a letter of recommendation. These letters serve the dual function of being used as references to impress employers and to help motivate the letter-writer to give the client more assistance. The client can then choose the three letters he wants to accompany his resume.

If the client's friend just started his job he might say, "You recently started working yourself and I'm wondering if you might remember any places which hire people with my skills." This would make the person start to think about his recent job search and some of the leads he found.

If the client's friend knows and comes in contact with many people, your client might say, "I know you know a lot of people and might be able to help me find a job by talking to the people you know", or "Maybe you could help me out by asking your friends if they know of any leads for me". Anyone who knows a lot of people both socially and through business, can help a person's job search in this way. This type of person might also be willing to take a few copies of the client's resume and give them to business associates or friends he feels might be able to help.

As with all working people, a friend can inquire of his own boss and perhaps even make an appointment for an interview for the client. The client might say, "Could you arrange for me to talk to your employer about getting a job?"

Nighttime calls

Sometimes the clients will have to call their friends, relatives and acquaintances at night. Make sure the client knows the proper things to say before you suggest that they call from their home phone. The clients should be instructed to report the content and outcome of the phone calls to the group during the next session.

It sometimes helps to overcome the resistance many clients have toward contacting their friends, relatives and acquaintances if the client realizes how many other people use this approach and how effective it in fact is. The client often rationalizes that "if so many other people use it and their friends don't seem to mind, then mine probably won't either". The clients should be told that more than one-half of the past clients who obtained jobs did so through the influence of their friends. Facing the reality of the effectiveness of contacting People I Know, the client should use this procedure to maximize the speed and efficiency of his job search.

People I Know prompting list

Each client should make a list of everyone he knows. There are many people who may be able to help the job-seeker that could be easily overlooked. The clients should be told to consider all of the following categories of people

and write everyone's name on the prompting list if they live in the geographical area the client would consider working in:

1. Relatives - name your father, mother, and all your sisters and brothers, aunts, uncles, cousins, grandmothers, and grandfathers. Also list your spouse, girlfriend or boyfriend and all of their relatives. Besides the job leads your relatives can give you, they can also, if employed, talk to their fellow employees, employers, or friends for you.
2. Former fellow employees - List all of the people you have previously worked with, whether it was paid or volunteer work and whether they do similar work to that which you are interested in doing or not. These people may be able to give you job leads, both where they work or where their spouse or friends work, and can write you a letter or recommendation. Some may be working in new places themselves and may be able to talk to their employers about you since they have worked with you previously and might be able to mention your working abilities to them.
3. Classmates - List all your fellow classmates, teachers and professors you can recall from high school, trade school, and/or college. Thinking about the clubs you belonged to while in school may help you remember some of your closer friends. Listing people you went to trade school with or who had the same major as you in college can be particularly beneficial because these people may be employed doing what you desire to do and may be able to give you job leads or even arrange interviews because of their daily contacts in the business. Teachers and professors also may be a valuable source of job leads or be names of more people who may be able to supply you with job leads or even openings at their organization. Fellow classmates, teachers and professors might also give you a letter of recommendation.
4. Roommates (past and present) - List all your past and present roommates. These were probably close friends and would not feel imposed upon when you ask for their help because you have probably helped them many times while you were roommates.
5. Clergymen - Your rabbi, pastor, reverend or priest can help you in finding a job. Since he is a "friend" to all the members of his congregation, he knows employers and other influential persons who might be able to help you get a job. He can also write you a letter of recommendation and give you the names of people he knows who he thinks may be able to help you. Perhaps he would even give these people a copy of your resume himself.
6. People I've invited to parties and People who have invited me to parties - You may have thrown parties sometime during the last few years or attended other people's parties and should try to remember the names of people you invited or who have invited you. List all of these people because they may all be able to help you in different ways. The list will probably include people who are employed in many different organizations in many different capacities. Any of them might know of job openings or people

planning on leaving their jobs or might even go so far as to talk to their employers for you. They all also have their own groups of friends and one of them may know of a job lead for you.

7. People who belong to the same club - While a member of a high school, trade school, or college club as well as presently being a member of a community, religious, or professional group, you have met and been in close personal contact with many people. List all of these people including the group leader.
8. People I play sports with - Think of the people you have played or previously played sports with. Maybe you played on a school sports team or intermural team; maybe you play sports with people for exercise or leisure presently. Usually a close feeling of friendship develops in these relationships and these people would probably be glad to offer you any assistance in your job search. This is true of people you have dated or double-dated with also.
9. People who live in the same neighborhood and people I send Christmas cards to - List all your neighbors and all the people you send Christmas cards. They represent a wide range of occupations and a large number of people they are in contact with and can provide you with job leads, letters of recommendation and other valuable assistance.
10. Other people I know - Include here your landlord, bank president, store managers, all the other people you know who are working, people who interact with many people you know who are working, and people who interact with many people each day and whose job it is to serve the public are sources of job leads. Persons such as your postman, milkman, attendants who service your car, bus drivers, cab drivers, and waiters and waitresses come in contact with many employers or hear of job leads that could help you find employment.

Participants have probably helped their friends, relatives and acquaintances in many ways during the period of their relationships. Perhaps they helped them get a job or gave them job leads, took care of children while the friend was away, or watched over the house while the whole family was away, etc. Ask the participant if he would feel imposed upon by one of his friends if he were asked to keep his eyes and ears open for any job for his friend.

Value of friendly conversation at end of conversation

Asking favors of people can best be done in a situation suitable for personal and casual comments. The friendship and bonds between your client and the person he is calling should be renewed during the phone call. The importance of friendly conversation, should not be overlooked. If the client hasn't been in touch with some of the people he will be calling for a considerable length of time, review personal experiences, re-establish all of the feelings the person being called has for your client. An excellent way to renew these bonds is by having your client mention something he did with the person in which they had a good time.

The counselor should be sure to model friendly conversation when role-playing since clients may become tense or unsure of what to say as a result of speaking to a friend in front of a group. The counselor should stress the importance of this friendly conversation.

Previous Employers As Source Of Job Lead

It is important to determine how previous employers can be valuable to the job-seeker. The counselor should mention that if the client has previously worked in an area where he would not mind working again, he should not hesitate to contact former employers. It should be stressed that a previous employer can be helpful to the job-seeker regardless if he left on good terms or bad terms. If the client left a job because he was returning to school or because he left the area temporarily and this employer liked his work previously, there is a very good chance that he would rehire him. Even if the employer does not have a position available, the client should still talk to him, because if he knows that the client is a hard-worker, he may create a new position of him. Even if the client was fired from a job because he did not get along with employer, or because he did not work well at his previous employer. It may be that he can straighten out his differences with the employer or it may be that the employer may have a different position in which he feels the client can work better. A good way to get this point across would be for the counselor to describe an example. For instance, suppose a person was fired from a behind-the-counter job at a department store because he did not get along well with the customers. If the job-seeker returned to the personnel manager and convinced him that he was a good worker, but that selling and dealing with customers was difficult for him, he may be able to convince the manager to re-hire him in a position in which exposure to customers would be minimal such as setting up store displays, taking inventory, and working with stock. It is extremely important that the job seeker, in this situation, strongly emphasizes his willingness to try harder to please the manager to work his best.

If the job-seeker worked well with his previous employer, he should have no trouble in calling or visiting him and inquiring about any available positions. However, many clients are reluctant to visit an employer who fired him. If the client left a job of his own accord and wants to return to work, he can either call or visit the employer. However, if he was fired from a job, he should be instructed to visit the employer rather than call him on the phone. The reason for this is that it is easier to say "no" over the phone. Seeing the job-seeker in person may show the employer that he is motivated and wants to try again, and this may make it more difficult for the employer to say "no" without first discussing the job situation and his feelings about rehiring the client.

OTHER CLIENTS AS SOURCE OF JOB LEADS

The counselor should have the client go through the list of leads from past clients and write down any interesting leads he wants to pursue. The client should also be encouraged to add any job possibilities which he knows about but is not interested in to the list. The counselor should point out that it will be to everyone's advantage to list as many leads as possible, so everyone will get a job quicker.

Since the jobs on this list comes from many different sources, the participant should avoid telling an employer that he heard about a job possibility from a particular person unless he has obtained that person's permission. He should properly tell the employer that he heard about it from some general source, or that he doesn't know who told him. Also, many questions may be raised regarding this list if the client mentions the list, so it is well for the client to avoid this general topic and instead to discuss his skill and interests.

The counselor should stress every day that it is important for the client to remember that after he finishes talking to the employer about a job for himself, that he should ask if he has any openings for people with other backgrounds, because he has some friends looking for work. This should be done whenever it will not jeopardize his own chances of finding work at this place. Clients may be more motivated to come to daily sessions if they anticipate that other clients may have found leads for them. The expectation of leads from other clients can help keep clients coming in every day.

All of the places where clients have had an interview are viable leads for other clients. This is why the counselor should make sure that all leads forms are kept in order and collected as each client gets a job.

LIST OF WHERE PREVIOUS CLIENTS ARE WORKING

How it can be useful to later clients

A list of where previous clients are working and their job titles with permission, and their names and phone numbers where they can be reached can be very valuable to clients. The list can be made available and clients can check to see if:

- a. someone is doing the type of work he would like to be doing;
- b. someone is working at a place he would like to work;
- c. he knows one of the previous clients.

If anyone in the group thinks any previous client might be able to be of any assistance in his job search, the counselor should encourage the client to contact the previous client. The counselor will be telling the previous clients, upon their finding employment, that future clients may be contacting them for assistance in their job-search.

If interested in doing same type of work

The client should tell the previous client that he is interested in doing similar work and explain his qualifications and background to the previous client. He should ask the client:

- a. If he knows of any organization needing someone for that type of position. If he does, ask to use his name as a reference if appropriate.
- b. If his organization could use another person in that position. If so, if he could speak to his employer on the client's behalf.
- c. To find out if the previous client had any job offers or leads from places needing someone in that position.
- d. To take his name and phone number in case he hears of something in the future.

If the client is interested in working at the same organization as a previous client, he should tell him his qualifications and all the various types of work he would be willing to do and ask him:

- a. If he knows of any open positions at the organization.
- b. If he knows of anyone who is quitting or thinking about it.
- c. If he could arrange an interview with his employer for the client.
If not, if the client could use his name as a reference.
- d. If he knows of any other jobs in the area.
- e. If he can think of any places the previous client checked before he got his present job which seem like high probability places to check.
- f. If he can leave his name and phone number in case he hears of something in the future.

If he know one of the previous clients

Use the People I Know Procedure.

CHAPTER 4 LETTERS OF RECOMMENDATION

Most employment application forms request a list of references. To comply with this requirement, the client should provide actual letters of recommendation in addition to listing the names of these references. The employer may assume that if the job-seekers previous employers as well as other people (particularly if the other people are influential) took the time to write a favorable letter of recommendation, the job-seeker would probably be a very capable and responsible employee and one that he would like to have in his company. For example, if the client brought a letter of recommendation from a previous employer which said that he was the most dependable employee the previous employer had and he could always count on him to be friendly and hard-working, a prospective employer reading that would be likely to consider this person as an excellent candidate for employment.

The counselor should stress that these letters should be open letters of recommendation addressed "To Whom It May Concern", rather than being addressed to a particular person or company. Letters so addressed can be duplicated so the client can give copies to every employer contacted.

Also, the job-seeker should suggest that the person writing an open letter of recommendation refer not only to the participant's job skills, but also his character, his initiative and the degree to which he worked well with his employer and other employees.

For example, suppose the client worked as a cashier in a grocery store and wanted a letter of recommendation from the manager. If the manager only described the person as being able to run a cash register or stock goods very well, such a statement would probably not impress many employers, particularly if the client was trying to get a job requiring other skills. On the other hand, if the manager said that the job-seeker was the type of person who greeted customers in a friendly manner, worked as if the store were his own, that it was a pleasure having him as an employee, and that he would recommend him without reservation, the letter would be more likely to be impressive to most prospective employers.

It would be best if letters could be obtained from influential people or someone who has a title. Examples of this type of person would be:

1. Physicians
2. Lawyers
3. Bank Officers
4. High public officers (city, county, state or federal) office holders such as mayors, county clerks, sheriffs, state or United States senators and representatives).
5. Factory presidents, managers or other administrative personnel.
6. Members of High School or College Boards of Education.
7. University Officials
8. Large company presidents
9. Real Estate firm president
10. Civic leaders (e.g., president of service organizations such as the Chamber of Commerce).

11. Store owners
12. Your supervisor at a previous job.

The counselor should tell the client that he should request these letters immediately, to speed up his obtaining employment.

Although letters may be more impressive if they come from someone who has a title, anyone can write a character reference. Well-written letters from friends or neighbors can be helpful.

At times, clients contact a reference who is very willing to supply a letter but does not have the time or does not feel he knows how to write a good one. In such cases the client should ask his friend if he would rewrite and sign a letter which the client wrote. If the friend agrees, the counselor can help the participant prepare a letter.

CHAPTER 5

THE RESUME

Use of Resume

The counselor should explain what a resume is and how it is used. It should then be explained that a resume is a short written history of the job-seeker's life. Most resumes simply give history of the job-seeker's job history and educational background. Samples of resumes can be found in the PUB-104.

There are several ways a resume can be useful. The job-seeker can give one to an employer before the interview. A resume usually is attached to the job application.

In those businesses where it is difficult to meet with the owner or personnel director, the client should provide the employer with additional information which may help him get the job. This can be in the form of a cover letter, stating skills or experience which are relevant to that particular job. Cover letters are also used when a resume is sent by mail.

The counselor should make sure each client has a few sheets of blank white paper, several paper clips, and examples of letters to employers in his folder for this use. When a situation arises such that the client cannot see the employer and wants to provide the employer with additional information he should be instructed to write the letter in the waiting room and leave resume, letters of recommendation and application with either the secretary or whomever he contacted.

Resumes can accompany letters inquiring about positions with various businesses. Frequently help-wanted ads request applicants to mail a resume. If the client is interested in relocation, writing to the businesses in distant cities with an attached resume may also result in the employer calling or writing him for an interview.

Experience and Training

If the client is a graduate of either high school or college, he should list the last school attended and his graduation date. If he is a college graduate, it would not be necessary for him to list information about high school because the employer would assume he received a high school diploma. If client is not a graduate, she should state the name of the last school she attended. The client may also list any training she has received and skills she has obtained.

References

The participant should list 3 persons who would make positive statements regarding clients personality, work experience and character. The client should ask permission to use person's name. The client should obtain letter

of recommendation from each person listed. The following information should be listed for references:

- . Name of reference
- . Title or Organization
- . Telephone number

The participant may chose to state "References will be furnished upon request".

Editing the resume

The client will complete all these sections on the resume form so they can be typed on the formal resume. The counselor should review each section with each client to make sure it is completed. Some clients may only write short unstructured phrases in the personal background and special interests section. These should be changed to complete, interesting sentences. It is then the responsibility of the counselor to edit the resumes.

It may be necessary to do considerable editing of the previous work history as some clients may not have described their responsibilities in enough detail. The counselor and the participant can expand this list of responsibilities.

CHAPTER 6

THE INTERVIEW

Why Practice the Interview

It is very unusual that a job-seeker will be hired without first having an interview. As a result, the manner in which the job-seeker handles himself in the interview may be the determining factor in obtaining the job. Because of the importance of the interview, the counselor should have clients role-play interview situations to prevent inappropriate behaviors and practice appropriate behaviors. Since interviews often produce anxiety, the client may forget something important or say something inappropriate. Role-playing the interview situation will help relieve anxiety, and the clients will be relaxed and self-assured in interviews.

The Personal Approach

Rationale - In addition to presenting the facts about himself, the job applicant should try to present himself in a personal manner. Potential employers will be impressed by individuals who appear confident, courteous, and pleasant. As a result, the client should learn to try to come across in a positive way, remember to smile, offer a firm handshake, and as he introduces himself, speak in a firm, clear voice, and maintain good posture.

It should be emphasized also, that the client should be personal, courteous and pleasant to anyone he contacts at the interview site, especially the receptionist or secretary. He should make a point to be friendly with the receptionist.

Job refusals - A job-seeker should never turn down a job unless he has a better one already offered to him. However, if it does become necessary for him to refuse a job, he must remember to remain personable and courteous to the employers who offered him the job. This must be done in a manner that will not damage the relationship between the job-seeker and the employer, since employment with that individual may be desired in the future, or should the client ever want to refer one of his friends. For example, he could mention that he thoroughly appreciates the generous offer, but due to certain circumstances, such as a higher salary elsewhere, he is sorry that he will be unable to accept his offer. Because of the job-seeker's honesty and sincerity, the employer might decide to offer him a higher salary. Or, he might suggest other job leads or personally assist the client by making recommendations to other employers.

What Are Common Problems

Poor self-image - A problem which often arises in the interview situation is that job-seekers tend to underrate themselves. This seems particularly true among those job-seekers who have been unemployed for long periods of time, or those who are collecting some sort of financial benefits as a result of being unemployed.

Examples of clients who underrate themselves - Housewives who have been unemployed for a long period of time or perhaps have never been employed feel they have no work experience. For instance, housewife may go into the interview and reply that she has never worked. In such cases, clients should be informed that they should mention all the things they have experiences with, as a housewife, as well as hobbies and volunteer work efforts. Transferable skills such as these can be listed on a resume. Another example would be the client who has an unobservable, physical handicap. Probably the most common example of this is the person who says he has a "bad back". When in the interview situation, the client tends to talk about all of the things he cannot do, as a result of this bad back, rather than the things he can do. When the client begins to mention all of the things he cannot do in the role-play, the counselor should stop the mock interview and ask the mock interviewer if he would hire a person who mentioned all of the things he cannot do. It should be stressed that the client should never mention things he cannot do but only the things he can do.

Employer in Bad Mood

Occasionally, the participant may have an interview with an employer who is in a bad mood. When faced with this situation, they may become depressed or they may reflect the same type of behavior back to the employer. Either of these responses could result in the client not getting the job. Therefore, the counselor should stress the importance of maintaining composure and confidence, and staying as cheerful as possible regardless of the situation. The counselor should stress that the client should never take the employer's mood personally. The client tries very hard to maintain his positive outlook and friendly appearance, the employer may realize that he was giving him a hard time and be impressed that the client was able to cope. This factor may influence the employer's decision to hire the participant.

Obvious Handicaps

If the client has a physical problem which is easily observable, the employer may feel that he may not be able to do the job. However, the employer may be reluctant to discuss the client's handicap with him. Since this is a factor which can definitely influence the employer's decision to hire the client and since the employer will probably not discuss the issue, the client must bring up this issue himself. This can be accomplished by having the client discuss the issue in the resume or by mentioning it himself in the interview.

After the client has stated what his handicap is and possibly how long he has had it, he should then explain that this is not a factor which would hinder his performance on the job. He should then continue to explain that he has developed additional skills which would make him an excellent employee.

An example of overcompensation which may be used with most handicaps is the fact that the individual has put up with many frustrations and disappointments in his life and as a result is better able to handle trying situations than most individuals. An example which might be specific to a particular handicap, might be that of an individual who has had a limb removed and, as a result, has developed stronger muscle in the remaining limb. There are many types of over compensations which make the client a better than average employee for particular jobs.

If the client has some sort of a prosthesis, such as an artificial arm, it would probably make a good impression if he demonstrated how well it works.

Treated for Mental Disorder

It is not uncommon for a former mental patient to feel that no one will hire him simply because he was in a mental institution. In such cases, the counselor must improve the client's self-image.

The counselor should tell the client that it is important to remember not to say anything which the employer may consider to be negative.

If the employer questions the client about having undergone psychological treatment, one response might be, "Yes, I did undergo psychological treatment which, of course, makes me a better person to hire than most others because everyone has some sort of problems, and most people never do anything about them, but I got rid of my problem".

If the client was in a mental institution and the employer doesn't know it, but he wants to know why the client did not work during some period of time, the client could simply indicate that he had some personal matters which prevented him from working but are not longer a problem to him.

The important thing to remember when dealing with clients who have a background which the employer may consider to be negative is to first help the client feel that he is just as good, or better, than anyone else and, second, to teach him what to say or not to say so that others will feel the same way.

Some clients will not mind discussing their former mental problems in the group. However, others will not want other group member to find out. For those who are not shy about it, the counselor should have them role-play the appropriate interview responses with other group members. If they don't wish to discuss this with other members, the counselor should role-play the interview. The counselor can make this decision after talking to the client, in private, for a couple of minutes about problems he may have indicated.

Previous Arrests

If the interviewer asks the client why he has left this question blank, the client should of course state that he was arrested but might report that it was simply a misunderstanding and the whole issue was dropped as seen by the lack of formal charges of conviction, as the case may be.

Been in Prison

If the job-seeker was convicted of a crime, he should be honest and tell the interviewer that he was convicted, but he considers himself to be completely rehabilitated and there is no way that this past misfortune would be duplicated. If the client has received any type of training while in prison, he should mention that he has learned some new skills which could be an asset to the employer. He might mention that he has more respectable friends now, and/or that he himself has matured since his offense, and he now wants to settle down and make a new life for himself. If the client has a parole officer, he might give the name of this officer to the employer as a reference regarding his responsibility and trustworthiness.

Drug or Alcohol Addition

If the client has ever been addicted to drugs or alcohol and is questioned about this, he may choose to say that he did have a problem but add that he has realized his mistake and overcome his problem. Further, he might add that he has matured to the point where he would never fall into the trap of this addiction again. He might emphasize that he now wants steady, long-term employment so that he can make something out of his life. He may mention any alcohol or drug rehabilitation support groups, such as AA, with which he is currently involved.

Unemployment Compensation

Since employers may often feel that a person with a history of collecting unemployment would be an unstable worker, it is important to have the client honestly stress the fact that he is interested in a long-term position.

Military Record

These questions should be answered exactly as stated unless the individual has a less than honorable discharge. In such cases the client should be prepared to explain in a positive way the manner in which he has overcome the problems which caused the less than honorable discharge.

Short-Term Employment

If participant has switched from job to job or has had long periods of unemployment between jobs, these may be considered negative factors by the employer. It is important that the client not say anything negative about his previous employer or position in the company. Whatever the reason may have been for his leaving these previous positions, he should describe why he now feels his next job will endure. For instance, if he left to go to school, he might stress that he is now through with school and is looking for a permanent position. If it is because of any other problem, he might similarly state that he had some personal problems at that time which have now been taken care of and he is now looking for a full-time, long-term job because these problems will not occur again in the future.

Arrangement of the Interview Rehearsal Group

Organization of group - The interview rehearsal can be arranged in two ways. One is to have interviews at a time take place in front of the whole group. This allows every client to benefit from everyone else's mistakes, as well as seeing the proper interview responses demonstrated by many other people.

Another way is to divide the entire group of job-seekers into a number of smaller groups. This enables everyone to engage in an interview at the same time. This second approach is used because it makes the best use of time. The clients are divided into groups of three. One person plays the role of the interviewer, another plays the role of job-seeker being interviewed, and the third observes and comments on the mock interview.

In addition a tape recorder may be used when a client is having a great deal of trouble and needs extra practice. By listening to the tape the job-seeker can hear what response he made particularly well or which ones he needs to improve upon. Video cameras are also helpful to record mock interviews for clients to view afterward.

When the counselor first chooses three people to participate in an interview group, he should assign one of the three roles mentioned above to each of these people. As he does this, he should also give each of these people a copy of the appropriate papers needed for their particular role. This means he should give a list of mock interview questions to the interviewer as well as the appropriate answers to these questions. He should give this same information to the group observer. The applicant should be instructed to hand his application form to the employer, who in turn should make comments on the application as well as asking the questions on his mock interview questions and answer list.

When the first participant has completed two mock interviews, the roles should be rotated until everyone in the group has had an opportunity at each of the roles. It is important that the counselor stress, at the beginning of the role-playing situation, that the interviewer ask difficult questions since it is better for the client to be exposed to such questions before he is asked in a real interview.

The counselor should allow the participants to play all the roles rather than being the interviewer for each interviewee. This is so that the participant can get a feeling of the interview situation from all sides. This may give him a better perspective of how the interviewer views the interviewee and better prepare him for the interview.



Sample Letter Responses to Help-Wanted Advertisement

Dear Sir:

I would be very interested in meeting with you to discuss your organization as well as possible present or future employment opportunities with you. I have worked with the mentally handicapped as well as "normal" populations and feel that my past experience and education in the areas of money management, consumer shopping, basic household skills, and counseling could be a valuable addition to your organization.

Enclosed is my resume, letters of recommendation, and publication to give you more information about me. I can be reached by calling 000-000-0000 or 111-111-1111. You can also reach me by writing the address below.

Sincerely,

Mary Smith
Box 000 - R.R. #0
Creetown, Illinois

Encs.

Another example could be:

Dear Sirs:

This letter is in response to your ad in the newspaper. I am a hard-working aggressive and ambitious young man, and I am very anxious to meet with you. I have enclosed my resume and letters of recommendation to give you more information on my qualifications and background.

I would be very interested in meeting with you for an interview. I can be reached at the phone number or address below.

Thank you and I hope to hear from you soon.

Sincerely,

Bob Smith
111 South Avenue
Evanston, Illinois
222-222-2222

Encs.



When To Begin the Role-Playing and Telephone Procedures

It may be advantageous if the counselor did not have everyone begin using the telephone or begin practicing interviews at the same time. In most offices it would be difficult to have everybody begin on the telephones at the same time simply because there are not enough telephones in the office. It may be best if every interview group did not begin at the same time, because if they did, it would be more difficult for the counselor to be with each group during the different phases of the interview.

The best way to handle both of these situations would be to have each counselor simultaneously follow a procedure which every client will not complete at the same time. Such a procedure would be the one in which participants prepare a list of employers to contact by telephone. The counselor should organize the situation so that every time two clients have completed a list of a required number of employers, they should be paired off on a telephone. This should continue until all available telephones are occupied. After that, every time three individuals have finished this required list, they should be taken to another area to begin the mock interview procedure. Then, as various individuals finish their phone calls, they should enter an interview group. Likewise, those who have completed their mock interviews should take the place of those who were formerly using the telephone.

Throughout this entire period of time, the counselor should be moving around among the various sub-groups praising them for what they are doing properly and helping them improve the things which they are not doing properly.

Utilization of Interview Rehearsal Questions and Responses

The list of interview questions following the section entitled "Appearance and Grooming" has examples of proper types of responses following each question. This makes it simple for the client playing the role of the interviewer to recognize when the interviewee is making proper or improper responses. Also, since the group member playing the role of the group commentator will have a copy of this list, he will be able to make constructive remarks both during and after the interview.

The questions "How old are you?" and "Are you married?" should not be asked by an employer, but answers are suggested on the sample in case the participant is asked and chooses to respond. It is illegal to discriminate in hiring based upon age or marital status.

The first time each client is playing the role of the interviewee it should be structured so that a discussion follows after each interview question. This will give the interviewee immediate feedback of his response and the interviewer can provide the interviewee with additional information which might make the response better. If the client's response was totally improper or missing a lot of information, that interview question should be role-played again before going on to the next one. The second or third time the person is role-playing the interviewee, depending on the initial interviewing skills of the client, the interview should proceed without interruptions. The interview should take approximately 15 minutes each time. If the client is having a great deal of trouble with the interview, the counselor should role-play it with him.

The counselor should explain that the participants of the role-playing situation should try to make the situation seem as realistic as possible. As the counselor listens in on segments of the various role-playing situation, he will be able to determine if the questions and answers are being handled properly. This should enable him to easily guide the group into properly using these questions.

APPEARANCE & GROOMING

The often sensitive subject of personal hygiene, grooming, and apparel is one that every job search workshop or class must address. Although much or all of the topic may seem very obvious to a group leader, one needs to remember that a surprisingly large percentage of job seekers know little about how to package themselves appropriately for the business of job seeking. Any job placement veteran can tell stories about the janitor applying for work in a three piece suit or the cashier in slacks and a halter. People who dress or groom themselves inappropriately are usually doing so out of ignorance. Their chances of being hired are much reduced and they never are told why this is so by the employer.

The Job Club leader is to prepare a lecturette stressing the importance of one's personal appearance as it relates to seeking work. Comments and descriptions should be carefully limited to observations of the realities of the labor market, and how employers in different occupational fields tend to react to various styles of dress and grooming. The decisions of how to groom and dress oneself are then left to the class participants to make, hopefully from a more enlightened point of view than before the workshop.

To underscore the importance of personal appearance in the job interview, the following survey findings can be incorporated into the lecturette and displayed on the flip chart for discussion:

- 45% of the success or failure of an interview is directly dependent upon a person's appearance (dressing & grooming).
- 35% depends upon the applicant's responsiveness (facial expressions, smiling, verbal responses).
- that's 80% of what determines success for the interview, and it's 100% controllable by the job applicant!
- 10% depends upon experience. That's all! You see, by the time the employer has agreed to commit him or herself to the time to interview an applicant, the employer is assuming you are either fully qualified or close enough. The hiring action is therefore NOT a conscious rational decision based upon consideration of one's qualifications nearly as much as it is an emotional gut reaction determined by whether the employer "likes" you or not.
- 10% reflects various miscellaneous factors.

The above data is from a survey of 200 California employers. Many other surveys in various parts of the country have found similar information.

The following can be offered as personal illustration of the first impression principle: Imagine yourself on a city bus, sitting by one or two persons--there are no empty seats left at all. The bus stops, and a man gets on, pays his fare, and looks around the bus for an empty seat. He concludes he will have to share, and when his gaze gets to you, you probably do one of two things. The first possibility is that you think, "Oh, God" and look out the window while spreading out in your seat to make the seat look more full. The other possibility is that you unconsciously get yourself orderly, and possibly you even nod or smile toward the man because you would not mind at all if he sat next to you. You probably are not even aware you have done it! But based only upon the man's entrance and his appearance, you have, in your mind, either accepted or rejected him as a seat sharer. Think of this very human reaction the next time you are in a similar situation. It is hardly any wonder that employers do this too with every applicant who darkens their door.

Most members of the group will come to recognize any errors they have been making in their "packaging" and will correct them on their own. Rarely will they indicate to the leader or the group that they learned something, because not knowing is an embarrassment. If a particular group member appears not to be getting the message, it is necessary for the group leader to determine whether or not it is by conscious decision or not. If the leader decides individual counseling is appropriate, it must never be done in the presence of others and should be done as tactfully as possible.

INTERVIEW REHEARSAL QUESTIONS & ANSWERS

REVIEW YOUR RESUME BEFORE AN INTERVIEW.

Everything about you should be viewed as an asset and you should be prepared to explain to an employer why it is an asset and why you would be a good person to hire.

At the beginning of an interview you should try to establish some common interest with the interviewer so that you can relate to each other on a more personal basis than two strangers.

Question: Tell me about yourself.

You should include information about yourself stressing personal and work qualities which would interest an employer. Something about you might personally interest the employer and make you stand out in his mind when he comes to the point of deciding who to hire. Try to include:

1. If you have ever met your interviewer before and where, or if you know anyone in the company.
2. Things to make you sound like a trustworthy and stable person; examples: you are married and have children (optional), own your home or property, been in area a long time, know many people in the area. Indicate either that you have been in the area a long time or really like the area and will be in the area a long time. Employers do not want to think they are going to train you and then you will move away.
3. Hobbies or special interests which either have job-related skills or might form a personal bond with the interviewer.

4. Community organizations you belong to and what you do with them.
5. Sports and play.

TALK ABOUT YOURSELF AND YOUR INTERESTS, ESPECIALLY JOB-RELATED ONES, BEFORE YOU TALK ABOUT YOUR PAST WORK HISTORY.

6. Past work experience.
7. Related work experience.
8. Training or education.
9. Aptitude for that kind of work.
10. A job-seeker should never say that he has no experience with a particular thing. Instead, he should mention whatever he has done which is most closely related to that particular job.

Question: How old are you?

If the employer asks this question, he is probably concerned that you are too old or young for that job. Whichever age bracket you are in there are many advantages to your age.

A young person may disinterest an employer because he may fear he will train you and then you will move if you get a better job or get married. They also fear that young employees will have erratic attendance. You must refute all these negative assumptions by stressing the many advantages of being young and energetic with excellent health and therefore will not miss work because you are sick; you learn very quickly and are willing to do lots of different kinds of jobs which isn't always true for older applicants; you do not have very much money because you have just started working and are planning to stay at a job a long time to make money and hopefully learn different types of jobs; take criticism well because you are eager to do the job the best that you can; are punctual because you want to be careful to follow all the rules and be a good worker.

An older person should stress that they are mature and realize the importance of a job; that they are settled and will not be moving around the country anymore; they will not be changing their job because they do not want to move from the area and are looking for a stable, long-term job; have a great deal of work and life experience; are very dependable workers and do not need someone watching over them while they are working; are punctual because they are used to the routine of going to work; since is no longer a "young kid", knows what he wants and is more settled; include your ability to do the job.

Question: Are you married?

The employer probably would not ask this question if it was not important to him. He may want his employees to be married, which indicates a responsible person or he may want someone single that will not be tied down to the restrictions of a family. Whatever your marital status, you should explain to the employer why it is an asset.

If married:

1. If your spouse works, tell him where he/she works. He may know someone there and this may form a bond between you and him.
2. Tell him where your children go to school. His may go to the same school or someone he knows children may go there, another potential for a personal bond.
3. Are settled in the area; maybe own house; like the school where your children go; spouse going to be at his/her job a long time; like the area.
4. Not going to leave job because have responsibility to spouse and children.
5. If the job includes working overtime and/or traveling, say you have discussed these aspects of the job with your spouse and it creates no problem.
6. If you are a woman with children, make sure to tell the employer that you have made arrangements for someone to care for your children while you are working and you will not be missing work when they are sick.
7. If you are a married woman, it may be necessary to tell the employer that your husband is going to be in the area a long time, because the employer may feel you leave the area as soon as your husband completes school or decides to change jobs. It would be a good idea to mention why you and your husband like the area, such as: you like the lakes, forests, or climate. Or you may mention that you like the cultural centers found in this particular city. Another reason may be that all of your family and friends are in the area.

If single:

1. You can work overtime and/or travel, because you do not have a family who will object.
2. Like the area and are settled here for a while.
3. If you are a single woman, you must let the employer know that you are not working just until you get married. Whether you get married or not, you are planning on staying in the area and continuing work.

Question: Are you planning to return to school?

This type of question usually tells you that the employer is afraid you will quit your job to return to school. The answer should include a statement of your desire to work and that working is very important to you right now. If you are planning on returning to school, make sure the employer understands that you will be going to night school.

For a young worker who has not completed high school, it may be advantageous to state your desire for full-time job, but you now realize the importance of an education and you are hoping to finish up your high school degree at night.

Another possible response would be that you have had all the schooling you need and that now you want to stay in the working world and begin building a future for yourself.

Question: What are your future plans?

Your response should begin with career plans and continue to say how your career can help your personal life in other areas.

1. Desire to gain more on-the-job experience.
2. Want to become more valuable to the company.
3. Want to stay with the company.
4. you have heard that this was a good company to work for and if you work real hard, they appreciate it.

It is best not to say you are planning for advancement with the company, because the employer may think you will not be satisfied with the open position and not hire you for that reason. A good work record usually speaks for itself in getting advancements.

You should then mention personal things you want to do in this area which would result from the job. Such as, "I would like to save up enough money from this job to buy a boat so I can enjoy some of the lakes in the area", or, you may say that eventually you would like to save enough money to build or remodel your house. These statements should all indicate that you want to keep your job for a long time and your plans to stay in the area. Also, by mentioning your personal interests such as boats, or remodeling, you may say something the employer is also interested in.

Question: Have you ever done this kind of work before?

YOU SHOULD NEVER ANSWER "NO".

If you have never done the same work, mention the similar work you have done. Include information in such things as:

1. Past work experience.
2. Related experiences (volunteer work, job-related hobbies, and interests).
3. Training or education.
4. Ability to learn quickly and well what you do not know.
5. Aptitude for that type of work.

For instance, if the employer asks if you have any experience as a manager, and you have not but you have been in the service, you may say, "well, when I was in the service I was in charge of 4 men and had to make sure they did their work properly. This involved giving as well as receiving orders". If you were formerly a housewife and want a job managing a short-order restaurant, you may say that you have had years of experience cooking this type of food as well as balancing budgets and supervising the daily household chores which your children were responsible. If you are just out to school and have never worked, you should mention things you did in school and at home which are related to this job; you should also mention that you pick up new things easily and would have no problem adjusting to the job.

Question: Why do you want to work here?

State your interest in the company and make your answer sound very positive so that the employer will think it applies only to his company. Positive aspects include such things as:

1. The good reputation of the company in the community.
2. You would be proud to tell other people that you work there.
3. Honest employer.
4. Heard that the company appreciates good workers.
5. Pleasant working conditions.
6. They have jobs there where you can do the kind of work you do well.
7. Mention anyone you know who works there and tell employer that they have said nice things about working there.

The important thing to mention is that you like this type of work and you feel that you can do a good job.

Question: What kind of machines, tools, or equipment can you use?

The answer should include all information on any machine related to the job and also any hobbies that require the kinds of skills you will need for this job. You should know the manufacturer's name of any piece of equipment you have operated, but if you do not have this information, do not omit telling the employer you know how to run that piece of equipment.

It is important to mention all the machines you can operate because it will make you sound like a more versatile person.

Question: Can you work under pressure and deadlines?

If the employer asks this question it probably means this may be part of your job. Your answer should assure the employer that you can work under pressure and deadlines. You should cite examples on previous jobs or related experience when it was necessary to work under such conditions. For instance, if you have ever worked in a restaurant, you can mention that during lunch hours there were rushes where there was a lot of pressure to service many customers in a short period of time and you were always able to do it without becoming agitated. If you have been a student, you may mention that you often had to work under the pressure of completing reports by a certain time or while studying for and taking exams. Or, if you have worked at any type of production job, you can mention that you often had to fill an order in a short period of time or on short notice and that you were always able to put in the extra effort it needed to meet the deadline.

Question: Why did you leave your last job?

If it was a legitimate reason for leaving, such as: the company had a lay-off and you did not have seniority; you had to miss a lot of work because of illness or operation—assure the employer your health is fine now; it was a seasonal job and the season had ended—however, you are looking for something more stable now which you can stick with; you moved; new training or education has made you eligible for a different type of job, such as this; family problems—assure the employer they are resolved. A single explanation should do.

If it was an unsatisfactory reason, like you were fired, explain in a positive manner how the situation has been or will be corrected. If you were fired because of medical reasons, explain that they have been professionally resolved. If a married woman left her last job because her husband left his job or completed school, the employer might assume she would do the same thing to him if the same situation arose. To avoid this, if your husband was in school but is not now, you can say that you left your last job because he had completed school and the two of you wanted to settle down. If you quit your job because your husband got a new job in this area, you should never say that; instead you quit because you both decided to work and settle down in this area.

If you missed work a lot, or did not get along with the boss, or did not work well, all of these could be classified as personal problems. If you got fired you might say that the job did not work out because of personal problems, but you have taken care of the problems and they will not come up again.

Do not say negative things about your previous employer. Also, do not say you left your job because you did not get along with your boss. The interviewer may do business with the other company and/or may have personal friends there. It is also too easy for an employer to assume that because you did not get along with your previous boss, you will not get along with your new one.

MENTION ALL GOOD THINGS ABOUT YOUR LAST JOB EVEN IF YOU DID NOT LIKE WORKING THERE. If you say negative things about your last job the interviewer might think you will tell people bad things about his company too and not hire you for that reason.

Question: What was your employer's opinion about your work?

Unless you were fired, he obviously must have been satisfied with your work. Do not give any negative impressions but instead offer positive impressions and your previous employer's name, which should be on your resume, for him to contact for more information. The best thing to do is to give him a copy of an open letter of recommendation. If you do not have this, simply say that you always got along well with the employer and if he is contacted you are sure he would give you a good recommendation.

However, if you did not get along with your previous employer, do not put his name on the resume because you do not want him contacted. Instead, try to talk about a different employer who did like you. But, if you cannot do this, talk about things which the employer did not complain about, such as coming every day on time or a particular aspect of the job. You can say he complained to a number of people -- but he never complained to me about it.

Question: What position do you expect to have in five years?

Indicate your desire to learn new things, gain more experience and become more valuable to the company. If you know that this is the type of place which advances from within, state your desire to learn your job well and that you want to eventually achieve a position of higher responsibility within the company. If you do not know about the advancement policies, do not state a specific position you are hoping to advance to because the employer may think you will be dissatisfied with the position which is open. Instead, simply say that you hope to become the best person the company has in that particular area.

Question: How long do you plan to stay with the company?

Simply say that you are not planning on moving, getting married, having a baby, or going back to school, etc., and since you cannot see any reason why you would not stay with it for many years, you expect you would be very happy at this job. Also, insure him of how much you like the area and plan on staying in the area. If you are planning on getting married or are pregnant, etc., simply mention that as a result of this added responsibility you want a secure job and plan to stay with it for many years.

Question: What are your salary requirements?

Depending on the job, your qualifications and your self-confidence either:

1. State that you feel whatever he suggests would be fair if based on your experience and qualifications and the company's set salary rate.
2. Give the employer a salary range based on your qualifications, but make sure to let him know that it is flexible, depending on the duties and responsibilities of the job.

It is usually best not to make any demands until after the job is offered. If you mention a figure below the standard wage, you may wind up with less than you could have gotten. If you ask for a more than standard wage, you may not get the job. So, let him offer you the job before you bicker about the price.

Question: What is your biggest strength?

Mention something that is related to the job and shows you to be a trustworthy and honest person and explain how it would be useful to the company. You want to present yourself as a good worker (being on time, efficient, organized, working until getting the job done, take pride in your job, etc.)

Question: What is your biggest weakness that would hinder your job performance?

You should state that you do not have any weaknesses that would hinder your job performance.

Question: Tell me 5 words that describe you.

Indicate positive attributes that the employer would want you to have. Examples: friendly, honest, punctual, efficient, organized, responsible, cooperative, hard-working, creative, dedicated, intelligent, energetic, cheerful.

NEVER INDICATE ANYTHING NEGATIVE.

Question: How is your health?

Either say, "My health is excellent; I've never had to take off any work because of it" or say, "I do not have any problems which will interfere with my work". If you do not have a visual medical problem, for example, a bad back or migraine headaches, do not mention the problem to the employer.

If you have a headache, backache, toothache, etc. during the interview, do not tell the interviewer your problem.

If you have something which is obviously noticeable, state your ability and willingness to overcompensate. For example, "At the age of 20 I became blind due to a car accident, but I like to be independent. As a result, I use a cane rather than a dog. I can quickly get used to places and get around with little difficulty. In addition, I can take notes and dictation in braille and have a better-than-average memory, which makes me able to handle a demanding job." "I have an artificial arm and in some cases it is more helpful than a regular arm." (Give an example of when this is true.) Pick up a piece of paper off the desk or a pencil, etc. to show the employer your ability. "I only have one arm but because of this, this arm is much stronger and I've learned to use it much quicker and therefore make a very fast, dependable worker."

If you have an obvious handicap, try to get a letter of recommendation from a past employer telling of how well you work. This is because often people do not understand handicaps and are not aware that a handicap need not interfere with your work ability and often makes you a superior worker.

It is usually a long and difficult process to learn to compensate for a disability; along the way you probably had to cope with many frustrations and disappointments. As a result, you would probably be better able to handle yourself in trying situations in the future. This point should be emphasized to the interviewer as something which makes you stand out from other individuals.

Question: How many days of work did you miss last?

Attendance records are important to employers. If you missed the days due to a certain illness tell the employer that you have been cured and, therefore, it will not interfere with you present working.

Question: When are you available for work?

Express interest to begin as soon as possible. Do not prolong your starting date for more than two weeks or the employer may think you are not interested. It may be a good idea to say that you can start whenever he needs you, but only if this is true.

Question: Why should we hire you instead of someone else?

Explain all the qualities you have that would make you an asset to their company such as:

1. Your good attendance and punctuality.
2. Your personal attributes such as your friendliness, honesty, efficiency.
3. Your work qualifications and any additional skills you have.
4. Ability to work fast with very few errors.
5. Your ability to get along well with supervisor, other employees, and the public.
6. Your willingness to work overtime.

You may say you like this type of work, are good at it, and you think you would work harder at it than other people would.

Question: Do you have any questions?

Try to ask a question or two. It is a good opportunity to clear up any details you are not sure of and also gives you a chance to show your interest in the position and in the company.

If you know anything about the business, ask questions along these lines. For example: "What type of typewriter do you use here?" Whatever he replies, say, "It is a good kind".

A question such as, "When can I start working?" should indicate that you are an ambitious person. If the employer indicates that there are no positions available, ask if he would consider you on a part-time basis. If there is still a negative response, ask if he could suggest other employers for you to check.

You may ask about positions for other clients. An appropriate way to ask is as follows: "Some of my friends are also looking for work. They have a variety of backgrounds. Do you know of any other openings? One of my friends may qualify for it."

Use the call-back closing. If the employer does not hire you at the interview, ask if you can check back with him in a couple of days. If he says he will call you if you are chosen, ask if it would be okay if you called him back anyway.

As you leave the interview:

- a. thank him with a smile for the interview;
- b. shake his hand;
- c. tell him you are looking forward to hearing from him in the near future.

AFTER YOU ARE OFFERED THE JOB YOU CAN ASK ANY QUESTIONS YOU HAVE, BUT BE CAUTIOUS DURING THE INTERVIEW TO NOT ASK ANY QUESTIONS THE EMPLOYER MAY NOT LIKE.

Interview Follow-Up

Rationale. Simply having an application on file or having gone through an interview with an employer which did not result in an immediate position does not mean this job seeker is covered for possible future positions with that organization or that he has done all he could to obtain that particular position. If the job seeker contacts the employer a few days after having the initial interview, the employer will be more likely to remember that particular individual. This also may indicate that this job seeker has more ambition and desire to work for this organization than another individual. A contact such as this could influence the employer's decision or cause him to remember this job seeker when a position opens up in the future. A thank you letter for the interview, time and consideration is appropriate.

How to do this. Since the object of this approach is to make the employer remember a particular individual, the best approach is to make a personal contact with the employer. Since revisiting each former interviewer would be both time consuming and expensive, one approach for the job seeker to take is to call each of these people. An important point to stress is that when ever a job seeker makes such a re-contact, he remembers to mention his name, the fact that he was interviewed and the position he was seeking, as well as restating his enthusiasm for obtaining that position and thanking the employer for his time. An important point which should be made here is that the job seeker should always ask for the person who interviewed him by name. This will prevent him from being misdirected to another person in the organization who would not know him and addressing the person by name would seem more personal which may result in the employer being likely to remember him.

Follow-up may be made with a phone call. One example/approach would be the following: "Hello, Mr. Smith, this is Bill Green, the person you interviewed last Thursday at 10:00 for the manager position. After speaking with you, I have decided that your organization would be an ideal place for me to work, and I was wondering if you had made a decision yet." Another example in a situation where the employer said he would call the job seeker would be: "Hello, Mr. Jones, this is Mary Smith, the woman you interviewed on Monday for the secretarial position. You mentioned that you would let me know what you decided by the end of the week. Since I have been out most of the time, I thought that maybe I had missed your call. I am calling you to find out your decision, because I am very interested in working with your organization."

A thank you letter has three advantages over a a phone call. First, the letter will probably become a permanent part of the application file. Second, the interviewer will probably read the letter along with other correspondence. On the bottom of the stack, a "Thank you" may be a welcome event. Even a nice call can be an irritation if received during a conference or crisis. Third, the interviewer may appreciate the time and effort put into a neatly prepared, well-written letter. The thank you letter should include the same information as the follow-up call.

Appearance, Manner and Speech

The counselor should discuss with the clients the effects which their manner and speech have on the job search.

There are many factors which an employer may consider before hiring. When an employer interviews a potential employee, he is not only concerned with the job applicant's qualifications, but also with his personal characteristics. He is concerned about how well he will get along with the new employee and how well the new employee will "fit in" with the rest of the workers. He may judge the job applicants by their speech, their manner of dress, and their general appearance. Therefore, it should be stressed that the job seekers should always speak courteously to employers, should dress neatly, and should maintain his self-control at all times, even if the employer does not maintain his. This would include smiling and responding politely, even if the employer seems somewhat rude.

When at an interview, the job seeker should be friendly to everyone. For example, if the job seeker is waiting in a lobby to meet wit an employer, he should be friendly with the secretary. If the secretary mentions that she was impressed with a particular applicant, this may be the determining factor in the employer's decision.

The job seeker should try to dress in a manner which is generally acceptable. This does not mean that the counselor should tell the client to wear a suit to every interview, but rather to gage the type of clothes he wears to the type of job. For example, if the job-seeker is applying for an office job, then a suit would probably be the best thing to wear. However, if he is applying for a construction job, it would not be necessary to wear a suit. If the client is unsure what to wear in a particular situation, it is better to overdress than to underdress.

First impressions are important factors in the employer's decision. And, first impressions are often based on the job seekers appearances and conversation.

CHAPTER 7

TELEPHONING

The most important tool the job seeker will be using is the telephone. The client should be allowed to use the office telephone to make as many job-related phone calls as possible. The use of the phone can help save the client unnecessary traveling expenses and time because it will enable him to find out which places will talk to him and when, without even leaving his chair. This is particularly important since many job seekers are extremely low on finances.

Frequently, clients are reluctant to call employers, particularly when they are not calling in response to an advertised opening. In an attempt to overcome some of this reluctance, the counselor should explain the rationale behind the telephone technique. He should explain the advantage of using the telephone as well as the disadvantages of not doing so. For instance, if the job seeker did not utilize the phone directory, the only leads he would have are advertised openings and leads which he hears about from other people, which in most cases are also present openings. Usually, at any one time, there are many openings which have not yet been advertised. Some of the openings will be filled without even being advertised; in these cases the job seeker who does not use the phone directory will probably never know about them.

Since the phone directory has a listing of all the businesses with in a particular area, the simplest way for a person to find all the places at which he would consider working is to go through the "yellow pages". A systematic way to do this is to think about each different business and try to think about all the different types of jobs that would need to be done in that type of organization. If one of these jobs sounds like something the client may be interested in doing, he should write down the name, address, and phone number on a list. After he has filled up at least one page of paper with leads (10 leads or more), he should begin to call these places. In cases when the client says there are no more places to contact, he should be referred back to the phone book and the counselor should assist him in finding more leads, remembering that the phone book is an infinite source of job leads.

What the job seeker says when he calls these employers is very important. First, since he does not know if the employer has anything available, he cannot say that he is calling in response to an advertisement or that he is calling about the particular opening. The usual response of a job seeker is to ask the employer if he has a position open. This is not the approach which should be used, because it greatly limits the possibilities for the client. For example, if the client only asks if there are any openings, he will get one of two responses: "Yes" or "No", usually "No". If the response is "no", that would usually end the contact the client has with that particular employer. If the job seeker asks when he can come in to discuss present or future job possibilities, then the employer is less likely to terminate the call. If the client can obtain interviews with employers even when they have no immediate openings, his probability of getting a job is greatly increased. Sometimes, the employer creates a new position for the job seeker as a result of the interview during which the job seeker greatly impressed the employer.

It is unlikely to happen when all the participant did was fill out an application. This is why it is so important for the job seeker to always try to have direct contact with the person who does the hiring.

Suggestions as to what the participant may say may make it easier for the participant to say the proper things on the phone. The employer will be most likely to speak to him in person. The counselor should provide him with a list of effective statements. The counselor should explain these statements to the clients as well as the rationale for them. Quite often clients will be reluctant to use the proper phone statements. There are a number of reasons they give for this. Some say they do not feel comfortable saying these things; others say they think it is childish or useless. The counselor, however, should review his responses before any calls are made. If the counselor finds the responses to be inappropriate, the counselor should then give all the possible reactions to these statements. For instance, if the job seeker says, "Hi, can you tell me if you have any job openings?", the counselor can say, "I'm sorry, we have all the help we need." If the job seeker then says good-bye, the counselor should tell first what was good about the call, perhaps that he spoke clearly or seemed sure of himself. Then he should ask the other clients what was wrong with the call and why. The counselor should mention any improvements which the other client did not bring up. He should ask, "How do you know the person you talked to has anything to do with employment?". If he was not the person who does the hiring, there may be openings he does not know about. Also, the counselor should ask, "What if someone quits tomorrow? You would never know about it if you did not ask for an opportunity to talk about future employment." Clients using the same statements repeatedly may result in screening personnel refusing to provide requested information or to allow client to speak with appropriate personnel.

If the job seeker did remember the points mentioned above then the counselor might respond with something like, "I'm sorry but there really would be no need for you to come in, because we have all the help we will need for the next few years." If the client accepts this and ends the call, he should be told that sometimes businessmen know about openings in other businesses. He ordinarily would not mention it unless the job seeker asked.

If the employer does mention other employers who may have openings, the client should mention to the other employer that the first employer suggested that he call. This can make a big difference if the second employer knows the first one, or even has heard of him. He will be more likely to speak to the client if he has been referred by someone he knows.

Another point is that sometimes a person will quit without advance warning. To make sure the client does not miss this possibility, the client should ask if it would be all right if he checked back in a few weeks. Also, it is not uncommon that an employer will hire someone who contacts him a number of times, simply because he is impressed by the motivation and perseverance which is exhibited by the job seeker.

To make sure all the clients feel comfortable on the phone and know what they are to say, they should be given a telephone checklist of the types of statements they should use over the phone. This checklist should be explained to them in the first session and they should role-play it with a buddy before making phone calls.

An important point to stress is that clients should always speak to the head of the particular department they want to work in rather than the head of the entire organization, because they will often know of openings in their department before the people above them do.

CHAPTER 8

PERSONNEL OFFICES

When a client tries to get a job with a company or organization he will probably be referred to a personnel office. The counselor should stress that the job seeker should try to meet with the manager or supervisor of the particular departments he wants to work in, rather than contacting the personnel office. The department supervisors are likely to be aware of job openings in their departments before personnel office is notified. For example, the person in charge of a branch of a large corporation may know that his foreman is leaving, but he may not inform the personnel office, because he wants to select someone he likes, not someone the personnel office sends him. After the client goes to a particular department, he may then be sent to the personnel office, but if the department head was impressed his chances of being hired are greater.

For example, if a participant desires a secretarial or clerical position at a large university, the personnel office may not be very helpful in providing job leads. They probably already have thousands of applicants on file and may have been instructed to turn down all interview requests. In this situation, it may be very helpful for the client to approach an academic department directly. They may have a secretary who will be getting married soon or perhaps one who is graduating and must leave her job. Most jobs of this type are filled before the personnel office is even contacted about their availability.

It is not uncommon for clients to be reluctant to contact the various departments of an organization. In cases where the lead came from a newspaper help-wanted ad, job seekers have a tendency to follow the instructions in the ad. For instance, if a work-wanted ad states that interested parties should go to the personnel office in person, between 8:00 and 5:00, to fill out an application, the job seeker is often reluctant to call up a specific department of that organization and request a personal interview. When these situations arise, the counselor should explain to the client that his reluctance to contact the various department heads is not uncommon, very few people do it, but the fact that few people use this approach is one of the things which makes it more valuable.

When the participant begins calling these various departments, he should ask for the department supervisor rather than the personnel manager. For example, if the client wants to be a handyman, he should talk to the maintenance manager; a guard to the security department; an assembly line worker or auto repair man, should contact the shop foreman; a bookkeeper should contact the bookkeeping department; a nurse contact, the head nurse; a salesman contact the head of the sales department, etc. The counselor should help the clients decide who the appropriate person to call may be.

This does not mean clients should be told not to fill out application forms or follow the standard employment procedure of a particular organization, because many large businesses will not interview a person unless that person has an application on file. The application is necessary, but the client should not rely upon the application alone to result in an interview. He should always call the department heads to arrange an interview.

Salary Desired

Unless the job-seeker knows the standard pay scale for the organization, he should leave this answer blank. If he knows the pay scale, he should write down the standard salary. The question of salary will probably be raised during an interview. The proper way for the client to handle this is stated in the Mock Interview Questions and Answers.

Age

If the client is especially young or old, he may omit writing his age on the application.

Marital Status

If the client is divorced, the client should consider his marital status that of being single. The reason for this is that employers sometimes feel that a person who is divorced is somewhat unstable and, as a result, may look more favorably upon a single person than a divorced person.

If your client is separated, he should consider his marital status as that of being married. Married applicants are considered more stable persons than separated persons in the eyes of some employers.

Dependent's Ages

If the client, especially a female client, has school-aged children, she should indicate to the employer that she has arrangements that will eliminate the need for missing work in the event of a child's sickness, etc.

Telephone Number

Some clients may not have a phone at their residence. It is important that the client supply a phone number.

Social Security Number

All clients need a social security number to obtain employment. If a client does not have one, he can apply for one at a Social Security office. As a condition of eligibility for AFDC, all applicants and recipients must supply a Social Security card or apply for one at the eligibility interview with the Service Representative.

How is Your General Health?

The client should not say anything negative. He is almost certainly healthy enough for the job in question. The client should say "very good" if health is adequate to the job. For example, if a person is a diabetic and is taking insulin, his health is very good in terms of the needs of the job as a supervisor.

Ever Been Arrested?

This question refers only to being arrested for some sort of a crime. It does not refer to traffic violations, etc., and the client should not include these. If in the mock interview role-playing situation, the client role-playing the applicant has left any of the questions blank, or answered them "yes", the interview should direct special questions to him about this topic. Proper responses are in the mock interview questions and answers.

Mental Disorder?

A former mental patient's record is confidential and the hospital cannot divulge the names of present or past clients. The only way an employer usually would know if someone has been a mental patient would be if the client had told him. The same is true of clients formerly addicted to alcohol or drugs.

Have You Ever Been Bonded?

If the client does not know what bonded means, the counselor can explain it as insurance a company has for an employee representing the company's trust in the employee. If the employee has no police record, he is probably bondable.

References

Who is Appropriate?

The first priority is that the person thinks favorably of the client. The second priority is, if possible, to use people who have a job title or a position of respect within the community. Former employers always make a good person to use as a reference provided they think highly of the client.

It would be best if the client did not use a relative, especially if the relative has the same last name. The client should definitely not use someone who shares his address as a reference.

Obtaining Their Permission

While filling out the practice application form, the client can decide on his references. The counselor should tell the clients to ask the people if they can use their name as a reference and should also ask if they would send the client an open letter of recommendation. If the person will not write an open letter of recommendation, the client should not use his name as a reference because this person might not give a good reference or might fail to return the employer's request for a reference.

Corrections to the Client's Application

Any improper responses on a real application may prevent a client from ever being granted an interview or if hired, fired for cause. In the mock interview situation the buddy or counselor should not make a correction before getting to that part of the application in the role-played interview. When that improperly answered question is reached, the client playing the role of interviewer should show the interviewee the negative way a real employer might respond to his answer.

Carrying the completed Application Form in the Folder

After the application is satisfactorily completed, he should keep his application form in his folder with his resumes and letters of recommendations. This will enable him when filling out a real application, to refer to this information, if necessary.

CHAPTER 9

MISCELLANEOUS SUGGESTIONS

DROP OUTS AND ABSENCES:

The Buddy System

Rationale. The buddy system is a very important aspect of the Job Club. If used properly it can add motivational factors to the situation, as well as making job-seeking more enjoyable. When individuals become members of a group in which they do not know other group members, they tend to be shy and inhibited. The buddy system helps overcome these inhibitions by providing a situation which individuals must interact with one another. AS a result, the individuals may become more at ease and more productive. Since the individual with whom clients will be paired will change, from session to session, as well as from activity to activity, the client will have an opportunity to become acquainted with group members on a more personal level. This should increase the cooperativeness of the group, and generally result in a more positive job finding experience for each client. Another important factor is that when two individuals are both engaged in the same activity, they are more likely to accomplish their objectives. This is particularly true in the telephone situation where one client cannot make his call until his partner has completed his. If an unmotivated client is paired with a motivated client, this may result in the unmotivated person producing more calls as a result of modeling the motivated person.

The buddy system is utilized in the following procedures such as first telephone contact to employers, people I know telephone calls, and the mock interview. Explanations of how to use this approach in the various situations are explained in the section by those titles.

Drop Outs

Problem

It is not uncommon for some group members to drop out of the group. Usually these people can be put into three basic classifications. The first is the type that simply does not want a job. The second may want a job, but doesn't want to do any work to find it; he wants someone to hand him a job. The third usually wants a job, but feels he will not find one from the program either because he has been using the procedures and does not feel he is any closer to getting a job, or because he disagrees with the procedures.

What Can Be Done

The person who does not want a job, is usually one who for some reason wants to give the impression that he is seeking a job. This is often because he is obtaining aid or support which is in some way contingent upon his seeking employment. As a result, he may come to the job program to give the appearance that he is seeking employment, but when he realizes the program may actually result in a job, he stops attending. It may be possible to prevent this person from dropping out by contacting the person or agency that wants him to get a job and informing them that he can get a job through this program if he cooperates. It might be beneficial to tell the party specifically how the client is not cooperating. It is not uncommon for this type of individual to give false feedback to the concerned party. For instance, he may say that the counselor told him not to come back, that he could not help him, or he may say that he finished and it didn't work.

The client who wants a job, but does not want to work to find it, should also have any concerned parties informed that his participation in this program will result in a job. It should further be stated that any encouragement on the part of the concerned party could be valuable to the client. In many cases, these clients may have been unemployed for a long period of time. If this is the case, the counselor should bring up the factor that whatever method the client has been using in looking for a job, it has not been effective. The client should be told that once he begins a job, he will be working full-time for an employer; however, now that he is looking for a job, he is actually working for himself. Since this is the case, it would be foolish for him not to work as hard for himself as he would for an employer.

The third type of potential drop out is the one who disagrees with the procedures and does not feel they are helping him to find a job. There are a few methods which may be used to remotivate this type of client and prevent him from dropping out of the group. First, it will be necessary to determine which procedures the client has been using properly and which ones he has not been using properly.

It may also be valuable to explain that other people have found the program valuable and were able to find a job as a result.

Appearance, Manner and Speech

The counselor should discuss with the clients the effects which their manner and speech have on the job search.

An employer may consider many factors before hiring. When an employer interviews a potential employee, he is not only concerned with the applicant's qualifications; but also with his personal characteristics. He is concerned about how well he will get along with the new employee and how well the new employee will "fit in" with the rest of the workers. He may judge applicants by their speech, their manner of dress, and their general appearance. Therefore, it should be stressed that the job-seekers should always speak courteously to employers, should dress neatly, and should make their general appearance appealing to him. The job-seeker should maintain his self-control at all times, even if the employer does not maintain his. This would include smiling and responding politely, even if the employer seems somewhat rude.

When at an interview, the job-seeker should be friendly to everyone. For example, if the job-seeker is waiting in a lobby to meet with an employer, he should be friendly with the secretary. If the secretary mentions that she was impressed with a particular job applicant, this may be the determining factor in the employer's decision.

The job-seeker should try to dress in a manner which is generally acceptable. This does not mean that the counselor should tell the client to wear a suit to every interview, but rather, to gage the type of clothes he wears to the type of job. For example, if the job-seeker is applying for an office job, then a suit would probably be the best thing to wear. However, if he is applying for a construction job, it would not be necessary to wear a suit. If the client is unsure what to wear in a particular situation, it is better to overdress than to underdress.

Good grooming is also important. For instance, a male client with long hair may be less likely to be hired in a conservative business.

First impressions are important factors in the employer's decision, and first impressions are often based on the job-seekers appearance and conversation.

TRANSPORTATION

One factor which can have a great influence on a job-seeker's success is transportation. If the client does not have transportation, he may not be able to get to the office, or to keep his interview appointments.

Therefore, the counselor should try to help the client solve transportation problems. During the introductions the counselor should mention that one of the advantages about the group approach to job-finding is that group members can help each other with many things, one of which is transportation. If a member has transportation problems, other members who live close to him are encouraged to give him a ride to the group sessions, or if group members have interviews at the same time and live in the same geographical area they can share rides.

Forming car pools can be helpful in two ways; the most obvious is that it can save everyone gasoline money. The second effect is that it could help promote the willingness to help each other as a result of the members being exposed to one another more. Members may be more helpful to each other in finding job leads. In addition, if a person is supposed to pick up two or three others, or if there is a car full of people coming to pick him up, he may be less likely to miss a session or be late.

Another way the counselor can help this situation is to provide the client with transportation funds. If the client was referred by another agency, the counselor should check to see if that agency could provide the client with transportation funds to come to the sessions. If funds can be provided for transportation, a very important variable which should be dealt with is when funds are made available. Agencies which are able to provide transportation funds are often unable to do so without a delay of days, weeks, or even months. If possible, a system or reimbursement should be arranged such that clients in need can be paid for transportation promptly.

Quite frequently job-seekers with transportation problems will be reluctant to follow up interesting job leads because they feel they may have trouble getting to and from the job. The counselor should mention to the clients that they should follow-up on every lead, even though they may have difficulty getting to and from work. It should be stated that the important factor is for the client to go to the interview and impress the employer. If offered a job, he is not required to accept it; he can then make the decision of accepting or rejecting the employer. However, an important factor which should be taken into consideration when making this decision is that the problem is probably not as bad as it may seem. If the employer has a number of employees, there is a good chance that one or more of them may live close to the client. If this is the case, these employees would probably be more than happy to form a carpool with the client to drive him to work in exchange for gasoline money. It may be possible for the client to make this type of arrangement before he begins his first day of work. One method is to contact the person in charge of the personnel and obtain a list of names, addresses and phone numbers of all the employees. If the personnel office hesitates to do this, he should explain that he is a new employee and is hoping to form

carpool to go to and from work and would like the names of the employees who live near him. The client then can go through this list and pick out those employees who live close to him. He can then call these people, after working hours, and find out in what way they can help him. Some clients may be reluctant to call people they have never met to ask for help, so the counselor should mention that this type of transportation arrangement would not only help the client, but would also be beneficial to the other employee because it would not cost him as much to get to and from work.

It is possible that there are no employees working at that organization who live close to the client. Since there are usually more businesses than one in a particular location, this means there are many more people who can help the client than just the employees of the business wanting to hire him. The client may feel even more reluctant to contact employees of an organization he has no affiliation with than one which has recently hired him. However, it should be explained that a person working at a nearby organization may be just as willing to help the client since he will benefit from sharing expenses. The client could probably get the names, addresses and phone numbers of people at nearby businesses by contacting personnel offices of nearby businesses and explaining why he needs the information. To help the client think of what to say when contacting these people the counselor should give him a copy of the following script.

WHAT TO SAY TO POSSIBLE FUTURE TRAVELING COMPANIONS

Working at the same organization:

INTRODUCTION:

- 1) "Hi, my name is _____. I just got hired at _____ where you work, and I found out that we live close to each other."

JOB-SEEKER HAS CAR:

- 2) "So, I was wondering if you would be interested in starting a car pool. This would save both of us money and wear on our cars."

JOB-SEEKER DOESN'T HAVE CAR:

- 2b) "So, I was thinking that we may be able to help each other out. I am going to need rides to work and if I could ride with you, I would help you with the travel expenses."

Working in business near the one you work at:

INTRODUCTION:

- 1) "Hi, my name is _____. I just got hired at _____ where you work, and I found out that we live close to each other."

JOB-SEEKER HAS CAR:

- 2a) "So, I was wondering if you would be interested in starting a car pool. This would save both of us money and wear on our cars."

JOB-SEEKER HAS CAR:

- 2b) "So, I was thinking that we may be able to help each other out. I am going to need rides to work and if I could ride with you, I would help you with the travel expenses."

SPECIAL POPULATIONS

Motivation

Job searching activities, particularly at the intensified pace used in this program, can produce a loss of motivation which may result in a decrease in job finding activities. The job counselor should do everything possible to maintain the motivation of his client to prevent a slow down in his job search, or a complete cessation of all job search activities. Some sub-populations of job-seekers have greater difficulty and present a motivational problem that requires special treatment.

Long-Term Unemployment

Some clients may not be highly motivated to find employment as a result of never having worked, receiving compensation for not working, or being supported by their family. The job counselor should try to motivate these individuals to seek employment. He can do this by stressing the advantages of being employed. These advantages may include being independent. In a situation where a client receives support from his parents, there are probably some contingencies placed on him such as hours he can be out, friends he can bring in, borrowing the family car, etc. It should be explained that once the individual is employed, he can live at his own place, buy his own car, and be more independent. This may also apply in the case of a housewife, who is bored being in the house all day and wants to go out and do things on her own. It should be explained that if she gets a job, she will develop a new circle of friends, which will result in opening up many new activities for her, as well as giving her finances of her own to buy things she wants.

It may be helpful if the counselor has a discussion with the individual client to determine what particular things the client would like to have that he does not have now. The counselor may want to suggest particular items which might seem attractive to the client. These may include buying a new car, having his own apartment, buying new clothes, traveling, buying new types of food, entertainment, or developing a special hobby or interest he has been waiting to pursue.

Whenever a client is unemployed and has not developed a number of interests to engage in throughout the day, he will probably become bored. For this type of individual, the counselor should emphasize the fact that the client will now have things to do during the day, and will also develop new friends who can help him engage in other types of activities during non-working hours. To the lonely or bored individual, this may sound like an exciting alternative to sitting at home.

For the unmotivated individual who appears to have a great deal of pride about being able to support himself, as well as his family, the counselor should continually emphasize the fact if he continues following the procedures he will soon gain employment and be independent again.

Welfare Recipients

Some welfare recipients may be difficult individuals to motivate to seek a job if they have been receiving assistance for long periods of time. In some of these cases it is unlikely that they will be able to find employment which will pay more than the amount which they are being paid for being unemployed.

As a result, the counselor should try to determine some type of job which may be rewarding to the client in other than a financial way. This type of job may be something where the individual would obtain some sort of social status or a boost to his ego among his circle of friends. Also, if the client enjoys doing something on his own, he may be motivated to search for a job which requires similar skills.

On the mock application form the client should have indicated his ideal job. However, in the event that an ideal job was not indicated, or if this needs to be expanded, the counselor should work with the client individually, or by getting suggestions from the group as to what types of jobs this person would be most likely to enjoy. One possible way to handling this may be to find out if the person had a job at some time in his past which he enjoyed. If so, the counselor should work with him to find that type of job once again.

If the client is unable to think of any type of ideal job, the counselor should inquire about hobbies and special interests to determine if there are any types of jobs which may deal with those interests. For example, if an individual likes to hunt or fish, he may enjoy working in a sporting goods store. A woman who enjoys cooking may like a job managing a restaurant. This may allow her to use her skills, as well as acquire status. Also, many area park districts have courses in a variety of crafts, skills or activities which an interested individual can teach for a percentage of the tuition. This means an individual with a special interest could design a course and, if nobody else is teaching it, present this to one or more park districts, and by going from park district to park district, develop a full time job as a teacher in his desired area of interest.

Long-term unemployed who are not collecting welfare

When a client has been unemployed for long periods of time without collecting compensation for his unemployment, he may feel that he has been actively looking for a job, even though he has done very little to find one. It may be difficult to get this person active in job-seeking activities. The person will probably use the excuse that he has no skill, there is simply nobody hiring, or nobody wants to hire him for some unknown reason. This individual may continue to say that he has checked all the available places, that all of his friends know he is out of work, and as a result he does not need to use the procedures. It is important to stress the utilization's success or failure is determined by what he does and not by some extraneous factors which he cannot understand. It should also be emphasized that even though people may know he is unemployed, he should keep reminding them of this fact and try to get their assistance in his job-search.

Some individuals claim they have already submitted applications to every available place. These individuals need an explanation that simply submitting an application is not enough. A way to handle this is to have the client put himself in the employer's position and decide who he would more be likely to hire when a position develops: a person who just walked in the office and is obviously wanting the job or an individual who has had an application on file for many months and may not still be available.

Motivation of Retarded Client and Guardian

In situations where the guardian of a client will be assuming the role of the job finder, different motivational factors exist. This individual, unlike the other job seekers, is not looking for a job for himself. Since he is trying to find employment for the dependent, the counselor should encourage this individual by mentioning the values he will derive out of this individual gaining employment. First, the guardian can feel more comfortable knowing that his dependent will be able to support himself in the future. Also, at the present time, the responsibilities the guardian has towards this individual will be lessened as a result of the client working, being out of the house and assuming some of his own responsibilities.

Former Mental Patient

It is not uncommon for a former mental patient not feel that no one will hire him simply because he was in a mental institution or underwent psychological therapy. This presents a problem which the counselor must deal with; he must increase the client's confidence in his abilities.

The counselor should remind the client to remember not to say anything which the employer may consider to be a negative point. For example, the client usually need not mention that he was in a mental institution. Even if there is a question asking for this information on the application form, this is information which is confidential and the client does not need to give out. It is not legal for the institution to give out this information.

It should be stressed, however, that if the client does not wish this information released, that he should not use people from the hospital or place where he was treated as references. Even though this is confidential information, if the client uses a person who has this information as a reference, this person can then give this information.

The client may say, if the employer questions the client about having undergone psychological treatment: "Yes, I did undergo psychological treatment, which of course makes me a better person to hire than most others, because everyone has some sort of problems, and most people never do anything about them, but I got rid of my problem."

If the client was in a mental institution and the employer does not know it, but he wants to know why the client did not work during that period of time, the client could simply indicate that he had some personal matters to take care of which are no longer a problem to him and he is looking forward to a job such as this, which he can be involved with for many years.

The important thing to remember when dealing with clients who have a background which the employer may consider to be negative is to first help the client feel that he is just as good, or better, than anyone else, and second, to teach him what to say or not to say, so that others will feel the same way.

Some clients will not mind discussing their former mental problems in the group; however, others will not want other group members to find out. For those who are not shy about it, the counselor should have them role-play the appropriate interview response with other group members. If they don't wish to discuss this with other members, the counselor should role-play the interview with him privately. The counselor can make this decision after talking to the client, in private, for a couple of minutes about problems may have indicated.

Housewife

A woman who has been a housewife for many years presents a special situation, because she belongs to a population which has many years of work experience, but receives no pay or recognition. This presents a threefold problem: first, convincing the housewife that she does have work experience; secondly, identifying the components of the work experience she has; and thirdly, teaching her how to present these components as skills to the employer. All of these factors are closely interrelated because all will help the housewife realize her own self-worth and make her gain more self-confidence, which can result in her becoming more enthusiastic in her job search.

How To Handle These Problems

1. Occupational Skills List - The counselor should have the client go through the Occupational Skills List and mark all the skills she has. Special attention should be given to the client by the counselor if she refutes the list by saying these are not marketable skills. The counselor should try to pick out particular skills and try to relate them to a specific job. For example, the counselor should go through the list of skills and ask the client if she has experience with them: "Do you know how to cook?" After each skill, the counselor should mention a job that requires that skill; cooking - as a short order cook or work in a delicatessen; sewing - working in a sewing factory, demonstrating and selling sewing machines or material, seamstress. After reviewing individual skills, the counselor should show the client how some of these skills put together are very marketable and desirable job skills.

"Do you know what kinds of skills are necessary to manage a short order restaurant. The same skills you have just told me you have years of experience.

If she does go through the list herself, the counselor should review her list and help her expand it. For instance, she may have three children, but not write down all the things she had to do with the children. For example, some of these may make her eligible for a nurse's aide position.

The counselor should then question the client to determine if her concerns about not having any marketable skills have been resolved.

2. Child Care While She is Working - An employer might think that a woman with school-aged children will have a poor work attendance record because she will miss work when her children are ill or be leaving work anytime her children have any sort of problem. This might be a prejudice of the employer and he might automatically make this assumption without asking the woman if arrangements have been made. The counselor should tell the client that she must tell this to the interviewer at any appropriate point during the interview, because the employer may not ask her if she has made arrangements for her children and not hire her because he fears a poor attendance record.
3. Application for Employment - If she has never worked at a paying position, she should write in the employment record that she was self-employed. She should mention the things she did at home such as child care. If she has had a job many years ago she may put the job on the employment record list, but not put the dates.

Welfare Contingency

For some Project SUCCESS clients, participation in program activities is a mandatory requirement to receive assistance. The Job Club component is an intensive job-seeking program. Non-participation in Job Club should be handled in the same manner as in non-participation in any other activity.

Child Care

Problems with child care are perhaps one of the frequently occurring obstacles in job searches. It is crucial that these arrangements be taken care of prior to the first Job Club session. This is important since the client will be spending most of his day in job search activities and could start a job at any moment. In areas where there is a shortage of child care available, it is sometimes possible for clients to help one another out with this problem. For instance, if one client enjoys taking care of children, and has adequate facilities to do so within the home, it may be possible for that individual to take care of the children of other clients. If this occurs, two benefits have resulted. One client has job doing child care, and a number of other clients no longer have a child care problem. Registrants wishing to provide in-home child care should be encouraged to seek licensing, if appropriate.

Loss of Money By Gaining Employment

Occasionally, clients feel that they may be financially hurting themselves by obtaining employment. They feel they may make more money staying on assistance than collecting a paycheck. The stepping stone approach should provide motivation to all clients: that they should not look at the job they obtain as an ending point, but rather as the beginning of a number of moves upward. Clients should be taught that employers will look upon them more favorably if they are already working somewhere else than if they are unemployed. This means they will have a better chance of getting a better job or moving up within the same organization, if they are already employed.

Often, clients in a job situation they dislike will quit the job and perhaps look for a better job. However, they should be taught that they should begin looking for a better job while they are still employed.

To further encourage this approach, the counselor should remind clients that he will be available to assist them even after they start working. They can call the counselor for job-seeking advice and obtain additional copies of resumes and letters of recommendation to distribute to employers.

Discrimination Through Agency Association

Clients often receive job development assistance from the agency. This means that job developers contact employers who agree to consider hiring clients. The clients are then referred to the employer. This approach often necessitates that the client identify himself as a client, and, therefore, an AFDC or Food Stamp recipient. In situations like this, it is an obvious benefit for the client to be associated with the Project SUCCESS office. However, when clients pursue leads which they obtained on their own, this benefit of agency association does not exist. In fact, employers often develop negative connotations about job applicants who are on assistance. Most interviews result from leads the clients obtained by themselves. As a result, clients should be instructed to avoid saying that they are "welfare clients."

Professional training and Experience and/or Extensive Work Histories

In the case where a client has a specialized education and is looking for a job in a profession, such as teachers, biologists, psychologists, architects, engineers, there may be difficulty in finding positions within the geographical area. The same procedures should be utilized with these people. However, it may take them somewhat longer than the average client to find employment as a result of his specialization.

- The client who is highly educated and/or has worked in his field for many years, usually presents a special situation. The reason for this is that this type of client probably has not had to look intensively for employment in the past. Since his skills have been in great demand, he had only to send a resume and letter and job offers usually have come to him; now he may find the situation has changed and he must sell himself to an employer. This reversal is often difficult for many professional people to cope with and may produce motivational problems.

To resolve these motivational problems, the counselor should spend some time with this client explaining how the job market has changed and requires a change in his approach. It is not uncommon for this type of individual to feel that the procedures in this program are good, but not necessary for someone with this training. The counselor should try to emphasize the value of the procedure for all clients including professionals. This can be accomplished by quoting examples or stating the effectiveness of the program with all clients. Very frequently the professional client only desires help with his resume. Such help is, of course, furnished normally in this approach. In addition, the client should be urged to follow the basic format of the program. The actual content of the program should be altered in the following details for professional persons as compared with non-professional.

Directories of the members of the client's profession should be available from a library. These directories can be obtained from the national, state, or regional associations of the profession. The professional client should use these directories in the same manner as the other clients use the "yellow pages".

The employment bulletin of the client's professional groups should similarly be obtained for use in the office, or lacking that, in a library. These employment bulletins should be used by the professional client in the same general manner that has been described for the newspaper help wanted ads by other clients. Professors or other persons in the same profession can assist in identifying and obtaining these bulletins.

The relocation procedures are more likely to be relevant for professional clients, especially if they reside in an area where little or no need exists for their specialized skills.

Personal contacts from present and former classmates and co-workers are often of greater importance to professional persons because of the relatively limited advertisement of positions available in the professions.

Attending the employment section of several professional convention meetings is a distinctive source for jobs for professionals.

If many clients from the same profession are being counseled, copies of the employment bulletins, and professional association membership directories should be obtained for the job counseling office and regularly updated.

Most of the other procedures in the program are as relevant for professionals as for others, including: the emphasis on friends, relations and acquaintances; the resume format; use of the telephone; use of the mail; sharing of job leads from past and present clients; contacting former employers and co-workers; searching out unadvertised positions, etc. The most important part of the resume, for many professionals, is the employment skills section. This is also important for non-professionals; however, it is likely that professionals will spend more time on this section than non-professionals. The reason for this is that professionals often have many more skills to itemize. The more skills an individual itemizes, the more impressive he will appear. However, long lists of skills can present a problem if not properly organized on the resume. An employer may become bored with a long list of items and not thoroughly read through them. If this occurs, it is possible that skills related to that employer's business may be overlooked. To overcome this problem, clients with large numbers of skills, such as professionals, should put their skills into categories. These categories, such as sales, counseling, or management, should stand out from the skills under them by placing them slightly in the left hand column of the page. They should also be typed in bold print and underlined. When this approach is used, the length of exposure to the skills should be itemized only for the category and not for the individual skills. This means that a job-seeker with 5 years experience conducting group therapy plus 6 months experience doing individual counseling, would indicate 5 1/2 years experience in the field of counseling. The same format is followed for non-professionals, of course, but less need exists for them to combine skill areas since they usually do not have as many component skills.

Further Education

The most obvious advantage to job seeking over going to school, is that it will result in the client quickly obtaining an income. This means he will be self-sufficient and will not have to rely on others for his support. Also, he may be able to afford to buy things which he could not afford in the past. Cash benefits are not the only advantages to working: a person's pride and feeling of self-worth can often increase after he begins employment.

If an individual is interested in learning new skills he may be able to go to night school, or he may be able to go to school during the day and get a night job. Either way, he will be able to learn new skills on the job. Often employers prefer to train the person on the job.



CHAPTER 10

How Can It Help

Certain specialized types of jobs may not be available at all in a particular area, whereas they may be available in other areas. This is particularly true if the client lives in a rural rather than metropolitan area.

Problems Encountered With this Approach

Most clients will wish to stay in their present location and will not consider relocation. If the client is looking for a job which is plentiful in the area where he lives, then this does not present a problem. However, in cases where the client is looking for a position which is scarce or non-existence in his particular area, refusing to relocate can become a major stumbling block in his job-seeking process.

How To Handle These Problems

The counselor should first explain to this individual that this particular job is scarce or non-existent in this particular area. The client should then be reminded of his desire and necessity to find a job as quickly as possible. This is a good time for the counselor to explain that despite the client's necessity and eagerness to find this type of job quickly, he cannot find something which is non-existent, or is unlikely to find something quickly if it is scarce. However, if he relocates to an area where this type of position is plentiful, he is likely to acquire a job.

Where To Look

The counselor should help the client determine in what geographical areas he should concentrate his job search. A group discussion about what types of areas this particular job would be plentiful in can be helpful. After it is determined in what areas this job is plentiful, the client himself must determine which particular cities or parts of the country he would prefer to live. In cases where the client knows nothing about particular geographical areas, the group may be able to supply him with this helpful information based on their own personal experiences or those of their friends. After the client has a few places in mind, it should then be determined if he could easily and successfully conduct his job search. Factors which can help to determine this would be which areas he has friends or relatives in, or areas that other group members have friends or relatives. To begin this process, the client should go through his "people I know" list and pick out people who live in the particular areas he has identified. In many cases the client may not have included people from these areas when he filled out the this form, so he would now expand this list to include people in the geographical areas under consideration. Other group members should also encourage the relocation clients by thinking of all the people they know in these relocation areas and giving this list of names, numbers and addresses to the relocation client for his use.

How Friends and Relatives Can Be Useful To The Client

If the client knows people in a relocation area, these people can be beneficial to him. They may be able to supply him with information on job leads in that area. Also, they may be able to supply him with lodging or the names of places where he can stay. In the case where the client is contacting the friend of another client, he may be reluctant to ask for lodging. However, if he mentions that the fellow client suggested that this person may be able to supply job leads and information on where to stay during his job search in that area, this individual may supply the client with job leads and possibly suggest a place to stay.

These people may be contacted either by letter or by telephone. The advantage of the telephone approach is that the client would get immediate response to his efforts, and the response is more likely to be positive than with a letter. It is easier for a person to misplace a letter or not respond to a letter than it is to refuse assistance over the telephone.

The disadvantages to using the telephone are: first, that it is expensive to make long distance calls; second, the client may have trouble getting this individual during the day and the client may be less likely to contact the individual once he has left the DHS office, particularly if the person he is contacting is not someone he knows.

Writing Letters

The advantages of using a letter are: first, it is more economical; second, the client can easily write the letter while in the office; third, clients seem to be more likely to contact someone they don't know by mail than by making a personal telephone call.

The disadvantages to using the letter as noted above are that the client will not get immediate response to this inquiry or may not get any response at all. Another reason is that using a letter does not allow a client as much personal contact with people as the telephone procedure.

Appendix C

Sliding Fee Scale



DAY CARE CLIENT FEE CHART

Family Size	Monthly Income 0% to 40.0%	Monthly Income 40.1 % up to 45.0%	Monthly Income 45.1 % up to 50.0%	Monthly Income 50.1 % up to 55.0%	Monthly Income 55.1 % up to 60.0%	60.1% up to 100.0%	ANNUALLY 60.0%
1	0 to \$632.83	\$632.84 \$711.94	\$711.95 \$791.04	\$791.05 \$870.15	\$870.16 \$949.25	\$949.26 \$1,241.34	\$11,391
2	0 to \$827.56	\$827.57 \$931.00	\$931.01 \$1,034.44	\$1,034.45 \$1,137.89	\$1,137.90 \$1,241.33	\$1,241.34 \$1,533.43	\$14,896
3	0 to \$1,022.28	\$1,022.29 \$1,150.06	\$1,150.07 \$1,277.85	\$1,277.86 \$1,405.63	\$1,405.64 \$1,533.42	\$1,533.43 \$1,825.51	\$21,906
4	0 to \$1,217.00	\$1,217.01 \$1,369.13	\$1,369.14 \$1,521.25	\$1,521.26 \$1,673.38	\$1,673.39 \$1,825.50	\$1,825.51 \$2,117.59	\$25,411
5	0 to \$1,411.72	\$1,411.73 \$1,588.19	\$1,588.20 \$1,764.65	\$1,764.66 \$1,941.12	\$1,941.13 \$2,117.58	\$2,117.59 \$2,409.68	\$28,916
6	0 to \$1,606.44	\$1,606.45 \$1,807.25	\$1,807.26 \$2,008.06	\$2,008.07 \$2,208.86	\$2,208.87 \$2,409.67	\$2,409.68 \$2,628.75	\$29,573
7	0 to \$1,642.94	\$1,642.95 \$1,848.31	\$1,848.32 \$2,053.68	\$2,053.69 \$2,259.05	\$2,259.06 \$2,464.42	\$2,464.43 \$2,628.75	\$30,230
8	0 to \$1,679.44	\$1,679.45 \$1,889.38	\$1,889.39 \$2,099.31	\$2,099.32 \$2,309.24	\$2,309.25 \$2,519.17	\$2,519.18 \$2,628.75	\$30,887
9	0 to \$1,715.94	\$1,715.95 \$1,930.44	\$1,930.45 \$2,144.93	\$2,144.94 \$2,359.42	\$2,359.43 \$2,573.92	\$2,573.93 \$2,628.75	\$31,545
10+	0 to \$1,752.50	\$1,752.51 \$1,971.56	\$1,971.57 \$2,190.62	\$2,190.63 \$2,409.69	\$2,409.70 \$2,628.75	\$2,628.76 \$2,628.76	

PARENT PAYS: NO FEE 20% OF FEE 40% OF FEE 60% OF FEE 80% OF FEE FULL RATE

EFFECTIVE: 10/01/96

Appendix D

DCFS User Help

USER HELP

HOW TO ACCESS THE CHILD DAY CARE SYSTEM:

1. Logon to WISE.
2. In the GOTO field key L000. (Be sure to key zeros)

The system will take you to the Main Menu.

THE FOLLOWING SCREENS WILL BE UPDATED TO PROCESS AN APPLICATION:

IN02 Client Information
PF4 Household Information
PF4 Eligibility Determination
AZ30 Pending Authorization
AZ05 Actual Authorization

COMPLETE THE FOLLOWING STEPS TO ACCESS THE ABOVE NAMED SCREENS:

1. From the Main Menu select "IN" Application/Eligibility Subsystem.
2. From the Application/Eligibility Subsystem Menu select "02" Client Application (Information).
3. From the Client Information Screen select F4 HH INFO.
4. From the Household Information Screen select F4 ELIG DET.
5. From the Eligibility Determination Screen select F4 PENDING AUTH.
6. F5 must always expand Key F2 for Submenu key "03" Enter. Hit Enter again (do not have to key Wk # area code) cursor down to name - Hit F9 - cursor down to FAC # and key 4 or 5 digit # - Enter this gives you Certification of Authorization.



USER HELP

APPLICATION/ELIGIBILITY SUBSYSTEM

CLIENT APPLICATION SCREEN

Wrap around Y/N always key N

Required keyable fields are the following: SSN, Applic Date, Elig Cat Code, Resident, School Grade, Est Dist, National Goal/Need.

Elig Cat Code: The valid codes are as follows

- 13 AFDC UP With Earnings
- 14 AFDC UP Without Earnings
- 21 Targeted AFDC Basic With Earnings
- 22 Targeted AFDC Basic Without Earnings
- 23 Targeted AFDC New Hope With Earnings
- 24 Targeted AFDC New Hope Without Earnings
- 31 TCC Was Project Success When Closed
- 32 TCC Was Not Project Success When Closed
- 41 Non Jobs With Earnings
- 43 Non Jobs Without Earnings
- 50 E&T

National Goal/Need: The Valid Codes are as follows:

- A EMPLOYED RELATED I (Jobs or E&T)
- B SUPPORTIVE SERVICE II (TCC or Non Jobs)

Enter

THE NEXT SCREEN YOU NEED TO UPDATE IS HOUSEHOLD INFORMATION TO PROCEED USE THE PF KEY F4.



USER HELP

HOUSEHOLD INFORMATION SCREEN

Required keyable fields are: SSN, Name, DOB Year, Race Sex, Child Care, Special Needs, Relationship, Household Income/Amount.

Race Codes: Valid Codes are as follows:

- 01 White
- 02 Black
- 03 American Indian
- 04 Unknown
- 05 Spanish American
- 06 Oriental
- 07 Indo-Chinese Refugee
- 08 Other

Sex Codes: Valid Codes are as follows:

- 01 Male
- 02 Female

Child Care Does this child need child care:

- Y Yes
- N No

Special Needs Does this child have special needs?

Space bar across this field

Relationship Codes: Valid Codes are as follows:

- 01 Mother
- 02 Father
- 03 Son
- 04 Daughter
- 05 Brother
- 06 Sister
- 07 Spouse
- 08 Grand Parents
- 09 Aunt
- 10 Uncle
- 11 Other

Income Codes: Valid Codes are as follows:

- 01 Earned Income
- 02 Unearned Income
- 03 AFDC
- 04 SSI
- 05 Alimony/Child Support
- 06 No Income
- 07 Other
- 08 Dollar amounts and cents - Enter

THE NEXT SCREEN YOU NEED TO UPDATE IS ELIGIBILITY DETERMINATION TO PROCEED USE THE PF KEY F4.



USER HELP

ELIGIBILITY DETERMINATION SCREEN

If cursor is blinking in Fund Override Key "Y" and proceed.

There are no required keyable fields on this screen. Funding has been pre-allocated based upon information keyed on previous screens. Priority codes will automatically display in the Fund Source Field located beside the child designated to receive child care. The worker can change the priority code the system assigned by rearranging the numbers. If no changes are necessary the worker will <ENTER>

Priority Codes	Fund Source Codes:
01	F063 IV-A
02	F064 IV-A AT RISK
03	F008 CCBG
04	F006 SSQBG

Examples:

Child SSN;	Child Name	Fund Source
900000000	Jim Laxy	13

Re-order, if needed -

The 1st # listed will be the fund source it pulls from.- Enter

This means that child is eligible for funding from two sources (1)F063 and (3)F008 CCBG.

THE NEXT SCREEN YOU NEED TO UPDATE IS THE PENDING AUTHORIZATION SCREEN TO PROCEED USE THE PF KEY F4.



USER HELP

ELIGIBILITY DETERMINATION SCREEN

If cursor is blinking in Fund Override Key "Y" and proceed.

There are no required keyable fields on this screen. Funding has been pre-allocated based upon information keyed on previous screens. Priority codes will automatically display in the Fund Source Field located beside the child designated to receive child care. The worker can change the priority code the system assigned by rearranging the numbers. If no changes are necessary the worker will <ENTER>

Priority Codes	Fund Source Codes:
01	F063 IV-A
02	F064 IV-A AT RISK
03	F008 CCBG
04	F006 SSDBG

Examples:

Child SSN;	Child Name	Fund Source
900000000	Jim Laxy	13

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The 1st # listed will be the fund source it pulls from.- Enter

This means that child is eligible for funding from two sources (1)F063 and (3)F008 CCBG.

THE NEXT SCREEN YOU NEED TO UPDATE IS THE PENDING AUTHORIZATION SCREEN TO PROCEED
USE THE PF KEY F4.

USER HELP

PENDING AUTHORIZATION SCREEN

The following are the required keyable fields:

Begin Date, End Date, Fund Source, Fund Use, Service Needed, Days of Week, Start Time, End Time, Lic Tp, Age CD.

Fund Source	Fund Use
F063 = Jobs, Non-Jobs, TCC	101
F063 = E&T	201

Service Needed

1st Field 06 = Day Care (This is the only valid code)

2nd Field = 10 Hourly

20 Before & After School

21 Before School

22 After School

30 Full Day

40 Night Care

50 Weekend

Days of Week

Key a "X" over the day(s) of the week care is authorized.

Start Time/End Time

Key the time of day child is authorized to receive care.

(24 hr Clock) ex. - 0700 - 1500 must round to nearest hour (will not take 07:15 etc.)

License Type (Lic Ty)

01 Day Care Center

03 Day Care Family Home

04 Infant/Toddler

05 Sick Care

06 Relative Family Member

07 School Age

08 Voluntary Registry

09 In Home

10 Certified/Federal Out of State

Age CD

I = 000-018 Infant

T = 018-036 Toddler

P = 030-071 Preschool

S = 072-155 School Age

O = 156-215 Over Age 13

Waiting List Screen Not Working Yet.

Any Problems or questions please contact:

Bobbie Ferguson, 681-8763 DCFS Program Coordinator

Marva Bradshaw, 681-8752 Program Analyst

Appendix O

AFDC Overpayments



Appendix O

AFDC Overpayments

This appendix provides the policy and procedures which will be followed to determine and report any overpayments which have occurred in the AFDC program prior to July 1, 1997, and are discovered and/or reported in or after July 1997.

The FA Manual references in this Appendix are to the Financial Assistance Manual which was in effect on June 30, 1997.

This appendix will not be used to determine any overpayment occurring in the TEA program in or after July 1997. Specific TEA overpayment policy and procedures will be issued separately.



9000 Overpayments9001 Definition of Overpayment

Any payment received by or for a recipient which is in excess of the amount that should have been paid is an overpayment. It exists for each month the recipient received such payment to which he was not entitled. It may be for all or any part of the grant. An overpayment may result from the recipient having given fraudulent information, having withheld information, having failed to report information, or having failed to report a change in circumstances; from the agency having made an error or having failed to take action; or from a combination of these factors.

Special Notes:

1. By definition, no "overpayment" exists if the recipient does not present the warrant for payment; and
2. By definition, calculations to determine overpayments must be in accordance with eligibility requirements and budgetary procedures and allowances in effect at the time of such overpayment, not the time of discovery and computation.

9002 Definition of Fraud

Fraud consists of some deceitful practice or felonious device resorted to with the intent to receive an assistance grant to which an individual is not entitled under the rules and regulations of the Division.

9003 Fraud-Legal Provision

Arkansas Statute 41-2203 provides that a person commits theft of property if he knowingly obtains the property of another person, by deception or by threat, with the purpose of depriving the owner thereof. (Other Arkansas Criminal Statutes concerning welfare fraud were repealed during the 1979 session of the General Assembly.)

Only the Courts can determine guilt under the statute and impose the legal penalty. The responsibility of the Service Representative is to determine where there may be "intent to defraud" on the part of the client or other persons and report their findings to the Overpayments Unit.

9004 Determining the Overpayment Amount

The policy, procedures, and need standards which were in effect at the time the client was overpaid will be used to determine the overpayment amount. The overpayment will be determined on a month by month basis. For cases in which a change in circumstances caused the overpayment, except for changes in income or resources, the overpayment will begin with the first month following the month the change occurred. For example, the absent parent returned to the home in June. The overpayment will begin in July. Overpayments due to income or resources will be determined as outlined in FA 9005-9009.

The overpayment amount will be the difference between the grant amount which was paid and the grant amount for which the client was actually eligible. NOTE: For overpayments occurring in or after November, 1981, if the client was actually eligible for an amount less than \$10, then the overpayment amount will be the full grant amount which was paid.

* 9004.1 Determining an Overpayment Due to the Improper
 Exclusion of a Standard Filing Unit Member

In cases in which a required Standard Filing Unit member has been improperly excluded from the assistance unit, an overpayment will be determined only if inclusion of such person's needs, income, and resources would have rendered the unit ineligible or eligible for a lesser grant amount.

Beginning with the month following the month in which the person became a required Standard Filing Unit member, e.g. entered the home, became deprived of parental support or care, etc., a budget will be computed, with the person's needs, income, and resources considered, for each month in which the person was improperly excluded. The person does not have to have met all technical eligibility requirements, such as SSN enumeration, for each month. Since this type of overpayment will always involve income and/or resources, eligibility and grant amount will be determined in accordance with FA 9006-9009. Each month in which the unit would have been ineligible or would have been paid a smaller grant amount had the person been included will be reported as an overpayment month.

No overpayment exists if inclusion of the person would have resulted in the same or a larger grant amount being paid to the unit.

EXAMPLES:

1. Ms. Smith receives AFDC for herself and one child. In June, her other child John, who had been living with his father, returned to the home. Also in June, she started receiving John's \$260 monthly SSA check. She failed to report, though, that John had returned until her next reevaluation in October. Since John is a half-sibling to the AFDC child, his needs and income must be included which renders the entire unit ineligible and the case is closed effective for November. To determine the overpayment, eligibility is determined for each month beginning with July and continuing through October with John's needs and income included. This results in the entire unit having been ineligible in each month. Therefore, the grant amount actually paid in each of those months will be reported as an overpayment.
2. At her reevaluation in May, Ms. Jones applies to add her new baby who was born in February. The baby does not have any current or past income or resources. Since inclusion of the baby would have resulted in a larger grant to the unit than was actually paid for the months of March - May, no overpayment exists even though Ms. Jones did not apply for the baby in a timely manner.

9005

Overpayments Due to Income Prior to June, 1982

Overpayments resulting from a change in income prior to June, 1982, will begin with the 2nd month following the month in which the change in income was first received. For example, the client began working December 28 but did not receive her first paycheck until January 7. The first month of overpayment will be March.

The overpayment amount for each month will be determined based on the actual gross income received and other circumstances which existed in the month. For example, March's overpayment amount will be determined based on the gross income received and other circumstances which existed in March.

If the overpayment extends into June, 1982 or later, then the amount beginning with June, 1982 will be determined as outlined in FA 9006.1.

9006

Determining Overpayments Due to Non-Lump Sum Income - June, 1982 and Later

The procedures for determining an overpayment due to non-lump sum income beginning in June, 1982 and later are explained in detail in the following section.

9006.1

Overpayments Due to Non-Lump Sum Income Beginning June, 1982 through September, 1990

Overpayments occurring in or after June, 1982 and through September, 1990, which are due to income, other than lump sum payments, will be determined as follows:

1. Beginning with the month in which the change in income was first received, determine eligibility month by month based on the gross income received and other circumstances which existed in each month. (prospective budgeting)
2. If ineligibility exists in any month as determined in Step #1, then the grant paid in that month is an overpayment even if the client was eligible on the date the grant was paid. EXAMPLE: The client began working on June 6 and received 3 paychecks in June. The total of those 3 paychecks exceeded the 185% gross income limit. Since ineligibility exists for the month of June, the grant paid on June 1 is a recoverable overpayment.

NOTE: This applies only when ineligibility occurs due to a change in non-lump sum income or resources (Refer to FA 9009). When other changes occur causing ineligibility, e.g. return of the absent parent, then the grant paid in the month of change is not an overpayment (Refer to FA 9004).

3. If eligibility exists in a month as determined in Step #1, then the eligible grant amount for the month will be determined based on the gross income received and other related circumstances which existed in the month's corresponding budget month (second month immediately preceding the payment month - retrospective budgeting) unless either or both of the 2 months immediately preceding the payment month were ineligible months (Refer to Step #4).

EXAMPLE: The client received 1 paycheck in June rendering her eligible for a June payment. The grant amount is then based on June's corresponding budget month (April) in which she had no income. Therefore, the grant paid in June was correct and no overpayment exists for June.

NOTE: Changes in income that occurred in August or September, 1990 will be reflected in August or September grants because retrospective budgeting cannot be used for October 1990 and November 1990 grants.

4. The grant amount for the first 2 eligible months following a month(s) of ineligibility will be determined using prospective budgeting, i.e. actual income and circumstances in that month. **EXAMPLE:** For the months of June and July, eligibility exists and the correct grant amounts are determined using retrospective budgeting. In August, the client is ineligible for a payment as determined in Step #1. In September and October eligibility exists again. Since the month of ineligibility (August) broke the retrospective budgeting cycle, the eligible grant amounts for September and October will be based on the income and other circumstances in September and October. If eligibility continues to exist in November, then the retrospective budgeting cycle will begin again.

EXAMPLE OVERPAYMENT DETERMINATION:

In December the worker discovers that a client has been receiving monthly contributions since May. The January grant is adjusted to reflect the contributions. For the months of May - December, her AFDC grant was \$116/month for herself and 1 child. The following shows the overpayment determination for those months.

Monthly Income	May \$125	June \$125	July \$100	Aug. \$110	Sept. \$95	Oct. \$100	Nov. \$100	Dec. \$100
Eligibility (Yes or No)	No	No	Yes	Yes	Yes	Yes	Yes	Yes
Grant Computation Prospective or Retro-spective	—	—	P	P	R	R	R	R
Eligible Grant Amount	0	0	\$16	\$6(No Grant)	\$16	\$6(No Grant)	\$21	\$16
Overpayment Amount	\$116	\$116	\$100	\$116	\$100	\$116	\$95	\$100

9006.2

Overpayments Due to Non-Lump Sum Income In or After October, 1990

Overpayments occurring in or after October, 1990 which are due to income other than lump sum payments, will be determined as follows:

1. Beginning with the month in which the change in income was first received, determine eligibility and grant amount based on the actual gross income received and other circumstances which existed in each month. The weekly

and bi-weekly income will not be converted into monthly amounts. The overpayment will be determined based on actual income received in the month.

2. If appropriate, the sanction for an untimely report of earnings will be applied to determine the overpayment amount for each month beginning with the month in which the change occurred and each subsequent month in which the earnings were not reported timely (Refer to FA 2367).

Any month in which the grant amount paid to the client is greater than the amount to which the client was actually entitled will be reported as an overpayment month:

9007 Application of Sanction for Untimely Report of Earnings and
4 Month Exclusions Limit

When an overpayment is due to an untimely report of earned income, without good cause, the sanction for failure to report earnings timely will be applied when determining the overpayment amount. The sanction, i.e. no earned income deductions or exclusions allowed, will be applied to the earnings received in each month in which such earnings were not reported timely (Refer to FA 2367). The sanction will not be applied to determine eligibility under FA 9006.1, Step #1. If eligibility exists, then the sanction will be applied to determine the eligible grant amount for the month, if appropriate.

If the client has not already received 4 consecutive months of exclusions prior to the overpayment occurring, any overpayment month in which the sanction is applied is counted as one of the 4 months. Therefore, if the sanction is applied to 4 consecutive overpayment months, then the client is no longer entitled to receive the exclusions until he has been a non-recipient for 12 consecutive months (Refer to FA 2365.3).

9008 Overpayments Due to Lump-Sum Income Beginning June, 1982
through August, 1990

When an overpayment occurs due to the receipt of a lump-sum payment in or after June 1982 and through August 1990, the first month of overpayment will be the payment month corresponding to the budget month in which the lump-sum was received (i.e. second month following the month lump sum was received). A period of ineligibility due to the lump-sum payment will be established as outlined in FA 2379.2. The full grant amount paid in any month during the period of ineligibility will be an overpayment.

9008.1 Overpayments Due to Lump Sum Income In or After September, 1990

When lump sum income is received in or after September, 1990, the period of ineligibility will be determined as outlined in FA 2379. The first month of ineligibility will be the month in which the lump sum payment was received. The full grant amount paid in any month during the period of ineligibility will be an overpayment.

9009 Overpayments Due to Excess Resources

When a case is found to be ineligible due to excess resources, the full grant amount paid in any month, including the month of change, in which the resources exceeded the allowable resource limit is an overpayment.

9010 Offsetting Overpayment with Underpayment

When a case is found to have been underpaid, such underpayment will be used to offset the amount of any outstanding overpayment claim. An overpayment may be offset with an underpayment when it is initially reported to the Overpayments Unit, Central Office, or at any later time. Form EMS-54, AFDC Underpayment/Overpayment Offset Report, will be used to notify the Overpayments Unit of an offset.

The full amount of the underpayment will be applied to the overpayment. Any amount in excess of the outstanding claim will be authorized as retroactive payment (Refer to FA 2670).

9100 Reporting of Overpayments

Forms DHS-50 and DHS-1700 will be used to report overpayments. Any overpayment which is determined to exist according to FA 9004-9009 is a reportable overpayment.

9101 Procedure for Reporting Overpayments**9101.1 Recording Information in the Case Narrative**

When an overpayment is discovered, the Service Representative will record in the case narrative the amount of the overpayment, the date the overpayment began, the reason(s) why the overpayment occurred, and any other pertinent information. If the overpayment occurred because the recipient provided false or incomplete information or failed to report a change in circumstances within ten days, the recipient will be advised of the possible consequences (request for repayment and/or prosecution for fraud) and asked to explain his action(s) or failure to act. His explanation will be recorded in the case narrative. When all information is recorded, the case record will be referred to the EMS County Supervisor or his/her designee for concurrence as to the correctness of the overpayment determination.

Field staff will refrain from making accusations of fraud to the recipient.

9101.2 Control Register and File

✓ Each overpayment discovered will be entered in the register maintained in each local office.

The register will give the following information:-

1. Name
2. Case Number
3. Date overpayment was discovered
4. Date, month/year overpayment started
5. Date referred to Overpayments Unit
6. Suspected fraud
7. Non-Fraud

9101.3 Referral to Central Office Overpayments Unit

All cases involving incorrect payment, resulting in overpayments or ineligibility and overpayment, shall be referred to the Overpayments Unit in Central Office. The referral form will be the original DHS-50. All sections must be

completed and answered in full. In addition, the worker must attach a copy of the EMS-7/s containing the budget calculations used to establish the overpayment amount reported in Section VI of the DHS-50.

If fraud is suspected, the County Office should conduct an investigation and submit Forms DHS-50 and DHS-1700.

If the County Office investigation is unable to establish the full amount of the overpayment, Form DHS-1700 will be completed and forwarded to the Overpayments Unit. A memorandum will be attached to the DHS-1700 detailing the County Offices efforts and explaining why they were unable to establish the overpayment.

The Central Office Overpayments Unit will register all overpayment referrals. All cases of suspected fraud will be immediately brought to the attention of the DHS Fraud Unit. The manager of the Fraud Unit, or his designee, will screen all overpayment referrals at least weekly and select the appropriate referrals for further investigation. After screening, rejected referrals will be so noted as to reason for rejection, and the document signed by the Fraud Unit Manager or designee.

If the case is selected for further fraud investigation, the Overpayments Unit will not pursue recovery until notification from the Fraud Unit that the case has been declined for prosecution, agreement reached with client and case not going to court (signed agreement) or the case has been adjudicated. The stipulations of the court order will be given to the Overpayments Unit by memorandum from the Fraud Unit.

If it is found in the fraud investigation that the period of time and/or the amount of the overpayment or ineligible payment is different from the original amount submitted by the County Office on the DHS-50, the Overpayments Unit will make the necessary adjustment.

9102 Responsibility of Central Office Overpayments Unit

The Overpayments Unit, Central Office, will make the decision concerning the feasibility of repayment for all overpayments and ineligibles whether they resulted from:

- . Administrative error.
- . Misunderstanding of state policies or laws by the client.
- . Willful withholding or incorrect statement of factual information by the client.

A Reviewing Official in the Overpayments Unit will:

1. Review information submitted by the local offices via DHS-50 and DHS-1700. Additional information from the local office may be requested when needed for a decision or further action.
2. Make a decision on the feasibility of seeking repayment relative to the disposition of the claim when collection and/or fraud referrals are indicated.

9103

Collections

The Central Office Overpayments Unit will make the determination relative to the disposition of the claim when collection and/or fraud referrals are indicated.

When an agreement is reached with the client, either by the Fraud Unit or Legal Unit, the Central Office Overpayments Unit will be apprised of whether:

1. Client has been sentenced;
2. Client's sentence has been suspended contingent upon restitution by court order;
3. Voluntary agreement to repay has been reached;
4. Signed agreement to repay has been negotiated;
5. Civil court action initiated and results.

9104

Finance and Accounting Central Office

Finance and Accounting in Central Office will be responsible for receiving and processing all monies collected.

9200 RECOUPMENT AND RECOVERY9201 Definitions

RECOVERY -Regaining moneys lost by Arkansas Social Services as a result of a recipient receiving payments to which they were not entitled.

RECOUPMENT -Withholding of a cash amount from the assistance grant when a client has a pending claim due the state for some amount of ineligible cash payment.

RESTITUTION -Securing a direct payment from an individual in the form of cashier's check or money order made payable to Arkansas Social Services for overpayments received.

HARDSHIP SITUATION -A situation in which the client is in a state of being deprived of what is needed for basic subsistence, e.g., food, shelter, utilities.

9202 GENERAL POLICY STATEMENT

Overpayments and ineligible payments made to recipients of AFDC are subject to recovery action in accordance with federal regulations.

The policy of this State is that recovery of overpayments will be pursued. An effort will be made to recover all overpayments. There will be no distinction between willful and non-willful withholding of information by the recipient, i.e., reasonable and practical steps to correct and collect any overpayment that is known to the State will be made regardless of whether the reason for the error payment was caused by the agency or the client.

It is not the policy of this State to inflict hardship on individuals or their families by means of its recovery policies, therefore, the following rules will be followed:

1. Recovery may be made from income, liquid resource, or reduction in AFDC assistance payment.
2. The amount to be recouped from the AFDC payment will not exceed 10% of the households reduced needs standard as applicable under the IV-A State plan.
3. Recovery will be made from the individual who caused the overpayment, or if the person responsible for the overpayment has left the household, recovery will be made from any other individual who was a member of the overpaid Assistance Unit.
4. Correction of "any" overpayment or under payment will be made irregardless of the cost effectiveness.

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5. In all situations in which an overpayment has occurred and the recipient is currently receiving AFDC payment, recoupment of the overpayment will be initiated unless the recipient makes full restitution.
6. The amount of an outstanding overpayment will be used to offset an outstanding underpayment if an Assistance Unit has both.
7. When a former recipient with an outstanding overpayment reapplies and is found eligible, recoupment will be reactivated based on the recipient's current level of payment, income, and liquid resources.

Similarly, corrective payments will be made to a former recipient who has an outstanding underpayment, who reapplies and is found eligible.

9203 Recovery Procedure

All cases of ineligible payments and overpayments must be reported to the Overpayments Unit in Central Office.

The Overpayments Unit shall decide whether payments to ineligibles and/or overpayments will be pursued for recovery and the method of recovery.

9204 Recoupment Restrictions

Overlapping or duplication of AFDC by Supplemental Security Income (SSI) is not subject to recoupment or restitution. This will be handled by the Social Security Administration.

Restitution of some or all of an overpayment can be accepted before or at the time of initiation of recoupment, while recoupment is in process or after closure.

If monthly recoupment amount or maximum recoupment amount exceeds maximum grant amount, the monthly recoupment amount will be grant amount less one dollar.

9205 Central Office Overpayments Unit Responsibility

If the decision is made by the Central Office Overpayments Unit to recoup the overpayment by a deduction from the current assistance payments to the recipient, the Overpayments Unit will:

1. Send a 10 day advance notice to the client direct from Central Office, explaining the recoupment decision, and the amount that will be deducted from the payment so the recipient will know the reason for the grant change.
2. Initiate recoupment by reducing the grant if the client does not request a fair hearing during the 10 day advance notice period.

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Local offices will be advised by the Central Office Overpayments Unit of:

1. The total amount of the recoupment;
2. The amount of monthly deduction;
3. The number of months deductions will be made; and
4. The effective date.

9206 Keeping Central Office Informed

The county office shall promptly report, by memorandum to the Central Office Overpayments Unit, any pertinent information (coming to its attention) which would have an affect on an established overpayments claim that has not been satisfied, such as, but not limited to:

1. Hardship situations;
2. Acquisition of resources or income that may increase the client's ability to repay;
3. Death;
4. Change of address.
5. Recertification of case after closure.

Contacts With Clients

Letters - If clients or other interested persons have questions concerning recovery letters received directly from the Central Office, the County Office will refer them to the Central Office Overpyaments Unit.

If clients wish to make arrangements for repayment, the County Office shall explain that the final decision regarding recovery rest with the Central Office Overpayments Unit and give the mailing address;

Arkansas Social Services
P.O. Box 1437
Little Rock, Arkansas 72203

ATTENTION: Overpayments Unit

9250 State Income Tax Refund Interception

Act 372 of 1983 as amended (Ark. Stats. Ann. § § 84-4901 thru 84-4918) and Act 987 of 1985 authorizes the collection of AFDC overpayments through the interception of State Income Tax Refunds.

Office of Financial Management will submit a list of recipients who have received AFDC benefits in excess of the amount they are eligible to receive and the amount of this excess to the Data Processing Section, Arkansas Social Services. This list will be certified by Overpayments Unit of Financial Management. Data Processing will combine the list by social security number with a list prepared by the Child Support Enforcement Central Office, of delinquent obligores of past due child support.

Act 987 requires prenotification to debtors of intent to set off debts listed, prior to the annual debt loading with the Revenue Division of the Department of Finance and Administration. A computer generated notice (SS-XA) of our intention to intercept refunds will be mailed prior to the annual loading date (Dec. 1). The SS-XA is sent on cases that have Overpayment Unit debts listed.

The tax payer has 30 days from the date the notice was mailed to file a written request for a hearing (FA. 9253). If no hearing is requested within 30 days, Revenue Loading will be effected. Tax Refunds will be mailed to the office of Financial Management to be allocated within the Department of Human Services Division in order of priority.

9251 Cases Eligible for Intercept

In order for a case to be submitted for State Tax Refund Intercept, the following conditions must be met:

- . The amount owed the State must be approved by the overpayment Unit.
- . The tax payer must have been notified of the Overpayment in at least one demand letter.
- . The overpayment must be at least \$20.00.

If the State Tax Refund due a taxpayer is less than \$20.00, the Revenue Department will not intercept the refund.

9252 Allocation of State Tax Refund

A State tax refund intercepted to apply against debts to the State shall normally be allocated as follows:

- . Except for Current Court Ordered Fraud Conviction Overpayment Claims, a CSEU Claim shall have first priority. Any balance remaining after the CSEU Arrearage is met will be applied to Non-Judgement Overpayment Claims.
- . A CSEU claim (for AFDC cases only) shall have first priority against the refund when there is not CFC claim with arrearages. Any balance remaining after the CSEU claim has been met will apply to food stamps, AFDC, and/or Medicaid overpayments.
- . When only one overpayment claim exists, the refund will be applied against that claim. Should the refund be larger than the claim, the balance will be returned to the taxpayer by the Revenue Department.
- . When more than one claim exists with the Food Stamp, AFDC, and Medicaid Program, the refund will be applied against the oldest claim first until the entire amount is used or all claims are paid. Any balance after these claims are satisfied will be allocated to other DHS Claims listed or will be returned to the taxpayer.

9253 State Tax Refund Intercept (STRI) Hearing Procedures

9253.1 Requesting and Scheduling Hearing

The taxpayer has thirty (30) days from the mailing date of the Intercept Notice to file a written request for a hearing. All hearing requests will be sent to Overpayments Recovery Unit (ORU) of Program Accounting. A chronological register of the hearing results will be maintained to ensure each request is acted upon in a timely manner. After the identifying information is placed on the register, a copy of the request will be sent to the local office which originated the case and a copy will be sent to the Hearing Officer. (Exception: If the tax payer has moved to a different county, the county copy along with any case records will be forwarded to the current county of residence.) The County Office is required to complete Form SS-1203, County Office Fair Hearings Statement, and forward it to the Hearing Officer for receipt at least two (2) days before the hearing.

In the event the taxpayer is unable to be present on the date the hearing is scheduled, the hearing may be rescheduled one time at the taxpayers request. After that, the request for hearing will be considered abandoned. The rehearing must also be held within the thirty (30) day period from the date of the request. If the taxpayer does not appear at the hearing or give notice of inability to appear at least 24 hours before the hearing, the request will be considered abandoned. All rescheduling will be recorded on the Chronological Register.

Accompanying the hearing request, in a pending file, will be a set of hearing forms. The hearing forms packet will contain an acknowledgement letter (Form SS-RR) and a hearing statement (Form SS-1612). These forms will be completed when the hearing is scheduled and conducted. When the acknowledgement letter is mailed to the taxpayer, a copy is held in the pending file, a copy is sent to the Hearing Officer, and a copy is sent to the County Office.

9253.2 Conducting STRI Hearing

It is the responsibility of the Hearing Officer to attend the hearing. If this is not possible, the Hearing Officer will designate a representative to attend the hearing. The Hearing Officer (or representative) will review the case prior to the hearing.

The hearing shall be held in accordance with procedures established under Arkansas Stat. Ann. §5-701 et seq., the Administrative Procedures Act to determine the validity of the claim. It shall be determined at the hearing whether the claimed sum asserted as due and owing is correct.

In conducting the hearing, a representative from the local office will explain the facts of the overpayment. The taxpayer will be given an opportunity to offer evidence, or refute information presented by the local office. In the event the taxpayer requires additional time to provide evidence that would effect the outcome of the hearing, the Hearing Officer will complete the hearing to the extent possible and allow the taxpayer ten (10) days to submit the information to the County Office for final resolution of the case. The County Office then has five (5) days to recalculate the claim and forward the results to the Hearing Officer.

Because of the limited time frame allowed by the Revenue Department, it may become necessary to conduct hearings by conference call between the Social Services Central Office and the local County Office. It will be the Hearing Officer's responsibility to ascertain that all relevant information is obtained and the hearing statement is completed. The Hearing Officer will prepare an original letter to the taxpayer summarizing the evidence presented at the hearing and advising the taxpayer of the decision. This letter will be sent to the STRI Hearing Review Committee for review and approval. If approved, it will be mailed to the taxpayer.

9253.3 Composition of STRI Hearing Review Committee

The STRI Hearing Review Committee is composed of: 1. the Administrator of Client Assistance, or a designee; 2. the legal advisor of the AFDC Program, or a designee; and; 3. the Manager of the AFDC Program, or a designee.

The STRI Hearing Review Committee shall review the finding of all hearings within thirty (30) days of the hearing (45 days when additional information was required). They may do so jointly or individually. If the Committee disagrees with the recommendations, the case may be returned to the Hearing Officer for review or rehearing. If the recommendation of the Hearing Officer is that the claim is invalid, only one member of the STRI Hearing Review Committee is required to approve this recommendation. This finding must be reviewed and returned to the Revenue Department within fifteen (15) days of the hearing for release of the tax refund.

After the review, the Director, Office of Legal Services, Arkansas Social Services Division, will sign off on the findings as the Office Agency Representative.



Appendix V

Voter Registration



VOTER REGISTRATION

The National Voter Registration Act of 1993 (P.L. 103-31) requires each state's welfare agency to provide the customer the opportunity to complete an Arkansas Voter Registration Application at any time a request for assistance is made. This requirement became effective January 1, 1996.

Voter registration is not a part of program eligibility requirements. Therefore, an application for assistance will not be denied nor will a case be closed due to failure to complete any forms in relation to voter registration. No forms or other documents related to voter registration, except for the DHS-131, Voter Registration Change of Status, will be filed in the customer's case record. Form DHS-131 is an agency form and will be filed in the appropriate section of the case record.

DCO Employees will not:

1. Seek to influence a customer's political preference or party registration;
2. Display any such political preference or party allegiance;
3. Make any statement to a customer or take any action, the purpose or effect of which is to discourage the customer from registering to vote; or
4. Make any statement to a customer or take any action, the purpose or effect of which is, to lead the customer to believe that a decision to register or not to register has any bearing on the availability of services or benefits.

I. Explanation & Offer

Each customer must be offered an opportunity to apply to register to vote when visiting the county office for purposes of applying for assistance, recertification/reevaluation, or for reporting changes of name or address. If a customer is applying for more than one service and is interviewed by two or more Family Support Specialists on the same day, the offer has to be made at least once. The local office will put into place a procedure that will ensure that the offer has been

made. If a procedure cannot be developed, the offer will be made at each interview for assistance.

Subsequent visits to the office for the purpose of completing the application/recertification process (e.g., customer returns the next day to furnish check stubs) will be considered part of the same application. Therefore, it is not necessary to make another offer for voter registration.

II. Who Can Make The Offer

The offer can be made by any employee or volunteer. If the offer is made by someone other than the Family Support Specialist, a procedure will be in place to communicate to the worker that the offer was made to avoid duplication of effort during the program eligibility interview.

An Arkansas Voter Registration Application form must be provided to anyone who requests one, regardless of the purpose of his/her contact with the agency. If someone is not applying for DHS services, but requests a voter registration application form, the worker will give him/her the form with instructions to mail it directly to the Secretary of State's office. A declaration form will not be given in this instance, nor will it count on the daily recap report.

III. Telephone Interviews and Authorized Representatives

Applicants who are interviewed by phone should be mailed an Arkansas Voter Registration Application no later than the date that a determination (approval or denial) is made on the case. This applies to both initial applications and reevaluations/recertifications.

The voter registration application form will be mailed to the applicant/recipient any time an authorized representative is interviewed on the customer's behalf.

If a customer makes a telephone request for a voter registration application form, one will be mailed to his/her mailing address.

IV. Customer Acceptance

If a customer states s/he wishes to register to vote, s/he will be given an Arkansas Voter Registration Application to complete. The voter registration application can be completed at the county office and given back to the receptionist or the customer can take it with him or her and mail directly to the designated address. Assistance in completing the form will be provided if requested. It is a local decision as to whether the Agency-Based Declaration Statement will be completed. If it is completed, a copy may be given to the customer if requested. It is a local decision as to whether the "yes" declarations will be kept in the county office. Do not mail the declaration forms to the Secretary of State's office. The customer will be advised that a decision on his/her voter registration application will be provided by the county clerk's office.

If there are other adult household members, an Arkansas Voter Registration Application may be given to the customer for the other adult(s) to complete. However, if the other adult(s) chooses not to register, a declination form is not needed.

The worker will put the agency code (found in forms section of Appendix) on the voter registration application that applies at the time it is being completed. For example, if the customer is applying for Food Stamps at the time a voter registration application is being completed, the worker would use the Food Stamp code. If the customer is applying for several programs, just use one code (worker choice).

V. Customer Declination

If the customer declines to register to vote, then s/he will be asked to make the declination by checking "no" on the Agency-Based Declaration Statement. S/he should also sign and date the statement. If the customer refuses to complete the form, the DCO employee will print the customer's name on the statement, date, and make a note of "refused to sign" in the comment section. This will verify that the customer declined to register to vote at that time. A copy of the Agency-Based Declaration Statement may be provided to the customer if requested. A daily count of the declinations will be provided to the Secretary of State's office when completing the Agency Daily Recap Reporting Form. (See "Submitting Applications"). The Agency Based Declaration Statement will be kept for 2 years in the county office in a chronological file by month and year..

VI. Change of Address or Name Change

If a customer reports a change of address or name change, a DCO-131, Voter Registration Change of Status form and an Arkansas Voter Registration Application will be sent to the customer advising that the change can be reported to the county clerk's office for voter registration purposes or that s/he can register to vote if s/he so chooses. A declaration statement will not be completed in this instance.

VII. Submitting Applications

Completed Arkansas Voter Registration Applications must be sent to the Secretary of State's office on a daily basis. Counties will develop a system to ensure that this timeframe is met. The customer may mail his/her application; the address is on the back of the application. An envelope is not needed. An Agency Daily Recap Reporting Form will be completed and sent with the voter registration applications. This form advises the Secretary of State's office of the number of declinations and number of completed voter registration applications being submitted. A single report including all programs will be submitted. The County Office will retain a copy of the Daily Recap Reporting form for 24 months in a chronological file by month and year..

The county office must maintain a record of the number of Voter Registration applications mailed to the Secretary of State's office each day. No later than the 10th calendar day of each month, the county will report to the DHS Office of Chief Counsel, via the DHS-132, Voter Registration Application Monthly Report, the number of voter registration applications and declinations submitted to the Secretary of State's office in the prior month.

VOTER REGISTRATION FORMS

USE DARK INK TO COMPLETE

ARKANSAS VOTER REGISTRATION APPLICATION

Check all that apply:

- ☐ This is a new registration.
- ☐ This is a name change.
- ☐ This is an address change.
- ☐ This is a party change.

Office Use Only

1	Mr. Mrs. Miss Ms	Last Name	Jr. Sr. II III IV	First Name	Middle Name
2	Address Where You Live (See Section "C" Below)		Apt. #	City	County
3	Address Where You Receive Mail		Apt. #	City	County
4	Date of Birth ____/____/____		5 Home & Work Phone Numbers (Optional) (H) _____ (W) _____		6 Driver's License / State ID (Optional) DL # _____ ID # _____
7	Social Security Number or Last 4 Digits of Social Security Number (Optional & Confidential)				8 Party Affiliation (Optional)

I SWEAR / AFFIRM THAT:

Please Sign Full Name (or put mark):

- 9**
- I am a U.S. citizen and an Arkansas resident.
 - I am or will become a qualified elector during the 30-day period immediately prior to the next election within the county.
 - The information I have provided is true to the best of my knowledge. If I have provided false information, I may be subject to a fine of up to \$10,000 and/or imprisonment of up to 10 years under state and federal laws.

Date:

____/____/____
MONTH DAY YEAR

10 If the applicant is unable to sign his name, the name, address and phone of the person providing assistance

Please fill out the sections below if they apply to you.

Agency Code (For official use only)

If this application is for a name change, what was your previous name?

A	Mr. Mrs. Miss Ms	Last Name	Jr. Sr. II III IV	First Name	Middle Name
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If this application is for an address change, what was your previous address?

B	House Number and Street Name	Apt. #	City	County	State	ZIP Code
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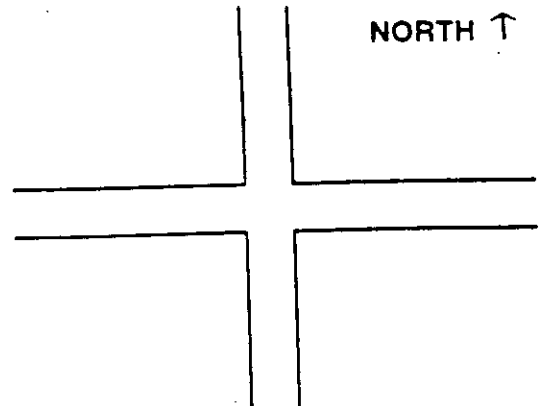
If you live in a rural area but do not have a house or street number, or if you have no address, please show on the map where you live.

- C**
- Write in the names of the crossroads (or streets) nearest where you live
 - Draw an "X" to show where you live
 - Use a dot to show any schools, churches, stores or other landmarks near where you live and write the name of the landmark

Example

	Route #2	• Grocery Store
		Woodchuck Road
• Public School		X

NORTH ↑



SECRETARY OF STATE
ATTN: VOTER REGISTRATION
STATE CAPITOL
LITTLE ROCK, ARKANSAS 72201-1094

FIRST
CLASS
POSTAGE
REQUIRED

FROM:

TO APPLY TO REGISTER TO VOTE:

- = You must be a U.S. citizen and an Arkansas resident.
- = You must be or become a qualified elector during the 30-day period immediately prior to the next election within the county.
- = You must not presently be adjudged mentally incompetent by a court of competent jurisdiction.
- = You must not have been convicted of a felony without your sentence having been discharged or pardoned.
- = You must not claim the right to vote in another county or state.

NOTICE

If you supply your Social Security Number it will remain CONFIDENTIAL and will not be disclosed to anyone other than voter registration officials. This number will not be published on any voter registration list.

DEADLINE INFORMATION:

To qualify to vote in the next election, you must apply to register to vote 30 days before the election. If you mail this form it must be postmarked by that date. You may also present it to a voter registration agency representative by that date. If you miss the deadline you will not be registered in time to vote in that election.

If you are qualified and the information on your form is complete, you will be notified of your voting precinct by your local County Clerk.

TO MAIL: Fold form on perforation, remove plastic strip, seal at bottom, stamp and mail.

QUESTIONS?

CALL YOUR LOCAL COUNTY CLERK
OR

SECRETARY OF STATE'S OFFICE: 1-800-482-1127
TDD 1-800-262-4704

NEW APPLICATION SITES AND CODES

	<u>CODES</u>
Department of Education, Rehabilitation Services	DIS01
Department of Education, School for the Blind	DIS02
Department of Education, School for the Deaf	DIS03
Arkansas Spinal Cord Commission	DIS04
Department of Human Services, Developmental Disabilities Services	DIS05
Department of Human Services, Division of Mental Health	DIS06
Department of Human Services, Division of Children and Family Services	PA05
Department of Human Services, Division of Services for the Blind	DIS07
Department of Human Services, Children and Medical Services	DIS09
Department of Human Services, Aid to Families and Dependent Children	PA02
Medicaid	PA03
Food Stamp Program	PA04
Arkansas Department of Health, Women Infants and Children	PA01
Arkansas State Library	LIB02
Arkansas State Library, Services for the Blind and Physically Handicapped	DIS08
Arkansas Public Libraries	LIB01
Arkansas National Guard	MIL02
Recruitment Offices of the Armed Forces of the United States	MIL01
Department of Motor Vehicles	DMV01
Department of Finance and Administration	DFA01



**STATE OF ARKANSAS
AGENCY-BASED DECLARATION STATEMENT**

NAME: _____ **DATE** _____

If you are not registered to vote where you live now, would you like to apply to register to vote here today?

☐ **YES, I want to apply to register to vote.**

☐ **NO, I do not want to apply to register to vote.**

If you do not check either box, you will be considered to have decided not to register to vote at this time.

Applying to register or declining to register to vote will not affect the amount of assistance that you will be provided by this agency.

If you would like help in filling out the voter registration application form, we will help you. The decision whether to seek or accept help is yours. You may fill out the application form in private.

If you believe that someone has interfered with your right to register or to decline to register to vote, your right to privacy in deciding whether to register or in applying to register to vote, or your right to choose your own political party or other political preference, you may file a complaint with the Secretary of State at the State Capitol, Little Rock, AR 72201 or call 1-800- 482-1127 (TDD 1-800-262-4704).

If you decline to register to vote, the fact that you have declined to register will remain confidential and will be used only for voter registration purposes.

If you do register to vote, the office at which you submit a voter registration application will remain confidential and will be used only for voter registration purposes.

Comments:

Signature _____



Sharon Priest
SECRETARY OF STATE

State of Arkansas
SECRETARY OF STATE
Elections Division
256 State Capitol
Little Rock, Arkansas 72201-1094

Elections Division
1-501-682-5070
1-800-482-1127

AGENCY DAILY RECAP REPORTING FORM

AGENCY: _____

ADDRESS: _____
Street City

ZIP Code County

Agency Contact Telephone Number

Date Mo/Day/Year	Number of Declinations	Number of Completed Voter Registration Applications Enclosed

DECLINATIONS to be retained by agency for 24 months

COMPLETED APPLICATIONS to be mailed to the Secretary of State **DAILY** along with this reporting form

Department of Human Services
Division of County Operations

Voter Registration Change of Status

ADDRESS	COUNTY
<div></div>	<div></div>
<div>SSN of Casehead</div>	<div>County Telephone #</div>

You have reported one of the following changes to the Division of County Operations.

☐

Change of Address

☐

Name Change for _____

You may also wish to report this change to the Secretary of State's Office to update your voter registration file. We are sending a *Voter Registration Application* form to use for this purpose. You may complete this form and send it directly to the Secretary of State. You are responsible for the paying the postage to mail the form to the Secretary of State's Office.

If you have any questions, please contact the DHS County Office at the number shown above.

County Worker

Date

**If you need this form in a different format such as large print,
contact your DHS county office.**

**Department of Human Services
Division of County Operations**

Instructions

DCO-131

Completion of Form

The Voter Registration Change of Status form will be completed and issued to the household when ever a change of address or change in name is reported by the household. A Voter Registration Application will be sent with this form.

The original of the form will be sent to the household and a copy will be filed in the case record.

DEPARTMENT OF HUMAN SERVICES

VOTER REGISTRATION APPLICATION MONTHLY REPORT

TO: OFFICE OF CHIEF COUNSEL
ATT: RISK MANAGEMENT, SLOT 1033

FROM: DIVISION: _____

ADDRESS : _____

CONTACT PERSON: _____

TELEPHONE NO: _____

DATE:

SUBJ: MONTHLY COUNT OF VOTER REGISTRATION
APPLICATIONS

Listed below is the number of completed Voter Registration applications and the number of declinations sent to the Secretary of State Elections Division during the report month.

If you have any questions, please contact the agency contact person listed above.

REPORT MONTH	NUMBER OF COMPLETED VOTER REGISTRATION APPLICATION	DECLINATIONS

INSTRUCTIONS

DHS-132

The DHS-132 will be used by the DHS county offices and other DHS divisions to report to the Office of Chief Counsel the number of completed voter registration applications and declinations sent to the Secretary of State Elections Division each month.

Routing

The designated worker in each county office and other divisions will complete and route the form to the Office of Chief Counsel, Risk Management, Slot 1033 by the 10th of the month following the report month. A report must be completed even if there are no applications or declinations for that month.