

Department of Social and Health Services
Olympia, WA

EAZ Manual Revision

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Category	ABAWD EAZ Revisions
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Summary

Revised the following EAZ Manual entries pertaining to Able Bodied Adults without Dependents (ABAWDs). WA's ABAWD policy has changed to implement the new rules under the Fiscal Responsibility Act along with the 36 month reset for mandatory ABAWDs which took effect 01/01/2024. WA's current waiver exempting King and Snohomish county will expire on 01/31/2024. Revisions to the main ABAWD website will take place once a new waiver is approved by USDA.

1. [ABAWDS – Able Bodied Adults without Dependents](#)
2. [Basic Food Work Requirements - Good Cause](#)
3. [Basic Food Work Registration Exemptions](#)

ABAWDs- Able-Bodied Adults Without Dependents

~~July 1, 2023~~ [January 1, 2024](#)

Purpose:

[WAC 388-444-0030](#) What additional work requirements and time limits is an able-bodied adult without dependents (ABAWD) subject to in order to be eligible for Basic Food?

- [Clarifying Information and Worker Responsibilities](#)

[WAC 388-444-0035](#) Who is exempt from ABAWD time limits and minimum work requirements?

- [Clarifying Information and Worker Responsibilities](#)

[WAC 388-444-0040](#) Can I volunteer for an unpaid work program in order to meet the work requirements under WAC 388-444-0030?

- [Clarifying Information and Worker Responsibility](#)

[WAC 388-444-0045](#) How does an ABAWD regain eligibility for Basic Food after being closed for the three-month limit?

- [Clarifying Information and Worker Responsibilities](#)

[Administrative Hearing Procedures](#)

Clarifying Information - WAC 388-444-0030

Countable Months

A *countable month* or *non-qualifying month* refers to any month an ABAWD receives Basic Food benefits for the full benefit month while not:

- Exempt from the 3-month time limit;
- Fulfilling ABAWD work requirements;
- Covered by a waiver of the ABAWD time limit; and
- Exempted for the month using one of the State's 12 percent exemption.

A client must participate in a qualifying program for a full month. Otherwise, the month will count as a non-participation month. A client who ~~does not~~doesn't participate for three months will become ineligible for Basic Food

36-Month Period

The current 36-month time limit period began January 1, ~~2021-2024~~ and ends December 31, ~~2023~~2026. Another 36-month period will begin January 1, ~~2024~~2027.

NOTE:

ABAWDs and households that contain ABAWDs receive a certification period as described under [WAC 388-416-0005](#), but they ~~cannot~~can't receive more than three full months of benefits without meeting the ABAWD work requirements.

Moving Between Non-Waived and Waived Areas

See current waived and non-waived areas on the [Able Bodied Adults without Dependents public page](#).

A waived area:	A non-waived area:
<ul style="list-style-type: none">• Exempt from ABAWD work requirement time limit.	<ul style="list-style-type: none">• Must meet ABAWD work requirements to stay eligible for Basic Food.

- An ABAWD becomes exempt from ABAWD work requirements when they move to a waived area effective the month they report the move to the Department.
- An ABAWD must meet ABAWD work requirements or have a personal exemption if they move from a waived to a non-waived area during the 36-month period. **Participation requirements apply in the first full month of benefits after the information is known to the Department.**
- If a client has previously used countable months during the same 36-month period, those months of non-participation, still count toward the three-month limit.

NOTE:

Moving between waived and non-waived areas ~~does not~~doesn't reset the 3-out-of-36 month clock.

1. If an ABAWD loses eligibility for Basic Food due to the three-month limit and later moves to a waived area, they are eligible to receive Basic Food while living in any waived area.

EXAMPLE:

Jolene is an ABAWD who was living in a waived area. She reported the move to a non-waived area September tenth. Her participation requirements begin October first. If she ~~does not~~doesn't meet participation requirements in the month of October she will either use a non-qualifying month, or if she ~~does not~~doesn't have non-qualifying months available her case will be terminated.

State Funded Food Assistance Program (FAP) Clients

- FAP follows the same rules as federally funded food assistance except for citizenship requirements ([WAC 388-400-0050 #2](#)). To maintain eligibility, FAP recipients who meet the definition of ABAWD in non-waived areas are required to:
 - Work;
 - Participate in an approved employment and training program;
 - Volunteer (unpaid work);
 - Participate in workfare; or
 - Qualify for a personal exemption

NOTE:

FAP clients ~~are not~~aren't eligible for BFET. See the [list of other state approved](#) employment and training activities.

Activities to Meet Participation

1. Employment or Work:

- Work means providing a paid service to an employer or self-employment.
- This also includes in-kind work and rental income, based on the actual number of hours the client works.
- The wage offered by an employer ~~should not~~shouldn't be less than the state minimum wage or in-kind goods or service of equal value.
- Self-employed persons must work 20 hours or more per week (averaged monthly or 80 hours per month) to meet the ABAWD work requirement using the federal minimum wage. Annual hours cannot be averaged for ABAWD participation.
- ABAWDs must work at least 80 hours per month to avoid gaining countable months.

~~1.~~ [State approved Employment and Training programs for ABAWD Participation](#)

~~There are a number of programs that ABAWDs can participate in to meet work requirements.~~

- ~~Basic Food Employment and Training (BFET)—This is a statewide program managed by DSHS, community based organizations and colleges that provide training, retraining, job~~

search and other supplemental support services to Basic Food recipients. This is not isn't available to FAP clients:

- ~~Programs included with the Workforce Investment and Opportunity Act (WIOA)~~
 - ~~Employment and Training programs through statewide WorkSource offices;~~
 - ~~Some community and technical college programs; and~~
 - ~~Some other community partners participating under WIOA.~~
- ~~Programs included under Section 236 of the Trade Act of 1974 (Reestablished in 2015)~~
- ~~Washington Service Corps/AMERICORPS;~~
- ~~NAFTA Transitional Adjustment Assistance Programs;~~
- ~~Seattle Jobs Initiatives (SJI);~~
- ~~And others as they are approved~~

2. ABAWD Participation in BFET

- Participating in Basic Food Employment and Training (BFET) in a non-waived area can be used to meet work requirements for ABAWDs as an approved Employment and Training Program.
- **Enrolling in BFET before-BEFORE Basic Food Closes due to the three-month limit:**
 - If an ABAWD client enrolls in BFET before the end of their 3rd month of non-participation in work requirements, the participant will qualify for an exemption until they are ready to participate enough hours that their participation meets the 20-hour work requirement.
- **Attempt to Enroll in BFET AFTER Basic Food Closes due to the three-month limit:**
 - Only clients who are receiving Basic Food can participate in BFET. -Therefore, a client cannot-can't use BFET to requalify for Basic Food.
- In order to requalify for Basic Food and be eligible for BFET, the client must requalify within 30 days of application by:
 - Working for 80 hours; or
 - Participating for 80 hours in another **approved employment or training activity**; or
 - Completing the number of required **Workfare** volunteer hours.
 - Once the client has been approved for Basic Food, they may engage in employment and training in BFET.

3. Job Search and Job Search Training Services for ABAWDs:-

- Job search hours are only countable for less than half of the total time a client is engaged in employment and training activities*.
- For example, if a client is participating in BFET twenty hours a week, then only up to nine hours of Job Search or Job Search Training counts as “participation” for ABAWD requirements. The other eleven must be in one of the other activities: Basic Education, Vocational Education, or Life Skills.

- If clients are unable to meet the hourly requirement in BFET, they may still participate in [Workfare](#) to meet participation. More details are in the [Combining Work and/or Training to meet requirements](#) section.
- *Job Search and Job Search Training activities done under the supervision of a WIOA program, do count in their entirety toward the 80 hours of participation. Some BFET providers are WIOA partners, but not all.

<u>Under</u> WIOA Program (non-college)
<p>Zachary is participating in the following activities:</p> <ul style="list-style-type: none"> • Job search training: 40 hours monthly. • Job search: 20 hours monthly. • <u>Basic Education: 20 hours monthly.</u> • The total countable hours are 80. Zachary is meeting the work requirement.
Non-WIOA Program (Non-College)
<p>Zachary is participating in the following activities:</p> <ul style="list-style-type: none"> • Job search training - 40 hours monthly • Job search - 20 hours monthly • Basic Education - 20 hours monthly • The total countable hours are: <ul style="list-style-type: none"> ○ 59 hours <ul style="list-style-type: none"> ▪ 39 of the Job search training; ▪ 0 of the Job search, and; ▪ 20 hours of Basic Education). • In order to meet participation requirements the client would have to complete an additional 21 hours of non-Job Search or non-Job Search Training activities, unpaid work, or work. <p>Alternatively, the client could participate in Workfare for the required number of hours to meet the work activity independently from the E&T program.</p>

4. Other State approved Employment and Training programs for ABAWD Participation

- In addition to BFET, there are a number of other programs that ABAWDs can participate in to meet work requirements.
 - Programs included with the Workforce Investment and Opportunity Act (WIOA)
 - Employment and Training programs through statewide WorkSource offices;

- [Some community and technical college programs; and](#)
 - [Some other community partners participating under WIOA.](#)
- [Programs included under Section 236 of the Trade Act of 1974 \(Reestablished in 2015\)](#)
- [Washington Service Corps/AMERICORPS;](#)
- [NAFTA Transitional Adjustment Assistance Programs;](#)
- [Seattle Jobs Initiatives \(SJI\);](#)
- [And others as they are approved](#)

2.5. Participate in Unpaid Work

- Unpaid work includes in kind work or unpaid as a volunteer at a State, local, religious, or community non-profit organization. An ABAWD must volunteer a total of 80 hours in a month.
- Volunteering can also occur in other formats within the community. The following applies to unpaid work:
 - Participation is optional in non-waived counties.
 - Allows clients to work under supervision to gain valuable work experience and meet ABAWD work requirements.
 - Cannot be counted if also used to meet court appointed or legal obligations.
 - Can be combined with work and work programs to fulfill the 80 hour per month requirement.
 - Cannot be combined with [Workfare](#) hours to meet work requirements, as Workfare is a stand-alone activity.
- ABAWDs can requalify for Basic Food Assistance using unpaid work hours. They must meet a total of 80 hours of work, or volunteer, or combination of the two within 30 days. Once verified, ABAWDs are eligible for benefits based on the date of verification or date of application.

6. Providing Proof of Participation

- Mandatory ABAWD client's need to provide proof of their ABAWD work requirement participation to DSHS by the tenth of the month following participation for the following activities:
 - Employment and Training;
 - [Unpaid work](#);
 - Work hours, if working less than 80 hours a month; and
 - [Workfare](#)
- **NOTE:**
If clients are meeting participation by working 80 hours a month, they are responsible to report if their hours drop below 20 hours a week. They ~~are not~~aren't required to submit work verification monthly.

- We have created a form to assist clients in providing this proof: *ABAWD Activity Form #01-205*. (Available in our eight supported languages at <https://www.dshs.wa.gov/office-of-the-secretary/forms>).

- **NOTE:**

We **cannot** require a particular type or form of verification. See [WAC 388-490-0005](#).

- **Collateral Contacts:**

- **Collateral contact can come from:**

- Workfare site supervisor
 - Employment and Training case manager or advisor
 - Volunteer site coordinator

- **Collateral contact must include:**

- Client name identification
 - Calendar month reporting
 - Activities performed
 - Number of hours in the month participating in activity
 - Name and signature of the person verifying the information

Worker Responsibilities - WAC 388-444-0030

Identifying an ABAWD

• Staff must check Work Registration and ABAWD status at application, eligibility review, and when there is a change in the Assistant Unit impacting the status of a household member.

- This includes but ~~is not~~isn't limited to:
 - Residential address change (waived vs non-waived areas);
 - Age;
 - Children entering or exiting the AU;
 - Pregnancy;
 - Student Status;
 - Disability or incapacity;
 - Change in employment hours, pay rate or status;
 - Change in immigration status; or
 - Change in program participation.

Out of State Countable Months

- Staff must verify any non-qualifying months received when there is evidence the ABAWD received food benefits in another state. Staff update clients' Work Registration Details page if the client ~~did not~~didn't participate during Washington's current 36-month period.
- **The current 36-month time limit period began January 1, ~~2021~~2024 and ends December 31, ~~2023~~2026. Another 36-month period will begin January 1, ~~2024~~2027.**
- A written or verbal statement from the other state agency of countable months is acceptable proof. **Check for out of state countable months at application even if the client is moving to a waived area in Washington.**
- Verify with each state the number of months the ABAWD has received benefits without participating in work requirements; and
- Input the non-qualifying months the other state reported after 1/1/~~2021~~2024. Document the information.
- Expedited cases can be approved with postponed verification for out of state verification.

NOTE:

We count months accumulated in another state even if we would have considered the client exempt in Washington State.

EXAMPLE:

Joe is an ABAWD who moved to a waived area in Washington State from Idaho where he previously received benefits. He is applying for benefits in Washington. The worker verifies Joe accrued two countable months in Idaho, as he ~~did not~~didn't participate while living in a non-waived area.

The worker records Joe's two countable months in Idaho on the Work Registration Details page despite Joe moving to a waived area in Washington.

EXAMPLE:

Darren is an ABAWD who moved to a non-waived area in Washington State from Idaho where he previously received benefits. He is applying for benefits in Washington. He moved on the 5th of June. His participation requirements begin July 1st. If he ~~does not~~doesn't meet participation requirements in the month of July he will either use a non-qualifying month, or if he ~~does~~not~~doesn't~~ have non-qualifying months available, an overpayment must be established.

Monitoring ABAWD Participation

- Eligibility staff are responsible to:
 - Determine if participation was required.
 - Determine if client met participation ([review proof if required](#)).
 - Take case action as appropriate including entering non-qualifying months for any full benefit month when the client failed to participate.
 - Document and provide client with notification as appropriate.

Combining Work and/or Training to meet requirements

- The options for meeting work participation requirements are:
 - Participate in paid employment for 80 hours a month (20 hours a week average); or
 - Participate in an [approved training program](#) for 80 hours a month (20 hours a week average); or
 - Participate in [unpaid work](#) for 80 hours a month (20 hours a week average); or
 - Participate in a combination of work and back to work activities (1 - 3 above) to make a total of 80 hours a month or an average of 20 hours per week; and/or;
 - Volunteer in [Workfare](#) for the calculated required number of hours per month. This activity ~~cannot~~can't be combined with options 1-4.

EXAMPLE:

Joanna is an ABAWD living in non-waived area. She has a job where she works 10 hours a week. This alone ~~is not~~isn't enough hours to meet the ABAWD Policy requirements. She receives \$100 a month in Basic Food benefits. Joanna has four* choices to continue receiving Basic Food benefits:

1. Increase the number of hours she is working to 80 hours a month;
2. Participate in an approved training program for at least ten hours a week average (to make a total of 80 hours a month in work and training) ;
3. Participate in unpaid work for at least ten hours a week average (to make a total of 80 hours a month in work and training); or
4. ~~Volunteer at a Workfare agency for 8~~ a specified number of hours ~~a per~~ month based on local minimum wage. (If ~~local minimum wage is 15.74~~18.29/hr ~~this would only be 5 hours, as: \$100 ÷ 15.74 = 6 hours rounded down~~). ($\$100 / \15.74 18.29 /hr. = 5.686 or 5 hours rounded down)

5.4. *If Joanna becomes exempt or moves to a waived area, she also may be eligible to continue to receive food benefits.

NOTE:

We **cannot** require a particular type or form of verification. See [WAC 388-490-0005](#).

Good Cause:

- Good Cause occurs when a client has a reason for why they ~~could not~~couldn't meet participation temporarily. Please see Chapter [Basic Food Work Requirements – Good Cause](#).

Clarifying Information - WAC 388-444-0035

- A client is an Able Bodied Adult without Dependents (ABAWD) if they are able to work and have no children in their Assistance Unit (AU). ABAWDs may receive Basic Food benefits for three out of every 36 months if they aren't meeting work requirements and they don't qualify for an exemption.

- If a client is exempt from work registration rules under WAC 388-444-0010 they are exempt from ABAWD participation. However there are further exceptions that a client may meet under WAC 388-444-0035.
- **NOTE:**
Some areas of the state may be waived from ABAWD time limits.
See the [ABAWD website](#) for more information about waived and non-waived areas.

Children in the home

- When an Assistance Unit (AU) includes a member under age 18, all adults in the AU are exempt from ABAWD participation regardless of their responsibility to care for the child. Sometimes the child may not be eligible due to alien status or failure to provide their Social Security number; this ~~does not~~doesn't affect the ABAWD status of the adults in the home. If the child ~~is not~~isn't on the AU, such as in a roommate situation where the adults purchase and prepare separately, the client is an ABAWD.

NOTE:

If there is a child in the AU there are no ABAWDs. However, this ~~does not~~doesn't automatically exempt the adult(s) in the AU from work registration. Correctly code the work screen to reflect the adult(s) work registration status.

EXAMPLE:

Dylan and his child Nathan receive Basic Food. Nathan is turning 18 in the month of May and is no longer in school. Both will become ABAWDs effective June 1st, unless otherwise exempt.

EXAMPLE:

Aunt Nicholle is caring for her niece Christina, who is seven years old, during the summer. Christina is a part of Nicholle's AU during these months. Christina is returning to her home September 13th. Nicholle will become an ABAWD effective October 1st, unless otherwise exempt.

Temporary Assistance for Needy Families (TANF) Clients

TANF clients aren't subject to ABAWD participation time limits because they have children or meet the pregnancy exemption for ABAWD participation. Do not code them as an ABAWD.

~~A pregnant TANF recipient, with no other children, who is sanctioned for non-participation in WorkFirst activity may be disqualified from Basic Food under the Work Registration rules. Do not exempt them from Work Registration as pregnancy is not an exemption.~~

Waived Areas

ABAWD clients living in waived areas are exempt from participation. See more about this in the [Moving Between Non-Waived and Waived Areas](#) section.

Discretionary ~~Waiver Exemptions~~ Policy

- Every Federal Fiscal Year the U.S. Department of Agriculture (USDA) awards an amount of *discretionary ~~waivers exemptions~~* to each state. The state has the authority to determine how the ~~waivers exemptions~~ can be used to exempt ABAWD clients from the time limit.
- Washington State will use discretionary ~~waivers exemptions~~ to exempt mandatory ABAWDs:
 - Living on the ~~Snoqualmie following~~ tribal reservations:

~~Snoqualmie~~

~~Stillaguamish~~

~~Sauk-Suiattle~~

- Who ~~would not~~wouldn't receive timely termination notice due to LEP translations.

Consideration of ~~Participation~~ Exceptions

ABAWD participation exceptions are reasons that an ABAWD client is not able to participate in work or work activities for 80 hours a month. When documenting, always select the exemption or exception that will last for the longest period of time. Exempt Area is only used when the individual lives in a waived county and doesn't qualify for a different exemption or exception.

- **Pregnancy**
 - Pregnancy is an exception to ABAWD participation. Once the client's due date is entered in the Expected Due Date field, the Work Registration page will automatically suggest the pregnancy exception.
 - ~~Once-When~~ the due date has passed, workers will be responsible for updating work registration status of those in the household.
- **Paid Family Medical Leave**
 - Clients who receive PFML are considered temporary incapacitated whether it is for themselves or to care for a family member.
- **Veterans**
 - ~~Clients who receive partial disability as determined by Veteran's Affairs are eligible for an exception to ABAWD participation. The level of disability for this exception is 1%–99%. 100% and above is considered an exemption to work registration. Veterans of the U.S. Armed forces or reserves (Army, Navy, Air Force, Marines, Space Force, Coast Guard, and National Guard) qualify for an exception from the ABAWD participation rules regardless of discharge status.~~
- Homeless

- Clients experiencing homelessness qualify for an exception to ABAWD participation. Clients may experience homelessness differently from others. Homelessness will also be consistent (but not limited to) WAC 388-408-0050.

- **Foster Care Alumni**

- Individuals who were in foster care on their 18th birthday and are 24 years of age or younger. ACES will recognize Foster Care Alumni receiving D26 medical as qualifying for the exception. Foster Care Alumni recently relocating to Washington may contact the Health Care Authority to have eligibility determined for D26 healthcare coverage.

NOTE:

The following status' are *work registration exemptions*:

- Caretaker of a child under six or an incapacitated person
- L&I or other Worker's Compensation
- Private disability insurance benefits
- Veterans Disability Benefits (100%)
- Participating in LEP Pathway or CLEVER programs through [the Office of Refugee and Immigration Assistance](#)

Worker Responsibilities- WAC 388-444-0035

- We determine who is exempt from ABAWD work requirements by reviewing the client's circumstances.
Priority of exemptions:
 - -If more than one exemption can apply, we use the exemption that last the longest.
 - Only if no other exemption applies, do we exempt clients for living in a waived area.
 - If the ABAWD does not have a personal exemption or exception, they may be eligible for one of the approved exemption slots under the U.S. Department of Agriculture (USDA) discretionary waiver exemption rule as determined by Community Services Division, Food Programs and Policy.

Unable To Work

Not able to Work 80 Hours a Month.

- Unable to work means that the client is physically or mentally not able to work at least 80 hours a month as required by ABAWD rules
- If a client states they are unable to work and there isn't a reason to question the claim, document that the client is "*exempt from ABAWD participation due to not being able to work*" and use the appropriate coding on the work screen for this.
- Staff should use prudent person and their observations when determining if the client's statement about their ability to work is questionable. Staff must document their decision.
- **Questions Workers Might Ask:**
 - *What kind of work do you usually do? Are you able to do that work right now?*
 - *When was the last time you worked?*
 - *What barriers prevent you from working?-*

NOTE:

~~Homelessness alone is not eligible for the Temporary Incapacity exception. Clients must have additional mental or physical barriers in order to be exempt.~~

Questionable

If the client's statement is questionable, attempt to get a collateral contact from someone aware of the person's circumstances/condition. If you cannot make this contact by telephone, you can advise the client to get collateral contact from a reliable source and provide DSHS 14-541. (<https://www.dshs.wa.gov/office-of-the-secretary/forms>).

NOTE:

We cannot require a particular type or form of verification. See [WAC 388-490-0005](#).

Collateral contact can come from:

1. A medical professional: nurse, doctor, psychologist, psychiatrist, etc.;
2. Drug or alcohol treatment professional; or
3. ***Any reliable medical source*** that is familiar with the circumstances that make the client unable to work twenty hours a week.

Collateral contact must include:

- Information regarding the client's ability to work 80 hours a month (or 20 hours a week).
- Estimated time period the client will be prevented from working 80 hours a month.
 - We review temporary incapacity exemptions at mid-certification review, recertification, or when the client reports a change in their ability to work.

NOTE:

Documentation may be signed or stated by any of the following: physician, physician's assistant,

designated representative of the physician’s office, nurse practitioner, osteopath, licensed or certified psychologist, drug and alcohol abuse counselor, certified mental health counselor, licensed independent clinical social worker, licensed certified social worker, or certified midwife. For the purposes of verifying an individual’s participation in a rehab or counseling program (Section 2), the director of the program or the individual’s counselor may also sign this statement.

NOTE:

A person’s inability to work does not have to be for a specific duration of time to meet the exemption. If their inability to work exceeds their current certification, then staff will ask about the client’s ability to work during their next re-certification.

Clients that are ineligible due to having used their three non-qualifying months are not eligible based on an unverified questionable exemption claim, even if the client is expedited.

Clients that are ineligible due to having used their three non-qualifying months are not eligible based on an unverified questionable exemption claim, even if the client is expedited.

Aged, Blind, Disabled (ABD)/ Housing Essential Needs (HEN)

NOTE:

For the purposes of documenting ABAWD personal exemptions in the system “Temporarily Incapacitated” or the “TI” coding is equal to “unable to work.” This **is not the same** as ABD or HEN definitions of incapacity determined by social workers. Eligibility staff are able to use prudent person to determine if a client is unable to sustain work given their circumstances.

If a client is denied ABD/HEN, review work registration status to ensure correct coding.

EXAMPLE:

On March 14th, a worker reviews John’s denial for ABD/HEN and determines that he is an ABAWD who doesn’t qualify for the "federally/state determined disabled" exemption. The worker will review the case to see if there is enough evidence in the case for John to qualify for a temporary incapacity based on being unable to work. If there is not reasonable documentation to support the unable to work claim, the worker will code John’s Work Registration Page as exempt area.

EXAMPLE:

On September 10, a worker reviews Amed’s denial for ABD/HEN due to “No medical evidence from an acceptable medical source”. The worker will review the case to see if there is enough evidence in the case for Amed to qualify for a temporary incapacity based on being unable to work. Amed has past medical evidence and documentation in the case to support his statement that he is unable to work 80 hours a month. The worker will code Amed’s Work Registration Page as temporarily incapacitated.

- Workfare is unpaid work performed by an ABAWD for a public or private non-profit organization. Workfare is available to non-exempt ABAWDs in non-waived areas **only**. Workfare isn't available to non-ABAWDs.
- **Volunteer work in the community** - ABAWDS can meet their work requirement by completing volunteer hours at a non-profit or public agency.
- ABAWD clients must participate based on the household's food benefit allotment divided by the state or local minimum wage (rounded down):
 - **Effective January 1, 2024:**
 - State minimum wage is \$16.28/hr.
 - Seattle minimum wage is \$19.97/hr.
 - SeaTac minimum wage is \$19.71/hr.
 - ~~Note: Tukwila minimum wage is \$18.99/20.29/hr for large employers and \$18.29 for mid-sized employers.~~
 - [Please review additional Labor and Industries lists local wages at www.lni.wa.gov/workers-rights/wages/minimum-wage/](#)
- An ABAWD may volunteer at any non-profit agency that agrees to provide Workfare opportunities for ABAWDS to meet their work requirements. The non-profit must have a current DSHS Workfare Contract.
- Clients must receive a referral from DSHS to that site before their hours will begin to “count” toward participation
- Clients can contact us to receive a referral to a Workfare site.
- Clients report their monthly hours to DSHS to verify their participation by returning a completed ABAWD Activity Report (DSHS Form 01-205) or other valid verification.
- The verification can be turned into DSHS in the following ways:
 - Fax 1-888-338-7410;
 - Drop off at the CSO; or
 - Mail it to:
 - DSHS CSD Customer Service Center
 - PO Box 11699
 - Tacoma, WA 98411-6699
- If you are a non-profit agency interested in becoming a Workfare site please inquire with ABAWD@dshs.wa.gov. Workfare agencies agree to verify that the ABAWD has met their hourly requirement. Upon verification, we will not count a month against the three-month limit. The Workfare agencies also agree to notify DSHS when a participant is no longer participating as planned.
- **NOTE:**
~~For city of Seattle residents we use the amount for a 501+ employer who provides insurance.~~

Worker Responsibilities – WAC 388-444-0040

We route communication about Workfare to the Workfare Unit who match clients up with appropriate Workfare agencies for their abilities and needs. Staff follow the referral instructions in the CSD Procedures Handbook.

When determining the amount of hours a client must complete when requalifying, use the calculated prorated amount.

EXAMPLE:

Dominique lost benefits due to not participating. Dominique applied on July 10th and would like to volunteer at a Workfare site to meet requalification. The anticipated prorated benefit amount is \$100. She lives in an area using the current state minimum wage, ~~\$13.50~~16.28/hr. $100 \div 13.50$ ~~16.28~~ = ~~7.46~~14 hours.

Dominique must volunteer for 7.6 hours (rounded down) of Workfare in order to qualify for benefits back to her application date.

Clarifying Information - WAC 388-444-0045

Ineligibility Due to Failure to Meet ABAWD Requirements

If a client exhausts the 3-out-of-36 months eligibility limit, we must terminate the person's Basic Food benefits as soon as we become aware of this information. We must also deny this person Basic Food at application or recertification if they do not have a personal exemption and they do not live in a waived area, unless they have requalified under [Regaining Eligibility](#).

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NOTE:

-Clients that are ineligible due to having reached the three month time limit are not eligible until they have requalified, even if the client meets expedited criteria.

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If a client is terminated for non-participation, the person is an ineligible household member. We include this person's income in the Basic Food Assistance Unit as described under [WAC 388-450-0140](#) *How does the income of an ineligible assistance unit member affect my eligibility and benefits for food assistance?* More information in the [Allocation & Deeming](#) chapter.

Regaining Eligibility

- There are no limits to the number of times a client can regain eligibility.
- An ABAWD may regain eligibility by working and/or participating in approved training a total of 80 hours within a 30 consecutive day period.
- The 30 day period may:
 - Begin as early as 30 days prior to the date of application, or
 - End as late as 30 days after the date of application.

- However, all 80 hours must be within 30 consecutive days.
- If an applicant applies having met the 80 hours within the 30 consecutive days prior to date of application, and meets all other eligibility factors, the client is eligible effective the date of application.
- If an applicant applies before meeting the full 80 hours, they are ineligible.
 - Deny the application.
 - When the client verifies that the full 80 hours was met, within a 30 consecutive day period ending no later than 30 days after date of application, rescreen the application using the requalifying date as the date of application.
 - If a client does not provide verification by the 30th day after the application, they will need to provide a new application.

Eligibility for a Second 3-month period for ABAWDs WAC 388-444-0045(1) & (3).

There are two three-month periods an ABAWD can receive Basic Food benefits without participation.

1. **The first set are the *initial non-qualifying months*.**
 - a. A non-qualifying month refers to any month an ABAWD receives Basic Food benefits for the full benefit month while not:
 - i. Exempt from the 3-month time limit;
 - ii. Fulfilling ABAWD work requirements;
 - iii. Covered by a waiver of the ABAWD time limit; and
 - iv. Exempted for the month using the State's discretionary exemptions
 - b. These months do not need to be consecutive.
2. **The second set of months are the *subsequent months*.**
 - a. These months are only able to be used by an ABAWD who has used their initial non-qualifying months, has regained eligibility, and active on Basic Food.
 - b. They start the month the client stops participating.
 - c. The client receives three full consecutive benefit months regardless of participation status.
 - ~~d.~~ If the client is not participating in an activity or exempt by the end of the third month, the benefits will terminate.
3. The ABAWD cannot begin the subsequent 3-month period if they are disqualified for a reason other than ABAWD non-participation (such as a [job quit](#)). The client must regain eligibility in order to receive the subsequent months.

After Subsequent Months are used:

1. **Client is participating at the end of the Subsequent Months.**

- a. Client is eligible for Basic Food as long as they participate and meet other Basic Food rules.
 - b. Clients must provide proof monthly if they are using Workfare, employment and training, or unpaid work to meet participation.
- 2. Client is not participating at the end of the Subsequent Months**
- a. Client must reapply and meet eligibility factors. ([Regaining Eligibility](#))

NOTE:

The department cannot consider the eligibility of an ABAWD client who has used the initial and subsequent months and does not regain eligibility by participating or becoming exempt until the next 36-month period.

Worker Responsibilities - WAC 388-444-0045

[Monitoring ABAWD Participation](#) information found in Worker Responsibilities-WAC 388-444-0030.

Adding an Ineligible ABAWD back into the Household

If an ABAWD client regains eligibility by meeting requirements in the Regaining Eligibility section, food benefits begin for this client effective the date:

- The application date; or
- The date the hourly requirement is met, whichever is later.

NOTE:

Benefits must be prorated based on this date.

See more about how to add a client back onto a household in the [Change of Circumstances: Effective Date Chapter](#).

Administrative Hearings

- If an ABAWD requests an administrative hearing:
 - The client's three-month clock is paused by removing the 3rd non-qualifying month and benefits will continue until there is a hearing decision.
 - If the Department is upheld, the original 3rd non-qualifying month is counted and the case will close establishing an overpayment; or
 - If the client is upheld, benefits received are retained and we will review ABAWD participation status for the on-going month.

ACES Procedures

The ACES Manual is housed on the internal network accessible by staff.

See Chapters **Basic Food Assistance - Able Bodied Adults Without Dependents (ABAWD)**

Basic Food Work Requirements - Good Cause

Revised ~~April 14, 2021~~ [January 1st, 2024](#)

Purpose:

WAC 388-444-0050 What is good cause for failing to meet Basic Food work requirements?

- Worker Responsibilities

Worker Responsibilities - WAC 388-444-0050

When you are informed that a non-exempt Basic Food client has not complied with work requirements:

For Mandatory Work Registrants

1. Begin the good cause process no later than 10 calendar days from the date you are notified on noncompliance, by sending a letter to the client. The letter must include:

- a. A description of the non-compliance; and
- b. The date by which the client must contact the worker to provide good cause for non-compliance. (This date should not exceed 10 calendar days from the date the notice is sent.)

NOTE:

If the client does not respond within 10 calendar days, determine that good cause does not exist. Refer to step 3 below.

1. Determine good cause for clients not meeting the work registration requirements described in [WAC 388-444-0005](#), #3.
2. When good cause does not exist, the client must be disqualified. See [Disqualification](#).
3. Inform disqualified clients how they may regain eligibility for Basic Food.
4. Volunteers for Basic Food E&T components (services) who fail to participate are not disqualified.

For ABAWDs

NOTE:

03/16/2020

~~The Governor's Stay Home, Stay Healthy protocols have closed schools and placed limits on gatherings and business capacity.~~

~~Staff can grant Good Cause if no other exemptions exist to any ABAWD client who is unable to participate in work-like activities due to COVID-19. Instructions for staff are in the CSD Handbook under Covid-19 Temporary ABAWD procedures.~~

~~Workers must document this in the clients' case and must explain ABAWD requirements and temporary good cause to mandatory ABAWDs.~~

1. Good cause is considered when determining if a mandatory ABAWD client has met the participation requirements.

Consider an ABAWD to have met the work requirement if they have a temporary absence from work that causes them to not meet the required hours of participation and they have not lost their job.

- a. Good cause includes unexpected circumstances beyond the individual's control, such as:
- Illness;
 - Care for another household member;
 - A household emergency; or
 - The unavailability of transportation.

NOTE:

A household emergency can cover a range of unexpected events such as fire, extreme weather or domestic violence event.

NOTE:

Unavailability of transportation does not refer to a lack of transportation due to living in a remote area.

2. Document the reason for good cause in the case notes. **Good cause should not exceed two months in a row.** If the frequency of good cause requests become questionable, a worker can ask the client to provide collateral contact for the exemption. Assess the client for a personal exemption if it appears that the good cause reason will last for longer than two months.
2. If you determine there is no good cause, record non-qualifying work months as described in [Worker Responsibilities WAC 388-444-0030](#) – Monitoring Participation

EXAMPLE:

Rita is an ABAWD who lives a remote area in a non-waived county. She had a vehicle to get to her part time job, but it is in need of repairs and is not drivable. She calls to report that she will not be able to meet the required number of hours for ABAWD. The worker does not change the ABAWD Participation status but records the Good Cause decision in the case remarks and explains to Rita that Good Cause is limited. The worker refers Rita to a BFET provider in her area to explore options for aid to repair her vehicle.

EXAMPLE:

Sahar is an ABAWD who lives in a non-waived county. She is volunteering at a Workfare site in the next town over. She usually takes the bus to the location. There is a snowstorm which has caused the buses to not run in her neighborhood. She does not feel safe walking to a farther bus stop. Sahar calls to report that she will not be able to meet her volunteer hours for that month. The worker does not change the ABAWD Participation status but records the Good Cause decision in the case remarks...

EXAMPLE:

Parker is an ABAWD who lives in a non-waived county. He reports that he is not going to be able to work for a few months because he has broken his leg. This is not a case of Good Cause, instead, the worker should evaluate Parker for a personal exception for being unable to work.

[Basic Food Work Registration Exemptions | DSHS \(wa.gov\)](#)

Basic Food Work Registration Exemptions

Revised January ~~13, 2023~~^{1st, 2024}.

Purpose:

WAC 388-444-0010 Who is exempt from work registration while receiving Basic Food?

- Clarifying Information

Clarifying Information - [WAC 388-444-0010](#)

1. We apply and code personal exemptions (such as child under six, etc.) in all areas of the state. There is no geographic or regional exemption for Basic Food work registration.

2. The exemption for drug or alcohol addiction only applies when the participation in this program would prevent the individual from meeting the work requirement or participating in an employment/training program the required number of hours.
3. The exemption for employment or self-employment is applied if either situation occurs:
 - a. Client is earning 30 x Federal Minimum wage (\$7.25/hr in 2023~~4~~) a week averaged monthly.
 - b. Client is working over 30 hours a week averaged monthly.
4. We must register non-exempt persons who receive state-funded FAP benefits even though they cannot receive federally- funded BFET services.
 - a. The one exception is WAC 388-444-0010(9). If the client does not have authorization to work in the United States they can be exempt from work registration rule.
5. Caring for an incapacitated person exemption: The incapacitated person does not have to be related, or in the household.
6. ABAWD is a small subset population of Work Registrants that have extra requirements; therefore, specific ABAWD exemptions (such as pregnancy or waived counties) under WAC 388-444-0035 that apply to those extra requirements do NOT apply to work registration in general. [See ABAWD Chapter](#).

EXAMPLE: A Work Registrant who is also ABAWD attends a methadone clinic once a month for a total of two hours in order to refill a methadone prescription. The client does not attend any additional counseling or treatment. This drug addiction treatment and rehabilitation program does not prevent the client from meeting the work requirements or participating in an employment or training program.

EXAMPLE: A Work Registrant who is also an ABAWD enters a specialized hospital for treatment for addiction. As part of the program, the client is expected to live at the hospital and receive treatment for the next 30 days. Since the client is enrolled in a program that does not allow the client to leave the hospital, this program prevents the ABAWD from meeting the work requirements or participating in an employment or training program.

Worker Responsibilities - [WAC 388-444-0010](#)

1. **Screen for work registration status:**
 - a. Determine the client's exempt or non-exempt status for work registration. See [WAC 388-444-0010](#); and
 - b. Code work exemption information on the WORK screen for every person age 16 and over.
2. **Volunteering for BFET Services:**

All clients who receive federally-funded Basic Food (SNAP) benefits may volunteer for E&T services. As a volunteer they may:

 - a. Receive supportive services (see [BFET Reimbursement of Participation Expenses](#));
 - b. Meet eligibility requirements (see [Basic Food Employment and Training \(BFET\) Program](#)); and

- c. Not be disqualified for not cooperating with the program.

3. Verifying a Personal Exemption

- a. Accept a client's statement of employment status or job availability unless the information is questionable.

- b. To verify questionable information have the client provide:

- i. Evidence of the claimed exemption; or
- ii. The name and contact information of an acceptable collateral source who can be contacted for further verification.

- c. If a client claims to be physically or mentally unable to work and the client's statement is questionable, verify the claim by:

- i. Proof of permanent disability benefits issued by a public or private source; or
- ii. A statement from a qualified professional or their staff; or
- iii. A medical verification through DSHS form 10-353 (Document Request for Medical Condition and Residual Functional Capacity) or DSHS form 14-541 (ABAWD Requirement: Medical Report). Find forms in English and other languages on our forms website: <https://www.dshs.wa.gov/office-of-the-secretary/forms>.
- iv. Do not refer to an SSI facilitator for purposes of Basic Food disability verification.

NOTE: A client qualifies for the personal disability exemption if they are a veteran receiving 100% disability benefits.

NOTE: Washington Paid Family & Medical Leave (PFML), L&I, other Worker's Compensation or Private disability insurance benefits can be used as verification for this exemption.

- d. For self-employment the client must provide records to show the hours and income worked. (See [Self Employment Income](#) chapter).

An adult may claim a child under 6, as their exemption, if they have a majority (50% or more) parental responsibility to care for that child. In households with multiple adults, any adult that has a valid claim to majority parental responsibility for the child can claim the exemption. Allow the client to change their election of who is claiming the child under 6 as an exemption up to once per month if necessary; however, the change of election may not be utilized as a means to remove an individual's work registration food disqualification (by becoming exempt).