

## 1.2.13 Participation - Step-by-Step Guide

Refer to the [IRP](#) section for a step-by-step guide to regular participation. For all others, the WFPS or WFSSS looks at the age of all assistance unit members to determine participation.

### Resources

### Related WorkFirst Handbook Sections

- [3.2 Comprehensive Evaluation](#)
- [3.3.1 Individual Responsibility Plan](#)
- [6.1 Resolving Issues - Overview](#)
- [3.2 Comprehensive Evaluation](#)
- [5.1 Pregnancy to Employment Pathway](#)
- [7.1 Education & Training - Overview](#)
- [3.5.1 Entering Sanction](#)

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### Resources

### Related WorkFirst Handbook Sections

- [1.2 Required Participation](#)
- [3.2 Comprehensive Evaluation](#)
- [3.3.1 Individual Responsibility Plan](#)
- [3.4 Case Staffing](#)
- [3.5.1 Entering Sanction & Non-Compliance Sanction](#)
- [6.1 Resolving Issues - Overview](#)

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### 3.2.1.14 Can a parent be placed in sanction for failing to participate in the Comprehensive Evaluation?

Yes. If a parent fails to show to any CE appointment, the worker must go through the good cause process to determine if the parent had a good reason for not completing the CE. For more on excused and unexcused absences, see [section 3.7.1.5](#) - How do we treat excused and unexcused absences?

Sanction is a tool of last resort which will be used as a consequence for parents who refuse to participate in the WorkFirst program. It is very important to determine and document whether a person is refusing, or simply unable to comply.

## Resources

### Related WorkFirst Handbook Chapters/Attachments

- [3.1 Resolving Issues - Overview](#)
- [3.2 Comprehensive Evaluation](#)
- [WAH Application IRP](#)

## Resources

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- [3.1 Resolving Issues - Overview](#)
- [3.2 Comprehensive Evaluation](#)
- [WAH Application IRP](#)

## 3.4 Case Staffing

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*Legal References:*

- [RCW 74.08A](#)

The *Case Staffing* section includes:

- [3.4.1](#) What is a case staffing?
- [3.4.2](#) Who needs a case staffing?
- [3.4.3](#) When are case staffings mandatory?
- [3.4.4](#) Who do you involve in a case staffing?
- [3.4.5](#) What are the benefits of a case staffing?
- [3.4.6](#) Case Staffing - Step-by-Step Guide

### 3.4.1 What is case staffing?

Case staffing is an opportunity for the WorkFirst Program Specialist (WFPS) and/or the WorkFirst Social Service Specialist (WFSSS) to exchange information about the participant and gain consultation from other professionals. It is a group process in which the case worker (WFPS or WFSSS) invites two or more professionals and others involved with the participant to help identify issues, suggest problem resolution strategies, and recommend service options.

WFPS/WFSSS:

- Gather demographics (names, ages of family members and others in the household)
- Invite at least two other relevant professionals such as social service specialists or persons from other agencies that work(ed) with the participant. A minimum of two professionals, the WFPS/WFSSS and at least one other professional must be present to conduct a case staffing.
- Advise sanctioned participants that they can invite anyone they choose.
- Document in eJAS Case Staffing notes:
  - Who attended (relevant professionals).
  - Circumstances of the case
  - Issues, strengths, concerns and anticipated duration of issues or concerns. Strengths may be having a high school diploma, stable housing, or reliable transportation. If possible, identify how strengths may help address any barriers such as how the participant's education may be helpful in obtaining employment.
  - Whether you screened the participant for EA and if there is an EA plan. Take appropriate steps to modify the EA plan as needed.

- Past or present issues and how they were addressed.
- Roles and responsibilities of those involved with the participant.
- Create a joint action plan with time-frames and expected outcomes.
- Non-Compliance Sanction (NCS) Case Staffing Documentation Standard: In addition to the eJAS Case Staffing documentation, you must:
  - Document that you reviewed and discussed all available information with one or more professionals, and
  - Include an explanation of the decision whether or not to pursue sanction.

### 3.4.2 Who needs a case staffing?

The participant may need a case staffing at any point when it appears they are not making progress or there are significant issues to address. It is important that you do everything you can for families before they reach 60 months on WorkFirst. Staff can conduct case staffings as early and regularly as possible. Some case staffings are mandatory, others are conducted based on the recommendation of the WFPS, WFSSS, partner agency or contractor such as Community Jobs.

Below are some strategies local Community Service Offices use to make this effective tool available to a broad range of participants:

- All Cases: Conduct case staffings on an entire caseload to ensure all participants met with WF staff, have a reasonable and timely IRP, and have timely IRP, and have timely and appropriate referrals. This is helpful to maximize participation. This can be an in depth review or the case including identifying issues and action steps addressing the issues. You must invite at least two other professionals such as WFSSS or persons from other agencies that have worked with the sanctioned participant.
- Cases with common characteristics: Staff common cases (such as all employed, all sanctioned, or all X cases) to develop specialized processes and resources to address the needs of groups of participants. With this type of staffing, you may refer participants to existing services and make plans to fill gaps in services. Depending on the type of case being staffed, staff may invite Employment security Department, college staff, community jobs contractors, or other community contractors.
- Difficult cases: Staff cases discussed in 3.4 Intensive Services. This particular type of case staffing will generally require more time to conduct a review of the case and develop a plan to meet the participant's needs.
- Employment Security Department (ESD) and DSHS staff will talk to the participant about options available for the next step who are nearing completion of Career Scope services without finding a job. Options include Work Experience (WEX), on-the-job training opportunities, Community Jobs, approved training, including basic education, or or additional Career Scope services if appropriate. Local staff should work together to develop processes that will make sure participants don't lost momentum in participation as they transition from one activity to another.

### 3.4.3 When are case staffings mandatory?

Case staffings are mandatory for participants who haven't participated in WorkFirst activities, without good cause, before entering sanction status.

The goal of the NCS Case Staffing is to re-engage the participant into appropriate WorkFirst activities.

A good cause/non-compliance Sanction (NCS) case staffing requires the assigned worker to invite two other relevant professionals such as the WFPS/WFSSS, Public Health Nurse, Chemical Dependency Professional, etc. The worker (WFPS or WFSSS) assigned to the case counts as one professional.

It is extremely important to invite a Children's Administration (CA) Social Service Specialist if CA is working with the individual.

For more information regarding good cause/NCS case staffings, please refer to section [3.5.1 Entering Sanction](#).

### 3.4.4 Who do you involve in a case staffing?

As shown in the chart below, depending on the participant's circumstances, you may want to invite different people to attend a case staffing.

Most state employees will come at no cost. Support services are available if a psychologist or similar professional needs to be paid. Your local region or office may consider some instances, such as "all case" reviews, as staff training and pay as a training cost. Other payment options include exception to rule, Department of Vocational Rehabilitation or Division of Developmental Disabilities (DDD) funds, Social Services Payment System dollars, school district support, or Labor & Industries, accommodation and diagnostic money.

If key professionals can't attend, then the WFPS or WFSSS should attempt to gather information prior to the staffing through phone calls and/or other correspondence.

WorkFirst staff

Note: PRISM is a useful tool to identify potential issues that prevent participation; however, use of PRISM to gather information for purposes of imposing sanctions for failure to follow through with requirements is prohibited.

<i>Suggested case staffing participants</i>	
Children's special needs	<ul style="list-style-type: none"><li>• DDD case manager</li><li>• Child psychologist</li><li>• Public Health Nurse</li></ul>

	<ul style="list-style-type: none"> <li>• Health or Mental Health Provider</li> </ul>
Depression	<ul style="list-style-type: none"> <li>• Mental Health Provider</li> </ul>
Chemical Dependency	<ul style="list-style-type: none"> <li>• Alcohol &amp; Drug Assessment staff</li> <li>• Mental Health provider</li> <li>• Children's Administration staff</li> </ul>
Cultural issues	<ul style="list-style-type: none"> <li>• Refugee service providers</li> <li>• Tribal representatives</li> <li>• Indian Policy and Affairs staff</li> <li>• Migrant &amp; Seasonal Farm Worker representative</li> <li>• Affiliate from Religious Organization</li> </ul>
Wage progression	<ul style="list-style-type: none"> <li>• Community/technical college staff</li> <li>• ESD staff</li> <li>• Employer</li> </ul>
Child care	<ul style="list-style-type: none"> <li>• Child Care Information &amp; Referral</li> <li>• Working Connections Child Care (WCCC) staff</li> <li>• Children's Administration staff</li> </ul>
Job retention	<ul style="list-style-type: none"> <li>• ESD staff</li> <li>• Employment-focused Mental Health Provider</li> <li>• Independent living specialist</li> <li>• Employer</li> <li>• Community/technical college staff</li> </ul>
Family violence	<ul style="list-style-type: none"> <li>• Family violence advocate and/or community service provider</li> <li>• Mental health provider</li> <li>• Children's Administration staff</li> <li>• Attorney of criminal and/or civil case(s)</li> </ul>
Legal, probation & parole	<ul style="list-style-type: none"> <li>• Dept. of Corrections staff</li> <li>• Local judicial staff</li> </ul>

### 3.4.5 What are the benefits of case staffing?

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Case staffings usually provide another approach to identify concerns by bringing together a multidisciplinary team of experts to review cases, identify resolution strategies, and recommend solutions. Bringing the group together for this purpose increases everyone's understanding of services and expertise available in the community and provides an opportunity for creative problem solving and resource development.

A good case staffing brings the right people to the table to identify the needs and suggest or supply the resources to meet those needs. For more information regarding good cause/NCS case staffings, please refer to section [3.5.1 Entering Sanction](#).

### 3.4.6 Case Staffing - Step-by-step guide

1. The WFPS/WFSSS:
  1. Determines the type of case staffing needed (all cases, specified type of cases or a difficult case);
  2. Invites the appropriate case staffing attendees; and
  3. Prepares copies of the IRP/case demographics for the staffing.
2. The case staffing group:
  1. Identifies, prioritizes and determines who will meet each participant's need;
  2. Increases emphasis on work/work activities as other issues are resolved;
  3. Creates short-term and long-term goals, with plans to meet each; and
  4. Establishes and documents in eJAS time frames for results or review of the IRP.
3. The WFPS/WFSSS:
  1. Makes the agreed upon referrals, updates the IRP and EA plan as needed;
  2. Authorizes needed support services; and
  3. Documents
    - The attendees,
    - Circumstances of the case,
    - Case staffing results including issues, strengths, EA plans and any steps necessary to address issues,
    - When doing NCS case staffing, an explanation of the decision whether or not to pursue sanction/NCS. Please refer to section [3.5.1 Entering Sanction](#) for more information.

Note: Case Staffing screens are considered special records (highly protected) for DSHS-only (see guide below).

Note: It is critical that you invite the Children's Administration (CA) Social Service Specialist to the good cause/NCS case staffing if the family is involved with CA.

## eJAS Case Staffing Step-by-Step Guide

1. Log into eJAS, enter the participant's JAS ID number and from the main menu, click on the "Case Staffing/Extension Review" link. Once the Case Staffing page, click on the "Create Case Staffing" link.
2. Case Data Tab:
  - **Staffing Date:** Enter the date. To display the calendar help screen, click the icon beside the staffing date entry box.
  - **Component IRP:** To display the active components and IRP screen, click this button.
  - **Referral:** To create and send a referral, click this button.
  - **Completed Date:** Complete this box **ONLY** when you have fully finished the case staffing. Once completed you can't modify this Case Staffing event anymore.
3. Attendees Tab:
  - Enter a minimum of two Case Staffing attendee's names in the boxes provided. A minimum of two professionals are **required** to conduct the case staffing, the assigned worker (WFPS/WFSSS) counts as one professional.
4. Issues/Notes Tab:
  - Click "Create New Notes."
  - On the Create Notes page, select the issues prior to documentation
  - Click "Begin Notes."
  - Enter your notes on the text box.
  - Click "Continue with Note List" to go to the next issue or go back to Case Staffing.
5. Case Staffing Result Letter:
  - Select the Case Staffing Result Letter and customize the letter to reflect the results of the case staffing. Print the letter and give/send the participant a copy of the letter. If necessary, translate the Case Staffing Result Letter into the appropriate language and send translated document to DMS.
6. Saving:
  - Clicking from one tab to another will save the entries for the previous tab.
  - To save a Case Staffing entry as complete, you need to enter a date and select the appropriate case staffing event type(s)
    - Sanction
    - 60 month
    - Exempt
    - Other

## Resources

### Related WorkFirst Handbook Sections

- [6.1 Resolving Issues - Overview](#)
- [3.2 Comprehensive Evaluation](#)



- [3.3.1 IRP](#)
- [3.5.2 Non-Compliance Sanction](#)

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## 3.5.1 Entering Sanction

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# Non-Compliance Sanction (NCS) Policy

Revised December 27, 2017

*Legal References:*

- [RCW 74.08.090; 74.08A.260 & .270](#)
- [WAC 388-310-1600](#)

The *Non-compliance Sanction Policy* section is divided in three separate sub-sections:

- Section [3.5.1 - Entering Sanction](#) describes how to make the sanction decision. This section includes:
  - [3.5.1.1](#) What is the non-compliance sanction policy?
  - [3.5.1.2](#) What are sanctions?
  - [3.5.1.3](#) How long do sanction reductions last?
  - [3.5.1.4](#) When do I send a good cause appointment/NCS case staffing letter?
  - [3.5.1.5](#) What is the good cause 10-day period?
  - [3.5.1.6](#) How do I set up the good cause/NCS case staffing?
  - [3.5.1.7](#) How do I set up the home visit (or alternative meeting)?
  - [3.5.1.8](#) What if the post office returns the participant's mail?
  - [3.5.1.9](#) What happens at the good cause/NCS case staffing?
  - [3.5.1.10](#) How do I decide if the participant has good cause?
  - [3.5.1.11](#) What if I determine the participant doesn't have good cause?
  - [3.5.1.12](#) What if the participant fails to attend the good cause/NCS case staffing?
  - [3.5.1.13](#) What is the NCS case staffing documentation standard?
  - [3.5.1.14](#) What do I do after the NCS case staffing?
  - [3.5.1.15](#) What if no contact is made with the participant at the home visit (or alternative location meeting)?
  - [3.5.1.16](#) What happens at the home visit (or alternative meeting)?

- [3.5.1.17](#) What if the supervisor disagrees with the recommendation for sanction/sanction penalty?
- [3.5.1.18](#) When do I send the adverse action notice?
- [3.5.1.19](#) eJAS/ACES Codes
- [3.5.1.20](#) Entering Sanction - Step-by-Step Guide
- [Section 3.5.2](#) - *Ending Sanction* describes what happens after a participant is sanctioned and if they decide to stay in sanction for two months.
- [Section 3.5.3](#) - *NCS Reapplications* describes how to process reapplications
- [Section 3.5.4](#) - *Permanent TANF Disqualification* describes why and how a participant becomes permanently disqualified from receiving TANF/SFA.

## 3.5.1 Entering Sanction

### 3.5.1.1 What is the Non-compliance Sanction policy?

The non-compliance sanction (NCS) policy terminates TANF when participants refuse to do their part to actively prepare for and seek employment, or otherwise participate, for two months in a row. We don't require dependent teens to participate and don't sanction them for failure to participate.

The non-compliance sanction policy also terminates TANF when mandatory WorkFirst participants fail to attend a non-compliance case staffing and we aren't able to make contact with them at the subsequent home/alternative site visit.

The ultimate goal of the NCS policy is to re-engage WorkFirst families currently in sanction status and to encourage them to take full advantage of the opportunities offered by the program. Sanction is a tool to promote personal accountability and responsibility.

The policy provides numerous opportunities for the participant(s) to re-engage in appropriate WorkFirst activities and address any barriers to participation. For best results, staff should intervene early and take any opportunity to contact the participants who are in non-compliance with their WorkFirst requirements.

### 3.5.1.2 What are sanctions?

A sanction is a penalty that reduces or terminates a family's TANF cash assistance. We impose a sanction penalty when a participant is able, but refuses without good cause to:

- Provide information needed to develop the Individual Responsibility Plan (IRP), including completing any required Comprehensive Evaluation(s),
- Show up for scheduled appointments with the people who provide WorkFirst services and follow participation and attendance rules,
- Sign the IRP,
- Participant in IRP activities, or

- Accept a job (that meets the criteria in [WAC 388-310-1500](#)).

If we discover a participant is unable to participate in the activities in the IRP, we may:

- Revise the IRP to an appropriate activity;
- Defer; or
- Exempt the person from participation.

There are two types of sanction penalties:

- Sanction reduction penalty: we reduce the family's TANF cash assistance by the participant's share, or 40%, whichever is more, when the participant doesn't have good cause and attends their NCS case staffing or home visit.
- Sanction case closure penalty: We terminate TANF cash assistance when the participant doesn't have good cause and fails to attend their NCS case staffing and home visit.

### 3.5.1.3 How long do sanction reductions last?

Months of sanction count because participants who stay in sanction for two months in a row without good cause may lose their cash assistance.

If a sanctioned participant exits TANF for a reason other than NCS termination, and then reapplies for TANF, the sanction count will resume:

- In month one of sanction if TANF closed after sanction was approved but before the month benefits were scheduled to be reduced,
- In month two of sanction if TANF closed while the participant was receiving a reduced grant due to sanction.

For example, a participant's sanction was approved on 8/15/16, the sanctioned grant scheduled for 9/1/2016. This participant's TANF terminated 8/31/16 for no Eligibility Review (ER). If the participant reapplies for TANF, they will return in month one of sanction. If this same participant closed 9/30/16 for no ER after receiving a sanctioned grant, they would return in month two of sanction.

### 3.5.1.4 When do I send a good cause appointment/NCS case staffing letter?

When a participant isn't participating as required, the WFPS/WFSS will receive an immediate notification from the service provider. When this occurs, the WFPS/WFSSS does a Continuous Activity Planning (CAP) staffing with the provider, and if the provider refers the participant back to

the CSO, determines whether or not they had a good reason for not participating. (See [3.7.1.5 How do we treat excused and unexcused absences step-by-step.](#))

**WAC 388-310-1600(2)** states participant have 10 days to contact us when they don't meet WorkFirst requirements so they can talk to us about the situation. Participants can contact us in writing, by phone, by going to the appointment described in their good cause letter, or by asking for a different appointment time. It also states we must always send a good cause letter and give the participant 10 calendar days to provide information about why there may "good cause" for not complying. This ensures:

- We meet policy and legal requirements,
- We involve more than one person in making the sanction decision, and
- The participant has an opportunity to bring someone with them to their good cause/NCS case staffing appointment.

WFPS/WFSSS must follow all of the steps of the good cause process, even if you are able to reach the participant by phone to discuss the situation. You need to complete a thorough review of the case and document that you conducted the review and that the participant had the opportunity to explain the non-participation.

If a participant calls or comes in prior to the scheduled good cause appointment and wants to participate – you have two choices:

- Cancel the good cause appointment, complete a new IRP and pursue sanction if they fail to comply with the new IRP; or
- Conduct a good cause determination right then (if they waive their 10-day notice) following established guidelines, sanction as appropriate, and use the new IRP as the start of the participant's cure.

If the parent doesn't wish to waive their 10-day notice, attempt to re-engage them at the scheduled good cause/NCS case staffing.

If you give a participant less than 10 calendar days to establish good cause or make the good cause determination over the phone without sending a letter, the case isn't procedurally correct and the sanction is invalid.

### [3.5.1.5](#) What is the good cause 10-day period?

In counting the 10 days, day 1 begins when we mail or give the "good cause" letter to the participant. This is the same as how we count the 10-day period for adverse action notices. Allow for an additional business day when the letter isn't mailed out the same day that it generates (either locally or centrally printed in Olympia). If the 10th day falls on a weekend or holiday, the participant has until the following business day to provide the information requested.

Document in eJAS how you sent the letter to the participant (in-person delivery, locally mailed, or centrally printed/mailed).

The following scenarios are examples of how to count the 10-day good cause period. All scenarios assume that today's date is 8/4/2010:

***Day 1 is 8/4/10 and Day 10 is 8/13/10***

- You locally print and hand the good cause letter to the participant in the office. The date on the letter is 8/4/10. Document in eJAS that you handed the participant the letter on 8/4/10.
- You locally print and place the good cause letter in outgoing CSO mail before the afternoon local mail cutoff. The date on the letter is 8/4/10. Document in eJAS that you locally mailed the letter on 8/4/10 before the afternoon cutoff.

***Day 1 is 8/4/10 and Day 10 is 8/16/10***

- You locally print and place the good cause letter in outgoing CSO mail after the afternoon local mail cutoff. The letter will go out the next business day. The date on the letter is 8/4/10. Since 8/14/10 falls on a weekend, the participant has until the end of the next business day (8/16/10) to provide good cause.
- You choose central print to mail the good cause letter to the participant. The letter will go out the next business day. The date on the letter is 8/4/10. Since 8/14/10 falls on a weekend, the participant has until the end of the next business day (8/16/10) to provide good cause.

### 3.5.1.6 How do I set up the good cause/NCS case staffing?

The first step is to set up a good cause appointment/NCS case staffing with the participant to find out if there is a good reason for not participating. Mail a good cause (*WorkFirst Non-Participation* 085-01) appointment letter to the participant, with the appointment date as close to the 10<sup>th</sup> day as possible while allowing for 10-day notice. Also schedule the participant's home visit (or alternative meeting) in case the participant doesn't attend the scheduled non-compliance case staffing in the space provided in this letter.

Arrange for the good cause/NCS case staffing in compliance with any limited-English proficiency (LEP) and Equal Access (EA) plans to communicate effectively with the non-participating parent/caregiver.

Conduct an NCS case staffing during the good cause appointment to decide whether to initiate a sanction for refusal to participate without good cause. Follow the procedures in section [3.5 Case Staffing](#) to set up the staffing. Document any information the participant provides about the non-participation (phone calls or documents) before the case staffing occurs.

Include the following people in the case staffing:

- The non-participating parent/caregiver (if they show up for the good cause appointment).

- Anyone the non-participating parent/caregiver brings with them.
- Two other relevant professionals, such as a Social Service Specialist or applicable persons from other agencies involved with the participant, which may include tribal representatives, WorkFirst partners, family violence advocates, or LEP pathway providers.
- Children's Administration (CA) staff if they currently work/recently worked with the family. Incorporate supported activities CA may require the families to do like counseling or treatment into the IRP. CA staff can help re-engage the participant into moving towards a more positive direction. Document that you checked to see whether there was CA involvement and if so, they received an invitation.

Make sure that a minimum of two professionals attend the case staffing. Remember that the assigned worker (WFPS or WFSSS) counts as one professional. In no case can a case manager be the only one making a decision to sanction.

### 3.5.1.7 How do I set up the home visit (or alternative meeting)?

The WFPS or WFSSS:

- Schedules the home visit (or alternative meeting) for a time no more than seven days after the noncompliance case staffing, but may be the same day.
- Schedules the two meetings at least one day apart if it is an alternative meeting instead of a home visit, and both meetings are at the CSO.
- Notifies the participant of the date, time and location of the home visit (or alternative meeting) in the good cause (WorkFirst Non-Participation 085-01) appointment letter discussed in [3.5.1.6](#).
- Explains in the 085-01 that the WFPS or WFSSS shows for a home visit (or alternative meeting) if the participant doesn't attend the noncompliance case staffing.

Note: Please see [6.5.12](#) for more information about what to include in letters to a participant in the Address Confidentiality Program (ACP).

The address for the home visit is the participant's residential address. In some circumstances, an alternate location (and an alternative meeting) may be advisable. If homelessness or safety for the family or the case manager prevents the completion of a home visit, the WFPS/WFSSS may complete the alternative location meeting at the CSO or at an alternate location. The WFPS/WFSSS must clearly document the reason for using an alternative location meeting in eJAS sanction case notes. Make sure any meeting at an alternative location is easily accessible for the participant. It should be as close to the participant's home as possible. Only use the CSO when it is the best or only option for the participant.

### 3.5.1.8 What if the post office returns the participant's mail?

Returned mail may prevent us from putting participants into sanction status. For example, if a participant's mailed IRP returns, they have good cause for failure to participate because they didn't know the requirement. We also can't place a participant into sanction if the postal service returns their good cause interview appointment letter because they have a right to attend those case staffings.

However, once we make the sanction decision, per [WAC 388-458-0025](#) and [388-310-1600\(4\)](#), we are only obligated to send out a 10-day change in benefits letter. There are no provisions to lift sanction/reinstate full benefits if the post office returns the change in benefits letter.

In these cases, the grant will likely close for loss of contact. If the participant reapplies, staff should reissue the adverse action notice and open the case in sanction.

### 3.5.1.9 What happens at the good cause/NCS case staffing?

There are two stages at the NCS case staffing. First, determine if the participant has good cause for failure to meet WorkFirst requirements. Second, if you determine the participant doesn't have good cause, use the eJAS Non-Compliance Case Staffing & Review Criteria tool to determine the next appropriate step for them.

As you conduct the case staffing, comply with any LEP and EA plans so you can communicate as effectively as possible with the non-participating parent/caregiver. Use the case staffing guidelines established under [3.4.1 What is a Case Staffing?](#)

Once you have made the decision, document issues discussed and the results of the case staffing. Explain why the department determined good cause or decided to sanction, using the NCS Case Staffing Documentation Standard. You must also send the participant a case staffing results letter.

### 3.5.1.10 How do I decide if the participant has good cause?

Our goal is to involve participants in WorkFirst activities to increase their family's ability to earn a living and provide support for their children, not to place them in sanction status. It is very important to determine and document whether a participant is refusing, or unable to comply. If a participant is unable to comply and tells us why, then we can work more effectively with them and their family.

We need to be particularly careful not to place participants in sanction status who don't comply because they don't have affordable or appropriate child care, and don't know what help is available. There is a special brochure ([WorkFirst Opportunities Brochure DSHS 22-1125](#)) that you can use to give basic Child Care information to all persons who face sanction.

Anyone who isn't fully participating as required has good cause if there are significant barriers outside of their control that prevent full participation. Some problems to review with every participant that may prevent compliance include having:

- An unmet need for Equal Access services (EA).

- Limited-English proficiency (LEP), not addressed through interpreters or translations that result in the participant not understanding WorkFirst requirements.
- An emergent or severe medical condition (verified by health care professional) of the participant or a family member in the participant's care.
- Mental health or chemical dependency issues.
- Family violence.
- Immediate legal concerns.

Don't consider non-participation due to unexcused absences good cause unless there is a significant circumstance outside of the participant's control, such as but not limited to, family violence or hospitalization that made it impossible for the participant to call in to get the absence excused.

If you don't have enough information to make a good cause decision, give the non-participating parent/caregiver a written request for any needed additional proof. For example, if the participant reports a new barrier, it is critical to give/send them a letter requesting documentation or verification of the barrier. Don't send a recommendation to impose a sanction until you make a decision based on the verification provided.

If we find the participant had good cause for failure to participate in their assigned activities, document the decision in eJAS sanction case notes using the NCS documentation standard. Determination of good cause requires a change in the IRP to reflect the appropriate activities and level of services the person needs to successfully participate in the program and may require:

- A comprehensive evaluation;
- Modified participation requirements and/or support services and a new IRP;
- A deferral from a specific activity or an exemption.

Note: PRISM is a useful tool to identify potential issues that prevent participation; however, use of PRISM to gather information for purposes of imposing sanctions for failure to follow through with requirements is prohibited.

### 3.5.1.11 What if I determine the participant doesn't have good cause?

If you determine the participant doesn't have good cause for failure to participate, complete the eJAS Non-Compliance Sanction Case Staffing & Review Criteria tool (NCS eJAS tool).

The purpose of the NCS eJAS tool is to document that we followed the sanction process, gave the participant every opportunity to participate, and reviewed the case with others and agreed with the sanction decision. It also helps you determine the next appropriate step based on all available information. The participant could be placed in sanction reduction, sanction termination, or be re-engaged.



In addition, if the participant attends their NCS case staffing, go over the following as you go through the NCS case staffing & review tool:

- Discuss how participation will help them and their family.
- Make sure the participant has an opportunity to participate, which may include:
  - Changing IRP requirements if different WorkFirst activities will help the participant move towards independence and employment sooner.
  - Providing support services the participant needs to participate.
- Describe the sanction penalties, what happens if a participant stays in sanction and how to end the sanction.
- Explain that continued refusal to participate without good cause, may result in a decision to close the cash grant once the participant has been in sanction status for two months in a row;
- Explain that if a participant has three NCS case closures, they will permanently disqualify from receiving TANF/SFA, and that their entire family will be ineligible for TANF/SFA as long as the disqualified participant lives in the home;
- Explore how the participant plans to care for and support their children (this is called the Child Safety Review) if their case closes, including local resources that may help meet their needs. This can include Food, BFET, WIC, Childcare, Head Start etc.;
- Explain to the non-participating parent/caregiver that they may be able to receive CEAP if the supervisor or designee approves their case for closure (see [Section 3.5.3.2](#))
- Document issues discussed and the results of the case staffing in the NCS eJAS tool, using the NCS Case Staffing Documentation Standard.

### 3.5.1.12 What if the participant fails to attend the good cause appointment/NCS case staffing?

If the participant fails to attend the good cause appointment/NCS case staffing:

- Determine whether the participant was able to participate (in the required activities as outlined in the IRP) during the sanction case staffing based on whatever information is available (such as case notes, information from other professionals and medical records).
- Document issues discussed and the results of the case staffing in the NCS eJAS tool, using the NCS Case Staffing Documentation Standard
- Use the Case Staffing Result Letter to document that they waived the opportunity to attend and to describe the outcome of the staffing.
- If the case staffing results in a finding of no good cause, attempt to contact the participant via the scheduled home visit or alternative meeting .
- Mail the participant information about resources the family may need if their TANF grant is closed.. This qualifies as the Child Safety Review if the person does not show up for their NCS case staffing.

### 3.5.1.13 What is the NCS case staffing documentation standard?

In addition to any eJAS Case Staffing documentation, the WFPS/WFSSS who conducted the staffing must document the following:

- That you reviewed and discussed all available information, including strengths and barriers, with one or more professionals.
- An explanation of the decision whether or not to pursue sanction.
- That you provided a sanctioned participant information about resources they may need if their case closes.

### 3.5.1.14 What do I do after the NCS case staffing?

After the NCS case staffing, send the case staffing result letter explaining:

- What the participant failed to originally do.
- The results of the NCS case staffing.
- Recommendations to impose sanction as appropriate.
- The date and time of the scheduled home visit/alternative meeting (if the participant didn't attend the staffing and good cause wasn't found).

If the participant attended the staffing, and good cause wasn't found, the WFPS/WFSSS sends a sanction/sanction penalty recommendation to the supervisor or designee for approval. If the supervisor approves sanction/sanction penalty, the WFPS/WFSSS applies the reduced grant sanction and sends an adverse action notice.

If the participant didn't attend the staffing, the WFPS/WFSSS will attempt to contact them at the previously scheduled home visit (or alternative meeting). If the participant contacts you before the home visit occurs, you may treat this as an alternative meeting and complete the home visit in the office or over the phone. Document when and where the meeting occurred in the NCS tool.

### 3.5.1.15 What happens at the home visit (or alternative meeting)?

The WFPS/WFSSS attempts to contact the participant at the date, time and address specified on the 085-01 for the home visit (or alternative meeting).

If contact is made with the participant at the home visit (or alternative meeting), the WFPS/WFSSS explains to them that good cause wasn't found at the noncompliance case staffing and that they will be referred for a reduced grant sanction unless it is determined that they have good cause.

If the participant is willing to discuss the case, the WFPS/WFSSS uses the NCS Home Visit Summary form to take the actions below. If the participant doesn't have good cause, when the WFPS/WFSSS returns to the office, they enter this information into eJAS and send the NCS Home Visit Summary to DMS stamped "completed".

Note: Be sure to document any reason for delay.

- Review the good cause decision with the participant.
- Discuss how participation will help their family.
- Make sure the participant has an opportunity to participate, which may include:
  - Changing IRP requirements if different WorkFirst activities will help the participant move towards independence and employment sooner.
  - Providing support services the participant needs to participate.
- Describe the sanction penalties; what happens if a participant stays in sanction and how to end the sanction.
- Explain that continued refusal to participate without good cause, may result in a decision to close the TANF cash grant once the participant has been in sanction status for two months in a row;
- Explain that if a participant has three NCS case closures, they will be permanently disqualified from receiving TANF/SFA, and that their entire family will be ineligible for TANF/SFA as long as the disqualified participant lives in the home;
- Explore how the participant plans to care for and support their children (this is called the Child Safety Review) if their case is closed, including local resources that may help meet their needs;
- Explain to the sanctioned participant that they may be able to receive CEAP if the supervisor or designee approves their case for closure (see Section 3.6.3.2);
- Offer to start the sanction cure if the participant has decided to reengage in WorkFirst activities by completing the sanction reengagement portion of the CE and the IRP. Staff can use the NCS Home Visit Summary form to document client CE responses and the IRP activities if they don't have access to eJAS during the home visit, and then document the results in eJAS and mail the IRP to the client when they return to the office.
- Schedule an in-person CE at the CSO if the participant chooses to engage and needs a new CE.

If contact is made with the participant at the home visit (or alternative meeting), and there is no reason to change the good cause decision, the WFPS/WFSSS recommends sanction reduction and termination after two months of sanction. If the supervisor/designee approves the sanction and subsequent termination, the WFPS/WFSSS applies the reduced grant sanction and sends an adverse action notice.

The WFPS/WFSSS closes out the NCS eJAS tool, updates the IRP and re-engages the parent in appropriate WorkFirst activities if they determine good cause at the home visit (or alternative meeting).

### 3.5.1.16 What if no contact is made with the participant at the home visit (or alternative location meeting)?

The WFPS/WFSSS documents in the NCS eJAS tool the reason that contact wasn't possible and sends any sanction penalty recommendation to the supervisor or designee for approval. The WFPS/WFSSS applies the sanction case closure penalty (without a reduced grant period) and sends an adverse action termination notice when the supervisor/designee approves the sanction penalty.

The WFPS/WFSSS:

- Documents the reason under #15 in the Sanction Review tool if you reschedule the home visit/alternative meeting.
- Documents under the appropriate confidential note if you reschedule the home visit due to an unsafe location.
- Sends an 85-01 with the new home visit date/time and location (if applicable), allowing adequate mailing time.

**Note: Contact, defined as a conversation about the sanction/termination between the sanctioned participant and a WFPS/WFSSS, either in person or by phone, must be made before reinstating TANF/SFA. A voicemail, receipt of an application, or some other message doesn't qualify as contact. Contact with anyone other than WF staff won't qualify for the purpose of reinstatement.**

A WFPS/WFSSS takes the following steps if contact happens after completing an approval of sanction case closure penalty and sending the notice of proposed termination, but prior to the effective date of termination:

1. Remove the NCS termination so it won't count as one of the three NCS case closures that leads to permanent disqualification;
2. Determine whether to open the TANF grant effective the beginning of the month using the reinstate function, without requiring participation for the 4 week cure period. You won't reinstate the case when the participant received 10-day notice of case closure for sanction and for another reason, unless they resolve the other reason for case closure prior to termination, and;
3. Determine whether to code the sanction grant reduction penalty so the month after the proposed termination will be month one of a two-month reduced grant sanction. You won't code a sanction grant reduction penalty when the participant is unable to participate.
4. The WFPS/WFSSS must offer the participant an opportunity to reengage in WorkFirst, just as would have been done had they been available at the home visit.

**Example:**

Amber didn't attend her NCS staffing March 19 and wasn't available for her home visit March 22. Sanction was approved, and her TANF termination would be effective April 30. On March 31, a WFPS returns a call and speaks with Amber. No evidence is provided that would reverse the good cause decision made at the staffing and Amber is currently able to participate. The WFPS:

- Reinstates TANF as of May 1,
- Removes the NCS termination,
- Codes the sanction reduction penalty. May will be month one of a two-month reduced grant sanction, and
- Offers Amber an opportunity to reengage in WorkFirst and start her sanction cure.

If the participant is willing to engage in WorkFirst, complete a [reengagement interview](#) including the REIN tool and Part Four of the CE. Note: The original NCS tool would have been completed when the proposed termination notice was sent.

If the participant is not willing to engage in WorkFirst, track the sanction in the CLMR by completing the first two questions in the REIN tool, using the date of the reinstatement letter in the field for the approval letter date.

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### 3.5.1.17 What if the supervisor disagrees with the recommendation for sanction/sanction penalty?

When a participant is referred for sanction, the supervisor/designee will review the NCS eJAS tool to determine whether the sanction policy and process was correctly followed.

The supervisor/designee may deny the sanction/sanction penalty recommendation due to:

- Inadequate or untimely notice for the good cause/NCS case staffing appointment
- Case staffing done incorrectly (such as one participant did the staffing and made the decision)
- CA involvement, but failed to invite CA
- Failure to do a Child Safety Review (or send out material to no-shows)

The supervisor/designee may also deny the sanction/sanction penalty recommendation when the participant:

- Didn't know what their IRP required
- Was sanctioned for an activity not in their IRP

- Had unaddressed barriers to participation
- Reported a barrier and we failed to respond
- Had good cause for failure to participate

A denial will send the case back to the case manager to review and correct. The case manager can make necessary corrections and send the case back for a decision or close out the tool when the sanction or case staffing was invalid.

### 3.5.1.18 When do I send an adverse action notice?

The department cannot sanction participants until a 10 day notice of adverse action is sent to the client. The earliest date you can make the sanction decision and send out the adverse action notice depends on whether the parent contacts you within the 10-day good cause period. If the participant does not show up for his or her NCS case staffing, do not send the notice until after you have attempted the follow up home visit/alternative meeting.

- **Contact from participant within the 10 days good cause period:** When participants contact us to tell us they will not participate or do not have a good cause anytime during the 10-day period, the notice of adverse action can be issued. The department does not have to wait until the 10th day to issue the adverse action notice. Document the contact and the participant's statements in eJAS.
- **Incomplete information from participant within the 10 days:** When a participant provides some information but not everything needed to make a good cause determination, the department must inform the participant in writing what else is needed and allow a reasonable amount of additional time to respond. A reasonable amount of time is not necessarily 10 days. This second request does not make the first good cause letter invalid. Send an updated good cause letter with the date this information is due.
- **No contact within the 10-days:** When a participant does not respond at all and does not attend the scheduled good cause meeting, the department must wait until the 10th day to send the adverse action notice. However, if the participant contacts you and establishes good cause by the end of the 10th day, you must rescind the adverse action letter.
- **Simultaneous notice of non-participation and intent to not participate:** A participant may tell you that they do not intend to participate at the same time you find out that they have not been participating. When this occurs, hand the participant a good cause letter or mail the letter. See 3.5.1.4, When do I send a good cause appointment/NCS case staffing letter? for more information.
- The adverse action letter addressed to head of household must specify the name of the participant in the household who is being placed in sanction.
  - This applies for both one and two parent households.

WAC 388-310-1600(5) states once we decide that a participant did not have a good reason for failing to meet WorkFirst requirements, we must tell them what they failed to do. This must be added to the participant's adverse action notice. We must tell the participant how to cure their sanction.

The participant needs to know what specific activity in the Individual Responsibility Plan they did not follow through with. This is particularly important when there is more than one activity. We must state who did not do the activity as there may be more than one mandatory participant in the family.

To summarize, include the following information in the adverse action letter:

- Who is being placed in sanction (specific participant)
- What they failed to do (specific activity in IRP)
- That the specific participant is in sanction status
- The penalties that will be applied to the grant
- When the penalties will be applied
- Administrative hearing rights
- How to end the penalties and get out of sanction status

Please note that on the 08-01 Change in Benefits letter staff only need to enter the information corresponding to the first three bullets. The rest of the information is automatically printed on the letter. However, on the 06-02 Termination of TANF/SFA letter for those receiving the case closure sanction penalty, staff must enter the information corresponding to the first three bullets and also add the following text, including appropriate dates:

- The penalty for this sanction is case closure because you did not attend your staffing appointment scheduled on \_\_\_\_\_ and you were not available for your home visit or alternative meeting scheduled on \_\_\_\_\_.
- If your case is closed, you will need to reapply and may need to follow your IRP for 4 weeks in a row before you can receive a grant.
- If your case is closed 3 or more times, you may be permanently disqualified from receiving TANF/SFA.

If these points are not met in the notice of adverse action, then the requirements have not been met and the family cannot be placed in sanction status.

### 3.5.1.19 eJAS/ACES codes

When someone is sanctioned, use the following ACES and eJAS codes:

- **SA** (eJAS code indicating the person is in sanction).
- **IC** (eJAS code showing that a component has been closed incomplete)
- **RE** (ACES WORK screen sanction code for households 60 months or less on WorkFirst cash assistance)

- SN (eJAS sanction code for households 61 or more months on WorkFirst cash assistance)

### 3.5.1.20 Sanctions - Step-by-step guide

Note: The NCS process and automated supports track each specific incidence of non-participation. If you consider sanction again based on another incidence of non-participation, you must conduct new appointments and create a separate NCS eJAS tool.

#### **A. Setting up the good cause/NCS case staffing appointment**

The WFPS/WFSSS identifies participants who aren't complying with program requirements and sends the participant the WorkFirst Non-Participation Appointment letter (085-01) scheduling a good cause/NCS Case Staffing appointment within 10 calendar days to find out if there is good cause for noncompliance.

- The WFPS/WFSSS:
  1. Addresses the letter to the non-participating parent/caregiver.
  2. Specifies in the body of the letter who is in noncompliance.
  3. Adds the required text explaining what the participant failed to do. You can be vague such as "You didn't meet with your provider on [date] at the scheduled time [time]."
  4. Tells them they can choose to bring anyone they want to the appointment.
  5. Adds the following text to the letter regarding the case staffing and who has been invited to attend. "At this appointment, we will also be reviewing your participation in the WorkFirst program with other involved agency staff. I have invited (list agency staff) to this appointment."
  6. Adds the date, time and location of the home visit (or alternative meeting) that will be attempted if the participant doesn't attend the good cause/NCS Case Staffing appointment.
  7. Closes affected component code(s) with IC and contractor code(s) with actual ending date.
  8. Enters PR component code in eJAS with a scheduled end date that coincides with the good cause appointment date, not to exceed 14 calendar days.
  9. Invites at least two other relevant professionals, such as a social service specialist or someone from another agency who is working with the participant, to the good cause/NCS case staffing appointment. A minimum of two professionals is required with the assigned worker (WFPS or WFSSS) counting as one professional.
  10. Documents that we determined whether Children's Administration (CA) was involved with the family, and if so, that CA was invited to the good cause/NCS case staffing appointment.

#### **B. Conducting the good cause/NCS case staffing interview**

At the good cause/NCS case staffing appointment, with appropriate professionals, the WFPS/WFSSS:

1. Determines whether good cause exists by:



1. Reviewing available information and determining if activities were appropriate.
2. Discussing program requirements with the participant and what they failed to do.
3. Discussing strengths and barriers with the participant.
2. If the participant doesn't have good cause:
  1. Ensures the participant was given 10 days to contact the office and establish good cause.
  2. Explains why the department is recommending sanction.
  3. Explains that the participant can be permanently disqualified from receiving TANF/SFA once they have been closed for NCS three times, going back to March 1, 2007.
  4. Ensures the participant knows how many NCS closures they have had.
  5. Offers re-engagement.
  6. Completes or schedules the Sanction Reengagement CE interview and modifies the IRP, as required, based on the CE outcome, the participant agrees to participate
  7. Conducts a Child Safety review to help the participant plan for case closure, including:
    1. How the participant plans to support their family once they lose cash aid.
    2. Explaining the possible continuation of Washington Apple Health and Basic Food Assistance.
    3. Providing a list of community resources (like WIC) that are available to help meet the family's need.
    4. Explaining that they may be able to apply for CEAP at reapplication if the case is closed for non-compliance sanction.
3. If the participant doesn't attend, bases the decision on all available information, such as case notes or medical records.
4. Closes the PR component code.

Note: PRISM is a useful tool to identify potential issues that prevent participation; however, use of PRISM to gather information for purposes of imposing sanctions for failure to follow through with requirements is prohibited.

### **C. Processing good cause determinations**

1. When it is determined the participant has good cause, the WFPS/WFSSS:
  1. Enters the appropriate codes for the required activities.
  2. Adjusts the IRP.
  3. Makes appropriate referrals.
  4. Authorizes support services as needed.
  5. Documents the decision in eJAS sanction case notes using the NCS documentation standard.
2. When it is determined the participant doesn't have good cause, the WFPS/WFSSS:
  1. Completes the NCS eJAS tool questions 1 through 15, using the NCS documentation standard, and refers to the supervisor or designee for approval.

2. Sends the case staffing results letter with required text from the Sanction Letters and Documentation Resource including:
  1. Who attended the good cause/NCS case staffing,
  2. What the participant failed to comply with originally,
  3. The results of the NCS staffing,
  4. A reminder of the scheduled home visit (or alternative meeting) if the participant didn't show up for the noncompliance case staffing, and
  5. Any recommendation to impose sanction.
3. Mails a local resource list if the participant doesn't show up for the case staffing (which counts as a Child Safety Review).
4. Completes question 15 on the NCS eJAS tool if the participant does show up for the noncompliance case staffing, and refers to the supervisor or designee for approval of a sanction/sanction penalty.
5. Monitors the NCS Review Pathway report in the Caseload Management Report (CLMR) for supervisor/designee decision if a referral to supervisor was done.
6. Enters PR component code in eJAS with a scheduled end date that coincides with the home visit/alternative meeting appointment date.

#### **D. Conducting the home visit (or alternative meeting)**

When the participant no shows for the noncompliance case staffing and no good cause was found, the WFPS/WFSSS will attempt to make contact with the participant at the date, time and address specified on the 085-01 for the home visit (or alternative meeting).

1. If contact is made with the participant at the home visit (or alternative meeting), the WFPS/WFSSS:
  1. Reviews the good cause decision.
  2. Uses the NCS Home Visit Summary form to cover the other topics required during good cause case staffings and offer to start a sanction cure. You can access this form on the CSD WF SharePoint Sanction Documents page. Document this discussion and send a copy of the completed form to be scanned into the client's Electronic Case Record (ECR) in Barcode as 'completed' after transferring the information to eJAS and sending the client the new IRP (if a new plan was agreed upon).
  3. Completes questions 15 and 16 on the NCS eJAS tool, and refer to the supervisor or designee for sanction/sanction penalty approval.
  4. Monitors the NCS Review Pathway report in the Caseload Management Report (CLMR) for supervisor/designee decision.
2. If contact isn't made with the participant, the WFPS/WFSSS:
  1. Documents why contact wasn't possible in the NCS eJAS tool.
  2. Completes question 15 and 16 on the NCS eJAS tool, and refer to the supervisor or designee for sanction/sanction penalty approval. If approved, the case will close without a grant reduction.

## **E. Processing Sanction Decisions**

1. The CSO Supervisor/designee routinely monitors the Clients Awaiting Sanction/Term Approval report in eJAS for participants newly referred for sanction. When a participant is referred for sanction, the supervisor/designee:
  1. Reviews the NCS eJAS tool questions 1 through 15 (and 16 on home visit cases) to ensure:
    1. Policy was followed.
    2. Entries are accurate.
    3. Documentation is complete.
    4. There is no issue with returned mail, such as the IRP, eJAS appointment letters, or the good cause appointment letter (85-01).
  2. Completes question 16 (or 17 for home visit cases) of the NCS eJAS tool to document the sanction/sanction penalty decision.
    1. A denial returns the document (monitored through the NCS Review Pathway report) to the WFPS/WFSSS for further action. The WFPS/WFSSS can either modify the NCS Review Criteria and resend it to the supervisor/designee for review, or complete the review by clicking the 'Complete' button.
    2. An approval approves sanction and the penalty.
    3. Entry of brief additional comments is optional.
2. The WFPS/WFSSS can monitor the decision of the supervisor/designee on the NCS Review Pathway report. Once a decision has been made, the WFPS/WFSSS:
  1. If the case is returned for rework, make the necessary corrections and resubmit to the supervisor/designee.
  2. If the sanction/sanction penalty is denied:
    1. Completes the NCS eJAS tool, and
    2. Schedules/contacts the participant for IRP development.
  3. If the sanction/sanction penalty is approved:
    1. Processes the sanction in ACES and eJAS,
    2. Actively attempts monthly follow-up and re-engagement contacts with the sanctioned person until their case is closed, to discuss the benefits of participation and explain how to cure sanction.

## **F. ACES/3G Processing for Approved Sanctions**

1. If the supervisor or designee approves the sanction reduction penalty, the WFPS:
  1. Changes the Participation Status on the sanctioned individuals Work Registration screen to Refused – Mandatory Participant (RE). The effective date will auto populate to the first of the following month, allowing for advance notice.
  2. Sends the adverse action notice, Change in Benefits (08-01) allowing for 10 day advanced notice and adding required text:

1. Who is being placed in sanction (specific participant).
2. What they failed to do (specific activity in IRP unless the activity is confidential).
3. That the specific participant is in sanction status.
4. The penalties that will be applied to the grant.
5. When the penalties will be applied.
6. Administrative hearing rights.
7. How to end the penalties and get out of sanction status.

Note: Staff only need to enter the information corresponding to the 1-3. The rest of the information is automatically printed on the letter.

2. If the supervisor or designee approves the sanction case closure penalty, the WFPS:
  1. Leaves the Mandatory Participant (MP) code on the sanctioned individual's Work Registration screen;
  2. Checks the box on the Work Registration screen for "Closed while in Non-Compliance Sanction", and;
  3. Sends the adverse action notice, Termination of TANF/SFA (06-02) allowing for 10 day advanced notice and adding the required text:
    1. Who is being placed in sanction (specific participant),
    2. What they failed to do (specific activity in IRP unless the activity is confidential),
    3. That the specific participant is in sanction status, and
    4. Add the following text including appropriate dates;
      - The penalty for this sanction is case closure because you didn't attend your staffing appointment scheduled on \_\_\_\_\_ and you weren't available for your home visit or alternative meeting scheduled on \_\_\_\_\_.
      - If your case is closed, you will need to reapply and may need to follow your IRP for 4 weeks in a row before you can receive a grant.
      - If your case is closed 3 or more times, you may be permanently disqualified from receiving TANF/SFA.

Note: Administrative hearing rights are automatically printed on the letter.

### **G. eJAS Processing for Approved Sanction/Sanction Penalties**

The WFPS/WFSSS:

1. Denies any support services being received until the participant starts curing the sanction.
2. Depending on how long the participant has been on WorkFirst cash assistance, enter the SA or SN component through the end of month 1 of the sanction reduction penalty or through the end

of the month after the paid through date of the sanction case closure penalty and update the codes in monthly increments for the sanction reduction penalty.

3. Completes NCS eJAS tool question about the adverse action letter:
  1. Enters the Change in Benefits letter (08-01) or the Termination of TANF/SFA letter (06-02) date.
  2. Enters the sanction effective date.
  3. Selects one sanction reason.

## Resources

### Related WorkFirst Handbook Chapters

- [3.1 Tools - Overview](#)
- [3.2 Comprehensive Evaluation](#)
- [3.4 Case Staffing](#)
- [6.1 Resolving issues](#)

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[3.6.2](#)

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## Non-Compliance Sanction Policy

### *Legal References:*

- [RCW 74.08.090; 74.08A.260 & .270](#)
- [WAC 388-310-1600](#)

The *Non-Compliance Sanction Policy* section is divided in three separate sub-sections:

- [Section 3.5.1](#) - *Entering Sanction* describes how to make the sanction decision.
- [Section 3.5.2](#) - *Ending Sanction* describes what happens after a person is sanctioned and if they decide to stay in sanction for two months. This section includes:
  - [3.5.2.1](#) What happens after a case is placed in sanction?
  - [3.5.2.2](#) What are the CE & IRP requirements for sanctioned persons?
  - [3.5.2.3](#) How does a person cure a sanction?
  - [3.5.2.4](#) How might changes in circumstances change a person's grant, IRP or cure requirements
  - [3.5.2.5](#) When do I withdraw cases referred for NCS case closure?
  - [3.5.2.6](#) What if a supervisor approves a case for sanction/sanction penalty and it is time to close the case?

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- 3.5.2.7 What if the sanction lasts longer than two months?
- 3.5.2.8 How do I resolve procedural issues & reapply sanction penalties?
- 3.5.2.9 What happens when a person is closed for NCS for the third time?
- 3.5.2.10 Ending Sanction - Step-by-Step Guide
- Section 3.5.3- *NCS Reapplications* describes how to process reapplications from non-compliance sanction case closures..
- Section 3.5.4 – *Permanent TANF Disqualification* describes why and how a person can be permanently disqualified from receiving TANF/SFA.

## 3.5.2 Ending Sanction

### 3.5.2.1 What happens after a case is placed in sanction?

The non-compliance sanction policy is designed to provide numerous opportunities for the parent(s) to re-engage in appropriate WorkFirst activities and address any barriers to participation. For best results, staff should intervene early and take any opportunity to contact the people who are in non-compliance with their WorkFirst requirements. Once the sanction/sanction penalty decision is approved, continue to attempt to work with the person to cure their sanction.

Continue to attempt reengagement each month until the sanction is waived, cured or the case closes.

The NCS Review Pathway (2-Month) report on the Caseload Management Report will display the date in the Reengage Contact column whenever a “Reengagement” note type is entered into eJAS. This note type is entered when;

- an NCS Reengagement Contact Letter is printed from eJAS, or when;
- the WFPS/WFSSS makes other reengagement contact and selects the “Reengagement” note type to post a note.

The information in this section should only be followed after a case has been placed in sanction status following the procedures in section 3.5.1-*Entering Sanction*. If the supervisor or designee approves sanction/sanction penalty, we will close the case after:

- the person has been in sanction for 2 months in a row; or
- We give the individual 10-day notice to close the case because they did not attend either their non-compliance case staffing or their home visit/alternative meeting.

### 3.5.2.2 What are the CE & IRP requirements for sanctioned persons?

Every sanctioned person must complete the Sanction Re-engagement portion of the CE to start a sanction cure after entering sanction status. The Sanction Re-engagement portion of the CE ensures

the sanctioned person and their families are in the most appropriate activities to meet their needs and to help them move out of sanction.

The Sanction Re-engagement CE is a series of six questions to discuss how the person will successfully cure their sanction. It also screens for changes that may affect the person's ability to participate.

CE process:

- Schedule (via an appointment letter) a Sanction Re-Engagement CE for the sanctioned person.
- Complete the Sanction Re-engagement CE interview,
- Develop an Individual Responsibility Plan.

The person does not require a special "sanction IRP" just because they have entered sanction. Everyone participating in the WorkFirst program is required to have a current IRP based upon his or her activities. If someone agrees to a sanction cure plan, the IRP should reflect the activities not done without good cause. The person must complete a CE and comply with their existing IRP requirements to cure the sanction.

When the person agrees to cure the sanction, update the IRP with current dates and any new activities needed to meet any new circumstances, including any activities recommended by the Sanction Re-engagement CE interview.

### 3.5.2.3 How does a person cure a sanction?

Once the sanction decision has been approved, a person must start and continue to do the required WorkFirst activities to cure the sanction. This holds true even if the person was originally sanctioned for failure to provide information or for refusing to accept a job. An individual must do what is in her or his IRP when the sanction decision was made, unless circumstances change and the IRP is modified (including any changes made as a result of the Sanction Re-engagement CE interview).

The length of time required to end a sanction is referred to as the "cure period". The cure period starts on the day the person completes their Sanction Re-engagement CE interview and agrees to their IRP activities. To cure the sanction, the sanctioned individual must participate for 4 weeks (28 days) in a row. After four weeks of satisfactory participation, the sanction is removed effective the first of the following month. This same process is used for each subsequent sanction.

### 3.5.2.4 How might changes in circumstances change a person's grant, IRP or cure requirements?

If circumstances change, a person's grant, IRP and/or cure requirements may change.

- **Grant:**

- If a sanctioned case is found where the required steps to impose a sanction were not taken, done incorrectly or, the department knew about a barrier to participation and did not respond, then the sanction on the case must be removed back to the original date it was imposed. A supplement must be issued following the established procedures in the EAZ manual under "[Benefit Errors -F](#) ." Cash and Food Assistance Underpayments ". Follow the instructions in [3.5.1.14](#) to resolve the procedural error and re-apply the sanction penalty.
- If a person reports a change of circumstance which prevents the person from participating and had not been previously reported, then, once verified, the sanction on the case must be removed the first of the following month after the change of circumstances was reported.
- **IRP:**  
Create a new IRP if:
  - We did not respond to a barrier we knew about,
  - The person discloses a barrier after the fact,
  - The person agrees to new activities based on her or his Sanction Re-engagement CE interview, or
  - The person's situation changes so he or she can no longer meet prior IRP requirements.
- **Four-week cure requirement:**

Anyone able to participate (with a new IRP and participation requirements appropriate to their new circumstances) must comply for four weeks before they get a full grant. However, if they are only able to participate in family violence related activities, the cure requirement should be waived. Once they comply or the cure requirement is waived:

- Remove the sanction penalty the first of the following month.
- The person starts over with a clean slate (zero months in sanction).

Waive a person's four-week cure requirement only when:

- They enter the third trimester of pregnancy if they have completed a Pregnancy to Employment assessment and are not required to participate in mental health and/or chemical dependency treatment.
- Family, personal, or health issue is now severe enough that they cannot participate.
- Family violence is directly or significantly contributing to their inability to participate – see examples of family violence situations in [6.5.18](#).

**Examples:** A woman is sanctioned for refusing to do job search. Below are three different circumstances with the appropriate response for each.



- #1: She now discloses chemical dependency issues but her chemical dependency treatment provider indicates she is able to participate in other WorkFirst activities. She must participate in activities for four weeks to get a full cash grant (in her case, go through a Sanction Re-engagement CE interview, followed by a mix of training, job search and chemical dependency treatment).
- #2: After she entered sanction, she was in a car accident and hospitalized. This woman will be working with a social service specialist (who verifies her circumstances) after the Sanction Re-engagement CE interview is completed and we waive her four-week cure requirement and remove the sanction penalty the first of the following month.
- #3: The woman is now entering her 3rd trimester of pregnancy. We do not require participation during the 3rd trimester, as long as the Pregnancy to Employment assessment has been completed and there are no mandatory requirements. Waive the four-week cure requirement and remove the sanction penalty the first of the following month.

### 3.5.2.5 When do I withdraw cases referred for NCS sanction/sanction penalties?

You can withdraw a case that has already been referred to the supervisor/designee for sanction/sanction penalties only on a limited exception basis. The table below outlines what constitutes an appropriate reason for withdrawal:

<i>What if circumstances change after I refer a case for NCS sanction and sanction penalties?</i>	
<i>Cases that may be removed</i>	<i>Cases that cannot be removed</i>
Parent cured the sanction Sanction lifted (e.g., unaddressed barriers discovered; parent now exempt from WorkFirst activities)	Closed cases

### 3.5.2.6 What if a supervisor approves a case for sanction/sanction penalty and it is time to close the case?

The WFPS or Financial Services Specialist closes the WorkFirst cash assistance by:

- Entering a "Y" in the "Close AU Due to NCS" field on the WORK screen in ACES or checking the "Closed while in Non-Compliance Sanction" box on the Work Registration/Participation – Cash screen in 3G. . The case will close for reason code 252.
- Sending an adverse action notice following the [adverse action rules](#) in the EAZ Manual and adding the following information:
  - Who is receiving a Non Compliance Sanction termination (specific person)

Deleted:

- What the person failed to do to justify the sanction status.

In addition, this text should be added to the 06-02 Termination of TANF/SFA letter:

- If your case is closed, you will need to reapply and may need to follow your IRP for 4 weeks in a row before you can receive a grant.
- If your case is closed 3 or more times, you may be permanently disqualified from receiving TANF/SFA.

For case closure sanction penalties only, also add the following text including appropriate dates:

- The penalty for this sanction is case closure because you did not attend your staffing appointment scheduled on \_\_\_\_\_ and you were not available for your home visit or alternative meeting scheduled on \_\_\_\_\_.

When this is done, staff should complete the question, “Was an adverse action letter sent to the parent 10 days prior to the NCS termination effective date?” on the eJAS NCS tool.

Staff must also make sure that the family receives other types of public assistance benefits they may qualify for, like Basic Food or Washington Apple Health. Encourage persons who file an administrative hearing and request continued benefits to re-apply and meet participation requirements in case they lose the hearing.

### 3.5.2.7 What if a sanction lasts longer than two months?

If a sanction goes beyond 2 months, input the appropriate "delay reason" code on the ACES WORK screen.

- FH is used when a case closure is delayed by an administrative hearing request.

### 3.5.2.8 How do I resolve procedural issues & reapply sanction penalties?

This process is used when a case was sanctioned in error.

- **End the sanction:** For invalid sanction/case staffing, send a change letter to end the sanction. If only the good cause/NCS case staffing is invalid, explain that we are reinstating full benefits until we resolve a procedural error.
- **Restore lost benefits:** Remove the sanction on the case back to the original date it was imposed. Issue a supplement following the established procedures in the EAZ manual under "[Benefit Errors -F. Cash and Food Assistance Underpayments](#)".

- **Reinstate sanction:** If you must reinstate the sanction because the good cause/NCS case staffing was invalid send out a new good cause appointment letter, describing what the parent did not originally do. Follow the regular sanction process from this point forward to do a good cause/NCS case staffing, complete the sanction review checklist and make the sanction decision. If the sanction is found appropriate, send a new adverse action notice (describing what the parent did not originally do) and impose a new sanction. The parent will start over in month 1 of the new sanction.
- **Insufficient information in the adverse action notice:** If we did not state who did not comply and/or adequately describe what was not done, you will not need to make a new sanction decision. Lift the sanction and restore lost benefits. Send out a new adverse action letter naming who and/or describing what the parent originally did not do and impose a new sanction with advance and adequate notice. The parent will start over in month 1 of the new sanction.
- **Curing requirements:** Allow parents who have already begun to cure their sanction to continue their cure by doing their required activities. If the parent has not started to cure and wishes to re-engage, do a new CE and IRP based on current circumstances. Lift the new sanction after the parent participates for four consecutive weeks. See section 3.6.2.4 for a description of when you can waive a person's four-week cure requirement

### 3.5.2.9 What happens when a person is closed for NCS for the third time?

When a person's case closes that has been terminated for NCS three times, that person is permanently disqualified from receiving TANF/SFA benefits. In addition, the disqualified person's household is ineligible to receive TANF/SFA benefits while the person lives in the home. For more information about permanent TANF disqualification, please refer to [section 3.5.4](#) – Permanent TANF Disqualification.

See [section 3.5.3.2](#) for instructions on removing the permanent disqualification when you reinstate a sanction case closure penalty case.

### 3.5.2.10 Ending Sanction - Step-by-Step Guide

Note: The NCS process and automated supports track each specific incidence of non-participation. If you consider sanction again based on another incidence of non-participation, you must conduct new appointments and create a separate NCS eJAS tool.

- **Curing Sanction**

When a sanctioned person agrees to participate to cure the sanction:

1. Complete the Sanction Re-engagement CE interview.
2. Open the appropriate component(s) in eJAS (but keep the SA or SN code in place).

3. Authorize any needed support services and update the IRP.
4. After 4 weeks of satisfactory participation is verified:
  1. Change the Participation Status from Refused – Mandatory Participant (RE) to Mandatory Participant (MP) on the Work Registration screen and enter the sanction cure date in the ‘ Re-qualifying Date’ field.
  2. Remove the SA or SN code from eJAS by entering the CS closing code.

## Resources

### Related WorkFirst Handbook Sections

- [3.1 Tools - Overview](#)
- [3.2 Comprehensive Evaluation](#)
- [3.4 Case Staffing](#)
- [6.1 Resolving issues](#)

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3.6.3

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### 3.5.3 Non-Compliance Sanction Re-applications

Created on:  
Aug 15 2017

## Tools

Revised 8/15/17

*Legal References:*

- *RCW 74.08.090; 74.08A.260 & .270*
- *WAC 388-310-1600*

The *Non-Compliance Sanction Policy* section is divided in three separate sub-sections:

- [Section 3.5.1 - Entering Sanction](#) describes how to make the sanction decision.

- [Section 3.5.2](#) - *Entering Sanction* describes what happens if a participant decides to stay in sanction for more than three months. This section includes:
- [Section 3.5.3](#) - *NCS Reapplications* describes how to process reapplications from non-compliance sanction case closures. This section includes:
  - [3.5.3.1](#) Can a participant reapply for TANF cash assistance after non-compliance sanction case closure?
  - [3.5.3.2](#) What is a WorkFirst Sanction Reopen (WFSR) case?
  - [3.5.3.3](#) Consolidated Emergency Assistance Program (CEAP) for non-compliance case closures for non-compliance sanction.
  - [3.5.3.4](#) What if a participant reapplies before their case is closed?
  - [3.5.3.5](#) How do I decide and track an applicant's participation requirements?
  - [3.5.3.6](#) What if the participant stops participating?
  - [3.5.3.7](#) How is the application approved?
  - [3.5.3.8](#) What if a participant is reopened and they stops participating again?
  - [3.5.3.9](#) NCS reapplication - step-by-step guide
- [Section 3.5.4](#)– *Permanent TANF Disqualification* describes why and how a participant can be permanently disqualified from receiving TANF/SFA.

### 3.5.3 Non-Compliance Sanction Reapplications

#### 3.5.3.1 Can a participant reapply for TANF cash assistance after non-compliance sanction case closure?

A participant may reapply for TANF cash assistance or State Family Assistance by filing a new application. Unless it is a WorkFirst Sanction Reopen case, they will need to participate 4 weeks in a row before they get cash. The sanctioned family may be eligible for CEAP while they meet the participation requirement (see [Section 3.5.3.3](#)).

If a participant has three NCS case closures, they are permanently disqualified from receiving TANF/SFA benefits. If a participant with three or more NCS closures reapplies for TANF/SFA, deny their application. Please refer to [section 3.5.4](#) – Permanent TANF Disqualification.

#### 3.5.3.2 What is a WorkFirst Sanction Reopen (WFSR) case?

A WorkFirst Sanction Reopen (WFSR) case is when a participant receives a sanction case closure penalty, applies for TANF, and completes a financial interview by the end of the month following the paid through date.

For example, if a participant received the sanction case closure penalty with a 2/28 paid through date, and they reapply and complete their financial interview in March, process the application as a WFSR case. In this scenario, an application received prior to 3/1 isn't a WFSR case yet because TANF is still open.

Refer to the CSD Procedures Handbook, 'Processing a WFSR Red Application', to process a WFSR case. To summarize, the WFPS:

1. Removes the NCS termination so it won't count as one of the three NCS case closures that would lead to permanent disqualification.
2. Determines whether to open the TANF grant effective the beginning of the month using the reopen function, without requiring participation for the 4 week cure period first. Don't reopen the case when the participant received 10-day notice of case closure for sanction and for another reason unless the participant resolves the other reason for case closure when they reapply.
3. Determines whether to code the sanction grant reduction penalty so the month of application will be month one of a two-month reduced grant sanction. Don't code a sanction grant reduction penalty when the participant is unable to participate.

Use the text blocks below for WFSR approval and denial letters. You can access the text blocks at the CSD WorkFirst SharePoint Sanction Documents page.

Text Block	Used For
WFSR reopened in sanction	Approval letter when the WFSR case closed for NCS only and the client is able to participate
WFSR reopened without sanction	Approval letter when the WFSR case closed for NCS only and the client is NOT able to participate
Ineligible WFSR– remains in sanction status	Denial letter when the WFSR case closed for NCS and another reason and the client is able to participate. If the client later reapplies and is found eligible, they will reopen in sanction status.
Ineligible WFSR – no longer in sanction status	Denial letter when the WFSR case closed for NCS and another reason and client is NOT able to participate. If the client later reapplies and is found eligible, they will NOT reopen in sanction status.

Example #1 (WFSR reopens in sanction)

- A participant fails to attend his scheduled non-compliance staffing appointment at the office on 07/10 and is not available for his scheduled home visit on 07/15. He receives the sanction case closure penalty and his TANF grant is terminated for non-compliance sanction on 07/31. His case is closed for NCS only.
- On 08/20, he submits an application for TANF and he completes a financial interview on 8/28; this is a WFSR case. The WFPS determines that he is able to participate.

- The WFPS removes the NCS termination and opens TANF, and follows the CSD Procedures Handbook to open as of 08/01 in month one of sanction. The WFPS uses the ‘WFSR reopened in sanction’ text block on the approval letter.
- The participant does not cure or end his sanction by the end of September, so the WFPS imposes the NCS case closure effective 09/30.

Example #2 (WFSR reopened without sanction)

Same scenario as example #1 except the WFPS determines the participant is no longer able to participate due to a recent verified back injury. The WFPS:

- Removes the NCS termination and documents that the client is unable to participate and is no longer in sanction status.
- Reopens the case as of 8/1 and uses the ‘WFSR reopened without sanction’ text block on the approval letter.

Example #3 (ineligible WFSR – remains in sanction status)

Same scenario as example #1 except the participant received 10-day notice for both NCS case closure and for having no eligible child.

- On 8/28, when he completes a financial interview, the WFPS determines that there is still no eligible child in the household and the participant is able to participate.
- The WFPS removes the NCS termination and keeps the case closed as the applicant has already received 10-day notice of case closure due to no eligible child. The WFPS uses the ‘ineligible WFSR – remains in sanction status’ text block on the denial letter.
- The participant reapplies three months later, the child has returned home, and he is financially eligible and able to participate. The WFPS reopens the case in month one of sanction. The participant does not need to cure the sanction before we reopen the case because he met the WFSR criteria on 8/28.

Example #4 (ineligible WFSR – no longer in sanction status)

Same scenario as example #1 except the participant received 10-day notice for both NCS case closure and for having no eligible child and is NOT able to participate.

- On 8/28, when he completes a financial interview, the WFPS determines that there is still no eligible child in the household and the participant is no longer able to participate due to a serious chemical dependency issue.
- The WFPS removes the NCS termination and keeps the case closed as the participant has already received 10-day notice of case closure due to no eligible child.
- The WFPS documents that the participant is unable to participate and is no longer in sanction status.

- The WFPS uses the ‘ineligible WFSR – no longer in sanction status’ text block on the denial letter. If the participant later reapplies and is reopened, he will not reopen in sanction.

### 3.5.3.3 Consolidated Emergency Assistance Program (CEAP) for non-compliance sanction case closures.

Participants closed for non-compliance sanction (NCS) may qualify for CEAP. They are eligible to apply for CEAP under the same rules as other applicants.

To determine eligibility and authorize benefits follow the CEAP eligibility and procedures described under WAC 388-436-0015.

### 3.5.3.4 What if a participant reapplies before their case is closed?

If the case closed due to a sanction case closure penalty and contact is made, see [WFHB 3.5.1.16](#) for definition of contact and instructions on reinstating TANF/SFA.

If the case closed due to a sanction case closure penalty and **no** contact is made, the application is a WFSR application as of the first of the month. (See [CSD Procedure Handbook](#), Processing TANF/SFA Application Forms Received Prior to Case Closure Penalty.)

**Example:**

Greg’s TANF is closing November 30 due to sanction case closure penalty. He submits an online application form on November 25. The case manager attempts contact, but Greg doesn't speak with WF staff before November ends. As of December 1, the application form becomes a WFSR application and staff can't reinstate TANF.

If TANF/SFA is closing after two months of the grant reduction sanction penalty and an application is received before the NCS termination date:

- Track the application in DMS, and
- Attempt to contact the participant right away.

Note: Staff won't be able to input the application into ACES until the first of the following month.

After the participant completes an interview and staff determines financial eligibility, the WorkFirst Program Specialist (WFPS) or WorkFirst Social Service Specialist (WFSSS) determines if they are able to participate.

- If the participant can't participate, lifts the sanction and restores full benefits the first of the following month.



- If the participant can participate, manually track participation until the 1st of the following month. After the 1st of the month, tracks participation in eJAS.

### 3.5.3.5 How are an applicant's participation requirements determined and tracked?

When a client applies after the NCS termination, the intake worker:

- Determines financial eligibility.
- Pends application approval for WorkFirst participation.
- Refers the case to WorkFirst staff to find out whether the participant must participate before they receive cash.

Once that decision is made, the WFPS/WFSSS lets the intake worker know so they can update the application pend letter as needed. Once the participant is in pending status, they appear on the 'NCS Re-applicant report' on the Caseload Management Report. Only the participant who caused the termination appears on the report.

The person must participate, if able, four weeks in a row (28 consecutive days) before they are eligible for cash benefits.

- Waive the 4-week participation requirement (and remove the SA or SN code) when the participant enters the third trimester of pregnancy if they:
  - Have completed a Pregnancy to Employment assessment and;
  - Don't have a mental health and/or chemical dependency treatment requirement.
- Waive the requirement if their situation is now severe enough that they are exempt.
- The participant starts over with zero months in sanction when you waive the participation requirement.
- Notify the application intake worker if you lift the participation requirement so they can update the pend letter or approve the application.

If the participant is able to participate, the WFPS/WFSSS:

- Tracks the participation in eJAS.
- Schedules the participant for a Sanction Re-engagement Comprehensive Evaluation (CE) interview. The Sanction Re-engagement CE interview must be done in addition to the short-term, mid-term or long-term returner comprehensive evaluation for re-applicants. It isn't necessary to complete the last question (screening for other issues) of the Sanction Re-engagement CE interview.
- Develops the participant's IRP and set up necessary supports, such as WCCC and transportation, needed to participate.

If both parents in a 2-parent household refused to participate and caused their case to close, both parents need to meet the 28-day participation requirement. Don't approve the application until both parents meet this requirement.

Day one of participation begins when the participant completes the Sanction Re-engagement CE interview and IRP. Excused absences count towards meeting the 28-day requirement. Credit any uninterrupted participation in month 2 up to the end of the month towards meeting the 4-week participation requirement.

The WFPS/WFSSS must complete:

- A comprehensive evaluation every time a participant reapplies for benefits.
- A Sanction Re-engagement CE interview for applicants who are re-entering TANF in sanction.

After the CE and Sanction Re-engagement CE interview is completed, refer the participant to other approved activities until the full 4 weeks of participation is completed.

Tell the application intake worker when the four week participation requirement is met. TANF benefits start on the date the participant meets all other eligibility factors.

### 3.5.3.6 What if the participant stops participating?

When an applicant has stopped participating, deny the application. Tell the applicant to contact WorkFirst staff if they want a reconsideration of the denied application. The WFPS/WFSSS determines whether there was a good reason for interrupting participation.

Good reason may be granted if the participant is determined unable to perform the required WorkFirst activities or if significant barriers outside their control prevented participation as described under [WAC 388-310-1600\(3\)](#). Good reason that may be considered include:

- An unmet need for Equal Access (EA) Accommodation Plan
- Limited-English Proficiency (LEP) not addressed through interpreters or translations that result in the participant not understanding what is required
- Emergent or severe medical condition (verified by a health care professional) of the participant or a family member in their care
- Family Violence
- Immediate legal concerns

Non-participation because of unexcused absences isn't considered good reason unless there is a significant circumstance outside the participant's control (such as family violence or hospitalization). This circumstance must make it impossible for the participant to call in to show a good reason for stopping the 4-week participation.

If the WFPS/WFSSS decides good reason exists, the excused days will count towards the participant's cure period. For example, a participant stops participating on March 7th, which is the 6th day of the 28-day period. On March 12th, it is determined that good reason exists and the participant will start to participate again on March 15th. March 15th is now day 14 of participation of the 28-day period.

If the WFPS/WFSSS decides good reason doesn't exist, WFPS denies the application and sends the denial letter with required free-form text.

If the WFPS/WFSSS decides that no participation is required and the participant meets an exemption criteria, approve the application if otherwise determined eligible.

### 3.5.3.7 How is the application approved?

When the applicant meets the participation requirement, remove the SA or SN code from eJAS and approve the application back to the date financial eligibility was met.

Follow the approval instructions in the CSD procedures handbook, for WFSR cases.

### 3.5.3.8 What if a participant is reopened and they stop participating again?

Follow the sanction or NCS process; the participant will have two months to complete four weeks of participation or the case will close again for NCS.

After following the sanction guidelines of [section 3.5.1](#)- Entering *Sanction* the WFPS/WFSSS must:

- Schedule the sanctioned participant to go through the Sanction Re-engagement comprehensive evaluation interview.
- Continue to try to reengage the sanctioned participant.

### 3.5.3.9 NCS Reapplication - Step-by-step guide

#### Non-WFSR Step-by-Step

The intake application worker refers applicants to WorkFirst who have been closed for non-compliance sanction to meet a 4-week WorkFirst participation requirement. Once the participant is in pending status, they appear on the 'NCS Re-applicant report' on the Caseload Management Report. Only the participant who caused the termination appear on the report.

The WFPS:

1. Decides if the participant is able to participate.

1. If the participant can't participate, they pend the application for financial eligibility or approve.
2. If the participant reapplies before the NCS termination effective date and can't participate, lift the sanction and restore the grant effective the first of the following month per 3.5.1.10.
3. If the participant can participate, the WFPS/WFSSS
  1. Schedules a CE.
  2. Develops an IRP.
  3. Approves needed supports.
  4. Tracks participation.
2. Decides if there is good reason if the participant stops participating as required. If the participant:
  1. Is no longer able to participate, they will only need to meet financial eligibility criteria.
  2. Has good reason, they will pick up participation where it left off until the 28-day requirement is met.
  3. Doesn't have good reason, the application denial will stand.
3. Removes the SA or SN code once all participation and financial eligibility criteria are met.

### WFSR Step-by-Step

Follow the procedures in the CSD procedures manual to reopen the case, and refer sanctioned recipients to meet a 4-week WorkFirst participation requirement, as needed, to cure their sanction. Once TANF reopens, the WFPS:

1. Opens the REIN on the eJAS NCS tool menu:
  1. Selects the date of the approval letter from ACES letter history,
  2. Completes the questions in the REIN tool.
2. If the participant is unable to participate:
  1. Completes the 'When Sanction is Cured or Lifted' section of the REIN tool; and,
  2. Removes the SA or SN code.
3. If the participant is able and willing to participate:
  1. Completes or schedules the Sanction Reengagement CE interview,
  2. Develops an IRP.
  3. Approves needed supports.
  4. Tracks participation.

## Resources

### Related WorkFirst Handbook Sections

- 3.1 Tools - Overview
- 3.2 Comprehensive Evaluation
- 3.4 Case Staffing
- 6.1 Resolving issues

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### 3.6.4

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## 3.5.4 Permanent TANF Disqualification

### Non-Compliance Sanction Policy

#### *Legal References:*

- *RCW 74.08.090; 74.08A.260 & .270*
- *WAC 388-310-1600*
- *WAC 388-400-0005*

The *Non-Compliance Sanction Policy* section is divided in four separate sub-sections:

- **Section 3.5.1 - *Entering Sanction*** describes how to make the sanction decision.
- **Section 3.5.2 - *Ending Sanction*** describes what happens after a person is sanctioned and if they decide to stay in sanction for four months.
- **Section 3.5.3- *NCS Reapplications*** describes how to process reapplications from non-compliance sanction case closures.
- **Section 3.5.4 – *Permanent TANF Disqualification*** describes why and how a person can be permanently disqualified from receiving TANF/SFA. This section includes:
  - **3.5.4.1–** What is permanent TANF disqualification?
  - **3.5.4.2 –** What do I tell sanctioned persons about permanent TANF disqualification?
  - **3.5.4.3 –** What happens to parents who already have three NCS terminations who are currently complying with WorkFirst requirements?
  - **3.5.4.4 -** How do I keep track of a parent’s NCS terminations?
  - **3.5.4.5 -** What is the process for permanently disqualifying someone?

## 3.5.4 Permanent TANF Disqualification

### 3.5.4.1 What is permanent TANF disqualification?

When a parent has been closed for non-compliance sanction three or more times since March 1, 2007, he or she will be permanently disqualified from receiving TANF/SFA benefits. This means

that this person will never again be eligible to receive TANF/SFA nor Diversion Cash Assistance (DCA) from the State of Washington.

In addition, the entire household that lives with the permanently disqualified person is ineligible to receive TANF/SFA or DCA as long as the disqualified person lives in the home.

The permanent disqualification does not apply to medical or food assistance.

We start the NCS termination count from March 1, 2007, because that is when the department began NCS case closures.

### 3.5.4.2 What do I tell sanctioned persons about permanent disqualification?

It is important to continually remind those parents who are falling out of compliance with their WorkFirst requirements about permanent TANF disqualification. When parents are entering sanction, they must be reminded that if they are closed for non-compliance sanction three times, they will be permanently disqualified. Remind parents of the number of NCS closures they have so far.

### 3.5.4.3 What happens to parents who already have three NCS terminations who are currently complying with WorkFirst requirements?

Parents with three or more NCS terminations who are still active on TANF will be allowed to continue to receive TANF/SFA benefits. However, if their case closes for any reason, they will be permanently disqualified.

#### EXAMPLE 1:

Mary has had 3 prior NCS terminations. Effective January 31, 2012, her case closes for no eligibility review. She reapplies for TANF on March 3. Her application for TANF will be denied because she is permanently disqualified.

#### EXAMPLE 2:

Ted has had 3 prior NCS terminations. His case closes for no Mid-Certification Review (MCR) effective March 30, 2012. On April 10, he calls and completes his MCR. Because he is within his 30 day window, he can be reinstated. Since his case can be reinstated back to the date of closure, he does not need to reapply, and is therefore not permanently disqualified.

#### EXAMPLE 3:

Robert has had 2 prior NCS terminations. Effective May 31, 2012, his case closes due to an NCS termination. He is now permanently disqualified.

#### EXAMPLE 4:

Theresa has had 2 prior NCS terminations. She goes into sanction again in April. Her case is scheduled to close effective May 31 for NCS. She cures her sanction effective May 30. Because she cured her sanction prior to the end of the second month, her case can be reinstated and she is NOT permanently disqualified.

\*\* NOTE: In cases where someone cures their sanction before the end of the second month, or when the NCS termination is overturned in fair hearing, be sure to go into the ACES WORK screen and remove that termination date when reinstating the case. \*\*

### 3.5.4.4 How do I keep track of a parent's NCS terminations?

The dates of NCS terminations are tracked on the ACES WORK screen. It will list the months and years of a parent's NCS case closures (these are the paid through months, so if it says 11/2010, that means the parent received TANF through 11/30/2010). It will also list the date the parent requalified for TANF benefits.

**It is extremely important that if a parent cures a sanction after deadline for the second month, that the WORK screen is corrected by removing that termination date.**

Remember that these dates will tell ACES when to permanently disqualify someone from receiving TANF.

### 3.5.4.5 What is the process for permanently disqualifying someone?

When denying an application for TANF/SFA or DCA because someone has been permanently disqualified, or terminating TANF/SFA because of a third NCS closure, the three NCS terminations that caused the disqualification must be manually reviewed and verified. To do this:

1. Go into the ACES WORK screen to see the month and year of the three NCS termination dates.
2. Go into the "B" menu for the TANF assistance unit (AU) in the month after each NCS termination month to view the reason why the case closed. NCS closures have a 252 termination code.
3. Look through the narrative to ensure that none of the NCS closures listed were overturned by fair hearing.

Once you have ensured that the NCS terminations are correct, you can process the case. ACES will generate a denial or termination letter. When a case is closing for the third NCS and is also being permanently disqualified, it is important to continue to follow the NCS closure process and list in the letter why they are being terminated and what they failed to do. Please refer to [chapter 3.5.2.6](#) – What if a supervisor approves a case for sanction/penalty and it is time to close the case?

# Resources

## Related WorkFirst Handbook Sections

- [3.1 Tools - Overview](#)
- [3.2 Comprehensive Evaluation](#)
- [3.4 Case Staffing](#)
- [6.1 Resolving issues](#)

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3.7.1

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### 3.6.1 Time Limit Extension Decisions

*Updated: May 23, 2018*

*Legal References:*

- [RCW 74.08A](#)
- [WAC 388-484-0005, 0006 and 0010](#)

TANF time limit policy has two separate sub-sections:

Section [3.6.1 Time Limit Extension Decisions](#) describes how to make TANF/SFA time limit extension decisions. This section includes:

- [3.6.1.1](#) What is the time limit for TANF and SFA?
- [3.6.1.2](#) What is the difference between the adult recipient and ineligible parent time limit?
- [3.6.1.3](#) What happens when an adult recipient/ineligible parent reaches 56 months on TANF/SFA?
- [3.6.1.4](#) What happens when an adult recipient/ineligible parent reaches 58 months on TANF/SFA?
- [3.6.1.5](#) What are the time limit extension categories?
- [3.6.1.6](#) How do I determine whether an ineligible parent qualifies for a disability time limit extension?
- [3.6.1.7](#) Who qualifies for the family violence time limit extension?
- [3.6.1.8](#) How do I know if an adult recipient parent qualifies for a child in dependency time limit extension?
- [3.6.1.9](#) What is the time limit hardship extension process?
- [3.6.1.10](#) What happens when an adult recipient/ineligible parent doesn't qualify for any time limit extensions?



- [3.6.1.11](#) How do I send time limit decision notices to parents?
- [3.6.1.12](#) Can a parent who was denied a time limit extension request an Administrative Hearing and receive continued benefits?
- [3.6.1.13](#) What happens when an adult recipient/ineligible parent offers more time limit extension evidence before we close their case?
- [3.6.1.14](#) What if an adult recipient/ineligible parent reapplies before their case closes?
- [3.6.1.15](#) What happens when an adult recipient/ineligible parent states they qualify for a time limit extension after we close their case?
- [3.6.1.16](#) Time Limit Client Interview - Step-by-step guide

[Section 3.6.2](#) – *Approved Time Limit Extensions* describes how to maintain an approved TANF time limit extension case.

### [3.6.1.1](#) What is the time limit for TANF and SFA?

Federal law states an adult in the assistance unit can receive 60 months of Temporary Assistance for Needy Families (TANF) or State Family Assistance (SFA) in their lifetime. For adults who qualify for a TANF/SFA time limit hardship extension, cash assistance may extend past 60 months for up to 20 percent of the WorkFirst caseload to adults who qualify for a TANF/SFA time limit hardship extension.

State law applies the 60-month time limit to ineligible parents (SSI, disqualified or undocumented parent) during months they receive TANF/SFA for their children.

See EA-Z manual, [TANF/SFA Time Limits and Indian Country Disregard](#) for more details about:

- When months count towards the time limits;
- How to add an adult recipient (but not ineligible parent)
- Determining who qualifies for the Indian Country disregard;
- ACES adjustments for repaid months of total ineligibility and L&I reimbursements.

ACES will send the Re-Certification letter (027-01) to an adult participant or an adult recipient/ineligible parent when they reach 48 months of cash assistance. The letter includes information on the 60-month time limit and lists all months of TANF/SFA assistance for each adult in the household, including any Tribal TANF months received. Staff determines whether the adult recipient/ineligible parent qualifies for a time limit hardship extension before they reach 60 months of TANF/SFA.

### [3.6.1.2](#) What is the difference between the adult recipient and ineligible parent time limit?

ACES uses the following definitions to track each adult's 60-month limit, list each countable month as an ineligible parent or adult recipient month and indicate whether the case is closed or extended under the adult recipient or ineligible parent time limit:

- An *adult recipient* is an adult who is receiving assistance in a TANF/SFA assistance unit. The adult recipient may be the parent or relative caregiver.
- An *ineligible parent* is a non-recipient parent who is receiving a TANF/SFA grant for their child(ren).

The TANF/SFA months an adult recipient/ineligible parent receives for their child(ren) counts toward their 60 month limit. The assistance unit (AU) closes once an adult recipient/ineligible parent in the AU has 60 countable TANF/SFA months unless the adult qualifies for a time limit extension.

**Examples:**

- Jane received 60 months for herself and her son between 2005 and 2010. Jane's portion of the TANF grant was terminated due to a fraud conviction, but her son continued receiving TANF. Jane doesn't qualify for a time limit extension. Under the ineligible parent time limit, we close the case using the 60 adult recipient months even though Jane is no longer a recipient in the assistance unit.
- Matthew, an undocumented father, gets 40 ineligible parent months due to his daughter's TANF child-only grant. Matthew becomes a citizen (adult recipient) and is added to the TANF grant for 20 months. He doesn't qualify for a time limit extension. The AU will close using the 40 ineligible parent months plus the 20 adult recipient months.
- A mother on SSI, Leah, receives TANF for her daughter for 50 months before she gets married to Damien. Damien and daughter receive TANF for an additional 10 months. Under the ineligible parent time limit, Leah now has 60 ineligible parent months. Because Leah receives SSI, approve a disability time limit extension to keep the TANF grant open.

### 3.6.1.3 What happens when an adult recipient/ineligible parent reaches 56 months on TANF/SFA?

An indicator appears in the eJAS demographic screen and the Time Limit Extension tool becomes available when an adult in the AU or ineligible parent reaches 56 months of cash assistance.

### 3.6.1.4 What happens when an adult recipient/ineligible parent reaches 58 months on TANF/SFA?

An adult recipient/ineligible parent appears on the CLMR in eJAS when they reach 58 months of TANF/SFA notifying the WFPS/WFSSS the adult recipient/ineligible parent is nearing the 60 month time limit. Each parent in a two-parent household appears separately on the CLMR when they reach 58 months.

Schedule an appointment with the adult recipient/ineligible parent using the ACES Online General Appointment Letter (50-05) or eJAS appointment letter to complete the time limit hardship extension between month 58 and 60. Include in the letter:

"Once you reach 60 months on TANF/SFA, you will only qualify for TANF/SFA cash aid if you qualify for a time limit hardship extension. Our records show you have [number] months of TANF/SFA. I need to meet with you on [date /time] to determine if you will qualify for an extension and review your plans for supporting your family if your case closes.

Please come to this appointment to make sure we know of any employment, family violence issues, child welfare actions and your (or a family members') health problems. We may be able to use this information to approve an extension and can help you get any needed evidence."

Give the adult recipient/ineligible parent 10 calendar days of adequate notice for the scheduled appointment.

To complete the Time Limit Hardship Extension appointment, parent may contact the WFPS/WFSSS:

- in writing
- by phone
- by attending the scheduled appointment on their letter.

Note: An adult recipient/ineligible parent can ask for a different appointment time if needed.

An adult recipient/ineligible parent may waive the 10-day adequate notice and complete the time limit extension appointment if they are in the office or contact WFPS/WFSSS prior to their scheduled appointment.

Document when an adult recipient/ineligible parent waives the 10-day notice and provide an eJAS appointment letter reflecting when the time limit extension hardship appointment occurred.

### 3.6.1.5 What are the time limit extension categories?

The entire assistance unit is ineligible for TANF/SFA when an adult recipient/ineligible parent in the assistance unit receives 60 months of TANF/SFA, unless the adult recipient/ineligible parent qualifies for a time limit hardship extension.

The entire assistance unit remains eligible for TANF/SFA if at least one parent has 60 months or more and qualifies for an extension.

#### **Examples:**

#1 Jasmine is on SSI and has received 45 months on TANF for her two children. She marries Albert and he is added to the TANF grant. When Jasmine reaches 60 months she will qualify for a time-limited extension and the TANF grant will continue. When Albert reaches 60 months, they will

continue to be eligible because Jasmine hit 60 months first and qualifies for the TLE as long as she is on SSI.

#2 Tommy has been on receiving TANF for himself and his son for 55 months. He married Tina who is on SSI and has a daughter on TANF for 30 months. Tommy doesn't qualify for a TLE and the three person TANF grant will close with Tommy's 60 months on TANF.

A caregiver relative who doesn't live with the child's parent and has 60 months or more of TANF/SFA may choose to receive a child-only grant as allowed under [WAC 388-408-0025\(2\)\(c\)](#). There are no time limits for child-only TANF cases.

An adult recipient/ineligible parent may qualify for a time limit extension (See #4 through #11 on the [Time Limit Hardship Extension chart](#)) when the adult recipient/ineligible parent:

1. Qualifies for an exemption under [WAC 388-310-0350](#); because they are:
  - A needy caretaker relative age 55 or older (#4); or
  - Applying for SSI as required in their IRP (#8); or
  - An adult with mental, physical, emotional or cognitive condition, based on medical evidence, that prevents them from working more than 10 hours per week and is expected to last 12 months or longer (#5) or,
  - Receiving SSI or Social Security Disability Insurance (#5) or,
  - Caring for a child or adult with a disability (#6 or #7).
2. Participates satisfactorily in specialized family violence activities according to a service plan developed by a person trained in family violence (#9);
3. Has an open child welfare case with a state or tribal government and this is the first time the adult recipient/ineligible parent has had any child in dependency (#10);
4. Works 32 hours or more per week in an unsubsidized job (#11). Use the ACES calculated number of hours for self-employment unless the person chooses to provide alternative proof from a credible, knowledgeable, reliable source to confirm self-employment hours (see [WAC 388-490-0005](#)). Please note this alternative proof doesn't affect how we determine actual hours of participation or whether we allow the adult recipient to engage in full-time employment as described in the [WorkFirst Handbook 8.2, Self-employment](#);
5. Is 65 years old, or older, blind as defined by the Social Security Administration or likely disabled as defined under chapter [388-449 WAC](#) (#5).

Base the determinations for time limit extensions on whether the adult recipient/ineligible parent meets the criteria for an extension. See the [Time Limit Hardship Extensions chart](#) for more details about the extension categories, criteria, required documentation, participation requirements and review cycle.

Note: An adult recipient/ineligible parent may qualify for more than one time limit extension at a time. WFPS/WFSSS reviews the case and marks all extensions that apply to the adult

recipient/ineligible parent in the eJAS time limit tool and eJAS will use the extension with the longest duration to extend TANF/SFA.

- eJAS will use any other approved extension if an adult recipient/ineligible parent no longer qualifies for the longest duration time limit extension.

TANF/SFA ends when an adult recipient/ineligible parent no longer meets time limit extension criteria or TANF/SFA eligibility criteria during the hardship time limit extension.

### 3.6.1.6 How do I determine whether a parent qualifies for a disability time limit extension?

Note: WorkFirst support services can't pay for medical evidence for any undocumented or fraud-disqualified individual (parent, caregiver, or disabled child/adult relative). Funds are available in ICMS to purchase medical evidence for undocumented or fraud-disqualified individuals. Don't pay for more medical evidence than is needed to determine time limit extension eligibility.

For example, the adult recipient/ineligible parent may be able to access free clinics, or, if the parent is already seeing a doctor, we can purchase a report instead of a full medical exam.

Give the adult recipient/ineligible parent the Missing Verification for Interview (0023-01) pend letter requesting medical evidence using the same timeframes we use for all other time limit cases with the following text:

“You must provide documentation of your [or your child or adult relative's] mental, physical, emotional or cognitive impairment and your ability to engage in work from a source such as one of the primary medical professionals or supplemental medical evidence described in [WAC 388-447-0005](#).

Medical documentation must include:

- Your [or your child's or adult relative's] diagnosis,
- How long your [or your child's or adult relative's] impairment is expected to last; and
- Whether you are able to engage in work or work-like activities for *10 hours or less* per week or *11 hours or more* per week.”

WFPS/WFSSS signs in to Barcode to access the ICMS subsystem and use the 06030 ineligible parent medical evidence code to pay for medical evidence when they receive the required medical evidence. The system uses the same medical evidence fee schedule as Aged, Blind and Disabled (ABD) program. See the [Social Services Manual – Medical Evidence Requirements and Fee Schedule](#) section and the [Ineligible Parent Medical Evidence Desk Aid](#) for more information on how to process these payments.

### 3.6.1.7 Who qualifies for the family violence time limit extension?

When an adult recipient/ineligible parent with 60 months of TANF/SFA declares family violence issues, the WFPS/WFSSS:

1. Documents the family violence in eJAS,
2. Obtains a family violence service plan created by someone trained in family violence, and
3. Monitors the case to ensure the adult recipient/ineligible parent is following his or her family violence service plan.

Use the same verification requirements as the Division of Child Support (DCS) Good Cause process to document the family violence. Verification may include one of the following:

- Completed [18-334\(X\)](#) or other signed statement from the victim, outlining fears and/or concerns,
- Civil/criminal court orders (domestic violence protection order, restraining orders, no-contact orders),
- Medical, police, or court reports, or
- Written statement from clergy, friends, relatives, neighbors or co-workers.

Document family violence information in the eJAS family violence note type (but not on any eJAS or ACES letters). Offer a referral to the on-site or community based family violence advocate (or pro bono services, as available, for ineligible parents).

We follow the same requirements as DCS Good Cause to document a family violence issue but the adult recipient/ineligible parent may pursue the time limit extension without filing a DCS Good Cause claim. Encourage the adult recipient/ineligible parent to request DCS Good Cause if establishing and/or collecting cash and/or medical support may result in serious physical or emotional harm to the child or adult recipient/ineligible parent.

An adult recipient/ineligible parent must follow a family violence service plan developed by a person trained in family violence to be eligible for the family violence time limit extension. An on-site advocate or a trained WFPS/WFSSS can create a family violence plan.

Note: A family may qualify for the family violence time limit extension with past or current family violence. A parent doesn't have to be in immediate danger to qualify for a family violence time limit extension.

An adult recipient/ineligible parent living with an abuser may be approved for a family violence time limit extension. Develop a family violence service plan the adult recipient/ineligible parent can follow safely if living with the abuser. Connect the adult recipient/ineligible parent to an on-site or local family violence advocate where appropriate for the family's safety.

Family violence can also occur in a two-parent assistance unit. Use office protocol to interview parents separately (see [WFHB 6.5.6](#)). WFPS/WFSSS should omit any direct references to family or domestic violence in eJAS notes or the IRP for confidentiality.

An adult recipient/ineligible parent can complete a family violence service plan with a family violence advocate whenever possible. They can also complete a temporary service plan requiring a service plan within 30 days of creating a temporary plan (up to 90 days with a supervisor approval). A WFPS/WFSSS trained in family violence can complete the plan if the adult recipient/ineligible parent does not want to complete a plan with a family violence advocate. The family violence service plan must be listed in the IRP as a condition of remaining eligible for a family violence time limit extension.

Create a reasonable and safe plan for ineligible parents, drawing on locally available resources. See [Ineligible Parents' Family Violence Plans](#) for more information. Document the ineligible parents' family violence plan in eJAS family violence case notes.

See the [Social Services manual, Good Cause chapter](#), and the [WorkFirst Handbook, Section 6.5, Family Violence](#), for more information about DCS Good Cause verification requirements and family violence.

### 3.6.1.8 How do I know if an adult recipient/ineligible parent qualifies for a child in dependency time limit extension?

Contact Children's Administration (CA) to determine if the family has an open child welfare case and work collaboratively with them to address the family needs from both the child welfare system and the WorkFirst program. For a family who may have an open tribal child welfare case, send the adult recipient/ineligible parent's name and eJAS ID to WorkFirst program managers [Sarah Mintzer](#) with a cc to [Angela Aikins](#) to determine eligibility for the extension.

Approve an adult recipient/ineligible parent for a child in dependency time limit extension if:

- It is the first-time any of the adult recipient/ineligible parent's children are in court ordered dependency, and
- There is an anticipated CA case closure of six months or less.

Note: This time period can cover any concurrent benefit period and six-month follow up while CA continues to work with the family.

Note: Voluntary placements or shelter care status doesn't qualify for the extension.

Document in eJAS any CA/tribal child welfare court ordered dependency considerations or actions and the actions taken on case including forwarding tribal child welfare cases to WorkFirst headquarters staff.

CA or tribal child welfare involved families may be required to do counseling or treatment activities to help keep their families together. Add these activities as WorkFirst participation requirements appropriately.

Involve CA or tribal child welfare in case staffings, assessments, and any intensive work with the family during a child dependency time limit extension to create joint plans that will meet the family's needs.

### 3.6.1.9 What is the time limit hardship extension process?

The WFPS/WFSSS determines if the adult recipient/ineligible parent qualifies for a time limit hardship extension. You can't authorize WorkFirst support services for ineligible parents per [WAC 388-310-0800\(1\)\(a\)](#).

Prior to the TLE appointment, review the case for evidence of potential eligibility for a time limit extension and identify:

- Medical evidence received in the past 12 months for the adult recipient/ineligible parent, their child or adult relative who is living in the home
- SSI applications, even if it's an application filed by the adult on their own
- Receipt of SSI or Social Security Disability Insurance Payments for ineligible parents
- A history of family violence
- A history of child welfare involvement
- Current employment

Determine time limit eligibility during the time limit extension appointment by:

- Reviewing adult recipient/ineligible parent's current information in case record
- Completing the eJAS time limit tool with the adult recipient/ineligible parent (if present)
- Discussing the TANF time clock with the adult recipient/ineligible parent to confirm accurate TANF months
- Discussing the adult recipient/ineligible parent's plan for supporting their family if TANF/SFA terminates at 60 months
- Explaining additional support to the family such as:
  - Transitional Food Assistance (TFA)
  - On-going medical
  - WCCC
  - Child support
  - Community resources
  - CEAP benefits that are available due to the 60-month lifetime limit

Note: If necessary, explain the process for obtaining additional medical or other needed evidence.



Note: If the adult recipient/ineligible parent is age 65 years or older or blind, approve the time limit hardship extension.

When reviewing the adult recipient/ineligible parent's medical evidence and it doesn't meet the WorkFirst severity and duration requirements, refer adult recipient/ineligible parent to the TLE disability evaluation process using the [Disability Determination](#) section of the Social Services Manual. Please see the [Using the Sequential Evaluation Process \(SEP\) for TANF TLE Desk Aid](#) (for staff use only) for detailed steps.

When an adult recipient/ineligible parent doesn't meet the criteria for an extension, generate a time limit extension denial letter after completing the eJAS tool. Add the appropriate text to the time limit denial letter using the eJAS template text or as shown on the [Time Limit Hardship Extensions chart](#) describing the evidence we took into consideration in making our decision. Notify the adult recipient/ineligible parent if they only meet some of the criteria needed to qualify. Save the eJAS denial letter or print for translation, if needed. Don't mail the letter until the adult recipient/ineligible parent reaches 60 months of TANF/SFA assistance to ensure the worker mails the eJAS and ACES letters at the same time.

**Note:** Don't document an adult recipient/ineligible parent's history of family violence on the eJAS letter to maintain client confidentiality and safety.

When an adult recipient/ineligible parent qualifies for an extension, eJAS automatically enters the time limit extension code(s) 4-11 in the time limit extension tool. When an adult recipient/ineligible parent qualifies for more than one time limit extension, ACES automatically allows the longest extension. When both parents have 60 months or more on a two-parent TANF/SFA AU, and one is approved for an extension while the other is denied, approval overrides the denial in ACES and TANF/SFA remains open for the entire AU. The ACES notice reflects the information for the approved time limit extension.

Enter the time limit decision into eJAS before the end of an adult recipient/ineligible parent's 60 months, whenever possible, to avoid overpayments. ACES generates a 10-day notice in month 60 to close or extend TANF/SFA assistance based on the time limit extension decision. [See 3.7.1.11, How do I send the time limit decision notices to the adult recipient/ineligible parent](#), for additional processing instructions.

### 3.6.1.10 What happens when an adult recipient/ineligible parent doesn't qualify for any time limit extensions?

When an adult recipient/ineligible parent doesn't qualify for a time limit extension, provide the following information regarding additional support to the family:

- Transitional Food Assistance (TFA)
- Basic Food Employment and Training (BFET),

- On-going medical,
- WCCC,
- Child support,
- Community resources, and
- CEAP benefits that are available due to the 60-month lifetime limit

If necessary, explain the process for obtaining additional medical or other needed evidence.

Add explanatory text to the eJAS time limit decision letter when there isn't enough evidence to qualify for a time limit extension. View the [Time Limit Hardship Extensions chart](#).

If the adult recipient/ineligible parent doesn't qualify for an extension, eJAS passes information to ACES on a real-time basis and enters the extension reason 13 in ACES. Cases close once reason 13 is in eJAS, populated in ACES and the parent has reached 60 months.

ACES generates a 10-day notice to close the case by the end of the 60th month and an extension denial is in the eJAS time limit tool. See [3.6.1.11, How do I send the time limit decision notices to the adult recipient/ineligible parent](#), for additional processing instructions.

### 3.6.1.11 How do I send the time limit decision notices to an adult recipient/ineligible parent?

Process and send out English ACES and eJAS denial notices in one envelope. Approved time limit extension require no action. ACES generates and, as needed, translates the approval notices.

Translated time limit denial letters require the following action:

- WFPS/WFSSS prints, translates and holds the eJAS denial notice after the time limit appointment without sending the translation to Barcode for imaging.
- WFPS receives a tickle in Barcode when an ACES Termination Letter (006-02 Termination of TANF/SFA) generates and requires action.
- If the ACES letter is in a supported language, staff:
  - Sends a copy of the translated eJAS time limit denial letter to Barcode for imaging.
  - Locally prints the ACES letter and mails it to the client with the original translated eJAS denial letter in one envelope.
  - Documents in eJAS time limit note type English and translated letters manually mailed out together from local office.
  - Clears the tickle in Barcode.

Note: When the ACES letter is in a non-supported language, the ACES letter requires translation following the [translation process](#).

### 3.6.1.12 Can an adult recipient/ineligible parent who was denied a time limit extension request an Administrative Hearing and receive continued benefits?

An adult recipient/ineligible parent may request an administrative hearing if they receive 60 months of TANF/SFA and their case terminates, or they don't agree with the months used towards their 60-month lifetime limit.

When an adult recipient/ineligible parent is eligible for continued benefits [per the EAZ manual, Fair Hearing- Pending Continued Benefits](#), the Administrative Hearing Coordinator notifies the WFPS/WFSSS to approve an administrative hearing (#12) time limit extension in the eJAS time limit tool. Use the first month the case will remain open pending an administrative hearing decision as the start date in the eJAS tool, approve the extension in three-month increments and reinstate the case. ACES keeps the case open and sends a notice.

The Administrative Hearing Coordinator conducts the hearing and finalizes the decision, processing the case per the EAZ Manual, [Fair Hearing-The Decision](#).

- If the DSHS's decision isn't upheld at the administrative hearing, WorkFirst staff:
  - Modifies the TANF/SFA months on the 3G Time Clock page when the ALJ modifies the month count, or
  - Enters the ALJ-approved time limit extension as of the first of the month of the ALJ decision date in the eJAS time limit tool.
  - Approves the extension for the maximum allowed review period. For example, if the ALJ approves a family violence time limits extension on June 10, staff will approve the extension for six months (June 1 through December 31).
- If the adult recipient/ineligible parent receives continued benefits and the department decision is upheld at the administrative hearing, WFPS creates a new eJAS time limit extension tool with the time limit extension code 13. The Administrative Hearing Coordinator recalculates eligibility and adds the following language to the ACES termination letter in the free form text box:

"You requested an administrative hearing on [date] to contest [your TANF months/TANF time limit extension denial]. We continued TANF benefits on your case pending an administrative hearing decision. The Department's action was upheld on [date] and you no longer qualify for TANF continued benefits. [WAC 388-418-0020](#) and [388-458-0040](#)."

### 3.6.1.13 What happens when an adult recipient/ineligible parent offers more time limit extension evidence before we close their case?

An adult recipient/ineligible parent's circumstances may change or the adult recipient/ineligible parent may be able to provide more evidence of time limit extension eligibility. For example, a medical condition may worsen, they may disclose family violence, or they may increase their hours at work.

When an adult recipient/ineligible parent doesn't qualify for a time limit extension and offers more or new evidence before we close their case:

1. Document the contact and type of new circumstances or evidence offered in eJAS time limit note type.
2. Create an IRP to request additional information within 10 days or by no later than the last day of the adult recipient/ineligible parent's 60th month on TANF/SFA. Use a Missing Verification for Interview (0023-01) pend letter.
3. Offer to schedule an appointment with the adult recipient/ineligible parent if they want to meet to discuss the situation.

Once you receive the new evidence, re-determine eligibility for a time limit hardship extension. If the parent fails to provide the requested information by the date on the IRP or a Missing Verification for Interview (0023-01) pend letter, review the case and determine eligibility based on the information in the adult recipient/ineligible parent's case record.

Use the eJAS time limit extension tool to document the decision. Translate the eJAS time limit extension decision letter as needed, adding any needed details per the eJAS time limit denial letter template or the [time limit hardship extension chart](#), if the adult recipient/ineligible parent remains ineligible.

### 3.6.1.14 What if a person reapplies before their case closes?

An adult recipient/ineligible parent may choose to reapply for benefits before their TANF case closes due to time limits. WorkFirst staff obtains necessary information for TANF or Pregnant Women Assistance (PWA) eligibility immediately:

1. Ensure adult recipient/ineligible parent provides proof of pregnancy and the estimated due date if adult recipient/ineligible parent is pregnant.
2. Gather necessary evidence to determine TANF time limit extension eligibility.

See [3.6.1.16](#) for instructions on processing the screened application in ACES.

### 3.6.1.15 What happens when the adult recipient/ineligible parent states they qualify for a time limit extension after we close their case?

An adult recipient/ineligible parent may reapply for cash assistance after termination of benefits due to time limits, including when they have new evidence or a change of circumstance (e.g., a new, serious medical condition) that may qualify them for a time limit extension.

1. Treat the application in the same manner as any other [TANF application](#).
2. Complete a family violence screening along with the time limit interview and the intake interview.
3. If the parent doesn't qualify for a time limit extension, deny the time limit extension tool in eJAS.
  - a. If the adult recipient/ineligible parent's case terminated for another reason and the adult recipient/ineligible parent was eligible for an extension, review to ensure they still meet the extension criteria. You won't need to do another eJAS time limit tool.
  - b. Determine eligibility per the Pregnant Women's Assistance (PWA) if the adult recipient/ineligible parent is pregnant.
4. Give the parent a pending letter for any information needed to determine financial, disability and time limit extension eligibility. Complete the CE if the adult recipient/ineligible parent is likely to qualify for TANF, including those we expect to meet time limit extension criteria.
5. Use WorkFirst support services, categories 34 (testing/diagnostic) and/or 37 (medical exams/services) or Washington Apple Health (if services are available in the area) to pay for necessary medical evidence for adult recipients as described in [WFHB 6.6](#), Disabilities, How do I pay for medical evidence.
  - a. See [section 3.6.1.6](#) for ineligible parents.
6. If adult recipient/ineligible parents claiming mental or physical health issues don't qualify for a time limit extension with current medical evidence, refer adult recipient/ineligible parent to a disability specialist for the Sequential Evaluation Process (SEP) for TANF TLE.
  - a. The disability specialist notifies WF staff of the TLE determination after receiving medical evidence for the SEP process.
7. Deny the extension in the eJAS time limit tool and the application will remain in pending status if you can't determine TANF time limit extension eligibility without further information from the disability specialist.
8. Once you have the time limit decision from the disability specialist and SEP process, use the eJAS time limit tool to document the time limit extension decision.
9. If the adult recipient/ineligible parent doesn't qualify for an extension, add appropriate free form text from the eJAS denial letter template or the Time Limit Hardship Extension Chart to the ACES denial letter explaining why the adult recipient/ineligible parent doesn't qualify for an extension (No separate eJAS time limit denial letter is required).
10. Send a separate ACES approval letter when the adult recipient qualifies for PWA due to pregnancy or HEN due to incapacity.

### 3.6.1.16 Time Limit Extension Decisions- Step-by-step guide

Prior to interview/appointment

1. The adult recipient/ineligible parent receives a prominently displayed notice of the months of TANF receipt on the recertification notice as they approach 48 months on TANF/SFA.
2. Once the adult recipient/ineligible parent reaches 56 months on TANF, the eJAS demographic screen updates and the WFPS/WFSSS may access the eJAS time limit tool to process a decision.
3. Once the adult recipient/ineligible parent reaches 58 months on TANF/SFA, the adult recipient/ineligible parent's case appears on the CLMR indicating a required time limit extension decision by the end of month 58 (when possible) and no later than the end of month 60.
4. The WFPS/WFSSS sends an ACES Online 50-05, General Appointment Letter or the eJAS appointment letter and:
  1. Notifies the adult recipient/ineligible parent when they will reach 60 months and the need for a time limit extension decision, and
  2. Gives the adult recipient/ineligible parent at least 10 days to come to the scheduled appointment. The adult recipient/ineligible parent can waive the appointment and complete the time limit interview sooner.

At the time limit extension appointment, the WFPS/WFSSS:

1. Explains the TANF/SFA time limit policy
2. Reviews the adult recipient/ineligible parent's TANF/SFA months for accuracy, including the adult recipient/ineligible parents out of state or tribal TANF months
3. Discusses the available supports, such as transitional food or medical, for those who don't qualify for a time limit extension and provides the adult recipient/ineligible parent a list of community resources
4. Uses the Time Limit Hardship Extension Chart to determine whether the adult recipient/ineligible parent qualifies for one or more extensions
5. Makes the TLE decision based on the evidence available, and requests any additional necessary evidence for a hardship determination using an IRP (or a Missing Verification for Interview pend letter (0023-01) for ineligible parents)
6. Completes the eJAS time limit tool to document the appointment and time limit extension decision.

After the time limit extension interview/appointment, the WFPS/WFSSS:

1. Refers the adult recipient/ineligible parent for a TLE disability evaluation when available medical evidence doesn't meet the severity or duration requirements for the disabled adult TANF/SFA exemption.
  - a. The disability specialist:
    - i. Follows the [Disability Determination Process](#) to determine eligibility.
    - ii. Communicates the determination to WF Staff.
  - b. The WFPS/WFSSS:
    - i. Denies the TLE if disability specialist determines the adult recipient/ineligible parent's condition does not meet ABD criteria.
    - ii. Approves the TLE, using the XB reason code, if disability specialist determines the adult recipient/ineligible parent's condition meets ABD criteria.
2. Documents the evidence used to make the decision in the free form text box of the eJAS time limit tool, using language from the eJAS time limit denial letter template or the [Time Limit Hardship Extension chart](#) if the adult recipient/ineligible parent doesn't qualify for a time limit extension.
3. **Saves the letter.** Or, for non-English letters, print, **translate and hold** (without imaging in DMS) the Time Limit Decision Letter. If the adult recipient/ineligible parent doesn't qualify for an extension, eJAS will enter the information on the ACES TWEPE Screen and ACES automatically creates the 10-day notice to extend or close TANF/SFA when the adult recipient/ineligible parent reaches 60 months.
  - a. During month 60, ACES sends out extension approvals and English extension denial letters. When receiving a Barcode tickle for extension denial letters needing translation, Staff:
    - i. Sends a copy of the translated eJAS denial letter for imaging
    - ii. Translates the ACES termination notice if it's in a non-supported language
    - iii. Locally prints and mails the translated ACES and eJAS letters to the adult recipient/ineligible parent in one envelope
    - iv. Documents that the letters were sent in the eJAS time limit note type and
    - v. Clears the Barcode tickle
4. Determines time limit extension eligibility decision based on available information if the adult recipient/ineligible parent doesn't show up for the time limit extension appointment.

When the adult recipient/ineligible parent offers additional evidence before we close their case, the WFSSS/WFPS:

1. Documents the adult recipient/ineligible parent contact and type of new evidence received in the eJAS time limit note type.

2. Uses the IRP (or a Missing Verification for Interview (0023-01) pend letter for ineligible parents) to request additional information within 10 days, or no later than the last day of the adult recipient/ineligible parent's 60th month.
3. Schedules an appointment if the adult recipient/ineligible parent wants to meet and discuss the updated information.
4. Uses the new medical evidence to determine eligibility for a time limit hardship extension.
5. Makes the decision based on existing information in the case if the adult recipient/ineligible parent fails to provide new evidence by the required date.
6. Uses the eJAS time limit tool to determine eligibility for a time limit extension and document the decision. If the extension is denied, print and translate the eJAS time limit decision letter, as needed (adding any needed details per the [Time Limit Hardship Extension chart](#)).

When a former adult recipient/ineligible parent states they qualify for a time limit extension after we close their case, they will need to reapply. The WFPS/WFSSS will use the application process and:

1. Complete a family violence screening along with the time limit interview and the intake interview
2. Approve (if you have documentation) or deny the time limit extension in the eJAS tool and note any information needed to determine financial and time limit extension eligibility on the pend letter.
3. If the adult recipient/ineligible parent doesn't qualify for a time limit extension, deny the time limit extension tool in eJAS.
  - a. If the adult recipient/ineligible parent's case terminated for another reason and the recipient/ineligible parent was eligible for an extension, review to ensure the client still meets the extension criteria. You won't need to do another eJAS time limit tool.
  - b. Determine eligibility per for Pregnant Woman's Assistance (PWA) if the parent is pregnant.
4. Give the person a pending letter for any information needed to determine financial, disability and time limit extension eligibility. Complete the CE if the adult recipient/ineligible parent is likely to qualify for TANF, including those we expect to meet time limit extension criteria.
5. Use WorkFirst support services, categories 34 (testing/diagnostic) and/or 37 (medical exams/services) or Washington Apple Health (if services are available in the area) to pay for necessary medical evidence for recipient/ineligible parents as described in [WFHB 6.6, Disabilities, How do I pay for medical evidence.](#)
  - a. See [section 3.6.1.6](#) for ineligible parents.
6. If adult recipient/ineligible parents claiming mental or physical health issues don't qualify for a time limit extension with current medical evidence, refer adult recipient/ineligible parent to a disability specialist for the Sequential Evaluation Process (SEP) for TANF TLE.



- a. Deny the extension in the eJAS time limit tool and the application will remain in pending status if you can't determine TANF time limit extension eligibility without further information from the disability specialist.

Note: The disability specialist follows the instructions in the Social Services Manual – [PWA](#) or [disability determination](#) if the adult recipient/ineligible parent is pregnant or claims a mental or physical health issue prevents them from working to determine ABD eligibility and communicates the determination to WF staff.

7. The WFPS/WFSSS:
  - a. Denies the TLE if the adult recipient/ineligible parent's condition does not meet ABD criteria.
  - b. Approves the TLE, using the XB reason code, if the adult recipient/ineligible parent's condition does meet ABD criteria.
  - c. Uses the eJAS time limit tool to document the time limit extension decision, after receiving the time limit decision from the disability specialist and SEP process.
8. If the adult recipient/ineligible parent doesn't qualify for an extension, add appropriate free form text from the eJAS denial letter template or the Time Limit Hardship Extension Chart to the ACES denial letter explaining why the adult recipient/ineligible parent doesn't qualify for an extension (No separate eJAS time limit denial letter is required).
9. Send a separate ACES approval letter when the adult recipient qualifies for PWA due to pregnancy or HEN due to incapacity.

If the adult recipient/ineligible parent files an administrative hearing because benefits are terminated and qualifies for continued benefits:

1. The worker processing the administrative hearing request will notify the WFPS/WFSSS.
2. The WFSSS/WFPS will enter continued benefits due to the administrative hearing into the eJAS time limit tool to continue cash aid.
3. If the ALJ rules in favor of the adult recipient/ineligible parent, process the ALJ approved extension into the eJAS time limit tool.
4. If the department's decision is upheld by the ALJ, close the administrative extension and enter specialized text into the ACES termination notice.

## Resources

### Related WorkFirst Handbook Chapters

- [3.2 Comprehensive Evaluation](#)
- [3.3.1 IRP](#)

- [6.1 Resolving Issues - Overview](#)
- [6.5 Family Violence](#)
- [6.8 Exemptions](#)

## 3.6.2 Approved Time Limit Extensions

*Legal References:*

- [RCW 74.08A](#)
- [WAC 388-484-0005, 0006 and 0010](#)

The TANF time limit policy is divided in two separate sub-sections:

[Section 3.6.1](#) – *Time Limit Extension Decisions* describes how to make TANF/SFA time limit extension decisions.

[Section 3.6.2](#) - *Approved Time Limit Extensions* describes how to maintain the case once a TANF time limit extension is approved. This section includes:

- [3.6.2.1](#) What happens when the adult recipient/ineligible parent no longer qualifies for his or her time limit extension?
- [3.6.2.2](#) What happens when the adult recipient/ineligible parent with a time limit extension stops participating as required?
- [3.6.2.3](#) What happens when the adult recipient/ineligible parent with an approved family violence time limit extension stops participating as required in his or her family violence service plan?
- [3.7.6.2.4](#) How do I process the case when a time limit extension is about to expire?
- [3.6.2.5](#) Approved Time Limit Extensions – Step-by-step guide

### 3.6.2.1 What happens when the adult recipient/ineligible parent no longer qualifies for his or her time limit extension?

An adult recipient/ineligible parent's circumstances may change once he or she is approved for a time limit extension. For example, you may be notified on the CLMR that the parent's employment hours have changed and dropped below 32 hours per week. Or, a child dependency issue may be resolved.

Follow the normal financial change and reporting rules when you learn of a change in employment hours. Financial will verify hours if the hours drop and we must verify hours for all job starts. If the

person reports an increase in employment hours, verification isn't required until the next ER or MCR, but check verification obtained to authorize WCCC if available.

When a person no longer qualifies for his or her time limit extension, you can do a new decision in the eJAS time limit tool without a client interview if she or he has another type of approved time limit extension. Review the current tool and make a note of the types and duration of approved extensions and reenter the ones the person still qualifies for in a new eJAS time limit tool. For example, if a parent is approved for a disability and an SSI extension and we are no longer requiring a parent to pursue SSI, use the eJAS tool to re-approve the disability time limit extension only. Since the parent is still eligible for an extension, there is no need to create an eJAS denial letter for the extension(s) you closed.

If the person isn't already approved for another type of time limit extension follow the process in 3.6.1, Time Limit Extension Decisions, to decide whether to close the case. That is, schedule an appointment for a time limit interview and complete the eJAS time limit tool. If no extension is approved, you will need to add appropriate free form text from the eJAS denial letter template or the Time Limit Hardship Extensions chart including a description why the person no longer qualifies for the originally approved time limit extension.

### 3.6.2.2 What happens when the adult recipient with a time limit extension stops participating as required?

Adult recipients with an approved time limit extension must still participate in any WorkFirst activities required in their IRP or go through the sanction process under WAC 388-310-1600. This includes adults who are approved for an SSI extension because s/he is required to apply for SSI in his or her IRP. As long as the adult still qualifies for a time limit extension, we pursue sanction and don't close the case until the adult remains in sanction for two months in a row or receives the sanction case closure penalty (when there is no good cause and the parent fails to attend their NCS case staffing and home visit). However, the *adult must* participate in her or his family violence service plan to remain eligible for a family violence time limit extension.

See the next section for information on how to process family violence extensions when the adult stops following the family violence service plan. See also the participation column on the time limit hardship extension chart for a brief description of each extension's participation requirements. See also the [Time Limit Extensions and Sanctions Chart](#).

### 3.6.2.3 What happens when the adult recipient/ineligible parent with an approved family violence time limit extension stops participating as required in his or her family violence service plan?

To qualify for a family violence time limit extension, the adult recipient/ineligible parent must participate in activities needed to address his or her family violence issues according to a service plan developed by a person trained in family violence. When the person stops following his or her family violence service plan, and refuses to participate, the person would no longer qualify for the extension.

When you are notified that the person is not participating in his or her family violence service plan:

- Schedule a good cause appointment to determine whether the person has good cause for not participating in the plan. Mirror the good cause process for ineligible parents (including adjusting activities as needed) but enter the decision in the eJAS family violence case notes, since we do not sanction non-recipients. See [Ineligible Parents' Family Violence Plans](#) for more information.
- Schedule and send an appointment letter for a follow up time limit extension appointment (which can be the same day, but at a different time) in case the person doesn't have good cause and doesn't intend to participate.
- Use the good cause interview and the eJAS sanction tool for adult recipients to determine good cause for non-participation and place the adult in sanction if there is no good cause. This will support the decision that the adult didn't have good cause should the adult file an administrative hearing.
- If sanctioned for failure to follow the family violence service plan, find out if the adult will participate in the future. If so, impose sanction but keep the family violence extension open.
- If the adult recipient /ineligible parent doesn't have good cause for failure to participate and also commit to start participating in his or her family violence service plan, use the time limit interview and the eJAS time limit tool to document the person no longer qualifies for the family violence time limit extension. Determine whether the person qualifies for another type of time limit extension, and, if not, close the case for no time limit extension.
- If the person does not attend his or her appointments, make the determination of good cause and time limit extension eligibility based on the information you have.

If the adult recipient /ineligible parent is closed for no time limit extension, later reapplies and now agrees to participate in his or her family violence plan, the family violence extension can be re-approved. Adult recipients' cases are re-opened in sanction and they would need to participate for 28 days and cure their sanction in order to get a full grant.

If the case closes for no time limit extension (229 exceeds the time limit) and non-compliance sanction (252 NCS process) in the same month, the NCS case closure will override the time limit case closure in ACES and the adult will be required to participate for four weeks, if able, before we reopen TANF.

### 3.6.2.4 How do I process the case when a time limit extension is about to expire?

Cases with an approved time limit extension will begin to appear on the CLMR two months before the current time limit extension is slated to end. Begin the review process as quickly as possible as it may take some time for the adult recipient/ineligible parent to provide updated evidence, such as medical evidence for themselves or a disabled family member.

You will need to:

- Update the service plan for family violence extensions.
- Except for SSI/SSDI ineligible parents, obtain new medical evidence for disability and SSI extensions (disabled or caring for a disabled family member) following the process in [WFHB 6.6, Disabilities](#).
- Contact child welfare for an update on child dependency extensions.

Staff may use verification needed to continue an older caretaker relative, SSI parent or employment time limit extension gathered by call center staff during the person's concurrent eligibility review (ER) or mid-certification review (MCR). For older caretaker/employment/SSI extensions, schedule the time limit interview and obtain any needed documentation that won't be obtained during a concurrent ER/MCR following financial eligibility change and verification rules. There is no requirement to follow up and ensure a concurrent ER/MCR was done as the case will close if the person fails to meet review requirements.

Follow the process in [3.6.1, Time Limit Extension Decisions](#), to decide whether to close the case or approve another time limit extension. That is, schedule an appointment, gather evidence, complete the eJAS time limit tool and translate the eJAS Time Limit Extension denial letter as needed. ACES will generate a letter to notify the adult recipient/ineligible parent of the result.

### 3.6.2.5 Approved Time Limit Extensions - Step-by-step guide

1. If the adult recipient/ineligible parent's circumstances change so they no longer qualify for his or her current time limit extension, the WFPS/WFSSS :
  1. Determines if the person is already approved for another type of extension. If so, they use the eJAS time limit tool to end the current extension and re-approve any other approved time limit extension(s) through their review date.
  2. If the person doesn't appear to qualify for another type of time limit extension, follow the process in [3.6.1, Time Limit Extension Decisions](#), to determine whether to close the case and include why the person no longer qualifies for the originally approved time limit extension on the eJAS time limit denial letter when no other extension is approved.
2. If the adult recipient/ineligible parent stops participating as required, the WFSSS or WFPS:

1. Follows the sanction process to determine good cause and pursue sanction, as appropriate.
2. Schedules a time limit interview if the adult recipient/ineligible parent isn't participating in his or her family violence service plan.
  1. Uses the good cause interview and the eJAS sanction tool to impose sanction if the adult recipient/ineligible parent doesn't have a good reason for failure to follow the family violence service plan. For ineligible parents, use the good cause interview only, adjust activities as needed and document the results in eJAS family violence case notes.
  2. Uses the time limit interview and eJAS time limit tool to:
    1. End the family violence time limit extension if the person doesn't have good cause and doesn't agree to start participating in his or her service plan.
    2. Determine whether the person qualifies for another type of time limit extension.
    3. Document the time limit approval or denial decision and notify the person why he or she no longer qualifies for the family violence extension on the eJAS time limit decision letter.
3. When the current time limit extension is due to expire, the WFPS/WFSSS will:
  1. Be notified via the CLMR two months before the time limit extension is due to expire.
  2. May use a concurrent ER/MCR to gather any needed documentation for the older caretaker relative, SSI parent or employment extension.
  3. Obtain updates or required evidence for the other time limit extensions.
  4. Use the process in [3.6.1, Time Limit Extension Decisions](#), to determine whether to approve another time limit extension or close the case.
  5. Modify the IRP and update the family violence service plan and eJAS component codes as appropriate.

## Resources

### Related WorkFirst Handbook Chapters

- [3.2 Comprehensive Evaluation](#)
- [3.3.1 IRP](#)
- [6.6 Disabilities](#)
- [6.5 Family Violence](#)
- [6.8 Exemptions](#)

1. 3.9.1 Federal Participation Requirements

### 3.7.1 Federal Participation Requirements

The *Federal Participation Requirements* section includes:

Revised February 27, 2018

- [3.7.1.1](#) Overview of federal requirements
- [3.7.1.2](#) When do the federal participation verification rules apply?
- [3.7.1.3](#) Who documents and reports participation every month?
- [3.7.1.4](#) What are the federal rules for holidays and absences?
- [3.7.1.5](#) How do we treat excused and unexcused absences?
- [3.7.1.6](#) What is the Work Verification Plan?

#### 3.7.1.1 Overview of federal requirements

The federal Deficit Reduction Act of 2005 (DRA) requires States to report actual hours of participation and be able to show that all reported activities were countable, supervised, documented and verified according to federal specifications. States also face new federal restrictions on the types of activities we can count towards participation.

States must also have a system of internal controls in place by October 1, 2007 to ensure they accurately report participation data to the federal government. Washington's system of internal controls, WorkFirst Quality Assurance, is described in section [3.7.3](#).

This section describes the federal participation verification requirements, when they apply and the Work Verification Plan.

While there are many factors in determining the Work Participation Rate (WPR), the table below shows the basic federal work participation requirements for individual work participation.

Work-Eligible TANF Recipients	Fed
1. Each participant unless they meet the criteria in #2-6 in this chart	
2. Recipient parents in a two-parent household who qualify for the two-parent options (see <a href="#">1.2.3</a> )	
3. Single parent/caregiver with a child under 6	

4. Participants claiming the Infant Exemption or who are pregnant in 3rd trimester	*Exempt when child
5. Teen head of households (age 18 or 19 years of age) that don't have a High School Diploma or GED	Maintaining satisfa
6. Unmarried pregnant or parenting minors (age 17 and younger); except between infant's birth and turning 12 weeks old	Maintaining satisfa

Please see section 1.2 for state work requirements.

### 3.7.1.2 When do the federal participation verification requirements apply?

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We monitor all participation to make sure parents are following their Individual Responsibility Plan and getting the services and activities they need to progress. Under the new federal rules, however, we will need to take additional steps for unpaid core and non-core activities to document and report that the parent participated as required.

The chart below shows the additional federal requirements for unpaid core and non-core activities.

These requirements *don't* apply to *paid* core activities: employment, self-employment, Community Jobs, Career Jump, on-the-job training, WIA paid WEX (coded as PT or FT in eJAS) and work study. The hours of paid core activities will be collected using ACES data and verified as required under the WorkFirst eligibility rules. The average weekly hours of employment will be calculated in ACES and displayed in eJAS so every WorkFirst partner will know how many employment hours we are reporting to the federal government.

Requirements for All WorkFirst Activities	Additional Federal Requirements
Set IRP requirements and record the scheduled hours of participation on the eJAS component code screen.	Document, then report, how many of
Providers/partners monitor participation.	Providers/partners must document act basis and be able
	Don't count no
	Activity/Job Search Lo
Providers/partners confirm the parent participated each month no later than the 10th of the following month.	Providers/partners report <i>actual</i> hour



Providers/partners excuse absences if the parent is unable to attend scheduled activities.	Providers with eJAS access
Providers/partners report unexcused absences immediately.	Providers with eJAS access
Parents aren't asked to make up hours missed due to absences.	Parents are asked to make up

### 3.7.1.3 Who documents and reports participation each month?

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Each contractor or partner documents and reports participation for the activities they directly provide. Partners must obtain documentation and do the eJAS reporting for non-contracted activities as follows:

- Community Jobs providers, for non-contracted activities they arrange to be stacked on top of a Community Job.
- The WFPS or WFSSS, for any other non-contracted activities (such as counseling and some educational activities).
- The employment counselor, for their short-term work experience (since their contractors do not have eJAS access).

DSHS staff will use the eJAS WorkFirst participation verification form to document participation in non-contracted activities. These forms will not collect information about absences and school breaks, so eJAS reporting in these areas are not required.

### 3.7.1.4 What are the federal rules for holidays and absences?

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DRA only allows States to report documented, actual hours of participation. At the same time, DRA created other rules to compensate for the "actual hour" rules. For example, since FLSA limits how many hours of community service and work experience States can require, DRA allows States to "deem" a parent's core activity requirement met as long as s/he participates the maximum allowable hours.

DRA also allows States to count excused absences and holidays as participation. WorkFirst will claim the following absences and holidays towards participation:

- All Washington State holidays.
- Excused absences, including absences excused in observance of a parent's religious holiday.

DRA limits the number of excused absences we can count towards participation to 10 a year, with no more than 2 absences in any given month. Many parents will likely need more excused absences than this over the course of the year.

- Approve and report excused absences whenever parents call in as soon as they can and have a good reason for their absences.
- Ask parents to make up excused and unexcused absences if possible.
- Headquarters will track how many excused absences a person receives and decide whether we need to count any given excused absence towards participation. If we don't need to use the excused absence to meet the rate, we won't.

For excused absences step-by-step, please refer to [Monitoring Participation - Step by Step Guide](#).

### 3.7.1.5 How do we treat excused and unexcused absences?

We treat excused and unexcused absences differently. With excused absences, the determination we need to make is whether the parent is in the right activity and whether we need to negotiate a new activity. For unexcused absences, we need to follow the current good cause process to determine the reason the parent is not participating, while ensuring the parent has the opportunity to reengage quickly.

In either case, after 2 absences, the WorkFirst partner/provider (excluding ESD) will send an immediate notification to the case worker. ESD will contact the WFPS (either by phone, email, etc) and document the contact.

For **Excused Absences**, the WorkFirst partner/provider will then:

- Keep the activity open, and
- Contact the parent (if possible) and case manager as part of the Continuous Activity Planning (CAP) process to discuss next steps, including if it is appropriate to refer the client back to DSHS.

This allows the parent to remain in the activity while the service provider, case manager and parent have an opportunity to discuss if participation in this activity is appropriate. This is also consistent with current policy to have continuing conversations with parents and service providers to ensure parents are engaged in appropriate activities.

For **Unexcused Absences**, the WorkFirst partner/provider will then:

- Keep the activity open, and
- Contact the parent, if possible, and case manager as part of the Continuous Activity Planning (CAP) process to discuss next steps, including if it is appropriate to refer the client back to DSHS.

This allows the parent to remain in the activity while the service provider, case manager and parent, when possible, have an opportunity to discuss whether participation in this activity is appropriate.

If it is decided that the activity is not appropriate for the parent, the WorkFirst partner/provider will refer the parent back to DSHS.

The Case Manager will:

- Initiate the good cause process.

**Note:** Immediate notification allows the activity to remain open and appointments to be rescheduled while notifying the case manager of the presenting issue that is being addressed.

For how to treat excused and unexcused absences step-by-step, please refer to [section 3.7.2.8](#) - Monitoring Participation, Step-by-Step Guide.

For more information on how ESD treats excused and unexcused absences, please refer to [section 4.1.6](#) - What are participation requirements? Or [section 4.2.18](#)- Career Scope Services Step-by-Step Guide.

### 3.7.1.6 What is the Work Verification Plan?

DRA requires each state to submit a Work Verification Plan describing how the State will comply with federal participation verification requirements. The plan must be approved by the federal government and amended, as needed, to reflect changes in our participation verification procedures and rules.

Washington State's Work Verification Plan describes:

- All the WorkFirst core and non-core activities and how we will document participation for that activity.
- How WorkFirst will verify and project forward hours of employment for up to 6 months, including when we must re-verify hours.
- How WorkFirst applies federal limits for time-limited core activities, infant exemptions and sanctions.
- How WorkFirst applies the federal exemption for parents caring for a disabled family member who is not a full-time student.
- The WorkFirst holiday and excused absence policies.
- How we calculate the monthly FLSA maximum hours and deem additional hours towards participation.
- The WorkFirst Quality Assurance process and internal controls to assure data accuracy.

Federal auditors will read to the WorkFirst Work Verification Plan to determine if we are out of compliance with federal participation verification requirements. Failure to comply with our approved plan results in an up to five percent reduction in our federal block grant.

# Resources

## Related WorkFirst Handbook Sections

- [3.1 Tools - Overview](#)
- [1.2 Required Participation](#)
- [6.1 Resolving Issues](#)
- [4.2 Job Preparation/Work Search](#)

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### 3.9.2

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1. [3.9.2 Documenting and Reporting Participation](#)

## 3.7.2 Documenting and Reporting Participation

The *Documenting and Reporting Participation* section includes:

- [3.7.2.1](#) What is monitoring participation?
- [3.7.2.2](#) What is participation and progress?
- [3.7.2.3](#) Who monitors participation?
- [3.7.2.4](#) What is Documenting participation?
- [3.7.2.5](#) What are Contracted service requirements?
- [3.7.2.6](#) What are Non-contracted service requirements?
- [3.7.2.7](#) Are there requirements for individuals in "X" components?
- [3.7.2.8](#) Monitoring Participation - Step-by-Step Guide

### 3.7.2.1 What is monitoring participation?

When we refer to "monitoring participation", we are talking about a monitoring and reporting system that makes sure WorkFirst parents are actively doing required activities. Monitoring individuals in their WorkFirst activities is a key element in ensuring strengthened accountability.

WorkFirst parents benefit from this strengthened accountability because it will help them model the type of behavior that is required by employers. Close monitoring, and learning to come in or call in to scheduled activities, will help parents build transferable skills for the workplace.

As we monitor participation, partner agencies, contractors and non-contracted service providers will be following the same basic guidelines to report attendance, participation and progress for WorkFirst parents:

- Most parents in non-contracted activities will have the monthly WorkFirst participation verification form turned in to the WFPS or WFSSS by the 5th of each month.
- The WFPS or WFSSS enters the WorkFirst participation information into eJAS by the 15th of each month for the previous month's activity.
- eJAS/CATS participation and progress reports must be input by the 10th of each month.
- Unexcused absences will be reported immediately to the WFPS or WFSSS.
- Partners, contractors and providers must also document participation for parents in unpaid core or non-core activities. There are additional reporting requirements for these activities, as described in Section [3.7.1.2](#).

### 3.7.2.2 What is participation and progress?

All partners and contractors must report whether a parent is participating and progressing satisfactorily each month, as follows:

- Partners and contractors use eJAS to report progress in basic education, high school and GED completion. They also use eJAS to report actual hours of participation for unpaid core and non-core activities.
- Non-contracted providers report actual hours of participation and progress on the eJAS WorkFirst participation verification form (but not hours missed due to holidays or absences).
- Any provider may also communicate issues in other ways (such as meetings, e-messaging or phone calls).

Satisfactory participation means the individual is actively involved in doing the required activities. Satisfactory progress means that the individual is making gains, learning new skills, and becoming more employable.

- For reports of unsatisfactory participation, the parent may be unable or unwilling to participate. The WFPS or WFSSS must determine if there is good cause for nonparticipation or start the sanction process if appropriate.
- For reports of unsatisfactory progress, the WFPS or WFSSS determines what the individual needs to do to meet the activity requirements or whether another activity would be more appropriate.

The WFPS and WFSSS also access eJAS ad-hoc, the Client Accountability Report (CAR) and the Caseload Management Report (CLMR) each day to track whether a parent has had an unexcused absence or has been referred back via eJAS.

### 3.7.2.3 Who monitors participation?

WFPSs or WFSSSs will monitor participation on a regular and consistent basis. If the parent is working with a contractor or partner agency, participation and progress reporting will occur

electronically through eJAS. If the parent is working with a non-contracted service provider, the participation and progress information from the eJAS WorkFirst participation verification form will be input into eJAS by the WFPS or WFSSS by the 15 th of each month for the previous month's activity.

You can find information about how partners document and report participation in the Employment Services, WorkFirst Training, LEP Pathways, Supported Work and Community Jobs sections. The remainder of this section describes how to document and report participation in contracted and non-contracted services.

### 3.7.2.4 What is Documenting Participation?

We must document excused absences and actual hours of participation for unpaid core and non-core activities. Under federal rules, we must obtain written documentation in a State-approved format, such as time sheets or attendance records, to verify the specific hours of attendance by each parent in scheduled activities. Non-contracted providers will document participation by filling out an eJAS WorkFirst participation verification each form each month.

Partners and contractors must also document their approval of excused absences in eJAS notes. The eJAS note should describe why the parent was unable to attend his or her scheduled activity, the date of absence and the hours absent.

The eJAS notes, time sheets, attendance records and eJAS forms become the source documents for participation reporting in eJAS. In addition, documentation must be held by the provider, contractor or partner agency for at least 30 months so it is available for state or federal audits.

### 3.7.2.5 What are Contracted service requirements?

The service provider will document the individuals' attendance in the program and report any unexcused absences within one business day to the WFPS or WFSSS via eJAS. The WFPS or WFSSS will start the good cause determination and start the sanction process, if appropriate, when a parent exceeds the allowable limit for unexcused absences.

By the 10th of each month, contractors will report to the WFPS or WFSSS, via eJAS, to confirm the parent's progress (when required) and participation for the previous month's unpaid core or non-core activity. Participation for community jobs, career jump, on-the-job training and work study participation will be collected from ACES earnings data.

Specifically, the contractor will report:

- Actual hours of participation.
- The number of hours and instances for excused absences.
- The number of hours missed due to holidays (See [List of State Holidays](#)).
- The number of hours of unexcused absences.

- Progress reports are only required for basic education, high school or GED completion.

For excused absences, contractors and partners report regularly scheduled hours missed due to excused absences, listing the date of the absence and the number of hours missed on that date. If the parent only misses part of a day, enter actual hours and excused absence hours separately in eJAS. For example, a parent is scheduled to participate for 7 hours on the 12th, but gets an excused absence for 3 hours in the afternoon for a doctor's appointment. Enter 4 actual hours of participation and 3 excused absence hours for the 12th into eJAS.

For holidays, contractors report regularly scheduled hours missed due to state holidays. For example, a parent is scheduled to participate 5 hours per day on Mondays, Wednesdays and Fridays. Everyone is given 2 days off for the Thanksgiving holiday. When reporting participation for this parent:

- Do not report any holiday hours for the Thursday.
- Report 5 holiday hours for the Friday (since the parent normally participates for 5 hours every Friday).

Contractors will ask parents to make up absences if possible. Any makeup time should be reflected in the contractor's documentation and entered into eJAS under actual hours of participation.

The WFPS or WFSSS will receive an e-message from the contractor when an individual has an unexcused absence or is referred back electronically. When this happens:

- A magenta colored flag will appear on the contractor caseload screen for the individual in the corresponding column to indicate the WFPS or WFSSS needs to take action on the case.
- The e-message text line will auto fill when a contractor reports an unexcused absence to the WFPS or WFSSS.
- The contractor will complete the text box of the e-message.
- eJAS takes the contractor to the Client Notes issue type that corresponds to the action being taken.
- The contractor will make case notes to add any relevant comments for your future reference.
- The magenta flag will turn to a green flag once the WFPS or WFSSS has entered notes in the Sanction/SafetyNet category, to indicate action has been taken on the case.

Contracted providers are required to report unexcused absences immediately and participation/progress monthly. WorkFirst partner agencies will make sure that their contractors are reporting each month, and can withhold payment if this requirement is not met.

### 3.7.2.6 What are Non-contracted service requirements?

We may refer individuals to non-contracted services, such as free basic education, doctors, or various types of services from non-profit agencies. Since these providers do not have eJAS access, the WFPS

or WFSSS must manually monitor participation for these cases. For unpaid core or non-core activities, the WFPS or WFSSS must also enter documented actual hours of participation into eJAS.

A standard WorkFirst Participation Verification Form is available in eJAS for these cases. This form is the tool to be used by the WFPS or WFSSS to document the parent's progress and participation in their WorkFirst activities. The form will collect information about actual hours of participation but not ask for information about absences. For unpaid core or non-core activities, use DMS to store the form so this documentation can be made available to state and federal auditors.

The WFPSs or WFSSSs print the form from eJAS and give or mail the form to the parent. Add to the parent 's IRP that it is the parent ' s responsibility to have the service provider complete the form and return the form to the WFPS or WFSSS by the 5th of the month. The WFPS/WFSSS enters the WorkFirst participation information into eJAS by the 15th of each month for the previous month's activity.

The WFPS or WFSSS must ensure these forms are turned in each month. When these cases are set up, open the component code for 30 days if it is not a core or non-core activity. The IRP end date should be the anticipated end date of the entire activity. The IRP is not required to have the end date of the activity coincide with the date of the 30-day review. For not countable activities, eJAS reports will alert you that a monthly participation report is due based upon the end date of the component code. Core and non-core activities will appear on the WFPS or WFSSS Multiple Client Monthly Participation eJAS screen.

For not countable activities, if the report confirms the individual is making progress, update the component code for another 30 days. The IRP must have the actual start and end date for the non-contracted activity so we can track how long the activity is supposed to last.

If the individual has a medical deferment, with written documentation from a medical provider that indicates the individual is unable to perform any activities or attend any appointments for a length of time greater than 30 days, the individual is not required to provide the monthly reviews to the WFPS or WFSSS.

Examples:

- An individual may be on bed rest for 90 days. The medical provider confirms the individual is unable to do any activity and will not have recurring medical appointments during that time frame. The WFPS or WFSSS extends the appropriate X component code for 90 days and does not need the WorkFirst Participation Verification Form every 30 days.
- An individual has documentation from a licensed medical provider that he/she is unable to work for a period of 90 days but will be receiving physical therapy twice per week. The component code would be established for 30 days and the WorkFirst Participation Verification Form would be required every month to verify the participation in the physical therapy appointments.



If the WorkFirst Participation Verification Form is unclear or is missing necessary information to confirm the participation is occurring, the WFPS or WFSSS contacts the non-contracted service provider to verify the information (documenting the contact's name, title, phone number and date of contact). For countable core or non-core activities, enter zero hours into eJAS if you cannot obtain actual participation hour documentation from the provider.

### 3.7.2.7 Are there requirements for individuals in "X" components?

WorkFirst parents who are engaged in issue resolution as their WorkFirst participation must have the parent's participation reviewed every 30 days.

When an parent is receiving services from a contracted provider, the WFPS or WFSSS will receive the monthly report electronically via eJAS. If the parent is in a countable X code, they will appear on the WFPS or WFSSS multiple client monthly participation eJAS screen. These individuals may have the "X" component code with an end date of greater than 30 days, because the reporting will occur through eJAS.

Individuals who are in "X" component codes and receiving not countable services from a non-contracted service provider must have the component code for a maximum of 30 days, the end date of the activity will be used as the tickler to ensure the WorkFirst Participation Verification form has been received.

### 3.7.2.8 Monitoring Participation - Step-by-step guide

1. The WFPS or WFSSS refers the parent to the contractor by:
  1. Entering both the component code and contractor code on the component code screen;
  2. Building an IRP that states the agreed activity, contractor or contact information, and the scheduled number of hours;
  3. Completing the eJAS referral form and transmitting the form to the contractor; and,
  4. Entering the presumed start and end date on both the component code screen and the contractor screen.
2. The WorkFirst contractor will:
  1. Accept or reject the referral in eJAS;
  2. Make an entry in Client Notes in eJAS to document first contact with the individual, this will auto fill the date of the entry in the first contact column on the contractor caseload screen,
  3. Enter the actual start date of the activity in eJAS;
  4. Report unexcused absences in eJAS within one business day and document this in the parent's Client Notes in eJAS;

5. Report excused absences in eJAS and document the reason the parent was unable to attend in the parent's Client Notes in eJAS.
  6. Report regularly scheduled hours missed due to an official state holiday.
  7. Report the parent's actual hours of participation, absences, and progress in BE, HS or GE by the 10th of each month for the previous month's activities.
  8. Round participation hours up to the next  $\frac{1}{4}$  (.25) hour increment. Example: parent reports for class one day for 6 hours and 10 minutes. The participation hours for that day would be 6.25 hours.
3. The WFPS or WFSSS will:
1. Start the good cause determination or the sanction process, whichever is appropriate, for unexcused absences or unsatisfactory participation;
  2. Determine next steps, using the case staffing process if desired, for unsatisfactory progress;
  3. Check the contractor screen in eJAS on a regular basis to make sure that all reports of unexcused absences or unsatisfactory participation/progress are responded to in a timely manner.

## How to Treat Excused and Unexcused Absences - Step-by-Step

The WorkFirst partner or contractor will:

Upon 2 excused or unexcused absences, send an immediate notify via eJAS to the WFPS.

ESD will:

Upon 2 excused or unexcused absences, contact the parent, if possible, and the case manager as part of the Continuous Activity Planning (CAP) process to determine whether the activity is appropriate for the parent and discuss next steps.

Excused Absence

Upon receipt of the immediate notification or contact from ESD, the WFPS will:

1. Keep the current activity open.
2. Have a conversation with the parent, if possible, and the service provider to determine if the parent is in a correct activity and review next steps.
3. Update IRP if needed.

Unexcused Absence

Upon receipt of the immediate notification or contact from ESD, the WFPS will:

1. Keep the current activity open.

2. Have a conversation with the parent, if possible, and the service provider or partner as part of the Continuous Activity Planning (CAP) process to discuss next steps, including if it is appropriate to refer the client back to DSHS. to determine if the parent is a correct activity and review next steps .

If it is identified that the appropriate next step would be to refer the client back, then the component can be closed (ESD will close the component and refer the parent back). The WFPS will then:

1. Open a PR component and ensure the activity code is closed.
2. Initiate the good cause/sanction process, following the steps laid out in WFHB [Section 3.5.1.5](#) , "Steps for the Sanction Case Staffing."

## eJAS Entering Excused Absences - Step-by-Step

1. On the Client Monthly Participation Screen or Multiple Client Monthly Participation Screen, enter the date range of monthly participation.
2. Click the link in the Excused Hours/Dates column.
  - o This brings up a new pop-up screen "DSHS Excused Absences Reporting".
3. Click in the required date box.
4. Click on the specific calendar date to enter the date of the absence.
5. Enter the number of excused hours missed on that date in the "Excused Hours" box.
  - o Users can enter excused absence hours in ¼ hour increments.
6. Click the "Close" button after entering the excused absence hours - this will take you back to the participation page.
  - o Users will get an alert when they click the "Close" button on the excused absences page reminding them to click the update button on the participation page to save the information.
7. Click "Update" button on the participation page to save excused dates and absences.
  - o The history of excused absences is on the same "Actual Hours Transaction History" screen. To view details of the excused absences, click on the Excused Hour link from the Transaction History screen. This will open the DSHS Excused Absences Reporting page which lists date range start and end dates, the date of the excused absence(s) and the excused hours.

## Non-contracted services- Step-by-step guide

1. The WFPS or WFSSS refers the parent to the non-contracted provider by:
  1. Entering the component code on the component code screen. Open the component for 30 days for not countable activities. The end date of the component will indicate that when a WorkFirst Participation Verification form is due (the CLMR is used to monitor these cases); or

2. Entering an "RO" component code to refer the parent if the start date is unknown or if it is unknown whether the parent will be accepted for services;
  3. Creating an IRP with the actual start and end date of the service and requiring the parent to turn in the WorkFirst Participation Verification form each month (unless the parent has a medical deferment, with written documentation from a medical provider indicating the parent is unable to perform any activities or attend any appointments for a length of time greater than 30 days); and
  4. Completing the WorkFirst Participation Verification form in eJAS, printing the form and either handing it or mailing it to the parent.
2. The Service Provider will be asked to:
    1. Accept or reject the referral manually; and
    2. Report the parent's participation and progress by the 5th of each month for the previous month's activities on the WorkFirst Participation Verification form.
  3. By the 15th of each month, the WFPS or WFSSS enters the WorkFirst Participation Verification information into eJAS for the previous month's activity and will:
    1. For core or non-core activities:
      1. Enter the actual hours of participation into eJAS. If this data is not made available, enter zero hours of participation into eJAS.
      2. DMS the WorkFirst Participation Verification form.
      3. Update the component code to match the IRP end date.
    2. Start the good cause determination or the sanction process, whichever is appropriate, for unsatisfactory participation;
    3. Determine next steps, using the case staffing process if desired, for unsatisfactory progress;
    4. Update the component code for another 30 days if the parent is in a not countable activity, is making satisfactory progress and it is appropriate for the parent to continue in the activity; or
    5. If the parent is in an X component code for a total of 90 days, the case needs supervisory review/approval prior to granting additional time to remain in the same component.

## Resources

### Related WorkFirst Handbook Sections

- [3.1 Tools - Overview](#)
- [1.2 Required Participation](#)
- [6.1 Resolving Issues](#)
- [4.2 Job Preparation/Work Search](#)

## 3.7.3 WorkFirst Quality Assurance

The *WorkFirst Quality Assurance* section includes:

- [3.7.3.1](#) What is WorkFirst Quality Assurance?
- [3.7.3.2](#) What are data accuracy initiatives?
- [3.7.3.3](#) How will we do case reviews?
- [3.7.3.4](#) What is the WorkFirst Participation Review Committee?

### 3.7.3.1 What is WorkFirst Quality Assurance?

The federal Deficit Reduction Act of 2005 (DRA) requires States to accurately report actual hours of WorkFirst participation. States must also establish a system of internal controls to make sure they find and fix any systematic errors in the participation data they report to the federal government.

The federal government will do its own audits as well. States that are found substantially out of compliance with meeting federal participation verification requirements may lose up to five percent of their federal block grant.

WorkFirst Quality Assurance is a partnership effort to examine how well we are doing with implementing WorkFirst Forward and to create joint plans for any needed corrective action. The primary elements of WorkFirst Quality Assurance are:

- Data accuracy initiatives.
- Case record reviews.
- WorkFirst Participation Review Committee.

The WorkFirst partnership will also use contract monitoring, staff training and local planning area coordination meetings to identify and address areas that could lead to federal errors.

### 3.7.3.2 What are data accuracy initiatives?

Data accuracy initiatives will assess whether the data we report to the federal government is free of data input errors and omissions. The goal is to improve WorkFirst data accuracy and eliminate factors that generate errors. This proactive approach will result in fewer errors, reduce re-work and preserve federal funding.

Data accuracy initiatives will likely change over time as we review cases and identify root causes of errors. The overall strategy includes:

- Automating calculations and processes to reduce human error and workload.
- Using automation to maximize participation (such as strategic use of time limits and excused absences).
- Validating data produced by our automated systems (such as self-employment and monthly FLSA maximum calculations).
- Identifying potential system errors.
- Reducing data input discrepancies.
- Auditing at a supervisory, agency and WorkFirst partnership level.

The federal government already reviews the WorkFirst data we send them and lets us know when they find possible errors. Examples of the errors they find are incorrect marital status or parents in sanction with no grant reduction. WorkFirst Quality Assurance has set a process in place to handle these potential errors before we submit data to reduce our risk of federal penalties. This process will:

- Send discrepancy cases to local or headquarter staff for correction.
- Let the federal government know when there is no discrepancy.
- Change procedures, manuals or automated systems as needed so fewer discrepancies are generated.

### 3.7.3.3 How will we do case reviews?

The DSHS Office of Quality Assurance will draw a statistically valid sample of WorkFirst cases each month and work with the WorkFirst partnership to conduct case reviews. Each WorkFirst partner who provided an activity to the family will be on point to provide supporting documentation on the case.

WorkFirst Quality Assurance case record reviews will identify areas that, if left unaddressed, will lead to federal discrepancies. Key elements of the reviews include:

- Were the hours countable?
- Were the hours documented and reported correctly?
- Did we capture all stacked activities in eJAS timely and accurately?
- Did we follow the rules for approving excused absences?
- Did we report school breaks correctly?
- Did we record progress for high school equivalency and basic education?
- Did we stay within the FLSA maximum hourly limits each month?
- When we deemed, did the actual hours equal the monthly FLSA maximum?
- Did we verify employment hours when required?
- Did parents sign in on each scheduled day of job search and review their Daily Activity/Job Search Log with their employment counselor at their scheduled one-on-one coaching session?
- Did we use the correct eJAS component codes and ACES valid values?
- Did we enter the correct number of hours into eJAS and ACES?

The case record review will also look at how well we are doing with meeting WorkFirst participation requirements. Not every parent is able to participate full-time all the time, but we do want to make sure staff understand how to stack activities correctly. We also want to determine causes and solutions when parents' actual participation does not match their scheduled hours of participation.

### 3.7.3.4 What is the WorkFirst Participation Review Committee?

The WorkFirst Participation Review Committee (PRC) meets monthly to review potential problem cases from the case reviews. The idea behind the PRC is that bringing together the combined expertise of partners will help identify ways in which discrepancies may be reduced.

The PRC committee will:

- Strengthen communication and understanding among all partners by encouraging dialog, discussion and mutual solutions.
- Focus on short- and long-term discrepancy prevention and corrective action.
- Identify discrepancy-prone cases, policy or automation issues and staff training needs.
- Provide an opportunity to identify and discuss problem issues locally, regionally and statewide.
- Allow the sharing of best practices statewide.

The PRC will distribute case record review findings prior to each meeting. Representatives from each WorkFirst partner agency will attend the meetings, as well as information technology staff.

## Resources

### Related WorkFirst Handbook Sections

- [3.1 Tools - Overview](#)
- [1.2 Required Participation](#)
- [6.1 Resolving Issues](#)
- [4.2 Job Preparation/Work Search](#)

### 4.1.6 What are Career Scope participation requirements?

Participants are expected to engage in activities designed to reflect a workplace-like environment in order to prepare them to interact with employers, enter employment and keep their jobs. Attendance, punctuality, participation and appropriate attire should all be considered.

1. Each participant is required to participate:
  - o Daily (if in fulltime Work Search), or
  - o As directed in the IRP and agreed to with the ESD Career Scope coach (if in part time Job Search),
2. Participants will sign in or be signed into CATS each day they are required to report to their local office. At a minimum participants in fulltime or part time work search must physically come into the office and sign in or be signed into CATS once per calendar week (Monday – Friday).
3. Career Scope coaches will discuss participation standards with participants after each excused or unexcused absence to improve participant's engagement in activities. The intervention (contact or attempt to contact) will be documented in eJAS notes. The Career Scope coaches will also contact (phone, email, etc.) the WFPS after each unexcused absence. This contact or attempt to contact will be entered in eJAS notes.
4. On the day following 2 excused or 2 unexcused absences, Career Scope coaches will immediately notify the WFPS to determine if job search is the appropriate activity. If job search is determined to be the most appropriate activity, Career Scope coaches will document in eJAS notes the corrective action(s) being taken to improve participation. If participation does not improve, the steps in #5 below will be followed.
5. After conducting a CAP, if it is apparent that Career Scope services are not the appropriate activity for a participant, Career Scope coaches will manually refer the participant back to DSHS. Whenever possible include participants in the joint evaluation process. Also, note a recommendation for alternative services following the [Criteria for Decision Making](#) . If contact with the case manager cannot be made by the second day following a second unexcused absence, and the participant continues to not engage in job search, a CAP note will be entered detailing the reason for the referral back and attempts to contact the WFPS or DSHS supervisor. Career Scope coaches will then close the activity code and enter an RB for no more than 4 days.
6. When participants call in to be excused, they are excused from participation only for the number of hours necessary. This could be for the entire day. Career Scope coaches document excused absences in CATS or if circumstances require, excused absences will be documented in eJAS notes. This system must be foolproof in each office to ensure that not even one participant is referred back to DSHS for non-participation.
7. Career Scope coaches will ensure all cases of non-participation and action to correct the situation are documented in eJAS notes. Career Scope coaches must make every attempt to work with participants and WFPS so an RB is not required.

DSHS must begin the sanction process for non-participation if participants fail to participate in Career Scope services, such as being referred back for failing to phone in to be excused 2 or more times. Good cause must be determined for the reasons participants did not call in as well as the reasons why they did not participate. (For Good Cause information, refer to [Handbook section 3.5 Sanctions](#).)



## 4.2.19 Strategies for Success Step-by-Step Guide: Participants enrolled in job search

1. Partners:
  - a. Ask the WFPS/WFSSS to enter the indicator code of **SW** with 0 hours and an end date that reflects the last date of the scheduled workshop.
2. WFPS/WFSSS:
  - a. Creates the SW indicator code per partner request.
    - i. Start date is the date the partner requests the component.
    - ii. Code 0 hours.
    - iii. End date: last date of the participant's scheduled workshop/s.
  - b. Documents the case actions in eJAS notes, ie, scheduled workshops.

Note: The contracted JS provider will track and monitor these Strategies for Success participants through their existing Job Search component.

3. Strategies for Success instructor:
  - a. Supervision: Required daily supervision.
  - b. Documentation:
    - i. Documents attendance records every week and maintain them in the provider's participant files.
    - ii. Provides this information in a State-approved format, such as individual timesheets signed by the participant and faculty member, supervisor, or other appropriate individual or document in electronic tracking systems, as appropriate.
  - c. Verification:
    - i. Provides information, documentation, and records as requested to support State Work Verification efforts.
4. ESD WorkFirst Job Coach:
  - a. Instructs participant to include SFS class and participation hours on WorkFirst Activity Log.
  - b. Follows up with the participant regarding attendance or other issues impacting participation in class.
  - c. Uses eJAS to report participation to the WFPS/WFSSS on a weekly basis.

- i. Includes participation in SFS in total weekly participation hours when recording Actual Hours.
  - ii. Immediately notifies the WFPS/WFSSS if the participant isn't maintaining satisfactory progress, or fails to participate as required (See section [3.7.2.8 Monitoring Participation](#) for monitoring and reporting.)
- d. Verification:
- i. Provides information, documentation, and records as requested to support State Work Verification efforts.

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## 5.1

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### 5.1.9 What are the participation requirements during the third trimester?

The third trimester of pregnancy starts 90 days before the estimated due date. For example, if the estimated due date is 7/14, the third trimester starts on 4/15. Please use the [Defining 3rd Trimester Tip Sheet](#) to determine the start date of the third trimester.

In the third trimester of pregnancy, participation for the pregnant participant is based upon the results of the full comprehensive assessment and the participant may:

- Be required to participate up to 20 hours per week if the comprehensive evaluation, or an assessment, indicates a need for mental health and/or alcohol or drug treatment (unless medical evidence indicates that the participant is not able to participate in any activity), or
- In Parental Education Project pilot sites only, be required to participate up to 20 hours per week in parental education if the comprehensive evaluation or specialized assessment indicates a need for parental education or parenting skills training, or
- Participate in the WorkFirst program on a voluntary basis, if there are no identified mental health and/or chemical dependency issues, or
- Choose not to participate in WorkFirst activities until delivery date, if there are no identified mental health and/or chemical dependency issues.

Note: All pregnant minor participants must be actively participating in high school diploma or equivalency completion programs to remain eligible for benefits, therefore, they are not eligible to take the 3<sup>rd</sup> trimester exemption (see [WAC 388-486-0010](#).)

If a mental health or chemical dependency professional indicates that a participant should do more than 20 hours per week of treatment, we should encourage them to participate in the number of hours recommended; however, we can only require 20 hours per week of participation. If they refuse to

participate in required available treatment, follow the [good cause process](#). Indicate the appropriate participation status on the "Component/IRP Information Screen" by selecting if the participant is:

- Required to participate in mental health and/or chemical dependency treatment;
- Required to participate in parental education or parent skills training in Parental Education Project pilot sites only;
- Volunteering to participate in mental health and/or chemical dependency treatment; or
- Exempt from participating.

Note: See section [3.5.2.4](#) before lifting a sanction in the third trimester.

## 5.1.18 Can a participant in Pregnancy to Employment be sanctioned?

Participants in P to E may enter sanction for:

- Refusing to participate in an assessment with the WFSSS to identify family needs and determine what WorkFirst services are appropriate, or
- Not participating in other WorkFirst activities. (See [3.5.1 Sanction](#))

When a parent enters sanction for refusing to complete an assessment and they didn't choose the infant exemption or infant exemption extension, do not code the IE or TE with the sanction.

When a participant enters sanction for refusing to complete an assessment, and then completes an assessment:

- Lift the sanction the first of the following month, if **not required to participate** in mental health and/or chemical dependency treatment, and if choosing the infant exemption or infant exemption extension;
- Leave the participant in sanction until they participate for 4 consecutive weeks, if the assessment **requires participation** in mental health and/or chemical dependency treatment; or
- Continue the sanction until they participate for 4 consecutive weeks, if not choosing either exemption.

Note: When the parent is at the end of their exemption period and you schedule a next steps appointment, you can't sanction the parent for not attending the appointment during the parent's exemption period.

## Resources

## Related WorkFirst Handbook Sections

- [1.3 Up-front referrals](#) (for family planning)
- [3.2 Comprehensive Evaluation](#)
- [6.2 Assessment](#)

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### 5.2

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#### 5.2.13 What steps do you take when a parent is absent?

After two excused absences in a calendar month, the WorkFirst partner/contractor will:

- Send an immediate notification to the WFPS/RSW,
- Keep the activity open, and
- Contact the parent and WFPS/RSW to discuss next steps, including if it is appropriate to refer the client back to DSHS.

#### **Unexcused Absences**

After two unexcused absences in a calendar month, the WorkFirst partner/contractor will:

- Send an immediate notification to the WFPS/RSW *to initiate the good cause/sanction process*,
- Keep the activity open, and
- Contact the parent and WFPS/RSW to discuss next steps, including if it is appropriate to refer the client back to DSHS.

For more on how to treat excused and unexcused absences, please refer to [section 3.7.1.5](#).

## Resources

### Related WorkFirst Handbook Sections

- [1.2 Required Participation](#)
- [1.4 WorkFirst Orientation](#)
- [2.2 Support Services](#)
- [3.2 Comprehensive Evaluation](#)
- [3.3.1 Individual Responsibility Plan](#)
- [3.3.2 Stacking Activities](#)
- [3.5.1 Entering Sanction](#)

- [7.1 Education and Training Overview](#)
- [7.2 Vocational Education](#)
- [7.3 Basic Education, Skills Enhancement, High School/HSE](#)
- [8.3 Community Jobs](#)

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6.1

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## Resources

### Related WorkFirst Handbook Sections

- [3.2 Comprehensive evaluation](#)
- [3.3.1 IRP](#)
- [2.1 Supports for WorkFirst Participants](#)

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6.2

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## Resources

### Related WorkFirst Handbook Sections

- [6.1 Resolving Issues - Overview](#)
- [3.2.1 Comprehensive Evaluation](#)
- [3.2.2 Initial Comprehensive Evaluation](#)
- [3.2.3 Comprehensive Evaluation Updates](#)
- [3.3.1 IRP](#)
- [1.3 Up-front Referrals](#)
- [1.2 Required Participation](#)
- [5.1 Pregnancy to Employment Pathway](#)

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6.3

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### 6.3.2 Stacking and Issue Resolution Activities

Parents who are resolving countable "X" code issues, such as mental health (XG) or Family Violence (XF), can stack other activities to increase their hours of participation. Stacking activities is combining other needed WorkFirst activities, such as job search, life skills, unpaid work, parenting, and seeking stable housing with the countable "X" code,. See [section 3.3.2](#), [section 6.6, Disabilities](#), and the [Stacking Activities Chart](#) for more information

Continued communication and monitoring between the WFPS or WFSSS and others who are working with the person are necessary to ensure:

- Multiple services/referrals are kept reasonable for the person;
- Appropriate information is shared;
- The IRP is amended as appropriate;
- Participation requirements are enforced; and
- The person receives appropriate support services and child care.

The WorkFirst partner agencies and most contractors normally can tell how many hours a parent will be expected to participate in their program activities. The WFPS or WFSSS develop IRPs accordingly. See [section 3.3.2.3](#) and [3.3.2.4](#) for more information about how to meet program/participation goals and build an IRP.

There may be rare occasions when the service provider has not established a standard amount of hours each parent will be required to participate. When this occurs, the WFPS or WFSSS will have to estimate the expected hours of participation on the IRP.

Use the Individual Responsibility Plan (IRP) to clearly state the required participation and the supports we will provide.

Deferrals ("X" codes) taking longer than 90 days require verification and approval by:

- A multi-disciplinary case-staffing;
- Supervisor or higher level authority approval; or
- Documentation provided by a health-care or other professional.

Develop an IRP that specifies the activities the person is to be taking to resolve the issues and the expected time to resolve the issue. For example, "Follow recommended treatment plan," or "attend all physical therapy sessions as prescribed by physician."

Review the case every 30 days to ensure the individual is making satisfactory progress in resolving the issue unless the person is not engaged in activities each month. For example, a person may be consigned to 90 days bed rest by his or her physician. In these cases, review periods can exceed 30 days but require approval by:

- A multi-disciplinary case-staffing;
- Supervisor or higher level authority approval; or

- Documentation provided by a health-care or other professional.

For information on how to treat excused and unexcused absences, please refer to [section 3.7.1.5](#) - How do we treat excused and unexcused absences?

## 6.3.8 Supporting Participation - Step-by-step guide

1. The WFPS follows the instructions in [Section 6.6](#), Disabilities, for emotional, mental or physical disorders
2. For all other deferrals, the WFPS consults with the individual and the following persons, as appropriate, to determine the need for issue resolution participation.
  1. The WFSSS;
  2. SSI facilitator;
  3. Treatment provider; and/or
  4. Community service provider
3. The WFPS then:
  1. Enters the appropriate code in eJAS.
  2. Enters the specific activities, scheduled hours and the expected end date for the activities on the IRP, describing in detail the activities and/or treatment the person is required to complete, with the exception of drug related issues or other protected information .
  3. Stacks activities to increase hours of participation to the extent the person is able, and adds the information to the IRP.
  4. Authorizes support services needed to complete her or his IRP requirements.
  5. Documents the actions in eJAS.
  6. Monitors participation monthly following the procedures in [Section 3.7.2](#), Documenting and Reporting Participation.
  7. Gets supervisor or higher approval for issue resolution IRPs that will take longer than 90 days.

## Resources

### Related WorkFirst Handbook Chapters

- [6.1 Resolving Issues - Overview](#)
- [3.2 Comprehensive Evaluation](#)
- [3.3.1 IRP](#)
- [2.3 WCCC](#)
- [5.1 Pregnancy to Employment Pathway](#)
- [2.2 Support Services](#)

- [1.2 Required Participation](#)
  - [6.4 Children: Special Needs](#)
  - [6.5 Family Violence](#)
  - [6.6 Disabilities](#)
  - [6.7 Substance Abuse/Chemical Dependency](#)
- 

6.4

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## Resources

### Related WorkFirst Handbook Sections

- [6.1 Resolving Issues - Overview](#)
  - [3.2.1 Comprehensive Evaluation](#)
  - [3.2.2 Initial Comprehensive Evaluation](#)
  - [3.2.3 Comprehensive Evaluation Updates](#)
  - [3.3.1 IRP](#)
  - [6.8 Exemptions](#)
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6.5

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### 6.5.3 What does the Family Violence Option amendment mean for WorkFirst cash assistance recipients?

The Family Violence Option (FVO) recognizes the importance of not just screening individuals, but also actually doing something when a person indicates that she/he is a victim of domestic violence. This gives the state the flexibility to help these individuals safely participate in activities leading to employment and self-sufficiency.

Washington State law maintains that DSHS must:

- Screen and identify adults, minor teen parents or emancipated teens receiving WorkFirst cash assistance/SFA for a history of family violence;
- Notify adults, minor teen parents or emancipated teens receiving WorkFirst cash assistance/SFA about the FVO Amendment both verbally and in writing;
- Maintain confidentiality;
- Refer individuals to social services, counseling, and supportive services;



- Waive WorkFirst requirements in cases where the requirements would make it more difficult to escape family violence, unfairly penalize victims of family violence or place victims at further risk of family violence. Requirements to be waived may include:
  1. Time limits for WorkFirst recipients, for as long as necessary (after sixty months of receiving TANF/SFA and participating as required in their family violence plan);
  2. See [section 3.6.1, Time Limit Extension Decisions](#), for more information about how family violence affects WorkFirst time limit extensions.
  3. Cooperation with the Division of Child Support (DCS).
    - Develop specialized activities (services) for those individuals where participation in regular work or work-related activities would place them at further risk of family violence.

## 6.5.18 Family Violence and Sanctions

Victims of Family Violence may not be able to participate in job search or work activities. As a result, it is necessary to make every effort to avoid unfairly penalizing individuals by imposing sanctions. If family violence is a significant part of the reason an individual has been unable to follow through with the activities in their IRP, do not impose a sanction; rather renegotiate and modify the IRP to address the barrier so that it aligns with any current family violence service plan that moves the individual forward safely. Documentation in eJAS to support your decision is critical.

**Note:** Family violence may be a significant part of the reason an individual is unable to follow through with WorkFirst activities whether the family violence is current or occurred in the past.

A victim of family violence may be sanctioned. As described in WFHB [3.5.2.4](#), if a sanctioned person's circumstances change, his or her grant, IRP and/or cure requirements may also change. Waive a family violence victim's four-week cure requirement if their family violence situation is directly or significantly contributing to their inability to participate – see examples of family violence situations below.

**Examples:** A parent is sanctioned for refusing to do job search and discloses the month following sanction that he/she is dealing with family violence issues. Follow section [6.5.19](#) Family Violence and Sanctions - Step-by-Step, and use the Sanction Re-engagement CE interview, to discover if family violence is directly or significantly contributing to his/her not participating. Below are five different situations with the appropriate response for each.

## Resources

### Related WorkFirst Handbook Chapters

- [6.1 Resolving Issues - Overview](#)

- [3.2.1 Comprehensive Evaluation](#)
- [3.2.2 Initial Comprehensive Evaluation](#)
- [3.2.3 Comprehensive Evaluation Updates](#)
- [3.3.1 IRP](#)
- [3.5.2 Ending Sanction](#)
- [4.2 Job Search Services](#)

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6.7

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## Resources

### Related WorkFirst Handbook Sections

- [6.1 Resolving Issues - Overview](#)
- [3.2.1 Comprehensive Evaluation](#)
- [3.2.2 Initial Comprehensive Evaluation](#)
- [3.2.3 Comprehensive Evaluation Updates](#)
- [3.3 IRP](#)
- [WAH Application IRP](#)

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6.8

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#### 6.8.4 Caring for a Child with Special Needs

We may approve an exemption for an individual who is needed in the home to care for a child with a special medical, developmental, mental or behavioral condition when the child is determined to require specialized care or treatment that significantly interferes with the individual's ability to prepare for work, look for work or work.

Documentation may include statements by a public health nurse, physician, mental health provider, school professional, other medical professional, HCS, MHD and/or a RSN.

To determine whether the individual qualifies for an exemption:

- Require the individual to provide documentation within 30 days, or up to 90 days if needed, which supports the need for the exemption including medical documentation.
- Complete a social service specialist assessment as needed

- Review the documentation and determine exemption approval or denial. If the documentation shows the parent can participate 10 hours or less per week, approve the exemption.

The exemption must be reviewed at least every 12 months to determine if the person continues to meet the exemption criteria. Depending upon the individual's circumstances, the review period may be shorter. You may also consider convening a case staffing as you review the case. See the [3.4 Case Staffing](#) section for more information.

See [6.4 Children: Special Needs](#) section for more information about children with special needs. See also [Examples of Caring for a Child with Special Needs](#).

## 6.8.12 Exemptions - Step-by-step guide

The WorkFirst Program Specialist or Social Service Specialist works with individuals as described below.

1. **Needy Caretakers** : Approves exemptions for needy caretaker relatives who are age 55 or older and codes it on the eJAS component code screen as " **ZA** "
2. **Infant Exemptions** : Follows the process in [WFHB 5.1, Pregnancy to Employment](#), to determine eligibility for the infant exemption see [WFHB 5.1, Pregnancy to Employment](#)
3. **Caring for a child or adult** : Allows individuals who are needed in the home to care for a child or adult relative:
  1. 30 days to gather needed verification.
  2. May allow up to an additional 60 days, as needed, to give the individual more time to gather documentation, reviewing the case at least every 30 days.
  3. Reviews medical or other documentary evidence, including evaluations from the SSI facilitator or public health nurse, and approves the exemption if the parent is only able to participate 0 to 10 hours per week.
  4. May set up a case staffing, as needed, following the process in section [WFHB 3.4 Case Staffing](#), (making sure to include the appropriate staff or medical professionals).
  5. After the exemption decision is made:
    1. Makes any needed changes to the IRP.
4. **Medical Exemption** : For individuals with chronic and severe physical, mental or emotional conditions:
  1. Uses the process in [WFHB 6.6, Disabilities](#) , to obtain medical evidence.
  2. Approves XB and considers SSI if the medical evidence shows the condition is expected to last 12 months or more and the individual can participate 10 hours or less per week. (See [SSI Track Flow Chart](#) for details.)
    - Requires the parent to pursue SSI or another type of federal disability benefit in their IRP which may include gathering objective medical evidence as described in [WAC 388-449-0015](#) in preparation of the SSI application process and

- Requires treatment in their IRP, if recommended by their treating medical or mental health provider or by a chemical dependency professional.
3. Also approves a 12-month XG or XM deferral, requiring treatment only, if treatment is available and expected to improve the medical condition.
  4. Completes a DVR referral if the person wants to become employable.
  5. Refers the case back to WorkFirst at any point the person does not appear SSI eligible, and approves a ZD exemption or continues the XG/XM long-term deferral.

## Resources

### Related WorkFirst Handbook Chapters

- [6.1 Resolving Issues - Overview](#)
- [3.4 Case Staffing](#)
- [6.4 Children: Special Needs](#)
- [6.6 Disabilities](#)
- [WAH Application IRP](#)

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#### 7.1

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### 7.1.6 What steps do you take when a participant is absent?

#### **Excused Absences**

After two excused absences in a calendar month, the WorkFirst partner/provider will:

- Send an immediate notification to the case manager,
- Keep the activity open, and
- Contact the participant and case manager to discuss next steps, including if it is appropriate to refer the participant back to DSHS.

#### **Unexcused Absences**

After two unexcused absences in a calendar month, the WorkFirst partner/provider will:

- Send an immediate notification to the case manager,
- Keep the activity open, and

- Contact the participant and case manager as part of the Continuous Activity Planning (CAP) process to discuss next steps, including if it is appropriate to refer the participant back to DSHS.

ESD will:

- Keep the activity open, and
- Contact the participant and case manager as part of the Continuous Activity Planning (CAP) process to discuss next steps, including if it is appropriate to refer the participant back to DSHS.

This allows the participant to remain in the activity while the service provider, case manager and participant have an opportunity to discuss whether participation in this activity is appropriate.

If it is decided that the activity is not appropriate for the participant, the WorkFirst partner/provider will refer the participant back to DSHS.

For more on how to treat excused and unexcused absences, please refer to [section 3.7.1.5](#).

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## 7.3

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### 7.3.2 High School Completion and High School Equivalency - Step-by-Step Guide

#### Community and Technical Colleges - Step-by-Step

1. The participant meets with the WFPS/WFSSS.
2. Based on the Comprehensive Evaluation (CE) and other meetings such as Continuous Activity Planning (CAP), the WFPS/WFSSS will:
  1. Determine if education and training options are likely appropriate using the Stacking Activity Chart.
  2. Create the Individual Responsibility Plan (IRP).
  3. Use the **RA** code if education activity is through a contracted College partner.
3. The College staff will:
  1. Attempt contact with the referred participant, accept or reject training referral, and document the decision within seven calendar days.
  2. Develop the Education and Training Worksheet, and include how the activity increases the participant's skills needed for employment.
  3. Use the [WorkFirst Calculator Tool](#), or the [approved Weekly Attendance Sheet](#), to determine the participant's total number of participation hours per week (including scheduled class time, unsupervised homework time, scheduled supervised homework time, and the maximum number of allowable education hours).

4. Update the Education & Training Worksheet including the:
  - Totals identified by the [WorkFirst Calculator Tool](#) or the [approved Weekly Attendance Sheet](#),
  - Participant's approval status,
  - Appropriate component,
  - Anticipated start and end date of the activity, and
  - Participant's total number of participation hours per week. Send notification via an eJAS e-message to the WFPS/WFSSS.
5. Send notification via an eJAS e-message to the WFPS/WFSSS.
2. The WFPS/WFSSS will:
  1. Receive notice of the participant's approval for High School Equivalency or High School Completion from the college WorkFirst staff.
  2. Enter the **BE**, **GE**, or **HS** eJAS component code with the three digit contractor code.
  3. Stack BE or GE components with a core activity for **participants 20 years of age or older**.
  4. Update participant's IRP.
  5. On a quarterly basis, review and monitor progress entered by the college staff into the Education and Training Worksheet under Progress Notes.

Note: Participants 19 years of age or younger: HS (High School Completion or Equivalency) meets their core activity.\*\*

5. The College staff will work with all participants in approved training as follows:
  1. Supervision:
    1. Faculty, instructors, instructional aides, lab supervisors, study hall supervisors, and work-based learning supervisors may provide **required** daily supervision. College program designees also provide additional monthly supervision to ensure the participant is making progress towards meeting educational and employment goals.
  2. Documentation:
    1. Document attendance records every two weeks and maintain them in the provider's participant files.
    2. Provide this information in a State-approved format, such as individual timesheets signed by the participant and faculty member, supervisor, or other appropriate individual or document in electronic tracking systems, as appropriate.
    3. Keep a copy of the WorkFirst Calculator sheet, or [approved Weekly Attendance Sheet](#), listing the maximum number of weekly participation hours in the participant's file.

3. Reporting:
  1. Use eJAS to report participation monthly to the WFPS/WFSSS,
  2. Immediately notify the WFPS/WFSSS if the participant isn't maintaining satisfactory progress, fails to participate as required, or has two excused or unexcused absences in a calendar month. Please refer to section [7.1.6 What steps do you take when a parent is absent?](#)
4. Verification:
  1. Provide information, documentation, and records as requested to support State Work Verification efforts.

## Other High School Completion or Equivalency Providers – Step-by-Step

1. The participant meets with the WFPS/WFSSS.
2. Based on the Comprehensive Evaluation (CE) and other meetings such as Continuous Activity Planning (CAP), the WFPS/WFSSS will:
  1. Determine if education and training options are likely appropriate using the Stacking Activity Chart.
  2. Create the Individual Responsibility Plan (IRP).
  3. Use the **HS, BE, or GE** code and assign to the appropriate contractor code. If the activity is through a non-contracted provider, assign the component to yourself or the contractor that requested the activity for the participant.

Note: If the component is coded to the WFPS/WFSSS, follow reporting requirements outlined in [3.7.2.6 What are Non-contracted service requirements.](#)

Note: If the component is coded to a non-SBCTC provider, follow reporting requirements outlined in [3.7.2.5 What are Contracted service requirements?](#)

### 7.3.6 What is Independent Life Skills Training?

Life Skills/Soft Skills training prepares participants to meet the demands of everyday life and employment. It *may* be employment related and an up-front introduction that helps prepare them to participate in activities effectively. It doesn't completely address and resolve family issues.

For federal reporting, Life Skills is a time-limited core activity in the same category as job search/job preparation. This activity can be used by itself or stacked with other activities in order to reach full time participation.

**Note:** Homework can't count as WorkFirst participation hours for Life Skills training.

Code Independent Life Skills training as "LS" on the eJAS component screen.

- For participants in Job Search activities through ESD, Commerce, or ORIA, incorporate Life Skills training as part of their JS component. Don't code the LS trainings separately from the JS component for these cases.

Refer to [section 4.2.7- What is Life Skills Training as Part of Job Search?](#) for more on Life Skills training as it pertains to job search and refer to [section 7.3.7](#) for Life Skills training as part of other job preparation activities.

### **Strategy for Success: An independent life skills offered by Employment Security Department (ESD) – Step-by-Step Guide**

1. The WFPS/WFSSS:
  - a. Meets with the participant:
    - i. Reviews the Strategies for Success (SFS) curriculum and determines which workshops the participant would benefit from.
    - ii. Refer the participant to Employment Security using the SW(Strategies for Success) component code.
  - b. Adds the **LS** component (see [7.3.6 What is Independent Life Skills Training?](#))
    - i. Start date is the date you meet with the participant
    - ii. Code 20 hours
    - iii. End date: last date of the participant's scheduled workshop/s
    - iv. Adds the **SFS** contractor code and populates the IRP
  - c. Adds the **SW** component
    - i. Start date is the date you meet with the participant
    - ii. Code 0 hours
    - iii. End date: last date of the participant's scheduled workshop/s

Note: Please see [Strategies for Success LS Referrals Desk Aid](#)

2. The Strategies for Success instructor provides:
  - a. Supervision: Required daily supervision
  - b. Documentation:
    - i. Documents attendance records every week and maintain them in the provider's participant files.
    - ii. Provides this information in a State-approved format, such as individual timesheets signed by the participant and faculty member, supervisor, or other appropriate individual or document in electronic tracking systems, as appropriate.



- c. Reporting:
  - i. Uses eJAS, to report participation to the WFPS/WFSSS on a weekly basis.
  - ii. Immediately notifies the WFPS/WFSSS if the participant isn't maintaining satisfactory progress, or fails to participate as required (See section [3.7.2.8](#) Monitoring Participation for monitoring and reporting).
- d. Verification:
  - i. Provides information, documentation, and records as requested to support State Work Verification efforts.

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7.6

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## Resources

### Related WorkFirst Handbook Chapters

- [7.1 Overview](#)
- [7.2 Vocational Education](#)
- [7.3 Basic Education, Skills Enhancement, High School Completion & High School Equivalency](#)
- [7.4 Other Education & Degree](#)
- [7.5 Internships and Practicums](#)
- [2.2 Support Services](#)
- [4.1 Job Search](#)
- [2.3 WCCC](#)
- [3.5.1 Ending Sanction](#)

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8.1

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## Resources

### Related WorkFirst Handbook Sections

- [3.3.1 IRP](#)
- [2.1 Supports For WorkFirst Participants](#)

- [6.1 Resolving Issues](#)
- [7.1 Education & Training](#)
- [4.2.12 Post Employment Services](#)

### 8.3.5 Partner roles in Community Jobs

CJ participants are engaged in more than one activity at a time specifically identified to meet their individual needs. This is a multi-partner effort. Partners include, but are not limited to, Department of Social and Health Services (DSHS), Employment Security Department (ESD), State Board for Community and Technical Colleges (SBCTC) and Commerce. It is important to keep the participant moving steadily toward independence from WorkFirst. One way to do this is to ensure smooth transfers from one activity to another.

### 8.3.6 Community Jobs with Stacked Activities and Barrier/Issue Resolution Activities

Community Jobs (CJ) contractors will create an Individual Development Plan (IDP) for full-time CJs with the participant to increase their ability to get and keep a job that will include:

- Up to 18 hours per week of stacked activities; and
- Up to 10 hours per week of barrier/issue resolution activities. For more information on the IDP, please see [8.3.9](#). This section details the stacked activity options when available and appropriate.

Community Jobs (CJ) contractors will create an Individual Development Plan (IDP) for part-time CJs with the participant to increase their ability to get and keep a job that will include stacked activities as identified in [8.3.1](#).

Career Jump contractors will arrange for 15-18 hours per week of stacked activities and create an Individual Development Plan (IDP) with the participant designed to increase the participant's employability. This section details the stacked activity options when available and appropriate excluding Barrier/Issue Resolution and Voluntary/Community Service Activities.

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**Education activities** can include high school equivalency, basic skills, ESL, or job skills training. When available, co-enroll education components with the local community or technical college. Other resources can provide education/training when the community or technical college is not a

documented viable option. Job skills training must provide the skills required by an employer to provide a participant with the ability to obtain employment or to advance at the workplace. Job skills training can include:

- Training to meet the needs of a specific employer,
- General training that prepares a participant for employment, or
- Literacy/language instruction when it explicitly focuses on skills needed for employment.

Note: In the event job skills training classes are not available through the community and technical college system, contractors may directly provide such services or connect the participant with a community-based provider.

**Life Skills** training is a structured training that provides an up-front introduction that prepares participants to participate in activities effectively and to meet the demands of everyday life and employment. These trainings are locally designed and operated to maximize available resources to best serve the participants within the community, and it may or may not be employment related or completely address and resolve family issues. Life Skills training may include such topics as:

- Self - awareness
- Attitude
- Balancing work and personal life
- Money management
- Stress and anger management
- Time management
- Communication skills to include basic computer skills
- Appropriate standards for dress and participation

**Job Readiness** training prepares participants for an effective job hunting experience. Job Readiness training may include such topics as:

- Resume development
- Interviewing techniques
- Contractor directed job hunting
- Scheduled job club meetings, and/or,
- Peer and professional mentoring activities

Job Readiness training can be stacked with the participant's full-time CJ component when Job Readiness is the appropriate option for the parent and they would benefit from work readiness activities. The CJ Contractor will first determine if other stackable activities (education/training activities, voluntary community service and life skills training) are available and a better option for the participant before deciding to stack Job Readiness training with a CJ component. Code the Job Readiness training as JS with the CJ contractor's eJAS contractor code. See section [8.3.12](#) for

information about part-time job search when a CJ contractor decides a participant is within 4 weeks of being job ready. Job Readiness training can be stacked with part-time CJ upon the fourth month after enrollment.

**Voluntary Community Service** is an opportunity for participants to volunteer in family-centered activities with their child's school, childcare, HeadStart, ECEAP, Boys & Girls Clubs, adult care facility, etc. Court-ordered community service also qualifies for participation as long as it is unrelated to the CJ worksite job. Voluntary community service hours can't exceed the maximum allowed under the Fair Labor Standards Act (FLSA).

**Barrier/Issue Resolution** activities assist participants in obtaining and keeping unsubsidized employment.

If the subsidized job ends and the participant hasn't found unsubsidized employment, the participant should be referred back to the DSHS WorkFirst Program Specialist (WFPS) or WorkFirst Social Service Specialist (WFSSS) to complete a review and referral for other appropriate activity or consider an additional Community Jobs activity.

### **Monitoring and Reporting Participation and Progress**

All stacked activity components must be supervised daily and attendance records must be maintained. If the education/training co-enrollment activity is provided by a WorkFirst partner the appropriate component must be coded with the provider's contractor code. That provider is responsible for reporting participation and progress (if applicable) in eJAS.

All activities must be documented in the IDP with specific details regarding schedules and monthly progress updates.

### **Community Jobs:**

The Commerce contractor will determine the employment barriers and activities, up to 10 hours per week, that are needed to assist participants in obtaining and maintaining unsubsidized employment. These activities are requirements within the participant's IDP, but are not coded as eJAS components. However, if there are stacked activities such as mental or physical health, chemical dependency, or family violence and coded as an "X" component, the WFPS/WFSSS will monitor and report participation and progress of these stacked activities.

If a WF partner provides the co-enrolled activity, code the stacked activity (up to 18 hours per week) with the provider's contractor code. The WF partner must:

- Supervise all stacked activity components daily,
- Maintain attendance records, and
- Enter participation and progress in eJAS. See [Monitoring Participation chapter 3.7](#).

The remaining 3 hours per week, in a part-time CJ Program, will focus on stacked activities and coded barrier removals as listed in [8.3.1](#). These activities may be requirements within the

participant’s IDP. The WFPS/WFSSS will monitor and report participation and progress if the stacked activity is mental or physical health, chemical dependency, or family violence.

The WF partner must document all contracted activities in the Individual Development Plan (IDP) with specific details regarding schedules and monthly progress updates.

## Resources

### Related WorkFirst Handbook Chapters

- [3.3.1 Individual Responsibility Plan](#)
- [3.3.2 Stacking Activities](#)
- [3.7 Monitoring Participation](#)
- [6.5 Family Violence](#)
- [7.3 Basic Education, Skills Enhancement, & High School/GED](#)
- [8.1 Paid and Unpaid Employment -- Overview](#)

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8.4

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## Resources

### Related WorkFirst Handbook Sections

- [3.3.1 Individual Responsibility Plan](#)
- [3.3.2 Stacking Activities](#)
- [3.7.2 Documenting and Reporting Participation](#)
- [6.5 Family Violence](#)
- [8.1 Paid & Unpaid Employment - Overview](#)

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8.5

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#### 8.5.4 How do I set up Community Service activities?

Staff must determine how many hours per week the parent can do community service activities. See the [FLSA/Deeming](#) section for more information on how to calculate the number of hours we can require in Community Services activities. The court sets hourly requirements for court-ordered community service.

Staff must also ensure the voluntary community service is supervised and make arrangements to verify the actual hours of participation. The WFPS/WFSSS follows the non-contracted service documentation process in [WFHB 3.7.2.6](#) including use of the WorkFirst Participation Verification form. The WFPS/WFSSS must ensure the parent is covered by industrial insurance (also known as worker's compensation or L&I). If this coverage is not provided by the site, follow the instructions in section WFHB 8.6.5 to authorize the industrial insurance payments.

## Resources

### Related WorkFirst Handbook Sections

- [2.3 Working Connections Child Care](#)
- [3.3.1 Individual Responsibility Plan](#)
- [3.3.2 Stacking Activities](#)
- [3.7.1 Federal Participation Requirements](#)
- [3.7.2 Documenting and Reporting Participation](#)
- [8.3 Community Jobs and Stacked Activities](#)