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# DEPARTMENT OF ECONOMIC SECURITY

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*Your Partner For A Stronger Arizona*

## **Temporary Assistance for Needy Families (TANF)**

### **Jobs Program**



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*Requests for clarification should be sent via e-mail to [TANFJobs@azdes.gov](mailto:TANFJobs@azdes.gov).*



# ARIZONA DEPARTMENT OF ECONOMIC SECURITY

TANF Jobs Program

Policy Number: DES 2-10.100

Effective Date: February 7, 2020

## CHAPTER 1: INTRODUCTION

### I. Policy Statement

- A. Arizona's Temporary Assistance for Needy Families (TANF) work program is known as the Jobs Program. TANF Cash Assistance and Jobs Program help eligible families avoid long-term welfare dependence.
- B. The Jobs Program is a mandatory employment and training program for work-eligible individuals in households receiving Cash Assistance benefits. The program engages individuals in a variety of work-related activities to improve their employability skills, offering supportive and specialized services to remove barriers to employment. The Jobs Program has been continually successful, teaming up with its community partners to provide employment services to those in need throughout Arizona.
- C. The Jobs Program is funded through Arizona's Federal TANF Block Grant from the U.S. Department of Health and Human Services (DHHS). DHHS has established Work Participation Rates (WPR) that must be met in order for states to continue receiving federal funding. DHHS reviews and monitors states for compliance. Failure to meet the WPR can result in a reduction of TANF funding.

### II. Authority

#### A. Federal Authority

- 1. Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA), Pub.L. 104-193, 110 Stat. 2105.
- 2. 42 U.S.C., Chapter 7.
- 3. 45 C.F.R. §260 - §270.13

#### B. State Authority

- 1. A.R.S. §46-291 - §46-300.07.
- 2. A.A.C. R6-10-101 – R6-10-303.

**C. Supplementary Authority**

1. TEGL No. 09-97.
2. TEGL No. 23-14

**III. Applicability**

**A. Purpose of the Jobs Program**

1. Reduce the incidence of poverty in Arizona;
2. Reduce the size of the TANF Cash Assistance caseload by increasing the rate of permanent, unsubsidized employment placements among Jobs Program clients;
3. Increase self-sufficiency for clients and reduce their dependency on assistance through a comprehensive, client-focused planning and service delivery process by promoting job preparation, work, and marriage;
4. Provide assistance to needy families so children may be cared for in their own homes or in the homes of relatives;
5. Increase community involvement through Jobs Program participation in community agencies;
6. Prevent and reduce the incidence of out-of-wedlock pregnancies and establish annual numerical goals for preventing and reducing the incidence of these pregnancies;
7. Encourage the formation and maintenance of two-parent families;
8. Collaborate with other workforce programs that link to training opportunities and, subsequently, well-paying careers; and
9. Establish a framework to ensure that Arizona continues to meet the federal TANF Work Participation Rate (WPR).

**B. Jobs Program Contracted Providers**

1. The Jobs Program case management and employment services are operated by private, contracted providers in accordance with Arizona law.

2. References to the Jobs Program staff and case managers used throughout this manual refer to the Jobs Program contracted providers.

#### IV. **Acronyms and Definitions**

##### A. **Acronyms**

A.A.C.	Arizona Administrative Code
A.R.S.	Arizona Revised Statutes
C.F.R.	Code of Federal Regulations
DES	Arizona Department of Economic Security
DAAS	Division of Aging and Adult Services
DBME	Division of Benefits and Medical Eligibility
DCSS	Division of Child Support Services
DDD	Division of Development Disability
DERS	Division of Employment and Rehabilitation Services
DHHS	U.S. Department of Health and Human Services
FAA	Family Assistance Administration
SSI	Supplemental Security Income
TANF	Temporary Assistance for Needy Families
TEGL	Training and Employment Guidance Letter
U.S.C.	United States Code
WPR	Work Participation Rates

##### B. **Definitions**

Reference the [glossary](#) for definitions of **Client**, **Jobs Program**, **TANF**, **Work-eligible Individual** and **WPR**.

V. **Standards**

**A. Division of Benefits Medical Eligibility and Division of Employment and Rehabilitation Services**

Two DES Divisions are primarily involved in Arizona's Jobs Program.

1. The DBME is responsible for the administration of the TANF Cash Assistance Program, as well as the Supplemental Nutrition and Medical Assistance programs. The Family Assistance Administration (FAA) within DBME determines:
  - a. A family's eligibility for TANF Cash Assistance; and
  - b. Refers work-eligible individuals to the Jobs Program.
2. The DERS is responsible for the administration of the Jobs Program under the Workforce Development Administration.

**B. Mission, Values, and Goals**

1. DES True North: All Arizonans who qualify receive timely DES services and achieve their potential.
2. Mission and Vision
  - a. The Arizona DES makes Arizona stronger by helping Arizonans reach their potential through temporary assistance for those in need, and care for the vulnerable.
  - b. DERS plays an integral role in improving Arizona's workforce by assisting individuals who are unemployed and underemployed, and those with barriers to employment, to prepare for and obtain gainful employment. DERS supports Arizona employers with recruitment assistance by connecting them to a skilled workforce.
3. Values
  - a. Accountability – We commit to excellence, innovation, and transparency;
  - b. Integrity – We are trustworthy, honest, and reliable;

- c. Respect – We appreciate each other and value those we serve;
  - d. Teamwork – We collaborate with humility and partner with kindness;
  - e. Diversity – We respect all Arizonans and honor those in need;
4. Goals
- a. Serve Arizonans with integrity, humility, and kindness.
  - b. Support Arizonans to reach their potential through social services that train, rehabilitate, and connect them with job creators.
  - c. Provide temporary assistance to Arizonans in need while they work toward greater self-sufficiency.
  - d. Provide children with food, health care, and parental financial support; provide services to individuals with disabilities; and protect the vulnerable by investigating allegations of abuse, neglect, and exploitation.

**C. Questions Regarding Policy**

Although this manual has been written and updated based on the most current federal and state laws, regulations, and practices, there may be circumstances that are not specifically addressed.

- 1. Refer to the *Jobs Program User Guide* for procedures related to this policy manual.
- 2. Requests for technical assistance regarding policy or procedures may be sent through email to the Workforce Development Administration's Policy & Support Team at [TANFJobs@azdes.gov](mailto:TANFJobs@azdes.gov).

**D. Availability of Manual Material**

The most current *Jobs Program Policy Manual* is available on the DES website within the [Jobs Program webpage](#)

# ARIZONA DEPARTMENT OF ECONOMIC SECURITY

TANF Jobs Program

Policy Number: DES 2-10.200

Effective Date: February 7, 2020

## CHAPTER 2: JOBS PROGRAM PRELIMINARY ORIENTATION

### I. Policy Statement

TANF Cash Assistance applicants must complete the **Jobs Program Preliminary Orientation** (JPPO) as part of the TANF Cash Assistance eligibility requirement. The JPPO requirement does not apply to applicants of Arizona's Two-Parent Employment Program (TPEP).

### II. Authority

#### A. Federal Authority

1. 42 U.S.C. §607
2. 45 C.F.R. §261.1 - §261.8

#### B. State Authority

1. A.R.S. §46-299.
2. A.A.C. R6-10-106.

### III. Applicability - Requirements

The FAA conducts the JPPO direct with eligible applicants to fulfill the requirement.

### IV. Acronyms and Definitions

#### A. Acronyms

AZTECS	Arizona Technical Eligibility Computer System
JPPO	Jobs Program Preliminary Orientation
TPEP	Two-Parent Employment Program

#### B. Definitions

Reference the [glossary](#) for definitions of **Applicant**, **Jobs Program Preliminary Orientation** and **TPEP**.

**V. Standards**

**A. Purpose**

The purpose of conducting the JPPO before the FAA approves TANF Cash Assistance is to ensure the applicant has the:

1. Opportunity to learn the purpose of the Jobs Program, and
2. Benefits of continuing participation with the Jobs Program.

**B. Program Overview**

1. An overview of the Jobs Program is provided during the eligibility interview utilizing the following resource:  
<https://ourdes.az.gov/document-resource-center/videos-audio>
2. The FAA will deny TANF Cash Assistance applications when the applicant refuses to comply with the orientation.
3. The FAA will document CADO in AZTECS upon completion of the JPPO.
4. Once FAA has documented CADO and disbursed Cash Assistance, it is Jobs Program staff's responsibility to handle communication with the client.

# ARIZONA DEPARTMENT OF ECONOMIC SECURITY

TANF Jobs Program

Policy Number: DES 2-10.300

Effective Date: February 7, 2020

## CHAPTER 3: JOBS PROGRAM REFERRAL AND SELECTION PROCESS

### I. Policy Statement

This chapter explains the referral of TANF Cash Assistance work-eligible individuals to the Jobs Program and the requirements for selecting those clients for case management and employment services.

Refer to Chapter 9 for policy regarding Arizona's Two-Parent Employment Program (TPEP).

### II. Authority

#### A. Federal Authority

1. 42 U.S.C. §601.
2. 45 C.F.R. §260.1 - §260.76.

#### B. State Authority

1. A.R.S. §46-299.
2. A.A.C. R6-10-105.
3. A.A.C. R6-10-109.
4. A.A.C. R6-10-123.

### III. Applicability – Work-eligible Individuals

Following approval of TANF Cash Assistance, work-eligible individuals are referred to the Jobs Program through an automated process.

### IV. Acronyms and Definitions

#### A. Acronyms

ECDP	Employment and Career Development Plan
JAS	Jobs Automated System
PRA	Personal Responsibility Agreement



**B. Definitions**

Reference the [glossary](#) for definitions of **ECDP**, **Good Cause**, **PRA** and **JAS**.

**V. Standards**

**A. FAA Referral of Work-eligible Individuals**

1. TANF Cash Assistance work-eligible individuals, are advised by FAA during the eligibility process of all TANF mandatory requirements including participation and compliance with the Jobs Program.
2. TANF Cash Assistance applicants are required, as a condition of eligibility or continuing eligibility, to:
  - a. Participate in employment and training activities provided by the Jobs Program, and
  - b. Sign a Personal Responsibility Agreement (PRA) with the FAA indicating their understanding and agreement to comply with the Jobs Program.

**B. Jobs Program Selection for Initial Appointment**

1. Upon receiving the automated referral, the Jobs Program must select clients to attend the initial Jobs Program case management appointment. Jobs Program staff is responsible for contacting the client for the initial and all subsequent appointments.
2. This process ensures the client can be assessed and an Employment and Career Development Plan (ECDP) can be completed.
3. Clients must be given at least five business days' notice of the appointment.

**C. Initial Jobs Program Case Management Appointment Notice**

1. When a client is selected to attend the initial Jobs Program case management appointment, an automated *Initial Jobs Program Case Management Appointment* notice (JB-101 English or JB-301 Spanish) is automatically sent via the Jobs Automated System (JAS).

2. The notice includes the following information:
  - a. A reminder that the client must participate in the required work activities through the Jobs Program to continue receiving TANF Cash Assistance;
  - b. The date, time, and address of the office where the initial Jobs Program case management appointment will be held;
  - c. The Jobs Program contact phone number to:
    - i. Call if assistance is needed (translation, transportation, child care) to attend the initial case management appointment; or
    - ii. Reschedule the initial case management appointment if the client cannot attend on the date scheduled;
  - d. An explanation that good cause will be granted if the Jobs Program is unable to assist with the removal of a barrier preventing the client from attending the initial case management appointment; and
  - e. The consequences of failing to attend the initial case management appointment without a good reason.

**D. Rescheduling Appointments**

1. When a client initiates contact with the Jobs Program to reschedule an appointment **on or before the appointment date**, this is not considered an incident of non-compliance. Appointments can be rescheduled one time, within the same week of the original appointment. The case manager must exercise reasonable judgment when rescheduling clients, remembering that **engagement of the client is the primary goal**. Exceptions based on limited scheduling availability may be considered.
2. See the *Jobs Program User Guide*, **Section 408 Rescheduling Clients** of for the rescheduling process.
3. When a client reschedules their appointment, this does not eliminate their obligation to meet the minimum number of hours as described in **Chapter 5. Section V(A) - Work Participation Rate.**

# ARIZONA DEPARTMENT OF ECONOMIC SECURITY

TANF Jobs Program

Policy Number: DES 2-10.400

Effective Date: February 7, 2020

## CHAPTER 4: CASE MANAGEMENT

### I. Policy Statement

The primary duty of a case manager is to assist clients in obtaining quality, unsubsidized employment, leading them toward a sustainable career and, ultimately, toward self-sufficiency.

### II. Authority

#### A. Federal Authority

1. 42 U.S.C. §607.
2. 45 C.F.R. §261.10 - §261.3.

#### B. State Authority

1. A.R.S. §46-299.
2. A.R.S. §46-300.01.
3. A.A.C. R6-10-109.
4. A.A.C. R6-10-110.

### III. Applicability – Case Management Process

- A. Clients must be actively involved in all phases of their case management, including the development of their individual Employment and Career Development Plan (ECDP).
- B. Documentation of the case record is a crucial part of this process to communicate what is occurring between the case manager, and/or the client, employers, providers, etc. The case record must include all official actions, such as eligibility, previous receipts of cash assistance, the ECDP, records of program attendance and sanction history.

### IV. Acronyms and Definitions

#### A. Acronyms

DCS	Arizona Department of Child Safety
JPE	Jobs Program extension
LMI	Labor Market Information
RRP	TANF Refugee Resettlement Program
WIOA	Workforce Innovation and Opportunity Act

**B. Definitions**

Reference the [glossary](#) for definitions of **Assessment, Case Record, Fair Hearing, Lifetime Benefit Limit, Sanction and Support Services.**

**V. Standards**

**A. Duration of Cash Assistance**

Receipt of TANF cash assistance in Arizona is limited to a **total of 12 months** as determined by FAA. The 12 months are not required to be consecutive.

**B. Components of the Initial Case Management Appointment**

Generally, the first one-on-one contact the client will have with his or her case manager occurs during the initial Jobs Program case management appointment. This opportunity should be used to build a rapport and establish trust with the client. The case manager must also complete the assessments and together with the client develop a comprehensive ECDP for short and long-term employment goals.

Additionally, Jobs Program staff must discuss the employment-related benefits and advantages of a high school diploma or its equivalent with all clients who lack either. Jobs Program staff must also inform the client of all available resources for obtaining such and document the outcome of the discussion in the case record.

1. Jobs Program Rights and Responsibilities
  - a. During this appointment, Jobs Program staff must explain to the client the Jobs Program rights and responsibilities
  - b. The rights and responsibilities of each client attending the initial case management appointment, excluding dependent

children, and the Jobs Program must be explained of his or her rights and responsibilities, as well as those of the Jobs Program, in obtaining the client's employment goal.

- c. The explanation must, at minimum, include information regarding temporary deferrals and exclusions, as well as the client's rights and/or responsibilities to:
  - i. Be involved in developing the ECDP to become economically independent;
  - ii. Request child care assistance;
  - iii. Request a Fair Hearing from the FAA if he or she believes that his or her TANF Cash Assistance has been inappropriately cut, withheld, or stopped; and
  - iv. Participate and comply with the ECDP, including the consequences of failing to comply without good cause.
- d. The explanation must also include, but is not limited to, the Jobs Program's responsibilities to:
  - i. Complete assessments that help develop and support the client's ECDP by telling the client about supportive services;
  - ii. Provide information regarding transitional services;
  - iii. Help the client find solutions to issues that keep them from working; and
  - iv. Keep personal information confidential and give information only as needed to approved providers, contractors, other DES administrations or as required by law.

## 2. Child Care Rights and Responsibilities

- a. Each client attending the initial Jobs Program case management appointment must receive an explanation of DES Child Care Administration (CCA) rights and

responsibilities if he or she requests DES child care assistance.

- i. This explanation must include the rights and responsibilities of both the client and the CCA.
  - ii. The *Child Care Assistance Rights and Responsibilities* form (CC-001-A) is used to verify the Jobs Program has explained the CCA rights and responsibilities to the client when he or she requests Jobs child care assistance provided by CCA.
    - a). The client and the Jobs Program case manager must sign the form.
    - b). A copy of this form is then given to the client and a copy is retained in the case record.
    - c). Case notes must reflect the client was provided with an explanation of the CCA rights and responsibilities.
  - b. All reasonable efforts must be made to obtain a signature from the client; however, in the event a client refuses to sign the form, the case manager must:
    - i. Annotate the form with “client refuses to sign”;
    - ii. Sign the form on the case manager’s designated signature line;
    - iii. Document the case record with the client’s refusal to sign; and
    - iv. Document the Jobs Program Automated System to notify CCA of the client’s refusal to sign.
3. Assessments

Assessments are a key part of the case management process as they allow the case manager to gather detailed information for a comprehensive evaluation of the client’s needs and strengths. The information obtained from the assessments will be the primary guide

to determining the activities and services that will be most beneficial to the client.

Each assessment must be conducted at least once, but there is no limit to the number of times an assessment can be administered to a client. An assessment should be conducted as frequently as necessary to ensure appropriate service delivery to the client. All clients should be reassessed as changes in circumstance occur so that the client's ECDP can be updated and adapted to best serve the client. Descriptions of the types of assessments are as follows:

a. Career Assessments

Career assessments must be completed to determine the client's vocational interests and skills, his or her potential for success in particular areas of work, and personal employment goals. Important information in this assessment must also include the client's:

- i. Work history;
- ii. Reasons for leaving previous employments; and
- iii. Salary history.

b. In-Depth Barrier Assessments

i. In-depth barrier assessments must be conducted to identify barriers to employment or participation in the Jobs Program. Understandably, the client may be reluctant to discuss personal or family problems. The role of the case manager is to facilitate an environment in which the client feels at ease discussing these issues so he or she can move toward his or her employment goals. The assessment tool must include questions to determine whether the client needs services to address:

- ii. Past or ongoing domestic violence;
- iii. Substance abuse or chemical dependency;
- iv. Psychological or psychiatric needs;

- v. Education or training insufficient to obtain or sustain employment;
- vi. Mental, physical, or functional incapacities or disabilities, including learning disabilities;
- vii. Issues regarding retaining or maintaining employment;
- viii. Inadequate housing;
- ix. Inadequate child care;
- x. Inadequate transportation;
- xi. Criminal background and involvement with the criminal justice system; and
- xii. Other issues, family or otherwise, such as safety concerns that affect the client's ability to participate in work activities.

c. Family Assessment

Family assessments must be conducted to identify safety concerns and sources of support within the client's family, and to determine any initial needs the family might have.

d. Educational Assessment

Educational assessments must be completed, as needed, to determine the client's reading, writing and math abilities, as well as the client's aptitude or eligibility for a vocational program.

e. Specialized Assessments

In addition to the career, in-depth, family, and educational assessments, a need for additional, specialized assessments may be identified. Specialized assessments must be administered by a licensed professional or licensed agency.

- i. **Medical Assessment-** Medical assessments are used to determine the client's functioning level and ability to participate in work related activities.



- ii. **Psycho-Social Assessment-** Psycho-Social assessments evaluate the client's history, emotional status, and current behavior in his or her environment to determine the client's functional level for participation in work related activities.

### **C. Employment and Career Development Plan Overview**

The ECDP is a living document that is developed through conversation and interaction between the client and the case manager, and through information gathered during assessments. It is an agreement between the client and the case manager on the actions and responsibilities of both parties. The case manager must serve as the client's guide in the development of the ECDP, making sure that the client's ideas and preferences are given appropriate consideration, and ensuring that all decisions regarding the client's ECDP are made jointly.

All cash assistance recipients, excluding dependent children, are required to participate in the completion of the ECDP and receive support services as specified in the plan. The ECDP is used to record employment goals, work activities, supportive services, and mutual agreement through the signature of the case manager and the client. Well-defined action steps must be included in the ECDP so that each party understands his or her role in implementing the plan. The ECDP must be designed to assist the client as he or she works to gain self-sufficiency before the expiration of his or her time-limited TANF Cash Assistance.

1. Employment Goals
  - a. Employment goals must be based on the skills, desires, and needs of the client.
  - b. Employment goals must be attainable and supported by local Labor Market Information (LMI) indicating the projected sustainability and stability of the employment goal.
2. Work Activities
  - a. The ECDP must:
    - i. Identify the work activities for participation,
    - ii. Include the locations for each assigned activity,

- iii. Include the time frame for completing or participating in the activity, and
    - iv. Outline the daily and weekly hours scheduled for participation in each activity.
  - b. Participation in work activities enables the client to reach his or her employment goal. The case manager must:
    - i. Explore the work activities with the client, AND
    - ii. Assist in creating a plan that is most beneficial for both the individual and the family's needs while staying within program guidelines.
  - c. Work activities must not exceed 40 hours per week when creating the ECDP.
- 3. Supportive Services
  - a. In partnership with the client, the case manager must develop and arrange resources that will support the implementation of the ECDP. A critical responsibility of the case manager is to assist the client in identifying available resources to meet his or her needs and how to access these resources.
  - b. Supportive services are available from a variety of sources.
    - i. Some resources are present in the client's network of family, friends, community and faith-based organizations.
    - ii. Some services are directly available through the Jobs Program (see chapter 6) and some are obtained through referrals made by the Jobs Program.
    - iii. The ECDP must identify:
      - a) Which supportive services will be provided,
      - b) Who will provide the services,

- c) Locations of the service providers, and
- d) Time frames for seeking and receiving services.

4. Coordinated Case Planning

- a. When a client is involved with additional programs DCS will always take the lead in case planning and execution, but the Jobs Program case manager must coordinate planning with these programs or providers;
- b. Programs authorized under the Workforce Innovation and Opportunity Act (WIOA).
  - i. Title I-B
  - ii. Title II (Adult Education)
  - iii. Title III (Employment Services)
  - iv. Title IV (Vocational Rehabilitation)
- c. Arizona Department of Child Safety (DCS),
  - Arizona Families F.I.R.S.T., or
- d. TANF Refugee Resettlement Program (RRP),

5. Required Signatures

The case manager must ensure the client **understands** how to execute the plan and the consequences of not performing his or her assigned activities as described in the ECDP.

- a. The signatures of both the client and the case manager are required on the ECDP to document the mutual agreement and understanding of the activities to be performed by the client and the services to be provided to the client.
- b. A copy of the ECDP bearing both the Jobs Program case manager and the client's signatures must be given to the client and a copy must be filed in the case record.

- c. This must be repeated when any revisions are made to the plan, as a client may not be penalized for failing to comply with an ECDP that he or she has not signed. This does not apply to plan revisions to add supportive services to expedite such services.

**D. Ongoing Case Management**

As the client implements the ECDP, Jobs Program staff must provide ongoing case management to monitor his or her progress. This opportunity should be used to provide positive reinforcement for any client successes, no matter how small. When a client experiences difficulty implementing the plan, the case manager must explore the reasons for the difficulty, identify what is and is not working in the plan, and make revisions to the ECDP when necessary. The need for reassessment or further assessments may also be identified.

**E. Employment Verification**

1. Employment Record

For each employment recorded in JAS, the following elements must be verified and documented by Jobs Program staff:

- a. Employer name, address, and phone number;
- b. Type of work the client is performing;
- c. Average number of hours the client works per week;
- d. Hourly wage;
- e. Date of hire; and
- f. Date of termination when applicable.

2. Transitional Check

- a. For each 30 day follow-up (transitional check) recorded in the JAS, the following elements must be verified and documented by Jobs Program staff:
  - i. Continued employment;
  - ii. Type of work the employee is performing;

- iii. Average number of hours the client works per week; and Hourly wage.
  - b. When determining the hourly rate for **self-employment** during a post-employment transitional check, Jobs Program staff must use the client's gross weekly income, minus business expenses, divided by the number of hours worked.
    - i. When no other acceptable documentation sources are presented, Jobs Program staff may use a participant statement (hard copy or electronic) that documents the client's work hours and business expenses.
    - ii. This formula is to be used for post-employment transitional checks only. It is not to be used when determining participation hours for Federal Work Activities.
- 3. Verification Sources

Acceptable verification sources are as follows:

- a. Pay stubs,
- b. Employer produced documents,
- c. Contractor produced employment verification forms completed and signed by the employer,
- d. Recognized verification sources such as the Work Number, or
- e. Well-documented phone calls with the employer.

#### **F. Transitional Period and Post-Employment Case Management**

When a client obtains employment and the household's TANF Cash Assistance case closes, Jobs Program post-employment case management must continue as the client learns to accept the demands of his or her new job and household responsibilities. Case management must continue for 180 days after the TANF Cash Assistance case closes, this is called the transitional period. The transitional period helps ensure that the client retains employment, has career advancement opportunities, and does not return to TANF Cash Assistance. The Jobs Program must continue

to provide proactive case management and available support services during this time.

1. Post-Employment Case Management Activities

To provide post-employment case management, the case manager must:

- a. Contact the client at a minimum of every 30 days after the employed client's TANF Cash Assistance case closes.
- b. Post-employment case management includes determining the client's status, evaluating needs for additional support services and case management, or assisting with transitional child care issues and/or other transitional services as needed.
- c. The Jobs Program must provide available supportive services to the client, including assistance with training, career advancement, and barrier reduction to ensure long-term self-sufficiency.

2. Transitional Checks

- a. In addition to the post-employment follow-up with the client, Jobs Program staff must also perform 30-, 60-, 90-, 120-, 150-, and 180-day transitional checks to ensure accurate recording of the client's continued, unsubsidized employment. Transitional checks **must** occur every 30 days with verification that substantiates the employment and follow-up information must be maintained in the case record.
- b. The first transitional check starts the day after TANF closes and ends 30 days later.
- c. The transitional window opens for 30 calendar days, immediately following the transitional check period.
- d. The case manager **must** close the case in JAS if a transitional check is not completed during the 30-day window using the last day of the verification month as the effective date of closure.

- e. All subsequent transitional checks are conducted in 30 calendar day intervals. A transitional check should be completed as soon as possible, but does not need to be conducted exactly on the 30th calendar day after the most recent transitional check, but only needs to confirm the client was still employed 30 days after their most recent transitional check.
- f. Information collected in a transitional check must be entered into JAS within a 30-day window following the check.

**Example:** *The second transitional check of employment would be conducted to determine if the client retained employment on the 31<sup>st</sup> of the month if the first transitional check verified employment on the 1<sup>st</sup> of the month. The data from the second transitional check conducted on the 31<sup>st</sup> of the month must be entered into JAS by the 30<sup>th</sup> of the subsequent month.*

- g. When it is identified that employment has ended during a post-employment/TANF closure retention check, Jobs Program staff may reengage the client and obtain verification of any new unsubsidized employment.
- h. Transitional checks are intended to capture employment retention data, and Case Managers are encouraged to report the continued employment of all clients within the 180-day transition period.
- i. Jobs Program staff must close the case if the client becomes unemployed and does not find unsubsidized employment on or before the last day of the month following the loss of employment.

**Example:** *A Transitional Period client that loses employment on March 19 has until April 30 to find another source of unsubsidized employment. If the client cannot find unsubsidized employment by April 30, staff must close the case.*

## **G. Jobs Program Extension Overview**

When a client's TANF Cash Assistance case closes for reasons related to the lifetime benefit limit, Jobs Program employment and case management services must continue with the Jobs Program extension (JPE) for up to 12

months.

1. Required Conditions

Jobs Program staff must inform clients concurrent with the notice of Cash Assistance closure of the possibility that Jobs Program case management and employment services may be available after cash

- a. The Jobs Program case is active at the time the TANF Cash Assistance case is closed for reasons related to the lifetime benefit limit; and
- b. The client does not have a Jobs Program sanction imposed for the month in which the TANF Cash Assistance case is closed.

2. Client Notification of the Jobs Program Extension

- a. When the required conditions are met, the Jobs Program automated system:
  - i. Generates an alert (See Section 409 of the *Jobs Program User Guide*) in the system; and
  - ii. Mails the *Continued Eligibility for the Jobs Program* notice (JB-127) to the client notifying them of his or her extended eligibility for the JPE. The notification includes information on how to receive extended Jobs Program case management and employment services.
- b. The *Reminder of Continued Eligibility for the Jobs Program* notice (JB-127) is available to remind clients of their continued eligibility and includes information on how to receive continuing Jobs Program Case management and employment services.

3. Jobs Program Extension Support Services and Jobs Child Care Assistance

- a. Clients on a Jobs Program Extension can receive Jobs Program support services as described in Chapter 6, Section V .01.
- b. Clients are not eligible for Jobs Child Care Assistance under Chapter 6, Section V(B) (unless post-employment follow-up and case management under Chapter 4, Section V(F) is



required).

- c. For any clients who are receiving Jobs Child Care Assistance, the Jobs Program must notify the Child Care Administration of the client's case closure.

#### 4. Closure Reasons

- a. Jobs Program staff must close the client's Jobs Program case when:
  - i. The 12-month Jobs Program extension ends;
  - ii. Client mail is returned with no forwarding address and the Jobs Program is unable to obtain the current address through other means and within 20 calendar days of receiving returned mail; or
  - iii. The client moves out of State.
- b. See Section 410 of the *Jobs Program User Guide* for more information about closing Jobs Program cases.

### **H. Case Closures**

- 1. The Jobs Program must close the client's Jobs Program case when any of the following occur:
  - a. An applied sanction has reached the 100% sanction level;
  - b. The client has successfully retained employment for 180 days after the TANF Cash Assistance case has closed;
  - c. The conditions described in Chapter 4, Section V(G) are met; or
  - d. The FAA as stopped the client's household's TANF Cash Assistance and the following are **not** required:
    - i. Post-employment follow-up and case management: or
    - ii. Jobs Program extension.
  - c. The client moves out of state.
- 2. The Jobs Program case must be closed within **five business days**

from the effective date of the TANF Cash Assistance case closure when:

- a. The FAA has stopped the TANF Cash Assistance case; and
- b. Post-employment follow-up and case management or Jobs Program extensions are not required.

**I. Recording Information in the Case Record**

1. The case record must provide ongoing documentation of the client's movement towards self-sufficiency and evidence of the strategies and resources the Jobs Program is using to impact the desired outcome. The Jobs Program must keep documentation focused on how events and actions affect the employment-related goal outlined in the plan.
2. Case notes are tools for organizing and analyzing the progress of each client. They are also planning tools for determining what strategies are working and which activities or supportive services need revision. The case record must provide a professional, concise record of the status of the client in meeting each milestone of this process. It also must clearly state what the Jobs Program case manager is doing to assist the client in meeting his or her employment-related goals.
3. Jobs Program staff must document all activities, correspondence, meetings, referrals, actions, and conversations in the client's case records within one business day of the event or service.
4. Jobs Program staff must maintain accurate, objective, and descriptive records of case management activities and client-related expenditures, allowing for the effective monitoring and transfer of client records from one service delivery area to another.

# ARIZONA DEPARTMENT OF ECONOMIC SECURITY

TANF Jobs Program

Policy Number: DES 2-10.500

Effective Date: February 7, 2020

## CHAPTER 5: WORK PARTICIPATION RATE, WORK ACTIVITIES, EXCLUSIONS, AND TEMPORARY DEFERRALS

### I. Policy Statement

This chapter describes the federal WPR, federal work activities, documentation, verification and monitoring requirements, absences, state participation allowances, barrier resolution activities, exclusions, and temporary deferrals from an individual's participation.

### II. Authority

#### A. Federal Authority

1. 42 U.S.C. §607 - §608.
2. 45 C.F.R. §261.3 - §261.44

#### B. State Authority

1. A.R.S. §46-299 - §46-300.
2. A.A.C. R6-10-111 – R6-10-121.

### III. Applicability – Federal WPR and Work Activities

Federal law mandates that a percentage of TANF work-eligible individuals participate in federal work activities for a minimum number of hours each week averaged during a month.

### IV. Acronyms and Definitions

#### A. Acronyms

DOL	U.S. Department of Labor
FLSA	Federal Labor Standards Act
HSE	High School Equivalency
OJT	On-the-Job Training
VEC	DES Volunteer Engagement Center

**B. Definitions**

Reference the [glossary](#) for definitions of **Acceptable Medical Source, All Families, Barrier Resolution Activities, Bona Fide Business, Caseload Reduction Credit, Core Activities, Disabled, Family Member, Federal Work Activities, FLSA, Gross Income, Non-core Activities, Supplemental Payment, Teen Parent, Temporary Deferrals and Two-Parent Families.**

**V. Standards**

**A. Work Participation Rate**

1. The chart below illustrates the percentage based on the federal TANF requirements.

<b>Type of Case</b>	<b>Percentage</b>
All-Families	50%
Two-Parent Families	90%

2. The chart below shows the minimum number of hours, averaged per week during a month, which specific types of families must complete in order to meet federal WPR requirements.

<b>Type of Family</b>	<b>Minimum Number of Hours Averaged Per Week During A Month</b>	<b>Special Requirements Regarding Core Activities</b>
Single parent/caretaker relative: With child under 6 years old	20	All hours must come from Core activities
Single parent/caretaker relative: With no child under 6 years old	30	Non-core activities will count toward the WPR only if the first 20

		hours come from core activities
Two-Parent: Receives subsidized childcare	55	At least 50 of the hours must come from Core activities
Two-Parent: Does not receive subsidized childcare	35	At least 30 of the hours must come from Core activities, the 35 hours may be completed by one parent

3. Federal law allows states the opportunity to qualify for caseload reduction credits which reduces the WPR percentage that states must meet. Arizona, like most states, qualifies for caseload reduction credits.

**B. Federal Work Activities**

Federal work activities are the **only** activities considered in the calculation of the federal WPR and may be assigned separately or combined. There are two types of federal work activities: **Core** and **Non-core**: Non-core activities count toward the federal WPR only when at least 20 hours per week come from Core activities.

1. What are Countable Work Activities?
  - a. Countable work activities must be supervised on a daily basis.
  - b. Consistent with the universally understood definition of supervision used in the workplace, Arizona defines supervision as an activity performed by a workplace designee which includes, but is not limited to:
    - i. Work related guidance and constructive criticism;
    - ii. Mentoring;
    - iii. Assignment of daily work;
    - iv. Oversight of work assignments; and

v. Instruction and evaluation of skills.

2. Overview of Core Activities

a. **Unsubsidized Employment** is all full or part-time employment with wages paid in totality by the employer.

i. The ultimate goal of the Jobs Program is for a client to obtain Unsubsidized Employment with wages that meet Fair Labor Standards Act (FLSA) requirements and provides a benefits package, enabling clients to support their families.

ii. Unsubsidized Employment must meet or exceed the state minimum wage requirements with the exception of self-employment.

a) Wages and salaries are defined as hourly pay, including tips.

b) Commission earnings are defined as earnings from fees or percentages paid for services or the production or sale of goods.

c) Casual labor is defined as intermittent or short-term employment with a normal duration of one to three days in length.

i) Countable, casual labor must pay at least the state minimum wage.

ii) Examples include, but are not limited to: day labor, short-term babysitting, on-call work, or odd jobs.

d) Self-employment is defined as income generated by working for oneself rather than for others. The number of hours of self-employment counted toward participation is determined by calculating the individual's gross income, minus business expenses, divided by the federal minimum wage.

- e) The calculation of self-employment hours for the determination of WPR is **not** the same as the calculation for retention checks.
- b. **Subsidized Employment** is paid employment in the public or private sector by any organization that receives a subsidy from TANF or other public funds to offset the cost of wages and benefits paid by the employer to a client for a trial period.
- i. At the end of the trial period, the employer is expected to retain the client as a regular employee without receiving a subsidy.
  - ii. Clients in Subsidized Employment must receive the same wages, benefits, and working conditions as other employees of the company who are performing comparable work. For clients in subsidized employment, employers must:
    - a) Not require work in excess of 40 hours per week;
    - b) Pay a similar wage for jobs with appropriate adjustments for experience and training but not less than the federal minimum hourly wage;
    - c) Not impair an existing contract or collective bargaining agreement;
    - d) Not displace current employees or fill positions that are vacant due to a layoff.
    - e) Maintain health, safety, and working conditions at or above levels generally acceptable in the industry and not less than those of comparable jobs offered;
    - f) Provide on-the-job training necessary for employees to perform their duties;
    - g) Sign an agreement for each placement outlining the specific job offered to an employee and

agree to abide by all of the program requirements;

- h) All agreements must contain a provision that sets forth the employer's responsibility to repay subsidies if the employer violates the program.
  - i) Provide workers' compensation coverage for each employee; and
  - j) Provide the employee with benefits (health care coverage, paid sick leave, holiday pay, and vacation pay) equal to new employees or as required by state and federal law, whichever is greater.
- iii. Because Subsidized Employment often offers an avenue to employment and provides the client the benefits of real wages, it is preferable to Work Experience. As paid employees, clients pay into the Social Security system and may qualify for federal and state Earned Income Tax Credits and Unemployment Insurance, leading to increased long-term economic security.
  - iv. The employer must meet or exceed state minimum wage requirements.
  - v. Arizona recognizes supported work for individuals with disabilities as subsidized employment in an integrated setting for wages consistent with those paid to workers without disabilities with similar job functions.
  - vi. Justification is required when a Subsidized Employment activity will be in excess of six months.
    - a) An extension must increase the likelihood of ongoing unsubsidized employment for the subsidized employee.
    - b) For example, the client has a learning disability and needs extra time to learn or lives in an area



that has a higher unemployment rate than the state average.

- vii. Jobs Program case managers must assess and determine if the client has adequate experience and/or occupational training to meet an employer's minimum hiring requirements. This determination will be used to assess whether additional training is needed. Eligible subsidized employees are clients who:
  - a) Do not have sufficient work experience to obtain unsubsidized employment;
  - b) Have completed an employment preparation program; and
  - c) Are determined able to benefit from this employment program.
- c. **On-the-Job Training (OJT)** is the training of skills essential to perform a specific job which an employer, in the public or private sector, has agreed to provide to a TANF client in exchange for a subsidy to offset the cost of training provided to the client.
  - i. OJT includes a training plan that is a formal, written document containing a job description listing:
    - a) The skills to be learned;
    - b) General employment competencies and occupational specific skills;
    - c) An evaluation of the client's progression; and
    - d) A schedule indicating the estimated dates of completion of each skill.
  - ii. OJT clients must receive the same wages, benefits, and working conditions as other employees of the company who are performing comparable work.

- iii. Upon completion of the training, the employer is expected to retain the client as a regular employee without receiving a subsidy for a minimum of six months.
  - iv. The employer must meet or exceed the state minimum wage requirements.
  - v. Supported work for individuals with disabilities may be considered OJT, if it includes onsite training.
- d. **Job Search and Job Readiness Assistance** consists of activities designed to prepare the client for seeking employment and obtaining employment.

**i. Job Search**

- a) The Jobs Program case manager is responsible for the assignment and daily supervision of **structured job search** activities.
  - i) Daily supervision of a job search client means a case manager has assigned activities and ensures client time is properly accounted for.
  - ii) There must be daily access to the case manager or other employment service provider/worker working in collaboration with the Jobs Program case manager.
  - iii) The case manager or a designee must confirm the progress and monitor activity of the clients. The specific requirements for the weekly activities must be documented in the ECDP and the case progress notes.
- b) Structured job search activities include:
  - i) Identifying employment opportunities,
  - ii) Applying for employment,

- iii) Participating in employment interviews, and
- iv) Participating in job clubs:
  - a Where participants share experiences, successes, job leads, and referrals; and
  - b Where employers may be present to accept applications and also interview prospective employees.
- c) Travel time between interviews will be counted when clear and readily available documentation of verification exists. Only **actual** time spent in the structured Job Search component is allowable. It is **not** allowable to use a calculation or formula of the number of interviews as a substitute for actual hours of participation. It is suggested that the client note actual time spent during each employer contact.
- d) Clients are required to maintain a daily log of all contacts related to the job search. The log must include:
  - i) The date of contact,
  - ii) Type of contact,
  - iii) Position that was available and of interest,
  - iv) The name of the employer and contact information, and
  - v) A record of actual time spent engaging in such activities.
- ii. **Job readiness activities** including workshops that incorporate a standardized curriculum and are designed to teach resume writing, interviewing

techniques, and expectations in the workplace. For **Job readiness** activities, the instructor or facilitator is responsible for providing daily supervision. In situations where a client has significant barriers to employment, the client can be diverted to life skills training, substance abuse and mental health treatment or rehabilitation activities. Hours clients spend participating in diversion activities must be considered as core activity hours.

a) **Life skills training** consisting of basic life skills to enable clients to be successful in the workforce. Activities include:

- i) Balancing personal life circumstances and employment obligations,
- ii) Budgeting,
- iii) Household management,
- iv) Interpersonal skills,
- v) Decision making skills,
- vi) Time management, and
- vii) A course in financial literacy and personal finance.

b) **Substance abuse and mental health treatment or rehabilitation activities** when the need for such treatment or therapy is documented by a licensed and qualified medical, substance abuse, or mental health professional. For individuals participating in **substance abuse or mental health treatment**, supervision is provided by the treatment provider.

- i) A qualified medical, substance abuse, or mental health care professional is defined as a licensed physician, registered nurse, a licensed physician's assistant, or other personnel acting on the doctor's behalf.

- ii) The medical, substance abuse or mental health care provider is required to complete and sign a statement indicating the type, length, and frequency of treatment.
- iii. Job Search and Job Readiness activities are limited to
  - a) Six weeks in the preceding 12-month period, or
  - b) 12 weeks in the preceding 12-month period if the state has been identified as a *needy state*. Currently Arizona meets the needy state definition, so the 12-week limit applies.
  - c) No more than four weeks can be consecutive in either case.
  - d) When determining the 12-week limit keep in mind:
    - i) One week equals 20 hours for a work eligible individual who is a single custodial parent with a child under six years of age, and
    - ii) 30 hours for all other work eligible individuals.
    - iii) This equates to 240 hours of the activities for the first group, and 360 hours for the second group.
    - iv) When determining four consecutive weeks, a week is defined as a seven-day period, and
    - v) **Any** amount of **actual** participation in the Job Search/Job Readiness activity within that period uses a week toward the four-consecutive week limit.

- e. **Work Experience** is any supervised, **unpaid** work performed in the public or private sector that improves the employability of an individual who is not able to obtain employment. It allows clients to develop skills, good work habits, and a current work history.
  - i. Work Experience is considered for clients who have been unable to find paid employment, lack entry level skills, or need to develop current job references. Recruitment of Work Experience providers must focus on employers who may potentially hire qualified program clients.
  - ii. Prior to placement, potential Work Experience providers are evaluated to match the client with work that is related to the client's employment goals.
  - iii. The onsite supervisor or the supervisor's designee is responsible for confirming the client's attendance and progress at the work site.
  - iv. All clients in a Work Experience activity must be covered by workers' compensation. Work Experience placements must occur at bona fide business, including private for-profit and non-profit organizations and public agencies.
  - v. The case manager must work closely with the client and the provider to ensure placement is beneficial to the client and that all required work hours are performed to the satisfaction of the provider.
  - vi. The placement of Jobs Program clients with private or public sector employers, except for unsubsidized employment, cannot cause the displacement of persons currently employed by participating employers. Arizona uses a grievance procedure to resolve displacement complaints.
  - vii. Internships/externships are included under this core activity as a portion or extension of education or training in either the public or private sector that

provides structured work experience in a specific occupational field.

- viii. The DES Volunteer Engagement Center (VEC) provides training in a specific occupation and potential employment opportunities within DES. Please review the *Jobs Program User Guide* for specific procedures related to DES work experience placement.
- ix. With the exception of VEC, all Work Experience providers must sign an agreement with the Jobs Program. Work Experience providers must:
- x. Maintain records and prepare reports regarding the progress of the client as prescribed by the Jobs
  - a) Program contracted provider including written verification of attendance, along with:
    - i) Start and end dates of the activity;
    - ii) Weekly scheduled hours;
    - iii) Skills the client will learn and the expected competency date; and
    - iv) Training methods the provider will use;
    - v) Contact the Jobs Program case manager when concerns arise;
    - vi) Provide daily supervision for all clients; and
    - vii) Maintain sufficient general liability insurance for tort claims protection.
  - b) This agreement must also include Work Experience assignments that will not result in any of the following:
    - i) Displacement of any currently employed worker or position, including partial displacements, such as the reduction in

hours of non-overtime work, wages, or employment benefits.

- ii) Impairment of existing contracts for services or collective bargaining agreements.
  - iii) Employment or assignment of a Jobs Program client in filling the position of any previous employee who was laid off from the same or substantially equivalent job with the same employer. This includes termination of any regular employee or reductions in the workforce in order to fill the vacancy created with a client whose wages are subsidized under the Jobs Program.
  - iv) Infringement on promotional opportunities of any currently employed individual.
- xi. Generally, a client engaged in Work Experience is subject to the FLSA. Work sites must comply with the FLSA even when providing Work Experience to JOBS Program clients, unless the work site can demonstrate an FLSA exemption granted by the U.S. Department of Labor. (DOL) It is the responsibility of DOL to determine if the FLSA applies to a particular work experience program.
- xii. Any questions regarding the FLSA should be directed to the DOL Wage and Hour Division phone number, 1-866-4-USWAGE / TTY 1-877-889-5627, or the DOL website at <http://www.dol.gov/whd/flsa/index.htm>. For any questions regarding Arizona-specific occupational and safety regulations, contact the Industrial Commission of Arizona at 602-542-4538.
- xiii. A client who participates in a Work Experience activity that is subject to FLSA requirements cannot be required to participate in that work activity, without an FLSA supplemental payment, for more hours than the



monthly TANF Cash Assistance, plus the Nutrition Assistance allotment, divided by the federal or state minimum wage, whichever is higher.

- xiv. Jobs Program staff must evaluate a client's entitlement for an FLSA supplemental payment following the conclusion of each month. If an FLSA supplemental payment is owed, Jobs Program staff must process the payment in the Jobs Program automated system by the seventh calendar day. See the *Jobs Program User Guide* for information regarding FLSA Supplemental Payments.
  - xv. Any one or two-parent family that participates in the maximum number of hours allowed under the minimum wage requirements of the FLSA has satisfied their respective weekly **core activity** requirement **even when the average of actual participation falls short of the weekly core activity requirement**. For example, if an individual can only work 25 hours per week under the minimum wage requirements of FLSA, they will satisfy the weekly core activity work requirement of 30 hours per week if they participate in work activities for 25 hours per week.
  - xvi. For clients required to participate above the weekly core activity requirement for the month, an additional core activity not subject to the FLSA or a non-core federal work activity must be assigned.
- f. **Community Service** activities are structured programs established by public or nonprofit organizations and must serve a useful purpose in the community in fields such as health care, social service, environmental protection, education, urban and rural redevelopment, welfare, recreation, public facilities, and public safety.
- i. The client will be covered by DES for workers' compensation.
  - ii. Community Service activities may assist a client who is not able to move immediately into unsubsidized

employment and needs to improve his or her employable skills.

- iii. The activity must be related to the client's employment goals and must be supervised.
- iv. Community Service activities include any of the following:
  - i. Working with park and recreation programs;
  - ii. Assisting with local school activities;
  - iii. Serving with non-profit agencies in capacities such as typing and filing;
  - iv. Working under supervision with faith-based, small community-based, and community improvement organizations;
    - a) Working with any other organizations that provide supervision for clients in activities that improve employability while offering a service to the community; and
    - b) Serving under a court or other similarly mandated community service activities.
- v. Clients may request to participate in a certain Community Service activity. The Jobs Program case manager must determine if the request meets the requirements as outlined in this section. Clients who have been court-ordered to complete community service activities are allowed to use the court-ordered activity as their program mandated activity.
- vi. Generally, a client engaged in this activity is subject to the FLSA. Some community service programs may be exempt from the FLSA. It is the responsibility of the DOL to determine if the FLSA applies to a particular community service program.
- vii. Any questions regarding the FLSA should be directed to the DOL Wage and Hour Division phone number, 1-

866-4-USWAGE / TTY 1-877-889-5627, or the DOL website at <http://www.dol.gov/whd/flsa/index.htm>. For any questions regarding Arizona-specific occupational and safety regulations, contact the Industrial Commission of Arizona at 602-542-4538.

- viii. With the exception of **court-ordered** community service for a pre-determined number of hours, a client who participates in a Community Service activity that is subject to FLSA requirements cannot be required to participate in that work activity, without an FLSA supplemental payment, for more hours than the monthly TANF Cash Assistance, plus the Nutrition Assistance allotment, divided by the federal or state minimum wage, whichever is higher.
- ix. Jobs Program staff must evaluate a client's entitlement for an FLSA supplemental payment following the conclusion of each month. If an FLSA supplemental payment is owed, Jobs Program staff must process the payment in the Jobs Program automated system by the seventh calendar day. See the *Jobs Program User Guide* for information regarding FLSA Supplemental Payments.
- x. With the exception of **court-ordered** community service for a pre-determined number of hours, any one or two-parent family that participates in the maximum number of hours allowed by the organization coordinating the community service activities satisfies the **core activity** requirement, **even when the average of actual participation falls short of the weekly core activity requirement**. Similar to the limitations in Work Experience, if an individual can only participate in 25 hours per week under the minimum wage requirements of FLSA, they will satisfy the weekly core activity work requirement of 30 hours per week if they participate for 25 hours per week.
- xi. For clients required to participate above the weekly core activity requirement for the month, an additional

core activity not subject to the FLSA or a non-core federal work activity must be assigned.

- g. **Vocational Educational Training** consists of organized educational or training programs that are directly related to the preparation of clients for employment in a current or emerging occupation.

  - i. Federal law limits Vocational Educational Training, as a Core activity, to a **total of 12 months** during the client's lifetime of assistance.

    - a) The 12-month limit applies to any hours of participation in the activity, regardless of whether the client has enough hours to count in the WPR.
    - b) Participation in Vocational Educational Training beyond that time will be considered a non-core activity.
    - c) No more than 30% of clients may be engaged in Vocational Educational Training statewide to count toward the WPR.
  - ii. Generally, participation in Vocational Educational Training activities should be authorized as a short-term activity that focuses on the client's employability; not solely on the attainment of a degree or certificate.

    - a) Participation in degree programs, including baccalaureate and advanced degree programs, are allowable when a client has an existing enrollment and tuition costs are not TANF-funded.
    - b) Vocational Educational Training activities must be designed to attain knowledge and skills directly related to job opportunities for self-supporting employment in a recognized occupation that does not have a high turnover due to substandard wages or working conditions.

- c) The client must remain in good standing as defined by the institution.
- iii. Vocational Educational Training is provided by educational or training organizations that include:
  - a) Vocational-technical schools,
  - b) Community colleges,
  - c) Post-secondary institutions,
  - d) Proprietary schools,
  - e) Non-profit organizations, and
  - f) Secondary schools that offer vocational education.
- iv. Training activities include specific trades, occupations, or vocations such as nursing, computer repair, or welding.
- v. The educational or training facility must be legally authorized, accredited, or recognized in the United States as providing a program to prepare students for gainful employment. This may include distance learning opportunities through the Internet.
- vi. Vocational Educational Training programs that include instruction for those that need basic and remedial education and/or English as a Second Language assistance are required to certify in writing that the instruction is embedded in the Vocational Educational Training course.
  - a) A copy of the curriculum is retained in the client case file.
  - b) Clients may not be assigned to this activity if they already possess a self-supporting skill for jobs available in the local area.

- c) Documentation must be entered into the case record identifying what skills the client currently possesses and how the education will improve his or her employability.
- h. **Child Care**, the federal government also identifies “Caring for a Child of a Community Service Participant” as an allowable activity. However, the *Arizona Jobs Program* does not include this as an approved activity.

### 3. Overview of Non-core Activities

Non-core activities will count toward the WPR **only** after the respective core hourly requirement has been met. (See the reference chart on page 5-4 of this document.) TPEP participants must participate in an average minimum of 35 hours of core activities per week, and single-parent participants must participate in an average minimum of 20 hours of core activities per week. **There are exceptions noted for certain teen parents.**

- a. **Job Skills Training Directly Related to Employment** is training and education in job skills required by an employer to provide the client with the opportunity to obtain or advance employment. The training may also provide adaptation to the changing demands of the workplace.
  - i. Jobs skills training focuses on educational or technical training and may include:
    - a) Customized training to meet the needs of a specific employer;
    - b) General training that prepares an individual for employment; or
    - c) Vocational educational training continuing after the 12-month limit if it meets the job skills activity definition.
  - ii. English as a Second Language and basic education (remedial education) can be counted when the instruction explicitly focuses on skills for employment or is combined with job training.

- iii. When it is a prerequisite to employment by an employer, this activity may include education leading to a high school equivalency diploma.
- b. **Education Directly Related to Employment** is an educational program that is related to a specific occupation, job, or job offer.
  - i. This includes courses designed to provide the knowledge and skills for specific or specialized occupations or work settings.
  - ii. It also may include English as a Second Language and basic education.
  - iii. This activity can be provided to clients who do not have a high school diploma or its equivalent.
  - iv. When it is a prerequisite to employment by an employer, this activity may include education leading to a high school equivalency diploma.
  - v. Teen parents are parents between the ages of 13 to 19 and caring for their own child. For teen parents, satisfactory participation in Education Directly Related to Employment for an average of 20 hours per week during a month **meets** the work participation requirement:
- c. **Satisfactory Attendance in High School or High School Equivalency (HSE) Preparation Classes** counts as a non-core activity when:
  - i. Attendance is in accordance with the requirements of the secondary school or in a course of study leading to a HSE diploma;
  - ii. In the case of a client who has not completed secondary school or received a HSE diploma; and
  - iii. **For teen parents**, satisfactory attendance in High School or HSE preparation **meets** the work participation requirement for:

### **C. Monitoring Requirements for Countable Hours**

All actual hours of participation must be verified **prior** to recording actual participation hours. All federal work activities must be monitored for client progress and to ensure the work participation requirements are being met. Close monitoring and verification of the participation in the federal work activities by each client ensures that there is continued engagement in the federal work activities. Thorough documentation of the verification used to substantiate recorded actual hours must be maintained with the case record. When the hours of participation are established and verified, the hours must be recorded in JAS. This section describes documentation, verification, and monitoring requirements for the federal work activities.

1. Unsubsidized Employment, Subsidized Employment, and On-the-Job Training
  - a. The number of actual participation hours are determined by written or electronic evidence from the employer substantiating the number of hours worked.
    - i. When written or electronic evidence cannot be obtained, well-documented phone calls to the employer are used to verify a client's hours of work.
    - ii. **Countable participation hours** include hours for which the individual is paid but does not work, including paid leave, excused absences, and holidays.
    - iii. Verification of the actual number of countable hours of participation is obtained through:
      - a) Pay stubs;
      - b) Employer produced documents;
      - c) Documented phone calls containing the client's name, actual hours of participation, the name of the employer, and the name, title and phone number and/or email address of the person verifying the hours, as applicable; or



- d) Verification also includes recognized employment verification services such as Equifax, Inc.
- b. The Jobs Program may not count more hours toward the participation rate for a self-employed individual than the individual's self-employment income (gross income, minus business expenses) divided by the federal minimum wage. This verification process is the same process used by the FAA during the determination of initial and continued eligibility for TANF Cash Assistance.
- c. The actual hours of participation may be projected for a maximum of six months when the hours are not likely to change.
  - i. The projected hours are based on one full payment cycle/pay period. For example, when bi-weekly hours are represented, the hours are divided by 2 to arrive at the average weekly hours used to project.
  - ii. When more than one payment cycle/period is represented, the hours are averaged.
  - iii. When there is a change in the client's actual verified hours, the hours are recalculated, and a new six-month projection period is applied.
- d. Per Chapter 4, Section V(F) of this document, the case manager must monitor Unsubsidized Employment at a minimum of every 30 days.

## 2. Job Search and Job Readiness Assistance

- a. Actual hours in the Job Search component are established by using information recorded on the client's daily log of employment contacts. The client is required to submit the log of daily contacts on a weekly basis. The log must include:
  - i. Date of contact;
  - ii. Type of contact;
  - iii. Position that was available and of interest;

- iv. Name of the employer and contact information (phone number, physical address, email address, website address);
  - v. A record of actual time engaged in such activities; and
  - vi. The client's required signature on the log attesting to the truthfulness of the information provided.
- b. It is acceptable for program staff to add employer contact information when verification presented lacks the information. Any modifications made to the verification must include the initials of the staff person making the modification, the date the modification was made, and an explanation to justify the modification.
  - c. Only **actual** time spent in the Structured Job Search component is allowable, it is **not** allowable to use a calculation or formula of the number of interviews as a substitute for actual hours of participation.
  - d. It is suggested that the client note actual time spent during each employer contact.
  - e. Case managers must review the logs, verify their completeness and accuracy, and determine the number of countable hours to be recorded in the JAS.
  - f. Travel time *between* interviews will be counted when clear and readily available documentation or verification exists. This does not include travel time to the first interview or home from the last interview.
  - g. Determining countable hours of actual participation in the **Job Readiness** component is accomplished through written or electronic confirmation of attendance by life skills instructors or workshop facilitators.
  - h. Determining countable hours of actual participation in substance abuse treatment, mental health treatment, or rehabilitation is obtained through written or electronic confirmation of attendance from the medical professional.

- i. The treatment or rehabilitation provider must monitor and document the progression and participation of the client.
  - ii. The documentation must be submitted by either the client or responsible third party weekly, at a minimum.
  - iii. The written or electronic confirmation must include the individual's name, the actual hours of participation, and the name and contact information of the person verifying the hours.
- i. All case managers, instructors, and facilitators are required to verify, by signature, client activities that include hours of participation, attendance, and progress reports.

3. Work Experience and Community Service

- a. The number of countable hours for work experience and community service is based on written or electronic evidence from the activity provider (on-site supervisor or designee) substantiating the actual participation hours.
  - i. When written or electronic verification cannot be obtained, well-documented phone calls to the provider may be used to verify an individual's participation hours and all pertinent information must be documented in the case record.
  - ii. Verification of the actual number of countable participation hours must be obtained bi-weekly.
- b. Verification is through:
  - i. Time sheets;
  - ii. Sign in/out logs;
  - iii. Signed statements;
  - iv. Other evidence from the provider; or
  - v. Well-documented phone calls containing:

- a) Client's name;
  - b) Actual daily hours of participation;
  - c) Name of the provider; and
  - d) Name and phone number and/or email address of the person verifying the hours, as applicable.
4. Vocational Educational Training, Job Skills Training Directly Related to Employment, Education Directly Related to Employment, and Satisfactory Attendance in High School or HSE Preparation Classes
- a. The number of participation hours is determined by written or electronic verification that identifies the number of actual hours the client attended the activity each day in a week.
  - b. When written or electronic verification cannot be obtained, well-documented phone calls to the provider may be used to verify an individual's participation hours and all pertinent information must be documented in the case record.
  - c. Verification of the actual number of countable participation hours must be obtained bi-weekly.
  - d. The verification must include:
    - i. Client's name;
    - ii. Actual hours of participation;
    - iii. Name of the provider; and
    - iv. Name, title, phone number and/or email address of the person verifying the hours, as applicable.
  - e. Countable hours consist of:
    - i. Classroom time;
    - ii. Online class time; and
    - iii. Time spent performing clinical requirements, lab work or other activities required by the program.

- f. When documentation from the program verifies the amount of homework time required, up to one hour of unsupervised homework time for each hour of scheduled class time may be counted as actual hours of participation. For supervised homework time, the same documentation is required, plus a time sheet or record of attendance signed (written or electronic) by the individual supervising the activity.
- g. When the client is involved in distance learning, the Jobs Program may use documentation of participation issued by the distance learning provider verifying that the client attended the session. Verification can include attendance records or log-in and log-out records available online or in an electronic format.
- h. Unmarried custodial parents may attend education directly related to employment full time in lieu of standard work participation requirements unless other additional work activities are required.

**D. Absences From Scheduled Work Participation**

Absences from scheduled **paid** work hours for employed clients, including paid leave, count as actual hours of participation. For individuals in **unpaid** work activities, up to 10 holidays and up to 80 hours of additional excused absences in the preceding 12-month period, of which no more than 16 hours may occur during a month, can be counted as actual hours of participation. The excused hours will count as long as the client was **scheduled** to participate when the absence occurred.

1. Excused Absences

Excused absences can include sick days, medical appointments for the client or the client's family members, required appointments with other service providers, court dates, and job interviews. Any other absence that does not result in disciplinary action or termination by the work activity provider will also be considered an excused absence.

2. Holidays

The Arizona DES identifies the following holidays to be included as excused absences if the client was scheduled to participate and may be counted as actual hours of participation. When any of the holidays listed fall on a Saturday, the *previous* business day (Friday) is observed as a holiday. Likewise, holidays which fall on a Sunday are observed on the *following* business day (Monday).

New Year's Day	January 1
Martin Luther King, Jr. Day	3rd Monday in January
Presidents' Day	3rd Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	1st Monday in September
Columbus Day	2nd Monday in October
Veterans Day	November 11
Thanksgiving Day	4th Thursday in November
Christmas Day	December 25

**E. State Participation Allowances**

1. Participation Allowances

If the state is already meeting the federal WPR, then single parents may participate in educational activities on a full-time basis as an alternative to the federal WPR.

- a. Allowable educational activities include:
  - i. HSE programs;
  - ii. Career and technical education programs; and
  - iii. Postsecondary education programs.

- b. Full-time status, as defined by the educational program provider, must be verified. Verification sources include:
  - i. Statements from the provider;
  - ii. Documented phone calls with the provider;
  - iii. Information from the provider's website; or
  - iv. Any other information from the educational activity provider that substantiates the client's full-time status.

2. Recording Educational Activities

See Section 501.03 of the *Jobs Program User Guide* for information on recording educational activities under this section.

**E. Barrier Resolution Activities**

In addition to federal work activities, a number of barrier resolution activities are available. Participation in barrier resolution activities may be the best first step for some individuals. Assignment in barrier resolution activities should be short-term in nature and serve to eliminate barriers to employment or self-sufficiency. Active participation in barrier resolution activities can be in conjunction with federal work activities. Barrier resolution activities are not considered in the calculation of the federal WPR. When appropriate, some families with barriers may be best served by activities that count under the federal WPR; one example being Job Search and Job Readiness, which includes substance abuse and mental health treatment or rehabilitation activities. **Clients participating in barrier resolution activities are not subject to the sanction process.**

Jobs Program staff must outline specific action steps when the ECDP is developed for barrier resolution. The Jobs Program must assist the client in locating available resources to resolve any issues. If services are not available to resolve barriers, the case manager must re-evaluate the situation in 30 days to determine if barriers have been resolved or if services are available. Below is a list of barrier resolution activities and a brief description of each.

- 1. Housing/Utility Issue Resolution

Housing/Utility Issue Resolution can be assigned to a client who may be facing eviction or homelessness. The role of the Jobs Program case manager is to facilitate immediate access to affordable and adequate housing in order for the client to begin or return to participation in federal work activities.

2. Family Issue Resolution

Family Issue Resolution can be assigned to a client who may have a family or household member requiring temporary, short-term attention or monitoring. Jobs Program case management must include assisting the client and family members with finding a resolution and/or making referrals for appropriate services.

3. Drug/Alcohol Abuse Resolution

Drug/Alcohol Abuse Resolution can be assigned to a client who admits to a substance abuse problem and who is seeking or receiving treatment that is preventing them from full participation in federal work activities. Jobs Program case management must include assisting clients with finding substance abuse treatment, counseling, and support, including a referral to the Arizona Families F.I.R.S.T. Program.

4. Child Care Issue Resolution

Child Care Issue Resolution can be assigned to a client who is trying to resolve a temporary child care issue which is preventing participation in federal work activities. **Jobs Program staff must not recommend a particular child care provider or a specific type of child care provider.**

5. Transportation Issue Resolution

Transportation Issue Resolution can be assigned to a client who is resolving a transportation issue that is preventing full participation in federal work activities.

6. Other Barrier Issue Resolution



Other Barrier Issue Resolution can be assigned to a client who is working to resolve specific documented issues that are prohibiting them from full participation in federal work activities. Some clients may have physical or mental health issues or low cognitive function. Many of these clients are often able to move into employment and may need specialized services to help them prepare for employment. The Jobs Program case manager must assist the client in finding appropriate specialized services including behavioral health services when appropriate.

7. Parenting Skills

Parenting Skills can be assigned to a client who would benefit from attending parenting skills training.

8. Life Skills

Life Skills can be assigned to a client who would benefit from life skills training.

9. Social Security Benefits

Referral for Social Security Benefits can be given to a client who is deferred from participation due to a long-term disability. Jobs Program staff must provide referral to and advocacy for individuals with disabilities in applying for Social Security benefits as appropriate depending upon medical or psycho-social assessments.

10. Child Support

A client who is potentially eligible for child support and who has an issue preventing participation in federal work activities can be referred to CCA for child support services.

**G. Exclusions From the Work Participation Rate Denominator**

1. A client who is providing care for a family member with a disability living in the home, provided the need for such care is supported by medical documentation, is considered a non-work eligible individual and will be excluded from the WPR denominator.

## 2. Verification Requirements for Exclusion

- a. Written verification must be obtained from an acceptable medical source, indicating that the client is required to be the caretaker of the family member with a disability. This verification must:
  - i. Identify by name the person who is to be cared for;
  - ii. Specify the period of disability;
  - iii. Establish that the identified caretaker is needed full-time; and
  - iv. Provide a prognosis of the family member's recovery, or the date of re-examination.
- b. In order to accurately exclude specific caretakers from the WPR denominator, Jobs Program staff must:
  - i. Monitor the exemption end date on a monthly basis.
  - ii. Give notification to the caretaker, a month in advance, that the exemption from participation is ending; and
  - iii. Establish a plan to ensure that work activities are assigned in a timely manner.
- c. When verification is provided showing the disability is permanent or ongoing, the end date must be set for a **six-month period**. After the expiration of the six-month period, case managers must reverify the status of the disability.

## **H. Overview of Temporary Deferrals**

Although continuous participation in the Jobs Program is required, certain circumstances may temporarily prohibit participation. When a situation arises, the case manager may determine that a client should be temporarily deferred from participation. A client meeting criteria for a temporary deferral may choose to participate in work activities. Deferred clients must be notified in writing of the period of time that they are deferred from participation and the reason for the deferral. The Jobs Program must

encourage deferred clients to engage in suitable program activities as appropriate for the client by making contact at least monthly.

If the client is subsequently unable to participate due to disability, a sanction must not be imposed.

1. Disability

- a. A client is eligible for a deferral due to a disability when verification is obtained certifying that he or she is mentally or physically incapable of engaging in work activities and/or employment.
  - i. This verification must be provided by an acceptable medical source.
  - ii. The Jobs Program case manager must assist the client in obtaining disability verification when the client is experiencing difficulty.
- b. A client with a disability may choose to participate and receive reasonable accommodation to facilitate participation. If the client is subsequently unable to participate due to the disability, a sanction must not be imposed.
- c. Acceptable verification of a disability is a statement by an **acceptable medical** source. The statement must indicate the client is unable or very limited in his or her ability to engage in work activities and/or employment due to physical or mental health conditions. Statements must include:
  - i. Employment limitations, including the extent and duration of any limitations;
  - ii. A specified period of disability;
  - iii. A prognosis for recovery;
  - iv. A statement of any reasonable accommodations that would enable the client to work or participate; and
  - v. The date by which re-examination or re-evaluation is recommended.

- d. When verification is provided showing the disability is permanent or ongoing, the end date for the deferral must be set for a **six-month period**. Case managers may request a monthly update on a participant's disability status. After the expiration of the six-month period, case managers must reverify the status of the disability.

2. Domestic Violence

- a. A client can be temporarily deferred if the client or his or her children are victims of domestic violence and participation in work activities causes an immediate threat to their safety.
- b. The case manager must treat all claims of domestic violence as valid and act immediately to determine whether a temporary deferral is needed.
- c. The case manager must grant a temporary deferral if participation in work activities threatens the safety of, or may cause an immediate threat of physical, mental, or emotional harm to, the client, his or her children, or any children residing with the client.
- d. **The client is allowed to define his or her perception of an immediate threat.**
- e. If identification and verification of abuse exists, the case manager must refer the client to appropriate available services and grant a temporary deferral, up to a maximum of six months per incident.
- f. Acceptable verification may include, but is not limited to, the following:
  - i. Declarative statements from the client. Declarative statements may be the only method that a client claiming domestic violence has of providing verification;
  - ii. Police reports;
  - iii. Court records;

- iv. Medical records;
- v. Physical evidence of domestic violence;
- vi. Documentation from shelter staff, attorneys, clergy, medical professionals, or other professionals from whom the client has sought assistance in dealing with domestic violence;
- vii. Statements from Department of Child Safety staff, with substantiating evidence that domestic violence exists within the client's home and is having an adverse effect on the client;
- viii. Other corroborating evidence, such as statements from other individuals with knowledge of the circumstances that provide the basis for the claim; or
- ix. Other documentation, which could include news stories from television, newspapers, radio or other appropriate media.

3. Child Under 12 Months

- a. A temporary deferral can be granted to:
  - i. A client in a single-parent family with a child under the age of 12 months; or
  - ii. A non-parent relative personally caring for a child who is under the age of 12 months for a period of not more than 12 months in the client's lifetime.
- b. This deferral does not apply to two-parent families or to teenage custodial parents who do not have a high school diploma or a high school equivalency diploma.
- c. Monitoring Requirements
  - i. Jobs Program staff are responsible for tracking the number of months during which a client receives a deferral due to having a child under the age of 12 months.

- ii. The deferral period must be documented in the case notes.
- iii. The Jobs Program case manager must continue to monitor the status and must remove the client from this deferral status when one of the following applies:
  - a) The client exhausts the 12-month lifetime limit for this deferral;
  - b) The client's child turns one year of age (deferral status must be removed that month); or
  - c) The client chooses to participate in the Jobs Program.

4. Child Under 12 Weeks

- a. The Jobs Program case manager can grant a temporary deferral to unmarried teen custodial parents under the age of 18 who do not have a high school diploma or its equivalent when they are personally caring for a child less than 12 weeks of age.
- b. Jobs Program staff must monitor the deferral status and remove the client from a deferral status in the month in which the client's child reaches 12 weeks of age or when the client chooses to participate in the Jobs Program, whichever comes first.

5. Dependent Children

Dependent children are also temporarily deferred from participation even if they do not meet any of the criteria in this section.

# ARIZONA DEPARTMENT OF ECONOMIC SECURITY

TANF Jobs Program

Policy Number: DES 2-10.600

Effective Date: February 7, 2020

## CHAPTER 6: SUPPORT SERVICES, CHILD CARE, ASSISTANCE, AND TRANSITIONAL SERVICES

### I. Policy Statement

The Jobs Program offers funding for temporary and targeted supportive services to assist program clients in meeting their requirement to work, look for work, or prepare for work by participating in required activities. Jobs Program support services, TANF child care assistance, and some transitional benefits are available to assist Jobs Program clients to engage in work activities, accept and maintain employment, and successfully transition from public assistance dependence to financial independence through working.

### II. Authority

#### A. Federal Authority

1. 42 U.S.C. §604 - §604a.
2. 42 U.S.C. §618.
3. 45 C.F.R. §260.31 - §260.32
4. 45 C.F.R. §263.3 - §263.5.

#### B. State Authority

1. A.R.S. §46-299.
2. A.R.S. §46-300.06.
3. A.A.C. R6-10-120 – R6-10-121.
4. A.A.C. R6-10-126.

### III. Applicability

#### A. Support Services

The intent of Jobs Program support services is to offer a resource for clients to assist them with services that help overcome barriers in their path to self-sufficiency. These services are also available to clients whose

TANF Cash Assistance case closes, when it has been verified that the client is employed in unsubsidized employment at the time of case closure.

**B. TANF Child Care**

The purpose of Jobs child care assistance, provided by the DES Child Care Administration (CCA), is to enable client participation in the Jobs Program.

**C. Transitional Services**

Jobs Program clients transitioning from TANF Cash Assistance to unsubsidized employment may be eligible for transitional services.

**IV. Acronyms and Definitions**

**A. Acronyms**

AHCCCS	Arizona Health Care Cost Containment System
CCR&R	Arizona Child Care Resource & Referral
TBA	Transitional Benefits Assistance
TCC	Transitional Child Care
TMA	Transitional Medical Assistance

**B. Definitions**

**V. Standards**

**A. Support Services**

Qualifying individuals are eligible for an additional six months of Jobs Program transitional services. Case managers must establish the client's ability to sustain ongoing expenses if applicable. The case manager must document how and why the decision to provide a Jobs Program support service was made.

1. Jobs Program support services are based on individual need and the availability of program resources.
2. Jobs Program funding for support services is allowable only to purchase services **directly for the client.**



3. Jobs Program funding cannot be used to make payments to, or on behalf of, clients who receive payments for the same services provided by other programs.

**B. Jobs Child Care Assistance**

**Jobs child care recipients are not assigned a copay but may be responsible to pay for additional fees depending on those charged by the selected child care provider.**

1. Eligibility While Receiving TANF

Jobs Program clients are eligible for child care assistance to participate in the JPPO, initial appointment, approved activities, and to obtain and/or maintain employment.

- a. Child care assistance is provided by CCA for dependent children under the age of 13.
- b. Clients must comply with the Jobs Program requirements to continue receiving child care assistance.
- c. The Jobs Program staff determines eligibility for child care assistance for participants in the Jobs program. This is not the same as authorization of child care services completed by CCA. Authorization for child care services is given by CCA, and services to a participant may still be denied, even if eligible.
- d. Referrals to CCA can also be made for a client who is a parent or the specified relative of an unwed minor parent to support educational opportunities for the minor parent involved in the client's TANF Cash Assistance case.
  - i. A referral is appropriate when the minor parent and the minor parent's child are included in the client's TANF Cash Assistance case, or if either the minor parent or minor parent's child is not included in the case due to receipt of Supplemental Security Income (SSI).
  - ii. CCA, not Jobs Program staff, will verify the school schedule of the minor parent and monitor continued eligibility.

- e. Jobs child care assistance is not available for clients on a Jobs Program extension. **Clients must apply for assistance directly with CCA.**

## 2. Informing the Client

- a. Prior to the referral to the CCA, Jobs Program staff must inform clients of their responsibility for selecting a child care provider.
- b. Case managers must not select or recommend a particular child care provider nor a specific type of child care provider.
- c. Information about the Arizona Child Care Resource & Referral (CCR&R) should be made available to the client. CCR&R is a community service that matches child care resources with parents seeking child care.
- d. Jobs Program staff must advise clients seeking child care services:
  - i. To ask the child care providers whether DES authorized payments are accepted; and.
  - ii. Of their responsibility for any additional charges beyond the amount paid by the CCA.

## 3. Referrals

Jobs child care services are initiated through an electronic referral by the Jobs Program to CCA. A DES child care specialist authorizes child care services after the referral is received. An application or interview with CCA is not required for Jobs child care.

- a. Jobs Program case managers must ensure referrals are made in a timely manner to allow a reasonable amount of time for child care services to be arranged.
  - i. Child care services may be authorized as of the date the referral is keyed in the Jobs Program automated system.

- ii. Jobs Program case managers must instruct the client to contact the child care specialist to arrange child care services within two workdays of the referral.
    - iii. The Jobs Program case manager must notify the CCA of any changes in the client's schedule of assigned activities through the automated process and also when participation stops.
  - b. When clients require child care assistance to attend their initial Jobs Program Case Management Appointment:
    - i. They may contact the Jobs Program local office to request assistance prior to the appointment date.
    - ii. The Jobs Program case manager must key an expedited electronic referral to CCA.
  - c. For TPEP families, a referral will be initiated for each parent when both parents are participating in approved activities and/or employment. Child care referrals are not initiated when only one TPEP parent participates.
  - d. Jobs Program staff must engage clients in activities with as much consistency and continuity as possible while minimizing breaks between activities to the greatest extent possible.
    - i. Gaps between activities on the ECDP lead to days in which child care providers are not used.
    - ii. If CCA criteria is met, CCA will pay for up to two child care absences per month.
    - iii. As most providers charge weekly rates, the client is often billed for the expense which creates a financial hardship.
  - e. Jobs Program staff must ensure that individuals will participate in the program for a minimum of 30 days when making a child care referral. Child care referrals must be made in order to support assigned program activities. [30-day participation period per referral.]

- f. Failure to consider child care needs can create hardships for clients. Jobs Program staff must consider child care needs when assigning all activities. For example, when an ECDP is developed and activities are assigned for short timeframes with frequent interruptions, clients are challenged to find a child care provider willing to accept children on a short-term basis.

**C. Refusal to Accept Services**

Clients may refuse Jobs Program support services including child care assistance, but may not refuse to participate in Jobs Program work activities and/or to accept and maintain employment as a result of refusing Jobs Program support services. The case manager must ensure that the client understands the requirement to participate even when the individual refuses to accept a Jobs Program support service.

**D. Transitional Services**

The Jobs Program must ensure that the client understands the potential services that are available. Transitional services are offered by the Jobs Program, the CCA, and the FAA.

1. Transitional Services

Transitional Services are available for up to six months beginning on the first day of the month following the month in which TANF Cash Assistance case closure occurred.

- a. Staff must have verified the client was in unsubsidized employment at the time of case closure.
- b. Transitional services must include assistance with education and training opportunities to support job retention.
- c. Written notification of these services must be provided to the client.

2. Transitional Child Care Services

Transitional Child Care (TCC) services are potentially available for up to two years beginning on the first day of the month following TANF Cash Assistance case closure.

- a. An application for child care assistance must be submitted by the client within six months of the TANF closure date.
- b. The six-month application requirement is considered to be met if the client received child care assistance or was on the child care Priority Waiting List in the month of TANF closure.
- c. As soon as it is discovered that the client's TANF Cash Assistance case closed due to employment, the Jobs Program case manager must alert the child care specialist of potential eligibility for TCC through an automated process.
- d. The CCA determines initial and continued TCC eligibility including the assignment of a fee level/copayment based on the income eligibility criteria of CCA.
- e. Clients and other parent/responsible persons in the same household must have an eligible activity or need as determined by the CCA.

3. Transitional Benefits Offered by The FAA

- a. Transitional Medical Assistance (TMA) is available from FAA for a medical assistance recipient who enters employment.
  - i. The recipient and their family may be eligible for TMA
  - ii. FAA determines eligibility for TMA.
  - iii. The Arizona Health Care Cost Containment System (AHCCCS) administers medical care services.
- b. Transitional Benefits Assistance (TBA) is available to a Nutrition Assistance recipient who loses eligibility for TANF due to employment.
  - i. The recipient may be eligible for TBA for up to five consecutive months following TANF Cash Assistance closure.
  - ii. The FAA determines eligibility for TBA.

# ARIZONA DEPARTMENT OF ECONOMIC SECURITY

TANF Jobs Program

Policy Number: DES 2-10.700

Effective Date: February 7, 2020

## CHAPTER 7: EMPLOYMENT TAX INCENTIVES

### I. Policy Statement

This section discusses some employment tax incentives for employers and clients. Jobs Program staff should become familiar with existing and emerging tax incentives relating to employers and clients in order to inform each party of his or her potential eligibility for such.

### II. Authority

#### A. Federal Authority

1. 42 U.S.C. §604.
2. 45 C.F.R. §260.33.

#### B. State Authority

1. A.R.S. §46-299.
2. A.R.S. §46-300.03.

### III. Applicability

#### A. Employer Tax Incentives

The purpose of employer tax incentives is to offer employers a tax credit for hiring certain job seekers. Jobs Program staff should explain to employers that there is minimal paperwork needed to claim the tax credits.

#### B. Employee Tax Incentives

The purpose of employee tax incentives is to offer employed clients a tax credit for working. The Jobs Program case manager must explain the benefits of the tax credit to clients.

### IV. Acronyms and Definitions

#### A. Acronyms

EITC            Earned Income Tax Credit

WOTC          Work Opportunity Tax Credit

**B. Definitions**

Reference the [glossary](#) for definitions of **Long-Term TANF Recipient** and **Short-Term TANF Recipient**.

**V. Standards**

**A. Employer Tax Incentives**

1.      Work Opportunity Tax Credit

The Work Opportunity Tax Credit (WOTC) is a federal tax credit incentive that may be available to employers who hire individuals from specific target groups with challenges to obtaining employment. The main objective of the WOTC is to enable targeted employees to gradually move from economic dependency to financial self-sufficiency. As these employees earn a steady income they become contributing taxpayers, while the participating employers are compensated with a reduction in their federal income tax liability. Included in these target groups are:

a.      **Long-Term TANF Recipient**

b.      **Short-Term TANF Recipient**

c.      **Others:** Ex-felons, certain veterans, and certain recipients of Unemployment Insurance and Supplemental Nutrition Assistance Program benefits.

d.      Information about the WOTC and its availability is located on the [DES WOTC website](#).

2.      State Tax Credit for Employment of TANF Recipients

a.      Arizona law provides a credit for employers that employ recipients of TANF. The credit is based on net increases in qualified employment positions. The credit for employing TANF recipients is equal to:

i.      One-fourth of the taxable wages paid to each qualified employee in the first year or partial year of employment, not to exceed \$500 per new employee;

- ii. One-third of taxable wages paid to each previously qualified employee in the second year of continuous employment, not to exceed \$1,000 per new employee; and
  - iii. One-half of taxable wages paid to each previously qualified employee in the third year of continuous employment, not to exceed \$1,500 per new employee.
- b. A qualified employment position is a position that meets all of the following:
  - i. Is classified as full-time employment;
  - ii. Provides health insurance coverage, when the employer offers the coverage to other employees not receiving TANF Cash Assistance;
  - iii. Provides compensation equal to the minimum wage or a wage comparable to that paid to other employees in the same job classification who are not receiving TANF Cash assistance; and
  - iv. Is listed on the report submitted by employers to the Arizona Department of Economic Security for unemployment purposes.
- c. In order to be placed in a qualified position, the employee must meet all of the following criteria:
  - i. Be a resident of Arizona;
  - ii. Be a TANF Cash Assistance recipient at the time of hire;
  - iii. Be employed for at least 90 days during the first taxable year. Periods when the employee's wages are subsidized cannot be counted; and
  - iv. Not have been employed by the employer within 12 months before the current hire date.



- d. Information about the tax credit is available through the Arizona Department of Revenue website at <http://www.azdor.gov/>. Publication 708 discusses general information about the credit for employing TANF recipients and is located at <http://www.azdor.gov/Portals/0/Brochure/708.pdf>

**B. Employee Tax Incentives**

1. Earned Income Tax Credit

The Earned Income Tax Credit (EITC) is a federal income tax credit for low-income working individuals and families. The tax credit reduces the amount of tax owed (if any) and may result in a tax refund even if taxes are not owed. To qualify, taxpayers must meet certain requirements and file a tax return, even when they do not earn enough money to be obligated to file a tax return.

More information about the tax credit is available on the Internal Revenue Service website at:

<https://www.irs.gov/credits-deductions/individuals/earned-income-tax-credit>

2. During tax season, information related to free assistance with income tax preparation for low-income individuals can be obtained by contacting Community Information and Referral Services at: <http://www.cirs.org/>

# ARIZONA DEPARTMENT OF ECONOMIC SECURITY

TANF Jobs Program

Policy Number: DES 2-10.800

Effective Date: February 7, 2020

## CHAPTER 8: PARTICIPANT NON-COMPLIANCE

### **I. Policy Statement**

As a condition of TANF Cash Assistance eligibility and continuing eligibility, all mandatory work-eligible individuals are required to participate in specific work activities through the Jobs Program. When a mandatory client does not comply with work requirements, he or she may be subject to a financial penalty called a sanction. This section provides guidelines that must be applied in all instances of non-compliance and describes the elements of the sanction process to ensure that penalties are applied uniformly and that the client is given due process.

### **II. Authority**

#### **A. Federal Authority**

1. 42 U.S.C. §607 - §609.
2. 45 C.F.R. §261.10 - §261.16.
3. 45 C.F.R. §264.1.

#### **B. State Authority**

1. A.R.S. §46-299.
2. A.R.S. §46-300.
3. A.R.S. §46-300.02.
4. A.A.C. R6-10-102.
5. A.A.C. R6-10-124.

### **III. Applicability – Non-Compliance and Absence of Good Cause**

Arizona state law requires that a reduction or termination of TANF Cash Assistance benefits be imposed when a client fails or refuses to participate with the work requirements through the Jobs Program without good cause or fails to demonstrate compliance in the absence of good cause.

#### **IV. Acronyms and Definitions**

##### **A. Acronyms**

NOAA            Notice of Adverse Action

WOTC           Work Opportunity Tax Credit

##### **B. Definitions**

Reference the [glossary](#) for definitions of **Assessment, Benefit Month, Community Resource, Demonstrating Compliance, Notice of Adverse Action** and **Sanction**.

#### **V. Standards**

##### **A. Non-Compliance and Sanctions**

Financial penalties may result in a hardship to a family without other alternatives of support. Penalties must be applied with caution and only after much consideration. Sanctioning should **never** be the first line of action when looking at an incident of non-compliance. The case manager's first line of action is to encourage the client to participate and/or to remove any barriers which are preventing client engagement with Jobs Program work activities.

##### **B. What is an Incident of Non-Compliance**

An incident of non-compliance occurs when a client fails to participate with the work requirements administered through the Jobs Program without a good cause or, in the absence of good cause, fails to demonstrate compliance to prevent a sanction. Under the following conditions, an incident of non-compliance may result in sanctioning of the household's TANF Cash Assistance:

1. Failure to appear for scheduled appointments with a Jobs Program case manager;
2. Failure to attend scheduled work activities as noted on the ECDP;
3. Failing to appear for specialized assessments or appointments as noted on the ECDP;

4. Refusing to submit a completed application for employment when required;
5. Refusing to accept suitable employment, voluntarily reducing employment hours, or voluntarily quitting employment without good cause;
6. Falsifying mandated or required information;
7. Behaving in a manner that constitutes a threat or hazard to agency staff or others; or
8. Intentionally disrupting an activity or the orderly administration of the overall program such as:
  - a. Attending but refusing to participate in classes, workshops, or other assigned activities, or
  - b. Disruptive behavior that makes it difficult for an instructor or other person to conduct the activity.

**C. When Non-Compliance Occurs**

1. Determination of Non-Compliance
  - a. When an incident of non-compliance occurs, the Jobs Program case manager must **first** determine whether:
    - i. The non-compliant individual should have been excluded from participation in the work activities; or
    - ii. If he or she meets the requirements for a temporary deferral from the participation requirements.
  - b. If these two conditions do not exist, the case manager **MUST**:
    - i. Send the notice of non-compliance within three business days of the incident of non-compliance; and
    - ii. Attempt to contact the client until he or she provides verification of good cause by the due date and/or

attends the scheduled appointment as outlined in the non-compliance notice.

- iii. During this time, the case manager must determine whether:
  - a) A barrier to participation has been identified;  
**and**
  - b) If supportive services have been offered.

## 2. Non-Compliance Review

- a. The case manager must review the case record to determine whether barriers have been identified and addressed.
  - i. When services **have not** been offered or provided to address an identified barrier, the Jobs Program case manager must make every effort to ensure that the individual is made aware of available services, whether through the actual provision of services by the Jobs Program private contractor or by referral to outside or community resources.
  - ii. If services **are not** available to remove the identified barrier(s), the individual must be granted good cause for not participating in the activity.
- b. The individual and the case manager must work together to find a resolution to the barrier(s) and find another activity for engagement that may include participation in **short-term** barrier resolution activities until a service becomes available **or** the barrier ceases to exist.

## **D. Sanction Prevention**

- 1. When the Jobs Program identifies that there has been a break in compliance with the work activity requirement, the Jobs Program must provide intensive intervention planning throughout the case management process to prevent a sanction, including after the notification of non-compliance has been sent.

2. The Jobs Program must continue attempts to engage the client in work-related activities to prevent each stage of progressive sanction until the client is once again engaged or the household's TANF Cash Assistance case is closed.

**E. What is a Sanction?**

In Arizona, a TANF sanction is defined as a percentage of the originally approved monthly TANF Cash Assistance amount deducted from the household's monthly TANF Cash Assistance allotment. This sanction process is progressive. If noncompliance is ongoing, it will eventually result in the closure of the household's TANF Cash Assistance case. This is known as a **full family** sanction.

A sanction related to non-compliance with the Jobs Program will be imposed **only** after the Jobs Program case manager has addressed all identified barriers, exhausted all avenues and resources to encourage the individual to participate, and determined that good cause has not been established for non-compliance or the client did not demonstrate compliance with the Jobs Program.

1. Determining the Sanction Level
  - a. Non-compliance with one or more of the following requirements during any calendar month is determined to be a month of noncompliance and will result in a progressive sanction.
  - b. The sanction level is determined by whether there have been any prior sanctions because of non-compliance with TANF related mandates, such as:
    - i. Non-cooperation with Division of Child Support Services;
    - ii. Refusal to participate in or non-compliance with the Jobs Program work activity requirements;
    - iii. Voluntary termination of paid employment without good cause; and
    - iv. Sale, use, or possession of a controlled substance in violation of ARS Title 13.

- v. Unsatisfactory school enrollment and attendance; and
- vi. Insufficient immunization record.

Case Managers are only required to verify compliance with Jobs Program requirements and voluntary employment termination without good cause.

- c. The FAA will impose these progressive sanctions even if the instances of noncompliance do not occur in consecutive months.
- d. The sanction(s) will impact any TANF household in which the individual is a member.
- e. All prior sanctions will remain on the TANF client's record for life.

## 2. Sanction Levels

- a. **First sanction:** The household's TANF Cash Assistance is reduced by 50% of the original grant amount for one month. **There is one 50% sanction in a lifetime.**
- b. **Second and all subsequent sanctions:** The household's TANF Cash Assistance case is closed and must remain closed for at least one month. There is no limit to the number of 100% sanctions that can be imposed.
- c. If the sanction has reached the 100% level, clients must re-apply for TANF Cash Assistance and complete the eligibility determination process. If determined eligible, TANF Cash Assistance will be approved after the 100% sanction month is served.

## 3. Multiple Sanctions

It is possible to have more than one act of non-compliance with a TANF related requirement in the same month; this is called **multiple sanctions**. When there is more than one sanction imposed for the same month, the multiple sanctions for the benefit month are considered one sanction level. For case managers, this means providing the client one notification of non-compliance that includes

all applicable sanctions in the notice, rather than individual notifications for each sanction.

**F. Notification of Non-Compliance**

A notification of non-compliance is part of due process for the client. When the incident of non-compliance occurs, the notification **must be provided to the client** and must include the date and location in which the non-compliance occurred.

1. Notification Requirements

The case manager must complete and send the *Good Cause Request/Last Chance to Stop the Sanction Appointment* notice (JB-120 English or JB-320 Spanish) via JAS.

- a. The notice must be mailed **within three workdays** from the date the incident of non-compliance becomes known to the Jobs Program.
  - i. This notice must allow the individual 10 calendar days (day one is the day after the notice is mailed) to provide good cause.
  - ii. When the 10th calendar day falls on a weekend or State holiday, the due date must be extended to the next business day.
- b. The case manager must:
  - a. Make every attempt to work with and engage the client; and
  - b. Obtain verification of good cause that led to the incident of non-compliance.
- c. This notice also informs the client of a Last Chance to Stop the Sanction appointment for the client who does not provide a good cause reason for non-compliance, but who is now ready and willing to participate with the Jobs Program required work activities. This appointment must be scheduled on the 10th calendar day from the day in which the notice is



mailed (the same day that the good cause verification is to be received).

- d. Finally, this notice informs the client that a separate notice will be sent informing him or her that his or her household's TANF Cash Assistance will be reduced or stopped if he or she:
  - i. Does not provide a good cause reason for not working with the Jobs Program; or
  - ii. Fails to attend the Last Chance to Stop the Sanction appointment and demonstrate compliance.
- e. Jobs Program staff must use the following methods in an attempt to contact the participant and determine whether good cause exists and advise the client how to avoid the sanction in the absence of good cause:
  - i. A phone call if the client has a phone;
  - ii. Consultation with other DES programs to determine if they have had contact with the client or have a current address or phone number for the participant; and
  - iii. Any other reasonable method for contacting the participant.

## 2. Good Cause Reasons

Good cause can be defined as any situation or circumstance beyond a client's control that prevented engagement in the specific work requirements identified by the Jobs Program. Jobs Program case managers must use reasonable judgment when making good cause decisions, keeping in mind that engagement of the client is the primary goal. Some examples of good cause reasons are:

- a. The client has barriers to participation for which services are not available, or the client is participating in referred services to address the barrier;
- b. The client's illness;

- c. The client was/is needed to care for a family or household member who is ill or has a disability;
- d. The client or the client's dependent had a conflicting appointment that could not be rescheduled, such as a court ordered appearance, medical/dental appointments, or employment interviews;
- e. The client experienced an emergency, such as loss of the client's residence due to fire, flood, or other natural disaster, death of an immediate family member, or other instances of emergency situations;
- f. The client has a temporary lack of transportation with no reasonable alternative means of transportation;
- g. Extreme weather which makes walking to participate in the work activity unreasonable when there is no other form of transportation;
- h. The client was not capable of performing the work activity for reasons such as unsafe worksite conditions or a bona fide labor dispute;
- i. The client was a victim of violence or a circumstance threatens the safety of, or causes an immediate threat or emotional harm to, the client or any household member. It should be noted that the client is allowed to define his or her perception of an immediate threat;
- j. Child care for a child who is under 13 years of age was unavailable, unaffordable, or unsuitable; The CCA will notify the Jobs Program through the Jobs Program automated system if child care is unavailable, unaffordable, or unsuitable. The client is not subject to the sanction process. The client must be re-referred to the CCA intermittently to explore the availability of child care services.
- k. Child care is unavailable for a child age 13 or over who requires adult supervision because:
  - i. The child is on court ordered probation that requires the child to remain in the home or under house arrest;

- ii. The child has a disability including mental health or other related issues; or
- iii. The child would be harmful to themselves or to others if left alone;
- l. Translation services were not available or were not provided, in the case of a client in need of such services; and
- m. Other comparable circumstances beyond the client's control occurred, including an error caused by DES or by the Jobs Program.

3. Examples of Good Cause Verification

- a. Some examples of acceptable documentation that verifies good cause are:
  - i. A statement from an acceptable medical source;
  - ii. Appointment notices from a court, the FAA, or other similar notices;
  - iii. Death certificates;
  - iv. Newspaper articles or other similar evidence of public knowledge;
  - v. CCA information;
  - vi. Police reports;
  - vii. Statements from crisis shelter staff or a witness to domestic violence;
  - viii. Statements from a third party; or
  - ix. Signed client statements explaining circumstances that establish good cause, when no other verification is possible.
- b. Jobs Program staff must assist in obtaining any documentation required for verification of the good cause reason for non-compliance.

**G. Verification That Establishes Good Cause**

When verification establishes good cause, Jobs Program staff must send the *Good Cause Approved or Attended Appointment* notice (JB-121 English or JB-321 Spanish) via the Jobs Program automated system within two workdays of the determination of good cause. A sanction must not be imposed.

Jobs Program staff must determine if the individual qualifies for a temporary deferral or if steps should be taken to begin engagement and/or barrier resolution.

**H. Verification That Does Not Establish Good Cause**

1. Notification

When a client responds to the *Good Cause Approved or Attended Appointment* notice (JB-121 English or JB-321 Spanish) and provides information to establish good cause but the information does not meet the requirements of **acceptable verification** of good cause, he or she must be given one last chance to attend an appointment and demonstrate compliance to prevent a sanction.

- a. This appointment must be scheduled on the 10th calendar day from the date the notice is mailed (day one is the day after the notice is mailed).
- b. When the 10th calendar day falls on a weekend or State holiday, the appointment date must be extended to the next business day.
- c. This last chance is provided because the individual attempted to comply with the request for good cause.

2. Sanction Prevention Appointment

- a. When the client provides verification of good cause, the *Failure to Establish Good Cause Reason/Appointment* notice (JB-123 English or JB-323 Spanish) must be sent via the Jobs Program automated system within **two workdays** of the determination of good cause. This notice informs the client that:

- i. The good cause information received did not meet the requirements to establish a good cause reason;
  - ii. But because the client responded in an attempt to comply with the request, he or she is provided with a chance to attend an appointment to prevent TANF Cash Assistance from being cut or stopped; and
  - iii. If the client fails to attend the appointment, a separate notice will be sent indicating that the household's TANF Cash Assistance will be reduced or stopped.
- b. When the client attends the scheduled appointment and demonstrates compliance, send the *Good Cause Approved/Attended Appointment* notice (JB-121 English or JB-321 Spanish).
  - c. The sanction process must be started and the Failure to Establish Good Cause Reason/Appointment Notice (JB-123 English or JB-323 Spanish) sent when the client:
    - i. Does not attend the scheduled appointment; or
    - ii. Attends the scheduled appointment but does not demonstrate compliance.

**I. Client Attends Appointment to Prevent Sanction/Completes Participation**

When the client attends the appointment to prevent the sanction:

1. An ECDP must be developed.
2. The client must begin and continue to participate in the work activities specified in the plan. This is known as demonstrating compliance.
3. Jobs Program staff must work closely with the client to ensure that participation is maintained and can be verified as soon as possible. The verification of at least one day of participation will prevent the sanction from being imposed.
4. Jobs Program staff must send the *Good Cause Approved or Attended Appointment* notice (JB-121 English or JB-321 Spanish)

via the Jobs Program automated system within 2 workdays of meeting the work activity requirements. This notice informs the client that a sanction will not be imposed because he or she has met the requirements to avoid a sanction.

5. A minimum of one day of verified participation can establish a minimum timeframe for continuation or restoration of TANF benefits. If there is adequate time for verification of ongoing participation, the Jobs Program case manager must use the longer timeframe to ensure that the participation continues.

**J. Client Attends Appointment to Prevent Sanction/Does Not Begin or Complete Participation**

When the client attends the appointment to prevent a sanction, but does not begin or complete the one-day minimum participation requirement:

1. The appropriate Notice of Adverse Action (NOAA) must be sent by the Jobs Program via the FAA's Arizona Technical Eligibility Computer System (AZTECS), and a sanction will be imposed.
2. When a 50% sanction is imposed, Jobs Program staff must send notification to the client, within five calendar days of sending the NOAA, explaining how to prevent the progressive sanction from moving into the 100% sanction level (see Preventing a 50% Sanction from Progressing to the 100% Sanction Level).

**K. Client Does Not Provide Good Cause Information or Attend Appointment**

1. When the client does not respond to the *Good Cause Request/Appointment* notice (JB-120 English or JB-320 Spanish) or the client does not attend the appointment, Jobs Program staff must:
  - a. Send the *Failure to Provide Good Cause or Appear at the Last Chance to Stop the Sanction Appointment* notice (JB-122 English or JB-322 Spanish) via the Jobs Program automated system within two workdays of the 10-day due date in the *Good Cause Request/Appointment* notice. This notice advises that the client did not provide good cause or attend the appointment that would have prevented the sanction.

- b. The Jobs Program must send the appropriate NOAA in AZTECS, and a sanction will be imposed.
2. When a 50% sanction is imposed, Jobs Program staff must send notification to the client, within five calendar days of sending the NOAA, explaining how to prevent the progressive sanction from moving into the 100% sanction level (see Preventing a 50% Sanction from Progressing to the 100% Sanction Level).

**L Preventing a 50% Sanction from Progressing to the 100% Sanction Level**

1. Clients can prevent the 50% sanction from moving into the 100% sanction level by:
  - a. Attending an appointment,
  - b. Developing an ECDP, and
  - c. Beginning and continuing participation in the established work activity (demonstrating compliance).
2. A minimum of one day of verified participation can establish a minimum timeframe for continuation or restoration of TANF benefits. However, if there is adequate time for verification of ongoing participation, the Jobs Program case manager must use the longer timeframe to ensure that the participation continues as required.
3. Within five calendar days of sending the 50% Sanction NOAA, Jobs Program staff must:
  - a. Send the *How to Prevent the 100% Sanction* notice (JB-125 English or JB-325 Spanish) via the Jobs Program automated system. This notice contains information about the appointment that the client will need to attend to prevent the sanction from progressing to the 100% sanction level.
  - b. The appointment must be scheduled on the 10th calendar day from the date the notice is mailed (day one is the day after the notice is mailed).

- i. When the 10th calendar day falls on a weekend or State holiday, the appointment date must be extended to the next business day.
  - ii. This appointment can be rescheduled provided it is completed no later than the seventh calendar day of the 50% sanction month.
4. The *How to Prevent the 100% Sanction* notice informs the client to contact the Jobs Program if there is a problem attending the scheduled appointment. If the client contacts the Jobs Program with a valid need to reschedule the appointment, it is allowable provided that the rescheduled appointment can be completed within the prescribed timeframe.
5. Client Attends Appointment to Prevent 100% Sanction/Completes Participation:
  - a. The verification of at least one day of participation will prevent the sanction from being imposed. When the client attends the appointment to prevent the 100% sanction:
    - i. An ECDP must be developed.
    - ii. The client must begin and continue participation in accordance with the ECDP.
    - iii. Jobs Program staff must work closely with the individual to ensure that participation can be verified as soon as possible.
  - b. Following the successful completion of at least one day of verified participation, Jobs Program staff must take action to end the sanction by way of an automated alert process which notifies the FAA to end the sanction. FAA staff will take action to end the sanction and will notify the client that the sanction has ended by sending the *CA-Change Progressive Sanction Ended* notice (A741) via AZTECS within three days of receiving the automated alert.
  - c. A minimum of one day of verified participation can establish a minimum timeframe for continuation or restoration of TANF benefits. However, if there is adequate time for verification of



ongoing participation, the Jobs Program case manager must use the longer timeframe to ensure that the participation continues as mandated.

6. Client Attends Appointment to Prevent 100% Sanction/Does Not Begin or Complete Participation:

When the client attends the appointment to prevent the 100% sanction but does not begin or complete the minimum one day participation requirement, the 100% Sanction NOAA must be sent via AZTECS by Jobs Program staff. FAA staff will impose the 100% sanction and close the TANF Cash Assistance for the month immediately following the 50% sanction month. No other action is needed since a re-compliance alert is not generated.

7. Client Does Not Attend Appointment to Prevent 100% Sanction:

When the client does not attend the appointment to prevent the 100% sanction, the 100% Sanction NOAA must be sent via AZTECS by Jobs Program staff. FAA staff will impose the 100% sanction and close the TANF Cash Assistance for the month immediately following the 50% sanction month. No other action is needed since a re-compliance alert is not generated.

**M. Notice of Adverse Action**

All TANF households must receive notification of any decrease or termination in the household's TANF Cash Assistance allotment. This separate notice is created and sent via AZTECS by Jobs Program staff and is referred to as the Notice of Adverse Action (NOAA). This notice must give the individual a minimum of 10 days advance notice that the household's TANF Cash Assistance will be decreased or stopped. The ten-day NOAA must expire before the first day of the month that the decrease or termination is to take effect.

Prior to sending the NOAA, Jobs Program staff must determine the effective month of the sanction and the sanction level. A notice must be sent for each sanction level recommended by the Jobs Program. This notification must provide the client with information regarding the reason for the TANF allotment decrease or termination. This notice also provides information on the individual's right to file an appeal regarding this decrease or termination of benefits.

1. Notice of Adverse Action Requirements:

Once the effective month of the sanction has been identified and the sanction level has been established, the Jobs Program case manager must select the appropriate NOAA in AZTECS (see section 708 of the *Jobs Program User Guide*), if the failure to comply is related to the Jobs Program. The NOAA must include the following information:

- a. The percentage of the sanction;
- b. The month the sanction will be imposed;
- c. The length of time the sanction will be imposed;
- d. The benefit amount after the sanction is imposed;
- e. How the individual failed to comply;
- f. The date and location of the alleged failure to comply;
- g. How the individual can prevent the sanction from progressing to the next sanction level unless the sanction is already at 100%; and
- h. The individual's right to file for a fair hearing if he or she disagrees with the action.

2. Identifying the Effective Month of the Sanction:

The Jobs Program case manager identifies the month in which the TANF Cash Assistance benefit will be sanctioned.

- a. When the NOAA is completed **on** or **prior** to the last day of the month in which a notice of adverse action may be keyed/requested, the sanction is imposed for the following month.
- b. When the NOAA is completed **after** the last day of the month in which a notice of adverse action may be keyed/requested, the sanction is imposed for the second month following the month the NOAA is completed.

3. Determining the Sanction Level:

The Jobs Program case manager must determine whether sanctions have been imposed for prior months.

- a. When a record of a previous sanction is not found, the sanction level will be 50%.
- b. If a 50% or 100% has previously been applied, the level will be at 100% and result in the closure of the TANF Cash Assistance case.

**Exception:** TANF households may receive TANF Cash Assistance for an additional 12 months following the Lifetime Benefit Limit when certain conditions, as determined by FAA, are met. This is referred to as the Time Limit Extension. Adult household members who are required to participate with the Jobs Program must *remain* in compliance with the Jobs Program to continue receiving the additional months of TANF Cash Assistance. This means that the TANF Cash Assistance Case, on a Time Limit Extension, must be closed when the Jobs Program case is subject to a sanction. See Section 708 of the *Jobs Program User Guide* for a list of NOAAs related to Jobs Program sanctions.

## **N** **Mandatory Supervisory Review**

All sanctions require supervisory review and approval. The Jobs Program case manager must submit the case record, and all documents that support the decision to sanction, to a Jobs Program supervisor or designee. The supervisor must review the case record and all verification and supporting documentation related to the actions taken which have led to the decision to sanction. Ideally, this review should be completed the **same** day the information is submitted, but must be completed within five calendar days from the date the NOAA was completed.

1. Supervisory Denial/Corrective Actions
  - a. After a thorough review of the documentation leading to the sanction, the Jobs Program supervisor may identify reasons for the denial of the decision to sanction. The supervisor must:
    - i. Document the reason for the denial and what corrective actions are necessary.

- ii. Note all actions to be taken, and the timeframe required to submit for a second review, to ensure that corrective action is completed timely.
- b. The case manager must then complete the appropriate actions indicated by the supervisor, including notification of the reversal of the sanction to the client when required. Actions required when a sanction has been reversed include notifying the client of the reversal, updating JAS, documenting the case record and reengaging the client.

## 2. Supervisory Approval

- a. When the Jobs Program supervisor approves the decision to sanction, the supervisor must:
  - i. Document this approval in the case record.
  - ii. The approval must include:
    - a) Supervisor's full name,
    - b) Date of approval, and
    - c) The percentage and effective month of the sanction.
- b. The Jobs Program case manager must then monitor and continue sanction prevention strategies.
- c. Separate documentation of supervisory approval is required at **each** level of sanction.

## **O. Monitoring Sanctioned Clients**

The Jobs Program case manager must continue attempts to engage the client in federal work activities, until the client complies or the TANF Cash Assistance case is closed. All clients who are in a sanction status and have had the sanction applied must be monitored until the client demonstrates compliance or until the TANF case is closed because of the 100% sanction.

# ARIZONA DEPARTMENT OF ECONOMIC SECURITY

TANF Jobs Program

Policy Number: DES 2-10.900

Effective Date: February 7, 2020

## CHAPTER 9: TWO-PARENT EMPLOYMENT PROGRAM

### I. Policy Statement

Arizona's Two-Parent Employment Program (TPEP) is based on a **pay after performance** premise which includes the requirement that these individuals comply with three days of Jobs Program requirements prior to TPEP Cash Assistance approval.

TPEP payments are issued twice a month, on the 1st and 15th. With some exceptions, TPEP parents are otherwise subject to the same policies as all TANF Cash Assistance work eligible individuals.

### II. Authority

#### A. Federal Authority

1. 42 U.S.C. §601.
2. 42 U.S.C. §603.
3. 45 C.F.R. §260.20.

#### B. State Authority

1. A.R.S. §46-299.
2. A.A.C. R6-10-125.
3. A.A.C. R6-12-101.

### III. Applicability – Two-Parent Household

TPEP is a TANF Cash Assistance program for families where both parents of a dependent child reside in the home and are both identified as being work-eligible individuals. TPEP households are potentially eligible for TANF Cash Assistance for six months within a 12-month period.

### IV. Acronyms and Definitions

#### A. Acronyms

#### B. Definitions

## V. Standards

### A. Referral

When the FAA pre-approves the TPEP TANF Cash Assistance application, the referral process begins.

1. The FAA informs TPEP work eligible parents they have been pre-approved for TPEP TANF cash assistance, and advises them that they:
  - a. Are required to report to their local Jobs Program office; and
  - b. Must complete activities for three consecutive days before their TANF Cash Assistance payments are released.
2. The FAA sends a *TPEP Pre-Approval Notice (A140)* notice that informs the TPEP parents of:
  - a. The location and phone number of the Jobs Program local office to which they have been referred for case management; and
  - b. The final date by which they must report before the TPEP Cash Assistance application is denied.

### B. Selection

TPEP selection differs from All-Families selection in that the TPEP parent(s) are required to make the first contact with the Jobs Program before selection begins.

1. When the TPEP parent(s) come into the Jobs Program local office, the Jobs Program must verify that the FAA has sent the *TPEP Pre-Approval Notice (A140)*.
2. The Jobs Program must then select the TPEP parent(s) case from the automated referral process to begin the three-day compliance process.

### C. Three-Day Compliance Before TPEP Approval

As a part of the FAA TPEP eligibility requirements, each referred TPEP parent must comply with Jobs Program requirements for three days prior to

TANF Cash Assistance approval. All work activities must focus on employment of the TPEP parents at the earliest possible opportunity.

1. The TPEP parent(s) must report to the Jobs Program local office to meet with a Jobs Program case manager.
2. The meeting with the Jobs Program case manager is considered the first day of the three-day requirement.
3. At this meeting, the Jobs Program case manager must:
  - a. Explain the Jobs Program Rights and Responsibilities and the Child Care Program Rights and Responsibilities;
  - b. Complete the initial assessment;
  - c. Assign a minimum of two more days of activities; and
  - d. Arrange to verify the completion of the assigned activities on the third day.
4. On the third day, when it is verified the TPEP parents have completed the additional two days of assigned activities, the Jobs Program case manager must notify FAA of the three-day compliance through the automated process, and FAA will release the TPEP Cash Assistance benefits.
5. The case manager must retain a separate case record file for each TPEP parent. The case files must be kept together to be monitored and managed as one TPEP household case, even if only one parent is actively participating to meet the work participation rate requirements.
6. When the TPEP parent(s) have completed the initial meeting with the Jobs Program case manager, but have not completed the additional two days of assigned activities, the Jobs Program case manager must:
  - a. Close the case following supervisory approval; and
  - b. Notify the FAA of the three-day non-compliance via the automated process to alert FAA to deny the TPEP Cash Assistance application.

**D. TPEP Work Requirements**

Refer to Chapter 5, Section V(A) for the two-parent WPR, the minimum number of participation hours required for two-parent families, and countable work activities. Jobs Program case managers should divide the required hours between the parents in a way that best suits the family's needs.

**E. TPEP Non-Compliance**

The intent of the Jobs Program is to assist TPEP parents to enable them to participate in Jobs Program activities, accept and maintain employment, and successfully make the transition from TPEP dependence to self-sufficiency. By doing this the Jobs Program assists TPEP parents in avoiding both the imposition of having TPEP benefits withheld and the possibility of subsequent TPEP case closure.

1. TPEP non-compliance procedures differ from All-Family sanction procedures in that benefits are not progressively sanctioned, but are instead withheld in totality.
2. TPEP non-compliance occurs when fewer hours of participation are completed than the number of hours that were scheduled or when the TPEP client failed to meet other Jobs Program requirements without a good cause.
3. When a TPEP client fails to meet TPEP work requirements and good cause has not been established, benefits are withheld.
4. Once TPEP benefits are withheld for three payment cycles within a six-month period, the TPEP TANF Cash Assistance case must be closed.
5. Requesting Good Cause
  - a. The client must be provided an opportunity to explain his or her reason for not complying with Jobs Program Requirements.
  - b. This is accomplished by sending the *Request for Good Cause Information* notice (JB-188 English or JB-388 Spanish) via the Jobs Program automated system within three workdays from



the date the incident of non-compliance becomes known to the Jobs Program.

- c. This notice must:
  - i. Allow 10 calendar days from the date the notice is mailed for the client to contact the Jobs Program to explain why he or she did not meet the requirements;
  - ii. Include the consequences of non-compliance; and
  - iii. Explain that TPEP Cash Assistance will be withheld if the client fails to contact the Jobs Program case manager and provide a good reason for not meeting program requirements.

#### 6. Establishing Good Cause

- a. When the client provides verification and establishes good cause within 10 calendar days, the Jobs Program case manager must send the *Good Cause Has Been Established* notice (JB-104 English or JB-304 Spanish) via the Jobs Program automated system within two workdays.
- b. This notice informs the client that good cause has been approved, and the client's benefits will not be withheld.

#### 7. Not Establishing Good Cause

- a. When the client does not establish good cause, the Jobs Program case manager must send the *Good Cause Has Not Been Established* notice (JB-204 English or JB-394 Spanish) via the Jobs Program automated system within two workdays informing the client that good cause has NOT been established.
- b. Whenever Cash Assistance benefits are being withheld, a 10-day advance NOAA must be sent to the client. The last day to request the NOAA is 10 days prior to the month when the TANF Cash Assistance will be withheld or stopped. Notification is accomplished by sending the *TPEP Benefits Withheld/Closed* notice (A446) via AZTECS. This notice advises the client:

- i. Of the reason for the withholding,
  - ii. That TPEP Cash Assistance will be withheld until the client re-complies; and
  - iii. That TPEP Cash Assistance will be closed without further notice when a total of three TPEP benefits have been withheld in any six-month period.
- c. The Jobs Program case manager must take action to withhold the first full month of benefits allowing for NOAA.

8. TPEP Cash Assistance Case Closure Due to the Withholding Limit

The Jobs Program case manager, with supervisory approval, must take actions to close the TANF Cash Assistance case and the Jobs Program case when three TPEP payments are withheld within a six-month period.

9. Re-compliance

- a. TPEP clients must comply with the Jobs Program for two weeks prior to the release of the next available pay cycle.
- b. Benefits must not be released when there are less than two weeks available for participation prior to TPEP Cash Assistance case closure for non-compliance.

**E. Determining TPEP Temporary Deferrals**

Although continuous participation in the Jobs Program is required before TPEP benefits can be paid, an unavoidable circumstance may temporarily prohibit participation.

1. Determination Criteria

- a. Only one TPEP parent is eligible for a temporary deferral.
- b. A client meeting criteria for a temporary deferral may choose to participate in work activities.
- c. If the client is later unable to participate due to the deferral, benefits must not be withheld.

2. Disability

- a. If a TPEP parent has a verified disability of a temporary nature that is expected to last **less** than 30 calendar days:
  - i. The parent must be temporarily deferred.
  - ii. Verification can be obtained from an acceptable medical source.
- b. If the disability is expected to last **more** than 30 calendar days:
  - i. The family is **not** a TPEP family; and
  - ii. The case manager must notify FAA for determination of TANF Cash Assistance as an All-Family household with deprivation due to the parent having a disability.

**G. Special Requirements for TPEP Clients Under Age 20**

When both parents are under 20 years of age, they have met their participation requirements for the month when both:

1. Maintain satisfactory attendance at a high school or the equivalent; or
2. Participate in education directly related to employment for an average of at least 20 hours per week during the month.

**H. TPEP Extensions**

1. TPEP households may receive an additional three months of Cash Assistance when the following conditions are met:
  - a. A parent is enrolled in a Vocational Educational Training activity which can be completed within the three-month extension period;
  - b. A parent has an offer of unsubsidized employment that will begin within the three-month extension period;
  - c. A parent is in a Work Experience activity and the Jobs Program expects the parent to be hired within the three-month extension period; or

- d. The two-parent work requirement was not met during the six-month period, and good cause was established for one or more months.
2. Prior to the expiration of TPEP benefits, Jobs Program staff must:
- a. Determine if the household meets the conditions to receive an extension; and
  - b. Notify the FAA when the conditions are met.

# ARIZONA DEPARTMENT OF ECONOMIC SECURITY

TANF Jobs Program

Policy Number: DES 2-10.1000

Effective Date: February 7, 2020

## CHAPTER 10: REFERENCES

### I. Policy Statement

This chapter includes information regarding Arizona's Refugee Resettlement Program, Arizona Families F.I.R.S.T., Vocational Rehabilitation, client case records, confidentiality, issue resolution, fair hearings, displacement, reporting abuse and neglect, case assignment, purging case records, the Health Insurance Portability and Accountability Act of 1996, and Arizona's Address Confidentiality Program.

### II. Authority

#### A. Federal Authority

1. 29 U.S.C. §1181.
2. 42 U.S.C. §601 - §619.
3. 45 C.F.R. §260.10 - §287.170.

#### B. State Authority

1. A.R.S. §8-881 - §8-884.
2. A.R.S. §41-162.
3. A.R.S. §46-291.
4. A.R.S. §46-299.
5. A.R.S. §46-300.05.
6. A.A.C. R6-10-101 – R6-10-122.
7. A.A.C. R6-10-301 – R6-10-303.

### III. Applicability – Various Programs

Applicable sections include RRP, AFF, VR, client case records, confidentiality, issue resolution, fair hearings, job displacement, reporting abuse and neglect, case assignment, purging case records, HIPPA, and ACP.

#### IV. **Acronyms and Definitions**

##### **A. Acronyms**

ACP	Arizona's Address Confidentiality Program
AFF	Arizona Families F.I.R.S.T. (Families In Recovery Succeeding Together)
EPHI	Electronic Protected Health Information
GD	Grant Diversion
HIPPA	Health Insurance Portability and Accountability Act of 1996
RRP	Arizona's Refugee Resettlement Program
SOS	Arizona Secretary of State
VR	Vocational Rehabilitation

##### **B. Definitions**

Reference the [glossary](#) for the definition of **Grant Diversion**.

#### V. **Standards**

##### **A. Refugee Resettlement Program**

**RRP** is administered through the DES DAAS. The RRP promotes successful refugee resettlement through contracts and direct services that effectively use social services formula and cash assistance grants to best enable refugees to achieve social and economic self-sufficiency. More information about RRP can be found on the DES Internet, at: [http://www.azdes.gov/refugee\\_resettlement](http://www.azdes.gov/refugee_resettlement).

##### **B. Arizona Families F.I.R.S.T.**

The Arizona Department of Child Safety and the Arizona Department of Health Services are joint administrators of AFF. (<https://dcs.az.gov/services/prevention-and-family-support/arizona-families-first>), offering a continuum of community-based substance abuse treatment services to Jobs Program clients whose substance abuse is a barrier to maintaining or obtaining employment.

##### **C. Vocational Rehabilitation**

The VR Program is administered by the DES RSA (<https://des.az.gov/services/employment/rehabilitation-services/vocational-rehabilitation-vr>). VR may be available to clients with disabilities who need help to maintain employment or who wish to go to work. A VR referral can be made by any agency worker from programs that have coordination and referral relationships with the Arizona RSA VR Program.

**D. Case Records**

Case records include both paper and electronic files containing information pertinent to the case management activities and services provided to the client. The automated records must be consistent with the paper records in the case file. Case records must be maintained with accurate and current information in a format that allows effective monitoring of case management activities and client-related expenditures. Items in the case record should be arranged chronologically with the most recent entries on top.

Documentation must include services and materials provided to clients in support of the ECDP. The Jobs Program must ensure that all information contained in a client case record is factual, and not subjective or inappropriate, as case records may be subpoenaed for court hearings, grievances, etc.

1. Subpoenas/Court Order

When a subpoena or court order is received, Jobs Program contractors must consult with their legal counsel before releasing information and must immediately contact the Workforce Development Administration at [TANFJobs@azdes.gov](mailto:TANFJobs@azdes.gov).

2. Attorneys

When a request for information regarding a client is received from attorneys and/or their staff, Jobs Program contractors must immediately contact the Workforce Development Administration at [TANFJobs@azdes.gov](mailto:TANFJobs@azdes.gov).

3. Media/Reporters

In accordance with DES Communication Policy, all media requests for information must be reported immediately to the Office of Communications at [PIO@azdes.gov](mailto:PIO@azdes.gov), with courtesy copies sent to

the Workforce Development Administration at [TANFJobs@azdes.gov](mailto:TANFJobs@azdes.gov).

4. Public Records/Public Information

Inquiries concerning public records must be directed to the Request DES Records webpage at <https://des.az.gov/how-do-i/request-des-records>.

5. Law Enforcement

Requests for information from local, state, or federal law enforcement agencies must be referred to the DERS Policy Administration via [TANFJobs@azdes.gov](mailto:TANFJobs@azdes.gov) who will work with the Office of Special Investigations.

6. Release of Information Without Signed Consent

The release of confidential information may be required without a client's consent in order to facilitate services and comply with state and federal regulations. Confidential information may be disclosed for official purposes without the client's consent. Disclosure is limited to the following:

- a. Employees of DES;
- b. Arizona Attorney General's Office;
- c. Approved providers or contractors for the purpose of implementing employment/training plans;
- d. Any entity authorized by federal or state statute, or entity that has a current signed data sharing agreement with DES that provides for the secured sharing of confidential client information without the client's consent;
- e. Government officials that are conducting audits in connection with the administration of any assistance program by a governmental entity that is authorized by law to conduct such audits; and
- f. Social Security Administration employees.



7. Client Review of Case Information

Clients may review the contents of their own case records at any time. Jobs Program staff must review the client's case record prior to allowing a client to review the case record. The purpose of this review is the removal of any material obtained from third parties who have requested that their information not be released to the client. A client may request a reasonable number of copies of material from his or her own case record. Jobs Program staff must confirm the identity of the client prior to allowing the case file to be reviewed.

8. Release of Information to Other Persons and Agencies

Confidential information cannot be released to anyone not listed in the Release of Information Without Signed Consent section in this policy manual. The client must be informed of a request for information from sources other than those listed in the Release of Information without Signed Consent section. The client's permission to release information must include the following:

- a. The information to be released;
- b. The name of the person or organization that is allowed to receive the information;
- c. The period of time the release is valid; and
- d. The dated signature of the client.

9. Public Releases of Information

Program staff must obtain the client's permission prior to using information about the client for any of the following:

- a. Speeches or presentations. Clients could be used as motivational speakers to individuals currently participating in the Jobs Program;
- b. Video tapes or photographs;
- c. Local office bulletin boards, displays, or client success story usage;
- d. Recognition certificates and plaques; or

- e. Any other materials identifying (directly or by association) the individual as a Jobs Program client.

**E. Confidentiality**

1. Confidential information must not be discussed unless directly related to the official duties of the Jobs Program. Confidential client information includes, but is not limited to clients and household members:
  - a. Names;
  - b. Dates of birth;
  - c. Social Security numbers;
  - d. Addresses;
  - e. Phone numbers;
  - f. Program participation;
  - g. Employment information;
  - h. Medical or health information; and
  - i. Any information not generally available to the public.
2. All case records must be stored in a secure area to prevent theft and the release of information to unauthorized persons.
3. Documents containing confidential information must not be left on, in, or near office photocopiers, printers, etc.
4. Disposal of all trash containing confidential information must be in accordance with DES confidential records destruction.
5. Any material containing confidential information must not be included with general office trash.

**E. Issue Resolution**

Issue resolution is the process by which disagreements or misunderstandings related to the Jobs Program are resolved with program clients, providers, community advocates, and other agency staff in need of a resolution. This process must begin within one day of when the written or verbal request is received by Jobs Program or Workforce Development Administration staff. Contracted Jobs Program providers must make clients aware of the contractor's complaint resolution procedure for client complaints about the Jobs Program or related service providers, including the client's right to register a complaint with DES.

See section **1005 – Complaint/Issue Resolution**, of the *Jobs Program User Guide*, for specific procedures.

### **G.** **Fair Hearings**

Jobs Program clients who feel that their TANF Cash Assistance should not have been sanctioned may request a fair hearing. A fair hearing is conducted by an impartial state-level hearing officer. When a written request for a fair hearing is received in the Jobs Program local office, it must be date stamped and immediately sent to the local FAA office serving the family. The client may request that TANF benefits not be reduced pending the results of the fair hearing. The client is advised by the FAA that he or she will be responsible for paying back the benefits if the ruling is not in the client's favor. Jobs Program staff must attend the fair hearing upon the FAA's request.

### **H.** **Displacement**

DES has a policy of non-displacement by the Jobs Program clients who are placed in unpaid or subsidized work. Employees of employers with whom the Jobs Program clients are placed in unpaid or subsidized jobs may file a grievance regarding displacement. Displacement includes assigning a client to a position that:

1. Results in the termination or reassignment of a regular employee;
2. Results in the reduction of non-overtime work, wages, or benefits of a regular employee;
3. Impairs an existing contract for service or a collective bargaining agreement;
4. Fills the position of a regular employee on layoff status;

5. Creates a new position for a Jobs Program client when the new position performs substantially the same job functions as the position held by a regular employee on layoff or who is subsequently terminated;
6. Infringes on the promotional opportunities of a regular employee; or
7. Fills any established, unfilled position.

See section **1006 – Displacement Complaints**, of the *Jobs Program User Guide*, for specific procedures.

#### **I. Reporting Abuse/Neglect**

Jobs Program staff must report any known or suspected instances of abuse, neglect, abandonment, or exploitation of minor children and vulnerable or incapacitated adults.

To report the abuse, neglect, abandonment, or exploitation of a minor child, staff must call the Arizona Department of Child Safety's Child Abuse Hotline at

**1-888-SOS-CHILD (1-888-767-2445).**

To report the abuse, neglect, abandonment, or exploitation of a vulnerable or incapacitated adult, staff must call the DES Adult Protective Services Hotline at

**1-877-767-2385.**

A report is only a request for an investigation. The person making the report does not need to prove the abuse. Investigation and the validation of reports is the responsibility of the Arizona Department of Child Safety and DES Adult Protective Services.

#### **J. Case Assignment**

Case assignment to the client's local Jobs Program office is based on the ZIP Code of the client's residential address. This section provides the policies regarding case transfer for active Jobs Program cases in order to accommodate a change in the client's residential address. Procedures regarding case transfers are located in the *Jobs Program User Guide*.

1. Office Change with Same Contracted Provider

When the client has moved, resulting in a change in case assignment from one Jobs Program local office to another under the same contracted provider, Jobs Program staff must:

- a. Review the case record to ensure all applicable system updates are correct and complete;
- b. Notify the client of the change by sending the *Notice of Change* (JB-138 English or JB-338 Spanish) via the Jobs Program automated system; and
- c. Contact the receiving Jobs Program local office to advise them the case is being transferred.
- d. Clients who do not wish to have their case transferred to a new office may keep their original case assignment, unless the change in address results in a change of the Jobs Program contracted provider.

2. Office Change with Different Contracted Provider

- a. When a client has moved in or out of Maricopa County, resulting in a change of the Jobs Program contracted provider, Jobs Program staff must:
  - i. Review the case record to ensure all applicable system updates are correct and complete;
  - ii. Notify the client of the change by sending the *Notice of Change* (JB-138 English or JB-338 Spanish) via the Jobs Program automated system; and
  - iii. Contact the receiving Jobs Program contractor to advise them the case is being transferred within two days of this notification.
- b. Case files must be sent physically or electronically to the new contracted provider within two days of notification, with the following exceptions:
  - i. The original Jobs Program contracted provider must retain cases when the change in case assignment occurs during the 180-day post-employment follow-up

period, the client remains employed, and the TANF Cash Assistance remains closed. This policy ensures the original Jobs Program contracted provider receives credit for retention. Designated Points of Contact, from each contracted provider, must work together to coordinate transitional services in the best interest of the client.

- ii. When a client is participating in an educational/training activity funded by the Jobs Program contracted provider, the case must remain with that contracted provider until the completion of the educational/training activity or until the closure of the educational/training activity, whichever occurs first. The designated Points of Contact must work together to coordinate any services in the best interest of the client.

**K. Purging Case Records**

Closed Jobs Program case records remain in the Jobs Program local office for \_\_\_\_\_ at least 1 year after the Jobs Program case is closed, unless there is an overpayment in the case. Following the one-year local office retention, the case record is sent to the DES Records Management Division where the record will be retained for an additional four years.

**L. HIPPA Security Policy**

In accordance to the standards established by the HIPAA Security Policy regarding the security of Electronic Protected Health Information (EPHI) all components of DES and DES business associates, including the Jobs Program contracted providers, will protect the confidentiality, integrity, and availability of EPHI when it is created, received, stored, maintained, or transmitted. All Jobs Program contracted providers must have procedures in place to protect the security of EPHI.

All Jobs Program clients must agree to give Jobs Program private contractors access to AHCCCS health insurance eligibility information contained in AZTECS prior to it being disclosed to a Jobs Program private contractor. Clients are advised that they have the right to allow or deny Jobs Program private contractors access to AHCCCS health insurance eligibility

information contained in AZTECS. See the *Jobs Program User Guide* for specific procedures.

**M. Arizona Address Confidentiality Program**

The ACP is administered by the Arizona Secretary of State (SOS). The ACP provides survivors of domestic violence, sexual offenses, and stalking a way to prevent abusers and potential abusers from locating them through public records. ACP achieves this by protecting the ACP participant's actual address and by providing them with a "substitute address" for use in all public programs.

Eligibility for the program is determined by the ACP. Once eligibility is established, the ACP issues the ACP participant an authorization card displaying his or her substitute address. The ACP participant is responsible for making use of the card.

Arizona law requires all government agencies, including the Jobs Program, to accept the address as the participant's lawful address and to redact (remove) the client's actual address from any record created up to 90 days prior to the card issuance date. Jobs Program staff must never ask an ACP participant to reveal his or her actual address. It is against the law for staff to intentionally or knowingly disclose an ACP participant's actual address or phone number. Phone numbers can be recorded and used, but must not be disclosed.

1. The ACP provides two critical services:
  - a. **A legal substitute mailing address-** which may be used as a residential, school, or work address.
  - b. **A mail forwarding service-** the ACP will receive the participant's mail and forward the mail to the participant's actual confidential mailing address no later than the next business day.
2. Each authorization card will contain the:
  - a. Participant's name;
  - b. ACP substitute address;
  - c. Date of issuance; and

- d. Date of expiration.
3. Participation in ACP may only be discontinued if:
- a. The ACP participant, or the ACP participant's parent or legal guardian if the participant is a minor or incapacitated adult, requests DES cease providing ACP protection.
  - b. Mail sent to the participant's substitute address is returned as undeliverable.

See the *Jobs Program User Guide* for specific procedures.

**N. Grant Diversion**

1. The purpose of the GD payment is to divert the TANF cash assistance recipient from receiving ongoing cash assistance when the participant is likely to obtain full-time employment within 90 days.
  - a. TANF Cash Assistance applicants that qualify for GD are not required to be Jobs Program participants.
  - b. GD months are not countable towards the Lifetime Benefit Limit.
  - c. GD recipients are exempt from complying with and participation in:
    - i. Department of Child Support Services (DCSS);
    - ii. The JOBS Program Preliminary Orientation (JPPO);
    - iii. The three-day requirement for the Two-Parent Employment Program (TPEP); and
    - iv. Signing the Personal Responsibility Agreement (PRA).
2. When the Jobs Program is notified by FAA, or it is discovered that a Jobs Program client has been approved for GD, the Jobs Program case must be closed within 5 business days. The notification date or discovery date will be used as the closure date along with the appropriate status and status reason codes.



**Example:** *A client lost his employment April 25th and the JAS case is in the 23 status code. He reapplied for TANF on May 5th. He was approved for GD effective 5/1/19 through 7/31/19. The Jobs Program became aware of the GD approval on 5/15/19 and used this date as the effective closure date.*

3. If a Client receives GD while they are receiving JPE services, they should not be closed. The case must be documented with the dates of the GD approval.

## **O. Tribal TANF**

The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 allows Tribal governments the opportunity to develop, establish and administer their own TANF programs on their tribal lands. Tribes are given the authority to apply directly to the HHS in order to carry out this process. Tribal TANF gives federally recognized Indian tribes flexibility in the design of welfare programs that promote work, responsibility, and strengthening families.

Arizona currently has six federally recognized tribes who operate their own Tribal TANF programs:

1. Hopi Tribe
2. Navajo Nation
3. Pascua Yaqui Tribe
4. San Carlos Apache Tribe
5. Salt River Pima-Maricopa Indian Community
6. White Mountain Apache Tribe

Tribal members who reside off reservation may apply for and receive state TANF benefits.

# ARIZONA DEPARTMENT OF ECONOMIC SECURITY

TANF Jobs Program

Policy Number: DES 2-10.1100

Effective Date: February 7, 2020

## CHAPTER 11: GLOSSARY

This chapter contains definitions used throughout the *Jobs Program Policy Manual*.

<b>Acceptable Medical Source</b>	A registered nurse practitioner or licensed physician, including a medical or osteopathic doctor; licensed psychologist; licensed optometrist; and licensed podiatrist, as applicable for the medical impairment. An acceptable medical source also includes a vocational rehabilitation specialist, licensed naturopathic doctor, licensed chiropractor, and other personnel authorized to act on a physician's behalf.
<b>All-Families</b>	For the purposes of determining the federal <a href="#">WPR</a> , <i>All-Families</i> are <a href="#">TANF</a> households that have at least one work eligible individual.
<b>Applicant</b>	A person who has applied directly, or through his or her authorized representative, for <a href="#">TANF</a> Cash Assistance for themselves or for others.
<b>Arizona Technical Eligibility Computer System (AZTECS)</b>	The computerized eligibility determination system used by the <a href="#">FAA</a> for <a href="#">TANF</a> , SNAP, and medical assistance programs. AZTECS provides online referrals to the <a href="#">Jobs Program</a> .
<b>Assessment</b>	The process of gathering information and evaluating data regarding the factors that affect the <a href="#">client</a> achieving self-sufficiency.
<b>Barrier Resolution Activities</b>	Activities that serve to eliminate barriers with the goal of eventual participation in

	<a href="#">federal work activities</a> . Barrier resolution activities are not considered in the calculation of the federal work participation rate.
<b>Benefit Month</b>	The calendar month for which <a href="#">TANF</a> Cash Assistance is issued based on anticipated income and circumstances.
<b>Bona Fide Business</b>	An operation licensed to conduct business in the state of Arizona, pays or reports wages to DES for purposes of Unemployment Insurance, carries appropriate liability insurance and complies with any other applicable law, regulation or ordinance.
<b>Caseload Reduction Credit</b>	A credit allowable under federal regulations, 45 CFR §261.40-44, based on decreases in <a href="#">TANF</a> Cash Assistance caseloads. States cannot get credit for caseload reductions that are a result of TANF eligibility policy changes.
<b>Case Record</b>	The file, either paper or electronic, maintained for each Jobs Program <a href="#">client</a> .
<b>Child Care Administration (CCA)</b>	The administration within the Department of Economic Security that administers child care assistance services.
<b>Client</b>	A <a href="#">Jobs Program</a> participant.
<b>Community Resource</b>	A community, faith-based, or non-profit organization that provides services to the general public at no cost to the <a href="#">client</a> or to the <a href="#">Jobs Program</a> . Funding for these services is not <a href="#">TANF</a> related.

<b>Core Activities</b>	One of two types of federally defined countable work activities. Core activities consist of unsubsidized employment, subsidized employment, on-the-job training, job search and job readiness assistance, work experience, community service, and vocational education.
<b>Demonstrating Compliance</b>	Means attending appointments to prevent <a href="#">sanctions</a> , developing an <a href="#">ECDP</a> , and includes beginning and continuing to participate in work activities in accordance with the ECDP.
<b>Dependent Child</b>	As defined by the <a href="#">FAA</a> , this is any child under age 19, and when age 18 the child meets student requirements, for whom a parent or caretaker relative is requesting <a href="#">TANF</a> Cash Assistance.
<b>Education Directly Related to Employment</b>	Includes the following programs: <ul style="list-style-type: none"> <li>General education development</li> <li>Career and technical education</li> <li>Associate degree</li> <li>Postsecondary education.</li> </ul>
<b>Employment and Career Development Plan (ECDP)</b>	An agreement between the <a href="#">client</a> and the <a href="#">Jobs Program</a> that lists the steps required of the client, services to be provided by the Jobs Program, and the referrals made to address barriers to participation in order to transition the client to economic independence.

<b>Fair Hearing</b>	The process through which an applicant or recipient of public assistance may request a review of the <a href="#">FAA</a> 's timeliness, or results of an eligibility determination, by an impartial third party. DES employs state level hearing officers to conduct impartial third party reviews of eligibility determination.
<b>Fair Labor Standards Act (FLSA)</b>	Also known as Federal Wage and Hour Law, enacted by Congress in 1938 to eliminate unsafe labor practices and to provide for an hourly federal minimum wage.
<b>Family Assistance Administration (FAA)</b>	An administrative unit within the DES Division of Benefits and Medical Eligibility that is responsible for providing Cash Assistance to eligible persons.
<b>Federal Work Activities</b>	Work activities defined by the federal government that count towards the Work Participation Rate.
<b>Good Cause</b>	A finding by the <a href="#">Jobs Program</a> or DES hearing officer that a <a href="#">client</a> proved he or she had an acceptable reason for refusing or failing to participate in the Jobs Program activities, accept employment, or cooperate in any other Jobs Program requirement.
<b>Gross Income</b>	The total amount of earned income plus unearned income prior to any deductions.
<b>Jobs Program Automated System (JAS)</b>	The computerized system used by the <a href="#">Jobs Program</a> that tracks planned services and activities provided to the <a href="#">client</a> , as well as the client's progress.

<b>Jobs Program</b>	Arizona's <a href="#">TANF</a> Cash Assistance work program.
<b>Jobs Program Preliminary Orientation (JPPO)</b>	An overview of the <a href="#">Jobs Program</a> . Applicants must attend the orientation prior to <a href="#">TANF</a> Cash Assistance approval.
<b>Lifetime Benefit Limit</b>	The state limit of 12 months of <a href="#">TANF</a> Cash Assistance that an individual may receive in a lifetime. A needy family may receive an additional 12 months of TANF Cash Assistance (Time Limit Extension) when the adult members, who are required to participate with the <a href="#">Jobs Program</a> , have not had a <a href="#">Jobs Program sanction</a> imposed during the final eligible month of assistance and the final month is October 2017 or later.
<b>Non-Core Activities</b>	Federally defined work activities that count toward the work requirement only after meeting the required hours in <a href="#">core activities</a> . Non-core activities include: jobs skills training directly related to employment, education directly related to employment, and <a href="#">satisfactory attendance</a> in high school or high school equivalency preparation classes.
<b>Notice of Adverse Action (NOAA)</b>	A notice informing a <a href="#">TANF</a> Cash Assistance household when a change results in a decrease of the cash assistance amount or a case closure. The NOAA must be sent at least 10 calendar days before the change in the TANF Cash Assistance benefits occurs.

<p><b>Personal Responsibility Agreement (PRA)</b></p>	<p>An agreement signed by the <a href="#">TANF</a> Cash Assistance applicant to become self-sufficient through employment and to comply with all program requirements as a condition to continue receiving TANF Cash Assistance.</p>
<p><b>Sanction</b></p>	<p>A reduction or termination of <a href="#">TANF</a> Cash Assistance which applies to all families (with the exception of <a href="#">TPEP</a>) that fail to participate in the <a href="#">Jobs Program</a> without establishing <a href="#">good cause</a> or <a href="#">demonstrating compliance</a>.</p>
<p><b>Satisfactory Attendance</b></p>	<p>Refers to a <a href="#">client</a> who has not completed high school or received a high school equivalency diploma, is attending high school or participating in high school equivalency activities, and is meeting attendance requirements established by the school or equivalency program.</p>
<p><b>Supplemental Payment</b></p>	<p>Payments made to a <a href="#">client</a> whose net wages do not equal the combined benefit amount of <a href="#">TANF</a> Cash Assistance and Nutrition Assistance for which he or she is eligible.</p>
<p><b>Support Services</b></p>	<p>Services provided to a <a href="#">Jobs Program client</a> that facilitate the client's ability to participate in work activities, accept and maintain employment, and successfully make the transition to employment.</p>
<p><b>TANF Block Grant</b></p>	<p>Federal funds available to provide assistance to low-income families and support a range of services to improve employment and other child and family outcomes.</p>

<b>Teen Parent</b>	A single custodial parent under 20 who is the head of household or a married parent under 20 who is head of household.
<b>Temporary Assistance for Needy Families (TANF) Cash Assistance Program</b>	Provides assistance and work opportunities to needy families by granting states the federal funds and flexibility to develop and implement their own welfare programs. The <a href="#">FAA</a> administers the TANF Cash Assistance program in Arizona.
<b>Temporary Deferral</b>	A Jobs Program <a href="#">client</a> who is temporarily deferred from participation in the <a href="#">Jobs Program</a> .
<b>Transitional Child Care (TCC)</b>	A program administered by the Child Care Administration that provides child care assistance for a period of time after eligibility for <a href="#">TANF</a> Cash Assistance.
<b>Transitional Medical Assistance (TMA)</b>	Provides AHCCCS coverage for a period of time after the individual loses eligibility for AHCCCS due to employment income.



<p><b>Tribal TANF</b></p>	<p>Funding for federally recognized Indian tribes to administer and operate their own TANF programs. Tribal TANF gives federally recognized Indian tribes flexibility in the design of welfare programs that promote work, responsibility, and strengthening families.</p> <p>Arizona currently has six federally recognized tribes who operate their own Tribal TANF programs:</p> <ul style="list-style-type: none"> <li>7. Hopi Tribe</li> <li>8. Navajo Nation</li> <li>9. Pascua Yaqui Tribe</li> <li>10. San Carlos Apache Tribe</li> <li>11. Salt River Pima-Maricopa Indian Community</li> <li>12. White Mountain Apache Tribe</li> </ul>
<p><b>Two-Parent Employment Program (TPEP)</b></p>	<p>Arizona's <a href="#">TANF</a> Cash Assistance program for households with two parents, who have at least one <a href="#">dependent child</a> in common, reside in the home, and are able to work.</p>
<p><b>Two-Parent Families</b></p>	<p>For the purposes of determining the federal <a href="#">WPR</a>, Two-Parent Families are <a href="#">TANF</a> households in which two parents, who have at least one <a href="#">dependent child</a> in common, reside in the home.</p>
<p><b>Withholding</b></p>	<p>Retention of <a href="#">TPEP</a> Cash Assistance benefits for TPEP parents who fail to participate or comply with <a href="#">Jobs Program</a> requirements without <a href="#">good cause</a>.</p>

<p><b>Work-Eligible Individual</b></p>	<p>An adult or minor child head of household receiving <a href="#">TANF</a> Cash Assistance, or a non-recipient parent living with a child who receives TANF Cash Assistance unless the parent meets any of the following:</p> <ul style="list-style-type: none"> <li>• A minor parent and not the head of household;</li> <li>• A noncitizen who is ineligible to receive assistance due to his or her immigration status;</li> <li>• A recipient of Supplemental Security Income (SSI) benefits, unless the recipient is employed and is meeting the <a href="#">WPR</a>; or</li> <li>• A parent, otherwise mandated to participate in the work activities, who is providing care for a family member with a disability living in the home, provided the need for such care is supported by medical documentation.</li> </ul>
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<p><b>Work Participation Rate (WPR)</b></p>	<p>The percentage of <a href="#">TANF</a> Cash Assistance work eligible individuals who must participate in <a href="#">federal work activities</a> for a minimum number of hours each week, averaged during a month.</p>
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