



September 22, 2023

**Food Assistance Transmittal Letter No. 441**

TO:        All Food Assistance Manual Holders

FROM:     Matt Damschroder, Director

**SUBJECT:   Five-Year Review: Supplemental Nutrition Assistance Program (SNAP)  
                 Employment and Training (E&T) Rules**

In accordance with section 106.03 of the Ohio Revised Code (ORC), each state agency is required to review each of its rules in the Ohio Administrative Code a minimum of once every five years. The intent of the review is to ensure that Administrative Code rules are clearly written and that program requirements are accurate, up-to-date based on regulations from the United States Department of Agriculture (USDA) Food and Nutrition Services (FNS) and clearly expressed. To the extent possible, unnecessary paperwork will be eliminated, local agencies will be given increased flexibility, and any adverse impact on businesses will be eliminated or reduced. As a result of the review, the agency may amend the rule; rescind the rule; or continue the rule without amendment.

Ohio Administrative Code (OAC) rules 5101:4-3-33, 5101:4-3-34, 5101:4-3-35, 5101:4-3-36 and 5101:4-3-38 are being amended for five-year rule review. To align with changes to the aforementioned rules, OAC rules 5101:4-1-03 and 5101:4-3-40 are being amended to add job retention and work-based learning to the definition of employment and training (E&T) component, to clarify how a supplemental nutrition assistance program (SNAP) E&T participant is defined and to clarify that SNAP E&T program rules apply to these recipients based on federal regulations.

Additionally, OAC rule 5101:4-3-20.1 is being amended to align with guidance issued by FNS that able-bodied adult without dependents (ABAWDs) who have reached the 3 of 36-month ABAWD time-limit are not to be considered recipients of SNAP, therefore SNAP E&T activities should not be used to regain eligibility. OAC rule 5101:4-3-29 is being amended to clarify that the appraisal process is a condition of continued SNAP eligibility for individuals subject to the work registration requirement described in paragraph (A)(5) of rule 51014-3-11.1 and to clarify when an appraisal is to be conducted.

Lastly, as a result of a management evaluation of the State's SNAP E&T program, FNS is requiring the State to expound on the processes for screening and referring to the SNAP E&T program and for sanctioning SNAP E&T participants. In order to take corrective action and be released from the finding by FNS, the Ohio Department of Job and Family Services (ODJFS) is amending OAC rules 5101:4-2-07, 5101:4-3-11 and 5101:4-3-11.2 to align with federal regulations that each work registrant is to be screened for appropriateness for referral to the SNAP E&T program and to require the use of the JFS 07208, "Supplemental Nutrition Assistance Program Work Registration, ABAWD, and Employment and Training Screening Tool", the JFS 07209, "Supplemental Nutrition Assistance Program Notification of Alleged Failure" and the JFS 07210, "Supplemental Nutrition Assistance Program Employment and Training Pre-Sanction Checklist".

These rules have been subject to a review by the Joint Committee on Agency Rule Review (JCARR). The changes will become effective on 10/01/2023.



## **Chapter 0000**

### **5101:4-1-03 "Food Assistance: Definitions."**

This rule describes the terms and meanings used to administer the supplemental nutrition assistance program (SNAP). Changes to the rule include:

- Paragraph (B)(18) was amended to add job retention and work-based learning to the SNAP E&T components offered in Ohio; and
- Paragraph (B)(19) was amended to clarify that an E&T participant is a SNAP recipient who has been referred to the SNAP E&T program and is either required to be work registered in accordance with rule 5101:4-3-11 of the Administrative Code or who volunteers to participate.

## **Chapter 2000**

### **5101:4-2-07 "Food Assistance: Initial Interview Process."**

This rule describes the process of initial interviews for SNAP. Changes to the rule include amending paragraph (D)(9) to align with federal regulations and clarify that during the interview county agencies are to screen each individual who is either an adult or a sixteen or seventeen year old who is the assistance group name and is not in school or in the SNAP E&T program, to determine if an individual is required to register for work and for appropriateness for referral to the SNAP E&T program, by using the JFS 07208, "Supplemental Nutrition Assistance Program Work Registration, ABAWD, and Employment and Training Screening Tool" or other automated system equivalent approved by the Ohio department of job and family services (ODJFS).

## **Chapter 3000**

### **5101:4-3-11 "Food Assistance: Work Registration and Exemptions."**

This rule describes the process for determining which SNAP recipients are subject to the work registration requirements. Changes to the rule include:

- Paragraph (C)(4) was amended to clarify that county agencies are to screen each individual who is either an adult or a sixteen or seventeen year old who is the assistance group name and is not in school or in the SNAP E&T program, to determine if an individual is required to register for work and for appropriateness for referral to the SNAP E&T program by using the JFS 07208, "Supplemental Nutrition Assistance Program Work Registration, ABAWD, and Employment and Training Screening Tool" or other ODJFS approved automated system equivalent;
- New paragraph (C)(5) was added to align with federal regulations and clarify that when appropriate, SNAP recipients subject to the work registration requirement in paragraph (A)(5) of rule 5101:4-3-11.1 of the Administrative Code are to be referred to the SNAP E&T program; and
- Minor language changes for clarity.



### **5101:4-3-11.2 "Food Assistance: Work Registration Sanctions and Compliance."**

This rule describes the consequences for failing to meet the work registration requirements. Changes to the rule include:

- Paragraph (B)(1)(a) was amended to clarify that county agencies are to inform individuals of failures by issuing the JFS 07209, "Supplemental Nutrition Assistance Program Notification of Alleged Failure" and documenting the case record;
- Paragraph (B)(1)(b) was amended to update the cited rule paragraph;
- Paragraph (B)(1)(c) was stricken as it was repetitive of new language added in paragraph (B)(1)(a);
- Language in paragraph (B)(2) was stricken and moved to new paragraph (B)(2)(b);
- Paragraph (B)(2)(a) was amended to clarify that county agencies are to complete the JFS 07210, "Supplemental Nutrition Assistance Program Employment and Training Pre-Sanction Checklist" and save it to the case record, prior to processing a noncompliance within the Ohio benefits integrated eligibility system; and
- Paragraphs (B)(2)(c), (d) and (e) were stricken and moved to new paragraph (B)(2)(b).

### **5101:4-3-20.1 "Food Assistance: Regaining Eligibility."**

This rule describes the process for how ABAWDs who have reached the ABAWD time-limit are to regain SNAP eligibility. Changes to the rule include:

- Paragraph (B) was amended to align with FNS guidance and clarify that an ABAWD who has lost eligibility due to the ABAWD time-limit may regain eligibility by meeting ABAWD exemption criteria or by engaging in work or a work program for eighty hours during any thirty consecutive days as determined by the county agency;
- Paragraph (C) was amended to clarify when eligibility is considered to have been regained; and
- Paragraph (E)(2)(b) was amended to align with federal regulations.

### **5101:4-3-29 "Food Assistance Employment and Training: Case Management."**

This rule describes the process for providing case management services for individuals required to participate in SNAP E&T. Changes to the rule include:

- Paragraph (B)(1) was amended to clarify that as a condition of continued eligibility, individuals subject to the work registration requirement described in paragraph (A)(5) of rule 5101:4-3-11.1 of the Administrative Code are required to be appraised; and
- Paragraph (B)(3)(a) was amended to clarify that at certification and recertification, a comprehensive appraisal is to be completed immediately following certification but no later than thirty days from authorization of benefits.

### **5101:4-3-33 "Food Assistance Employment and Training: Supervised Job Search."**

This rule describes the supervised job search component of the SNAP E&T program. Changes to the rule include:



- Paragraph (D)(1) was amended to clarify that supervised job search should not be assigned as a continuous year round assignment, however, for a SNAP E&T participant who is either a volunteer or an ABAWD who resides in a county subject to a waiver of the ABAWD time-limit, supervised job search may continue to remain the assignment when the county agency determines it most suitable and it continues to provide reasonable opportunity to find suitable employment;
- New paragraph (D)(2)(a)(i) was added to align with federal regulations and to describe that when supervised job search is assigned immediately following certification of SNAP benefits, it is not to exceed thirty days prior to making a work experience program (WEP) assignment. When assigned in this manner, supervised job search is part of the WEP assignment and participants are considered to be participating and complying with the requirements of WEP;
- New paragraph (D)(2)(a)(ii) was added to clarify that ABAWDs subject to the ABAWD time-limit may be assigned to supervised job search at any time during the certification period but it must be paired with another SNAP E&T activity and the required hours spent in supervised job search must be less than half of the total number of hours the ABAWD is required to participate in SNAP E&T; and
- Minor language changes for clarity.

**5101:4-3-34 "Food Assistance Employment and Training: Work Experience Program."**

This rule describes the work experience program (WEP) component of the SNAP E&T program. Changes to the rule include minor language changes for clarity.

**5101:4-3-35 "Food Assistance Employment and Training: Education and Training Activities."**

This rule describes the education and training activities of the SNAP E&T program. Changes to the rule include minor language changes for clarity.

**5101:4-3-36 "Food Assistance Employment and Training: Displacement of Other Persons."**

This rule describes the prohibition on the displacement of other persons from employment in regards to SNAP E&T. Changes to the rule include minor language changes for clarity.

**5101:4-3-38 "Food Assistance Employment and Training: Conciliation Process."**

This rule describes the conciliation process within the SNAP E&T program. Changes to the rule include minor language changes for clarity.

**5101:4-3-40 "Food Assistance Employment and Training: Work-Based Learning. "**

This rule describes the work-based learning component of the SNAP E&T program. Changes to the rule include minor language changes for clarity.

5101:4-1-03

**Food assistance: definitions.**

(A) This rule describes the terms and meanings used to administer the supplemental nutrition assistance program (SNAP), formerly known as the food assistance program. These definitions are not intended to fully explain or to limit the scope of any action in the administration of the program.

(B) Definition:

- (1) "Allotment" means the total value of SNAP benefits an assistance group is authorized to receive during each month or other time period. The allotment may be issued in the form of a check (cash-out) or electronic benefit transfer (EBT).
- (2) "Application for Cash, Food, or Medical Assistance (JFS 7200)" means the document utilized by the state of Ohio as an application for cash, food, and medical assistance. It is also a screening device for determining entitlement to expedited SNAP benefits. It is the beginning step in the application process and is used in conjunction with the interactive interview.
- (3) "Assessment" means an in-depth evaluation of employability skills coupled with counseling on how and where to search for employment.
- (4) "Assistance group" means those persons potentially eligible or determined eligible to receive benefits together under one assistance group name. This was formerly referred to as the SNAP household.
- (5) "Assistance group name" means the case name. All assistance groups will have an assistance group name. The assistance group name may or may not be the applicant. The person designated as the assistance group name will be the person to receive all notices and will assume all responsibilities such as reviewing the application form for completeness and validity, signing and dating the application, participating in the interactive interview and accepting the program rights and responsibilities unless the assistance group has designated an authorized representative to apply on their behalf.
- (6) "Assistance group payee" means a person who is designated to receive the benefits for an assistance group. The person who is the assistance group name will be the payee unless the assistance group has an authorized representative to receive the benefits. There will only be one assistance group payee per assistance group and benefits will only be issued to this person.
- (7) "Beneficiary and earnings data exchange (BENDEX)" means the system that is used to verify social security benefit information.

- (8) "Case file or case record" means all program information, verification, application, forms, notices and journal entries used to make an eligibility determination for the assistance group.
- (9) "Case Worksheet-Cash, Food Stamp, and Medical Assistance Interview (JFS 01846)" means the document which is utilized by the state of Ohio to gather data for the cash, food, and medical assistance programs for home visits and telephone interviews when the statewide automated eligibility system is unavailable. The applicant must acknowledge the information on the form by signing and dating the form.
- (10) "Code of Federal Regulations (CFR)" means the codification of the rules published in the Federal Register by the U. S. government.
- (11) "Date of entry" means the date established by U.S. citizenship and immigration services (USCIS) as the date an alien was admitted into the United States.
- (12) "Department of housing and urban development (HUD)" means a governmental agency that provides housing to low-income households.
- (13) "Drug addiction or alcoholic treatment and rehabilitation program" means any drug addiction or alcoholic treatment and rehabilitation program conducted by a private nonprofit organization or institution, or publicly operated community mental health center, under part B of Title XIX of the Public Health Service Act (42 U.S.C. 300x) (1992).
- (14) "Elderly or disabled member" means a member of an assistance group who:
  - (a) Is sixty years of age or older;
  - (b) Receives supplemental security income benefits under Title XVI of the Social Security Act of 1935 or disability or blindness payments under Title I, II, X, XIV, or XVI of the Social Security Act;
  - (c) Is a veteran with a service-connected or nonservice-connected disability rated by the veterans administration as total or paid as total under Title 38 of the United States Code (U.S.C.) (2002);
  - (d) Is considered in need of regular aid and attendance or permanently housebound under such title of the code;
  - (e) Is a surviving spouse of a veteran and considered by the veterans administration to be in need of regular aid and attendance or permanently housebound or a surviving child of a veteran and considered by the

veterans administration to be permanently incapable of self-support under Title 38 of the U.S.C.;

- (f) Is a surviving spouse or surviving child of a veteran and considered by the veterans administration to be entitled to compensation for a service-connected death or pension benefits for a nonservice-connected death under Title 38 of the U.S.C. and has a disability considered permanent under section 221(i) of the Social Security Act. "Entitled" as used in this definition refers to those veterans' surviving spouses and children who are receiving the compensation or pension benefits stated or have been approved for such payments, but are not receiving them;
  - (g) Receives federally or state-administered supplemental benefits under section 1616(a) of the Social Security Act provided that the eligibility to receive the benefits is based upon the disability or blindness criteria used under Title XVI of the Social Security Act;
  - (h) Receives disability retirement benefits from a governmental agency because of disability considered permanent under section 221(i) of the Social Security Act;
  - (i) Received an annuity payment under section (2)(a)(1)(iv) of the Railroad Retirement Act of 1974 and is determined to be eligible to receive medicare by the railroad retirement board; or section (2)(a)(1)(v) of the Railroad Retirement Act of 1974 and is determined to be disabled based upon the criteria used under Title XVI of the Social Security Act;
  - (j) Is a recipient of interim assistance benefits pending the receipt of supplemental security income; or
  - (k) Receives federally or state administered supplemental benefits under section 212(a) of P.L. No. 93.66, 42 U.S.C. 1382, (12/2013).
- (15) "Eligibility determination/benefit calculation (ED/BC)" means the automated process of determining eligibility and the level of benefits by the statewide automated eligibility system which is based on data entered into the system.
- (16) "Eligibility worker" means an employee of the county agency responsible for determining eligibility for SNAP.
- (17) "Eligible foods" means:

- (a) Any food or food product intended for human consumption except alcoholic beverages, tobacco, hot foods, hot food products prepared for immediate consumption;
  - (b) Seeds and plants to grow foods for the personal consumption of eligible assistance groups;
  - (c) Meals prepared and delivered by an authorized meal delivery service;
  - (d) Meals served by a communal dining facility for the elderly and their spouses, disabled recipients who receive social security or supplemental security income (SSI) and their spouses, and to homeless assistance groups;
  - (e) Meals prepared and served by an authorized drug addict or alcoholic treatment and rehabilitation center to narcotic addicts or alcoholics and their children who live with them;
  - (f) Meals prepared and served by a group living arrangement facility to residents who are blind or disabled as defined in paragraphs (B) (15)(b) to (B) (15) (k) of this rule;
  - (g) Meals prepared and served by a shelter for battered individuals and children to its eligible residents;
  - (h) Meals prepared and served by an authorized public or private nonprofit establishment (e.g., soup kitchen, temporary shelter), as determined by the county agency, which provides meals on a regular basis to homeless persons; and
  - (i) Container deposit fee required to purchase any food or food product contained in a returnable bottle, can or other container, regardless of whether the fee is included in the shelf price posted for the food or food product, as long as the amount does not exceed the state's container deposit fee.
- (18) "Employment and training (E&T) component" means a work experience, education and training, ~~or supervised job search,~~ work-based learning or job retention program as described in Chapter 5101:4-3 of the Administrative Code designed to help SNAP recipients move promptly into unsubsidized employment.
- (19) "Employment and training (E&T) ~~mandatory~~ participant" means a SNAP ~~program applicant or participant~~ recipient who has been referred to the SNAP



E&T program and is either required to be work-registered according to rule 5101:4-3-11 of the Administrative Code or volunteers to participate.

- (20) "Employment and training (E&T) program" means a program operated by each county agency consisting of case management and one or more E&T components.
- (21) "Employment services" means the agency responsible for work registration and job search activities.
- (22) "Food and nutrition service (FNS)" means the federal agency of the United States department of agriculture (USDA) responsible for the overall administration of the SNAP program.
- (23) "Guardian" means, an individual that is granted authority by a probate court pursuant to Chapter 2111. of the Revised Code, or a court of competent jurisdiction in another state, to exercise parental rights over a child under the age of eighteen to the extent provided in the court's order and subject to residual parental rights of the child's parents.
- (24) "Guardianship payments" means a payment made to a person who becomes a legal guardian of a child under the age of eighteen that can include:
  - (a) Kinship care payments which enables children and families to remain connected to their family of origin; or
  - (b) Subsidized guardianship payments for foster care which enables children who cannot be adopted, and do not live with relatives, to have a greater degree of permanency.
- (25) "Group home" means a public or private nonprofit residential setting that provides its residents with a majority of their meals (over fifty per cent of their meals daily), has no more than sixteen residents, and is certified by a public agency of the state of Ohio under section 1616(e) of the Social Security Act, or under standards determined by the secretary of the United States department of agriculture to be comparable to standards implemented by appropriate state agencies under section 1616(e) of the Social Security Act. In accordance with rule 5101:4-6-26 of the Administrative Code to be eligible, for SNAP benefits, a resident of the group home is to be blind or disabled as defined in paragraphs (B)(15)(b) to (B)(15)(k) of this rule.
- (26) "Group living arrangement" means the same as a group home.

- (27) "Homeless individual" means an individual who lacks a fixed and regular night time residence or an individual whose primary night time residence is:
- (a) A supervised shelter designed to provide temporary accommodations (such as a welfare hotel or congregate shelter);
  - (b) A halfway house or similar institution that provides temporary residence for individuals intended to be institutionalized;
  - (c) A night time residence which is a temporary accommodation for no more than ninety days from the date the temporary accommodation began in the residence of another individual; or
  - (d) A place not designated for, or ordinarily used as, a regular sleeping accommodation for human beings (a hallway, a bus station, a lobby or similar places).
- (28) "Homeless meal provider" means an authorized public or private establishment (e.g., soup kitchen, temporary shelter), which provides meals on a regular basis to homeless persons, as determined by the county agency.
- (29) "Household" means a personal place of residence where persons live together at the same common address. The persons may or may not be related. Group homes and commercial establishments such as hotels or boarding houses are not included in this definition of household.
- (30) "Income and Eligibility Verification System (IEVS)" means a system of information acquisition and exchange for purposes of income and eligibility verification which meets the requirements of section 1137 of the Social Security Act.
- (31) "Interactive interview" means the interview between the eligibility worker and the applicant to discuss eligibility information to determine benefits. The interview may be conducted face-to-face, by telephone or a home visit.
- (32) "Internal revenue service (IRS)" means the federal agency responsible for the administration of governmental income from taxes, including collection of taxes and enforcement of tax laws.
- (33) "Kinship support payments" means the payment that is received by caretakers for children in accordance with rule 5101:2-42-18.2 of the Administrative Code.

- (34) "Management evaluation (ME) review," means an analysis conducted to determine if a county is administering and operating the SNAP program in accordance with program requirements.
- (35) "Minimum benefit" means the lowest full monthly amount of SNAP that an eligible one or two person assistance group may receive. By law, this amount is eight per cent of the maximum allotment for an assistance group containing one member, rounded to the nearest dollar.
- (36) "Non-assistance" means an assistance group that participates in the SNAP program but at least one of its members does not receive public assistance.
- (37) "Ohio works first (OWF)" means a program funded under Title IV-A of the Social Security Act. This program was formerly referred to as the "TANF program" and the "ADC program."
- (38) "Ohio works first (OWF) recipient" means any person who receives an OWF payment, in accordance with paragraph (E) of rule 5101:1-23-01 of the Administrative Code.
- (39) "Overpayment" means the amount by which benefits issued to an assistance group exceed the amount the assistance group was eligible to receive.
- (40) "Public assistance (PA)" means any of the following programs authorized by the Social Security Act: old-age assistance; TANF funded under Title IV-A of the Social Security Act; aid to the blind; aid to the permanently and totally disabled; and aid to the aged, blind, or disabled.
- (41) "Quality control (QC) review" means a review of a statistically valid sample of active and negative cases to determine the extent to which households are receiving the SNAP allotments to which they are entitled, and to determine the extent to which decisions to deny, suspend or terminate cases are correct.
- (42) "Retail food store" means an establishment or recognized department of an establishment, or a house-to-house trade route, whose eligible food sales volume as determined by visual inspection, sales records, or other methods that are customary or reasonable in the retail food industry, is more than fifty per cent staple food items for home preparation and consumption; public or private communal dining facilities and meal delivery services; private nonprofit drug addict or alcoholic treatment and rehabilitation programs; publicly operated community mental health centers for drug addicts and/or alcoholics; public or private nonprofit group living arrangements; public or private nonprofit shelters for battered women and children; public or private establishments

approved by an appropriate state or local agency that feeds homeless persons; any private nonprofit cooperative food purchasing venture, including those whose members pay for food prior to receipt of the food; and a farmer's market.

- (43) "Shelter for battered individuals and children" means a public or private nonprofit residential facility that serves battered individuals and their children. When such a facility serves other individuals, a portion of the facility must be set aside on a long-term basis to serve only battered individuals and their children.
- (44) "SNAP program" means a program designed to promote general welfare and to safeguard the health and well-being of the nation's population by raising the levels of nutrition among low-income households.
- (45) "Social security administration (SSA)" means the federal agency responsible for the administration of benefits for retirement, survivors', or disability benefits.
- (46) "Spouse" means:
- (a) Those defined as married to each other under applicable state law and those required to be recognized as married pursuant to the United States supreme court decision in *Obergefell v. Hodges*, 576 U.S., 135 S. Ct. 2584 (2015); or
  - (b) Those who are living together and are holding themselves out to the community as husband and wife by representing themselves as such to relatives, friends, neighbors, or tradespeople. Since October 10, 1991 Ohio has not recognized common law marriages so only couples established as a common law marriage prior to October 10, 1991 fall under this definition.
- (47) "State agency" means the Ohio department of job and family services, including the local offices, that have the responsibility for the administration of the federally aided public assistance programs within the state.
- (48) "State data exchange (SDX)" means the system used to verify supplemental security income (SSI) benefits.
- (49) "Statewide automated eligibility system" means the centralized automated system that supports all eighty-eight county agencies.
- (50) "Substantial lottery or gambling winnings" means a cash prize won in a single game before taxes or other withholdings are taken that is equal to or greater than the maximum allowable financial resource limit for elderly or disabled

households as outlined in rule 5101:4-4-01 of the Administrative Code. In Ohio this may include but is not limited to payouts from casinos, racinos, slot machines, poker, and keno and other forms of gambling. All assistance groups are subject to report lottery or gambling winnings equal to or greater than the limit defined in rule 5101:4-4-01 of the Administrative Code. Resource limits are reviewed and adjusted annually; a food assistance transmittal letter is issued notifying the county agencies of the updated amounts. Division 3770:1 of the Administrative Code describes the types of lottery permitted in Ohio. Section 2915.01 of the Revised Code defines gambling as permitted in Ohio. This is not limited to substantial lottery or gambling winnings won only in Ohio.

- (51) "Supplemental security income (SSI)" means cash payments made under the authority of Title XVI of the Social Security Act, to the aged, blind, and disabled; or section 1616(a) of the Social Security Act.
- (52) "Supplemental security income (SSI) recipient" means a person who receives SSI payments, whose entire SSI grant is being recouped, whose SSI case is in suspended status, or whose SSI has been authorized but payment has yet to be received.
- (53) "Systematic alien verification for entitlements (SAVE)" means the U.S. citizenship and immigration services (USCIS) whereby county agencies may verify the validity of documents provided by aliens applying for SNAP benefits by obtaining information from a central data file.
- (54) "Temporary assistance for needy families (TANF)" means a program funded under Title IV-A of the Social Security Act. This is the title used in federal legislation and regulations. Ohio has adopted the title "Ohio works first (OWF)" for its Title IV-A cash assistance program and the "prevention, retention, and contingency program (PRC)" for its benefits and services program.
- (55) "Thrifty food plan" means the diet required to feed a family of four persons consisting of a man and a woman ages twenty through fifty, a child ages six through eight, and a child ages nine through eleven determined in accordance with the secretary of agriculture's calculations. The cost of such diet shall be the basis for uniform allotments for all assistance groups regardless of their actual composition. In order to develop maximum SNAP allotments, the secretary of agriculture shall make assistance group size and other adjustments in the thrifty food plan taking into account economies of scale and other adjustments as required by law.

- (56) "U.S. citizenship and immigration service (USCIS)" (formerly known as the immigration and naturalization service) is an agency under the department of homeland security.
- (57) "United States department of agriculture (USDA)" means the federal agency responsible for overseeing the SNAP program.
- (58) "Workforce Innovation and Opportunity Act (WIOA)" means the legislation providing funding for job training, adult education, education for youths, employment for dislocated workers, and vocational rehabilitation. This legislation was formerly administered by the Workforce Investment Act of 1998.
- (59) "Work program" means:
- (a) A program under the Workforce Innovation and Opportunity Act of 2014 (Pub. L. No. 113-128);
  - (b) A program under section 236 of the Trade Act of 1974 (19 U.S.C. 2296) (7/2014); and
  - (c) A program of employment and training operated or supervised by a state or political subdivision of a state that meets standards approved by the governor of the state, including a program under section 6 (d)(4) of the Food and Nutrition Act.
  - (d) A program of employment and training for veterans operated by the department of labor or the department of veterans affairs, and approved by the United States department of agriculture (USDA) food and nutrition service (FNS).

Effective: 10/1/2023

Five Year Review (FYR) Dates: 4/1/2026

## CERTIFIED ELECTRONICALLY

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### Certification

09/21/2023

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### Date

Promulgated Under: 111.15  
 Statutory Authority: 5101.54  
 Rule Amplifies: 329.04, 329.042, 5101.54, 5101.884  
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5101:4-2-07

**Food assistance: initial interview process.**

(A) What is the process for an initial interview?

- (1) Upon receipt of an application, as defined in rule 5101:4-2-01 of the Administrative Code, the county agency shall conduct an interactive interview with a member of the assistance group or an authorized representative for the assistance group making application.
- (2) The county agency shall schedule an interview for all applicant assistance groups who are not interviewed on the day they submit an application. The interview notice shall contain the date and time of the interview. The notice shall also list the phone number the county agency will call when completing a phone interview, or the phone number the applicant will call to complete the interview with the county agency.
- (3) When separate applications are filed for assistance groups residing in the same household, each assistance group that has applied on a separate application shall be interviewed or scheduled for an interview.
- (4) When scheduling an interview, the county agency shall consider and attempt to accommodate any special circumstances or requests from an assistance group, including the assistance group's work schedule.
- (5) The county agency shall schedule all interviews as promptly as possible to ensure eligible assistance groups receive an opportunity to participate within thirty days after the application is filed.

(B) What are the options for conducting an initial interview?

- (1) The county agency may conduct an:
  - (a) Office interview;
  - (b) Telephone interview; or
  - (c) Home visit (as long as it is scheduled in advance with the assistance group).
- (2) The type of interview conducted is left to the county agency's discretion unless the applicant requests a face-to-face interview. The county agency shall grant a face-to-face interview to any assistance group that requests one.

(C) What are the standard interview practices?



- (1) The interview may be conducted with the head of the assistance group, spouse, any other responsible member of the assistance group or an authorized representative.
  - (2) When it is obvious the applicant is not mentally competent and is not able to understand the hearing rights, the applicant shall be required to name an authorized representative to receive notices.
  - (3) An applying assistance group shall report all changes related to its supplemental nutrition assistance program (SNAP) eligibility and benefits at the certification interview.
  - (4) The JFS 01846, "Case Worksheet- Cash, Food Stamps, and Medical Assistance Interview," shall be completed by the county agency when the statewide automated eligibility system is down for an extended period of time or a home visit is necessary.
- (D) What are the county agency's responsibilities during an interview?
- (1) Review the information appearing on the application, and explore and resolve unclear and incomplete information.
  - (2) Perform necessary collateral contacts and collect required verifications.
  - (3) Advise assistance groups of their rights and responsibilities during the interview, including the appropriate application processing standard and the assistance group's responsibility to report changes. The rights and responsibilities include:
    - (a) For all work registrants, the work registration requirements described in rule 5101:4-3-11.1 of the Administrative Code;
    - (b) For all work registrants required to participate in the SNAP employment and training program (E&T), the requirements described in rule 5101:4-3-30 of the Administrative Code;
    - (c) For all able-bodied adults without dependents (ABAWD), the work requirement, time-limit and process for regaining eligibility described in rules 5101:4-3-20 and 5101:4-3-20.1 of the Administrative Code.
    - (d) The assistance group's responsibility to report changes in accordance with rule 5101:4-7-01 of the Administrative Code; and
    - (e) The application processing standards described in rule 5101:4-2-11 of the Administrative Code.

- (4) Conduct the interview as an official and confidential discussion of assistance group circumstances.
- (5) Protect the applicant's right to privacy during the interview. Facilities shall be adequate to preserve the privacy and confidentiality of the interview.
- (6) Advise assistance groups that are also applying for or receiving Ohio works first (OWF) cash assistance benefits that time limits and other requirements that apply to the receipt of OWF benefits do not apply to the receipt of SNAP, and that assistance groups that stop receiving OWF benefits because they have reached a time limit, have begun working, or for other reasons, may still qualify for SNAP benefits.
- (7) Confirm the assistance group is not subject to an intentional program violation.
- (8) In accordance with rule 5101:9-2-02 of the Administrative Code, the county agency shall comply with the Americans with Disabilities Act of 1990 (ADA) plan adopted by the county agency. This includes, but is not limited to, providing the assistance group with an explanation of their rights under the amendments to Title II of the Americans with Disabilities Act (ADA) and section 504 of the Rehabilitation Act of 2008 and offering additional screening to any individual that discloses, has, or appears to have a physical or mental condition that substantially limits one or more major life activities.
- (9) ~~Determine if each member of the assistance group is required to register for work in accordance with rule 5101:4-3-11 of the Administrative Code~~Screen each individual who is either an adult or a sixteen or seventeen year old who is the assistance group name and is not in school or in the SNAP E&T program, to determine if an individual is to register for work in accordance with rule 5101:4-3-11 of the Administrative Code and for appropriateness for referral to the SNAP E&T program, using the JFS 07208, "Supplemental Nutrition Assistance Program Work Registration, ABAWD, and Employment and Training Screening Tool", or other automated system equivalent approved by the Ohio department of job and family services (ODJFS) and save a completed copy in the case record.
- (10) Notify the assistance group of their right to request a copy of their completed application.
- (11) Confirm that a member of the assistance group has not been convicted of and is not out of compliance with the terms of the sentence for crimes described in rule 5101:4-2-03 of the Administrative Code. The county agency is to document the individual's attestation in the case record.

- (12) Provide a comprehensive oral explanation of each applicable work requirement pertaining to individuals in the assistance group as described in rules 5101:4-3-11.1, 5101:4-3-30 and 5101:4-3-20 of the Administrative Code.
- (13) Ensure the assistance group receives a written notice that includes the following information:
  - (a) Which individuals in the assistance group are subject to a work requirement(s);
  - (b) The applicable work requirements for all members of the assistance group including:
    - (i) The general work registration requirement in accordance with rule 5101:4-3-11.1 of the Administrative Code;
    - (ii) The SNAP E&T requirement in accordance with rule 5101:4-3-30 of the Administrative Code; and
    - (iii) The ABAWD work requirement in accordance with rule 5101:4-3-20 of the Administrative Code.
  - (c) Exemptions from each applicable work requirement;
  - (d) The process to request an exemption, including contact information to request an exemption;
  - (e) Rights and responsibilities of each applicable work requirement;
  - (f) What is required to maintain eligibility under each applicable work requirement;
  - (g) Pertinent dates by which an individual is to take any actions to remain in compliance with each applicable work requirement;
  - (h) Consequences for failure to comply with each applicable work requirement;
  - (i) The process for requesting good cause, including examples of good cause circumstances and contact information to initiate a good cause request;
  - (j) Any other information the county agency believes would assist the assistance group members with compliance; and
  - (k) When an individual is subject to mandatory SNAP E&T, the written notice is to also explain the individual's right to receive participant reimbursements

for allowable expenses related to participation in SNAP E&T, up to any applicable cap, and the responsibility of the county agency to exempt the individual from the requirement to participate in SNAP E&T when the individual's allowable expenses exceed what the county agency will reimburse in accordance with rule 5101:4-3-32 of the Administrative Code.

(E) What happens when an assistance group misses its interview?

- (1) The county agency shall notify an assistance group of its missed interview appointment by using the JFS 04218 "Notice of Missed Interview" or the statewide automated eligibility system equivalent, in accordance with rule 5101:4-5-07 of the Administrative Code and inform the assistance group they are responsible for rescheduling a missed interview.
- (2) When the assistance group contacts the county agency within the thirty-day application processing period, the county agency shall schedule a second interview.
- (3) The county agency shall not deny an assistance group's application prior to the thirtieth day when the assistance group fails to appear for the first scheduled interview.
- (4) When the assistance group requests a second interview during the thirty-day application processing period and is determined eligible, the county agency shall issue prorated benefits from the date of application.

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5101:4-3-11

**Food assistance: work registration and exemptions.****(A) What is work registration?**

Work registration is the process for identifying employable individuals who are applying for or are participating in the supplemental nutrition assistance program (SNAP). Individuals who are work registered must comply with the requirements described in rule 5101:4-3-11.1 of the Administrative Code.

**(B) Who must be work registered for SNAP?**

Unless an individual meets one of the following exemptions, the individual shall be registered for work and be required to comply with the work registration requirements described in rule 5101:4-3-11.1 of the Administrative Code:

- (1) A person younger than sixteen years of age.
  - (a) A sixteen- or seventeen-year-old participant who is not the assistance group name as defined in rule 5101:4-1-03 of the Administrative Code is exempt from work registration.
  - (b) A sixteen- or seventeen-year-old participant who is the assistance group name and is attending school or enrolled in an employment training program at least half time is exempt from work registration.
- (2) Person sixty years of age or older.
- (3) A parent or other assistance group member who is responsible for the care of a dependent child under age six or an incapacitated person. When a parent and another member of the assistance group both claim to be responsible for the care of the same dependent child(ren) or incapacitated assistance group member, only one member shall be exempt. The responsibility should be determined by discussion with the applicant.
- (4) A person receiving unemployment compensation benefits. A person who has applied for, but is not yet receiving, unemployment compensation benefits is also exempt when that person is complying with the requirements of the unemployment compensation application process.
- (5) A person determined by the county agency to be physically or mentally unfit for employment either permanently or temporarily. An individual is medically certified as physically or mentally unfit for employment when he or she is:
  - (a) Receiving temporary or permanent disability benefits issued by governmental or private sources; or

- (b) Obviously mentally or physically unfit for employment as determined by the county agency; or when the unfitness is not obvious, provides a statement from a physician, physician's assistant, nurse, nurse practitioner, designated representative of the physician's office, a licensed or certified psychologist, a social worker, or any other medical personnel the county agency determines appropriate, that he or she is physically or mentally unfit for employment. The county agency shall maintain documentation within the case file capable of withstanding a third-party review to support the granting of the exemption.
- (6) Assistance group members who are applying for both SSI and SNAP benefits at the local social security office shall have the requirement for work registration waived until:
  - (a) They are determined eligible for SSI and thereby become exempt from work registration; or,
  - (b) They are determined ineligible for SSI at which time their exemption from work requirements shall be reevaluated.
- (7) A regular participant in a drug addiction or alcoholic treatment and rehabilitation program, either on a resident or nonresident basis.
- (8) A student enrolled in a recognized school, training program, or institution of higher education, as defined in rule 5101:4-6-04 of the Administrative Code, is exempt from work registration when enrolled at least half time.
  - (a) A student enrolled at least half time in any recognized school, training program, or institution of higher education will remain exempt during normal periods of class attendance, vacation and recess, unless the student graduates, enrolls less than half-time, is suspended or expelled, drops out, or does not intend to register for the next normal school term (excluding summer).
  - (b) Persons who are not enrolled at least half time or who experience a break in enrollment due to graduation, expulsion, or suspension, or who drop out or otherwise do not intend to return to school, shall not be considered students for the purpose of qualifying for this exemption.
  - (c) The determination of whether the student is enrolled at least half time is made by the school, training program, or institution of higher education.
  - (d) A person who is subject to work registration as a condition of eligibility and whose assignment is to attend a recognized school, training program,

or institution of higher education is not exempt from work registration. Individuals who are required to work register who are assigned to a recognized school, training program or institution of higher education through the employment and training program meet a student exemption defined in paragraph (B)(4) of rule 5101:4-6-04 of the Administrative Code and are considered eligible students for the SNAP.

(e) A person who is enrolled in a school but taking only noncredit courses is not considered a student for purposes of this exemption.

(9) An assistance group member subject to and complying with any work requirement under the Ohio works first (OWF) program.

(10) An employed or self-employed person working a minimum of thirty hours weekly or earning weekly wages at least equal to the federal minimum wage multiplied by thirty hours. This includes migrant and seasonal farm workers under contract or similar agreement with an employer or crew chief to begin employment within thirty days (although this shall not prevent individuals from seeking additional services from the county agency).

(C) What procedures shall the county follow for each work registrant?

The county agency ~~shall~~ is to:

(1) Ensure each individual has received an explanation of their rights and responsibilities described in paragraphs (D)(3)(a) to (D)(3)(d) of rule 5101:4-2-07 of the Administrative Code and the consequences of failing to comply with the work registration requirements described in rule 5101:4-3-11.2 of the Administrative Code. A written statement of the above shall also be provided to each individual who is registered for work. A statement shall also be provided when a previously exempt individual or new assistance group member becomes subject to a work registration, and every twelve months after initial registration.

(2) Document each individual registration via the ~~statewide automated~~ Ohio benefits integrated eligibility system.

(a) The county agency shall update the ~~statewide automated~~ Ohio benefits integrated eligibility system for each individual required to work register prior to authorization of SNAP benefits.

(b) Individuals required to work register shall not be required to be present at the time the county agency work registers the individual. These individuals



shall be notified of work registration requirements in accordance with paragraph (C)(1) of this rule.

- (3) Provide each work registrant with information about services available through the OhioMeansJobs website (OhioMeansJobs.com) and/or the closest OhioMeansJobs center;
- (4) ~~Conduct an appraisal in accordance with rule 5101:4-3-29 of the Administrative Code for each individual subject to the work registration requirement described in paragraph (A)(5) of rule 5101:4-3-11.1 of the Administrative Code~~Screen each individual who is either an adult or a sixteen or seventeen year old who is the assistance group name and is not in school or in the SNAP E&T program, to determine if an individual is to register for work in accordance with rule 5101:4-3-11 of the Administrative Code and for appropriateness for referral to the SNAP employment and training (E&T) program using the JFS 07208, "Supplemental Nutrition Assistance Program Work Registration, ABAWD, and Employment and Training Screening Tool", or other automated system equivalent approved by the Ohio department of job and family services (ODJFS). A completed copy is to be saved in the case record.
- (5) When appropriate, refer each SNAP recipient subject to the work registration requirement described in paragraph (A)(5) of rule 5101:4-3-11.1 of the Administrative Code to the SNAP E&T program and conduct an appraisal in accordance with rule 5101:4-3-29 of the Administrative Code.
- ~~(5)~~(6) Provide a comprehensive oral explanation of the work requirements each assistance group member is subject to and ensure the assistance group has received the ~~statewide automated~~Ohio benefits integrated eligibility system generated notice of the work requirements in accordance with rule 5101:4-2-07 of the Administrative Code. This comprehensive oral explanation is to be provided at initial certification, when a previously exempt assistance group member or new assistance group member becomes subject to the work requirements as described in rules 5101:4-3-11.1 and 5101:4-3-20 of the Administrative Code, and at recertification.

(D) What happens when an individual is no longer exempt from work registration?

- (1) The county agency shall register any person losing exemption status due to any change in circumstances that is subject to reporting requirements of rule 5101:4-7-01 of the Administrative Code at the time the change is reported. Registration shall be documented via the ~~statewide automated~~Ohio benefits integrated eligibility system.

- (2) The county agency shall register persons who lose their exemption due to a change in circumstances that is not subject to reporting requirements of rule 5101:4-7-01 of the Administrative Code at the assistance group's next recertification. Registration shall be documented via the ~~statewide automated~~ Ohio benefits integrated eligibility system.

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5101:4-3-11.2

**Food assistance: work registration sanctions and compliance.**

(A) What happens when an individual does not comply with a work registration requirement?

(1) When an individual fails or refuses to meet the work registration requirements in rule 5101:4-3-11.1 of the Administrative Code, the individual shall be sanctioned from participation in the supplemental nutrition assistance program (SNAP) as follows:

(a) For a first failure or refusal, the county agency shall sanction the individual by denying or terminating the individual's eligibility to participate in the SNAP for a minimum of one benefit month.

(b) For a second failure or refusal, the county agency shall sanction the individual by denying or terminating the individual's eligibility to participate in the SNAP for a minimum of three benefit months.

(c) For the third or subsequent failure or refusal, the county agency shall sanction the individual by denying or terminating the individual's eligibility to participate in the SNAP for a minimum of six benefit months.

(2) When an individual stops receiving SNAP benefits before the actual imposition of the sanction, the sanction will not be held in abeyance. The establishment of new residence in another county or another assistance group by an individual who has been proposed for a sanction or who is currently under sanction does not, in and of itself, negate the sanction.

(B) What is the process for notification of noncompliance?

(1) Prior to issuing a notice of noncompliance in accordance with paragraph (B)(2) of this rule, the county agency is to ensure that the individual was informed of the failure(s) and his or her right to provide good cause information to the county agency.

(a) The county agency ~~or the SNAP (E&T) provider may~~ is to inform the individual of the failure by ~~any reasonable means (letter, phone call, email, etc.)~~ issuing the JFS 07209, "Supplemental Nutrition Assistance Program Notification of Alleged Failure" to the individual and document the case record.

(b) The SNAP E&T provider is to adhere to the reporting time frame to the county agency described in paragraph (B)(2)(3) of rule 5101:4-3-30 of the Administrative Code.

~~(c) The attempt to contact the individual is to be documented in the case record.~~

(2) Once an individual has been informed in accordance with paragraph (B)(1) of this rule, it is the individual's responsibility to contact the county agency within seven days of the notification of noncompliance to show good cause for the failure. ~~Within ten days of determining the failure was without good cause, in accordance with Chapter 5101:6-2 of the Administrative Code, proper notice of adverse action is to be provided to the individual.~~

~~The notification shall contain:~~

(a) ~~The particular act of noncompliance committed;~~ Prior to processing the noncompliance within the Ohio benefits integrated eligibility system, the county agency is to complete the JFS 07210, "Supplemental Nutrition Assistance Program Employment and Training Pre-Sanction Checklist" and save it to the case record.

(b) ~~The proposed period of the sanction;~~ Within ten days of determining the failure was without good cause, in accordance with Chapter 5101:6-2 of the Administrative Code, proper notice of adverse action is to be provided to the individual. The notice is to contain:

(i) The particular act of noncompliance committed;

(ii) The proposed period of the sanction;

(iii) Language explaining that the individual may, when appropriate, reapply at the end of the sanction period;

(iv) Information on or with the notice describing the action that can be taken to avoid the sanction before the sanction period begins; and

(v) Notice and hearing requirements contained in Chapters 5101:6-1 to 5101:6-9 of the Administrative Code that apply in each instance of noncompliance and subsequent sanction action.

~~(c) Language explaining that the individual may, when appropriate, reapply at the end of the sanction period;~~

~~(d) Information on or with the notice describing the action that can be taken to avoid the sanction before the sanction period begins; and~~

~~(e) Notice and hearing requirements contained in Chapters 5101:6-1 to 5101:6-9 of the Administrative Code that apply in each instance of noncompliance and subsequent sanction action.~~

(C) What is the process when it is determined an individual is not suited for participation in an assigned SNAP E&T activity?

(1) When a SNAP E&T provider determines that an individual is not suited for participation, either at the time the individual is referred to the activity or until the activity completion, the provider is to notify the county agency within ten days of the determination to explain the reason the individual is not an appropriate placement in the E&T program. The provider may provide information that will assist in making a change in placement. However, if the provider is unable to provide a reason for the determination, the county agency is to process the provider determination without the reason.

(2) Within ten days of the county agency receiving the provider notification, the county agency is to notify the individual of the provider determination. The notice is to include:

(a) A description of the provider determination when available;

(b) The steps the county agency will take as a result of the determination;

(c) The contact information for the agency;

(d) Information that the individual is not being sanctioned as a result of the provider determination; and

(e) Information that an able-bodied adult without dependents who receives a provider determination will accrue countable months towards their three-month time limit the next full benefit month after the month during which the county agency notifies the individual of the provider determination unless the individual:

(i) Has met the work requirements as described in rule 5101:4-3-20 of the Administrative Code;

(ii) Has established good cause;

(iii) Lives in a waived county; or

- (iv) Is determined to be exempt as described in rule 5101:4-3-11 of the Administrative Code.
- (3) Within ten days of the county agency notifying the individual but no later than the next recertification the county agency is to:
- (a) Reassess the physical and mental fitness of the individual to determine if an exemption is met in accordance with rule 5101:4-3-11 of the Administrative Code or determine if an update to the employability plan is needed based on limitations for participating in an activity; and
  - (b) Update the case record and when necessary the employability plan with any changes.
- (D) How does an individual comply to regain eligibility for SNAP?

Except for individuals sanctioned as a result of a voluntary quit or reduction of work effort, the county agency shall require the individual to:

- (1) Prior to reinstatement of benefits, the individual shall sign the JFS 03804 "Ohio Works First/Supplemental Nutrition Assistance Program (SNAP) Sanction Compliance Agreement" agreeing to participate in the work program and to comply with the work registration requirements described in rule 5101:4-3-11.1 of the Administrative Code.
  - (a) When the JFS 03804 is signed prior to the end of the sanction period, the sanctioned individual shall regain eligibility and benefits shall be reinstated after the minimum sanction period is served.
  - (b) When the JFS 03804 is signed after the end of the minimum sanction period, the individual shall regain eligibility effective the day the JFS 03804 was signed and returned to the county agency and benefits shall be reinstated pursuant to rule 5101:4-7-01 of the Administrative Code.
- (2) When the circumstances change and the individual qualifies for an exemption from work registration in accordance with rule 5101:4-3-11 of the Administrative Code, the individual may qualify for SNAP benefits. Such exemptions may occur before the minimum sanction period ends.
- (3) Individuals sanctioned as a result of a voluntary quit or reduction of work effort shall be required to regain eligibility in accordance with rule 5101:4-3-19 of the Administrative Code.



- (E) How are failures for noncompliance with unemployment compensation or an Ohio works first (OWF) work requirement handled?

Individuals receiving unemployment compensation or OWF benefits are exempt from work registration. Instead, the individual must comply with the unemployment compensation or OWF requirements. When the assistance group reports a loss or denial of unemployment compensation or OWF eligibility or when the county agency learns of the loss or denial, the county agency shall determine whether the loss or denial was caused by a determination by the administering agency that the individual refused or failed without good cause to comply with an unemployment compensation or OWF requirement. When it is determined the individual failed or refused to meet an unemployment compensation or OWF requirement, the county agency shall:

- (1) Determine if the assistance group is an OWF assistance group. An OWF assistance group is a group in which all members are receiving OWF benefits. For OWF assistance groups, the county agency shall follow rule 5101:4-3-09 of the Administrative Code. However, when all of the individuals in the assistance group are not receiving OWF cash benefits (i.e. one or more members are only in receipt of SNAP), the assistance group remains subject to the requirements of this rule.
- (2) Determine if the individual meets one of the other work registration exemptions outlined in rule 5101:4-3-11 of the Administrative Code. When the individual meets another work registration exemption in rule 5101:4-3-11 of the Administrative Code, no action is required.
- (3) When the individual does not meet another work registration exemption, the individual shall be sanctioned in accordance with this rule. The income and resources of the individual shall be treated in accordance with paragraph (A) of rule 5101:4-6-13 of the Administrative Code.
- (4) Assistance group members who fail to comply with an unemployment compensation or OWF requirement that is not equivalent to that of a supplemental nutrition assistance program (SNAP) work requirement shall lose their exemption and must be registered for work when not otherwise exempt.

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5101:4-3-20.1      **Food assistance: regaining eligibility.**

This rule describes the process for an able-bodied adult without dependents (ABAWD) to regain eligibility for the supplemental nutrition assistance program (SNAP) after reaching the ABAWD time-limit.

(A) What is the ABAWD time-limit?

In accordance with paragraph (C)(2) of rule 5101:4-3-20 of the Administrative Code, an ABAWD is not eligible to participate in SNAP as a member of any assistance group when he or she has received SNAP benefits for three countable months during any thirty-six month period.

(B) How can an individual who has lost eligibility due to the ABAWD time-limit regain eligibility?

An individual ineligible to participate in SNAP due to the ABAWD time-limit is to regain SNAP eligibility when:

- (1) ~~An individual ineligible to participate in SNAP due to the ABAWD time-limit may regain SNAP eligibility when:~~ meets ABAWD exemption criteria as described in paragraph (A) of rule 5101:4-3-20 of the Administrative Code; or
  - ~~(a) An individual meets ABAWD exemption criteria as described in paragraph (A) of rule 5101:4-3-20 of the Administrative Code; or~~
  - ~~(b) The county agency determines that the individual during any thirty consecutive days has:~~
    - ~~(i) Engaged in work or a work program for eighty hours;~~
    - ~~(ii) Participated in and complied with a SNAP E&T work experience program (WEP) activity for the maximum number of hours permitted by rule 5101:4-3-31 of the Administrative Code;~~
    - ~~(iii) Participated in one or more SNAP E&T activities for eighty hours; or~~
    - ~~(iv) Participated in a combination of SNAP E&T activities, work or work programs for eighty hours.~~
- (2) ~~When an individual is receiving supportive services as part of a job retention activity described in rule 5101:4-3-39 of the Administrative Code, the hours are not to count toward regaining eligibility.~~ The county agency determines that an individual during any thirty consecutive days has engaged in work or a work

program as described in rule 5101:4-3-20 of the Administrative Code, for eighty hours.

(C) When does an individual regain eligibility in accordance with this rule?

For individuals regaining eligibility by:

(1) Meeting an ABAWD exemption criteria, on the date of application; or

~~(2) Participating in a WEP activity and the WEP obligation is based on an estimated monthly allotment prorated back to the date of application, on the date of application; and~~

~~(2)~~ (2) For all other individuals, on the day the eighty hours are completed.

(D) Is there a limit on the number of times an ABAWD may regain eligibility?

No, there is no limit on how many times an ABAWD may regain eligibility.

(E) What happens when an ABAWD fails to meet the work requirement after regaining eligibility in accordance with this rule?

Once in a thirty-six month period, an ABAWD may remain eligible for an additional three consecutive months of SNAP eligibility after failing to meet the work requirement. When the county agency determines that an ABAWD who has regained SNAP eligibility in accordance with this rule has subsequently failed to meet the work requirement described in paragraph (B)(2) of rule 5101:4-3-20 of the Administrative Code, the county agency shall determine when the ABAWD has received the additional three consecutive months of benefits in the past thirty-six months.

(1) When the county agency determines that the ABAWD has already received the three consecutive additional months of eligibility, the ABAWD is ineligible.

(2) When the county agency determines that the ABAWD has not yet received the three consecutive additional months of eligibility, the ABAWD is eligible for a period of three consecutive countable months starting on either:

(a) The date the individual first notifies the county agency that he or she is no longer fulfilling the work requirement; or

(b) When the individual has been satisfying the work requirement by participating in a ~~WEP~~ SNAP employment and training (E&T) activity, the date the county agency notifies the individual that he or she is no longer meeting the work requirement.

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**Food assistance employment and training: case management.****(A) What is case management?**

The purpose of case management services is to determine the appropriate supplemental nutrition assistance program (SNAP) employment and training (E&T) components and activities based on the participant's needs and interests, to directly support an individual's participation in the SNAP E&T program, and to provide activities and resources that help the participant achieve program goals. Case management services can be provided in-person or virtually (i.e. any communication that does not happen in-person), and can include activities such as coordination with service providers, but is to include the following:

- (1) Comprehensive appraisals;
- (2) Individualized employability plans; and
- (3) Ongoing progress monitoring.

**(B) What is a comprehensive appraisal?**

(1) As a condition of continued SNAP eligibility, individuals subject to the work registration requirement described in paragraph (A)(5) of rule 5101:4-3-11.1 of the Administrative Code are required to be appraised. As part of the appraisal process, the county agency is to:

- (a) Determine the best assignment for a participant based on their skills and needs to move them toward self-sufficiency and personal responsibility; and
- (b) Screen to identify possible victims of domestic violence in accordance with rule 5101:1-3-20 of the Administrative Code. Victims of domestic violence may be excused from a work activity as described in paragraph (F) of rule 5101:4-3-11.1 of the Administrative Code; however, the individual may still choose to participate.

(2) During the comprehensive appraisal process the county agency is to ensure:

- (a) Each individual is provided a copy and an explanation of their rights and responsibilities described in paragraphs (D)(3)(a) to (D)(3)(d) of rule 5101:4-2-07 of the Administrative Code; and
- (b) When an individual discloses, has, or appears to have a physical or mental condition that substantially limits one or more major life activities, the county agency is to offer additional screening to the individual consistent

with the requirements of rule 5101:9-2-02 of the Administrative Code and the Americans with Disabilities Act (ADA) plan adopted by the county agency in accordance with rule 5101:9-2-02 of the Administrative Code. When additional screening indicates the presence of a disability, the employability plan made in accordance with paragraph (C) of this rule, is to be consistent with the county agency's ADA plan and is to include a description of each reasonable modification requested and made for an individual with a disability.

(3) A comprehensive appraisal is to be completed:

- (a) Immediately following certification but ~~Not~~ no later than thirty days from the authorization of SNAP benefits at initial certification and recertification;
- (b) Any time reinstatement of eligibility is completed;
- (c) When the county agency determines the assistance group's circumstances warrant any additional appraisals; and

(C) What is an individualized employability plan?

As part of the appraisal process, the county agency is to develop an employability plan with each individual to achieve the goal of self-sufficiency and personal responsibility. The employability plan is to be signed by the individual and is to include:

- (1) Assignment to activities in one or more SNAP E&T components as referenced in rule 5101:4-3-30 of the Administrative Code;
- (2) Supportive services to be provided to the individual; and
- (3) Case management services, including ongoing progress monitoring, that are to be provided to the individual.

(D) What is ongoing progress monitoring?

Ongoing progress monitoring is engaging with the individual at least once per month to discuss their progress in assigned activities, any new barriers and supportive services that may be necessary, and/or potential next activities. The county agency is to:

- (1) Perform ongoing progress monitoring or have the SNAP E&T provider perform it;

- (2) Include ongoing progress monitoring within a SNAP E&T activity or operate ongoing progress monitoring as a stand-alone activity; and
  - (3) First communicate with the participant, when the participant fails to comply with ongoing progress monitoring without good cause, to discuss their interest in continuing with ongoing progress monitoring and adjust their required participation and employability plan accordingly.
    - (a) When an individual expresses a lack of interest in continuing ongoing progress monitoring or has two consecutive failures and is otherwise progressing through the SNAP E&T activity or component, the county agency is to suspend ongoing progress monitoring.
    - (b) When the individual's hours in ongoing progress monitoring are used to meet the able-bodied adults without dependents (ABAWD) work requirement as described in rule 5101:4-3-20 of the Administrative Code, the individual is to accrue a countable month in accordance with paragraph (C)(2) of rule 5101:4-3-20 of the Administrative Code.
- (E) What happens when the assistance group member fails to cooperate with the comprehensive appraisal or employability plan?
- (1) Failure without good cause to attend an appraisal interview or to complete an appraisal by any required participant is to result in a sanction in accordance with paragraph (B) of rule 5101:4-3-11.1 of the Administrative Code.
  - (2) When the individual fails or refuses, without good cause, to comply in full with any provision of their employability plan, except ongoing progress monitoring, the county agency is to sanction the individual in accordance with paragraph (B) of rule 5101:4-3-11.1 of the Administrative Code.
- (F) How is good cause determined?
- Good cause is determined in accordance with paragraphs (C) and (F) of rule 5101:4-3-11.1 of the Administrative Code.
- (G) How are hours spent in case management counted?
- (1) The assigned hours spent in case management are to be counted toward the number of hours a participant is required to participate in SNAP E&T as described in rule 5101:4-3-31 of the Administrative Code and the ABAWD work requirement as described in rule 5101:4-3-20 of the Administrative Code.



- (2) The participant cannot participate only in case management in order to complete all SNAP E&T and ABAWD hours.
- (3) For time spent in case management, only allowable SNAP E&T activities can be counted toward the SNAP E&T requirement. For example, hours a participant spends with a case manager identifying a temporary housing solution are to count toward the work requirement, but the hours spent actually moving into temporary housing will not count as an allowable SNAP E&T component or activity.

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5101:4-3-33

**Food assistance employment and training: supervised job search.**

(A) What is supervised job search?

Supervised job search is a supplemental nutrition assistance program (SNAP) employment and training (E&T) component ~~in which that provides applicants and SNAP E&T participants are provided~~ with activities that have a direct link to increasing employment opportunities for participants.

(B) What are the requirements of supervised job search?

- (1) Supervised job search shall occur at county-approved locations ~~at which where~~ a participant's activities and participation time are able to be directly supervised and tracked. County approved locations include any location deemed suitable by the county agency where the participant has access to tools, and materials needed to perform supervised job search.
- (2) Supervised job search locations are not limited to a physical building and may include virtual tools. Examples of physical locations may include the Ohio means jobs centers operated by the local workforce development board, resource rooms at the job and family services office; whereas virtual tools may include the OhioMeansJobs.com website, other websites, portals or web applications. Offering a variety of locations and formats to best meet participant needs is encouraged and to the extent possible, county agencies are to allow participants to choose their preferred location.
- (3) Supervision, either remotely or in-person, is to be provided by skilled staff who provide meaningful guidance and support with at least monthly check-ins. Supervision and job search activities may occur at different times, and is to be provided in such a way to best support the participant and may include activities such as job search coaching, review of job search activities, and guidance on how to best target participant job search activities.
- (4) Supervised job search hourly requirements are established by the county agency pursuant to the time limit described in paragraph (D) of this rule and shall be assigned in accordance with rule 5101:4-3-31 of the Administrative Code.

(C) What are the responsibilities of the county agency when implementing supervised job search?

The county agency is to include a summary in their E&T plan of the county guidelines used to implement supervised job search. The summary of the county guidelines, at a minimum, is to describe:

- (1) Criteria used by the county agency to approve locations for supervised job search;
- (2) An explanation of why those criteria were chosen; and
- (3) How the supervised job search component meets the requirements to directly supervise the activities and track the timing and activities of participants.
- (4) Time spent in activities in supervised job search is to be tracked within the case record. Information tracked may include, but is not limited to: the participant's name; date and time of attendance; hours spent in supervised job search; and the number of applications submitted to employers.

(D) What are the time limits for supervised job search?

- (1) ~~Except as described in paragraphs (D)(1)(a) and (D)(1)(b) of this rule, a~~ county agency shall ~~not assign supervised job search as a continuous, year-round assignment for~~ establish a supervised job search period, that in its estimation, will provide participants a reasonable opportunity to find suitable employment. For a SNAP E&T participant who is either a volunteer or an able-bodied adult without dependents (ABAWD) who resides in a county subject to a waiver of the ABAWD time-limit approved in accordance with 7 C.F.R. 273.24 (6/2006)(6/2021), supervised job search is not to be assigned as a continuous, year round assignment unless the county agency determines it is the most suitable assignment and believes it will continue to provide the SNAP E&T participant a reasonable opportunity to find suitable employment.

~~(a) An assignment to supervised job search immediately following certification of SNAP benefits shall not exceed thirty days.~~

~~(b) When thirty days have passed since the initial assignment to supervised job search and a county agency determines that supervised job search is the most suitable assignment, supervised job search may be assigned for as long as the county agency believes it will provide the SNAP E&T participant a reasonable opportunity to find suitable employment.~~

- (2) For a SNAP E&T participant who is an ABAWD subject to the time-limit described in rule 5101:4-3-20 of the Administrative Code, supervised job search may be assigned as follows:

(a) When an ABAWD is meeting the ABAWD work requirements described in paragraph (B)(2) of rule 5101:4-3-20 of the Administrative Code by participating in SNAP E&T; ~~supervised job search may be assigned at any time during the certification period with no durational limitation. However, the supervised job search activity must be paired with another~~

~~SNAP E&T activity and the required hours of supervised job search must be less than half of the total number of hours the ABAWD is required to participate in SNAP E&T.~~

(i) Supervised job search immediately following certification of SNAP benefits is not to exceed thirty days prior to making a work experience program (WEP) assignment. This activity is part of the WEP assignment and participants are considered to be participating in and complying with the requirements of WEP as described in rule 5101:4-3-35 of the Administrative Code.

(ii) Supervised job search may be assigned at any time during the certification period with no durational limitation. However, the supervised job search activity is to be paired with another SNAP E&T activity and the hours of supervised job search are to be less than half of the total number of hours the ABAWD is to participate in SNAP E&T.

(b) When an ABAWD is meeting the work requirement described in paragraph (B)(2) of rule 5101:4-3-20 of the Administrative Code through something other than SNAP E&T (e.g., work) but an assignment to SNAP E&T supervised job search is appropriate, the assignment shall be made in accordance with paragraph ~~(C)~~(D)(1) of this rule.

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5101:4-3-34

**Food assistance employment and training: work experience program.**

The work experience program (WEP) is a supplemental nutrition assistance program (SNAP) employment and training (E&T) activity component that provides work experience and training for employable SNAP E&T participants, who are not otherwise able to obtain employment, to enhance their ability to secure unsubsidized employment. The SNAP E&T WEP activity component is equivalent to the federal definition of workfare in that participants perform work in a public service capacity (with a public or private nonprofit sponsor) as a condition of eligibility to receive their monthly allotment.

(A) What criteria shall the county agency establish for WEP worksite sponsors?

- (1) Participants are not required to perform political, partisan, or electoral activities.
- (2) The worksite shall meet all applicable federal, state and local health and safety standards, equal employment opportunity (EEO) policies, fair labor standards, displacement policies, and provide reasonable work conditions.
- (3) The placement has not been developed in response to, or in any way associated with, the existence of a strike, lockout, or bona fide labor dispute, and does not violate any existing labor agreement.
- (4) A participant's religious freedom shall not be violated nor is the participant compelled to do work that promotes a religious doctrine or belief.

(B) Is a participant considered an employee of the WEP worksite?

A participant shall not be considered an employee of either the sponsor, the county agency, or the Ohio department of job and family services (ODJFS) and, therefore, is not entitled to all of the benefits and privileges of an employee. The operation of WEP shall not be considered to be the operation of an employment agency by the state or county agency.

(C) Do the WEP individuals have coverage for injuries?

Individuals assigned to WEP shall be covered for participation-related injuries or disabilities under work relief compensation administered by the bureau of workers' compensation (BWC). Unless the county agency pays the premiums for the sponsor, a private nonprofit, or government sponsor with whom a SNAP ~~employment and training~~ E&T participant is placed shall pay the premiums to the BWC on behalf of the participant. Individuals assigned to other SNAP employment and training activities shall not be included in premium payments made by the county agency to the BWC.

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**Food assistance employment and training: education and training activities.**

Education and training activities or job readiness training activities shall improve the basic skills and directly enhance the employability of the supplemental nutrition assistance program (SNAP) employment and training (E&T) participant.

(A) What types of education and training activities may be provided to ~~supplemental nutrition assistance program (SNAP) employment and training (E&T)~~ SNAP E&T participants?

(1) Basic education;

(2) Vocational education;

(3) Job readiness training activities;

(4) Educational programs including, but not limited to, courses or programs of study that are a part of a program of career and technical education as defined in section three of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302); and

(5) Other programs or activities determined by the county agency to expand the employability of the participant.

(B) What is the goal of basic education?

Basic education may be provided to individuals who do not possess basic literacy skills whether or not they have obtained a high school diploma or equivalent education. Basic education includes high school or equivalent education, remedial education, adult basic education, basic literacy education, and instructional programs in English as a second language (ESL).

(C) What are the county agency's responsibilities for tracking the progress of an individual engaged in basic education activities?

The county agency shall document the progress of the participant assigned to basic education in conjunction with the service provider. ~~In order to~~ To remain assigned to the activity, an individual shall be expected to make "satisfactory progress" as determined by the county agency. An individual who is unable to make satisfactory progress shall be reassessed to determine when the assignment should continue. Assignment to this activity shall be based on the goal of obtaining employment.

(D) What is the goal of vocational education?

The goal of vocational education is to assist individuals in obtaining useful employment in a recognized occupation. Vocational education may include: occupational training in technical job skills and equivalent knowledge and abilities in a specific occupational area; post-secondary education; and training offered by other entities such as public secondary schools and public and private entities. For the vocational and post-secondary education components Ohio has aligned the allowable SNAP E&T programs with the workforce innovation and opportunity act (WIOA) approved programs found on the workforce inventory of education and training (WIET) list.

(E) What is the goal of job readiness training activities?

- (1) Job readiness training activities are designed to expand the employability of participants by ensuring that participants become familiar with general workplace expectations and exhibit work behavior and attitudes necessary to compete successfully in the labor market. Various types of structured programs qualify, such as rehabilitation, counseling, employability assessments, training in techniques for employability, and job placement services.
- (2) Job readiness training activities may include, but are not limited to the following:
  - (a) Classroom instruction on the strategies and skills in job seeking;
  - (b) Job lead development;
  - (c) Identifying and overcoming personal barriers to employment;
  - (d) Building self-confidence and self-promotion;
  - (e) Good grooming and dress techniques;
  - (f) Managing time, money, and household budgets;
  - (g) Obtaining proper dependent care and supervision of dependents while working;
  - (h) Conducting self-assessments to determine employment options and training needs;
  - (i) Completing resumes, work histories, and application forms;
  - (j) Learning and using good interviewing techniques;

- (k) Using resources such as the telephone, telephone directories, newspapers, internet, and friends and/or relatives;
- (l) Contacting the individual who does the hiring;
- (m) Maintaining good records of job search activities;
- (n) Understanding employer expectations;
- (o) Understanding unions, benefits, taxes, deductions, and hospitalization policies;
- (p) Being prompt and punctual for work;
- (q) Accepting supervision positively;
- (r) Relating to other employees; or
- (s) Retaining the job as a step toward security and independence.

(F) What is the goal of educational programs, courses or programs of study that are a part of a program of career and technical education as defined in section three of the Carl D. Perkins Act of 2006?

The goal of educational programs, courses or program of study defined in section three of the Carl D. Perkins Act of 2006 is to ensure individuals are participating in a defined career and technical education program to assist in obtaining useful employment in a recognized occupation. These educational programs may be offered concurrently or contextually with basic education or vocational education. An educational program, course or program of study does not have to receive Perkins funding ~~in order~~ to be considered meeting the definition of a career and technical education program.

(G) What is the goal of other programs or activities determined by the county agency to expand the employability of the participant?

The goal of other programs or activities determined by the county agency allows for county agencies to assign an individual to participate in an education and training activity where there is a direct link between the educational activity and job readiness. These activities shall also expand the employability of the participant.

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**Food assistance employment and training: displacement of other persons.**

(A) Is it allowable for a supplemental nutrition assistance program (SNAP) employment and training (E&T) participant to displace a person from employment?

Participants in the SNAP ~~employment and training~~ E&T program shall not be assigned to program activities that result in the displacement of other persons. Displacement occurs when a participant's assignment results in removing or discharging employees or otherwise denying such employment to persons who:

- (1) Are already employed as regular full-time or part-time employees.
- (2) Are or have been employed full time or part time as participants in a subsidized employment program/on-the-job training or in other publicly subsidized employment and training programs.
- (3) Are or have been involved in a dispute between a labor organization and the employer or sponsor.
- (4) Have been laid off and are either:
  - (a) Receiving unemployment compensation; or
  - (b) Subject to recall under the established policies of the employer or sponsor.

(B) Is it allowable for a work experience program (WEP) or work-based learning (WBL) participant to fill a vacant position?

- (1) WEP and WBL participants are not to be used to fill existing vacant positions. No employment and training participant is to perform work that has the effect of reducing the work or promotional opportunities of employees. They may, however, perform the same type of work as the employee. Reducing the work of employees means reducing the number of hours, wages or employment benefits of regular or part-time employees, or reducing the number of positions that the employer certifies would otherwise be filled by regular employees.
- (2) WBL participants are to be provided the same benefits and working conditions that are provided at the job site to employees performing comparable work for comparable hours.

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**Food assistance employment and training: conciliation process.**

The county agency shall have a conciliation process to resolve disputes that arise concerning required supplemental nutrition assistance program (SNAP) employment and training (E&T) participation. The conciliation process may be initiated by the participant or by the county agency. The conciliation process shall be posted within the county agency and shall be given in writing to each SNAP ~~employment and training~~ E&T participant during the appraisal interview pursuant to the provisions of rule 5101:4-3-29 of the Administrative Code.

**(A) What should the conciliation process include?**

The conciliation process shall include, but is not limited to:

- (1) Disputes over assignments.
- (2) Inappropriate treatment by a county agency employee or worksite supervisor.
- (3) Irregular work hours that create a severe hardship on the participant.
- (4) Worksite assignments that deviate from the normal duties of the job.
- (5) Disagreement with disciplinary action at the worksite involving the participant.
- (6) Other areas of concern to the participant relating to participation.
- (7) Disputes concerning working conditions and workers' compensation coverage.
- (8) Wage rate calculations to determine the hours of participation.
- (9) Disputes concerning failure to participate in the SNAP employment and training program.

**(B) How can the conciliation process be initiated?**

The conciliation process can be initiated by any of the following:

- (1) A written notice from the county agency to the participant for a conciliation conference;
- (2) A written or verbal request from the participant to the county agency for a conciliation conference; or
- (3) A written or verbal request from the participant to the county agency for a conciliation conference when there is an act of nonparticipation. The

conciliation process requires that such requests shall be made within seven calendar days that begins the day following the day of nonparticipation.

(C) Does the county agency have to track conciliation requests?

The county agency shall maintain an accurate record of all conciliation requests, including any pertinent facts and the resolution of the conciliation. Once a conciliation request is initiated, the county agency should attempt an informal resolution.

(D) How long should a decision take?

A resolution of the conciliation process initiated in accordance with paragraph (B) of this rule, shall be reached within a maximum of fifteen calendar days beginning with the date the conciliation process was initiated. No adverse action, as related to the SNAP employment and training program, may be proposed until the conciliation process, when requested, is concluded.

(E) Who can attend the conciliation process?

When a conciliation process is initiated, the county agency shall convene a conciliation conference that is presided over by the director or a designee. Both the county agency and the individual may bring whomever each reasonably wants to be at the conference in an attempt to informally resolve differences. When appropriate, the worksite supervisor may attend, or information from the worksite supervisor as requested by the county agency may be presented.

(F) When a conciliation conference is conducted may a recipient request a county conference or a state hearing?

(1) The conciliation conference does not replace the right to request a county conference pursuant to the provisions of Chapters 5101:6-1 to 5101:6-9 of the Administrative Code and the conciliation process shall not in any way limit the participant's hearing rights.

(2) The individual shall be notified in writing of the outcome of the conciliation conference. The notification shall also contain an explanation of the right to a state hearing pursuant to the provisions of Chapters 5101:6-1 to 5101:6-9 of the Administrative Code. When the conciliation conference is to be followed by a proposal of an adverse action, the prior notice sent to the individual will fulfill this requirement.



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**Food assistance employment and training: work-based learning.**

## (A) What is work-based learning?

Work-based learning is a supplemental nutrition assistance program (SNAP) employment and training (E&T) component that emphasizes employer engagement and enables SNAP E&T participants to move into regular public or private employment. A work-based learning activity is to include an element of training that fosters in-depth, firsthand engagement with the tasks required in a given field that are aligned to curriculum and instruction. Work-based learning activities may also include an element of interaction or participation in industry or occupational real world settings.

## (B) What is the goal of work-based learning?

The goal of work-based learning is to improve the employability of the SNAP E&T participant through actual work experience, training or both. Improving employability means providing the participant with new knowledge, skills and work experience that enable the participant to obtain employment and/or gain better employment.

## (C) What activities are included in work-based learning?

Work-based learning program activities can include, but are not limited to the following:

- (1) Internships;
- (2) Pre-apprenticeships;
- (3) Apprenticeships;
- (4) Customized training;
- (5) Transitional jobs;
- (6) Incumbent worker training;
- (7) On-the-job workers training as defined under Workforce Innovation and Opportunity Act (WIOA) (7/2014); or
- (8) Subsidized employment.

## (D) Who can be a provider of work-based learning activities?

Work-based learning is to be provided within the private for-profit sector, the non-profit sector or the public sector and is to provide the same benefits and working conditions that are provided at the job site to employees performing comparable work for comparable hours.

(E) How is income from a subsidized employment activity treated?

- (1) For the purposes of SNAP eligibility and benefits determinations, income from subsidized employment is to be treated in accordance with rule 5101:4-4-19 of the Administrative Code.
- (2) The county agency is to describe to the participant how income earned from subsidized employment activities may affect SNAP eligibility and benefit levels. The county agency is to allow the participant to choose a different SNAP E&T activity if losing eligibility or decreased benefits is a concern.

(F) How long can subsidized employment or apprenticeship activities last?

- (1) Subsidized work-based learning activities and apprenticeships are to last six months or less. However, if an individual is participating in a registered apprenticeship program and the program is to last longer than six months, the individual is to be permitted to complete the full apprenticeship program.
- (2) Subsidized work-based learning activities are limited to once every twelve months for each participant, unless the participant was found to have had good cause for not completing the activity, as described in rule 5101:4-3-11.1 of the Administrative Code.

(G) What is the county agency's responsibility when assigning an individual to a work-based learning activity?

- (1) The county agency is to assign a participant up to the maximum number of hours allowed in work-based learning in accordance with rule 5101:4-3-31 of the Administrative Code.
- (2) The county agency is to assign an able-bodied adult without dependents (ABAWD) to an additional SNAP E&T activity when the maximum number of hours assigned in work-based learning does not fulfill the twenty hour per week ABAWD work requirement as described in rule 5101:4-3-20 of the Administrative Code. If no other assignment is made and the ABAWD work requirement is not met, the ABAWD is to receive a countable month in accordance with rule 5101:4-3-20 of the Administrative Code.

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CERTIFIED ELECTRONICALLY

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Certification

09/21/2023

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Date

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