



# FAMILY INDEPENDENCE ADMINISTRATION

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## POLICY BULLETIN #13-22-OPE (This Policy Bulletin Replaces PB #11-23-OPE)

### REVISIONS TO THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM WORK RULES AND EXEMPTIONS DESK GUIDE ABAWD WORK REQUIREMENTS (W-138G)

<b>Date:</b> March 14, 2013	<b>Subtopic(s):</b> Forms
<p> This procedure can now be accessed on the FIAweb.</p> <p> Please use Print on Demand to obtain copies of forms.</p>	<p>The purpose of this policy bulletin is to inform all Job Center and Non Cash Assistance (NCA) Supplemental Nutrition Assistance Program (SNAP) Center staff that the Food Stamps Work Rules and Exemptions Desk Guide ABAWD Work Requirements (<b>W-138G</b>) has been renamed and revised to reflect the programmatic name change from Food Stamps (FS) to SNAP. All references to FS have been removed.</p> <p><i>Effective Immediately</i></p> <p><b>Reference:</b></p> <p><a href="#">New York State Temporary Assistance and Supplemental Nutrition Assistance Program Employment Policy Manual</a></p> <p><b>Attachment:</b></p> <p><b>W-138G</b>      SNAP Work Rules and Exemptions Desk Guide ABAWD Work Requirements (Rev. 3/14/13)</p>

HAVE QUESTIONS ABOUT THIS PROCEDURE?  
Call 718-557-1313 then press 3 at the prompt followed by 1 or  
send an e-mail to *FIA Call Center Fax* or fax to: (917) 639-0298

## Supplemental Nutrition Assistance Program (SNAP) Work Rules and Exemptions Desk Guide ABAWD Work Requirements

<b>ABAWD Eligibility Requirements</b>	
<p>Able Bodied Adults Without Dependents (ABAWDs) are only eligible to receive SNAP benefits for three months in any 36-month period unless they meet one of the following requirements:</p> <ul style="list-style-type: none"> <li>Work (including “in-kind” work and volunteer work) for at least 80 hours per month. There is no hourly wage requirement, but the work performed must not violate any state or federal law or regulation.</li> <li>Participate in a work program approved by the Human Resources Administration for at least 80 hours per month;</li> <li>Comply with a Work Experience Program (WEP) assignment.</li> </ul>	<p>An individual who becomes ineligible for SNAP benefits after failing to meet the ABAWD eligibility requirements may reestablish eligibility by doing any of the following:</p> <ul style="list-style-type: none"> <li>Verify that he/she will meet the ABAWD eligibility requirements within the next 30-days (e.g. starting a new job)</li> <li>Participate in a qualifying work activity for at least 80 hours within any consecutive 30-day period.</li> <li>Participate in a 30-day period of job search, followed by a WEP assignment if he/she does not find a job by the end of the 30 day period of job search</li> </ul>
<b>ES Code WE</b> Exemptions to SNAP Work Registration and ABAWD Eligibility Requirements	
<p>Individuals who are determined exempt from SNAP work registration are to be assigned the employment status (ES) code <b>WE</b> – NPA SNAP Work Registration Exempt. All individuals who are exempt from SNAP work registration are also exempt from the ABAWD eligibility requirements. The following individuals are exempt from SNAP work registration:</p>	
<ul style="list-style-type: none"> <li>A person younger than 16 years of age;</li> <li>A person 60 years of age or older;</li> <li>A person medically verified as being physically or mentally unable to work;</li> <li>A parent, guardian, or any adult responsible for the care of a dependent child under the age of six (this exemption is limited to one parent, guardian, or adult caretaker);</li> <li>A parent or other adult needed to care for an incapacitated person (the caretaker does not need to reside with the incapacitated person to be exempt);</li> <li>A person 16 or 17 years of age who is not the head of household or who is attending school or an employment training program on at least a half time basis;</li> <li>A student enrolled at least half time in any recognized school, training program, or institution of higher education, provided he/she has met the student eligibility criteria for SNAP participants;</li> <li>A person in receipt of Unemployment Insurance Benefits (UIB). An applicant for UIB is exempt if he/she was required to register for work as part of the UIB application process;</li> </ul>	<ul style="list-style-type: none"> <li>A regular participant in a drug or alcohol treatment and rehabilitation program who has been deemed unable to work or is otherwise engaged in a substance abuse treatment program to an extent that an assignment to work activities is impractical;</li> <li>A person who is employed or self-employed and working a minimum of 30 hours weekly or receiving weekly earnings at least equal to the federal minimum wage multiplied by 30 hours;</li> <li>An applicant for Supplemental Security Income (SSI) and SNAP, under the joint processing provisions until an SSI determination is made; and</li> <li>A person who is already complying with Temporary Assistance to Needy Families (TANF) work rules; or a refugee participating at least half time in a program approved or funded by the federal Office of Refugee Resettlement.</li> </ul>
<b>ES Code WA</b> Exemptions to ABAWD Eligibility Requirements	
<p>Individuals who are nonexempt from SNAP work registration may also be subject to the ABAWD eligibility requirements. Individuals who are nonexempt from SNAP work registration but are exempt from ABAWD eligibility requirements are to be assigned ES code <b>WA</b> – NPA SNAP Work Registration Required (ABAWD Exempt). The following individuals are exempt from the ABAWD eligibility requirements:</p>	
<ul style="list-style-type: none"> <li>A person younger than 18 years of age;</li> <li>A person 50 years of age or older;</li> <li>A person unable to work in competitive employment for at least 80 hours per month due to a physical or mental limitation;</li> </ul>	<ul style="list-style-type: none"> <li>A pregnant woman, regardless of the month of pregnancy; and</li> <li>All adults residing in a SNAP household containing a child who has not yet reached his/her 18th birthday, regardless of responsibility.</li> </ul>
<b>ES Code WR</b> Subject to SNAP Work Registration and ABAWD Eligibility Requirements	
<p>Individuals who are nonexempt from both SNAP work registration and the ABAWD eligibility requirements are to be assigned ES code <b>WR</b> – NPA SNAP Work Registration Required (ABAWD Required).</p>	