



FAMILY INDEPENDENCE ADMINISTRATION


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POLICY BULLETIN #14-03-EMP

INCREASES IN THE NEW YORK STATE MINIMUM WAGE AND IMPACT ON THE WORK EXPERIENCE PROGRAM HOURS CALCULATION

Date: January 6, 2014	Subtopic(s): Minimum Wage
<p> This procedure can now be accessed on the FIAweb.</p>	<p>The purpose of this policy bulletin is to inform all staff of the increases in the New York State (NYS) minimum wage and its impact on the maximum number of hours that Cash Assistance (CA) and/or Supplemental Nutrition Assistance Program (SNAP) participants may be assigned to work in a Work Experience Program (WEP).</p> <p>The NYS minimum wage will increase from \$7.25 per hour to:</p> <ul style="list-style-type: none"> • \$8.00 per hour effective December 31, 2013; • \$8.75 per hour effective December 31, 2014; • \$9.00 per hour effective December 31, 2015. <p>Since the NYS minimum wage of \$8.00 per hour, effective December 31, 2013 is higher than the current federal minimum wage of \$7.25 per hour, the NYS minimum wage will be used in the maximum WEP hour calculation.</p> <p>The maximum number of hours an individual may be required to participate in a WEP assignment is calculated by dividing the sum of the household's monthly CA grant and/or SNAP grant by the NYS minimum wage. The resulting maximum hours for the month are then divided by 4.333 and rounded down to the nearest whole number to determine the maximum number of WEP hours that an individual can be assigned to per week.</p> <p>Non-exempt participants may be assigned to work activities, which includes the hours an individual is assigned to work experience as described above, for up to 35 hours per week consistent with Agency policy.</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

Management Information Systems (MIS) has adjusted the WEP hour calculation made in New York City Work, Accountability, and You (NYCWAY) to reflect the new NYS minimum wage of \$8.00 per hour. Manual calculation of maximum allowable WEP hours is only required if NYCWAY is not available.

Although an individual's maximum allowable WEP hours will be affected by the increase in the NYS minimum wage, many CA participants currently assigned to WEP will experience no change in their WEP hours. This is because the Agency generally caps WEP assignments to 21 hours per week (even if the calculation of their maximum allowable WEP hours exceeds 21 hours per week).

The example below illustrates a decrease in the maximum allowable weekly WEP hours for a CA/SNAP participant from 29 to 26 due to the increase in the NYS minimum wage from \$7.25 to \$8.00 per hour. However, the individual would generally remain assigned to 21 weekly WEP hours.

Example:

CA/SNAP household of two people that receives a semi-monthly (s/m) CA grant of \$287.00 and a monthly SNAP grant of \$347.

Maximum WEP hour calculation using the \$7.25 minimum wage:

CA grant: (\$287.00 s/m x 2)	\$574.00 monthly CA grant
<u>SNAP grant</u>	+ <u>\$347.00 monthly SNAP grant</u>
Total	\$921.00 monthly CA + SNAP

$\$921.00 / \7.25 (minimum wage) = 127.03 monthly hours

$127.03 / 4.333$ (conversion) = **29** weekly hours (rounded down)

Maximum WEP hour calculation using the \$8.00 minimum wage :

CA grant: (\$287.00 s/m x 2)	\$574.00 monthly CA grant
<u>SNAP grant</u>	+ <u>\$347.00 monthly SNAP grant</u>
Total	\$921.00 monthly CA + SNAP

$\$921.00 / \8.00 (minimum wage) = 115.13 monthly hours

$115.13 / 4.333$ (conversion) = **26** weekly hours (rounded down)

The example below illustrates a decrease in the maximum allowable weekly WEP hours from 18 to 16 due to the increase in the NYS minimum wage from \$7.25 to \$8.00 per hour. Since the individual's maximum allowable weekly WEP hours are below 21 hours, the individual's WEP hours would be affected.

Example:

CA/SNAP household of one person that receives a s/m CA grant of \$199.00 and a monthly SNAP grant of \$189.

Maximum WEP hour calculation using the \$7.25 minimum wage:

CA grant: (\$199.00 s/m x 2)	\$398.00 monthly CA grant
<u>SNAP grant</u>	+ <u>\$189.00 monthly SNAP grant</u>
Total	\$587.00 monthly CA + SNAP

$\$587.00 / \7.25 (minimum wage) = 80.97 monthly hours

$80.97 / 4.333$ (conversion) = **18** weekly hours (rounded down)

Maximum WEP hour calculation using the \$8.00 minimum wage :

CA grant: (\$199.00 s/m x 2)	\$398.00 monthly CA grant
<u>SNAP grant</u>	+ <u>\$189.00 monthly SNAP grant</u>
Total	\$587.00 monthly CA + SNAP

$\$587.00 / \8.00 (minimum wage) = 73.38 monthly hours.

$73.38 / 4.333$ (conversion) = **16** weekly hours (rounded down)

Affected CA participants with fewer assigned WEP hours will be informed of their new WEP schedule on the Notice of Change in Assigned Work Experience Program Hours for Cash Assistance Participants (**FIA-1095c**).

See [PB #13-115-OPE](#) for Change in WEP hours.

See [PD #13-05-ELI](#) for the ABAWD eligibility procedure.

Impact on SNAP employment related requirements

Individuals who are subject to the Able Bodied Adults Without Dependents (ABAWD) eligibility rules can meet their monthly work requirements by participating in a WEP assignment for the number of hours equal to their monthly SNAP grant divided by the higher of the federal or NYS minimum wage. The state minimum wage is used in this calculation because it is higher than the federal minimum wage effective December 31, 2013. The resulting hours for the month are rounded down to the nearest whole number.

MIS has adjusted the WEP hour calculation performed in Web Integrated System for Employment (WISE) for ABAWDs to reflect the new NYS minimum wage of \$8.00 per hour.

The example below illustrates the decrease in the number of hours that an ABAWD would need to participate in a WEP assignment (due to the increase in the NYS minimum wage) in order to meet the ABAWD work requirement through WEP participation.

Example:

SNAP household of one person that receives a monthly SNAP grant of \$189.

WEP hour calculation using the \$7.25 minimum wage

$\$189 / \7.25 (minimum wage) = **26** monthly hours (rounded down)

WEP hour calculation using the \$8.00 minimum wage

$\$189 / \8.00 (minimum wage) = **23** monthly hours (rounded down)

See PB #13-115-OPE for Change in WEP hours.

Affected SNAP participants with fewer assigned WEP hours will be informed of their new WEP schedule on the Notice of Continued or Change in Work Experience Program Schedule for Supplemental Nutrition Assistance Program Participants (**FIA-1095b**).

No change in the federal minimum wage of \$7.25 per hour which is used to determine if an individual is exempt from SNAP work requirements due to earned income.

The increase in the NYS minimum wage has no impact on the exemption from SNAP work requirements for receiving weekly earnings of at least 30 times the federal minimum wage because the federal minimum wage is remaining at \$7.25 per hour. The federal minimum wage is used to determine exemptions from SNAP work requirements.

If more than one individual the same household is assigned to WEP, the number of hours these individuals collectively may participate in WEP shall not exceed the maximum WEP hour calculation for the entire household. The total allowable WEP hours for the household must be divided amongst the individuals assigned to WEP.

Example:

CA/SNAP household of three individuals that receive a s/m CA grant of \$394.50 and a monthly SNAP grant of \$449 and contains two individuals who will be assigned to WEP.

WEP hour calculation using the \$8.00 minimum wage

CA grant: (\$394.50 s/m x 2)	\$789.00 monthly CA grant
<u>SNAP grant</u>	+ <u>\$449.00 monthly SNAP grant</u>
Total	\$1,238.00 monthly CA + SNAP

$\$1,238.00 / \8.00 (minimum wage) = 154.75 monthly hours.

$154.75 / 4.333$ (conversion) = **35** weekly hours (rounded down)

The 35 weekly hours in the example above must be divided between the two individuals who will be assigned to WEP. The hours are not required to be assigned equally to the two individuals. For example, in order to match a standard seven hour work day, one individual may be assigned to 21 hours while the other may be assigned the balance of 14 hours ($35-21=14$).

Effective December 31, 2013

References:

13-INF-08
 SSL 336-c (2)(b)
 12 NYCRR 141-1.3
 18 NYCRR 385.9 (a)(4), (d)(3)
 2014-15 NYC TA & SNAP Employment Plan, pg. 9

Related Items:

[PD #13-05-ELI](#) Able Bodied Adults Without Dependents
[PB #13-115-OPE](#) Change in WEP Hours