



FAMILY INDEPENDENCE ADMINISTRATION

Seth W. Diamond, Executive Deputy Commissioner




James K. Whelan, Deputy Commissioner
Policy, Procedures and Training

Lisa C. Fitzpatrick, Assistant Deputy Commissioner
Office of Procedures

POLICY BULLETIN PB #07-93-EMP (This Policy Bulletin Replaces PB #07-01-EMP)

CHANGE IN WORK EXPERIENCE PROGRAM (WEP) HOURS DUE TO THE INCREASE IN THE STATE MINIMUM WAGE

Date: July 27, 2007	Subtopic(s): Minimum Wage
<p>  This procedure can now be accessed on the FIAweb. </p> <p>See Food Stamp Eligibility Guidelines Desk Guide (W-204G)</p>	<p> Revision to the Original Policy Bulletin </p> <p>This policy bulletin is being revised to reflect the change in the Federal minimum wage from \$5.15 to \$5.85 per hour, effective July 24, 2007.</p> <p> Purpose </p> <p>The purpose of this policy bulletin is to inform Job Center staff of the current Federal minimum wage rate of \$5.85 and the New York State minimum wage rate of \$7.15 per hour. The State minimum wage rate affects the required number of Work Experience Program (WEP) hours a participant can have. The Federal minimum wage rate is used to determine if an employed Food Stamp (FS) participant is exempt from FS work requirements. This policy bulletin serves as information for all other staff.</p> <p>The increase in the State minimum wage will result in additional income for some households currently receiving public assistance (PA), medical assistance (MA) and food stamp (FS) benefits and offer a modest added incentive for individuals to choose work over welfare.</p> <p> Note: Staff must be aware that the increase in the State minimum wage may result in some households exceeding the 130% poverty limit for the household size for FS purposes. </p> <p>Management Information Systems (MIS) has adjusted the WEP hours to reflect the \$7.15 per hour State minimum wage rate and NYCWAY has been programmed to calculate WEP hours based on this rate. Manual calculation of WEP hours is only required when NYCWAY is not available.</p>

HAVE QUESTIONS ABOUT THIS PROCEDURE?
Call 718-557-1313 then press 2 at the prompt followed by 765 or
send an e-mail to *FIA Call Center*

Manual calculation

To calculate the hours manually, follow these steps:

1. Multiply the semimonthly PA grant by two to get the monthly PA grant.
2. Add the monthly PA grant to the monthly FS benefit.
3. Multiply the result in Step 2 by 12 to obtain the total yearly grant.
4. Divide the total yearly grant by 26 (number of biweekly periods in a year) for the biweekly grant.
5. Divide the biweekly grant by 7.15 (minimum wage) and round down to the nearest whole number. The result is the maximum number of biweekly hours required for WEP.

Note: Rent supplements such as Housing Stability Plus (HSP) and Jiggetts are included in the PA grant when calculating WEP hours.

Although the calculation may support more than 40 hours per week of WEP activity, state law prohibits individuals from participating in a WEP activity for more than 40 hours per week.

Example:

Semimonthly PA grant = \$215; monthly FS grant = \$127

Step 1: $215 \times 2 = 430$

Step 2: 430 (monthly PA grant) + 127 (monthly FS grant) = 557

Step 3: $557 \times 12 = 6,684$ (total yearly grant)

Step 4: $6,684 / 26 = 257.1$ (biweekly grant)

Step 5: $257.1 / 7.15$ (minimum wage) = 35 biweekly WEP hours
(rounded down to nearest whole number)

Example with rent supplement (Household size is 3):

Semimonthly PA grant = \$520.50; monthly FS grant is \$366

Step 1: $520.50 \times 2 = 1041.00$

Step 2: 1041 (monthly PA grant) + 366 (monthly FS grant) = 1407

Step 3: $1407 \times 12 = 16884$ (total yearly grant)

Step 4: $16884 / 26 = 649.38$ (biweekly grant)

Step 5 : $649.38 / 7.15$ (minimum wage) = 90 biweekly WEP hours
[rounded down to nearest whole number] (or 45 hours weekly)

In these instances NYCWAY will automatically cap the number of WEP hours at 35 hours per week.

Alternate formula:
Divide monthly grants by
minimum wage

Alternatively, WEP hours can be calculated using the following formula:

1. Multiply the semimonthly PA grant by two to obtain the monthly PA grant.
2. Add the monthly PA grant and monthly FS grant, then divide the total by 7.15 (minimum wage).
3. Divide the result in Step 2 by 4.333 to get weekly WEP hours or by 2.166 to get biweekly WEP hours.

Example:

Semimonthly PA grant = \$215; monthly FS grant = \$127

Step 1: $215 \times 2 = 430$ (monthly PA grant)

Step 2: 430 (monthly PA grant) + 127 (monthly FS grant) = 557
(total monthly grant) / 7.15 (minimum wage) = 77.90

Step 3: $77.90 / 4.333 = 17$ (rounded down) weekly WEP hours; or
 $77.90 / 2.166 = 35$ (rounded down) biweekly WEP hours

On the WEP Assignment Detail (**PIW094.125**) screen, enter **L** (Limited) in the **Basis for Hours** field to lock in the maximum required WEP assignment hours. In the **Hours to Work** field, enter the maximum required WEP assignment hours based on either of the above formulas.

An **FIA-3A** must be done for all reports of changes in and/or new income.

Staff must initiate a new automated Job Notice (**FIA-3A**) whenever a participant reports a change in or new employment income. JOS/Workers are required to act on any significant changes in income or changes in the number of hours that a participant is working in a timely manner (no later than two weeks from the date the information is received for changes in the number of hours worked) and must ensure that documentation of the change in income or hours of work is maintained as part of the case record.

Revised

Staff is also reminded that for FS purposes, the Federal minimum wage rate has increased to \$5.85 per hour and must be used to determine if an employed individual is exempt from the FS work requirements. If the employed individual's earnings are greater than or equal to (\geq) the Federal minimum wage multiplied by 30 (maximum hours of engagement for FS) or the individual is working a minimum of 30 hours weekly, the individual is exempt from the FS work requirements.

This evaluation must be done at application, recertification or any time an individual who is applying for or in receipt of FS benefits reports earned income.

Individual's weekly income \geq Federal minimum wage x maximum hours of engagement for FS

Example:

Weekly earnings = \$200; Federal minimum wage = \$5.85

Step 1: 5.85 (Federal minimum wage) \times 30 (maximum hours of engagement for FS) = 175.50

Step 2: 200 (weekly earnings) \geq (greater than or equal to) 175.50 .

This individual is exempt from FS work requirements.

Effective Immediately

Reference:

[GIS 06 TA/DC042](#)