



# OFFICE OF POLICY, PROCEDURES, AND TRAINING

## POLICY BULLETIN #23-11-ELI

### WAIVER OF THE ABLE-BODIED ADULTS WITHOUT DEPENDENTS (ABAWD) TIME LIMITS

*(This Policy Bulletin Replaces PB #22-54-ELI)*

<b>Date:</b> February 14, 2023	<b>Subtopic(s):</b> ABAWD
<p>The <b>FIA-1021</b> is now obsolete.</p> <p>Use the <b>LDSS-5062A</b> for help in determining an individual's SNAP Employability Code and ABAWD Indicator Code.</p>	<p>The purpose of this policy bulletin is to inform Benefits Access Center (BAC), HIV/AIDS Services Administration (HASA) and Non-Cash Assistance (NCA) Supplemental Nutrition Assistance Program (SNAP) Center staff that the New York State Office of Temporary and Disability Assistance (OTDA) has obtained an extension of a statewide waiver of the Able-Bodied Adults Without Dependents (ABAWD) time limits through February 29, 2024.</p> <p>New York State was previously approved for a statewide ABAWD waiver from October 1, 2022 through September 30, 2023.</p> <p>As a result of the statewide waiver, the Agency is not required to send the Important Information About SNAP Work Rules (General, Mandatory E&amp;T, and ABAWD) (<b>FIA-1250</b>) but is still required to send the Important Information About SNAP Work Rules (General and Mandatory E&amp;T) (<b>FIA-1251</b>) for households with individuals determined to be subject to the general SNAP work rules and/or the mandatory SNAP Employment and Training (E&amp;T) requirements.</p> <p><b>Note:</b> The Notice of Able-Bodied Adult Without Dependents (ABAWD) Status (<b>FIA-1021</b>) is obsolete as it has been subsumed by the <b>FIA-1250</b>.</p> <p>In addition, the Agency is not required to offer and provide an ABAWD qualifying work activity to those ABAWDs who were not independently meeting the ABAWD work requirements.</p> <p>Staff must continue to determine an individual's SNAP employability status code and ABAWD Indicator code. All individuals who are determined to be ABAWDs must be assigned ABAWD Indicator Code <b>A</b> (ABAWD), while those who are not ABAWDs must be assigned ABAWD Indicator Code <b>N</b> (non-ABAWD). No individuals are to be assigned ABAWD Indicator Code <b>W</b> (Waived) at this time.</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

Staff must also continue to read the General SNAP Work Requirements Script and the ABAWD Script as described in PB #20-05-OPE.

*Effective Oct 1, 2022*

**References:**

GIS 23 TA/DC014  
GIS 22 TA/DC074  
GIS 21 TA/DC049  
GIS 20 TA/DC082  
GIS 20 TA/DC021

**Related Item:**

PB #20-05-OPE Introduction to the Able-Bodied Adult Without Dependents (ABAWD) Script and the General SNAP Work Requirements Script.

**Attachments:**

**LDSS-5062A** SNAP Employability / ABAWD Code Desk Guide (Rev. 4/21)  
**FIA-1250 (E)** Important Information About SNAP Work Rules (General, Mandatory E&T, and ABAWD) (03/21/2022)  
**FIA-1251 (E)** Important Information About SNAP Work Rules (General and Mandatory E&T) (03/21/2022)  
**FIA-1021 (E)** Notice of Able-Bodied Adult Without Dependents (ABAWD) Status (Obsolete)

## SNAP Employability/ABAWD Code Desk Guide

Client Name: \_\_\_\_\_ Case Name (if different): \_\_\_\_\_

Case #: \_\_\_\_\_ SSN: XXX-XX-\_\_\_\_ Today's Date: \_\_\_\_\_

Worker Name: \_\_\_\_\_

**Instructions:** Read down the Employability Status list. Select the most appropriate SNAP Emp. Code.  
All determinations must be supported by appropriate documentation.

Employability Status	SNAP Emp. Code
Younger than age 16 - Exempt	30
60 Years of age or older - Exempt	32
A parent or household member who is responsible for care of a child under age 6 in the household - Exempt Note: The SNAP caretaker of a child under the age of 6 who is also receiving TANF funded assistance and fails to comply with a work experience assignment without good cause is subject to a SNAP sanction. *SNAP employability code 29 may be assigned to more than one adult when the household contains more than one child under the age of 6 and child care needs of the household are identified and documented	29
Exemption claimed pending medical documentation - Exempt	70
Incapacitated/Disabled (In Receipt of SSI) - Exempt	44
In receipt of Social Security Disability Insurance (SSDI) - Exempt	54
Incapacitated/disabled SSI applicant <b>OR</b> SSI applicant/pending SSI recipient that has applied for SNAP benefits through joint processing at the SSA office - Exempt	43
Incapacitated/disabled (more than 6 months) - Exempt	36
Temporary illness or incapacity (1-3 months exemption) - Exempt	41
Temporary illness or incapacity (4-6 months exemption) - Exempt	42
A regular participant in drug or alcohol treatment or rehabilitation - Exempt	63
A person age 16 or 17 who is not the head of household <b>OR</b> 16 or 17 who is attending school or an employment training program on at least a half time basis - Exempt	35
A student enrolled in a recognized school (including high school), job skills training or institution of higher education at least half-time (meets student eligibility requirements in 18 NYCRR387.1) - Exempt	72
Responsible for the care of an incapacitated person (the incapacitated person does NOT need to live in the household) - Exempt	38
Employed or self-employed 30 or more hours per week <b>OR</b> earning at least the equivalent of 30 times the federal minimum wage on a weekly basis (Currently \$217.50 per week or higher) - Exempt	28
Receiving or pending receipt of Unemployment Insurance Benefits (UIB) - Exempt	52

If **any** of the above, record SNAP Emp. Code selected: \_\_\_\_\_. The ABAWD code is "N".

**STOP** **HERE!**

If **none** of the above, select the appropriate SNAP Emp. Code:

Employability Status	SNAP Emp. Code
Employed or self-employed less than 30 hours per week and earning less than the equivalent of 30 hours times the federal minimum wage on a weekly basis (currently \$217.50 per week) - Non-exempt	27
Has a documented medical condition that limits individuals ability to work - Non-exempt	16
Required to work - Non-exempt	20

Record SNAP Emp. Code selected \_\_\_\_\_. The ABAWD code will vary.

The ABAWD code would be "N" (Non-ABAWD) if any of the following (check below ):

• The parent or other adult residing in a SNAP household with a child under 18 years old	<input type="checkbox"/>
• Under 18 <b>OR</b> 50 years of age or older	<input type="checkbox"/>
• Pregnant	<input type="checkbox"/>
• In receipt of Veterans Affairs (VA) disability compensation	<input type="checkbox"/>
• In receipt of disability benefits from a public or private source, such as NYS disability benefits	<input type="checkbox"/>
• Obviously mentally or physically unfit for employment (notate in case record the basis for this status. Review status at recertification)	<input type="checkbox"/>
• Unfit for employment at least 80 hours per month due to a physical or mental health limitation (medical statement or other documentations required)	<input type="checkbox"/>

All other recipients would be "A" (ABAWD) unless:

- "X" Excluded, based on the district exclusion policy; or
- "W" Waiver granted from OTDA to the district from ABAWD work requirements

Select ABAWD code chosen:       A     N     X     W



Date: \_\_\_\_\_

Case Number: \_\_\_\_\_

Case Name: \_\_\_\_\_

### IMPORTANT INFORMATION ABOUT SNAP WORK RULES (GENERAL, MANDATORY E&T, AND ABAWD)

This letter is to tell you about work rules for the Supplemental Nutrition Assistance Program (SNAP). **If you don't follow these rules, your SNAP benefits may decrease or end.** Different people in your house may need to follow different work rules.

#### What do you need to do?

Listed below are the people in your house that must follow the **General SNAP Work Rules:**


SAMPLE

Listed below are the people in your house who must participate in a **SNAP Employment and Training (E&T) Assignment:**


Listed below are the people in your house who must follow the **Able-Bodied Adults without Dependents (ABAWD) Rules:**


(Turn page)

## **General SNAP Work Rules: What do you need to do?**

You **must** follow these **General SNAP Work Rules** to keep your SNAP benefits:

1. Accept any job offer you receive, unless there is a good reason you can't.
2. If you have a job, don't quit your job or choose to work less than 30 hours each week without having a good reason, such as getting sick, being discriminated against, or not getting paid.
3. Tell us about your job and how much you are working.
4. Participate in SNAP E&T work activities if assigned by HRA.

## **Does everyone need to follow these General SNAP Work Rules?**

No. You **may not** have to follow these rules if you are:

- Younger than age 16, or age 60 years or older,
- A 16 or 17-year-old who is not the head of the household OR who is in school or in an employment program at least half-time,
- Unable to work because of a mental or physical reason,
- Taking care of a child younger than age 6,
- Taking care of an incapacitated person,
- Meeting the work rules under the Temporary Assistance for Needy Families (TANF) program,
- Receiving or applying for unemployment benefits,
- Participating in a drug or alcohol addiction treatment program,
- Enrolled in a school, training program or college at least half-time (students may be subject to other eligibility rules),
- Already working at least 30 hours a week,
- Already earning \$217.50 (30 times the federal minimum wage) or more a week, **OR**
- An SSI applicant or recipient.

**Note:** The SNAP caretaker of a child under 6 who is also receiving TANF and fails to comply with an assigned community activity may be subject to a SNAP work sanction.

**(Turn page)**

### What should you do if you think one of these reasons applies to you?

If you think one of these reasons applies to you or someone in your household:

 <b>Call:</b>
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Explain your situation and which of the reasons applies to you.

### What are SNAP E&T assignments?

The SNAP E&T program can help you and people in your household gain skills and find work. People assigned to SNAP E&T may be required to participate in supervised job search, job readiness activities, community activities, job skills training, vocational training, educational training, apprenticeships, subsidized employment, or other work activities. SNAP E&T participants receive case management services which may include assessments, personalized employment plans, progress monitoring, and coordination with other service providers.

If HRA assigns you or someone in your house to participate in SNAP E&T, they cannot ask you to participate in work activities and/or employment to meet the SNAP work requirement for more than 30 hours per week (no more than 120 hours per month). A person may choose to participate in work activities for more than 30 hours per week but cannot be required to do so.

**Note:** If you or someone in your household is also receiving Cash Assistance (CA) benefits, you may be required to participate in work activities for up to 35 hours per week. The assigned work activity for those getting CA and SNAP is generally a combined CA and SNAP work assignment. A person who receives CA and SNAP and does not comply with assigned work activities willfully and without a good cause reason may be subject to a CA work sanction. However, if the person participates in the assigned work activities for at least 30 hours per week (120 hours per month), the house's SNAP benefits will not be affected.

(Turn page)

### **What if you have costs from doing the program?**

HRA will pay costs for you or people in your house that are necessary and reasonable to participate in a SNAP E&T activity. These costs may include:

- Transportation (carfare)
- Child care
- Personal safety items or equipment
- Other reasonable required costs, such as tools, books, and uniforms

If HRA cannot pay a person's costs to participate in a SNAP E & T assignment, the person will be excused from participating.

If HRA tells you or someone in your household that you must participate in a SNAP E&T work activity, the person must participate. If the person does not participate in the SNAP E&T assignment or quits a job willfully and without a good cause reason, they may lose their SNAP benefits.

### **What if you have good cause for not following these rules?**

Some good cause reasons for not following the rules include issues that a person cannot control such as:

- getting sick,
- having a household emergency, or
- not being assigned to a suitable activity by HRA

These are some examples of good cause reasons but there are others, too. A person must provide proof of any good cause reason when asked by HRA. A person who believes they should be excused from following the SNAP work rules must also provide proof, if requested by HRA. For example, HRA might ask for a statement from the person's healthcare provider, such as a doctor who is treating them or other documents showing the person had good cause for not following the rules or should be excused.

A person who believes that they have a good cause reason for not completing a SNAP E&T assignment or believes they should be excused from following the General SNAP Work Rules should call \_\_\_\_\_ to discuss this information.

## **What happens if you do not follow these General SNAP Work Rules?**

You may lose your SNAP benefits if you don't follow these work rules or do not complete a mandatory SNAP E&T assignment and you don't have a good cause reason.

If a person does not follow the General SNAP Work Rules or does not participate in a SNAP E&T assignment, HRA will send a Conciliation Notification. The person will be offered an opportunity to explain to HRA why they did not participate.

A person who receives a Conciliation Notification must contact HRA by the date on the Conciliation Notification to explain why they did not participate. If HRA decides the person had a good cause reason for not following the rules, the household's SNAP benefits will not be reduced or stopped. If HRA decides the person did not have a good cause reason, the individual will be offered a chance to participate in the same activity they did not complete in order to not lose SNAP benefits. If HRA decides that the same activity is not available or is not a good fit for the person any longer, the person may be asked to complete another activity. If the person does not complete the activity or prove they had a good cause reason, their household's SNAP benefits may decrease or stop.

## **How long will you lose SNAP benefits if you don't follow these General SNAP Work Rules or do not complete a mandatory SNAP E&T assignment?**

- The first time a person does not follow these rules or does not participate in a SNAP E&T assignment, they can't get SNAP benefits for 1 month.
- The second time a person does not follow the General SNAP Work Rules or does not participate in a SNAP E&T assignment, they can't get SNAP benefits for 3 months.
- The third time, and any more times after that, a person does not follow the General SNAP Work Rules or does not participate in a mandatory SNAP E&T assignment, they can't get SNAP benefits for 6 months.
- And the person must follow these work rules before they can get SNAP benefits again.

**Note:** If the person or household is also sanctioned for Cash Assistance (CA) they may be able to regain their CA eligibility by demonstrating compliance right away. The above time frames do not apply to CA.

A person who loses their SNAP benefits because they did not follow the General SNAP Work Rules or did not complete a mandatory SNAP E&T assignment, must be allowed to start receiving SNAP benefits before the end of the time period noted above if they prove they should be excused from following the General SNAP Work Rules.

**(Turn page)**



## What is a Fair Hearing?

If your SNAP application is denied, or your SNAP benefits are reduced or stopped because you or another person in your household did not follow the General SNAP Work Rules or you or another person did not comply with a mandatory SNAP E&T assignment and you disagree with the decision, you have the right to request a fair hearing.

You may appeal HRA's actions to reduce or discontinue SNAP benefits if you or another person in your household did not follow the General SNAP Work Rules or did not comply with a mandatory SNAP E&T assignment because they believe that they should be excused from SNAP Work Rules, the type of requirement imposed, or HRA did not make a finding of good cause. Information on how to request a fair hearing is available on all notices about changes to your benefits or eligibility for SNAP.

## What are the rules for Able-Bodied Adults Without Dependents (ABAWDs) who receive SNAP?

A person who is between ages 18 and 49, does not live with a child under 18 in the SNAP household, and is considered physically and mentally able to work must follow the rules for ABAWDs. If the person does not follow these rules, they can receive SNAP benefits for only 3 months in a 3-year period.

## What do you have to do?

You **must** follow these ABAWD Rules to keep your SNAP benefits:

1. Spend **at least 80 hours every month** doing one or more of the following activities:
  - Working (including "in-kind" work and volunteer work),
  - Participating in a qualifying work/training program approved by HRA,
  - Participating in an employment and training program for veterans operated by the Department of Labor or the Department of Veterans Affairs,
  - Participating in a program under the Workforce Innovation and Opportunity Act or Trade Act which may include job search, job readiness, occupational skills training, and education activities,

**OR**

2. Participate in an assigned Community Activity for the number of hours per month equal to the household's SNAP benefit divided by the higher of the federal or State minimum wage.

Please tell us if you are doing one of these things.

Call \_\_\_\_\_ to let us know.

If your work hours drop below 80 hours a month, you must call \_\_\_\_\_ within 10 days after the end of the month.

**(Turn page)**

**Does everyone need to follow these ABAWD Rules?**

No. You might not have to follow the ABAWD Rules if you are excused from the General SNAP Work Rules, live in an area that has an ABAWD waiver, or receive an exclusion from the ABAWD Rules. In addition, you may not have to follow any of these ABAWD Rules if:

- You are younger than age 18, or age 50 or older,
- Someone in your house is younger than age 18,
- You are a recipient of Veterans Affairs (VA) disability compensation,
- You are a recipient of disability benefits from a public or private source, such as New York State disability benefits,
- You are pregnant,
- You are unable to work at least 80 hours a month because of a physical or mental health reason, **OR**
- You are excused from the General SNAP Work Rules (see page 2 of this letter to find out who is excused from following the General SNAP Work Rules.)

If you believe that you should be excused from following the ABAWD Rules because you meet one or more of the conditions listed above, you should call \_\_\_\_\_ to let HRA know.

**What happens if you do not follow these ABAWD Rules?**

If you do not follow these rules without a good cause reason, you may lose your SNAP benefits. If you are already doing one of these things, but have not told HRA, you should call \_\_\_\_\_ to avoid losing your SNAP benefits.

We will count each full month that you receive SNAP benefits but do not meet these ABAWD Rules without a good cause reason. Once we have counted 3 full months, you will lose your benefits until \_\_\_\_\_. Other people in the household may still get SNAP.

You must tell HRA if your hours of work including paid, volunteer, and in-kind work go below 20 hours weekly/80 hours monthly. You must report these changes within 10 days after the end of the month when your hours decreased and will be asked to provide proof.

If you are not following the ABAWD Rules, as described above, and you want to continue receiving SNAP benefits beyond the 3-month time limit, you should call \_\_\_\_\_ for assistance. HRA must offer you help in meeting the ABAWD Rules to continue receiving SNAP benefits.

**(Turn page)**

### **What if you have a good reason for not following these ABAWD Rules?**

You may receive SNAP benefits beyond the 3-month time limit if you have a good cause reason for not following the ABAWD Rules or you prove that you should be excused from following the ABAWD Rules because you meet one or more of the conditions above or live in an area with an ABAWD waiver.

Good cause reasons for not following the rules include issues that a person cannot control such as getting sick or having a household emergency. These are some examples of good reasons but there are others, too. If you claim to have a good cause reason for not following the ABAWD Rules or believe you should be excused from following the rules you must provide proof if HRA asks you to do so.

If you believe that you have a good cause reason for not following the ABAWD Rules, that you should be excused, or that you live in an area with an approved ABAWD waiver, you should call \_\_\_\_\_ to provide proof.

### **If you lose your SNAP benefits, how can you get them back?**

If you lose your SNAP benefits, because you did not follow the ABAWD Rules, you should call \_\_\_\_\_. HRA will explain what you need to do to start getting SNAP benefits again. HRA must offer you help in meeting the ABAWD Rules to start receiving SNAP benefits again.

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(Turn page)

## USDA Nondiscrimination Statement

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotope, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [How to File a Program Discrimination Complaint](#) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:



**MAIL:**

U.S. Department of Agriculture  
Office of the Assistant Secretary for Civil Rights  
1400 Independence Avenue SW  
Washington, D.C. 20250-9410



**FAX:** (202) 690-7442, or



**EMAIL:** [program.intake@usda.gov](mailto:program.intake@usda.gov).

USDA is an equal opportunity provider, employer, and lender.



Date: \_\_\_\_\_

Case Number: \_\_\_\_\_

Case Name: \_\_\_\_\_

### IMPORTANT INFORMATION ABOUT SNAP WORK RULES (GENERAL AND MANDATORY E&T)

This letter is to tell you about work rules for the Supplemental Nutrition Assistance Program (SNAP). **If you don't follow these rules, your SNAP benefits may decrease or end.** Different people in your house may need to follow different work rules.

#### What do you need to do?

Listed below are the people in your house that must follow the **General SNAP Work Rules:**


Listed below are the people in your house who must participate in a **SNAP Employment and Training (E&T) Assignment:**


(Turn page)

## **General SNAP Work Rules: What do you need to do?**

You **must** follow these **General SNAP Work Rules** to keep your SNAP benefits:

1. Accept any job offer you receive, unless there is a good reason you can't.
2. If you have a job, don't quit your job or choose to work less than 30 hours each week without having a good reason, such as getting sick, being discriminated against, or not getting paid.
3. Tell us about your job and how much you are working.
4. Participate in SNAP E&T work activities if assigned by HRA.

## **Does everyone need to follow these General SNAP Work Rules?**

No. You **may not** have to follow these rules if you are:

- Younger than age 16, or age 60 years or older,
- A 16 or 17-year-old who is not the head of the household OR who is in school or in an employment program at least half-time,
- Unable to work because of a mental or physical reason,
- Taking care of a child younger than age 6,
- Taking care of an incapacitated person,
- Meeting the work rules under the Temporary Assistance for Needy Families (TANF) program,
- Receiving or applying for unemployment benefits,
- Participating in a drug or alcohol addiction treatment program,
- Enrolled in a school, training program or college at least half-time (students may be subject to other eligibility rules),
- Already working at least 30 hours a week,
- Already earning \$217.50 (30 times the federal minimum wage) or more a week, **OR**
- An SSI applicant or recipient.

**Note:** The SNAP caretaker of a child under 6 who is also receiving TANF and fails to comply with an assigned community activity may be subject to a SNAP work sanction.

## What should you do if you think one of these reasons applies to you?

If you think one of these reasons applies to you or someone in your household:



**Call:**

## What are SNAP E&T assignments?

The SNAP E&T program can help you and people in your household gain skills and find work. People assigned to SNAP E&T may be required to participate in supervised job search, job readiness activities, community activities, job skills training, vocational training, educational training, apprenticeships, subsidized employment, or other work activities. SNAP E&T participants receive case management services which may include assessments, personalized employment plans, progress monitoring, and coordination with other service providers.

If HRA assigns you or someone in your house to participate in SNAP E&T, they cannot ask you to participate in work activities and/or employment to meet the SNAP work requirement for more than 30 hours per week (no more than 120 hours per month). A person may choose to participate in work activities for more than 30 hours per week but cannot be required to do so.

**Note:** If you or someone in your household is also receiving Cash Assistance (CA) benefits, you may be required to participate in work activities for up to 35 hours per week. The assigned work activity for those getting CA and SNAP is generally a combined CA and SNAP work assignment. A person who receives CA and SNAP and does not comply with assigned work activities willfully and without a good cause reason may be subject to a CA work sanction. However, if the person participates in the assigned work activities for at least 30 hours per week (120 hours per month), the house's SNAP benefits will not be affected.

(Turn page)

### **What if you have costs from doing the program?**

HRA will pay costs for you or people in your house that are necessary and reasonable to participate in a SNAP E&T activity. These costs may include:

- Transportation (carfare)
- Child care
- Personal safety items or equipment
- Other reasonable required costs, such as tools, books, and uniforms

If HRA cannot pay a person's costs to participate in a SNAP E & T assignment, the person will be excused from participating.

If HRA tells you or someone in your household that you must participate in a SNAP E&T work activity, the person must participate. If the person does not participate in the SNAP E&T assignment or quits a job willfully and without a good cause reason, they may lose their SNAP benefits.

### **What if you have good cause for not following these rules?**

Some good cause reasons for not following the rules include issues that a person cannot control such as:

- getting sick,
- having a household emergency, or
- not being assigned to a suitable activity by HRA

These are some examples of good cause reasons but there are others, too. A person must provide proof of any good cause reason when asked by HRA. A person who believes they should be excused from following the SNAP work rules must also provide proof, if requested by HRA. For example, HRA might ask for a statement from the person's healthcare provider, such as a doctor who is treating them or other documents showing the person had good cause for not following the rules or should be excused.

A person who believes that they have a good cause reason for not completing a SNAP E&T assignment or believes they should be excused from following the General SNAP Work Rules should call \_\_\_\_\_ to discuss this information.



## **What happens if you do not follow these General SNAP Work Rules?**

You may lose your SNAP benefits if you don't follow these work rules or do not complete a mandatory SNAP E&T assignment and you don't have a good cause reason.

If a person does not follow the General SNAP Work Rules or does not participate in a SNAP E&T assignment, HRA will send a Conciliation Notification. The person will be offered an opportunity to explain to HRA why they did not participate.

A person who receives a Conciliation Notification must contact HRA by the date on the Conciliation Notification to explain why they did not participate. If HRA decides the person had a good cause reason for not following the rules, the household's SNAP benefits will not be reduced or stopped. If HRA decides the person did not have a good cause reason, the individual will be offered a chance to participate in the same activity they did not complete in order to not lose SNAP benefits. If HRA decides that the same activity is not available or is not a good fit for the person any longer, the person may be asked to complete another activity. If the person does not complete the activity or prove they had a good cause reason, their household's SNAP benefits may decrease or stop.

## **How long will you lose SNAP benefits if you don't follow these General SNAP Work Rules or do not complete a mandatory SNAP E&T assignment?**

- The first time a person does not follow these rules or does not participate in a SNAP E&T assignment, they can't get SNAP benefits for 1 month.
- The second time a person does not follow the General SNAP Work Rules or does not participate in a SNAP E&T assignment, they can't get SNAP benefits for 3 months.
- The third time, and any more times after that, a person does not follow the General SNAP Work Rules or does not participate in a mandatory SNAP E&T assignment, they can't get SNAP benefits for 6 months.
- And the person must follow these work rules before they can get SNAP benefits again.

**Note:** If the person or household is also sanctioned for Cash Assistance (CA) they may be able to regain their CA eligibility by demonstrating compliance right away. The above time frames do not apply to CA.

A person who loses their SNAP benefits because they did not follow the General SNAP Work Rules or did not complete a mandatory SNAP E&T assignment, must be allowed to start receiving SNAP benefits before the end of the time period noted above if they prove they should be excused from following the General SNAP Work Rules.

## **What is a Fair Hearing?**

If your SNAP application is denied, or your SNAP benefits are reduced or stopped because you or another person in your household did not follow the General SNAP Work Rules or you or another person did not comply with a mandatory SNAP E&T assignment and you disagree with the decision, you have the right to request a fair hearing.

You may appeal HRA's actions to reduce or discontinue SNAP benefits if you or another person in your household did not follow the General SNAP Work Rules or did not comply with a mandatory SNAP E&T assignment because they believe that they should be excused from SNAP Work Rules, the type of requirement imposed, or HRA did not make a finding of good cause. Information on how to request a fair hearing is available on all notices about changes to your benefits or eligibility for SNAP.

SAMPLE

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## USDA Nondiscrimination Statement

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Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotope, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [How to File a Program Discrimination Complaint](#) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:



**MAIL:**

U.S. Department of Agriculture  
Office of the Assistant Secretary for Civil Rights  
1400 Independence Avenue SW  
Washington, D.C. 20250-9410



**FAX:**

(202) 690-7442, or



**EMAIL:** [program.intake@usda.gov](mailto:program.intake@usda.gov).

USDA is an equal opportunity provider, employer, and lender.



Date: \_\_\_\_\_

Case Number: \_\_\_\_\_

Center: \_\_\_\_\_

Participant Name: \_\_\_\_\_

### Notice of Able-Bodied Adult Without Dependents (ABAWD) Status

Our records show that you are between age 18 and 49, are able to work, and no one in your Supplemental Nutrition Assistance Program (SNAP) household is under age 18. Unless otherwise exempt, this means you are an Able-Bodied Adult Without Dependents (ABAWD). Although we are challenging this new federal rule in court, we are sorry to inform you that the federal government requires an ABAWD to participate in qualifying work activities, as described below, to maintain SNAP benefit eligibility for more than three (3) months in a 36-month period.

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To maintain SNAP benefit eligibility for more than three (3) months in the 36-month period from January 2019 to December 2021, you must complete and document one of the following each month:

- Work (including "in-kind" and volunteer work) for at least 80 hours per month;
- Participate in a work activity approved by HRA for no more than **12 hours per month** (your SNAP grant divided by the higher of the federal or State minimum wage);
- Participate in an HRA-approved work/training activity for at least 80 hours per month;
- Participate in a program under the Workforce Innovation and Opportunity Act or Trade Act which may include job search, job readiness, occupational skills training and education activities for at least 80 hours per month; or
- Participate in a combination of work or qualifying work programs for at least 80 hours per month.

**Note:** the work requirements listed above apply to each ABAWD in the SNAP household.

If you are already working or participating in an activity listed above for the required number of hours, you should call the DSS Infoline at **718-557-1399** to get information about the documentation you need to send us. You will need to provide documentation of participation in unpaid work activities each month to show us that you are meeting the ABAWD work requirements. If your hours of work or work activity fall below 80 hours for a month, you must notify us within 10 days after the end of that month.

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If you are **NOT** already working or participating in the activities listed on **page 1** for the required number of hours and you would like to maintain SNAP benefit eligibility for more than three (3) months, you should immediately call the DSS Infoline at **718-557-1399** to discuss participating in an available work activity.

If you do not believe that you are subject to the ABAWD work requirements, or your situation has changed, you should call the DSS Infoline at **718-557-1399**. You must provide documentation to confirm that you are not subject to the ABAWD work requirements before your status can be changed.

### **What if I am not working and not otherwise meeting the required hours of participation each month?**

Failure to comply with these requirements without good cause may result in being ineligible for SNAP benefits. Good cause includes temporary illness or a household emergency that prevents you from working at least 80 hours a month or another situation that is beyond your control. Proof of good cause can include a signed letter from your doctor or medical provider.

### **Do you think you are exempt from the ABAWD work requirements?**

If you believe that you are exempt from the ABAWD work requirements because you meet one or more of the conditions listed below, you should call the DSS Infoline at **718-557-1399**.

- A person under age 18, or 50 years of age or older
- An adult in a SNAP household with a child under 18 years of age
- A full-time caretaker of an incapacitated person
- A pregnant woman
- Physically or mentally unable to work at least 80 hours a month
- Determined to be unable to work due to substance abuse
- A recipient of Veterans Affairs (VA) disability compensation
- A recipient of disability benefits from a public or private source, such as Social Security Disability Insurance (SSDI) or NYS disability benefits
- A recipient or pending receipt of Unemployment Insurance Benefits (UIB)
- A student enrolled in any recognized school, job skills training, or institution of higher education at least half-time and meeting the student eligibility criteria to receive SNAP
- An applicant for SNAP benefits and Supplemental Security Income (SSI) jointly or in receipt of SSI
- Employed or self-employed and working at least 30 hours per week **or** receiving weekly earnings at least equal to the federal minimum wage times 30 (currently \$217.50 per week)

**Note:** Only the individual who meets one or more of the conditions listed above would be exempt from the ABAWD work requirements. Other ABAWDs in the SNAP household would still be required to comply with the ABAWD work requirements to maintain SNAP benefit eligibility for more than three (3) months in a 36-month period.

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**What should I do if I lose my eligibility for SNAP benefits because I failed to meet the federal ABAWD work requirements?**

You should immediately re-apply for SNAP benefits. You may be able to regain your eligibility for SNAP benefits. When you re-apply, we will explain what you need to do to regain eligibility for SNAP benefits.

**Do you have a medical or mental health condition or disability?** Does this condition make it hard for you to understand this notice or to do what this notice is asking? Does this condition make it hard for you to get other services at HRA? **We can help you.** Call us at 212-331-4640. You can also ask for help when you visit an HRA office. You have a right to ask for this kind of help under the law.

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