



OFFICE OF POLICY, PROCEDURES, AND TRAINING

James K. Whelan, Executive Deputy Commissioner

Stephen Fisher, Assistant Deputy Commissioner
Office of Procedures

POLICY DIRECTIVE #16-11-ELI

(This Policy Directive Obsoletes PB #14-52-ELI, PB #03-146-EMP, and PB #02-156-EMP)

ABLE-BODIED ADULTS WITHOUT DEPENDENTS (ABAWD)

Date: June 29, 2016	Subtopic(s): SNAP Eligibility
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AUDIENCE

The instructions in this policy directive are for Job Center, Non Cash Assistance (NCA) Supplemental Nutrition Assistance Program (SNAP) Center, and the Mailer and Match Action Program staff.

POLICY

Able-Bodied Adults Without Dependents (ABAWDs) are individuals who are subject to the SNAP work requirements and are:

See the SNAP Work Rules and Exemptions Desk Guide (**W-138G**).

- 18 years of age or older, but under 50 years of age;
- not pregnant;
- not residing in a SNAP household that contains a child under 18 years of age; and
- physically and mentally able to work for at least 80 hours per month.

ABAWDs are required to meet certain work requirements in order to remain eligible to receive SNAP benefits for more than three months in a 36 month period. The ABAWD work requirements are:

- working (including in-kind and volunteer work) for at least 80 hours per month;
- participating in a work/training program approved by the Human Resources Administration (HRA) for at least 80 hours per month;
- working and participating in an approved program for a combined total of at least 80 hours per month;
- participating in a program under the Workforce Investment Opportunity Act (WIOA) for at least 80 hours per month; or
- complying with a work activity offered by HRA at a not-for-profit organization for the number of hours equal to their SNAP grant divided by the higher of the federal or state minimum wage.

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

Waivers

The ABAWD time limits on SNAP benefit eligibility do not apply to individuals who are granted waivers of the time limits. Waivers may be granted by the federal government for residents of areas with high unemployment or an insufficient number of jobs. Some states are eligible for waivers for all ABAWDs in their state and other states may be eligible for waivers for certain areas of the state.

Waived ABAWDs

Effective January 2016 and continuing through December 2016, all ABAWDs who reside in the Bronx, Brooklyn, Queens and Staten Island have been granted waivers of the ABAWD time limits. In Manhattan, ABAWDs who reside on or above the north side of West 110th Street or on or above the north side of East 96th Street have also been granted waivers of the ABAWD time limits for all of 2016.

The only ABAWDs in New York City who have not been granted a waiver of the ABAWD time limits are those who reside on or below the south side of West 110th Street or on or below the south side of East 96th Street in Manhattan. Unless excluded, un-waived ABAWDs are subject to the ABAWD time limits if they fail to meet the ABAWD work requirements.

Exclusions

Under the ABAWD rules, local social services districts have the option to exclude a portion of non-waived ABAWDs from the three month time limit on SNAP benefit eligibility. Districts are allotted a certain number of exclusions for a calendar year which can be utilized at the districts discretion.

For calendar year 2016, HRA has opted not to use any of its allotted exclusions for January or February. Effective March 2016, HRA has opted to exclude all non-waived ABAWDs who failed to meet the ABAWD requirements for that month and who already had at least two countable months of failing to meet the ABAWD requirements retroactive to January 2016.

HRA's exclusion policy will be monitored throughout calendar year 2016 to insure that the total number of exclusions used does not exceed its annual exclusion allotment.

36 month period

States have the option to use a “fixed clock” or a “rolling clock” to measure the 36 month period. The New York State Office of Temporary and Disability Assistance (NYS OTDA) has opted to use a 36 month “fixed clock” from January 2016 through December 2018 for all ABAWDs who reside in New York State.

When determining the number of months that an ABAWD has not met the ABAWD work requirements (a.k.a. countable months), the following months cannot be counted:

Non-countable months

- a month during which the ABAWD did not receive a SNAP benefit for the full month;
- a month during which the ABAWD resided in a waived area for any portion of the month;
- a month during which the ABAWD was excluded from having to meet the ABAWD requirements for any part of the month;
- a month during which the individual was exempt from the ABAWD requirements for any part of the month; or
- a month during which the ABAWD would have met the work requirement, but missed some work for good cause, as long as the absence was temporary and the ABAWD retained employment or resumed participation in a work activity.

ABAWD notification

HRA is required to notify all ABAWDs (including those who are granted waivers or exclusions from the time limits) of his/her ABAWD status, work requirements, and the consequences of failing to meet the ABAWD requirements.

Revised **FIA-1021**

In order to meet this requirement, all individuals who are determined to be ABAWDs, are mailed the Notice of Able-Bodied Adult Without Dependents (ABAWD) Status (**FIA-1021**) whenever an ABAWD has been accepted to receive recurring SNAP benefits, recertified to receive continued SNAP benefits, or reclassified as an ABAWD outside of the application or recertification process. The **FIA-1021** was revised with information on which ABAWDs will have their ABAWD work requirements waived effective January 2016.

All individuals are notified of ABAWD requirements in standard opening and recertification notices.

In December 2015, OTDA mailed the Notice of Able-Bodied Adult Without Dependents (ABAWD) Status and Waiver Status (**Attachment A**), to all ABAWDs in New York City to inform them about which ABAWDs will no longer have their ABAWD work requirements waived effective January 2016 due to the area no longer qualifying for a waiver of the ABAWD requirements.

Offer of a work activity

HRA is required to offer and provide an opportunity to meet the ABAWD requirements for those non-waived ABAWDs who are at risk of losing SNAP eligibility due to the ABAWD time limits. At risk ABAWDs are those individuals who have at least two countable months of failing to meet the ABAWD work requirements in the 36 month period from January 2016 through December 2018.

CA/SNAP ABAWDs

For ABAWDs in receipt of both CA and SNAP benefits, their CA work/training program assignment may provide sufficient hours and may meet the definition of an ABAWD qualifying work or training opportunity but would need to be evaluated by the Job Opportunity Specialist (JOS)/Worker. To be an ABAWD qualifying work activity, the number of hours assigned to job search/job readiness training is limited to less than one half of the total number of hours assigned.

Non-waived, CA/SNAP ABAWDs who participate in their CA work assignment for a minimum of 80 hours per month or who comply with their work experience program/community service assignment for the number of hours equal to their share of the household's SNAP grant divided by the higher of the federal or state minimum wage will have met their ABAWD work requirement for that month.

JOS/Workers must inform ABAWDs that they are required to continue to participate in their CA work assignment in order meet their monthly ABAWD work requirements.

NCA/SNAP ABAWDs

For at risk ABAWDs on an NCA SNAP case, an HRA offered work activity at a not-for-profit organization will provide sufficient hours to be an ABAWD qualifying work activity.

Non-waived, NCA SNAP ABAWDs who comply with their HRA offered work activity for at least the number of hours equal to the their individual share of the household's SNAP grant divided by the higher of the federal or state minimum wage will have met their ABAWD work requirement for that month.

Example: A non-waived, NCA SNAP ABAWD in a household of two individuals has a SNAP grant of \$357 per month. The grant is divided by two to determine the ABAWDs individual share of the grant. The ABAWDs individual share of \$178.50 (\$357 divided by two) is then divided by \$9.00 (the state's minimum wage effective Dec. 31, 2015) for a result of 19.833. The result is rounded down to the nearest whole number so the individual will be able to meet his/her ABAWD work requirement by participating in their HRA offered voluntary work activity for 19 hours that month.

Revised **FIA-1021k**

The Offer of a Work Activity (**FIA-1021k**) will be mailed by Management Information Systems (MIS) to all NCA SNAP ABAWDs who are not independently meeting the ABAWD work requirements and who are at risk of losing SNAP benefit eligibility due to the ABAWD time limits. The **FIA-1021k** was revised to include information about the reinstatement of the ABAWD requirements.

Tracking ABAWD compliance

HRA is required to track ABAWD compliance to ensure that non-waived, non-excluded ABAWDs do not receive SNAP benefits for more than three months in a 36 month period without meeting the ABAWD work requirements.

To track ABAWD compliance, MIS created the ABAWD Work Requirement Compliance Tracking Calendar. The Calendar captures information from various sources including the statewide Welfare Reform Tracking System (WRTS) in WMS. The ABAWD Calendar is included in the application and recertification workflow in the Paperless Office System (POS) and SNAP POS for households with ABAWDs and can also be retrieved by JOS/Workers at any time from the POS Tools Menu by selecting ABAWD.

Re-establishing eligibility

A non-waived ABAWD who has lost eligibility for SNAP benefits because he/she has already received at least three months of SNAP benefits from January 2016 through December 2018 without meeting the ABAWD work requirements, may re-establish SNAP eligibility when reapplying by:

Working includes in-kind and volunteer work.

- documenting an exemption from the ABAWD requirements; or
- verifying that he/she will work (including in-kind and volunteer work) or participate in a work/training program for at least 80 hours in the 30 day period following the date he/she filed an application for SNAP benefits; or
- verifying that he/she has worked (including in-kind and volunteer work) or participated in a work/training program for at least 80 hours within a consecutive 30 day period since losing SNAP eligibility; or
- performing job search for a minimum of 12 hours in a 30 day period followed by compliance with a work experience assignment offered by HRA for the number of hours equal to their SNAP grant divided by the higher of the federal or state minimum wage.

Ineligible for E-SNAP issuance until verification of reestablishment has been provided.

A non-waived, non-excluded ABAWD who has lost eligibility for SNAP benefits due to the ABAWD time limits is ineligible to receive SNAP benefits upon re-application until he/she has verified meeting one of the re-establishment methods. These individuals are also ineligible to receive SNAP benefits under the SNAP expedited processing rules unless they are able to verify re-establishment within the expedited processing timeframes.

Note: For CA applicants, ineligibility to receive SNAP benefits due to the ABAWD time limits does not affect eligibility to receive an immediate needs grant (**code 44**).

Participant prospective compliance

Non-waived, non-excluded ABAWDs in receipt of SNAP benefits who have already received at least three months of SNAP benefits in the 36 month period from January 2016 through December 2018 without meeting the ABAWD requirements can continue to receive SNAP benefits if the ABAWD can verify to the Agency's satisfaction (before the effective date of an adverse notice) that he/she will meet the ABAWD requirements in the next benefit month.

Grace period

An individual is eligible to receive SNAP benefits for an additional three month period during which he/she does not work or participate in a work/training program activity if they lost eligibility for SNAP benefits due to the ABAWD time limits and re-established eligibility through compliance during a 30 day period, and subsequently lost a job or a work/training program activity.

The three consecutive month grace period starts the first month that the ABAWD did not meet the ABAWD requirements after reestablishing eligibility for SNAP benefits by meeting ABAWD requirements. The three month grace period must be used consecutively. An ABAWD is eligible for a grace period only one time in a 36 month period.

An ABAWD will qualify for the three month grace period if all of the following apply:

- The ABAWDs SNAP benefits were stopped after the individual received SNAP benefits for three months in the 36 month period because the individual was not meeting ABAWD requirements;
- The ABAWD subsequently regained their eligibility by complying with ABAWD requirements; and
- The current inability to meet the ABAWD requirement is due to the loss of a job (e.g. layoff or company going out of business)

REQUIRED ACTION

JOS/Workers are responsible for determining the SNAP employability status and ABAWD status of every SNAP applicant and participant. This includes SNAP applicants and participants that are also Cash Assistance (CA) applicants or participants on a combined CA/SNAP case. This determination must be done at application, recertification, when closing a CA or a SNAP case and at any time that there is a reason to believe that the SNAP employability status code and/or the ABAWD status of any individual in the SNAP household should be changed.

See [PD #16-07-SYS](#) for the WMS Software Release Version 2016.1

Effective February 22, 2016, with the release of WMS Software Version 2016.1, all individuals on both CA/SNAP and NCA/SNAP cases that are applying for or are in receipt of SNAP benefits must be assigned a SNAP employability code and an ABAWD indicator code. SNAP employability codes **WE**, **WA**, and **WR** that were previously in use for individuals on NCA/SNAP cases and for SNAP only individuals on CA/SNAP cases are now obsolete.

The new SNAP employability codes and ABAWD indicator codes are listed on the SNAP Employability Code/ABAWD Determination (**LDSS-5062**) desk guide. If an individual meets the criteria of more than one SNAP employability code on the desk guide, select the first applicable code starting from the top of the guide. For example, an individual who is 60 years of age and in receipt of unemployment insurance benefits, would be assigned SNAP employability code **32**.

In many instances, the new SNAP employability codes are the same as the current CA employability codes. However, in other instances, the CA employability code will not be the same as the SNAP employability code because of differences between the CA work exemptions and the SNAP work exemptions.

ABAWD indicator codes

The new ABAWD indicator codes are:

- Code **N (Non-ABAWD)** is to be used for all SNAP applicants and participants who are not ABAWDs. Individuals who are exempt from the SNAP work requirements are not ABAWDs and the following individuals are not ABAWDs even if they are not exempt from the SNAP work requirements:
 - under age 18 or 50 years of age or older;
 - pregnant;
 - residing in a SNAP household with an individual under 18 years of age; or
 - physically and/or mentally unable to work at least 80 hours per month

See the section labeled Waivers on **page 2** for a list of areas that have been granted an ABAWD waiver.

See the section labeled Exclusions on **page 2** for the Agency's exclusion policy.

See the section labeled Grace Period on **page 6** for more information.

- Code **W (Waived)** is to be used for all SNAP applicants and participants who have been determined to be ABAWDs and who reside in an area that has been granted a waiver from having to meet the ABAWD requirements. These individuals are called waived ABAWDs.
- Code **X (Excluded)** is to be used for all SNAP applicants and participants who have been determined to be non-waived ABAWDs who have been excluded under the criteria established by the Agency. These individuals are called excluded ABAWDs. **Note:** Since the current HRA exclusion policy excludes non-waived ABAWDs who fail to meet the monthly requirement and since the meeting of those requirements is not known in advance, JOS/Workers should not use this code at this time.
- Code **A (ABAWD)** is to be used for all SNAP applicants and participants who have been determined to be non-waived and non-excluded ABAWDs.
- Code **G (Eligible for Grace Period)** is to be used for non-waived, non-excluded ABAWDs who are eligible for the additional three month grace period.

To help insure that the correct SNAP employability code and ABAWD indicator code is chosen for each SNAP applicant and participant on a CA/SNAP and NCA/SNAP case, a window exists in the application and recertification interview workflow in POS and SNAP POS to automate the code determinations. The window appears in the Education and Training window below the Education Information question. After the JOS/Worker clicks on the Run The Rule button, the window lists the name of each household member, the system determined SNAP employability code and ABAWD indicator code and the reason each was selected.

Automated employability code determination.

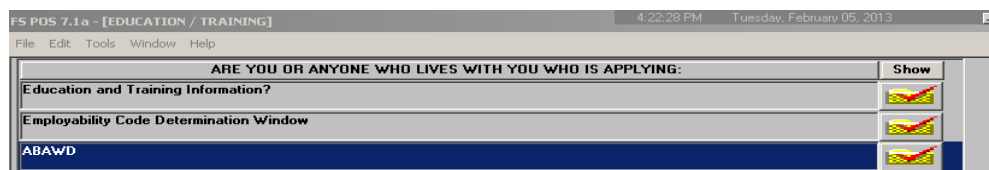
The screenshot shows a window titled "Response to Question" with a sub-header "Instructions". The instructions text reads: "The system has determined the employability status codes for the household members based on the answers entered on the interview. Please click on the 'Run Rules' button to see the system determined codes. These codes will be entered by the system on the TAD. If you disagree with system determinations, you must go back to the appropriate question and make the necessary updates. Click on the 'Run Rules' button upon return to the window in order for the changes to take effect." Below the instructions is a table with three columns: "Who", "Employability Code", and "Reason". The table area is currently blank. At the bottom of the window, there are three buttons: "RUN THE RULE", "OK", and "Cancel".

If the SNAP employability code and ABAWD indicator code listed for each household member in the window is correct, click OK. If the codes listed for any individual are incorrect, go back to the relevant question that caused the incorrect determination and make the necessary updates. After making the necessary updates, return to this window and click the **Run The Rule** button for the change to take effect. If the code is now correct, click **OK**.

If any individual(s) in the household has been determined to be an ABAWD, the JOS/Worker is required to inform the household of that determination, and of the following:

- non-waived ABAWDs can only receive three months of SNAP benefits in the 36 month period from January 2016 through December 2018 without meeting the ABAWD requirements;
- the ABAWD requirements (on page 1 of the procedure);
- the Agency will provide a qualifying work/training opportunity to allow at-risk ABAWDs to meet the ABAWD requirements;
- if an ABAWD in the household is determined eligible to receive recurring SNAP benefits at application or at recertification, the ABAWD will be mailed the **FIA-1021** which informs the ABAWD:
 - why he/she is an ABAWD;
 - of the ABAWD requirements;
 - to contact the Job Center/NCA SNAP Center if he/she believes that he/she is exempt from the ABAWD requirements; and
 - how to reestablish eligibility if he/she become ineligible after failing to meet the ABAWD requirements;
- the household is required to notify the Agency when an ABAWD in the household does not meet the ABAWD requirements for any month. The ABAWDs failure to meet the ABAWD requirements for any month must be reported by the household by the tenth day of the month following the month that the ABAWD did not meet the ABAWD requirements; and
- how ABAWDs who lose their SNAP eligibility after failing to meet the ABAWD requirements can reestablish eligibility.

After informing the household of the ABAWD information listed above, click on the **Show** button of the ABAWD question in the Education/Training window for that individual.



ABAWD question

If the ABAWD has three or more months of not meeting the ABAWD requirements, the ABAWD Work Requirement Compliance Tracking Calendar will appear when the **Show** button is selected.

ABAWD Work Requirement Compliance Tracking Calendar

The ABAWD Work Requirement Compliance Tracking Calendar shows:

- the ABAWDs Name, CIN, Social Security Number, and SNAP Employability Code;
- the total number of months that the ABAWD failed to meet the ABAWD requirements (countable months) from January 2016 through December 2018;
- if a grace period is in effect;
- if the ABAWD has reestablished eligibility;
- the 36 months from January 2016 through December 2018;
- if the individual was an ABAWD for each month;
- if the individual was waived for each month;
- if the individual was excluded for each month;
- the number of monthly employment hours that the individual was listed as having worked from the **HW** field on the individual’s line in the WMS budget in effect for that month;
- the number of hours that the individual participated in a work/training program activity;
- the household’s SNAP benefit for the month; and
- the calendar determination of whether or not the ABAWD met the ABAWD requirements for each month he/she was subject to the ABAWD requirements.

During the application/recertification interview, the JOS/Worker must inform the applicant/participant of any countable months listed in the calendar for any household members since the most recent certification. If an applicant/participant believes that any of those months should not be a countable month, he/she must be offered the opportunity to provide verification of that individual either meeting the ABAWD requirements or being exempt or waived from those requirements for any part of that month.

The POS calendar override process will be provided in a future policy bulletin.

If there is information already available to the JOS/Worker that a countable month in the ABAWD calendar must be removed or if the applicant/participant provides verification of any countable month that needs to be removed for any household member, the JOS/Worker must enter the details of the countable month removal in the comments section of POS. Any documentation must be scanned into the viewer. A formal override process that will be completed by Mailer and Match Action Program staff will be provided at a later date.

Once the JOS/Worker has completed his/her review of the ABAWD Work Requirement Compliance Tracking Calendar, he/she must click the **Close** button at the bottom of the calendar and the ABAWD Eligibility Reestablishment window will appear.

ABAWD Eligibility Re-establishment Response window

ABAWD Response Window

Instructions
 The individual below has been disqualified for failing to meet ABAWD requirements. The individual may re-establish eligibility for SNAP benefits if he/she agrees to provide documentation of future engagement or documentation of past engagement since the case closed/lost ABAWD eligibility. Applicants may also re-establish eligibility by agreeing to do independent job search for the 30 days. If proof of engagement is not submitted then job search should be assigned for applicants. Active individuals who cannot document engagement or ABAWD exemption will be closed and must re-apply for SNAP.

Existing Information
 Name
 Employability Code
 Reason

Who: _____ ABAWD Compliance Calendar

Have you worked at least 80 hours in a consecutive 30 days period since Jan 2016? Yes No

Will you be working 80 hours or more in the next 30 days? Yes No

Can you perform a job search for the next 30 days (while application is pending)? Yes No

Document... Scan

Comment...

OK Cancel

Re-application process for non-waived, non-excluded ABAWDs with three or more months of not meeting the ABAWD requirements from January 2016 to December 2018

Individuals who are no longer ABAWDs do not need to reestablish ABAWD eligibility.

The JOS/Worker must select the name of the non-waived, non-excluded ABAWD from the “WHO” dropdown list box and inform the ABAWD of the following three methods (also listed on the ABAWD Response window shown above) by which the reapplying ABAWD can reestablish SNAP eligibility.

- 1- verifying that he/she has worked or participated in a work/training program for at least 80 hours within a consecutive 30 day period since losing SNAP eligibility; or
- 2- verifying that he/she will work or participate in a work/training program for at least 80 hours within the 30 days from when he/she reapplied for SNAP benefits; or
- 3- performing job search for a minimum of 12 hours in a 30 day period followed by a work experience assignment in the next month if he/she does not find employment during the 30 day job search period. **Note:** For individuals applying for or in receipt of CA, the job search criteria may be met through participation with the Back to Work (B2W) vendor.

Method 1 or 2
Re-establishing SNAP
benefit eligibility

If the re-applying ABAWD provides documentation that verifies that he/she has re-established SNAP eligibility by method 1 or 2 above, the Worker must scan and index the documentation that has been submitted and select **OK** at the bottom of the window.

If the re-applying ABAWD states that he/she has met or will meet re-establishment method 1 or 2 but still needs to provide verification, POS will pre-fill the required ABAWD reestablishment documentation on the Documentation Requirements and/or Assessment follow-Up (**W-113K**) at Job Centers or on the You Must Submit Documents for Your SNAP Case (**FIA-1146**) at NCA SNAP Centers.

FIA-1021a has been
reinstated.

If the re-applying ABAWD needs to provide documentation to verify that he/she has met or will meet method 1 or 2 or states that he/she would like to re-establish SNAP eligibility by method 3, the Worker must give (or mail) the re-applying ABAWD the reinstated Notice of Need to Reestablish Able-Bodied Adult Without Dependents (ABAWD) Eligibility (**FIA-1021a**) which informs the ABAWD:

- why he/she is an ABAWD;
- of the ABAWD requirements;
- that he/she has received at least three months of benefits in a 36 month period while not meeting the ABAWD requirements;
- of the methods available to re-establish SNAP eligibility.

ABAWDs who need to re-establish SNAP eligibility are not eligible for SNAP benefits under the expedited processing rules until they provide verification of meeting any of the reestablishment methods.

Method 3
Re-establishing SNAP
benefit eligibility

If the ABAWD is unable to re-establish SNAP eligibility by method 1 or 2 but agrees to re-establish eligibility by method 3, the Worker must select **Yes** to the question in POS regarding reestablishing SNAP eligibility by performing job search followed by a work experience assignment. POS will prompt the Worker to give (or mail) the ABAWD the reinstated Declaration of Job Search Activities (**FIA-1021b**). The Worker must inform the ABAWD that he/she must:

FIA-1021b has been
reinstated.

- perform at least 12 hours of self-directed job search;
- record the activities on the **FIA-1021b**;
- submit the completed **FIA-1021b** to the Agency as soon as he/she has performed at least 12 hours of self-directed job search but no later than the due date listed on the form; and
- comply with a work experience assignment in the next month

If the ABAWD returns a completed **FIA-1021b** in a timely manner (no later than 30 days from the date the ABAWD reapplied) that attests to a minimum of 12 hours of job search activity in a 30 day period, the Worker must scan and index the **FIA-1021b**.

Fails to re-establish
SNAP benefit eligibility

If a non-waived, non-excluded ABAWD who has already received at least three countable months of SNAP benefits fails to re-establish SNAP eligibility in a timely manner, the Worker must:

For NCA/SNAP Cases:

- for one person households, reject the SNAP case using case reason rejection code **F94**, (WMS will place the **F94** denial in clock down status to 30 days from the date of application); or
- for multiple person households, reject the ABAWDs line using individual rejection code **F94**, if another member of the household is determined eligible for SNAP benefits.

For CA/SNAP Cases:

- for households with only one person applying for SNAP benefits, reject the SNAP portion of the CA/SNAP case using case reason rejection code **F94**; or
- for households with more than one person applying for SNAP benefits, reject the ABAWDs line for SNAP using individual rejection code **F94**, if another member of the household is determined eligible for SNAP benefits

Recertification process for non-waived, non-excluded ABAWDs with three or more months of not meeting the ABAWD requirements

Determine if the non-waived, non-excluded ABAWD is currently meeting or will meet the ABAWD requirements in the next 30 days.

Meets eligibility

If the non-waived, non-excluded ABAWD verifies that he/she is currently meeting or will meet the ABAWD requirements in the next 30 days, the Worker must select **Yes** to that method of re-establishment in the ABAWD Response window and scan the documentation into the record. If the household is determined otherwise eligible, recertify the household for continued benefits.

Meets eligibility –
no documentation

If the non-waived, non-excluded ABAWD states that he/she is currently meeting or will meet the ABAWD requirements in the next 30 days, but still needs to submit documentation, POS will pre-fill the required ABAWD reestablishment documentation on the **W-113K** (for CA/SNAP cases) or on the **FIA-1146** (for NCA/SNAP cases) that is given (or mailed) to the ABAWD.

If the non-waived, non-excluded ABAWD does not provide documentation to verify that he/she is currently meeting or will meet the ABAWD requirements in the next 30 days, the JOS/Worker must:

For NCA/SNAP cases:

- for one person households, close the SNAP case using case reason closing code **F94**; or
- for multiple person households, close the ABAWDs line using individual closing code **F94**

For CA/SNAP cases:

- for households with only one person currently active for SNAP, close the SNAP portion of the CA/SNAP case using case reason closing code **F94** (see manual notice requirement below); or
- for households with more than one person currently active for SNAP, close the ABAWDs line for SNAP using individual closing code **F94**, if another member of the household will remain eligible for SNAP benefits

Manual Notice Requirement

The Client Notice System (CNS) cannot currently produce a notice to close only the SNAP portion of a CA/SNAP case with a SNAP household size of one. For these cases, a manual notice must be completed.

OTDA is in the process of creating a manual notice that will be used to notify these households of the loss of SNAP benefit eligibility due to the ABAWD time limits on SNAP benefit eligibility. The notice should be available for use when HRA’s exclusion policy will no longer be able to exclude all individuals who fail to meet the ABAWD work requirements for two or months retroactive to January 2016.

Automated process to terminate SNAP benefit eligibility of non-compliant ABAWDs

MIS is developing an automated process to terminate the SNAP benefit eligibility of all non-waived, non-excluded ABAWDs (including both CA/SNAP and NCA/SNAP ABAWDs) who:

- have three or more countable months in the 36 month period from January 2016 through December 2018;
- are not working at least 80 hours per month; and
- fail to comply with the Agency’s offer of an ABAWD qualifying work activity in the most recent past month.

The automated process should be available for use when HRA’s exclusion policy will no longer be able to exclude all individuals who fail to meet the ABAWD work requirements for two or months retroactive to January 2016

PROGRAM IMPLICATIONS

Paperless Office System (POS) Implications

POS instructions are addressed in the procedure.

Medicaid Implications

There are no Medicaid implications.

LIMITED ENGLISH PROFICIENT (LEP) AND HEARING IMPAIRED IMPLICATIONS

For Limited English Proficient (LEP) and hearing-impaired applicants/participants, make sure to obtain appropriate interpreter services in accordance with [PD #14-24-OPE](#) and [PD #14-18-OPE](#).

FAIR HEARING IMPLICATIONS

Avoidance/Resolution

Ensure that all case actions are processed in accordance with current procedures and that electronic case files are kept up-to-date. Remember that applicants/participants must receive either adequate or timely and adequate notification of all actions taken on their case. Make every effort to ensure that an adverse action is appropriate and that the SNAP household is given an opportunity for a conference.

Conferences at JOB Centers

An applicant/participant can request and receive a conference, with a Fair Hearing and Conference (FH&C) AJOS/Supervisor I at any time. If an applicant/participant comes to the Job Center requesting a conference, the Receptionist must alert the FH&C Unit that the individual is waiting to be seen.

The FH&C AJOS/Supervisor I will listen to and evaluate any material presented by the applicant/participant, review the case file and discuss the issue(s) with the JOS/Worker responsible for the case and/or the JOS/Worker's Supervisor. The AJOS/Supervisor I will explain to the applicant/participant, the reason for the Agency's action(s).

Conferences at SNAP Centers

If an applicant/participant comes to the SNAP Center requesting a conference, the Receptionist must alert the SNAP Center Director's Designee that he/she is to be seen. If the applicant/participant contacts the Worker directly, advise him/her to call the Designee.

The Designee will listen to and evaluate any material presented by the applicant/participant, and explain the reason for the Agency's action to him/her. If the applicant/participant has shown that the Agency's action needs to be withdrawn, the Designee will SIC the adverse action. If the determination is that the Agency action is correct, the Designee will explain the reason for the determination to the applicant/participant.

Should the applicant/participant elect to continue his/her appeal by requesting or proceeding to a Fair Hearing, the Designee must ensure that further appeal is properly controlled and that appropriate follow-up action is taken in all phases of the Fair Hearing process.


REFERENCES

NYS TA and SNAP Employment Policy Manual
 16-ADM-01
 16-INF-09
 GIS 16 TA/DC015
 GIS 16 TA/DC022
 GIS 16 TA/DC026
 GIS 16 TA/DC028
 7 CFR 273.24

RELATED ITEMS

[PB #16-36-SYS](#) CA POS Release Notes Version 20.1.1
[PB #16-37-SYS](#) SNAP POS Release Notes Version 10.1.1
[PD #12-16-ELI](#) SNAP Change Reporting Rules and Periodic Reporting
[PD #16-07-SYS](#) WMS Software Release Version 2016.1

ATTACHMENTS

 Please use Print on Demand to obtain copies of forms.

Attachment A Notice of Able-Bodied Adult Without Dependents (ABAWD) Status and Waiver Status
FIA-1021 (E) Notice of Able-Bodied Adult Without Dependents (ABAWD) Status (06/29/2016)
FIA-1021 (S) Notice of Able-Bodied Adult Without Dependents (ABAWD) Status (Spanish) (06/29/2016)
FIA-1021a (E) Notice of Need to Reestablish Able-Bodied Adult Without Dependents (ABAWD) Eligibility (06/29/2016)
FIA-1021a (S) Notice of Need to Reestablish Able-Bodied Adult Without Dependents (ABAWD) Eligibility (Spanish) (06/29/2016)
FIA-1021b (E) Declaration of Job Search Activities (06/29/2016)
FIA-1021b (S) Declaration of Job Search Activities (Spanish) (06/29/2016)
FIA-1021k (E) Offer of a Work Activity to an Able-Bodied Adult Without Dependents (ABAWD) (06/29/2016)
FIA-1021k (S) Offer of a Work Activity to an Able-Bodied Adult Without Dependents (ABAWD) (Spanish) (06/29/2016)
LDSS-5062 SNAP Employability Code/ABAWD Determination (Rev. 2/16)

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

This is to inform you of a federal change to the Supplemental Nutrition Assistance Program (SNAP) effective **January 1, 2016**. After this date, certain Able-Bodied Adults Without Dependents (ABAWD) will need to meet ABAWD work requirements to receive SNAP benefits for more than three months in a 36 month period.

Individuals residing in the Bronx, Brooklyn, Queens or Staten Island currently have a waiver from such ABAWD work requirements. The waiver from ABAWD work requirements will continue for these areas.

Effective **January 1, 2016**, many ABAWDs who live in Manhattan will no longer have their ABAWD work requirements waived. Individuals residing above West 110th Street and above East 96th Street will continue to have ABAWD work requirements waived, but most other residents of Manhattan will need to meet ABAWD work requirements to maintain SNAP benefits.

The Human Resources Administration (HRA) has determined that you or someone in your household is an ABAWD because you are subject to SNAP work requirements and you are:

- 18 years of age or older, but under 50 years of age;
- Not pregnant;
- Not residing in a SNAP household that contains a child under 18 years of age; and
- Physically and mentally able to work for at least 80 hours per month

What is an ABAWD required to do?

Effective January 1, 2016, most ABAWDs who live in Manhattan on or below West 110th street and on or below East 96th street must complete one of the following each month in order to receive SNAP benefits for more than three months in a 36 month period:

- Work (including "in-kind" work and volunteer work) for at least 80 hours per month;
- Participate in an agency approved work/training program for at least 80 hours per month;
- Comply with a Work Experience Program (WEP) assignment for the number of hours equal to your SNAP grant divided by the higher of the federal or State minimum wage;
- Participate in a program under the Workforce Investment 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.

In addition, the ABAWD must provide documentation of participation in unpaid work activities each month and report to HRA within 10 days after the end of the month if his/her work hours go below 80 hours.

If you would like HRA to help you meet these ABAWD work requirements, or if your circumstances have changed and you are no longer an ABAWD, or if you have questions about this notice, please call the HRA Infoline at **718-557-1399**.

SAMPLE



Date: _____
 Case Number: _____
 Center: _____
 Participant Name: _____

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

Federal rules have required the Human Resources Administration (HRA) to determine that you are an Able Bodied Adult Without Dependents (ABAWD) and that you are subject to the Supplemental Nutrition Assistance Program (SNAP) work requirements, because you are:

- 18 years of age or older, but under 50 years of age;
- Not pregnant;
- Not residing in a SNAP household that contains a child under 18 years of age; and
- Physically and mentally able to work for at least 80 hours per month

The Federal government's rules require ABAWDs to meet one of the following work requirements in order to receive SNAP benefits for more than three months in a 36 month period:

- Work (including "in-kind" and volunteer work) for at least 80 hours per month; or
- Participate in a work/training program approved by HRA for at least 80 hours per month; or
- Work and participate in HRA approved work/training programs for a combined total of at least 80 hours per month; or
- Comply with a voluntary activity offered by HRA at a not-for-profit organization for the number of hours equal to your SNAP grant divided by the higher of the federal or state minimum wage.

Federal rules allow for the waiver of the ABAWD work requirements in areas that have high unemployment or areas that do not have a sufficient number of jobs to provide employment for the individuals. The waiver means the rule does not apply for the time being. Since May 2014, based on the City's request, the ABAWD work requirements have been waived for all ABAWDs living in New York City. However, the Federal government has determined that effective January 1, 2016, the ABAWD work requirements will no longer be waived for ABAWDs who live on or below West 110th Street or on or below East 96th Street in Manhattan.

The ABAWD work requirements will continue to be waived for ABAWDs who live in the Bronx, Brooklyn, Queens, Staten Island and in Manhattan above West 110th Street or above East 96th Street.

If you are an ABAWD who is subject to the ABAWD work requirements and you are in receipt of Cash Assistance, compliance with your Cash Assistance work/training program assignment may provide enough qualifying work hours for you to meet the ABAWD requirements. If you are not in receipt of Cash Assistance and you are not currently working for at least 80 hours per month, we will mail you a separate notice with an offer of an opportunity to help you meet the ABAWD work requirements.

If you become ineligible for SNAP benefits after failing to meet the ABAWD work requirements, you may re-establish eligibility by doing any of the following:

- Verifying that you will work or participate in a work/training program for at least 80 hours within the 30 days following the date you applied for SNAP benefits;
- Verifying that you have worked or participated in a work/training program for at least 80 hours within a consecutive 30 day period since losing your eligibility for SNAP benefits; or
- Performing job search for a minimum of 12 hours in the 30 day period following the date you applied for SNAP benefits. The 30 day job search period must be followed by compliance with a work experience activity offered by HRA at a not-for-profit organization for the number of hours equal to your SNAP grant divided by the higher of the federal or state minimum wage.

If you have re-established eligibility, you will be required to meet the ABAWD work requirements in order to continue to receive SNAP benefits.

However, if you have re-established eligibility by meeting ABAWD requirements and subsequently lose a job or a work program assignment, you may be eligible to receive SNAP benefits for a grace period of three consecutive months starting the first month that you did not meet the ABAWD requirements after reestablishing eligibility for SNAP benefits.

If you are currently receiving SNAP benefits and have not met the ABAWD requirements for three months since January 2016, but can verify that you will meet the ABAWD work requirements in the next month, you will continue to receive SNAP benefits as long as you meet the ABAWD work requirements.

Please contact your Job Center or SNAP Center if you believe that you are exempt from the ABAWD requirements because you are:

- Under 18 years of age or 50 years of age or older;
- Residing in a SNAP household with an individual under 18 years of age;
- A caretaker of incapacitated persons;
- Pregnant;
- Physically or mentally unable to work 80 hours a month;
- Participating in a drug/alcohol treatment or rehabilitation program and deemed unable to work;
- Receiving Unemployment Insurance Benefits (UIB) or an applicant for unemployment compensation and required to register for work as part of the application process;
- A student enrolled at least half-time in any recognized school, training program, or institution of higher education, provided you have met the student eligibility criteria for SNAP;
- An applicant for Supplemental Security Income (SSI) and SNAP, under the joint processing provisions until an SSI determination is made; or
- Employed or self-employed and working a minimum of 30 hours per week or receiving weekly earnings at least equal to the federal minimum wage times 30.

Fecha: _____
Número del Caso: _____
Centro: _____
Nombre del Participante _____

Aviso del Estado de Adulto Sano Sin Dependientes (ABAWD)

El reglamento federal ha obligado que la Administración de Recursos Humanos (HRA) determine que usted es Adulto Sano sin Dependientes (ABAWD) y que está sujeto(a) a los requisitos de empleo del Programa de Asistencia de Nutrición Suplementaria (SNAP), por usted:

- tener 18 años de edad o más, pero menos de 50 años de edad;
- no estar embarazada;
- no residir en un hogar de SNAP con un niño menor de 18 años de edad; y
- ser apto(a) física y mentalmente para trabajar por lo menos 80 horas al mes.

Las reglas del gobierno federal estipulan que las personas ABAWD cumplan uno de los siguientes requisitos de trabajo para recibir beneficios de SNAP por más de tres meses en un período de 36 meses.

- trabajo (incluido "en especie" y trabajo de voluntario) durante por lo menos 80 horas al mes; o
- participación en un programa de trabajo/capacitación aprobado por la HRA durante por lo menos 80 horas al mes; o
- trabajo y participación en programas de trabajo/capacitación aprobados por la HRA por un total combinado de por lo menos 80 horas al mes; o
- cumplimiento de una actividad voluntaria brindada por la HRA en una organización sin fines de lucro durante el número de horas que equivalga a la cantidad de su concesión de SNAP, dividida por el superior entre el salario mínimo estatal y el federal.

Las reglas federales permiten la exención de los requisitos de trabajo de ABAWD en las zonas de alto desempleo que no cuentan con un número suficiente de trabajos para proveer empleo. La exención significa que la regla no se aplicará por el momento. A partir de mayo del 2014, según la petición de la ciudad, los requisitos de trabajo de ABAWD se han suspendido para todas las personas ABAWD que residen en la ciudad de Nueva York. No obstante, el gobierno federal ha determinado que a partir del 1ro de enero del 2016, ya no se suspenderán los requisitos de trabajo para las personas ABAWD que residen en Manhattan en la West 110th Street, o al sur de la misma, o en la East 96th Street, o al sur de la misma.

Los requisitos de trabajo de ABAWD seguirán suspendiéndose para las personas ABAWD que residen en el Bronx, Brooklyn, Queens, Staten Island y en Manhattan al norte de la West 110th Street o al norte de la East 96th Street.

Si usted es un(a) ABAWD sujeto(a) a los requisitos de trabajo y recibe Asistencia en Efectivo, el cumplimiento de su asignación al programa de trabajo/capacitación de Asistencia en Efectivo puede proveerle suficiente horas cualificadoras de trabajo para reunir los requisitos de ABAWD. Si usted no recibe Asistencia en Efectivo y no trabaja actualmente por lo menos 80 horas mensuales, nosotros le enviaremos por correo un aviso por separado con la oferta de una oportunidad de reunir los requisitos de trabajo de ABAWD.

Si usted pierde su elegibilidad para beneficios de SNAP tras no cumplir los requisitos de trabajo de ABAWD, puede restablecer su elegibilidad mediante cualquiera de los siguientes:

- Comprobante de que usted trabajará o participará en un programa de trabajo/capacitación durante por lo menos 80 horas dentro del período de 30 días posteriores a la fecha en que usted presentó solicitud de beneficios de SNAP;
- Comprobante de que usted ha trabajado o participado en un programa de trabajo/capacitación durante por lo menos 80 horas dentro de un período de 30 días consecutivos, desde la pérdida de su elegibilidad para beneficios de SNAP; o
- Búsqueda de trabajo por un mínimo de 12 horas durante el período de 30 días posteriores a la fecha de presentación de su solicitud de beneficios de SNAP. Tras realizar su búsqueda de trabajo de 30 días, usted debe cumplir una actividad de experiencia laboral brindada por la HRA en una organización sin fines de lucro durante un número de horas que equivalga a la cantidad de su concesión de SNAP, dividida por el superior entre el salario mínimo federal y el estatal.

Si usted ha restablecido su elegibilidad, tendrá que cumplir los requisitos de trabajo de ABAWD para continuar recibiendo beneficios de SNAP.

No obstante, si usted ha restablecido su elegibilidad tras cumplir los requisitos de ABAWD y posteriormente pierde un trabajo o una asignación del programa de trabajo, puede ser elegible para recibir beneficios de SNAP, durante un período de gracia de tres meses consecutivos, a partir del primer mes en que usted no cumplió los requisitos de ABAWD, tras restablecer elegibilidad para beneficios de SNAP.

Si usted actualmente recibe beneficios de SNAP, sin haber cumplido los requisitos de SNAP por tres meses a partir de enero del 2016, pero puede comprobar que reunirá los requisitos de trabajo de ABAWD durante el próximo mes, usted seguirá recibiendo beneficios de SNAP, siempre que cumpla los requisitos de trabajo de ABAWD.

Favor de comunicarse con su Centro de Trabajo o Centro de SNAP, si usted cree que está exento(a) de los requisitos de ABAWD por:

- tener menos de 18 o 50 años de edad o más;
- residir en un hogar de SNAP con una persona menor de 18 años de edad;
- cuidar a personas discapacitadas;
- estar embarazada;
- ser física o mentalmente inapto(a) para trabajar 80 horas mensuales;
- participar en un programa de tratamiento o de rehabilitación para drogadicción/alcoholismo y ser considerado(a) inapto(a) para trabajar;
- recibir Beneficios de Seguro de Desempleo (UIB) o solicitar compensación de desempleo y estar obligado(a) a inscribirse en el trabajo como parte del trámite de solicitud;
- ser estudiante inscrito(a) a por lo menos medio tiempo en cualquier escuela, programa de capacitación, o instituto de educación superior reconocidos, siempre que usted haya reunido los requisitos estudiantiles de elegibilidad para SNAP;
- solicita SSI (Ingreso Suplementario de Seguridad) y SNAP, conforme a las disposiciones de tramitación conjunta hasta que se llegue a una determinación de SSI; o
- estar empleado(a) o trabajar por cuenta propia por un mínimo de 30 horas a la semana o percibir ganancias semanales que equivalgan por lo menos al salario mínimo federal multiplicado por 30.



Date: _____

Case Number: _____

Center: _____

Name: _____

Notice of Need to Reestablish Able-Bodied Adult Without Dependents (ABAWD) Eligibility

The Human Resources Administration (HRA) has determined that you are an Able-Bodied Adult Without Dependents (ABAWD) because you are subject to the Supplemental Nutrition Assistance Program (SNAP) work rules and you are:

- 18 years of age or older but under 50 years of age;
- Not pregnant;
- Not residing in a SNAP household that contains a child under 18 years of age; and
- Physically and mentally able to work for at least 80 hours per month

As an ABAWD, in order to be eligible to receive SNAP benefits for more than three months in a 36 month period, you are required to:

- Work (including in-kind work and volunteer work) for at least 80 hours a month;
- Participate in a work/training program approved by HRA for at least 80 hours a month;
- Work and participate in HRA approved work/training programs for a combined total of at least 80 hours per month; or
- Comply with an activity offered by HRA at a not-for-profit organization for the number of hours equal to your SNAP grant divided by the higher of the federal or state minimum wage.

HRA has also determined that you have already received at least three months of SNAP benefits in the 36 month period from January 2016 through December 2018 while not complying with any of the above requirements. You are currently ineligible to receive SNAP benefits unless you reestablish eligibility under the ABAWD eligibility rules. You may reestablish eligibility by:

- Verifying that you will work or participate in a work/training program for at least 80 hours within the 30 day period following the date you filed your SNAP application;
- Verifying that you have worked or participated in a work/training program for at least 80 hours within a consecutive 30 day period since losing your eligibility for SNAP benefits;
- Performing job search for a minimum of 12 hours in the 30 day period following the date you applied for SNAP benefits. The 30 day job search period must be followed by compliance with an activity offered by HRA at a not-for-profit organization for the number of hours equal to your SNAP grant divided by the higher of the federal or state minimum wage;
- Documenting that you are exempt from the ABAWD requirements; or
- Residing in a waived area.

If you are reestablishing SNAP eligibility by performing job search for a minimum of 12 hours in the 30 day period following the date you filed your SNAP application, please use the Declaration of Job Search Activities (FIA-1021b) to record your job search activities.

Fecha: _____

Número del Caso: _____

Centro: _____

Nombre: _____

Aviso de la Necesidad de Restablecer la Elegibilidad del Adulto Sano Sin Dependientes (ABAWD)

La Administración de Recursos Humanos (HRA) ha determinado que usted es Adulto Sano Sin Dependientes (ABAWD) por estar sujeto(a) a las reglas de trabajo del Programa de Asistencia de Nutrición Suplementaria (SNAP), y además usted:

- tiene 18 años de edad o más, pero tiene menos de 50 años de edad;
- no está embarazada;
- no reside en un hogar de SNAP que conste de un niño menor de 18 años de edad; y
- es apto(a) física y mentalmente para trabajar por lo menos 80 horas al mes.

Como ABAWD, a fin de reunir los requisitos para recibir beneficios de SNAP por más de tres meses durante un período de 36 meses, usted debe:

- trabajar (incluido trabajo en especie y de voluntario) por lo menos 80 horas al mes;
- participar en un programa de trabajo/capacitación aprobado por la HRA por lo menos 80 horas al mes;
- trabajar y participar en programas de empleo/capacitación aprobados por la HRA por un total combinado de por lo menos 80 horas al mes; o
- cumplir una actividad brindada por la HRA en una organización sin fines de lucro por el número de horas que equivalga a su asignación de SNAP dividida por el superior entre el salario mínimo federal y el estatal.

Además, la HRA ha determinado que usted ya ha recibido por lo menos tres meses de beneficios de SNAP durante el período de 36 meses desde enero del 2016 hasta diciembre del 2018, y durante el cual usted no cumplía ninguno de los requisitos antemencionados. Actualmente, usted es inelegible para recibir beneficios de SNAP, a menos que restablezca elegibilidad conforme a las reglas de elegibilidad de ABAWD. Usted puede reestablecer la elegibilidad al:

- confirmar que trabajará o participará en un programa de trabajo/capacitación por lo menos 80 horas dentro del período de 30 días a partir de la fecha en que usted presentó solicitud de SNAP;
- confirmar que ha trabajado o ha participado en un programa de trabajo/capacitación por lo menos 80 horas dentro de un período de 30 días consecutivos, tras haber perdido la elegibilidad para beneficios de SNAP;
- realizar búsqueda de trabajo por un mínimo de 12 horas durante el período de 30 días a partir de la fecha en que usted presentó solicitud de beneficios de SNAP. Tras el período de 30 días de búsqueda de trabajo, usted debe cumplir una actividad brindada por la HRA en una organización sin fines de lucro por el número de horas que equivalga a su asignación de SNAP dividida por el superior entre el salario mínimo federal y el estatal;
- documentar que usted está exento(a) de los requisitos de ABAWD; o
- residir en una zona dispensada.

Si usted está restableciendo su elegibilidad para SNAP al realizar una búsqueda de trabajo por un mínimo de 12 horas durante el período de 30 días tras la fecha en que usted presentó solicitud de SNAP, favor de utilizar la Declaración de Actividades de Búsqueda de Trabajo (**FIA-1021b [S]**) para anotar dichas actividades.

Date: _____
 Case Number: _____
 Center: _____
 Name: _____

Declaration of Job Search Activities

In order to reestablish eligibility for Supplemental Nutrition Assistance Program (SNAP) benefits under the Able-Bodied Adult Without Dependents (ABAWD) eligibility rules, you may perform job search for a minimum of 12 hours in the 30 day period following the filing of your SNAP application. Please use the log below to record your job search activity. To reestablish SNAP eligibility by performing job search, you must complete, sign, and return this form as soon as you have performed a minimum of 12 hours of job search, but no later than: _____.

Note: Use this form only if you are unable to reestablish SNAP eligibility by verifying that you will either work for at least 80 hours within the 30 day period following the date you filed your SNAP application or that you have worked for at least 80 hours within a consecutive 30 day period since losing your eligibility for SNAP benefits.

Date of Contact	Name and Address of Employer	Person Contacted (if applicable)	Telephone number/ e-mail / website (as applicable)	Time spent on contact*

*Include time spent searching for employment on websites, databases, and help wanted ads and any travel time spent for job interviews.

In signing this Declaration of Job Search Activities, I certify that the above information is correct. I understand that if I am unable to find employment during the 30 day job search period, and I am determined otherwise eligible for SNAP benefits, I will be required to comply with an activity offered by HRA at a not-for-profit organization for the number of hours equal to my SNAP grant divided by the minimum wage in the following month in order to maintain my eligibility to receive SNAP benefits.

 Applicant signature _____
 Date

Fecha: _____
 Número de Caso: _____
 Centro: _____
 Nombre: _____

Declaración de Actividades de Búsqueda de Trabajo

Para restablecer elegibilidad para beneficios del Programa de Asistencia de Nutrición Suplementaria (SNAP) conforme a las reglas de elegibilidad para Adultos Sanos sin Dependientes (ABAWD), usted puede llevar a cabo su búsqueda de trabajo por un mínimo de 12 horas en el período de 30 días tras presentar la solicitud de SNAP. Favor de utilizar el registro a continuación para anotar sus actividades de búsqueda de trabajo. Para restablecer elegibilidad de SNAP al realizar una búsqueda de trabajo, usted debe llenar, firmar, y devolver este formulario tan pronto que haya realizado un mínimo de 12 horas de búsqueda de trabajo, pero no más tardar del: _____.

Aviso: Use este formulario sólo si no puede restablecer elegibilidad para SNAP al comprobar que trabajará un mínimo de 80 horas durante el período de 30 días tras la fecha de presentar solicitud para SNAP, o que ha trabajado un mínimo de 80 horas durante un período consecutivo de 30 días tras perder su elegibilidad para beneficios de SNAP.

SAMPLE

Fecha de Contacto	Nombre y Dirección del Empleador	Persona Contactada (si corresponde)	Número telefónico/ email / sitio Web (si corresponde)	Tiempo pasado con el contacto*

*Incluya el tiempo pasado en búsqueda de trabajo por Internet, en base de datos, y por anuncios de trabajo, al igual que todo tiempo de transporte para entrevistas de trabajo.

Al firmar esta Declaración de Actividades de Búsqueda de Trabajo, yo certifico que la información más arriba es correcta. Entiendo que si no puedo conseguir empleo durante el período de 30 días de búsqueda de trabajo, y que por lo demás se me determina elegible para beneficios de SNAP, el mes siguiente para mantener mi elegibilidad para beneficios de SNAP, tendré que cumplir una actividad ofrecida por la HRA en una organización sin fines de lucro, por el número de horas igual a mi concesión de SNAP dividida por el salario mínimo.

 Firma del Solicitante

 Fecha

Date: _____
Case Number: _____
Participant Name: _____
Center: _____

Offer of a Work Activity to an Able-Bodied Adult Without Dependents (ABAWD)

We are sorry to inform you that the federal government has told New York that we must implement a rule that if you cannot find work, you can no longer receive Supplemental Nutrition Assistance Program (SNAP) benefits (formerly known as food stamps), without participating in some work or work-related activity. This is because you are able to work and do not have dependents, a category formally known as Able-Bodied Adult Without Dependents (ABAWD).

In order for you to receive SNAP benefits for more than three months in a 36-month period, you must meet one of the following ABAWD requirements:

- Work (including in-kind and volunteer work) for at least 80 hours per month; or
- Participate in a work/training program approved by the Human Resources Administration (HRA) for at least 80 hours per month; or
- Work and participate in HRA approved work/training programs for a combined total of at least 80 hours per month; or
- Comply with a voluntary activity offered by HRA at a not-for-profit organization for the number of hours equal to your SNAP grant divided by the higher of the federal or state minimum wage.

According to our records, you are not currently working or participating in an approved work/training program for at least 80 hours per month. Therefore we are making a qualifying work activity available to you that will enable you to meet the ABAWD work requirements. We have scheduled the following appointment for you with an employment vendor.

Appointment Date: _____ Time: _____ Telephone: _____

Vendor Name: _____

Vendor Address: _____

City: _____ State: _____ Zip Code: _____

For travel information, please call the New York City Transit Authority at **(718) 330-1234** or **511**.

If you are unable to keep the appointment, please contact us at the above number before your reporting time to arrange for a new appointment.

If you have a physical, mental health or learning problem that makes it difficult for you to get to this location, please call us at the number above.

In addition to offering you a qualifying work activity, HRA is offering you the opportunity to voluntarily meet with an employment vendor who will assess your employment needs and provide the training and job search activities that will assist you in obtaining gainful employment.

If you believe that you are exempt from the ABAWD work requirements (see below for exemptions), please bring documentation of your exemption to your appointment.

FAILURE TO MEET THE ABAWD WORK REQUIREMENTS WITHOUT GOOD CAUSE FOR MORE THAN THREE MONTHS IN THE LAST 36 MONTHS WILL RESULT IN THE REDUCTION OR TERMINATION OF YOUR SNAP BENEFITS.

You are exempt from the ABAWD work requirements if you are:

- Under 18 years of age or 50 years of age or older; or
- Residing in a SNAP household with an individual under 18 years of age; or
- A caretaker of an incapacitated person; or
- Pregnant; or
- Physically or mentally unable to work for at least 80 hours per month; or
- Participating in a drug/alcohol treatment or rehabilitation program and deemed unable to work; or
- A recipient of Unemployment Insurance Benefits (UIB); or
- A student enrolled at least half-time in any recognized school, training program, or institution of higher education, provided you have met the student eligibility criteria for SNAP; or
- An applicant for Supplemental Security Income (SSI) and SNAP, under the joint processing provisions until an SSI determination is made; or
- Employed or self-employed and working a minimum of 30 hours per week or receiving weekly earnings at least equal to the federal minimum wage times 30.

Fecha: _____
Número del Caso: _____
Nombre del Participante: _____
Centro: _____

Oferta de Actividad de Trabajo para Adulto Sano Sin Dependientes (ABAWD)

Nos disculpamos por informarle que el gobierno federal ha ordenado al estado de Nueva York que nosotros implementemos una regla que establece que si usted no puede encontrar trabajo, ya no puede recibir beneficios del Programa de Asistencia de Nutrición Suplementaria (SNAP) (anteriormente conocido como cupones para alimentos), a menos que participe en algún trabajo o actividad relacionada con el trabajo. Esto se debe a que usted pertenece a una categoría oficialmente conocida como Adulto Sano sin Dependientes (ABAWD), ya que es apto(a) para trabajar y no cuenta con dependientes.

Para recibir beneficios de SNAP por más de tres meses durante un período de 36 meses, usted debe cumplir uno de los siguientes requisitos de ABAWD:

- Trabajar (incluido trabajo en especie y de voluntario) durante por lo menos 80 horas al mes; o
- Participar en un programa de trabajo/capacitación aprobado por la Administración de Recursos Humanos (HRA) durante por lo menos 80 horas al mes; o
- Trabajar y participar en programas aprobados por la HRA de trabajo/capacitación por un total combinado de por lo menos 80 horas al mes; o
- Cumplir una actividad voluntaria brindada por la HRA en una organización sin fines de lucro por el número de horas que equivalga a su subsidio de SNAP dividido por el superior entre el salario mínimo estatal y el federal.

Según nuestros archivos, actualmente usted no trabaja ni participa en un programa aprobado de trabajo/capacitación durante por lo menos 80 horas al mes. Por lo tanto, le estamos brindando una actividad de trabajo cualificadora que le permitirá reunir los requisitos de ABAWD. Le hemos programado la siguiente cita con un contratista de empleo:

Fecha de la Cita: _____ Hora: _____ Teléfono: _____

Nombre del Contratista: _____

Dirección del Contratista: _____

Ciudad: _____ Estado: _____ Código Postal: _____

Para indicaciones de viaje, favor de llamar a la New York City Transit Authority al **(718) 330-1234** o al **511**.

Si usted no puede cumplir esta cita, favor de comunicarse con nosotros al número más arriba antes de la hora de su cita para programar nueva cita.

Si usted tiene un problema físico, psiquiátrico, o de aprendizaje que le dificulte trasladarse a ese local, favor de llamarnos al número más arriba.

Además de brindarle una actividad de trabajo cualificadora, la HRA le está brindando la oportunidad de reunirse voluntariamente con un contratista de empleo quien evaluará sus necesidades de empleo y le brindará las actividades de capacitación y búsqueda de trabajo que le ayudarán a obtener trabajo remunerado.

Si usted cree que está exento(a) de los requisitos de trabajo (vea a continuación las exenciones), favor de traer a la cita la documentación pertinente consigo.

EL INCUMPLIMIENTO DE LOS REQUISITOS DE TRABAJO DE ABAWD SIN MOTIVO JUSTIFICADO POR MÁS DE TRES MESES DURANTE LOS ÚLTIMOS 36 MESES RESULTARÁ EN LA REDUCCIÓN O TERMINACIÓN DE SUS BENEFICIOS DE SNAP.

Usted está exento de los requisitos de ABAWD si:

- tiene menos de 18 años de edad, o tiene 50 años de edad o más; o
- es adulto en un hogar de SNAP con un niño menor de 18 años de edad; o
- cuida a una persona discapacitada; o
- está embarazada; o
- es física o mentalmente inapto(a) para trabajar por lo menos 80 horas al mes; o
- participa en un programa de tratamiento o rehabilitación de drogadicción/alcoholismo y se le considera inapto(a) para trabajar; o
- recibe Beneficios de Seguro de Desempleo (UIB); o
- está inscrito(a) a por lo menos medio tiempo en cualquier escuela, programa de capacitación o instituto de educación superior reconocidos, siempre que haya reunido los requisitos de elegibilidad para estudiantes; o
- solicita SSI (Ingreso Suplementario de Seguridad) y SNAP, conforme a las disposiciones de tramitación conjunta hasta que se llegue a una determinación de SSI; o
- está empleado(a) o trabaja por cuenta propia y trabaja un mínimo de 30 horas a la semana o recibe ingresos semanales que equivalgan por lo menos al salario mínimo federal multiplicado por 30.

SNAP Employability Code/ABAWD Determination

Client Name: _____ Case Name (if different): _____

Case #: _____ SSN: XXX-XX-____ Today's Date: _____

Worker Name: _____

**Instructions: Read down the Employability Status list. Select the first 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
Pregnant (within 30 days of medically verified date of delivery) - Exempt	24
Exemption claimed pending medical documentation - Exempt	70
Incapacitated/Disabled (In Receipt of SSI) - Exempt	44
In receipt of Social Security Disability Income (SSDI) - Exempt	54
Incapacitated/disabled SSI applicant OR 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
Regularly participating in an approved alcohol/substance abuse rehabilitation program and determined unable to work - Exempt	63
A person age 16 or 17 who is not the head of household OR 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 (<u>not</u> high school), job skills training or institution of higher education at least half-time (meets student eligibility requirements in 18 NYCRR387.1) - Exempt	72
Parent or Caretaker Relative of a child in the household under 12 months of age - Exempt	31
Responsible for the care of an incapacitated person full-time (the incapacitated person does NOT need to live in the household) - Exempt	38
A parent or household member who is responsible for care of a child under age 6 in the household – Exempt Note: The caretaker of a child under the age of 6 who is also receiving TANF funded assistance and fails to comply with a <u>work experience</u> assignment without good cause is subject to a SNAP sanction.	29
Employed or self-employed 30 or more hours per week OR 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 indicator 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
Substance abuser - Non-exempt	64
Responsible for the care of an incapacitated person part-time (the incapacitated person does NOT need to live in the household) - Non-exempt	40
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 indicator will vary.

The ABAWD indicator 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 OR 50 years of age or older	<input type="checkbox"/>
• Pregnant	<input type="checkbox"/>
• Unable to work in competitive employment at least 80 hours per month due to physical or mental limitation (medical statement or documentation 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; or
- "G" Grace Period, ABAWD who has reinstated SNAP eligibility but is in the 3 month grace period because they are not meeting ABAWD requirements.

Select ABAWD Indicator chosen: **A** **N** **X** **W** **G**