

Department of Public
Health and Human Services

SECTION:

PERFORMANCE STANDARDS

WoRC GUIDELINES MANUAL

SUBJECT:

Post Employment Program

GENERAL RULE:

Beginning July 1, 2008, households who are losing eligibility for TANF Cash Assistance due to the receipt of new or increased earned income of an individual receiving TANF, may be eligible for no more than three months of assistance under the TANF Cash Assistance Post-Employment Program.

The participant does not have to apply for the TANF Post-Employment Program. The OPA Eligibility Case Manager will automatically evaluate each TANF case closing due to earned income for Post-Employment eligibility and notify the participant if they qualify for “transition” to this program.

WORC CASE MANAGER RESPONSIBILITIES:

1. The WoRC Case Manager must share the information regarding the new or increased earned income with the OPA Eligibility Case Manager. If the income was reported using an Employment Verification form, a copy of the form must be given to the OPA Eligibility Case Manager by the close of business the following working day.
2. The WoRC Case Manager must thoroughly discuss the pros and cons of the Post-Employment Program with the participant, in anticipation of closure due to income. The discussion must include:
 - The availability of child care benefits through the Post-Employment Program. Child care benefits may be a benefit to households with children in need of child care but might not be an advantage to a household with older children;
 - The availability of supportive services through the Post-Employment Program;
 - The availability of and requirement to maintain monthly contact with the WoRC Case Manager for job retention services;
 - The time-limits of the program (3 months in a 12-month period);
 - The benefit structure of the program (gradually decreasing benefit amounts);
 - The fact that receipt of Post-Employment benefits will ‘tick’ months off the TANF time clock; and
 - A discussion on whether or not this is a good choice for the participant. If the job is temporary, maybe the participant using the time-limited benefit isn’t the best option for their household; are they using some of their last TANF months, etc.
3. The WoRC Case manager must update the employability plan (EP) for the participant

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based on the report of employment. Once the EP is updated and signed, the WoRC Case Manager must authorize the updated EP on the EMPS screen.

4. WoRC Case Manager needs to negotiate an EP by the 25th of the month or within 3 working days from the date of the A619 notice, whichever is later and let OPA case manager know when this has been completed.
5. If the following information is provided on the employment verification form, the WoRC Case Manager must use the prospected hours of employment both as negotiated and as reconciled hours of employment on the EP, unless changes are reported:
 - Signature of employer
 - Start date of employment
 - Anticipated hours of employment
 - Anticipated rate of pay

ELIGIBILITY/INELIGIBILITY CRITERIA:

The OPA Case Manager will notify WoRC if a participant is eligible or ineligible for the Post Employment program.

FIA/EP REQUIREMENTS:

All individuals who are required to negotiate, sign and agree to comply with a FIA/EP will be referred to WoRC or Tribal NEW for case management services while receiving benefits through the Post-Employment Program.

- **NOTE:** Ongoing TANF cases will not need to negotiate a new FIA as one is already in place. A new FIA may need to be negotiated under the circumstances when the case is up for re-determination or if the case is being transferred from Tribal NEW to WoRC

HOURS OF PARTICIPATION:

If the individual is referred to WoRC for case management services, the individual must participate in allowable work activities for the required participation hours.

If the individual is employed and their prospected employment hours meet the required

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participation hours, the prospected employment hours will be used for activity negotiation and reconciliation for all three (3) months. A copy of the Employer Verification form must be in the WoRC case file. The individual will not be required to provide verification of actual employment hours unless there is a change in the employment status such as hours reduced, loss of job, lay off, etc. If there is a change in employment, the employability plan needs to be renegotiated.

NOTE: Since the prospected employment hours can be used for all three months, it is recommended that WoRC have the participant sign an Employability Plan for all three months of Post Employment benefits. If changes need to be made to the EP due to decreased employment hours the participant should renegotiate their EP at that time.

NOTE: Accommodated hours are not allowed if a participant is in a Post Employment month. Full participation is required. If they are not meeting full hours, the Employability Plan needs to be renegotiated.

The individual is required to have contact with the WoRC Case Manager at least one time during the month.

There are 3 different scenarios for a WoRC Referral (see below):

1. Individual is employed for the required participation hours:

- The prospected employment hours will be used both as negotiated activities and as reconciled activities for all three (3) months of Post-Employment benefits; provided no changes are reported.
- The individual will not be required to provide verification of actual hours worked as the prospected employment verification is sufficient documentation for reconciling activity hours;
- The individual is required to have contact with their WoRC Case Manager at least once per month.

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The contact may be by phone or in person. The WoRC Case Manager will be responsible to ensure that the contact **is convenient for the participant** and does not hinder their ability to maintain employment. The intent of the contact is to provide job retention and employment assistance as well as support for continued employment.

For instance, the conversation may focus on their progress in their employment; concerns or issues they may be having with co-workers and/or supervisors; back-up plans for child care and/or transportation issues; etc.

Examples of acceptable contact may be:

- Contact to employer with permission and signed release by participant
- Phone call
- Email
- Faxed statement about their employment
- Visit to the job site with the participant's permission
- Lunch hour visits
- Meeting with the participant prior to 8:00 am and/or after 5:00 pm.
- Mailing a note or list of questions to participant with a stamped envelope for follow up and return

2. Individual is employed but employment hours do not meet required participation hours:

- The individual is required to negotiate other allowable work activities to meet full participation requirements.
- The individual is subject to the regular case management requirements, e.g., weekly case management meetings; verification and documentation of allowable work activities, etc.

3. Individual is not employed:

- The individual is required to negotiate allowable work activities to meet full participation requirements;
- The individual is subject to the regular case management requirements, e.g.,

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weekly case management meetings; verification and documentation of allowable work activities, etc.

Example: Joe and Susie are eligible to receive Post-Employment benefits as a two-parent household. Joe is employed 35 hours per week. Joe has provided a signed employer statement verifying his anticipated hours of employment, his rate of pay and the start date of his employment. Susie is not employed.

Joe's hours of employment fulfill his required participation hours (33 per week) and his EP shows EMP of 35 hours per week. Susie is required to negotiate allowable work activities for the required participation hours.

Joe is required to contact his WoRC Case Manager at least once during each month of Post-Employment benefits. Susie is required to complete weekly case management meetings with her WoRC Case Manager and provide verification/documentation of her participation in the negotiated activities.

NON-COMPLIANCE OR LOSS OF EMPLOYMENT:

Failure by any individual in the Post-Employment household to comply with negotiated allowable work activities, provide verification/documentation of allowable work activities and/or maintain employment without good cause will result in case closure.

NOTE: Individuals receiving benefits in the Post-Employment Program are not subject to sanction.

The household may request to transition back to "regular" TANF cash assistance and may be found eligible, provided they meet all eligibility criteria for the program.

NOTE: The eligibility date to receive "regular" TANF cash assistance is the first of the following month. The household may not receive Post-Employment benefits and

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“regular” TANF in the same month.

If the household requests to transition back to “regular” TANF cash assistance before the effective date of closure, the household would not need to reapply for TANF cash assistance.

If the effective date of closure has passed, the household would be required to apply for “regular” TANF cash assistance.

TIME-LIMITED BENEFITS:

Benefits through the Post-Employment Program are limited to a maximum of three (3) consecutive months of assistance in a 12-month period. If the household loses eligibility for the Post-Employment Program for any reason and/or chooses to close their Post-Employment case, the “unused” months of eligibility are forfeited. The household would not be eligible to receive Post-Employment benefits again until the 12-month time frame has passed **AND** they met all eligibility criteria.

Example: Bob receives Post-Employment benefits in September and October 2008. He then moves out of state and closes his TANF case. Bob forfeits his 3rd month of Post-Employment benefits and would not be eligible again for the Post-Employment Program until September 2009, provided he meets all other eligibility criteria for the program.

PAYMENT STANDARDS:

The amount of assistance provided to a household who is receiving Post-Employment benefits is a set amount, **not** dependent on household size. The amount of assistance gradually declines over the three month period as outlined below:

1st month = \$375
2nd month = \$275
3rd month = \$175

The amount of assistance may be decreased based on countable unearned income and/or recovery of previous overpayments. (See TANF 603-1)

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TIMECLOCK:

Each month an adult, teen parent living independently or a minor parent, who is not eligible for an exemption or exclusion receives assistance through the TANF Post-Employment program will count toward the 60-month time limit.

If the household reaches the 60-month time limit during their 3-month eligibility for the TANF Post-Employment program, they lose eligibility for the program. Any remaining months of Post-Employment eligibility are forfeited.

CHILD CARE:

Households receiving TANF Post-Employment benefits are considered TANF households and are eligible for TANF child care benefits. TANF child care is available to participants engaged in approved FIA/EP allowable work activities with a demonstrated need for child care assistance.

SUPPORTIVE SERVICES:

Work-eligible individuals receiving TANF Post-Employment benefits are eligible for supportive service funds to assist in payment of expenses related to participation in allowable work activities.

CHILD SUPPORT SUPPLEMENTAL PAYMENT:

Households receiving TANF Post-Employment benefits are eligible to receive the child support supplemental payment. (TANF 306-3)

CHILD SUPPORT COLLECTION:

If the amount of child support collected exceeds the Post-Employment benefit amount for 2 consecutive months, as long as the household is receiving Post-Employment benefits, the Post-Employment case remains open. This is an exception to the policy outlined in TANF 306-3.