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Subject: RE: Follow-up on ABAWDs and Work Requirements

To press shop for review:

1 - So, what were the activities that SC allowed that federal law doesn't?

Under the waiver, South Carolina allowed ABAWDs to participate in Job Search to meet the 20-hour requirement. Under federal law and without the waiver, ABAWDs must combine Job Search with another activity (such as Basic Education, GED preparation, or Vocational Education) to meet the 20-hour requirement. It makes little sense for an ABAWD to continue an unsuccessful and frustrating job search in the same job market each week for months or years if the ABAWD lacks employable education and skills for the available jobs in the area. Instead, DSS and its partners hope that by assisting ABAWDs in obtaining additional education, training, and skills they will qualify for a broader range of jobs and will ultimately be more successful in finding gainful employment. Through the new partnership with DSS and DEW, trainers will be keenly aware of each particular job market, and will assist ABAWDs in receiving the most relevant training for the available jobs. Even if an ABAWD is unsuccessful in finding a job (for whatever reason, including lack of jobs in the area), however, he/she will continue to qualify for benefits provided that he/she continues to search for a job and hone his/her skills through an employment and training program. DSS will further assist ABAWDs by providing transportation, where necessary, in order to comply with the 20-hour requirement.

2 - What does it mean, in simple terms, that compliance wasn't strictly enforced before the waiver ended? Does that mean they were given second and third chances? That their food benefits were reduced instead of taken away?... Or that no one really checked to see if they were working?

Without the Waiver – Beginning April 1, 2016

Under federal law, ABAWDs are only allowed to receive SNAP benefits for 3 out of 36 months if they are not working or participating in an employment and training program for 20 hours a week. Once an ABAWD exceeds the three month "exempt period," he/she can no longer receive SNAP benefits for the remainder of the 36 month period unless he/she begins to work or participate in an employment and training program. Upon verification of compliance with the 20 hour a week requirement for a 30 day period, the ABAWD will once again qualify for benefits. DSS will verify compliance every month for the 36 month period while receiving or seeking to receive benefits.

With the Waiver – Prior to April 1, 2016

Under the waiver, South Carolina was not required to enforce the "3 out of 36 month rule." Instead, DSS established its own unique, but similar, work requirement policy. ABAWDs were only allowed to receive SNAP benefits if they were working or participating in South Carolina's SNAP Employment and Training program for 20 hours a week. If they did not comply, the department used progressive sanctions (they lost their SNAP benefit for either 30, 60, or 180 days, depending upon how many times they had already been sanctioned). To avoid the sanction period, however, clients were offered an opportunity to demonstrate good cause for not meeting the program requirements. And, ABAWDs were allowed to reapply and receive benefits following the sanction period until DSS determined again that the ABAWD was out of compliance. DSS only verified compliance 3 months out of each 12 month period while receiving benefits.

3 - Now that the waiver has ended, how does DSS verify that someone's fulfilling the work requirements?

It depends on how an ABAWD chooses to meet the work requirements. If they are employed, a pay stub or a letter from the employer is acceptable; if an ABAWD is volunteering, verification generally comes through a time sheet from the site; and if they are working in exchange for goods or services, the person for whom the ABAWD is working may submit a statement (e.g., a statement from the landlord that the ABAWD is working in lieu of rent). For work programs, DSS accepts documentation from the appropriate worker at the program, such as copies of participation

logs, statements, etc. The department is attempting to remain flexible with employers and other organizations, so there is no specific form that must be completed to verify participation.

4- I'm a little confused about the reference to 2017 in the last paragraph? The waiver officially ended on March 31, 2016?

The current Labor Surplus Areas (LSA) list, published by the U.S. Department of Labor, is effective through September 30, 2016. In order to determine whether South Carolina would be eligible for a waiver next year (2017), we would need to wait until the 2017 LSA list is published.