
**DEPARTMENT
PHILOSOPHY**

Department of Human Services (DHS) has a unique opportunity to assist families in becoming strong, viable, participative members of the community. By involving the adult members of the household in employment-related activities, we help restore self-confidence and a sense of self-worth. These are cornerstones to building strong, self-reliant families.

The goal of the Food Assistance Program is to ensure sound nutrition among children and adults. In addition, the goal of our employment-related policies for FAP households is to assist applicants and recipients toward self-sufficiency by providing them with opportunities to pursue employment and/or education and training.

**DEPARTMENT
POLICY**

Use this item to determine work-related activities and deferrals for FAP clients.

Also use this item when FIP or RAP closes for any reason other than a penalty or disqualification.

The items listed below must be used when FIP or RAP closes due to noncompliance and a penalty or disqualification is imposed.

If the noncompliant client:

- Received FIP and FAP on the date of noncompliance, see [PEM 233B](#).
- Received RAP and FAP on the date of noncompliance, see [PEM 233C](#).
- Did not receive FIP or RAP on the date of noncompliance, see [PEM 233B](#).

See PEM 620 for more specific work requirements that apply to Time Limited Food Assistance (TLFA) Program recipients.

Note: Michigan is temporarily covered by a waiver that eliminates the policies in PEM 620 until further notice. PEM 620 is not available for TLFA recipients at this time.

PEM 620, Time-Limited FAP, is only available historically in the DHS Online Manuals. The last version, effective 10/01/2003, may be accessed by entering an effective date of 03/01/2004 in the Open/Jump/Search panel.

**WORK
REQUIREMENTS**

Non-deferred adult members of FAP households must comply with certain work-related requirements in order to receive food assistance.

However, unlike cash benefits, which are tied to participation in the Jobs, Education and Training (JET) program, there are **no hourly work participation requirements** for FAP. In order to receive FAP benefits, non-deferred adults must comply with the following work requirements:

Non-deferred adults who are already working may **not**:

- Voluntarily quit a job of 30 hours or more per week without good cause, or
- Voluntarily reduce hours of employment below 30 hours per week without good cause, or
- Be fired from a job for misconduct or absenteeism (i.e. not for incompetence).

Note: If the job quit, reduction in hours or firing occurred more than 30 days prior to the application date, no penalty applies.

Non-deferred adults who are **not** working or are working less than 30 hours per week must:

- Accept a bona-fide offer of employment
- Participate in activities required to receive Unemployment Compensation (UC) if the client has applied for or is receiving UC.

Note: If a client is an applicant or recipient of UC, they must follow through with the UC program's procedures and requirements. This work requirement does not apply to a client who is clearly not eligible for UC. Do not require a client to apply for UC in order to receive FAP.

Disqualify FAP clients for noncompliance if:

- The applicant or recipient is not deferred (see deferrals in this item), **and**
- The applicant or recipient is noncompliant with one of the FAP work requirements listed above.

In order to provide all FAP adults with the opportunity to pursue employment and/or education and training that will lead to self-sufficiency, you may encourage FAP applicants and recipients to pursue employment services such as Job Search, employment counseling, education and training, etc.

Workforce Investment Act (WIA) services may be available to **all** adults in FAP households. Other programs, such as the Non-Cash Recipient program may be available to employed, underemployed, or recently employed adults residing in a household with a child under 18. Every

local Michigan Works! Agency throughout Michigan operates both of these programs and may provide additional employment and training services. However, local variations, restrictions and/or policies may apply. Check with your local Michigan Works! Agency to determine what employment and education/training services are available in your area.

You may **not** disqualify FAP applicants or recipients for failing to comply with WIA services or any other employment and training component you suggest.

Determine each group member's participation requirement at:

- Application,
- Redetermination, and
- Change in circumstance that might affect the person's participation requirement (See PAM 105 for changes in circumstances that are required to be reported for the FAP).

INFORMING CLIENTS

Explain all of the following to FAP clients:

- FAP work requirements.
- Rights and responsibilities of non-deferred adults in FAP households.
- Consequences of their failure to comply.
- Right of deferred persons to participate.
- Reporting requirements.
- What constitutes good cause for noncompliance. See [PEM 233B](#), **Failure to Meet Employment Requirements: FAP**.

DEFERRALS

Clients meeting one of the criteria below are temporarily deferred from employment-related activities.

Age

Defer a person who is:

- Under age 16 or at least age 60; **or**
- A16- or 17-year old who is **not** the grantee; **or**
- A grantee age 16 or 17 who
 - Lives with a parent or person in that role, **or**
 - Attends school at least **half time**, **or**
 - Is enrolled in an employment/training program at least **half time**.

See [PEM 240](#) and [PEM 245](#) for verification requirements.

Care of a Child	Defer one person who personally provides care for a child under age 6 who is in the FAP group.
Care of Disabled Household Member	<p>Defer one person who personally provides care for a disabled member of his/her own FAP group.</p> <p>To verify, use a statement from an MD/DO that the client's presence is needed to assist the household member with minimum daily activities of living.</p>
Disability	<p>Defer persons incapacitated due to injury, physical illness or mental illness.</p> <p>Verify a reason for deferral only if it is not obvious and the information provided is questionable (i.e., unclear, inconsistent or incomplete).</p> <p>Sources that may be used to verify questionable information are:</p> <ul style="list-style-type: none">• SSI/RSDI/MA approval or receipt based on disability or blindness. For SSI and RSDI, use one of the sources referenced in FIP policy, Care of Disabled Spouse or Disabled Child in PEM 230A.• An evaluation signed by a fully licensed psychologist that the client has an IQ of 59 or less.• Statement from an MD/DO that the person is unable to work. Any medical evidence submitted by a Physician's Assistant must be cosigned by an MD/DO.• The DHS-54A, Medical Needs; DHS-49, Medical Examination Report; DHS-49-D, Psychiatric/Psychological Examination Report; or another written statement is acceptable.
Education	<p>A student enrolled at least half time in any recognized school, training program or institution of higher education meets the employment-related activities requirement. This includes persons attending school for GED or adult high school completion.</p> <p>A person enrolled in a post-secondary education program may be in student status, as defined in PEM 245, STUDENT STATUS. A person in student status must meet certain criteria in order to be eligible for FAP benefits. One way a person in student status may be eligible for FAP benefits is if the post-secondary education plan is an approved employment-related activity.</p> <p>The post-secondary education plan is an approved employment-related activity if, in the judgment of local office DHS staff, it enhances the client's employability. Staff can approve an education plan by completing an DHS-4749, Non-Cash Assistance Support Service Request. Use this form to do any of the following:</p>

- Approve the client's education plan to meet eligible student status based on participation in an employment-related activity.
- Authorize up to \$50 per month for transportation, tools and clothing using PEM 232, [Direct Support Services](#) (DSS). Coordinate these payments with the MWA to be sure there is no duplication of services.
- Authorize Child Development and Care (CDC) for client to participate in the approved education/training activity.

Note: See PEM 245 for verification sources of school enrollment and attendance.

Employment

Persons employed, self-employed or in work study an average of 30 hours or more per week over the benefit period **or** earning on average the federal minimum wage times 30 hours per week are **not** required to participate in any further employment-related activities. This includes migrant or seasonal farm workers with an employer or crew chief contract/agreement to begin work within 30 days.

See [VERIFICATION SOURCES](#) in PEM 500 to verify income.

Pregnancy

Defer pregnant women, beginning the **seventh** month of pregnancy **or** earlier if a pregnancy complication is medically documented.

Confirmation by an MD, DO, certified nurse-midwife, ob-gyn nurse practitioner or ob-gyn clinical nurse specialist which **must** include an expected date of delivery.

The DHS-49, Medical Examination Report; DHS-54A, Medical Needs; or another written statement is acceptable.

Document verification of pregnancy on the ASSIST Pregnancy Post Partum (PREGPP) Screen.

SSI/FAP Applicants

SSI-FAP Applicant: Defer applicants who apply for **both** SSI and FAP through the Social Security Administration. The application for SSI and FAP must be made at the same time.

Substance Abuse Treatment Center Participant

Defer active participants in inpatient or outpatient programs for substance abuse treatment and rehabilitation. This does not include AA or NA group meetings. Navigate to the ETINFO screen and answer **Y** to the appropriate substance abuse question. ASSIST will send the **DR** employment code to CIMS. Employment code **IN** is not the appropriate code.

To verify use a verbal or written statement from the center.

**Unemployment
Compensation
(UC) Applicant or
Recipient**

Defer an applicant for or recipient of unemployment compensation (UC). This includes a person whose UC application denial is being appealed.

Use an DHS-32, UCB Claims Information Request to verify.

LEGAL BASE

FAP

Food Stamp Act of 1977, as amended
7CFR Parts 272 and 273
FNS Waiver 2040026