01 NA Work Requirements

The NA Work Requirements, the exemptions from the work requirements, and how NA work registration is completed are included in this section.

Policy

All NA participants age 16 to 59 who do not meet a work requirement exemption are Work Registrants(g). As a condition of eligibility for NA, work registrants required to comply with **all** of the following work requirements:

- Register for work with FAA for new and renewal applications once every 12 months.

- Continue employment without voluntarily quitting or reducing work hours below 30 hours per week.

- Accept a job offer paying average weekly earnings equal to or exceeding the federal minimum wage(g) times 30 hours.

- Not to be disqualified from receiving Unemployment Insurance.

- Provide information about employment status and availability to work.

During the interview, FAA registers the participants for work unless exempt from the NA work requirements. See NA Work Registration for more information about participants who are registered for work.

NA disqualifications are imposed when a work registrant fails to complete the NA work requirements. FAA reviews good cause with the participant before imposing an NA disqualification to determine whether a disqualification is needed. See Good Cause Reasons for examples of good cause reasons to quit a job, reduce work hours, or refuse a job.

FAA explains the NA work requirements and the exemptions when **any** of the following occurs:

- When conducting an NA interview, and at least one budgetary unit participant is a work registrant.

- When a change is reported that causes a participant to no longer be eligible for an NA work requirement exemption.

- When adding an NA participant age 16 to 59 to the budgetary unit.

When screening NA participants for work registration, FAA screens each participant to determine whether a referral to Supplemental Nutrition Assistance Program Career

Advancement Network (SNAP CAN) is appropriate. See SNAP CAN Screening and Referral for detailed information.

Quick Access Menu:

- NA Work Requirement Exemptions
- NA Work Registration
- NA Work Requirements Appeals Process

NA Work Requirement Exemptions

During the interview, FAA reviews the NA work requirement exemptions for NA participants age 16 to 59 to determine whether the participant is exempt. When a participant does not meet a work requirement exemption, the participant is a Work Registrant(g). For work registrant requirements, see NA Work Requirements.

A participant may qualify for more than one work requirement exemption. When this occurs, FAA applies the work requirement exemption reason that allows the participant the longest exemption period.

All participants screened for work requirement exemptions are also screened to determine whether a referral is appropriate for SNAP CAN.

When an NA participant is exempt or nonexempt, FAA determines whether a referral to SNAP CAN is appropriate for the participant. (See SNAP CAN Screening and Referral for more information.)

Exemptions from the NA work requirements include *all* of the following:

- Age
- Alcohol or Drug Treatment Program
- CA Jobs Program Participation
- Care of a Child Under Age Six
- Caretaker for an Incapacitated Person
- Employed
- Refugee
- Student
- Tribal
- Unemployment Insurance
- Unfit for Work

Age Exemption

A participant who meets *one* of the following is exempt from the NA work requirements:

- Under age 16

NOTE   A participant age 16 or 17 is exempt only when the participant is *any* of the following:

- Not the Primary Informant, head of household in the CA case.

- Attending school at least half-time, as designated by the school.

- Enrolled in an employment training program on at least a half-time basis.

- Age 60 or older

Alcohol or Drug Treatment Program Exemption

A participant who is either an inpatient or outpatient and participates in an alcohol or drug or treatment or rehabilitation program is exempt from NA work requirements and the Able Bodied Adult without Dependents (ABAWD) work requirement.

CA Jobs Program Participation Exemption

CA participants who are required to participate in the CA Jobs Program are exempt from the NA work requirements.

Care of a Child Under Age Six Exemption

A participant responsible for caring for a dependent child under the age of six is exempt from the NA work requirements.

Only one parent or budgetary unit participant can be exempt for this reason.

Care for an Incapacitated Person Exemption

A participant responsible for the care of an incapacitated person is exempt from the NA work requirements and the ABAWD work requirements.

The incapacitated person is not required to reside in the budgetary unit or the same living quarters.

Employed Exemption

A participant who meets *any* of the following employment criteria is exempt from the NA work requirements:

- Employed with averaged weekly earnings that equal or exceed an amount that is 30 hours multiplied by the [federal minimum wage(g).](#)

- Self-employed for a minimum average of 30 hours weekly. For self-employed participants to be exempt, when the participant works fewer than 30 hours weekly, the net self-employed weekly income needs to equal the federal minimum wage multiplied by 30 hours.

NOTE   Self-employment net income is the gross income minus the allowable costs of producing the income.

- Employed as a migrant or seasonal farm worker, *all* of the following apply:

    Is following the job stream

Is not living in the participant's home project area

Meets *one* of the following:

- Is working a minimum of 30 hours weekly
- Is under contract or agreement to begin employment within 30 calendar days

- Receiving in-kind income when work is done for 30 hours per week.

NOTE Do not include hours employed in voluntary work in which no wages, in-kind income, or in-kind benefits(g) are paid when determining the 30 hours per week.

FAA uses the employed NA work requirement exemption only when the participant does not qualify for any other exemption.

NOTE Participants meeting the employment exemption are subject disqualification due voluntarily quitting a job, reducing work hours without a good cause reason.

(For more information on meeting the required hours or income per week, see Example 1 and Example 2)

Refugee Exemption

A participant who meets *one* of the following criteria is exempt from NA work requirements and the ABAWD work requirement:

- Eligible for the Refugee Resettlement Program (RRP).
- Subject to the work or training programs provided by the RRP private sector providers or the Refugee Job Service.

The approved Refugee Job Service training programs include *all* of the following:

- English Speakers of Other Languages (ESOL)
- Vocational training
- Job training
- Community service
- Volunteer work experience

Student Exemption

A participant who meets *all* of the following criteria is exempt from NA work requirements and the ABAWD work requirement:

- Enrolled in any recognized school, including training programs or institutions of higher education(g).
- Attending at least half-time, as defined by the institution. See Adult Student Eligibility for NA to determine whether an NA participant who is a student is eligible.

Consider the participant exempt during normal periods of class attendance, vacation, and recess, until the participant meets *one* of the following:

- Graduates

- Is suspended

- Is expelled

- Drops out

- Expresses an intention not to register for the next normal school term (excluding summer sessions)

Tribal

A participant mandatory to participate in a CA Tribal Native Employment Works (NEW) Program or a Tribal TANF Employment Program is exempt from NA work requirements. FAA completes referrals as appropriate to the Tribal New and Tribal TANF Employment Program.

See Tribal TANF Assistance Programs for more information about the Tribal NEW Program and the Tribal TANF Employment Program.

Unemployment Insurance

A participant who meets *one* of the following criteria is exempt from NA work requirements and the ABAWD work requirement:

- Receiving Unemployment insurance (UI).

- Applied and is not yet receiving UI, when the participant is required to register for work with the Job Service office as part of the UI application process.

- Appealing a UI decision. Continued UI eligibility during the UI appeals process requires ongoing participation with the Job Service office.

Unfit for Work

A participant who has a mental or physical condition, and is incapable of engaging in gainful employment, is exempt from the NA work requirements. Unfit for work can include any temporary mental or physical condition that affects the ability to work, maintain employment, or restricts the range of employment opportunities.

NA Work Registration

FAA explains the NA work registration process and the NA requirement work exemptions when at least one member of the budgetary unit is a Work Registrant(g). FAA registers participants for work when *any* of the following occurs:

- During the interview, a participant is determined to be a work registrant.

- When a reported change causes an NA participant to no longer be eligible for a work requirement exemption.

- When adding a work registrant to an existing NA case.

FAA sends an NA work requirements notice at benefit approval for new or renewal applications and reported changes in *all* of the following circumstances:

- When at least one budgetary unit participant is a work registrant.

- When a work registrant is added to the budgetary unit.

- When an exempt participant becomes a work registrant.

The NA work requirements notice provides the NA work requirement information to the budgetary unit, which includes *all* of the following:

- Who in the budgetary unit is subject to the NA work requirements.

- The exemptions from the NA work requirements.

- How a participant can contact FAA to report a change in their circumstances.

- Periods of disqualification for failing to comply with the NA work requirements.

- When the participant is referred to Supplemental Nutrition Assistance Program Career Advancement Network (SNAP CAN), the notice also includes the contact information for SNAP CAN.

- How to request an appeal.

NA Work Requirements Appeals Process

Each budgetary unit has a right to an appeal when benefits are denied, reduced, or stopped due to failure or refusal to comply with the NA work requirements.

The budgetary unit can appeal FAA actions and has the right to examine their case file before the appeal date. When an appeal is scheduled, the Appellate Services Administration (ASA) provides sufficient advance notice.

See Right to an Appeal Hearing for all participants' rights to ask for a legal review of their NA or CA case when they disagree with a decision or action taken by FAA.

Procedures

NA Work Requirements

All NA participants aged 16 to 59 who do not meet a work requirement exemption are Work Registrants(g).

Register the participants for work during the interview unless exempt from the NA work requirements.

The NA Work Registration and SNAP CAN Script (FAA-1786A) form includes detailed information about the NA work requirements. Use the FAA-1786A to explain the NA Work Requirements at all interviews and when adding a nonexempt participant to a budgetary unit.

Use the FAA-1786A to explain the NA work requirements and review the exemptions when *any* of the following occur:

- When conducting an NA interview, and at least one budgetary unit member is a work registrant.

- When a change report causes a participant to no longer be eligible for a work requirement exemption, complete *all* of the following:

  Attempt to contact the participant to complete the SNAP CAN Screening and Referral.

  When the participant is unavailable for SNAP CAN Screening and Referral, do not pend benefits for SNAP CAN Screening and Referral

  Make any appropriate change on WORW.

- When adding an NA participant aged 16 to 59 to the budgetary unit.

NOTE   Explaining the NA Work Requirements is unnecessary when the entire budgetary unit is exempt.

When screening NA participants for NA work registration, also screen each participant to determine whether a referral to Supplemental Nutrition Assistance Program Career Advancement Network (SNAP CAN) is appropriate. (See SNAP CAN Screening and Referral for procedures on how to complete screening and referrals.)

NA Work Requirement Exemptions

During the interview, review the NA Work Requirement exemptions for all participants aged 16 to 59.

A participant may qualify for more than one work requirement exemption. When this occurs, apply the exemption reason that allows the participant the longest exemption period.

All participants screened for exemptions are also screened to determine whether a referral to Supplemental Nutrition Assistance Program Career Advancement Network (SNAP CAN) is appropriate.

When an NA participant states they would like to participate in SNAP CAN, determine whether it is appropriate to refer the participant to SNAP CAN. (See SNAP CAN Screening and Referral on how to complete screening and referrals.)

Verification

System interfaces and the case file(g) must be reviewed before verification is requested.

 No additional verification is needed when AZTECS interface or HEAplus hubs have verified any reason for unfit for work.

Unfit for work can be verified by the worker's observation. Thoroughly document the case file when using this option.

When age is questionable, see Date of Birth Verification for a list of documents FAA accepts as proof of age.

Rehabilitation officials can provide a written statement verifying treatment program participation. FAA can complete a collateral contact to the rehabilitation program to verify participation.

Verification for a caretaker of an incapacitated person includes a statement from a treatment provider(g) indicating the adult participant is needed as a full-time caretaker. Employment is verified when the participant verifies earned income for employment and self-employment. See Sources of Earned Income Verification for more information.

School attendance can be verified with *any* of the following sources when requested by FAA:

- Correspondence from the school

- Registration form

- School records or school official's statement

- Scholarship awards

For information about adult students and eligibility requirements, see Adult Student Eligibility for NA.

Verification of unfit for work and the extent of limitations and anticipated length of the condition or circumstances includes, and is not limited to, *all* of the following:

- Receipt of temporary or permanent disability benefits.

- VA disability benefits are required to be rated or paid as a total disability by the Veterans Administration (VA) to qualify.

- Observation by FAA. Thoroughly document the case file(g) when using this option.

- A written statement that supports the extent and anticipated length of the disability from a medical provider(g).

- A completed Verification of Disability (FAA-1249A) form.

- Participation in a sheltered workshop.

- Participation in Vocational Rehabilitation.

- Participation with Rehabilitation Service Administration (RSA).

AZTECS Procedures

NA Work Requirements

At *each* NA interview, complete *all* of the following:

- Determine which participants are included in the NA benefit (with the IN Participation Code on SEPA).

- Evaluate these participants to determine who is exempt from NA Work Requirements. (See Keying NA Work Requirement Exemptions for AZTECS keying instructions)

- Key the correct Work Requirement Exemption Code in the PAR/EXEM field on WORW for each NA participant with the IN Participation Coded on SEPA.

- Key Y in the REF Y/N field on WORW to make a referral to Supplemental Nutrition Assistance Program Career Advancement Network (SNAP CAN). (See SNAP CAN Screening and Referral on how to complete screening and referrals.)

Key the WR Work Registration Code in the PAR/EXM field on WORW for all non-exempt participants.

NOTE   The WR Work Registration Code indicates the participant is a work registrant.

To ensure the NA Work Requirements (X640) notice is sent, the WR Work Registration Code must be entered in the PAR/EXEM field on WORW.

NOTE   When the X640 notice is not sent, send the NA Work Requirements (F040) notice.

When a reported change results in a participant losing their NA Work Requirement exemption, complete *all* of the following:

- Determine whether the participant meets another Work Requirement Exemption.

- Update WORW with the new Work Requirement Exemption Code.

- Document the case file(g) with the new exemption.

- When the participant does not meet an exemption, register the participant for work.

Keying NA Work Requirement Exemptions

The following NA Work Requirement Exemptions Codes are keyed on WORW. Some NA work requirement exemptions are considered ABAWD exemptions and are keyed on WERE. See *each* for the following for AZTECS keying information:

- Age (WORW)

- Alcohol or Drug Treatment Program (WORW and WERE)

- CA Jobs Program Participation (WORW)

- Care of a Child Under Age six (WORW)

- Caretaker for an Incapacitated Person (WORW and WERE)

- Employed (WORW)

- Refugee (WORW and WERE)

- Student (WORW and WERE)

- Tribal (WORW and WERE)

- [Unemployment Insurance (WORW and WERE)](#)
- [Unfit for Work (WORW and WERE)](#)

Age Exemption

A participant who meets *one* of the following is exempt from the NA Work Requirements:

- Under age 16

  NOTE A participant age 16 or 17 is exempt only when the participant is *one* of the following:

  - Not the Primary Informant, head of household in a CA case.
  - Attending school at least half-time, as designated by the school.
  - Enrolled in an employment training program on at least a half-time basis.

- Age 60 or older

Key AG in the PAR/EXEM FS field on WORW.

See [ABAWD Exemptions](#) to apply the correct ABAWD exemption policy for age.

Alcohol or Drug Treatment Center Exemption

For the NA Work Requirements exemption, key DR in the PAR/EXEM FS field on WORW.

For the ABAWD exemption, key DR in the EXPT RSN FS field on WERE.

CA Jobs Program Participation Exemption

Participants participating in the CA Jobs Program are exempt from the NA Work Requirements.

When a participant meets this exemption, key WN in the PAR/EXEM field on WORW.

Care of a Child Under Age Six Exemption

A participant who is responsible for the care of a dependent child under the age of six is exempt from NA Work Requirements.

Key CH in the PAR/EXEM FS field on WORW.

Only one parent or adult budgetary unit participant can be exempt using this code.

See [ABAWD Exemptions](#) to apply the correct ABAWD exemption policy for residing with a minor dependent child.

Caretaker for an Incapacitated Person Exemption

A participant responsible for the care of an incapacitated person is exempt from NA Work Requirements and the ABAWD work requirement.

For the NA Work Requirement exemption, key NC in the PAR/EXEM FS field on WORW.

For the ABAWD exemption, key NC in the EXPT RSN FS field on WERE.

Employed Exemption

A participant who continues to be employed without voluntarily quitting or reducing work hours below 30 hours per week is exempt:

Key EM in the PAR/EXEM FS field on WORW.

For more information on meeting the required hours or income per week, see Example 1 and Example 2.

See Keying the WERE Screen for ABAWD Work Requirements to apply the correct ABAWD Employment Exemption Code.

Refugee Exemption

A participant who meets the refugee criteria is exempt from NA Work Requirements and the ABAWD work requirement:

For the NA Work Requirement exemption, key RF in the PAR/EXEM FS field on WORW.

For the ABAWD exemption, key RF in the EXPT RSN FS field on WERE.

See Refugee for policy about participants who are considered a Refugee.

Student Exemption

A participant who is an NA Eligible Student is exempt from NA Work Requirements and the ABAWD work requirement. See Adult Students Eligibility for NA for policy requirements when a participant is enrolled at least half-time in an institution of higher education(g).

For the NA Work Requirement exemption, key ST in the PAR/EXEM FS field on WORW.

For the ABAWD exemption, key ST in the EXPT RSN FS field on WERE.

Tribal Exemption

A participant who is mandatory to participate in a CA Tribal Native Employment Works (NEW) Program or a Tribal TANF Employment Program is exempt from the NA Work Requirements and the ABAWD work requirement.

For the NA Work Requirement exemption, key RT in the PAR/EXEM FS field on WORW.

For the ABAWD exemption, key RT in the EXPT RSN FS field on WERE.

Unemployment insurance (UI) Exemption

Participants who have applied for and are not yet receiving UI and are required to register for work with the Job Service office as part of the UI application process or are appealing a UI decision.

For the NA requirement work exemption, key UI in the PAR/EXEM FS field on WORW.

For the ABAWD exemption, key UI in the EXPT RSN FS field on WERE.

Unfit for Work Exemption

A participant who is mentally or physically unfit for work and incapable of engaging in gainful employment is exempt from the NA Work Requirements.

Key UF in the PAR/EXEM FS field on WORW.

Key UF in the EXPT RSN FS field on WERE.

When verification of unfit for work must be requested for regular and expedited NA applications, do not key the UF Exemption Reason Code until verification is received.

Thoroughly document the case file why written verification is requested.

Examples

1) The working hours of a participant may fluctuate weekly or be paid other than weekly. The weekly average hours needs to equal or exceed 30 hours.

   - Fluctuating Weekly Hours

     Week 1   20 hours

     Week 2   31 hours

     Week 3   40 hours

     Week 4   29 hours

     Total Hours 120

     Average Hours÷4 (weeks) = 30

   - Fluctuating Bi-weekly or Semi-monthly Hours

     Pay Period 1   50 hours

     Pay Period 2   *70 hours*

     Total Hours 120÷2 (pay periods) = 60

     Average Hours÷2 (weeks) = 30

2) The total gross weekly earnings or in-kind benefit(g) need to total the federal minimum wage multiplied by 30.

   - The weekly average income of participants may fluctuate weekly or be paid other than weekly. The weekly average hours needs to equal or exceed 30 hours.

     ($7.25 X 30 hrs. = $217.50)

     Week 1 $200

     Week 2 $190

     Week 3 $300

     Week 4 $180

     Total Wages $870

Average Wages÷4 (weeks) = $217.50

- Federal minimum bi-weekly or semi-monthly average:

  ($7.25 X 30 hrs. = $217.50 X 2 weeks = $435)

  Pay Period 1 $390

  Pay Period 2 $480

  Total Wages $870

  Average Wages÷2 (pay periods) = $435

  In-Kind Benefit calculated to a monthly amount:

  $7.25 X 30 hrs. = $217.50 X 4 weeks = $870

- A participant lives in a relative's home and works instead of paying rent and utilities by maintaining the yard, landscaping, and repairs to the home. The owner states the participant's rent is worth $750 a month, and utilities run around $120 per month. The total in-kind benefit is $870.

DBME Job Aid in SharePoint

NA Work Requirements – Job Aid

Legal Authorities

7 CFR 273.7

7CFR 273.7(b)(1)(iii)

7CFR 273.7(b)(1)(vi)

7CFR 273.7(b)(1)(viii)

7 CFR 273.7(b) & (c)

7 CFR 273.7(c)

7 CFR 273.7(c)(i)

7 CFR 273.7(c)(18)

7 CFR 273.7(d)(4)

7 CFR 273.24(c)(5)

ARS 41-1954(1)(b) and (3)

AAC R6-10-101 to 304

Prior Policy

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