

# Bulletin

February 22, 2007

Minnesota Department of Human Services □ P.O. Box 64941 □ St. Paul, MN 55164-0941

**OF INTEREST TO**

- County Directors
- Income Maintenance Supervisors and Staff
- Employment Services Providers
- Tribal Representatives

**ACTION/DUE DATE**

Please read.

**EXPIRATION DATE**

February 22, 2009

## How New TANF Regulations Affect MFIP- Questions and Answers

**TOPIC**

This bulletin provides answers to questions about the new Temporary Assistance to Needy Family (TANF) regulations affecting the Minnesota Family Investment Program (MFIP).

**PURPOSE**

To provide answers to questions about the new TANF regulations.

**CONTACT**

Submit questions related to implementing the new TANF regulations to: [Dhs.Tes.Dra@state.mn.us](mailto:Dhs.Tes.Dra@state.mn.us)

For questions on other income maintenance program policy:  
Local Agency Support Policy Center  
Minnesota Department of Human Services  
P.O. Box 64965  
St. Paul, Minnesota 55164-0965

**SIGNED**

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Children and Family Services Administration

## **Background**

The Deficit Reduction Act of 2005 authorized the federal Department of Health and Human Services Office of Family Assistance to develop new regulations for the Temporary Assistance for Needy Families (TANF) program. The new regulations affect the Minnesota Family Investment Program (MFIP). In October 2006, the Department of Human Services (DHS) issued Bulletin #06-11-02 entitled Deficit Reduction Act (DRA) Changes for MFIP outlining the policy for implementing the new TANF regulations.

Over the past few months DHS has collected questions from counties and employment service (ES) providers regarding the new regulations. Answers to these questions are contained in this bulletin.

## **Questions and Answers about the new TANF Regulations**

### **A. Job Search and Job Readiness Assistance Related Questions**

**1. Question:** Is it true that in order for job search to be countable in the 5th and 6th weeks, employment providers should not enter hours for a participant for more than four consecutive weeks? Does this mean that a participant needs an intervening activity before the last two “countable” weeks of job search and job readiness assistance can be used?

**Answer:** The federal rules will not allow states to count more than four consecutive weeks of job search toward the federal WPR. However, a participant is allowed to continue to job search without interruption if that is determined to be the most appropriate activity for that individual. If a participant continues to participate in job search for more than four consecutive weeks, the programming logic for our federal report will disregard the hours in the fifth consecutive week and the participant will need to be engaged in other countable activities for the required number of hours for that week to count toward the WPR. Following the automatic one week break, job search hours will be countable for two more weeks.

**2. Question:** Do we track hours if a participant is engaged in job search in a fifth (and 6th) consecutive week? If we do not track hours, there may be a problem with child care authorization.

**Answer:** Yes, if a participant is engaged in job search during the fifth consecutive week, hours need to be tracked. This should alleviate potential child care authorization problems.

**3. Question:** What is the minimum number of hours of job search and job readiness assistance that count against the six weeks of allowable job search and job readiness assistance?

**Answer:** Four hours. If a participant is engaged in one, two or three hours of job search/job readiness assistance during a week, the hour(s) will be disregarded and will not count

toward the six week limit for job search and job readiness assistance. When a participant has four or more hours of job search and job readiness assistance in a week, the week will count towards the six week limit per year.

**4. Question:** In the MFIP Employment Services Manual, it refers to assessment being included under the job search and job readiness assistance category. Is this still true?

**Answer:** No. Participant engagement in assessment will not be reported as job search and job readiness assistance. Hours recorded as assessment are reported on the TANF report as “other”, which is neither a core nor non-core activity.

**5. Question:** The new TANF regulations allow states to count participation in treatment and rehabilitation services as job readiness assistance. Does a participant have to be working with a State of Minnesota Rehabilitation Services counselor to count under this category or can someone who is under the care of a physician and attending regular physical therapy also be included?

**Answer:** A participant who is under the care of a physician and attending regular physical therapy meets the rehabilitation services criteria and the hours are countable under the job search and job readiness assistance category (for up to the six week limit per year).

**6. Question:** How does an employment services provider track hours for chemical health treatment, mental health treatment and rehabilitation services?

**Answer:** Track chemical health treatment, mental health treatment and rehabilitation services under the job search and job readiness assistance category if you want the hours to count as job search and job readiness assistance. Otherwise, track these activities and associated hours under “social services”. Hours recorded as social services are reported as “other”, which is neither a core nor non-core activity.

**7. Question:** What level of detail is needed for documentation for the progress review when a participant is engaged in job search?

**Answer:** Documentation begins with the employment plan which must include a daily schedule of job search assignments. Review the participant’s job search activity log (or work activity verification log) for the past week at the weekly check-in meeting. Ask questions that inform the counselor (or other responsible individual) as to whether or not the participant completed the assignments that were previously agreed upon in the participant’s weekly job search schedule. Document the review by recording a case note or, signing off on the activity log. The log or case note must indicate whether the review was in-person or over the phone. PLEASE NOTE: Employment providers should check with employers or other individuals when there is a question as to whether or not an assignment was satisfactorily completed.

**8. Question:** Do employers need to be verifying or signing off that a participant has applied with them?

**Answer:** Employers do not need to verify that an application was received from an MFIP participant. The employment counselor (or other responsible individual) should review the participant's job search activity log during the weekly check-in meeting and ask questions about the applications the participant said were submitted. The expectation is that the participant would be able to provide sufficient information about each application submitted for the employment counselor (or other responsible individual) to make a judgment as to whether or not the participant submitted an application.

**9. Question:** Do participants who are involved in a treatment plan need to meet the hourly participation requirement? Unless a participant is enrolled in an in-patient treatment program, it is unlikely that they can be in an activity 87 or 130 hours per month.

**Answer:** A participant's service plans should be based on the participant's needs and can include a variety of activities. A participant receiving chemical health or mental health treatment may or may not have sufficient hours in treatment to meet the work participation requirements. In order for a participant to be included in the work participation rate numerator, the participant may need to participate in other countable activities. Participants who are involved in a treatment plan would be included in the numerator only when they are engaged in countable activities the required number of hours.

**10. Question:** Does working with an Adult Rehabilitative Mental Health Services (ARMHS) provider qualify as rehabilitation services? If a participant is working with an ARMHS provider and has "assignments" to do between sessions, can any of this time be counted as part of the rehabilitation services plan?

**Answer:** Yes, involvement with ARMHS qualifies as receiving rehabilitation services and time spent on the rehabilitation services plan would count as job search and job readiness assistance (for up to the six weeks of countable job search and job readiness assistance per year).

**11. Question:** What should a counselor do if and when a participant fails to submit a job search activity log?

**Answer:** In order to count the hours of job search participation, there must be documentation to support the hours. A participant who fails to submit a job search activity log is not in compliance with the requirement to cooperate with employment services and may be sanctioned as a result of not submitting an activity log if the participant does not have good cause. Employment counselors should take into consideration the participant's ability to comply when developing the daily schedule of activities.

Counties and employment service providers should consider having participants who fail to submit job search activity logs conduct their job search on-site in a more structured setting.

**B. Work Experience, Community Service Programs and the Fair Labor Standards Act (FLSA) Related Questions**

**12. Question:** Will the required number of hours for participation in work experience and/or community service programs be based on the family's MFIP Transitional Standard, or will employment providers need to take into account things like child support pass through, paid employment, sanctions and other factors that impact the family's monthly MFIP grant amount?

**Answer:** The hours for participating in work experience and/or community service programs are determined by dividing the family's actual MFIP grant (both cash and food portion combined) by the state's minimum wage (\$6.15/hour).

**13. Question:** How do we handle deeming hours for time tracking? Do employment providers record the actual number of hours in unpaid work experience (or community service programs) or the "deemed" hours? For example, for a participant required to participate 53 hours, do we enter 53 hours into WF1 or 87 hours?

**Answer:** Employment service providers record the actual number of hours the participant worked in the unpaid work experience and/or community service program position. PLEASE NOTE: The State is programming its TANF work participation rate report to identify participants who meet the hourly requirements due to the FLSA deeming provision. In the example given, the employment services provider should enter 53 hours, not 87.

**14. Question:** If the amount of hours for determining the number of hours a participant can be engaged in work experience or community service programs is based on a fluctuating grant amount, how should employment plans be written so they do not need to be revised monthly?

**Answer:** Write the employment plan in such a way that it doesn't lock in a specific number of hours and can be used without updating it each month. Consider writing the plan using a range of hours, up to the maximum that is allowed under the FLSA. Or, use language such as "the participant will be engaged in work experience (or community service programs) for the required number of hours. The required number of hours is determined by dividing the participant's MFIP grant (both cash and food support) by the state's minimum wage (\$6.15/hour)" In addition, ask the participant to check in during the beginning of the month to obtain the actual number of hours that month. PLEASE NOTE: If a participant's monthly MFIP grant fluctuates wildly from month to month, work experience or community service program activities may not be suitable for the participant.

**15. Question:** It is difficult to establish work sites and expect supervisors to adjust working schedules each month that result from changes in the participant's MFIP grant and the number of hours the participant is allowed/required to work in work experience and/or community service program positions. Is there any other option to deal with the FLSA?

**Answer:** The new TANF regulations present some difficult challenges. Meeting the Work Participation Rate and working within the FLSA regulations is one of them. However, all work experience and community service program placements must comply with the FLSA. We will try to identify the more successful approaches for managing fluctuating work schedules and share this information throughout the state. When you learn of an effective approach, please share it with others.

**16. Question:** For work experience and community service programs that are governed by the FLSA, can a participant voluntarily work more than the number of hours calculated by dividing the family's MFIP grant by the state minimum wage (\$6/15/hour)?

**Answer:** No, working more than the number of hours calculated by dividing the MFIP grant by the state minimum wage (\$6.15/hour) is a violation of the FLSA. The participant could participate in other activities not subject to the FLSA.

**17. Question:** If a participant did not turn in a Household Report Form (HRF) and the case closes, but is certain to re-open once the HRF is received, how do you work with the participant to assure that the participant is engaged in the correct number of hours and not going over the number of hours the participant is allowed to work under the FLSA?

**Answer:** Ideally, a participant will submit the HRF before the end of the month, so the employment counselor can assign the participant to the correct number unpaid work hours. But, that will not always be the case. As with Question #15 above, adjusting the participant's work schedule will present challenges for the participants, the work site and the employment provider. We recommend that you schedule a meeting with the participant as soon as you can determine the correct number of hours. Keep in mind that participants who are not working and not receiving child support should not have grants that significantly fluctuate. Participants with stable grants may be better candidates for unpaid work.

Please share the successful approaches you discover with your colleagues.

**18. Question:** How are work experience and community service program hours determined for two-parent families?

**Answer:** Determine work experience and community service program hours for two-parent families the same as for single parent families. The number of hours that result from dividing the family's MFIP grant by the state minimum wage (\$6.15/hour) is the maximum that both parents combined are required/allowed to work.

**19. Question:** What do we do if there is significant change in a family's MFIP grant? Do we recalculate the required hours for work experience and/or community service programs?

**Answer:** If there is sufficient time remaining in the month, recalculate the required hours due to the MFIP grant changing as a result of the significant change.

**20. Question:** What documentation is needed to satisfy the requirement that the work done by a participant engaged in a community service program position serves a “useful public purpose”?

**Answer:** Enter a case note that includes a brief statement describing the public service(s) the organization provides and a statement describing the work the participant will perform for the organization. Another possibility is to include a similar statement on the work site agreement form, if the employment provider uses this type of agreement. PLEASE NOTE: Participants who are in an unpaid work experience position that does not meet the “useful public purpose” criteria should be coded as participating in the Work Experience activity category.

**21. Question:** Are community service programs replacing volunteer work or is this type of activity under the title of unpaid employment activities?

**Answer:** The MFIP employment services activity called “volunteer” has most often applied to situations where the participants themselves locate worksites and participate in the employment service program as unpaid volunteers at those worksites. The participant’s unpaid status is not unlike the MFIP activity called “unpaid work experience” and Community Work Experience Program. For the time being, Minnesota will continue to retain the activity called “volunteer” and report this activity under the TANF category called “community service programs”.

**22. Question:** Do employment service counselors need to document the calculation for determining the number of hours a participant can be engaged in work experience and/or community service program placements?

**Answer:** No, the employment counselor is not required to document how the number of hours of unpaid work is determined. However, it may be a good business practice to consider.

### **C. Education and Training Activity Related Questions**

**23. Question:** State Law indicates that the final two years of a bachelor’s degree may be included in an employment plan, while the DRA bulletin clearly states the opposite. How do we resolve the conflict and what is the state’s direction to ES providers right now?

**Answer:** There is a difference between what is allowed and what is countable as vocational educational training. Since the state statute allows up to 24 months of a bachelor degree educational program, you may still allow participants to be engaged in these educational programs. Hours of participation for participants engaged in the last two years of a baccalaureate program should be recorded as Job Skills Training Directly Related to Employment.

**24. Question:** The DRA changes bulletin states that we are not to track Adult Basic Education (ABE), English as a Second Language (ESL) and Functional Work Literacy FWL under the Job

Skills Training Directly Related to Employment category. Does this mean that employment providers are no longer to use the current activity codes for ABE, ESL and FWL?

**Answer:** Continue to track and record hours to the ABE, ESL and FWL activities. For the TANF work participation rate report, these activities will be reported by DHS to the federal government under the Job Skills Directly Related to Employment TANF category.

**25. Question:** ABE, ESL and FWL are reported under the Job Skills Training Directly Related to Employment category. Have there been any changes to these programs' definitions?

**Answer:** No. There are no changes to the ABE, ESL and FWL activity definitions. The activities are non-core activities. However, these programs are now reported under the Job Skills Training Directly Related to Employment category. And, since October 1, 2006 there is no longer the stipulation that participants have less than a twelfth grade education for participation in these activities to count as non-core hours.

**26. Question:** What type of training and education is allowed under Job Skills Training Directly Related to Employment?

**Answer:** Job Skills Training Directly Related to Employment is training and education for job skills that are required by an employer to provide an individual with the ability to obtain employment or advance or adapt to the changing demands of the workplace. This activity includes, but is not limited to, training provided by the county employment service provider or a private contractor. Possible classes might include, but are not limited to, computer basics, keyboarding, communication skills, getting along with coworkers or supervisors, development of back-up plans for day care and transportation. In addition, up to the last two years of a bachelor or advance degree educational program and additional months of a vocational training program once the 12 month lifetime Vocational Educational Training has been exhausted will be reported under the Job Skills Training Directly Related to Employment category. PLEASE NOTE: As noted in Question # 24, ESL, ABE, and WFL are tracked separately, but reported to the federal government under the Job Skills Directly Related to Employment category.

**27. Question:** Do employment providers still track GED under the GED activity in WF1 or is a new category, Satisfactory Attendance at a Secondary School or in a Course of Study Leading to a GED, being created in WF1?

**Answer:** Tracking GED has not changed. The MAXIS system is used to identify teen parents enrolled in and attending GED classes. The WF1 system is used to track hours of participation for non-teen parents who are attending GED classes. Satisfactory Attendance at a Secondary School or in a Course of Study Leading to a GED is a federal reporting category. There are no new codes in WF1.

**28. Question:** When does the 12 month lifetime limit for participation in Vocational Educational Training programs begin?



**Answer:** Counting months towards the lifetime limit for Vocational Educational Training has been in place since the beginning of the TANF program. Participants are not eligible for another 12 month lifetime limit under the new TANF regulations.

**29. Question:** How will counties and employment providers know if a participant has already used the 12 month lifetime limit for vocational educational training. Participants who move to a new county will be difficult to track. Also, when there is a break in MFIP, case notes will not always be available from the previous county/provider. Even if counselors can track that a client has been in school, the counselor would not know if the time was reported in previous TANF work participation rate reports.

**Answer:** The 12 month lifetime limit has been in place since the beginning of the TANF program. Participants are not eligible for another 12 months lifetime limit under the new TANF regulations. Employment counselors can find information about the number of months of Vocational Educational Training in the WF1 system since October 2004. Otherwise, employment counselors should refer to the participant's case record file.

**30. Question:** The DRA changes bulletin states that two hours of countable unsupervised study time for each hour of classroom instruction is acceptable. What documentation is needed?

**Answer:** The most recent guidance we have received from the federal government will not allow us to apply a formula of two hours of study time for each hour of classroom instruction. Please refer to the answer to Question # 31 (below) for the documentation requirements for off-site study time.

**31. Question:** Does study time need to be supervised?

**Answer:** Yes, all study time needs to be supervised. For on-site study time, a statement from the education and training institution listing the dates and hours the on-site study time occurred, along with a signature from a responsible individual is needed in order to count the on-site study time. For off-site study time, the participant's employment plan must establish the parameters and schedule for the off-site study time. In addition, the participant must submit a signed statement that includes the dates and hours the off-site study time occurred. The employment counselor or other responsible individual must review the off-site study time statement and verify hours no less than bi-weekly.

**32. Question:** Is study time allowed for all education and training activities, including GED, ABE, ESL and FWL?

**Answer:** Yes, study time is allowed for all education and training activities, including GED, ABE, ESL and FWL provided there is acceptable documentation to support the study time hours. Please refer to Question # 31 (above) for more information about study time.

**33. Question:** What if a training provider reports hours of participation that exceed the classroom hours for activities that are required outside the classroom? Can we count and report these hours?

**Answer:** Yes, record the excess hours as long as the education and training provider signs off.

**34. Question:** What documentation is required for high school students and teens in GED?

**Answer:** The documentation requirements for teens in high school and teens attending GED have not changed. The county must receive attendance information no less frequently than once per quarter. The attendance information should be stored in the participant's case file or other location that is accessible to program monitors.

**35. Question:** Under what activity should a participant who is required to complete an unpaid internship be tracked?

**Answer:** Track unpaid internships in the Job Skills Training Directly Related to Employment category.

**D. Providing Child Care to a Family Participating in Community Service Program Related Question**

**36. Question:** Do participants who are providing child care for an MFIP participant engaged in a community service program need a business plan under the requirements of self-employment?

**Answer:** If the participant who is providing child care for another MFIP participant who is engaged in a community services program is not being paid, no business plan is required.

However, if the participant is receiving payment for the child care services, the participant must develop a business plan which establishes the timetable and earnings goals that will result in the participant exiting MFIP. The business plan must be developed with the help from an individual or organization with expertise in small business as approved by the employment counselor. In this situation, the participation is considered to be self-employed and the participant will need to submit a Household Report Form plus documentation related to the gross earned income and allowable business expenses to the county each month (and the participation hours are taken from the MAXIS system – STAT/BUSI panel).

**E. Work Eligible Individual Related Questions**

**37. Question:** When a participant is determined to meet the criteria for Caring for an Ill and Incapacitated family member and it is documented that the participant is needed in the home, is the participant exempt from employment services and not required to develop an employment plan or are they only "excluded" from the denominator when determining the TANF work participation rate?

**Answer:** For pre-60 month MFIP participants, the participant is only excluded from the denominator when the work participation rate is calculated. The pre-60 month participant is required to work with the employment counselor and develop a modified plan taking into consideration the participant's need to care for the ill and incapacitated family member. A participant is excluded from the work participation rate only when the MAXIS system has been properly coded. See MAXIS POLI/TEMP section 17.10 (MAXIS Data for Participation Rate) for more information. PLEASE NOTE: Post 60 month MFIP participants who are caring for an ill or incapacitated family member are excluded from employment services, but also must be properly coded (see above) to be excluded from the TANF work participation rate calculation.

**38. Question:** The DRA changes bulletin refers to categories of individuals that are excluded from the TANF work participation denominator. Are employment providers still required to work with them and develop an employment plan?

**Answer:** The new TANF regulations do not affect the MFIP universal participation requirement. Employment providers are still required to work with all MFIP recipients under the universal participation requirements and must work with the participants to develop employment plans, including modified employment plans when appropriate.

**39. Question:** Under the work eligible section of the DRA changes bulletin it says that the participants with a child under one year who have not used the 12 month lifetime limit exemption and are needed to care for an infant are disregarded from the denominator. However, the state currently has a 12 week exemption. Which policy do we follow?

**Answer:** Both policies apply and must be followed. The states' child under 12 weeks of age policy is used in determining whether a participant is required to be engaged in employment services. MFIP policy states that a participant is not eligible for the child under 12 weeks exemption when the participant has previously used the entire child under the age of one exemption.

Federal policy is used to determine which individuals are included in the TANF work participation rate denominator. PLEASE NOTE: Minnesota will include participants with a child under the age of one who meet the hourly requirements in our TANF work participation rate report and exclude the participants with a child under the age of one when the participant does not meet the hourly requirements, provided the individual has not used the maximum 12 month exemption.

**40. Question:** When defining "work eligible individual" as a non-recipient parent due to other reasons, please give examples of what "other" reasons may be (in addition to fraud)?

**Answer:** These are the federal terms. In MAXIS, the "F" membership and "J" membership parents fit the "other" category as Minnesota has defined them.

“F” members are people who have failed one or more of the following eligibility tests:

- Fraud;
- Minor Parent Living Arrangement;
- Unlawful Conduct; and
- Social Security Number (SSN) Cooperation.

“J” members include persons who are part of a two-parent family that have reached 60 months, and are removed from the ongoing grant in accordance with the policy outlined in section 0011.32.02 of the Combined Manual. Remember that in Minnesota, two-parent families are funded with non-Maintenance of Effort (MOE) state funds and are not considered when determining the TANF work participation rate.

**41. Question:** Under the work eligible individual section of the DRA changes bulletin, it says that a new category of cases the state is allowed to excluded from the TANF work participation rate report are cases that have a parent who is providing care for a disabled family member (adult or child) living in the home who does not attend school on a full time basis. Is this provision only for a disabled family member who is on the MFIP grant or would the policy extend to other members of the household? For example, a participant is needed to care for a parent or grandparent who lives in the same household but the parent or grandparent is not on the MFIP grant.

**Answer:** The provision includes providing care to any disabled household member who is not attending school on a full time basis and the need for such care is supported by medical documentation.

**42. Question:** Assuming all other conditions are met, does a child who is enrolled in school full time, but unable to attend full time due to illness that may include occasional hospitalization meet the definition of not attending school full time for the purpose of determining whether the parent is excluded from the TANF work participation rate?

**Answer:** Yes, the parent can be excluded under this circumstance. The county should code this child as attending school part time and enter a case note to document the fact that the child is not attending school full time due to the illness.

**43. Question:** Can the parent of a disabled child who is home schooled full time be excluded from the TANF work participation rate?

**Answer:** No. Since the child is home schooled full time, the parent would be included in the TANF work participation rate.

**44. Question:** Under the work eligible section of the DRA bulletin, what is a non-recipient parent? For example, there is a reference to a “non-recipient” parent due to sanctions. Does this mean someone who is sanctioned off the program and no longer receiving a grant is still in the denominator?

**Answer:** MN doesn't have any single caregiver cases with a parent sanctioned off the program. Other states took parents off the case when they were in sanction making the cases child only cases and not counting them in the participation rate. Minnesota has never done this, so we have no cases in this category.

**45. Question:** The DRA bulletin section about work eligible individuals lists some categories of recipient that are new to counting in the work participation rate denominator. Is this correct?

**Answer:** Yes, the TANF work participation rate will include some new categories that had previously been exempt from the calculation. The new categories now included in the TANF work participation rate are the "F" and "J" members, plus parents receiving SSI who meet the hourly participation requirements.

"F" members are people who have failed one or more of the following eligibility tests:

- Fraud;
- Minor Parent Living Arrangement;
- Unlawful Conduct; and
- SSN Cooperation.

"J" members include persons who are part of a two-parent family that has reached 60 months, and are removed from the ongoing grant in accordance with the policy outlined in section 0011.32.02 of the Combined Manual.

## **F. Paid Employment Related Questions**

**46. Question:** An activity is considered subsidized employment if the employer receives a subsidy. Under which activity does work fall if the participant is receiving the subsidy? (i.e. If the county pays wages directly to a participant in a "try-out" or "transitional" position at a nonprofit organization?)

**Answer:** When a participant receives a wage from the employment service provider for work performed for another organization, the work is considered unsubsidized employment for TANF work participation rate report purposes.

**47. Question:** Is a Work Opportunity Tax Credit considered a subsidy?

**Answer:** No, a Work Opportunity Tax Credit, or any other form of tax credit, is not considered a subsidy for TANF work participation rate reporting purposes.

**48. Question:** Occasionally, participants receive income that is not directly tied to the number of hours the participant works, such as tips, profit sharing and bonuses. How do we handle these situations?

**Answer:** Tips are handled the same as other wages. It should be possible to identify the actual number of hours the participant worked when the tips were received. But, be careful not to double count hours (which could happen if the wages and tips were entered on separate JOBS panels).

For profit sharing and bonuses, the income type is “other”, enter “0” hours and make a case note.

PLEASE NOTE: This response is based on the assumption that the actual hours worked have already been entered on JOBS panels when the wages were previously reported.

## **G. Work Verification Log Related Questions**

**49. Question:** Is there a sample job log (work activity verification log) that has been completed?

**Answer:** No, DHS developed the Work Activity Verification Log (DHS-4897) but there is no sample of a completed log at this time.

**50. Question:** Is each employment provider setting up its own guidelines for a work activity verification log?

**Answer:** Each provider is able to use its own work activity verification log, or use DHS-4897 (Work Verification Log).

**51. Question:** We are looking at the job log and have some questions. For example, is each row supposed to be an activity, limiting the activities to 4 per page, or can you put more activities on one sheet?

**Answer:** The form (DHS-4897) is a sample form that may be used. You do not have to limit the activities to four per page.

**52. Question:** Does the new form DHS-4897 replace the ESL and volunteer logs that are currently being used?

**Answer:** No, the DHS-4897 is a sample log that providers may use if they choose.

**53. Question:** Are MFIP counselors to use only activities listed on the back of the DHS-4897 (Work Verification Log)? Does transportation need to be separate in each activity?

**Answer:** No, other types of activities are allowed. Time spent traveling to job search assignments may be counted and does not need to be separated.

**54. Question:** Does all documentation (i.e. copies of applications, receipts for on-line applications, job fair information, etc) need to be attached to the job log and placed in the file?

**Answer:** No, it may be retained in the case file or other location accessible to program monitors. If retained in another location, the case notes should indicate where the documentation is retained. That said, copies of the actual job applications are not required provided the work activity verification log has sufficient information about the jobs the participant applied for or checked into during the week.

**55. Question:** What are the data and records retention requirements for the documents used to verify hours of participation?

**Answer:** Documentation to support hours of participation must be retained for three years after the case is closed.

**56. Question:** Who can sign off on a job log (work activity verification log)?

**Answer:** Any responsible individual. A responsible individual is a person who is working with the participant and overseeing the participant's work activity, such as an employer, a work site supervisor, a teacher or instructor, a workforce center employee, an employment counselor or other employees of the county and employment services agency.

## **H. Miscellaneous Questions**

**57. Question:** What are DHS' expectations for documentation on cases that are not part of the state's work participation rate report?

**Answer:** No long term decision has been made at this time. DHS is working with representatives from counties and providers on developing performance measures for participants from families that are not included in the work participation rate report. The documentation to support the participation is part of that discussion. In the mean time, DHS recommends applying the same documentation requirements that are used for participants who are included in the work participation rate calculation.

**58. Question:** The DRA changes bulletin does not address certain activities, such as social services or "other". Does this mean that employment providers are not required to track these and other activities that are not addressed in the bulletin?

**Answer:** No, continue to track all hours, regardless of whether the hours are core, non-core or neither core nor non-core.

**59. Question:** Throughout the DRA changes bulletin there are several references to other responsible individual(s) being authorized to provide the daily supervision of MFIP participants engaged in various work activities. Is it up to the discretion of the county or employment services agency to decide who these individuals are based on program needs?

**Answer:** Yes, it is up to the county or employment services providers to decide who the “other responsible individuals” are. See Question # 56 for examples.

**60. Question:** Will there be any changes or realignment of core and non-core activities?

**Answer:** No, the new TANF regulations contain the same set of activities and do not change whether the activity counts as a core or a non-core activity. However, the new regulations do allow states to include chemical health and mental health treatment and rehabilitation services as Job Search and Job Readiness Assistance.

**61. Question:** What is meant by daily supervision?

**Answer:** It depends upon the activity. Essentially, it means that participants are not allowed to self-direct their participation. For each activity, there must be a responsible individual who has oversees the participant’s activity. In most cases, this will be an individual who has daily contact with the participant such as an employer, work site supervisor, or teacher. However, for some activities, such as job search, it does not necessarily mean that the responsible individual has daily contact with the participant. In these instances, while daily contact may not be required, the responsible individual needs to develop or oversee the participant’s daily work assignments and verify the participant completed the assignments.

**62. Question:** Do all the forms and other relevant documents supporting a participant’s engagement in the various work activities need to be filed in a participant’s case file?

**Answer:** No, forms and other relevant documents can either be filed in the participant’s case file or stored in a location that is readily accessible to program monitors. The county or employment service provider should enter a case note indicating the location of the forms and documents that are not filed in the participant’s case file.

### **Additional Questions about this Bulletin or the new TANF Regulations**

DHS has set up an EMAIL address for counties and employment service providers to submit questions related to Minnesota’s policy for implementing the new TANF regulations. Please submit your questions to: [DHS.Tes.Dra@state.mn.us](mailto:DHS.Tes.Dra@state.mn.us)

### **Legal References**

Minnesota Statutes, section 256J.

### **Special Needs**

This information is available in other forms to people with disabilities by contacting Aaron Coonce at 651-296-1835 (voice) or through the Minnesota Relay Service at 1-800-627-3529 (TDD), 7-1-1 or 1-877-627-3848 (speech to speech relay service).