



Food and Nutrition
Service

1320 Braddock Place
Alexandria, VA
22314

June 3, 2020

Betsy Suver
Chief, Bureau of Cash/Food Policy & Technical Support
Office of Family Assistance
Department of Job and Family Services
30 East Broad Street
Columbus, Ohio 43215

RE: SNAP – Ohio Request to Streamline Good Cause Determination for Work
Requirements Due to Novel Coronavirus (COVID-19) – Approval

Dear Ms. Suver:

This letter transmits approval of the Ohio Department of Job and Family Services waiver request (COV-171) to streamline the requirements for determining good cause for failure to meet SNAP work requirements and voluntary quit or reduction in work effort (collectively, “good cause”).

The Food and Nutrition Service (FNS) approves the State agency’s request to streamline the good cause process and criteria at 7 CFR 273.7(f)(1)(i); 273.7(f)(7); 273.7(i)(1); 273.7(j)(3)(i); and 273.4(b)(2) from March 1, 2020, through June 30, 2020. The State agency may use discretion to grant good cause to groups of individuals unable to meet work requirements due to COVID-19, rather than reviewing for good cause for failure to meet the work requirements on a case-by-case basis. The State has discretion to grant good cause to any group of ABAWDs that the State determines cannot meet the work requirement due to COVID-19, rather than limiting good cause for failure to meet the ABAWD work requirement to individuals who are employed, would have worked an average of 20 hours per week, and who retain their jobs as stipulated by 7 CFR 273.24(b)(2).

Though the Families First Coronavirus Response Act generally suspends the work requirement and time limit for ABAWDs, the time limit still applies in certain circumstances. If a State offers an ABAWD a slot in a work or workfare program,¹ the individual is still subject to the ABAWD work requirement and time limit. If a State agency offers a slot in a work or workfare program and an ABAWD does not comply with the requirements of the work or workfare program, the State may determine good cause exists for purposes of the ABAWD time limit. This waiver allows the State agency to streamline the application of good cause as appropriate in those cases.

FNS is issuing this waiver under the authority of 7 CFR 272.3(c) in order to promote more effective and efficient administration of the program given the

¹ Work or workfare programs must meet the standards of section 6(o)(2)(B) or (C) of the Food and Nutrition Act of 2008.

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extraordinary temporary circumstances of the COVID-19 Public Health Emergency. The waiver will provide State agencies and households administrative relief in this unprecedented situation.

If you have questions or need additional information regarding this waiver, please contact your respective Regional office representative.

Sincerely,

Sasha Gersten-Paal
Director
Program Development Division
Supplemental Nutrition Assistance Program

Enclosure

Enclosure

WAIVER TO STREAMLINE GOOD CAUSE DETERMINATION FOR WORK REQUIREMENTS

1. **Waiver serial number:** COV-171
2. **Type of request:** Initial
3. **Regulatory citations:** 7 CFR 273.7(f)(1)(i); 273.7(f)(7); 273.7(i)(1); 273.7(j)(3)(i); and 273.24(b)(2).
4. **State:** Ohio
5. **Region:** Midwest
6. **Regulatory requirements:** Regulations at 7 CFR 273.7(f)(1)(i) require that, as soon as the State agency learns of the individual's noncompliance, it must determine whether good cause for the noncompliance exists, as discussed in paragraph (i) of this section.

Regulations at 273.7(f)(7) require that when a SNAP household reports the loss or denial of title IV-A or unemployment compensation benefits, or if the State agency otherwise learns of a loss or denial, the State agency must determine whether the loss or denial resulted when a household member refused or failed without good cause to comply with a title IV-A or unemployment compensation work requirement.

Regulations at 273.7(i)(1) provide that the State agency is responsible for determining good cause when a SNAP recipient fails or refuses to comply with SNAP work requirements. Since it is not possible for the Department to enumerate each individual situation that should or should not be considered good cause, the State agency must take into account the facts and circumstances, including information submitted by the employer and by the household member involved, in determining whether or not good cause exists.

Regulations at 273.7(j)(3)(i) require that when a household files an application for participation, or when a participating household reports the loss of a source of income or a reduction in household earnings, the State agency must determine whether any household member voluntarily quit his or her job or reduced his or her work effort.

Regulations at 273.24(b)(2) provide that, as determined by the State agency, if an individual would have worked an average of 20 hours per week but missed some work for good cause, the individual shall be considered to have met the work requirement if the absence from work is temporary and the individual retains his or her job. Good cause shall include circumstances beyond the individual's control, such as, but not limited to, illness, illness of another household member requiring the

presence of the member, a household emergency, or the unavailability of transportation.

7. Description of alternative procedures: Under the waiver, the State may streamline the requirements for determining good cause for failure to meet the work requirements and voluntary quit or reduction in work effort (collectively, “good cause”) in all or part of the State as follows:

- States have discretion to grant good cause to groups of individuals unable to meet work requirements due to COVID-19, rather than reviewing for good cause for failure to meet the work requirements on a case-by-case basis.
- In addition to the above, the State has discretion to grant good cause to any ABAWD who it determines cannot meet the work requirement due to COVID-19, rather than limiting good cause for failure to meet the ABAWD work requirement to individuals who are employed, would have worked an average of 20 hours per week, and who retain their jobs as stipulated by 7 CFR 273.24(b)(2),

8. Action and regulatory basis for approval: FNS is approving this waiver under the authority of 7 CFR 272.3(c) in order to promote more effective and efficient administration of the program given the extraordinary temporary circumstances of the COVID-19 Public Health Emergency. FNS is approving this request from March 1, 2020, through June 30, 2020.

9. Conditions of approval: Approval is contingent upon the following condition:

- If a State offers an ABAWD a slot in a work or workfare program,² the individual is still subject to the ABAWD work requirement and time limit. Once the State agency offers a slot in a work or workfare program, the State may provide good cause for the ABAWD time limit.
- SNAP Quality Control will review against the terms of this waiver and in accordance with FNS Handbook 310.
- The State agency will submit a request to FNS for approval if it wishes to extend this waiver beyond the initial period;

Evaluation Data Requirement: The State agency must provide to FNS the data and analysis listed below required for evaluation of this waiver.

- Estimated number of households affected by this waiver;
- A narrative on the effect of program access and client satisfaction, including an analysis of any client or advocate complaints received related to the waived procedure;
- A narrative on the effect of providing timely and accurate benefits; and

² Work or workfare programs must meet the standards of section 6(o)(2)(B) or (C) of the Food and Nutrition Act of 2008.

- A narrative on the effect of any other aspects of the eligibility process including the ability to manage staff caseload growth and the impact on administrative efficiency.

10. Expiration date: June 30, 2020

11. Limitation, if any, on approval: Approval of this waiver is limited to the State SNAP agency.

12. Quality control procedures: No special Quality Control procedures are required for cases subject to the waiver. Following the FNS Handbook 310, determinations of good cause are not subject to challenge by the QC reviewer. QC will accept the good cause determination as long as it is noted in the individual case file or through State policy which groups of individuals will receive good cause from the SNAP work requirements following the terms of this waiver.

13. Anticipated implementation date (*notify FNS if actual date differs*): March 1, 2020.