

**Auglaize County Department of Job and Family Services
Ohio Works First - Hardship Exemption Criteria October 1, 2000**

PURPOSE

Section 5107.18 of the Revised Code limits participation in Ohio Works First (OWF) to thirty-six(36) months and allows the Auglaize County Department of Job and Family Services(ACDJFS) to exempt up to 20% of the average monthly number families receiving OWF when the ACDJFS determines that the time limit is a hardship. In addition to the thirty-six (36) month time limit, federal law 45 C.F.R. Section 264.1 limits receipt of OWF or TANF benefits to a maximum of sixty (60) months. Any participant granted an exemption beyond thirty-six (36) months, continues to use months counting toward the five year federal limit.

Auglaize County Department of Job and Family Services retains the sole discretion to determine whether OWF Assistance Group members qualify for a hardship exemption. Such determination shall be made in accordance with the policy described below and applicable law. If the ACDJFS determines that there is the presence of a hardship that justifies an exemption within the scope of this policy, and the County has not reached its 20% maximum, then the assistance group is entitled to a hardship exemption and continued assistance for a period determined by the ACDJFS. Nothing in this policy shall be construed so as to require the ACDJFS to grant any request for a hardship exemption solely because it has not reached the 20% maximum.

The Assistance Group will have the opportunity to apply for a hardship exemption determination, within the month prior to or anytime after the expiration of the Assistance Group's 36 months of assistance. Hardship exemptions are available only to Assistance Groups whose members have complied with all aspects of the self-sufficiency contract, and who meet all other requirements for OWF cash. The hardship criteria established by the ACDJFS does not represent any guarantees of future assistance, continued assistance, or future right to review once the hardship exemption is lost. Assistance groups qualifying for an exemption will be evaluated on a monthly basis to determine if the hardship exemption is still applicable. Hardship exemptions will not exceed six months per Assistance Group. An Assistance Group which exhausts its initial exemption and which still meets criteria for a hardship exemption may reapply for an exemption. Extensions are not automatic. Auglaize County Department of Job and Family Services may amend this plan at any time.

THE TWENTY PERCENT CALCULATION

Beginning October 1, 2000, the beginning of the federal fiscal year, the 20% exemption limit shall be calculated in the following manner:

The Ohio Department of Job and Family Services (ODJFS) shall determine the county's number of eligible exemptions. The ODJFS will notify the county of the number of OWF participants to whom it can grant hardship exemption. The number of assistance groups eligible for the 20% exemption shall be determined by the ODJFS based upon a calculation of the average number of monthly OWF participants from the prior fiscal year.

In calculating the 20%, the ODJFS totals the number of OWF assistance groups in the immediately preceding fiscal year. The ODJFS will divide the total number of OWF assistance groups from the prior year by twelve to obtain the monthly average. 20% of the monthly average is the number of hardship exemptions that ACDJFS can grant each month. The number of monthly exemptions shall remain in effect and unchanged throughout the twelve months of the current federal fiscal year. As an example: if ACDJFS has a total number of OWF assistance groups equaling 120 for the preceding fiscal year beginning on October 1, 1999 and ending on September 30, 2000, then the average monthly number of assistance groups for the county is ten. However, the county shall only provide a hardship exemption to 20% of the average monthly participants. Therefore, the county can grant hardship exemptions to 20% of the ten average monthly OWF assistance groups. So, two assistance groups per month can receive continued benefits based on a hardship exemption. A new monthly average shall be calculated by the ODJFS at the beginning of every federal fiscal period.

HARDSHIP DEFINED

For purposes of this policy, hardship shall be defined as an event or condition significant in creating deprivation, suffering or adversity to the Assistance Group. The duration of the hardship exemption is contingent upon the presence or absence of specific factors relating to the basis for the hardship exemption as described in the policy.

HARDSHIP EXEMPTIONS LISTED IN THE ORDER OF PRIORITY, STARTING WITH THE HIGHEST PRIORITY:

The following criteria will be used to determine potential hardship. The priority for exemptions will be reviewed at any point in time when the number of hardship exemptions approaches the number of slots available for exemption. At that time hardship exemptions will be rescinded in order of priority to ensure that total exemptions remain below the 20% cap. If the allowable hardship slots have reached the 20% figure, as determined by ODJFS, the Auglaize County Department of Job and Family Services reserves the right to end the hardship exemption for the criteria that is less severe. When more than one assistance group qualifies for an exemption of equal severity, priority will be given to those who have received the least number of months of OWF assistance under a hardship exemption.

Exemption 1

An Assistance Group whose parent or caretaker has pending SSI/SSD for a mental or physical disability and has been unable to participate in an assigned work activity due to that disability as verified by a licensed physician.

Exemption 2

An Assistance Group has a single caretaker who is providing care for an immediate family member, living in the same home; with a serious medical/mental health condition verified by a licensed physician and other arrangements for the disabled member's care are not available as determined by ACDJFS. All other supportive resources must be explored, including application for waiver and access of community resources. ACDJFS reserves the right to secure and rely upon a second opinion from a medical provider of its choice. An immediate family member is defined as a mother, father, brother, sister, child, foster child, spouse, grandparent, or grandchild.

Exemption 3

An Assistance Group that did not get the services they needed. This is evidenced by the fact that, although the Assistance Group received OWF during the 36-month eligibility period, the required individual had not received a work or training assignment.

Exemption 4

An Assistance Group has a single custodial parent caring for their child and child care is not available as determined by ACDJFS. Consideration will be given to the distance of available child care from the caretaker's home or work site, the availability of suitable child care by a relative or by other arrangements and the availability of appropriate affordable formal child care arrangements.

Exemption 5

An Assistance Group whose single custodial parent has a child under three months of age. Exemption applies until the child reaches three months of age.

Exemption 6

An Assistance Group whose parent or caretaker's capacity to retain employment is being disrupted by domestic violence and is actively seeking help, as evidenced by residence in a spousal abuse shelter, a current protective court order, a police report or a sworn affidavit, coupled with steps to resolve the situation (such as retention of an attorney).

Exemption 7

An Assistance Group whose teen-parent is enrolled in (and in good standing) High School pursuing their High School diploma or GED. Those who are not attending High School on a full time basis must be assigned to and fulfilling their work activity requirements.

Exemption 8

An Assistance Group whose parent or caretaker is over sixty years of age.

Exemption 9

An Assistance Group whose parent or caretaker is unable to work due to participation in an approved residential chemical dependency rehabilitation program. Such an assistance group may receive an exemption for the duration of the rehabilitation program, up to a maximum of six (6) months.

Exemption 10

An assistance group whose parent or caretaker is unable to obtain employment because of multiple felony convictions but is pursuing a course of action that will result in employment within six (6) months.

TRANSFER IN CASES FROM OTHER COUNTIES OR STATES

All OWF Assistance Groups that transfer in to Auglaize County, from other counties or states will have their hardship exemption determined by the criteria established in this plan. The exemption status will no longer be governed by the previous county's or state's criteria.

INFORMING HOUSEHOLDS OF EXEMPTION CRITERIA

Upon initial approval of the exemption criteria a mass mailing to all current OWF recipients will be completed. New OWF applicants will be given a copy of the hardship criteria. A notice of eligibility or non-eligibility will be provided to the applicant. The notice will contain an explanation of State Hearing Rights.

PROCEDURE

Assistance Groups shall submit in writing their request for hardship exemption and complete an application for Ohio Works First.

The Assistance Group seeking the hardship exemption must provide the County any required documentation . If a hardship exemption request is based on medical circumstances, the Assistance Group must provide appropriate medical documentation and be under the care of a medical professional. The Assistance Group shall cooperate with the County during the hardship review process. The failure of an assistance group to cooperate in any aspect of the review for a hardship exemption shall be sufficient cause to deny a hardship request or to revoke a request that may have been previously granted.

The ACDJFS shall make a determination on the hardship exemption status within thirty days of the date of the receipt of the application. If the required documentation is not provided within thirty days of the receipt of the application, then the County may deny the request for a hardship exemption.

When an application for a hardship exemption is denied, the Assistance Group will be provided with a notice outlining its hearing rights. The County shall provide the Assistance Group with the reasons for the denial of the application.

The goal of the County and OWF is to provide Assistance Group members with an opportunity to achieve self-sufficiency. When a hardship exemption is granted, the Assistance Group shall be required to sign a revised self-sufficiency contract setting forth the terms of the hardship extension. Failure, without good cause, to abide by the terms of the hardship extension shall be sufficient cause to revoke the extension. During the period of the hardship exemption, the Assistance group may be required to meet with the County as often as is reasonably necessary to monitor the progress.