

**STATE OF OHIO
WORK VERIFICATION PLAN
45 CFR 261.62**

**Ohio Department of Job and Family Services
Office of Family Stability**

February 2007

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Overview

Ohio operates a state-supervised, county-administered human service delivery system. The Ohio Department of Job and Family Services (ODJFS) establishes program policy, provides technical assistance, defines performance standards, requires continuous improvement activities, collects data, and monitors all 88 County Departments of Job and Family Services (CDJFS). Applications and reapplications, and assignment of work activities, are processed by the CDJFS.

The TANF cash assistance program in Ohio is called Ohio Works First (OWF). OWF provides time-limited cash assistance to needy families with (or expecting) children by furnishing parents or specified relatives with work, training, and other supportive services they need in order to attain permanent self-sufficiency while meeting the family's ongoing basic needs.

In September 2006, in response to the Deficit Reduction Act of 2005 and the HHS interim final TANF regulations issued June 29, 2006, ODJFS issued rules for the chapter of the Ohio Administrative Code (OAC) governing OWF which set forth the state's new policy on work activities. The rules contained in the OAC became effective on an emergency basis September 29, 2006 and on a permanent basis on December 29, 2006. These provisions incorporate the interim final regulations, HHS guidance, and state policy. All CDJFS agencies are bound by the provisions in the OAC and ODJFS monitors CDJFS compliance with these provisions as described in Section IV of this plan.

As set forth by the Ohio Revised Code (Ohio's state law) and the OAC, certain procedures must be followed regarding appraisal, assignment, and work participation in the OWF program. All OWF "work-eligible" individuals shall be evaluated by the CDJFS and assigned to one or more work activities or alternative activities as appropriate, and shall be required to sign a self-sufficiency contract with the local CDJFS. The appraisal may include an evaluation of the employment, educational, physiological, and psychological abilities or liabilities, or both. The appraisal may determine whether any members of the assistance group (AG) are in need of other assistance or services in the areas of substance abuse, domestic violence, child abuse, or if any other circumstances exist which may limit an AG member's employability.

An AG is ineligible to participate in OWF unless each work-eligible individual, not later than thirty days after applying for or undergoing a redetermination of eligibility for OWF, enters into a written self-sufficiency contract with the CDJFS. The self-sufficiency contract shall set forth the rights and responsibilities of the AG as applicants for and participants of the program, including work responsibilities and other requirements designed to assist the AG in achieving self-sufficiency and personal responsibility. If a work-eligible individual fails or refuses, without good cause, to comply in full with a provision of the self-sufficiency contract, the CDJFS shall sanction the AG.

Reapplication of eligibility for OWF is required every six months. Appraisals may be conducted at any time. Self-sufficiency contracts may be amended at any time and are to be reviewed on a periodic basis based on the circumstances of an AG's case. Reassignments may occur when the CDJFS determines reassignment will aid the AG in achieving self-sufficiency and personal responsibility and shall make reassignments when circumstances requiring reassignment occur.

The CDJFS is responsible for maintaining the AG OWF record. The AG OWF record is a compilation of audit trails showing that the CDJFS has substantiated whether an AG meets eligibility and participation requirements which would include, but is not limited to: application forms, reapplication forms, self-sufficiency contracts, appraisal forms, verification forms, and documentation of OWF participation in work activities. In addition to the ODJFS statewide automated Client Registry Information System Enhanced (CRIS-E) record, the CDJFS is to keep accurate and complete hard copy files or document imaged files.

ODJFS requires each CDJFS to meet work activity performance standards. When standards are not met, the CDJFS is required to develop and implement continuous improvement strategies and timeframes. The CDJFS continuous improvement plan is monitored by ODJFS until work activity standards are met.

I. Countable Work Activities

For each activity:

- 1. Describe the services or programs the State includes under the activity. (Services and programs must conform to the Federal definition of the activity.)**
- 2. Describe how the State determines the number of countable hours of participation for the activity. If the State uses different methods for different services or programs within the activity, the State should describe each.**
- 3. Describe how the State verifies the actual hours of participation for the activity. Include the procedures for obtaining and maintaining documentation of hours of participation.**
- 4. Describe the methods of daily supervision for each unpaid work activity.**

Unsubsidized Employment OAC rule 5101:1-3-12.1

Full or part time employment in the private or public sector that is not subsidized by TANF or any other public program. This includes self-employment.

This activity includes all paid employment and self-employment in which the employer is not subsidized, and includes “in-kind” or “barter” income. In-kind/barter income is an exchange of property or services.

Projected hours of employment will count toward participation. Verification occurs during the application and reapplication process and includes pay stubs, employer statement, third party statement, tax records, ODJFS or CDJFS developed employer statement forms, electronic verification, or other equivalent documentation. The CDJFS is responsible for assisting the participant in obtaining verification.

Documentation:

- 1. For self-employment, describe how the State counts and verifies hours of participation. A State may not count more hours toward the participation rate for a self-employed individual than the individual’s self-employment income (gross income less business expenses) divided by the Federal minimum wage. The State may also describe an alternative methodology to count and verify hours a client is engaged in self-employment.**

For work participation purposes, the hours of self-employment are determined by dividing the individual's self-employment income (gross income less business expenses) by the federal minimum wage. OAC rule 5101:1-3-12.1.

Ohio is proposing an alternative method for determining self-employment hours. We propose that self-employment hours for a new start-up business (one year or less in operation) or from self-employed child care providers be calculated by dividing the individual's self-employment income (gross only) by the federal minimum wage. In addition to the hours calculated by dividing the gross only by the federal minimum wage, individuals with self-employment from start-up businesses and/or from self-employed child care may claim up to five hours per week for bookkeeping, tax preparation, and cleaning of the child care facility (if applicable). All other types of self-employment hours are calculated by dividing the individual's self-employment income (gross income less business expenses) by the federal minimum wage.

2. If the State intends to project forward hours of participation based on current, documented, actual hours, explain how it will make this projection.

The CDJFS shall determine monthly work participation hours by multiplying the current average weekly number of hours worked or employed by 4.3. These hours shall be used as the monthly amount of hours of work participation for the next six months. When employment has stopped, the actual hours (not converted) worked within the month employment terminates are used as the actual hours of participation. OAC rule 5101:1-3-12.1.

Subsidized Public and Private Employment OAC rule 5101:1-3-12.2

Employment in the private sector or public sector for which the employer receives a subsidy from TANF or other public funds to offset some or all of the wages and costs of employing a recipient.

The subsidized employment program (SEP) position may be full or part time as defined by the employer. Participants in SEP shall be considered regular, permanent employees of the employer, shall be paid the same rate, and entitled to the same benefits and opportunities for advancement and affiliations with employee organizations as other employees doing similar work. The employer shall pay premiums to the bureau of workers' compensation on account of employees for whom payments are made. The CDJFS or contracted program provider and the participant shall enter into a written contract with the employer.

This activity includes the three subsidized employment models from the Preamble to 45 CFR 261, et al., and any other equivalent models (which exclude OJT programs in which employers are subsidized to offset the costs of training). Also included are transitional jobs programs which provide hard-to-employ OWF participants with time-limited, paid work experience combined with a comprehensive set of services in order to help participants overcome barriers to employment and build work related skills. Hours of participation in barrier-removal or educational activities may be included as long as the individual is paid for these hours as part of the subsidized employment activity.

Hours of participation in supportive activities, such as substance abuse treatment, mental health treatment or rehabilitation activities, or various other barrier-removal or educational activities, will count toward the participation rates only if the individual is paid for these hours as part of the subsidized employment activity.

Projected hours of employment will count toward participation. Verification occurs during the application and reapplication process and may include pay stubs, employer statement, third party statement, tax records, ODJFS or CDJFS developed employer statement forms, electronic verification, or other equivalent documentation. The CDJFS is responsible for assisting the participant in obtaining attendance verification.

Documentation:

1. If the State intends to project forward hours of participation based on current, documented, actual hours, explain how it will make this projection.

Projected hours of employment will count toward hours of participation. The CDJFS shall determine monthly work participation hours by multiplying the current average weekly number of hours worked or employed by 4.3. This will be the number of monthly work participation hours projected for the next 6 months.

Work Experience Program OAC rule 5101:1-3-12.3

A work activity performed in return for cash assistance that provides an individual with an opportunity to acquire the general skills, training, knowledge, and work habits necessary to obtain employment. Work experience includes work associated with the refurbishing of publicly assisted housing and service as an OWF ombudsperson. The purpose of the work experience is to improve the employability of those who cannot find unsubsidized employment. The following activities do not meet the definition of WEP: job search and job readiness activities; vocational education; caring for a disabled family member; attending medical appointments.

This activity includes structured work projects. Placements occur at any bona fide business, including private for-profit and non-profit organizations, as well as public agencies, with the goal of the work experience to prepare participants for and move them into unsubsidized employment or other work activities that can help in this transition. The countable hours of participation for the work experience program will include actual daily hours of participation, holidays, and excused absences.

CDJFS work with providers and have agreements with respect to services performed and verification requirements. All actual hours of participation must be verified. Verification is considered to be met when the CDJFS has received documentation of actual hours of participation. Verified hours of participation must be accounted for by the CDJFS. Verified hours of participation must be entered into the CRIS-E system in a timely manner. The CDJFS should determine which type of verification is appropriate based on the activity. Acceptable types of verification/documentation are outlined in the Ohio Administrative Code and include the following: the CRIS-E generated schedule; JFS 06910 "Record of Attendance Report"; JFS 06909 "Record of School Attendance Report"; data exchange report; documented phone contact with the work site. Other CDJFS methods of documentation are acceptable as long as the following elements are included: the participant's name; an accounting of all assigned hours of participation at the participation site; the name and location of the participation site; the name of the participant's work site supervisor; and the name and phone number of the person verifying hours. OAC rule 5101:1-3-12.

All participation activities must be supervised no less frequently than daily. Supervision means to direct and monitor the work and performance of work-eligible individuals. Work-eligible individuals must be supervised by the employer, the work supervisor, or other responsible third party. OAC rule 5101:1-3-12.

When the employer/employee relationship is created, the Fair Labor Standards Act (FLSA) minimum wage requirements are applicable. In any work experience program activity that is structured, requires daily supervision, and helps the participant develop basic work skills, improve work habits, and help move the participant toward employability, an employer/employee relationship is created, unless otherwise documented in the AG OWF record.

“Employee” is defined for purposes of complying with FLSA as “to suffer or permit to work”. The maximum monthly hours of participation allowable under FLSA is determined by adding the OWF grant (before recoupment) and food stamp allotment (before recoupment) and dividing the sum by the higher of the state or federal minimum wage. OAC rule 5101:1-3-12.

Documentation: none

On-the-Job-Training OAC rule 5101:1-3-12.4

Training in the public or private sector that is given to a paid employee while he or she is engaged in productive work and that provides knowledge and skills essential to the full and adequate performance on the job.

This activity includes specialized training for an employed participant for a specific position, customized training for a specific position, or skill upgrade training for a specific position, which may include some aspects of supported work for individuals with disabilities if it includes significant on-site training, knowledge, and skills essential to the job. Additional countable activities include classroom instruction of computers, literacy, and ESL, if the skills would assist the participant to complete their assigned duties; paid internships, paid clinical work, practicums, professional certification and clinical training required by an academic or training institution for licensure, and any equivalent activity which meets the definition, when the training and work are directly related and the client is paid by the employer to attend them.

Upon satisfactory completion of training it is expected that the employer will retain the participant as a regular employee. Projected hours of employment will count toward participation. Verification occurs during the application and reapplication process and may include time sheets, service provider attendance records, third party statement, electronic verification, ODJFS or CDJFS developed attendance records or other equivalent documentation. The CDJFS is responsible for obtaining participation verification. This activity must be supervised by an employer, work site sponsor, or other responsible third party on an ongoing basis no less frequently than daily.

Documentation:

- 1. Describe the nature of training provided by employers that distinguishes this from subsidized employment.**

Countable OJT activities are not limited to training activities that are subsidized. OJT can include unsubsidized OJT as well.

- 2. If the State intends to project forward hours of participation based on current, documented, actual hours, explain how it will make this projection.**

Projected hours of employment will count toward hours of participation. The CDJFS shall determine monthly work participation hours by multiplying the current average weekly number of hours worked or employed by 4.3. This will be the number of monthly work participation hours projected for the next 6 months.

Job Search and Job Readiness OAC rule 5101:1-3-12.5

The act of seeking or obtaining employment, preparation to seek or obtain employment, including life skill training, and substance abuse treatment, mental health treatment, or rehabilitation activities for those who are otherwise employable. The following activities do not meet the definition of job search and job readiness: child's dental checkups, immunizations, and school attendance; parenting skills training; participating in Head Start; personal care; activities that promote a healthier lifestyle, such as smoking cessation. A CDJFS may utilize the services of private and governmental entities under contract with the CDJFS in operating the program.

This activity includes resume preparation, completing a job application, interview skills training, workplace expectations training, training in effective job seeking, life skills training, making contact with potential employers, seeking employment opportunities, applying for job vacancies, interviewing for jobs, other equivalent structured acts of seeking or obtaining employment, and other equivalent acts of necessary preparation for an individual to seek or obtain employment. Additionally, activities include substance abuse treatment, mental health treatment, or rehabilitation treatment for those who are otherwise employable. Services and activities may be provided through the CDJFS, a third party provider, or may be self-directed.

The countable hours of participation for job search/job readiness will include actual daily hours of participation, including actual hours of participation in treatment or rehabilitation, holidays, and excused absences. Acceptable verification includes substance abuse treatment, mental health treatment, or rehabilitation treatment attendance records, documentation of activities by CDJFS, statements from potential employers, third party statements, or other equivalent documentation. This activity must be supervised by the CDJFS or other responsible party on an ongoing basis no less frequently than daily. The CDJFS needs to reasonably ensure the recipient receives constructive guidance, the activity is completed, and the client is engaged in the activity on a daily basis. The activities shall be structured. Self-initiated or self-directed job search/job readiness will be determined and documented in the AG OWF record on a case-by-case basis, by the CDJFS.

Documentation:

- 1. If the State intends to count substance abuse treatment, mental health treatment and rehabilitation activities, describe the criteria to determine whether recipients are “otherwise employable” and establish the necessity of treatment or therapy. Describe the certification requirements for qualified medical or mental health professionals used in this process.**

Pursuant to OAC rule 5101:1-3-12, the CDJFS shall conduct an appraisal of each work-eligible individual as soon as possible after an AG submits an application to participate in OWF. The appraisal may include an evaluation of the employment, educational, physiological, and psychological abilities or liabilities of the work-eligible individual. If, during the course of the appraisal of the work-eligible individual, possible physiological or psychological barriers to employment are identified, and the work-eligible individual is determined to be otherwise employable, the CDJFS can refer the individual to a qualified medical or mental health professional for further evaluation. Based on the results of the evaluation conducted by a qualified medical or mental health professional, the CDJFS may choose to assign the work-eligible individual to acceptable job readiness activities that incorporate substance abuse treatment, mental health treatment or rehabilitation activities, as appropriate.

2. Describe how the State ensures that no more than six total weeks (four consecutive weeks) of job search and job readiness assistance are reported in a fiscal year.

For each applicant or participant no more than six weeks, of which no more than four may be consecutive, per federal fiscal year of job search and job readiness will count toward the federal work participation rate. OAC rule 5101:1-3-12.5.

System changes are being explored to track the weeks of job search/job readiness participation by an individual.

Community Service OAC rule 5101:1-3-12.6

Structured programs and embedded activities in which TANF recipients perform work for the direct benefits of the community under the auspices of public or nonprofit organizations, and are also designed to improve the employability of recipients otherwise unable to obtain employment.

Community service programs must be limited to projects that serve a useful community purpose in fields such as health, social service, environmental protection, education, urban or rural development, welfare, recreation, public facilities, public safety, and child care. The following activities do not meet the definition of community service: substance abuse treatment programs; mental health and family violence counseling; life skills classes; parenting classes; job readiness instruction; and caring for a disabled household member. A CDJFS shall take into account, to the extent possible, the prior training, experience and skills of a recipient in making appropriate community service assignments.

This activity is limited to projects that serve a useful community purpose such as health, social service, environmental protection, urban and rural redevelopment, welfare, recreation, public facilities, public safety, child care or other equivalent structured activities that both provide a community service and improve the employability of participants. The countable hours of participation for Community Service include actual daily hours of participation, holidays, and excused absences.

All actual hours of participation must be verified. Verification is considered to be met when the CDJFS has received documentation of actual hours of participation. Verified hours of participation must be accounted for by the CDJFS. Verified hours of participation must be entered into the CRIS-E system in a timely manner. The CDJFS should determine which type of verification is appropriate based on the activity. Acceptable types of verification/documentation are outlined in the Ohio Administrative Code and include the following: the CRIS-E generated schedule; JFS 06910 "Record of Attendance Report"; JFS 06909 "Record of School Attendance Report"; data exchange report; documented phone contact with the work site. Other CDJFS methods of documentation are acceptable as long as the following elements are included: the participant's name; an accounting of all assigned hours of participation at the participation site; the name and location of the participation site; the name of the participant's work site supervisor; and the name and phone number of the person verifying hours. OAC rule 5101:1-3-12.

All work participation activities must be supervised no less frequently than daily. Supervision means to direct and monitor the work and performance of work-eligible individuals. Work-eligible individuals must be supervised by the employer, the work supervisor, or other responsible third party. OAC rule 5101:1-3-12.

Documentation:

- 1. Describe how the types of community service positions that create an employer/employee relationship and are subject to the FLSA minimum wage requirements will be determined.**

“Employee” is defined for purposes of complying with FLSA as “to suffer or permit to work”. The maximum monthly hours of participation allowable under FLSA are determined by adding the OWF grant (before recoupment) and food stamp allotment (before recoupment) and dividing the sum by the higher of the state or federal minimum wage. OAC rule 5101:1-3-12.

When the employer/employee relationship is created FLSA minimum wage requirements are applicable. In any Community Service activity that is structured, requires daily supervision, and helps the participant develop basic work skills, improve work habits, and help move the participant toward employability, an employer/employee relationship is created, unless otherwise documented in the AG OWF record.

Community service positions must: be structured; provide a useful community service; improve the employability of the participant who is otherwise unable to obtain employment; help the participant develop basic work skills and improve work habits; and help move the participant toward employability.

- 2. If the State permits self-initiated community service positions, describe how it determines that the position provides a direct community service and improves the recipient’s employability.**

The CDJFS will determine whether to accept self-initiated community service positions. Self-initiated community service positions shall be structured activities that provide a community service as well as improve the employability of participants. Self-initiated community service positions will be determined and documented in the AG OWF record on a case-by-case basis, by the CDJFS.

Vocational Education Training OAC rule 5101:1-3-12.7

Organized education programs that are directly related to the preparation of individuals for employment in current and emerging occupations requiring training other than a baccalaureate or advanced degree.

This activity includes course work in associate degree programs, instructional certificate programs, industry skill certifications, noncredit course work designed to obtain a specific job skill, supervised study hours, or other equivalent activity that meets the definition. Structured and supervised distance learning which meets the definition of vocational education is an acceptable method of participating in this activity. Basic and remedial education and ESL training will count as long as it is of limited duration and is a necessary or regular part of the vocational educational training.

The countable hours of participation for Vocational Education Training will include actual daily hours of participation, including actual hours of supervised study hours, holidays, and excused absences.

All actual hours of participation must be verified. Verification is considered to be met when the CDJFS has received documentation of actual hours of participation. Verified hours of participation must be accounted for by the CDJFS. Verified hours of participation must be entered into the CRIS-E system in a timely manner. The CDJFS should determine which type of verification is appropriate based on the activity. Acceptable types of verification/documentation are outlined in the Ohio Administrative Code and include the following: the CRIS-E generated schedule; JFS 06910 “Record of Attendance Report”; JFS 06909 “Record of School Attendance Report”; data exchange report; documented phone contact with the work site. Other CDJFS methods of documentation are acceptable as long as the following elements are included: the participant’s name; an accounting of all assigned hours of participation at the participation site; the name and location of the participation site; the name of the participant’s work site supervisor; and the name and phone number of the person verifying hours. OAC rule 5101:1-3-12.

All participation activities must be supervised no less frequently than daily. Supervision means to direct and monitor the work and performance of work-eligible individuals. Work-eligible individuals must be supervised by the employer, the work supervisor, or other responsible third party. OAC rule 5101:1-3-12

Documentation:

- 1. Describe how the State ensures participation in vocational educational training does not count beyond the statutory limitation limiting participation to 12 months lifetime per individual.**

This activity is limited to a lifetime 12-month limit. ODJFS currently tracks vocational educational months in CRIS-E. When an individual assigned to a vocational education activity reaches the 12-month limit, their hours are reduced to zero for reporting of this activity in the TANF data report, and the hours are reported as “other work activities”.

- 2. Explain how the State will ensure that basic and remedial education and English as a Second Language (ESL), if such activities are counted, are of limited duration and a necessary or regular part of the vocational education training.**

Basic and remedial education and ESL training will count as long as it is of limited duration and is a necessary or regular part of the vocational educational training. The CDJFS will ensure basic and remedial education and ESL training are of limited duration by reviewing individual assignments on a case-by-case basis and documenting the determination in the case record. (Please refer to section IV for ensuring accuracy in reporting procedures.)

Job Skills Training Directly Related to Employment OAC rule 5101:1-3-12.9

Training and education for job skills required by an employer to provide an individual with the ability to obtain employment or to advance or adapt to the changing demands of the workplace.

This activity includes customized training to meet the needs of a specific employer; general training that prepares an individual for employment, or other equivalent activity that meets the definition. Activities include unpaid internships, unpaid clinical work, and unpaid clinical training required by an academic or training institution for licensure, and any equivalent activity which meets the definition. Additionally, literacy instruction or language instruction, if focused on skills needed for employment or combined in a unified whole with job training, workplace training, or skill upgrading is included. This activity also includes post secondary education directly related to employment at any state

certified college or university that leads to a bachelor's or advanced degree; and all services and programs described in the vocational educational activity above.

The countable hours of participation for Job Skills Training Directly Related to Employment will include actual daily hours of participation, including actual hours of supervised study hours, holidays, and excused absences.

All actual hours of participation must be verified. Verification is considered to be met when the CDJFS has received documentation of actual hours of participation. Verified hours of participation must be accounted for by the CDJFS. Verified hours of participation must be entered into the CRIS-E system in a timely manner. The CDJFS should determine which type of verification is appropriate based on the activity. Acceptable types of verification/documentation are outlined in the Ohio Administrative Code and include the following: the CRIS-E generated schedule; JFS 06910 "Record of Attendance Report"; JFS 06909 "Record of School Attendance Report"; data exchange report; documented phone contact with the work site. Other CDJFS methods of documentation are acceptable as long as the following elements are included: the participant's name; an accounting of all assigned hours of participation at the participation site; the name and location of the participation site; the name of the participant's work site supervisor; and the name and phone number of the person verifying hours. OAC rule 5101:1-3-12.

All participation activities must be supervised no less frequently than daily. Supervision means to direct and monitor the work and performance of work-eligible individuals. Work-eligible individuals must be supervised by the employer, the work supervisor, or other responsible third party. OAC rule 5101:1-3-12.

Documentation: None

Education Directly Related to Employment in the case of a recipient who has not received a high school diploma or a certificate of high school equivalency OAC rule 5101:1-3-12.10
Education related to a specific occupation, job, or job offer.

This activity includes course work designed to provide the knowledge and skills for specific occupations or work settings, including Adult Basic Education, ESL, or GED, (may include post secondary education) as a prerequisite for employment by employers or occupations, or any equivalent activity that meets the definition. The countable hours of participation for education directly related to employment will include actual daily hours of participation, if the attendance is good or satisfactory, including actual hours of supervised study hours, holidays, and excused absences.

All actual hours of participation must be verified. Verification is considered to be met when the CDJFS has received documentation of actual hours of participation. Verified hours of participation must be accounted for by the CDJFS. Verified hours of participation must be entered into the CRIS-E system in a timely manner. The CDJFS should determine which type of verification is appropriate based on the activity. Acceptable types of verification/documentation are outlined in the Ohio Administrative Code and include the following: the CRIS-E generated schedule; JFS 06910 "Record of Attendance Report"; JFS 06909 "Record of School Attendance Report"; data exchange report; documented phone contact with the work site. Other CDJFS methods of documentation are acceptable as long as the following elements are included: the participant's name; an accounting of all assigned hours of participation at the participation site; the name and location of the participation site; the name of the participant's work site supervisor; and the name and phone number of the person verifying hours. OAC rule 5101:1-3-12.

All participation activities must be supervised no less frequently than daily. Supervision means to direct and monitor the work and performance of work-eligible individuals. Work-eligible individuals must be supervised by the employer, the work supervisor, or other responsible third party. OAC rule 5101:1-3-12.

Documentation:

- 1. Describe the State’s criteria for “good or satisfactory progress” and when and how it is documented.**

“Good or satisfactory progress” is a standard of progress that is developed by the educational institution or program in which the recipient is enrolled and includes both a qualitative measure of progress as well as quantitative measure.

OAC rule 5101:1-3-12.10.

Satisfactory Attendance at Secondary School or GED Program OAC rule 5101:1-3-12.11

Regular attendance, in accordance with the requirements of the secondary school or course of study at a secondary school, or in a course of study leading to a certificate of general equivalence, in the case of a recipient who has not completed secondary school or received such a certificate.

This activity includes course work at a secondary school or GED program, and supervised study hours. The countable hours of participation for satisfactory attendance at secondary school or GED Program will include actual daily hours of participation, if the attendance is good or satisfactory, including actual hours of supervised study hours, holidays, and excused absences.

The Learning, Earning and Parenting (LEAP) Program, a component of OWF, is Ohio's program to encourage teen parents to remain in school and obtain a high school diploma or high school equivalence diploma (HSED). All teen parents (including pregnant teens) under the age of 18 or 18 and attending school are subject to LEAP program requirements. LEAP participants also receive services through the CDJFS, including nutrition information, parenting classes, tutorial assistance, stress management classes, substance abuse education, housing assistance and legal services.

All actual hours of participation must be verified. Verification is considered to be met when the CDJFS has received documentation of actual hours of participation. Verified hours of participation must be accounted for by the CDJFS. Verified hours of participation must be entered into the CRIS-E system in a timely manner. The CDJFS should determine which type of verification is appropriate based on the activity. Acceptable types of verification/documentation are outlined in the Ohio Administrative Code and include the following: the CRIS-E generated schedule; JFS 06910 “Record of Attendance Report”; JFS 06909 “Record of School Attendance Report”; data exchange report; documented phone contact with the work site. Other CDJFS methods of documentation are acceptable as long as the following elements are included: the participant’s name; an accounting of all assigned hours of participation at the participation site; the name and location of the participation site; the name of the participant’s work site supervisor; and the name and phone number of the person verifying hours. OAC rule 5101:1-3-12.

All participation activities must be supervised no less frequently than daily. Supervision means to direct and monitor the work and performance of work-eligible individuals. Work-eligible individuals must be supervised by the employer, the work supervisor, or other responsible third party. OAC rule 5101:1-3-12.

Documentation:

1. **Describe the State’s criteria for “good or satisfactory progress” and when and how it is documented.**

“Good or satisfactory progress” is a standard of progress that is developed by the educational institution or program in which the recipient is enrolled and includes both a qualitative measure of progress as well as quantitative measure.

OAC rule 5101:1-3-12.10.

Caring for a Child of a Community Service Participant OAC rule 5101:1-3-12.8

Providing child care to enable another TANF recipient to participate in a community service program.

This activity includes providing child care to another TANF recipient who participates in the community service program only. The countable hours of participation for caring for a child of a community service participant will include actual daily hours of participation, holidays, and excused absences.

In a two-parent family, one parent cannot count as participating by providing child care for his or her own child while the other parent participates in a community service activity.

All actual hours of participation must be verified. Verification is considered to be met when the CDJFS has received documentation of actual hours of participation. Verified hours of participation must be accounted for by the CDJFS. Verified hours of participation must be entered into the CRIS-E system in a timely manner. The CDJFS should determine which type of verification is appropriate based on the activity. Acceptable types of verification/documentation are outlined in the Ohio Administrative Code and include the following: the CRIS-E generated schedule; JFS 06910 “Record of Attendance Report”; JFS 06909 “Record of School Attendance Report”; data exchange report; documented phone contact with the work site. Other CDJFS methods of documentation are acceptable as long as the following elements are included: the participant’s name; an accounting of all assigned hours of participation at the participation site; the name and location of the participation site; the name of the participant’s work site supervisor; and the name and phone number of the person verifying hours. OAC rule 5101:1-3-12.

All participation activities must be supervised no less frequently than daily. Supervision means to direct and monitor the work and performance of work-eligible individuals. Work-eligible individuals must be supervised by the employer, the work supervisor, or other responsible third party. OAC rule 5101:1-3-12.

Documentation: None

II. Hours Engaged in Work***Excused Absences OAC rule 5101:1-3-12***

In the past, Ohio utilized “good cause” for non-compliance as defined locally by each county. If a participant has “good cause” for failure or refusal to comply with a provision of the participant’s self-sufficiency contract, that participant is not subject to sanction. The concept of “good cause” remains but as a result of the new HHS regulations, the state has defined “good cause,” and in some instances hours of participation missed as a result of good cause will be considered an “excused absence” for purposes of the state’s work participation rate. The state will now also define which holidays may be counted toward the participation rate.

“Good cause” for noncompliance is limited to the following reasons: illness of the work-eligible individual or another family member, if the care by the work-eligible individual was necessary; previously scheduled appointment for either the work-eligible individual or a family member necessary for medical, dental, or vision care; previously scheduled appointment for a work-eligible individual for a job interview including any subsequent interviews and/or testing requirements; court ordered appearances; appointment with another social services agency or program; death in the family, with the length of absence to be determined by the CDJFS; a school, place of work, or worksite is closed due to weather or other emergency; lack of child care; a failure of the CDJFS to provide supportive services; a failure of the CDJFS to provide the individual with all information necessary about the assignment; or other absences excused at the discretion of the CDJFS director.

“Holidays” are those recognized by the state and federal governments, and other holidays recognized by the work or education site. In order to count a holiday as actual hours of participation, the individual must have been scheduled to participate on that day.

For purposes of work participation rates, excused absences that count toward the rate will be based on a determination of good cause for noncompliance and the limitation of 10 days of excused absences in any 12-month period, no more than two of which may occur in a month. CRIS-E automated processing has been programmed and added to ensure only the allowable amount of excused absences will be transmitted in the TANF data report.

Fair Labor Standards Act (FLSA) Deeming

Ohio has received approval from the Food and Nutrition Service (FNS) and is recognized as a Simplified Food Stamp State.

The maximum monthly hours of participation allowable under FLSA are determined by adding the OWF grant (before recoupment) and food stamp allotment (before recoupment) and dividing the sum by the higher of the state or federal minimum wage. OAC rule 5101:1-3-12.

In situations where a food stamp household contains individuals not in receipt of OWF, Ohio is proposing the following proration methodology to determine the countable food stamp allotment. We propose dividing the total food stamp allotment by the number of members in the AG. The result would then be multiplied by the number of individuals in receipt of OWF. This amount would then be used as the food stamp allotment for FLSA purposes.

Until informed otherwise by HHS, Ohio will report in the quarterly TANF data report the number of deemed hours for the overall work participation rate in Element 62 and the number of deemed hours for the two parent work participation rate in Element 64.

III. Work-Eligible Individual

1. Describe the State’s procedures for identifying all work-eligible individuals, as defined at § 261.2. This should include the procedures needed to identify a non-recipient parent *excluded* from the definition of work-eligible individual. These are:

- ? A minor parent who is not the head-of-household and not spouse of the head-of-household;**

- ? **An alien who is ineligible to receive assistance due to his or her immigration status; and**
- ? **At State option, on a case-by-case basis, a recipient of Supplemental Security Income (SSI) benefits.**

The State should also describe its procedures for identifying a parent caring for a disabled family member, who may also be excluded from the definition of a work-eligible individual. The procedures should define the terms “disabled,” “family member” and “attending school full-time”. This should include a means of ensuring that the need for care in the home is supported by medical documentation and describe the nature of the medical documentation used to make such determinations. If the State includes in this group parents caring for a family member with a temporary disability, the State must describe its procedures for determining when the family member is no longer disabled and ensuring that the parent is then identified as a work-eligible individual.

OAC rule 5101:1-3-12 contains the work-eligible definition and requirements for the CDJFS. The term “disabled” is defined in rule and includes the requirement that it be supported by competent medical documentation. Medical forms currently available to the CDJFS may be used to confirm the disability.

There is a process in the CRIS-E eligibility system to identify a disabled individual in the home. Currently, this process primarily addresses the disabled parent and not another family member who may be disabled. There is also a process to identify that the family member in need of care does not attend school full-time. We are pursuing system changes to enable these processes to interface and pre-populate a participant status code (PSC) on the work activity screen within CRIS-E to notify the CDJFS worker that this individual is excluded from participation.

Until system support is available, the CDJFS has been instructed to verify the requirements and enter a new PSC that will exclude the individual from participation. If the disability is temporary, the process requires a review date and the worker is alerted to re-verify the disability prior to the review date.

All adults, minor heads-of-household and spouses of heads-of-household who are in the AG are identified in the CRIS-E eligibility system. The appropriate PSC is pre-displayed for the CDJFS worker based upon entry into other processes. We are pursuing system support to identify non-recipient work-eligible individuals and to provide the processes necessary to assess and assign these individuals to work activities. Non-recipient work-eligible individuals with open cases have been identified and a report has been provided to the CDJFS to work with these families.

Aliens, recipients of SSI and minor parents are currently not identified in the CRIS-E system as mandatory participants nor should they be.

2. Describe verification procedures for ensuring the accuracy in reporting of work- eligible individuals on the TANF Data Report and the SSP-MOE Data Report, including:

- ? **The correct reporting of the Work Participation Status of all adult (or minor child head-of-household) family members, and**
- ? **The proper identification of TANF families for inclusion in only the overall work participation rate or the overall and two -parent work participation rates, or exclusion from both the overall and two -parent work participation rates.**

All adults and minor heads-of-household are identified in the CRIS-E system and reported on the TANF data report. Non-recipient work-eligible individuals are also identified and reported in the TANF data report. (Please refer to section IV for ensuring accuracy in reporting procedures.)

- 3. Describe the procedures that show how the State ensures that, for each work-eligible individual, it accurately inputs data into the automated data processing system, properly tracks the hours, and accurately reports countable hours to HHS that do not include participation in an activity that does not meet a federal definition.**

The CDJFS have been instructed on the proper entry of data into CRIS-E through transmittals, training handouts, system bulletins and reports.

ODJFS has developed a process within the CRIS-E system to track weekly hours of participation per activity for each work-eligible individual. An automated data extract will track hours and only hours meeting the federal definitions of allowable activities will be counted and compiled for the TANF data report. (Please refer to section IV for ensuring accuracy in reporting procedures.)

IV. Internal Controls

The State is required to describe internal controls that ensure a consistent measurement of the work participation rates. The Work Verification Plan should contain a clause confirming that the State will maintain all pertinent findings produced through its internal control processes and that these findings will be available for use by ACF and other auditors in their review of the State's work participation verification system.

If the State is phasing in procedures or internal controls, describe the phase-in. All procedures must be in place by September 30, 2007.

The results and findings produced through internal control processes will be maintained and will be available for use by ACF, the Auditor of State, and other auditors in their review of Ohio's work participation verification system.

Documentation:

- 1. Describe the internal controls designed to ensure established work verification procedures are properly being employed. Such controls may include supervisory guidance, policy directives, and staff training plans, as well as quality assurance processes, such as monitoring procedures to ensure adherence to procedures by staff, providers and contractors. For example, to ensure the State is identifying all work-eligible individuals, a State may periodically check the disability status of a family member who is temporarily disabled, as the parent caring for the disabled family member would become a work-eligible individual once the family member is no longer disabled.**

The following internal controls are currently in place and are designed to ensure that the established work verification procedures are being properly employed.

Training:

1. ODJFS conducted multiple statewide meetings with all CDJFS to convey the federal regulations including CRIS-E system changes and guidance on the state of Ohio Work Verification Plan.
2. ODJFS will continue to provide comprehensive guidance and technical assistance to all 88 CDJFS through on-going trainings, workshops, policy letters, and on-site monitoring to ensure compliance with federal and state requirements.

Case review:

3. ODJFS has developed a monitoring process to ensure adherence to procedures by CDJFS agencies and their contracted providers. ODJFS will conduct a monthly review of randomly selected cases to monitor accuracy in reporting of work-eligible individuals on the TANF data report. The review will target work-eligible individuals as well as excluded individuals contained in "child only" AGs (i.e., non-recipient parents receiving SSI, an ineligible alien due to immigration status, etc.). The review will validate the reported work participation status and related eligibility information contained in the CRIS-E computer system and county case file. In addition, ODJFS will continue reviewing a sample of sanctioned cases to determine appropriate exclusion from work participation reporting.

Monitoring county performance:

4. ODJFS remains in constant contact with CDJFS unable to meet work activity performance standards. ODJFS conducts routine consultation visits with the CDJFS reviewing work activity data and county procedures as well as providing assistance in developing strategies until work activity standards can be met.

Review of work-eligible status:

5. Reapplication of eligibility for OWF is required every six months. Included in the process is a review of each individual's work-eligible status. The reapplication process, which includes the appraisal and assignment of work activities, is conducted by the CDJFS. Appraisals and assignments can be amended at any time in between the required six month review.

Data exchange:

6. ODJFS is testing the utility of NDNH employment data in verifying employment of work-required individuals receiving cash assistance. This test involves an automated match of work-required individuals on cash assistance to the NDNH data. Two CDJFS then verify the matches. ODJFS will conclude the NDNH employment verification study by April 2007. If ODJFS determines that the process is a cost effective strategy, steps will be taken to implement the system statewide.
2. **Describe the internal controls to control for data errors, including transcription and coding errors, data omissions, computational errors, and compilation errors. For example, a State might automatically review the case record of each work-eligible individual whose reported average weekly hours of participation are unusually high (e.g., 70 or more hours per week) by examining the documentation used to support those hours.**

ODJFS will identify patterns, trends, and frequency of errors to improve system programming, input processes and compliance with requirements.

The department has developed a TANF Federal Reporting Team with representatives from appropriate offices. The team meets to examine all data elements to ensure accurate data reporting. This is a system analysis process, where program code is reviewed and corrections are implemented.

ODJFS Quality Control (QC) staff evaluates the accuracy of OWF payments, which includes compliance with the self-sufficiency contract and work participation requirements. ODJFS technical assistance (TA) staff provide TANF training and technical assistance to all 88 CDJFS. The QC review information is provided to the CDJFS and ODJFS TA staff. TA staff use the information to identify target areas for training and technical assistance.

Quarterly TANF reports are submitted to HHS. When an error is identified and a report is sent back, ODJFS investigates the reason for the error and, if a fatal error, acts to correct the error immediately. In addition, as reports are generated, ODJFS looks for data anomalies.

Preliminary TANF reports are generated monthly and issued to the CDJFS. The CDJFS is responsible for reviewing the preliminary reports for completion and correctness. The CDJFS is responsible to ensure all corrections are made prior to the issuance of the final report. Any data entry error information goes to the training and technical assistance sections for dissemination to the counties.

- 3. Describe the checks used to isolate electronic systems and programming errors and the steps to ensure that all work participation report items are internally consistent. For example, a State might obtain the raw data (prior to input into an automated data processing system) for a sample of work-eligible individuals and determine manually the average weekly hours of participation for each work activity for a month and compare that result to what the State actually reported to HHS.**

The CRIS-E system has controls in place that ensure all required data elements are completed and that only pre-determined acceptable data can be entered into the data fields. In addition, CRIS-E has an automated alert process for notification to county staff of error prone situations. In the event the alert is unresolved, ODJFS has included an escalation process within CRIS-E to alert appropriate supervisors and administrators.

As part of the process to ensure that all work participation report items are internally consistent, all programming and system updates are run through a series of testing environments by staff experienced in both programming and policy regulations before being added to CRIS-E.

- 4. Describe any sampling and estimation techniques employed in data validation. The Work Verification Plan should document the soundness of all statistical procedures utilized in the verification process. All estimation techniques must be reasonable and fully described in the plan. For estimates based on sampling or other statistical techniques, the plan must contain, as appropriate, the step-by-step computations of precision, affirming that the produced estimates are within statistically acceptable levels of reliability and validity.**

The sampling technique utilized by ODJFS in data validation is a systematic sampling method. The TANF Sampling and Statistical Methods Manual from HHS dated October 1999 is the foundation of our sampling methodology. At present, based on the last two months of data in the federal TANF Data report, it is estimated that the average universe is 2,433 cases monthly. Using a 90% confidence level with a less than 5% error rate yields a required annual sample size of 1,500, with a monthly sample size of 125 cases to be reviewed. A random start and interval will be utilized to pull the cases each month.

V. Verification of Other Data Used in Calculating the Work Participation Rates

Under the “complete and accurate” standard for data reporting, States should validate all data submitted in its TANF Data Report and, if applicable, the SSP-MOE Data Report. In addition to the work activities, the following data elements are used in calculating the work participation rates:

- **Reporting Month**
- **Stratum**
- **Case Number**
- **Disposition**
- **Type of Family for Work Participation**
- **Amount of Food Stamps Assistance**
- **Receives Subsidized Child Care**
- **Amounts of TANF (and SSP-MOE) Assistance**
- **Family Affiliation Code**
- **Non-custodial Parent Indicator**
- **Date of Birth (Adult)**
- **Relationship to Head-of-Household**
- **Parent with Minor Child**
- **Work-Eligible Individual Indicator**
- **Date of Birth (Child)**

The Work Verification Plan should contain the procedures needed to establish that the State has the capacity to breakout TANF families with a work-eligible individual by the case characteristics that relate to the special rules and conditions of participation, such as receipt of child care, age of child, age of adult or teen parent, number of months under a sanction, adult or teen parent with satisfactory school attendance, and families with a disabled family member (adult or child).

Documentation:

- 1. For each of the above data elements, describe the State’s data validation procedures to ensure “complete and accurate” data reporting.**

Presently within the CRIS-E system we have the ability to retrieve data for the required elements to report on a comparable population.

2. Describe any procedures employed to eliminate data inconsistencies between two or more data elements.

When the Data Error Report is received from HHS, the errors are analyzed and the system checked for any relevant programming errors. The report data is reviewed to check for anomalies. ODJFS will consider adding future tests of the data generated by the program parameters of the TANF data report to place reliance on the report submitted to HHS.

Work Participation Status

1. Describe the State's procedures to ensure that a family is not disregarded from the work participation rate for more than 12 months per lifetime based on being a single custodial parent with a child less than one year of age.

The ODJFS CRIS-E system uses a set of codes to identify each individual's PSC. In the case of a single custodial parent or caretaker relative with a child under age one; the individual would be coded as a D3. The state CRIS-E system includes fields that flag the duration of the 12 month lifetime exclusion for those individuals coded as a D3. An extract is taken from the system and the data is processed further to meet the Federal Reporting requirements (3734 process). The 12 month limit counter is applied to those coded as D3. ODJFS MIS maintains a counter file for all AGs with a child under age 1 that are coded D3. When an individual hits the 12 month limit, the programming in the 3734 process returns them to the denominator.

2. Describe the State's procedures to ensure that a family is not disregarded from the work participation rate for more than three months in any period of 12 consecutive months based on a work-eligible individual's refusal to participate in work.

The ODJFS CRIS-E system includes fields that track a sanctioned AG. An extract is pulled from the system (3734 process) which includes programming that removes the appropriately coded AG from counting in the denominator for three months. After three months, the AG is returned to the denominator count beginning the fourth month.

3. Describe the State's procedures for ensuring a family deemed engaged in work based on 20 hours of participation in countable work activities meets the requirements of a single custodial parent or caretaker relative with a child under age six.

The ODJFS CRIS-E system uses a set of codes to identify each individual's PSC. The D6 participation status code identifies a single custodial parent or caretaker relative with a child under age six. If an individual with a D6 PSC is participating or working the required 20 hours, they are reported in the federal report as meeting the federal requirement.

VI. Certification of Completeness

I certify that the State of Ohio Work Verification Plan includes all the information required by 45 CFR 261.62(b) and that it accurately reflects the procedures under which the State is operating.

Jeanne Carroll, IV-A Administrator