

OWF Time Limits and Hardship Criteria for Ashland County

Section 5107.18 of the Revised Code limits participation in the Ohio Works First (OWF) to 36 months. This section also provides that Ashland County may exempt not more than 20% of the average monthly number of OWF participants from the time limit due to hardship.

OWF State and Federal Laws Related to Time Limits

Am. Sub. H. B. 408 adopted time-limited assistance that is more limited than the maximums allowed by federal law. Section 5107.18 of the Revised Code makes an assistance group ineligible for OWF if an assistance group includes an adult who has participated in OWF for 36 months, regardless of whether those months were consecutive. Some months may be excluded from the counting of the 36 months. Those exceptions are set forth in divisions (C) and (D) of section 5107.18 of the Revised Code and in rule 5101:1-23-01 of the Ohio Administrative Code (O.A.C.)

Under federal law, states are prohibited from using federal TANF funds to provide assistance to a family that includes an adult who has received assistance for more than five (5) years. As in state law, there are exceptions based on hardship or if the family includes an individual who has been battered or subject to extreme cruelty. The number of families receiving one of these exemptions may not exceed 20% of the state's average caseload. The federal provisions are found at 45 C.F. R. section 264.1 as well as in the preamble to the federal regulations at pages 17845 to 17858 of the April 12, 1999 Federal Register, Vol. 64, No. 69.

Ashland County Hardship Criteria

The Ashland County Department of Jobs & Family Services (ACDJFS) has adopted the following criteria for granting a hardship exemption under

O.R.C. Section 5107.18.

If granted an exemption, the assistance group must continue to meet the provisions of their self-sufficiency contract while receiving further assistance.

A review committee appointed by the ACDJFS director will determine whether the hardship exemption will be granted for all applications.

ACDJFS, at its sole discretion, may provide extended benefits beyond the 36 month limit for assistance groups meeting at least *one* of the criteria listed below in descending order by priority.

1. Disabled Adults

A parent or caretaker with a serious physical/mental illness or condition which prevents them from employment. The disability must be verified by a physician and the individual must be pending SSI/SSA benefits. The ACDJFS reserves the right to secure a second medical opinion from a physician of its own choosing.

2. Care of Disabled Family Member

Individuals whose presence in the home is medically necessary to provide care for a disabled immediate family member (child, spouse, parent or sibling) living in the household. A physician's statement on a CDJFS approved form must verify the medical necessity. The ACDJFS reserves the right to secure a second medical opinion from a physician of its own choosing.

3. Domestic Violence

An parent or caretaker in an Assistance Group who is a victim of domestic violence within the last six (6) months, which is verified by a police report. The victim must be receiving help from local agencies

that provide services to domestic violence victims. These services must be focused on overcoming barriers that prevent the individual from seeking and maintaining employment.

4. Child Protective Services

A parent or caretaker involved with Children's Protective Services through a protective service order of Juvenile Court. This is a maximum exemption of six months or until their protective services case plan is completed, whichever occurs first.

5. Pregnancy/Child Under 3 months

The parent or caretaker in an Assistance Group is medically verified to be in the third trimester of pregnancy and is medically unable to work or is caring for a child under the age of three months. The assistance group exemption can be granted for a maximum of six months, or until such time as the child turns three months of age, whichever is shorter. The assistance group must be participating in a developmental activity geared to prepare the individual for employment.

6. Education or Training

The parent or caretaker is enrolled and has completed at least ½ of an education or training program directly related to employment, which will be completed after the expiration of the 36-month limit. Graduation and employment must be anticipated within 6 months of the expiration of the 36-month limit. The individual must be making satisfactory progress, as reported by the school or training provider. The individual must meet work participation requirements.

7. Barriers to Employment

The parent or caretaker has significant barriers to employment : 1) local

labor surplus, or 2) high unemployment (a rate greater than 10% for the three months prior to the end of the 36 month limit, as reported by the Ohio Bureau of Employment Services), or 3) underemployment (working and still eligible for a partial OWF check) or 4) lack of transportation or child care for children under 6 years of age (documentation of the lack of available child care providers must be provided by the assistance group), or 5) has not been assigned to a work activity in the last 12 months. This exemption applies to individuals who do not meet any of the exemption criteria listed above. This exemption will be granted for a period no longer than six months.

Those individuals granted hardship exemptions will be evaluated on a monthly basis to determine if the exemption still exists. Individuals must be willing to work with appropriate community organizations and programs to overcome barriers to employment.

Once the ACDJFS is notified that it has met or exceeded eighteen percent (18%) of the average monthly Ohio Works First caseload for hardship exemptions, the ACDJFS will review all Assistance Groups to assess whether the hardship exemption should continue to be granted. Should the ACDJFS reach the 20% limitation for granting hardship exemptions, priority will be granted to those Assistance Groups granted a hardship exemption under criteria #1 & #2 above, then to those Assistance Groups which have received the least total number of months of OWF assistance since October 1, 1997.

The Ashland County Department of Jobs and Family Services reserves the right to amend this plan with at least 30 days prior notice to the public.

Date: _____

R. Brooks Whitmore, Director
Ashland County Department of Jobs & Family Services

