

The Work Participation Rate

States and Territories must maintain 50% or more of their TANF caseload in a qualified work activity monthly or face a financial penalty of 5% of State Financial Assistance Grant funding.

Sanction Policy

The Territory has now moved to full-family sanctions. This means that anyone not complying with the regulations will be sanctioned for up to 90 days by removing the non-compliant adult from the grant. Each month, the non-compliant adult will be notified in writing that failure to comply will result in the closure of the entire case. After 90 days of non-compliance the entire case will be closed (everyone will be removed from the grant) and will remain closed for 90 days before it can be reopened. When someone is sanctioned, JOBS will suspend all support services until the recipient complies.



Before any sanction is levied, the non-compliant recipient will receive a warning letter informing them of the intent to sanction. Upon receiving a warning letter, the accused person may show good cause in writing to the JOBS District manager. If valid, this will abort the sanction. If not valid the sanction process will continue. After being sanctioned, the non-compliant recipient may also request an appeal in writing. If good cause is found, the sanction will be aborted and the grant reinstated. If not, the sanction proceeds.

We will not sanction the entire family for the non-compliance of anyone other than the head-of-household or non-recipient parent

Other Important Matters

- The time limit remains unchanged at a lifetime limit of 60 months.
- Childcare and transportation stipends are provided to individuals who are participating in a work activity. This is not an entitlement and can be withdrawn at any time if misused.
- Participants in all non-core activities are required to attend 80% of the time.
- Participants in all non-core activities must maintain a C average in class.
- All activities must be supervised daily
- Homework cannot count unless it is supervised group homework

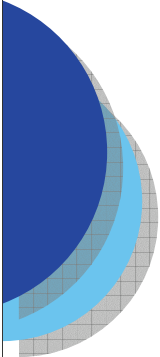


Department of Human Services

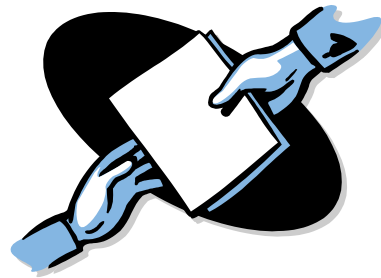
Financial Programs Division Job Opportunities and Basic Skills Program

For More Information Contact:
The JOBS Program
Knud Hansen Complex
1303 Hospital Ground
St. Thomas, VI 00802

St. Croix (340) 773-1919
St. Thomas (340) 774-0930



TANF and the JOBS Program



Under The Deficit Reduction Act, 2005

The Laws

In 1996, Congress created the Temporary Assistance for Needy Families (TANF) under the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA). This law replaced Aid to Families with Dependent Children. In 2005, Congress reauthorized TANF under a new law called, the Deficit reduction Act.. The following are changes under the new law

Work Eligible Individual

Any adult who receives TANF or any parent living in the home (whether they receive TANF or not) is required to work unless the person is one of the following:



New Term

- a minor parent who is not head of a household or a 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, or
- a recipient of Supplemental Security Income (SSI) benefits.
- An adult caring for a disable family member (member cannot be attending school)

Any work-eligible recipient who is sanctioned continues to be work-eligible while on sanction. Any recipient who has exceeded the 60-month time limit, but continues to receive assistance for any reason is work-eligible.

Work Requirement

All work-eligible individuals are required to work at least 30 hours in a qualified work activity except for single custodial parents with a child under 6 years will be required to work 20 hours. Of the 30 required hours, 20 must be in a core work activity first; the remaining 10 may be in a core or non-core activity.

FLSA Restriction

For some of the core activities (including self-employment) the Fair Labor Standard Act (FLSA) restricts the number of hours one can participate in work activities. An FLSA activity restricts the government from allowing a TANF recipient to work more hours than the number derived from dividing the federal minimum wage (\$5.15) by the TANF and Food Stamps monthly grants combined. The work activities are as follows.

Core Work Activities

- **Unsubsidized employment**—full or part-time employment in the public or private sector that is not subsidized by TANF or any other public program. FLSA Applies.
- **Work experience**— a work activity, performed in return for welfare, that provides an individual with an opportunity to acquire the general skills, training, knowledge, and work habits necessary to obtain employment. FLSA Applies.
- **On-the-job training**—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 of the job
- **Job Search/Job Readiness Assistance**—the act of seeking or obtaining employment, preparation to seek or obtain employment, including life skills training, and substance abuse treatment, mental health treatment, or rehabilitation activities for those who are otherwise employable. This activity has a 6 weeks per year limit.
- **Community service**—structured programs in which TANF recipients perform work useful to the community for the direct benefit of the community under the auspices of public or nonprofit organizations. FLSA applies.
- **Vocational educational training**—organized educational programs that are directly related to the preparation of individuals

for employment in current or emerging occupations requiring training other than a baccalaureate or advanced degree. This activity has a 12 months lifetime limit and no more than 30% of a state's caseload can comprise of this activity

- **Providing child care services to an individual who is participating in a Community Service program** - providing child care to enable another TANF recipient to participate in a community service program. FLSA Applies.

Non-Core Activities

- **Job skills training directly related to employment**—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. Includes literacy or language instruction or education leading to a (GED) or high school diploma if required as a prerequisite for employment by employers.
- **Satisfactory attendance at 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**— regular attendance, 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. Excludes ESL or literacy training.
- **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**— education related to a specific occupation, job, or job offer.

Documentation

To verify participation in work activities recipients must show one the following:

- pay stubs, time cards/sheets,
- certified Employer Report,
- Certified School Attendance Form, or
- Service Provider Attendance Form



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