

**NORTH DAKOTA DEPARTMENT OF HUMAN SERVICES
BISMARCK, NORTH DAKOTA
September 30, 2016**

IM 5283

TO: County Social Service Directors
Economic Assistance Policy Regional Representatives
Economic Assistance Policy Quality Control Reviewers

FROM: Carol Cartledge, Director, Economic Assistance Division

SUBJECT: **Basic Employment Skills Training (BEST) Program**

PROGRAMS: Supplemental Nutrition Assistance Program (SNAP)

EFFECTIVE: October 1, 2016

RETENTION: Until Manualized

SECTIONS

AFFECTED: 430-05-40-55 – Basic Employment Skills Training Program (BEST)
430-05-40-55-10 – Exemptions from BEST
430-05-40-55-20 – County Procedures
430-05-40-55-35 – Participant Reimbursement
430-05-40-55-40 – Conciliation Procedure

The following changes are being made to the BEST program policy for all new applications and reviews received on or after October 1, 2016.

Three new exemptions and the applicable codes are being added as follows:

- Pregnant (PG),
- Limited or Non-English Speaking (NE), and
- ABAWDs (AB)

ABAWDs must register for work unless they are otherwise exempt.

For ongoing cases containing an individual(s) who will become exempt from participating in the BEST program effective October 1, 2016 due to one of the new exemptions who are in the conciliation procedure; the conciliation process will end October 31, 2016. If otherwise eligible, the individual will be eligible to receive a SNAP benefit beginning with November 2016 benefits.

For an individual(s) in an ongoing case, who will become exempt effective October 1, 2016 due to one of the new exemption reasons who is disqualified; the disqualification will end October 31, 2016. If otherwise eligible, the individual will be eligible to receive a SNAP benefit beginning with November 2016 benefits.

Examples:

A pregnant woman in an ongoing case is currently disqualified for non-compliance with BEST. This individual will no longer be ineligible to participate and if otherwise eligible, is eligible to receive SNAP benefits beginning with November 2016 benefits.

An ABAWD individual in an ongoing case is currently in the conciliation procedure for non-compliance with BEST. The conciliation procedure would end effective October 1, 2016, and the individual would not be disqualified for non-compliance with BEST.

A report will be run and sent to Burleigh and Cass counties of individuals in open SNAP cases who are in the conciliation process, have been disqualified or will become exempt due to the new exemptions effective October 1, 2016.

**Basic Employment Skills Training Program (BEST) -
430-05-40-55**

1. 430-05-40-55-10 – Exemptions from BEST. The number of Exemptions from BEST have been increased from seven to ten. Due to the decrease in our federal Employment and Training grant. All individuals who fall under the new exemption categories will be exempt from participation effective October 1, 2016.

Exemptions from BEST - 430-05-40-55-10

Individuals exempt from work registration are exempt from BEST by federal regulation.

The following individuals are also not required to participate in BEST (TECS coding on the WORE screen is listed):

1. ~~Individuals exempt for work registration~~ **Geographic (individuals not living in Burleigh and Cass Counties) (EX)**
 2. Migrants in the job stream (MI)
 3. Individuals exempt for good cause as determined by sound, professional judgment of the worker. The case must be thoroughly documented to support the exemption (GC)
 4. Individuals who are participating in the Parental Responsibility Initiative for the Development of Employment (PRIDE) Program (PP)
 5. Individuals where public transportation is limited because of where and when the public transportation is available (LT)
 6. Individuals with a temporary disability such as a broken leg, illness, etc. (DI)
 7. Individuals who do not have a permanent residence and are homeless (MA)
 8. **Limited or non-English speaking individuals (NE)**
 9. **Pregnant Women (PG)**
 10. **ABAWDs (AB)**
2. 430-05-40-55-20 – County Procedures. This section was updated to reflect a change in county procedures.

County Procedures - 430-05-40-55-20

The workers must carry out the following procedures:

- Determine if the work registrant is required to participate in BEST.
 - If the work registrant is exempt, enter the exemption reason code and date exempted on TECS screen WORE.
 - If the work registrant is not exempt, refer them to the Employment Communication orientation session using Form SFN 679, "Basic Employment Skills Training Program (BEST) Referral," e-form. Date, time and place of orientation sessions can be obtained from the local Workshop Coordinator.
 - Inform the Workshop Coordinator of the referral by sending them a copy of the completed Form SFN 679, "Basic Employment Skills Training Program (BEST) Referral," that was given to the participant.
 - If notified by the Workshop Coordinator that an individual has failed to comply with BEST participant responsibilities begin conciliation procedures by sending the F803 – BEST Non-Compliance Conciliation Notice to the client.
 - **Notify the Workshop Coordinator if the work registrant is no longer required to participate in the BEST Program.**
3. 430-05-40-55-35 – Participant Reimbursement. This section was updated to reflect the change in the allowable expenses for BEST participant reimbursement.

Participant Reimbursement - 430-05-40-55-35

Participant payments will be made to individuals who have been approved and have an open SNAP case up to a maximum of \$50.00 per month. Participants will be required to provide receipts for allowable expenses to the workshop coordinator by the close of business on the last working day of the month. Reimbursements will

be made by the State Office directly to participating individuals during the month following participation and are excluded as income.

Allowable expenses include the following:

- Transportation (bus fare/voucher/pass and gas only)
- Clothing for job interviews
- Clothing required for a job — **as part of job retention component**
- Licensing or bonding fees for work
- Books — must be necessary to complete BEST training/educational coursework.
- Personal safety items — **must be necessary to complete BEST training/educational course work**
- Training materials — **must be necessary to complete BEST training/educational course work**
- Uniforms — must be necessary to complete BEST training/educational course work

4. 430-05-40-55-40 – Conciliation Procedure. This section was updated to clarify that if an individual becomes exempt prior to or during the conciliation procedure a disqualification would not be imposed.

Conciliation Procedure - 430-05-40-55-40

The conciliation period is used to determine if the mandatory BEST participant had good cause for not complying and to provide that individual with an opportunity to comply.

The conciliation period begins with the day following the date the worker learns of the noncompliance and continues for 30 calendar days. The worker must contact the non-complying household member to determine whether good cause exists. The worker must contact the household by using F803 - BEST Non-Compliance Conciliation Notice.

If the individual responds within the 30-day period and it is determined that good cause does not exist (and the household member does not comply **or is not exempt**), begin disqualification procedures by issuing Notice F425 - BEST Non-Compliance or the F733-Decrease in Benefits-Non Compliance with BEST. Be sure to enter the reason for noncompliance in the space provided on the notice.

To avoid Notice of Adverse Action (issuance of Notice F425 or F733), the individual must perform a verifiable act of compliance, such as attending the orientation session, Employment Communication Workshop, or Network Center. Verbal commitment by the individual is not sufficient, unless the individual is prevented from immediately complying by circumstances beyond the household member's control, such as the availability of a suitable component.

If it is apparent that the individual will not comply (i.e., the individual refuses to comply and does not have good cause **or is not exempt**), issue Notice F425 or F733.

If Notice F425 or F733 is issued before the end of the 30-day conciliation period and it is verified that the individual complied **or is exempt**, the notice should be canceled.

If the individual does not respond within the 30-day period, issue Notice F425 or F733 at the end of the 30-day period. Be sure to enter the reason for noncompliance in the space provided on Notice F425 or F733.

If you have any questions, please contact your Regional Representative.