



Ohio Administrative Code

Rule 5101:4-3-11.1 Food assistance: work registration requirements.

Effective: June 16, 2022

(A) What are the work registration requirements for work registered individuals?

Each individual required to register for work shall:

- (1) Respond to a request for supplemental information regarding employment status or availability for work;
- (2) Report to an employer when referred by the county agency unless the potential employment meets the unsuitability criteria described in paragraph (E) of this rule;
- (3) Accept a bona fide offer of suitable employment when referred by the county agency;
- (4) Continue suitable employment until it is no longer considered suitable; the individual is terminated for reasons beyond the individual's control; or the individual becomes exempt from work registration; and
- (5) Participate in the appraisal process and the supplemental nutrition assistance program (SNAP) employment and training program (SNAP E&T) in accordance with rule 5101: 4-3-29 of the Administrative Code, unless the individual is:
 - (a) Pregnant;
 - (b) Under eighteen or fifty years of age or older;
 - (c) A parent (natural, adoptive or step) of an assistance group member under age eighteen, even when the assistance group member who is under eighteen is not eligible for SNAP benefits; or
 - (d) Residing in an assistance group where an assistance group member is under age eighteen, even



when the assistance group member who is under eighteen is not eligible for SNAP benefits.

(B) What happens when an individual fails or refuses to meet the work registration requirements?

(1) Failure or refusal to complete the appraisal process as defined in rule 5101:4-3-29 of the Administrative Code by a required individual will result in a sanction. A sanction shall be applied in accordance with rule 5101:4-3-11.2 of the Administrative Code. County agencies shall follow rule 5101:4-6-13 of the Administrative Code for the treatment of income and resources of the individual.

(2) Failure or refusal without good cause to participate in SNAP E&T to the extent required by the county agency will result in a sanction in accordance with rule 5101:4-3-11.2 of the Administrative Code, with the exception of job retention services as described in rule 5101:4-3-39 of the Administrative Code.

(3) Failure or refusal without good cause to accept an offer of suitable employment will result in a sanction. A sanction shall be applied in accordance with rule 5101:4-3-11.2 of the Administrative Code. Unsuitable employment is defined in paragraph (E) of this rule.

(4) Failure or refusal without good cause to provide the county agency with sufficient information to allow the county agency to determine the employment status or the job availability of the individual will result in a sanction. A sanction shall be applied in accordance with rule 5101:4-3-11.2 of the Administrative Code.

(5) Voluntarily and without good cause: quits a job of thirty or more hours a week or reduces work effort and, after the reduction, the individual is working less than thirty hours per week will result in a sanction. A sanction shall be applied in accordance with rule 5101:4-3-11.2 of the Administrative Code. When the individual reduces his or her work hours to less than thirty a week, but continues to earn weekly wages that exceed the federal minimum wage multiplied by thirty hours, the individual remains exempt from work registration in accordance with rule 5101:4-3-11 of the Administrative Code.

(C) What is good cause?



(1) The county agency shall be responsible for determining good cause at any time when a work registered individual fails or refuses to comply with an appraisal, SNAP E&T assignment or when a work registered individual voluntarily quits a job or reduces his or her work effort. In determining whether or not good cause exists, the county agency shall take into account the facts and circumstances, including information submitted by the employer and the assistance group member involved.

(2) An able-bodied adult without dependents (ABAWD) who received good cause for failure to comply with the mandatory SNAP E&T requirement is to also receive good cause for failure to comply with the ABAWD work requirement, except as specified in paragraph (C)(4)(g) of this rule.

(3) When a SNAP E&T provider determines an ABAWD is not suited for participation in the assigned component as described in rule 5101:4-3-11.2 of the Administrative Code the individual has good cause from the SNAP E&T assignment and ABAWD work requirement through the month the individual is notified in writing of the determination. The ABAWD is to accrue countable months toward their three-month time limit the next full benefit month after the notification.

(4) Good cause shall include circumstances beyond the individual's control, such as, but not limited to:

(a) Illness;

(b) Illness of another assistance group member requiring the presence of the member;

(c) Assistance group emergency;

(d) The unavailability of transportation;

(e) The lack of adequate child care for children who have reached age six but are under age twelve;

(f) Domestic violence as outlined in paragraph (F) of this rule; or

(g) When an appropriate SNAP E&T component is not available. This is not considered good cause



from the able-bodied adults without dependents work requirement.

(5) When the county agency determines that good cause exists the individual shall be excused and a sanction shall not be imposed.

(D) What is good cause for leaving employment?

Good cause for leaving employment includes the good cause provisions outlined in paragraph (C) of this rule. Good cause for leaving employment also includes, but is not limited to, the following:

(1) Discrimination by an employer based on age, race, sex, color, handicap, religious beliefs, national origin or political beliefs.

(2) Work demands or conditions that render continued employment unreasonable, such as working without being paid on schedule.

(3) Acceptance of employment by the individual, or enrollment by the individual in any recognized school, training program, or institution of higher education on at least a half time basis, that requires the individual to leave employment; or acceptance by any other assistance group member of employment or enrollment at least half time in any recognized school, training program, or institution of higher education in another county or similar political subdivision that requires the assistance group to move and thereby requires the individual to leave employment.

(4) Resignations by persons under the age of sixty that are recognized by the employer as retirement.

(5) Employment that becomes unsuitable, as specified in paragraph (E) of this rule, after the acceptance of such employment.

(6) Acceptance of a bona fide offer of employment of more than thirty hours a week or in which the weekly earnings are equivalent to the federal minimum wage multiplied by thirty hours that, because of circumstances beyond the control of the individual, subsequently either does not materialize or results in employment that does not meet the requirements provided for in paragraph (E)(1) of this rule.



(7) Leaving a job in connection with patterns of employment in which workers frequently move from one employer to another such as migrant farm labor or construction work. There may be some circumstances where assistance groups will apply for SNAP benefits between jobs particularly in cases where work may not yet be available at the new job site. Even though employment at the new site has not actually begun, the quitting of the previous employment shall be considered good cause when it is part of the pattern of that type of employment.

(8) When a county agency finds the information regarding an assertion of good cause is questionable as defined in rule 5101:4-2-09 of the Administrative Code, the county agency shall request verification of the assistance group's statements. It is the assistance group's responsibility to provide the necessary verification in accordance with rule 5101:4-2-09 of the Administrative Code. However, when the county agency has access to the information needed it should be considered. When assistance in gathering the information is needed, it must be provided. When good cause is questionable and the assistance group fails or refuses to provide verification of the questionable information, good cause shall not be determined.

(E) What is unsuitable employment?

(1) In addition to any criteria established by county agencies, employment shall be considered unsuitable under any of the following conditions:

(a) The wage offered is less than the highest of:

(i) The applicable federal or state minimum wage; or

(ii) Eighty per cent of the federal minimum wage, when neither the federal nor the state minimum wage is applicable;

(b) The employment offered is on a piece-rate basis, and the average hourly yield the employee can reasonably be expected to earn is less than the applicable hourly wages;

(c) The assistance group member, as a condition of employment or continuing employment, is



required to join, resign from, or refrain from joining any legitimate labor organization; or

(d) The work offered is at a site subject to a strike or lockout at the time of the offer unless the strike has been enjoined under section 208 of the Labor-Management Relations Act of 1947 29 U.S.C. 141 (6/1947), or unless an injunction has been issued under section 10 of the Railway Labor Act of 1926, 45 U.S.C. 151 (10/1996).

(F) What are the requirements for victims of domestic violence?

Individuals who are victims of domestic violence as defined in rule 5101:1-3-20 of the Administrative Code shall be treated as follows:

(1) Individuals who are victims of domestic violence shall be identified through the appraisal process in accordance with rule 5101:4-3-29 of the Administrative Code.

(2) When the county agency determines that the individual has been subjected to domestic violence and requiring participation in SNAP E&T would make it more difficult for the individual to escape domestic violence or unfairly penalize the individual, the county agency may excuse the individual from the employment and training program requirements, when supporting documentation as described in paragraph (F)(1) of rule 5101:1-3-20 of the Administrative Code is provided.

(3) When an individual is assigned to and engaged in an employment and training activity and fails to comply as a result of domestic violence, the county agency shall excuse and shall not impose a sanction for failure to comply with the SNAP E&T requirement.

(4) The county agency shall review the continued eligibility of the excused non-participation at least once every six months. The county agency may, at its option, review the individual's excused non-participation more frequently than every six months. There is no limit on the number of times (or length of time) that an excuse can be extended.