



Ohio Administrative Code Rule 5101:4-9-07.3 SNAP E&T workfare.

Effective: October 1, 2024

(A) What is workfare?

Formerly known as the "work experience program" (WEP), workfare is a component in which an enrolled participant develops basic work habits, practices skills, and demonstrates the ability to learn new skills while working for a private or public nonprofit agency; and in lieu of wages, receives compensation in the form of their household's monthly supplemental nutrition assistance program (SNAP) benefit. County agencies are to design their workfare programs to at least accomplish the following objectives:

- (1) SNAP employment and training (E&T) enrolled participants not otherwise able to obtain employment are given the opportunity to work in jobs that serve a useful public purpose and improve their employability through training and actual work experience; and
- (2) SNAP E&T enrolled participants will learn new skills or improve existing skills necessary to transition into regular unsubsidized employment.

(B) What activities are included in workfare?

Workfare activities may only be located in public or private nonprofit agencies and at a minimum, are to provide the enrolled participant with opportunities to develop basic work habits.

(C) How are workfare activities to be implemented?

- (1) Prior to making an assignment, the SNAP E&T case manager is to calculate the maximum number of hours that may be assigned each month by dividing the amount of the enrolled participant's SNAP allotment divided by the federal or state minimum wage, whichever is higher. This is referred to as the "FLSA maximum."



(2) SNAP E&T enrolled participants are not to perform political, partisan, or electoral activities.

(3) The worksite is to meet all applicable federal, state and local health and safety standards, equal employment opportunity (EEO) policies, fair labor standards, displacement policies, and provide reasonable work conditions.

(4) The placement has not been developed in response to, or in any way associated with, the existence of a strike, lockout, or bona fide labor dispute, and does not violate any existing labor agreement.

(5) A SNAP E&T enrolled participant's religious freedom is not to be violated nor may the participant be compelled to do work that promotes a religious doctrine or belief.

(6) A SNAP E&T enrolled participant is not to be considered an employee of either the sponsor, the county agency, or the Ohio department of job and family services (ODJFS) and, therefore, is not entitled to the benefits and privileges of an employee. The operation of workfare is not to be considered the operation of an employment agency by the state or county agency.

(7) SNAP E&T enrolled participants assigned to and participating in workfare are to be covered for participation-related injuries or disabilities under work relief compensation administered by the bureau of workers' compensation (BWC). Unless the county agency pays the premiums for the sponsor, a private nonprofit, or government sponsor with whom a SNAP E&T enrolled participant is placed, is to pay the premiums to the BWC on behalf of the SNAP E&T enrolled participant. SNAP E&T enrolled participants assigned to other SNAP E&T activities are not to be included in premium payments made by the county agency to the BWC.

(8) The county agency is to have an agreement (e.g., contract or memorandum of understanding) with each workfare site that includes but is not limited to designation of responsibility for provision of benefits, if any are necessary, to the workfare participant.

(9) SNAP E&T enrolled participants are not to be used to fill existing vacant positions and no participant is to perform work that has the effect of reducing the work or promotional opportunities of employees. They may, however, perform the same type of work as the employee. Reducing the



work of employees means reducing the number of hours, wages or employment benefits of regular or part-time employees, or reducing the number of positions that the employer certifies would otherwise be filled by regular employees.

(D) Who is best suited for participation in workfare?

In addition to the suitability criteria described in rule 5101:4-9-02 of the Administrative Code, a SNAP E&T case manager is to consider the following prior to making an assignment:

(1) The SNAP E&T enrolled participant should need to gain or improve skills or work behaviors, or secure a job reference, in order to find paid employment; and

(2) The participant should have little to no work history or no recent work history.

(E) What are the limitations on participating in workfare?

(1) The number of hours a SNAP E&T enrolled participant is assigned to participate in workfare is not to exceed the FLSA maximum.

(a) A SNAP E&T enrolled participant may choose (but is not obligated) to participate for additional hours in one or more additional SNAP E&T components.

(b) A SNAP E&T enrolled participant who is an able-bodied adult without dependents (ABAWD), fulfills their work requirement if they are assigned to and participate in workfare for the FLSA maximum each month.

(2) A SNAP E&T case manager may assign workfare for a reasonable amount of time so the enrolled participant can gain work experience and develop job skills; however, the assignment is not to exceed six continuous months.

(3) Immediately following certification of SNAP benefits, but prior to making an assignment to workfare, an E&T case manager may establish a job search period of up to thirty days. This job search period is to be made as a workfare assignment and enrolled participants are considered to be



participating in and complying with the conditions of workfare, including an enrolled E&T participant who is subject to the able-bodied adult without dependents work requirement described in rule 5101:4-3-13 of the Administrative Code.

This job search period may only be established at initial certification, not at recertification.