

+-----+  
 | ADMINISTRATIVE DIRECTIVE |  
 +-----+

TRANSMITTAL: 95 ADM-8

TO: Commissioners of  
 Social Services

DIVISION: Economic  
 Security

DATE: May 10, 1995

SUBJECT: Food Stamps: Selection of Head of Household for Employment  
 Purposes

-----

SUGGESTED DISTRIBUTION:	Food Stamp Staff Public Assistance Staff Staff Development Corrective Action Staff
CONTACT PERSON:	Food Stamps County Representative at extension 4-9225
ATTACHMENTS:	Desk Guide - available on-line

FILING REFERENCES

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
91 ADM-39	91 ADM-39	387.1		FSSB	GIS 93
90 ADM-27		387.13		IX-A-1-3 IX-F-I IX-L-1	ES/DC028

I. PURPOSE

This is to summarize a series of releases (including GIS 93 ES/DC028, 91 ADM-39, 90 ADM-27) regarding the selection of head of household for food stamp employment purposes. Most recently, we have received some questions regarding a household's right to select an adult parent of children (of any age) living in the household, or an adult who has parental control over children (under 18 years of age) living in the household as head of the household. This Administrative Directive (ADM) will clarify when households can select their head of household, who must be selected, and the impact of that selection on voluntary quit provisions as well as on non-compliance with Food Stamps Employment & Training (FSE&T) or comparable JOBS activities.

II. BACKGROUND

The selection of head of household has important consequences for households when the selected head of household either voluntarily quits employment without good cause or fails to comply with an FSE&T program requirement or comparable JOBS requirement.

When a head of household voluntarily quits employment without good cause the entire household is disqualified for 90 days from the date of the quit for applicant households. Recipient households are disqualified for three consecutive calendar months. If any member other than the head of household quits a job, there is no adverse action taken.

If a head of household fails to comply with a FSE&T or comparable JOBS activity, the entire household is disqualified for two consecutive calendar months. If a household member other than the head of household fails to comply with a FSE&T or comparable JOBS activity, only the non-complier is disqualified. Further details regarding disqualification and ending disqualification or "curing" a sanction are specified in FSSB IX-F-1 and IX-L-1.

GIS 93 ES/DC028 informed districts of the right of households to select an adult parent residing with his or her child (of any age), or an adult who has parental control over children (under 18 years of age) living in the household as head of household. Hereinafter, these households will be referred to as parent/child relationship households.

III. PROGRAM IMPLICATIONS

A head of household must be selected for employment purposes at the time of application, recertification, or time of household composition change. In certain situations, the household may select the head of household. In other situations, the agency designates the head of household. This selection must be recorded in the case record at the time of selection.

IV. REQUIRED ACTION

At the time of application, recertification or household composition change, the social services district must document, on the application or on the most recent recertification form, who was selected as head of household. The eligibility worker must inform the household of the consequences of the selection at the time it is made, regardless of who makes the selection.

A. Informing the Household of Selection Decision

Along with explaining the consequences for the household in making their selection, the worker must inform the household which of its members currently are the work registrants and mandatory JOBS participants. Households who are allowed to select a head of household may select a non-work registrant or ADC member exempt from JOBS. If the household has no work registrants or mandatory JOBS participants, the household still must have a head of household selected at application, recertification, or household composition change. If the household is unable to decide, or is not eligible to select the head of household because there is no parent/child relationship, the agency must select the principal wage earner, if one is present. If no parent/child relationship and no principal wage earner is present, the household may choose the head of household, this choice being valid at time of non-compliance only if no primary wage earner is present.

The following are the issues and consequences to be discussed with households:

1. Parent/Child Relationship Household: All adult household members must agree to the selection. The worker is not required to obtain a signed statement from all adult household members indicating their agreement with the selection. The adults in these households may technically select any adult to be the head of household. However, only if a parent or parental control member is selected will the selection take precedence over a principal wage earner at the time of non-compliance or voluntary quit. For this reason, the eligibility worker is to encourage selection of a parent or parental control member. Applicant households with an adult member who has voluntarily quit employment will be required to select another parent member, if possible, in order to participate in the program.

Those households with parent/child relationships must have written notice of their right to select provided to them. This notice will be put in the "Rights and Responsibilities" book (DSS-4148A) at next revision.

2. Principal Wage Earner Household: These are households without a parent/child relationship but which have a principal wage earner present. The agency is required to select the principal wage earner as head of the household at the time of application, certification, or time of household composition change. At the time of noncompliance of any member with an FSE&T program or comparable JOBS activity, or voluntary quit of a member, the household must be re-evaluated to determine who is the principal wage earner. The principal wage earner at the time of non-compliance or quit is the head of household.
3. Other Households: Households without parent/child relationships or principal wage earners must select their head of household at time of application, recertification, or household composition change. However, should these households have a principal wage earner present at the time of non-compliance or voluntary quit, the principal wage earner is considered the head of household.

B. Other Considerations

Once the selection of head of household is made, the selection cannot be changed by the household until the next recertification or time of household composition change, even if their work registration /JOBS status changes. This does not apply to households without a parent/child relationship when the principal wage earner must be re-determined by the agency, at time of non-compliance or voluntary quit.

The designation of head of household described in this directive is for purposes of non-compliance with FSE&T, comparable JOBS activities, and voluntary quit without good cause. Designations of "head of household" for other functions, such as case name or identification card procedures (EBIC cardholder) are separate, and must be done according to the established procedures.

Attachment I is provided as an easy/quick reference desk guide to assist workers in informing households and selecting the head of household for employment purposes.

V. Systems Implications

There are no systems implications.

VI. Effective Date

June 01, 1995.

Selection of head of household for purposes of compliance with Voluntary Quit procedure done at application, recertification, and reported household composition change is

<u>TYPE OF HOUSEHOLD</u>	<u>HOUSEHOLD COMPOSITION</u>	<u>WHO MA</u>
1. Parent/Child Relationship	<ul style="list-style-type: none"> <li>• Adult parent resides with his or child (of any age) or adult with parental control over a child (under 18 years of age).</li> </ul>	<ul style="list-style-type: none"> <li>• All adult members of household.</li> </ul>
2. Principal Wage Earner Present	<ul style="list-style-type: none"> <li>• Not a Parent/Child Relationship household.</li> <li>• Household has a member with greatest source of earned income in two months prior.</li> <li>• Employment must involve 20/hrs. week or more; or provide weekly earnings at least equal to 20 times minimum wage.</li> <li>• Excluded household members whose income is applied in whole or in part to the household must be considered.</li> </ul>	<ul style="list-style-type: none"> <li>• The social security number of the household head must be reported.</li> </ul>
3. Other Households	<ul style="list-style-type: none"> <li>• Not a Parent/Child Relationship Household</li> <li>• No principal wage earner present at time of selection.</li> </ul>	<ul style="list-style-type: none"> <li>• All adult members of household</li> <li>• If household head is not a member the household head must be a representative member, if necessary, and may choose.</li> </ul>

NOTE: In discussing the consequences of the selection of head of household for any registrant or a non-exempt JOBS participant.