

DATE: January 29, 2020

TO: Subscribers

SUGGESTED DISTRIBUTION: Commissioners, TA Directors, SNAP Directors,
Employment Coordinators, Staff Development Coordinators

FROM: Jeffrey Gaskell, Deputy Commissioner
Employment and Income Support Programs

SUBJECT: Definition of a Work Program for Purposes of Meeting the Work Requirement for
Able Bodied Adults Without Dependents (ABAWD).

EFFECTIVE DATE: Immediately

CONTACT PERSON: Employment and Advancement Services Bureau at (518) 486-6106

The purpose of this message is to inform social services districts (districts) of a provision in the Agriculture Improvement Act of 2018 (commonly referred to as the Farm Bill) which expands the definition of a work program for purposes of meeting the work requirement for Able Bodied Adults Without Dependents (ABAWDs) by explicitly adding employment and training programs for veterans operated by the Department of Labor or the Department of Veterans Affairs.

Federal statute and regulations limit an ABAWD's eligibility for Supplemental Nutrition Assistance Program (SNAP) benefits to three months in a 36-month period, unless the individual resides in an area that has an approved ABAWD waiver, the ABAWD is granted an exclusion from the ABAWD work requirement for the calendar month consistent with the exclusion policy established by the district, or is meeting the ABAWD work requirement each month.

An ABAWD may meet the ABAWD work requirement for a calendar month through one of the following methods:

- Working for at least 80 hours per month. Work can include paid employment, volunteer, or in-kind work.
- Participating in a qualifying work or training program, as assigned by the district for at least 80 hours per month.
- Participating in a Work Experience Program (WEP) assignment for the number of hours per month that equal the amount of the SNAP benefit divided by the current State minimum wage in the district.
- Participating in a work activity under the Workforce Innovation and Opportunity Act (WIOA) or Trade Act, which may include job search, job readiness training, occupational skills training, or education activities for at least 80 hours per month.
- Participating in an employment or training program for veterans operated by the Department of Labor or the Department of Veterans Affairs for at least 80 hours per month.
- Participating in a combination of work and a qualifying work activity for at least 80 hours per month.

Note: Federal rules state that participation in a stand-alone job search or job readiness training provided under a Temporary Assistance (TA) or SNAP Employment and Training (E&T) program is not a qualifying activity to meet the ABAWD work requirement. In order to meet the ABAWD work requirement, a work program that contains job search or job readiness training must also contain an ABAWD qualifying activity. The job search or job readiness training provided under a TA or SNAP E&T program must equal less than one half of the total monthly hours of participation. For example, an ABAWD who is participating in job search for 39 hours per month must participate in a qualifying activity, such as community service, for no less than 41 hours per month.

Districts that do not have an approved ABAWD waiver for all residents of the district are required to offer and provide an ABAWD qualifying work or training opportunity to all ABAWDs who are subject to the ABAWD requirements to maintain or re-establish eligibility for SNAP. Please refer to [18-ADM-07](#) for guidance on the requirement to offer and provide an ABAWD qualifying work or training opportunity to all ABAWDs.

New York State Career Centers offer priority of service to veterans and their eligible spouses. Among other benefits, this includes receiving first priority for jobs and training for which they are eligible and qualified. For more information on Department of Labor services available to veterans, please visit: <https://www.labor.ny.gov/vets/vetintropage.shtm>.