



General Information System (GIS) Message

Section 1

Transmittal:	24DC071 Upstate and New York City
Date:	October 22, 2024
To:	Subscribers
Suggested Distribution:	Commissioners, Temporary Assistance Directors, SNAP Directors, Employment Coordinators
From:	Valerie Figueroa, Deputy Commissioner, Employment and Income Support Programs
Subject:	Able-Bodied Adults Without Dependents (ABAWD) Time Limit Waiver Status
Effective Date:	Immediately
Contact Information:	Employment and Advancement Services Bureau (518) 486-6106 or EASBureau@otda.ny.gov
Attachments:	None

Section 2

The purpose of this GIS is to inform social services districts (districts) that the New York State (NYS) Office of Temporary and Disability Assistance (OTDA) has received approval from the United States Department of Agriculture (USDA) Food and Nutrition Service (FNS) to extend New York’s waiver of the ABAWD time limit through February 28, 2026, in every district except Saratoga County.

Section 6(o) of the Food and Nutrition Act of 2008 and regulations at 7 CFR 273.24 limit an ABAWD to three months of Supplemental Nutrition Assistance Program (SNAP) benefits in a three-year period unless the individual is working or participating in certain employment and training activities. This is referred to as the ABAWD time limit.

On September 12, 2024, NYS OTDA submitted a request to USDA FNS to waive the ABAWD time limit in all counties of the State except Saratoga from March 1, 2025, to February 28, 2026. Under SNAP regulations at 7 CFR 273.24(f)(2), states may support a waiver request based upon the criteria of there being insufficient jobs by submitting evidence that an area has an average unemployment rate for a 24-month period that exceeds the national average for the same period by 20 percent. 7 CFR 273.24(f)(6) provides that states may define areas to be waived.

The newly approved waiver request was based upon NYS' aggregate average unemployment rate (less that rate for Saratoga County), during a 24-month period (February 2022 - January 2024) that exceeded the national average by 20 percent. Saratoga County's low unemployment rate made the district ineligible for a waiver of the ABAWD time limit.

As of March 1, 2025, only ABAWDs residing in Saratoga County will be subject to the ABAWD time limit. All other areas of NYS will continue to be waived from the ABAWD time limit through February 28, 2026. Please note that the current statewide waiver of the ABAWD time limit remains in effect until February 28, 2025.

Districts are reminded that waiving the ABAWD requirement does not preclude a district from offering or requiring non-exempt SNAP applicants and recipients to participate in work activities consistent with the district's local Temporary Assistance (TA) and SNAP employment plan approved by OTDA. Additionally, districts accessing SNAP Employment and Training (E&T) funds must ensure that, at a minimum, job search assistance is made available to SNAP participants.

All districts are required to continue to screen SNAP applicants and recipients for exemptions from the SNAP work requirements and/or from the ABAWD time limit and correctly assign the SNAP employability and ABAWD status codes to each individual applying for or receiving SNAP benefits, including those individuals who are concurrently applying for or receiving TA benefits. Districts must ensure that the correct SNAP employability and ABAWD status codes are entered into the Welfare Management System (WMS) at the time of opening and recertification for SNAP benefits even while under a waiver. The SNAP employability and ABAWD status codes must also be updated in a timely manner whenever a change in the individual's SNAP employability and/or ABAWD status is reported and documented. As a reminder, districts were informed in [23-ADM-08 - Modifications of the Able-Bodied Adults Without Dependents \(ABAWD\) Time Limit Exemptions Mandated by the Fiscal Responsibility Act of 2023](#) of changes to the ABAWD exemption criteria that resulted from the Fiscal Responsibility Act of 2023.

Districts must continue to adhere to the guidance outlined in [22-ADM-01 - Oral and Written Requirements to Inform SNAP Applicants and Recipients of SNAP Work Rules](#) to provide a written notice and a comprehensive oral explanation of the pertinent SNAP work requirements to all households where at least one member is subject to a work requirement. Please note that for the remainder of the statewide ABAWD waiver which extends through February 28, 2025, all districts should continue to use the LDSS-5193A notice. Districts that have a full county waiver of the ABAWD time limit should also continue to use the LDSS-5193A beyond March 1, 2025. This notice should be provided to households where at least one household member is subject to the general SNAP work requirement or mandatory SNAP E&T. All districts with a full county waiver are not required to offer and provide an ABAWD qualifying work activity by sending the LDSS-5127 *ABAWD Work Activity Letter*.

OTDA will continue to adjust the ABAWD tracker in the Welfare Reporting and Tracking System (WRTS) to reflect a district waiver of the ABAWD requirements for every district in the approved area. Saratoga County must begin tracking the ABAWD time limit after the statewide waiver ends on February 28, 2025.