

13.9 WV WORKS SANCTIONS

When a member of the AG or non-recipient Work-Eligible Individual does not comply with requirements found on his PRC or SSP, a sanction must be imposed unless the Worker determines that good cause exists. Information about development of the SSP is found in Chapter 24. Information about the PRC and SSP as an eligibility requirement is found in Chapter 1.

NOTE: When the person whose actions cause a sanction to be imposed becomes an SSI recipient prior to imposition of the sanction, no sanction is imposed. In addition, the offense is not counted when determining the level of subsequent sanctions. If the family has already been sanctioned when the offender becomes an SSI recipient, the sanction is lifted as soon as possible considering RAPIDS deadlines. The partial sanction already served counts when determining the level of the subsequent sanctions.

NOTE: If a disabled client chooses to participate, no sanction is imposed for failing to meet the work requirements if the Worker or Supervisor determines the participant failed to meet the SSP requirements due to his disability. WV WORKS participants who have a documented disability must be placed in the AD component in Work Programs in addition to other component codes.

A. DEFINITION OF SANCTION

NOTE: Once a sanction has been imposed, it cannot be stopped until the appropriate time has elapsed.

WV WORKS sanctions require supervisory approval for the 2nd and subsequent sanctions. A supervisor must confirm the sanctioned benefit on the confirmation screen. When a supervisor is not available, a back-up supervisor may confirm the sanction.

The Division of Family Assistance TANF Policy Unit must approve 4th and subsequent sanctions. An e-mail must be sent to TANF Policy Unit members **and your Regional Program Manger once the prospective sanction is placed in eRAPIDS** with the date and time of the scheduled case staffing along with a detailed summary **on a DFA-WVW-75** outlining the reason for the sanction including:

- Case name, RAPIDS case number, PIN numbers;
- Current PRC;
- Number of referrals provided to the AG for help in removing barriers;
- Number of home/work site visits in the past 12 months;
- Any special or unusual circumstances in the family; and

Work Requirements

- Worker, Supervisor and/or CSM decision, including reason, about whether or not the family should be sanctioned.

This step is to ensure all challenges identified have been addressed. If good cause is granted by the county, the Policy Unit and Program Manager is notified by email, sanctions are applied in the form of termination of benefits. The amount of the sanction is a fixed amount and is determined as follows:

1st Offense = Ineligibility for cash assistance for 1 month;

2nd Offense = Ineligibility for cash assistance for 3 months;

3rd Offense = Ineligibility for cash assistance for 6 months;

4th and All Subsequent Offences = Ineligibility for cash assistance for 12 months.

To be considered for future benefits, the individual will be required to re-apply for WV WORKS benefits to again receive them. When the AG reapplies for benefits within 3 months of the last day of the effective month of closure, the AG members or non-recipient Work-Eligible individuals are not required to complete another orientation session and no new PRC is required.

NOTE: See item C below for information about the mandatory office visit after imposition of a sanction.

All benefit terminations due to imposition of a sanction require advance notice. See Chapter 6 for specific information. Unless the client shows good cause for non-compliance, the sanction is imposed. This is true even if the client complies after the notice is sent but before the sanction is effective.

Once an ineligibility period is imposed, i.e. after expiration of the advance notice period, the ineligibility remains in effect for the pre-determined number of months, regardless of case status.