

# ABLE BODIES, EMPTY STOMACHS

AN ANALYSIS OF THE SNAP ABAWD POLICY  
AND HOW TO LIMIT ITS IMPACT

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## GLOSSARY

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**ABAWD:** Able-bodied adult without dependents

**ABAWD Rule:** This policy limits an able-bodied adult without dependents to receiving food stamps for only three months in a three-year period, unless they are meeting a work requirement. In this paper, we also refer to this rule as “the ABAWD policy,” the “ABAWD requirement,” “the time limit,” or simply “the work requirement.”

**Able-bodied:** The policy uses this term to denote anyone who does not have a *diagnosed* mental or physical disability, and thus we use this term throughout this report. However, we recognize that the use of the term “able-bodied” further stigmatizes those who are unable to work due to mental disabilities, though their bodies may still be “able.”

**DHS:** Department of Human Services, Pennsylvania’s state welfare agency

**FNS:** Food and Nutrition Service

**Food Stamps:** Another term for the benefits received from SNAP, as SNAP was called the Food Stamps Program until 2008.

**PRWORA:** Personal Responsibility and Work Opportunity Reconciliation Act, 1996

**SNAP:** Supplemental Nutrition Assistance Program, formerly known as the Food Stamps Program. SNAP is largest federal food assistance program in the country.

**U3:** The official measure of unemployment in the US.

**U6:** A more comprehensive measure than U3, as it includes discouraged workers who were searching for work but gave up.

**USDA:** United States Department of Agriculture

**Workfare:** An alternative model of benefits allocation, where a participant “works for” their benefits, either through a work program or a community service program.

## EXECUTIVE SUMMARY

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This **Hunger Free Community Report** provides an analysis of and recommendations regarding the Supplemental Nutrition Assistance Program (SNAP) policy concerning able-bodied adults without dependents (ABAWDs).

According to federal policy enacted in 1996, able-bodied adults that are not caring for a child or an elderly or disabled person will be limited to three months of SNAP benefits in a three-year period if they are not working or participating in a work program at least 80 hours each month (on average 20 hours per week), or meeting some other federally- or state-defined exemption.

Because of the Great Recession, this rule was suspended from April 2009 to September 2010 as part of the American Recovery and Reinvestment Act. Federal policy mandates that states can receive geographic waivers of the requirement based on the state of unemployment in an area; nearly all states received these waivers in the years following the recession.

As the American economy improves, these waivers (primarily based on the official unemployment rate), are expiring. Most states have either already reinstated the requirements or will do so in the coming months.

This report is for all welfare advocates interested in learning more about the history and enactment of the ABAWD rule, and how to limit its impact on low-income, hungry people.

Just Harvest, as an anti-hunger and anti-poverty organization in Allegheny County in Pennsylvania, has focused its efforts on alleviating the effects of the requirement in our area. Therefore, this report presents the experience of our organization working with the Pennsylvania state welfare agency, the Department of Human Services, and our plans for Pittsburgh and the surrounding areas. While this report would most help an advocate working in Allegheny County and/or Pennsylvania, the information is presented in such a way that advocates in any state would benefit. It should provide not only the necessary background on the policy, but also key recommendations, as states are allowed considerable discretion in implementing the policy.

### THE POLICY

An able-bodied adult without dependents (ABAWD) is any adult between the ages of 18 and 49 that does not live with a child in their SNAP household, and is not needed in the home to care for an elderly or disabled household member. To remain eligible for SNAP beyond three months in a three-year period, a person in the ABAWD category must be working or participating in a work program at least 20 hours per week. An ABAWD individual could also participate in a community service program that allows them to “work off” their benefits by volunteering for a certain number of hours. (The required hours are found by dividing the total SNAP allotment by a set wage, typically the state minimum wage. A person receiving the maximum SNAP allotment of \$194 would need to volunteer no more than 26 hours each month in Pennsylvania, as  $\$194 / \$7.25$  [the state minimum wage] = 26 hours.)

Besides caring for a child or other dependent person, there are a number of other exemptions that would exempt a person ages 18-49 from having to adhere to the requirement, and allow them to continue receiving SNAP benefits beyond three months in a three-year period.

**Additional exemptions include:**

- Mentally or physically “unfit” for work
- Earning at least \$217.50 per week, averaged monthly
- Complying with the work requirements of another program
- Pregnant women
- In a drug or alcohol treatment program
- Receiving or have applied for Unemployment Insurance
- Students enrolled at least half-time
- Living in an area that is exempt

- Migrant/seasonal farmworkers expected to return to work within 30 days

**Pennsylvania Only Exemptions:**

- Homeless individuals
- Victims of domestic violence
- Expecting to return to work within 60 days
- Travel time is two or more hours from employment or training site
- Full-time AmeriCorps VISTA Volunteers

For individuals that are not exempt, their only option is to meet the requirement through work or a work program. Work program options through the state are limited, and states have no obligation to provide a work program slot to an individual at risk of losing SNAP benefits.

## EMPLOYMENT BARRIERS

This policy has the potential to do much more harm to affected individuals than actually and effectively help them become employed. Those in the ABAWD category are incredibly poor, with average incomes of just 17 percent of the poverty level (\$2,000 annually). ABAWD individuals face a variety of employment barriers that negatively affect their job prospects even in a healthy economy (and the United States’ economy has not reached pre-recession health).

Like many individuals in poverty, many people in the ABAWD category must deal with inadequate access to transportation, limited education, limited employable skills, language barriers, criminal histories, undiagnosed physical or mental disabilities, or homelessness. If an individual loses SNAP benefits because of the ABAWD rule, “increased hunger” will be an additional barrier to employment.

## RECOMMENDATIONS

There are a number of avenues that advocates can recommend to state welfare officials to limit the number of individuals that will be cut off from food assistance. In addition, advocates themselves can take steps in their communities to assist those in the ABAWD category. The most essential recommendations for advocates include:

1. **Work with the state agency to identify methods that will help ABAWDs keep SNAP**
2. **Identify and notify those likely to be affected**
3. **Develop community service opportunities for the most efficient way to ensure that non-exempt individuals can meet the requirement, and locate other opportunities in the community to build a network of service slots for ABAWD volunteers with limited skills**
4. **Ensure that information disseminated to communities is simple to understand, easy to spread, and consistent with community resources (e.g. prioritize paper materials over electronic materials in some low-income communities)**

## INTRODUCTION

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Starting early 2016, as many as one million childless adults across the country will lose their Supplemental Nutrition Assistance Program (SNAP) benefits, commonly known as food stamps.<sup>1</sup>

SNAP, formerly known as the Food Stamps Program, is the largest anti-hunger program in the nation. SNAP is administered by the US Department of Agriculture's (USDA) Food and Nutrition Service (FNS), and reaches 47 million families annually. Approximately 75 percent of households that rely on SNAP have children or an elderly or disabled person in the home. The remaining 25 percent are able-bodied working-age adults.<sup>2</sup>

The Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA), signed into law by President Bill Clinton in 1996, promised to “end welfare as we know it.” Ending welfare as we knew it meant ending welfare as an entitlement program, replacing Aid to Families with Dependent Children (AFDC) with Temporary Assistance to Needy Families (TANF), and it also meant fundamentally changing the Food Stamps Program. Like the new work requirements imposed on families receiving cash welfare, PRWORA added a new requirement for recipients of food stamps that are “able-bodied adults without dependents.”

Able-bodied adults without dependents (ABAWDs) are adults ages 18-49 without a documented mental or physical disability that would make them “unfit for work” and are not caring for a child or physically incapacitated family member.

PRWORA requires that ABAWDs must be working or participating in a work program for at least 20 hours per week to continue receiving benefits after three months in a three-year period. Federal policy outlines certain exemptions that would allow an ABAWD to continue receiving benefits after the three-month period, such as participation in a drug or alcohol treatment program. Other exemptions will be described later in this report.

It’s necessary to note that the majority of SNAP recipients that can work, do work. Among households with at least one working-age non-disabled person, the majority work while receiving SNAP. And, 80 percent of recipients had a job either the year before or after receiving SNAP.<sup>3</sup> But there are still plenty of limitations, including the state of the labor market and limited education and skills, that make it difficult for SNAP recipients to find full-time jobs. Most states have had waivers that have suspended the policy since at least 2009. A suspension of the requirement from April 2009 to September 2010 was included in the American Recovery and Reinvestment Act (ARRA). Over 40 states were eligible for geographic waivers in 2011, 2012, and 2013. Since then, these waivers have been slowly expiring (or outright rejected by state administrations) as the economy improves. Starting 2016, 22 states will introduce (or introduced in January), the policy again for the first time in several years. Pennsylvania is one of these states.

We have written this report to present an analysis of the policy as we have experienced its return in Pennsylvania, as well as to suggest ways that welfare advocates can work with state agencies to limit the impact that the policy will have on low-income, hungry people receiving SNAP.

## A BRIEF HISTORY OF THE “UNWORTHY” POOR IN AMERICA

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American stigma surrounding aid to “able-bodied” adults has a long history. From the onset of English governmental aid to the poor with the Elizabethan Poor Law in 1601, on which the original American colonies modeled their poor laws, a distinction was made between the elderly and disabled—the “worthy” poor—and the able-bodied—the “unworthy” poor.

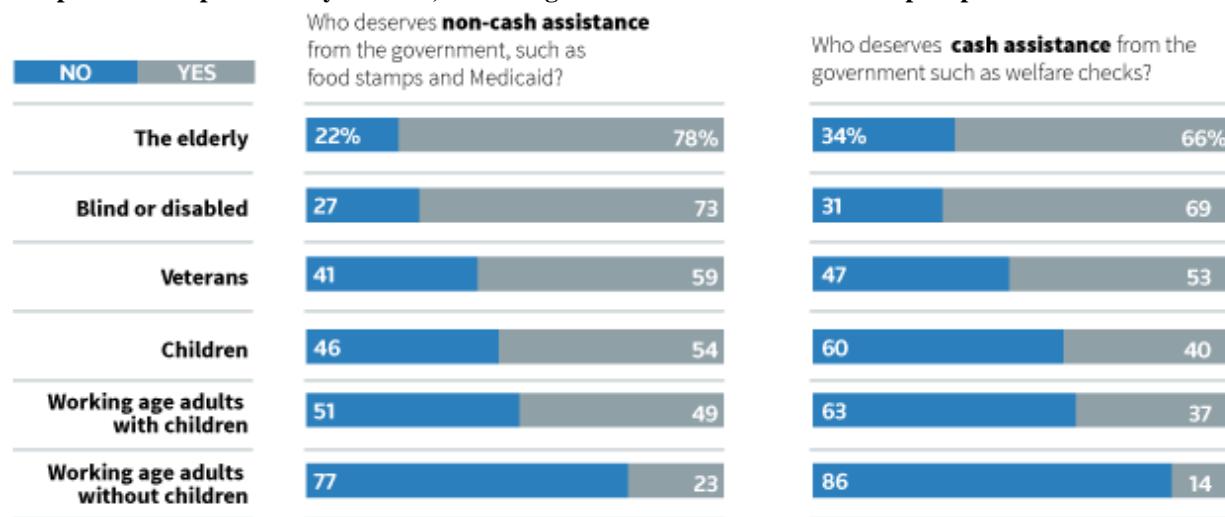
Protestant religious ideas of this period influenced public welfare policies in the colonies, original 13 states, and subsequent states that entered the Union. Those individuals that were thought to be unable to work were granted public assistance, consistent with the hierarchy suggested by this era’s interpretation of Christianity, where poverty was natural and those in power were meant to care for their needy inferiors. However, the value of the Protestant work ethic was also prized, and as a result those who were considered able-bodied were expected to work. Cotton Mather summed up the view of the able-bodied poor in colonial America when he said that, “for those who indulge themselves in idleness, the express command of God unto us is, that we should let them starve.”<sup>4</sup>

These ideas continued into the advent of the United States in the late eighteenth century, but were combined with a new, uniquely American ideology often referred to as “American exceptionalism.” No longer was poverty seen as natural; instead, the resource-abundant new country began to embrace the idea that there was no reason that poverty should exist at all, and that “it could, and should, be obliterated—in part by allowing the poor to perish.” So in the land of plenty that was the United States, the only acceptable cause of poverty was “individual weakness.”<sup>5</sup>

These ideas, dating back hundreds of years, still heavily influence public opinion toward the poor in America. Most recently, welfare reform in 1996 demonstrates the “work-first” ideology and distrust of the poor embraced by the American settlers. And still today, Americans view the able-bodied poor much more harshly than other groups in poverty, as seen in Figure 1.

## Figure 1: Who's Worthy of Help, and Who Isn't: Poll

Graph and data provided by Reuters, according to a November 2012 Reuters/Ipsos poll.<sup>6</sup>



The views of Americans on who is worthy of help appear to correlate with who actually receives help. In a 2012 National Bureau of Economic Research study (as cited by Reuters), after government aid is factored in, the poverty rate of the elderly was 9 percent. For households with able-bodied adults that are not continuously working, after factoring in government aid, their poverty rate was **67 percent.**<sup>7</sup>

“I believe that if you are going to eat, you should bring something to the table.”

Rep. Steve Southerland, regarding a proposed amendment to the 2013 Farm Bill strengthening SNAP work requirements, September 2013<sup>8</sup>

Intersecting with the view that the poor should be working, according to researchers with the Harvard Institute of Economic Research, across all countries “racial fragmentation is a powerful predictor of redistribution.”<sup>9</sup> Because a disproportionate amount of welfare spending goes to racial minorities, and race relations are clearly strained in the United States, support for government welfare is limited.

## SNAP AND THE ABAWD POLICY

Because of the barriers to benefits that exist for impoverished working-age adults without children, SNAP is the only benefit that many of those in the ABAWD category receive. And since SNAP is a food assistance program, these funds do not pay for any other necessities (healthcare, transportation, shelter, etc.). Cutting people off SNAP will sometimes cut them off from *their only income.*<sup>10</sup>

**“If you cannot get a job, you go to a workfare program.”**

Rep. John Kasich, on the ABAWD provision during congressional debate in 1996<sup>11</sup>

It is important to note that the ABAWD requirement was not intended by the legislation’s authors to push people off of the food stamps program. Instead, it is clear from legislative archives that the time limit was meant to push people into employment or a work program.<sup>12</sup>

However, employment and training (E&T) opportunities offered by state agencies are limited. SNAP E&T funds are most often used for working-age adults with children, and most frequently on job search or job search training programs (programs which are not permissible as work programs under the ABAWD provision).<sup>13</sup> And states have no obligation to provide work program slots to those at risk of losing food stamps.

In 1997, in an effort to encourage states to offer employment and training spots to those affected by the ABAWD policy, The Balanced Budget Act included additional funds to states that become “pledge” states, pledging to offer a work program slot to any ABAWD individual that wants one.<sup>14</sup> Pennsylvania has not opted to become a pledge state. In fact, as of February 2016, only 5 states have elected to “take the pledge”—Colorado, Delaware, South Dakota, Texas, and Wisconsin.<sup>15</sup>

Some states have chosen to implement the policy even though they were waiver-eligible. In Louisiana, a statewide waiver was originally rejected, but the newly elected governor, sworn in January 2016, reversed this decision made by the previous administration.<sup>16</sup>

“[SNAP] is a food program, not a jobs program. Its purpose is to provide food to people who are struggling.”

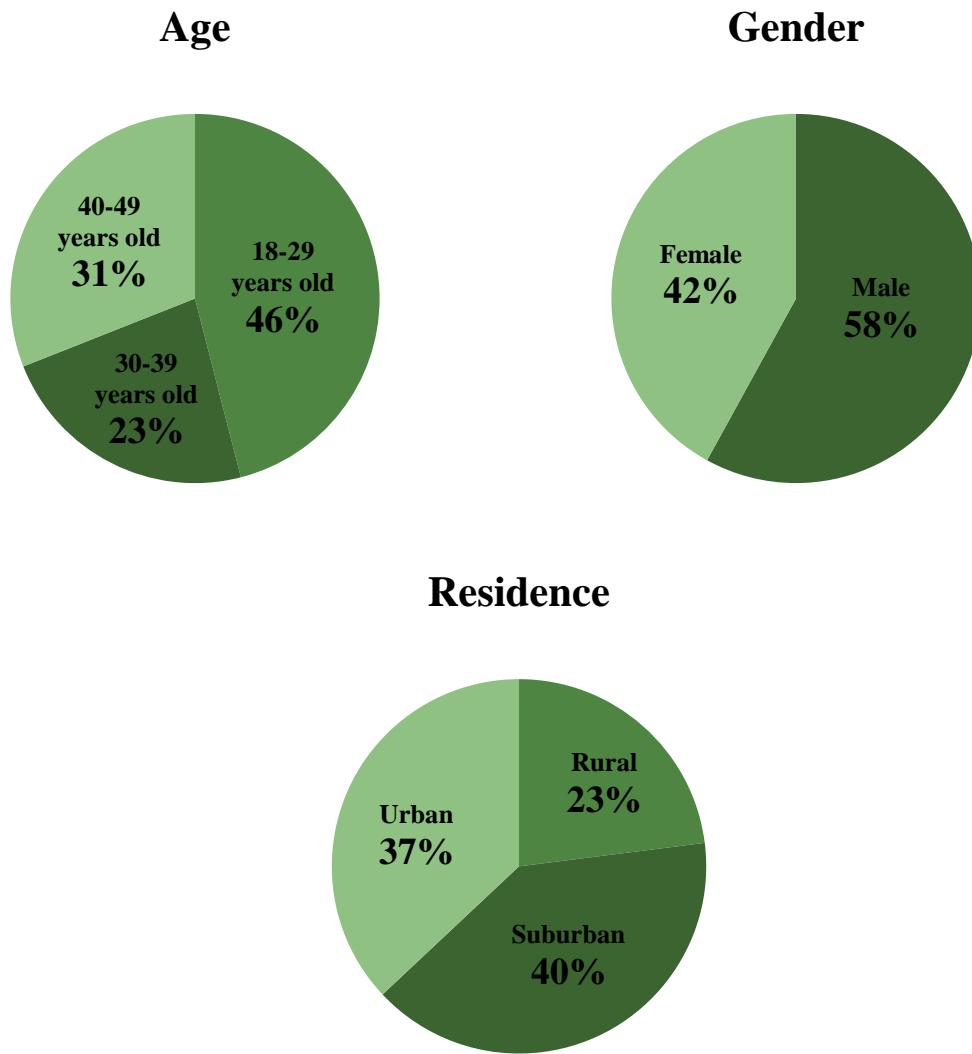
Rep. Jim McGovern, from his opening statement at a U.S. House of Representatives Agriculture Committee hearing, November 2015<sup>17</sup>

## A PORTRAIT OF ABLE-BODIED ADULTS WITHOUT DEPENDENTS

As a group, able-bodied adults without dependents do not fit into any particular stereotype. The majority (58 percent) are men. They live in urban, suburban, and rural areas. Their ages vary across the age range of 18-49. The commonality among them is the extreme poverty that these individuals face.

## Figure 2: ABAWD Individuals Fit No Particular Stereotype

Data provided by CBPP, according to CBPP analysis of the 2013 SNAP household characteristics data and March 2014 Current Population Survey data.<sup>18</sup>



People in the ABAWD category are some of the poorest people in the country. USDA data show that these individuals have average incomes of 17 percent of the poverty line (\$2,000 annually) and they generally do not qualify for any other type of income support.<sup>19</sup>

Able-bodied adults typically face many barriers to work (even in normal economic times) such as inadequate access to transportation, criminal histories, limited education, language limitations, or homelessness.

And yet, many of these childless adults *are* working. The problem lies in the reporting, and in the required number of hours. Many people work a handful of odd jobs to try to make enough

money to pay for their necessities. This means that they may not consistently reach 80 hours per month, and getting verification from these various jobs—where payment could be in-kind, from self-employment, or otherwise sporadic—can pose a great difficulty, especially for someone who is already living with the added stress of poverty.<sup>20</sup>

In Pennsylvania, there are approximately 30,000 individuals who will be affected by the ABAWD requirement. Over 9,500 individuals are expected to be affected by the ABAWD requirement in Allegheny County, more than any other county in the state. (Philadelphia County, the largest county in PA, is waived from the requirement due to high unemployment rates.)

## A DIFFICULT LABOR MARKET

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As explained later in this report, states may request waivers for either the entire state or certain areas based on employment conditions. Primarily, these waivers are granted by FNS due to high unemployment rates, as shown by the official unemployment rate measured by the Department of Labor. However, the unemployment rate does not fully reflect the state of the labor market in a given area. The nation's economic recovery since the Great Recession has not reached all Americans, and therefore many in the ABAWD category still face a difficult labor market.

### LIMITATIONS OF THE UNEMPLOYMENT RATE

The official unemployment rate (sometimes referred to as U3) only includes individuals who are actively looking for work and cannot find it. It does not include those discouraged workers who were searching for work but gave up, nor does it include workers who are currently working part-time but would prefer a full-time position.

The U6 measure of unemployment is a more comprehensive measure of unemployment, as it includes both discouraged workers (those who have recently looked for work but are currently not looking) and part-time workers who would prefer a full-time position. While the U3 measure is the lowest it has been since the recession, the U6 measure indicates that the state of the labor market has not been entirely restored to pre-recession levels. We're still feeling the effects of the recession: a still-declining labor-force participation rate, a high long-term unemployment rate (currently 25.7 percent of all unemployed workers fall into this category), weak job growth (we aren't projected to reach pre-recession employment levels until as late as mid-2017), and stagnant wage growth.<sup>21</sup>

And if the recovery hasn't reached all Americans, it certainly hasn't reached those who have difficulty finding work even when the economy is healthy.

### WILLINGNESS TO WORK DISREGARDED

Most other work requirements for benefits programs, such as TANF, include job search and job search training as adequate means to meet the requirement. However, the requirement for

ABAWDs *cannot* be met solely with job search or job search training. Job search and job search training can only count for half of an individual's required hours. Essentially, the requirement does not account for an individual's willingness to work. An individual could be looking for work full-time, or even involved in a job search program, and would still be cut off from SNAP benefits for not meeting the ABAWD work requirement.

## HUNGER IS NOT A WORK INCENTIVE

When adults face food insecurity, they react by adjusting their budgets, reducing how much they eat, and reducing the variety of foods they eat. Individuals spend less on food, eat less, and instead of consuming a varied diet with plenty of fruits and vegetables, they tend to rely on cheaper, energy-rich foods like refined grains, added sugars, and added saturated and trans fats. A diet such as this is linked to chronic diseases, such as obesity, hypertension, hyperlipidemia (high cholesterol), and diabetes. These diseases carry their own costs and that leave those afflicted less able to be employed.<sup>22</sup>

## FEDERAL POLICY

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States are required to adhere to the federal policy as written in 7 U.S.C. § 2015(o).<sup>23</sup>

### THE REQUIREMENT

Federal policy states that able-bodied adults without dependents must meet a work requirement to be eligible to receive SNAP benefits for more than three months in a three-year period. This requirement is met by:

- Working at least 80 hours each month (an average of 20 hours per week)
- Participating in a work program at least 80 hours per month (an average of 20 hours per week)
- Participating in community service for the required number of hours, which is found by dividing the total SNAP benefit by a set wage rate, typically the state minimum wage

Individuals will not be subject to this requirement if they meet an exemption.

### EXEMPTIONS

Those in the ABAWD category can be exempt from the requirement by meeting a federal exemption or a state exemption.<sup>24</sup>

The federal exemptions include general SNAP work exemptions as well as exemptions specific to the ABAWD provision. The exemptions are as follows:

### **Under 18 or age 50 or over**

#### **Living in a SNAP household with a child under 18**

This child does not need to be related to the individual. In addition, the child could be ineligible for SNAP (such as an ineligible immigrant child), and the ABAWD individual would still be exempt.

#### **Complying with the work requirements of another program**

This includes other public benefits, such as TANF. However, most TANF recipients have children in the home, and therefore would already be exempt from the requirement.

#### **Already working more than 30 hours a week or earning at least \$217.50 per week, averaged monthly**

This exemption can be confusing, as *meeting* the requirement is working at least 20 hours per week. To clarify, an individual already working more than 30 hours a week is fully *exempt* from the requirement, and they are not required to continuously submit work certification as a person that is *meeting* the requirement must do.

If an individual is earning the equivalent of 30 hours of work at the federal minimum wage, they are also exempt. So, if an individual is earning at least \$217.50 per week, no matter the number of hours worked, they are exempt from the requirement.

#### **Participating in a drug or alcohol rehabilitation program**

The policy does not specify the type of program or any program requirements. Therefore, *any* drug or alcohol rehabilitation program would exempt an individual from the time limit, including Alcoholics Anonymous or Narcotics Anonymous.

#### **Students enrolled at least half time**

Higher education students are generally ineligible for SNAP unless they meet certain criteria, typically working at least 20 hours per week or possessing a disability. However, if higher education students are meeting all other SNAP eligibility requirements, they will be exempt from the ABAWD requirement if they enrolled in the higher education institution at least half time.

Students enrolled in other education programs (such as GED readiness, English as a second language, a refugee transition program, or other approved programs) at least half time will also be exempt from the requirement. The policy does not define what “half-time” means—the program itself will determine what is “half-time.” For example, if a GED readiness program is three hours per week, an individual would need to provide proof that he is attending at least 1.5 hours each week.

#### **Physically or mentally unfit for employment**

If a person has a physical or mental disability that would limit the ability to work 20 hours per week, the person can be exempt from the requirement by either:

- Receiving disability payments (either public or private) (if an individual is receiving public benefits, caseworkers should already know this and the individual should *not* be coded as an ABAWD individual)
- Providing verification from a medical practitioner (states determine what medical personnel can verify—in Pennsylvania, allowable personnel include: physicians, physician’s assistants, designated representatives of the physician’s office, nurse practitioners, osteopaths, psychologists, drug and alcohol abuse counselors, mental health counselors, social workers, midwives, podiatrists, audiologists, physical therapists, occupational therapists, optometrists, or “any other medical personnel whose services may be reimbursed by Medical Assistance.”)

Policy also allows caseworkers to determine exemption if unfitness is obvious.

See Appendix B for Pennsylvania’s medical exemption form.

#### **Pregnant**

A woman who is pregnant is exempt at *any* stage of the pregnancy.

#### **Caring for a disabled or incapacitated household member**

Children are not the only dependents that will exempt an individual from the ABAWD requirement. If an individual is caring for a household member that is disabled or otherwise incapacitated, even if the individual is not related to the household member, an ABAWD can be exempt from the requirement.

#### **Applied for or is receiving Unemployment Compensation**

#### **Migrant/seasonal farmworker expected to return to work within 30 days**

Each state is also allowed to exempt (per the Balanced Budget Act of 1997), at the agency’s discretion, 15 percent of the population of affected ABAWDs. Pennsylvania has elected to use its 15 percent by exempting individuals meeting the following:

### **STATE EXEMPTIONS (PA)**

#### **A victim of domestic violence**

Verification for this exemption is self-reported.

#### **Homeless individuals**

- “Homeless individual” means-
  - (1) an individual who lacks a fixed and regular nighttime residence; or
  - (2) an individual who has a primary nighttime residence that is-
    - (A) a supervised publicly or privately operated shelter (including a welfare hotel or congregate shelter) designed to provide temporary living accommodations;

- (B) an institution that provides a temporary residence for individuals intended to be institutionalized;
- (C) a temporary accommodation for not more than 90 days in the residence of another individual; or
- (D) a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.”<sup>25</sup>

#### **Full-time AmeriCorps Volunteer in Service to America (VISTA) Volunteers**

##### **Expected to return to work within 60 days**

Individuals should just submit verification from their employers that they are expected to return to work soon.

##### **Travel time is two or more hours from employment or training site**

#### **GEOGRAPHIC WAIVERS**

In areas of high unemployment, states may request waivers of the ABAWD requirement. States may demonstrate high unemployment in areas as evidenced by:

- A recent 12-month unemployment rate above 10 percent;
- A recent 3-month unemployment rate above 10 percent;
- Designation as Labor Surplus Area (LSA) by the Department of Labor;
- Qualification for extended unemployment benefits; or
- A recent 24-month average unemployment rate 20 percent above the national average for the same 24-month period.<sup>26</sup>

Usually, waivers are granted for one year.

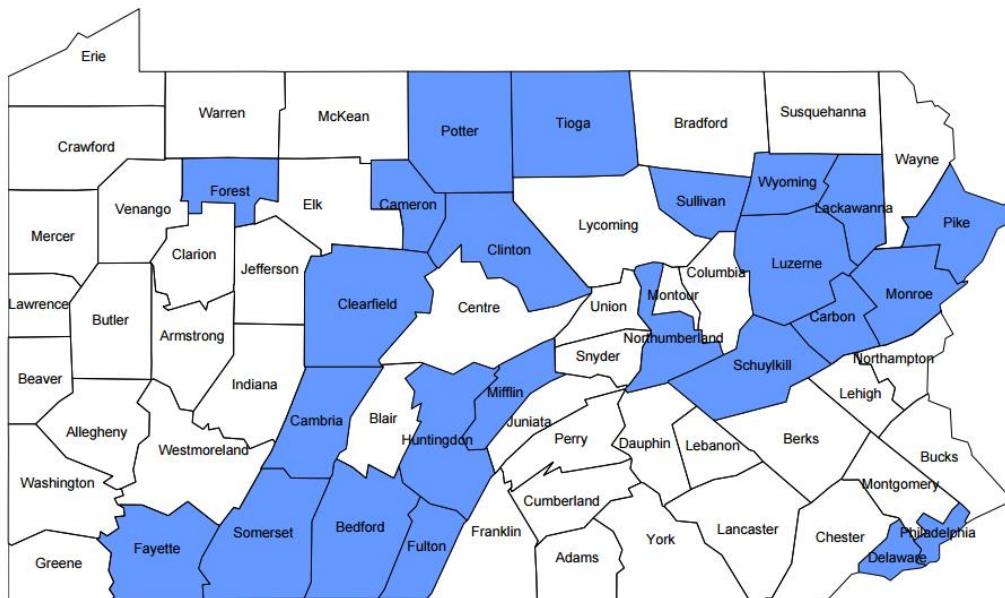
Pennsylvania attempted to receive geographic waivers for 38 counties and 279 cities and towns, but only 35 geographic waivers were approved by FNS. This is because Pennsylvania, with support from the Center on Budget and Policy Priorities, attempted to demonstrate high levels of unemployment with the employment-to-population ratio, or “the share of the adult population with a job...considered one of the best measures of labor-market strength or weakness since, unlike the unemployment rate, it isn’t lowered artificially when long-term unemployed workers give up looking and drop out of the labor force.”<sup>27</sup> This was not approved by FNS, which made decisions based on the average aggregate unemployment rate in counties, cities, and towns in a recent 24-month period.

Figure 3 shows the counties that received geographic waivers approved by DHS. Not shown are individual cities that received waivers, which are Reading (Berks County), York (York County), Allentown (Lehigh County), Harrisburg (Dauphin County), Easton (Northampton County), New Castle (Lawrence County), Lebanon (Lebanon County), Bethlehem (Northampton County),

Lancaster (Lancaster County), Williamsport (Lycoming County), McKeesport (Allegheny County), and Berwick Borough (Columbia County).

### **Figure 3: 24 counties in Pennsylvania are waived from the requirement due to high unemployment rates.**

Map and data provided by the Center on Budget and Policy Priorities.



#### **REGAINING SNAP ELIGIBILITY**

If an individual loses their SNAP benefits, they can regain eligibility by either becoming exempt (meeting one of the exemptions above) or by working or participating in a work program at least 80 hours in a 30-day period.

If an individual uses up their three months of time-limited benefits, then begins meeting the requirement and regains eligibility for SNAP, and then loses eligibility (by, for instance, losing their job), they are eligible for three more months of benefits in the three-year period. These months must be consecutive, and an individual can only earn these additional three months once in the three-year period.<sup>28</sup>

#### **POLICY RECOMMENDATIONS**

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As the policy is highly complicated, it is important for advocates to understand key provisions where states have discretion and flexibility, so that advocates can work with the state agency to implement variations of the policy that will benefit both ABAWD individuals and caseworkers who must deal with the additional administrative tasks. (In Pennsylvania, which has had a

geographic waiver of the requirement since 2004, very few caseworkers have had experience dealing with the policy restrictions.)

## TIME PERIOD

The federal policy requires that ABAWDs can only receive Food Stamps for three months in a three-year period, but it is up to the state to define exactly what that “three-year period” is. A state can track time individually (meaning that each ABAWD has their own three-year clock), or states can set a fixed three-year period (meaning that all ABAWDs are subject to one fixed time period).

Administratively, it is less complicated for states to elect a fixed period. Pennsylvania elected for a fixed state clock.

States can also determine retroactively when clocks begin. Pennsylvania’s three-year clock, for example, began January 1, **2015**, not 2016. This means that all ABAWD individuals were exempt for the entire year of 2015 due to a geographic waiver, and exempt for January and February 2016 due to Pennsylvania’s use of their 15 percent exemptions. Pennsylvania’s clock will reset on December 31, 2017, and ABAWD individuals that used their three months of benefits between March 1, 2016 and December 31, 2017 will be eligible for three more months of benefits on January 1, 2018.<sup>29</sup>

## IDENTIFY EXISTING ABAWDS

According to Ed Bolen of the Center on Budget and Policy Priorities, “In states that ha[d] already implemented the time limit, it appears that many exempt individuals were inadvertently terminated simply because the state didn’t have the information about an exemption (and the individual had no idea about the rule).”<sup>30</sup> In advance of the policy implementation, it is essential for states to develop and execute a plan to identify existing SNAP recipients who fall into the ABAWD category, so that they can arrange to prove an exemption, find a work or volunteer spot, or prepare to lose their benefits.

In Pennsylvania, DHS was unable to notify affected individuals in a timely manner. This was largely due to the budget impasse facing the state government since summer 2015, as funds were not allocated for the department to send notices. The state government did not send out notices to affected individuals until mid-February 2016, with the “clock” starting for those in the ABAWD category on March 1, 2016.

The screening tool that DHS sent to individuals who may be affected is included as Appendix A.

## CASEWORKERS SEEING UNFITNESS

Federal policy allows state agency caseworkers to make their own determinations “where unfitness [for work] is obvious.” State agencies should ensure that caseworker training includes this provision.

The example that the PA DHS gave at a meeting for community stakeholders was “an applicant coming in for an in-person interview in the middle of the summer and wearing three winter coats.”<sup>31</sup>

However, it should be noted that as agencies move away from in-person interviews to online, mobile, and telephone certifications, this provision is less likely to be helpful in exempting individuals.

### **WHO CAN DETERMINE UNFITNESS**

States can also determine which medical professionals are permitted to verify an individual’s “unfitness.” Physicians are not the only health professionals that can verify an individual’s physical or mental disability. In Pennsylvania, approved medical personnel are: physicians, physician’s assistants, designated representatives of the physician’s office, nurse practitioners, osteopaths, psychologists, drug and alcohol abuse counselors, mental health counselors, social workers, midwives, podiatrists, audiologists, physical therapists, occupational therapists, optometrists, or “any other medical personnel whose services may be reimbursed by Medical Assistance.” (See Appendix B)

### **“THE PLEDGE”**

States can join in a 20 million dollar share of funding if they “pledge” to offer an employment and training slot to every individual that wants one. As of January 2016, only five states have signed on to become pledge states (Colorado, Delaware, South Dakota, Texas, and Wisconsin). Pennsylvania will consider becoming a pledge state in late 2016.<sup>32</sup>

### **ADEQUATE CASEWORKER TRAINING**

States should ensure that caseworkers receive thorough training on all aspects of the ABAWD provision and learn to recognize exemptions. This is absolutely essential to ensuring that anyone that is eligible for SNAP remains eligible, and eligible parties are not removed from the SNAP rolls.

The heightened administrative burden may encourage states to hire additional caseworkers (at the time of publication, the PA DHS had no plans to do so).

### **GEOGRAPHIC WAIVERS**

To protect as many SNAP recipients as possible, states should work to apply for as many geographic waivers as they can.

The Center on Budget and Policy Priorities is able to provide assistance to state agencies that are applying for geographic waivers, as it can provide data on the unemployment rate and the general state of the labor market in a state and the counties, cities, and towns that comprise it.

## **ABAWD POLICY IN OTHER STATES**

Pennsylvania is one of 22 states implementing the waiver beginning in 2016. Other states either implemented the time limit ahead of the required date, or will still be receiving a statewide waiver in 2016.

State agencies and advocates are encouraged to reach out to those working on the policy and its impact in other states. Since states are allowed considerable discretion in implementing the policy, some states have elected creative means to streamline the process. For example, in Florida, medical personnel can verify an individual's medical or physical disability by phone, instead of an individual needing to submit an official signed document to their caseworker.

## **THE CREATION OF WORK PROGRAMS**

When preparing an individual's Agreement of Mutual Responsibility (AMR), a caseworker is able to prepare a "work program" for an individual that is already working part-time, but less than 20 hours a week.

As explained earlier, job search and job preparation classes do *not* qualify as work-related activities, unless they comprise less than 50 percent of the individual's work plan. For an individual that is meeting the 20-hour per week requirement, this means 10 hours each week of the 20 hours may be devoted to job search or job preparation classes.

An individual could also fill the remaining hours with unpaid or in-kind work to meet the 20 hours per week requirement. Such work could include helping a neighbor with chores, assisting a parent who is incapacitated, etc.

## **COMMUNITY SERVICE, OR "WORKFARE"**

Workfare is an alternative to the traditional model of benefits allocation. Instead of receiving benefits outright, clients must "work" for their benefits by participating in community service activities. Workfare is largely promoted by proponents of a "work-first" ideology.

However, there is little evidence that workfare increases the likelihood that a client will find work after they leave the benefit program. In fact, it's possible that workfare could reduce an individual's likelihood of employment, as the time spent in workfare could conflict with job search time, and workfare activities may not lead to positive skill building or work experience. A 1993 study by MDRC (formerly Manpower Demonstration Research Corporation) found that there was "little evidence that that unpaid work experience leads to consistent employment or earnings effects."

Yet, MDRC did find that clients who participated in a workfare program reported that they felt that the work they did was meaningful, and that it provided skills-based experience.<sup>33</sup>

The concept of workfare is accepted as a method for ABAWDs to continue receiving their SNAP benefits. ABAWDs can volunteer at an approved community service provider for a number of hours that is determined by dividing their SNAP benefit allotment by a wage rate, most often the state minimum wage. Unlike other workfare programs, the SNAP ABAWD community service option is *not* coordinated by the state, and ABAWDs must find volunteer opportunities individually. Therefore, it is not a true state workfare program.

As Pennsylvania's state minimum wage is \$7.25, an ABAWD receiving the maximum SNAP benefit of \$194 would need to volunteer for no more than 26 hours each month, or an average of 6-7 hours per week.

However, a state does not necessarily need to set the wage rate as the minimum wage, though that is likely to be the most common avenue. Federal policy is not specific—a state could set any amount above the minimum wage as the community service wage. Setting the wage as higher than the minimum wage would decrease the number of service hours required for an affected individual, simplifying the process of meeting the requirement for those in the ABAWD category.

## ADVOCATE RECOMMENDATIONS

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There are a number of actions that advocates and advocacy organizations can take to reduce the impact of the ABAWD policy on their clients and members of the communities they serve.

### NOTIFY ABAWDs AND COMMUNITY STAKEHOLDERS

In addition to the notices that will be sent by the state agency, advocates should also work to identify and notify those individuals who will possibly be affected by the policy as well as the community organizations that serve them.

To facilitate the notification of our clients and wider community, Just Harvest created a:

- Fact sheet (Appendix C)
- One-page fact sheet (simplified for quick information to clients, with our number to call for more information) (Appendix D)
- Client letter (an informational letter and the fact sheet were mailed to food stamp clients Just Harvest served in the past year who may be in the ABAWD category) (Appendix E)
  - Note that this letter differs in language when compared with what the PA DHS sent to food stamp recipients (Appendix A). Client communications should be easy to read and understand.
- Informational website for both clients and community organizations
  - A website, while helpful, is not the only way that advocates should distribute information about the policy change. To combat the “digital divide” that exists for people in poverty, where they may have limited access to a computer, advocates should provide a number that clients can call to access information

about the policy change, and distribute this number, as well as print information, to communities and community organizations where the affected population may be reached. Just Harvest makes its number available for clients to call for more information about the ABAWD rule (or SNAP in general), and the United Way's 2-1-1 helpline has information about community service to meet the ABAWD rule. In a 2014 study by the Ohio Association of Food Banks, only 38 percent of ABAWD clients reported that they had an email address, while 95 percent reported that they had access to a phone.<sup>34</sup>

Advocates should also notify ABAWD clients that they (as SNAP recipients) are eligible for Special Allowances (SPALs) from DHS if they need monetary assistance in order to meet the work requirement, begin an education program, or engage in community service. SPALs can include transportation assistance, clothing, tools, books, or any other supplies needed to complete the work, education program, or community service. An individual should simply notify their caseworker if they need SPALs to begin meeting the requirement.

### **WHEN DISCUSSING THE WORK REQUIREMENT/TIME LIMIT**

When discussing the change with those individuals likely affected by the ABAWD policy, we suggest using the term “work requirement.” According to the Center on Budget and Policy Priorities, “calling it a work requirement suggests that it encourages people to look for work and provides a training or workfare position to everyone subject to the time limit.”<sup>35</sup> While we recognize that “work requirements” are consequences of harmful “work-first” ideology, our most important goal is to notify individuals of the change and adequately prepare them to address the policy and advocate for themselves. Referring to the policy as a “time limit” when discussing the change with poor people already stressed with poverty may only create confusion and fear. The term “work requirement” easily conveys that the way to get around the policy is to, in some way, work. While we disagree with the policy, advocates must focus on client protection first.

We understand how the use of the term “time limit” would be better served than “work requirement” when discussing the harsh policy with a policymaker—but not someone who is currently directly affected.

### **HAVE PANTRIES TRACK DONATIONS**

To further identify the consequences of the policy change, food banks and community food pantries should track food donations, as a reduction in SNAP benefits will require hungry individuals to seek food elsewhere (81 percent of ABAWD respondents in a 2015 Ohio Association of Food Banks report stated that they relied on food banks when asked “How are you providing food for yourself in the absence of food benefits?”).<sup>36</sup> Such tracking data may be useful in determining the full picture of the effects that the ABAWD requirement has on a community.

## **NEIGHBORHOOD LEGAL SERVICES**

Because of the complexity of the policy, many clients are likely to be terminated from the program not because of noncompliance, but because of caseworker error. Clients can appeal all decisions regarding public benefits.

If a client believes he has been unfairly terminated from the SNAP program, advocates could encourage them to contact their local neighborhood or community public legal services organization, organizations which advocate for low-income people regarding legal matters most often at no cost to the client.

In Allegheny County, Neighborhood Legal Services (NLS) has a specific Public Benefits Legal Assistance Project, which “addresses the needs of clients in their efforts to access and maintain public benefits.”<sup>37</sup> An individual in Allegheny County could reach out to NLS with a legal issue regarding SNAP.

## **COMMUNITY SERVICE INITIATIVE**

Just Harvest has responded to the policy change by developing and coordinating a coalition of organizations in Allegheny County to ensure that affected ABAWDs will be able to keep their benefits by completing community service requirements.

While welfare, as stated earlier in this report, is not the ideal avenue for ABAWDs to continue receiving their food stamps benefits, we at Just Harvest recognize that it may be the only avenue for some ABAWDs to receive vital food assistance after their three months of SNAP expires.

This initiative utilizes online volunteer databases as a primary method to organize community service opportunities, and includes the United Way’s 2-1-1 helpline as a means for individuals in the ABAWD category, who may not have access to the internet, to find a volunteer opportunity near them. Allegheny County is collaborating with the United Way of Southwestern PA’s 2-1-1 helpline, but 2-1-1 exists across the country, and advocates are encouraged to contact their local United Way to learn more about opportunities for partnership.

For the online database, Just Harvest purchased a premium subscription to VolunteerMatch.org, an online volunteer opportunity clearinghouse. The main benefit of the premium subscription is that it allows Just Harvest to cross-post volunteer opportunities on VolunteerMatch on our own website.

Just Harvest created a central VolunteerMatch account that will only list opportunities relevant to individuals in the ABAWD population. Organizations that are able to host ABAWD volunteers connect with us to get unique login information for this central VolunteerMatch.org account, and can then upload and edit their volunteer opportunities as needed.<sup>38</sup>

Potential volunteers will be directed to this database of organizations (either through the Just Harvest website, VolunteerMatch, or the United Way 2-1-1 helpline), so volunteers themselves will choose where they volunteer, likely based on location and skill level.

When a volunteer chooses an opportunity with an organization, they'll simply bring a form with them (given to them by their DHS caseworker) that the organization will need to sign and verify that the volunteer will be with them for the volunteer's required amount of time (no more than 6.5 hours a week (26 hours per month)—the required number of hours varies by individual and is based on their SNAP benefit amount). This form only needs to be renewed every six months. The organization only needs to contact DHS if the volunteer ends their service, or fails to show up for more than 10 days.

## RECOMMENDATIONS FOR IMPROVING THE POLICY

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A 2001 FNS report completed by Mathematica summed up the caseworker view of the provision as follows:

“While some respondents viewed the ABAWD provisions as unfairly penalizing the targeted population, more disliked the provisions because of the difficulties they encountered in administering them. The policy is viewed as too burdensome, particularly in light of the small size of the ABAWD population. More than half the state respondents identified tracking as one of the main administrative challenges...Nearly half of the state respondents volunteered that they would like to have the ABAWD time limit and/or work requirement removed.”<sup>39</sup>

Outside of the unfairness of this harsh work requirement, the increased burden it gives caseworkers, who already deal with complex policies, is an important and rather non-partisan indication that the ABAWD rule creates more problems than it solves them.

Last year, policy was introduced that would have altered the work requirement for the better of directly affected individuals, caseworkers, and our communities. The SNAP Work Opportunities Act was introduced in the House in February 2015.<sup>40</sup> This act would have required a state agency to offer a work program slot to an individual before terminating them from SNAP because of the time limit. Such legislation would have better matched what the policy was intended to do—promote work and work training programs. However, this bill was not passed.

Other policy ideas to improve the requirement include allowing job search as an allowable activity (as is the case with other assistance programs that include true work requirements), or increasing SNAP E&T allotments so states can design programs specifically for individuals in the ABAWD category.<sup>41</sup>

However, reiterating the words of Rep. Jim McGovern, SNAP “is a food program, not a jobs program.” The best course for advocates and others interested in anti-hunger is to focus efforts on eliminating hunger, rather than punishing the hungry.

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- <sup>11</sup> David Super. “Implementing the Three-Month Time Limit on SNAP for Unemployed 18- to 49-Year-Olds.” Center on Civil Justice. July 2015. Available at <https://m.repository.library.georgetown.edu/bitstream/handle/10822/761445/SNAP%20Time%20Limit%20Implementation%20Updated.pdf?sequence=1&isAllowed=y>.
- <sup>12</sup> Ibid.
- <sup>13</sup> Ibid.
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- <sup>15</sup> Ed Bolen, et al.
- <sup>16</sup> Statement from LA Office of the Governor available at <http://gov.louisiana.gov/news/governorelect-edwards-acts-to-continue-lowincome-food-assistance-will-work-over-next-year-on-workforce-training-requirements>

<sup>17</sup> U.S. House of Representatives Agriculture Committee. 10<sup>th</sup> hearing in the series “Past, Present, and Future of SNAP,” focused on initial findings of the National Commission on Hunger. 18 November 2015.

<sup>18</sup> Ed Bolen, et al.

<sup>19</sup> Ed Bolen, et al.

<sup>20</sup> “Cognitive load has been shown to affect performance in a great variety of tasks, from memory retrieval, peripheral vision, and self-presentation, to reliance on stereotypes and self-control. To the extent that the poor find themselves in situations...that are somewhat unfamiliar, threatening, or stigmatizing, (all of which can consume cognitive resources), less resources will remain available to process the information that is relevant to the decision at hand.” Marianne Bertrand, Sendhil Mullainathan, and Eldar Shafir. “Behavioral Economics and Marketing in Aids of Decision-Making among the Poor.” *Journal of Public Policy and Marketing*, 25(1): 8-23. 2006.

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<sup>24</sup> A list of exemptions as given by DHS can be seen in Appendix B. Our understanding of many of the exemptions were supported by David Super’s “Implementing the Three-Month Time Limit on SNAP for Unemployed 18-49-Year-Olds,” for the Center on Civil Justice.

<sup>25</sup> Definition of homeless individual as provided by FNS.

<sup>26</sup> Requirements defined by USDA FNS.

<sup>27</sup> Ed Bolen, et al.

<sup>28</sup> USDA. “Guide to Serving ABAWDs Subject to Time-Limited Participation.” 2015.

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<sup>30</sup> Personal communication, October 2015.

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<sup>35</sup> Center on Budget and Policy Priorities. “SNAP’s Three-Month Time Limit: Implementation Toolkit.” September 2015.

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<sup>37</sup> Learn more about Neighborhood Legal Services at <http://www.nlsa.us/>.

<sup>38</sup> Learn more about VolunteerMatch at [volunteermatch.org](http://volunteermatch.org).

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<https://www.congress.gov/bill/114th-congress/house-bill/1025>.

<sup>41</sup> Ed Bolen, et al.

## APPENDIX A – PA DHS ABAWD SCREENING TOOL

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As of March 1, 2016, an Able-Bodied Adult Without Dependents (ABAWD) in your area must be working at least 20 hours per week or be participating in an approved Supplemental Nutrition Assistance Program (SNAP) employment and training component in order to remain eligible for SNAP after receiving three months of benefits, unless they are exempt.

In an effort to ensure everyone who is eligible keeps their SNAP benefits, please complete the survey below and return it in the enclosed postage paid envelope as soon as possible-preferably within 10 days:

### Individual and Household Questions - Circle Yes or No:

- Yes    No    Is anyone in your house under the age of 18?
- Yes    No    If yes, do you purchase and prepare your meals with this person?
- Yes    No    Are you pregnant?
- Yes    No    Is your ability to work at least 20 hours a week limited by your physical or mental health?
- Yes    No    Are you receiving or have you applied for any public or private disability or sick benefits, such as SSI?
- Yes    No    Are you needed in the home to care for an ill or incapacitated household member?
- Yes    No    Are you participating in a drug or alcohol treatment program?
- Yes    No    Are you unable to work because of domestic violence? Circle Yes if:  
• You or your children will be at risk of being harmed if you work, or  
• It will be more difficult for you to recover from abuse if you work.
- Yes    No    Are you homeless or facing homelessness?
- Yes    No    Are you receiving or have you applied for Unemployment Compensation?
- Yes    No    Are you expected to return to work within the next 60 days?
- Yes    No    Are you a migrant or seasonal farmworker returning to work within 30 days?
- Yes    No    Are you enrolled in school or training at least half time?

### Employment, Training, and Community Service Questions - Circle Yes or No:

- Yes    No    Are you working?  
If yes, where? \_\_\_\_\_  
How many hours a week? \_\_\_\_\_
- Yes    No    Are you taking classes to learn English?  
If no, are you interested in taking free classes? \_\_\_\_\_
- Yes    No    Are you in school or a training program?  
If yes, what are you studying? \_\_\_\_\_  
How many hours a week? \_\_\_\_\_
- Yes    No    Are you interested in going back to school at least 20 hours a week?
- Yes    No    Are you doing community service or volunteering with a local agency?  
If yes, where? \_\_\_\_\_  
How many hours a week? \_\_\_\_\_

If you have questions about this survey, or need help completing it, please call the Statewide Customer Service center at 1-877-395-8930. In Philadelphia, please call 215-560-7226.

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## APPENDIX B – PA DHS MEDICAL EXEMPTION FORM



### ABAWD Time Limit Medical Exemption Form

Dear Medical Provider:

The Supplemental Nutrition Assistance Program (SNAP, formerly the Food Stamp program), limits Able-Bodied Adults without Dependents (ABAWD) to only 3 months of SNAP within 36 months. This rule applies unless the adult is working a minimum of 20 hours per week or is exempt from the time limit because the individual is medically certified as physically or mentally unfit for employment or falls within another exemption. Please help us determine whether your patient meets the exemption due to medical or mental issues and can be exempted from the ABAWD provisions.

Patient's name: \_\_\_\_\_ Date of birth: \_\_\_\_\_

**Patient/participant's authorization:**

I hereby authorize the release of the medical information and/or rehabilitation participation requested to the Pennsylvania Department of Human Services.

Signature: \_\_\_\_\_ Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

Please answer one or more of the following questions in the box below. Please sign and date this form including your title or position in your agency\*.

1. Is this individual pregnant?

Yes     No    If yes, due date? \_\_\_\_ / \_\_\_\_ / \_\_\_\_

2. Is this individual a participating in drug/alcohol treatment or counseling program; mental health counseling program; or a vocational rehabilitation program?

Yes     No    If yes, specify program: \_\_\_\_\_

Is this program ongoing?     Yes     No    If no, date program will end: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

3. Does this patient have a mental and/or physical illness or disability which reduces his or her ability to financially support him or herself?

Yes     No    If yes, specify disability: \_\_\_\_\_

Is this condition ongoing?     Yes     No    If no, date it is expected to end: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

I certify that the information provided above is true and accurate.

Name (please print)

Title/profession\*

Signature

\_\_\_\_ / \_\_\_\_ / \_\_\_\_  
Date form signed

Address and phone number

- \* This form may be signed by any of the following: physician, physician's assistant, designated representative of the physician's office, nurse practitioner, osteopath, psychologist, drug and alcohol abuse counselor, mental health counselor, social worker, midwife, podiatrist, audiologist, physical therapist, occupational therapist, optometrist, or any other medical personnel whose services may be reimbursed by Medical Assistance.

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## APPENDIX C – JUST HARVEST'S ABAWD FACT SHEET

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ACTION AGAINST HUNGER

December 2015

### SNAP (FOOD STAMPS) WORK REQUIREMENTS ARE SLATED TO TAKE EFFECT MARCH 1, 2016

#### Will Affect Thousands in Allegheny County

#### What you need to know to maintain your benefits!

Many able-bodied adults will soon have to be working to continue to receive food stamps.

Starting March 1, 2016, able-bodied adults without dependents (ABAWDs) who are not meeting federally defined work requirements will only be eligible for Supplemental Nutrition Assistance Program (SNAP) benefits (or “food stamps”) for 3 months in a 3-year period. Individuals meeting work requirements will continue to be eligible for food stamps.

##### *Who is in the able-bodied adult without dependents (ABAWD) category?*

You will be affected by the ABAWD rules if you are between the ages of 18-49, do not have a physical or mental disability that would prevent you from working, and are not caring for a child or incapacitated household member.

##### *Are there exceptions to the SNAP work requirements?*

Yes! You will not be subject to the food stamps work requirement if you are:

- Age 17 or younger, or age 50 or older
- Pregnant
- Earning at least \$218 per week, averaged monthly (working any number of hours)
- In a drug or alcohol treatment program (including Alcoholics Anonymous or Narcotics Anonymous)
- Mentally or physically “unfit” for work  
*The mental or physical condition(s) must be documented and signed by a licensed medical practitioner unless you are eligible for SSI, social security disability, Medicaid disability, VA needs-based pension payments, or other government benefits due to an inability to work.*
- Receiving or have applied for Unemployment Insurance
- Living with a child in your SNAP household (does not have to be your own child)
- Enrolled as a higher education student at least half-time (*meeting student eligibility requirements*)
- Caring for an ill or incapacitated household member or relative
- Enrolled as a student in an education program, such as GED readiness, at least half-time
- Homeless (lacking a fixed or regular residence)
- A victim of domestic violence
- Expecting to return to work within 60 days
- Living in an area that is exempt. In Allegheny County the only exempt area is McKeesport.

##### *What are the SNAP work requirements?*

Able-bodied adults without dependents (ABAWD) must either be working (paid, unpaid, in-kind, or self-employment) or participating in a job training program at least 80 hours per month (an average of 20 hours per

week), or volunteering with a community service provider for a certain number of hours (see below for details and required number of hours) to continue receiving food stamps for more than three months. Individuals may also do a combination of work, work program, and community service activities to meet the 20 hours per week requirement.

***If I am in the ABAWD category, how can I make sure to keep my SNAP benefits?***

**Work Programs:**

If you are working but are working less than 20 hours per week, talk to your employer to see if you can increase your work hours. You can also participate in an eligible job training or work program for at least 20 hours per week. You can also combine work hours or hours in a job training program with community service to meet the 20 hour requirement. If you are in the ABAWD category, talk with your PA Department of Human Services (DHS) caseworker to learn more about your options.

**Education:**

If you are enrolled at least half-time as a student, you are exempt from the ABAWD requirement. This includes higher education, as well as courses such as GED readiness, continuing education, or other education programs.

**Community Service (or "Workfare"):**

Volunteer at an eligible non-profit or community organization. The required hours are found by dividing your total SNAP benefit by the state minimum wage, of \$7.25 per hour. For example, if you are receiving the maximum SNAP benefit amount of \$194 for a single person, you will need to serve an average of 26 hours per month ( $\$194 / \$7.25 = 26$  hours per month or about 6-7 hours per week). You must provide your DHS caseworker with documentation of your community service time.

Just Harvest in partnership with 211 of the United Way is putting together a network of organizations that will host individuals needing to do community service to meet the ABAWD requirements. Starting March 2016, just call 211 for a list of organizations near you, or visit [justharvest.org](http://justharvest.org) starting February 2016.

***Is there help with things like transportation and clothing for individuals required to do community service?***

Yes. The Department of Human Services (DHS) can provide you with what is called Special Allowances (SPALs) to help you meet the requirement. SPALs include things like:

- money for transportation (public and private)
- clothing (if specific clothing is necessary for the work program)
- books
- tools
- or any other supplies needed for education, work or community service.

These allowances must be requested and approved before their purchase, and verification (receipts) must be provided.

Contact Just Harvest at (412) 431-8960  
for more information.

## APPENDIX D – JUST HARVEST'S ONE PAGE (CONDENSED) FACT SHEET FOR CLIENTS

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ACTION AGAINST HUNGER

January 2015

### **NEW FOOD STAMPS CHANGES STARTING MARCH 1**

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What you need to know to maintain your benefits!

**Adults ages 18-49 without a child living with them AND without a disability will be subject to a work requirement.**

The work requirement is working or participating in a work program at least 20 hours a week or volunteering about 6 hours a week, unless you meet an exemption.

If you don't meet the work requirement and if you aren't exempt from the requirement, you can only receive food stamps for 3 MONTHS until Dec. 31, 2017.

You may be exempt from the work requirement if:

- You have a mental or physical disability
- You earn at least \$218 per week, averaged monthly (working any number of hours)
- You live with a child in your SNAP household (does not have to be your own child)
- You care for a sick household member
- You are pregnant
- You are in a drug or alcohol treatment program
- You receive or you have applied for Unemployment Insurance
- You are a higher education student at least half-time
- You are a student in an education program, such as GED readiness, English as a Second Language (ESL), or a Refugee Transition Program, at least half-time
- You are homeless
- You are a victim of domestic violence
- You expect to return to work within 60 days
- You live in an area that is exempt. In Allegheny County, McKeesport is the only exempt area.

You will have to verify with your caseworker if you have an exemption. Contact your caseworker to learn about your options for meeting the work requirement, or getting an exemption approved.

Contact Just Harvest at 412-431-8960 to learn more or ask questions.

You can visit [justharvest.org](http://justharvest.org) to learn more and find a volunteer opportunity that could help you keep your food stamps. Starting in March, you can call 2-1-1 to find a volunteer opportunity that could help you keep your food stamps.

## APPENDIX E – JUST HARVEST'S LETTER TO POTENTIAL ABAWD FOOD STAMP CLIENTS

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### READ THIS FIRST!

Dear Just Harvest Client,

You are receiving this letter to let you know about changes coming to Food Stamps/SNAP. THESE CHANGES MAY NOT NECESSARILY CONCERN YOU AND YOUR FOOD STAMPS. Still, we want you to have the information about the program changes that will affect able-bodied adults without dependents (commonly referred to as ABAWDs). The rule change will limit individuals in the ABAWD category that are not meeting a work requirement to receiving food stamps for only 3 months in a three year period, starting March 1. This means that if you are one of the unemployed or underemployed able-bodied childless adults ages 18-49 who will be affected by the requirement, you could lose your benefits starting June 1. Read the enclosed fact sheet to learn more about the change, see if you will be affected, and what you can do if you will be affected. Note that many people will be exempt from the requirement – if you are exempt, this means the requirement will not apply to you. Check the exemptions list on the enclosed fact sheet to see if you may be exempt. The PA Department of Human Services (DHS) will soon send you a screening form where you can indicate if you will be exempt from the ABAWD requirement, which you should then return to DHS.

If you are not exempt, you will need to meet the requirement by either working or participating in a work training program for at least 20 hours a week, or volunteering at a non-profit for a maximum of 26 hours a month, or about 6-7 hours a week. Just Harvest is working to put together a network of non-profit organizations that will offer community service opportunities to people affected by the new ABAWD requirement. You can visit our website at [www.justharvest.org](http://www.justharvest.org) to learn more, and find a community service opportunity near you. Starting in March, you can call 2-1-1 to find a community service opportunity near you. Transportation assistance is available from DHS to help you if you need transportation to a new work site or new community service site. Talk with your caseworker for more details about these Special Allowances.

Do you have any questions about the new ABAWD requirement? You may contact Just Harvest at 412-431-8960 for help with a problem or issue.

Are you interested in learning more about this issues and others, and helping Just Harvest mobilize SNAP (and other benefits) clients to advocate for themselves and others? You can contact our community organizer, [REDACTED], at 412-431-8960 [REDACTED]. *There may be options for you to volunteer with Just Harvest as an advocate to meet the ABAWD requirement.*

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Just Harvest is a community-based non-profit organization that is separate from the Department of Human Services (DHS). We are contracted by DHS to assist people in applying for Food Stamp/SNAP benefits. We are committed to helping you through the process of applying for Food Stamps, but we cannot determine your eligibility or speak on behalf of DHS. In addition to helping people with their Food Stamps, we work to bring low-income people together to gain a stronger voice in how DHS treats people in need and we advocate on other government policy issues related to poverty and hunger.

## APPENDIX F – FOR FURTHER READING

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### **Food and Nutrition Service ABAWD FAQ:**

<http://www.fns.usda.gov/snap/able-bodied-adults-without-dependents-abawds>

### **Center on Budget and Policy Priorities’ ABAWD Work:**

“Who Are the Low-income Childless Adults Facing the Loss of SNAP in 2016?”

<http://www.cbpp.org/research/food-assistance/who-are-the-low-income-childless-adults-facing-the-loss-of-snap-in-2016>

“More Than 500,000 Adults Will Lose SNAP Benefits in 2016 as Waivers Expire”

<http://www.cbpp.org/research/food-assistance/more-than-500000-adults-will-lose-snap-benefits-in-2016-as-waivers-expire>

“60000 Jobless Veterans May Lose Food Assistance Due to Time Limit”

<http://www.cbpp.org/blog/60000-jobless-veterans-may-lose-food-assistance-due-to-time-limit>

“Food Pantries Expect Longer Lines as SNAP Limit Kicks In”

<http://www.cbpp.org/blog/food-pantries-expect-longer-lines-as-snap-limit-kicks-in>

### **USDA Toolkit for State Agencies—“Guide to Serving ABAWDs Subject to the Time Limit”:**

[http://www.fns.usda.gov/sites/default/files/Guide\\_to\\_Serving\\_ABAWDs\\_Subject\\_to\\_Time\\_Limit.pdf](http://www.fns.usda.gov/sites/default/files/Guide_to_Serving_ABAWDs_Subject_to_Time_Limit.pdf)

### **Legal Analysis of the ABAWD Rule—“Implementing the Three-Month Time Limit for 18-to 49-Year-Olds”:**

<https://m.repository.library.georgetown.edu/bitstream/handle/10822/761445/SNAP%20Time%20Limit%20Implementation%20Updated.pdf?sequence=1&isAllowed=y>