

FloridaWorks Standard Operating Procedure (SOP)

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SOP Number:	Subject: Hardship Extension
Date of Issuance: March 25, 1998; revised June 24, 1998; revised March 17, 1999; March 13, 2000; revised May 21, 2001; revised March 25, 2002	Revision Date: March, 2007
AE Executive Director <i>Angela Pate</i>	FloridaWorks Chair <i>Frank McGeown</i>

PURPOSE

The Welfare Transition Act provides for possible extensions from the time limits and extension of benefits up to 12 months beyond the established time limit for individuals who have not attained self-sufficiency. The period of time for which a case continues as a hardship extension counts toward the lifetime limit for the adult. A community review panel designated by the Board makes hardship extension determinations.

The extension criteria are defined by law and include the following categories: diligent participation, extraordinary barriers and significant barriers that are defined in the administrative rule. Extension criteria may be assigned a priority at the discretion of the Alachua/ Bradford Regional Workforce Board d/b/a FloridaWorks.

Hardship extensions to time limits of cash assistance must be limited to no more than 20% of the total number of cases subject to time limits in this region. The extension slots must be managed and tracked by the local Board.

As Domestic Violence may be a barrier to completing work requirements the Board has adopted The WAGES State Board Policy #0198 - Domestic Violence, Effective date 11/09/98 (attached as addendum 1), which entitles participant to an extension based on proven cases of domestic violence.

Implementation of this policy rescinds and replaces procedures previously established by Board Policy WAGES OP-97-02A.

POLICY

In accordance with Department of Children and Families Policy 98-02-005P, the Board has established that participants, who have not attained self-sufficiency within 6 months of the close of their eligibility for receipt of TANF, shall be eligible for an extension of their cash benefits for a period of up to 12 months.

The following sections describe who will conduct the extension reviews and the process for requesting and reviewing the extension.

REVIEW PANEL

The Board has established that former Family Transition Program (ETP) panel format will be adopted as the mechanism for determining hardship extensions. It consists of individual citizens representing a cross section of the community. In adopting the FTP format, the panel shall hereinafter be known as the Welfare Transition Hardship Extension Review Panel and modified as indicated below.

The Board's Administrative Entity will actively recruit and appoint members in Alachua and Bradford counties for the Welfare Transition Hardship Extension Review Panel. The members will make up a single panel composed of five members composed of three One-Stop partners, one community representative and one Board Administrative Entity representative. State WAGES Board policy prohibits contracted services providers and staff of the Department of Children and Families (DCF) from serving as panelists. The Panel will meet once a month to review requests for hardship extensions.

In cases of emergency or lack of quorum the Board's Administrative Entity will serve as the body which will review all hardship extensions requests and make the appropriate recommendations.

State law requires that cash assistance under hardship extension for a participant who is subject to work activities but is not working 25 hours per week in salaried employment will be reduced 10% during the hardship extension period. The Board will adopt the state's rate of reduction in cash benefits and not seek the authority to impose a higher reduction in benefits for participants granted a hardship extension.

PROCESS FOR REQUESTING EXTENSION

The Board's Welfare Transition Service Provider's designee will be responsible for:

- a) Receiving and tracking the processing and subsequent outcome of hardship extension requests (i.e., approvals and denials).
 1. Within 5 working days of the DCF Public Assistance Specialist's (PSA) receipt of the report identifying TANF recipients within 6 months of the close of their eligibility, the PSA will initiate the Hardship Extension process by forwarding the extension forms for those participants to the Board's Welfare Transition Service Provider's designee.
 2. Within 15 working days of receipt of the hardship extension form, the Welfare Transition Service Provider's designee will schedule and conduct an interview to determine if the client **requests** a Hardship Extension.
 3. Within 5 working days of the interview, the Welfare Transition Services Provider's designee will submit the completed request for extension along with any accompanying documentation to the Review Panel or the Board's Administrative Entity;

-OR-

for participants who decline to pursue a hardship extension, the Board's Welfare Transition Service Provider's designee will complete the form and return it to the DCF Public Assistance Specialist within 5 working days of the Hardship Interview.

4. Once a decision is made regarding the extension, the chair of the review panel or designee or the Administrative Entity ~~staff~~, in cases of emergency will complete section D of the review form and return the form to the Board's Welfare Transition Service Provider's designee the day of the Review Panel's decision or, in cases of emergency, when the Board's Administrative Entity ~~staff~~ reviews and makes the appropriate decision.
5. The Welfare Transition Service Provider's designee will distribute copies of the hardship extension review form with the panel's decision to the PAS staff within 2 working days of receiving them.

SPECIAL CIRCUMSTANCES

The WELFARE TRANSITION Service Provider's designee will also handle special circumstance requests.

There are four (4) conditions under which a participant can pursue re-determination of a hardship extension case:

- change in participant circumstances
- participant change mind;
- extension request;
- domestic violence

The Welfare Transition Service Provider's designee will also handle special circumstance requests. The Board's Welfare Transition Service Provider's designee must notify the PSA staff of all decisions regarding hardship extensions. The participant should initiate contact directly with the Board's Welfare Transition Service Provider's designee in the case of a special circumstance. The Board establishes the following special circumstance guidelines:

- ❖ The participant will complete Part C: Reason for Request of the Special Condition/ Circumstances Form.
- ❖ The Board's Welfare Transition Service Provider's designee will conduct another Hardship interview for all special circumstance cases within fifteen (15) working days of the request.
- ❖ Staff should follow the guidelines/steps identified for routine hardship extensions as indicated above beginning with guideline #4.

ACTION: A copy of this policy shall be kept on file at the Board's Administrative offices, and copies provided to the Welfare Transition services providers, the local Department of Children and Families Office and the local Department of Labor & Employment Security Office for reference and application.

AUTHORITY: Alachua/Bradford Regional Workforce Board d.b.a. FloridaWorks

ADDENDUM 1.

The WAGES State Board Policy #0198-Domestic Violence, Effective date 5/25/98 states the following:

Definitions

1. "Domestic violence" is "any assault, aggravated assault, battery, aggravated battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense that results in the physical injury or death of one family or household member by another." This language is derived from legal terms utilized in criminal or civil proceedings. Considering them together, however, allows to address a wide range of dysfunctional work behaviors attributable to home atmosphere of control and intimidation based on the used or threatened use of physical force or restraint.
2. "Family or household members" means spouse, former spouses, non-cohabitating partners, persons related by blood marriage, person who are presently residing together as if a family or who have reside together in the past as if a family, and persons who have a child in common regardless of whether they have been married or have resided together at anytime." This term is intended to point to the home environment as the setting for the violent conduct or atmosphere rather than a specific legal relationship between the parties.

Notification of Domestic Violence Resources and Options Under Welfare Transition

Local Regional Workforce Board's Administrative Agent staff should notify all Welfare Transition participants, beginning with Orientation of available resources, referrals, and possible options in the Welfare Transition program for victim of domestic violence. Information about these options should be available to participants at any subsequent point in the program. Notifications should:

1. Be clearly and consistently articulated, repeated, and make use of oral and written communication in a language understood by the participant;
2. Provide frequent, confidential, and clearly voluntary opportunities for self-disclosure that the participant is, or has been, a victim of domestic violence. This should be accompanied by an explanation of confidentiality procedures.
3. Provide educational, resources, and referral information about domestic violence.
4. Include information on allowable exceptions or extensions from Welfare Transition work activity requirements for domestic violence victims.

Screening, Identification, Assessment and Referral

Screening for, and identification of participants who may be a victim of domestic violence will be a part of program activities beginning with Orientation.

1. Participants are to be encouraged to voluntarily disclose, but cannot be forced to disclose or accept domestic violence services.
2. The completion of any screening tool must be voluntary and information provided must be kept confidential.
3. Workers involved in an interview/interaction with the participant should be use a Universal Explanation of domestic violence which:
 - a. Normalizes the discussion of what constitutes domestic violence;
 - b. Explains the risks and benefits of revealing abuse;
 - c. Explains confidentiality and safety procedures; and
 - d. Explains steps that can be taken to become self-sufficient;
4. Participants should be informed that they may disclose as victims of domestic violence and/or ask for a referral for further assessment and/or services at any time during program participation without penalty as the frequency of incidents of domestic violence may change or be cyclical.
5. Disclosure and other information regarding the participant's status as a past or current victim of domestic violence shall be confidential and used solely for the purpose of:
 - a. Referral to domestic violence and/or Welfare Transition program services,
 - b. Determining eligibility for extensions from Welfare Transition work activities and placement in alternative activities as described in Section 414.065(7) (b).
 - c. Working with the participant to develop an Individual Employment Plan (IEP) which will include acceptable alternative activities and/or referral to trained domestic violence expert for an assessment if the participants states, or there is reasonable belief, that,
 - (1) Domestic violence will hinder the individual's ability to carry out programs requirements;
 - (2) Welfare Transition requirements will make it more difficult for the individual to escape domestic violence.

Confidentiality

1. Screening and assessment procedures must ensure the confidentiality of information pertaining to any participant who claims to be a past or present victim of domestic violence, or an individual at-risk of further domestic violence, whether information is provided by the victim or by a third

party. These procedures should include prohibitions against the release of information concerning a participant:

- a. To any individual named as the defendant in a Protection From Abuse order entered on behalf of the participants or the participant's dependent children; and
 - b. If Local Regional Workforce Board's Administrative Entity staff has reason to believe that the release of information may result in physical or emotional harm to the participant.
2. Information gathered during domestic violence screening and assessment must be used solely for the purpose of:
 - a. Ensuring the ongoing safety of the participant and the participant's family;
 - b. The development of the safety plan and alternative Individual Employment Plan; and
 - c. Referrals to appropriate domestic violence services, Welfare Transition programs services, and supportive services.
 3. Participant information related to Domestic Violence must be kept in a separate designed file and not included in the participant's general program file and should prominently note confidentiality protections.
 4. Staff should **NOT** contact the person believed to be the perpetrator of such violence for the purpose of trying to confirm the participant's statement or documentation of abuse without the informed written permission of the participant.
 5. Information shall not be released to anyone (including other government agencies, service providers, or law enforcement) except for:
 - a. Purposes of referral for services;
 - b. Documentation of the need for services;
 - c. Where required to conform with child abuse and neglect laws; or
 - d. Where the participant has requested and authorized in writing disclosure of the information.
 6. Confidential settings should be used to provide privacy during screenings, interviews, and referral to appropriate services.

NOTE: Because batterers use a wide variety of information to locate their current or former partners, a wide variety of information must be protected. These include, but are not limited to current addresses, phone numbers, post office box locations, training sites, job placement sites, employment addresses, health providers, children's school, etc.

Assessment

1. Participants who self-disclose situations of domestic violent will be provided with the option, where available, or continued assessment and services from a trained domestic violence expert.
2. The results of the assessment will be used to develop a safety plan. Elements of the safety plan will be used joint development (by the participant and the Welfare Transition staff) of the Individual Employment Plan.

Documentation of Eligibility for Domestic Violence Provisions

1. Decisions to provide services under the Domestic Violence Provisions should be based on the evidence presented by the participant whenever possible. No attempts to obtain additional information or verify evidence submitted should put a participant or the participant's children at-risk or violate confidentiality.

2. The alleged perpetrator should not be contacted for any purpose unless and until the participant no longer fears for his/her own safety and that of his/her children; and the participant provides informed, written consent.
3. Allegations of domestic violence by the participant should be sufficient to establish domestic violence when the Local Welfare Transition staff does to have a reasonable basis to find the participant not credible. The absent of proof of "official" help, such as police intervention or protection order, shall in no way indicate the absence of violence or the lack of credibility of the participant. Unless there is substantial evidence that the participant is not credible, simple attestation will be sufficient.

Alternative Plan Requirements

The alternative plan requirement provides a vehicle for addressing the barrier to self-sufficiency while still reserving temporary assistance payments within the Welfare Transition framework. Additionally, the alternative plan procedure will bring professional expertise to bear on a difficult and recurring area of social and economic dysfunction. At all times, the staff member should consider two factors in determining the acceptability of activities for the alternative plan:

1. The ongoing safety of the participant
2. The goal of "self-sufficiency"

Acceptable activities that may be incorporated as elements of a plan of alternative requirements may include, but are not limited to:

- Obtaining emergency shelter or safe house
- Participating in individual or group counseling
- Participating in peer support groups
- Applying for an injunction for protection or other legal assistance
- Participating in case management activities at a victims services agency
- Assembling adequate documentation regarding domestic violence
- Attempting temporary or permanent relocation
- Participating in prosecution of the perpetrator
- Participating in life skills training
- Participating in pastoral counseling
- Participating in substance abuse treatment
- Participating in various levels of safety planning
- Accessing services for children
- Participating in stress management activities
- Participating in parenting classes
- Received medical treatment related to domestic violence
- Participating in mental health counseling
- Working with a domestic violence advocate

Participant in alternative requirement does not preclude involvement in traditional work activities such as job skill training, community service, alternative job placement and vocational education. Alternative job placement should address individual safety concerns, including those associated with public contact that could put the individual at risk of exposure.



Alachua/Bradford • A Community Partnership

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HARDSHIP EXTENSION REVIEW PANEL

AGREEMENT OF CONFIDENTIALITY

I _____ certify that, as a member of the
(PRINT YOUR NAME HERE)
Alachua/Bradford Regional Workforce Board – d.b.a. FloridaWorks Hardship Extension
Review Panel, I agree to respect the privacy of any client whose application for a Hardship
Extension is reviewed by me or any other member of the panel. Therefore I agree that client
information will be discussed only with review panel members in closed meetings.

Signature

Date