



## SNAP 701-1 WORK REGISTRATION Exemptions

**Supersedes:** SNAP 701-1 (07/01/2021)

**Reference:** 7 CFR 273.7

**Overview:** Individuals who meet one of the exemptions in this section are exempt from all components of the work requirements:

1. Employment and Training (E&T) Requirements
2. Voluntary Reduction of Work Hours
3. Voluntary Quit of a Job
4. Refusing to provide sufficient information to determine an individual's work requirement status.

**NOTE:** Households which are categorically eligible for SNAP are not automatically exempt from work registration. Also, living in a geographically ABAWD (Able Bodied Adult Without Dependents) exempt area does not automatically exempt an individual from work registration.

### **EXEMPTIONS:**

1. Individuals younger than 16 years of age or an individual 60 years of age or older. If an individual reaches his/her 16th birthday within the redetermination period they will register as part of the next scheduled recertification process, unless otherwise exempt.
2. Individuals aged 16 or 17 are exempt if they are:
  - a. Not the head of household; or
  - b. Attending school on at least a half time basis; or
  - c. Enrolled in an employment training program on at least a half-time basis as defined by the institution.
3. A student who is enrolled at least half-time in any recognized school, training program or institution of higher education, who also meets the eligibility requirements as an eligible student (SNAP 201-5). The student exemption continues through normal periods of class attendance, vacation, and recesses. If the student graduates, enrolls less than half-time, is suspended, or expelled, drops out or does not register for the next normal term (excluding summer), the exemption ends, and the student must register for work unless the individual qualifies for another exemption.

**DEFINITIONS:**

“Half-time” - as defined by the school or training program. If the institution does not have a definition use prudent judgment and clearly document basis for decision in case notes.

“Recognized” - any school or training program approved, funded, or operated by a federal agency or accredited by the state is considered recognized for the purpose of establishing an exemption.

4. Physically or mentally unfit for employment. If mental or physical unfitness is claimed and the unfitness is not evident (visible during interview or previous documentation of ongoing unfitness), verification may be required. Appropriate verification may consist of receipt of temporary or permanent disability benefits issued by governmental or private sources, or a statement from a physician or licensed or certified psychologist. Physically or mentally unfit also includes individuals in receipt of VA disability compensation regardless of the individual's disability percentage. This exemption applies to ABAWD exemption as well. However, while a veteran may be exempt from work registration and the ABAWD provisions based on physical or mental unfitness, that does not necessarily entitle the individual to the excess medical and shelter deduction. So, eligibility staff need to refer to disability policy in the manual when determining whether to enter the disability in the disability screen in CHIMES to indicate that the individual is a “disabled member.”
5. Individuals with a current SSI application pending with the Social Security Office. If SSI has been denied but SSDI is still being considered, the exemption will need to be determined based on the conditions in number 4 above. If the application has been denied it must then be in the appeals process to be considered active. Exemption from the SNAP work requirement will be reevaluated if someone is determined ineligible for SSI.
6. Individuals approved by Social Security for disability payments, either SSI or SSDI.
7. An individual who is employed or self-employed and working at least 30 hours weekly or receiving weekly earnings equal to or greater than the federal minimum wage multiplied by 30 hours. This includes self-employed or contract persons who would be certified for one year when the county determines that the employment constitutes a full-time job. This also includes migrant and seasonal farm workers who are under contract or similar agreement with an employer or crew chief to begin employment within 30 days (although this shall not prevent individuals from seeking additional service from Job Service). For persons receiving a training wage, the training wage will be substituted for the applicable Federal or State minimum wage when determining if these persons are exempt from work registration. **NOTE:** For individuals hired under contract, view the contract to determine the anticipated number of weeks the individual will be working in the position. Then determine the number of hours per week to evaluate if this exemption exists.
8. A parent or a household member who is caring for a dependent child under six years of age or an incapacitated person, even if the child or incapacitated person is not part of the food stamp filing unit. If the child has his or her 6<sup>th</sup> birthday during a certification period, work register the individual responsible for the care of the child as part of the next scheduled recertification

process, unless the individual qualifies for another exemption. Additionally, the dependent child or incapacitated person need not live with the SNAP household. However, the exemption would not apply to the parent or household member if the dependent or incapacitated person is residing with another household and that household is providing the care. If the eligibility staff member questions this exemption, medical documentation of need may be requested.

Only one adult can claim responsibility for one child for an exemption. If the household contains two adults and one child, only one adult can claim the exemption. If the household contains two adults and two children, each adult could claim an exemption.

9. Individuals complying with the requirements for TANF Cash Assistance or participation in an Individual Family Plan (IFP) for Tribal TANF cash assistance.
10. Individuals who are regular participants in a drug addiction or alcoholic treatment and rehabilitation program. If the exemption is questionable, documentation may be requested. Regular participation does not require any minimum number of hours per week or months. Alcoholics and Narcotics Anonymous (AA and NA) do not qualify as alcohol/drug treatment programs for this policy.
11. Individuals subject to and complying with Unemployment Compensation system requirements, including one who has applied for, but has not yet begun to receive Unemployment Compensation. Individuals who have been denied unemployment but are in the appeals process and are complying with the requirements of unemployment are also considered exempt. Unemployment benefits must be verified with MISTICS or hard copy verification from another state's UI department. Verification of UI benefits/status should be case noted and uploaded to Perceptive.
12. Participating in refugee employment services. These services are considered training programs. These include those services and activities which have a structured active case management and employment planning process.

#### **LOSS OF EXEMPT STATUS:**

Household members who have been exempt from work registration may lose their exempt status due to changes in the circumstances of the household or of the individual member. Some changes must be reported under change reporting requirements (SNAP 1501-1). If a change is reported and it results in a person losing a work registration exemption, the person must register at the time the change is acted upon. If the change is not required to be reported, the person must register at the next recertification. Changes in circumstance that would require a previously exempt member to register for employment include, but are not limited to:

1. Loss of employment, change in hours, or change in earnings.
2. The sole dependent child leaves home; or,
3. Sanction from TANF Cash Assistance or Tribal TANF due to non-compliance.

**Effective Date:** June 15, 2023