



OHIO STATE
LEGAL SERVICES

ASSOCIATION



Founded 1966

Ohio State Legal Services Association (OSLSA) is a two-part legal services program. The four attorneys in the State Support Center provides consultation and training to legal services programs in Ohio, and engage in administrative and legislative advocacy where appropriate. Southeastern Ohio Legal Services provides direct legal assistance to low-income residents in 29 counties in southeastern and central Ohio. Our administrative office and our State Support Center are located in Columbus. Our nine SEOLS direct service offices are spread throughout southeastern and central Ohio.

Our Mission

We act as general counsel to our client community. We are committed to searching out the patterns, issues, and solutions of the repetitive and fundamental legal problems facing low income people, and seeking legal recourse necessary to redress the grievances of our clients.

Executive Director

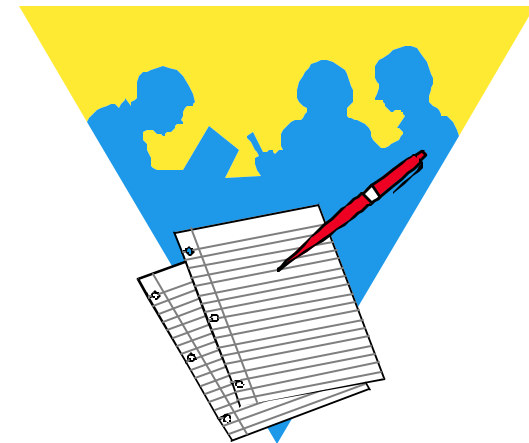
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A Recipient Handbook

What You Should Know About the Welfare Law, Work Assignments and PRC



Ohio State Legal Services Association
555 Buttles Avenue
Columbus, OH 43215
1-800-589-5888

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Ohio State Legal Services Association (OSLSA)

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Questions?

Please contact OSLSA at 1-800-589-5888 with any questions or to request additional copies of this publication.

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This handbook is for informational purposes only and is intended solely to provide a summary of Ohio Works First and related benefits. The information in this handbook is not legal advice and should not be relied on for legal advice. This handbook cannot cover all questions about Ohio Works First and related benefits. Also, the law and the rules are always changing. For specific legal advice, call your local Legal Aid office.

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WHAT ARE “OWF” AND “PRC”?

Ohio has two cash assistance programs for families— *Ohio Works First* (OWF) and *Prevention, Retention & Contingency* (PRC). Both of these programs will be explained in this booklet.

OWF has two very important changes from the old ADC cash assistance program that you should know about:

1) *You must work or do things that help you get a job;*

AND

2) *You can only receive cash for three years.*

Both OWF and PRC are supposed to help people become self-sufficient. *Self-sufficiency* means having a job which pays enough to give your family food, clothing, and a place to live.

Since OWF and PRC are new programs, the rules are still changing. This booklet will help you understand your rights and responsibilities under these new programs.

The information in this booklet is not a substitute for legal advice. Call your local Legal Aid office if you have any questions on anything mentioned in this booklet. To find the Legal Aid office nearest you, call 1-800-589-5888.

Services (ODHS), the state welfare agency. The address is:

Ohio Department of Human Services (ODHS)
Office of Legal Services
30 East Broad Street, 31st Floor
Columbus, OH 43266-0423

ODHS must receive your letter of appeal within 15 days after the mailing date on the state hearing decision.

What if I lose my Administrative Appeal?

If you lose the *administrative appeal* decision, you may want to go to the next and last level, which is court. *Judicial review* takes the appeal into the court system. Your appeal must be filed in court within 30 days after the mailing date of the administrative appeal decision.

For help with your administrative appeal or judicial review, call the local Legal Aid office in your county. Call OSLSA at 1-800-589-5888 for the phone number of the Legal Aid office serving your county.

PREPARING FOR THE HEARING



APPLYING FOR OWF

You may apply for OWF cash assistance at your local welfare office (human services office). When you apply, your caseworker must work with you to help you to become "self-sufficient" by helping you to find a job or receive education and training to get a job so you can stay off welfare. When you apply, you will have to have an *assessment* and sign a *self-sufficiency contract*.

What rights do I have?

- ◆ The right to look at your case file and get free copies of documents that you might need. Read your file carefully!
- ◆ The right to read the rule books used by the welfare office.
- ◆ The right to have a friend, relative, or Legal Aid represent you at the hearing.
- ◆ The right to ask for and bring any papers or witnesses to help you prove your case. Your witnesses may go to the hearing or write a letter for you. (If they write a letter, have it notarized. Your Legal Aid office can notarize it for you.)

When do I get the hearing decision?

You should get the decision by mail about three weeks after the hearing.

What if I lose?

If you lose the state hearing, you may want to go to the next level of appeal, which is called an *Administrative Appeal*. The hearing officer will review your case and give you a decision. To appeal your case, you have to write down why you think you should have won the hearing, and send it to the Ohio Department of Human

The Assessment

As soon as you apply for OWF, the welfare office will make an appointment for an interview with you and will do an *assessment* of each adult in your family.



The assessment will help your caseworker find out about your past jobs, skills, schooling, abilities, and problems with getting a job. You need to tell your caseworker about any problems you have if they will affect your ability to work. These are called *barriers to employment*. Examples of *barriers* include health problems, domestic violence, alcohol/drug abuse, child care, and lack of reliable transportation.

You must ask for **anything** that you need to get a job and become *self-sufficient*. The caseworker needs your help to decide what services you need. You know what your needs are, but the caseworker does not necessarily know them unless you tell him or her.

Things you might need and should ask for:

- Ask for nearby child care
- Ask to learn a skill or trade
- Ask for time to get your GED
- If you are in school, ask that you be allowed finish to your studies
- Ask for transportation to/from work and daycare
- Ask for and tell your caseworker your preferences or choices for work type, location, training, or education

You should have more than one assessment if you stay on OWF for months or years. At the assessment, you and your caseworker will set goals and make a plan for you to become *self-sufficient* within **three years**. This plan may include working, going to school, getting a GED, or job training. This plan will be put in writing and will become the "*self-sufficiency contract*" that you will sign.

When may I ask for a state hearing?

You have the right to make a complaint and have a hearing when the welfare office does something that you think is wrong. This is true whether you are getting aid now or if you have just applied for aid, and it is true for **ALL** assistance programs.

If you do not agree with the type of assignment or the hours you have to work, or you have some other problem with your work, you have the right to ask for a hearing. You can ask for a hearing if you do not agree with a sanction. You do not have to receive a notice from the welfare department to ask for a state hearing.

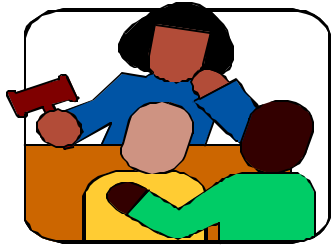
When should I ask for a hearing?

You should ask for a hearing right after the welfare office does something you think is wrong or sends you a notice that you do not agree with. You will not get a hearing if you ask for it more than 90 days after the date on your notice.

What about my benefits?

You may stop the welfare office from changing or stopping your benefits by asking for a state hearing within 15 days after the date on the notice. If you lose the hearing, you may have to repay the continued benefits.

If you ask for a state hearing 16 days or more after the date on the notice, you will not continue to get benefits. If you win, you will get your benefits back to the date you were sanctioned.



COUNTY CONFERENCES AND STATE HEARINGS

When you do not agree with the decisions your caseworker or the welfare office makes on your case, you have the right to a fair hearing. County conferences and state hearings are Ohio's fair hearings.

What is a county conference?

A county conference is an informal meeting at the welfare office with you, your caseworker, and the caseworker's supervisor. If you disagree with anything in your self-sufficiency plan, you may ask for a county conference first. If you are not satisfied, you can ask for a state hearing. Deadlines for a state hearing apply whether or not you have a county conference. To make sure that you make the deadline, ask for a state hearing when you ask for a county conference. **You do not need to have a county conference first to ask for a state hearing.**

What is a state hearing?

A state hearing is an informal meeting at the welfare office between you, your representative, your caseworker, and a hearing officer.



SELF-SUFFICIENCY CONTRACTS

You and the other adults in your family who live with you must each sign a *self-sufficiency contract* within 30 days of applying for OWF. The law says that you must sign your contract in order to get benefits. The contract explains your rights and responsibilities, as well as the county's rights and responsibilities.

The contract must say how you will become *self-sufficient*, and list all the services and benefits that will help you, such as food stamps, Medicaid, child care, and transportation.

You have the right to have a lawyer or advocate with you to help you talk to the caseworker about the terms of the contract.

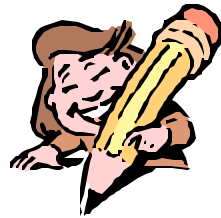
What should the "self-sufficiency contract" include?

- Your goals and plan for becoming "self-sufficient"
- All work assignments, including the times and days you are supposed to do them
- Your promise to help the child support office by helping them locate missing parents and collect child support
- What the welfare office will do to help you while you are working
- How to decide if this plan is right for you
- How to re-write or change your plan
- Your rights if you disagree with the plan or the contract



**Make sure that all of the things
you need are in the contract
before you sign it!**

*What should you think about before you
sign your contract?*

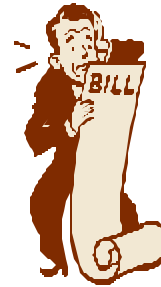


- Is the self-sufficiency contract going to help you get a job and become self-sufficient?
- Did the caseworker listen to and consider your choices?
- Did the caseworker tell you about your responsibilities and the county's responsibilities?
- Did the caseworker tell you about sanctions?
- Did your caseworker tell you that you could rewrite or change the contract?
- Did your caseworker tell you about your rights if you disagree with your plan?
- Did your caseworker treat you politely and with respect?
- Did your caseworker answer your questions?
- Do you understand the contract?

PRC is supposed to:

- Prevent you from being on cash assistance (Prevention)
- Help you keep your job (Retention)
- Help you in an emergency (Contingency)

PRC is generally a one-time payment or voucher—not ongoing cash assistance. You need to ask your caseworker about PRC and fill out an application form. Each county has a PRC program and decides who gets PRC, how much you can get, for how long, and what you can use the money for.



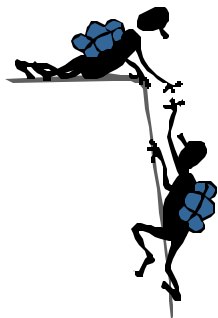
For example, PRC may be used for home expenses, transportation expenses, job-support services, car repairs, household “emergencies”, and other purposes determined by your county. You may be able to get help with your rent, gas, electric or telephone payments, car payments or other bills. You may also be able to get help with buying a car or getting your car repaired. Ask your county for a copy of your county’s *PRC Plan* to find out what services you may be able to get.

Counties must treat you fairly and reasonably, and they must let you apply for PRC. If you are not allowed to apply for PRC, your application is denied, or you do not get the help you asked for, contact your local Legal Aid office. They may be able to help you. You should also ask for a state hearing.

first. If the domestic violence happens after you start getting cash assistance, you can ask your caseworker to change your workplan to let you do other activities. If the caseworker disagrees, you can ask for a county conference and state hearing to challenge the caseworker's decision.

Do the time limits apply to victims of domestic violence?

Yes, but there are two ways you may be able to receive more assistance. The first is if you use up your three years but are still having trouble finding a job. Domestic violence may be considered a *hardship* in your county. The law says that after a person uses three years of assistance, she must be off assistance for two years. The second way is if you have *good cause* for needing more cash assistance. The welfare office will decide who has good cause but the law says that good cause can include domestic violence, if it happens when you reapply. See *page 14* for more information about the time limits.



PREVENTION, RETENTION, & CONTINGENCY (PRC)

PRC is a program that can give you services, help with emergency money needs or help with things that keep you working. PRC is a lot like the old Emergency Assistance Program, except that PRC may be able to give you assistance for more things.

To be eligible for PRC, you must have a minor child.

You can be *sanctioned* (cut off cash and reduced food stamps) for not doing what is in the *self-sufficiency contract*. If you do not understand or you disagree with anything in your contract, go back and talk to your caseworker or the county *ombudsman* (see *page 11*). If your caseworker won't listen to you, ask for a county conference or a state hearing (see *page 34*). If you need assistance, call your local Legal Aid office **IMMEDIATELY.**

The welfare office must give you a **free** copy of the contract. Please keep it in a safe place. If you have a problem later on, bring the contract to your appointment at the Legal Aid office.



SANCTIONS

What is a sanction?

If a member of your family does not do what is required under his/her *self-sufficiency contract* (including not

working, missing appointments, and not helping collect child support), the person will be sanctioned. A sanction means that your family's cash assistance and food stamps are being cut.

There are three levels of sanctions:

1. The first time you do not do what is in the contract, you and your family will not get cash assistance for one month, and your family's food stamps will be cut for one month.
2. The second time, you and your family will not get cash assistance for three months, and your family's food stamps will be cut for three months.
3. The third time, you and your family will not get cash assistance for six months, and your family's food stamps will be cut for six months. You may also lose your Medicaid medical coverage for six months.

What is *good cause*?

You should not be sanctioned if you have *good cause* for not doing what your contract says. *Good cause* is an acceptable reason for not doing what your contract says.

You have *good cause* if:

- You have to do a work assignment, but do not have a place to do the assignment
- You are not getting services that you need such as child care or help with transportation

part of your tax refund. If you make voluntary payments, your tax refund cannot be touched.

The welfare office may file a garnishment (to have your employer take money out of your paycheck) or attach your property as well to collect the money you owe.

How do I get help?

Contact your local Legal Aid office **IMMEDIATELY**.



DOMESTIC VIOLENCE & OWF

What if I am a victim of domestic violence?

If you are a victim of domestic violence, the law says that your caseworker may temporarily exempt ("excuse") you from doing work activities if you are still in danger. If you are not working, you must be doing *alternative work activities* to help you become ready to work. This may be filing criminal charges against the person who abused you, getting a **civil protection order (CPO)**, moving to a safe place, taking care of your children while at a shelter, or going to counseling.

To be assigned to *alternative work activities*, you need to tell the caseworker why you are unable to work, and that you need to take care of your domestic violence problem

What happens if you committed an IPV?

You will not be able to get benefits until you pay back the money you owe.

Can I be charged with the crime of welfare fraud and also receive a notice from the welfare office?

Yes. All *overpayments* which could be fraud (*intentional*) are referred to the prosecutor's office. The prosecutor's office decides if you committed a fraud. If the prosecutor says that you committed fraud, the evidence will be taken to a grand jury. You may be indicted.

The public defender's office may help you if you are being investigated or are charged with welfare fraud. Call your local public defender's office. If your county does not have a public defender, you should ask about a court-appointed attorney.

After you have plead, been found guilty, or the charges are dropped, the welfare office will send you a letter telling you how much you owe them. If you disagree, you may ask for a state hearing within 60 days of receiving the notice.

How will the overpayments be paid back?

If you are not receiving food stamps or cash, any payments to the welfare office are **voluntary**. You will be asked to sign a repayment agreement.

For food stamp overpayments, the welfare office may take

Your county can add other things which mean *good cause*. You have a right to know what *good cause* means in your county. Ask your caseworker what *good cause* means in your county.

These reasons might also be good cause in your county:

- Illness
- Caring for a sick family member
- Death in your immediate family
- Previously scheduled job interviews, medical, dental or vision appointments
- Domestic violence (being abused by a family member)

When you cannot come to an appointment

You must call your caseworker and boss immediately when you cannot come to an interview, work assignment, training, child support appointment or any other appointment because you have good cause.

The County Ombudsman Program

Your welfare office should have someone who can help you with problems with your contract, a sanction or a caseworker. This person is called the *ombudsman*, and

every welfare office must have one. The *ombudsman* is supposed to help you talk with your caseworker to solve problems that you may have. **You may still need to ask for a state hearing if the ombudsman does not or cannot help you. If you do not know whether you need to ask for a state hearing, contact your local Legal Aid office.**

Notice of a Problem

If the welfare office or job site has a problem with you not doing a work assignment or not showing up for an assessment, the welfare office must send or give you a pre-sanction notice telling you there is a problem. The notice will say you have ten days to ask for a meeting with your caseworker to talk about and solve the problem. You cannot be sanctioned until you receive this notice.

The meeting is your chance to tell your caseworker what problems you may have with your work assignment or other things you may be required to do. If you could not do something in your contract, such as an appointment or day of work, you should tell the caseworker why you could not do it. You may be able to have things changed in your contract—such as a work assignment—as a result.

The meeting is a chance to talk about problems with your caseworker and try to solve them. If you have any questions about the meeting or the notice, call the county ombudsman or your local Legal Aid office.

What is an Intentional Program Violation?

An *Intentional Program Violation (IPV)* happens when you tell your caseworker untrue information so that you can get more benefits than you should. If the welfare office says that you committed an *IPV*, you will not get any more benefits, unless you appeal the decision and win.

What if I disagree with the welfare office's *IPV* decision?

If you disagree with the *IPV* decision, you can and should ask for a hearing within 90 days of getting the decision letter. Even if you do not ask for a hearing, the welfare office will schedule one if you do not sign an agreement saying that you committed an *IPV*. You will not get continuing benefits, even if you ask for a hearing.

The hearing

You may have a representative (friend, paralegal, attorney) at the hearing with you. If you need help, call your local Legal Aid office to see if you can get someone to help you.

To prove that you committed an *IPV*, the welfare office must show that you did one of the following:

1. Told a lie or misled them on purpose;
2. Did not tell them information they needed to know to decide if you should get food stamps or cash assistance;
3. Did something on purpose that violated the law about food stamps or cash assistance benefits so that you could get, use or give someone else food stamps or cash assistance benefits that you are not eligible for; or
4. Sold EBT cards or food stamps.

What do I do if I have an *overpayment*?

If you have an *overpayment*, you must pay it back, even if your caseworker made the mistake.

If you disagree with the welfare office's decision that you were overpaid, or the amount of the *overpayment* is incorrect, you can and should ask for a state hearing IMMEDIATELY.

How do I avoid an *overpayment*?

You need to tell your caseworker about any changes in your income (such as a raise, or a sum of money from someone) and about any changes in your household (such as if a child moves out of your house) within 10 days of the change happening. To tell your caseworker about any changes, you should give them a statement in writing and sign it. Put on it the date you give it to the welfare office. When you give it to your caseworker or to someone else at the welfare office, ask for a *receipt*, which is a piece of paper which shows that you gave them your statement. You can also mail the statement, and to prove it got to the welfare office, you can mail it by certified mail. You are allowed to call your caseworker to tell him or her about the changes, but you will not have any written proof you made the call.

What if I am sanctioned but had good cause?

You will get a computer notice telling you about the sanction. If you don't agree with the sanction, you can ask for a county conference and a state hearing (*see page 34*). You will have to show that you have good cause and should not be sanctioned.

To get help

Contact your county's ombudsman for help. Call Legal Aid if you don't know if you need a state hearing or if you asked for a state hearing and need help with it.

What is compliance?

If you are sanctioned and you did not have good cause, you can get OWF and food stamps again if you show the welfare office that you will do what is in your contract.

Your caseworker will ask you to sign a *form*. A *compliance form* is an agreement you must sign to get your benefits again. By signing it, you agree to follow the rules as listed in your *self-sufficiency contract*.

Your county may also require you to do things to show that you will follow the rules, such as doing a work assignment (*see page 18*) for a certain number of hours a week before

you can get cash assistance again.

- You have a right to know what your county will make you do to show *compliance*.
- You have a right to keep doing your work activity even if you are sanctioned.
- You have a right to transportation, child care and other services to help you keep doing your work activity.
- You **do not** have to fill out another application for OWF or food stamps if you are sanctioned.

TIME LIMITS: PLANNING FOR YOUR FUTURE



How long can I get OWF cash assistance?

On October 1, 1997, the clock started ticking for OWF participants. You can get cash benefits for only 36 months (three years), which do not need to be in a row.

How do I know how many months I have left?

You should keep all of your notices. The notices tell you when you started getting cash assistance and how many months you have left.

You can also keep track on a calendar. Mark an "X" through each month you get a check. Do not cross out any months where you "save" benefits by not taking cash assistance. **Remember: You**

do your work assignment, you may have *good cause* for not doing the assignment. You should ask your caseworker what *good cause* means in the food stamp program.

Transportation and Child Care

You may be able to get help with transportation from the welfare office if you need to get to work, a job interview, a medical appointment or for other things. Ask the welfare office what transportation help is available in your county.

If you stop getting OWF cash benefits because you got a job, you may still be able to get child care for one year. This is called *transitional child care*. Also, if you have not received OWF cash benefits for a long time, or not at all, you may still be able to get help with child care. Ask your welfare office for information about child care help in your county.

BENEFIT OVERPAYMENTS

What is an *overpayment*?

An *overpayment* happens when you get more benefits (cash assistance or food stamps) than you should. An *overpayment* usually happens if: (1) you start to make more money and you do not tell your caseworker about it within 10 days; or (2) you told your caseworker about the change, but the caseworker does not lower your benefits.

When can I get Medicaid?

Ohio promises to give you and your family Medicaid if you are on OWF. You and your family can also get Medicaid when you get a job and get off OWF. If you choose not to receive OWF anymore or at all, you may still be able to get Medicaid for you and your family.

Even if you have never received cash benefits, you and your children may be entitled to Medicaid or other health insurance coverage. Ask your caseworker how you can do this.

Food Stamps/Ohio Direction Card



You can get food stamps if you are getting OWF cash benefits. If you do not get OWF checks anymore because you choose not to get them, or because you have a job, you may still be able to get food stamps.

If you do not get or want OWF cash benefits, and you want food stamps, you do not have to sign a *self-sufficiency contract*. The food stamp program has different rules for people who do not get OWF checks. You may be required to do work assignments, but you may be found *exempt* for many different reasons, including if you are disabled.

If you think you cannot do a work assignment, ask your caseworker if you may be exempt. Also, if you do not

can get cash for 36 months and they do not have to be in a row.

A month is counted against the time limit if you receive ANY cash assistance, even if it's only \$10.00! Months when you are sanctioned are **NOT** counted against your time limit. Once you use up 36 months, your entire family will not get any more cash assistance as long as you live with them.

Do I lose food stamps or Medicaid when I reach my time limit?

NO! Food stamps and Medicaid medical coverage are **not** time-limited and you should still be able to get them as long as you are eligible for those programs. You may not be eligible if you make too much money or if your children leave the household.

If you think your food stamps and/or Medicaid was wrongly cut off, you should ask for a county conference and a state hearing (*see page 32*) and call Legal Aid for help immediately.

How do I keep getting cash assistance after my 36 months (three years) are up?

There are only two ways to get more cash assistance after you use up 36 months. One way is for you to have a *hardship*. Your county decides what a *hardship* is. Ask about *hardship* before you sign your contract.

The other way to get more cash assistance is if you have *good cause* (*this is different from good cause for not doing something under your self-sufficiency contract—see page 10*). Your county decides what *good cause* means, but it may include domestic violence, inability to find a job, or other things. If your county decides that you have *good cause*, you may get two more years (24 months) of cash assistance.

Ask your caseworker what *good cause* and *hardship* mean in your county before you sign your *self-sufficiency contract*. You have a right to see these rules. If your county does not have these in writing or will not let you see them, call Legal Aid .

What does it mean to "save" some months of assistance?

Because you can only get cash for 36 months, you may want to plan how you will use and when you should get cash assistance. If you get less than half of the full cash grant, you may want to stop getting cash assistance now and "save" some months of your grant for a time when you have a serious problem, an emergency, or as a last resort. If you get an OWF check by mistake, do not cash it—return it to the welfare office.



For job safety complaints—

Ohio Department of Health or OSHA
1-800-282-1425



If you get hurt on the job—

Ohio Workers Compensation Office
1-800-644-6292

OTHER BENEFITS



Medicaid & Child Health Care

Ohio has a new health insurance plan for children (CHIP) that covers doctor visits, prescriptions, hospital care, vision, dental, immunizations, check-ups, and other services. Children under age 19 in families earning less than 150% (or below) of poverty qualify. Work expenses, such as child care, may not count in deciding whether you should get CHIP.

To find out more about CHIP, call 1-800-324-8680 to request a mail-in application or call your county department of human services (welfare office).

You should ask your caseworker or Legal Aid for assistance in qualifying for Medicaid.

Example: A family of three on OWF gets \$683 in cash and food stamps per month. Dividing \$683 by the minimum wage (\$5.15 per hour) gives you a total of 132.62 hours for the month. That means that you should be assigned to work for no more than 33.16 hours per week.

Call your local Legal Aid office if you think you:

- **Had your benefits cut because you quit your job but you had *just cause***
- **Were given an assignment that you did not ask for**
- **Were placed in a job you could not do**
- **Have to work too many hours**
- **Are not allowed to go to school**
- **Have been discriminated against on the job**
- **Work under dangerous or unsafe conditions**

You can also call these toll-free numbers:



For discrimination complaints—

Equal Employment Opportunity Commission
1-800-669-3362

Ohio Civil Rights Commission
1-888-278-7101

Family Members	Max. OWF cash	1/2 of Grant
1	\$223	\$111
2	\$305	\$152
3	\$373	\$186
4	\$461	\$230

This table shows what half of your OWF grant is.

Think About Saving Months of Eligibility...

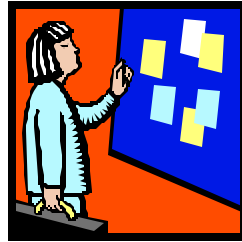
- A loss of a job or a medical emergency may cause you to need cash assistance later.
- Any month in which you get cash assistance, even \$10, counts toward your three-year limit.
- By not getting cash assistance now, you may get more food stamps, which are not time-limited.
- You and your children may still be able to get Medicaid, food stamps, and child care.

If you want to "save" months of cash assistance, you should talk to your caseworker and tell him/her that you would like to find out more about:

1. Going off cash assistance
2. Staying on Medicaid
3. Getting more food stamps

If you can't get this information from your caseworker, or your caseworker is not willing to take you off cash assistance, call your local Legal Aid office immediately.

WHAT ARE MY RESPONSIBILITIES?



Two of your most important responsibilities are work activities and cooperating with the child support agency.

Work Requirements

To get OWF cash assistance, you must do some sort of activity. If you are a single parent, you must do at least 30 hours per week. Your county may require you to do more than 30 hours per week. If you are a two-parent family, you must do at least 35 hours per week.

At least 30 hours a week must be in a *work activity* (see below). If you are a single parent with children under six years old, you must do at least 20 hours a week in a *work activity*. The work should be meaningful, fair, and likely to lead to a full-time job that pays enough to support your family without OWF benefits.

Work activities include:

- Work Experience Program (WEP)
- Subsidized Employment Plan (SEP)
- On the Job Training (OJT)
- Vocational Education (*For one year max.*)
- Post-Secondary Education (*can count for 20 hours for one year and then five hours after one year*)
- Job Readiness Activities (*For three months max.*)

Discrimination

Anti-discrimination laws stop your supervisor or boss from treating you differently from other employees because of your race, religion, age, sex, or disability/handicap. These discrimination laws also stop your caseworker from giving you jobs or training that you do want because of your race, sex, age, or giving you work that does not let you go to school.

Disabilities

The Americans With Disabilities Act (ADA) says that if you have a handicap or disability, employers must do anything that is "reasonably" needed for you to perform a job. The ADA may also protect you if you have a criminal record, or a past alcohol/drug problem and are not hired because of it.

Healthy and Safe Working Conditions

OSHA and state law require employers to make sure that you work in a safe workplace. These laws limit your exposure to dangerous materials and conditions. You must also be given protective clothes, gloves, or masks if you are working with dangerous machines, materials, or liquids.

Minimum Wage

The FLSA and state minimum wage laws say that you should earn at least \$5.15 per hour. That means that you must "work off" your food stamps and cash assistance at no more than the amount of the food stamps and cash grant divided by the minimum wage (\$5.15). This law only applies when you are **working or doing a WEP assignment**, not when you are going to school or counseling.

Quitting your current job

If you are getting OWF cash assistance, you may lose your family's OWF and food stamps for six months if you quit your job. If you have *just cause* for quitting your job, however, you should not lose your benefits. *Just cause* to quit means that:

- You found a better-paying job or a job that pays the same
- Discrimination by your employer based on age, race, gender, color, handicap, religious beliefs or nationality
- Unreasonable work demands—like not being paid on schedule
- Not being paid at least minimum wage
- Your job is unsafe or puts you in an unhealthy environment
- You have a physical or mental problem which makes you unable to do the work
- You are sick, or a household family member is sick and needs your help
- You have a household emergency
- You cannot find adequate child care for kids who are under six years old.

Labor Laws

Workers in WEP/Workfare are protected by federal laws just like other workers. This includes the Fair Labor Standards Act (FLSA), minimum wage, Occupational Safety & Health Act (OSHA), and anti-discrimination laws.

- Job Search (*For six weeks max.*)
- Child care services you provide to OWF participants
- Adult Basic Literacy Education (*For teen parents*)

What if I am not ready to work?

If you and your caseworker decide that you are not ready to work, you may be assigned to do other activities to meet your work requirement. These other activities are known as *developmental* or *alternative* activities.

Developmental Activities

In addition to a *work activity*, your caseworker may assign you to *developmental activities* to help you to be “self-sufficient.” If you are a single parent, up to 10 hours a week of developmental activities can count toward your 30-hour-per-week requirement.

Developmental Activities can include:

- Going to school (GED, vocational school, college) and the hours spent studying
- Parenting classes/Life Skills
- Drug/alcohol rehabilitation
- Finding a home (if you are homeless)
- Domestic violence/family abuse victims—living in a shelter, getting counseling, prosecuting the abuser, getting a civil protection order (CPO), putting together a safety plan
- English as a second language

If you have problems that do not let you work, you may do *alternative work activities* to help you become ready to work. *Alternative work activities* can include:

- Any of the *Developmental Activities*
- Education that will help you get a job
- G.E.D. (high school diploma)
- Full-time post-secondary education leading to a job
- Life Skills training
- Counseling- drug/alcohol, mental health, etc.

What does this mean if I want to go to school?

Literacy, English as a Second Language or GED classes

If you need to work on your reading or English skills or if you never finished high school, you can go to school. These count as *alternative or developmental activities*.

You can go to school if it will help you get a job. Please call your Legal Aid office if your caseworker will not let you go to school.

Examples of work assignments:

- ⇒ You may be asked to do WEP 30 hours or more a week
- ⇒ You may work for 20 hours and go to school for 10 hours
- ⇒ You may be able to go to school for 20 hours a week

If you cannot work yet, you may be assigned to alternative work or developmental activities for any number of hours the caseworker decides. For example, you may be required to do two hours or you may be required to do 20 hours.

How can I be *exempt* (excused) from these requirements?

No one is really *exempt* under Ohio law. Instead, if you are unable to work, you can be assigned to activities that will help you get a job in the future. The only people who may be *exempt* are single parents with a child under the age of 1. Your county can decide if you are *exempt* or whether you must be in a *work activity, developmental activity* or an *alternative work activity*.



Problems with Work Assignments

Under the law, your caseworker can assign you to one or more work, developmental or alternative work activities. The law does not say what activity you must do. It is up to the caseworker to decide. This does NOT mean that you do not have rights if you disagree with the assignment or you have

problems doing the assignment.

Your rights: You have the right to:

- Quit your job for a job that pays the same or more
- Quit your job for *just cause* (see below)
- Work no more hours than your grant divided by minimum wage (\$5.15 per hour currently)
- Be safe from dangerous conditions
- Be given protective glasses, clothes or gloves (if your job deals with dangerous chemicals, odors, fumes, or liquids)
- Be treated with respect
- Be “reasonably accommodated” if you have a disability/handicap.