

## TO BE RESCINDED

5101:4-3-20

**Food assistance: able-bodied adults without dependents.**

(A) Who is considered an able-bodied adult without dependents (ABAWD)?

(1) Every individual not exempt from work registration in accordance with rule 5101:4-3-11 of the Administrative Code is an ABAWD and subject to the requirements of this rule and rule 5101:4-3-20.1 of the Administrative Code unless the individual is:

(a) Under eighteen or fifty years of age or older;

(b) Pregnant;

(c) A parent (natural, adoptive, or step) of an assistance group member under age eighteen, even when the assistance group member who is under eighteen is not himself/herself eligible for supplemental nutrition assistance program (SNAP); or

(d) Residing in an assistance group where an assistance group member is under age eighteen, even when the assistance group member who is under eighteen is not himself/herself eligible for SNAP.

(2) When an individual previously identified as an ABAWD is later determined to either no longer be an ABAWD or to be exempt from work registration requirements in accordance with rule 5101:4-3-11 of the Administrative Code, the individual is no longer subject to the requirements of this rule.

(B) What are the work requirements for an ABAWD?

(1) Every ABAWD shall comply with:

(a) The work registration requirements described in rule 5101:4-3-11.1 of the Administrative Code; and

(b) The SNAP employment and training (SNAP E&T) program requirements described in rule 5101:4-3-30 of the Administrative Code.

(2) Every ABAWD that does not reside in a county subject to a waiver of the ABAWD time-limit approved in accordance with 7 C.F.R. 273.24 (01/2021), shall either:

(a) Participate in and comply with a SNAP E&T work experience program (WEP) activity for the maximum number of hours permitted by rule 5101:4-3-31 of the Administrative Code; or

- (b) For twenty hours per week (twenty hours per week averaged monthly means eighty hours per month) as determined by the county agency:
  - (i) Participate in one or more SNAP E&T components, other than supervised job search, operated or supervised by a state or political subdivision of a state that meets standards approved by the governor of the state, including a program under section 7 C.F.R. 273.7(e)(01/2021). Such a program may contain supervised job search as a subsidiary activity as long as such an activity is less than half the requirement;
  - (a) When an individual is assigned to a work-based learning program component for the maximum number of hours permitted by rule 5101:4-3-31 of the Administrative Code and the maximum number of hours permitted is less than twenty hours per week, the individual is to be assigned to another SNAP E&T activity for the number of hours necessary to bring the total number of hours to twenty hours per week;
  - (b) When an individual is assigned to job retention services as described in rule 5101:4-3-39 of the Administrative Code, the hours are to count toward the twenty hour per week ABAWD work requirement, except for when assigned to job retention supportive services; or
  - (ii) In combination with hours spent in SNAP E&T activities, be engaged in work or a work program.
- (3) For purposes of this rule and rule 5101:4-3-20 of the Administrative Code:
  - (a) "Work" includes working in exchange for (alone or in combination): money; goods or services (in-kind work); or verified unpaid work.
  - (i) "Unpaid work" includes any activity in which the individual exerts strength or faculties to do or perform something for which no compensation is received and that benefits the community or a member of the community that does not reside with the individual. Unpaid work shall be verified in accordance with rule 5101:4-2-09 of the Administrative Code.

(ii) Every ABAWD engaged in work shall report when their work hours fall below twenty per week, averaged monthly in accordance with rule 5101:4-7-01 of the Administrative Code.

(b) "Work program" includes a program under Title 1 of the Workforce Innovation and Opportunity Act, Pub. L. No. 113-128, (07/2014); a program under section 236 of the Trade Act of 1974, 19 U.S.C. 2296, (06/2015); or a program of employment and training for veterans operated by the department of labor or the department of veterans affairs, and approved by the United States department of agriculture (USDA) food and nutrition service (FNS).

(C) What happens when an ABAWD fails to meet a work requirement?

(1) An ABAWD who fails without good cause to comply with a work registration or SNAP E&T program requirement is subject to the sanction and compliance process described in rule 5101:4-3-11.2 of the Administrative Code.

(2) An ABAWD is not eligible to participate in SNAP as a member of any assistance group when he or she has received benefits for three countable months during any thirty-six month period. The first month of the thirty-six month count begins during the first full month of benefits. A "countable month" is any month that the ABAWD:

(a) Received a full SNAP allotment; and

(b) Was subject to and failed without good cause to meet the work requirement described in paragraph (B)(2) of this rule.

(3) Good cause.

(a) When determining good cause as described in paragraph (C)(1) of this rule, the county agency shall follow the good cause provisions of rule 5101:4-3-11.1 of the Administrative Code; and

(b) When determining good cause as described in paragraph (C)(2) of this rule, good cause is determined by the county agency. When an individual would have fulfilled the work requirement as defined in paragraph (B) of this rule, but missed some hours for good cause, the individual shall be considered to have met the work requirement when the absence from work, the work program, or the work experience program is temporary. Good cause shall include circumstances beyond the individual's control, such as, but not limited to: illness, illness of another assistance group

member requiring the presence of the member, an assistance group emergency, or the unavailability of transportation.

(D) What are the county agency responsibilities for ABAWDs?

The county agency shall ensure that:

(1) Every ABAWD:

- (a) Has been appraised and assigned to one or more SNAP E&T activities in accordance with rule 5101:4-3-29 of the Administrative Code;
- (b) Is sanctioned in accordance with rule 5101:4-3-11.2 of the Administrative Code for failing to comply with a work registration or SNAP E&T program requirement; and
- (c) Is assigned a four month certification period in accordance with rule 5101:4-5-03 of the Administrative Code when the ABAWD has no countable earned income and is unable to meet the work requirement through participation in SNAP E&T alone;

(2) The time-limit on participation described in paragraph (C)(2) of this rule is enforced; and

(3) An ABAWD who has exhausted their three countable months in a thirty-six month period only receives SNAP benefits in accordance with rule 5101:4-3-20.1 of the Administrative Code.

Effective:

Five Year Review (FYR) Dates: 5/3/2024

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Certification

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Date

Promulgated Under: 119.03  
Statutory Authority: 5101.54  
Rule Amplifies: 329.04, 329.042, 5101.54  
Prior Effective Dates: 06/02/1980, 12/01/1980, 10/01/1981, 01/18/1982,  
05/01/1982, 09/27/1982, 02/01/1985 (Emer.),  
05/02/1985, 07/01/1987 (Emer.), 09/28/1987,  
01/13/1988 (Emer.), 03/24/1988, 10/01/1988 (Emer.),  
11/18/1988, 01/01/1989 (Emer.), 03/18/1989,  
10/01/1990, 01/01/1991, 02/03/1992, 08/01/1994,  
08/01/1995 (Emer.), 10/13/1995, 07/01/1996,  
09/22/1996 (Emer.), 11/22/1996 (Emer.), 01/09/1997,  
02/01/1997 (Emer.), 04/13/1997, 10/01/1997 (Emer.),  
12/15/1997, 10/01/2001 (Emer.), 10/11/2001,  
01/01/2004 (Emer.), 02/01/2004, 01/01/2006,  
01/01/2009, 03/01/2011, 06/01/2013, 10/01/2013,  
10/01/2016, 07/01/2017, 11/01/2019, 11/18/2021,  
06/16/2022