

PUBLIC HEARING NOTICE  
OHIO DEPARTMENT OF JOB AND FAMILY SERVICES

DATE: May 5, 2022

TIME: 10:00AM

LOCATION: Teleconference

**Due to COVID-19 precautions this meeting will be held by teleconference. If you would like to submit oral testimony, please call in at the above date and time to 1-614-721-2972. Then enter the meeting I.D. which is 555 844 458#. Written testimony may also be submitted electronically to [rules@jfs.ohio.gov](mailto:rules@jfs.ohio.gov).**

Pursuant to Section 5101.54 and Chapter 119. of the Ohio Revised Code, the director of the Ohio Department of Job and Family Services gives notice of the department's intent to consider the adoption, amendment, or rescission of the rule or rules identified below and of a public hearing thereon.

Rule 5101:4-3-11, entitled Food assistance: Work Registration and Exemptions is being amended to clarify exemption language based on federal regulations. This rule describes the process for determining which SNAP recipients are subject to the work registration requirements. Paragraph (B)(5) was amended to clarify that an individual claiming a temporary disability does not need to register for SNAP E&T once the temporary disability ends.

Rule 5101:4-3-11.1, entitled Food assistance: Work Registration Requirements is being amended to implement the addition of two new supplemental nutrition assistance program (SNAP) employment and training (E&T) program components (work-based learning and job retention) and to add that county agencies must offer certain SNAP E&T components beginning in federal fiscal year 2023. This rule describes the work registration requirements of a work registered individual. Changes to the rule include amending paragraph (B)(2) to clarify that participants are not to receive a sanction for failure or refusal to participate in job retention services.

Rule 5101:4-3-20 entitled, Food assistance: Able-Bodied Adults Without Dependents is being amended to implement the addition of two new SNAP E&T program components (work-based learning and job retention) and to add that county agencies must offer certain SNAP E&T components beginning in federal fiscal year 2023. This rule describes the process for determining who is considered an able-bodied adult without dependents (ABAWD); the work registration, SNAP E&T and work requirements applicable to ABAWDs; and the ABAWD time limit. Changes to the rule include: Paragraph (B)(2)(b)(i)(a) was added to clarify when individuals are assigned to work-based learning and the maximum allowed hours are less than 20 per week, they are to be assigned to another SNAP E&T activity; and paragraph (B)(2)(b)(i)(b) was added to clarify that hours spent receiving supportive services through job retention activities are not to count toward the ABAWD work requirement.

Rule 5101:4-3-20.1 entitled, Food assistance: Regaining Eligibility is being amended due to a five year rule review and to implement the addition of two new SNAP E&T program components (work-based learning and job retention) and to add that county agencies must offer certain SNAP E&T components beginning in federal fiscal year 2023. This rule describes the process for ABAWDs who have reached the ABAWD time-limit to regain SNAP eligibility. Changes to the rule include: Paragraph (B) was reordered due to the addition of new paragraph (B)(2); paragraph (B)(2) was added to clarify that the hours spent receiving supportive services as part of a job retention activity are not to count towards regaining eligibility due to reaching the ABAWD time-limit; and minor grammatical changes for clarity.

Rule 5101:4-3-29 entitled, Food Assistance Employment and Training: Case Management is being amended to implement the addition of two new SNAP E&T program components (work-based learning and job retention) and to add that county agencies must offer certain SNAP E&T components beginning in federal fiscal year 2023. This rule describes the process for providing case management services for individuals required to participate in SNAP E&T. Changes to the rule include minor changes for clarity.

Rule 5101:4-3-30 entitled, Food Assistance Employment and Training Program is being amended to implement the addition of two new SNAP E&T program components (work-based learning and job retention) and to add that county agencies must offer certain SNAP E&T components beginning in federal fiscal year 2023. This rule describes the requirements of the SNAP E&T program. Changes to the rule include: Paragraph (B)(2)(a) was amended to state that beginning with federal fiscal year 2023, county E&T programs are to consist of education and training, supervised job search and work experience program (WEP); and paragraph (B)(2)(b) was added due to the addition of job retention and work-based learning components which may be offered at the county agency's option.

Rule 5101:4-3-31 entitled, Food Assistance Employment and Training: Required Hours is being amended to implement the addition of two new SNAP E&T program components (work-based learning and job retention) and to add that county agencies must offer certain SNAP E&T components beginning in federal fiscal year 2023. This rule describes the hour requirements of the SNAP E&T program. Changes to the rule include: Paragraph (A)(1) was amended to include work-based learning programs; paragraph (A)(4) was added to explain the timeframes of job retention services; and paragraph (C)(3) was added to explain a volunteer in work-based learning is subject to the Fair Labor Standards Act unless they are paid a wage at least equal to the higher of the applicable federal or state minimum wage.

Rule 5101:4-3-32 entitled, Food Assistance Employment and Training: Supportive Services is being amended due to a five year rule review and to implement the addition of two new SNAP E&T program components (work-based learning and job retention) and to add that county agencies must offer certain SNAP E&T components beginning in federal fiscal year 2023. This rule describes processes and procedures for county agencies to provide necessary supportive services for individuals participating in SNAP E&T. Changes to the rule include: Paragraph (A)(2) was

added to explain that supportive services may also be offered as part of job retention services; paragraph (D) was amended to clarify that an individual is to be provided good cause for non-participation when publicly funded child care is not available; and minor language changes for clarity.

Rule 5101:4-3-36 entitled Food Assistance Employment and Training: Displacement of Other Persons is being amended to implement the addition of two new SNAP E&T program components (work-based learning and job retention) and to add that county agencies must offer certain SNAP E&T components beginning in federal fiscal year 2023. This rule describes the prohibition on the displacement of other persons from employment in regards to SNAP E&T. Changes to the rule include: Paragraph (B) was amended to include work-based learning; paragraph (B)(1) was amended to include work-based learning; and paragraph (B)(2) was added to explain that work-based learning participants are to be provided the same benefits and working conditions that are provided at the job site to employees performing comparable work for comparable hours.

Rule 5101:4-3-39 entitled, Food Assistance Employment and Training: Job Retention is being created as new to implement the addition of two new SNAP E&T program components (work-based learning and job retention) and to add that county agencies must offer certain SNAP E&T components beginning in federal fiscal year 2023. This new rule describes the job retention component of the SNAP E&T program. Changes to the rule include: A description of job retention services; the goal of job retention services; the types of activities that may be provided as part of job retention services; who can receive job retention services; the time limits of job retention services; how job retention services count toward the ABAWD work requirement; and an explanation that a sanction should not be applied for failing to participate in job retention services.

Rule 5101:4-3-40 entitled, Food Assistance Employment and Training: Work-based Learning is being created as new to implement the addition of two new SNAP E&T program components (work-based learning and job retention) and to add that county agencies must offer certain SNAP E&T components beginning in federal fiscal year 2023. This rule describes the work-based learning component of the SNAP E&T program. Changes to the rule include: A description of work-based learning; the goal of work-based learning; the types of activities that may be provided as part of work-based learning; who can be a work-based learning provider; how income from subsidized employment is to be treated; how long subsidized employment or apprenticeship activities may last; and the county agency's responsibility when assigning an individual to work-based learning.

A copy of the proposed rule(s) are available, without charge, to any person affected by the rule(s) at the address listed below. These rule(s) are also available on the internet at <http://www.registerofohio.state.oh.us/> . A public hearing on the proposed rule(s) will be held at the date, time, and location listed at the top of this notice. Either written or oral testimony will be taken at the public hearing. Additionally, written comments submitted or postmarked no later than the date of the public hearing will be treated as testimony.

Requests for a copy of the proposed rule(s) or comments on the rule(s) should be submitted by mail to the Ohio Department of Job and Family Services, Office of Legal and Acquisition Services, 30 East Broad Street, 31st Floor, Columbus, Ohio 43215-3414, by fax at (614) 752-8298 or by e-mail at [rules@jfs.ohio.gov](mailto:rules@jfs.ohio.gov) .