



April 15, 2009  
10:00 a.m. – 11:00 a.m. EDT  
or conclusion of business  
Executive Committee Teleconference  
[www.workforceflorida.com](http://www.workforceflorida.com)  
Agenda Posted on Website

## AGENDA

### MEETING OF THE WORKFORCE FLORIDA EXECUTIVE COMMITTEE

**A. WELCOME AND INTRODUCTIONS ..... Chair Katherine Wilson**

#### **B. ACTION ITEMS**

- 1. Approval of Request for Extension of State Plan & Current Waivers**  
<http://www.workforceflorida.com/news/docs/09FlaRequestToExtendStateWIAPlan.pdf>
  - a. Executive Committee Discussion**
  - b. Public Comment**
- 2. Approval to Apply for a Statewide Waiver Food Stamp Employment and Training (FSET) Program**

#### **C. OPEN DISCUSSION**

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**Upcoming meetings:**  
**WFI Council/Committee Meetings**  
**May 27, 2009**  
**WFI Board of Directors Meeting**  
**May 28, 2009**  
**WFI Executive Committee Meeting**  
**June 17, 2009**

# Action Item 1

## APPROVAL OF THE REQUEST TO EXTEND THE CURRENT STATE WIA PLAN INTO PROGRAM YEAR 2009

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The U. S. Department of Labor, Employment and Training Administration (ETA) is asking Florida and all states to submit by April 15, 2009, a request to extend into Program Year 2009 their current State Workforce Investment Act (WIA) Plan along with proposed levels of performance and a request for current waivers the state wishes to extend. Also, new waiver requests may be submitted at this time. The State WIA Plans for all states, and all approved waivers currently in place, will expire on June 30, 2009. States must have an approved Plan in place to receive formula allotments under WIA.

Notice is available to the public, of Florida's intent to submit a request to extend the current State WIA Plan, proposed levels of performance, current waivers and new waivers. The notice along with attachments may be viewed at the link indicated below.

<http://www.workforceflorida.com/news/docs/09FlaRequestToExtendStateWIAPlan.pdf>

The notice was also made available to the Florida Chamber of Commerce, Space Florida, Florida Economic Development Council, Enterprise Florida, the Florida Council of 100 and the Agency for Workforce Innovation website.

To date, no comments have been received.

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### NEEDED ACTIONS

- **Direct staff to include public comment(s), if any.**
- **Approve the request to extend the current State WIA Plan, current negotiated performance levels, and the current approved waivers into Program Year 2009.**
- **Approve the staff to submit the two new youth waivers.**
- **Submit the request for extension and the waiver requests to the U.S. Department of Labor by the April 15, 2009 deadline.**

# Action Item 2

## APPROVAL TO APPLY FOR A STATEWIDE WAIVER FOOD STAMP EMPLOYMENT AND TRAINING (FSET) PROGRAM

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Food stamp recipients who meet certain criteria must complete hours in an activity to continue getting benefits. Able-Bodied Adults Without Dependents (ABAWDs) are not able to receive food stamps for more than three months in a 36-month period unless they participate in a qualified activity each month and submit proof of their hours to the State of Florida. Florida offers time limited ABAWDs the opportunity to participate in activities through the Food Stamp Employment and Training (FSET) program. The FSET program introduces the participant to the work requirements, assists the participant with finding an activity and records the participant's hours of participation in a data entry system. If the participant does not complete his/her hours and does not have a good reason for missing his/her activity, the FSET program staff reports the issue to the Department of Children and Families (DCF).

States may ask to "waive" ABAWDs from the time limit provisions. These waiver requests are submitted to the United States Department of Agriculture (USDA). The USDA requires data to demonstrate that ABAWDs are not able to find work due to high unemployment or lack of jobs in the area. The USDA announced that states meeting alternative triggers associated with Unemployment Compensation claims and federal extended benefit triggers can apply for a waiver that excuses otherwise time limited ABAWDs from time limits. The USDA stated that Florida may submit a request to waive ABAWDs Statewide.

At its February 18, 2009 meeting, the WFI Workforce Readiness and Performance Council approved a motion to approve the State's applying to become a "Waiver State" by no later than October and asked a workgroup to review the impact and timing of making this application. Subsequently, the workgroup met to review various options and now recommends applying for a statewide "waiver" for implementation effective July 1, 2009. The workgroup's full report was presented April 7, 2009 for review by the Workforce Readiness Committee acting on behalf of the council.

Attachment: Options for Services

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### NEEDED ACTION

**Approve the recommendation for Florida to apply for a statewide waiver (Option 1) excusing ABAWDs from time limits to be implemented July 1, 2009.**

As a result of the current economic conditions, Florida is faced with a unique situation. The State of Florida must decide how food stamps services will be offered to individuals and families for the rest of the federal fiscal year. There are three Food Stamp Employment and Training (FSET) program service delivery models the State of Florida may adopt. Each option is outlined below with information about the benefits (pros) of each model, the disadvantages (cons) of each model, and the activities considered allowable under each model.

### Option 1: Statewide Waiver

**Basic information:** the State is able to excuse all food stamp recipients who meet the Able-Bodied Adults Without Dependents (ABAWDs) criteria from “time-limits.” Essentially, food stamp recipients that would otherwise meet the definition of “ABAWD” will be able to get food stamps without having to complete hours in a qualified activity every month. The State can offer an Employment and Training program with maximum flexibility because Florida will be operating under the statewide waiver provisions. The Statewide Waiver lasts one year. Florida has the opportunity to apply for a Statewide Waiver each year the federal extended Unemployment Compensation “Alternative Triggers” are met.

#### PROS:

1. Florida can establish a plan to engage food stamp recipients in a mandatory or volunteer program. The flexibility allows Florida to
  - Select the population that will be served,
  - Select where the participants will be served, and
  - Select what activities (also called services) will be included in the FSET State Plan (and how the activities will be defined).

Below are some **examples** of flexibility that maximize services to food stamp recipients:

- a. The FSET program may be designed to offer services to those who are already employed and need help paying for transportation costs. Employed individuals could receive assistance with educational goals to become self-sufficient.
- b. The FSET program may be designed to offer services to youth receiving food stamps who are engaged in the Summer Youth program. These participants could be dually enrolled and engaged to maximize support services and other funding.
- c. The FSET program may be designed to offer transportation assistance to non-custodial parents who are receiving food stamps and need help finding work so they can pay child support. These parents could be dually enrolled in both a Temporary Assistance for Needy Families (TANF) program and/or Workforce Investment Act (WIA) program.
- d. The FSET program may be designed to offer services to those individuals recently dislocated from the work place who are looking for work and need transportation assistance, as well as other job search assistance. These participants could be dually enrolled in WIA, or if applicable, the Trade Adjustment Act (TAA) program.
- e. The FSET program may be designed to offer services to those individuals recently dislocated from the work place who want to secure skills in a new vocation. These participants could be dually enrolled in WIA, or if applicable, the Trade Adjustment Act (TAA) program.
- f. Engage food stamp recipients who are receiving Social Security Income (SSI) or Social Security Disability Income (SSDI) and are participating in the Ticket-to-Work program.

2. If Florida offers a volunteer program, staff will not have to enter conciliations or sanctions. Participants in the program will not be subject to losing their benefits if they
  - a. Miss an appointment,
  - b. Miss a day at school,
  - c. Miss another activity, or
  - d. Fail to turn in documents on time.
3. Staff will not have to manage “compliance” issues, such as “good cause” for not participating in an activity.
4. Staff will not have to deal with program participants who call and state that they are not able to attend activities because they are disabled, caring for a disabled individual, etc. These issues currently cost the regions a lot of resources. Program staff have to collect documentation, enter deferrals on the system and contact the Department of Children and Families (DCF) to have the cases updated in DCF’s data entry system. *Only those participants who want to attend activities offered by the program will be engaged in the program.*
5. Florida can request additional 100% funds. The request for additional funding is based on the number of people Florida expects to serve. This provides Florida with the possibility of additional funding.

#### **CONS:**

1. When Florida begins to operate under the Statewide waiver, Florida will no longer be able to spend any Pledge State funds.
2. Changes to the data entry system will have to be made to accommodate the major changes in the service delivery model.
3. Staff will need to be trained on the new service delivery model. However, this will be much easier than the processes under the Pledge State model.

#### **ACTIVITIES:**

The model offers the State of Florida a lot of flexibility. The FSET State Plan may define activities in a more flexible manner. Activities may include: employment, adult basic education, vocational training, English as a Second Language, job search, job search readiness, employability skills training, etc. ***How is this more flexible than the current program?*** Currently, participants must complete 20 hours a week if assigned to an education and training program. Participant cannot complete hours in a job search and job readiness activity unless they are engaged in a qualified activity as well. If the participant is volunteering in the community, the participant **must** complete the calculated number of hours to avoid risking a sanction.

Under this model, the participant may

- Attend classes for less than 20 hours a week (which is common for many college programs since full-time is about 12 credit hours);
- Look for work (as his/her primary activity);
- Prepare for job searching as a primary activity;
- Work for less than 20 hours a week without risking a sanction or using a time-limited month;
- Participate in a vocational training for the number of hours required by the institution;
- Volunteer in the community;
- Etc.

Please note: food stamp recipients who volunteer cannot be asked to do more than benefits/minimum wage and are subject to protections under the Fair Labor Standards Act (FLSA). This is the same under all models.

## Options 2: Pledge State

*Basic information:* Florida is currently operating under this model. The State of Florida has agreed with the United States Department of Agriculture (USDA) to offer qualified activities to every time-limited ABAWD. This means that participants must be given the opportunity to participate in a qualified activity. For example, if the participant is interested in volunteering in the community and cannot find an agency to start volunteering, the participant must be offered assistance to secure a spot to volunteer or a different activity. The participant can be engaged in school, but the participant must complete at least 20 hours per week.

### PROS:

1. Florida received additional funds to implement the pledge it took to help all time-limited ABAWDs find a qualifying activity.

### CONS:

1. Food stamp recipients who meet the ABAWD criteria are subject to time limits. If the individual does not participate in a “qualified activity” for the required hours, (s)he uses a “time-limited month.” If a participant receives food stamps for more than three time-limited months during a 36-month period, his/her food stamps is stopped.
2. Food stamp recipients who are referred to the FSET program must participate in program activities. If the food stamp recipient does not comply with program requirements, the participant may lose his/her food stamps. The individual is subject to a penalty period that ranges from 30 days to 6 months.
3. Workforce staff have to offer each ABAWD a work activity. If the participant selects to complete his/her hours by volunteering in the community but does not know where to volunteer, the workforce staff must help him/her find a volunteer site or offer another qualifying activity. If the participant selects to complete his/her hours by going to school but does not know where to go to school, the workforce staff must assist the participant with finding the right school and right program.
  - Staff are reporting that there are fewer volunteer sites because the market is saturated with individuals looking to volunteer.
  - Staff are reporting that there are not enough educational programs to enter program participants into.
4. Several processes are time consuming for workforce staff. These processes are associated with a “mandatory” program.
  - Workforce staff must ensure that participants are complying with program requirements. This includes collecting documentation no less than monthly and entering hours of participation in the data entry system.
  - Workforce staff must initiate the conciliation process if participants do not comply with program requirements. Program staff must enter the data in the system and mail the required letters.
  - Workforce staff must request a sanction if participants do not comply before the end of the conciliation period.

5. The DCF has to review each ABAWD case. If the participant was not in a qualified activity for the required number of hours (or granted good cause for not meeting the hours) the DCF has to update the time-limit screen.

#### **ACTIVITIES:**

1. Participants must be engaged in “qualified activities.” This includes at least 20 hours in a training or training combined with job search/job training or volunteering or volunteering combined with job search/job training. The participant cannot be engaged in job search unless it is during the first 30 days of participation: after the first 30 days of participation, the individual must be engaged in a volunteer activity.
2. If the participant is not engaged in a qualified activity, the participant must provide a good cause reason to be excused. Program staff must collect the required documentation (if appropriate) and enter the good cause reason in the system. Staff must follow-up with each individual excused from participation in activities because “good cause” is time-limited.

#### **Options 3: Mixed State**

*Basic information:* The State of Florida may choose to submit a plan to operate mandatory programs for ABAWDs in certain areas with Pledge State funds. The other areas can either run a “volunteer” program or opt not to offer any services.

#### **PROS:**

1. The State of Florida may be able to continue to use Pledge State funds. The use of funds would be limited to those areas that implement a mandatory program for ABAWDs.
2. Areas that do not operate a Pledge State program could choose not to offer any services, or the region could opt to offer services that are appropriate under the waiver.
3. The State of Florida may still attempt to request additional 100% funds.

#### **CONS:**

1. If a region opts to operate a mandatory program for ABAWDs to utilize Pledge State dollars, the region must designate where the “pledge” will be implemented. The region must ensure that each ABAWD in that area is offered the opportunity to participate in a qualified activity to be in compliance with the program requirements. Program staff in the area must:
  - a. Continue to engage every ABAWD;
  - b. Collect hours of participation;
  - c. Enter hours of participation in the data entry system;
  - d. Offer a FSR if the participant attends his/her activity and documents a cost associated with participation;
  - e. Initiate a conciliation if the participant does not comply with the program;
  - f. Request a sanction if the participant does not comply within the conciliation period; and
  - g. Offer sanctioned participants the opportunity to comply to lift their sanctions.

Additionally:

- Food stamp recipients who meet the ABAWD criteria are subject to time limits. If the individual does not participate in a “qualified activity” for the required hours, (s)he uses a “time-limited month.” If a participant receives food stamps for more than three time-limited months during a 36-month period, his/her food stamps is stopped.
- Food stamp recipients who are referred to the FSET program must participate in program activities. If the food stamp recipient does not comply with program requirements, the participant may lose his/her food stamps. The individual is subject to a penalty period that ranges from 30 days to 6 months.

- The DCF has to review each ABAWD case. If the participant was not in a qualified activity for the required number of hours (or granted good cause for not meeting the hours) the DCF has to update the time-limit screen.
2. When Florida took the pledge to offer a qualifying activity to every time-limited ABAWD, data was provided to the United States Department of Agriculture (USDA). The USDA used this data to determine the amount of funds Florida received. If the entire State is not operating a Pledge State program, the USDA stated they may opt to reduce the amount of funds that will be given to Florida for the remaining quarters. Florida will have to submit a revised plan with updated numbers before finding out how much Pledge State funds will be given to Florida.
  3. If the region opts to offer a “volunteer” program in a “waived” area using 100% funds, the region must be very careful to offer non-qualified activities. If the participant would otherwise meet the ABAWD criteria and is engaged in a qualified activity, the participant would be subject to time-limits. The DCF would have to monitor the case. If the participant did not comply for more than three time-limited months, his/her food stamps would be terminated. Unlike a sanction, getting back on food stamps is very arduous.

### **ACTIVITIES:**

If the region opts to implement a volunteer program, the region can only offer “non-qualifying” activities. This provision is relatively complicated under this model because the Florida would not be operating under a Statewide Waiver but under the American Recovery and Reinvestment Act (ARRA). The State Plan would have to be very specific and define how activities are “non-qualifying,” which could pose a real challenge to the regions, the Agency for Workforce Innovation (AWI) and the DCF.

- a. The region can offer individuals who would otherwise meet ABAWD criteria job search/job training as long as the activity did not qualify as Up-Front Job Search, as well as education and training (for less than 20 hours per week). The State Plan would have to clearly outline the activities that would be offered and how the activities do not meet the definition of a “qualifying” activity.
- b. If the FSET State Plan includes offering services in non-pledge areas to populations that qualify as “non-ABAWD,” the operating regions could offer activities in a more flexible manner. However, this would require the DCF to determine the status of each food stamp recipient (ABAWD or non-ABAWD) and to refer these individuals accordingly. This would be required so Florida could monitor the participation of ABAWDs and enter the use of time-limited months on the DCF’s data entry screen.