

Mass Workforce Issuance

Workforce Issuance No. 09-43

Policy Information

To: Workforce Investment Board Chairs
Workforce Investment Board Directors
Chief Elected Officials
Title I Administrators
Career Center Directors
Title I Fiscal Officers
DCS Regional Managers

cc: WIA State Partners

From: Michael Taylor, Director
Department of Workforce Development

Nancy Snyder, President/CEO
Commonwealth Corporation

Date: July 2, 2009

Subject: **USDA Supplemental Nutrition Assistance Program (SNAP) “Clarifying Income Exclusions Regarding Summer Youth Employment Opportunities and Youth Build Programs”**

Purpose: To notify Local Workforce Investment Boards, One-Stop Career Center Operators and other local workforce investment partners of a U. S. Department of Agriculture (USDA) notice: “Clarifying Income Exclusions Regarding Summer Youth Employment Opportunities and Youth Build Programs” (Attachment A).

On June 24, 2009, USDA notified its regional directors of the income exclusions relative to summer youth employment opportunities provided under the American Recovery and Reinvestment Act (ARRA). As stated in the notice, the regulations regarding sources of income exempted from being counted in the determination of SNAP benefits reads as follows:

“When certifying households containing individuals participating in the Summer Youth Employment Opportunities element, the State agency should determine if the individual is participating in on-the-job training, as specifically defined under WIA at 20 CFR 627.240. If the individual is participating in on-the-job training, the State agency must count the

income in determining SNAP eligibility. Per 29 U.S.C. §2801 of the Workforce Investment Act of 1998, on-the-job training is defined as: "...training by an employer that is provided to a paid participant while engaged in productive work in a job that - (A) provides knowledge or skills essential to the full and adequate performance of the job; (B) provides reimbursement to the employer of up to 50 percent of the wage rate of the participant, for the extraordinary costs of providing the training and additional supervision related to the training; and (C) is limited in duration as appropriate to the occupation for which the participant is being trained, taking into account the content of the training, the prior work experience of the participant, and the service strategy of the participant, as appropriate."

The Department of Labor has advised USDA's Food and Nutrition Service (FNS) that the focus of the ARRA summer employment program element is on work experience and not on-the-job training (OJT). Massachusetts has also provided guidance with respect to "OJT" versus "work experience" in ARRA youth program guidance. This information is located in the ARRA Q&A website as a response to question #7 (<http://www.massworkforce.org/ARRA/QA.htm>).

The Commonwealth of Massachusetts considers the youth summer jobs program to be consistent with activity defined as a "work experience" and inconsistent with activity defined as "OJT". Therefore, the income earned by participants in the Commonwealth's summer employment program is to be excluded for the purpose of determining eligibility for SNAP benefits.

Action

Required: Please inform all persons concerned with WIA youth eligibility determination and Youth Summer Employment activities of this USDA policy. Local areas who identify their summer program as OJT should consider the guidance provided in the ARRA Q&A and the USDA notice and the impact it could have on participant services.

Inquiries: Please direct all inquiries to Samuel Martin at Smartin@commcorp.org or (617)-727-8158.