



Department of Human Resources
311 West Saratoga Street
Baltimore MD 21201

FIA ACTION TRANSMITTAL

Control Number:

02-27

Effective Date: January 1, 2002

Issuance Date: November 17, 2001

**TO: DIRECTORS, LOCAL DEPARTMENTS OF SOCIAL SERVICES
DEPUTY/ASSISTANT DIRECTORS FOR FAMILY INVESTMENT
FAMILY INVESTMENT SUPERVISORS AND ELIGIBILITY STAFF**

**FROM: CHARLES E. HENRY, EXECUTIVE DIRECTOR, FIA
JOSEPH DAVIS, EXECUTIVE DIRECTOR, OOE, DHMH**

**RE: APPLICANTS/RECIPIENTS QUITTING A JOB WITHOUT GOOD
CAUSE**

PROGRAM AFFECTED: TEMPORARY CASH ASSISTANCE

ORIGINATING OFFICE: OFFICE OF POLICY, RESEARCH AND SYSTEMS

SUMMARY:

This is one of several action transmittals for Temporary Cash Assistance (TCA) that is being issued as the result of the adoption of new Family Investment Program (FIP) Code of Maryland Regulations (COMAR 07.03.03.01 through .26). Prior FIP regulations were repealed and new FIP regulations were adopted in November 2001.

With the implementation of welfare reform, the focus went from income maintenance to the goal of work and independence for TCA families. The FIP philosophy is that all work is considered good. In keeping with that philosophy, TCA customers who are working or go to work are expected to remain employed, and not voluntarily quit their jobs unless there is good cause.

ACTION REQUIRED:

The new employment requirement is that TCA children, age 16 and older and not in school, and adults cannot voluntarily quit a job without good cause.

Good cause for quitting a job includes one or more of the following:

- Quitting a job to take a new job with another employer;

- Discrimination based on race, sex, disability, religious or sexual orientation;
- Breakdown in transportation arrangements when there is no other accessible means of transportation;
- Breakdown in child care arrangements or lack of child care resources
- Domestic violence or other family crisis that threatens normal family functioning;
- Hazardous working conditions;
- Documented illness or incapacitation;
- Incarceration;
- Resignation at employer's request;
- Lack of supportive services identified in the initial assessment and agreed upon by the recipient and the local department; and
- Other circumstances determined to be good cause by the local department.

Conciliation and Sanctions

Case managers must follow the conciliation and sanction procedures outlined in Action Transmittal #99-28 (an updated Conciliation and Sanction Guide will be issued in December 2001).

- A TCA adult or child is entitled to one 30-day conciliation period for not meeting work requirements. Since employment is part of work requirements, there is no separate 30-day conciliation period for quitting a job.
- When a TCA **adult recipient** quits a job without good cause, a **full-family** sanction is imposed and the case is closed.
- At **application**, when a TCA adult quits a job without good cause, **deny** the case.
- When a TCA **child recipient** (age 16 and older, not in school) quits a job without good cause, an individual sanction is imposed. The child remains a member of the assistance unit but the child's needs are removed (child's portion of the TCA grant).
- At **application**, when a TCA child (age 16 and older, not in school) quits a job without good cause, an individual sanction is imposed. The child is included in the TCA assistance unit but the child's needs are not included in the grant (child's portion of the TCA grant).
- Cures for sanctions for quitting a job without good cause are the same as for work requirements:
 - First instance - **Immediately** upon going back to work
 - Second instance – **After 10** calendar days of employment
 - Third and all subsequent instances – **After 30** calendar days of employment

ACTION DUE:

This policy is effective January 1, 2002.

NARRATE ALL CASE ACTIVITY CAREFULLY:

Local departments must ensure that narration of case activity is clear, concise, and complete according to the action taken by the case manager. Good narration also supports the local department decision in the event of a fair hearing or selection of the case for Quality Control review.

RIGHT TO APPEAL

As a reminder, local departments shall advise households of their right to appeal a local department decision and the procedures for requesting a fair hearing. Local departments must also advise households of any legal services that might be available to represent them during a fair hearing. To find out the number of their local Legal Aid office, customers may call Legal Aid's toll-free number, 1.800.999.8904.

INQUIRIES

Please direct policy questions to Edna McAbier, Bureau of Policy and Training at 410.767.8805 or e-mail emcabier@dhr.state.md.us.

c: FIA Management Staff
Constituent Services
Help Desk
CTF