



Comparison of Family Independence Bills "Families Work" and "Work First"

Issue	Current Law	Families Work (H-8113) (S-3006)	Work First (Article 16, H-7390)
I. Purpose	(1) Assist working families with children who, notwithstanding parental employment, have insufficient income to meet their needs for food, shelter, clothing, child care and medical care. (2) Provide families with parents who are unemployed with financial assistance while they obtain the skills necessary for employment...; (3) Provide supervision and parenting skills to parents below the age of 18 while assisting... them to finish high school	Same and adds: (4) Provide families with parents who are unemployable with financial assistance so that the children can remain in their own homes and provide such case management services as are necessary to assure the children's health and welfare	Help parents who are eligible for cash assistance to support their children by preparing for, accepting and retaining employment. Provide employment and support services along with temporary cash assistance so that parents can participate in the workforce rather than depend on public assistance to support themselves and their children.
II. Work Requirements / Activities			
<i>A. Hours of participation</i>	20 hours if youngest child is under 6; 30 if youngest child is 6+; 35 hours for 2 parent family	No change	No change
<i>B. Initial employment plan activity</i>	During first 24 months of receiving FIP, parents can participate in broad range of activities including education/training as only activity; beginning with 25th month, parent is generally required to be working	Following comprehensive assessment, require parent to participate in activities designed to lead to stable employment as expeditiously as possible. Eliminate 24 month demarcation	Four week job search

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<i>C. Education and Training</i>	<p>*Basic literacy: for a parent without basic literacy or English literacy skills, full-time participation in a program to secure such skills.</p> <p>*Vocational Education: Participation in vocational education, skills or job training. Post secondary: Stand alone activity for up to 36 months as long as started prior to 24th month of plan.</p>	<p>* Basic literacy: Same as current, but only in a program funded and monitored by Office of Adult Education that would combine learning and work. For parents with less than 5.9 TABE)</p> <p>*Vocational education: limited to 12 months.</p> <p>* Post-secondary: limited to 24 months and the parent shall participate in a work-study program if it is available.</p>	<p>Education or training allowed only if parent fails to find employment after 4 week job search. Activities allowed only as countable for TANF, including 12 months of voc ed. Post-secondary for 2 years is not allowed.</p>
<i>D. Other Activities</i>	<p>Parent may participate in job readiness activities, including participation in substance abuse or mental health treatment if necessary to obtain stable full time employment. Ten hours of activity required by DCYF reunification plan can count toward employment plan.</p>	<p>Same, but codified into statute.</p>	<p>Same</p>
<i>E. Combining Work and Education/training</i>	<p>For single parent families, 20 hours of work plus 10 hours of education or training</p>	<p style="text-align: center;">Same</p>	<p>Allowed only if parent fails to find a full time job during 4 week search</p>
<i>F. Work Incentive</i>	<p>The first \$170 earned does not reduce the FIP benefit and each additional dollar reduces the benefit by 50 cents. A month in which the parent is working at least 30 hours does not count toward the time limit (30 hour rule)</p>	<p>Increase the "earnings disregard" to \$270 and 1/2 the balance. Retain the "30 hour rule"</p>	<p>The "30 hour rule is eliminated. Provides for "post employment incentive bonus" if parent closes to cash and is working at least 30 hours/week. Bonus is available for up to 12 months; amount is not specified in statute, but expected to be \$100/month.</p>

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<i>G. Employment Plan as Condition of Eligibility</i>	Plan detailing activities must be signed before benefits are authorized. A parent may show "good cause" for failure to comply with the requirements of the employment plan and has the right to a conciliation process before loss of benefits.	Assessment is included as first step of employment plan. Once plan is signed, benefits are authorized. Same "good cause" and conciliation process.	Parent is required to go to DLT for job search as the first activity in plan. Attendance at DHS/DLT appointments for initial interview, orientation, assessment, job readiness activities and job search are conditions of eligibility. Parent can be immediately terminated for failing to meet requirements. No conciliation or "good cause" determination allowed.

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III. Exemptions from Work or Work Preparation			
<i>A. Woman in 3rd trimester of pregnancy</i>	Exempt	Recipient is not exempt unless medical reason; first time applicant is exempt.	Not exempt
<i>B. Parent caring for child under 1</i>	Exempt	Exempt only for first 3 months after birth with maximum of 12 months in lifetime	12 months exemption in lifetime and no limit per each new birth
<i>C. Parent is disabled</i>	Exempt if parent is unable to work due to temporary illness or disability.	Exempt if parent is unable to work because of an illness or injury which is serious enough to prevent work or has a physical or mental impairment which will last for at least 12 months or result in death and which prevents work. DHS must refer parent to SSA and provide assistance in filing for SSI disability benefits. Parent must keep DHS up to date on progress of SSI application.	Exempt only if receiving SSI or SSDI benefits.
<i>D. Parent is caring for an ill or incapacitated child or spouse who requires full-time in-home care</i>	Exempt	Same	Caring for a significantly disabled family member who resides in the home and requires full time care

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IV. Parent is disabled (not exempt)		If parent has a less severe disability, she is not exempt but is referred to Office of Rehabilitative Services for work-readiness services.	Parent with a physical or mental impairment affecting employment must participate in a rehabilitation employment plan leading to employment
V. Time Limit			
<i>A. Maximum months of eligibility</i>	Parent can receive FIP cash assistance for no more than 60 months (including benefits received in another state). Effective 8/1/08, children living with parents who have received 60 months of assistance are not eligible	Same (children would have 60 month time limit as per new rule)	24 month lifetime limit. 12 month post-employment payment possible for those families closing to cash and working at least 30 hours a week.
<i>B. Excluded months - working or disabled</i>	A month in which the parent is working at least 30 hours a week or parent is disabled	Same	Eliminated
VI. Sanctions			
<i>A. Penalty</i>	A parent who fails without good cause to cooperate with her employment plan is penalized. During first 6 months of non-compliance, the family's benefit is reduced. Once 6 months of penalty have accumulated, the case is closed	Same	Case is closed as soon as parent fails to comply with employment plan activity.
<i>B. Process</i>	Prior to imposing penalty, parent is offered opportunity for conciliation	Same - and codify in statute	No conciliation
VII. Legal Permanent Residents	Eligible for benefits, but sponsor's income is deemed during the first 3 years.	Same	Ineligible for benefits until has been in US for 5 years.
VIII. Family Cap	None	Same	Child born 9 months after family receives FIP is ineligible