

**I. PERSONAL RESPONSIBILITY**

Work First requires caretakers to be responsible for themselves and the well-being of their children. Every Work First family must develop a Mutual Responsibility Agreement (MRA) which describes the caretaker's and the agency's responsibilities in helping the family achieve self- sufficiency.

**NOTE:** For Work First, a caretaker is defined as a parent, an adult with legal custody or guardianship of children in the household, other relatives, or a protective payee.

**II. THE MUTUAL RESPONSIBILITY AGREEMENT**

The Mutual Responsibility Agreement outlines and describes the caretaker's specific Work First responsibilities and how the agency will provide assistance to the family. It includes the Core Requirements (DSS-6963A), and the MRA -B/ **Outcome Plan** (DSS-6963B). These documents are developed jointly by the caretaker and the Work First case **manager**.

During the development of the MRA, the case **manager** should discuss with the caretaker any issues such as school attendance or immunizations that could become a source of non-compliance at a later date. If appropriate, the case **manager** should help the caretaker in identifying local agencies and community resources that may be able to provide assistance.

All caretakers, including those who are not yet subject to the 24-month time clock, are encouraged to look for work and plan for how they will become self-sufficient.

**A. MRA Core Requirements for all Families:**

1. All children who **are included in the assistance unit and receive a WF benefit** must receive their immunizations and have regular health screenings;
2. All children who **are included in the assistance unit and receive a WF benefit** must attend school according to school attendance policy;
3. Minor parents must live with a parent or an approved adult and attend school according to school attendance policy;
4. Caretakers must cooperate with Child Support **Services** in the establishment, enforcement, and modification of support orders for all children in their care who receive assistance;

5. Caretakers must keep all scheduled appointments with their Work First case **manager, employment services case managers (if different individuals)** and
6. Caretakers must contact the Work First case **manager** if a change occurs in their situation within 10 calendar days of knowing of the change.

## **B. MRA Requirements**

The **MRA-B/Outcome Plan** is used for **work eligible parents** for any Work First requirements that are not part of the Core Requirements. This includes, for example, keeping an appointment with a Qualified Professional in Substance Abuse (QPSA) because of a positive screen on the AUDIT/DAST-10 and or the Substance Abuse Behavioral Indicator Checklist, job search, financial counseling, other types of counseling, keeping appointments with and participation in vocational rehabilitation activities, etc. **For non-work eligible individuals, the case manager may use the form DSS-6963C (Mutual Responsibility Agreement Plan of Action Requirements for Work First Services) for any activity requirement that is not part of the Core Requirements.**

The goal of the **MRA-B/Outcome Plan (MRA-B/OCP)** (DSS-6963B) is to ensure the caretaker understands Work First requirements and their responsibilities. The **MRA-B/OCP** is the caretaker's individualized plan to achieve self-sufficiency and eliminate the need for Work First cash assistance. The information and goals from the assessment(s) are used to develop the **MRA-B/OCP**. (See Section 117, Ongoing Assessment and Services)

The **MRA-B/OCP** includes:

1. Employment goals;
2. A description of a plan for participating in **any**-activities designed to achieve the stated goals;
3. A description of the case management and support services that will be provided to help the family become self-sufficient within two years; and
4. A description of the number of hours, types of activities and reasonable accommodations needed for individuals with a disability.

In addition to the above, the case **manager** must explain to the family:

- The prior notification requirement (advance notice must be given by the participant for missed appointments and agreed upon activities).

- The Job Quit penalty;
- Failure to comply with the MRA-B/OCP without good cause will result in a **benefit** not being issued for the month; and
- The work registration requirement for all work eligible participants who are ready to engage in job search.

The caretaker(s) must sign the MRA-A (DSS-6963A) to be eligible for and receive Work First. The caretaker or payee must sign the MRA-A at application, which indicates the family's agreement to comply with program requirements. Both caretakers in a two-parent family must sign the MRA-A. If only one parent comes in to apply, give the parent the MRA-A for the second parent to sign, and establish a deadline of at least 10 calendar days for its return. If it is not signed by the second parent by the deadline, deny the application.

Re-evaluate, sign, and date the MRA-A Core Requirements (DSS-6963A) at each review and change in the family's circumstances. **Case managers should assist families with obtaining information to support compliance with their MRA-A, although it is ultimately the family's responsibility to ensure all required documentation is provided.** The MRA-B/OCP may be updated or revised as often as appropriate but no less frequently than every 12 weeks. Frequent review of the MRA-B/OCP is **strongly** encouraged.

### **C. Failure to Sign the MRA**

Signing the MRA-A, including updates and revisions is an eligibility requirement for Work First. A family is not eligible for Work First cash assistance unless the caretaker(s) signs the MRA-A.

#### **1. At Application**

If a caretaker does not sign the MRA-A at application, deny the application.

#### **2. Ongoing Cases**

- a.** Child Only cases – If a caretaker in a Child Only case fails, without good cause, to sign the MRA-A, the family is ineligible for WFCA for at least one month. **An adequate notice is required and the case should be pended to close.** If the caretaker **contacts the case manager before the case closes and has good cause for the missed appointment, the case manager must schedule another appointment to sign the MRA-A. Good cause must be thoroughly documented to support the sanction was not imposed.** Once the **case closes and a sanction is imposed,** the family must reapply if they wish to receive WFCA. Upon reapplication, the case **manager** must verify that the family missed at least one WFCA payment.

b. Work First Benefits cases –If the caretaker fails, without good cause to sign the MRA-A/MRA-B/OCP, the case manager should clearly document the case. The case manager should have more frequent contact with the caretaker as outlined in Work First Policy Section 117. If the caretaker fails to sign the MRA -A / MRA-B/OCP without good cause, the family is ineligible for WFCA. The case manager will not issue the payment for the month in which the caretaker failed to sign the MRA-A. The family may reapply for WFCA at any time but may not be approved until the month following the missed payment.

3. At **Recertification**

If the caretaker does not sign the MRA-A in the last month of the **recertification** period, **terminate the case and send an adequate notice.**

**D. Failure to Meet the Requirements of the MRA**

When a family fails, without good cause, to comply with the terms and conditions of their MRA, a penalty is applied to their Work First case.

1. Child Only cases – If a caretaker in a Child Only case fails, without good cause, to comply with the MRA-A, the family is ineligible for WFCA, for at least one month. Refer to Section 120 for further information.
2. Work First Benefits cases – If a caretaker fails to comply with the requirements of their **MRA-A or the MRA-B/OCP**, the case manager will evaluate if there is good cause. If the case manager determines there is good cause for failure to meet the **MRA-B/OCP** requirements, including hours of participation, the case manager will issue the Work First payment. If there is not good cause, the payment will not be issued. The case manager will apply a sanction and terminate the case. See Work First Section 120 for further information.

The participant is responsible for providing documentation supporting the reasons for failure to comply with their MRA-B/OCP. **Case managers should assist the participant with obtaining this information.**

**III. THE WORK REQUIREMENTS**

Work eligible individuals must participate in work activities. Full-time participation is defined as at least 30 hours per week in countable work activities. While some MRA-B/OCP may not include 30 hours per week, work eligible individuals are expected to increase in participation over time.

**Note:** Single parents of children under 6 years of age **count in the numerator** of the participation rate if they complete an average of at least 20 hours per week of federal countable activities. Two parent families, where both parents are work eligible, count in the participation rate if they complete an average of 35 hours per week (55 hours if receiving federally funded childcare) in federal countable activities.

An MRA-B/OCP may reflect fewer hours due to a lack of available appropriate activities, limited supportive services, or personal limitations of the participant. Work First staff are responsible for balancing these limitations against the expectation of full-time participation and the requirement to meet the Work Participation Rate. All work eligible individuals are expected to strive and make progress toward their stated goals.

Title II of the American with Disabilities Act (ADA) prohibits discrimination against any individual with a disability. When a participant reports a disability, the Work First case **manager** must get medical documentation from the participant or licensed healthcare provider to support the disability claim. If the documentation from the participant is questionable, contact the licensed healthcare provider. Ensure that a valid consent form is signed by the participant prior to contacting the licensed healthcare provider. The healthcare provider may limit the participant's work activities to less than 30 hours a week. If this happens, the MRAB/OCP should reflect the activities the healthcare provider verified as within the capabilities of the participant. **If deemed necessary, utilize Work First participant funds for a Functional Capacity Evaluation, which is a referral to an occupational or physical therapist as appropriate to identify a person's physical skills, functional capabilities, activity endurance and work tolerances.** Follow up with the participant and provider to ensure the participant's success in increasing participation over time.

Individuals with a disability must be afforded the opportunity to participate in or benefit from services in the Work First Program. Individuals with disabilities must be afforded the opportunity to receive an individualized assessment of their skills, which must guide the development of the MRA-B/OCP. The MRA-B/OCP must reflect the reasonable accommodations made to support the individual in **connecting to disability services, positive behavior support**, job placement, education, skills training, employment, or other activities. Agencies must take steps to ensure that individuals with disabilities can participate in all programs and services and not those designed solely for individuals with disabilities. **It is extremely important to focus on a positive vision for the person based on their strengths, preferences, and capacities for acquiring new skills and abilities. Focus on what a person can do versus what a person cannot do.**

**A. Work Eligible Individuals**

While all adults are encouraged to look for work and maintain employment, most adults receiving Work First **Cash** Assistance are subject to the work requirements. These individuals are referred to as “work eligible individuals” and mandatory for Employment Services and are included in the work participation rate. The following individuals are **not subject to** the work requirement:

1. Adults receiving cash assistance for a child only (Not included in the case):
  - a. A non-recipient relative, other than a parent, living with a child receiving assistance,
  - b. An immigrant who is ineligible for Work First **Cash** Assistance due to immigration status,
  - c. A Supplemental Security Income (SSI) recipient.
2. Single custodial parents with a child under 12 months of age. (This exemption is limited to 12 months lifetime. Counties may further limit this exemption as specified in their County Work First Plan/~~Checklist~~).
3. Individuals with “child” family status (youth up to age 18 and not an emancipated minor); and
4. A parent providing care for a disabled family member living in the home.

A family member is defined as an individual that is related to the work eligible participant. The family member must have a mental, physical, or emotional disability that substantially reduces the individual’s ability to care for himself. This circumstance must be documented by a written statement from a licensed health care provider which substantiates the need for the disabled individual to be cared for in the home.

The statement should include an indication of the length of time that the condition requiring care in the home is expected to last. The **case manager** must reassess the situation at the end of the time indicated by the healthcare provider. The information must be documented in the case file. When it is determined that the work eligible individual is no longer needed in the home to care for the family member, the individual resumes “work eligible” status.

Use the Income Maintenance Transmittal Form ([DSS-8194](#)) to communicate information regarding Work First participants to other departments within the county agency. Maintain a copy of the DSS-8194 in the case file. [Creating tasks to other workers is also an option in NC Fast, please see the Job Aid "Creating Tasks"](#)

#### **B. Monitoring Compliance with the [MRA-B/Outcome Plan](#)**

Participants' attendance information must be collected and reviewed as instructed in Section 118. The case [manager](#) is responsible for monitoring the participant's supervision and documentation requirements for participation in the activities. In addition, case [managers](#) are expected to monitor participants' compliance on a monthly basis. [More frequent monitoring is recommended to ensure the MRA-B/OCP remains relevant and useful for families.](#)

#### **C. Failure to Meet the [Requirements of the MRA-B/Outcome Plan](#)**

If the caretaker in a Work First Benefits case fails to meet their [MRA-B/OCP](#) requirements, the case [manager](#) will evaluate if there is good cause. If the case [manager](#) determines there is good cause for failure to meet the requirements, the case [manager](#) will issue the Work First payment. If there is not good cause, the payment will not be issued. The case [manager](#) must apply a sanction following the [Job Aid: "Creating or Disregarding an Active Sanction"](#) and close the case for non-compliance. The payment must also be cancelled. Please refer to Work First Policy Section 120 for further instruction.

[Case managers should assist families with obtaining information to support compliance with their MRA, although it is ultimately the family's responsibility to ensure all required documentation is provided.](#)

### **IV. THE CHILD SUPPORT REQUIREMENT**

The caretaker must cooperate with Child Support [Services](#) to establish paternity, if necessary, and to secure child support for the children [in their care who receive assistance](#), or to update prior child support cases. [For example, at application it is determined that the applicant has an old open Child Support case in non-cooperation status for a child that has since aged out of the WF program. The applicant must still comply with Child Support Services to update the old child support case even though that child is no longer part of the assistance unit.](#) This includes giving all information known about an absent parent and going to the Child Support Office or court, if necessary, to give information or sign papers related to securing child support. Child support is a source of income and possibly health insurance for children.

**A. Monitoring Child Support Cooperation**

Child Support ~~Services~~ are responsible for determining cooperation with this requirement. The case **manager** should discuss this requirement and its importance with the family at application, each review, and any time a child is born or moves into the home. **"The Non-Cooperation Individuals Without an IV-D Sanction Report"** is available in XPTR as DHREJ NCFNONCOOP WTHOT IND SANC. This report provides a list of Work First and Medicaid participants by county that are active, and the adult on the case has failed to cooperate with Child Support. Work First case managers can identify Work First cases by program type and pay type. This report must be worked at a minimum weekly. This is a high priority report and if not cleared/worked may cause County Responsible Overpayments (CROP). If case managers need access to XPTR or XTND, contact your local county security officer. Please see Work First Manual Section 120 for compliance with policy.

**B. Penalty for Non-Cooperation with Child Support**

When the caretaker does not cooperate with Child Support, the entire family will be ineligible for a Work First **Cash Assistance (WFC A)** payment for one month or until compliance, whichever is greater. Refer to **Section 116 and** Section 120, for further instructions.

**V. THE IMMUNIZATION AND HEALTH SCREENING REQUIREMENT**

The caretaker is responsible for obtaining immunizations and health screenings for children, **who are included in the assistance unit** unless the caretaker has good cause. The goal of this requirement is for children to receive proper medical care and to be as healthy as possible. Children's health has a direct impact on their ability to learn in school. Also, preventing childhood illnesses through immunizations and health screenings reduces the amount of time a family member must take off work for an ill child and, therefore, reduces the risk of losing employment due to absenteeism.

**A. Immunization Schedule**

The following chart lists the recommended immunizations and the recommended ages at which each immunization should be given. However, a child's healthcare provider determines the age and frequency at which a particular immunization is appropriate.

<b>TYPE OF SHOT</b>	<b>DOSE</b>	<b>RECOMMENDED AT</b>
<b>Polio</b>	1st	2 months
	2nd	4 months
	3rd	6-18 months
	4th	Before starting school (4-6 years)
<b>DTaP (diphtheria, Tetanus, and Acellular Pertussis)</b>	1st	2 months
	2nd	4 months
	3rd	6 months
	4th	15-18 months
	5th	Before starting school (4-6 years)
<b>MMR (measles, mumps, and rubella)</b>	1st	12-15 months
	2nd	Before starting school (4-6 years)
<b>Hib (bacterial meningitis)</b>	1st	2 months
	2nd	4 months
	3rd	6 months
	4th	12-15 months
<b>Hepatitis B</b>	1st	At birth
	2nd	1-4 months
	3rd	6-18 months
<b>Varicella (chicken pox)</b>	1st	12-18 months

If a child has had chicken pox, the child is not required to get the varicella immunization. Accept the statement of the healthcare provider or the caretaker as verification that the child had chicken pox.

## **B. HEALTH SCREENINGS**

The following schedule outlines the recommended frequency of Health Check screenings.

- Within the first month
- 2 months
- 4 months
- 15 months\*
- 18 months
- 2 years

- 6 months
- 12 months
- 3 years and above (annual screening)

\*This screening may be done at 9 months of age instead of 15 months.

### **C. Monitoring Compliance for Immunizations and Health Screenings**

The caretaker is responsible for providing documentation at each **recertification** that the children, **who are included in the assistance unit** are receiving the required immunizations and health screenings. If documentation does not clearly indicate compliance, additional documentation from the caretaker is required. The caretaker may need to contact the children's healthcare provider for the additional documentation. Work First case **managers** should not contact the health care provider directly, except upon special request of the caretaker. The **case manager must provide assistance if requested, however**, final responsibility remains with the caretaker. Once a child has entered a public, private or religious school, it is no longer necessary to monitor the immunization requirement. Children must receive all the required immunizations to enter school and stay current on immunizations to remain enrolled in school. **However, regular health checks are still required for school age children. If the documentation on file is still current, the case manager must clearly document this in the case notes and follow-up accordingly.**

There are two exemptions to the immunization requirement: medical and religious. For medical exemptions, the caretaker must provide a medical exemption form certified by their healthcare provider or a State Health Director Exemption document. The caretaker may receive the religious exemption if the caretaker submits a written statement of the bona fide religious beliefs and opposition to the immunization requirements. A statement of the personal belief or philosophy of the caretaker not founded upon a religious belief will not qualify for the religious exemption.

### **D. Failure to Comply with the Immunization and Health Screening Requirements**

Unless there is good cause, such as the previously mentioned exemptions, for not getting the children their immunizations or health screenings, a sanction is applied. For **Child only** cases refer to Section 120 for instructions regarding sanctions.

If the caretaker in a Work First Benefits (WFB) case fails to comply with the requirement, the case **manager** will evaluate whether there is good cause. If there is good cause, the case **manager** will issue the Work First payment. If there is not good cause, the payment will not be issued, **and a sanction is applied. Once a sanction is applied, the case**

manager must close the case. Refer to Work First Section 120 for instructions regarding sanctions.

## VI. THE SCHOOL ATTENDANCE REQUIREMENT

Caretakers are responsible for ensuring that the children (including minor parents) in their care, who receive assistance, are enrolled in and regularly attending school unless there is good cause. Minor parents may be eligible for Childcare **Subsidy**, which can support the minor parent's ability to regularly attend school. Refer the family to the Childcare Services agency within the DSS agency or local community. Regular school attendance increases the likelihood that the child will graduate and find and maintain employment.

**Case managers should discuss with the** caretakers the importance of being involved with their children's education and that this can be achieved in several ways, including participation in parent/teacher organizations, attending meetings with teachers or guidance counselors, and helping children with their homework. Even if the caretaker is unable to help with the child's homework, expressing an interest in the assignments and complimenting the child's efforts can positively impact the child's performance. **Caretakers should be encouraged to reach out to the case manager to determine if there are any supportive services available which could assist.**

### A. Regular School Attendance

A child is expected to attend an elementary school, a secondary school (public, private **or charter school**), an approved home school, a vocational or technical training program which is equivalent to high school or a specialized dual track program that provides secondary education and technical training (example, **ApprenticeshipNC**).

Home schools for children aged 7 through 15 must be registered with the Department of Administration, Division of Non-Public Education. To verify whether the home school is operating legally, ask the caretaker to provide a copy of the "Notice of Intent to Operate a Home School" card issued by the Division of Non-

Public Education. If the caretaker does not have a card, call the Division of Non-Public Education at **(919) 236-0110** or visit the website at <https://www.dnpsys.nc.gov/NPEPublic/HSCountySearch.aspx> to verify the registration of a home school.

The case **manager** must assist the caretaker in finding an educational, training, or work activity for a child who has completed high school, received a GED, or is suspended or expelled from school. This assistance may include providing the caretaker with referrals to or information about community agencies or other local resources.

Enrollment in and regular attendance (defined by the school or institution) at one of these alternative arrangements meets the school attendance requirement.

Children who receive an out of school suspension are expected to return to school at the end of the suspension period.

## **B. Monitoring School Attendance**

State law requires children to attend school (or be registered as home schooled) through age 16. The caretaker is required to report to the county department of social services if a child has stopped attending school.

For children ages 16 through 18, including minor parents, the caretaker is responsible for verifying school attendance. For **child only** cases, the caretaker is responsible for verifying school attendance via the Work First Quarterly **Report DSS-8127** which is sent to the caretaker once every three months. For WFB cases, **the case manager must** address school attendance with the caretaker at a minimum of every 12 weeks **when updating the MRA-B/OCP**.

If at any time the information is questionable, the case **manager** may ask the caretaker or payee to provide a statement from the school (or other source if the child is meeting the school requirement in a setting other than the traditional public school) that the child is enrolled and attending school. Accept the school's definition of regular attendance.

The case **manager** may use other means to verify school attendance. For example, some counties have established electronic means of verification of school attendance with local school systems.

## **C. Failure to Meet the School Attendance Requirement**

The goal is to assist the caretaker with ensuring that the children return to or regularly attend school. However, unless the caretaker has good cause, apply a sanction for a child not being in school. Although the Work First case is sanctioned when a child in the case

does not attend school, the goal is to help educate the child and prepare the child for employment. See Section 120 for instructions regarding sanctions.

When a caretaker in a Child Only case fails to comply with the requirement of their Mutual Responsibility Agreement (MRA-A), the entire case is sanctioned and will be ineligible for a Work First **Cash Assistance (WFCA)** payment for one month or until compliance.

If the caretaker in a Work First Benefits case fails to comply with the requirement and there is not good cause, the case **manager** will not issue the Work First payment. **The case manager must apply a sanction and close the case. Refer to Work First Section 120.**

Note: County departments of social services have broad discretion in deciding when to apply a sanction. There will be situations where the caretaker is not able, in spite of their best efforts, to compel a child to attend school. If, in the judgment of the agency, the adult has made, and continues to make, their best efforts in this regard, the agency is not required to impose a sanction. **Case documentation should clearly outline all efforts and supporting reasons as to why a sanction was not imposed.**

## VII. MINOR PARENT REQUIREMENTS

NOTE: A minor parent is under age 18. The rules in these instructions do not apply to an emancipated minor. Emancipation occurs when a dependent child marries, becomes a member of the U. S. Armed Forces, or is declared emancipated by a court. An emancipated minor parent is treated as an adult caretaker.

To qualify for and receive Work First **Cash** Assistance, a minor parent must live with a parent, legal guardian, or in an adult-supervised setting. Refer to Section 107, Minor Parent Rules, for further information about this requirement.

Minor parents are by definition dependent children. Living with an appropriate adult should help provide the support the minor needs to finish school, learn appropriate parenting skills, and give the minor and their child greater opportunities to achieve self-sufficiency.

The caretaker must provide proof that the minor parent is living with an adult caretaker at application and each review. Refer to Section 112 Kinship and Living with Requirements for verification instructions. When the caretaker signs the Mutual Responsibility Agreement, the caretaker agrees to notify the case **manager**, within 10 calendar days, if the minor parent leaves the home. Child Only Cases will also receive a **Quarterly** Report once every three months on which the caretaker must report if the minor has moved out of the home.

When a minor parent moves out of the home, the case **manager** must terminate assistance or remove the minor (and their child, if appropriate) from the Work First payment. A sanction is applied to the caretaker's Work First payment unless:

- A. One of the exceptions in the Minor Parent Requirement Section applies; **or**
- B. The minor parent becomes emancipated.

**For** Child Only, the family must be ineligible for a minimum of one month for failure to comply with their Mutual Responsibility Agreement. If the minor parent has not returned home during the first month of non-compliance do not continue to sanction the entire family unit. **At reapplication, determine if the family has experienced a change in circumstance and** evaluate the family for WFCA eligibility for the month following the month of noncompliance minus the needs of the minor parent and ~~his/her~~

their child, if appropriate. It is the caretaker's responsibility to report these changes within 10 days.

For WFB cases, the case manager will not issue the Work First payment for the month in which the minor parent left the home. **The case manager must apply a sanction and close the case. Refer to WF Section 120 for further guidance.** The family may re-apply for WFCFA at any time but may not be approved until the month after the missed payment.

## VIII. THE WORK FIRST REPORTING REQUIREMENTS

Along with the responsibilities outlined in the MRA, the family is expected to report all information and family circumstances accurately and timely. This includes reporting all relevant information at application and review. The family must report all changes in situation within 10 calendar days of knowing of the change. **Additionally, when changes are reported, case managers must report these changes to other program areas using the DSS-8194. Case managers also have the option to create a task in NC Fast using the Job Aid: "Creating Tasks" found in FAST Help.**

If a family does not report all information accurately or timely and receives more Work First cash or supportive services than they are eligible for, they are expected to repay any overpayments.

NOTE: The sanctions described in Section 120 do not apply to the reporting requirements. Refer to policy on fraud and overpayments (Sections 263).

## IX. THE AGENCY'S RESPONSIBILITIES

The agency must assist the family to accomplish the goals of Work First and to meet the requirements of the family's Mutual Responsibility Agreement. Case management services will vary according to the family's employment status and needs.

The agency must **explain and/or provide information on** the following services:

- Assessment
- A monthly Work First payment
- Medicaid
- Food and Nutrition Services
- Child support services
- Help finding a job
- Information on skills training or education offered in the community
- Childcare to support employment, school for a minor parent, and training for employment
- Transportation assistance for employment-related medical and other appointments
- Referral to other services offered by Social Services and the community