

10:90-16.9 (Reserved)

Repealed by R.2003 d.226, effective June 16, 2003.
See: 34 N.J.R. 2713(a), 35 N.J.R. 2670(a).
Section was "County payment of fees for services".

10:90-16.10 (Reserved)

Amended by R.1998 d.42, effective January 20, 1998.
See: 29 N.J.R. 3971(b), 30 N.J.R. 389(a).
Repealed by R.2003 d.226, effective June 16, 2003.
See: 34 N.J.R. 2713(a), 35 N.J.R. 2670(a).
Section was "Responsibility of the State agency".

10:90-16.11 (Reserved)

Amended by R.1998 d.42, effective January 20, 1998.
See: 29 N.J.R. 3971(b), 30 N.J.R. 389(a).
Repealed by R.2003 d.226, effective June 16, 2003.
See: 34 N.J.R. 2713(a), 35 N.J.R. 2670(a).
Section was "Responsibilities of the county agency".

10:90-16.12 (Reserved)

Amended by R.1998 d.42, effective January 20, 1998.
See: 29 N.J.R. 3971(b), 30 N.J.R. 389(a).
Rewrote the introductory paragraph of (b); and changed rule references throughout.
Repealed by R.2003 d.226, effective June 16, 2003.
See: 34 N.J.R. 2713(a), 35 N.J.R. 2670(a).
Section was "Responsibilities of the county agency CSP Unit".

10:90-16.13 (Reserved)

Amended by R.1998 d.42, effective January 20, 1998.
See: 29 N.J.R. 3971(b), 30 N.J.R. 389(a).
Rewrote the section.
Repealed by R.2003 d.226, effective June 16, 2003.
See: 34 N.J.R. 2713(a), 35 N.J.R. 2670(a).
Section was "Fiscal record maintenance".

10:90-16.14 (Reserved)

Repealed by R.2003 d.226, effective June 16, 2003.
See: 34 N.J.R. 2713(a), 35 N.J.R. 2670(a).
Section was "Notification of deletions, terminations, suspension or transfer of case/individual".

10:90-16.15 (Reserved)

Amended by R.1998 d.42, effective January 20, 1998.
See: 29 N.J.R. 3971(b), 30 N.J.R. 389(a).
In (a), substituted a reference to N.J.A.C. 10:90-16.16 for a reference to N.J.A.C. 10:90-16.15.
Repealed by R.2003 d.226, effective June 16, 2003.
See: 34 N.J.R. 2713(a), 35 N.J.R. 2670(a).
Section was "Parent locator service".

10:90-16.16 (Reserved)

Amended by R.1998 d.42, effective January 20, 1998.
See: 29 N.J.R. 3971(b), 30 N.J.R. 389(a).
Repealed by R.2003 d.226, effective June 16, 2003.
See: 34 N.J.R. 2713(a), 35 N.J.R. 2670(a).
Section was "County agency parent locator responsibilities".

10:90-16.17 (Reserved)

Amended by R.1998 d.42, effective January 20, 1998.
See: 29 N.J.R. 3971(b), 30 N.J.R. 389(a).
Repealed by R.2003 d.226, effective June 16, 2003.
See: 34 N.J.R. 2713(a), 35 N.J.R. 2670(a).
Section was "State PLS/Federal Parent Locator Services (PLS)".

10:90-16.18 (Reserved)

Amended by R.1998 d.42, effective January 20, 1998.
See: 29 N.J.R. 3971(b), 30 N.J.R. 389(a).
Repealed by R.2003 d.226, effective June 16, 2003.
See: 34 N.J.R. 2713(a), 35 N.J.R. 2670(a).
Section was "Disclosure of information".

10:90-16.19 (Reserved)

Amended by R.1998 d.42, effective January 20, 1998.
See: 29 N.J.R. 3971(b), 30 N.J.R. 389(a).
Repealed by R.2003 d.226, effective June 16, 2003.
See: 34 N.J.R. 2713(a), 35 N.J.R. 2670(a).
Section was "Closing criteria for IV-D cases".

10:90-16.20 (Reserved)

Amended by R.1998 d.42, effective January 20, 1998.
See: 29 N.J.R. 3971(b), 30 N.J.R. 389(a).
Deleted former (c) and (d).
Repealed by R.2003 d.226, effective June 16, 2003.
See: 34 N.J.R. 2713(a), 35 N.J.R. 2670(a).
Section was "Retention and destruction of case records".

10:90-16.21 (Reserved)

Amended by R.1998 d.42, effective January 20, 1998.
See: 29 N.J.R. 3971(b), 30 N.J.R. 389(a).
Repealed by R.2003 d.226, effective June 16, 2003.
See: 34 N.J.R. 2713(a), 35 N.J.R. 2670(a).
Section was "Child Support Guidelines (New Jersey Supreme Court Rule 5:6A)".

10:90-16.22 (Reserved)

Amended by R.1998 d.42, effective January 20, 1998.
See: 29 N.J.R. 3971(b), 30 N.J.R. 389(a).
Repealed by R.2003 d.226, effective June 16, 2003.
See: 34 N.J.R. 2713(a), 35 N.J.R. 2670(a).
Section was "Income withholding".

10:90-16.23 (Reserved)

Amended by R.1998 d.42, effective January 20, 1998.
See: 29 N.J.R. 3971(b), 30 N.J.R. 389(a).
Repealed by R.2003 d.226, effective June 16, 2003.
See: 34 N.J.R. 2713(a), 35 N.J.R. 2670(a).
Section was "Distribution of arrearage payments on child support orders".

10:90-16.24 (Reserved)

Amended by R.1998 d.42, effective January 20, 1998.
See: 29 N.J.R. 3971(b), 30 N.J.R. 389(a).
In (a), substituted a reference to N.J.A.C. 10:90-16.12(m)1 for a reference to N.J.A.C. 10:90-16.10.
Repealed by R.2003 d.226, effective June 16, 2003.
See: 34 N.J.R. 2713(a), 35 N.J.R. 2670(a).
Section was "Application fee for NPA applicants".

10:90-16.25 (Reserved)

Amended by R.1998 d.42, effective January 20, 1997.
See: 29 N.J.R. 3971(b), 30 N.J.R. 389(a).
Rewrote (f).
Repealed by R.2003 d.226, effective June 16, 2003.
See: 34 N.J.R. 2713(a), 35 N.J.R. 2670(a).
Section was "Review and adjustment of child support orders (WFNJ/TANF, foster care and Medicaid cases)".

SUBCHAPTER 17. EARLY EMPLOYMENT INITIATIVE (EEI)

Authority

N.J.S.A. 44:10-3; Public Law 104-193, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA); and the Work First New Jersey Act, P.L. 1997, c.14, approved January 29, 1997.

10:90-17.1 Purpose and scope

(a) Consistent with the policy of the WFNJ program that seeking and accepting employment is a critical element of the program and is one of the primary requirements for receipt of cash assistance as outlined in N.J.A.C. 10:90-1.1(d), a program entitled "Early Employment Initiative (EEI)" has been established. The EEI involves mandatory participation by an adult member(s) of an applicant family, who meets certain EEI eligibility criteria, in an up-front concentrated job search/placement strategy that will provide an opportunity for the family to regain independence and self-sufficiency through obtaining unsubsidized employment, thereby avoiding receipt of WFNJ/TANF cash assistance. The EEI is designed to provide immediate up-front short-term financial investments for such EEI eligible applicant families. In return for this up-front assistance, the adult member(s) of such families shall be required to cooperate and actively participate in the EEI for a minimum period of 15 days to a maximum period of up to 30 days (which shall run parallel to the time frame for determining WFNJ program eligibility), in accordance with the provisions set forth in this subchapter, as a condition of eligibility for the WFNJ/TANF program (see N.J.A.C. 10:90-2.1(b)1).

(b) If an individual is determined EEI eligible in accordance with N.J.A.C. 10:90-17.2, and thereafter has a change in circumstances placing the family in immediate need prior to the expiration of the minimum 15 day participation period, the family shall be immediately referred to the WFNJ county agency for an immediate need determination. Such individuals shall have been considered to have met their EEI participation requirement.

(c) Participation in the EEI is subject to the availability of slots at the EEI entity. On a daily basis, the WFNJ agency shall confirm the availability of EEI slots prior to taking any action concerning determining EEI eligibility. The lack of an EEI slot shall not delay the processing of the WFNJ/TANF application. When EEI slots are not available, the WFNJ agency shall not screen any applicant for participation in the EEI, and participation in the EEI shall not be considered an eligibility requirement for those applicants. No further action shall be taken by the WFNJ agency to refer such applicants for EEI participation during this WFNJ/TANF application process, however, at the time of a subsequent reapplication for WFNJ/TANF cash assistance, the family may be referred for EEI participation, if applicable.

Amended by R.2003 d.226, effective June 16, 2003.

See: 34 N.J.R. 2713(a), 35 N.J.R. 2670(a).
Rewrote (a).

10:90-17.2 Determining eligibility for the EEI

(a) When it has been confirmed that EEI slots are available, the county WFNJ agency shall, during the WFNJ application interview, determine whether or not the WFNJ/TANF adult applicant(s) meets the eligibility criteria for mandatory participation in the EEI. More than one adult per family may be determined eligible for mandatory participation in the EEI. Eligibility for mandatory EEI participation shall be determined if an adult WFNJ/TANF applicant meets all of the following criteria:

1. Has a work history that equals or exceeds four months of full time employment in the last 12-month period;
2. Has at least one child;
3. Appears to meet all financial and non-financial WFNJ eligibility requirements, including initial cooperation with child support, and is considered an eligible candidate for receipt of WFNJ cash assistance;
4. Is not in immediate need, in accordance with the immediate need provisions at N.J.A.C. 10:90-1.3; and
5. Does not meet the criteria for a deferral from the work requirements under the WFNJ program (see N.J.A.C. 10:90-4.9).

(b) A WFNJ/TANF adult applicant who does not meet the criteria in (a)1 above for mandatory EEI participation, but has a work history that equals or exceeds four consecutive weeks of employment within the 52 weeks prior to applying for WFNJ cash assistance and meets all of the other EEI eligibility criteria at (a)2 through 5 above, shall be given the opportunity to voluntarily participate in the EEI. The county WFNJ agency shall inform the applicant who is eligible for participation in the EEI under this voluntary criteria that once the decision is made to voluntarily participate, he or she shall be considered a mandatory EEI participant and shall be obligated to comply with all the provisions set forth in this subchapter.

(c) On the same day the WFNJ application is taken, the WFNJ/TANF agency shall determine whether or not any of the adult members of the applicant family meet the EEI eligibility criteria in (a) or (b) above.

1. For those applicants who meet the EEI eligibility criteria, the WFNJ agency shall prepare an initial Individual Responsibility Plan (IRP) with the applicant and utilize form Cage-Aid, Addendum to the Individual Responsibility Plan, to allow the applicant to self-identify a potential drug or alcohol problem prior to being referred for participation in the EEI. It is to be noted that the responses to the Cage-Aid questions are voluntary. If an applicant chooses not to respond to the drug and alcohol questions, the WFNJ agency shall make a notation on the Cage Aid form, accordingly. In all instances, the WFNJ agency shall attach the Cage-Aid form, along with the initial IRP, to the applicant family's WFNJ application.

i. If the individual indicates that he or she has a drug or alcohol problem, the individual shall not be referred to the EEI entity for participation during this WFNJ application process and the family's eligibility determination for WFNJ cash assistance shall continue without interruption. In such instances, when the family's WFNJ application is approved, the individual's self-identified drug or alcohol problem shall be taken into consideration and addressed, as appropriate.

2. For those adult applicants who meet the EEI eligibility criteria for participation and maintain that they do not have a drug or alcoholic problem, participation in the EEI shall be mandatory. Likewise, those adult family members who choose not to respond to the Cage-Aid drug and alcohol questions and who meet the eligibility criteria for EEI participation at (a) or (b) above, shall also be referred to the EEI entity for mandatory participation.

(d) Once it is determined that an adult individual meets all the criteria for mandatory participation in the EEI, the WFNJ agency shall immediately take action to refer that adult to the EEI entity as follows:

1. The county WFNJ agency shall provide a verbal explanation of what participation in EEI means as well as provide a copy of an "EEI Important Notice."

2. The county WFNJ agency shall require the mandatory EEI participant to sign form WFNJ/EEI-1, Early Employment Initiative Participation Agreement. Refusal by the participant to sign this form shall constitute non-cooperation with the EEI, in accordance with the EEI cooperation provision at N.J.A.C. 10:90-17.3(b), and shall result in the denial of the applicant family's WFNJ application for cash assistance. In addition, the WFNJ agency shall complete a WFNJ Agency Referral to EEI which shall include the earned income amount that would render the family ineligible for WFNJ/TANF cash assistance, if an EEI participant secures employment. The originals of the WFNJ/EEI-1 and the WFNJ Agency Referral shall be retained at the WFNJ agency and attached to the WFNJ application. The EEI participant shall be provided a copy of the EEI Participant Agreement. The WFNJ agency shall immediately fax, to the appropriate EEI entity, a copy of the signed WFNJ/EEI-1, along with a copy of the referral form.

3. At the time the county WFNJ agency refers the EEI participant to the EEI agency, the WFNJ agency shall also refer the EEI participant to the Unified Child Care Agency (UCCA) for post-EEI child care service arrangements. The WFNJ agency shall provide notification to the UCCA of the need for post-EEI child care services by preparing a WFNJ Agency Referral to the UCCA Agency and immediately faxing it to the UCCA. The WFNJ agency shall retain the original UCCA referral and attach it to the EEI participant's WFNJ/TANF application.

Amended by R.2000 d.205, effective May 15, 2000.

See: 32 N.J.R. 639(a), 32 N.J.R. 1771(a).

In (a)1, substituted a reference to four months for a reference to six months.

Amended by R.2003 d.226, effective June 16, 2003.

See: 34 N.J.R. 2713(a), 35 N.J.R. 2670(a).

In (b), in the first sentence deleted "a high school diploma or a GED or" preceding "a work history".

Amended by R.2004 d.292, effective August 2, 2004.

See: 36 N.J.R. 1695(a), 36 N.J.R. 3545(a).

Substituted "Cage-Aid" for "CAGE-8" throughout.

10:90-17.3 EEI participation

(a) For those WFNJ adult applicants who meet EEI eligibility criteria at N.J.A.C. 10:90-17.2(a) or (b), participation in the EEI shall be mandatory and non-cooperation shall result in denial of the WFNJ cash assistance application for both the applicant and the applicant's entire family.

1. EEI participant's shall be required to comply with all aspects of the cooperation and participation provisions of the EEI, as set forth in this subchapter, unless good cause exists, which aspects include, but are not limited to:

i. Keeping all scheduled appointments timely;

ii. Giving reasonable notice and explanation of the inability to keep an appointment;

iii. Cooperating in the development of an WFNJ individual responsibility plan (IRP);

iv. Signing the Early Employment Initiative Participation Agreement, and abiding by the provisions of that Agreement, which includes the agreement to withdraw the family's WFNJ application effective the date unsubsidized employment is secured when the gross earnings from that employment, along with any other countable income, of the family, exceed the maximum allowable income level for WFNJ financial eligibility; and

v. Contacting the UCCA to arrange for post-EEI participation child care services, as appropriate.

(b) Participation in EEI shall be for a minimum period of 15 days to a maximum period of 30 days (which shall run parallel to the time frame for determining WFNJ program eligibility).

1. The applicant shall be referred to the administering entity charged with the responsibility for providing the up-front job search/placement service for EEI. The EEI entity shall develop an EEI plan with the participant, which shall identify the dates and times of the activities, as appropriate, as well as the desired employment goal. In addition, the plan shall state whether an activity support payment is to be provided to cover necessary employment-related expenses to allow participation in the job search/placement activity outlined in the plan. The EEI plan shall be signed by the EEI participant and a copy of the plan shall be provided to the EEI participant.

2. The family's application for WFNJ, Medicaid and/or Food Stamps shall continue to be processed by the county agency, as appropriate, without delay.

i. Activity support payments and one time lump sum payments associated with participation in the EEI program, as set forth in (c) below, are disregarded as income in accordance with the State Plan for Title XIX when determining eligibility for AFDC-Related Medicaid.

3. All EEI participants shall be required to participate in an up-front job search/placement activity for the sole purpose of obtaining unsubsidized employment during which time the WFNJ county agency shall continue to process their application for WFNJ cash assistance. The EEI participation requirement is a minimum period of 15 days to a maximum period of 30 days or anytime after the 15 day minimum period when a final decision is reached on the client's WFNJ application (but not to exceed the 30-day maximum period). During the EEI participation period, the EEI family shall be eligible for an activity support payment, in accordance with the EEI Payment Schedule at (d) below, to cover employment-related expenses necessary to allow participation in the EEI, when such services are not available without charge from any other source. This activity support payment shall be based on identified job search/placement needs and shall not exceed the maximum activity support payment for the family size as indicated in the EEI Payment Schedule at (d) below.

i. If the WFNJ/TANF application was denied because of non-cooperation with EEI (see (a)1 above), and the family reapplies for WFNJ/TANF within 30 calendar days of that original WFNJ application date, any activity support payment provided to the family shall be considered as unearned income when determining WFNJ/TANF eligibility and calculating the WFNJ/TANF grant.

(c) When an EEI participant secures employment, the EEI entity shall determine whether or not the participant's gross earnings shall render the participant's family ineligible for WFNJ cash assistance by comparing the participant's gross earnings to earned income amount which the WFNJ agency entered on the "WFNJ Agency Referral to the EEI Entity" form.

1. If the EEI participant's gross earnings are equal to or less than the earned income amount indicated for that family on the referral form, the family may remain eligible for WFNJ cash assistance and the EEI entity shall refer the family to the WFNJ agency for a final determination of eligibility for cash assistance.

2. EEI participants who are successful in obtaining full-time unsubsidized employment and whose anticipated gross earnings, when combined with all other countable income available to the WFNJ assistance unit, exceed the earned income amount indicated for that family on the referral form, which exceeds the initial maximum allowable income eligibility level for WFNJ/TANF (Schedule I at N.J.A.C. 10:90-3.3(b)), shall be required to withdraw their family's WFNJ application for cash assistance. Before requiring the participant to initiate a withdrawal of the applicant family's WFNJ/TANF application, the EEI entity shall inquire whether any changes in the applicant family's assistance unit size or other countable income has occurred as of the date of the WFNJ application. If the participant states that changes have occurred, the EEI entity shall contact the WFNJ agency to ascertain the impact of such changes on the applicant family's WFNJ eligibility for cash assistance. If it is determined, by the WFNJ agency, that the changes reported by the EEI entity indicate that the applicant family may remain eligible for the WFNJ cash assistance, the EEI agency shall refer the participant back to the WFNJ agency for a final determination of eligibility for WFNJ cash assistance. If, however, the participant expresses that no changes have occurred since the date of the WFNJ application and the applicant family withdraws the WFNJ application, the participant's family shall be eligible to receive the following under the EEI, as appropriate:

i. A one-time lump sum payment to cover expenses necessary to avoid loss of housing or for other employment-related expenses necessary to enable the employed individual to continue to engage in his or her employment such as, but not limited to, transportation, uniforms, car maintenance, tools, supplies, licenses and testing fees. This one-time lump sum payment shall be provided to the family by the EEI entity based on specific need and shall not exceed the one-time lump sum payment ceiling for the participant's family size as designated in the EEI Payment Schedule at (d) below; and

ii. Up to two years of child care in accordance with the WFNJ child care services provisions at N.J.A.C. 10:90-5.2.

(d) The EEI Payment Schedule below identifies the activity support and one-time lump sum payment ceilings for EEI. These ceiling amounts are based on the WFNJ assistance unit size; therefore, the ceiling amounts shall remain constant even if more than one adult of the WFNJ applicant family is participating in EEI. The activity support payment and the one-time lump sum payment issued by the EEI entity shall not count toward the 60 month lifetime limit for receipt of WFNJ cash assistance.