

10-025 E. Noncompliance Process for Two-Parent Assistance Unit

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CPG Letter 326 (9/14)

10-025.E.1 Sanction Regulation for Two-Parent Assistance Unit

In a two-parent assistance unit (AU), the Welfare to Work (WTW) sanctioned parent is removed from the AU.

If the second parent is not participating in WTW once the first parent has been sanctioned, both the sanctioned parent and the second parent are to be removed from the AU.

For families with an incapacitated parent, only the non-complying parent is removed from the AU.

10-025.E.2 Noncompliance Procedures for Two-Parent Assistance Unit

Although there are specific noncompliance requirements for two-parent AUs, all procedures and timeframes for good cause determination, compliance, sanctioning and curing procedures for one-parent AUs apply to each adult in a two-parent AU.

- CPG 10-025 A. Noncompliance Initiation for WTW
- CPG 10-025 B. Cause Determination for WTW Noncompliance
- CPG 10-025 C. Compliance Plan
- CPG 10-025 D. Sanction Cure Process

10-025.E.3 Noncompliance Initiation and WTW 4 Requirement

When the Sanction of Mandatory Participant, NA 840, is sent to the first parent at the beginning of noncompliance procedures listed in CPG 10-025 A. Noncompliance Initiation for WTW, the Employment Case Manager (ECM) is required to complete Notice to Other Parent, WTW 4 for sending to the second parent by the Overpayment Specialist Unit (OSU) along with the NA 840.

The WTW 4 notifies the second parent that:

- They will be contacted if they are required to begin participation in WTW or to increase hours of participation, if they are already participating.
- If the first parent is sanctioned, and the second parent does not

meet WTW requirements, he or she can also be sanctioned.

The completed WTW 4 is provided by the ECM to OSU along with the 27-334 and WTW 27 for mailing to the participant along with the NA 840. (CPG 10-025.A.)

**10-025.E.4
Second
Parent
Participation
Requirement**

Once the first parent's sanction becomes effective (10-025 B. Sanction Effective Date), the second parent, unless exempt or meets good cause criteria, must begin (or increase hours of) participation in the WTW program to avoid his/her own sanction.

The second parent must not be exempted for providing care for an ill or incapacitated member of the household or a young child, since the first parent is not participating and is available to provide the care.

If the second parent refuses to participate, or starts participating but subsequently stops without good cause, he/she will be subject to sanction.

**10-025.E.5
Second
Parent
Compliance
Notice**

If the second parent becomes noncompliant, OSU is required to send NA 845, Removal of the Second Parent's Needs to the second parent, instead of the NA 840.

The NA 845 provides the same information as the NA 840, except that the NA 845 also informs the second parent about how the first parent can restore his or her aid.

In cases when the second parent agrees to a compliance plan, subsequently fails to participate as required by the plan, and will be sanctioned, OSU is required to send NA 816, Sanction of Second Parent After Failed Compliance Plan.

Reference: CPG 10-025 C. Compliance Plan

**10-025.E.6
Curing
Requirements
for Two
Parent
Assistance
Unit**

In cases when the second parent complies with participation requirements as required after receiving the WTW 4, the first parent remains sanctioned. Participation by the second parent does not cure the sanction imposed upon the first parent.

For either parent to have aid restored, each parent must cure his or her own sanction by doing what he or she refused to perform.

Example: If each parent was participating for 35 hours per week, but failed to do so without good cause and was sanctioned, then each parent must meet the 35-hour requirement to cure his or her sanction.

In this example, if both parents were curing a sanction at the same time, this would result in the AU completing 70 hours per week of

participation **throughout the duration of the cure activity only.**

If the second parent is complying with WTW program requirements after the first parent is sanctioned, and the first parent cures his or her sanction, then one parent may stop (or reduce hours of) participation without being subject to sanction.
