

P-2332 WKEX and CSP (continued)

P-2332A Fair Labor Standards Act (FLSA) (B21-08)

Federal regulations require states to comply with the Fair Labor Standards Act (FLSA) when assigning TANF participants to unpaid work activities.

This limits the number of hours a participant receiving Reach Up can be required or permitted to be placed in a Community Service Placement (CSP) or Work Experience (WKEX). The number of hours allowed is based on the benefit received and minimum wage. This ensures that participants are not being asked to voluntarily work and be compensated at a rate lower than minimum wage.

Determining a Participant's Allowable Work Hours (FLSA)

```
08/27/89 11:27 *** WORK REQUIREMENTS AND TIME LIMITS *** ( ASQEBI )  
The Work Requirement for this family is: 30 hours.  
CSP/WKEX cannot exceed 6 hours per week.  
There are 3 RUFA members in this household.  
A has 105 months of countable RUFA benefits through July 2020  
  
'X' TO VIEW WORK REQUIREMENTS, 'H' FOR HISTORY <SHFT+PF12>=HELP  
X      NAME      M/RL      SSN      AGE X      NAME      ROLE      SSN      AGE  
-----  
-      JACOBSON      1/01      -      -      -      -      -      -  
-      JACOBSON      1/05      -      -      -      -      -      -  
-      JACOBSON      1/05      -      -      -      -      -      -  
-      -      -      -      -      -      -      -      -  
-      -      -      -      -      -      -      -      -  
-      -      -      -      -      -      -      -      -  
-      -      -      -      -      -      -      -      -  
-      -      -      -      -      -      -      -      -  
-      -      -      -      -      -      -      -      -  
USER: 934 FNX: CASE MODE: D RPTGRP: PERIOD: 08 20 COMMAND: _  
DO: R IMS: GR1 RPTGRP NAME: 3  
Enter-PF1---PF2---PF3---PF4---PF5---PF6---PF7---PF8---PF9---PF10---PF11---PF12---  
EXIT EHR5 EMPL WORK CLCK JSER VocEd
```

On CASE/D/TIME determine the participant's work requirement.

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08/27/20 11:27 *** WORK REQUIREMENTS AND TIME LIMITS *** ( ASQEBI )
The Work Requirement for this family is: 30 hours.
CSP/WKEX cannot exceed 6 hours per week.
There are 3 RUFA members in this household.
has 105 months of countable RUFA benefits through July 2020

'X' TO VIEW WORK REQUIREMENTS, 'H' FOR HISTORY <SHFT+PF12>=HELP
X NAME M/RL SSN AGE X NAME ROLE SSN AGE
-----
- 1/01 0000000105 40 - - - - -
- 1/05 0000000105 40 - - - - -
- 1/05 0000000105 40 - - - - -
- - - - -
- - - - -
- - - - -
- - - - -
- - - - -
- - - - -
USER: 934 FNX: CASE MODE: D RPTGRP: PERIOD: 08 20 COMMAND: _
DO: R IMS: GR1 RPTGRP NAME: 3
Enter-PF1---PF2---PF3---PF4---PF5---PF6---PF7---PF8---PF9---PF10---PF11---PF12---
EXIT EHR3 EMPL WORK CLCK JSER VocEd

```

Determine the participant's allowed CSP/WKEX hours. This is the same as FLSA hours.

Example: Participant has a 30-hour weekly work requirement; CSP Weekly Work Requirement (FLSA) indicates 6 hours.

Participant could only be placed in a CSP or WKEX up to **6 hours** per week and the remaining hours made up with other activities. See Reach Up Services procedure 2332B on Deeming for more information.

Employed participant and FLSA

If a participant is working, they can combine employment and CSP/WKEX hours to meet their full work requirement.

Example: Participant has a 30-hour weekly work requirement; is working 22 hours per week; CSP Weekly Work Requirement (FLSA) indicates 16 hours.

Participant could be placed in a CSP or WKEX for up to a maximum of 16 hours, however they would only need to work 8 hours at a CSP or WKEX to meet their full work requirement.

Case Manager Support

CASE/D/TIME should be looked at once per month. For the current month, use the number that shows when creating the plan with the participant. Document the number in case notes, and consider this the FLSA hours for the month, even if the number changes later in the month.

For determining the following month's FLSA hours, it is best practice to check after the [second adverse action deadline](#)* of the current month. Document the number of hours that is showing on CASE D TIME at that time. This will be considered the FLSA hours for the month, even if the number changes during the month.

*Second adverse action is typically scheduled between the 19-21st of the month and shows up on the calendar like this:

	20	21
	ADVERSE ACTION	DA
	APPROVAL DEADLINE	RE
	& 12-DAY NOTICE	IN
	MAIL DATE FOR FS, FS	IN
E	CASH-OUT, EP AND	ME
E	100% & 60% RU.	

	QRF EXTENDED	

Example: Second adverse action in August is scheduled for the 20th. After the 20th, check CASE D TIME in period 09 (September) and use this number to determine the FLSA for the entire month.