



Ohio Administrative Code

Rule 5101:1-3-12.1 Unsubsidized employment.

Effective: May 1, 2017

(A) Conflict with Revised Code

(1) Section (5) of Amended Substitute Senate Bill 238 of the 126th General Assembly (9/2006) sets forth the following provision: Not later than September 30, 2006, the director of job and family services shall adopt rules as necessary for the state to comply with 42 U.S.C. 607(i)(2) (8/1996). If necessary to bring the state into compliance with 42 U.S.C. 607(i)(2) (8/1996), the rules may deviate from Chapter 5107. of the Revised Code. Rules adopted under this section that govern financial and other administrative requirements applicable to the department of job and family services and county departments of job and family services shall be adopted in accordance with section 111.15 of the Revised Code as if they were internal management rules. All other rules adopted under this section shall be adopted in accordance with Chapter 119. of the Revised Code.

(2) The county agency shall administer the work activity programs in accordance with the requirements contained in this rule and not in accordance with sections 5107.40 and 5107.60 of the Revised Code. All applicable requirements contained in the Revised Code sections referenced have been incorporated in this rule.

(B) What is unsubsidized employment?

(1) Unsubsidized employment means full or part time employment in the private or public sector that is not subsidized by temporary assistance for needy families (TANF) or any other public program.

(2) When an employer received a direct subsidy for hiring a recipient from TANF or other public funds, that recipient is considered to be in a subsidized public or private sector employment, not unsubsidized employment.

(3) Recipients whose employers claim a tax credit for hiring economically disadvantaged workers are considered to be participating in unsubsidized employment.



(4) Self employment will count as unsubsidized employment.

(C) What hours of participation in unsubsidized employment may count toward work participation?

(1) Verified hours of unsubsidized employment shall count toward work participation. Hours for unsubsidized employment shall be verified at least once every six months, as described in rule 5101:1-3-12 of the Administrative Code.

(2) Hours of self employment are determined by dividing the individual's self employment income (gross receipts less business expenses) by the federal minimum wage.

(3) Hours of employment resulting from in-kind or barter income, defined as an exchange of property or services, shall count toward work participation.