



Ohio Administrative Code Rule 5101:4-3-12 General work requirements.

Effective: October 1, 2024

Every work registrant participating in the supplemental nutrition assistance program (SNAP) is subject to general work requirements as a condition of receiving benefits. This rule describes the general work requirements, the consequences for not fulfilling a general work requirement and the process for regaining SNAP eligibility after failing or refusing to fulfill a general work requirement.

(A) What are the general work requirements?

(1) Every work registrant in SNAP is subject to the following work requirements:

(a) Upon request, provide the county agency with sufficient information regarding employment status or availability for work;

(b) Report to a suitable employer when referred by the county agency;

(c) Accept a bona fide offer of suitable employment when referred by the county agency;

(d) Continue suitable employment until it is no longer considered suitable; the individual is terminated for reasons beyond the individual's control; or the individual becomes exempt from the general work requirements; and

(e) Not voluntarily and without good cause quit a job of thirty or more hours a week or reduce work effort to less than thirty hours a week.

(2) For purposes of this rule, employment is "unsuitable" when:

(a) The wage offered is less than the highest of the applicable federal or state minimum wage or eighty per cent of the federal minimum wage, when neither the federal nor the state minimum wage is applicable;



(b) The employment offered is on a piece-rate basis, (i.e., paid per unit of production) and the average hourly yield the employee can reasonably be expected to earn is less than the applicable hourly wages;

(c) The assistance group member, as a condition of employment or continuing employment, is to join, resign from, or refrain from joining any legitimate labor organization; or

(d) The work offered is at a site subject to a strike or lockout at the time of the offer unless the strike has been enjoined under section 208 of the Labor-Management Relations Act of 1947 29 U.S.C. 141 (6/1947), or unless an injunction has been issued under section 10 of the Railway Labor Act of 1926, 45 U.S.C. 151 (10/1996).

(3) For purposes of this rule:

(a) An individual voluntarily and without good cause quitting their job includes when an employee of the federal, state or local government participates in a strike against the employer, and is dismissed from their job because of participation in the strike.

(b) An individual has reduced their work hours without good cause when the reduction results in earning less than the federal minimum wage times thirty hours.

(c) A voluntary job quit or a reduction of work is not to be explored by the county agency when an individual reduces hours or resigns at the demand of the employer, terminates self-employment or quits a job and secures comparable employment.

"Comparable" is not strictly defined and a county agency is not to declare a new job incomparable simply because the number of hours or the salary is lower than the job that was quit without discussing the circumstances with the individual.

(B) What is good cause for not fulfilling a work requirement?

The county agency is responsible for determining good cause when a work registrant does not fulfill



a general work requirement. In determining whether or not good cause exists, the county agency is to take into account the facts and circumstances, including information submitted by an employer and/or the assistance group member involved.

(1) Good cause includes circumstances beyond the work registrant's control, such as, but not limited to:

(a) Illness (either their own or that of another assistance group member requiring the presence of the work registrant);

(b) Assistance group emergency;

(c) The unavailability of transportation;

(d) The lack of adequate child care for children who have reached age six but are under age twelve; and

(e) Domestic violence, as defined in section 5107.02 of the Revised Code.

(2) Good cause for leaving employment includes circumstances beyond the work registrant's control and also includes, but is not limited to, the following:

(a) Discrimination by an employer based on age, race, sex, color, handicap, religious beliefs, national origin or political beliefs.

(b) Work demands or conditions that render continued employment unreasonable, such as working without being paid on schedule.

(c) Acceptance of employment by the individual, or enrollment by the individual in any recognized school, training program, or institution of higher education on at least a half time basis, that requires the individual to leave employment; or acceptance by any other assistance group member of employment or enrollment at least half time in any recognized school, training program, or institution of higher education in another county or similar political subdivision that requires the



assistance group to move and thereby requires the individual to leave employment.

(d) Resignations by persons under the age of sixty that are recognized by the employer as retirement.

(e) Employment that becomes unsuitable, as specified in paragraph (A) of this rule, after the acceptance of such employment.

(f) Acceptance of a bona fide offer of employment of more than thirty hours a week or in which the weekly earnings are equivalent to the federal minimum wage multiplied by thirty hours that, because of circumstances beyond the control of the individual, subsequently either does not materialize or results in employment that is not suitable.

(g) Leaving a job in connection with patterns of employment in which workers frequently move from one employer to another such as migrant farm labor or construction work. There may be some circumstances where assistance groups will apply for SNAP benefits between jobs particularly in cases where work is not yet available at the new job site. Even though employment at the new site has not actually begun, the quitting of the previous employment is to be considered good cause when it is part of the pattern of that type of employment.

(3) When a county agency finds the information regarding an assertion of good cause is questionable as defined in rule 5101:4-2-09 of the Administrative Code, it will request verification of the assistance group's statements. It is the assistance group's responsibility to provide the necessary verification. However, when the county agency has access to the information needed it should be considered. When assistance in gathering the information is needed, it is to be provided by the county agency. When good cause is questionable and the assistance group fails or refuses to provide verification of the questionable information, good cause will not be determined.

(4) Prior to taking action in accordance with paragraph (C) of this rule, the county agency is to ensure that the work registrant was informed of the alleged failure(s) to meet a work requirement and their right to provide good cause information to the county agency. The county agency is to inform the work registrant of the failure by any reasonable means (letter, phone call, email, etc.).

Once a work registrant has been informed of the alleged failure, it is their responsibility to contact



the county agency within seven days of the notification to show good cause for the alleged failure.

(C) What are the consequences for not fulfilling a general work requirement?

Within ten days of determining a work registrant failed or refused to fulfill a work requirement without good cause, the county agency will utilize the Ohio benefits integrated eligibility system to issue a notice of adverse action. In accordance with division 5101:6 of the Administrative Code, the notice will include a clear and understandable statement of the proposed action and the reason(s) for it, citations to applicable regulations and the work registrant's right to request a state hearing.

(1) A work registrant in receipt of SNAP benefits who fails or refuses without good cause to meet a general work requirement will be sanctioned in accordance with this paragraph.

(a) For a first failure or refusal, the county agency is to sanction the individual by denying or terminating the individual's eligibility to participate in the SNAP for a minimum of one benefit month.

(b) For a second failure or refusal, the county agency is to sanction the individual by denying or terminating the individual's eligibility to participate in the SNAP for a minimum of three benefit months.

(c) For a third or subsequent refusal, the county agency is to sanction the individual by denying or terminating the individual's eligibility to participate in the SNAP for a minimum of six benefit months.

(2) An applicant subject to the general work requirements who has a voluntary job quit or reduction of work hours without good cause and within sixty days of applying for SNAP will be ineligible for SNAP for the same time period that they otherwise would have been sanctioned for the failure.

(3) When an individual stops receiving SNAP benefits for a different reason before the actual imposition of the sanction, the sanction will not be held in abeyance. The establishment of new residence in another county or another assistance group by an individual who has been proposed for a sanction or who is currently under sanction does not, in and of itself, negate the sanction.



(D) What is the consequence of quitting a job or reducing effort for an individual who is exempt from the general work requirements because they were working thirty or more hours per week (or receiving weekly earnings at least equal to the federal minimum wage multiplied by thirty hours)?

If a SNAP recipient who is exempt from the general work requirements quits job/reduces hours without good cause and is not working thirty or more hours per week or otherwise exempt from the general work requirements, then the county agency is to propose a sanction in accordance with paragraph (C) of this rule.

(E) How does an individual regain eligibility after not fulfilling a general work requirement?

(1) Except for work registrants sanctioned as a result of a voluntary quit or reduction of work effort, prior to reinstatement of benefits, the county agency is to provide , and the sanctioned work registrant is to sign the JFS 03804 "Ohio Works First/Supplemental Nutrition Assistance Program (SNAP) Sanction Compliance Agreement."

(a) When the JFS 03804 is signed prior to the end of the sanction period, the sanctioned individual regains eligibility and the county agency reinstates benefits after the minimum sanction period is served.

(b) When the JFS 03804 is signed after the end of the minimum sanction period, the individual regains eligibility effective the day the JFS 03804 was signed and returned and the county agency reinstates benefits pursuant to rule 5101:4-7-01 of the Administrative Code.

(2) For work registrants disqualified or sanctioned as a result of voluntary quit or reduction of work effort:

(a) Eligibility may be reestablished during a disqualification period and the individual is to, when otherwise eligible, be permitted to resume participation without signing a JFS 03804 when:

(i) The individual secures new employment that is comparable in salary or hours to the job that was quit.



(ii) The individual may increase his or her work effort to thirty or more hours per week or earn an amount equal to the federal minimum wage times thirty hours per week; or

(b) When the minimum sanction period is served and the sanctioned individual has not found new employment or increased hours of employment, the individual may begin participation in the SNAP program when the individual is fulfilling the general work requirements and is otherwise determined eligible.

(3) When the circumstances change and the individual qualifies for an exemption from the general work requirements, the individual may qualify for SNAP benefits. Such exemptions may occur before the minimum sanction period ends.

(F) How are failures for noncompliance with unemployment compensation or an Ohio works first (OWF) work requirement handled?

Individuals exempt from the general work requirement due to receiving unemployment compensation or OWF benefits are to comply with the unemployment compensation or OWF requirements. When a county agency learns that an assistance group has lost or been denied unemployment compensation or OWF eligibility, the county agency is to determine whether the loss or denial was caused by a determination of the administering agency that the individual failed or refused without good cause to comply with an unemployment compensation or OWF requirement.

(1) When it is determined that the individual failed or refused to meet an OWF requirement and all members of the SNAP assistance group are receiving OWF benefits, the county agency is to follow rule 5101:4-3-09 of the Administrative Code.

(2) When it is determined that the individual failed or refused to meet an OWF requirement and one or more members of the SNAP assistance group are not in receipt of OWF benefits, or the individual failed or refused to meet an unemployment compensation requirement, the county agency is to determine if the individual who failed or refused to meet an unemployment compensation or OWF program requirement was exempt from the general work requirements pursuant to rule 5101:4-3-11 of the Administrative Code and:



- (a) When the individual meets a different exemption from the general work requirements, no further action is needed.

- (b) When the individual does not meet a different exemption from the general work requirements, the county agency is to sanction the individual in accordance with paragraph (C) of this rule. The income and resources of the individual will be treated in accordance with paragraph (A) of rule 5101:4-6-13 of the Administrative Code.

- (c) Assistance group members who fail to comply with an unemployment compensation or OWF requirement that is not equivalent to that of a SNAP work requirement are to lose their exemption and must be registered for work when not otherwise exempt.