



## Ohio Administrative Code

### Rule 5101:4-3-38 Food assistance employment and training: conciliation process.

Effective: September 1, 2018

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The county agency shall have a conciliation process to resolve disputes that arise concerning required supplemental nutrition assistance program (SNAP) employment and training participation.

The conciliation process may be initiated by the participant or by the county agency. The conciliation process shall be posted within the county agency and shall be given in writing to each SNAP employment and training participant during the appraisal interview pursuant to the provisions of rule 5101:4-3-29 of the Administrative Code.

(A) What should the conciliation process include?

The conciliation process shall include, but is not limited to:

- (1) Disputes over assignments.
- (2) Inappropriate treatment by a county agency employee or worksite supervisor.
- (3) Irregular work hours that create a severe hardship on the participant.
- (4) Worksite assignments that deviate from the normal duties of the job.
- (5) Disagreement with disciplinary action at the worksite involving the participant.
- (6) Other areas of concern to the participant relating to participation.
- (7) Disputes concerning working conditions and workers' compensation coverage.
- (8) Wage rate calculations to determine the hours of participation.
- (9) Disputes concerning failure to participate in the SNAP employment and training program.



(B) How can the conciliation process be initiated?

The conciliation process can be initiated by any of the following:

- (1) A written notice from the county agency to the participant for a conciliation conference;
- (2) A written or verbal request from the participant to the county agency for a conciliation conference; or
- (3) A written or verbal request from the participant to the county agency for a conciliation conference when there is an act of nonparticipation. The conciliation process requires that such requests shall be made within seven calendar days that begins the day following the day of nonparticipation.

(C) Does the county agency have to track conciliation requests?

The county agency shall maintain an accurate record of all conciliation requests, including any pertinent facts and the resolution of the conciliation. Once a conciliation request is initiated, the county agency should attempt an informal resolution.

(D) How long should a decision take?

A resolution of the conciliation process initiated in accordance with paragraph (B) of this rule, shall be reached within a maximum of fifteen calendar days beginning with the date the conciliation process was initiated. No adverse action, as related to the SNAP employment and training program, may be proposed until the conciliation process, when requested, is concluded.

(E) Who can attend the conciliation process?

When a conciliation process is initiated, the county agency shall convene a conciliation conference that is presided over by the director or a designee. Both the county agency and the individual may bring whomever each reasonably wants to be at the conference in an attempt to informally resolve



differences. When appropriate, the worksite supervisor may attend, or information from the worksite supervisor as requested by the county agency may be presented.

(F) When a conciliation conference is conducted may a recipient request a county conference or a state hearing?

(1) The conciliation conference does not replace the right to request a county conference pursuant to the provisions of Chapters 5101:6-1 to 5101:6-9 of the Administrative Code and the conciliation process shall not in any way limit the participant's hearing rights.

(2) The individual shall be notified in writing of the outcome of the conciliation conference. The notification shall also contain an explanation of the right to a state hearing pursuant to the provisions of Chapters 5101:6-1 to 5101:6-9 of the Administrative Code. When the conciliation conference is to be followed by a proposal of an adverse action, the prior notice sent to the individual will fulfill this requirement.