



Ohio Administrative Code

Rule 5101:4-6-07 Food assistance: strikers.

Effective: September 1, 2018

(A) Who is considered a striker?

(1) Anyone involved in a strike or concerted stoppage of work by employees (including a stoppage by reason of the expiration of a collective-bargaining agreement) and any concerted slowdown or other concerted interruption of operations by employees.

(2) Any employee affected by a lockout, however, shall not be deemed to be a striker.

(3) An individual who goes on strike but is exempt from work registration or completion of the information form on the day prior to the strike, other than those exempt solely on the grounds of being employed at the site of the strike, shall not be deemed to be a striker. Prestrike eligibility shall be determined by considering the day prior to the strike as the day of application and assuming the strike did not occur.

(4) When a striker obtains another job working at least thirty hours per week (or receiving weekly earnings equal to the federal minimum wage multiplied by thirty hours per week), he/she becomes exempt from work registration but continues to be considered a striker until a formal, written resignation is submitted to the first employer.

(5) Examples of nonstrikers who are eligible for participation in the supplemental nutrition assistance program (SNAP) include, but are not limited to:

(a) Employees whose workplace is closed by an employer in order to resist demands of employees (e.g. a lockout).

(b) Employees unable to work as a result of striking employees (e.g. striking newspaper pressmen preventing newspapers from being printed and, consequently, truck drivers who are not working because there are no papers to deliver).



(c) Employees who are not part of the bargaining unit on strike not wanting to cross a picket line due to fear of personal injury or death.

(B) How are benefits calculated for an assistance group with a striking member?

Income eligibility at the time of application shall be determined by comparing the striking member's income on the day before the strike to the striker's current income and adding the higher of the two to the current income of nonstriking members during the month of application. When the assistance group is eligible, the higher income figure must also be used in determining the assistance group's benefit amount. Whether the striker's prestrike earnings are used or the current income is used, the earned income deduction shall be allowed if appropriate. An assistance group shall not receive an increased allotment as the result of a decrease in the income of the striking member(s) of the assistance group.

(C) Does a striker have to work register?

Strikers whose assistance groups are eligible to participate shall be subject to the work registration requirements unless exempt under rule 5101:4-3-11 of the Administrative Code the day of application. Strikers subject to work registration and receiving either a local or state assistance program or SNAP benefits are subject to the employment and training program unless otherwise exempt from participation.