



## Ohio Administrative Code

### Rule 5101:4-9-07.6 SNAP E&T work experience.

Effective: October 1, 2024

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#### (A) What is work experience?

Work experience is a component designed to provide a planned, structured learning experience that takes place in a workplace for a limited period of time and improves the employability of supplemental nutrition assistance program (SNAP) employment and training (E&T) enrolled participants through actual work experience or training, or both. County agencies are to design their work experience programs to at least accomplish the following objectives:

- (1) SNAP E&T enrolled participants will move promptly into regular public or private employment as a result of the experience; and
- (2) SNAP E&T enrolled participants will acquire the general skills, knowledge, and work habits necessary to obtain employment.

#### (B) What activities are included in work experience?

Work experiences include either:

(1) A work activity performed in exchange for supplemental nutrition assistance program (SNAP) benefits that provides an enrolled participant with an opportunity to acquire the general skills, knowledge, and work habits necessary to obtain employment. A work activity can be arranged within the private for-profit sector, the non-profit sector, or the public sector (as opposed to the workfare component which is to take place at a public or private non-profit institution). Work activity is a training program and should include:

- (a) Clearly articulated outcome goals;
- (b) Intentional day-to-day activities that are designed to improve someone's skills and employability;



and

(c) A planned start date and end date.

(2) A work-based learning program that emphasizes employer engagement and enables enrolled participants to move into regular public or private employment. A work-based learning program in SNAP E&T is a sustained interaction with industry or community professionals in real world settings (or simulated environments at an educational institution) that includes an element of training that fosters in-depth, firsthand engagement with the tasks in a given field that are aligned to curriculum and instruction. A county agency determines which work-based learning activities to offer, if any. Except for on-the-job training, a county agency also determines if the activities will be paid or unpaid, and whether or not to subsidize the wages with E&T funds. Program activities can include, but are not limited to:

(a) Internships: A planned, structured learning experience that takes place in a workplace for a limited period of time with the goal to build technical and job awareness skills. Internships may be paid or unpaid and consistent with other laws, such as the Fair Labor Standards Act (9/2019). An internship may be arranged within the private for profit sector , the non-profit sector, or the public sector.

(b) Pre-apprenticeships/apprenticeships: A program or set of strategies designed to enter and succeed in a registered apprenticeship program. Pre-Apprenticeships may be used to provide work experiences that can help obtain the skills needed to be placed into a registered apprenticeship. Pre-Apprenticeship services and programs are designed to prepare individuals to enter and succeed in registered apprenticeship programs.

(c) Customized training: Training that is designed to meet the unique needs of an employer (including a group of employers); that is conducted with a commitment by the employer to employ an individual upon successful completion of the training; for which the employer pays for a significant cost of the training.

(d) Transitional jobs: A transitional job provides a work experience for a limited period of time, that is wage-paid and subsidized, and is in the public, private, or non-profit sectors for those individuals



with barriers to employment who are chronically unemployed or have inconsistent work history.

These jobs are designed to enable a person to establish a work history, demonstrate work success in an employee-employer relationship, and develop the skills that lead to unsubsidized employment.

(e) Incumbent worker training: A program designed to meet the unique needs of an employer (including a group of employers) to retain a skilled workforce or avert the need to lay off employees by assisting the workers in obtaining the skills necessary to retain employment; and conducted with a commitment by the employer to retain or avert the layoffs of the incumbent worker(s) trained.

(f) On-the-job workers training (OJT): A work placement made through a contract with an employer or registered apprenticeship program sponsor in the public, private non-profit, or private sector. Through the on-the-job training (OJT) contract, occupational training is provided for the participant in exchange for the reimbursement, typically up to fifty per cent of the wage rate of the participant, for the extraordinary costs of providing the training and supervision related to the training. An OJT contract is to be limited to the period of time necessary for a participant to become proficient in the occupation for which the training is being provided. In determining the appropriate length of the contract, consideration should be given to the skills that are necessary to the occupation, the academic and occupational skill level of the participant, prior work experience, and the participant's individual employment plan. Wages are reimbursed at a set percentage by the organization to the employer for the length of the contract. OJT also carries the expectation that the participant will be hired by the employer in a permanent position when the contract ends.

(C) How are work experience activities to be implemented?

(1) Prior to making an assignment, the SNAP E&T case manager is to calculate the maximum number of hours that may be assigned each month by dividing the amount of the enrolled participant's SNAP allotment divided by the federal or state minimum wage, whichever is higher. This is referred to as the "FLSA maximum."

(2) Regardless of the activity, a work experience:

(a) Is not to provide any work that has the effect of replacing the employment of an individual not participating in the employment or training experience program; and



(b) Is to provide the same benefits and working conditions that are provided at the job site to employees performing comparable work for comparable hours.

(3) SNAP E&T enrolled participants are not to be used to fill existing vacant positions and no participant is to perform work that has the effect of reducing the work or promotional opportunities of employees. They may, however, perform the same type of work as the employee. Reducing the work of employees means reducing the number of hours, wages or employment benefits of regular or part-time employees, or reducing the number of positions that the employer certifies would otherwise be filled by regular employees.

(D) Who is best suited for participation in work experience?

Individuals who are work-ready and who, in the judgment of the SNAP E&T case manager, can move promptly into regular public or private employment as a result of their participation.

(E) What are the limitations on participating in work experience?

(1) The number of hours an enrolled participant is assigned to participate in a work experience is not to exceed the FLSA maximum.

(a) An enrolled participant may choose (but is not obligated) to participate for additional hours in one or more additional SNAP E&T components.

(b) An enrolled participant who is an able-bodied adult without dependents (ABAWD), does not fulfill their work requirement merely by participating in a work experience for the FLSA maximum each month. If the ABAWD did not complete enough hours through E&T to fulfill their work requirement, they are to identify other opportunities to fulfill their work requirement.

(c) Subsidized work-based learning activities are limited to once every twelve months for each participant.

(d) A county agency is not to subsidize the wages of more than three per cent of the workforce at any



one time for any employer or SNAP E&T provider in the private for-profit sector.

(2) A SNAP E&T case manager may assign an enrolled participant to a work experience for a reasonable amount of time; however, the assignment is not to exceed six continuous months. However, if an individual is participating in a registered apprenticeship program and the program is to last longer than six months, the individual may complete the full apprenticeship program.