

Regulatory Reform at a Glance

Final Rule: Employment for Work-Capable Adults

The Issue

In December 2019, the U.S. Department of Agriculture (USDA) Food and Nutrition Service (FNS) published a final rule entitled “Supplemental Nutrition Assistance Program (SNAP): Requirements for Able-Bodied Adults without Dependents”. This action supports the Agency’s commitment to promoting employment by applying a common-sense policy to SNAP’s work-related program standards for able-bodied adults without dependents (ABAWDs).

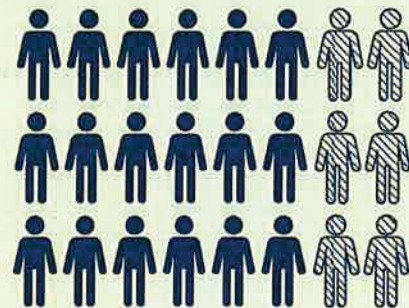
The Background

SNAP statute limits participation by adults ages 18-49, without a dependent and without a disability, to 3 months in a 36-month period unless the individual is working or participating in a work program for at least 80 hours per month or volunteering. The law allows states to waive these limits in areas where sufficient jobs are not available and exempt a percentage of individuals who are not work-capable.

Despite a booming economy and need for workers, nearly half of ABAWDs receiving SNAP now live in waived areas. According to recent job numbers, the unemployment rate is at 3.6% and there are 7 million job openings. Now is the time for more Americans to enter, re-enter, and remain in the workforce.

There is a wide range of ways for individuals to engage and maintain their benefits, from SNAP-funded Employment and Training programs, to programs and services provided by other Federal agencies, state and county governments, and local service providers. All efforts are intended to support adults as they move towards—and into—employment.

In 2018, there were 2.9 million individual ABAWDs on the SNAP rolls, with 2.1 million (nearly 74%) not working.



Summary of Changes

The final rule applies a common-sense approach to promoting work by:



Setting Clear Expectations about Program Participation

- Shifts the default toward work preparation or work.
- Emphasizes States' duty to assess each individual as work-capable.
- Reaffirms the expectation on States for the use of uncapped Employment and Training matching funds, which may provide training through to necessary work supports, such as boots, uniforms, and transit, subsidies.
- Continues the use of exemptions for adults who are having difficulty entering the workforce and allows states to carry over unused exemptions from one year to the next.
- Ensures support by state government chief executive before waivers are requested.



Recognizing Dynamic On-The-Ground Employment Conditions

- Expects area-specific requests for waivers, rather than sweeping state-wide waivers.
- Adopts the use of Labor Market Areas—areas the Labor Department identifies where residents can find jobs within a reasonable distance, or change jobs without changing their residence.
- Eliminates the use of Labor Surplus Areas as a criterion, because they may not encompass the full range of distance where people can live and find jobs reasonably close-by.
- Limits the duration of waivers to ensure that they reflect current economic conditions.



Strengthening and Standardizing Criteria for Waiver Approval

- Sets clear, robust, and quantitative standards for allowable waivers.
- Adds specific quantitative standard, 6% unemployment rate, to initiate alternative approaches to requesting a waiver.
- Increases consistency by requiring the use of standardized data to support waivers except in areas where it may not be available, such as Indian reservations and US territories, and provides appropriate alternatives.