28. Able Bodied Adults Without Dependents
(ABAWDs) - Work Requirement

28.1 Definition (63-410)

An ABAWD is an individual who meets ALL of the following criteria. He/she is:

- A mandatory CalFresh work registrant (includes individuals registered in substitute programs)
- 18 years of age or older
- Under age 50
- Not pregnant
- Not a member of a CalFresh household which includes a child under 18 years of age. (The child may be an excluded CalFresh household member.)

Note:
The United States Department of Agriculture, Food and Nutrition Service (FNS), has approved an ABAWD waiver extension through December 31, 2017.

28.2 Initial Determination

An initial determination is required for:

- All applicants to determine if they meet the definition of an ABAWD at the time of application UNLESS they are reapplying and their 36-month period has already been determined. This includes individuals who received CalFresh from another county or state.

Note:
Once an individual’s ABAWD period has begun, that individual remains an ABAWD regardless of whether that individual later becomes exempt, or is discontinued, and subsequently reapplies.
Able Bodied Adults Without Dependents (ABAWDs) - Work Requirement

- All individuals who do not meet the definition of an ABAWD at the time of application but who later do so because of a change in circumstances.

- Some changes in circumstances which may affect the ABAWD status include:
  - Child turns 18 years of age,
  - Pregnant woman miscarries,
  - Unemployment Insurance Benefits end,
  - Medical exemption expires, or
  - Student drops out of school.

When a person loses an exemption due to a change in circumstances which is subject to reporting requirements, a determination of his/her ABAWD status must be made when the change is reported. When a person loses his/her exemption status due to a change in circumstances which is NOT subject to reporting requirements, he/she remains exempt from work registration and the ABAWD work requirement until recertification.

28.2.1 Initial Determination Decision Chart

To make the INITIAL determination of whether a person is an ABAWD, refer to the following chart:

<table>
<thead>
<tr>
<th>Step</th>
<th>Action</th>
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| 1.   | Is this person exempt from the work registration requirements? [Refer to “Exemptions [63-407.21],” page 27-2].
  - If yes, STOP HERE. This person is NOT an ABAWD.
  - If no, go to step #2. |
| 2.   | Is this person under 18 or 50 years of age or older?  
  If yes, STOP HERE. This person is NOT an ABAWD.  
  If no, go to step # 3. |
| 3.   | Is this person pregnant?  
  If yes, STOP HERE. This person is NOT an ABAWD.  
  If no, go to step # 4. |
| 4.   | Is this person part of a CalFresh household which includes a child (whether included or excluded) under 18 years of age?  
  If yes, STOP HERE. This person is NOT an ABAWD.  
  If no, THIS PERSON IS AN ABAWD. |
28.3 ABAWD Waiver

Individuals who were previously discontinued for failure to meet the ABAWD work requirement, are no longer subject to the ABAWD work requirement as long as they live in an ABAWD waiver county. If these individuals reapply for Non-Assistance CalFresh benefits, while the county has the ABAWD waiver, they will be approved for benefits, if otherwise eligible.

28.3.1 Tracking

All ABAWDs must continue to be coded as ABAWDs for reporting purposes. Once the determination is made that the individual is an ABAWD, that individual must be identified as an ABAWD on the Collect Special Indicator Detail window in the CalWIN system.

28.3.2 ABAWD Calendar

As of May 1, 2008, an ABAWD 36-month calendar must not be established for new ABAWD applicants, nor must a new calendar be started for any ABAWD whose previous 36-month period ends while the waiver is in effect.

Individuals who already have an established ABAWD 36-month calendar when the waiver becomes effective, must have their Status changed to “Exemption” on the Collect Individual Time Limit Clock Detail window, with the Exemption Code of “County Wide ABAWD Waiver” on the Collect Individual Time Clock Exemption Detail window. This status change must have an End Date of the end of the waiver period or the end of the ABAWDs 36-month period, whichever is earlier.

This also applies to individuals who have established an ABAWD calendar in another non-waiver county and then move to Santa Clara County.

Example:
A client is receiving CalFresh in Los Angeles County. His ABAWD period began in 04/2007. In 06/2008 he moves to Santa Clara County. An ABAWD Calendar must be set up in CalWIN and the information from L.A. County entered for 04/2007 to 05/2008. The status would be changed to “Exemption” as of 06/01/2008 for every month until 09/30/09 or until the 36-month period ends, whichever is sooner.
28.3.3 Work Sanctions

The ABAWD waiver has no effect on the CalFresh Employment and Training (CalFresh E&T) program sanction requirements or voluntary quit sanction requirements.

CalFresh E&T

When a work registrant fails to comply with the CalFresh E&T work registration requirements without good cause, the individual is ineligible for benefits. For more information please refer to [Refer to “Disqualification Period - Recipients,” page 27-16 and “Disqualification Period - Applicants,” page 27-17.]

Voluntary Quit

An individual is ineligible to participate in CalFresh if the individual voluntarily quits a job or reduced his/her hours of employment without good cause within 60 days prior to the date of application for CalFresh or anytime thereafter. For more information please refer to [Refer to “Voluntary Quit Disqualifications [63-408.1 & 63-408.2],” page 27-21.]

Other Programs’ Work requirements:

Clients who receive General Assistance (GA), and participate in a GA mandatory component, are to be considered voluntary registrants for CalFresh and are NOT subject to CalFresh sanctions for noncompliance with CalFresh E&T requirements. Clients who are sanctioned for non-compliance with a GA mandatory component, will have to be registered for work to comply with CalFresh work registration, unless exempt.

NOTE: CalFresh sanctions must still be imposed when an individual is sanctioned for failing to comply with work requirements for CalWORKs Welfare to Work Program, Unemployment Compensation and CalWORKs Unpaid Community Service and Work Experience.

28.3.4 Notification

All ABAWD applicants must be informed that they are not subject to the ABAWD work requirement for those months they reside in the county while the waiver is in effect.