
FLORIDAWORKS
Policies & Procedures

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SOP Number:	Subject: Deeming Hours (WTP)
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Effective Date: 9/24/07	Board Signature: <i>Ken McGurn</i>

I. Purpose

To establish local guidance on deeming (crediting) hours for TANF recipients who are fully participating in community service or work experience activities.

II. Background

The Administration for Children and Families (ACF) allow States to “deem” families who work the maximum number of hours permitted under the Fair Labor Standards Act (FLSA) rules, but still fall short of the 20-hour core work activity requirement, as having met that requirement. This policy outlines the deeming requirements per federal and state guidance (currently exhibited through the Work Verification Plan).

III. Policy

Deeming is only applicable to the worksite activities: Work Experience and Community Service.

The All Family Participation Rate requires 20 hours in a core work activity; the Two-Parent Participation Rate requires 30 or 50 hours in a core activity depending on the receipt of subsidized childcare. If the family’s FLSA calculation is less than the required core hours for Community Service or Work Experience, the individual is deemed to have met all core hours if the calculated hours are met.

FloridaWorks will calculate the scheduled weekly worksite hours by adding the amount of TANF cash assistance and Food Stamp (FS) allotment, dividing the result by the federal or state minimum wage (whichever is higher; currently Florida’s minimum wage is higher), and dividing that resulting figure by 4.3 to obtain the required participation hours per week on average.
[TANF + FS / minimum wage / 4.3] = weekly assigned hours.

Example

Beth is a single parent. Her monthly cash (TANF grant) is \$250 and her food stamp amount is \$200. The calculation results as follows:

$$\$250 + \$200 = \$450 / \text{min. wage (currently, } \$6.67) = 67 / 4.3 = 16$$

Beth is assigned for the month to complete 16 hours per week at a worksite. She turns in her timesheet after her first week indicating all 16 hours were complete, thus she is "deemed" to have completed her core requirement of 20 hours for that week.

Recording "Deemed" Hours

The timesheet documenting participation hours at the workplace must be retained in the case file and include:

- The appropriate dates;
- The appropriate signatures;
- The required (assigned) hours, and
- The actual hours completed.

A case note must be entered in OSST identifying the required hours assigned and the actual hours completed, and deemed hours for each week entered (i.e. "Beth was required to complete 16 hours for the week of (insert date). She completed her required 16 hours based on the calculation, and documentation supporting hours completed is in the case file. Consequently, Beth was "deemed" the full 20 core hours, and is recorded as such on the JPR screen").

As long as all required hours are fulfilled as evidenced by the required documentation, the JPR screen in OSST shall have 20 core hours entered (or appropriate core hours if 2-parent family).

When is deeming not appropriate?

- The family does not complete all hours required even though the hours were assigned based on the calculation.
- The family is assigned to fewer hours than the calculation requires, even if the assigned hours were fully met. For example, weekly calculation equals 17 hours and participant is assigned to 15 hours. If the participant completes the 15 hours, s/he is ineligible to be deemed the 20 core hours; only 15 core hours may be granted.