

**WAC 388-406-0021 How does being a migrant or seasonal farmworker affect my application for basic food?** The rules in this section apply to Basic Food assistance.

(1) A migrant farmworker is a person who travels away from home on a regular basis, usually with a group of other workers, to seek employment in an agriculturally related activity. A migrant assistance unit is an assistance unit that travels for this purpose.

(2) A migrant assistance unit (AU) is an AU that travels for this purpose.

(3) A seasonal farmworker is a person who:

(a) Does agricultural work on a farm for edible crops; and

(b) Is not required to be away from their permanent place of residence overnight in order to perform this work.

(4) Agricultural work is field work in either planting, cultivating, or harvesting a crop.

(5) We consider your AU a seasonal farmworker AU if it receives its only countable income from:

(a) Seasonal farmwork;

(b) Unemployment compensation between seasons; or

(c) Interest your AU earns on a checking or savings account.

(6) Your migrant or seasonal farmworker is destitute if:

(a) Your AU received your income for the month of application before the date you applied for benefits and the source of this income no longer provides income; or

(b) Your AU's income for the month of application is from a new source and your AU will not receive more than twenty-five dollars during the ten calendar days from the date you applied for benefits.

(7) If someone in your AU changes jobs but still works for the same employer, we consider them to be receiving income from the same source.

(8) If your AU is a migrant or seasonal farmworker AU, and your certification period ends, we do not prorate your benefits for the first month of your new certification period unless your certification period ended more than a month before you turned in your application to recertify your benefits.

(9) If your migrant or seasonal farmworker AU is destitute:

(a) We may exclude some of your income for the month you applied for benefits under WAC 488-450-0230 [388-450-0230]; and

(b) We budget your AU's income for the month you applied for benefits using the anticipating monthly method under WAC 388-450-0215.

[Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.510. WSR 03-22-039, § 388-406-0021, filed 10/28/03, effective 12/1/03. Statutory Authority: RCW 74.08.090 and 74.04.510. WSR 99-24-008, § 388-406-0021, filed 11/19/99, effective 1/1/00.]