Chapter 388-444 WAC
BASIC FOOD WORK REQUIREMENTS

Last Update: 2/6/26

WAC

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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

388-444-0020 When must clients register for work but are not required to participate in the food stamp employment and training program (FS E&T)? [Statutory Authority: RCW 74.04.510 and 74.04.050. WSR 00-21-111, § 388-444-0020, filed 10/18/00, effective 11/18/00. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057 and 74.08.090. WSR 98-16-044, § 388-444-0020, filed 7/31/98, effective 9/1/98.] Repealed by WSR 10-18-048, filed 8/26/10, effective 10/1/10. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.500, 74.04.515, 74.08.090, 74.08A.120, 74.08A.903, and 7 U.S.C. 2015 (d)(1); 7 C.F.R. § 273.7.

WAC 388-444-0005 Am I required to work, register for work, or look for work in order to be eligible for basic food? Some people must register for work to receive basic food.

(1) If you receive basic food, we register you for work if you are:

(a) Age sixteen through fifty-nine; and

(b) Not exempt from work registration under WAC 388-444-0010.

(2) If you are required to register for work, we register you:

(a) When you apply for basic food benefits or are added to someone's assistance unit; and

(b) [At least once] every twelve months thereafter [or at recertification if your work registration status changes].

(3) If we register you for work, you must:

(a) Contact us as required;

(b) Provide information regarding your employment status and availability for work if we ask for it;

(c) Report to an employer if we refer you;

(d) Not voluntarily quit a job or reduce your work effort as defined under WAC 388-444-0065 unless you have good cause under WAC 388-444-0070;

(e) Accept a bona fide offer of suitable employment. We define unsuitable employment under WAC 388-444-0060; and

(f) Not be in sanction status under WAC 388-310-1600 (if you are a mandatory WorkFirst participant).

(4) If we register you for work, you must meet all of the requirements under subsection (3) of this section. If you do not meet these requirements, we disqualify you from receiving benefits as described in WAC 388-444-0055, unless you meet the good cause conditions as defined in WAC 388-444-0050.

[Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.08.090, 74.08A.120, 7 C.F.R. 273.7 and 273.24. WSR 16-04-046, § 388-444-0005, filed 1/27/16, effective 2/27/16. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.08.090, and 7 C.F.R. § 273.7. WSR 13-21-126, § 388-444-0005, filed 10/22/13, effective 11/22/13. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.500, 74.04.515, 74.08.090, 74.08A.120, 74.08A.903, and 7 U.S.C. 2015 (d)(1); 7 C.F.R. § 273.7. WSR 10-18-048, § 388-444-0005, filed 8/26/10, effective 10/1/10. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.500, 74.04.510, 74.04.515, 74.08.090, 74.08A.903 and Food, Conservation and Energy Act of 2008. WSR 09-04-009, § 388-444-0005, filed 1/22/09, effective 2/22/09. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.08.090, and 7 C.F.R. 273.7 and 273.25. WSR 07-14-125, § 388-444-0005, filed 7/3/07, effective 8/3/07; WSR 06-24-026, § 388-444-0005, filed 11/29/06, effective 1/1/07. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057 and 74.08.090. WSR 98-16-044, § 388-444-0005, filed 7/31/98, effective 9/1/98.]

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

WAC 388-444-0010 Who is exempt from work registration while receiving basic food? If you receive basic food, you are exempt from work registration and the requirements in chapter 388-444 WAC if you meet any one of the following conditions:

(1) Are age sixteen or seventeen, and:

(a) Not the head of household;

(b) Attend school; or

(c) Are enrolled at least half time (using the institutions definition) in an employment and training program under:

(i) The Workforce Innovation and Opportunity Act of 2014 (WIOA);

(ii) Section 236 of the Trade Act of 1974; or

(iii) A state or local employment and training program.

(2) You are a student age eighteen or older enrolled at least half time as defined by the institution in:

(a) Any accredited school;

(b) A training program; or

(c) An institution of higher education. If you are enrolled in higher education, you must meet the requirements under WAC 388-482-0005 to be eligible for basic food benefits.

(3) You are an employed or self-employed person working at least thirty hours per week, or receiving weekly earnings equal to the federal minimum wage multiplied by thirty;

(4) You are complying with the work requirements of an employment and training program under temporary assistance for needy families (TANF);

(5) You receive unemployment compensation (UC) benefits or have an application pending for UC benefits;

(6) You are responsible to care for:

(a) A dependent child under age six; or

(b) A person with an incapacity that meets the requirements of WAC 388-310-0350 (1)(d)(i), (ii), (iv), and (v), except the person does not need to be related to you as stated in (1)(d)(v).

(7) You are physically or mentally unable to work as determined below:

(a) A DSHS SSI facilitator has assessed you as likely to be approved for SSI or other benefits and are required to apply for SSI or another type of federal disability benefit (such as railroad retirement or Social Security disability) and your SSI application status may be verified through either the SSI facilitator or state data exchange, or both;

(b) You have a severe and chronic mental, physical, emotional, or cognitive disability that prevents you from participating in work or work activities for at least thirty hours a week; or

(c) We verify your disability using documentation from DDA, DVR, HCS, MHD, or RSN, or by one of the medical or mental health professionals listed in WAC 388-310-0350(2).

(8) You regularly participate in a drug addiction or alcoholic treatment and rehabilitation program as defined by the Food Stamp Act of 1977.

(9) You are not legally able to work due to your immigration status.

[Statutory Authority: RCW 74.04.005, 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.08.090, 74.08A.120, and 74.09.035. WSR 22-01-201, § 388-444-0010, filed 12/21/21, effective 2/1/22. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.500, 74.04.510, 74.08.090, 74.08A.120 and 7 C.F.R. 273.7, 7 C.F.R. 273.24. WSR 21-07-132, § 388-444-0010, filed 3/23/21, effective 4/23/21. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.08.090, 74.08A.120, 7 C.F.R. 273.7 and 273.24. WSR 16-04-046, § 388-444-0010, filed 1/27/16, effective 2/27/16. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.090, 74.08A.250, and 2013 c 39. WSR 13-24-043, § 388-444-0010, filed 11/26/13, effective 1/1/14. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.500, 74.04.515, 74.08.090, 74.08A.120, 74.08A.903, and 7 U.S.C. 2015 (d)(1); 7 C.F.R. § 273.7. WSR 10-18-048, § 388-444-0010, filed 8/26/10, effective 10/1/10. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057 and 74.08.090. WSR 98-16-044, § 388-444-0010, filed 7/31/98, effective 9/1/98.]

WAC 388-444-0015 How can the basic food employment and training (BFET) program help me find work? The basic food employment and training (BFET) program is the name for Washington's voluntary supplemental nutrition assistance program (SNAP) employment and training program.

(1) If you receive federally funded basic food benefits, SNAP, and are at least 16 years of age or older (see additional requirements to serve 16 to 17 year olds in this section) and are able to work at least 20 hours per week (see additional requirements in this section), you may choose to receive services through the BFET program in one or more of the following activities, if we currently provide the service in the county where you live:

(a) Job search and training, which may include:

(i) Labor market information;

(ii) Job seeking skills instruction;

(iii) Resume writing;

(iv) Job skills assessment;

(v) Coaching;

(vi) Work ethic training; or
(vii) Job placement services.
(b) Supervised job search, which may include:
(i) Use of computer, email, fax, telephone;
(ii) Search of job listings; and
(iii) Securing identification, professional license, or certifications.
(c) Basic education, which may include:
(i) Education in basic computer skills;
(ii) Literacy or math training;
(iii) High school equivalency (formerly GED); or
(iv) Basic education for adults (BEA).
(d) English as a second language (ESL).
(e) Life skills training, which may include:
(i) Work preparation;
(ii) Health and well-being;
(iii) Effective communication;
(iv) Personal strength builders; or
(v) Community engagement.
(f) Vocational education, which may be:
(i) Credentialed;
(ii) Recognized by an independent third party; or
(iii) Accepted by local industry employers.
(g) Job retention services, which may include:
(i) Counseling;
(ii) Coaching;
(iii) Case management; and
(iv) Participant reimbursements.
(h) Paid or unpaid work based learning.
(i) Self-employment training, which may include:
(i) Technical assistance;
(ii) Creating financial marketing plans;
(iii) Accessing small business grants; and
(iv) Finding other business support services.
(j) Integrated education and training, which may include:
(i) Vocational education and English language acquisition; or
(ii) Vocational education and basic education; or
(iii) Vocational education, language acquisition, and basic education.

(2) If you are eligible to participate in BFET activities, you must be able to participate or work at least 20 hours per week, up to 40 hours per week.

(3) Youth ages 16 to 17 may participate in BFET programs, whether they receive basic food benefits independently or through their parents basic food case.

(a) The participation exception for youth are secondary education, or high school equivalency classes.

(b) Youth may participate in vocational education programs if they have received or in the process of receiving their high school equivalency.

(c) Youth 16 years and older do not require parental consent to participate in BFET.

(d) Persons with a verified disability (which may include those receiving services from the division of vocational rehabilitation) may be eligible for BFET services.

(4) If you are an able-bodied adult without dependents (ABAWD), you may be eligible for BFET services.

(5) If you receive employment and training services within multiple department of social and health services administrations, you cannot receive duplication of services, nor duplication of support services.

(6) If you receive benefits under the state-funded food assistance program (FAP), you are not eligible to participate in BFET.

(7) If you receive temporary assistance to needy families (TANF), you are not eligible to participate in BFET.

[Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.500, 74.04.515, 74.04.535, 74.08.090, 74.08A.120, and 74.08A.903. WSR 26-03-088, s 388-444-0015, filed 1/20/26, effective 2/20/26. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.500, 74.04.515, 74.04.535, 74.08.090, 74.08A.120, and 74.08A.903; 7 U.S.C. 2015 (d)(1) and 7 C.F.R. § 273.7. WSR 21-19-040, § 388-444-0015, filed 9/10/21, effective 10/11/21. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.090, 74.08A.250, and 2013 c 39. WSR 13-24-043, § 388-444-0015, filed 11/26/13, effective 1/1/14. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.500, 74.04.515, 74.08.090, 74.08A.120, 74.08A.903, and 7 U.S.C. 2015 (d)(1); 7 C.F.R. § 273.7. WSR 10-18-048, § 388-444-0015, filed 8/26/10, effective 10/1/10. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.08.090, 7 C.F.R. 273.7 and 273.25. WSR 06-24-026, § 388-444-0015, filed 11/29/06, effective 1/1/07. Statutory Authority: RCW 74.04.050 and 74.04.510. WSR 00-04-006, § 388-444-0015, filed 1/20/00, effective 3/1/00. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057 and 74.08.090. WSR 98-16-044, § 388-444-0015, filed 7/31/98, effective 9/1/98.]

WAC 388-444-0025 What support services may the basic food employment and training (BFET) program support to help me participate? The BFET program may support certain expenses needed for you to participate in the BFET program based on contractors' programs. The BFET program may support the following expenses:

(1) Transportation related costs;

(2) Books and training supplies;

(3) Clothing;

(4) Educational or credential testing;

(5) Housing;

(6) Personal hygiene; or

(7) Child care or medical;

(a) Dependent care costs for each dependent through 12 years of age.

(b) We do not pay your dependent care costs if:

(i) The child is 13 years of age or older unless they are:

(A) Physically or mentally unable to care for themselves; or

(B) Under court order requiring adult supervision; or

(C) Any member in the food assistance unit provides the dependent care.

(ii) We do not use the cost of dependent care the department pays for under subsection (1) of this section as an income deduction for your household's dependent care costs under WAC 388-450-0185.

[Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.500, 74.04.515, 74.04.535, 74.08.090, 74.08A.120, and 74.08A.903. WSR 26-03-088, s 388-444-0025, filed 1/20/26, effective 2/20/26. Statutory

Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.500, 74.04.515, 74.04.535, 74.08.090, 74.08A.120, and 74.08A.903; 7 U.S.C. 2015 (d)(1) and 7 C.F.R. § 273.7. WSR 21-19-040, § 388-444-0025, filed 9/10/21, effective 10/11/21. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.500, 74.04.515, 74.08.090, 74.08A.120, 74.08A.903, and 7 U.S.C. 2015 (d)(1); 7 C.F.R. § 273.7. WSR 10-18-048, § 388-444-0025, filed 8/26/10, effective 10/1/10. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, and 74.08.090. WSR 07-21-075, § 388-444-0025, filed 10/16/07, effective 11/16/07; WSR 98-16-044, § 388-444-0025, filed 7/31/98, effective 9/1/98.]

WAC 388-444-0030 Are able-bodied adults without dependents (ABAWD) subject to additional work requirements and time limits to be eligible for basic food? (1) An able-bodied adult without dependents (ABAWD) is a person who:

(a) Is age 18 through 64 beginning July 4, 2025; and

(b) Is fit for work and not exempted under WAC 388-444-0035.

(2) A nonexempt ABAWD is not eligible to receive food assistance for more than three full months (which do not have to be consecutive months), not including any partial benefit months in a 36-month period, unless the ABAWD:

(a) Works an average of 80 hours per month, including:

(i) Work in exchange for money;

(ii) Work in exchange for goods or services ("in kind" work);

(iii) Unpaid work that is verified according to department requirements; or

(iv) Any combination of (a)(i) through (iii) of this subsection.

(b) Participates in one of the following work programs and is meeting the requirements of that work program:

(i) The Workforce Innovation and Opportunity Act of 2014;

(ii) Section 236 of the Trade Act of 1974;

(iii) A state-approved employment and training program at least an average of 80 hours per month; or

(c) Participates in an unpaid work program as provided in WAC 388-444-0040.

[Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.500, 74.04.510, 74.08.090, 74.08A.120, and H.R.1, P.L. 119-21. WSR 26-05-015, s 388-444-0030, filed 2/6/26, effective 3/9/26. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.510, and 74.08.090. WSR 24-05-071, § 388-444-0030, filed 2/20/24, effective 3/22/24. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.500, 74.04.510, 74.08.090, 74.08A.120 and 7 C.F.R. 273.7, 7 C.F.R. 273.24. WSR 21-07-132, § 388-444-0030, filed 3/23/21, effective 4/23/21. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.500, 74.04.510, 74.08.090, 74.08A.120, and Title 7 C.F.R. Part 273.24. WSR 19-17-086, § 388-444-0030, filed 8/21/19, effective 9/21/19. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.08.090, 74.04.500, and 74.08A.120. WSR 18-02-037, § 388-444-0030, filed 12/22/17, effective 1/22/18. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.08.090, 74.04.500, 74.08A.120 and see WSR 16-07-003, other authority. WSR 16-07-003, § 388-444-0030, filed 3/3/16, effective 4/3/16. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.08.090, and 7 C.F.R. 273.24. WSR 15-18-042, § 388-444-0030, filed 8/26/15, effective 9/26/15; WSR 14-18-028, § 388-444-0030, filed 8/26/14, effective

9/26/14; WSR 13-17-123, § 388-444-0030, filed 8/21/13, effective 9/21/13; WSR 12-16-025, § 388-444-0030, filed 7/25/12, effective 8/25/12; WSR 11-18-039, § 388-444-0030, filed 8/31/11, effective 10/1/11. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.500, 74.04.515, 74.08.090, 74.08A.120, 74.08A.903, and 7 C.F.R. §§ 273.7 and 273.24. WSR 10-23-112, § 388-444-0030, filed 11/17/10, effective 12/18/10. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.08.090, 74.04.500, 74.08A.120, and American Recovery and Reinvestment Act of 2009. WSR 10-13-046, § 388-444-0030, filed 6/9/10, effective 7/10/10; WSR 09-14-018, § 388-444-0030, filed 6/22/09, effective 7/23/09. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057 and 74.08.090. WSR 98-16-044, § 388-444-0030, filed 7/31/98, effective 9/1/98.]

WAC 388-444-0035 Who is exempt from ABAWD time limits and minimum work requirements? Some people who receive basic food are exempt from able-bodied adult without dependents (ABAWD) time limits and minimum work requirements. You are exempt from ABAWD time limits and work requirements under WAC 388-444-0030 if you meet any one or more of the following:

(1) You are exempt from work requirements under WAC 388-444-0010;

(2) You are defined as:

(a) An Indian or Urban Indian as defined in section 4 paragraphs 13 and 18 of the Indian Health Care Improvement Act; or

(b) A California Indian as described in section 809(a) of the Indian Health Care Improvement Act.

(3) You are under age 18 or are age 65 or older beginning July 4, 2025.

(3) You receive temporary or permanent disability benefits issued by a governmental or private source;

(4) You are obviously mentally or physically unfit for employment as determined by the department; however, if the unfitness is not obvious, you must provide a statement that you are physically or mentally unfit for employment from a physician, physician's assistant, nurse, nurse practitioner, designated representative of the physician's office, licensed or certified psychologist, social worker, or any other medical personnel the department determines appropriate;

(5) You are an adult in a basic food assistance unit that has a family member who is under the age of 14;

(6) You are pregnant;

(7) You live in an area approved as exempt by U.S. Department of Agriculture (USDA); or

(8) You are eligible for one of the approved exemption slots under the USDA discretionary exemptions rule.

[Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.500, 74.04.510, 74.08.090, 74.08A.120, and H.R.1, P.L. 119-21. WSR 26-05-015, s 388-444-0035, filed 2/6/26, effective 3/9/26. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.500, 74.04.510, 74.08.090, 74.08A.120, and 7 C.F.R. 273.24 (c)(7) and (8). WSR 25-15-022, s 388-444-0035, filed 7/7/25, effective 8/7/25. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.510, and 74.08.090. WSR 24-05-071, § 388-444-0035, filed 2/20/24, effective 3/22/24. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.500, 74.04.510, 74.08.090, 74.08A.120 and 7 C.F.R. 273.7, 7 C.F.R. 273.24. WSR 21-07-132, § 388-444-0035, filed 3/23/21, effective

4/23/21. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.08.090, 74.08A.120, 7 C.F.R. 273.7, and SNAP. WSR 16-22-002, § 388-444-0035, filed 10/19/16, effective 11/19/16. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.08.090, 74.08A.120, 7 C.F.R. 273.7 and 273.24. WSR 16-04-046, § 388-444-0035, filed 1/27/16, effective 2/27/16. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.500, 74.04.515, 74.08.090, 74.08A.120, 74.08A.903, and 7 C.F.R. §§ 273.7 and 273.24. WSR 10-23-112, § 388-444-0035, filed 11/17/10, effective 12/18/10. Statutory Authority: RCW 74.04.050 and 74.04.510. WSR 03-05-031, § 388-444-0035, filed 2/10/03, effective 4/1/03; WSR 00-04-006, § 388-444-0035, filed 1/20/00, effective 3/1/00. Statutory Authority: RCW 74.04.510. WSR 99-07-024, § 388-444-0035, filed 3/10/99, effective 4/10/99. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057 and 74.08.090. WSR 98-16-044, § 388-444-0035, filed 7/31/98, effective 9/1/98.]

WAC 388-444-0040 May I volunteer for an unpaid work program in order to meet the work requirements under WAC 388-444-0030? May I volunteer for an unpaid work program to meet the work requirements under WAC 388-444-0030?

(1) To meet the work requirements of WAC 388-444-0030, you may volunteer for workfare, an unpaid work program that includes work with public or private nonprofit agencies contracted with the department of social and health services.

(2) We determine the number of hours you must participate by taking the total amount of food benefits your assistance unit (AU) receives and divide it by the state or local minimum wage, whichever is higher.

(3) If there are multiple able-bodied adults without dependents (ABAWD) in your AU, they share the responsibility of meeting the required number of hours.

(4) Workfare does not include court-ordered community service.

(5) We cannot require you to participate more than one hundred and twenty hours per month in an unpaid-work program, paid work, or a combination of activities. ABAWDs may choose to volunteer to participate in activities beyond one hundred and twenty hours per month.

(6) The department may pay for some of the costs for you to participate in work programs. We set the standards for the amount we will pay for these expenses.

[Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.08.090, 74.04.500, 74.08A.120 and 7 C.F.R. 273.24, 7 C.F.R. 273.7. WSR 18-15-044, § 388-444-0040, filed 7/13/18, effective 8/13/18. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.08.090 and 7 C.F.R. 273.24. WSR 14-18-028, § 388-444-0040, filed 8/26/14, effective 9/26/14. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.500, 74.04.515, 74.08.090, 74.08A.120, 74.08A.903, and 7 C.F.R. §§ 273.7 and 273.24. WSR 10-23-112, § 388-444-0040, filed 11/17/10, effective 12/18/10. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.500, 74.04.510, 74.04.515, 74.08.090, 74.08A.903 and Food, Conservation and Energy Act of 2008. WSR 09-04-009, § 388-444-0040, filed 1/22/09, effective 2/22/09. Statutory Authority: RCW 74.04.510. WSR 99-07-024, § 388-444-0040, filed 3/10/99, effective 4/10/99. Statutory Authority: RCW 74.04.050,

74.04.055, 74.04.057 and 74.08.090. WSR 98-16-044, § 388-444-0040, filed 7/31/98, effective 9/1/98.]

WAC 388-444-0045 How does an ABAWD regain eligibility for basic food after the three-month limit? (1) If you have received three months of benefits as an able-bodied adult without dependents (ABAWD) and are not eligible due to nonparticipation in the work requirements of WAC 388-444-0030, you may regain eligibility after reapplying for basic food by:

(a) Working eighty hours or more during a thirty-day period;

(b) Participating in and meeting the requirements of a work program as outlined in WAC 388-444-0030 for eighty hours or more during a thirty-day period;

(c) Participating in and meeting the requirements of the community service part of a workfare program;

(d) Meeting any of the work requirements in (a) through (c) of this subsection in the thirty days after the date you have reapplied for basic food; or

(e) Meeting an exemption as outlined in WAC 388-444-0035.

(2) If you regain eligibility for food assistance under subsection (1) of this section, you are eligible for basic food from:

(a) The date you reapplied for basic food if you requalify by participating in the workfare program; or

(b) The date of reapplication or the date you complete the required number of participation hours in a work or work-like activity, whichever is later.

(3) If you meet all other requirements for basic food and you have regained eligibility under subsection (1) of this section, you will receive an additional three consecutive months of basic food benefits that we start counting when you:

(a) Lose employment;

(b) Stop participating in a work or workfare program; or

(c) Stop qualifying for an exemption and you are not participating in work requirements.

(4) We only allow the additional three months of basic food once in each thirty-six month period under subsection (1) of this section.

[Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.08.090, 74.04.500, and 74.08A.120. WSR 18-02-037, § 388-444-0045, filed 12/22/17, effective 1/22/18. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.500, 74.04.515, 74.08.090, 74.08A.120, 74.08A.903, and 7 C.F.R. §§ 273.7 and 273.24. WSR 10-23-112, § 388-444-0045, filed 11/17/10, effective 12/18/10. Statutory Authority: RCW 74.04.510. WSR 99-07-024, § 388-444-0045, filed 3/10/99, effective 4/10/99. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057 and 74.08.090. WSR 98-16-044, § 388-444-0045, filed 7/31/98, effective 9/1/98.]

WAC 388-444-0050 What is good cause for failing to meet basic food work requirements? (1) If we have registered you to work, you may have a good reason (good cause) for refusing or failing to meet work requirements under WAC 388-444-0005.

(2) Good cause reasons include, but are not limited to:

(a) You were injured or ill;

(b) A household member who needs your help was injured or ill;

(c) A household emergency;
(d) The unavailability of transportation; or
(e) Lack of adequate dependent care for children six through twelve years of age.
(3) If we determine that you do not have good cause for failing or refusing to meet the work requirements under WAC 388-444-0005, you will be disqualified from receiving basic food as described under WAC 388-444-0055.

[Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.500, 74.04.515, 74.08.090, 74.08A.120, 74.08A.903, and 7 U.S.C. 2015 (d)(1); 7 C.F.R. § 273.7. WSR 10-18-048, § 388-444-0050, filed 8/26/10, effective 10/1/10. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057 and 74.08.090. WSR 98-16-044, § 388-444-0050, filed 7/31/98, effective 9/1/98.]

WAC 388-444-0055 What are the penalties if I refuse or fail to meet basic food work requirements? (1) If we register you for work you must meet the work requirements under WAC 388-444-0005 or 388-444-0030 unless you have good cause as defined in WAC 388-444-0050. If you do not follow these rules, you will become an ineligible assistance unit member as described under WAC 388-408-0035. The remaining members of the assistance unit continue to be eligible for basic food.
(2) If you do not meet basic food work requirements and we find that you did not have good cause, you cannot receive basic food for the following periods of time and until you meet program requirements:
(a) For the first failure, one month;
(b) For the second failure, three months; and
(c) For the third or subsequent failure, six months.
(3) If you become exempt under WAC 388-444-0010 and are otherwise eligible, you may begin to receive basic food.
(4) If you do not comply with the work requirements of the following programs, you cannot receive basic food unless you meet one of the conditions described under WAC 388-444-0010:
(a) WorkFirst;
(b) Unemployment compensation;
(c) The refugee cash assistance program.
(5) Within 10 days after learning of your refusal to participate in your program, we will send you a notice that your basic food benefits will end unless you comply with your program requirements.
(6) If you do not comply within 10 days, you will be issued a notice disqualifying you from receiving basic food until you comply with your program, or until you meet the work registration disqualification requirements in subsection (2) of this section.
(7) During the penalty period, if you begin to participate in any of the programs listed in subsection (4)(a) through (c) of this section or meet one of the conditions described under WAC 388-444-0010, the work registration disqualification also ends. If you are otherwise eligible, you may begin to receive basic food effective the first of the month following the change.
(8) After the penalty period in subsection (2) of this section is over, and you meet work requirements, and you are otherwise eligible, you may receive basic food:
(a) If you are alone in the assistance unit and apply to reestablish eligibility; or

(b) If you are a member of an assistance unit, you may resume receiving basic food.

[Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.510, and 74.08.090. WSR 23-07-060, § 388-444-0055, filed 3/10/23, effective 4/10/23. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.08.090, and 7 C.F.R. § 273.7. WSR 13-21-126, § 388-444-0055, filed 10/22/13, effective 11/22/13. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.500, 74.04.515, 74.08.090, 74.08A.120, 74.08A.903, and 7 U.S.C. 2015 (d)(1); 7 C.F.R. § 273.7. WSR 10-18-048, § 388-444-0055, filed 8/26/10, effective 10/1/10. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057. WSR 04-05-010, § 388-444-0055, filed 2/6/04, effective 3/8/04. Statutory Authority: RCW 74.04.050 and 74.04.510. WSR 00-04-006, § 388-444-0055, filed 1/20/00, effective 3/1/00. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057 and 74.08.090. WSR 98-16-044, § 388-444-0055, filed 7/31/98, effective 9/1/98.]

WAC 388-444-0060 What is unsuitable employment for basic food work requirements. If we register you for work, you must accept a bona fide offer of suitable employment in order to be eligible for basic food. We consider employment unsuitable when:

(1) The wage offered is less than the federal or state minimum wage, whichever is highest;

(2) The job offered is on a piece-rate basis and the average hourly yield expected is less than the federal or state minimum wage, whichever is highest;

(3) The employee, as a condition of employment, must join, resign from, or is barred from joining any legitimate labor union;

(4) The work offered is at a site subject to strike or lockout at the time of offer unless:

(a) The strike is enjoined under the Taft-Hartley Act; or

(b) An injunction is issued under section 10 of the Railway Labor Act.

(5) The employment has an unreasonable degree of risk to health and safety;

(6) You are physically or mentally unable to perform the job as documented by medical evidence or reliable information from other sources;

(7) The employment offered within the first thirty days of basic food work registration is not in your major field of experience;

(8) The distance from your home to the job is unreasonable considering the wage, time and cost of commute:

(a) The job is not suitable when daily commuting time exceeds two hours per day, not including transporting a child to and from child care; and

(b) The job is not suitable when the distance to the job prohibits walking and public or private transportation is not available.

(9) The working hours or nature of the job interferes with your religious observances, convictions, or beliefs.

[Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.500, 74.04.515, 74.08.090, 74.08A.120, 74.08A.903, and 7 U.S.C. 2015 (d)(1); 7 C.F.R. § 273.7. WSR 10-18-048, § 388-444-0060, filed 8/26/10, effective 10/1/10. Statutory Authority: RCW 74.04.050,

74.04.055, 74.04.057 and 74.08.090. WSR 98-16-044, § 388-444-0060, filed 7/31/98, effective 9/1/98.]

WAC 388-444-0065 Am I eligible for basic food if I quit my job or reduce my work effort? (1) You are not eligible for basic food if you voluntarily quit your current job without good cause as defined in WAC 388-444-0070, and:

(a) You were working or self-employed for thirty hours or more per week or you had weekly earnings at least equal to the federal minimum wage multiplied by thirty hours;

(b) The day you quit or the last day you worked was within thirty days before you applied for basic food or any time after application; and

(c) At the time you quit or the last day you worked, you would have been required to register for work as defined in WAC 388-444-0005.

(2) You are not eligible for basic food if you voluntarily reduce your work effort without good cause as defined in WAC 388-444-0070, and:

(a) You were working or self-employed for thirty hours or more per week or you had weekly earnings at least equal to the federal minimum wage multiplied by thirty hours;

(b) You reduced your work effort within thirty days before you applied for basic food or any time after application;

(c) After the reduction, you are working less than thirty hours per week or your weekly earnings are not at least equal to the federal minimum wage multiplied by thirty hours; and

(d) At the time of the reduction you would have been required to register for work as defined in WAC 388-444-0005.

(3) You are not eligible to receive basic food if you have participated in a strike against a federal, state, or local government and have lost your employment because of such participation within thirty days of application.

(4) The following are not considered voluntary quits:

(a) Ending a self-employment enterprise; or

(b) Resigning at the request of the employer.

[Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.08.090, 74.04.500, and 74.08A.120. WSR 18-02-037, § 388-444-0065, filed 12/22/17, effective 1/22/18. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.08.090, and 7 C.F.R. § 273.7. WSR 13-21-126, § 388-444-0065, filed 10/22/13, effective 11/22/13. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.500, 74.04.515, 74.08.090, 74.08A.120, 74.08A.903, and 7 C.F.R. §§ 273.7 and 273.24. WSR 10-23-112, § 388-444-0065, filed 11/17/10, effective 12/18/10. Statutory Authority: RCW 74.04.050 and 74.04.510. WSR 00-04-006, § 388-444-0065, filed 1/20/00, effective 3/1/00. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057 and 74.08.090. WSR 98-16-044, § 388-444-0065, filed 7/31/98, effective 9/1/98.]

WAC 388-444-0070 What is good cause for quitting my job or reducing my work effort? Unless otherwise specified the following rules apply to all persons receiving basic food.

(1) You must have a good reason (good cause) for quitting a job or reducing your work effort, as defined in WAC 388-444-0065, or you

will be disqualified from receiving basic food under WAC 388-444-0075. Good cause includes the following:

(a) Your employment is unsuitable as under WAC 388-444-0060;

(b) You were discriminated against by an employer based on age, race, sex, color, religious belief, national origin, political belief, marital status, or the presence of any sensory, mental, or physical disability or other reasons in RCW 49.60.180;

(c) Work demands or conditions make continued employment unreasonable, such as working without being paid on schedule;

(d) You accepted other employment or are enrolled at least half time in any recognized school, training program, or institution of higher education;

(e) You must leave a job because another assistance unit member accepted a job or is enrolled at least half time in any recognized school, training program, or institution of higher education in another county or similar political subdivision and your assistance unit must move;

(f) You are under age sixty and retire as recognized by your employer;

(g) You accept a bona fide offer of employment of thirty hours or more a week or where the weekly earnings are equivalent to the federal minimum wage multiplied by thirty hours. However, because of circumstances beyond your control, the job either does not materialize or results in employment of less than thirty hours a week or weekly earnings of less than the federal minimum wage multiplied by thirty hours;

(h) You leave a job in connection with patterns of employment where workers frequently move from one employer to another, such as migrant farm labor or construction work; and

(i) Circumstances included under WAC 388-444-0050;

(2) You are eligible for basic food after quitting a job or reducing you work effort if the circumstances of the job involve:

(a) Changes in job status resulting from involuntary reduction of employment hours while working for the same employer;

(b) Termination of a self-employment enterprise; or

(c) Resignation from a job at the demand of an employer.

(3) You must provide proof that you had good cause for quitting a job or reducing your work effort. However, we do not deny your application for basic food if you are unable to get this proof even with our help.

[Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.08.090, and 7 C.F.R. § 273.7. WSR 13-21-126, § 388-444-0070, filed 10/22/13, effective 11/22/13. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.500, 74.04.515, 74.08.090, 74.08A.120, 74.08A.903, and 7 C.F.R. §§ 273.7 and 273.24. WSR 10-23-112, § 388-444-0070, filed 11/17/10, effective 12/18/10. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057 and 74.08.090. WSR 98-16-044, § 388-444-0070, filed 7/31/98, effective 9/1/98.]

WAC 388-444-0075 What are the penalties if you quit a job or reduce your work effort without good cause? (1) If you have applied for basic food and have voluntarily quit a job or reduced your work effort as defined under WAC 388-444-0065 without good cause within thirty days before applying for basic food, we will deny your application and impose a penalty period as described under subsection (3) of this section from the date of your application.

(2) If you already receive basic food and quit your job or reduce your work effort without good cause, we will send you a letter notifying you that you will be disqualified from basic food. The disqualification in subsection (3) of this section begins the first of the month following our notice of adverse action.

(3) You are disqualified for the following minimum periods of time and until the conditions in subsection (4) of this section are met:

(a) For the first quit or reduction of work effort, one benefit month;

(b) For the second quit or reduction of work effort, three benefit months; and

(c) For the third or subsequent quit or reduction of work effort, six benefit months.

(4) You may reestablish eligibility after serving the disqualification period if you comply with the work requirements under WAC 388-444-0005 and are otherwise eligible.

(5) If you become exempt from work registration under WAC 388-444-0010, we will end your disqualification for a job quit or reduction of work effort.

(6) If you are exempt or requalify due to participation in unemployment compensation (UC) or temporary assistance for needy families (TANF), you must meet the work requirements in these programs to remain eligible for basic food.

(7) If you are disqualified, and move from the assistance unit, and join another assistance unit, we will continue to treat you as an ineligible member of the new assistance unit for the remainder of the disqualification period.

[Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.090, 74.04.510, 7 C.F.R. 273.7, SNAP, and TANF. WSR 16-22-004, § 388-444-0075, filed 10/19/16, effective 11/19/16. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.08.090, and 7 C.F.R. § 273.7. WSR 13-24-056 and 13-21-126, § 388-444-0075, filed 11/26/13 and 10/22/13, effective 12/27/13 and 11/22/13. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.500, 74.04.515, 74.08.090, 74.08A.120, 74.08A.903, and 7 C.F.R. §§ 273.7 and 273.24. WSR 10-23-112, § 388-444-0075, filed 11/17/10, effective 12/18/10. Statutory Authority: RCW 74.04.050 and 74.04.510. WSR 01-05-006, § 388-444-0075, filed 2/7/01, effective 3/1/01; WSR 00-04-006, § 388-444-0075, filed 1/20/00, effective 3/1/00. Statutory Authority: RCW 74.04.510. WSR 99-07-024, § 388-444-0075, filed 3/10/99, effective 4/10/99. Statutory Authority: RCW 74.04.050, 74.04.055, 74.04.057 and 74.08.090. WSR 98-16-044, § 388-444-0075, filed 7/31/98, effective 9/1/98.]