

# Arizona Administrative CODE

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This Chapter contains rule Sections that were filed to be codified in the *Arizona Administrative Code* between the dates of October 1, 2019 through December 31, 2019

## Title 6



**ARD** Office of the Secretary of State  
**ADMINISTRATIVE RULES DIVISION**

## TITLE 6. ECONOMIC SECURITY

### CHAPTER 10. DEPARTMENT OF ECONOMIC SECURITY - THE JOBS PROGRAM

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The table of contents on the first page contains quick links to the referenced page numbers in this Chapter. Refer to the notes at the end of a Section to learn about the history of a rule as it was published in the *Arizona Administrative Register*.

Sections, Parts, Exhibits, Tables or Appendices codified in this supplement. The list provided contains quick links to the updated rules.

*Multiple Sections were updated in Supp. 19-4. Refer to the historical notes for more information.*

#### Questions about these rules? Contact:

Name: Nicole Tolton  
Address: Department of Economic Security  
P.O. Box 6123, Mail Drop 1292  
Phoenix, AZ 85005  
or  
Department of Economic Security  
1789 W. Jefferson St., Mail Drop 1292  
Phoenix, AZ 85007  
Telephone: (602) 542-6555  
Fax: (602) 542-6000  
E-mail: [ntolton@azdes.gov](mailto:ntolton@azdes.gov)

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#### The release of this Chapter in Supp. 19-4 replaces Supp. 16-2, 1-17 pages

Please note that the Chapter you are about to replace may have rules still in effect after the publication date of this supplement. Therefore, all superseded material should be retained in a separate binder and archived for future reference.

## PREFACE

Under Arizona law, the Department of State, Office of the Secretary of State (Office), accepts state agency rule filings and is the publisher of Arizona rules. The Office of the Secretary of State does not interpret or enforce rules in the *Administrative Code*. Questions about rules should be directed to the state agency responsible for the promulgation of the rule.

Scott Cancelosi, Director  
ADMINISTRATIVE RULES DIVISION

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### RULES

The definition for a rule is provided for under A.R.S. § 41-1001. “‘Rule’ means an agency statement of general applicability that implements, interprets, or prescribes law or policy, or describes the procedures or practice requirements of an agency.”

### THE ADMINISTRATIVE CODE

The *Arizona Administrative Code* is where the official rules of the state of Arizona are published. The *Code* is the official codification of rules that govern state agencies, boards, and commissions.

The *Code* is separated by subject into titles. Titles are divided into chapters. A chapter includes state agency rules. Rules in chapters are divided into Articles, then Sections. The “R” stands for “rule” with a sequential numbering and lettering outline separated into subsections.

Rules are codified quarterly in the *Code*. Supplement release dates are printed on the footers of each chapter.

First Quarter: January 1 - March 31

Second Quarter: April 1 - June 30

Third Quarter: July 1 - September 30

Fourth Quarter: October 1 - December 31

For example, the first supplement for the first quarter of 2019 is cited as Supp. 19-1.

Please note: The Office publishes by chapter, not by individual rule section. Therefore there might be only a few sections codified in each chapter released in a supplement. Historical notes at the end of a section provide an effective date and information when a rule was last updated.

### AUTHENTICATION OF PDF CODE CHAPTERS

The Office began to authenticate chapters of the *Administrative Code* in Supp. 18-1 to comply with A.R.S. § 41-1012(B) and A.R.S. § 5302(1), (2)(d) through (e), and (3)(d) through (e).

A certification verifies the authenticity of each *Code* chapter posted as it is released by the Office of the Secretary of State. The authenticated pdf of the *Code* includes an integrity mark with a certificate ID. Users should check the validity of the signature, especially if the pdf has been downloaded. If the digital signature is invalid it means the document’s content has been compromised.

### HOW TO USE THE CODE

Rules may be in effect before a supplement is released by the Office. Therefore, the user should refer to issues of the *Arizona Administrative Register* for recent updates to rule Sections.

### ARIZONA REVISED STATUTE REFERENCES

The Arizona Revised Statutes (A.R.S.) are available online at the Legislature’s website, [www.azleg.gov](http://www.azleg.gov). An agency’s authority

note to make rules is often included at the beginning of a chapter. Other Arizona statutes may be referenced in rule under the A.R.S. acronym.

### SESSION LAW REFERENCES

Arizona Session Law references in a chapter can be found at the Secretary of State’s website, under Services-> Legislative Filings.

### EXEMPTIONS FROM THE APA

It is not uncommon for an agency to be exempt from the steps outlined in the rulemaking process as specified in the Arizona Administrative Procedures Act, also known as the APA (Arizona Revised Statutes, Title 41, Chapter 6, Articles 1 through 10). Other agencies may be given an exemption to certain provisions of the Act.

An agency’s exemption is written in law by the Arizona State Legislature or under a referendum or initiative passed into law by Arizona voters.

When an agency files an exempt rulemaking package with our Office it specifies the law exemption in what is called the preamble of rulemaking. The preamble is published in the *Register* online at [www.azsos.gov/rules](http://www.azsos.gov/rules), click on the *Administrative Register* link.

Editor’s notes at the beginning of a chapter provide information about rulemaking sections made by exempt rulemaking. Exempt rulemaking notes are also included in the historical note at the end of a rulemaking Section.

The Office makes a distinction to certain exemptions because some rules are made without receiving input from stakeholders or the public. Other exemptions may require an agency to propose exempt rules at a public hearing.

### EXEMPTIONS AND PAPER COLOR

At one time the office published exempt rules on either blue or green paper. Blue meant the authority of the exemption was given by the Legislature; green meant the authority was determined by a court order. In 2001 the Office discontinued publishing rules using these paper colors.

### PERSONAL USE/COMMERCIAL USE

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*Rhonda Paschal, managing rules editor, assisted with the editing of this chapter.*



Administrative Rules Division
The Arizona Secretary of State electronically publishes each A.A.C. Chapter with a digital certificate. The certificate-based signature displays the date and time the document was signed and can be validated in Adobe Acrobat Reader.

TITLE 6. ECONOMIC SECURITY

CHAPTER 10. DEPARTMENT OF ECONOMIC SECURITY - THE JOBS PROGRAM

(Authority: A.R.S. §§ 41-1954(1)(b) and 41-1954(3))

Editor's Note: The editor's notes at the beginning of Sections that were "repealed and adopted under an exemption" in Supp. 97-3 have been removed because the Sections have been amended or made under the regular rulemaking process. This means the public had an opportunity to comment on these rules. Refer to the historical notes for more information (Supp. 19-4).

Editor's Note: The Office of the Secretary of State publishes all Code Chapters on white paper (Supp. 05-4).

Editor's Note: Sections of this Chapter were repealed and adopted under an exemption from the provisions of A.R.S. Title 41, Chapter 6, pursuant to Laws 1997, Chapter 300, § 74(A). Exemption from A.R.S. Title 41, Chapter 6 means the Department did not submit notice of proposed rulemaking to the Secretary of State for publication in the Arizona Administrative Register; the Department did not submit these rules to the Governor's Regulatory Review Council for review and approval; and the Department was not required to hold public hearings on these rules. Under Laws 1997, Ch. 300, § 74(B), the Department is required to institute the formal rulemaking process on these Sections on or before December 31, 1997. Because these rules are exempt from the regular rulemaking process, the Chapter is being printed on blue paper (Supp 97-3).

ARTICLE 1. THE JOBS PROGRAM: GENERAL PROVISIONS

Article 1, consisting of Sections R6-10-101 thru R6-10-121, repealed; new Sections R6-10-101 thru R6-10-125 adopted effective July 31, 1997, under an exemption from the provisions of A.R.S. Title 41, Chapter 6 (Supp. 97-3).

Table listing sections R6-10-101 through R6-10-127 with corresponding page numbers.

R6-10-128. Repealed .....13

ARTICLE 2. REPEALED

Article 2, consisting of Sections R6-10-201 thru R6-10-220, repealed under an exemption from the provisions of A.R.S. Title 41, Chapter 6 (Supp. 97-3).

Article 2, consisting of Sections R6-10-201 thru R6-10-220, adopted effective December 11, 1995 (Supp. 95-4).

Table listing repealed sections R6-10-201 through R6-10-220 with corresponding page numbers.

ARTICLE 3. JOB DISPLACEMENT GRIEVANCE PROCEDURES

Article 3, consisting of Sections R6-10-301 thru R6-10-304, adopted effective December 11, 1995 (Supp. 95-4).

Table listing sections R6-10-301 through R6-10-304 with corresponding page numbers.

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**ARTICLE 1. THE JOBS PROGRAM: GENERAL PROVISIONS****R6-10-101. Definitions**

The definitions in A.R.S. § 46-101 and the following definitions apply to this Chapter, unless the context otherwise requires:

1. "Acceptable medical source" means the same as A.A.C. R6-12-101 and includes a vocational rehabilitation specialist, licensed naturopathic doctor, licensed chiropractor, and other personnel authorized to act on a physician's behalf.
2. "AHCCCS" means the Arizona Health Care Cost Containment System.
3. "Assessment" means the evaluation of a participant by a case manager, with the assistance of the participant, to determine employment potential, as well as services necessary to remove barriers to employment. The case manager shall use the assessment as a guide for employment and career development planning.
4. "Assistance unit" means the same as A.R.S. § 46-101.
5. "Barrier" means a circumstance that, if not addressed, may prevent or delay participation in work activities. A barrier includes one or more of the following circumstances, or any similar circumstance:
  - a. A temporary physical or mental condition, including behavioral health issues of the participant or the participant's family member for whom the participant is the primary caregiver;
  - b. A lack of transportation;
  - c. A lack of child care;
  - d. Limited English proficiency;
  - e. A threat of domestic violence toward the participant, the participant's family member, or the caregiver for a minor child, if the threat interferes with the participant's ability to participate in work activities;
  - f. Illiteracy; insufficient education; lack of vocational skills; or
  - g. An ongoing family crisis that interferes with the participant's ability to participate in work activities.
  - h. Other similar circumstances that prevent or delay participation in work activities.
6. "Caretaker relative" means the same as A.A.C. R6-12-101(19).
7. "Case management" means the process through which the Jobs Program determines the needs of the participant requesting or receiving services through the Jobs Program. Appropriate services or benefits for participants are identified, planned, obtained, provided, recorded, monitored, and terminated, and follow-up is provided, as necessary and subject to budgetary constraints, in accordance with A.R.S. § 46-299.
8. "Case manager" means the Jobs Program staff who determines the needs of an individual requesting or receiving services through the Jobs Program.
9. "Community resource" means an organization that provides services to the general public at no cost to the participant or the Jobs Program.
10. "Community service program" means the same as 45 CFR 261.2(h).
11. "Complaint" means a formal accusation or charge expressing dissatisfaction or a grievance with a service provider, an agency, or a Jobs Program action or decision.
12. "Core activity" means a work activity that counts toward the work requirement, pursuant to 45 CFR 261.33 through 261.35.
13. "Day" means a calendar day, unless otherwise specified. If a deadline falls on a weekend day or a holiday, the Jobs Program shall consider the deadline to fall on the next business day.
14. "Deferral" means the same as A.R.S. § 46-299(A).
15. "Demonstrate compliance" means attending appointments to prevent sanctions, developing an employment and career development plan, and includes beginning and continuing participation in work activities in accordance with the employment and career development plan.
16. "Department" means the Arizona Department of Economic Security.
17. "Dependent child" means the same as A.R.S. § 46-101(8).
18. "Disability" means a physical or mental impairment that substantially limits one or more major life activities and includes being mentally, physically, or functionally incapable of participating in work activities.
19. "Education directly related to employment" means the same as 45 CFR 261.2(k).
20. "Employment and career development plan" means the document described in R6-10-110, prepared by the participant and the Jobs Program case manager and lists the activities a participant is required to complete, the services to be provided by the Jobs Program, and the referrals made to address barriers to employment.
21. "FAA" means the Family Assistance Administration, an administrative unit within the Department's Division of Benefits and Medical Eligibility responsible for providing TANF Cash Assistance to eligible persons.
22. "Fails to participate" or "failure to participate" means the same as R6-10-123(A).
23. "Family member" means any person who lives in a home with a participant and is related to the participant by blood, marriage, or adoption.
24. "GED" means general education development, which includes a series of five tests that, when passed, demonstrate high school skills equivalency.
25. "Good cause" means one or more of the circumstances listed at R6-10-123(F).
26. "High school equivalency" or "HSE" means equivalent to high school.
27. "Job search readiness assistance" means the same as 45 CFR 261.2(g).
28. "Job skills training directly related to employment" means the same as 45 CFR 261.2(j).
29. "Jobs Program" means the Department's employment and training program for work-eligible individuals in an assistance unit receiving TANF Cash Assistance authorized by A.R.S. § 46-299. The Jobs Program is also available to program participants who lose eligibility for TANF Cash Assistance and meet the conditions of R6-10-121 or R6-10-126.
30. "Non-core activity" means a work activity that counts toward the work requirement only after the participant completes the required number of hours in core activities at 45 CFR 261.31 through 261.35.
31. "On-the-job training" or "OJT" means the same as 45 CFR 261.2(f).
32. "Participant" means a work-eligible individual selected to participate in the Jobs Program.
33. "Permanent disability" means a physical or mental impairment that substantially limits one or more major life activities and includes being mentally, physically, or

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- functionally incapable of participating in work activities that is expected to last for the life of the individual.
34. "Program Administrator" means the Department employee who administers the Jobs Program.
35. "Sanction" means a reduction or termination of TANF Cash Assistance consistent with A.R.S. § 46-300, for all families, except TPEP families, who fail to participate in the Jobs Program without good cause or demonstrate compliance.
36. "Satisfactory attendance in high school or equivalent" means the same as 45 CFR 261.2(l) and A.R.S. § 46-299(C)(1).
37. "Services" means the same as A.R.S. § 46-101(21).
38. "Service provider" means an entity that is responsible for providing services to participants. This includes Jobs Program staff, an agency or organization, public or nonprofit, or a person awarded a grant or contract by the Jobs Program to provide services to participants.
39. "Single custodial parent" means an unmarried custodial parent.
40. "Specialized assessments" means a medical assessment or a psycho-social assessment to determine a participant's functioning level and ability to participate in work activities.
41. "Subsidized employment" means paid employment in the public or private sector or any other organization that receives a subsidy from TANF Cash Assistance or other public funds to offset the cost of wages and benefits paid by the employer, as described at 45 CFR 261.2(c) and (d).
42. "Supplemental payment" means an amount paid by the Department to a participant when the individual engages in work activities, subject to the Fair Labor Standards Act (FLSA), for more hours than the monthly TANF Cash Assistance benefit amount, plus the monthly Nutrition Assistance allotment, divided by the federal or state minimum wage, whichever is higher. Work experience and community service activities are generally subject to the FLSA.
43. "Support services" means specific services and goods paid with TANF-funded program dollars to help the Jobs Program engage participants in work activities, accept and maintain employment, and successfully make the transition from welfare dependence to financial independence through working.
44. "TANF Cash Assistance" means the state Temporary Assistance for Needy Families program established by 42 U.S.C. § 601 et. seq.
45. "Teen custodial parent" means a parent age 13 through 19 years, who is caring for that parent's own child.
46. "Temporary disability" means a physical or mental impairment that substantially limits one or more major life activities and includes being mentally, physically, or functionally incapable of participating in work activities that is not expected to last for the life of the individual.
47. "TPEP" means the Two-Parent Employment Program as defined at A.A.C. R6-12-101(93).
48. "Unavailable child care" means that:
- The location of a child care provider is at a distance that requires a one-way travel time by vehicular transportation equal to or greater than one hour, measured from the participant's residence to the child care provider and then to work, or if walking, a distance that requires a one-way travel time equal to or greater than 1/2 hour, measured in the same manner;
  - Child care providers do not have available slots or vacancies;
  - Child care providers cannot provide services to a child with a disability who has special needs;
  - Child care providers related to the child are unavailable or unwilling to provide care;
  - Child care is available through a non-relative provider, but the provider is unwilling to apply for DES certification; or
  - A child age 13 or older requires adult supervision:
    - Due to a disability, which includes mental health or other health-related issues;
    - Because the child would be harmful to himself, herself, or others if left alone; or
    - Because the child is on court-ordered probation that requires the child to remain in the home or under house arrest.
49. "Unsubsidized employment" means full- or part-time employment with wages that meet FLSA requirements and meet or exceed the state minimum wage requirements, with the exception of self-employment, in the public or private sector that is not subsidized by TANF Cash Assistance or other public programs, as described at 45 CFR 261.2(b).
50. "Unsuitable child care" means that child care is available through a provider, but the participant declares in writing that the provider is unsuitable based on factors, such as the following. The provider:
- Has a history of child neglect or abuse;
  - Is experiencing domestic violence;
  - Has a history of serious crime;
  - Has a history of substance abuse;
  - Has an emotional, mental, or physical condition that prevents the provider from providing safe care;
  - Resides in a home that is unsafe for children; or
  - Possesses similar attributes that render the provider unsuitable to furnish child care services.
51. "Verification" means any documentation that substantiates an individual's claim.
52. "Vocational educational training" means the same as 45 CFR 261.2(i).
53. "Volunteer" means an individual who is excluded from work requirements under R6-10-107 or temporarily deferred from work requirements under R6-10-108 and chooses to participate in the Jobs Program.
54. "Wages" means hourly pay for employment, including tips, and meets or exceeds the state minimum wage.
55. "Withholding" means retention of semi-monthly TPEP Cash Assistance payments for parents who participate in TPEP and who fail to participate or comply with Jobs Program requirements without good cause.
56. "Work-eligible individual" means an adult or minor child head of household receiving TANF Cash Assistance, or a non-recipient parent living with a child who receives TANF Cash Assistance, unless the individual is:
- A minor parent and not the head of household or spouse of the head of household;
  - An individual who is ineligible to receive assistance due to the individual's immigration status;
  - A recipient of Supplemental Security Income, unless the recipient is employed and meeting the federal work participation rate; or
  - A parent otherwise mandated to participate in work activities who is providing care for a family member

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with a disability living in the home if the need for such care is supported by medical documentation.

57. "Work activities" means the same as A.R.S. § 46-101(27).
58. "Work experience" means the same as 45 CFR 261.2(e).
59. "Work requirement" means the minimum number of hours required for a Jobs Program participant to participate in work activities as a condition of eligibility for TANF Cash Assistance pursuant to 45 CFR 261.31 through 261.35.

**Historical Note**

Adopted effective January 10, 1977 (Supp. 77-1). Amended effective July 27, 1983 (Supp. 83-4). Section repealed, new Section adopted effective June 6, 1995 (Supp. 95-2). Section repealed; new Section adopted effective July 31, 1997, under an exemption from the provisions of A.R.S. Title 41, Chapter 6 (Supp. 97-3). Amended by final rulemaking at 11 A.A.R. 5371, effective January 14, 2006 (05-4). Amended by final rulemaking at 25 A.A.R. 3235, effective December 7, 2019 (Supp. 19-4).

**R6-10-101.01 Applicability**

The rules in this Chapter apply to all Jobs Program providers and participants.

**Historical Note**

New Section made by final rulemaking at 11 A.A.R. 5371, effective January 14, 2006 (05-4). Amended by final rulemaking at 25 A.A.R. 3235, effective December 7, 2019 (Supp. 19-4).

**R6-10-102. Work Requirement**

- A. A Jobs Program participant shall participate in work activities in order for an assistance unit to remain eligible for TANF Cash Assistance.
- B. The Jobs Program shall assign a participant to work activities that meet the federal work participation requirement, unless a participant is:
1. Excluded under R6-10-107;
  2. Temporarily deferred under R6-10-108; or
  3. Has unresolved barriers.
- C. A single custodial parent may participate in educational activities on a full-time basis as an alternative to the federal work participation requirements if the state is meeting the federal work participation rate pursuant to 45 CFR 261.21 and 45 CFR 231.23. Allowable education activities include high school equivalency programs, career and technical education programs, and postsecondary education programs. Full-time status, as defined by the educational program, shall be verified by the Jobs Program. Verification sources include:
1. A statement from the provider;
  2. A documented phone call with the provider;
  3. Information from the provider's website; or
  4. Any other information from the educational activity provider that substantiates the participant's full-time status.
- D. The Jobs Program shall assign all participants, other than those listed at R6-10-102(B), to no more than 40 hours of work activities per week, as required to meet the federal work participation rate, as described at 42 U.S.C. 607(a).
- E. The Department shall impose a sanction under R6-10-124, or a withholding under R6-10-125, if a participant who is required to participate in work activities fails to do so without good cause, pursuant to R6-10-123(F).
- F. The Jobs Program shall permit an individual who is excluded or temporarily deferred to voluntarily participate in the Jobs Program.

- G. The Jobs Program shall not sanction a volunteer who fails to participate in work activities if the volunteer meets the requirements for an exclusion or temporary deferral.
- H. TPEP participants shall participate with the Jobs Program for a minimum of three consecutive business days before the Department authorizes issuance of the initial TANF Cash Assistance payment.

**Historical Note**

Adopted effective January 10, 1977 (Supp. 77-1). Amended effective July 27, 1983 (Supp. 83-4). Section repealed, new Section adopted effective June 6, 1995 (Supp. 95-2). Section repealed; new Section adopted effective July 31, 1997, under an exemption from the provisions of A.R.S. Title 41, Chapter 6 (Supp. 97-3). Amended by final rulemaking at 11 A.A.R. 5371, effective January 14, 2006 (05-4). Amended by final rulemaking at 25 A.A.R. 3235, effective December 7, 2019 (Supp. 19-4).

**R6-10-103. Preliminary Orientation**

- A. A work eligible applicant shall receive a preliminary orientation as part of the TANF Cash Assistance eligibility requirement. This requirement does not apply to a TPEP assistance unit.
- B. The preliminary orientation information shall be provided to a work eligible applicant prior to the approval of TANF Cash Assistance by the FAA.
- C. The preliminary orientation shall provide a work eligible applicant with a general overview of the Jobs Program, its purpose, and its relationship to the receipt of TANF Cash Assistance and continued eligibility for the Jobs Program under R6-10-126 regarding TANF Cash Assistance case closure due to the time limit.

**Historical Note**

Adopted effective January 10, 1977 (Supp. 77-1). Amended effective July 27, 1983 (Supp. 83-4). Section repealed, new Section adopted effective June 6, 1995 (Supp. 95-2). Section repealed; new Section adopted effective July 31, 1997, under an exemption from the provisions of A.R.S. Title 41, Chapter 6 (Supp. 97-3). Amended by final rulemaking at 11 A.A.R. 5371, effective January 14, 2006 (05-4). Section R6-10-103 renumbered to R6-10-104; new Section R6-10-103 made by final rulemaking at 25 A.A.R. 3235, effective December 7, 2019 (Supp. 19-4).

**R6-10-104. Tribal Program**

The Jobs Program shall not serve an individual who is eligible to receive assistance through a tribal cash assistance program or services through a tribal program similar to the Jobs Program.

**Historical Note**

Adopted effective January 10, 1977 (Supp. 77-1). Amended effective July 27, 1983 (Supp. 83-4). Section repealed, new Section adopted effective June 6, 1995 (Supp. 95-2). Section repealed; new Section adopted effective July 31, 1997, under an exemption from the provisions of A.R.S. Title 41, Chapter 6 (Supp. 97-3). Amended by final rulemaking at 11 A.A.R. 5371, effective January 14, 2006 (05-4). Section R6-10-104 renumbered to R6-10-105; new Section R6-10-104 renumbered from R6-10-103 and amended by final rulemaking at 25 A.A.R. 3235, effective December 7, 2019 (Supp. 19-4).

**R6-10-105. Selection for Participation in the Jobs Program**

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- A. The FAA approves an assistance unit for TANF Cash Assistance and shall refer a work eligible individual to the Jobs Program.
- B. The Jobs Program shall begin Jobs Program services for a TPEP individual at the time the individual reports to a Jobs Program local office.

**Historical Note**

Adopted effective January 10, 1977 (Supp. 77-1). Amended effective July 27, 1983 (Supp. 83-4). Section repealed, new Section adopted effective June 6, 1995 (Supp. 95-2). Section repealed; new Section adopted effective July 31, 1997, under an exemption from the provisions of A.R.S. Title 41, Chapter 6 (Supp. 97-3). Amended by final rulemaking at 11 A.A.R. 5371, effective January 14, 2006 (05-4). Section R6-10-105 repealed; new Section R6-10-105 renumbered from R6-10-104 and amended by final rulemaking at 25 A.A.R. 3235, effective December 7, 2019 (Supp. 19-4).

**R6-10-106. Initial Case Management Appointment**

- A. The Jobs Program shall notify a work-eligible individual of the initial Jobs Program case management appointment in writing when the work-eligible individual is selected to participate in the Jobs Program. The notice shall include:
  1. The date and time of the initial Jobs Program case management appointment and the address of the Jobs Program local office where the initial Jobs Program case management appointment shall be held;
  2. Information regarding transportation, translation, and child care assistance that may be available for the initial Jobs Program case management appointment and the contact information necessary to obtain available services;
  3. A provision explaining that if the participant needs transportation, translation, or child care services to attend the appointment, and the services are not available, the recipient has good cause for not attending the initial Jobs Program case management appointment under R6-10-123(F).
  4. The Jobs Program contact information to reschedule the initial Jobs Program case management appointment; and
  5. A statement that the consequence of failing, without good cause or a demonstration of compliance, to attend the initial Jobs Program case management appointment is subject to:
    - a. Progressive sanctioning pursuant to A.R.S. § 46-300; and
    - b. Ineligibility for TANF Cash Assistance beyond the lifetime limit, pursuant to A.R.S. § 46-294(G)(1).
- B. The work-eligible individual shall contact the Jobs Program before the appointment date if the participant is unable to attend the scheduled appointment. The Jobs Program shall reschedule the appointment.
- C. The work-eligible individual shall contact the Jobs Program before the appointment date if the work-eligible individual needs transportation, translation, or child care services to attend the appointment. The Jobs Program shall arrange such services. If services are not available, the provisions under R6-10-106(D) apply.
- D. A work-eligible individual selected under R6-10-106(A) shall become a participant in the Jobs Program and shall attend an initial Jobs Program case management appointment provided by the Jobs Program. The Jobs Program shall provide the participant with transportation, translation, and child care assistance, if services are available, to enable the participant to attend the initial Jobs Program case management appointment.

If a participant is unable to attend the initial Jobs Program case management appointment because services are not available, the participant shall be granted good cause under R6-10-123(F).

- E. The Jobs Program, during the initial Jobs Program case management appointment, shall:
  1. Explain the rights and responsibilities of the participant, the Jobs Program, and the Department's child care program to the participant, including:
    - a. A statement that the consequence of non-compliance with the Jobs Program requirements, without good cause or a demonstration of compliance, is that the participant may be subject to progressive sanctioning, pursuant to A.R.S. § 46-300; and
    - b. The deferral and exclusion procedures, as well as good cause reasons;
  2. Complete an assessment with the participant; and
  3. Complete an employment and career development plan with the participant that takes into account the participant's background and skills, any barriers to employment, and any available services that may assist in the removal of barriers to employment.

**Historical Note**

Adopted effective January 10, 1977 (Supp. 77-1). Amended effective July 27, 1983 (Supp. 83-4). Section repealed, new Section adopted effective June 6, 1995 (Supp. 95-2). Section repealed; new Section adopted effective July 31, 1997, under an exemption from the provisions of A.R.S. Title 41, Chapter 6 (Supp. 97-3). Section repealed; new Section made by final rulemaking at 11 A.A.R. 5371, effective January 14, 2006 (05-4). Section R6-10-106 renumbered to R6-10-108; new Section R6-10-106 made by final rulemaking at 25 A.A.R. 3235, effective December 7, 2019 (Supp. 19-4).

**R6-10-107. Work Requirement Exclusion**

- A. A participant who is providing care for a family member with a disability, may request an exclusion from the work requirement. If the request for an exclusion from the work requirement is approved, the participant shall be considered non-work eligible and shall not be required to participate in work activities.
- B. A participant who requests an exclusion from the work requirement shall provide medical documentation to substantiate the need to provide care for a family member with a disability. Medical documentation shall:
  1. Be obtained from an acceptable medical source;
  2. State that the participant is required to provide care for the family member; and
  3. Include all of the following information:
    - a. The name of the person for whom care is to be provided;
    - b. The time period of the disability;
    - c. A statement that the participant is needed to provide full-time care for the family member; and
    - d. A prognosis of the family member's recovery or the date of the reexamination.

**Historical Note**

Adopted effective January 10, 1977 (Supp. 77-1). Amended effective July 27, 1983 (Supp. 83-4). Section repealed, new Section adopted effective June 6, 1995 (Supp. 95-2). Section repealed; new Section adopted effective July 31, 1997, under an exemption from the provisions of A.R.S. Title 41, Chapter 6 (Supp. 97-3). Section repealed; new Section made by final rulemaking at 11 A.A.R. 5371, effective January 14, 2006 (05-4).

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Section R6-10-107 renumbered to R6-10-109; new Section R6-10-107 made by final rulemaking at 25 A.A.R. 3235, effective December 7, 2019 (Supp. 19-4).

**R6-10-108. Temporary Deferrals**

- A.** The Jobs Program shall determine whether to temporarily defer a participant from engaging in work activities under A.R.S. § 46-299(A) and this Section.
1. The Jobs Program shall determine the length of time that a participant is temporarily deferred based on the information in this Section.
  2. The Jobs Program shall obtain verification that certifies that the participant is mentally or physically incapable of engaging in work activities or employment due to a circumstance established under this Section.
- B.** The Jobs Program shall defer a participant with a temporary or permanent disability. A participant with a temporary or permanent disability may opt to participate and receive a reasonable accommodation to facilitate participation. The Jobs Program shall not request a sanction under R6-10-124 if the participant is then subsequently unable to participate due to the disability.
- C.** The Jobs Program shall accept verification of a temporary or permanent disability from a participant that has been provided by an acceptable medical source. The Jobs Program shall assist the participant in obtaining verification of a temporary or permanent disability when a participant is experiencing difficulty with obtaining such verification. A medical statement shall include:
1. Employment limitations, including the extent and duration of any limitation;
  2. A specified period of disability;
  3. A prognosis of disability;
  4. A statement of any reasonable accommodation that may enable a participant to work or participate; and
  5. The date by which reexamination or reevaluation is recommended.
- D.** The Jobs Program shall temporarily defer a participant from work activities if the participant or the participant's child is a victim of domestic violence.
1. The Jobs Program shall grant a temporary deferral for domestic violence if:
    - a. Participation in the Jobs Program threatens the safety of or, in the perception of the participant, causes an immediate threat of physical, mental, or emotional harm to the participant, the participant's child, or any child living with the participant; or
    - b. Due to domestic violence, the participant has been physically or emotionally harmed to such an extent that the participant is incapable of participation in the Jobs Program.
  2. The Jobs Program shall provide a participant who is a victim of domestic violence with:
    - a. A deferral from Program requirements, under A.R.S. § 46-244 and this rule, for a period of time that will enable the participant to safely participate in work activities. The maximum deferral period is six months. The Jobs Program may grant additional deferrals consistent with A.R.S. § 46-299; and
    - b. A referral to appropriate and available services.
  3. A participant who requests a deferral due to domestic violence shall provide the Jobs Program with verification of domestic violence. The Jobs Program shall accept the following as verification of domestic violence:
    - a. A written statement from the participant;
    - b. Police reports;
    - c. Court records;
    - d. Medical records indicating the presence of domestic violence;
    - e. Physical evidence of domestic violence;
    - f. Documentation from a domestic violence shelter staff, an attorney, clergy, medical or other professional from whom the participant has sought assistance regarding domestic violence;
    - g. A statement from the Arizona Department of Child Safety that substantiates domestic violence exists within the participant's home;
    - h. Other documentation, such as news stories from television, newspaper, or radio; or
    - i. Other corroborating evidence, such as a statement from another individual with knowledge of the circumstances that provide the basis for the claim.
- E.** The Jobs Program shall temporarily defer a participant who is a single custodial parent less than age 18 and personally caring for a child less than 12 weeks of age.
- F.** The Jobs Program shall temporarily defer a participant who is a single custodial parent or a caretaker relative personally caring for a child less than one year of age, for no more than 12 months in the participant's lifetime, unless the participant is a teenaged custodial parent who does not have a high school diploma or HSE diploma.
- G.** The Jobs Program shall temporarily defer a TPEP parent if the parent has a temporary disability or illness that is expected to last less than 30 days, as verified by an acceptable medical source. If the disability is expected to last more than 30 days, the family is not a TPEP family and shall have eligibility for TANF Cash Assistance determined as an assistance unit with deprivation due to the parent having a disability.

**Historical Note**

Adopted effective Jan 10, 1977 (Supp.77-1). Amended effective July 27, 1983 (Supp. 83-4). Section repealed, new Section adopted effective June 6, 1995 (Supp. 95-2). Section repealed; new Section adopted effective July 31, 1997, under an exemption from the provisions of A.R.S. Title 41, Chapter 6 (Supp. 97-3). Amended by final rulemaking at 11 A.A.R. 5371, effective January 14, 2006 (05-4). Section R6-10-108 renumbered to R6-10-110; new Section R6-10-108 renumbered from R6-10-106 and amended by final rulemaking at 25 A.A.R. 3235, effective December 7, 2019 (Supp. 19-4).

**R6-10-109. Participant Assessment; Referral**

- A.** The Jobs Program case manager and the participant shall complete assessments during the initial Jobs Program case management appointment, and as needed thereafter, to identify any possible barriers to employability or participation in the Jobs Program. The participant shall provide, either orally or in writing, all personal information necessary to accurately complete the assessments. In-depth barrier assessments shall include questions to determine whether the participant needs services to address:
1. Past or ongoing domestic violence;
  2. Substance abuse or chemical dependency;
  3. Psychological or psychiatric needs;
  4. Education or training insufficient to obtain or sustain employment;
  5. Mental, physical, or functional incapacity or disability, including a learning disability;
  6. Issues regarding retaining or maintaining employment;
  7. Inadequate housing;
  8. Inadequate child care;
  9. Inadequate transportation;

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10. Criminal background and involvement with the criminal justice system; or
  11. Other issues that affect an individual's ability to participate in work activities.
- B.** The Jobs Program shall provide appropriate services or community resources to a participant who is identified as in need of services using the information from the assessments. When the Jobs Program is unable to provide services, the Jobs Program shall refer a participant to appropriate services or community resources. If the Jobs Program case manager determines that a needed service is not available through the Jobs Program services or community resources after researching available options, the Jobs Program shall not make a referral and shall grant the participant good cause for not engaging in work activities under R6-10-123.
- C.** If a participant does not provide all personal information necessary to complete the assessments, either orally or in writing, the Jobs Program is not required to provide the participant with support services or referrals to service providers.
- D.** The Jobs Program shall use the information provided by the participant during the assessments to develop the employment and career development plan described in R6-10-110. Additional information from previous employers, educational providers, medical providers, and others may be gathered to help determine planned activities and services.
- E.** Based on the initial assessments or if a participant experiences difficulty implementing the employment and career development plan, the Jobs Program may determine that a participant may benefit from further specialized assessments. A licensed professional or licensed agency shall administer all specialized assessments.

**Historical Note**

Adopted effective January 10, 1977 (Supp. 77-1). Section repealed, new Section adopted effective June 6, 1995 (Supp. 95-2). Section repealed; new Section adopted effective July 31, 1997, under an exemption from the provisions of A.R.S. Title 41, Chapter 6 (Supp. 97-3). Amended by final rulemaking at 11 A.A.R. 5371, effective January 14, 2006 (05-4). Section R6-10-109 renumbered to R6-10-111; new Section R6-10-109 renumbered from R6-10-107 and amended by final rulemaking at 25 A.A.R. 3235, effective December 7, 2019 (Supp. 19-4).

**R6-10-110. Employment and Career Development Plan**

- A.** The Jobs Program and the participant shall complete an employment and career development plan for the participant that takes into consideration barriers to employment and incorporates work activities and agreed upon services. The employment and career development plan shall include:
1. Employment goals;
  2. Work activities;
  3. Locations for each assigned activity;
  4. Dates for beginning and ending activities;
  5. Available services offered by the Jobs Program or community resources;
  6. A list of referrals made as a result of the participant's assessments; and
  7. Signatures of the participant and the case manager assigned to oversee provision of services to the participant. The Jobs Program shall not sanction a participant solely for refusing to sign the employment and career development plan.
- B.** The Jobs Program case manager, in consultation with the participant, may revise the employment and career development plan as necessary to ensure the participant continues to

advance toward the employment goal. The case manager shall revise an employment plan when:

1. A change in services needs to address newly identified barriers to participation by the Jobs Program case manager or the participant; or
2. When a participant's circumstances require a change in work activities or services.

**Historical Note**

Adopted effective January 10, 1977 (Supp. 77-1). Amended effective July 27, 1983 (Supp. 83-4). Section repealed, new Section adopted effective June 6, 1995 (Supp. 95-2). Section repealed; new Section adopted effective July 31, 1997, under an exemption from the provisions of A.R.S. Title 41, Chapter 6 (Supp. 97-3). Title 41, Chapter 6 (Supp. 97-3). Amended by final rulemaking at 11 A.A.R. 5371, effective January 14, 2006 (05-4). Section R6-10-110 renumbered to R6-10-112; new Section R6-10-110 renumbered from R6-10-108 and amended by final rulemaking at 25 A.A.R. 3235, effective December 7, 2019 (Supp. 19-4).

**R6-10-111. Core Activities**

The following are core activities:

1. Unsubsidized employment;
2. Job search and job readiness assistance, as described in R6-10-114;
3. Subsidized employment, as described in R6-10-115;
4. OJT, as described in R6-10-115;
5. Work experience, as described in R6-10-116;
6. Community service programs, as described in R6-10-117;
7. Vocational educational training, as described in R6-10-118; and
8. Satisfactory attendance in high school or GED preparation classes or education directly related to employment, as described in R6-10-119, for a participant who is a head of household and has not obtained a high school diploma or HSE diploma for any parent under 20 years of age who is:
  - a. A single teen custodial parent; or
  - b. A married teen parent.

**Historical Note**

Adopted effective January 10, 1977 (Supp. 77-1). Amended effective July 27, 1983 (Supp. 83-4). Section repealed, new Section adopted effective June 6, 1995 (Supp. 95-2). Amended effective December 11, 1995 (Supp. 95-4). Section repealed; new Section adopted effective July 31, 1997, under an exemption from the provisions of A.R.S. Title 41, Chapter 6 (Supp. 97-3). Amended by final rulemaking at 11 A.A.R. 5371, effective January 14, 2006 (05-4). Section R6-10-111 renumbered to R6-10-113; new Section R6-10-111 renumbered from R6-10-109 and amended by final rulemaking at 25 A.A.R. 3235, effective December 7, 2019 (Supp. 19-4).

**R6-10-112. Participation that Meets the Work Requirement**

- A.** The following participants meet the work requirement:
1. A participant who is participating in work activities for at least the minimum average number of hours per week under 45 CFR 261.31 and 45 CFR 261.32.
  2. A single custodial parent or caretaker relative with a child less than age six, who participates for the minimum hours required per week under 45 CFR 261.35.
  3. A single or married head of household less than age 20 who participates under 45 CFR 261.33(b).

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4. A single custodial parent who is participating in educational activities, as described at R6-10-119 and R6-10-102(C).
- B.** A participant who falls into one of the categories listed in subsections (A)(1) through (4), who is meeting the work requirement, may participate in additional work activities beyond those that meet the work requirement.

**Historical Note**

Adopted effective January 10, 1977 (Supp. 77-1). Amended effective July 27, 1983 (Supp. 83-4). Section repealed, new Section adopted effective June 6, 1995 (Supp. 95-2). Section repealed; new Section adopted effective July 31, 1997, under an exemption from the provisions of A.R.S. Title 41, Chapter 6 (Supp. 97-3). Amended by final rulemaking at 11 A.A.R. 5371, effective January 14, 2006 (05-4). Section R6-10-112 renumbered to R6-10-114; new Section R6-10-112 renumbered from R6-10-110 and amended by final rulemaking at 25 A.A.R. 3235, effective December 7, 2019 (Supp. 19-4).

**R6-10-113. Non-Core Activities**

- A.** The Jobs Program may assign a participant to non-core activities based on information obtained through assessments or contained in the participant's employment and career development plan only after the participant meets required participation in primary core activity hours under R6-10-111.
- B.** The following are non-core activities:
1. Job skills training directly related to employment;
  2. High school or GED preparation for a participant, other than a single, teen custodial parent who is a head of household, who has not obtained a high school diploma or HSE diploma; and
  3. Education directly related to employment for a participant, other than a single, teen custodial parent who is a head of household, who has not obtained a high school diploma or HSE diploma.

**Historical Note**

Adopted effective January 10, 1977 (Supp. 77-1). Amended effective July 27, 1983 (Supp. 83-4). Section repealed, new Section adopted effective June 6, 1995 (Supp. 95-2). Section repealed; new Section adopted effective July 31, 1997, under an exemption from the provisions of A.R.S. Title 41, Chapter 6 (Supp. 97-3). Amended by final rulemaking at 11 A.A.R. 5371, effective January 14, 2006 (05-4). Section R6-10-113 renumbered to R6-10-115; new Section R6-10-113 renumbered from R6-10-111 and amended by final rulemaking at 25 A.A.R. 3235, effective December 7, 2019 (Supp. 19-4).

**R6-10-114. Job Search and Job Readiness Assistance**

- A.** Based on information obtained through assessments or contained in a participant's employment and career development plan, the Jobs Program may assign a participant to job search and job readiness assistance as a core activity, according to 45 CFR 261.34.
- B.** A participant assigned to job search and job readiness assistance as a core activity shall participate in job search and job readiness assistance for at least the minimum number of hours identified in the participant's employment and career development plan.

**Historical Note**

Adopted effective January 10, 1977 (Supp. 77-1). Amended effective July 27, 1983 (Supp. 83-4). Section repealed, new Section adopted effective June 6, 1995

(Supp. 95-2). Section repealed; new Section adopted effective July 31, 1997, under an exemption from the provisions of A.R.S. Title 41, Chapter 6 (Supp. 97-3).

Amended by final rulemaking at 11 A.A.R. 5371, effective January 14, 2006 (05-4). Section R6-10-114 renumbered to R6-10-116; new Section R6-10-114 renumbered from R6-10-112 and amended by final rulemaking at 25 A.A.R. 3235, effective December 7, 2019 (Supp. 19-4).

**R6-10-115. On-the-job Training (OJT)**

- A.** Based on information obtained through assessments or contained in a participant's employment and career development plan, the Jobs Program may assign a participant to OJT.
- B.** The Jobs Program shall approve OJT worksites and assignments that:
1. Are designed to improve the participant's chances for employment, and
  2. Provide compensation in accordance with applicable wage laws.
- C.** OJT activities shall include a written training plan that contains:
1. A job description that lists the skills to be learned;
  2. General employment competencies and occupation-specific skills;
  3. An evaluation of the participant's progress; and
  4. A schedule that indicates the estimated date of acquisition of each skill.

**Historical Note**

Adopted effective January 10, 1977 (Supp. 77-1). Amended effective July 27, 1983 (Supp. 83-4). Section repealed, new Section adopted effective June 6, 1995 (Supp. 95-2). Section repealed; new Section adopted effective July 31, 1997, under an exemption from the provisions of A.R.S. Title 41, Chapter 6 (Supp. 97-3). Amended by final rulemaking at 11 A.A.R. 5371, effective January 14, 2006 (05-4). Section R6-10-115 renumbered to R6-10-117; new Section R6-10-115 renumbered from R6-10-113 and amended by final rulemaking at 25 A.A.R. 3235, effective December 7, 2019 (Supp. 19-4).

**R6-10-116. Work Experience**

- A.** Based on information obtained through assessments or contained in a participant's employment and career development plan, the Jobs Program may assign a participant to work experience to improve the participant's employability, or meet work participation requirements. The Jobs Program staff shall evaluate a participant's entitlement to a supplemental payment each month following the conclusion of participation in work experience.
- B.** When assigning work experience, the Jobs Program shall select work experience that is consistent with the participant's employment and career development plan and consider the participant's prior training and experience.

**Historical Note**

Adopted effective January 10, 1977 (Supp. 77-1). Amended effective July 27, 1983 (Supp. 83-4). Section repealed, new Section adopted effective June 6, 1995 (Supp. 95-2). Section repealed; new Section adopted effective July 31, 1997, under an exemption from the provisions of A.R.S. Title 41, Chapter 6 (Supp. 97-3). Amended by final rulemaking at 11 A.A.R. 5371, effective January 14, 2006 (05-4). Section R6-10-116 renumbered to R6-10-118; new Section R6-10-116 renumbered from R6-10-114 and amended by final

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rulemaking at 25 A.A.R. 3235, effective December 7, 2019 (Supp. 19-4).

**R6-10-117. Community Service Programs**

Based on information obtained through assessments or contained in a participant's employment and career development plan, the Jobs Program may assign a participant to community service program activities to establish good work habits if the participant is unlikely to meet work participation requirements by participating in other primary activities. The Jobs Program staff shall evaluate a participant's entitlement to supplemental payment each month following the conclusion of participation in community service activities and process payments, if owed, by the seventh day of the following month after participation concludes.

**Historical Note**

Adopted effective January 10, 1977 (Supp. 77-1). Amended effective July 27, 1983 (Supp. 83-4). Section repealed, new Section adopted effective June 6, 1995 (Supp. 95-2). Section repealed; new Section adopted effective July 31, 1997, under an exemption from the provisions of A.R.S. Title 41, Chapter 6 (Supp. 97-3). Amended by final rulemaking at 11 A.A.R. 5371, effective January 14, 2006 (05-4). Section R6-10-117 renumbered to R6-10-119; new Section R6-10-117 renumbered from R6-10-115 and amended by final rulemaking at 25 A.A.R. 3235, effective December 7, 2019 (Supp. 19-4).

**R6-10-118. Vocational Educational Training**

- A.** Based on information obtained through the assessment or contained in a participant's employment and career development plan, the Jobs Program may assign a participant to vocational educational training as a core activity, for any period of time up to the maximum of 12 months if other work activities have not resulted in employment and vocational educational training that is consistent with the participant's employment plan, according to 45 CFR 261.33(a).
- B.** In addition to criteria in subsection (A), the Jobs Program shall use the following criteria to determine whether a participant shall be assigned to, or remain in, vocational educational training:
1. The participant:
    - a. Lacks a self-supporting skill for available jobs in the participant's geographical area; and
    - b. Remains in good standing with the educational or training institution and maintains satisfactory attendance, as defined by the institution.
  2. The participant seeks the education or training activities to attain skills directly related to job opportunities for self-supporting employment in a recognized occupation that does not have high turnover due to substandard wages or working conditions.
- C.** The Jobs Program may approve, as vocational educational training, the educational or training activities of an individual who is already enrolled in educational, vocational, or technical training at the time the individual is selected for the Jobs Program.
- D.** The Jobs Program shall use the following criteria to determine whether the educational or training activities of an individual already enrolled in education or training is approved:
1. The individual is:
    - a. Attending an educational or training facility that is legally authorized, accredited, or recognized in the United States as providing a program to prepare students for gainful employment; and

- b. In good standing with the educational or training institution and is maintaining satisfactory attendance, as defined by the institution.
  2. The individual seeks the education or training activities to attain skills directly related to job opportunities for self-supporting employment in a recognized occupation that does not have high turnover due to substandard wages or working conditions.
- E.** The Jobs Program shall allow homework time under 45 CFR 261.60(e).

**Historical Note**

Adopted effective January 10, 1977 (Supp. 77-1). Amended effective July 27, 1983 (Supp. 83-4). Section repealed, new Section adopted effective June 6, 1995 (Supp. 95-2). Section repealed; new Section adopted effective July 31, 1997, under an exemption from the provisions of A.R.S. Title 41, Chapter 6 (Supp. 97-3). Amended by final rulemaking at 11 A.A.R. 5371, effective January 14, 2006 (05-4). Section expired under A.R.S. § 41-1056(J) at 22 A.A.R. 1393, effective December 31, 2015 (Supp. 16-2). New Section R6-10-118 renumbered from R6-10-116 and amended by final rulemaking at 25 A.A.R. 3235, effective December 7, 2019 (Supp. 19-4).

**R6-10-119. High School, GED Preparation, and Education Directly Related to Employment**

- A.** Based on information obtained through assessments or contained in a participant's employment and career development plan, the Jobs Program may assign a teen custodial parent who has not obtained a high school diploma or HSE diploma to education directly related to employment.
- B.** The Jobs Program may assign a single, teen custodial parent, who is head of household and has not obtained a high school diploma or HSE diploma to education directly related to employment.
- C.** The Jobs Program may assign an adult participant, who does not have a high school diploma or HSE diploma, to education directly related to employment as a non-core activity.
- D.** The Jobs Program shall allow homework time, as described in 45 CFR 261.60(e).

**Historical Note**

Adopted effective January 10, 1977 (Supp. 77-1). Amended effective July 27, 1983 (Supp. 83-4). Section repealed, new Section adopted effective June 6, 1995 (Supp. 95-2). Section repealed; new Section adopted effective July 31, 1997, under an exemption from the provisions of A.R.S. Title 41, Chapter 6 (Supp. 97-3). Amended by final rulemaking at 11 A.A.R. 5371, effective January 14, 2006 (05-4). Section R6-10-119 renumbered to R6-10-120; new Section R6-10-119 renumbered from R6-10-117 and amended by final rulemaking at 25 A.A.R. 3235, effective December 7, 2019 (Supp. 19-4).

**R6-10-120. Support Services**

- A.** The Jobs Program may provide a participant with support services as the Department budget for state TANF Cash Assistance permits to enable participation in the Jobs Program. Support services may include:
1. Transportation services to assist a participant with transportation expenses that may be incurred as a result of participation in the Jobs Program, which may include:
    - a. Transportation-related expenses,
    - b. Bus tickets or passes,
    - c. Vehicle repair,

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- d. Vehicle general maintenance,
  - e. Liability insurance, or
  - f. Contracted transportation services.
2. Health-related services not covered by AHCCCS or other medical insurance, but necessary to enable a participant to become employed or to make a determination of employability, including:
- a. Medical examinations and tests,
  - b. Eyeglasses and other optical services,
  - c. Dental services, or
  - d. Mental health counseling.
3. Other support services, including:
- a. Clothing,
  - b. Tools, equipment, or specialized garments used in specific occupations such as uniforms, hard hats, or other similar attire,
  - c. Licenses,
  - d. Educational testing fees,
  - e. Relocation, or
  - f. Shelter or utility assistance.
- B.** The Department shall provide a participant with subsidized child care pursuant to A.A.C., Chapter 5, Article 49. Other child care related expenses include:
- 1. Transportation to and from child care centers and to and from school,
  - 2. Child care registration fees, and
  - 3. Participants' co-pay obligations.

**Historical Note**

Adopted effective January 10, 1977 (Supp. 77-1). Amended effective July 27, 1983 (Supp. 83-4). Section repealed, new Section adopted effective June 6, 1995 (Supp. 95-2). Section repealed; new Section adopted effective July 31, 1997, under an exemption from the provisions of A.R.S. Title 41, Chapter 6 (Supp. 97-3). Section repealed; new Section made by final rulemaking at 11 A.A.R. 5371, effective January 14, 2006 (05-4). Section R6-10-120 renumbered to R6-10-122; new Section R6-10-120 renumbered from R6-10-119 and amended by final rulemaking at 25 A.A.R. 3235, effective December 7, 2019 (Supp. 19-4).

**R6-10-121. Transitional Support Services**

Participants who have entered unsubsidized employment and subsequently become ineligible for TANF Cash Assistance may be eligible to receive transitional support services, as Department budget permits, for up to 180 days from the first day of the month following the month of the TANF Cash Assistance case closure when it has been verified by the Jobs Program that the participant was employed in unsubsidized employment at the time of TANF Cash Assistance case closure. Transitional support services include those identified in R6-10-120 and:

- 1. Post-employment case management; and
- 2. Post-employment education and training opportunities.

**Historical Note**

Adopted effective January 10, 1977 (Supp. 77-1). Amended effective July 27, 1983 (Supp. 83-4). Section repealed, new Section adopted effective June 6, 1995 (Supp. 95-2). Section repealed; new Section adopted effective July 31, 1997, under an exemption from the provisions of A.R.S. Title 41, Chapter 6 (Supp. 97-3). Former R6-10-121 renumbered to R6-10-123; new Section R6-10-121 renumbered from R6-10-122 and amended by final rulemaking at 11 A.A.R. 5371, effective January 14, 2006 (05-4). Section R6-10-121

renumbered to R6-10-123; new Section R6-10-121 made by final rulemaking at 25 A.A.R. 3235, effective December 7, 2019 (Supp. 19-4).

**R6-10-122. Participant Complaint Resolution**

- A.** This Section applies to participant complaints about the Jobs Program, including complaints about service providers.
- B.** Each service provider shall establish a written complaint resolution procedure that shall be posted and given to participants. The complaint resolution procedure shall include an opportunity for an informal dispute resolution meeting between the participant and the service provider and inform the participant of the right to elevate the complaint to the Program Administrator if the participant is not satisfied with the service provider decision.
- C.** A participant shall continue to participate in the Jobs Program while the complaint resolution is pending, unless the participant has established a good cause reason for not participating. If a participant fails to participate, the Jobs Program shall initiate the sanction process as provided in R6-10-124 or withholding as provided in R6-10-125.
- D.** A participant shall use all applicable steps of the following process to seek a resolution of a complaint:
- 1. The participant shall attempt to informally resolve a complaint at the lowest management level. However, if a participant believes that a complaint to the service provider would be futile, the participant may complain directly to the Program Administrator under R6-10-122(D)(4).
  - 2. The participant shall submit the complaint orally or in writing to the participant's service provider. The service provider shall assist the participant with writing the complaint upon request of the participant.
  - 3. Upon receipt of the participant's complaint, the service provider shall respond in writing within seven days of the date the complaint was received. The response shall provide the reason for the decision and identify any action taken by the provider to remedy the complaint. The response shall explain the participant's right to elevate the complaint for review to the Program Administrator or designee if the participant does not agree with the decision.
  - 4. If the service provider takes no action to resolve the complaint or the participant is not satisfied with the action, the participant may submit a complaint orally or in writing to the Program Administrator or designee.
  - 5. The Program Administrator or designee shall issue a written decision within 30 days after the date the complaint is received. The Program Administrator or designee shall consider the participant's employment and career development plan, applicable statutes, rules, and policy, and, if applicable, the terms of the service provider's contract in reaching a decision.

**Historical Note**

Adopted effective January 10, 1977 (Supp. 77-1). Amended effective July 27, 1983 (Supp. 83-4). Repealed effective June 6, 1995 (Supp. 95-2). New Section adopted effective July 31, 1997, under an exemption from the provisions of A.R.S. Title 41, Chapter 6 (Supp. 97-3). Former R6-10-122 renumbered to R6-10-121; new R6-10-122 made by final rulemaking at 11 A.A.R. 5371, effective January 14, 2006 (05-4). Section R6-10-122 repealed; new Section R6-10-122 renumbered from R6-10-120 and amended by final rulemaking at 25 A.A.R. 3235, effective December 7, 2019 (Supp. 19-4).

**R6-10-123. Failure to Participate; Good Cause Reasons; Verification**

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- A.** Failure to participate includes:
1. Failure to appear for a scheduled appointment with a Jobs Program case manager;
  2. Failure to attend a scheduled work activity, assessment, or appointment that is documented in the employment and career development plan;
  3. Refusing to submit a completed application for employment, when required;
  4. Refusing to accept suitable employment, voluntarily reducing employment hours, or voluntarily quitting employment without good cause, as described at R6-10-123(F);
  5. Providing false or inaccurate information to a Jobs Program case manager;
  6. Behaving in a manner that constitutes a threat or hazard to agency staff or others; or
  7. Intentionally disrupting an activity or the orderly administration of the overall program, such as:
    - a. Attending, but refusing to participate in a class, workshop, or other assigned activity; or
    - b. Disruptive behavior that makes it difficult to conduct an activity.
- B.** If a participant does not actively engage with the Jobs Program, the Jobs Program case manager shall determine if a barrier to participation exists, and if so, whether services have been offered or provided to address the barrier.
1. If services have not been offered or provided to address an identified barrier, the Jobs Program case manager shall refer the participant to Jobs Program support services or community resources to address a barrier.
  2. If services have been offered or provided to address all identified barriers, the Jobs Program case manager shall send the participant a Good Cause/Last Chance to Stop the Sanction Appointment notice. The participant shall provide verification of good cause or attend a Last Chance to Stop the Sanction Appointment within ten days of the date the notice is mailed. The deadline shall be stated in the notice.
  3. If there are no services available to address an identified barrier, the Jobs Program Case Manager shall grant a participant good cause for not participating, as described in R6-10-123(F) and shall reevaluate the situation every 30 days from the date the employment and career development plan is revised to determine whether the barrier has been resolved or services have become available.
- C.** If the participant timely submits verification of good cause, the Jobs Program shall determine if good cause exists, as described at R6-10-123(F).
1. If verification meets the requirements of acceptable verification under R6-10-123(G) and establishes good cause, the Jobs Program shall notify the participant and state that good cause has been established and the Department shall not impose a sanction.
  2. If verification does not meet the requirement of acceptable verification at R6-10-123(G) and does not establish good cause, the Jobs Program shall notify the participant and state that good cause was not established and shall allow the participant an additional ten days from the date the notice is mailed to attend a Last Chance to Stop the Sanction Appointment.
- D.** If the participant fails to provide any verification but attended the Last Chance to Stop the Sanction Appointment and demonstrates compliance, the Jobs Program shall notify the participant and state that the Department shall not impose a sanction.
- E.** If the participant does not timely establish good cause under R6-10-123(F), attend the Last Chance to Stop the Sanction Appointment, or demonstrate compliance, the Jobs Program shall notify the participant and state that the participant did not establish good cause and did not attend the Last Chance to Stop the Sanction Appointment. The Jobs Program shall initiate the sanction process under R6-10-125.
- F.** Good cause is subject to verification under R6-10-123(G). Circumstances that prevent a participant from engaging in work activities under R6-10-102 constitute good cause, including when:
1. The participant has a barrier to participation for which services are not available;
  2. The participant is participating in referred services to address a barrier to participation;
  3. The participant has an illness;
  4. The participant is required to care for a family member with an illness or a disability;
  5. Either the participant or a dependent child has an appointment that cannot be rescheduled, such as a court-ordered appearance, medical appointment, or another comparable appointment;
  6. The participant has a family emergency;
  7. The participant lacks transportation with no reasonable alternate means of transportation;
  8. The participant is prevented from participating due to inclement weather;
  9. The participant is unable to obtain child care for a child who is less than 13 years old because the child care is unavailable, unaffordable, or unsuitable;
  10. Child care is unavailable for a child age 13 or over who requires adult supervision because the child:
    - a. Has a disability, including mental health or other health-related issues;
    - b. Would be harmful to himself, herself, or others if left alone; or
    - c. Is on court-ordered probation that requires the child to remain in the home or is under house arrest.
  11. The participant needs translation services that are not available or not provided.
  12. The participant is incapable of performing the work activity due to:
    - a. Unsafe worksite conditions;
    - b. Physical demands of the job;
    - c. Lack of skills, aptitude, or knowledge for the position;
    - d. Strike, lockout, or other bona fide labor dispute; or
    - e. Conditions of the participant's membership in a union representing employees in the occupation.
  13. The participant is a victim or perceives himself or herself to be a victim of domestic violence whose current situation:
    - a. Threatens the safety of the participant or any child living with the participant; or
    - b. Causes physical, mental, or emotional harm to the participant or any child living with the participant.
  14. The Department fails to provide the participant with services agreed upon in the employment and career development plan; or
  15. Other comparable circumstances beyond the participant's control, including an error by the Department.
- G.** Verification. Acceptable verification that establishes a participant's good cause, as described in R6-10-123(F), includes:
1. A statement from an acceptable medical source;
  2. An appointment notice from a court, FAA, or other comparable entity;

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3. Death certificate;
4. Newspaper article, or other similar evidence of public knowledge;
5. Document or statement from the DES Child Care Administration, FAA, a court, or other comparable entity;
6. Police report;
7. Statement from crisis shelter staff or a witness to the domestic violence;
8. Statement from a third party; or
9. Signed participant statement explaining the circumstances that establish good cause if no other verification is possible.

**Historical Note**

Adopted effective January 10, 1977 (Supp. 77-1). Amended effective July 27, 1983 (Supp. 83-4). Repealed effective June 6, 1995 (Supp. 95-2). New Section adopted effective July 31, 1997, under an exemption from the provisions of A.R.S. Title 41, Chapter 6 (Supp. 97-3). Former R6-10-123 renumbered to R6-10-124; new Section R6-10-123 renumbered from R6-10-121 and amended by final rulemaking at 11 A.A.R. 5371, effective January 14, 2006 (05-4). Section R6-10-123 renumbered to R6-10-124; new Section R6-10-123 renumbered from R6-10-121 and amended by final rulemaking at 25 A.A.R. 3235, effective December 7, 2019 (Supp. 19-4).

**R6-10-124. All Assistance Units, Except TPEP Assistance Units: Sanction Process**

If a participant fails to participate in work activities without good cause under R6-10-123, the case manager shall initiate the sanction process.

1. Case review. Before requesting a sanction, the case manager shall review the case to determine whether all necessary steps have been taken, including barrier identification, available service referrals, and an opportunity to establish good cause.
2. Notice. If a sanction is approved by a Jobs Program supervisor, the Jobs Program case manager shall send the participant a written Notice of Adverse Action under A.A.C. R6-12-907.
3. Preventing sanction progression. The Jobs Program shall send additional written notification to a participant within five days of mailing the Notice of Adverse Action for a 50 percent sanction and state that the participant may attend a Last Chance to Stop the Sanction Appointment in order to prevent the sanction from progressing to termination of the assistant unit's Cash Assistance grant, pursuant to A.R.S. § 46-300(D). The Jobs Program shall schedule an appointment ten days from the date on the notice. A participant may attend the appointment, develop an employment and career development plan, and begin and continue to participate in the established work activity to continue to demonstrate compliance. If a barrier is identified, the Jobs Program case manager shall follow the process in R6-10-123(B).
4. Sanction levels. The Department shall impose a sanction, which is a percentage of the original cash assistance amount, in accordance with A.R.S. § 46-300.
5. A participant who wishes to appeal a sanction may request an appeals hearing under A.A.C. R6-12-1002.

**Historical Note**

Adopted effective January 10, 1977 (Supp. 77-1). Amended effective July 27, 1983 (Supp. 83-4). Repealed effective June 6, 1995 (Supp. 95-2). New Section adopted effective July 31, 1997, under an exemption from the

provisions of A.R.S. Title 41, Chapter 6 (Supp. 97-3). Former R6-10-124 renumbered to R6-10-125; new Section R6-10-124 renumbered from R6-10-123 and amended by final rulemaking at 11 A.A.R. 5371, effective January 14, 2006 (05-4). Section R6-10-124 renumbered to R6-10-125; new Section R6-10-124 renumbered from R6-10-123 and amended by final rulemaking at 25 A.A.R. 3235, effective December 7, 2019 (Supp. 19-4).

**R6-10-125. TPEP: Failure to Participate; Withholding**

- A. If one parent of a TPEP assistance unit fails to comply with Jobs Program requirements, the Jobs Program shall determine whether good cause exists under R6-10-123(F).
- B. If the Jobs Program determines that the TPEP parent failed to participate without good cause, the Department shall withhold TANF Cash Assistance.
- C. TANF Cash Assistance shall be withheld until a participant complies with Jobs Program requirements and demonstrates compliance. The Jobs Program shall send the participant a Notice of Adverse Action notice at least ten days before the change in TANF Cash Assistance takes effect. This notice shall include:
  1. The date and location of the alleged failure to participate;
  2. How or why the participant failed to participate;
  3. The month in which the Department intends to impose the withholding;
  4. The length of time that the withholding will be imposed;
  5. How the participant can stop the proposed withholding or resume participation; and
  6. Department contact information where a participant may request more information regarding the withholding of the participant's TANF Cash Assistance.
- D. The Department may grant a TPEP assistance unit a three-month extension to the six-month limit if:
  1. A parent is enrolled in a vocational education training activity;
  2. A parent has an offer of unsubsidized employment that will begin within the three-month extension period;
  3. The TPEP work requirements were not met and good cause was established for one or more months during the six-month period; or
  4. The Jobs Program shall determine if an assistance unit meets the criteria for a three-month extension prior to expiration of the TPEP benefits and notify the FAA when the criteria is met.
- E. The Jobs Program shall close the TANF Cash Assistance when three TPEP payments are withheld in any six-month period.
- F. A participant who wishes to appeal a withholding may request a fair hearing under A.A.C. R6-12-1002.

**Historical Note**

Adopted effective January 10, 1977 (Supp. 77-1). Amended effective July 27, 1983 (Supp. 83-4). Repealed effective June 6, 1995 (Supp. 95-2). New Section adopted effective July 31, 1997, under an exemption from the provisions of A.R.S. Title 41, Chapter 6 (Supp. 97-3). Former R6-10-125 renumbered to R6-10-126; new Section R6-10-125 renumbered from R6-10-124 and amended by final rulemaking at 11 A.A.R. 5371, effective January 14, 2006 (Supp. 05-4). Section expired under A.R.S. § 41-1056(J) at 22 A.A.R. 1393, effective December 31, 2015 (Supp. 16-2). New Section R6-10-125 renumbered from R6-10-124 and amended by final rulemaking at 25 A.A.R. 3235, effective December 7, 2019 (Supp. 19-4).

**R6-10-126. Jobs Program Eligibility After the TANF Cash**

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**Assistance Time Limit**

- A.** The Jobs Program case management and employment services shall continue for up to 12 months after:
1. A participant's TANF Cash Assistance closed due to the time limit in A.R.S. § 46-294(G);
  2. The Jobs Program case is active at the time the TANF Cash Assistance case is closed; and
  3. The participant does not have a Jobs Program sanction imposed in the month of case closure.
- B.** The Jobs Program shall provide written notification to the participant of the participant's continued eligibility for the Jobs Program when the Jobs Program is informed of the participant's TANF Cash Assistance case closure. The notification shall inform the participant about how the participant may receive employment and case management services.
- C.** Continued eligibility for the Jobs Program stops when the participant's mail is returned to the Jobs Program with no forwarding address and the Jobs Program is unable to obtain the current address through other means. The Jobs Program shall close the Jobs Program case within 20 calendar days of receiving the returned mail.
- D.** Support services, as described at R6-10-120, may be provided with the exception of subsidized child care, pursuant to 6 A.A.C. 5, Article 49.

**Historical Note**

Adopted effective January 10, 1977 (Supp. 77-1). Amended effective July 27, 1983 (Supp. 83-4). Repealed effective June 6, 1995 (Supp. 95-2). New Section R6-10-126 renumbered from R6-10-125 and amended by final rulemaking at 11 A.A.R. 5371, effective January 14, 2006 (Supp. 05-4). Section expired under A.R.S. § 41-1056(J) at 22 A.A.R. 1393, effective December 31, 2015 (Supp. 16-2). New Section R6-10-126 made by final rulemaking at 25 A.A.R. 3235, effective December 7, 2019 (Supp. 19-4).

**R6-10-127. Repealed****Historical Note**

Adopted effective January 10, 1977 (Supp. 77-1). Amended effective July 27, 1983 (Supp. 83-4). Repealed effective June 6, 1995 (Supp. 95-2).

**R6-10-128. Repealed****Historical Note**

Adopted effective January 10, 1977 (Supp. 77-1). Amended effective July 27, 1983 (Supp. 83-4). Repealed effective June 6, 1995 (Supp. 95-2).

**ARTICLE 2. REPEALED****R6-10-201. Repealed****Historical Note**

Adopted effective December 11, 1995 (Supp. 95-4). Amended effective January 10, 1997 (Supp. 97-1). Repealed effective July 31, 1997, under an exemption from the provisions of A.R.S. Title 41, Chapter 6 (Supp. 97-3).

**R6-10-202. Repealed****Historical Note**

Adopted effective December 11, 1995 (Supp. 95-4). Repealed effective July 31, 1997, under an exemption from the provisions of A.R.S. Title 41, Chapter 6 (Supp. 97-3).

**R6-10-203. Repealed****Historical Note**

Adopted effective December 11, 1995 (Supp. 95-4). Repealed effective July 31, 1997, under an exemption from the provisions of A.R.S. Title 41, Chapter 6 (Supp. 97-3).

**R6-10-204. Repealed****Historical Note**

Adopted effective December 11, 1995 (Supp. 95-4). Repealed effective July 31, 1997, under an exemption from the provisions of A.R.S. Title 41, Chapter 6 (Supp. 97-3).

**R6-10-205. Repealed****Historical Note**

Adopted effective December 11, 1995 (Supp. 95-4). Repealed effective July 31, 1997, under an exemption from the provisions of A.R.S. Title 41, Chapter 6 (Supp. 97-3).

**R6-10-206. Repealed****Historical Note**

Adopted effective December 11, 1995 (Supp. 95-4). Repealed effective July 31, 1997, under an exemption from the provisions of A.R.S. Title 41, Chapter 6 (Supp. 97-3).

**R6-10-207. Repealed****Historical Note**

Adopted effective December 11, 1995 (Supp. 95-4). Repealed effective July 31, 1997, under an exemption from the provisions of A.R.S. Title 41, Chapter 6 (Supp. 97-3).

**R6-10-208. Repealed****Historical Note**

Adopted effective December 11, 1995 (Supp. 95-4). Repealed effective July 31, 1997, under an exemption from the provisions of A.R.S. Title 41, Chapter 6 (Supp. 97-3).

**R6-10-209. Repealed****Historical Note**

Adopted effective December 11, 1995 (Supp. 95-4). Repealed effective July 31, 1997, under an exemption from the provisions of A.R.S. Title 41, Chapter 6 (Supp. 97-3).

**R6-10-210. Repealed****Historical Note**

Adopted effective December 11, 1995 (Supp. 95-4). Repealed effective July 31, 1997, under an exemption from the provisions of A.R.S. Title 41, Chapter 6 (Supp. 97-3).

**R6-10-211. Repealed****Historical Note**

Adopted effective December 11, 1995 (Supp. 95-4). Repealed effective July 31, 1997, under an exemption from the provisions of A.R.S. Title 41, Chapter 6 (Supp. 97-3).

**R6-10-212. Repealed**

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**Historical Note**

Adopted effective December 11, 1995 (Supp. 95-4).  
Repealed effective July 31, 1997, under an exemption from the provisions of A.R.S. Title 41, Chapter 6 (Supp. 97-3).

**R6-10-213. Repealed****Historical Note**

Adopted effective December 11, 1995 (Supp. 95-4).  
Repealed effective July 31, 1997, under an exemption from the provisions of A.R.S. Title 41, Chapter 6 (Supp. 97-3).

**R6-10-214. Repealed****Historical Note**

Adopted effective December 11, 1995 (Supp. 95-4).  
Repealed effective July 31, 1997, under an exemption from the provisions of A.R.S. Title 41, Chapter 6 (Supp. 97-3).

**R6-10-215. Repealed****Historical Note**

Adopted effective December 11, 1995 (Supp. 95-4).  
Repealed effective July 31, 1997, under an exemption from the provisions of A.R.S. Title 41, Chapter 6 (Supp. 97-3).

**R6-10-216. Repealed****Historical Note**

Adopted effective December 11, 1995 (Supp. 95-4).  
Repealed effective July 31, 1997, under an exemption from the provisions of A.R.S. Title 41, Chapter 6 (Supp. 97-3).

**R6-10-217. Repealed****Historical Note**

Adopted effective December 11, 1995 (Supp. 95-4).  
Repealed effective July 31, 1997, under an exemption from the provisions of A.R.S. Title 41, Chapter 6 (Supp. 97-3).

**R6-10-218. Repealed****Historical Note**

Adopted effective December 11, 1995 (Supp. 95-4).  
Repealed effective July 31, 1997, under an exemption from the provisions of A.R.S. Title 41, Chapter 6 (Supp. 97-3).

**R6-10-219. Repealed****Historical Note**

Adopted effective December 11, 1995 (Supp. 95-4).  
Repealed effective July 31, 1997, under an exemption from the provisions of A.R.S. Title 41, Chapter 6 (Supp. 97-3).

**R6-10-220. Repealed****Historical Note**

Adopted effective December 11, 1995 (Supp. 95-4).  
Repealed effective July 31, 1997, under an exemption from the provisions of A.R.S. Title 41, Chapter 6 (Supp. 97-3).

**ARTICLE 3. JOB DISPLACEMENT GRIEVANCE PROCEDURES****R6-10-301. Definitions**

In addition to the definitions in R6-10-101, the following definitions apply to Article 3, unless the context otherwise requires:

1. "Displacement" means assignment of a participant to a position that:
  - a. Results in the termination or reassignment of a regular employee;
  - b. Results in the reduction of non-overtime work, wages, or benefits for a regular employee;
  - c. Fills the position of a regular employee on layoff status; or
  - d. Creates a new position for the participant that has substantially the same job functions as the position held by a regular employee who is on layoff or subsequently terminated;
2. "Regular employee" means an unsubsidized individual currently employed by an employer.

**Historical Note**

Adopted effective December 11, 1995 (Supp. 95-4).  
Amended effective July 31, 1997, under an exemption from the provisions of A.R.S. Title 41, Chapter 6 (Supp. 97-3). Amended by final rulemaking at 11 A.A.R. 5371, effective January 14, 2006 (Supp. 05-4). Section R6-10-301 amended by final rulemaking at 25 A.A.R. 3235, effective December 7, 2019 (Supp. 19-4).

**R6-10-302. Job Displacement**

An employee who has been displaced by a Jobs Program participant may file a grievance, as prescribed in this Article.

**Historical Note**

Adopted effective December 11, 1995 (Supp. 95-4).  
Amended by final rulemaking at 11 A.A.R. 5371, effective January 14, 2006 (Supp. 05-4). Section R6-10-302 amended by final rulemaking at 25 A.A.R. 3235, effective December 7, 2019 (Supp. 19-4).

**R6-10-303. Grievance Process**

- A. The Jobs Program shall provide information to regular employees and employers regarding the regular employee's right to file a grievance and the procedure for doing so.
- B. An aggrieved party may seek to informally resolve a grievance with the Department or may request an appeals hearing with the Department's Office of Appeals.
- C. To pursue informal resolution, an aggrieved party shall file a grievance within 20 days of the alleged displacement with the Department. The grievance shall contain the following information:
  1. Aggrieved party's name, address, telephone number, and email address, if available;
  2. Date of the grievance;
  3. Contact person, if other than the aggrieved party;
  4. Department contact information, address, telephone number, and email address, if available;
  5. A description of the action that is the subject of the grievance and the date of the action; and
  6. The proposed resolution.
- D. If the aggrieved party requests an informal resolution, the Jobs Program shall hold an informal resolution meeting with the aggrieved party, within 15 business days from the date the Department receives the grievance.
- E. If a grievance is not resolved at the informal meeting, the aggrieved party may request an appeals hearing with the Department's Office of Appeals, within 20 days from the date of the informal meeting, by submitting a request for an appeals hearing to the Jobs Program local office.
- F. If the aggrieved party does not choose to seek an informal resolution under R6-10-303(C) and (D), the aggrieved party may

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request an appeals hearing by filing a written request with the local Jobs Program office within 20 days of the alleged displacement. Upon request, the Jobs Program shall assist the aggrieved party in preparing the hearing request. Assistance shall include a party's right to an appeals hearing and the appeals hearing process and procedures.

- G.** The Jobs Program shall prepare a request for an appeals hearing, if requested by the aggrieved party, and forward the request for an appeals hearing to the Department's Office of Appeals. The request for an appeals hearing forwarded by the Jobs Program shall include:
1. The information submitted under subsection R6-10-303(C);
  2. The decision reached at the informal resolution meeting, if any; and
  3. Any decision, notice, or other documents relating to the hearing request.
- H.** Upon receipt of a request for an appeals hearing, the Office of Appeals shall conduct the hearing in accordance with A.A.C. R6-12-1005 through A.A.C. R6-12-1007 and A.A.C. R6-12-1009 through A.A.C. R6-12-1013(A), except that references to "FAA" are replaced by "Jobs Program."

**Historical Note**

Adopted effective December 11, 1995 (Supp. 95-4). Amended effective July 31, 1997, under an exemption from the provisions of A.R.S. Title 41, Chapter 6 (Supp. 97-3). Amended by final rulemaking at 11 A.A.R. 5371, effective January 14, 2006 (Supp. 05-4). Section R6-10-303 amended by final rulemaking at 25 A.A.R. 3235, effective December 7, 2019 (Supp. 19-4).

**R6-10-304. Expired****Historical Note**

Adopted effective December 11, 1995 (Supp. 95-4). Amended effective July 31, 1997, under an exemption from the provisions of A.R.S. Title 41, Chapter 6 (Supp. 97-3). Amended by final rulemaking at 11 A.A.R. 5371, effective January 14, 2006 (Supp. 05-4). Section expired under A.R.S. § 41-1056(J) at 22 A.A.R. 1393, effective December 31, 2015 (Supp. 16-2).