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DWP/MFIP Employment Services Division Mgr

TO: Ramsey County DWP/MFIP-ES Staff

SUBJECT: Domestic Violence Service Procedures

PURPOSE: This memo provides guidelines for meeting MN Statute 256J.521 and DHS ES Manual requirements for domestic violence services.

Ramsey County Workforce Solutions domestic violence services utilizes employment counselors trained as Domestic Violence Specialists to assist other counselors and clients to develop employment plans containing safety provisions and make client referrals to community resources for ongoing advocacy and support.

Family violence waivers, safety provisions and employment plans with employment service activities that lead to engagement and employment are not mutually exclusive.

BACKGROUND: In May 2014, Workforce Solutions contracted with St. Paul Domestic Abuse Intervention Project to institute system wide trainings for new Domestic Violence Specialists. Once the selected counselors are trained as DV Specialists, bi-monthly meetings will be facilitated by the SPIP Advocate to review topics including but not limited to, practices, procedures and community resources available to assist victims of family violence.

The primary role of the DV Specialist is to help the counselor and client develop a safety plan, provide referrals and connect the counselor and/or client to other resources for ongoing support and advocacy for victims of family violence.

When a MFIP/DWP client reveals he/she is a victim of family violence and requests a family violence waiver, the counselor must refer the client to a DV Specialist. The counselor, in collaboration with the DV Specialist must assist the client in developing an employment plan containing safety provisions. The plan may address safety, legal, or emotional issues, and other demands on the family as a result of the family violence. The plan shall also include activities that are designed to lead to economic stability.

If an agency DV Specialist is not available, the counselor must use a back-up option including, but not limited to, an advocate from SPIP, Bridges to Safety, a Domestic Violence Advocate already working with the client, or other community resources.

Eligibility for Family Violence Waiver:

256J.526 Subd. 3 (a) A client who requests and qualifies for a family violence waiver shall develop or revise the employment plan as specified in this subdivision with a job counselor or county, and a person trained in domestic violence.

256J.42 60-MONTH TIME LIMIT; EXEMPTIONS

Subd. 4. Exempt cash assistance.

Any cash assistance received by an assistance unit in a month when a caregiver complied with a safety plan, an alternative employment plan, or an employment plan under section 256J.521, subdivision 3, does not count toward the 60-month limitation on assistance.

Compliance:

The client must be complying with the safety plan in order to receive the waiver. Therefore, the client does lose the FVW if they are not complying with their plan. It should be removed as soon as proper notice can be given. Their MFIP months start counting after the waiver has been removed.

Losing the FVW does not change their FSS status. Because the ES provider/county is aware of the domestic violence issues, the client remains FSS eligible. Therefore, FSS sanction policies must be followed; this includes completing the requirements of the pre-sanction checklist before the client can be sanctioned.

Also, ending a waiver due to the absence of a client request for a waiver and verification of family violence does not constitute a statement of safety. Only the client can determine when he or she feels safe.

PROCEDURES:

1. Client informs employment counselor that she/he is a victim of family violence and requests a family violence waiver. Using DHS Employment Services Manual guidelines, counselor advises the client about documentation required to substantiate a claim of family violence. Counselor or DV Specialist can provide assistance to client to secure verification.
2. Counselor asks client if he/she is currently working with a DV Advocate.
3. If the answer is yes, Counselor encourages client to have the DV Advocate attend EP appointment and schedules the meeting to incorporate the DV Advocate into the EP safety plan development. Counselor also secures a signed release of information.
4. If the answer is No, Counselor notifies DV Specialist immediately to assist with EP, otherwise, schedule an appointment as soon as possible to develop a

safety employment plan with the client. The EP for a client with an approved Family Violence Waiver (FVW) must be developed, or revised, with the counselor, the client and a DV Specialist/Advocate.

5. Provide the following information to the client:
 - Family Violence Referral ([DHS-3323](#))
 - Domestic Violence Waiver Information Brochure ([DHS-3477](#))
 - Information on exemption from the 60-month time limit based on family violence
 - Information about battered women's community shelter programs and other services
6. DV Specialist and/or counselor ensure referrals are made to community resources for ongoing domestic violence advocacy services for the client as necessary.
7. Counselor sends a status update once the plan has been approved. Financial workers must enter an approved Family Violence Waiver in MAXIS.
8. Counselor provides monthly check-in with the client of employment plan activities, safety plan implementation, and to ensure client is aware of and utilizing available resources.
9. Counselor, DV Specialist and client review the employment plan every three months (or more frequently as circumstances require) to update the activities in employment plan and coordinate safety plan. The continuance of a waiver requires an updated request from the client and current verification of family violence.

Below are the steps that you should take when dealing with a FVW non-compliance. If the client already has an approved FVW but does not follow/comply with the Safety Plan and activities included in the EP, the sequence of steps should be as follows:

1. Send letter to notify client that they are not in compliance with the existing EP, invite them to come in to review EP and safety activities and notify them that the FVW will be lifted if they do not come in.
2. If client comes in and they develop a new EP with FVW activities that they can follow. They are still eligible for the FVW.
3. If client does not come into develop a new EP, then ES will inform FW to remove the FVW coding from stat/emps and stat/time panels. They are no longer eligible for the FVW. The MFIP months will start up again.
4. Although the EMPS coding is no longer FVW, there is information known to the ESP that the client may be FSS eligible.

5. Before ES starts the sanction process they will need to follow the FSS pre-sanction checklist.
6. Review the most recent employment plan and/or all case file materials to determine if client qualifies for good cause.
7. Invite client to a face-to-face meeting by sending a letter to client that FVW has been removed and MFIP clock will start to accrue, invite them to come in to revised EP and safety activities.
8. Schedule a home visit.
9. If home visit is unsuccessful, send information that would have been covered in face-to face meeting to client.
10. Send NOITS
11. Send status update to sanction

EFFECTIVE

DATE: July 24, 2014

WFS CONTACT: Your Agency Planner

DV Questions and Answers

1. When and how do you refer clients to DV Advocacy agencies? What agencies do you refer to?

All clients receiving the waiver should be informed by the counselor or DVS of the community resources. Make referrals based on the client's situation and needs. Local resources include Bridges to Safety, St Paul Intervention Project, shelters, VINE (for legal support and further referrals). Seek culturally appropriate programs as options for referral.

2. What is required from the client to create a family violence waiver?

A client request for a family violence waiver and one of the forms of verification outlined in either the DHS ES Manual 7.36 or the list in the DHS DV Brochure/Flyer – DHS-3477-ENG 11-10. Remember that DHS ES Manual 3.39 defines a sworn statement as a written declaration by the client. The signing of the statement only needs to be witnessed if a Notary is not available. A notarized statement is recommended from the witness and a person with knowledge of the circumstances but it is not required. A sworn statement is needed at the minimum.

The client then must meet with an employment service agency domestic violence specialist (DVS), or a community agency family violence advocate, and an employment counselor to create an employment plan with safety provisions in it. Please remember that once safety is addressed clients need and should be encouraged to continue to participate with ES approved activities that lead to engagement and employment.

Send status update to FAS to start the waiver.

3. How often are employment plans and family violence waivers to be reviewed?

Every 3 months as per ES manual.

4. Who has input on creation or renewal of waivers (same DVS, different DVS, supervisor, community advocate, etc.)?

The employment counselor, client, and DVS (or family violence advocate, if client has a community DV advocate) are always present at the creation, renewal, or removal of the waiver.

An important part of the discussion at the creation and three month review/possible revision of the employment plan, is the inclusion and increase of ES approved activities (education, counseling, job search, volunteer experience, etc.) that lead to engagement and employment. Having a family violence waiver and an employment plan with these activities demonstrate support, shared resources and laying out of the steps toward a desired positive outcome for the client.

Collaboration, creativity, support, and agreement on the part of the client, DVS or family violence advocate, and counselor assist the client to move forward in addressing safety issues and staying involved with ES driven goals and activities.

5. Under what circumstances do you extend/renew the waiver?

Waivers are renewed for up to 3 months when safety is still the client's concern (he or she requests the family violence waiver) and the client produces the verification to document the on-going presence of family violence.

The length of time on a waiver varies based on the needs of the client. Generally waivers are in place for 3-6 months. It is rare to have waivers in place longer.

6. Under what circumstance do you end a waiver?

If there is no request for a waiver from the client or a request but no verification of the on-going presence of family violence, then the waiver needs to be discontinued. As necessary, the counselor or DVS can make a reasonable, short-term effort to assist the client to acquire the verifications. But the absence of either the request or the verification is grounds for discontinuing the waiver.

When the discontinuance of a waiver is considered, the DVS or family violence advocate needs to be included in this discussion and decision.

If the client fails to show up for the renewal of the waiver after two scheduled appointments with the Job Counselor and the DV Specialist, the waiver can be discontinued and client notified. Send status update to FAS to remove the waiver.

If client has documented issues other than family violence, the counselor should address these issues according to current FSS ES manual policies.

If the client fails to meet the expected FSS requirements (including the content of the safety/employment plan) the Employment Counselor can initiate the FSS pre-sanction action and then the sanction process.

7. What if the client indicates he or she is no longer in imminent danger but is still fearful?

When immediate danger and safety issues appear to be no longer present, explore lifting the waiver and developing a new plan. A conversation between the DV Specialist, Employment Counselor and client about current concerns, goals for having the waiver, and the capability to get a new waiver immediately should it be needed in the future may be useful.

If the client no longer has a safety concern and discloses more about mental health concerns than about safety concerns, then a discussion differentiating the issues may be appropriate. The client may also talk about fear when they are no longer in danger, which also may signal that their need may be more about emotional health than safety.

Waivers may not be the appropriate tool if client is suffering from the PTSD or other emotional health issues as a result of the event/violence. Explore the use of a different FSS category and pertinent employment plan activities.

Listen to what the clients says about why they need the waiver or should remain on the waiver. Explore questions related to what it will mean if the waiver is removed, his/her fears about removing the waiver. Use questions like “how do you feel about removing the waiver today,” “how is this situation affecting your ability to follow through with the rest of your plan,” “what would the waiver mean for you,” and/or “what benefit would the waiver have for you” to get at motivations to keep the waiver. The waiver does not protect someone, it only sets aside time to work on their situation. If safety concerns have abated, end the waiver.

Encourage the client to assess their current level of safety – remember that the client is the best one to determine their sense of safety; the DV Specialist and/or Employment Counselor are not in a position to do so but are in a position to decide if the criteria for a waiver – client request and verification - are present to start or continue a waiver.