To: Transitional Assistance Office Staff

From: Cescia Derderian, Assistant Commissioner for Field Operations

Re: Eligibility of Strikers for Cash or Food Stamp Benefits

Overview

In the event of a strike by unionized workers of Verizon, the Department anticipates a potential increase in the number of applications for cash and/or food stamp benefits at local TAOs. The significance of the strike on the daily operations of the local TAOs depends largely on the length of the strike.

Definition of Striker: A striker is an individual involved in a strike or concerted stoppage of work by employees, including a stoppage by reason of the expiration of a collective bargaining agreement, and any concerted slowdown or other interruption of operations by employees.

See TAFDC policy at 106 CMR 203.920; and
Food Stamp policy at 106 CMR 361.240.

Purpose of Memo

This Field Operations Memo provides instructions for processing cash or food stamp applications containing a striker(s). The instructions are sorted as follows:

- TAFDC Applications Containing a Striker(s);
- FS Applications Containing a Striker(s); and
- EAEDC Applications Containing a Striker(s).
When an AU containing a striker applies for TAFDC, the AU Manager must:

- Deny the application if the striker is the parent or the only child in the AU. Use Reason Category: Program Rules and Reason: Striker.

- Open the TAFDC AU without the striker if the striker is anyone other than a parent or the only child in the AU.

The following individuals are not considered strikers for food stamp purposes:

(a) An employee affected by a lockout. A lockout is the closing of a workplace by an employer to resist the demands of employees.

(b) An employee not participating in a strike who is unable to work as a result of striking employees.

(c) An employee who is not part of the bargaining unit on strike and who does not want to cross a picket line due to fear of personal injury or death.

(d) An individual who was, on the day before the strike, exempt from the Work Requirements on any basis other than 106 CMR 362.310(B)(10) or 362.320(B)(10): Employed Persons.

For example, a striker who is: under age 16 or over age 60; caring for a child under age six or an incapacitated household member; a half-time student; participating in a drug or alcohol treatment program; or pregnant in her second or third trimester is exempt from work requirements and is therefore not considered a striker. Food stamp eligibility for these individuals would be determined as usual without using the special striker rules.
Food Stamp Applications Containing a Striker(s) (Continued)

When an AU containing a striker applies for food stamp benefits, the AU Manager must determine if the AU meets all of the following requirements:

- the AU was participating or was eligible to participate the day before the strike;
- the AU is otherwise currently eligible; and
- the striker complies with the appropriate food stamp Work Requirement unless exempt.

*Note:* If all requirements are not met, the application must be denied. AU Managers must manually deny the AU using an FSNL-2. The reason for denial is failure to comply with food stamp program requirements for striker eligibility. *Manual Citation:* 106 CMR 361.240(E)(2).

How to Count Striker Income

If the AU is otherwise eligible to participate in the food stamp program, the AU Manager must determine the striker’s income. The AU Manager must:

- compare the striker’s monthly income on the day before the strike with the income, if any, received during the strike;
- count the greater of the two incomes; and
- add this to any other income the striker may have, plus the income of other AU members.

EAEDC Applications Containing a Striker(s)

There is no prohibition on strikers who are otherwise eligible receiving EAEDC.

Ongoing Cash and Food Stamp AUs Containing a Striker(s)

Please have your Hotline designee call the Policy Hotline for instruction on how to process an ongoing cash or food stamp AU containing a striker(s).

Questions

If you have any questions, please have your Hotline designee call the Policy Hotline at 617-348-8478.