

WAIVER REQUEST

Student Work Hours

1. **Type of Request:** Initial
2. **Primary Citation:** Subpart C – Education and Employment. Section 273.5 (b) (5) of the Food and Nutrition Act.
3. **Secondary Regulation Citation:** 7 CFR 271.2
4. **State:** North Carolina
5. **FNS Region:** SERO
6. **Act and Regulatory Requirements:** Section 273.5 (b) (5) of the Food and Nutrition Act requires an individual that is enrolled at least half-time in an institution of higher education “be employed for a minimum of 20 hours per week and be paid for such employment or, if self-employed, be employed for a minimum of 20 hours per week and receiving weekly earnings at least equal to the Federal minimum wage multiplied by 20 hours.”
7. **Proposed Alternative Procedures:** North Carolina is requesting a waiver to suspend the requirement to be employed for a minimum of 20 hours per week and be paid for such employment or, if self-employed, be employed for a minimum of 20 hours per week and receiving weekly earnings at least equal to the Federal minimum wage multiplied by 20 hours. This waiver is being requested for the months of March, April, and May 2020. On March 10, 2020 Governor Roy Cooper issued Executive Order No. 116, Declaration of a State of Emergency to Coordinate Response Protective Actions to Prevent the Spread of COVID-19. As of March 23, 2020, there are 311 confirmed cases in North Carolina of COVID-19. On March 13, 2020 President Donald Trump declared a national state of emergency due to the spread of the COVID-19 virus.
8. **Justification for Request:** The spread of the COVID-19 virus has resulted in numerous retailers reducing hours of operation or temporarily ceasing business. In addition, all schools from K-12 through college have suspended classes and/or moved all classes online through at least March 30, 2020. The closure of schools and businesses has made it impossible for many of the students to work the required 20 hours per week, due to no fault of their own.

Waiving the Act and regulation language that requires the student to be employed for a minimum of 20 hours per week and be paid for such employment or, if self-employed, be employed for a minimum of 20 hours per week and receiving weekly earnings at least equal to the Federal minimum wage multiplied by 20 hours will allow these students to remain eligible during the pandemic.
9. **Anticipated Impact on Households:** Allowing the students to retain their eligible status during the pandemic lessens the impact on those students that would otherwise be adversely affected by the COVID-19 virus who are temporarily unable to work the 20 hours per week required to maintain eligibility.
10. **Affected Caseload:** North Carolina has approximately 5,800 ineligible students that would potentially be eligible due to this waiver.

11. Anticipated Implementation Date: The 20-hour work requirement exemption would be effective from the approval date of this waiver until May 31, 2020. Based on the rapid spread of this virus, it is unknown at this time when many families will be impacted by the emergency measures.

DHHS will utilize media press releases along with social media and 211 to provide awareness to recipients of SNAP of the approved waiver.

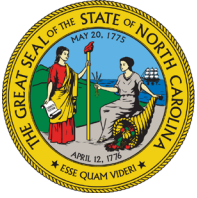
12. Proposed Quality Control Procedures: The proposal does not affect quality control sampling or procedures.

13. Signature and Title of Requesting Official:

A handwritten signature in blue ink that reads "David Locklear". The signature is cursive and includes a small mark at the end.

David Locklear, Deputy Director
Economic and Family Services

14. Date of Request: March 23, 2020.



NC DEPARTMENT OF
**HEALTH AND
HUMAN SERVICES**

ROY COOPER • Governor

MANDY COHEN, MD, MPH • Secretary

SUSAN OSBORNE • Assistant Secretary for County Operations for
Human Services

March 23, 2020

Willie C. Taylor, Regional Administrator
USDA Food and Nutrition Service
Southeast Region
61 Forsyth Street SW, Suite 8T36
Atlanta, GA 30303

Dear Mr. Taylor:

This letter transmits North Carolina's request for a Student Waiver for month's March 2020 through May 2020. The waiver will suspend student requirements to be employed for a minimum of 20 hours per week and be paid for such employment or, if self-employed, be employed for a minimum of 20 hours per week and receiving weekly earnings at least equal to the Federal minimum wage multiplied by 20 hours.

North Carolina was declared a State of Emergency and it may be days or weeks before families can be in public places and conduct business as usual without possible risk of exposure to COVID-19 virus. This waiver ensures those individuals continue to receive their benefits during the pandemic. North Carolina is requesting this waiver statewide.

Your assistance in this matter is appreciated. Please contact David Locklear at (919) 527-6311 if additional information is needed.

Sincerely,

David Locklear, Deputy Director

NC DEPARTMENT OF HEALTH AND HUMAN SERVICES • DIVISION OF SOCIAL SERVICES • ECONOMIC AND FAMILY SERVICES

LOCATION: 820 S. Boylan Avenue, McBryde Building, Raleigh, NC 27603
MAILING ADDRESS: 2420 Mail Service Center, Raleigh, NC 27699-2420
www.ncdhhs.gov • TEL: 919-527-6300 • FAX: 919-334-1265

AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER