

3.5.1.9 How do I determine if the participant has good cause?

The goal is to involve participants in WorkFirst activities to increase their ability to earn a living and provide support for their children, not to place their case in NCS. It's very important to determine and document whether a participant is refusing, rather than unable to comply. If a participant is unable to comply and we are able to determine why, then we can work more effectively with them and their family.

~~WFPS/WFSSS WorkFirst staff need to be particularly careful~~ not to place participants in non-compliance sanction ~~if they who~~ don't comply ~~because they don't have~~ with participation requirements ~~due to lack of~~ affordable or appropriate child care, ~~and don't know what help is available.~~ Such sanctions do not align with the Federal guidelines prohibit such sanctions and the program's core values of prioritizing a supportive and solution-oriented approach. Imposing sanction for childcare issues could exacerbate their challenges and hinder their ability to secure stable employment.

Instead of imposing sanctions, WFPS/WFSSS WorkFirst staff are encouraged to work collaboratively with participants to find viable solutions to child care needs. This may include providing information ~~on to~~ child care resources and exploring alternative child care options within the community. There is a special brochure ([WorkFirst Opportunities Brochure DSHS 22-1125](#)) that you can use to give basic child care information to all participants who face non-compliance sanction.

Anyone who isn't fully participating as required has good cause if there is a significant barrier or combination of barriers outside of their control that prevent full participation. Some areas to review with every participant that may prevent compliance include having:

- An unmet need for Equal Access services (EA).
- Limited-English Proficiency (LEP), not addressed through interpreters or translations that result in the participant not understanding WorkFirst requirements.
- An emergent or severe medical condition (verified by health care professional) of the participant or a family member in the participant's care.
- Mental health or chemical dependency issues.
- Family violence.
- Immediate legal concerns.
- Homelessness.

Consider non-participation due to unexcused absences good cause if there's a significant circumstance outside of the participant's control, such as but not limited to, family violence or hospitalization that made it difficult for the participant to call in to get the absence excused.

If there isn't enough information to make a good cause decision, give the non-participating parent/caregiver a written request for any needed additional proof. For example, if the participant reports a new barrier give/send them a letter requesting documentation or verification of the barrier. Don't send a recommendation to impose NCS until a decision is made based on the verification provided.

If the WFPS/WFSSS determines the participant had good cause for failure to participate in their assigned activities:

- Complete NCS eJAS Tool questions 1-14;
- Answer 'No' to question 15;
- Document the decision in eJAS sanction case notes.

When there is a determination of good cause, WFPS/WFSSS must change the IRP to reflect the appropriate activities and level of services the participant needs to successfully participate. In addition, they may need to:

- Complete or review the comprehensive evaluation (e.g. Pathway Development Tool);
- Modify participation requirements and/or support services for a new IRP;
- Provide a deferral from a specific activity or an exemption.