

DEPARTMENT OF HUMAN RESOURCES FAMILY INVESTMENT ADMINISTRATION	FOOD SUPPLEMENT PROGRAM MANUAL	
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122.1 Purpose

All of the policy and procedures described in the following sections apply to migrant households with the exception of expedited service.

122.2 General Information

Migrants who are not citizens must meet the same non-citizen eligibility requirements as other non-citizens (See Section 120).

122.3 Definition of a Migrant Worker

A migrant worker is a person who moves from one region or locality to another to work or seek work in agriculture or a related seasonal industry. Migrant workers move so far in the course of their regular annual employment that they establish temporary residences at one or more locations away from the place they call home.

122.4 Applications

- A. Because migrant households often reside in isolated areas and may have no access to a telephone or may have transportation problems, it is often necessary to waive face-to-face office interviews or conduct onsite interviews.
- B. Applications may be taken and processed at the labor camps when the local director determines that this will result in more efficient use of staff and promote prompt and expeditious handling of applications.
- C. Migrant households frequently have little or no income at the time of application and may be destitute even though they receive income at some other time during the month of application.
- D. Carefully screen all applications to identify those requiring expedited service, and to apply the special income calculation for destitute households. The destitute provision applies only to migrant households.

122.5 Household Concept

Two unusual living arrangements are common to migrants:

- A. If a group of single persons hires someone to purchase and prepare meals for them, that group is the household. There cannot be a household of one.

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122.5 Household Concept (continued)

- B. Individual members of a household may be lodged in separate dwellings in the labor camp. When this occurs, the household unit is not disturbed and the group may qualify as a single household as long as the members purchase and prepare their meals together.

122.6 Residency and Identity

- A. Consider a car, bus, truck or other temporary shelter as an acceptable place of residence.
- B. Verify only that the household is, at least temporarily, living at a place within the county, and is working or seeking employment.

122.7 Work Registration

- A. Register migrant workers for work unless they are exempt (See Section 130 for work exemptions).
- B. The most common exemptions in migrant households are as follows:
 1. Children under age 18
 2. Persons employed a minimum of 30 hours per week
 3. Persons receiving weekly earnings at least equal to the Federal minimum wage multiplied by 30

122.8 Resources

Take special care when dealing with migrants to determine if there are out-of-state resources if the household is not categorically eligible. Please note that most migrant households are categorically eligible and resources are not counted for FSP purposes.

122.9 Excluded Income

- A. Migrant households are entitled to the same income exclusions as other households (See Section 211).
- B. The most common excluded income for migrant households is the earned income of a child who is 17 years of age or younger and is:

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122.9 Excluded Income (continued)

1. Attending school at least half-time, and
2. Under the control of another household member

NOTE: Exclude a student's income that can be identified separately from the rest of the household's income. If the student's income cannot be identified from the other household members, prorate the income evenly among all of the individuals who earned the income. Exclude the child's prorated share from consideration.

122.10 Destitute Households

Destitute migrant or seasonal farm worker households are those that meet the following criteria on receipt of income during the month of application:

- A. The household's only income for the month of application was received prior to the date of application, and was received from a terminated source; or
- B. The household's only income for the month of application is from a new source and it does not expect to receive more than \$25 from this source by the 10th calendar day after the date of application; or
- C. The household's only income from a terminated source is received before the date of application and it does not expect to receive more than \$25 income from a new source by the 10th calendar day after the date of application.

122.11 Income from a Terminated Source

- A. Income that is received on a monthly or more frequent basis comes from a terminated source if it will not be received again from the same source during the balance of the month of application or during the following month.
- B. Income that is normally received less often than monthly comes from a terminated source if it will not be received in the month in which the next payment would normally be received.

EXAMPLE: If income is received on a quarterly basis (e.g. on January 1, April 1, July 1, and October 1), and the household applies in mid-January, the income would be from a terminated source only if the household does not anticipate receiving it in April.

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122.12 Income from a New Source

- A. Income that is normally received on a monthly or more frequent basis is considered to be from a new source if income of more than \$25 has not been received from that source within 30 days prior to the date the application was filed.
- B. Income that is normally received less often than monthly is considered to be from a new source if income of more than \$25 was not received within the last normal interval between payments.

EXAMPLE: A household applies in early January and is expecting to be paid every three months starting in late January. The income is from a new source if no income of more than \$25 was received from that same source during October or since that time.

NOTE: A migrant farm worker's source of income is the grower for whom the migrant is working, not the crew chief. Therefore, a migrant who travels with the same crew chief but moves from one grower to another has moved from a terminated source to a new source of income.

- C. Some employers provide travel reimbursement or wage advances to employees to cover the travel costs of moving to the location of their new employment. Disregard these travel advances when determining whether income is from a new source.

EXAMPLE: A household applies on May 10. Its new employer gives the household \$50 for travel from its old job site, received by the household on May 1. It will not start receiving any other income from the employer until May 30. The \$50 payment on May 1 is disregarded in determining the status of the May 30 income. Therefore, the payment on May 30 is considered income from a new source and the household is considered destitute.

NOTE: All FSP applications from migrants must be screened for destitute household status. Those who meet the criteria listed above may be entitled to expedited FSP service as described in Section 401.

122.13 Application

Destitute migrant households receive the FSP benefit under a special income calculation for the month of application only. This is done by considering only income that is received between the first of the month of application and the date of application. Disregard any income from a new source that is anticipated after the date of application.

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122.13 Application

NOTE: Exclude as income travel advances that are reimbursements for travel expenses. Count as income travel advances that are an advance on wages when a written contract specifies the advance will be subtracted from wages later earned by the employee.

EXAMPLE: A household applies May 10. It receives a \$50 wage advance from its new employer on May 1, but will not receive any other wages from the employer until May 30. The household has a written contract that states that the \$50 will be subtracted from these wages. The May 30 payment is disregarded, but the wage advance received prior to the date of application is counted as income.

122.14 Certification Periods

Certify destitute households using expedited service verification requirements for one or two months only if the household cannot reasonably predict what its circumstances will be in the near future or when there is a substantial likelihood of frequent and significant changes in income or household status (see Section 408.4).

122.15 Recertification

- A. The policies regarding destitute migrant households, expedited service verification requirements and special income calculation apply at recertification, but only for the first month of the new certification period.
- B. At recertification, disregard income from a new source in the first month of the new certification period if income of more than \$25 will not be received from the new source by the 10th calendar day after the date of the household's normal issuance cycle.

EXAMPLE: A household whose current certification period expires on May 31 files a timely application on May 15. During the recertification interview, the case manager discovers that the household will receive its last income from its employer on May 30. It will receive income from a new employer on June 20. Since this household has no other income, the income for the first month of the new certification period is disregarded. If the verification required for recertification is obtained, assign a normal certification period. If not, use expedited service verification requirements and give the household a new certification period of one month.