

Conciliation process

The following is the information available in the IDHS system.

http://www.dhs.state.il.us/page.aspx?item=75443#a_Conciliation

Conciliation (Job Placement with Retention and Special Project Providers when indicated in their approved request for funding)

Job Placement with Retention and Special Project Providers, when indicated in their approved funding request, will initiate the conciliation process for all participants who, without good cause, do not:

- Accept a bona fide offer of employment
- Cooperate with the assigned countable activity
- Complete all assigned activities listed on FSE&T Employability Plan (**Form 2839**) to meet federal participation requirements

See Appendix D for the conciliation process. (link below)

NOTE: A participant, who fails to report to/complete/cooperate with the Earnfare work assignment where he/she has the opportunity to earn up to \$294 per month, is not subject to a sanction and should not be included in the conciliation process. If the Provider cannot re-engage the participant, refer the individual back to the FCRC via the Change Progress Report Form (**Form 2151A**) with an explanation of the circumstances.

If conciliation efforts are unsuccessful, the Provider must:

- Follow Department conciliation policy and request a sanction from the FCRC via the Change Progress Report Form (**Form 2151A**)
- Notify the FCRC within 30 days of the date that the Provider learned of the instance of non-cooperation (**case note in EPIC immediately**)

Prior to requesting a sanction, the Provider will work with the individual in an effort to re-engage him/her in the program.

If the individual who failed to cooperate has good cause, the Provider will document all good cause reasons on the Change Progress Report Form (**Form 2151A**) to explain why the participant was not referred back to the FCRC for non-cooperation.

Link for Appendix D - <http://www.dhs.state.il.us/page.aspx?item=75453>

The Conciliation Process:

- Determines why a mandatory participant failed or refused to comply with SNAP E&T requirements
- Determines whether good cause exists
- Provides the person another chance to comply

Conciliation must be conducted before sanctions are imposed.

The conciliation period begins the day after the Provider learns the participant did not comply with requirements. The period continues for up to 30 calendar days.

During this period, a notice (**Form 2846G**) is sent scheduling the conciliation meeting. If it is determined that good cause does not exist, inform the participant of the specific requirement (**Form 3392**) and the consequences of not complying.

The participant is told what is needed to comply and the date by which it must be done to avoid sanction. This date cannot be later than the last day of the conciliation period. If necessary, provide transportation expenses to enable the participant to attend conciliation meetings.

The participant must act to comply within the conciliation period, unless unable to do so by events beyond their control. The act of compliance must be verified. If the participant refuses to comply without good cause, end the conciliation period early and request a sanction from the FCRC via Change Progress Report Form (**Form 2151A**). Document the participant's refusal to comply in their case file.

If the participant does not comply during the conciliation period, the sanction action is requested no later than the last day of the period. The sanction may be retracted if it is later verified that the participant complied by the end of the period.

Good Cause Reasons

Examples of good cause include, but are not limited to:

- Death in the family
- Illness or incapacity
- Required court appearance or being temporarily in jail
- Family crisis
- An emergency situation
- Lack of reasonably available transportation
- Severe weather
- Job referral does not meet appropriate work or training criteria
- Lack of any supportive service or other resource as determined by the Employability Plan, to the extent it presents a major barrier to SNAP E&T activity
- Current participation in employment or training that is in line with the employment related goals of the program. These efforts must later be approved (e.g., individual is unable to participate because they were in a GED class)
- Failure to comply due to symptoms of a condition for which the participant has been referred for rehabilitation services
- Failure of staff to correctly forward information to other staff
- Failure of the participant to comply because of attendance at a test or a mandatory class or function at an education program whether or not such program is officially approved by the Provider or SNAP E&T
- Lack of reading or writing skills by the participant
- Failure of the participant when it is determined that the individual should be in a different SNAP E&T component or exempt
- Lack of reasonably available day care
- Non-receipt of mail by the participant of a notice advising them of a program requirement, if documented by the individual

Steps to Follow

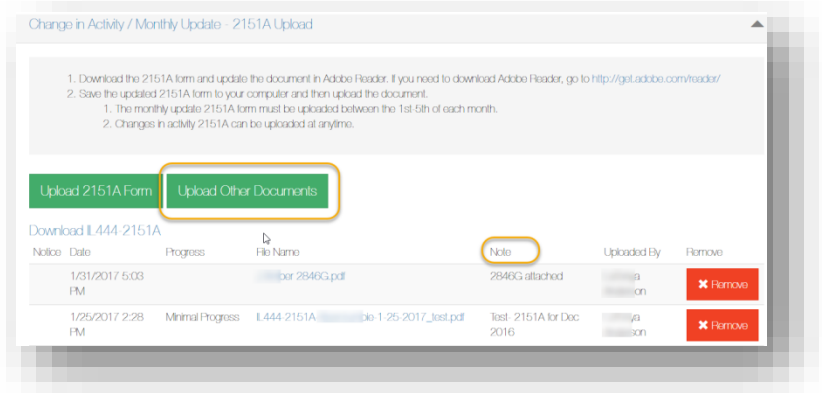
These are the steps to follow to comply with IDHS conciliation policy:

If a person is a no show for the initial appointment, within 48 hours submit **Form 2151** indicating NO SHOW. It is incumbent upon the DHS staff to follow-through with the conciliation process. Include NO SHOW in the description on the document upload.

After a person has enrolled in the CBO for the program and becomes UNCOOPERATIVE:

- Person misses a specific number of appointments/classes determined by the CBO
 - **Enter case note** on customer's EPIC progress page
 - **Submit Form 2151A** noting Uncooperative
 - Case notes and comments on all 2151A forms should reflect the non-cooperative nature of the customer behavior. These documents will be used in a hearing should the customer appeal a sanction, if a sanction is the end result of non-cooperative behavior.
 - There is a 30-day period from the receipt of the 2151A telling DHS the customer is uncooperative and to perform the conciliation. Conciliations must be completed within 30 days of the customer's failure to cooperate with their plan.

- **Complete Form 2846g**
 - **Schedule** conciliation appointment allowing at least 5 days for mail.
 - **Mail** copy to customer by US Postal Service.
 - **Upload** copy to *progress page* under *Changes in Activity/Monthly/Update – 2151A Upload Section* using the *Upload Other Documents* button. (See image) Include conciliation in the description on the document upload. It will appear in the NOTE column in the list of uploads.



- If person attends appointment:
 - **Submit Form 2151A** indicating the person is back on track.
 - **Complete and upload Form 3392 – Conciliation Agreement** to progress page in the same section in which you uploaded the 2846G, using the *Upload Other Documents* button. Include Agreement in the description on the document upload.
 - By completing this form, the customer commits to participation. If there is another infraction within 30 days of the agreement, they can immediately be recommended for sanction by submitting a 2151A, noting Noncooperation per 3392 agreement.
 - Add them back into the rotation indicated in the ISTEP.
- If person does not attend conciliation appointment:
 - Immediately **submit Form 2151A** recommending sanction. Include No-Show to Conciliation in the description on the document upload.
 - Add case note that the customer did not attend conciliation appointment.
- If person is a Volunteer in a mandatory area or non-mandatory county:
 - Enter case note on customer's EPIC progress page
 - Submit **Form 2151A** noting Uncooperative.

Case Notes and Comments

- With all the above steps, submit case notes using the option to send an email and IWN message to the DHS primary contact.
- At the first sign of any non-cooperation, for example a customer misses one appointment without calling in; submit a case note that can document the lack of activity.
- All 2151A documents need to include a comment on page 3 (the comment may be copied and pasted from the case note or vice versa) of the document if there is a report of:
 - Situation Worse
 - No Progress
 - Minimal Progress
 - Non-Cooperation
 - Conciliation
 - Joint Staffing Needed
 - Recommend Sanction

Sanction Appeals

If the customer is sanctioned and files an appeal, the CBO primary staff person may be required to participate in the appeal process with DHS staff.

- DHS will put a case note on the progress page of the customer profile and notify the CBO primary contact of the date and time of the appeal hearing appointment.
- Review all uploaded documents and case notes leading to the point of sanction.
- 2151A documents may be updated to include proper notes in the comment section and uploaded. Indicate in the description what the document is replacing.
- All paperwork must be complete and up-to-date prior to the appeal hearing.