

Date Revised: February 12, 2025

To: MFIP & DWP Employment Service Providers

From: Workforce Solutions Integrated Planning Manager

Subject: Sanction Policy

Purpose: To outline engagement and assessment efforts, the Notice of Intent to Sanction (NOITS) procedure, engagement during sanction and specific sanction situations.

Background

Minnesota Family Investment Program (MFIP) participants may be sanctioned when they do not comply with employment services, child support enforcement or financial services orientation. Whether the family continues to be eligible for childcare assistance depends on the type of non-compliance and their continued participation in authorized activities.

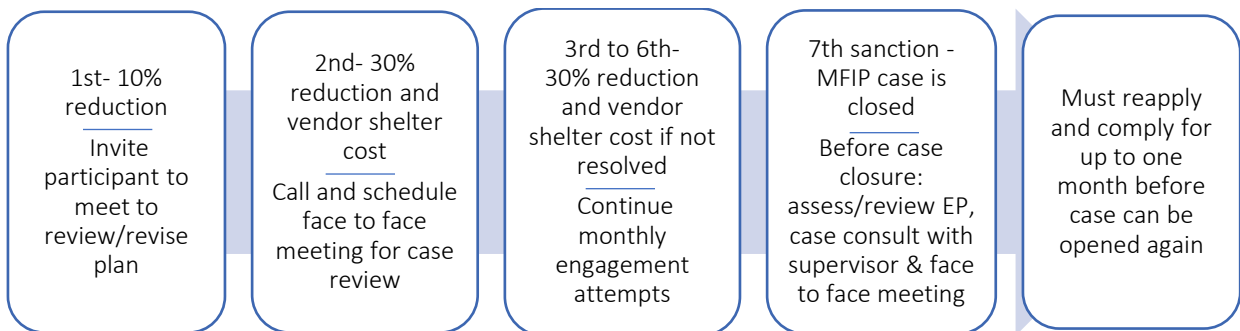
MFIP Employment Services participants can be sanctioned for various reasons:

- Not attending the overview
- Not developing an employment plan
- Not complying with their employment plan
- Not accepting suitable employment
- Not continuing to work at suitable employment without a good cause

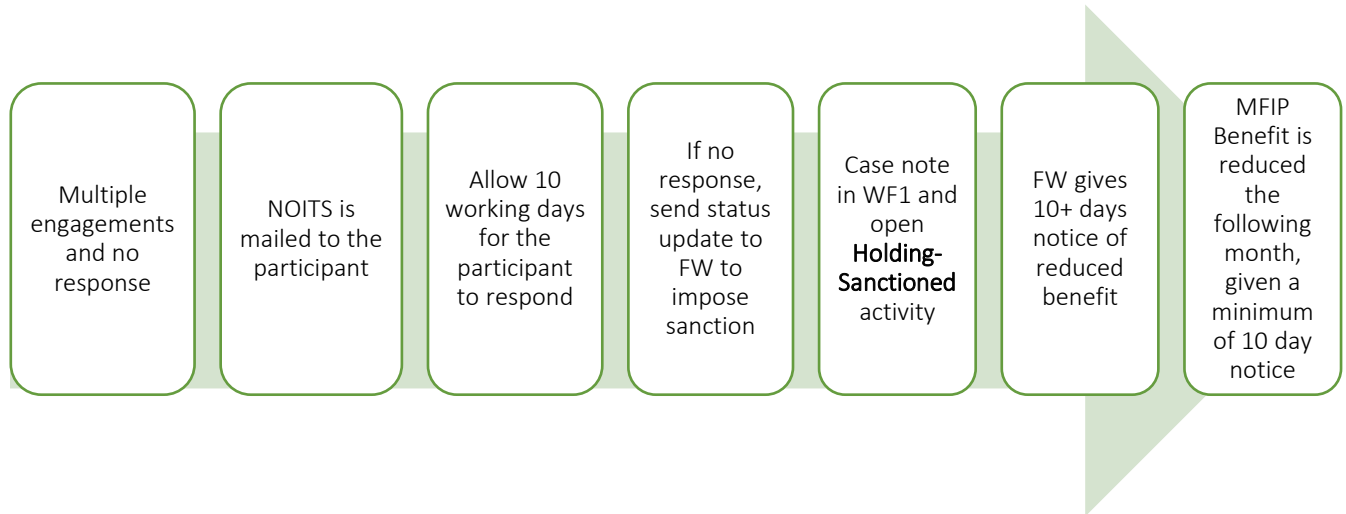
The sanctioned months count towards the 60-month time limit. For the first through sixth sanction occurrences, the amount of the MFIP grant cash portion is reduced. For the seventh sanction occurrence, also referred to as 100% sanction or sanction disqualification, the family’s MFIP case is closed.

If there is a Child Support sanction and Employment Service sanction in the same month the sanction counts as one month of sanction.

Sanction Occurrences



Summary of Sanction Process



A. Prior to NOITS & Sanction

Engagement

Multiple individualized attempts to engage the participant are required, using varying methods of communication, prior to sending a NOITS and requesting a sanction be imposed. NOITS should be sent after 6 months of attempted engagement, unless reasonable cause.

- Balancing the person-centered approach with MFIP requirements offers the opportunity to utilize the Lifelong Learning Initiative – Motivation Driven practices when working with families.
- The minimum engagement requirement is once per month however the expectation is to increase engagement attempts prior to initiating the sanction process.
- Attempt to engage the participant to ensure they have received the necessary information about requirements; have had an opportunity to discuss whether the current Employment Plan’s activities remain appropriate; are well informed of the consequences of non-compliance; clearly understand steps required to avoid sanction; and have had an opportunity to review and disclose good cause reasons for failure to comply.
- Varying methods of communication may include mail, phone, text, emails and home visits. Follow your employer’s policies related to authorizations when using certain methods of communication, including emailing, texting, and home visits.
- A NOITS does not count as an attempt to engage the participant and mass communications are not considered individualized attempts to engage the participant.

Assessment

In addition to increasing engagement efforts, conduct a full assessment of the case when determining if a NOITS and subsequent sanction are appropriate. A full assessment of the participant's case includes:

- Review all recent case notes and file documents to determine if the participant has disclosed information that meets the definition of good cause, or if the participant is potentially FSS eligible. For those not FSS, but for whom information indicates possible eligibility, the FSS sanction policy applies.
- Review information obtained during assessments such as the Stepping Stones to Success, Employability Measure, MFIP Self Screen, Brief Screening Tool for Special Learning Needs, and/or Observational Checklist to determine if anything suggests the individual may have good cause or is possibly FSS eligible.
- If it is determined that good cause may be present, or other information exists that makes the participant possibly eligible for FSS, do not initiate the sanction.
- Review case notes and other relevant information in MAXIS to determine if information has been disclosed that impacts whether a NOITS or sanction is appropriate. For example, case notes or MAXIS coding indicating homelessness, the recent birth of a child, or work hours indicating the participant is meeting the minimum hour requirements through employment.

B. When Not to Sanction

Do not sanction participants if they:

- Are unable to comply for a good cause reason, see [19.9 \(Good Cause\)](#)
- Cannot meet participation hours because their employer is closed for a holiday without holiday pay. Engaging in increased hours of activity to offset unpaid holiday hours is not required.
- Are meeting the minimum hourly requirements for their family situation when the employment plan is written for more than the minimum hours, see [7.15 \(Hourly Requirements for Plans\)](#).
- Are not following through with activities that are not part of the employment plan.
- Do not submit paystubs to the employment services agency.
- Are working but not complying with engagement

C. Notice of Intent to Sanction

Utilize the [MFIP Notice of Intent to Sanction](#) form, which can be generated in Workforce One also. Include the following:

- Follow specific FSS pre-sanction provisions for FSS participants.
- Be very specific about the actions with deadlines the participant must take, so the participant knows exactly how to prevent the sanction.

- The MFIP Notice of Intent to Sanction (NOITS) must be mailed.
- Allow the participant at least 10 calendar days from mailing to comply; the 10th day should not be on a weekend or holiday. Do not send a status update to impose the sanction before the 11th day.
- Case note all actions.
- Identify Local Flag with the NOITS subtype as the open activity.

D. Imposing Sanction

Impose a sanction when a participant does not comply with the NOITS or does not provide information to claim good cause for not complying. To initiate the sanction process:

- Send the financial worker a status update with the date of non-compliance and reason for imposing the sanction.
- Case note that a status update was sent.
- Keep a copy of the status update in the Workforce One file.
- Check to see that the sanction was imposed by using Workforce One interface or MAXIS view.

The financial worker will send the participant a notice that a sanction will be imposed with at least 10 calendar days notice prior to imposing.

E. Engaging Participants in Sanction

- After sanction, Employment Counselors are expected to regularly attempt utilizing various methods, at minimum monthly, to re-engage participants. Provide support and opportunities to resolve the sanction and restore full benefits for the family.
- If, in the course of reviewing sanctions, the supervisor and counselor note active child support sanctions, the counselor would communicate that information to the participant and provide information on whom the participant should contact in child support to learn about curing any child support sanctions.
- Before case closure due to the 7th sanction occurrence and a face-to-face meeting cannot be conducted, mail information that would have been covered in the face-to-face meeting to the participant.
- Case note all actions.
- Close the Local Flag – NOITS activity and open Holding – Sanction as the activity.

F. Removing Sanctions

- Sanctions should end when either the participant qualifies for good cause, or the participant comes into compliance. Employment Counselors may lift a sanction in circumstances where they feel the sanction is no longer appropriate.
- Utilize the [DWP/MFIP Status Update Form \(DHS-3165\) \(PDF\)](#) to notify the financial worker to remove the sanction.
- When curing for good cause note on the status update the reason for the cure and the date of good cause or compliance.

G. Dispute Resolution

Participants may choose to dispute the sanction if they do not agree with the decision. Follow the Dispute Resolution Process posted on the [provider webpage under tab Policy & Manuals](#).

H. Specific Sanction Situations

- FSS sanctions, see [17.6 \(FSS Sanctions\)](#)
- Family Violence Waiver, see [8.27 \(Non-Compliance & Family Violence Waiver\)](#)
- Sanctions & Child Care Assistance, see [16.30 \(Sanctions & Child Care Assistance\)](#)
- Child Support Sanctions, see [19.51 \(Child Support Sanctions\)](#)
- Two-Parent Families Post-60 Months, see [19.42 \(Two-Parent Families Post-60 Months\)](#)
- Pre-60 month sanctions, see [19.27 \(Pre-60 Month Sanctions\)](#)
- Sanctions & Extensions, see [18.15 \(Sanctions & Extensions\)](#)
- 100% Sanction, see [19.33 \(Face-to-Face Meetings/100% Sanction\)](#), [19.30 \(Closing cases/100% Sanction\)](#)

I. Contact: Assigned Agency Planner