

Information Memorandum Transmittal Office of Self-Sufficiency Programs



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Director

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Number: SS-IM-21-016
Issue date: 8/30/2021

Topic: Other

Due date: 8/30/2021

Subject: Determining Good Cause for Job Separation Due to Vaccine Mandate

Applies to (check all that apply):

- | | |
|--|--|
| <input type="checkbox"/> All DHS employees | <input type="checkbox"/> County Mental Health Directors |
| <input checked="" type="checkbox"/> Area Agencies on Aging: Type B | <input type="checkbox"/> Health Services |
| <input checked="" type="checkbox"/> Aging and People with Disabilities | <input type="checkbox"/> Office of Developmental
Disabilities Services (ODDS) |
| <input checked="" type="checkbox"/> Self Sufficiency Programs | <input type="checkbox"/> ODDS Children's Intensive In
Home Services |
| <input type="checkbox"/> County DD program managers | <input type="checkbox"/> Stabilization and Crisis Unit (SACU) |
| <input type="checkbox"/> Support Service Brokerage Directors | <input type="checkbox"/> Other (<i>please specify</i>): |
| <input type="checkbox"/> ODDS Children's Residential Services | |
| <input type="checkbox"/> Child Welfare Programs | |

Message:

Determining Good Cause for Job Separation Due to Vaccine Mandate

Many Oregon employers have begun implementing vaccine mandates as a condition of employment. As a result of the mandate, some employees are quitting or being terminated. This impacts Oregonians who are applying for or currently receiving TANF, SNAP, and ERDC benefits. The department needs to review employment separation and good cause when an Oregonian quits or is terminated from their employment.

Step 1 – Determine if employment separation applies based on program specific rules:

TANF Program

When an Oregonian applies for TANF and they quit or caused their own termination from employment, we need to determine:

1. Was the job separation within the previous 120 days from the filing date, and

2. Were they hired to work, worked, or scheduled to work 100 hours or more a month?

If the answer to both questions above is yes, the department must determine if the Oregonian had good cause for employment separation.

SNAP

When an Oregonian applies for SNAP and they voluntarily quit productive employment (work at least 30 hours per week, or the equivalent of 30 hours a week multiplied by the federal minimum wage), we need to determine:

1. Is the Oregonian a mandatory work registrant? This will display on the EDG Summary. If no, then job quit doesn't apply.
2. Did the job separation occur within the previous 30 days from the filing date or while receiving SNAP benefits? If no, then job quit doesn't apply.

ERDC

When an Oregonian is receiving ERDC and they quit or caused their own termination from employment, we need to determine if the Oregonian has good cause and qualifies for Authorized Work Search (AWS). AWS 1 if it is a temporary job separation or AWS 2 for a permanent job separation. AWS only needs to be evaluated if the Oregonian lost all sources of earned income. If they are still employed with a second employer, proceed as a reported change, and remove only the terminated source of income.

TA-DVS:

The requirement to address employment separation is waived for TA-DVS and falls under OAR [461-135-1200](#). Staff should not apply employment separation rules to TA-DVS eligibility when there is a risk of further or future domestic violence.

Step 2 – Determine if the Oregonian meets good cause:

When determining good cause for employment separation due to an employer's COVID-19 vaccine requirement, ask the following questions:

1. Does the employer require employees to be vaccinated against COVID-19? (yes/no)
2. Did the Oregonian make a request for exemption to the employer? (yes/no)
 - a. If yes, did the employer determine it was not a qualifying exemption? (yes/no)

How to Use Oregonians Information on Good Cause:

Applicants only need to provide a yes or no answer to the questions above.

The department must not ask the Oregonian to provide their specific reason for an exemption or their reason for choosing not to get vaccinated.

If the applicant states yes, they requested an exemption and the employer did not review the request or make a determination, and the Oregonian was terminated then we would allow good cause. If questionable, the department may verify with the employer.

If the Oregonian was required as a condition of employment to be vaccinated against COVID-19 and did not meet a qualifying exemption, as determined by the employer, good cause would not be granted:

TANF- The Oregonian would be ineligible for TANF for 120 days from the date of separation.

SNAP- The Oregonian would be ineligible for SNAP for 30 days from the date of separation.

ERDC- The Oregonian would not be eligible for Authorized Work Search 1 or 2 and the ERDC case would close with timely notice.

Although we may have strong feelings about a specific topic when determining good cause, the department needs to review employment separation objectively and considers only the condition of employment and employer requirements. Please reach out to the appropriate policy box if you have individual scenarios you would like to staff.

Coding in ONE:

Reason for job loss should indicate either 'voluntary quit' or 'fired'.

If good cause is determined, select 'other good cause' under the 'do any of the following apply' drop down. When 'other good cause' is selected, a clear case note stating why is required. *Example: Employer did not review or make a determination on the Oregonians request for exemption prior to termination.*

Termination Details

Employment Termination Date *	10/01/2020	15	Date Reported *	10/05/2020	15
Final Pay Date *	10/05/2020	15	Total Income Received in *	\$	
Reason for Job Loss *	Fired	▼	October,2020	Verification *	Client: ▼
Do any of the following apply? *	Other	▼	Verification *	Client: ▼	
Hours *	30				

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If no good cause is determined, select 'no good cause' under the 'do any of the following apply'.

Termination Details

Employment Termination Date *	10/01/2020	15	Date Reported *	10/05/2020	15
Final Pay Date *	10/05/2020	15	Total Income Received in *	\$375	
Reason for Job Loss *	Volunt	▼	October,2020	Verification *	Client: ▼
Do any of the following apply? *	No Goc	▼	Verification *	Client: ▼	
Hours *	30				

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Oregonians on Strike

When an applicant is on strike, the employment separation rule does not apply. Strikers fall under OAR [461-130-0328](#).

TANF- When a parent or caretaker is a striker, the filing group is ineligible. There is no good cause or exception to the rule on strikers.

SNAP- Households may be eligible for SNAP even while on strike, but we may count the income they would be receiving if not on strike.

ERDC- Good cause would need to be determined for the Oregonian to evaluate them for Authorized Work Search 1 for a temporary job loss.

If you have any questions about this information, contact:

Contact(s): TANF, SNAP, ERDC, and TADVS	
Phone:	Fax:
Email: TANF.Policy@dhsoha.state.or.us SNAP.Policy@dhsoha.state.or.us ERDC.Policy@dhsoha.state.or.us TADVS.Policy@dhsoha.state.or.us	