



HUMAN SERVICES
DEPARTMENT

Susana Martinez, Governor
Brent Earnest, Secretary
Marilyn Martinez, Director

General Information Memorandum

ISD-GI 15-51

TO: ISD Employees
FROM: *MM* Marilyn Martinez, Director, Income Support Division
RE: Good Cause for failure to meet E&T requirements
DATE: October 22, 2015

A mandatory Employment and Training (E&T) participant may be temporarily excused from the E&T requirements; this is known as "Good Cause" for failure to meet activity requirements. In a case of non-compliance, the New Mexico Works (NMW) Service Provider will determine whether good cause exists for a participant's failure to comply. If NMW Service Provider finds that there is a good cause for the participant, ISD will be notified via 2nd party review to review and certify the approval of good cause. NMW Service Provider will also document clearly in case comments the recommendation for good cause. If good cause is determined, no disqualification will be enforced. The NM Works Service Provider must consider all the facts and circumstances, including information submitted by the participant involved as well as any information received from the Work Experience or Community Service site.

Good Cause is a circumstance beyond the household member's control, **including but not limited to:**

- Household member's illness;
- Illness of another household member requiring the presence of the mandatory member;
- An individual or family crisis, or a family circumstance that may preclude participation;
- Lack of transportation and the distance to walk to the activity site exceeds 5 miles roundtrip;
- No available jobs within reasonable commuting distance (a distance is considered unreasonable if the round trip exceeds 2 hours by public or private transportation);
- Participant's physical residence is more than 30 miles away from an Income Support field office, Workforce Solutions Office or an E&T service provider;

- Participant has/had a court appearance;
- Farmworkers who are away from their permanent residence or home base who travel to work in agriculture or a related industry during part of the year and are under contract or similar agreement with an employer to begin work within 30 days of the date the individual notified HSD or E&T work program service provider;
- An absence of dependent care or transportation support services necessary for participation;
- Receipt of a job referral that results in an offer below the federal minimum wage, except when a lower wage is permissible under federal minimum wage law;
- Participant is a victim of family violence;

Good cause will be evaluated on an individual basis and will only be granted until the cause no longer exists if voluntarily reported by the participant or at the next recertification, whichever is sooner. At the next recertification, the NMW Service Provider will determine if good cause continues to exist.

If you have questions regarding this GI, please contact Marisa Vigil at Marisa.Vigil@state.nm.us or (505)827-1326.

RESCINDED Effective January 1, 2016