



**United States
Department of
Agriculture**

Food and
Nutrition
Service

Northeast Region

10 Causeway St.
Room 501
Boston, MA 02222

FEB 12 2008

Phuoc Cao, Director
Food Stamp Program
Massachusetts Department of Transitional Assistance
600 Washington Street, 6th Floor
Boston, Massachusetts 02111

Dear Mr. Cao:

This is in response to your recent request for a waiver to exempt certain individuals from the work requirements of 7 CFR 273.24 based on insufficient jobs. We are partially approving your request and our complete response is enclosed.

Based on data from the U.S. Department of Labor and Massachusetts Department of Workforce Development data as well as data obtained from the U.S. Census Bureau we are approving your request for the two sub-regions and 27 of the 31 areas requested that had an unemployment rate of at least 20 percent above the national average the specified 24-month period.

The waiver is only approved for one year instead of the requested two year period as your State Agency did not demonstrate that the areas requested met the criteria for a two-year approval, namely having an unemployment rate greater than 10 percent for the prior two years, or designation as a labor surplus area for two consecutive fiscal years, or having an unemployment rate greater than 20 percent above the national average for a 36-month period ending no earlier than three months prior to the request.

We are unable to approve your request to exempt individuals residing in the 17 areas that have low and declining employment to population ratios because your State agency did not provide sufficient evidence that these areas had insufficient jobs. We recommend that you use your 15 percent exemptions for the ABAWDs in these areas.

If you have any questions, please contact Beth Soukhanov at (617) 565-6403.

Sincerely,

Mary Ann Ferris, Chief
Food Stamp Program
Northeast Region

Enclosure

WAIVER RESPONSE

1. **Waiver serial number:** 2080005
2. **Type of request:** Initial
3. **Primary regulation citation:** 7 CFR 273.24(f)
4. **Secondary regulation citation:**
5. **State:** Massachusetts
6. **Region:** Northeast
7. **Regulatory requirements:** 7 CFR 273.24 provides that no individual shall be eligible to participate in the Food Stamp Program as a member of any household if, during the preceding 36-month period, the individual received food stamp benefits for not less than 3 months (consecutive or otherwise), during which the individual did not work 20 hours or more per week, averaged monthly; did not participate in and comply with the requirements of a work program for 20 hours or more per week; did not participate in and comply with requirements of a program under Section 20 or a comparable program established by the State; or was exempt from these requirements.

7 CFR 273.24(f) also provides that, upon the request of a State agency, the Secretary may waive the applicability of the above provision for any group of individuals in the State if the Secretary makes a determination that the area in which the individuals reside has an unemployment rate of over 10 percent, or does not have a sufficient number of jobs to provide employment for the individuals.

8. **Proposed alternative procedures:** The Massachusetts State Agency is requesting to exempt individuals residing in two sub-regions and in 31 areas from work requirements based on having an unemployment rate of at least 20 percent above the national average of 4.7 percent, or 5.6 percent for the 24-month period of September 2005 through August 2007 as follows:

National Unemployment Rate (UER):

Labor Force	Unemployed	UER	20 percent
3,640,220,000	169,376,000	4.7	5.6

Sub-region 1

County	Labor Force	Unemployed	UER
Bristol	6,947,776	432,423	
Dukes	260,681	10,597	
Nantucket County/Town	197,781	4,938	
Plymouth	6,273,503	318,334	
Total	13,679,741	766,292	

Sub-region 2

County	Labor Force	Unemployed	UER
Hampden	5,389,184	327,323	
Worcester	9,618,757	513,765	
Total	15,007,941	841,088	5.6

Area	Labor Force	Unemployed	UER
Adams town	105,468	7,000	6.6
Ashby town	38,048	2,120	5.6
Athol Micropolitan NECTA	252,849	14,886	5.9
Avon town	54,993	3,141	5.7
Chelsea city	318,838	21,942	6.9
Cummington town	12,697	791	6.2
Dennis town	197,146	11,041	5.6
Florida town	9,442	722	7.6
Gloucester city	401,267	23,507	5.9
Holbrook town	141,545	8,453	6.0
Lawrence city	696,153	69,486	10.0
Lawrence-Methuen-Salem-NH NECTA	1,672,621	124,397	7.4
Leominster-Fitchburg-Gardner Metropolitan NECTA	1,744,418	110,238	6.3
Lowell city	1,203,284	74,280	6.2
Lynn city	1,004,222	61,492	6.1
Methuen city	554,044	33,275	6.0
Monroe town	633	60	9.5
New Bedford Metropolitan NECTA	2,044,290	140,374	6.9
North Adams city	170,321	10,425	6.1
North Adams-VT Micropolitan NECTA	413,844	24,029	5.8
Providence-Fall River- Warwick, RI-MA Metropolitan NECTA part	3,589,979	228,739	6.4
Provincetown town	52,880	9,434	17.8
Revere city	531,244	32,257	6.1
Rowe town	4,498	252	5.6
Shelburne town	26,540	1,612	6.1
Springfield-CT Metropolitan NECTA part	7,111,723	401,799	5.6
Truro town	29,242	2,407	8.2
Ware town	129,500	7,880	6.1
Warwick town	8,712	558	6.4
Wellfleet town	39,829	2,738	6.9
Yarmouth town	293,637	16,902	5.8

In addition, the State agency has requested approval of 17 areas based on low and declining employment to population ratios that were lower than the national average ratio of 62.5 percent during July 2004-July 2005 as follows:

AREA	E:P July 2004	E:P July 2005	Change E:P (July 2004 - July 2005)
Andover town	60.06%	59.59%	-0.48%
Dedham town	63.45%	61.98%	-1.47%
Greenfield town	61.44%	61.28%	-0.15%
Groveland town	63.79%	62.56%	-1.24%
Hawley town	61.67%	60.94%	-0.73%
Middleton town	55.28%	53.25%	-2.03%
Milton town	63.34%	62.80%	-0.54%
Montague town	62.15%	61.93%	-0.22%
Norfolk town	53.63%	53.56%	-0.07%
Peabody city	64.19%	62.58%	-1.60%
Salisbury town	62.96%	62.08%	-0.88%
Sherborn town	56.43%	56.42%	-0.01%
Shirley town	56.69%	56.40%	-0.29%
Wellesley town	58.48%	58.32%	-0.16%
West Newbury town	64.33%	64.27%	-0.05%
Weston town	56.80%	56.76%	-0.04%
Winchester town	62.17%	62.01%	-0.16%

9. **Action and reason for approval or denial:** We are partially approving the State agency's request. The two sub-regions are approved. Also, 27 of the 31 areas requested are approved. Four of the 31 areas cannot be approved because they contain areas outside of the State's jurisdiction. The area of Lawrence-Methuen-Salem-NH contains Salem town, NH. The North Adams-VT Micropolitan NECTA contains Stamford town, VT. The Providence-Fall River-Warwick, RI-MA Metropolitan NECTA contains numerous Rhode Island areas. The Springfield-CT Metropolitan NECTA includes some Connecticut towns. For these areas to have been considered for approval, the State agency should have subtracted the out-of-state areas from the data submitted.

The 17 areas that have low and declining employment to population ratios have not been approved due to insufficient evidence that these areas are experiencing significant job losses. In addition, the data provided did not show how the areas requested had a declining employment to population ratio over a *recent period of time*. The State agency provided data from 2004-2005 showing that the employment to population percentage change varied in each area from a low of .01 percent to a high of 2.03 percent, so although the area ratios may be declining, the declines are miniscule.

Even though a falling ratio of employment to population ratio may be an indicator of an adverse job growth rate, we have stated in the past that generally, most areas will not qualify for an exemption based solely on their employment-to-population ratio; however, a below-average ratio is one indicator of relative job insufficiency that should be combined with other indicators.

Although an extremely low ratio may be sufficient grounds for a waiver, the two areas with the lowest employment to population ratios—Middleton and Norfolk—have very low unemployment rates of 4.3 and 4.5 percent, respectively, for the 36-month period of July 2004 through June 2007, so the evidence submitted does not support the State agency's claim of insufficient jobs.

10. **Regulatory or legislative basis for action:** The waiver is approved pursuant to 7 CFR 273.24(f), which allows the Secretary to waive the applicability of the work requirement provision for any group of individuals in the State if the Secretary makes a determination that the area in which the individuals reside has insufficient jobs.
11. **Conditions and reasons:** None.
12. **Information required for extension:** To receive an extension the State agency must provide data for the affected areas indicating that there continue to be insufficient jobs for individuals subject to 7 CFR 273.24.
13. **Expiration date:** This waiver is approved for one year, effective January 1, 2008 through December 31, 2008.
14. **Limitation on regional office approval of like requests:** Approval of this waiver is limited to the Massachusetts State agency.
15. **Quality control procedures:** N/A
16. **Date of national office action:** January 25, 2008
17. **Date of State agency's request:** December 7, 2007
18. **Date of regional office's transmittal of request to national office:** December 7, 2007
19. **Date of regional office transmittal of response to State agency:**
20. **Actual implementation date:**