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**Field Operations Memo 2003-20**  
**August 8, 2003**

**To:** Transitional Assistance Office Staff

**From:**  Cescia Derderian, Assistant Commissioner for Field Operations

**Re:** Eligibility of Strikers for Cash or Food Stamp Benefits

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**Overview**

In the event of a strike by unionized workers of Verizon, the Department anticipates a potential increase in the number of applications for cash and/or food stamp benefits at local TAOs. The significance of the strike on the daily operations of the local TAOs depends largely on the length of the strike.

**Definition of Striker:** A striker is an individual involved in a strike or concerted stoppage of work by employees, including a stoppage by reason of the expiration of a collective bargaining agreement, and any concerted slowdown or other interruption of operations by employees.

*See* TAFDC policy at 106 CMR 203.920; and  
Food Stamp policy at 106 CMR 361.240.

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**Purpose of Memo** This Field Operations Memo provides instructions for processing cash or food stamp applications containing a striker(s). The instructions are sorted as follows:

- ◆ TAFDC Applications Containing a Striker(s);
  - ◆ FS Applications Containing a Striker(s); and
  - ◆ EAEDC Applications Containing a Striker(s).
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**TAFDC  
Applications  
Containing a  
Striker(s)**

When an AU containing a striker applies for TAFDC, the AU Manager must:

- ◆ Deny the application if the striker is the parent or the only child in the AU. Use Reason Category: *Program Rules* and Reason: *Striker*.
  - ◆ Open the TAFDC AU without the striker if the striker is anyone other than a parent or the only child in the AU.
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**Food Stamp  
Applications  
Containing a  
Striker(s)**

The following individuals are **not** considered strikers for food stamp purposes:

- (a) An employee affected by a lockout. A lockout is the closing of a workplace by an employer to resist the demands of employees.
- (b) An employee not participating in a strike who is unable to work as a result of striking employees.
- (c) An employee who is not part of the bargaining unit on strike and who does not want to cross a picket line due to fear of personal injury or death.
- (d) An individual who was, on the day before the strike, exempt from the Work Requirements on any basis other than 106 CMR 362.310(B)(10) or 362.320(B)(10): *Employed Persons*.

*For example*, a striker who is: under age 16 or over age 60; caring for a child under age six or an incapacitated household member; a half-time student; participating in a drug or alcohol treatment program; or pregnant in her second or third trimester is exempt from work requirements and is therefore not considered a striker. Food stamp eligibility for these individuals would be determined as usual without using the special striker rules.

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**Food Stamp Applications Containing a Striker(s) (Continued)**

When an AU containing a striker applies for food stamp benefits, the AU Manager must determine if the AU meets **all** of the following requirements:

- the AU was participating or was eligible to participate the day before the strike;
- the AU is otherwise currently eligible; and
- the striker complies with the appropriate food stamp Work Requirement unless exempt.

*Note:* If all requirements are not met, the application must be denied. AU Managers must manually deny the AU using an FSNL-2. The reason for denial is failure to comply with food stamp program requirements for striker eligibility. *Manual Citation:* 106 CMR 361.240(E)(2).

*How to Count Striker Income*

If the AU is otherwise eligible to participate in the food stamp program, the AU Manager must determine the striker's income. The AU Manager must:

- compare the striker's monthly income on the day before the strike with the income, if any, received during the strike;
- count the greater of the two incomes; and
- add this to any other income the striker may have, plus the income of other AU members.

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**EAEDC Applications Containing a Striker(s)**

There is no prohibition on strikers who are otherwise eligible receiving EAEDC.

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**Ongoing Cash and Food Stamp AUs Containing a Striker(s)**

Please have your Hotline designee call the Policy Hotline for instruction on how to process an ongoing cash or food stamp AU containing a striker(s).

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**Questions**

If you have any questions, please have your Hotline designee call the Policy Hotline at 617-348-8478.

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