**Section 112.77 Reconciliation and Fair Hearings**

a) The Department shall establish a reconciliation procedure to assist in resolving disputes related to any aspect of participation, including exemptions, good cause, sanctions or proposed sanctions, supportive services, Responsibility and Services Plan, assignment to activities, suitability of employment, or refusals of offers of employment. Through the reconciliation process, the Department will have a mechanism to identify good cause, ensure that the client is aware of the issue, and enable the client to perform required activities without facing sanction.

b) A TANF participant may request reconciliation and receive notice, in writing, of a meeting. Reconciliation must begin within 14 work days upon request or from the participant's failure to meet TANF employment and work activity requirements. At least one face-to-face meeting may be scheduled with TANF staff and the participant to resolve misunderstandings or disagreements related to program participation and situations which may lead to a potential sanction. The meeting will include the participant, the TANF worker and a representative, if desired. The meeting will address the underlying reason or reasons for the dispute and plan a resolution to enable the individual to participate in TANF employment and work activity requirements. Reconciliation may be completed by telephone if both parties agree.

c) The reconciliation process shall continue after it is determined that the individual did not have good case for non-cooperation. Any necessary demonstration of cooperation on the part of the participant will be part of the reconciliation process. Failure to demonstrate cooperation will result in immediate sanction.

d) During the reconciliation process, the following is completed:

1) a discussion of the nature of the problem or dispute and potential resolution;

2) an explanation of the individual's rights and responsibilities;

3) a review of the Responsibility and Services Plan;

4) a discussion of expectations of the participant and TANF;

5) development of a reconciliation agreement and fulfillment of it following the reconciliation meeting. The requirement(s) of the agreement cannot be contrary to TANF employment and work activity requirements; and

6) for the first instance of non-cooperation, if the client reaches agreement to cooperate, the client is allowed 30 days to demonstrate cooperation before any sanction activity would be imposed. For any subsequent instances of non-cooperation, the client would be provided with the opportunity to show good cause or remedy the situation by immediately complying with the requirement or a sanction will be imposed.

e) TANF staff will document, in the case record, the proceedings of the reconciliation and provide the client, in writing, with a reconciliation agreement.

f) If reconciliation resolves the dispute, no sanction will occur. If the client fails to comply with the reconciliation agreement, the Department will then immediately impose the original sanction. If the dispute cannot be resolved during reconciliation, a sanction will not occur until the reconciliation process is complete. The participant has the right to request an appeal hearing through the Department's fair hearing process.

(Source: Amended at 21 Ill. Reg. 15597, effective November 26, 1997)