**Section 112.79 Sanctions**

a) Sanctions may be imposed against those nonexempt participants who fail to participate without good cause. Exempt individuals who volunteer to participate are not subject to sanctions. Sanctions shall be based on instances of non-cooperation that occur on or after July 1, 1997. Participants who are sanctioned shall have their cash assistance payment reduced by 30 percent of the TANF grant amount designated to the adult member or members of the assistance unit. The full TANF grant amount is to be restored when an adult member or members are determined to be in compliance with program requirements.

b) Sanction Reasons

Sanctioning of a participant will result from one instance of any of the following without good cause unless reconciliation is successful:

1) failure to respond to a job referral;

2) failure to accept a bona fide offer of suitable employment (see Section 112.72(a)(3) and (4));

3) discontinuing part-time employment;

4) reducing employment;

5) failure to participate in the activity;

6) failure to respond to a written notice for a meeting. For the purpose of determining attendance at meetings, if participant arrives anytime within 30 minutes after the start of the scheduled meeting, the participant will be considered present and will be seen. If the participant has good cause (see Section 112.80) for being more than 30 minutes late the tardiness will be excused. The worker will include the participant in a scheduled group or other meeting or re-schedule the participant for another meeting;

7) failure to make the required number of acceptable employer contacts every 30 days when employer contact activity is required;

8) failure to accept transportation, family counseling, or other social service or employment and training services such as testing or employment counseling, thereby precluding or interrupting participation in work or training activities; or

9) failure to provide verification of education/training activities, employability status, etc.

c) No sanction will be imposed until staff has sent the participant a written notice scheduling a good cause determination/reconciliation meeting to determine whether the participant had good cause for his or her failure to comply with requirements and the participant has either failed to attend the meeting or failed to show good cause. If the participant failed to show good cause, the reconciliation process will continue (see Section 112.77) to enable resolving disputes related to participation. The written notice shall explain the purpose of the appointment and the consequences for failure to attend or failure to show good cause. Failure of the participant to appear for the scheduled meeting is not considered an instance of noncooperation.

d) A sanction against participants may be rescinded at any level of the sanction process up through and until the final agency decision, including any appeal hearing, if the participant establishes good cause (see Section 112.80 for good cause criteria).

e) The notice of change form issued for a sanction shall include the following:

1) a description of the acts of noncooperation, including dates when applicable; and

2) a statement that the participant's acts were without good cause (see Section 112.80 for good cause criteria).

f) A sanction under this Section shall not affect receipt of medical assistance. Likewise, a sanction for child support enforcement, or the school attendance initiative does not affect any instances of non-cooperation under this Section.

g) Individuals who are sanctioned will be contacted at least one time per month to attempt to re-engage the client back into the program. Supportive services (see Section 112.82) will be paid while in sanction status if the individual is participating. If the family is also sanctioned for failure to cooperate with child support enforcement or school attendance initiative requirements, the sanctions are served simultaneously.

h) A person must cooperate to end the sanction. When the person cooperates, benefits are restored as of the date of cooperation and a prorated grant amount will be issued for the remainder of that calendar month. The full grant amount will be restored on the first day of the month following a determination that the adult member or members of the assistance unit are in compliance with program requirements and are otherwise eligible for assistance.

(Source: Amended at 44 Ill. Reg. 14692, effective August 26, 2020)