



## MFIP and FSS for Family Violence Victims

### Family Violence and Family Violence Waivers

Family violence is when someone (your spouse, your boyfriend or girlfriend, your ex, someone you dated briefly and/or had sex with, your child, or your parent) is hurting you or your children, threatening to hurt you or your children, or makes you afraid for you or your children in another way. If this is happening, ask your job counselor for a family violence waiver.

If you are not experiencing violence right now but are still dealing with its effects or working towards healing, you should still ask your counselor about a family violence waiver.

**Example:** You or your children are going to counseling because of the violence or you are spending time going to court because of the violence.

### How could a family violence waiver help me?

- The months you have a family violence waiver do not count towards your 60-month limit. This means it extends the number of months you can get Minnesota Family Investment Program (MFIP) or Family Stabilization Services (FSS).
- Family violence waivers can be used to get extensions. In other words, if you have already used your 60 months and are having problems with family violence, you may be able to get back on MFIP or FSS.
- You can count the hours you spend in safety activities on your Employment Plan (EP). These activities could be things like adding security locks to your home or meeting with your child's school to make sure they understand you are the only person allowed to pick them up.
- Activities that put you or your family at risk can't be on your EP. For example, if your ex stalks you and follows you to work, work may not be a safe activity for you.
- You may be able to do less hours of activity than you would normally have to do.
- If you are not in FSS already, you are moved from MFIP to Family Stabilization Services (FSS). FSS is just like MFIP, but it is harder for job counselors to sanction FSS clients, and FSS is more flexible.



## **What is an Employment Plan (EP)?**

If you get MFIP or FSS, you have to have an employment plan (EP). You write it with your job counselor. Your EP has 20-35 hours of work activity per week, depending on the age of your youngest child. Work activities are things like looking for work, working, or training. See our fact sheet [MFIP: Employment Plans](#).

If you have a family violence waiver added to your EP, you can count the time you spend on safety activities. You may not have to do 20-35 hours of activities each week if it is not safe for you.

If you do not do the things in your EP, your MFIP or FSS grant can be sanctioned or cut back. After 6 months of sanction, you can lose MFIP or FSS completely. But it is harder to sanction you if you are on a family violence waiver.

## **How can I get a family violence waiver added to my EP?**

- Tell your job counselor you need a family violence waiver.
- Find a family violence advocate (see next section).
- Your job counselor should set up a meeting for you, your job counselor, and your family violence advocate to write the EP/family violence waiver together.

## **How do I find an advocate?**

Your job counselor must refer you to an advocate to help write your family violence waiver. Some job counselor agencies have advocates on staff. If you already have a domestic violence advocate or legal aid lawyer you would like to work with, that person can be your advocate. It is your choice, not your job counselor's.

You can't be put into sanction while you are trying to get an advocate, so tell your job counselor as soon as possible if you need one. To find an advocate on your own, call 1-(866) 223-1111.



## **What might go in an EP/family violence waiver?**

Your job counselor has the form to add to your EP so you can get the waiver. The form lists common activities like always carrying a cell phone and checking in with a family violence advocate. You don't have to do every activity listed on the form, and you can add your own things. Every plan is different. Your job counselor should not try to make you do anything that you and your advocate do not think is safe. If your job counselor is trying to make you do something that you and your advocate do not think is safe, appeal right away and call legal aid. Find your legal aid office at 1(877) 696-6529.

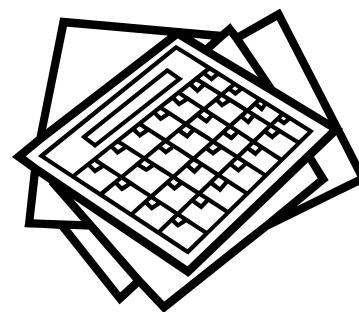
## Here are some things to remember:

- If working isn't safe for you right now, you should not have to work. This could be for reasons like you have been followed to work, or someone has caused you to lose jobs in the past.
- You should be able to work fewer hours than a regular EP requires if you have safety concerns. Like if you need to drop off and pick up your kids at school, or if you have too many emotional or legal issues to be able to work the normal number of hours.
- You and your family can't be made to go to counseling, attend group therapy or see a psychiatrist as part of your family violence waiver. But, if you want to do these things and have them count towards your activity hours, you can. If you choose to add these activities to your plan, you may get childcare while you attend.
- Your job counselor can't make you get an Order for Protection (OFP) or harassment order, testify in court, call the police, or cooperate with law enforcement. Only you can decide if these things are safe or not. Again, if you want to do these things, they can count towards your hours, and you may get childcare.

### What if I don't follow my EP/family violence waiver?

If there are things on your EP that no longer work for you, or if your situation has changed, call your family violence advocate or job counselor right away. You, your job counselor, and your advocate can meet to change your plan. If you don't follow your EP (including safety activities) and do not have a good reason, you will be

sanctioned, and your months start counting toward your 60-month limit. It is very important to make changes right away, so this does not happen. Family violence waivers usually expire after 3 months. You need an advocate each time you change or renew your plan.



### What if I disagree with something the county does?

Your family violence advocate, not your job counselor, has the final say about if an activity is safe for you. If you disagree with your advocate or your job counselor, appeal right away and call legal aid for help at 1-(877) 696-6529. See our fact sheet [Benefits Appeals to DHS](#).

**Fact Sheets are legal information NOT legal advice. See a lawyer for advice.**

*Don't use this fact sheet if it is more than 1 year old. Ask us for updates, a fact sheet list, or alternate formats.*

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