GREATER BOSTON LEGAL SERVICES
…and justice for all

SEALS Program
Informational Session
September 18, 2007

TAFDC WAIVERS

Q: What is a domestic violence waiver?

A: A domestic violence waiver excuses a TAFDC recipient or applicant from certain TAFDC rules that would otherwise apply, such as the work requirement or being cut off by the time limit. Other rules, like some verification requirements or proof of income of an abusive spouse who sponsored the TAFDC applicant, may also be excused based on domestic violence.

Q: What requirements will DTA waive for someone because of domestic violence?

A: DTA will waive due to domestic violence include the time limit, work requirement, family cap, and teen parent school attendance requirement. It is not enough to show that someone has experienced domestic violence. The applicant must also show (often with a letter from someone who knows the family) that because of the domestic violence, the rule the family is being asked to meet places them at risk of further domestic violence, makes it harder to cope with the effects of the domestic violence (even if the abuse has ended) or is unfair because of past domestic violence.

The domestic violence does not need to be current. What matters is how the domestic violence is affecting the family currently. The person who helps verify the impact of the abuse can be anyone who knows the situation, even if she did not learn about it until after the abuse ended.[1]

Q: What's the difference between an exemption or waiver and a time limit extension?

A: A major benefit of exemptions and waivers (as opposed to extensions of the time limit) is that DTA will not require people to do work activities but she may still choose to participate in education and training activities. Extensions do not excuse someone from work activity and are conditioned upon doing work activities DTA accepts, such as Structured Job Search. Disability exemptions, caretaker exemptions and domestic violence waivers can excuse someone from the work requirement. To continue to participate in education and training with a waiver due to domestic violence or a caretaker exemption, a TAFDC recipient or applicant may need a legal advocate.

[1] Note: If a domestic violence survivor may qualify for a disability exemption, such as based on mental health conditions like PTSD, requesting an exemption is likely more beneficial than requesting a waiver. If someone asks for a waiver of the time limit, work requirement or teen parent school attendance requirement, the rule will be waived while the request is pending. If someone asks for a waiver of the family cap rule, the rule will not be waived while the request is pending, but if approved, the waiver will apply retroactive to the date of the request.

Q: What's the difference between an exemption and a waiver?

A: A major benefit of exemptions (as opposed to waivers or extensions) is that if someone's circumstances meet the requirements of an exemption, she has a legal right to the exemption whereas waivers are based on the discretion of DTA.