STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
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July 11, 2013

REASON FOR THIS TRANSMITTAL

[ ] State Law Change
[ ] Federal Law or Regulation Change
[ ] Court Order
[x] Clarification Requested by One or More Counties
[ ] Initiated by CDSS

ALL COUNTY LETTER (ACL) NO. 13-59

TO: ALL COUNTY WELFARE DIRECTORS
ALL CALWORKS PROGRAM SPECIALISTS
ALL WELFARE-TO-WORK COORDINATORS
ALL COUNTY REFUGEE COORDINATORS
ALL COUNTY CALFRESH SPECIALISTS
ALL CONSORTIA REPRESENTATIVES
ALL TRIBAL TANF ADMINISTRATORS

SUBJECT: CALIFORNIA WORK OPPORTUNITY AND RESPONSIBILITY TO KIDS (CalWORKs) PROGRAM: RELEASE OF THIRD SET OF QUESTIONS AND ANSWERS FOR SENATE BILL (SB) 1041 (CHAPTER 47, STATUTES OF 2012) CalWORKs WELFARE-TO-WORK (WTW) PROGRAM CHANGES

REFERENCE: SB 1041; ACLS 12-53, 12-67, 12-69, 12-72, 13-01, 13-02, 13-12, 13-37; ALL COUNTY INFORMATION NOTICE I-08-13; WELFARE AND INSTITUTIONS CODE (WIC) SECTIONS 11322.8, 11322.85, 11322.86, AND 11322.87.

The purpose of this letter is to provide answers to questions that the California Department of Social Services (CDSS) has received about the implementation instructions issued to County Welfare Departments (CWDs) for major changes that were made to CalWORKs WTW requirements pursuant to SB 1041. This letter addresses questions on various subjects including but not limited to the new WTW 24-Month Time Clock, the new state standards that are based on federal participation requirements, and reengagement of clients whose short term exemption ended on December 31, 2012, for caring for a young child 12 to 23 months of age, or two or more children under the age of six.

Initial implementation instructions for these program changes are contained in ACLs 12-67, 12-69, and 13-01. The first and second set of answers to questions relating to these program changes are contained in ACL 13-15 and ACL 13-37. Attached is the third set of answers to questions relating to these program changes (Attachment A).

Camera Ready Copies and Translations

For camera-ready copies in English, contact the CDSS Forms Management Unit at fmudss@dss.ca.gov. If your office has internet access you may obtain these forms from the CDSS webpage at http://www.dss.cahwnet.gov/cdssweb/FormsandPu_271.htm.

When all translations are completed per Manual of Policies and Procedures section 21-115.2, including Spanish forms, they are posted on an on-going basis on the CDSS web site. Copies of the translated forms can be obtained as they become available at http://www.dss.cahwnet.gov/cdssweb/FormsandPu_274.htm.

For questions on translated materials, please contact CDSS Language Services at (916) 651-8876. Until translations are available, clients who have elected to receive materials in Spanish, Russian, Vietnamese, and written Chinese materials should be sent the GEN 1365 interpretation informing notice with a local contact number.

If you have any questions or need further information regarding this letter, please contact the following CDSS representatives:

- CalWORKs Eligibility County Consultant (916) 654-1322
- Employment Bureau County Consultant (916) 654-2137
- Child Care Programs (916) 657-2144
- Program Integrity (WDTIP) (916) 654-2125
- Refugee Programs (916) 654-4356

Sincerely,

Original Document Signed By:

TODD R. BLAND
Deputy Director
Welfare to Work Division

Attachments

ATTACHMENT A

QUESTIONS (Q) AND ANSWERS (A)

Determining when a client is meeting state standards that are based on federal participation requirements (CalWORKs federal standards) during the WTW 24-Month Time Clock Period

1. Q. How do County Welfare Departments (CWDs) determine if a client has met the CalWORKs federal standards, which is one of the conditions that would allow a month to not count toward the WTW 24-Month Time Clock?

   A. A client who meets all of the following criteria is meeting the participation requirements for the purpose of not counting months toward the WTW 24-Month Time Clock based on meeting CalWORKs federal standards:

   - The client's activity or activities meet a definition listed in Attachment B of this All County Letter (ACL). Note that this includes the flexibility the federal government allows for counting barrier removal activities toward job search and job readiness or employment.

   - For vocational education and job search activities, the client's participation has not exceeded the federal limitations. Vocational education as countable as a federal activity is limited to a 12-month lifetime maximum. Job search and job readiness is limited to four consecutive weeks, not to exceed six weeks, in a 12-month period. When California is a Needy State, the 12-month total in job search and job readiness cannot exceed 12 weeks.

   - The number of hours the client is scheduled to participate in each week meets the minimum weekly number of core and non-core hours in an activity or activities that meet the CalWORKs federal standards as described in ACL 12-69 (20, 30, or 35 hours), depending on the number of parents and the age of the child(ren) in single-parent families. Note that hours of participation are not averaged; they are a weekly minimum.

2. Q. How do CWDs use scheduled hours for determining when a client is meeting the minimum weekly number of core and non-core hours in an activity or activities that meet the CalWORKs federal standards during the WTW 24-Month Time Clock period?

   A. Clients' scheduled hours, as agreed upon and signed by the client and worker in their WTW plans, (WTW 2) will be used to determine whether to count months toward their WTW 24-Month Time Clock. Unless the CWD receives verification that the client participated in fewer than the scheduled hours in the signed plan or the worker otherwise determines that a client is not meeting CalWORKs federal

standards months will not be counted toward the WTW 24-Month Time Clock. This applies to clients who have signed a WTW plan under the new program rules. There will be two distinct categories of clients:

- Those whose WTW plans are designed to automatically count current and prospective months toward the WTW 24-Month Time Clock due to the mix of activities and/or hours in their WTW plan. This group is comprised of clients who are participating in expanded WTW activities that do not meet the CalWORKs federal standards; and

- Those whose plans do *not* automatically count current and prospective months on the WTW 24-Month Time Clock due to the activities and hours in their WTW plan. This second group is comprised of clients whose WTW plans are designed to meet the CalWORKs federal standards for activities (core/non-core) and hours.

The use of scheduled hours to calculate the WTW 24-Month Time Clock is not intended to change or alter a CWD's existing policies and procedures for verification of attendance or the noncompliance process.

Please note that the process of tracking months toward the WTW 24-Month Time Clock is separate from calculating the federal work participation rate.

<u>Clients not scheduled to meet CalWORKs federal standards</u>

For a client whose signed WTW plan, by default, counts the current and prospective months toward the WTW 24-Month Time Clock because of the mix of activities and hours, scheduled hours will be used to count months toward the clock, unless the CWD receives verification that indicates the client has participated in hours and approved activities that meet CalWORKs federal standards. When this occurs, the CWD will retroactively restore months to the WTW 24-Month Time Clock in which CalWORKs federal standards were met. If the client indicates he or she wants the new hours in the approved activity to be ongoing, the worker should amend the WTW plan with the client. If this continues on a regular basis, but the client has not asked for a change in his or her WTW plan, the county should ask if the client wants to amend his or her WTW plan at the client's next regularly scheduled appointment. Additional instruction for developing and amending WTW plans will be issued separately.

Example: Jane is a single mom without a high school diploma and has a 14 year-old child. The long-term goal for Jane is to obtain full-time employment as an Office Technician with state government. She has been working two days a week for 16 hours each week as a receptionist at a local business. A pre-requisite for taking the state Office Technician examination is a high school diploma or equivalent, so Jane is also attending General Education Development

(GED) classes three days a week and supervised homework for a total of 14 hours a week. These months have been counted toward her WTW 24-Month Time Clock, since she is not meeting the 20-hour core requirement for meeting the CalWORKs federal standards. However, Jane's job offers her more hours, and she begins working 20 hours per week and she chooses to continue her education hours. Jane's new participation meets the CalWORKs federal standards, since she is meeting the 20-hour core requirement and is exceeding the 10-hour non-core allowance for education directly related to employment. She reports this change to the CWD and submits verification with her monthly participant timecard.

Upon receipt of the verification, Jane's WTW 24-Month Time Clock is adjusted to account for the one month that she met the CalWORKs federal standards. If Jane's verification shows that this is ongoing (such as work a schedule for several months) the CWD should ask Jane to sign a new WTW plan designed to meet the CalWORKs federal standards for activities (core/non-core) and hours prospectively. If Jane's verification does not show that she would meet CalWORKs federal standards on an ongoing basis, but she continues to submit verification of hours that meet the CalWORKs federal standards, these additional months will not count toward her WTW 24-Month Time Clock. If Jane has not otherwise asked for a WTW plan change, at the next regularly scheduled appointment, the worker asks Jane if she wishes to revise her WTW plan.

<u>Clients scheduled to meet CalWORKs federal standards</u>

For a client whose signed WTW plan does not count prospective months on the WTW 24-Month Time Clock, scheduled hours will be used to determine months that will not count toward the time clock, unless the CWD receives verification that a client is no longer participating in the hours and activities that meet CalWORKs federal standards, or the worker otherwise determines that the client is not meeting those standards.

When the CWD receives verification or otherwise determines that a client's participation does not meet the CalWORKs federal standards that were agreed to in his or her plan, the CWD will begin counting months toward the client's WTW 24-Month Time Clock the first of the month following the date the CWD received the verification or otherwise determined the client did not meet CalWORKs federal standards. CWDs should continue to follow their established policies and procedures for responding to clients who decrease or change their participation. If the compliance process is initiated, months will begin or continue to count toward the WTW 24-Month Time Clock until CalWORKs federal standards are met or a sanction is imposed. Months in which CalWORKs federal standards are met through participation in a compliance plan will not count toward the client's WTW 24-Month Time Clock. After a compliance plan has been completed or a

sanction has been cured, counting months on the WTW 24-Month Time Clock will again be based on the existing or new WTW plan.

Example: Sharon is a single parent with two children, ages eight and 11. She has been providing child care for 30 hours each week to another CalWORKs recipient who is participating in community service. On June 10 the CWD is informed by the community service participant that she needs a new child care provider because Sharon stopped providing child care. On June 13, the CWD sends Sharon a WTW 38 with a Notice of Action (NA) 840 and a WTW 27 with an appointment for June 21 to meet with her worker to discuss her participation. On June 20, Sharon calls the CWD to reschedule her appointment and a new appointment is set up for July 3.

Sharon does not show up for her appointment on July 3. The CWD calls the client to determine if Sharon had good cause for missing her appointment. Sharon is not home at the time of the call, so the CWD leaves her a voice mail message to contact her worker. Sharon does not contact her worker. The CWD initiates the WTW sanction and Sharon is removed from the assistance unit (AU) on August 1. The CWD counts the month of July toward Sharon's WTW 24-Month Time Clock. The CWD does not count the month of August toward Sharon's WTW 24-Month Time Clock or any of the following months in which Sharon continues to be removed from the AU due to her WTW sanction status.

3. Q. What are the noticing requirements when a CWD receives verification that a client who is scheduled to meet CalWORKs federal standards is not actually meeting those standards and the CWD will start counting months toward the client's WTW 24-Month Time Clock?

   A. In this situation, the CWD shall send the client the attached WTW 38, which notifies the client that months will count toward his or her WTW 24-Month Time Clock beginning the month following the date that the CWD received verification or otherwise determines that the client is not meeting CalWORKs federal standards. The CWD would also send any other notices that are appropriate, depending on the situation, such as a NA 840 or 841 to make an appointment to discuss a participation problem, and the WTW 27.

The instructions in this section of this ACL only apply to determining when a client is meeting CalWORKs federal standards during the WTW 24-Month Time Clock period. Instructions for when a client is meeting participation requirements when he or she has exhausted the WTW 24-Month Time Clock will be issued in a separate ACL.

WTW 24-Month Time Clock – General

4. Q. ACL 12-67 identifies months that do not count toward a client's WTW 24-Month Time Clock. Please clarify whether months count toward this clock in the following situations:

   a. The adult's needs have been removed from the family's cash aid due to a school attendance penalty.
   b. The adult is unaided due to an Intentional Program Violation (IPV).
   c. The adult's family is receiving a grant less than $10.
   d. A 16- or 17-year old non-parenting dependent teen who is required to attend high school is not attending school.

   A. An adult whose needs have been removed from the family's cash aid due to a school attendance penalty or an IPV after July 1, 1998, is still in the AU and subject to all WTW participation requirements. Unless the adult meets one of the conditions that would make a month not count toward the WTW 24-Month Time Clock, such as a WTW exemption, his or her months would be counted toward the WTW 24-Month Time Clock. (Note: if a person disqualified under the old Aid to Families with Dependent Children program prior to July 1, 1998, the person was discontinued and removed from the AU. Anyone who was permanently disqualified for an IPV under those circumstances would be out of the AU and not subject to WTW participation requirements. Please refer to ACLs 97-69 and 98-72 for details regarding the treatment of individuals convicted of an IPV in the CalWORKs program).

   An adult in a family receiving a grant of less than $10 is subject to the WTW participation requirements, including provision of necessary supportive services, and the WTW 24-Month Time Clock. Months would count toward the WTW 24-Month Time Clock unless he or she meets one of the conditions that would allow a month to not be counted toward the clock, such as meeting CalWORKs federal standards.

   A 16- or 17-year old non-parenting dependent teen is not subject to a WTW 24-Month Time Clock, regardless of his or her school attendance.

5. Q. ACL 12-67 requires CWDs to develop new or existing WTW plans based on the new SB 1041 participation requirements by June 30, 2013. If this has been completed for a client, can the client change his or her plan at a later time if the requested change is consistent with the client's assessment?

   A. Yes. CWDs may allow a client to amend his or her WTW plan if it is consistent with his or her assessment. In addition, the CWD shall allow changes to WTW plans in accordance with Welfare and Institutions Code (WIC) section 11325.21 and Manual of Policies and Procedures (MPP) section 42-711.646. A client can

evaluate and request a change to his or her WTW plan or subsequent amendments three working days after the signing of the WTW plan. In addition, MPP section 42-711.647 states that a client has 30 days from the date of the initial WTW activity to request a change or reassignment to another activity or component of the activity. Any time after this three-day and 30-day period, a client may request and a CWD may grant additional amendments to his or her WTW plan based on the client's assessment.

A determination to amend a WTW plan must be made on a case-by-case basis.

6. Q. ACL 12-67 instructs CWDs to lift sanctions for clients who were in sanction status when the new SB 1041 rules became effective on January 1, 2013, if the CWD has or obtains documentation showing earnings that would meet the new lower hourly participation requirements. CWDs were instructed to lift a sanction when clients submit verification of earnings with their QR 7 showing earnings without the number of hours, but the CWD can determine compliance by dividing the earnings by the state's minimum wage rate. This differs from the instructions CDSS has issued for E2Lite for determining when a client has met federal participation requirements. Which instructions should CWDs follow for curing sanctions and for determining when a client is meeting CalWORKs federal work participation requirements through E2Lite?

   A. The minimum wage calculation provided in ACL 12-67 for curing sanctions was only used, temporarily, for the purpose of determining if clients who were in WTW sanction status on January 1, 2013, were compliant with the new CalWORKs WTW participation requirements of SB 1041. This is not an ongoing provision for newly sanctioned clients and has no impact for determining when a client is meeting the federal work participation rate. CWDs are to continue using the instructions issued for E2Lite for federal data reporting purposes.

7. Q. What forms are being revised or created for the CalWORKs WTW program changes in SB 1041?

   A. There have been several forms revised or created for the SB 1041 CalWORKs WTW program changes.

   - ACL 12-67 released the revised Welfare-to-Work Plan Activity Assignment (WTW 2). This form was revised to include activities and hourly requirements both within and outside of the Welfare-to-Work 24-Month Time Clock and an expansion of the supportive services section of this form.

   - ACL 13-01 released revisions to the CalWORKs Exemption Request Form (CW 2186 A) and the CalWORKs Exemption Determination (CW 2186 B) in order to incorporate information on the Welfare-to-Work 24-Month Time Clock and changes in the types of exemptions. In addition, this ACL

included the Reengagement Informing Notice (CW 2206), which is used to inform clients exempt as of December 31, 2012, under the AB X4 4 short-term young child exemptions that the exemption is ending and of additional SB 1041 changes to the WTW program requirements.

- ACL 13-12 released the Your Welfare-to-Work (WTW) 24-Month Time Clock (CW 2208) informing notice that serves as notification to the client of the remaining months left on his or her WTW 24-Month Time Clock.

- This ACL releases the WTW 38 that CWDs must send to clients who are scheduled to meet CalWORKs federal standards and the CWD receives verification or otherwise determines that a client is not meeting these standards.

- A subsequent ACL will be issued that will revise the Welfare-to-Work Informing Notice (WTW 5), Simplified CalFresh Program Unpaid Work Experience (WEX) and Unpaid Community Service Hours Worksheet (WTW 15) and the Waiver of CalWORKs Learning Disabilities Screening and/or Evaluation (WTW 17).

Additional ACLs will be released in the future to address form changes as needed.

8. Q. ACL 04-41 that was issued on October 8, 2004, instructed counties to not count any months in which a client participated in vocational education prior to December 1, 2004 toward the CalWORKs 12-month limit on vocational education as a core activity. However, ACL 12-67 states that clients who already have months counted toward the federal 12-month maximum do not get a new 12-month period for vocational education. Please clarify how CWDs are to consider vocational education prior to December 1, 2004, under the new SB 1041 participation requirements.

   A. ACL 04-41 provided implementation instructions for the CalWORKs participation requirements that were enacted through SB 1104, Chapter 229, Statutes of 2004. SB 1104 eliminated the old 18- and 24-month WTW participation requirements, which were effective from January 1, 1998, through November 30, 2004, and established the CalWORKs core and non-core requirements on December 1, 2004. SB 1104 restricted the number of months clients could be allowed to participate in vocational education to 12 months as a core activity in the client's lifetime for CalWORKs participation purposes. CWDs were instructed to not count months prior to December 2004 towards the CalWORKs 12-month time limit on vocational education participation as a core activity. This instruction had no impact on how participation in vocational education was counted toward the federal 12-month limit on vocational education as a federally allowable core activity.

The CalWORKs core and non-core participation requirements were repealed through SB 1041. The federal restriction on counting only 12 months of vocational education during a client's lifetime toward the federal work participation rate has not changed. Therefore, any months that have been counted toward a client's federal 12-month limit on vocational education as a core activity will continue to be counted toward the federal limit for purposes of meeting the CalWORKs federal standards.

9. Q. Can a CWD have a policy that instructs workers to attempt to assign work or work experience for all clients to help them connect to the workforce under the new WTW 24-Month Time Clock rules?

   A. No. SB 1041 provides that during the WTW 24-Month Time Clock, a client may participate in CalWORKs WTW activities that are needed to lead to self-supporting employment without the WTW plan having to meet a core hourly requirement. The flexibility provided within the WTW 24-Month Time Clock is meant to give clients the necessary education, training, and other barrier removal activities (such as mental health, substance abuse or domestic abuse services) they may need. Workers and clients may agree that work or work experience is an appropriate activity when such activities are consistent with the client's assessment. However, instructing workers to attempt to assign all clients to work activities regardless of the results of their assessments would conflict with the intent of the WTW 24-Month Time Clock period.

10. Q. WIC section 11326 requires CWDs to conduct a reappraisal of any client who does not obtain unsubsidized employment upon completion of all activities in his or her WTW plan. This section further requires CWDs to determine whether extenuating circumstances exist for the client that prevents him or her from obtaining employment within the local labor market. If the CWD finds that extenuating circumstances do not exist, the client may only participate in specified activities. These activities include unsubsidized employment, work experience, self-employment, job skills training directly related to employment, and specified barrier removal services. Does this mean that a client who completes his or her WTW plan and still has time remaining on his or her WTW 24-Month Time Clock is restricted to these specified activities?

    A. No. Activities are not restricted and the reappraisal process does not apply when there is time remaining on a client's WTW 24-Month Time Clock. Reappraisal and assignment to a more restricted list of activities would be inconsistent with participation in the new 24-month period enacted in SB 1041. Therefore, reappraisal is not required for participants who have months remaining on their WTW 24-Month Time Clocks, and clients are not restricted to the activities described in WIC section 11326 if he or she completes the activities in his or her WTW plan during this period. Clients with time remaining on their WTW

24-Month Time Clock who have completed a WTW plan may continue to participate in WTW 24-Month Time Clock activities during the remainder of this period, based on the assessment. However, WIC section 11326 is fully applicable to participants who have exhausted their WTW 24-Month Time Clock and are required to meet the CalWORKs federal participation requirements.

Reengagement

11. Q. ACL 13-01 requires CWDs to provide information regarding the SB 1041 changes during the reengagement evaluation of individuals exempt as of December 2012 under the short-term young child exemption that includes "…Information regarding program changes that have occurred since the individual became exempt, including, but not limited to, the WTW 24-Month Time Clock and the individual's participation requirements after these 24 months." Does this mean that a CWD must have the comprehensive discussion required of mandatory WTW participants referenced in ACL 12-67?

    A. Yes. A comprehensive discussion as outlined in ACL 12-67 is required for all clients including those who are part of the reengagement population. This comprehensive discussion may occur as part of the reengagement evaluation appointment, as part of the third contact for clients that do not require an in-person contact, or as part of the WTW 24-Month Time Clock information provided to clients prior to clients deciding if they want to reengage early as referenced in ACL 13-01.

12. Q. Is a client considered reengaged if the client has been voluntarily participating and modifies or signs a new WTW plan prior to being contacted for reengagement by the CWD?

    A. No. The client is not considered reengaged under these circumstances. Per ACL 13-01, CWDs shall honor current WTW plans for volunteers signed before January 1, 2013. CWDs shall revise or develop new plans for these volunteers after January 1, 2013, as appropriate, until the CWD reengages the client. In addition, CWDs are required to meet the reengagement process requirements as outlined in ACL 13-01 for any client being reengaged. These requirements include, but are not limited to, providing the client with the Reengagement Informing Notice (CW 2206) at least 60 days before the client can be reengaged or 30 days before the second reengagement evaluation notice is sent, sending a second notice to schedule the reengagement evaluation 30 days prior to the client's appointment, or before documentation or verification is required by the client and a third required contact. A client is considered reengaged when he or she signs a WTW plan and the provision of supportive services pursuant to WIC Section 11323.2 is met. Volunteer WTW plan amendments or new volunteer WTW plans do not meet this requirement.

13. Q. Can a client choose to reengage in advance of when he or she was scheduled in the CWD's reengagement sequencing plan? If so, what requirements must be met? Per ACL 13-01, a client is required to receive a Reengagement Informing Notice (CW 2206) at least 60 days before the client can be reengaged and 30 days before the reengagement evaluation notice (second notice) is sent. Can a client choose to waive this requirement?

A. Yes. A client can choose to reengage in advance of when he or she would have normally been selected in the CWD's reengagement sequencing plan as long as the requirements of ACL 13-01 are met. Per ACL 13-01, CWDs must inform the client of the following:

- The exemption will end if the client chooses to reengage in advance.
- Other exemptions that the client may qualify for.
- Information regarding the WTW 24-Month Time Clock and the CalWORKs 48-month time limit.
- The number of participation hours required.
- The consequences for not meeting the participation requirements including the noncompliance process and sanctions.
- When the client would otherwise be required to be reengaged under the CWD's normal reengagement sequencing.

If the client continues to choose to reengage in advance of the CWD's reengagement sequencing, the client must be informed of the reengagement process. The client must be provided a CW 2206 if he or she has yet to receive the notice or if it has been more than six months since he or she received it. In addition, the client must be reengaged under the reengagement process outlined in ACL 13-01. Documentation must be included in the case file regarding this request. A best practice would be to obtain a written acknowledgment from the client that he or she is choosing to reengage in advance.

If the client chooses not to reengage in advance, the client must be reengaged when the client would have normally been selected for reengagement as part of the CWD's sequencing plan.

A client may request to waive the requirement that the CW 2206 be sent 60 days before the client can be reengaged and 30 days before the reengagement evaluation notice (second notice). In situations where a client requests to waive this requirement, the CWD must document this client request in the case file and note the date that a copy of the CW 2206 was provided to the client. A best practice would be to also include a written acknowledgment from the client that they are voluntarily waiving the requirement to be noticed 60 days prior to being reengaged.

14. Q. A client is in the AB X4 4 reengagement group, and the case closes sometime after January 1, 2013. Then the client comes back on aid prior to the point where he or she would have been scheduled to be reengaged according to the CWD's sequencing plan. Is this client treated like a new client or is he or she put back into the reengagement group?

    A. The client in this example is not in the reengagement population after returning to CalWORKs and is treated as a new client or other clients who have had a break in aid. Clients in the reengagement population are those who were exempt from participation under the short-term young child exemptions originally implemented by AB X4 4 in 2009. The short-term exemptions ended on December 31, 2012, and are no longer available after that date. When the case closed and the client left aid, there was no longer any need to reengage him or her. The short-term young child exemption is no longer available when the client returns to aid, so the client is no longer in the reengagement population regardless of when the client would have been reengaged. The CWD needs to determine whether or not the client qualifies for another exemption or if the client is required to participate in WTW activities.

15. Q. After December 31, 2012, can the parents in a two-parent household switch who is taking the AB X4 4 exemption?

    A. No. The AB X4 4 short-term young child exemption ended on December 31, 2012, and the parents cannot switch who is taking the exemption because the exemption is no longer available. ACL 13-01 provides more details on reengagement for two-parent households.

ATTACHMENT B – REFERENCED IN QUESTION #1
Welfare-To-Work ActivitiesThat Meet CalWORKs Federal Standards

Excerpted, in part, from California's Temporary Assistance for Needy Families (TANF) Work Verification Plan (WVP). California's WVP is found at http://www.cdss.ca.gov/cdssweb/entres/pdf/VerificationPlanEffective2008.pdf.

Unsubsidized Employment
"[U]nsubsidized employment is full- or part-time employment in the public or private sector that is not subsidized by TANF or any other public program. Unsubsidized employment includes self-employment as well as recipients whose employers claim a tax credit for hiring economically disadvantaged workers. Apprenticeship programs that allow participants to earn money while they practice the trade under the supervision of a journey person and attend classes are also considered unsubsidized employment. Only the hours that are paid by the employer are counted as unsubsidized employment. The determination of whether employment is subsidized, or not, depends on whether the employer, rather than the recipient, receives a subsidy."

Hours of participation in various barrier removal activities, such as mental health, substance abuse, and/or rehabilitative services, can count under this activity if they are integrated parts of unsubsidized employment. In order to count, the individuals must be paid for all of the hours they participate in such activities that are counted as unsubsidized employment. If the individuals are not paid while participating in these activities, the participation will be reported as a blend of unsubsidized employment and another appropriate activity such as job search and job readiness assistance.

Subsidized private sector employment and subsidized public sector employment
"[S]ubsidized private sector employment and subsidized public sector employment means employment in the private and public sectors, respectively, for which the employer receives a subsidy from TANF or other public funds to offset some or all of the wages and costs of employing a work-eligible individual. Subsidized work may include (1) work supplementation where TANF funds that would otherwise be paid as assistance are paid to the employer or to a third-party contractor, like a temporary staffing agency, which serves as the employer of record and is paid a fee to cover salary, expenses and success in placing employees; (2) supported work for individuals with disabilities in an integrated setting, (3) work study activities or (4) paid barrier removal and educational activities. Subsidized employment is distinguished from work experience in that the participant in subsidized employment is paid wages and receives the same benefits as an employee with no subsidy who performs similar work.

Hours of participation in various barrier removal activities, such as mental health, substance abuse, and/or rehabilitative services, can count under this activity if they are integrated parts of subsidized employment. In order to count, the individuals must be paid for all of the hours they participate in such activities that are counted as subsidized employment. If the individuals are not paid while participating in these activities, the

participation will be reported as a blend of subsidized employment and another appropriate activity such as job search and job readiness assistance.

Work experience
"[W]ork experience is a training activity performed in the public or private sector, as well as a nonprofit, community- or faith-based setting, that helps provide basic job skills, enhances existing job skills in a position related to the participant's experience, or provides a needed community service that shall lead to unsubsidized employment. The recipient is receiving compensation in the form of the cash aid grant for time spent in the activity.

Core hours shall be limited as follows:

- When the assistance unit includes food stamp recipients, the individual shall participate for no more than the number of hours each month, determined collectively for the assistance unit, equal to the CalWORKs grant plus the food stamp allotment divided by the State or federal minimum wage, whichever is higher; or

- When the assistance unit does not include food stamp recipients, the individual shall participate for not more than the number of hours each month, determined collectively for the assistance unit, equal to the CalWORKs grant divided by the State or federal minimum wage, whichever is higher."

Hours of participation in various barrier removal activities, such as mental health, substance abuse, and/or rehabilitative services, can count under this activity if they are integrated parts of work experience.

On-the-job training
"[O]n-the-job training is training in the public or private sector that is given to a paid employee while he or she is engaged in productive work. On-the-job training provides knowledge and skills that are essential to the full and adequate performance of the job. The employer is subsidized to offset training costs.

Supported work may be counted as on-the-job training if it includes significant training in the skills and knowledge essential to job performance. On-the-job training may also include orientation and classroom instruction required by the recipient's employer and/or case manager. In some instances, training (e.g., tax preparation) or continuing education (e.g., nursing) is a necessary and regular element of employment. On-the-job training may include participation in these types of activities when the individual is reimbursed for the training costs. When the individual is not reimbursed for training costs, the participation counts as job skills training directly related to employment, education directly related to employment, vocational educational training, or job search and job readiness assistance, as appropriate."

Job search and job readiness assistance
"[J]ob search is an activity in which the participant's principal activity is to seek employment. Job search includes looking for suitable job openings, making contact with potential employers, applying for vacancies, and interviewing for jobs. Job readiness assistance is an activity that provides a recipient with training to learn basic job seeking and interviewing skills, to understand employer expectations, and to learn skills designed to enhance an individual's capacity to move toward self-sufficiency. Job readiness assistance also comprises the following activities:

a. Preparing an individual to obtain or retain employment, such as preparing a resume or job application, interviewing skills, instruction in work place expectations, and life skills training.

b. Substance abuse treatment, mental health treatment, or rehabilitation activities. Treatment or rehabilitation services can include residential treatment, group or individual therapy, support group, or participation in Alcoholics Anonymous, and Narcotics Anonymous. [Note: Substance abuse treatment, mental health treatment and rehabilitation programs that include integrated hours of unsubsidized employment, subsidized employment, work experience, or another activity may count as another activity during the hours of the integrated component, as long as the component meets a common sense definition of that other activity.]

c. On a case-by-case basis, domestic abuse services that address barriers to employment. Treatment and services for domestic abuse victims include the following activities when needed to seek or prepare for employment: individual counseling of the participant and children; group counseling; substance abuse services; medical and public health services; mental health services; independent living skills; financial planning and life skills training.

   The criteria professionals use for assigning these services is that they must be necessary to prepare an individual to obtain or maintain employment or participate in welfare-to-work activities and must be verified and documented in the WTW plan and/or case file. If a portion of the treatment or rehabilitation activities meets a common-sense definition of another work activity, such as community service or work experience, then the hours associated with the "work" will count under that activity and the actual treatment hours will count in job search and job readiness assistance.

d. Drug testing for a specific job classification and taking tests to qualify for specialized certificates. These activities will be assigned to the extent they are determined necessary for the participant to obtain or prepare for employment or participate in other welfare-to work activities.

e. Participation in orientation, appraisal, or assessment. Orientation is an introduction to the welfare-to-work program, including a general description of CalWORKs

activities, participation requirements, consequences for failing to meet requirements, available supportive services, and exemptions from participation. Appraisal is an evaluation of an individual's employment history and skills, necessary supportive services, and any other relevant information needed to assign an individual to welfare-to-work activities, as well as informing the individual of his or her rights and responsibilities as pertains to the program.

Assessment is a thorough individual review of the recipient's work history, employment skills, educational history, competency levels, need for supportive services, physical limitations or mental conditions, available resources, all in comparison to local labor market conditions, in order to complete a welfare-to-work plan.

f. Time spent online in distance learning activities. Online tasks could include searching for job vacancies, submitting résumés and completing applications.

Hours spent in these activities will be verified and documented in the WTW plan. Job interviews may be obtained from participating in this activity. Reasonable transportation time between job interviews, but not to the first interview or from the last one of the day, will count toward job search and job readiness hours. A county may require additional verification of activities, which may include such documents as job contact logs that provide sufficient information to verify the job search activity, mileage logs, or other documentation included in the case file."

Community service programs
"[C]ommunity service is training that is temporary and transitional, is performed in the public or private nonprofit sector, and provides basic job skills that may lead to employment while meeting a community need. Other activities may be included within the community service programs. In these situations, short-term training or equivalent activities will be included if they are of limited duration (usually no longer than six months) and are necessary for participation in the community service activity."

Vocational educational training
"[V]ocational educational training is organized educational programs that are directly related to the preparation of individuals for employment in current or emerging occupations. Vocational education must be provided by vocational-technical schools, postsecondary institutions or proprietary schools. Vocational educational training placements are documented on a list developed by each California county. The list, which is revised annually, includes programs that lead to jobs in the local labor market and is used by the county welfare department to approve vocational educational training and/or to assign activities as a result of assessment. For programs not on the county's list, the county welfare department determines if the program is directly related to job preparation.

In some instances, the vocational educational training will be completed as part of distance learning. Participation will count toward vocational educational training hours only when the time spent can be monitored by the service provider and reported to the county welfare department. Participation in vocational educational training beyond the12-month limit may count as job skills training directly related to employment or education directly related to employment, whichever definition is applicable, only after the core hourly requirement has been met from participation in other core activities. Basic and remedial education and English as a Second Language will be counted as part of vocational educational training activity on a case-by-case basis when the participant's educational history and present educational competency level assessment shows a need for such activities to be included in the vocational education program for the participant to be successful.

Actual hours spent in supervised homework time and up to one hour of unsupervised homework time for each hour of class time will be counted. A statement from the educational program indicating the amount of homework required must be included in the case file. Total homework time counted for participation will not exceed the hours required or advised by the educational program."

Job skills training directly related to employment
"[J]ob skills training directly related to employment is training or education for job skills required by an employer to provide an individual with the ability to obtain employment or to advance or adapt to the changing demands of the workplace. The activity may include either customized or general training to prepare an individual for employment, including literacy and language instruction and other remedial education. Job skills training directly related to employment may include four-year bachelor degree programs at any State-certified college or university. Activities may include vocational educational training that has been extended beyond 12 months.

In some instances, the job skills training will be completed as part of distance learning. Participation will count toward job skills training directly related to employment only when the distance learning program otherwise meets the definition of job skills training directly related to employment and the time spent in the distance learning component can be monitored by the service provider and reported to the county welfare department and documented in the case file.

Actual hours spent in supervised homework time and up to one hour of unsupervised homework time for each hour of class time will be counted. A statement from the educational program indicating the amount of homework required must be included in the case file. Total homework time counted for participation will not exceed the hours required or advised by the educational program."

Education directly related to employment, in the case of a recipient who has not received a high school diploma or a certificate of high school equivalency
"[E]ducation directly related to employment is education related to a specific occupation, job, or job offer. The activity is primarily for adults and includes adult basic education and ESL and, where required as a prerequisite for employment, education leading to a General Educational Development (GED) credential or high school equivalency diploma. Activities may include vocational educational training that exceeds the 12-month limit.

In some instances, the education directly related to employment will be completed as part of distance learning. Participation will count toward education directly related to employment only when the distance learning program otherwise meets the definition of the activity and the time spent in distance learning can be monitored by the service provider and is reported to the county welfare department.

Actual hours spent in supervised homework time and up to one hour of unsupervised homework time for each hour of class time will be counted. A statement from the educational program indicating the amount of homework required must be included in the case file. Total homework time counted for participation will not exceed the hours required or advised by the educational program."

Satisfactory school attendance at secondary school or in a course of study leading to a certificate of general equivalence in the case of a recipient who has not completed secondary school or received such a certificate
"[S]atisfactory school attendance is regular attendance, in accordance with the requirements of the secondary school or course of study, at a secondary school or in a course of study leading to a certificate of general equivalence, in the case of a work-eligible individual who has not completed secondary school or received such a certificate. Satisfactory school attendance is primarily an activity for minor parents and will only include other related educational activities, such as adult basic education or language instruction, when they are required for completion of a General Educational Development (GED) credential. Hours of participation attending high school in a vocational education track may be counted under this activity.

In addition, case management services are provided to minor parents in this activity. Case management involves directing and coordinating a recipient's educational, health, and social services and may include ESL, career training, alternative school, tutoring, dropout prevention, and teen pregnancy or parenting programs. The case management programs are essential to this work category in that they address the special social service needs of minor parents. Meeting these specific needs helps this group of recipients attain GED credential or attend secondary school, which helps minor parents achieve self-sufficiency.

In some instances, participation will be completed as part of distance learning and will count toward satisfactory school attendance only when the distance learning program

otherwise meets the definition of the activity and the time spent can be monitored by the service provider and is reported to the county welfare department on a monthly basis. Actual hours spent in supervised homework time and up to one hour of unsupervised homework time for each hour of class time will be counted. A statement from the educational program indicating the amount of homework required must in included in the case file. Total homework time counted for participation will not exceed the hours required or advised by the educational program."

Providing child care services to an individual who is participating in a community service program

"[P]roviding child care services is providing child care to enable another TANF recipient to participate in a community service program. The activity does not allow for one parent in a two-parent case to care for their own children in the home."

WELFARE-TO-WORK 24-MONTH TIME CLOCK NOTICE

COUNTY OF

STATE OF CALIFORNIA
HEALTH AND HUMAN SERVICES AGENCY
CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

Notice Date: _____

Case Name: _____

Number: _____

Worker Name: _____

Number: _____

Telephone: _____

Address: _____

: _____

_____

Questions? Ask your Worker.

(ADDRESSEE)

Beginning _____, months will start counting toward your Welfare-To-Work 24-Month Time Clock. We will start counting months toward your Welfare-To-Work 24-Month Time Clock because you did not do all of the hours in "federal" activities you agreed to in your Welfare-To-Work plan.

You will get a separate notice if your worker needs to make an appointment to talk to you about a participation problem.

Medi-Cal: This notice DOES NOT change or stop Medi-Cal Benefits. **Keep using your plastic Benefits Identification Card(s).** You will get another notice telling you about any changes to your health benefits.

CalFresh: This notice DOES NOT stop or change your CalFresh benefits. You will get a separate notice telling you about any changes to your CalFresh benefits.

CalWORKs: This notice DOES NOT stop or change your CalWORKs benefits. You will get a separate notice telling you about any changes to your CalWORKs benefits.

Receiving Medi-Cal and/or CalFresh only DOES NOT count against your cash aid time limits.

Rules: These rules apply; WIC § 11322.8, 11322.85(a)(2) and (b).

CONTACT YOUR WORKER RIGHT AWAY IF YOU DISAGREE WITH THE INFORMATION ON THIS NOTICE

Welfare-To-Work Worker's Name:

_____

Telephone Number:_____

WELFARE-TO-WORK
24-MONTH TIME CLOCK NOTICE

COUNTY OF

STATE OF CALIFORNIA
HEALTH AND HUMAN SERVICES AGENCY
CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

Notice Date : _____

Case Name : _____

Number : _____

Worker Name : _____

Number : _____

Telephone : _____

Address : _____

: _____

_____

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