

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, California 95814



October 14, 004

ALL COUNTY LETTER NO. 04-44

TO: ALL COUNTY WELFARE DIRECTORS
 ALL CalWORKs PROGRAM SPECIALISTS
 ALL WELFARE TO WORK COORDINATORS

SUBJECT: QUARTERLY REPORTING/PROSPECTIVE BUDGETING
 AND WELFARE-TO-WORK PARTICIPATION

REFERENCE: ALL COUNTY LETTERS NO. 04-24, 03-33, AND 03-18

This letter is in response to a request from counties for guidance regarding the provision of supportive services to, sanctioning of, and verification of work or assignment of participation hours for a two-parent assistance unit (AU) for which the basis for aid is unemployment, under the California Work Opportunity and Responsibility to Kids Welfare-to-Work (WTW) program, after Quarterly Reporting/Prospective Budgeting (QR/PB) is implemented in a county.

The counties' requests came in the form of questions that pertain specifically to situations in which one of the parents in these two-parent AU cases fails to participate in WTW and/or leaves the home mid-quarter. For ease of reference, we are presenting our responses to the questions in the attached "questions and answers" format. If you or your staff have questions about these responses, or have additional questions pertaining to the impact of QR/PB on WTW policies and procedures, please contact the Employment Bureau, at (916) 654-2137.

Sincerely,

***Original Document Signed
 By:***

CHARR LEE METSKER
 Acting Deputy Director
 Welfare to Work Division

Attachment

c: CWDA
 CSAC

REASON FOR THIS TRANSMITTAL

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

California Work Opportunity and Responsibility
To Kids (CalWORKs)

Quarterly Reporting/Prospective Budgeting (QR/PB)
and Welfare-to-Work (WTW)

Background

A CalWORKs two-parent assistance unit (AU) for which the basis for deprivation is unemployment, hereafter referred to as a two-parent AU, consists of Mom, Dad, and their two children in common. The WTW participation requirement for the AU is 35 hours per week.

The county finds out that Dad left the home after January 1st of the current quarter (January, February, and March), but no one in the family requested that he be deleted from the AU. The county will take action to remove Dad after the county receives the QR 7, in which it is reported that he left. Based on that report, Dad will be deleted from the AU effective March 31st.

Situations

1. Despite leaving the home, Dad continues to participate in his assigned WTW activity and remains in the AU because the county cannot delete him from the case until March 31st. Can the county continue to pay for supportive services that are requested by Dad, since he is no longer in the home?

Response: Yes, the county must continue to pay for the necessary supportive services that are requested by Dad. Dad is aided for the quarter and, therefore, he remains a member of the AU and a mandatory WTW participant who is able to receive the necessary supportive services to assist him to participate in his WTW assignment.

2. The county is aware that Dad continues to work, but there is no release of information form in his case file that specifically states that the county can directly contact his employer to verify his hours of participation. How should the county verify that Dad is meeting his WTW participation requirement?

Response: As noted above in Situation 1, Dad is still a mandatory WTW participant and, as such, is responsible to report his hours. If he fails to report his hours, and the county cannot verify that he is meeting his WTW participation requirements, it must begin the good cause determination and sanction processes, in accordance with Manual of Policies and Procedures (MPP) Section 42-721. At the same time, the county must notify Mom that

action is being taken against Dad for not participating and also inform her that she may be required to meet the AU's WTW participation requirement if Dad fails to resume participation.

Before initiating the good cause determination and sanction processes against Dad, the county may attempt to verify Dad's participation hours by asking Mom to obtain the necessary information. If this attempt is unsuccessful, then the county must initiate the good cause determination and sanction processes, as described above.

3. When Dad was in the home, he met the AU's CalWORKs WTW participation requirement of 35 hours per week. Now that he has left the home, is Mom required to participate for 35 hours per week?

Response: If the county can verify that Dad is still meeting the AU's participation requirement for the remainder of the quarter, then Mom does not have to participate. However, if the county is aware that Dad is not participating for any hours, or it cannot verify Dad's hours, then Mom is required to meet the AU's WTW participation requirement of 35 hours per week until Dad is deleted from the AU. When he is deleted, the case becomes a one-parent AU, and Mom has a participation requirement of 32 hours per week.

4. When Dad was still at home, he and Mom split the participation requirement of 35 hours. Dad was participating for 20 hours per week, and Mom was participating for 15 hours per week. Since Dad left the home after the beginning of the quarter, is Mom required to meet the 35-hour participation requirement for the AU?

Response: Since both Dad and Mom are still members of the AU, the AU's WTW participation requirement remains at 35 hours per week. If the county can verify that Dad is participating for 20 hours per week, Mom must participate for 15 hours per week. If the county knows that Dad is not participating, or it cannot verify any of his hours, then Mom must participate for the full 35 hours per week.

In accordance with MPP Section 42-711.421, when both parents in a two-parent AU contribute to the 35-hour WTW participation requirement, one of them must participate for a minimum average of 20 hours per week.

5. Dad has failed or refused to meet his CalWORKs WTW participation requirement. Does the county begin the process to sanction Dad, even though he is no longer in the home?

Response: Yes, as noted in earlier responses, Dad is aided for the quarter and continues to be part of the AU and a mandatory WTW participant. The county should begin the good cause determination and sanction processes, in accordance with MPP Section 42-721, as they would for any other two-parent AU case in which a parent fails or refuses to participate in his or her assigned WTW activity.

6. Dad has failed or refused to meet his CalWORKs WTW requirement. The county does not know where Dad is living. What actions must the county take to contact Dad about the pending sanction?

Response: Please see the above response to Situation 5. Good cause determination and sanction notices are to be sent to Dad's last known address, and telephone contacts should be made by calling Dad's last known telephone number. Should he fail to respond to the notices in a timely manner, or the attempts to contact him by telephone are not successful, Mom would be required to participate as noted in the responses to Situations 3 or 4.

7. Dad has left the home and is no longer participating in a CalWORKs WTW activity. Mom is now meeting the AU's participation requirement. Can the county provide child care to her when the county did not authorize it in the past because Dad was in the home?

Response: Child care can be paid if there is no parent in the AU who is able or available to provide the care. If Dad is not able or available to take care of the children, and Mom is participating in a WTW activity, Mom can request, and be reimbursed for, child care services. ACL 04-24 transmitted the CCP 2145, Child Care Reimbursement Report. Included in the CCP 2145 is a statement reminding clients of change reporting requirements for child care. Both current and former CalWORKs recipients are required to report changes in family size and composition and changes in family income. When it has been determined that Dad is no longer participating, and the county cannot locate him, a Notice of Change should be sent to the family. If Mom is working/participating, she can receive child care for her documented hours of participation, provided there is no one in the AU who is able and available to care for the children. The method for requesting child care is explained in CDSS Manual of Policies and Procedures Section 47-120.1, (ACL 03-33, page 9). That regulation also specifies that the request can be verbal or written. In addition, Mom should be informed about the retroactive payment limit provisions transmitted with ACL 03-33. The county should inform Mom about the 30-day retroactive payment limits and provide her with a copy of the CCP 7, CalWORKs Stage One Child Care Request Form and Payment Rules (2/03) to sign.