

UPDATED INFORMATIVE DIGEST

Senate Bill (SB) 1041 (Chapter 47, Statutes of 2012) made substantial changes to the California Work opportunity and Responsibility to Kids (CalWORKs) Welfare-to-Work (WTW) program requirements that were effective January 1, 2013. The CalWORKs WTW program is the employment and training component of CalWORKs which is funded, in part, by the federal Temporary Assistance to Needy Families (TANF) Block Grant.

Federal welfare reform enacted the TANF program through the Personal Responsibility and Work Opportunity Reconciliation ACT (PRWOA) in 1996, limiting federally-funded cash aid to adult recipients to a total of five years. The intent of the WTW program is to provide employment and training services to the maximum possible number of individuals within the adult CalWORKs population to aid them in achieving economic self-sufficiency within this timeframe.

SB 1104 (Chapter 229, Statutes of 2004) and SB 68 (Chapter 78, Statutes of 2005) established a requirement that adults in the WTW program must participate in at least 20 hours per week in specified core WTW activities that will provide them with the necessary training to obtain employment. The balance of their 32-or 25-hour per week participation requirement could be spent in other specified noncore activities.

These proposed regulations amend, adopt, and repeal WTW regulations to comply with SB 1041 by repealing the requirement that adults must participate in at least 20 hours in core WTW activities during a cumulative 24-month period; establishing more stringent participation requirements that are closely aligned with the requirements of the federal TANF Block Grant after exhausting the 24-month period; repealing specified young child WTW participation exemptions for adults and establishing a WTW reengagement process for affected adults; and establishing a new one-time young child exemption for adults with a child under 24 months of age.

This regulatory action will benefit the health and welfare of California residents by establishing a requirement that adults in the Welfare-to-Work Program can participate in any welfare-to-work activity they need, consistent with their assessments, during the Welfare-to-Work 24-month Time Clock period to provide them with the necessary training to obtain employment. Worker safety and the state's environment will not be impacted by these amended regulations. This regulatory action does not make changes to regulations involving worker safety or the state's environment. The amended and adopted regulations will increase the likelihood of stable employment and self-sufficiency for CalWORKs recipients resulting in a positive economic impact to the state.

In addition, the proposed regulations will make other technical, conforming changes, such as adding and renumbering of sections and amending cross references as necessary.

The Department evaluated the proposed regulation for any inconsistency or incompatibility with existing state law and has found that these are the only regulations concerning participation requirement changes to CalWORKs Welfare-to-Work program. Therefore, the proposed regulations are neither inconsistent nor incompatible with existing state regulations, but do fulfill the intent of the Legislature in enacting SB 1041.

The regulations were noticed to the public on February 20, 2015, with a public hearing held on April 8, 2015. There was no testimony received. The CDSS has reviewed and updated the Initial Statement of Reasons (ISOR) renaming it to the Final Statement of Reasons (FSOR) to clearly demonstrate the factual basis and specific purpose of the sections being addressed, including adding a final modification paragraph for those sections being modified. The regulations text document is updated to demonstrate modifications to the regulation text, which is documented in the FSOR as "Final Modification" and shown in the regulation text as double underline for modified language and double strikethrough for deleted language. Further, regulation text was added with no underline or strikethrough for contextual interpretation of the text under review.

The regulations were re-noticed to the public for 15-days from August 18, 2015, to September 2, 2015, with one piece of testimony received. The testimony is responded to within the FSOR and resulted in no further changes to the regulation text.