

JULY 24, 2020

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

**EXECUTIVE SUMMARY**

**ALL COUNTY INFORMATION NOTICE NO. I-59-20**

The purpose of this All County Information Notice (ACIN) is to provide County Welfare Departments with additional guidance regarding providing good cause and curing sanctions due to the ongoing COVID-19 pandemic.



KIM JOHNSON  
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY  
**DEPARTMENT OF SOCIAL SERVICES**  
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GOVERNOR

JULY 24, 2020

ALL COUNTY INFORMATION NOTICE NO. I-59-20

TO: ALL COUNTY WELFARE DIRECTORS  
ALL COUNTY WELFARE TO WORK COORDINATORS  
ALL COUNTY CALWORKS PROGRAM SPECIALISTS  
ALL COUNTY CONSORTIA REPRESENTATIVES

SUBJECT: **GOOD CAUSE AND OTHER STRATEGIES TO CURE  
SANCTIONS FOR CALIFORNIA WORK OPPORTUNITY AND  
RESPONSIBILITY TO KIDS (CaIWORKs) WELFARE-TO-WORK  
(WTW) PARTICIPANTS UNABLE TO PARTICIPATE DUE TO  
THE ONGOING IMPACT OF COVID-19**

REFERENCE: [ALL COUNTY WELFARE DIRECTORS LETTER \(ACWDL\) DATED  
JUNE 29, 2020; ALL COUNTY LETTER \(ACL\) 03-59, ACL 16-119,  
ACL 17-57; ALL COUNTY INFORMATION NOTICE \(ACIN\) I-56-  
18; MANUAL OF POLICIES AND PROCEDURES \(MPP\) SECTION  
42-711.712, MPP SECTION 42-712 MPP SECTION 42-713, MPP  
SECTION 42-721, MPP SECTION 42-750.11](#)

The purpose of this All-County Information Notice (ACIN) is to encourage County Welfare Departments (CWDs) to make use of the flexibilities in the [ACWDL Dated June 29, 2020](#) to reach out to their sanctioned populations. This additional guidance is being provided to counties to help mitigate financial hardships of the sanction population by using good cause and other strategies to cure sanctions of families impacted by the COVID-19 pandemic.

While the flexibilities and program modifications detailed in the ACWDL are set to expire automatically on August 31, 2020 (or earlier upon written notice from the Department), this ACIN outlines ways to continue engaging the sanction population to cure sanctions and use good cause when possible. This is an important part of the effort to provide services and supports that protect families from additional hardship or reduced benefits.

Please note that the terms “sanction” and “sanctioned” are used throughout this ACIN. However, the guidance contained in this ACIN and the [ACWDL Dated June 29, 2020](#) for

sanction curing refers to both individuals in sanction status and post-WTW 24-Month Time Clock individuals who have been “removed from cash aid” as described in [MPP Section 42-711.712](#). In addition to the guidance in this ACIN and the [ACWDL Dated June 29, 2020, ACL 03-59](#) provides details and forms for good cause, noncompliance, and sanction curing. Please refer to the [California Department of Social Services \(CDSS\) forms webpage](#) for current versions of these forms.

### **Outreach Strategies**

The [ACWDL Dated June 29, 2020](#) advises that existing statutory and regulatory provisions allow CWDs to implement county-wide policy and procedures to issue temporary, blanket good cause, thus suspending WTW program and program work requirements ([MPP Section 42-713](#)). Additionally, the CWDs may issue good cause or exemptions from WTW participation ([MPP Section 42-712](#)) on a case-by-case basis.

### **Good Cause**

The CWDs are encouraged to reach out to sanctioned individuals to determine if sanctions may be cured with alternate activities or with good cause. Alternate activities to engage sanctioned individuals may include online orientation, webinars, distance learning, etc. For circumstances in which alternate activities are not available or appropriate, the CWDs may be able to issue good cause. Good cause may be issued for non-participation in all initial engagement activities (e.g. Online CalWORKs Appraisal Tool, Job Search/Job Club, Family Stabilization), all assessments and evaluations, completion/maintenance of a WTW plan, and participation in WTW activities or employment.

Guidance in the [ACWDL Dated March 13, 2020](#) and the [ACWDL Dated June 29, 2020](#) states CWDs may issue blanket good cause or good cause on a case-by-case basis. This applies to all CWDs regardless of the current level of shut down order required in their counties between now and when this guidance expires on August 31, 2020 (or earlier upon written notice from the Department).

Months in which individuals have good cause to not participate for at least 50 percent of their hourly participation requirement do not count against the WTW 24-Month Time Clock ([MPP Section 42-708.322](#)). However, months in which individuals are in good cause status do count toward the CalWORKs 48-month time limit ([MPP Section 42-713.4](#)). The CWDs may waive the CalWORKs 48-month time limit for individuals who are issued good cause due to being victims of domestic abuse ([MPP Section 42-713.221\(a\)](#) and [MPP Section 42-713.41](#)).

### **Exemptions**

In addition to opportunities to cure sanctions by providing alternative activities or good cause, exemptions are another possible strategy to cure sanctions. Although individuals

may not have qualified for an exemption at the time a sanction was originally applied, it is possible the individual's circumstances have changed. When reaching out to the sanctioned population regarding alternate activities and good cause, the CWDs may also look into whether an individual is no longer able to participate in WTW activities due to a qualifying exemption as described in [MPP Section 42-712](#). Sanctioned individuals found to have an exemption will have aid restored without the need for a curing plan.

Clients in good cause or exemption status are not subject to a WTW sanction for non-participation and continue to receive the full family grant based on the size of the Assistance Unit, including the adult(s) portion.

### **Sanction Curing and Noncompliance**

CalWORKs WTW clients cannot be required to participate in activities that are not: 1) available, 2) appropriate, or 3) required, including due to good cause. Currently, state law requires the establishment of an individual cure plan to resolve a WTW sanction. The CWDs are encouraged to reach out to sanctioned individuals to determine if the sanction may be cured with good cause or other activities that can be completed during the ongoing pandemic.

The CWDS are encouraged to use multiple types of outreach that may be most effective while staff are teleworking or otherwise unable to have in-person contact due to COVID-19. Strategies may include phone calls and following up by mailing forms such as the [WTW 27 form](#) to encourage individuals to engage with the CWD in order to cure their sanctions.

### **Currently Sanctioned Individuals**

For sanctioned clients who may now have good cause not to participate in activities as described above, or whose cure plan contains activities that are no longer available or appropriate, CWDs should implement cure plans documenting that the activity the client failed to perform is not available or appropriate due to the COVID-19 emergency. The cure plan may specify an alternative, appropriate activity (or activities) for the client to perform, which should be compliant with directives and public health guidance related preventing the spread of COVID-19. This may include, but is not limited to, reviewing orientation materials or conducting job search online in lieu of attending orientation.

However, in instances where assigning another appropriate activity is not practical or feasible due to restrictions surrounding COVID-19, CWDs may implement cure plans reflecting the lack of appropriate activities, stating that the client temporarily has good cause not to participate. Clients that agree to a cure plan based on good cause will continue to have good cause and not be subject to noncompliance or sanction until

flexibilities provided in the [ACWDL Dated June 29, 2020](#) due to COVID-19 expire, or the county determines that good cause is no longer appropriate.

#### Individuals in Noncompliance

For clients who are in the noncompliance process but are not yet sanctioned, CWDs should make all attempts to avoid imposing the sanction by offering other available and appropriate (online or alternate) activities. Alternatively, counties may apply good cause as appropriate either on a case-by-case basis or in accordance with a blanket good cause policy to avoid imposing a sanction. As stated in [MPP Section 42-721.231\(e\)](#) an individual may establish good cause over the telephone instead of attending an appointment during the noncompliance process.

#### **Telephonic or Electronic Signatures**

In accordance with the [ACWDL dated March 13, 2020](#), CWDs should use the most effective practices available to streamline and expedite the execution of cure plans, including the use of phone interviews, mail-in plans, digital signatures and all electronic means available. See [ACL 16-119](#) and [ACIN I-56-18](#) for guidance on phone interviews and see [ACL 17-57](#) for guidance on telephonic and electronic signatures. Counties may implement any method of telephonic signature or electronic signature, in compliance with state and federal program requirements, that is supported by county business practices, available technology, and corresponding funding.

If the CWD is unable to currently accept telephonic or electronic signatures, the individual may—under the temporary flexibilities provided in the [ACWDL Dated June 29, 2020](#)—verbally attest to the information in the curing plan prior to the CWD obtaining a wet signature. The CWD must carefully document this in the case file and follow-up by mailing a hard copy of the plan with a postage paid envelope for the individual to return with a wet signature. Verbal attestation must only be used when the CWD lacks the capability to accept a telephonic or electronic signature.

#### **Supportive Services**

As stated in [MPP Section 42-750.11](#), necessary supportive services shall be available to every participant in order to participate in the program activity to which he or she is assigned or to accept or retain employment. If necessary supportive services are not available, the individual shall have good cause for not participating under [MPP Section 42-713.21](#). Since many schools and daycares are currently closed due to COVID-19, CWDs should take this into consideration when determining good cause and curing an individual's sanction.

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If you have any questions or need additional guidance regarding the information in this ACIN, contact the CDSS CalWORKs Engagement Bureau at (916) 654 2137.

Sincerely,

***Original Document Signed By***

KRISTINA MEZA  
Branch Chief  
CalWORKs and Family Resilience Branch