

August 24, 2021

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

EXECUTIVE SUMMARY

ALL COUNTY LETTER NO. 21-99

The purpose of this letter is to inform County Welfare Departments of changes to the census earned income exemption for California Work Opportunity and Responsibility to Kids (CalWORKs) recipients pursuant to Assembly Bill 1004 (Chapter 99, Statutes of 2021).



KIM JOHNSON
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
744 P Street • Sacramento, CA 95814 • www.cdss.ca.gov



GAVIN NEWSOM
GOVERNOR

August 24, 2021

ALL COUNTY LETTER NO. 21-99

TO: ALL COUNTY WELFARE DIRECTORS
ALL CALWORKS PROGRAM SPECIALIST
ALL CALFRESH PROGRAM SPECIALIST
ALL COUNTY REFUGEE COORDINATORS
ALL COUNTY CONSORTIA REPRESENTATIVES

SUBJECT: IMPLEMENTATION OF ASSEMBLY BILL (AB) 1004: CALIFORNIA
WORK OPPORTUNITY AND RESPONSIBILITY TO KIDS
(CALWORKS) CENSUS EARNED INCOME EXEMPTION

REFERENCE: [ASSEMBLY BILL \(AB\) 1004 \(CHAPTER 99, STATUTES OF 2021\)](#);
[WELFARE AND INSTITUTIONS CODE \(WIC\) 11157](#); [ALL COUNTY
LETTER \(ACL\) 19-106](#)

The purpose of this All County Letter (ACL) is to provide guidance to County Welfare Departments (CWDs) regarding the implementation of the CalWORKs earned income exemptions pursuant to [AB 1004 \(Chapter 99, Statutes of 2021\)](#). This policy removes the conditions imposed by [AB 807 \(Chapter 440, Statutes of 2019\)](#) that income related to the United States Census Bureau, a governmental entity, or nonprofit organization for temporary work related to improving participation in the decennial census and the income being earned is only exempt during the year preceding a decennial census and during the year of the decennial census. This policy will be implemented retroactively to January 1, 2021 and apply to any income or stipend paid for temporary work associated with the United States Census, regardless of the year that it is paid.

BACKGROUND

Income from Temporary Census Employment

The U.S. Census Bureau generally recruits Temporary Assistance for Needy Families (TANF) participants to fulfill temporary employment positions related to the decennial census. The Administration for Children and Families (ACF) has encouraged states to disregard income earned from temporary census employment in the TANF calculation whenever program rules allow.

CURRENT GUIDANCE

[ACL No. 19-106](#), released on November 12, 2019, provides CWDs with guidance on the treatment of earned income for temporary work related to the decennial census advising any census related income or stipend earned during the year preceding a decennial census and during the year of the decennial census should not be counted as income for the CalWORKs program. This includes all income paid by the U.S. Census Bureau, a government entity, or a nonprofit organization for temporary work related to improving participation in the decennial census. Therefore, any income earned as a result of temporary employment related to the decennial census shall be exempt from consideration as income for the CalWORKs program, even if it can be reasonably anticipated to continue.

REVISED GUIDANCE

Effective immediately, any census related income or stipends would be exempt if the temporary work is related to the decennial census, regardless of the year paid. This provision applies retroactively to January 1, 2021 and exempts any income or stipend paid by U.S. Census Bureau, a government entity, or a nonprofit organization for temporary work related to improving participation in the decennial census.

AUTOMATION

The Statewide Automated Welfare System (SAWS) are currently programmed to exempt the temporary census earned income type for the CalWORKs program. CWDs will only need to process underpayments if census income was budgeted as a non-exempt earned income type.

CONTACT

If you have any questions regarding this ACL, please contact you CalWORKs county consultant or the Early Engagement and Eligibility main line at (916) 654-1322.

Sincerely,

Original Document Signed By

JENNIFER HERNANDEZ
Deputy Director
Family Engagement and Empowerment Division