

July 8, 2022

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

EXECUTIVE SUMMARY

ALL COUNTY LETTER NO. 22-55

The purpose of this letter is to inform County Welfare Departments of the changes made to California Work Opportunity and Responsibility to Kids Welfare-to-Work exemptions for pregnant recipients, due to the passage of Senate Bill 65 (Chapter 449, Statutes of 2021).



KIM JOHNSON
DIRECTOR

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

July 8, 2022

ALL COUNTY LETTER (ACL) NO. 22-55

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 PROGRAM GUIDANCE FOR PREGNANT RECIPIENTS

REFERENCE: [SENATE BILL \(SB\) 65 \(CHAPTER 449, STATUTES OF 2021\)](#); MANUAL OF POLICY AND PROCEDURES (MPP) [MPP SECTION 42-712.481 THROUGH MPP SECTION 42-712.482](#), AND [MPP SECTION 42-750.11](#); [ALL COUNTY LETTER \(ACL\) 09-46](#), [ACL 21-134](#), [ACL 03-59](#), AND [ACL 19-99](#); AND [WELFARE AND INSTITUTIONS CODE \(WIC\) SECTION 11320.3](#), [WIC SECTION 11323.3](#)

The purpose of this letter is to inform County Welfare Departments (CWDs) of changes made to California Work Opportunity and Responsibility to Kids (CalWORKs) program regarding exemptions from Welfare-to-Work (WTW) activities for pregnant recipients due to the passage of [SB 65 \(Chapter 449, Statutes of 2021\)](#).

SB 65 took effect January 1, 2022; however, due to existing WTW good cause provisions as a result of the public health emergency caused by the outbreak of Coronavirus Disease (COVID19) this letter was delayed. During the public health emergency declaration, counties have had the ability to use WTW good cause exemptions for WTW participants, including those effected by SB 65. In preparation for potential expiration of these good cause provisions, the following direction is provided to CWDs to support the implementation of the pregnancy WTW exemption.

BACKGROUND

SB 65 modifies the existing pregnancy exemption policy. Prior to January 1, 2022, to qualify for an exemption due to pregnancy, a CalWORKs recipient was required to provide medical verification of their pregnancy and:

- Submit proof affirming the pregnancy caused medical issues that impaired them from being able to participate in WTW activities or maintain regular employment, or
- Obtain a determination by the CWD that participation would not readily lead to employment or that a training activity was not appropriate.

As a result, not every pregnant recipient was qualified for an exemption from WTW activities.

WTW EXEMPTION REQUIREMENTS FOR PREGNANT RECIPIENTS

Effective January 1, 2022, [SB 65](#) required CWDs to grant WTW exemptions to all pregnant recipients. The change implemented by SB 65 is that pregnant recipients are no longer required to provide proof that they are medically impaired from participating in WTW activities or obtain a CWD determination that the WTW activities are not appropriate or will not readily lead to employment (MPP sections 42-712.481 and 42-712.482 are now obsolete). The CalWORKs definition of a pregnant person currently includes a pregnant person during any trimester of pregnancy. Pregnancy verification may include a sworn written statement or verbal attestation by the recipient provided that the recipient submits medical verification of the pregnancy to the county within 30 working days. Therefore, any pregnant recipient shall be granted a 30-day pregnancy exemption upon the county receiving a sworn written statement or verbal attestation. The exemption may continue for the duration of the pregnancy if medical verification is provided within the 30-day timeframe after the sworn statement or verbal attestation is provided. For further direction on pregnancy verifications see [ACL 21-134](#).

EXEMPT VOLUNTEERS

Pregnant recipients may choose to participate as exempt volunteers. Pregnant recipients who volunteer to participate in WTW activities **of their choice** must agree to sign a WTW plan to receive WTW services. Pregnant recipients are not required to meet WTW hourly participation requirements due to their exempt volunteer status, and if they fail to perform the activities **of their choice** in the WTW plan, they should be moved to the pregnancy exemption described in this ACL.

RETROACTIVITY

This policy has been effective since January 1, 2022. Counties shall retroactively grant good cause to WTW participants who provided verification of their pregnancy as of January 1, 2022. As stated above, an initial 30-day pregnancy exemption shall be

extended through the duration of the pregnancy if medical verification was provided within the 30-day timeframe.

TIME ON AID

This pregnancy WTW exemption is not a CalWORKs time limit exemption. However, pregnant individuals may be eligible for a time limit exemption, including the disability exemption pursuant to MPP section 42-302.21(a).

SANCTIONS

Counties are to cure sanctions for pregnant persons who were sanctioned on or after January 1, 2022 for failing or refusing to meet WTW requirements in the now obsolete MPP sections 42-712.481 and 42-712.482. See [ACL 03-59](#) for more information about sanction procedure.

SUPPORTIVE SERVICES

CWDs are reminded that necessary supportive services shall be made available to every WTW eligible client in order for them to participate in assigned program activities or to accept or retain employment, including those voluntarily participating, either in-person or remotely. Pursuant to [MPP section 42-750.11](#), supportive services include child care, diaper costs, transportation, ancillary expenses, and, to the extent available, personal counseling and related supportive services. Counties must provide supportive services whenever needed for participation in an assigned WTW activity (mandatory or volunteer plans), unless the client is granted good cause for a lack of supportive services as described in [ACL 09-46](#). Also, [ACL 19-99](#) describes good cause and the policy for the entitlement of child care under WIC sections [11320.3](#) and [11323.3](#).

If you have any questions or need additional guidance regarding the information in this letter, please email CWEngagementPolicy@dss.ca.gov.

Sincerely,

Original Document Signed By

JENNIFER HERNANDEZ,
Deputy Director
Family Engagement and Empowerment Division