

September 2, 2022

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

**EXECUTIVE SUMMARY**

**ALL COUNTY LETTER NO. 22-74**

The purpose of this All County Letter (ACL) is to release the CalFresh Notice of Work Rules (CF 886) for CalFresh work registrants, Able-Bodied Adults Without Dependents (ABAWDs), and CalFresh Employment and Training (E&T) participants. The CF 886 is a requirement of the [Employment and Training Opportunities in the Supplemental Nutrition Assistance Program Final Rule](#) published by the United States Department of Agriculture, Food And Nutrition Services, on January 5, 2021.



KIM JOHNSON  
DIRECTOR

CALIFORNIA HEALTH & HUMAN SERVICES AGENCY  
**DEPARTMENT OF SOCIAL SERVICES**  
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GAVIN NEWSOM  
GOVERNOR

September 2, 2022

ALL COUNTY LETTER NO. 22-74

TO: ALL COUNTY WELFARE DIRECTORS  
ALL CALFRESH PROGRAM SPECIALISTS  
ALL CONSORTIA REPRESENTATIVES  
ALL QUALITY CONTROL COORDINATORS

SUBJECT: CALFRESH CONSOLIDATED INFORMING NOTICE FOR WORK REGISTRANTS, ABLE-BODIED ADULTS WITHOUT DEPENDENTS, AND EMPLOYMENT AND TRAINING PARTICIPANTS

REFERENCE: [UNITED STATES DEPARTMENT OF AGRICULTURE, FOOD AND NUTRITION SERVICE, EMPLOYMENT AND TRAINING OPPORTUNITIES IN THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, FINAL RULE; ALL COUNTY LETTER \(ACL\) 21-48; ACL 20-10; TITLE 7 CODE OF FEDERAL REGULATIONS \(7 CFR\) PART 273.7\(c\)\(1\); 7 CFR 273.7\(c\)\(11\)\(iii\); 7 CFR 273.7\(c\)\(11\)\(iv\); 7 CFR 273.7\(n\)\(10\).](#)

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## BACKGROUND

The [Final Rule](#) requires states to provide a consolidated written notice and oral explanation of the CalFresh work rules to individuals within a household subject to any of the CalFresh work rules. The CalFresh work rules include work registration, the ABAWD time limit, and CalFresh E&T when offered by the household's county of residence.

The CF 886 and a comprehensive oral explanation of each applicable work rule must be provided to all household members subject to any of the CalFresh work rules. This includes ABAWDs living in an area where the ABAWD time limit is waived.

Implementation of the CF 886 and the comprehensive oral explanation is effective upon the completion of automation in the California Statewide Automated Welfare System (CalSAWS). Counties currently using the California Work Opportunity and Responsibility to Kids Information Network (CalWIN) will be required to implement the CF 886 and the comprehensive oral explanation upon their go-live dates in CalSAWS.

For detailed information on other provisions of the Final Rule please see [ACL 21-48](#) issued on April 23, 2021.

## **CALFRESH NOTICE OF WORK RULES (CF 886)**

### **OVERVIEW**

County Welfare Departments (CWDs) are required to provide the CF 886 to all household members who are subject to any of the CalFresh work rules. The CF 886 must be provided to all CalFresh work registrants and ABAWDs subject to the time limit. This includes ABAWDs living in an area where the time limit is waived, as they are still required to be screened and informed about the ABAWD time limit requirements to facilitate their participation once the waiver ends.

The CF 886 also includes information on CalFresh E&T. Information about CalFresh E&T must be provided on the CF 886 to all work registrants and ABAWDs subject to the time limit by CWDs that offer CalFresh E&T. The notice must be provided at initial application, recertification, and any time a household member becomes newly subject to a CalFresh work rule.

The CF 886 contains the following information related to each of the CalFresh work rules:

- An explanation and exemptions of the applicable work rule.
- Rights and responsibilities.
- Requirements to maintain eligibility.
- Pertinent dates by which a household member must take required action(s) to remain compliant with the applicable work rules.
- Consequences for failure to comply.
- Other information that would assist the household members with compliance.

## INSTRUCTIONS FOR USE

The purpose of the CF 886 is to notify CalFresh work registrants and ABAWDs subject to the time limit of the work rules relevant to their case. This notice must be generated at initial application, recertification, and any time a household member becomes newly subject to a CalFresh work rule.

CalFresh E&T participation is voluntary in all California counties, therefore information about the opportunity to participate in CalFresh E&T must be generated on the CF 886 only in counties that offer CalFresh E&T. This is because participation in a voluntary CalFresh E&T program may allow the work registrant or ABAWD subject to the time limit to satisfy the requirements of the CalFresh work rules. The CF 886 is an informational notice and there is no required action or negative action associated with the notice.

In addition to the CF 886, CWDs are reminded that they must inform all work registrants with no earned income reported at initial certification, their last recertification, or required report, of the availability of local employment services in their area through methods including, but not limited to, paper flyers, online resources, text messaging, verbal informing, or employment partner referrals as outlined in [ACL 20-10](#) issued on February 6, 2020.

### *Addressee*

This line will be populated with the name(s) of all household members subject to one or more of the CalFresh work rules based on relevant information entered into the Statewide Automated Welfare System (SAWS). Depending on household circumstances, a household member may be subject to more than one CalFresh work rule. Therefore, a CalFresh household member's name may appear in more than one of the sections as described below.

### *Section 1 – General CalFresh Work Rules (Work Registration)*

The general CalFresh work rules, or work registration, section provides work registrants with information regarding work registration requirements, exemptions from work registration, rights and responsibilities, and other information that will assist the household member with compliance. This section must only be pre-populated with the name(s) of all household members considered work registrants and must be included on the CF 886 in all counties.

The field that lists the amount of earned income that qualifies an individual for an exemption from the work rules, based on earning the equivalent of 30 hours per week

multiplied by the current federal minimum wage, must be populated with the most current dollar amount. This field is intentionally kept dynamic so it can be updated as the federal minimum wage changes over time.

### *Section 2 – Work Requirement for Able-Bodied Adults without Dependents (ABAWDs)*

The work requirement for the ABAWDs section provides ABAWDs subject to the time limit with information regarding the ABAWD time limit, ABAWD time limit exemptions, and their mandatory reporting requirements. This section must only be pre-populated with the name(s) of all household members considered ABAWDs subject to the time limit. This section must be included on the CF 886 in all counties regardless of whether a county has an ABAWD time limit waiver as counties are still required to inform ABAWDs of their reporting requirements and exemptions in order to comply with the time limit correctly when the waiver ends. A note will be populated under this section for households living in counties with an active ABAWD time limit waiver which will inform the ABAWDs in the household that they do not have to meet the ABAWD work requirements, but will be required to when the waiver ends. The fields that list the dates for the current 36-month period, also known as the “fixed statewide clock”, must be populated with the most current 36-month period. As well, the fields that list the current threshold amount for a mandatory mid-period report of lottery or gambling winnings must be populated with the most current amount. These fields are intentionally kept dynamic so that they can be updated as the 36-month period and the reporting threshold change over time.

For the purposes of informing ABAWDs subject to the time limit, the CF 866 replaces the CalFresh Informational Notice – CalFresh Time Limit for ABAWDs (CF 377.11C). The CF 377.11C will be obsolete as soon as administratively feasible.

### *Section 3 – CalFresh Employment and Training (E&T)*

The CalFresh E&T section provides general information regarding CalFresh E&T. This section must be pre-populated with the name(s) of all household members considered work registrants or ABAWDs subject to the time limit that reside in counties offering CalFresh E&T. This section must be included on the CF 886 in all counties that offer CalFresh E&T.

### *Providing the CF 886*

The CF 886 will be automatically generated for all household members subject to a CalFresh work rule. Each impacted household will receive only one CF 886 regardless of the number of household members subject to the work rule.

Based on the information in the eligibility system, only the sections relevant to each household member will be pre-populated to include their name. Household members may be instructed to follow one or more sections of the notice depending on which work rules they are subjected to.

When the CF 886 is provided to a household, a copy of the notice must be preserved in the household's casefile.

## **COMPREHENSIVE ORAL EXPLANATION OF CALFRESH WORK RULES**

### **OVERVIEW**

In addition to providing the CF 886 to all household members subject to CalFresh work rules, the [Final Rule](#) also requires CWDs to provide a comprehensive oral explanation of each work rule to households with members who are subject to the work rules.

### **INSTRUCTIONS**

CWDs must provide a comprehensive oral explanation of the CalFresh work rules at the same time the CF 886 is provided in person, or before the CF 886 is mailed to the household. This comprehensive oral explanation must be provided to the household clearly, and in appropriate language, at initial application, recertification, and any time a household member becomes newly subjected to a CalFresh work rule.

CWDs are encouraged to adopt a good faith effort standard to reach the household and provide the comprehensive oral explanation of CalFresh work rules. An example of a "good faith" effort is making at least three attempts to contact the household to provide the comprehensive oral explanation. CWDs are strongly encouraged to document in the case file the number of attempts to reach the household, and if the comprehensive oral explanation was successfully provided.

CWDs must send the CF 886 even if the CWD is unable to provide the comprehensive oral explanation and has attempted to make a good faith effort. For circumstances in which the CWD has no working phone number on file for the household, CWDs are encouraged to adopt a good faith effort standard by demonstrating and documenting that reasonable efforts were made to establish contact with the household.

The oral explanation must include the same information detailed within the CF 886, including the names of all CalFresh household members subject to one or a combination of the CalFresh work rules, and the specific work rules applicable to the individual. CWDs must also answer questions that arise during the oral explanation to ensure that the household member fully understands the work rules. For further

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guidance on the comprehensive oral explanation of work rules, CWDs are encouraged to reference the sample [Work Requirements Oral Script for State Agencies](#) provided by FNS as a component of the Notice of Consolidated Work Requirements section of the [SNAP Model Notice Toolkit](#).

If you have any questions or need additional guidance regarding the information in this letter, contact the CalFresh Policy and Employment Bureau at [CalFreshPolicy@dss.ca.gov](mailto:CalFreshPolicy@dss.ca.gov).

Sincerely,

***Original Document Signed By***

JENNIFER HERNANDEZ  
Deputy Director  
Family Engagement and Empowerment Division

Attachment

**CALFRESH NOTICE OF  
WORK RULES**

COUNTY OF \_\_\_\_\_

Notice Date : \_\_\_\_\_  
 Case Name : \_\_\_\_\_  
 Case Number : \_\_\_\_\_  
 Worker Name : \_\_\_\_\_  
 Worker Number : \_\_\_\_\_  
 Telephone Number : \_\_\_\_\_  
 Address : \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

(Addressee)

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Dear \_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_,

This letter is to tell you about the CalFresh work rules. **If you don't follow these rules, your household's CalFresh benefits may decrease or stop.** Different people in your household may need to follow different work rules. This letter tells each person in your household who has to follow a work rule what they need to do.

If you think the county made a mistake, let the county know right away. You can also ask the county for help if you do not understand or know what you need to do to meet these work rules.

**SECTION 1: GENERAL CALFRESH WORK RULES (WORK REGISTRATION)**

\_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_, you must meet the general CalFresh work rules, also known as work registration, to keep your CalFresh benefits. If you do not, your household's CalFresh benefits may decrease or stop.

**What do you have to do?**

You must follow these rules to keep your CalFresh benefits:

- Register for work. When you, or another household member, signed the CalFresh application form, you were automatically registered for work.
- Give the county enough information to determine your employment status or job availability.
- If you are working at least 30 hours a week, do not quit or reduce your hours to less than 30 hours a week unless you have a good reason like illness, discrimination, or not getting paid.
- Accept a job offer unless it is not suitable for you. A job may not be suitable for you if your health and safety are at risk, you can't physically do the work, or if there is another good reason.

**How can you be excused from the general CalFresh work rules?**

You may be excused from the general CalFresh work rules if you are:

- Younger than age 16, or age 60 or older.
- Caring for a dependent child under age 6 (they do not have to live with you).



- Caring for a person with a disability (they do not have to live with you).
- Working at least 30 hours a week or earning at least \$\_\_\_\_\_ (current federal minimum wage x 30 hours) each week before taxes.
- Getting or applying for unemployment benefits.
- Getting or applying for disability benefits from any source (disability benefits include, but are not limited to pensions, workers' compensation, disability insurance, Social Security, Supplemental Security Income, and veteran's benefits).
- Disabled.
- Going to school, college, or a training program at least half-time (additional student eligibility rules may apply).
- Meeting work rules for another program, like CalWORKs.
- In a drug or alcohol abuse treatment program.

**What happens if you do not meet the general CalFresh work rules?**

If you do not meet the general CalFresh work rules without a good reason, you may be disqualified from getting CalFresh benefits for a certain amount of time.

- The first time you do not meet the general CalFresh work rules, you cannot get CalFresh benefits for 1 month.
- The second time you do not meet the general CalFresh work rules, you cannot get CalFresh benefits for 3 months.
- The third time you do not meet the general CalFresh work rules, you cannot get CalFresh benefits for 6 months.

If you get disqualified from CalFresh for not meeting the general CalFresh work rules you will have to reapply for benefits. When you reapply, you must meet the general CalFresh work rules or be excused from the general CalFresh work rules before you can get CalFresh benefits again.

**What if you have a good reason for not meeting the general CalFresh work rules?**

If you have a good reason for not meeting the general CalFresh work rules you must tell the county. The county may be able to excuse you from the work rules so you do not lose your CalFresh benefits.

Good reasons include things out of your control like illness, no childcare for a child younger than age 12, or work conditions that are unreasonable. If the county determines that you have a good reason, there will be no change to your CalFresh benefits. If you think you have a good reason, contact the county as soon as possible at \_\_\_\_\_.

**Do you need help or have questions about the general CalFresh work rules?**

Ask the county for help if you do not understand or know what you need to do to meet the work rules. If at any time, you think you may be excused for any of the reasons listed above, let the county know right away. The county may be able to excuse you from the general CalFresh work rules.

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## SECTION 2: WORK REQUIREMENT FOR ABLE-BODIED ADULTS WITHOUT DEPENDENTS (ABAWDS)

\_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_,

**IMPORTANT:** You are living in a county where the ABAWD work requirement is waived. This means you do not have to meet the ABAWD work requirement at this time. We will let you know when the waiver ends. When the waiver ends, you must follow the rules below:

You must follow the Able-Bodied Adults Without Dependents (ABAWDs) Work requirement to keep your CalFresh benefits. If you do not, your CalFresh household's benefits may decrease or stop.

An ABAWD is a person between the ages of 18 and 49 who is able to work and does not have children under age 18 living in the CalFresh household. When the ABAWD work requirement is in place, ABAWDs must work or participate in a work activity to keep their CalFresh benefits for longer than 3 months. ABAWDs who are not working or excused from the work requirement can only get CalFresh for 3 months between \_\_\_\_\_ to \_\_\_\_\_.

### What do you have to do?

*1. Work or participate in an allowable work activity.*

People who are considered ABAWDs must work, volunteer, or participate in certain employment and training activities for **at least 20 hours per week or a total of 80 hours per month**. Work activities may include:

- Working, including paid employment, self-employment or in-kind work (trading work for something else such as providing maintenance work for reduced housing costs).
- Participating in workfare or an employment and training program.
- Doing community service or volunteer work.
- Doing a combination of any of the above for a total of 80 hours per month.

*2. Report to the county within 10 days when any of these changes happen:*

- Your household gets gross monthly income over your Income Reporting Threshold (IRT);
- You get lottery or gambling winnings of more than \$ \_\_\_\_\_; or
- Your work hours drop below 20 hours per week or a total of 80 hours per month.

### How can you be excused from the ABAWD work requirement?

You may be excused from the work requirement if you are:

- Unable to work at least 20 hours per week or a total of 80 hours or more per month because of a physical or mental health issue.
- Unable to work at least 20 hours per week or a total of 80 hours or more per month because of a personal issue including if you are:
  - Experiencing homelessness and you are unable to meet your basic needs (adequate shelter, heating and cooling, electricity, running water, food, and clothing);
  - Struggling with a drug or alcohol problem; or

- A victim of domestic violence.
- Living in a CalFresh household with a child under age 18 (this can be your own child, sibling, or any other child in your CalFresh household).
- Pregnant (any stage of pregnancy).

**What happens if you do not meet the ABAWD work requirement?**

If you do not meet the ABAWD work requirement without a good reason, you may lose your eligibility for CalFresh.

If you get disqualified from CalFresh for not meeting the ABAWD work requirements you will have to reapply for benefits. When you reapply, you must meet the ABAWD work requirements before you can get CalFresh benefits again.

**Do you need help or have questions about the ABAWD work requirement?**

Ask the county for help if you do not understand the ABAWD work requirement. If at any time, you think you may be excused for any of the reasons listed above, let the county know right away. The county may be able to excuse you from the ABAWD work requirement.

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**SECTION 3: CALFRESH EMPLOYMENT AND TRAINING**

\_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_, if you need help finding a job, the CalFresh Employment and Training program could help!

\_\_\_\_\_ offers a voluntary employment and training program, known as CalFresh Employment and Training (E&T). Ask the county if you need help finding a job or training for a job. The CalFresh E&T program includes case management services that may make it easier for you to find and keep a job.

The CalFresh E&T program is **voluntary**. You are **not** required to participate in this program to keep your CalFresh benefits.

**What if you have costs from doing the program?**

The county must pay for your costs to participate in CalFresh E&T. These costs may include:

- Transportation;
- Childcare;
- Personal safety items or equipment, and
- Other reasonable required costs, such as tools, books, and uniforms.

**Do you need help or have questions about CalFresh Employment and Training?**

Contact the county at \_\_\_\_\_ if you have questions about the CalFresh E&T program or if you need help finding a job or training for a job.