

May 5, 2020

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

EXECUTIVE SUMMARY

ALL COUNTY WELFARE DIRECTORS LETTER

The purpose of this letter is to provide County Welfare Departments with guidance to implement the provisions of Executive Order N-59-20 signed by Governor Newsom on May 4, 2020, pertaining to the treatment of the Coronavirus Aid, Relief, and Economic Security (CARES) Act Pandemic Unemployment Compensation (PUC) payments in California Work Opportunity and Responsibility to Kids (CalWORKs), Refugee Cash Assistance (RCA), Entrant Cash Assistance (ECA), and the Trafficking and Crime Victims Assistance Program (TCVAP).



KIM JOHNSON
DIRECTOR

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DEPARTMENT OF SOCIAL SERVICES
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GAVIN NEWSOM
GOVERNOR

May 5, 2020

ALL COUNTY WELFARE DIRECTORS LETTER

TO: ALL COUNTY WELFARE DIRECTORS (ACWDL)

FROM: JENNIFER HERNANDEZ, DEPUTY DIRECTOR
FAMILY ENGAGEMENT AND EMPOWERMENT DIVISION

SUBJECT: CALWORKS IMPLEMENTATION OF EXECUTIVE ORDER N-59-20 REGARDING EXEMPTING PANDEMIC UNEMPLOYMENT COMPENSATION (PUC) FROM CONSIDERATION AS INCOME IN CALIFORNIA WORK OPPORTUNITY AND RESPONSIBILITY TO KIDS (CALWORKS), REFUGEE CASH ASSISTANCE (RCA), ENTRANT CASH ASSISTANCE (ECA), AND THE TRAFFICKING AND CRIME VICTIMS ASSISTANCE PROGRAM (TCVAP)

REFERENCE: [EXECUTIVE ORDER N-59-20](#) SIGNED MAY 1, 2020; AND [H.R. 6201 \[PUBLIC LAW NO. 116-127 \(3/18/20\)\] FAMILIES FIRST CORONAVIRUS RESPONSE ACT](#); [H.R. 748 \[PUBLIC LAW NO. 116-136 \(3/27/20\)\] CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT](#); AND [WELFARE AND INSTITUTIONS CODE \(WIC\) SECTIONS 11157, 11450.12, 11451.5, AND MANUAL OF POLICIES AND PROCEDURES \(MPP\) SECTIONS 44-101\(g\), 44-102.14, 44-103.121, 44-113.](#)

The purpose of this ACWDL is to provide County Welfare Departments (CWDs) with guidance on implementing the provisions of [Executive Order N-59-20](#) signed by Governor Newsom on May 1, 2020, pertaining to the exemption of Coronavirus Aid, Relief, and Economic Security (CARES) Act PUC payments for CalWORKs, RCA, ECA, and TCVAP **recipients**. This guidance is effective immediately.

This letter also provides guidance on the treatment of other CARES Act provisions pertaining to Pandemic Unemployment Assistance (PUA) and Pandemic Emergency Unemployment Compensation (PEUC) payments in the CalWORKs, RCA and TCVAP programs.

CalWORKs, RCA, ECA, and TCVAP Treatment of PUC, PUA and PEUC

PUC

Section 2104 of the CARES Act provides individuals receiving unemployment benefits with an additional \$600 in Federal PUC weekly unemployment benefits, through July 31, 2020.

In response to COVID-19 and to help ensure that CalWORKs/RCA/ECA/TCVAP recipients continue to have access to benefits and services to help meet their basic needs, Executive Order N-59-20 provides authority for the Department to **exempt** PUC payments from consideration as income in determining recipients' continued eligibility or grant amount. Executive Order N-59-20 **did not** exempt PUC payments from consideration as income in determining eligibility for CalWORKs/RCA/ECA/TCVAP applicants; therefore, PUC must be treated in the same manner as regular state unemployment insurance benefits at application.

Additional implementation information will be provided to counties by the Statewide Automated Welfare Systems (SAWS) in a County Information Transmittal (CIT).

PUA and PEUC

Section 2102 of the CARES Act created the PUA program, which expands unemployment coverage to individuals who do not qualify for regular unemployment insurance benefits (UIB) and are unable to work due to the COVID-19 public health emergency, such as self-employed workers (including gig workers and independent contractors), part-time workers, and those with limited work histories. Up to 39 weeks of PUA are available to eligible workers. The program will expire on December 31, 2020, unless otherwise extended.

Section 2107 of the CARES Act created the PEUC program, which provides an additional 13 weeks of federally-funded unemployment compensation to individuals who have exhausted their state UIB, effective through December 31, 2020.

PUA and PEUC payments **are not exempt** under Executive Order N-59-20 and are to be treated in the same manner as regular state unemployment insurance benefits.

Pursuant to Welfare and Institutions Code (WIC) sections 11157, 11450.12 and 11451.5, unearned income is not subject to exemption from the calculation of the income of the family for purposes of determining CalWORKs eligibility or grant amount. PUA and PEUC payments must continue to be treated as unearned income for the purposes of determining CalWORKs eligibility and grant amount. In addition, the CWD must examine income available to the applicant or recipient from potential sources including unemployment insurance per MPP Section 44-103.121.

Case Comments

When exempting PUC payments pursuant to Executive Order N-59-20, adequate case documentation is essential. Case narration, including a reference to "COVID-19" will allow case reviewers to determine that all CalWORKs requirements have been met under the authority of the Executive Order.

If you have questions or need additional guidance regarding the information in this letter, contact:

For CalWORKs, the Early Engagement and Eligibility Bureau at (916) 654-1322.

For RCA, ECA, and TCVAP, the Refugee Programs Bureau at (916) 654-4356.