

December 30, 2022

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

EXECUTIVE SUMMARY

ALL COUNTY WELFARE DIRECTORS LETTER

The purpose of this All County Welfare Directors Letter (ACWDL) is to provide guidance to County Welfare Departments regarding the provisions of CalWORKs Employment Services and engagement of clients in Welfare-to-Work during recovery from the COVID-19 pandemic.



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DIRECTOR

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GAVIN NEWSOM
GOVERNOR

December 30, 2022

ALL COUNTY WELFARE DIRECTORS LETTER

TO: ALL COUNTY WELFARE DIRECTORS

FROM: JENNIFER TROIA, CHIEF DEPUTY DIRECTOR
CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

SUBJECT: CALIFORNIA WORK OPPORTUNITY AND RESPONSIBILITY
TO KIDS (CALWORKS) GUIDANCE FOR WELFARE-TO-WORK,
(WTW) EMPLOYMENT SERVICES DURING COVID-19
PANDEMIC RECOVERY: CLIENT ENGAGEMENT AND
PRESERVATION OF ASSISTANCE FOR FAMILIES

REFERENCE: [ACWDL DATED SEPTEMBER 1, 2020;](#)
[ACWDL DATED OCTOBER 19, 2020;](#)
[ACWDL DATED JULY 29, 2021;](#)
[ALL COUNTY INFORMATION NOTICE \(ACIN\) I-60-13;](#)
[ACIN I-55-20;](#)
[ALL COUNTY LETTER \(ACL\) NO. 13-81;](#)
[ACL NO. 14-81;](#)
[ACL NO. 16-95E;](#)
[ACL 16-119,](#)
[ACL NO. 17-57;](#)
[ACL NO. 20-36;](#)
[U.S. CODE 42 CHAPTER 7 SECTION 601\(a\);](#)
[CALIFORNIA DEPARTMENT OF PUBLIC HEALTH "STATE](#)
[PUBLIC HEALTH OFFICER ORDER OF OCTOBER 14, 2022";](#)
[EXECUTIVE ORDER N-08-21;](#)
[COVID19.CA.GOV: CURRENT SAFETY MEASURES;](#)
[TANF-ACF-PI-2020-01 \(QUESTIONS AND ANSWERS ABOUT](#)
[TANF AND THE CORONAVIRUS DISEASE 2019 \(COVID-19\)](#)
[PANDEMIC\);](#)
[THE UNIFORM ELECTRONIC TRANSACTIONS ACT \(UETA\);](#)

MANUAL OF POLICIES AND PROCEDURES (MPP) SECTION 42-701.2(w)(5);
MPP SECTION 42-713.221(a)3;
WTW2;
RENEWAL OF DETERMINATION THAT A HEALTH EMERGENCY EXISTS (OCTOBER 13, 2022);
PUBLIC HEALTH EMERGENCY LETTER TO GOVERNORS (JANUARY 22, 2021);
OFFICE OF FAMILY ASSISTANCE Q&A: DEFINITION OF ASSISTANCE.

The purpose of this All County Welfare Directors Letter (ACWDL) is to provide guidance to County Welfare Departments (CWDs) regarding the provision of Welfare-to-Work (WTW) Employment Services as California and the nation continue to recover from the impacts of the COVID-19 pandemic, including:

- Revising the “blanket” good cause expiration date to be 60 days after the federal Public Health Emergency (PHE) is lifted. The 60 days does not constitute a “hard deadline” to engage clients in good cause status. Counties should follow normal operating procedures for engaging clients after the federal PHE is lifted. The most up-to-date PHE information may be found at the Administration for Strategic Preparedness and Response’s [“Declarations of a Public Health Emergency”](#) webpage.
- Encouraging counties to actively engage all participants, including progressive partial participation and short-term goals in initial engagement activities (such as attending appointments, calling and connecting to service referrals, completing job readiness training, attending job fairs, and attending mental health counseling) that do not include hourly participation requirements
- Creatively incentivizing WTW participation in line with guidance issued in [ACL 20-36](#)
- Supporting and promoting remote participation options
- Clarifying with clients the benefits of WTW participation and progress towards achieving goals compared to the impacts of sanctioning clients which reduces cash aid but preserves time on the 60-month clock.

Background

The CDSS expanded flexibilities within the WTW program in response to the COVID-19 pandemic via the [ACWDL dated September 1, 2020](#). Those flexibilities included temporary use of blanket good cause from WTW participation requirements for as long

as the Governor's Declared State of Emergency remained in effect to prevent sanctions and to mitigate the impacts of COVID-19 on clients and CWDs during the pandemic.

For clients able to participate in WTW activities, CWDs were required to continue providing WTW services, expanded remote participation options, and client engagement options.

The [ACWDL dated July 29, 2021](#) further identified and emphasized WTW flexibilities, highlighting:

- WTW documentation and verification practices;
- Virtual Meetings, Appointments, Virtual/Electronic/Telephonic Signatures;
- WTW Good Cause;
- Curing WTW Sanctions (in-process or existing) via Blanket Good Cause; and
- Expanded Subsidized Employment (ESE) and CalWORKs Work Study subsidies.

WTW Blanket Good Cause

The blanket good cause guidance is now modified to expire 60 days after the federal PHE is lifted, and supersedes the expiration date provided in [ACWDL dated July 29, 2021](#). On October 13, 2022 the Secretary of the Department of Health and Human Services (HHS) [renewed the federal PHE related to COVID-19](#) for an additional 90 days, through January 11, 2023. During this time, we encourage counties to continue communicating with clients while they are receiving blanket good cause and providing them access to requested services. Counties should also counsel clients about the implications of remaining in good cause or beginning to participate to receive services vs entering noncompliance and sanction to preserve time on their clock.

The Biden Administration has stated that states will be provided with 60 days' notice before ending the federal PHE ([Letter to Governors, January 22, 2021](#)). CDSS will notify counties upon receipt of any such notice. After the federal PHE expires, counties will be granted 60 additional days, or as soon as administratively possible, to re-engage participants who were receiving blanket good cause at the time that the PHE was lifted.

After blanket good cause expires, counties may continue utilizing good cause pursuant to MPP Section 42-713 on a case-by-case basis to provide relief to participants impacted by the COVID-19 pandemic if there is a condition or circumstance preventing or significantly impairing the individual's ability to work or participate, including, but not limited to, homelessness or risk of homelessness. Counties should inform and remind clients in good cause that their time-on-aid clock will continue to tick and encourage clients to access WTW services while they remain available.

Participants Experiencing or At Risk of Homelessness

Stable housing is a core social determinant of health, well-being, and quality of life. Stable housing is especially critical to child development, as children who experience housing instability or homelessness are more vulnerable to adverse effects on mental and physical health, development, and academic and social outcomes. As CalWORKs participants are likely already more vulnerable to homelessness and housing instability than the general population, **CDSS strongly recommends that CWDs grant good cause to CalWORKs participants who are experiencing homelessness or housing instability that interferes with their ability to participate in WTW.** CWDs are also encouraged to consider the appropriateness of all CalWORKs programs and services, such as Family Stabilization (FS), to ensure clients are connected to supports that meet their individualized needs with the goal of preventing homelessness. For example, counties may use both FS and Housing Support Programs (HSP) concurrently to support stability for families eligible for both programs.

Counties may contact the CDSS Housing and Homelessness Division with questions at Housing@dss.ca.gov.

CalWORKs Outcomes and Accountability Review (Cal-OAR)

The CalWORKs Outcomes and Accountability Review (Cal-OAR) establishes a local, data-driven program management system that facilitates continuous improvement of county CalWORKs programs by collecting, analyzing, and disseminating outcomes and best practices. The Cal-OAR consists of three main components: performance measures, a CalWORKs County Self-Assessment (Cal-CSA) process, and a county CalWORKs System Improvement Plan (Cal-SIP), including a peer review component. The [Welfare and Institutions Code Section 11523\(d\)\(1\)\(A\)](#) specifies that Cal-OAR must include process and outcome measures within the following categories: participant engagement, service delivery, participation, employment, educational attainment, program exits and re-entries, and may include other family and child well-being measures.

The extension of the blanket good cause provision further accentuates the importance of Cal-OAR as a tool for creating intentional, dynamic, and sustainable client engagement. While the Cal-OAR performance measures, including engagement rate, are a critical tool in the Cal-OAR framework, the larger purpose of Cal-OAR is to empower counties to reflect on the current state of the program and to make informed, strategic decisions about which improvements to make in a more holistic way. Because the overall purpose of Cal-OAR is to facilitate system improvement, performance measures function as a tool to reflect policy changes in response to mitigating events such as the COVID-19 pandemic. In situations where a state or county policy decision creates an observable impact within the Cal-OAR performance measure data, these

policy decisions will be documented on the Cal-OAR data dashboard and should also be explained within the CalWORKs County Self-Assessment (Cal-CSA) report. Counties are encouraged to find innovative ways to continue to engage clients who have received good cause under the blanket provision or on a case-by-case basis, including through activities such as virtual check-ins, Cell-Ed, and family/parent support groups. As a reminder, any client engagement during a particular month would count towards the Cal-OAR engagement rate measure, even if the client who is participating is in good cause.

While counties may opt to partially engage clients in a good cause status, there may be automated system restrictions that prevent the assignment of WTW activities for those in a good cause status. In this circumstance, counties should re-assign the client's status, including to WTW Registered/Active or Exempt, if applicable, so that WTW activities, including partial participation, may be assigned.

Engagement of Clients in WTW

Counties are encouraged to do their utmost to avoid initiating noncompliance and sanction procedures on individuals who fail to meet WTW participation requirements, in accordance with existing CalWORKs regulations and law and to the extent the individual does not knowingly choose to be sanctioned. Instead, counties are encouraged to leverage the following WTW activities and strategies available in CalWORKs to engage clients while preserving assistance to families:

- Promotion of educational opportunities, including Cell-Ed (see [ACIN I-55-20](#) and [ACWDL dated October 19, 2020](#));
- Incentivizing participation in WTW activities, including voluntary participation (see [ACL 20-36](#));
- Utilization of Expanded Subsidized Employment (ESE), Apprenticeship and Pre-apprenticeship programs, and other employment and training activities (see [ACL 13-81](#), [ACL 14-81](#), and [ACL 16-95E](#) for guidance on ESE Programs);
- The use of Family Stabilization (see [ACL 14-12](#) and [ACWDL dated June 3, 2022](#)), and
- Conducting meetings, appointments, and signing of documents using electronic means and methods (see [ACWDL dated July 29, 2021](#)).

Partial or progressive engagement of CalWORKs recipients currently receiving good cause, including participation in counseling and treatment programs, is encouraged in order to assist recipients to make incremental progress to full engagement leading to unsubsidized employment and self-sufficiency. To support successful participant

engagement, counties are encouraged to offer incentives for participation in WTW activities as described in [ACL 20-36](#).

Cell-Ed

Cell-Ed Skills4Life is a Remote Learning Solution initiated through a partnership between CDSS and Cell-Ed, a global social enterprise. Through the Skills4Life program, CalWORKs WTW clients can participate in distance learning activities through the Cell-Ed application. The application may be accessed through any mobile device, ranging from a desktop computer to a basic mobile phone with texting capabilities. Cell-Ed offers a wide range of courses that participants may access through devices, which include English on the Go, Math, Reading & Writing, and Work Ready Skills. For more information on Cell-Ed, see [ACIN I-55-20](#). Counties currently, and on-going, have full access to Cell-Ed via the recently renewed agreement with CDSS.

Participant and Third-Party Incentives

Participant incentives and performance-based payments are allowable if they meet one of the four purposes of TANF ([42 United States Code Section 601\(a\)](#)) and can be successful components of the CWDs' efforts to improve participant outcomes for their CalWORKs programs. Incentives designed to encourage or reward particular behaviors or outcomes, and not to meet ongoing basic needs or participation-related expenses, are not considered federal "assistance" and do not impact a participant's TANF time clock ([Office of Family Assistance Q&A: Definition of Assistance, Q7](#)). Furthermore, incentive payments do not impact participants' CalWORKs grants because they are not considered reasonably anticipated income. Counties may provide participation incentives to CalWORKs clients to encourage participation in WTW, as well as incentives to third-party contractors for increased client engagement and positive outcomes. Examples of participant incentives include the following:

Category	Examples
Participant Incentives	<ul style="list-style-type: none">• Backpack for attending orientation• \$25 gift card for increasing participation to meet hourly requirements in the WTW Plan (Form WTW 2)• \$100 gift card for meeting hourly requirements in the WTW Plan (Form WTW 2)• \$50 - \$150 gift card based on number of hours worked after becoming employed• \$80 - \$140 cash for meeting hourly requirements for four consecutive weeks• Small kitchen appliance for attending monthly meetings on education services• \$200 voucher for obtaining unsubsidized employment <p>Note: These are CWD incentives from 2018 ESE Webinar surveys.</p>

For further guidance regarding use of incentives, see [ACL 20-36](#).

Expanded Subsidized Employment and Work Study

The ESE and Work Study guidance in [ACWDL dated September 1, 2020](#) continues to be in effect. Counties have the flexibility to continue subsidizing wages in the ESE program, even in cases where worksites are closed because of COVID-19.

Work Study is a CalWORKs WTW activity, and a type of subsidized employment as described in [MPP Section 42-701.2\(w\)\(5\)](#). Similar to ESE subsidies, and in alignment with federal guidance, CalWORKs Work Study subsidies may continue in cases where work hours are reduced, worksites are closed, or where students are otherwise unable to fulfill their work study obligation because of COVID-19.

Virtual Meetings, Appointments, and Virtual/Electronic/Telephonic Signatures

Electronic and telephonic signatures continue to be allowable and encouraged in county administration of the WTW program. This includes using electronic means to send and receive forms, including the [WTW 2 form](#), and will remain an option moving forward unless otherwise specified. [ACIN I-60-13](#) and [ACL 17-57](#) provide guidance regarding usage of electronic and telephonic signatures for CalWORKs.

While both guidance documents specifically address the use of electronic and telephonic signatures for application and redetermination/recertification, the guidelines apply broadly to WTW. The [Uniform Electronic Transactions Act \(UETA\)](#) referenced in

the ACL applies across state government and allows electronic and telephonic signatures to suffice for any state signature requirement, barring any specific requirement which states otherwise.

Additionally, CWDs are encouraged to consider all available virtual solutions for conducting meetings and appointments with participants. When scheduling appointments with clients, CWDs should provide as much flexibility as possible to meet the needs of participants and facilitate their participation in the program, including allowing virtual meetings. [ACL 16-119](#) details requirements for conducting virtual and telephonic interviews for the CalWORKs program, but also applies broadly to any WTW meetings and appointments.

Federal Relief and Work Participation Rate (WPR)

The Administration for Children and Families (ACF) program instruction dated March 20, 2021 ([TANF-ACF-PI-2020-01](#)) advised states on ways to provide relief from work participation requirements for conditions resulting from the COVID-19 pandemic, such as the suggested application of good cause for families impacted by health and safety conditions of the pandemic. Question and answer #7 assures states that ACF will provide relief from federal penalties to the maximum extent possible for failure to meet WPR in federal fiscal year (FFY) 2020 due to COVID-19, under the reasonable cause exception for natural disasters and other calamities. ACF further informed CDSS that California provided an acceptable reasonable cause explanation for how the COVID-19 pandemic caused the state's work participation failure in FFY 2020 and, as a result, will not impose a penalty for California's failure to meet the work participation requirements in FFY 2020. On a recent national webinar, ACF stated the same COVID-19 penalty relief that was provided for FFY 2020 will be applicable to FFYs 2021, 2022, and 2023. CDSS will continue to seek relief from federal penalties based on effects of the pandemic to the extent possible and appropriate for subsequent FFYs.

Copies and Translations

Forms referenced in this letter are available on the [CDSS Forms/Brochures](#) webpage. When CDSS completes all translations of a form, they are posted on the [Translated Forms and Publications](#) webpage. When made available by CDSS, forms translated into an individual's preferred language must be provided to the individual pursuant to [Manual of Policies and Procedures \(MPP\) Section 21-115.2](#). For questions on translated materials, please contact Language Services at (916) 651-8876. If translations are not available, recipients who have elected to receive materials in languages other than English should be sent the English version of the form or notice along with the [GEN 1365-Notice of Language Services](#) and a local contact number.

Per [Government Code Section 7290, et seq.](#), the County Welfare Departments (CWDs) must ensure that effective bilingual services are provided. This requirement may be met through utilization of paid interpreters, qualified bilingual employees, and qualified employees of other agencies or community resources. These services must be provided, free of charge, to the applicant/recipient. If CDSS does not provide translations of a form, it is the county's responsibility to read and interpret the form if an applicant or recipient requests it.

Additionally, the CWDs must provide auxiliary aids and services to persons who are deaf or hearing impaired, or persons with impaired speech, vision, or manual skills, where applicable. More information regarding provisions for services to applicants and recipients who have limited English proficiency or who have disabilities can be found in [MPP Section 21-115](#) and [ACL 19-45](#).

Contact

If you have any questions or need additional guidance regarding the information in this letter, contact the CalWORKs Engagement Bureau at CWEngagementPolicy@dss.ca.gov.