



CDSS

WILL LIGHTBOURNE
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES

744 P Street • Sacramento, CA 95814 • www.cdss.ca.gov



EDMUND G. BROWN JR.
GOVERNOR

REASON FOR THIS TRANSMITTAL

- State Law Change
- Federal Law or Regulation Change
- Court Order
- Clarification Requested by One or More Counties
- Initiated by CDSS

August 21, 2014

ALL COUNTY INFORMATION NOTICE NO. I-49-14

TO: ALL COUNTY WELFARE DIRECTORS
ALL COUNTY CALFRESH PROGRAM SPECIALISTS

SUBJECT: STATEWIDE WAIVER OF THE ABLE-BODIED ADULT WITHOUT DEPENDENTS WORK REQUIREMENT FOR FEDERAL FISCAL YEAR 2015

REFERENCE: WELFARE AND INSTITUTIONS CODE 18926; FEDERAL ADMINISTRATIVE NOTICE 14-34

The purpose of this letter is to inform counties that the United States Department of Agriculture, Food and Nutrition Service (FNS) has announced that 37 states or geographic areas, including the state of California, qualify for a waiver of the Able-Bodied Adults Without Dependents (ABAWD) work requirement. The waiver is approved for Federal Fiscal Year (FFY) 2015 which runs from October 1, 2014 through September 30, 2015. This information was released by FNS in Administrative Notice (AN) 14-34 dated May 23, 2014.

Consistent with the provisions of Welfare and Institutions Code Sections 18926, the California Department of Social Services (CDSS) CalFresh Branch has informed FNS of California's desire to participate in the ABAWD waiver for FFY 2015. Effective October 1, 2014, the ABAWD waiver will continue for all counties within California except for those counties that decline to participate. California received a statewide ABAWD waiver in FFY 2014 and no CalFresh recipients are currently subject to the ABAWD work requirement. Other CalFresh work requirements still apply.

Federal Supplemental Nutrition Assistance Program (SNAP) law and regulations provide that FNS may waive the ABAWD work requirement for a state, or portions of a state, that meets at least one of the federally-established waiver criteria. These criteria include a determination by the U.S. Department of Labor (DOL) Unemployment Insurance Service that an area qualifies for Extended Benefits (EB). FNS can approve a waiver if the State qualifies for extended benefits, regardless of whether the State has elected the option to offer it.

States that meet the extended benefit criteria can qualify for a 12-month statewide ABAWD waiver up to 12 months after the trigger date. The Department of Labor's Emergency Unemployment Compensation Trigger Notice 2013-38, effective October 6, 2013, identifies California as one of the states that qualify for Extended Benefits. Please note that the Emergency Unemployment Compensation (EUC) program expired January 1, 2014 and Congress has not passed any further extensions of the program.

Implementation Policies

Counties are reminded of the following ABAWD waiver implementation policies:

- ABAWD waiver counties must continue to report work registrants, ABAWDs, and Employment and Training (E&T) data on the CalFresh Program Work Registrant, ABAWD, and CalFresh E&T Caseload Report (STAT 47) and the Annual Work Registrant and CalFresh E&T Caseload Report (STAT 48). For purposes of completing the STAT report forms, persons who do not meet one of the ABAWD exemptions at Manual of Policies and Procedures (MPP) Sections 63-410.31 or .32 are still considered ABAWDs even while residing in a county with a waiver.
- ABAWD waiver counties must not establish a 36-month calendar for a new ABAWD applicant during the waiver period.
- ABAWD waivers do not affect CalFresh E&T participation requirements or program sanction rules for E&T mandatory placements. Currently, E&T is voluntary in all participating counties and CalFresh sanctions are not imposed for noncompliance with E&T requirements.
- ABAWD waiver counties must continue to apply sanction requirements at MPP Section 63-408 to CalFresh work registrants who voluntarily quit a job of 30 hours or more per week or which provides weekly earnings equal to or greater than the federal minimum wage times 30, or who reduce the weekly number of hours worked to less than 30. If a CalFresh recipient quits a job of less than 30 hours, no sanction shall be imposed.
- Those counties that participate in the waiver must inform their ABAWD population that they are not subject to the ABAWD work requirement for those months they reside in the county so long as the waiver is in effect.

Procedure for Declining an ABAWD Waiver

The FFY 2015 ABAWD waiver will be effective October 1, 2013 unless a county notifies CDSS via a letter from its County Board of Supervisors that it intends to pursue opting out of the ABAWD waiver.

If your county declines to participate in the waiver, please inform CDSS of your intent to opt out of the waiver by September 1, 2014. The letter should be sent to Robert Nevins of the CalFresh Branch using the contact information shown below:

Robert Nevins, Analyst
California Department of Social Services
CalFresh Branch
744 P Street, M.S. 8-9-32
Sacramento, CA 95814
E-mail: robert.nevins@dss.ca.gov
Fax: (916) 654-1295

If you have any questions concerning this letter, please contact Robert Nevins at (916) 654-1408.

Sincerely,

Original Document Signed by:

LINDA PATTERSON, Chief
CalFresh Branch