



CDSS

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**DEPARTMENT OF SOCIAL SERVICES**

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REASON FOR THIS TRANSMITTAL

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

April 14, 2015

ALL COUNTY INFORMATION NOTICE I-27-15

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

SUBJECT: WORK INCENTIVE NUTRITIONAL SUPPLEMENT (WINS)  
 QUESTIONS AND ANSWERS (Q&As)

REFERENCE: 7 CFR 273.12(a)(1)(i)(C)(2), ALL COUNTY LETTERS (ACL) 09-07, 13-14, 13-71, ALL COUNTY INFORMATION NOTICES (ACIN) I-14-14, I-14-14E, CFL 13-14-14, CFL 13-14-34, CALIFORNIA CONSTITUTION, ARTICLE XVI, SECTION 6, MANUAL OF POLICIES AND PROCEDURES (MPP) 22-003.1, 22-107.1, 63-402.22, 63-504.42, 63-509 (a), 81-215, WELFARE AND INSTITUTIONS CODE (W&IC) SECTION 11253

The purpose of this ACIN is to provide counties with the answers to some of the questions that have come up regarding WINS program policy. These questions were submitted by the County Advisory Team (CAT) of the County Welfare Directors Association (CWDA), Statewide Automated Welfare System (SAWS) consortia, CalFresh Technical Subcommittee (CTS), advocates, and various counties.

Answers to these questions are intended to be informational and are based only on the general circumstances provided in the questions. For appropriate application to specific case circumstances, counties should refer to the regulations, All County Letters (ACL), and All County Information Notices (ACIN) that are referenced in the responses.

Subjects covered in this Q&A include aid codes, automation, eligibility, forms, issuances, and reports, among other questions, and also includes a question regarding two-parent and all families cases. See the attached index page for a full list of subjects.

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If you have any questions regarding WINS, please contact your designated program representative at the numbers listed below:

CalWORKs Employment Bureau (916) 654-2137  
CalFresh Policy Bureau (916) 654-1896  
EBT Operations Help Desk (916) 263-6600  
Federal Data Reporting and Analysis Bureau (916) 657-3659

Sincerely,

***Original Document Signed By:***

\_\_\_\_\_  
Ryan Fruchtenicht  
Acting CalFresh Branch Chief

***Original Document Signed By:***

\_\_\_\_\_  
Kären Dickerson  
CalWORKs Employment & Eligibility Branch Chief

Attachment

# **WINS QUESTIONS AND ANSWERS INDEX**

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# WINS QUESTIONS AND ANSWERS

## AID CODES

### **Question**

Does the Work Incentive Nutritional Supplement (WINS) aid code remain unchanged if the Eligibility Determination and Benefit Calculation (EDBC) is re-run during the month?

### **Answer**

No. If EDBC is run after initial eligibility and a case is found to be no longer eligible for the WINS program, the aid code would be changed at that time.

## **AUTOMATION**

### **Question 1**

How often should the WINS eligibility automation be run? Monthly, or only at Intake/SAR 7/Recertification/Voluntary Reported Change?

### **Answer 1**

The automation should run at intake, when the household reports a change that affects WINS eligibility, at SAR 7, and at recertification.

### **Question 2**

Should all CalFresh Non-Assistance (NA) approved cases be evaluated for WINS eligibility?

### **Answer 2**

Yes. All CalFresh NA approved cases should be evaluated for the WINS program at intake, when a household reports changes, at SAR 7, and at recertification.

**AUTOMATION OF HOURS CALCULATION WITH WAGES ONLY**

**Question 1**

If actual hours of employment are not available at determination of eligibility, must the County Welfare Department (CWD) contact the employer to verify hours?

**Answer 1**

No. If actual hours of employment are not available at the time of eligibility determination for the WINS program, the CWD may use the proxy calculation of state minimum wage plus fifty cents to determine eligibility. However, if the client cannot later provide the required verification, then they would be discontinued from the WINS program (See All County Welfare Directors Letter (ACWDL) December 5, 2014).

**Question 2**

Should self-employment hours be calculated as described in the Work Verification Plan (WVP) automatically, regardless of if the participant provides actual hours?

**Answer 2**

No. See ACL 14-51E, attachment 3, page 3 for determining self-employment hours.

**CALIFORNIA FOOD ASSISTANCE PROGRAM (CFAP)**

**Question 1**

The ACIN I-14-14 states that California Food Assistance Program (CFAP) recipients will receive the WINS benefit, but are not countable toward the Temporary Assistance for Needy Families (TANF) Work Participation Rate (WPR). Our understanding is that the goal of WINS is to increase the State's WPR; but if CFAP is not counted, what's the purpose including CFAP to WINS?

**Answer 1**

According to federal and state laws and regulations governing the CalFresh Program, state-funded CFAP recipients shall be treated the same as federal CalFresh recipients; therefore, CFAP recipients have been included in the WINS program in order to mirror CalFresh participation.

**Question 2**

What changes should be made to a WINS CFAP case when the household transitions to CalFresh?

**Answer 2**

The CFAP households who transition to the CalFresh program should remain in the WINS program so long as they continue to meet all WINS eligibility criteria. After verifying continued eligibility, the WINS aid code would change depending on the make-up of the CalFresh household. After transitioning, the household would count toward the federal WPR (See ACIN I-14-14, Page Five "New CalFresh WINS Aid Codes").

**ELIGIBILITY****Question 1**

Are there major differences between the WINS Eligibility Requirements and the WINS Verification Requirements?

**Answer 1**

Yes. WINS eligibility requirements do not necessarily translate directly to federal WPR data reporting and verification requirements. Verification requirements are outlined in California's WVP. Questions related to data reporting should be directed to the California Department of Social Services (CDSS) Federal Data Reporting and Analysis Bureau. Please contact Bill Velazquez ([Bill.Velazquez@dss.ca.gov](mailto:Bill.Velazquez@dss.ca.gov)), the research analyst responsible for collecting and monitoring WINS Research And Development Enterprise Project (RADEP) data collection.

**Question 2**

Are two-parent families (two work-eligible parents) eligible for WINS if they meet either the TANF "all-families" or "two-parent" work requirements? The language in ACL 13-71 that refers to "non-two parent" families does not match federal TANF requirements and seems to restrict WINS eligibility for two-parent families only if the case meets the two-parent work requirements. This seems counterintuitive to the goals of WINS.

**Answer 2**

Yes. WINS benefits must be issued to two-parent families that meet either the all-families or two-parent WPR requirements. The guidance in this Q&A supersedes the language in ACL 13-71, which refers to the all-families requirement as the "non-two parent" requirement. In order for a two-parent family to meet the "all families" requirement, one parent must individually have at least 30 hours per week with at least 20 of the 30 hours in core activities. For the "all-families" requirement, the hours of both parents cannot be combined.

**Question 3**

Can CalFresh households who receive a CalWORKs Diversion Payment be eligible for the WINS program?

**Answer 3**

Yes. Diversion payments are not a CalWORKs/TANF aid payment; therefore, clients who receive diversion payments from the CalWORKs program are eligible for WINS for so long as they are receiving CalFresh benefits. A diversion payment is a one-time CalWORKs payment that is supposed to help would-be clients to get or keep a job, thus removing the individual's need to get CalWORKs cash aid each month (See Manual of Policies and Procedures (MPP) 81-215).



**Question 4**

Are WINS benefits determined/issued for zero benefit CalFresh cases?

**Answer 4**

No. WINS benefits are not issued for a zero benefit case because a zero benefit case would be denied for CalFresh.

**Question 5**

When new hours are updated in the Statewide Automated Welfare System (SAWS) but verification is not received yet, when should the new hours be used to determine WINS?

**Answer 5**

Once the new hours are entered into the system, begin using the new hours and review for continued eligibility. However, if the client cannot later provide the required verification they would be discontinued from the WINS program (See ACWDL December 5, 2014).

**Question 6**

Can CalFresh households who also receive Refugee Cash Assistance (RCA), Kin-Gap, and/or Foster Care, be eligible for the WINS program?

**Answer 6**

Yes. CalFresh households who are also receiving RCA, Kin-Gap, and/or Foster Care can be eligible to the WINS program if they meet all other WINS eligibility criteria.

**Question 7**

Can WINS benefits be paid to households who have unpaid employment?

**Answer 7**

No. For eligibility determination, WINS benefits cannot be given to households with unpaid employment. However, this and other federally allowable activities may count toward WPR requirements.

**Question 8**

If a household with two parents qualifies for WINS, but one of them is disabled, should the non-two parent household aid code be used?

**Answer 8**

If the disabled parent is still a part of the CalFresh household the two-parent code would be used. However, if the disabled parent is excluded from the CalFresh household because they receive Supplemental Security Income/State Supplementary Payment

(SSI/SSP) or for other reasons, the disabled parent would be excluded, and the non-two parent code would be used.

**Question 9 Scenario**

You encounter a three-person CalFresh household: mom, child and an Unrelated Adult Male (UAM). Mom is the head of household and has no income, but the UAM is working sufficient hours.

**Question 9**

Is the household eligible for the WINS benefit? What if the UAM is the head of household?

**Answer 9**

The Work Eligible Individual (WEI) must be a parent, caretaker relative, or a guardian to be eligible as part of the WINS household. Since the person in this example is unrelated, the household would not be eligible. (See ACL 13-71, Page Two.)

**Question 10**

Are CalFresh cases receiving General Relief (GR) eligible to receive WINS benefits?

**Answer 10**

No. GR cases do not have children in the home and therefore do not meet WINS eligibility criteria.

**Question 11**

If a change is made on the case after cutoff, and the WINS-eligible household now becomes ineligible for WINS but is still eligible for regular CalFresh benefits, should the WINS eligibility be removed the following month or the month after that, since a ten-day WINS Notice of Action (NOA) is not generated timely. For example: The worker makes a change on the 10/28/14 which is after cutoff, should the WINS benefit be removed in 11/2014 or 12/2014?

**Answer 11**

A ten-day timely NOA is not required; only adequate notice (adequate notice does not refer to a timeline, but to the information required to be in the notice). The WINS eligibility should be discontinued and a termination notice sent. The change would become effective the month of discovery (10/2014 in this example).

Even though the benefit would change after the cutoff, the removal of the WINS benefit would take effect the same month. The WINS benefit is not issued the same day as the CalFresh benefit; it is issued between the 20th and the 24th of the month. However, if the benefit was already issued (as in this example), it would not be treated as an

overissuance (OI) as WINS is prospective only, and the additional payment would be forgiven.

**Question 12**

If a client starts a new job in July and **does not** meet the hours needed for WINS until August, will the WINS benefit be paid in August or September?

**Answer 12**

The WINS benefit should be paid the same month that the client has enough work hours to be eligible. If the client has enough work hours in August then the WINS benefit would be paid in August.

**Question 13**

When there is a change in a CalFresh case making a client eligible for the WINS program, when do you issue the WINS benefit?

**Answer 13**

The WINS benefit should be issued in the month of discovery. (See ACWDL January 2015.)

**Question 14**

Is a WINS household with two caregiver relatives considered an “all other families”/one-parent household or a two-parent household?

**Answer 14**

“All Other Families”/One-Parent. A two-parent family includes, at a minimum, two natural or adoptive parents (of the same minor child) who are work-eligible individuals and living in the home, unless both are minors and neither is a head-of-household. This means that both adults must be directly related to the child as parents. Therefore, a household with two caretaker relatives would not constitute a two-parent family. However, either caretaker relative would still be acceptable as a non-two parent household (R4 or R7) and eligible for the benefit as long as all WINS criteria were still met (See federal regulations at 45 CFR §261.24(c)).

**Question 15**

Are CalFresh households who receive “immediate need” or “homeless assistance” (temporary or permanent) eligible for the WINS program?

**Answer 15**

No. Both are elements of the CalWORKs program funded by TANF; therefore, CalFresh households who are also recipients of these programs would not be eligible for WINS.

**Question 16**

Is WINS eligibility always determined by the work hours saved in SAWS, regardless of the income amount?

**Answer 16**

WINS eligibility is almost always determined by the number of hours worked. The two exceptions would be:

- 1) If the only information available is income and not actual hours worked. In this case, if the SAWS system does not see any entries in the “hours” field, it would look at the income and then divide it by the state minimum wage plus fifty cents to determine the hours worked (ACIN I-14-14 – See Page 4, “**Automation of WINS**”).
- 2) If the household’s income was over 200 percent of the Federal Poverty Level (FPL), at which time they would not be eligible for WINS. The 200 percent FPL limit is necessary due to the need for the client to meet the definition of “needy” (ACIN I-14-14E). Also, if the household was receiving CalFresh and exceeded the 200 percent FPL, unless the household is receiving Transitional CalFresh (TCF), they would no longer be eligible for CalFresh and therefore no longer eligible for WINS.

If information that has been provided by the client is conflicting or inconsistent, the CWD should follow up with client to ensure accurate reporting.

**Question 17**

Are all CalFresh applicants/recipients required to be evaluated for WINS eligibility, or do we evaluate based on client request?

**Answer 17**

WINS is a mandatory program for CalFresh-Only recipients. All CalFresh applicants/recipients must be evaluated for the WINS program (ACIN I-14-14 - See Page 2, “**WINS Benefit**”).

**Question 18**

What if there are two families within the same CalFresh household and one family receives CalWORKs? Would the CalFresh household no longer be eligible for WINS?

**Answer 18**

If you have two families living in one CalFresh household with one family receiving CalWORKs and CalFresh on the same case number, the family would not be eligible for WINS as the WINS benefit is for CalFresh-only households. Someone within the CalFresh household on CalWORKs would negate that eligibility. However, if there are

two families, one CalWORKs and one CalFresh only, living under the same roof, each with their own CalFresh case number, the CalFresh only family would still be eligible assuming that all other WINS criteria were met (ACIN I-14-14 - See Page 3, "**WINS Eligibility Requirements**").

**EXCLUDED INDIVIDUALS INCOME**

**Question 1**

Is the WINS benefit excluded income if the family later applies for CalWORKs?

**Answer 1**

This is a food supplement only. It does not count as income for CalFresh. However, once the family started receiving CalWORKs, their WINS benefits would be discontinued. Any WINS payment issued at the same time the household starts CalWORKs would not be considered an OI, even though the first CalWORKs payment would be issued retroactively (ACIN I-14-14 - See Pages 9 & 10, "**Alerts**").

**Question 2**

How would ineligible/excluded CalFresh household members affect WINS eligibility?

**Answer 2**

To be eligible for WINS, a WEI in the household must be receiving CalFresh. An ineligible/excluded parent would not be receiving CalFresh, and therefore cannot be counted towards meeting the hours necessary to be eligible for the WINS program. If the ineligible/excluded household member is not the only WEI in the household, and all WINS criteria were met by the remaining household members, the household would still be eligible for WINS benefits (See ACL 13-71, Page Two for WINS eligibility, and MPP 63-402.22 for more information on "Excluded Household Members". Also see ACIN I-14-14 – Page Eight, "**Other Scenarios**").

**FORMS****Question 1**

Is there a requirement to provide a denial notice for the WINS program, even though there is no application? What if an applicant's application for CalFresh is denied?

**Answer 1**

No. A denial notice is not required in either instance; however, the client should receive verbal notification that he/she is ineligible for WINS, and it should be documented in the case file.

**Question 2**

Are CWDs required to send the WINS 1 to CalFresh households?

**Answer 2**

No, it is not a requirement, although CWDs are welcome to send the notice to any prospective CalFresh households that could benefit from being informed about WINS. However, the information from the WINS 1 must be clearly posted in the lobby of the CWD, and the notice should be made available where all other forms/notices for the clients are placed. Additionally, CWDs are strongly encouraged to add the notice to any CalFresh forms packets that the CWD may be providing to clients.

**Question 3**

Can the WINS 1239 be used at intake to deny WINS, regardless of whether or not WINS is requested by the applicant?

**Answer 3**

No. The denial portion of the WINS 1239 is intended for clients who request WINS mid-period and are deemed ineligible. Use of this denial NOA under those circumstances is at CWD discretion. The CWDs may also opt to provide clients with a verbal denial for WINS that is then documented in the client's case file.

**Question 4 Scenario**

A CalWORKs household is terminated for excess income, and the income is over 200 percent FPL for CalFresh, so WINS is not allowed.

**Question 4**

In this scenario, is the CDSS going to modify the WINS NOA to show this reason for the WINS denial?

**Answer 4**

No. A denial NOA should never be issued when someone fails to qualify for WINS on

initial evaluation, which this situation falls under. However, the denial NOA can be used when a household specifically requests the WINS benefit (such as during a voluntary mid-period report) but does not qualify for it. For such a situation, use of the denial NOA is at the CWD's discretion.

**Question 5**

Should the WINS denial NOA be generated if the CalFresh application is approved but they are not eligible for WINS?

**Answer 5**

No. A denial notice is not required if the case was never eligible for WINS; however, the client should receive verbal notification that he/she is ineligible for WINS, and it should be documented in the case file.



## **ISSUANCES**

### **Question 1**

Should WINS benefits be issued when CalWORKs is still pending, and CalFresh is approved for Expedited Service (ES) or regular benefits?

### **Answer 1**

Yes. As long as they have not been approved for CalWORKs they are still eligible for WINS. Once approved for CalWORKs the code would be changed from a WINS code to a CalWORKs code, which would cancel WINS effective that same month.

### **Question 2**

Is the WINS benefit prorated if the application is not received on the 1st of the month?

### **Answer 2**

No. WINS benefits cannot be prorated.

### **Question 3**

Is WINS retroactive? If we process verification late from a previous month, and CalFresh benefits change retroactively, that would make the case WINS-eligible. Can we add WINS retroactively?

### **Answer 3**

WINS is prospective; however, due to the WINS benefit issuance date being set between the 20th and the 24th of the month, the answer to this question has to do with the date the application was submitted. As an example, if the application was submitted on August 28, but was approved on September 5, the CalFresh benefit would be approved for both months. Because the CalFresh was approved, the WINS would also be approved. The amount of CalFresh paid would be a prorated amount for the remaining days of August and the full amount for September. However, since the WINS benefit is never prorated, the full ten dollars would be paid for August as well as the ten dollars for September.

This is the only scenario where WINS would be paid for the prior month. In any other instance WINS would not be paid retroactively.

## **MEDS ALERTS**

### **Question**

Has an alert been created, as specified in ACIN I-14-14, for cases where the child in the home turns 18?

### **Answer**

Yes, it does refer to a child turning 18; however, it could also be used to indicate the birth or adoption of a child. In any instance where a household has a status change regarding children, no matter what the reason is, the case should be reviewed for continued eligibility in the WINS program. Examples of when an alert may be issued to review a case when a child's status has changed are:

- When a child turns 18 years of age;
- When a child is born or adopted into the household;
- When a child moves into or out of a household.

(All County Information Notice (ACIN) I-14-14 - See Pages 9 & 10, "**Alerts**")

## **OVERISSUANCES**

### **Question 1**

Is the WINS benefit to be used when computing an OI for the household?

### **Answer 1**

No. The benefit is prospective and cannot be used when computing an OI.

### **Question 2**

Can the WINS benefit be applied toward an OI recoupment?

### **Answer 2**

No. With the exception of an Intentional Program Violation (IPV), there is no instance where a WINS benefit may be used as part of an OI recoupment.

### **Question 3**

Will applicants/recipients be entitled to a state hearing on WINS eligibility?

### **Answer 3**

Yes. MPP 22-003.1 and MPP 22-107.1 allow claimants to request a state hearing on any CWD action they are dissatisfied with, with exceptions. WINS benefits do not meet the named exceptions.

### **Question 4**

How will WINS funds be differentiated from CalFresh funds when collecting an OI? Also, if a client has OIs and elects to use their CalFresh funds to make a payment, how will EBT differentiate the WINS benefits from their regular CalFresh allotment?

### **Answer 4**

WINS benefits will be denoted by the benefit code type "WINS" while the regular CalFresh benefit type remains denoted as "FSP."

## **REPORTS**

### **Question**

What reporting will CWDs be required to provide for the WINS program?

### **Answer**

The CWDs are required to submit the WINS 2 reporting form to the CDSS monthly. (See ACL 14-83). Counties may also be required to report cases in RADEP to meet federal WPR data reporting requirements.

## **TRANSITIONAL CALFRESH**

### **Question 1**

How are TCF cases' hours of participation and income to be calculated?

### **Answer 1**

When a CalWORKs case is closed and moved to TCF, the most recent earnings and work hours should be used to determine WINS program eligibility.

### **Question 2**

Is it correct that WINS benefits on TCF cases continue for five months unless the client re-applies for CalFresh or CalWORKs, or reports something mid-TCF period which would make them ineligible or cause their TCF be terminated?

### **Answer 2**

This is correct; however, if the household earns over 200 percent of the FPL, has an IPV, or any disqualification they are ineligible for the WINS program.

### **Question 3**

If recent income and work hours are not available when a CalWORKs case is transitioning, must the Eligibility Worker (EW) contact the client's employer?

### **Answer 3**

No. The EW should follow the process of determining WINS eligibility. If the client is contacted to provide income and work information for case sampling purposes and does not respond, then the case should not be granted the WINS benefit (See the January 2015 ACWDL).

### **Question 4**

When should CWDs request that TCF households verify their work hours?

### **Answer 4**

The CWDs can verify work hours for TCF cases at any time prior to approving the household for WINS benefits. If the household cannot be contacted, the CWD may use the most recent information prior to transition to TCF to make the determination. However, eligibility for the WINS program must be determined to ensure that the family is in fact working and not over the 200 percent FPL. Determining income for WINS eligibility must not affect TCF; however, households above the 200 percent FPL do not meet the TANF definition of "needy family" and are not eligible for WINS benefits. When contacting the household to verify WINS eligibility, CWDs should ask for hours only, not income information per ACWDLs released on December 5, 2014, and February 2, 2015.

Also, if the household is over the 200 percent FPL, a WINS benefit denial notice is not required to be sent out.

**Question 5**

If there is recent income information for a TCF case, but no recent work hours, can the proxy be run to determine WINS program eligibility?

**Answer 5**

Yes. However, if at any time verification of hours are requested and not provided, then the case will be discontinued from WINS.

## **VOLUNTARY MID-PERIOD REPORTS**

### **Question 1**

Are clients prohibited from requesting the WINS benefit mid-period?

### **Answer 1**

No. Mid-period reporting is not prohibited; however, CWDs must inform clients that making a mid-period report solely for the purpose of receiving the WINS benefit may negatively impact their CalFresh benefits. They should be informed that the information provided at the mid-period report must be considered for reevaluation of CalFresh benefits, which in the instance of increased income could result in a reduction to CalFresh benefits.

### **Question 2**

In a situation where we had to request paystubs to verify hours for a mid-period report, is it considered Verified Upon Receipt (VUR)?

### **Answer 2**

No. If a semi-annual reporting client comes in and says, "I just had my work hours increased and I want to see if I am eligible for WINS" without providing the documentation, the report is not VUR because the CWD would need to ask a second question to verify the information, in this case documentation of hours. The CWD would explain that the report could adversely affect their CalFresh benefits and suggest to them that it might be to the household's advantage to wait until their next required report. However, if a client comes in with a paycheck and says, "I am making this amount now and I expect to be earning the same amount from now on, so I want the WINS benefit," then it would be considered VUR and the CWD must act on it (ACIN I-14-14 - See Page 8 "**Mid-Period Reporting**").

Reminder: VUR only applies to semi-annual reporting.

**WORK EXPERIENCE**

**Question**

Is work experience an approvable activity for WINS eligibility?

**Answer**

No. Only subsidized and unsubsidized work activities are eligible activities for WINS eligibility purposes (ACIN I-14-14 - See Page 3 “Work Activities”). For federal WPR data reporting purposes however, all federally allowable activities are reportable.



**MISCELLANEOUS**

**Question 1**

Is WINS "a Separate State Program?"

**Answer 1**

Yes. WINS is a separate state funded program.

**Question 2**

For the WINS program, who can be a caretaker relative?

**Answer 2**

In the WINS program a caretaker must be related to the child, therefore being a caretaker relative. The fifth degree of kinship should be used to determine the relationship of the child to the caretaker (See ACL 13-71, attachment I, and ACL 13-71E, attachment I).

**Question 3**

Does the WINS program have an expiration or sunset date?

**Answer 3**

No. The WINS program has no expiration or sunset date.

**Question 4**

Are the SAWS systems required to track whether workers manually make the proxy hours determination and then enter the data into SAWS?

**Answer 4**

No. However, CDSS does agree that there is value in tracking and documenting in case files how hours were determined.

**Question 5**

How should CWDs determine the average hours of participation?

**Answer 5**

Weekly hours of participation are determined by dividing the total monthly hours by 4.33 (the average number of weeks per month). (See ACL 14-51E and ACWDL January 2014). For federal WPR data reporting purposes, hours of participation may also be projected for up to six months.

**Question 6 Scenario**

We have a paystub but we do not have the actual hours for each day to determine the hours worked in the month alone.

**Question 6**

If the actual hours worked per day is unavailable can CWDs use the proxy to determine eligibility for the WINS program?

**Answer 6**

Yes.

**Question 7**

Can a client report a single week and gain WINS eligibility?

**Answer 7**

Yes. For the WINS program, CWDs may project hours of employment for up to six months based on information from a single pay cycle (weekly, biweekly, semimonthly, or monthly).

**Question 8**

For WINS eligibility, should CWDs use 80 hours as a basis for a four-week period and 100 hours as a basis for a five-week period?

**Answer 8**

Yes. An average of 80 hours must be met for a four-week period, and average of 100 hours must be met for a five-week period.

**Question 9**

How are vacation pay, holiday pay, sick pay, and tips determined when calculating hours of participation?

**Answer 9**

Vacation, sick, and holiday pay are calculated in the same way as actual hours worked. Tips should be reported as separate income (See ACL 14-51E).

**Question 10**

Is there a hierarchy of which allotment, WINS or CalFresh, is used first when a client expends their benefits?

**Answer 10**

Yes, the CalFresh allotment would be used first, then the WINS allotment.

**Question 11 Scenario**

There is an intake case and the client is granted ES. Income was used for the budget based on the clients' statement, with no verification of hours or income available. Expedited Service rules allow postponement of the verification if the client meets the requirement for ES.

**Question 11**

If the verification is postponed, can we issue the WINS benefit?

**Answer 11**

Yes, the WINS determination would be based upon the client's statement and the minimum wage plus fifty cents proxy calculation if no hours are provided, as long as the client is not receiving CalWORKs/TANF benefits and meets all WINS criteria. Please note that even if they have applied for CalWORKs, they are still potentially eligible for WINS until the CalWORKs application is approved.

**Question 12**

ACIN I-14-14 and ACL 13-71 both state that CalFresh benefits are not to be reduced as a consequence of receiving a WINS benefit.

Is this in regard to using the ten dollar WINS benefit in the CalFresh budget or is this stating that we are not to use the income reported to make the client eligible for WINS if reported mid-period?

**Answer 12**

This is regarding using the WINS benefit as part of the CalFresh benefit calculation. Senate Bill 1041 states, "...federal Supplemental Nutrition Assistance Program benefits administered in California as CalFresh... shall not be reduced as a consequence of the receipt of the WINS benefit paid under this chapter." In other words, the WINS benefit shall not be counted as income for CalFresh purposes.

**Question 13**

If the CWD does not have verification of hours and must use earnings to determine WINS eligibility, should the earnings be used in the CalFresh budget mid-period?

**Answer 13**

Yes, if a voluntary mid-period report has been made, then the CWD would use the earnings reported at that time.