



CDSS

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February 2, 2015

ALL COUNTY WELFARE DIRECTORS LETTER

TO: ALL COUNTY WELFARE DIRECTORS

FROM: TODD R. BLAND  
Deputy Director  
Welfare-to-Work Division

SUBJECT: **WORK INCENTIVE NUTRITIONAL SUPPLEMENT (WINS) BENEFIT  
ISSUANCE**

REFERENCE: ALL COUNTY LETTER (ACL): 13-17, 13-71, 13-71E; ALL COUNTY  
INFORMATION NOTICES (ACIN): I-58-13, I-58-13E, I-14-14,  
I-14-14E, ALL COUNTY WELFARE DIRECTORS LETTER WORK  
INCENTIVE NUTRITIONAL SUPPLEMENT (WINS) STATEWIDE  
PRIORITY, DATED DECEMBER 5, 2014

REASON FOR THIS TRANSMITTAL

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

This letter provides additional guidance to county welfare departments (CWDs) and representative consortia systems for WINS benefit issuance, provides updates to the Work Verification Plan (WVP), and clarifies WINS eligibility work requirements for two-parent families. This letter specifies:

1. The monthly dates when WINS benefits should be issued to clients.
2. Adjustment to the issuance date for eligibility determination and discontinuance of WINS.
3. The verification requirement changes to the WVP.
4. The WINS eligibility work requirement for two-parent families.

A reference tool has been developed to provide counties the distinction between the WINS eligibility requirements and WINS work verification requirements. The tool shows the differences based on each CDSS guidance release and the specifications for household, work hours and household income. Please refer to the tool in the attachment provided.

The WINS program provides an additional ten dollar (\$10) per month food supplement benefit for CalFresh households that are meeting Temporary Assistance for Needy Families (TANF) work participation rate (WPR) requirements. WINS cases are receiving CalFresh, but are not on CalWORKs. The WINS food benefit is considered a form of TANF assistance and these cases are included in the state's TANF WPR calculation. TANF rules, such as time limits, do not apply to WINS cases. The WINS program was operational in all CWDs on July 1, 2014 and contributed toward the state's TANF WPR in the beginning October 1, 2014.

### **Monthly Issuance of the WINS Benefit**

CWDs shall issue WINS benefits no earlier than the 20<sup>th</sup> day of each month and no later than the 24<sup>th</sup> day of each month. Each consortium has provided their tentative implementation month as provided: C-IV in February 2015, LEADER in March 2015, and CalWIN in April 2015. All confirmed dates should be e-mailed to Priscilla Singh at [priscilla.singh@dss.ca.gov](mailto:priscilla.singh@dss.ca.gov).

### **Adjustment of WINS Eligibility Determination and Discontinuance Issuance**

Beginning immediately, the CWDs are reasonably required to issue the WINS benefit in the same month as eligibility determination and discontinuing in the same month as the month of discovery.

The CDSS has changed the time frame in which CWDs issue a client's WINS benefit at eligibility determination and discontinuance. Originally ACL 13-71 instructed CWDs to issue the WINS benefit in the month following the month of eligibility determination (if it cannot be issued within the same month of eligibility determination) and to discontinue the WINS benefit the following month after the month of discovery.

### **WVP Changes for the WINS and TANF Programs**

The CDSS submitted changes to California's WVP to the Administration of Children and Families (ACF) that included updated information on the collection and verification for the WINS and TANF WPR samples including the ability to project hours based on at least one full pay cycle. This is a variation from how hours were previously projected for TANF cases in the past. CWDs should verify WINS cases based on this new version of the WVP unless or until alternative guidance is provided at a later date. Changes based on the new WVP are retroactive to October 1, 2014 for Federal Fiscal Year 2015 cases.

Please see the attachment for the proposed WVP as was submitted to ACF in December 2014.

### **WINS Eligibility Work Requirement for Two-Parent Families**

The CDSS has received multiple questions concerning the number of work hours required for two-parent families to be eligible for WINS. The correct number of work hours required for two parent families is 35 hours, with at least 30 of the 35 hours in core activities. The

hours of participation may be shared between the parents. The participation requirements were misstated in the recent WINS ACWDL dated December 5, 2014.

If you're interested in further discussion or have questions about WINS or WPR penalties, please contact Kären Dickerson, Chief, CalWORKs Employment and Eligibility Branch, at 916-651-6562, or Damien Ladd, Chief, CalWORKs Employment Bureau, at 916-654-1451.

# California Department of Social Services TANF Program Work Verification Plan

## I. GENERAL DESCRIPTION

**This update to California's Work Verification Plan fully incorporates changes to the California Work Opportunity and Responsibility to Kids (CalWORKs) eligibility determination process that replaced the quarterly reporting (QR) process with the semi-annual reporting (SAR) process and adds the new Work Incentive Nutritional Supplement (WINS) program. The plan is also updated to describe how the state intends to verify hours and project hours of participation based on current, documented, actual hours. Other clarifying language about the eligibility determination process and verification for unsupervised homework are also included.**

The CalWORKs program is California's federal Temporary Assistance for Needy Families (TANF) program. California has 58 county welfare departments (CWDs) that administer the CalWORKs program under supervision of the California Department of Social Services (CDSS). CalWORKs provides temporary cash assistance to meet basic needs of families. It also provides education, employment and training programs to assist the family's move toward self-sufficiency.

State law provides for a cumulative 48-month lifetime limit on cash aid for adults. Adults may remain on CalWORKs cash aid for more than 48 months and beyond the maximum 60 months allowed for TANF assistance, due to certain conditions allowed by state law that stop months on aid from counting toward the CalWORKs 48-month limit. Cases in which an adult has reached the 60-month TANF limit for aid are funded with state Maintenance of Effort (MOE) funding. In addition, effective October 1, 2013, Non- MOE State General Fund outside of the federal TANF and state MOE funding structure will be used to fund CalWORKs assistance and administration costs for current work-eligible cases where the adult in a single-parent family or both adults in a two-parent family has/have reached the 48-month CalWORKs limit for cash aid (Safety Net cases), or are a drug or fleeing felon, who reside with an eligible child that continues to receive assistance. For children of Safety Net adults, aid is equal to the children's portion of the grant.

In order to become eligible for CalWORKs, applicants must meet income and property tests and children must be deprived of parental support and care due to the incapacity, death, absence, or unemployment of one or more parents. The state uses a Semi-Annual Reporting (SAR) process to determine initial and ongoing eligibility for cash assistance. With SAR, all recipients are required to submit a SAR 7. Evidence must be submitted with the SAR 7 form to verify the reported information. Recipient eligibility and benefits for the reporting period are based on information provided on the form, and are determined using prospective budgeting rules. In addition, recipients' eligibility for cash aid is re-determined annually.

The welfare case history consists of all documents and forms relating to eligibility determinations for public assistance including documents necessary to support the

granting or denying of aid, case narratives, personal documents, budget forms, referrals to and from other agencies, and correspondence to and from the recipient. In addition, the welfare case file contains welfare-to-work (WTW) records such as the WTW plan and copies of notices of action sent to the participant.

Parents and caretaker adults are required to participate in WTW activities as a condition of continued receipt of aid. In order to promptly schedule WTW activities, as appropriate, recipients are engaged in the CalWORKs program through an orientation, appraisal, and assessment process. This process introduces recipients to the program, available services, and informs them of their rights and responsibilities. It also provides the individualized information necessary to outline the recipient's appropriate plan to achieve self-sufficiency.

Effective January 1, 2013, the CalWORKs WTW 24-Month Time Clock was implemented. The WTW 24-Month Time Clock allows clients to participate in the full array of CalWORKs WTW activities and services with no core/non-core hourly requirement for 24 cumulative months, based on an assessment of the client's needs by the CWD. The 24 months need not be consecutive and can be used at any time during the adult's maximum 48 months on aid. The minimum hourly participation requirements for clients during the 24-month time clock are as follows; 20 hours per week for single parents with a child under six years old, 30 hours per week for single parents with no child under six years old, and 35 hours per week for two-parent families (combined between two parents).

Months in which the client meets new, more strict requirements that are aligned with TANF participation requirements, called CalWORKs federal standards, will not count toward the client's WTW 24-Month Time Clock. Similar to TANF participation requirements, CalWORKs federal standards include weekly participation requirements of 20 core hours for single parents with a child under six; 30 hours, of which 20 are core hours for single parents with no child under six; and 35 hours, of which 30 are core hours for two-parent families.

After exhausting the WTW 24-Month Time Clock, clients must comply with CalWORKs federal standards, or be removed from aid. Eligible children of adults that are removed from aid for failure to meet CalWORKs federal standards after using all months on the WTW 24-Month Time Clock will continue to receive aid equal to the child(ren)'s portion of the CalWORKs grant.

Participation hours are monitored and verified by county staff on a monthly basis. Individuals who do not comply with WTW program requirements are subject to a financial sanction equal to the adult's portion of the grant amount, in addition to the adult's removal from the AU.

The 24-month clock will not impact the procedures used for reporting TANF participation data to ACF for calculation of the work participation rate. Eligible families that receive aid under CalWORKs will continue to be funded with TANF and MOE

funding, subject to federal participation requirements while using the WTW 24-Month Time Clock or meeting CalWORKs federal standards.

For program eligibility determinations, California runs a system of automation that is used to help administer the CalWORKs program. In particular, the Statewide Automated Welfare System (SAWS) ensures statewide uniformity in program administration by supporting intake, eligibility determination and benefit calculation, annual re-determination of eligibility, benefit issuance, case management, fair hearings, quality control, fraud and reporting. The SAWS is implemented via three consortia systems:

- Los Angeles Eligibility, Automated Determination, Evaluation and Reporting (LEADER), which is comprised of only Los Angeles County and represents approximately 30 percent of the public assistance caseload.
- CalWORKs Information Network (CalWIN), which is comprised of 18 counties and represents approximately 38 percent of the public assistance caseload.
- Consortium IV (C-IV), which is comprised of 39 counties and represents approximately 32 percent of the public assistance caseload.

California selects a representative sample of TANF families each month and coordinates a comprehensive review of sampled family cases. Content of TANF reviews focus on collection and verification of federally specified information about the family and level of work activities. Capturing and reporting of information is supported with the Research and Development Enterprise Project (RADEP) application by state and county staff. The application assists the state in moving case reviews to and from state and county staff, structuring the review process, and managing flow of federally required monthly reporting responsibilities. The state collects completed case reviews and compiles data in the federally required report format for transmission to the Administration for Children and Families (ACF) on a quarterly basis.

## **The WINS Program**

The WINS program became effective in all counties on July 1, 2014. WINS is a \$10 benefit provided to families receiving Supplemental Nutritional Assistance Program (SNAP) benefits. In order to receive WINS, families must meet TANF hourly participation requirements through work (subsidized and unsubsidized employment), must not be in receipt of CalWORKs benefits, and have at least one child in the household who is under 18 years old. During the eligibility process for SNAP, recipients must provide evidence of income.

WINS is a separate state maintenance-of-effort funded program (SSP-MOE) that will be included in the WPR data reports beginning October 1, 2014. Documentation and verification of WINS Work Eligible Individuals' (WEI's) participation must be in accordance with requirements specified in the Work Verification Plan.

## II. COUNTABLE WORK ACTIVITIES

This section describes definitions, determination of countable hours, verification of actual hours, and methods of daily supervision for each countable work activity.

### Unsubsidized employment

1. *Describe the services or programs the state includes under the activity. (Services and programs must conform to the federal definition of the activity.)*

For TANF and SSP-MOE federal data reporting purposes, unsubsidized employment is full-time or part-time employment in the public or private sector that is not subsidized by TANF or any other public program. Unsubsidized employment includes self-employment as well as recipients whose employers claim a tax credit for hiring economically disadvantaged workers. Apprenticeship programs that allow participants to earn money while they practice the trade under the supervision of a journey person and attend classes are also considered unsubsidized employment. Only the hours that are paid by the employer are counted as unsubsidized employment. The determination of whether employment is subsidized, or not, depends on whether the employer, rather than the recipient, receives a subsidy.

Hours of participation in various barrier removal activities, such as mental health, substance abuse, and/or rehabilitative services, can count under this activity if they are integrated parts of unsubsidized employment. In order to count, the individuals must be paid for all of the hours they participate in such activities that are counted as unsubsidized employment. If the individuals are not paid while participating in these activities, the participation will be reported as a blend of unsubsidized employment and another appropriate activity such as job search and job readiness assistance.

2. *Describe how the state determines the number of countable hours of participation for the activity. If the state uses different methods for different services or programs within the activity, the state should describe each.*

Weekly hours of participation are determined by dividing the monthly hours by 4.33 (the average number of weeks per month). If the information necessary to determine countable hours is not in the case file, the CWD will make contact with the recipient, employer, and/or service provider, as appropriate.

3. *Describe how the state verifies the actual hours of participation for the activity. Include the procedures for obtaining and maintaining documentation of hours of participation.*

Generally, actual hours of participation for this activity are verified during the eligibility process using information gathered during the initial application, annual renewal, the SAR 7 process, voluntary reports and/or other records in the case file.

Eligibility forms are signed by the head of household under penalty of perjury. Recipient eligibility and benefits for the six-month period are based on information provided on the forms. Evidence must be submitted with the eligibility forms to verify the reported information. Work-eligible participants are responsible for making available to the CWD all documents in their possession or available to them that are needed to verify reported income as well as the date of receipt.

The CWD will presume that an employed individual participated for the total number of hours for which the recipient was paid. Evidence of employment and income includes pay stubs, timesheets, time cards, attendance sheets, copies of a check, other payment forms or employer-produced documents that support the individual's employment. If the information necessary to verify actual hours is not in the case file, the CWD may seek verification from third-party sources of employment information (e.g. Work Number) or directly from the employer. If the documentation includes wages earned for hours worked during the pay period, but the hours are not explicitly documented, the CWD may divide wages earned for hours worked by wage per hour on record.

If the verification is not available from the recipient, the county will provide the recipient assistance in obtaining the information by placing a phone call to the employer or sending a letter to verify the participant's work hours or wage rate then documents the communication including the participant's name; the name of the employer, work site supervisor or other service provider; the number of hours; and the name and phone number of the person verifying the hours. Documentation of hours of participation is maintained in the case file.

Third-party sources of employment information, such as the Income Eligibility and Verification System (IEVS) matches may be accessed when additional employment information is necessary. Prior to counting these hours, the information from third-party sources will be verified through collateral contact. The Work Number is a resource that can be used by counties to verify employment. Counties are permitted to use the information obtained from this source in the same manner as they would use information provided by the employer. Therefore, no further verification is necessary when using The Work Number.

*4. Describe the methods of daily supervision for each unpaid work activity.*

Daily supervision is not applicable for participation in unsubsidized employment because only hours of participation that are paid by the employer count toward the work participation rate.

*5a. For self-employment, describe how the state counts and verifies the hours of participation. A state may not count more hours toward the participation rate for a self-employed individual than the individual's self-employment income (gross income less business expenses) divided by the federal minimum wage or must describe an alternative methodology that is approved.*



Self-employment hours are verified primarily using information reported by the participant on the SAR 7, during the initial application, annual renewal, voluntary reports and/or other records in the case file. The eligibility forms are signed under penalty of perjury. Recipient eligibility and benefits for the reporting period are based on information provided on the form. In general, evidence must be submitted with the eligibility forms to verify the reported information provided by the recipient and documented in the case file. Reports of income and expenses are used to determine the recipient's TANF eligibility and grant amount. Net self-employment income is determined by offsetting monthly business expenses, evidenced by receipts submitted by the participant, against monthly gross income from self-employment. Based on current CalWORKs eligibility rules, the recipient may choose either actual costs of producing self-employment income or a standard deduction of 40 percent of gross earned income, which will be reported as business expenses for federal data reporting purposes. For self-employed individuals, the maximum number of countable hours for TANF and SSP-MOE is determined by dividing the net self-employment income by the federal minimum wage.

*5b. If the state intends to project forward hours of participation based on current, documented, actual hours, explain how it will make this projection.*

Generally, hours of participation in unsubsidized employment, subsidized employment, or on-the-job training will be projected based on current, documented and verified actual hours. This information will be obtained using pay stubs and/or information reported through the initial application, annual renewal, voluntary reports and/or other data sources, such as employer reports and time and attendance records. Recipient eligibility and benefits for the reporting period are based on information provided on the eligibility forms. Evidence must be submitted with the eligibility forms to verify the reported information. If an individual reports hours of employment during the eligibility process, those hours will be projected as participation for six months respectively. Weekly hours of participation are determined by dividing the total monthly hours by 4.33 (the average number of weeks per month).

For new hires when an employer specifies a set number of hours per week which are not subject to variation as a condition of employment, the CWD will use employer documentation as the basis of the initial projection and will subsequently obtain documentation of actual hours worked at the next SAR 7 report or annual renewal. In all other situations, the initial projection is based on at least one full pay cycle, i.e. weekly, bi-weekly, or monthly, of documented actual hours of work. This estimate will also take into account the actual hours that can be reasonably expected based on verification of the participant's current, past and expected circumstances. The CWD determines if this estimate is reasonable by looking at paystubs, data in the case file, other documents, statements and other verification.

At the end of the six-month period, during the SAR 7 process or annual renewal, the CWD will obtain new valid documentation of any changes or re-verify the

participant's current, actual average hours before it projects these hours for another six-month period.

For both the TANF and SSP-MOE programs, if an individual reports a change in work hours anytime during the projection period, the average weekly projected hours will be recalculated for purposes of participation.

Below are the methods CWDs use to estimate projected actual hours of employment:

**Anticipated Monthly Hours:** The CWD estimates the actual number of employment hours the participant is expected to work in the month and divides that amount by 4.33 weeks to determine the average weekly hours of employment. This method is used for the first month of TANF or SSP-MOE. After the initial TANF or SSP-MOE month, the CWD may average hours of employment for the remaining months of the six-month period.

**Averaging Hours:** If the recipient is paid weekly or every other week, the CWD uses at least one full pay cycle, i.e. weekly, bi-weekly, or monthly, of documented and verified hours to convert this to a monthly amount and divides that amount by 4.33 weeks to determine the average weekly hours of employment.

If the parent is paid:

- Weekly, the CWD multiplies the hours by 4.33.
- Every other week, the CWD multiplies the hours by 2.17.
- Other than weekly or every other week, or for hours on a pay stub that crosses between months, the CWD estimates weekly employment hours based on adding the total expected hours of employment for a period of time, dividing by the number of months in the time period and dividing by 4.33 weeks.

For newly established self-employed individuals, estimates of actual hours are made in a similar fashion to the "Averaging Hours" description above, but use actual reported income and expenses reported by the individual at the time of eligibility determination.

For the SSP-MOE program, hours of participation in unsubsidized employment will be projected based on information provided on the SAR 7 or other eligibility forms similar to the TANF program projection. A projection may also be made for up to six months using documented actual hours from the recipient's first full pay cycle, i.e. weekly, bi-weekly, or monthly.

## **Subsidized private sector employment and subsidized public sector employment**

(Note: Subsidized private and public sector employment are combined into one category in the Work Verification Plan. However, hours of participation in these activities are reported separately on the TANF and SSP-MOE Data Reports that are submitted to ACF.)

1. *Describe the services or programs the state includes under the activity. (Services and programs must conform to the federal definition of the activity.)*

For TANF and SSP-MOE federal data reporting purposes, subsidized private sector employment and subsidized public sector employment means employment in the private and public sectors, respectively, for which the employer receives a subsidy from TANF or other public funds to offset some or all of the wages and costs of employing a work-eligible individual. Subsidized work may include (1) work supplementation where TANF funds that would otherwise be paid as assistance are paid to the employer or to a third-party contractor, like a temporary staffing agency, which serves as the employer of record and is paid a fee to cover salary, expenses and success in placing employees; (2) supported work for individuals with disabilities in an integrated setting, (3) work study activities or (4) paid barrier removal and educational activities. Subsidized employment is distinguished from work experience in that the participant in subsidized employment is paid wages and receives the same benefits as an employee with no subsidy who performs similar work.

Hours of participation in various barrier removal activities, such as mental health, substance abuse, and/or rehabilitative services, can count under this activity if they are integrated parts of subsidized employment. In order to count, the individuals must be paid for all of the hours they participate in such activities that are counted as subsidized employment. If the individuals are not paid while participating in these activities, the participation will be reported as a blend of subsidized employment and another appropriate activity such as job search and job readiness assistance.

2. *Describe how the state determines the number of countable hours of participation for the activity. If the state uses different methods for different services or programs within the activity, the state should describe each.*

Refer to Unsubsidized Employment (Section II, 2.) for description.

3. *Describe how the state verifies the actual hours of participation for the activity. Include the procedures for obtaining and maintaining documentation of hours of participation.*

Refer to Unsubsidized Employment (Section II, 3.) for description.

4. *Describe the methods of daily supervision for each unpaid work activity.*

Refer to Unsubsidized Employment (Section II, 4.) for description.

Daily supervision is not applicable for participation in subsidized employment because only hours of participation that are paid by the employer count toward the work participation rate.

5. *If the state intends to project forward hours of participation based on current, documented, actual hours, explain how it will make this projection.*

Refer to Unsubsidized Employment (Section II, 5.) for description.

### **Work experience**

1. *Describe the services or programs the state includes under the activity. (Services and programs must conform to the federal definition of the activity.)*

Work experience is a training activity performed in the public or private sector, as well as a nonprofit, community-based or faith-based setting, that helps provide basic job skills, enhances existing job skills in a position related to the participant's experience, or provides a needed community service that shall lead to unsubsidized employment. The recipient is receiving compensation in the form of the cash aid grant for time spent in the activity.

Core hours shall be limited as follows:

- When the assistance unit includes SNAP recipients, the individual shall participate for no more than the number of hours each month, determined collectively for the assistance unit, equal to the CalWORKs grant plus the SNAP allotment divided by the state or federal minimum wage, whichever is higher.
- Or, when the assistance unit does not include SNAP recipients, the individual shall participate for not more than the number of hours each month, determined collectively for the assistance unit, equal to the CalWORKs grant divided by the state or federal minimum wage, whichever is higher.

Hours of participation in various barrier removal activities, such as mental health, substance abuse, and/or rehabilitative services, can count under this activity if they are integrated parts of work experience.

2. *Describe how the state determines the number of countable hours of participation for the activity. If the state uses different methods for different services or programs within the activity, the state should describe each.*

For participation in work experience, maximum allowable monthly hours are determined by combining the TANF grant with the SNAP allotment then dividing the result by the state or federal minimum wage, whichever is higher. The average number of actual hours per week of participation is determined by adding the total number of actual hours for the month in this activity and then dividing the total monthly hours by 4.33 (the average number of weeks per month). If the actual number of hours falls short of the core requirement but is equal to the calculated hours, the state will deem core hours in this activity.

3. *Describe how the state verifies the actual hours of participation for the activity. Include the procedures for obtaining and maintaining documentation of hours of participation.*

The number of actual hours of participation for this activity may be documented and verified using information gathered during the initial application, annual renewal, the SAR 7 process, voluntary reports and/or other records in the case file such as time and attendance records from the service provider or recipient, and/or WTW records. Eligibility forms are signed by the head of household under penalty of perjury. If documentation is not gathered during the eligibility process and the documentation necessary to verify actual hours is not in the case file, the CWD will seek documentation from the service provider. The documentation is maintained in the case file and includes the participant's name; hours of participation; the name of the supervisor, service provider or employer; and the name and telephone number of the person verifying the hours.

4. *Describe the methods of daily supervision for each unpaid work activity.*

Daily supervision means that a responsible party has daily responsibility for oversight of the individual's participation. A worksite sponsor, classroom instructor, contracted service provider, community-based provider, job search instructor, treatment provider, or a county employee could fulfill the role of responsible party. Supervision does not need to be daily, in-person contact with the participant, but can be by telephone or electronic methods as appropriate. In most cases, daily supervision is the supervision determined appropriate and provided by the employer, training or service provider at the same level as other employees of the organization.

### **On-the-job training**

1. *Describe the services or programs the state includes under the activity. (Services and programs must conform to the federal definition of the activity.)*

For federal data reporting purposes, on-the-job training is training in the public or private sector that is given to a paid employee while he or she is engaged in productive work. On-the-job training provides knowledge and skills that are essential to the full and adequate performance of the job. The employer is subsidized to offset training costs.

Supported work may be counted as on-the-job training if it includes significant training in the skills and knowledge essential to job performance. On-the-job training may also include orientation and classroom instruction required by the recipient's employer and/or case manager. In some instances, training (e.g., tax preparation) or continuing education (e.g., nursing) is a necessary and regular element of employment. On-the-job training may include participation in these types of activities when the individual is reimbursed for the training costs. When the individual is not reimbursed for training costs, the participation counts as job skills training directly related to employment, education directly related to employment, vocational educational training, or job search and job readiness assistance, as appropriate.

2. *Describe how the state determines the number of countable hours of participation for the activity. If the state uses different methods for different services or programs within the activity, the state should describe each.*

Refer to Unsubsidized Employment (Section II, 2.) for description.

3. *Describe how the state verifies the actual hours of participation for the activity. Include the procedures for obtaining and maintaining documentation of hours of participation.*

Refer to Unsubsidized Employment (Section II, 3.) for description.

4. *Describe the methods of daily supervision for each unpaid work activity.*

Daily supervision is not applicable for participation in on-the-job training because only hours of participation that are paid by the employer count toward the work participation rate.

- 5a. *Describe the nature of training provided by employers that distinguishes this from subsidized employment.*

Unlike subsidized employment, the subsidy provided to the employer offsets the cost of training provided to the participant. In contrast, subsidized employment is an activity in which the recipient is paid in the form of either wages or the cash aid grant for work and training time.

- 5b. *If the state intends to project forward hours of participation based on current, documented, actual hours, explain how it will make this projection.*

Refer to Unsubsidized Employment (Section II, 5.) for description.

## **Job search and job readiness assistance**

1. *Describe the services or programs the state includes under the activity. (Services and programs must conform to the federal definition of the activity.)*

Job search is an activity in which the participant's principal activity is to seek employment. Job search includes looking for suitable job openings, making contact with potential employers, applying for vacancies, and interviewing for jobs. Job readiness assistance is an activity that provides a recipient with training to learn basic job seeking and interviewing skills, to understand employer expectations, and to learn skills designed to enhance an individual's capacity to move toward self-sufficiency. Job readiness assistance also comprises the following activities:

- a. Preparing an individual to obtain or retain employment, such as preparing a resume or job application, interviewing skills, instruction in work place expectations, and life skills training.
- b. Substance abuse treatment, mental health treatment, or rehabilitation activities.

Treatment or rehabilitation services can include residential treatment, group or individual therapy, support group, or participation in Alcoholics Anonymous, and Narcotics Anonymous.

Note: Substance abuse treatment, mental health treatment and rehabilitation programs that include integrated hours of unsubsidized employment, subsidized employment, work experience, or another activity may count as another activity during the hours of the integrated component, as long as the component meets a common sense definition of that other activity.

- c. On a case-by-case basis, domestic abuse services that address barriers to employment.

Treatment and services for domestic abuse victims include the following activities when needed to seek or prepare for employment: individual counseling of the participant and children; group counseling; substance abuse services; medical and public health services; mental health services; independent living skills; financial planning and life skills training.

The criteria professionals use for assigning these services is that they must be necessary to prepare an individual to obtain or maintain employment or participate in WTW activities and must be verified and documented in the WTW plan and/or case file. If a portion of the treatment or rehabilitation activities meets a common-sense definition of another work activity, such as community service or work experience, then the hours associated with the

“work” will count under that activity and the actual treatment hours will count in job search and job readiness assistance.

- d. Drug testing for a specific job classification and taking tests to qualify for specialized certificates. These activities will be assigned to the extent they are determined necessary for the participant to obtain or prepare for employment or participate in other WTW activities.
- e. Participation in orientation, appraisal, or assessment. Orientation is an introduction to the WTW program, including a general description of CalWORKs activities, participation requirements, consequences for failing to meet requirements, available supportive services, and exemptions from participation. Appraisal is an evaluation of an individual’s employment history and skills, necessary supportive services, and any other relevant information needed to assign an individual to WTW activities, as well as informing the individual of his or her rights and responsibilities as pertains to the program.

Assessment is a thorough individual review of the recipient’s work history, employment skills, educational history, competency levels, need for supportive services, physical limitations or mental conditions, available resources, all in comparison to local labor market conditions, in order to complete a WTW plan.

- f. Time spent online in distance learning activities. Online tasks could include searching for job vacancies, submitting résumés and completing applications.

Hours spent in these activities will be verified and documented in the WTW plan. Job interviews may be obtained from participating in this activity. Reasonable transportation time between job interviews, but not to the first interview or from the last one of the day, will count toward job search and job readiness hours. A county may require additional verification of activities, which may include such documents as job contact logs that provide sufficient information to verify the job search activity, mileage logs, or other documentation included in the case file.

- 2. *Describe how the state determines the number of countable hours of participation for the activity. If the state uses different methods for different services or programs within the activity, the state should describe each.*

Weekly hours of participation are determined by adding the total number of participation hours for the month in this activity and then dividing the total monthly hours by 4.33 (the average number of weeks per month). If the information necessary to determine countable hours is not in the case file, the CWD will make contact with the recipient and/or service provider, as appropriate.

Participation in job search and job readiness assistance counts for a maximum of six weeks with no more than four consecutive weeks. Participation counts for a



maximum of twelve weeks when the state qualifies for counting extended periods of job search and job readiness assistance either due to high unemployment or due to meeting the definition of a “needy state”. Effective October 1, 2008, the six-week or twelve-week limit applies to the preceding 12-month period. The six-week or twelve-week limit is based on the average number of hours per week required for a family to count in the overall participation rate: 20 hours for a work-eligible single custodial parent of a child under six years old and as 30 hours for all other work-eligible individuals, including two-parent families. Thus, the six-week limit equates to 120 hours and 180 hours, respectively. Similarly, the twelve-week limit equates to 240 hours and 360 hours, respectively.

For the limit of no more than four consecutive weeks of job search and job readiness assistance in the preceding 12 months, a week is seven consecutive days beginning on Monday and ending on Sunday. Reporting any hours in a week uses a week of participation. Participation by each individual is evaluated and a determination is made about whether the hours of participation in job search and job readiness are necessary and sufficient for the case to meet the federal work requirements.

Not more than once for any individual in the preceding 12-month period, a full week of participation in job search and job readiness assistance may be calculated based on the average daily hours of participation for three or four days. For the rule about counting three or four days of job search and job readiness during a week as a full week of participation, a week is five days. The average hours of participation during three or four days may be applied to the remaining one or two days in the week to determine the total hours for a week. The case file must indicate that weekly hours of participation were based on the average number of hours for three or four days.

- 3. Describe how the state verifies the actual hours of participation for the activity. Include the procedures for obtaining and maintaining documentation of hours of participation.*

The number of hours of participation for this activity is documented and verified using records maintained in the case file, such as time and attendance records from the service provider or recipient, and/or other WTW records. If information necessary to verify actual hours is not in the case file, the CWD will seek documentation from the service provider. The documentation needed to support all the reported actual hours of participation is maintained in the case file and includes the participant’s name; the name of the employer, work site supervisor or other service provider; the number of hours; and the name and phone number of the person verifying the hours and is made available at least monthly by the service provider, supervisor, and/or participant.

4. *Describe the methods of daily supervision for each unpaid work activity.*

Daily supervision means that a responsible party has daily responsibility for oversight of the individual's participation. A worksite sponsor, classroom instructor, contracted service provider, community-based provider, job search instructor, treatment provider, or a county employee could fulfill the role of responsible party. Supervision does not need to be daily, in-person contact with the participant, but can be by telephone or electronic methods as appropriate. In most cases, daily supervision is the supervision determined appropriate and provided by the employer, training or service provider at the same level as other employees of the organization.

5a. *If the state intends to count substance abuse treatment, mental health treatment and rehabilitation activities, describe the criteria to determine whether recipients are "otherwise employable" and establish the necessity of treatment or therapy. Describe the requirements for qualified medical, substance abuse or mental health professionals used in this process.*

California will count substance abuse treatment, mental health treatment and rehabilitation services as job readiness activities. If there is a concern that a mental disability exists that will impair the ability of a recipient to obtain employment, he or she is referred to the county mental health department for an evaluation by a qualified professional who will provide documentation of treatment or therapy. The county mental health department or its contractor will evaluate the recipient and make a determination of any treatment needs.

The evaluation includes the extent to which the individual is capable of employment at the time and under what working and treatment conditions the individual is capable of employment. The evaluation also includes any prior diagnoses, assessments, or evaluations that the recipient provides. The CWD develops the individual WTW plans for participants with mental or emotional disorders based on this evaluation.

If there is a concern that a substance abuse problem exists that will impair the ability of a recipient to obtain or retain employment, he or she is referred to the county alcohol and drug program for an evaluation and determination of any treatment necessary for the participant's transition from WTW. If the county welfare department determines that the county alcohol and drug program or its contractor and/or service provider is unable to provide the needed services, the CWD may contract directly with a non-profit state-licensed narcotic treatment program, residential facility, or certified non-residential substance abuse program to obtain substance abuse services for participants. If a participant is determined to have a substance abuse problem, the participant's WTW plan is based on the results of the evaluation. The WTW plan may include appropriate treatment requirements, including assignment to a substance abuse program.

Learning disability evaluations must be performed by qualified learning disability

professionals who use recognized and validated learning disabilities evaluation tools to identify learning disabilities and to determine the appropriate accommodations for individuals with learning disabilities. If the learning disabilities evaluation establishes that the participant has a learning disability that interferes with obtaining or retaining employment or participating in program activities, the CWD will develop or modify the WTW plan to reflect appropriate activities and necessary reasonable accommodations. This will be done based on the results of the learning disabilities evaluation and discussions with the participant.

- 5b. *Describe how the state ensures that no more than six or twelve total weeks (four consecutive weeks) of job search and job readiness assistance are reported in the preceding 12-month period.*

For the purposes of completing the TANF data reports, the state currently ensures the time limit is not exceeded by individual analysis of each case file by data collection staff. If participation in other federally-allowable activities meets or exceeds the requirement, then the hours of participation in job search and job readiness assistance will not be counted toward the four-week, six-week, or twelve-week limit. The state will verify that the CWD have tracking systems in place that monitor participation consistent with federal requirements.

### **Community service programs**

1. *Describe the services or programs the state includes under the activity. (Services and programs must conform to the federal definition of the activity.)*

Community service is training that is temporary and transitional, is performed in the public or private nonprofit sector, and provides basic job skills that may lead to employment while meeting a community need. Other activities may be included within the community service programs. In these situations, short-term training or equivalent activities will be included if they are of limited duration (usually no longer than six months) and are necessary for participation in the community service activity.

2. *Describe how the state determines the number of countable hours of participation for the activity. If the state uses different methods for different services or programs within the activity, the state should describe each.*

For participation in community service programs, maximum allowable monthly hours are determined by combining the TANF grant with the SNAP allotment then dividing the result by the state or federal minimum wage, whichever is higher. The average number of actual hours per week of participation is determined by adding the total number of actual hours for the month in this activity and then dividing the total monthly hours by 4.33 (the average number of weeks per month). If the actual number of hours falls short of the core requirement but is equal to the calculated hours, the state will deem core hours in this activity.

3. *Describe how the state verifies the actual hours of participation for the activity. Include the procedures for obtaining and maintaining documentation of hours of participation.*

Actual hours of participation are documented and verified using time sheets, attendance records, and similar documentation made available and signed by the service provider and maintained in the case file. If the documentation is not signed by the service provider, actual hours of participation are verified by contacting the service provider. Documentation includes the participant's name; the name of the employer, work site supervisor or other service provider; the number of hours; and the name and phone number of the person verifying the hours. Documentation needed to support all the reported hours of participation is provided on a monthly basis and maintained in the case file.

4. *Describe the methods of daily supervision for each unpaid work activity.*

Daily supervision means that a responsible party has daily responsibility for oversight of the individual's participation. A worksite sponsor, classroom instructor, contracted service provider, community-based provider, job search instructor, treatment provider, or a county employee could fulfill the role of responsible party. Supervision does not need to be daily, in-person contact with the participant, but can be by telephone or electronic methods as appropriate. In most cases, daily supervision is the supervision determined appropriate and provided by the employer, training or service provider at the same level as other employees of the organization.

- 5a. *Describe how the types of community service positions that create an employer/employee relationship and are subject to the Fair Labor Standards Act (FLSA) minimum wage requirements will be determined.*

In California, community service positions are subject to the FLSA minimum wage requirements. As a result, the number of core hours of participation in community service programs is determined by adding the monthly CalWORKs grant and CalFresh amounts and then dividing by the state or federal minimum wage, whichever is higher. In addition, the state provides workers' compensation coverage to recipients in community service programs and work experience activities.

- 5b. *If the state permits self-initiated community service positions, describe how it determines that the position provides a direct community service and improves the recipient's employability.*

Participation in self-initiated community service programs is permitted as long as the activity is temporary and transitional, is performed in the public or private nonprofit sector, provides basic job skills that may lead to employment while meeting a community need, and is approved by the CWD. The CWD will only approve self-initiated community service programs that are appropriate for the

participant based on the assessment of the following:

- The participant's work history and an inventory of his or her employment skills, knowledge, and abilities.
- The participant's educational history and present educational competency level.
- An evaluation of the chances for employment given the current skills of the participant and the local labor market conditions.

## **Vocational educational training**

1. *Describe the services or programs the state includes under the activity. (Services and programs must conform to the federal definition of the activity.)*

For TANF and SSP-MOE federal data reporting purposes, vocational educational training is organized educational programs that are directly related to the preparation of individuals for employment in current or emerging occupations. Vocational education must be provided by vocational-technical schools, postsecondary institutions or proprietary schools. Vocational educational training placements are documented on a list developed by each California County. The list, which is revised annually, includes programs that lead to jobs in the local labor market and is used by the CWD to approve vocational educational training and/or to assign activities as a result of assessment. For programs not on the county's list, the CWD determines if the program is directly related to job preparation.

In some instances, the vocational educational training will be completed as part of distance learning. Participation will count toward vocational educational training hours only when the time spent can be monitored by the service provider and reported to the CWD. Participation in vocational educational training may count as job skills training directly related to employment or education directly related to employment, whichever definition is applicable, provided the core hourly requirement has been met from participation in other core activities, before or after the 12-month vocational education limit is reached.

Actual hours spent in supervised homework time and up to one hour of unsupervised homework time for each hour of class time will be counted. A statement from the educational program indicating the amount of homework required must be included in the case file. Total homework time counted for participation will not exceed the hours required or advised by the educational program.

2. *Describe how the state determines the number of countable hours of participation for the activity. If the state uses different methods for different services or programs within the activity, the state should describe each.*

Weekly hours of participation are determined by adding the total number of participation hours for the month in the activity and then dividing the total monthly

hours by 4.33 (the average number of weeks per month). Countable hours of unsupervised homework time will not exceed the limit of one hour for each hour of class time. In addition, total homework time counted will not exceed the hours required or advised by the educational program. If the information necessary to determine countable hours is not in the case file, the CWD will make contact with the recipient and/or service provider, as appropriate.

3. *Describe how the state verifies the actual hours of participation for the activity. Include the procedures for obtaining and maintaining documentation of hours of participation.*

The actual hours of participation for this activity may be documented and verified using information gathered during the eligibility process, and/or other records in the case file, such as laboratory time and classroom time sheets, attendance records, and similar documentation made available by the service provider and/or participant and maintained in the case file. Documentation is reported to the CWD on a monthly basis. If documentation is not gathered during the eligibility process and information necessary to verify actual hours is not in the case file, the CWD will seek documentation from the service provider. For supervised homework time, documentation must include a time sheet or record of participation hours signed by the individual verifying the activity. Documentation needed to support all the reported hours of participation in homework time is maintained in the case file. Documentation for supervised homework time must include the participant's name; the name of the employer, work site supervisor or other service provider; the number of hours; and the name and phone number of the person verifying the hours. The only documentation required for unsupervised homework time is a statement from the educational program indicating the amount of homework required. Once the CWD has this statement from the institution, it may be kept on file and applied whenever individuals are engaged in that course of study at the institution.

4. *Describe the methods of daily supervision for each unpaid work activity.*

Daily supervision means that a responsible party has daily responsibility for oversight of the individual's participation. A worksite sponsor, classroom instructor, contracted service provider, community-based provider, job search instructor, treatment provider, or a county employee could fulfill the role of responsible party. Supervision does not need to be daily, in-person contact with the participant, but can be by telephone or electronic methods as appropriate. In most cases, daily supervision is the supervision determined appropriate and provided by the employer, training or service provider at the same level as other employees of the organization.

- 5a. *Describe how the state ensures participation in vocational educational training does not count beyond the statutory limitations limiting participation to 12 months lifetime per individual.*

For purposes of completing the TANF and SSP-MOE data reports, the state currently ensures the time limit is not exceeded by individual analysis of each case file by data collection staff. The state ensures that no more than 12 months of vocational educational training are counted per lifetime by evaluating the participation of each individual and determining whether the hours in the activity are necessary for the case to meet the federal work requirements.

Vocational education can count as a federal core activity for a lifetime maximum of 12 months, which may stop the WTW 24-month Time Clock for up to a year. After 12-months, recipients may continue their educational programs, utilizing the WTW 24-month Time Clock for CalWORKs service flexibility. Once 12 months of federally countable vocational education and the 24-month clock are exhausted, education programs may continue as the federal non-core job skills training activity, but must be combined with one or more core activities to meet federal participation requirements. The state will verify that the CWDs have tracking systems in place that monitor participation consistent with federal requirements.

*5b. Explain how the state will ensure that basic and remedial education and English as a Second Language (ESL), if such activities are counted, are of limited duration and a necessary or regular part of the vocational education training.*

Basic and remedial education and English as a Second Language will be counted as part of vocational educational training activity on a case-by-case basis when the participant's educational history and present educational competency level assessment shows a need for such activities to be included in the vocational education program for the participant to be successful. For example, Vocational English as Second Language (VESL) is an embedded activity that allows non-native English speakers to learn the language that is specific to and necessary for successful performance in a particular vocation. The service provider and/or the recipient's case manager will determine whether the activities are necessary for successful participation.

### **Job skills training directly related to employment**

*1. Describe the services or programs the state includes under the activity. (Services and programs must conform to the federal definition of the activity.)*

For federal data reporting purposes, job skills training directly related to employment is training or education for job skills required by an employer to provide an individual with the ability to obtain employment or to advance or adapt to the changing demands of the workplace. The activity may include either customized or general training to prepare an individual for employment, including literacy and language instruction and other remedial education. Job skills training directly related to employment may include four-year bachelor degree programs at any state-certified college or university. Vocational education hours may count under this activity, provided the core hourly requirement is met through other activities, in order to preserve months in which vocational education is countable

as a core activity or to continue education programs beyond the 12-month limit for vocational education.

In some instances, the job skills training will be completed as part of distance learning. Participation will count toward job skills training directly related to employment only when the distance learning program otherwise meets the definition of job skills training directly related to employment and the time spent in the distance learning component can be monitored by the service provider and reported to the CWD and documented in the case file.

Actual hours spent in supervised homework time and up to one hour of unsupervised homework time for each hour of class time will be counted. A statement from the educational program indicating the amount of homework required must be included in the case file. Total homework time counted for participation will not exceed the hours required or advised by the educational program.

- 2. Describe how the state determines the number of countable hours of participation for the activity. If the state uses different methods for different services or programs within the activity, the state should describe each.*

Weekly hours of participation are determined by adding the total number of participation hours for the month in this activity and then dividing the total monthly hours by 4.33 (the average number of weeks per month). Countable hours of unsupervised homework time will not exceed the limit of one hour for each hour of class time. In addition, total homework time counted will not exceed the hours required or advised by the educational program. If the information necessary to determine countable hours is not in the case file, the CWD will make contact with the recipient and/or service provider, as appropriate.

- 3. Describe how the state verifies the actual hours of participation for the activity. Include the procedures for obtaining and maintaining documentation of hours of participation.*

The hours of participation for this activity may be documented and verified using information gathered during the initial application, annual renewal, the SAR 7 process, voluntary reports and/or other records maintained in the case file, such as time and attendance records made available by the service provider or recipient, and/or welfare-to-work records. If the documentation is not gathered during the eligibility process, and information necessary to verify actual hours is not in the case file, the CWD will seek documentation from the service provider. For all homework time, documentation must include a time sheet or record of participation hours signed by the person verifying the activity. Documentation needed to support all the reported hours of participation is maintained in the case file and includes the participant's name; the name of the employer, work site supervisor or other service provider; the number of hours; and the name and phone number of the person verifying the hours. Any job skills training that is completed as part of



distance learning must be monitored and documented and verified by the service provider, reported to the CWD on a monthly basis, and documented in the case file.

4. *Describe the methods of daily supervision for each unpaid work activity.*

Daily supervision means that a responsible party has daily responsibility for oversight of the individual's participation. A worksite sponsor, classroom instructor, contracted service provider, community-based provider, job search instructor, treatment provider, or a county employee could fulfill the role of responsible party. Supervision does not need to be daily, in-person contact with the participant, but can be by telephone or electronic methods as appropriate. In most cases, daily supervision is the supervision determined appropriate and provided by the employer, training or service provider at the same level as other employees of the organization.

**Education directly related to employment, in the case of a recipient who has not received a high school diploma or a certificate of high school equivalency**

1. *Describe the services or programs the state includes under the activity. (Services and programs must conform to the federal definition of the activity.)*

For federal data reporting purposes, education directly related to employment is education related to a specific occupation, job, or job offer. The activity is primarily for adults and includes adult basic education and ESL and, where required as a prerequisite for employment, education leading to a General Educational Development (GED) credential or high school equivalency diploma. Vocational education hours may count under this activity, provided the core hourly requirement is met through other activities, in order to preserve months in which vocational education is countable as a core activity or to continue education programs beyond the 12-month limit for vocational education.

In some instances, the education directly related to employment will be completed as part of distance learning. Participation will count toward education directly related to employment only when the distance learning program otherwise meets the definition of the activity and the time spent in distance learning can be monitored by the service provider and is reported to the CWD.

Actual hours spent in supervised homework time and up to one hour of unsupervised homework time for each hour of class time will be counted. A statement from the educational program indicating the amount of homework required must be included in the case file. Total homework time counted for participation will not exceed the hours required or advised by the educational program.

2. *Describe how the state determines the number of countable hours of participation for the activity. If the state uses different methods for different services or*

*programs within the activity, the state should describe each.*

Weekly hours of participation are determined by adding the total number of participation hours for the month in the activity and then dividing the total monthly hours by 4.33 (the average number of weeks per month). Countable hours of unsupervised homework time will not exceed the limit of one hour for each hour of class time. In addition, total homework time counted will not exceed the hours required or advised by the educational program. If the information necessary to determine countable hours is not in the case file, the CWD will make contact with the recipient and/or service provider, as appropriate.

- 3. Describe how the state verifies the actual hours of participation for the activity. Include the procedures for obtaining and maintaining documentation of hours of participation.*

The actual hours of participation for this activity may be documented and verified using information reported through the eligibility process, the SAR 7 process, and/or other records in the case file, such as laboratory time and classroom time sheets, attendance records, and similar documentation signed by the service provider and/or participant and maintained in the case file. If the documentation is not signed by the service provider, actual hours of participation are verified by contacting the service provider. Documentation includes the participant's name; the name of the employer, work site supervisor or other service provider; the number of hours; and the name and phone number of the person verifying the hours. For supervised homework time, documentation must include a time sheet or record of participation hours signed by the individual verifying the activity. Documentation needed to support all the reported hours of participation and verification of participation is reported to the CWD on a monthly basis. The only documentation required for unsupervised homework time is a statement from the educational program indicating the amount of homework required. Once the CWD has this statement from the institution, it may be kept on file and applied whenever individuals are engaged in that course of study at the institution.

- 4. Describe the methods of daily supervision for each unpaid work activity.*

Daily supervision means that a responsible party has daily responsibility for oversight of the individual's participation. A worksite sponsor, classroom instructor, contracted service provider, community-based provider, job search instructor, treatment provider, or a county employee could fulfill the role of responsible party. Supervision does not need to be daily, in-person contact with the participant, but can be by telephone or electronic methods as appropriate. In most cases, daily supervision is the supervision determined appropriate and provided by the employer, training or service provider at the same level as other employees of the organization.

5. *Describe the state's criteria for "good or satisfactory progress" and when and how it is documented.*

The standard for "good or satisfactory progress" is determined by the CWD. In general, attendance, academic performance and completion timeframes may be included in the criteria. Satisfactory progress is monitored monthly by the CWD and the documentation is verified and maintained in the participant's case file, except for teen parent heads of household receiving Cal-Learn services, which is monitored up to four times per school year.

California will, to the extent the state identifies a participant who is not making good or satisfactory progress but is regularly attending, count up to two months of participation for such individuals while the state works with the participant to improve his or her participation and progress.

**Satisfactory school attendance at secondary school or in a course of study leading to a certificate of general equivalence in the case of a recipient who has not completed secondary school or received such a certificate**

1. *Describe the services or programs the state includes under the activity. (Services and programs must conform to the federal definition of the activity.)*

For federal data reporting purposes, satisfactory school attendance is regular attendance, in accordance with the requirements of the secondary school or course of study, at a secondary school or in a course of study leading to a certificate of general equivalence, in the case of a work-eligible individual who has not completed secondary school or received such a certificate. Satisfactory school attendance is primarily an activity for minor parents and will only include other related educational activities, such as adult basic education or language instruction, when they are required for completion of a GED credential. Hours of participation attending high school in a vocational education track may be counted under this activity.

In addition, case management services are provided to minor parents in this activity. Case management involves directing and coordinating a recipient's educational, health, and social services and may include ESL, career training, alternative school, tutoring, dropout prevention, and teen pregnancy or parenting programs. The case management programs are essential to this work category in that they address the special social service needs of minor parents. Meeting these specific needs helps this group of recipients attain GED credential or attend secondary school, which helps minor parents achieve self-sufficiency.

In some instances, participation will be completed as part of distance learning and will count toward satisfactory school attendance only when the distance learning program otherwise meets the definition of the activity and the time spent can be monitored by the service provider and is reported to the CWD on a monthly basis. Actual hours spent in supervised homework time and up to one hour of

unsupervised homework time for each hour of class time will be counted. A statement from the educational program indicating the amount of homework required must be included in the case file. Total homework time counted for participation will not exceed the hours required or advised by the educational program.

- 2. Describe how the state determines the number of countable hours of participation for the activity. If the state uses different methods for different services or programs within the activity, the state should describe each.*

Weekly hours of participation are determined by adding the total number of participation hours for the month in this activity and then dividing the total monthly hours by 4.33 (the average number of weeks per month). Countable hours of unsupervised homework time will not exceed the limit of one hour for each hour of class time. In addition, total homework time counted will not exceed the hours required or advised by the educational program. If the information necessary to determine countable hours is not in the case file, the CWD will make contact with the recipient, employer, and/or service provider, as appropriate.

- 3. Describe how the state verifies the actual hours of participation for the activity. Include the procedures for obtaining and maintaining documentation of hours of participation.*

Participants must provide routinely available documentation of school attendance and satisfactory progress. Actual hours of participation are verified using report cards, attendance records, and similar documentation made available by the service provider and/or participant and maintained in the case file. Documentation needed to support all the reported hours of participation includes the participant's name; the name of the employer, work site supervisor or other service provider; the number of hours; and the name and phone number of the person verifying the hours. For supervised homework time, documentation must include a time sheet or record of participation hours signed by the individual verifying the activity. The only documentation required for unsupervised homework time is a statement from the educational program indicating the amount of homework required. Once the CWD has this statement from the institution, it may be kept on file and applied whenever individuals are engaged in that course of study at the institution. Case managers who have reason to believe that a participant is not attending school can require that specific verification be provided more often, as necessary.

- 4. Describe the methods of daily supervision for each unpaid work activity.*

Daily supervision means that a responsible party has daily responsibility for oversight of the individual's participation. A worksite sponsor, classroom instructor, contracted service provider, community-based provider, job search instructor, treatment provider, or a county employee could fulfill the role of responsible party. Supervision does not need to be daily, in-person contact with the participant, but can be by telephone or electronic methods as appropriate. In

most cases, daily supervision is the supervision determined appropriate and provided by the employer, training or service provider at the same level as other employees of the organization.

5. *Describe the state's criteria for "good or satisfactory progress" and when and how it is documented.*

"Good or satisfactory progress" is determined by the CWD. In general, attendance, academic performance and completion timeframes may be included in the criteria. Satisfactory progress is monitored monthly by the CWD and the documentation is maintained in the participant's case file except for teen parent heads of household receiving Cal-Learn services, which is monitored up to four times per school year.

California will, to the extent the state identifies a participant who is not making good or satisfactory progress but is regularly attending, count up to two months of participation for such individuals while the state works with the participant to improve his or her participation and progress.

### **Providing child care services to an individual who is participating in a community service program**

1. *Describe the services or programs the state includes under the activity. (Services and programs must conform to the federal definition of the activity.)*

For federal data reporting purposes, providing child care services is providing child care to enable another TANF recipient to participate in a community service program. The activity does not allow for one parent in a two-parent case to care for their own children in the home.

2. *Describe how the state determines the number of countable hours of participation for the activity. If the state uses different methods for different services or programs within the activity, the state should describe each.*

The number of hours of participation is determined by adding the total number of participation hours for the month in this activity and then dividing the total monthly hours by 4.33 (the average number of weeks per month). If the information necessary to determine countable hours is not in the case file, the CWD will make contact with the recipient, employer, and/or service provider, as appropriate.

3. *Describe how the state verifies the actual hours of participation for the activity. Include the procedures for obtaining and maintaining documentation of hours of participation.*

Actual hours of participation are verified using time sheets, attendance records, and similar documentation made available by the service provider and/or participant and maintained in the case file. Documentation needed to support all

the reported hours of participation includes the participant's name; the name of the employer, work site supervisor or other service provider; the number of hours; and the name and phone number of the person verifying the hours.

4. *Describe the methods of daily supervision for each unpaid work activity.*

Daily supervision means that a responsible party has daily responsibility for oversight of the individual's participation. A worksite sponsor, classroom instructor, contracted service provider, community-based provider, job search instructor, treatment provider, or a county employee could fulfill the role of responsible party. Supervision does not need to be daily, in-person contact with the participant, but can be by telephone or electronic methods as appropriate. In most cases, daily supervision is the supervision determined appropriate and provided by the employer, training or service provider at the same level as other employees of the organization.

### **III. HOURS ENGAGED IN WORK**

#### Excused Absences

1. *Describe the state's excused absence policies for unpaid work activities. This includes its policies for holidays as well as the ten additional excused absences that the state may count in a 12-month period. If the policies vary by work activity, the state should describe how they vary and for which activities.*

Each recipient engaged in unpaid work activities is allowed excused absences. Beginning October 1, 2008, these absences include ten state holidays as well as 80 hours of additional excused absences during the preceding 12-month period. The following state holidays are allowed as excused absences: New Year's Day, Martin Luther King, Jr. Day, President's Day (Washington's Birthday), Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving, Day after Thanksgiving, and Christmas Day.

In addition, 80 hours of excused absences, not more than 16 hours per month, are allowed for semester breaks, planned work shutdowns, school appointments, medical appointments for self or dependents, caseworker appointments, child care breakdown, own illness or child illness, family problems including domestic abuse issues, housing issues, transportation breakdown, and other similar problems. In order to count an excused absence as actual countable hours of participation, the individual must have been scheduled to participate in a countable work activity for the period of the absence that is reported as participation. Documentation and verification of all excused absences must be maintained in the case file.

## FLSA Deeming

1. *If the state wishes to use the “deeming” provision permitted at §§ 261.31 and 261.32 for work experience or community service programs, describe how the state determines the work hours requirement, including how the monthly TANF grant and SNAP allotment are combined and divided by the appropriate minimum wage to meet the “core” participation requirement. Include a statement certifying that the state has adopted a SNAP workfare program and a limited or “mini” Simplified SNAP Program.*

The state plans to use the “deeming” provision permitted under Sections 261.31 and 261.32 for determining the maximum monthly hours that a participant may participate in the following state CalWORKs WTW activities: unpaid work experience and unpaid community service. The state received letters dated May 5, 2000, and August 3, 2000, from the United States Department of Agriculture Food and Nutrition Service approving the state’s request for authority to implement a Simplified Food Stamp Program (SFSP). Also, the state certifies that California has adopted a “mini” SFSP in order to count the value of SNAP benefits. The state determines the maximum monthly hours of participation by combining the CalWORKs AU’s grant plus the AU’s portion of the SNAP allotment and dividing it by the state or federal minimum wage, whichever is higher. No more than the number of hours derived from the TANF grant and SNAP allotment calculation will be allowed as participation in these activities. If the actual number of hours of participation in work experience or community service is not sufficient to meet the core hourly requirement but meets the calculated hours, the state will deem 20 core hours. When FLSA “deeming” is used, required hours will be tracked and recorded using the verification and documentation procedures for the work experience and community service activities.

2. *If state policies or procedures differ for work experience and community service programs on FLSA deeming, the state should make those differences clear.*

There is no difference in FLSA deeming for work experience and community service programs.

## IV. WORK-ELIGIBLE INDIVIDUAL

1. *Describe the state’s procedures for identifying all work-eligible individuals, as defined at § 261.2.*

A work-eligible individual is defined as an adult (or minor child head-of-household) receiving assistance under TANF or a separate state program or a non-recipient parent living with a child receiving such assistance (usually a child-only case) unless the parent is:

- A minor parent and not the head-of-household.

- Or, a non-citizen who is ineligible to receive assistance due to his or her immigration status.
- Or, on a case-by-case basis, a recipient of Supplemental Security Income (SSI) benefits.

Effective October 1, 2008, adult applicants of SSI may be retroactively determined to be not work-eligible once they are approved for SSI benefits. Previously reported work participation data may be revised to remove these individuals from work-eligible status. The data revision may include adjustments made retroactively to the beginning of the federal fiscal year that includes the review month. In addition, the revision must occur by the end of the reporting period for the fiscal year, i.e., December 31.

- On a case-by-case basis, a recipient of Supplemental Security Disability Insurance (SSDI) benefits.

Effective October 1, 2008, adult applicants of SSDI may be retroactively determined to be not work-eligible once they are approved for SSDI benefits. Previously reported work participation data may be revised to remove these individuals from work-eligible status. The data revision may include adjustments made retroactively to the beginning of the federal fiscal year that includes the review month. In addition, the revision must occur by the end of the reporting period for the fiscal year, i.e., December 31.

The term also excludes:

- A parent providing care for a disabled family member living in the home, provided that there is medical documentation to support the need for the parent to remain in the home to care for the disabled family member.
- An individual in a family receiving MOE-funded assistance under an approved Tribal TANF program.

Further clarification on work-eligible individuals has been provided in additional instructions to CWDs as follows:

- **Disabled** means either the individual is receiving benefits from State Disability Insurance, Worker's Compensation Temporary Disability Insurance, In-Home Supportive Services, or the Supplemental Security Income /State Supplementary Program (SSI/SSP), or the individual has provided verification from a doctor of his or her disability. For adult family members, disabled also means the individual is temporarily disabled and the disability is expected to last at least 30 days and significantly impairs the individual's ability to be regularly employed or participate in activities. For family members who are children, the disability significantly impairs his or her ability to participate in school activities. In addition to providing verification from a doctor of his or her



disability, the individual will be required to actively seek treatment, if appropriate, as verified by a doctor.

- **Family member** means the individual is a relative living in the household. A relative may be any relation by blood, marriage or adoption who is within the fifth degree of kinship to the dependent child, as defined in CDSS Manual of Policies and Procedures Section 82-808.

2. *Describe verification procedures for ensuring the accuracy in reporting of work-eligible individuals on the TANF Data Report and the SSP-MOE Data Report, including:*

- *The correct reporting of the Work Participation Status of all adult (or minor child head of-household) family members.*
- *The proper identification of TANF Families for inclusion in only the overall work participation rate or the overall and two-parent work participation rates, or exclusion from both the overall and two-parent work participation rates.*

The samples that are used for federal data reporting purposes are pulled based on the TANF and SSP-MOE Sampling Plans using the identified populations (i.e., All Families and Two-Parents) by aid type. Safety net and non-recipient parents living with a child receiving assistance are also included in the samples.

After the sample is drawn, accuracy is verified at both the county and state levels. The work participation status is verified at the time the county gathers documentation to review the case. When the case is returned to the state, state reviewers perform an additional check of work participation status.

TANF and SSP-MOE families are identified for exclusion from the work participation rates or inclusion in the overall work participation rate by county staff while reviewing the sample cases. At the state level, reviewers perform additional reviews of cases included in the sample.

The current data architecture involves splitting and distributing case data to designated Case Review Agencies and merging collected data back into a single database. At any given time, cases within the case database are distributed across multiple computer systems and locations across the state. The current technical architecture includes case review agency workstations for case reviews, repository where dialup modems are used to transmit cases, state local area network, and state case database. The state samples TANF and SSP-MOE cases, and then produces skeleton files that include data that is sorted and transmitted to the case review agencies. The agencies complete the case reviews, which are collected by the state via the repository. The state electronically transmits the completed cases to ACF.

3. *Describe the procedures that show how the state ensures that, for each work-eligible individual, it accurately inputs data into the automated data processing system, properly tracks the hours, and accurately reports countable hours to HHS that do not include participation in an activity that does not meet a Federal definition.*

Based on federal regulations and data reporting instructions, state-specific guidance is developed for county and state staff to use in reporting data, including the instruction to verify all reported data and retain in the case file (manual or electronic) all documentation used for verification as well as instruction about the additional work-eligible individuals.

The state makes sample cases available to county and state staff for review. These sample cases are reviewed by gathering documentation and the accompanying verification of case information, including work participation status and hours of participation. The counties report verified hours of participation and return the cases to the state. The state reviews the sample cases for edits and data consistencies and then transmits the participation data to the federal government. Hours are not counted unless they are documented and verified.

## **V. INTERNAL CONTROLS**

California submits sampled information to meet the mandated reporting requirements. Each sampled case is individually assessed by either state or county staff. Case characteristics and participation information is collected and reported utilizing the RADEP application. The RADEP application replaced Q5i for reviews of cases beginning with the October 2007 sample month. RADEP is a web-based system for quality control and data collection for California's welfare programs. It is used by the state staff and the 19 largest counties in the state to capture SNAP Quality Control, TANF, SSP-MOE data and to transmit data to federal agencies and develop reports. The application has been enhanced to include business rules and edits to assist in accurate and consistent data collection.

1. *Describe the processes, procedures and/or internal controls.*

State staff validates a portion of the federal cases by:

- Performing county-level reviews and analyses of data collection processes, including the county's automated system to determine if data collection complies with the state's approved Work Verification Plan.
- Conducting case validation reviews of work participation findings for individual cases. Sampled cases will be reviewed to determine whether the data was collected in accordance with the approved plan and meets federal and state wage or activity participation reporting requirements.

- Providing technical assistance to counties to assure the accuracy of work participation.

2. *Describe the internal controls to ensure established work verification procedures are properly being employed.*

At the state level, virtually all the work verification procedures identified in this plan are current, well-established procedures used for federal data reporting and/or eligibility determinations. These procedures have been shared, in writing, with the state and county staff that collect data for federal data reporting purposes. In a continuing effort to improve the state's data reporting accuracy, ongoing training and procedural updates are provided to staff. Electronic text help is available in RADEP. A case cannot be completed at the county level without clearing edits generated by the system during the review. In addition, a help desk is staffed for general assistance in the use of the web-based tool.

A secondary review of data elements is completed at the state level using edits generated by the RADEP database. State staff provides technical assistance to counties to assure the accuracy of work participation data reported to ACF. Each county has a state consultant who provides specific assistance to the staff who report TANF and SSP-MOE data.

At the county level, the SAWS consortia have a structure that is used when new regulations or policies are developed by the state. A Change Review Board, where priorities for automation changes are set based on impact to the client caseload, degree of complexity, and implementation date for the program policy changes, is used. The Change Review Board decides whether the regulatory change can be fully automated, partially automated or not automated using manual workarounds. Each consortium notifies its member counties of the implementation process.

3. *Describe the internal controls to control for data errors, including transcription and coding errors, data omissions, computational errors, and compilation errors.*

State staff currently review the data submitted by the counties for inconsistencies and/or errors, including transcription and coding errors, data omissions, computational errors, and compilation errors. On-going training sessions are conducted for state and county staff on the use of the data survey tool, federal work participation elements, and error avoidance.

4. *Describe the checks used to isolate electronic systems and programming errors and the steps to ensure that all work participation report items are internally consistent.*

The state, while working to improve the federal data collection process, has developed business and skips rules within the new data collection software program to address electronic systems and programming errors with the data

collection application. State staff monitors monthly samples to ensure that software is correctly pulling the primary and secondary samples. Some data elements, especially those not applicable in California or to the SSP-MOE program (e.g., Non-custodial Parent Indicator), are automatically populated with an appropriate response. Where appropriate, state and county staff reviewing SSP-MOE cases have the option to overwrite populated elements.

Procedures have been shared, in writing, with the staff that program the electronic systems used for federal data reporting purposes. Electronic text help is available in RADEP. A case cannot be completed at the county level without clearing edits generated by the system during the review. In addition, state staff provides general assistance with the web-based tool.

A secondary review of select data elements is completed at the state level using edits generated by the RADEP database. State staff also provides technical assistance to counties to ensure that data reported to ACF is internally consistent.

At the county level, the SAWS consortia have several methods to isolate system or programming errors and ensure that data is consistent. First, there is a county help desk process. At the local level, when users identify an error, they submit trouble tickets and the help desk analyst determines if it is a user error or system software error. If it is a software error, it is escalated from the county to the Project Help Desk. It is researched and if the issue is determined to be the result of a system defect, there is an analysis of the magnitude and a system fix is developed, tested, and scheduled for release. In addition, an alert system has been built into the application. There are daily, weekly, and monthly alerts of anomalies or potential user errors. These alerts are accessed by the worker, supervisor, and manager. There is also an escalation process that is built into the consortia systems when action is not taken.

Reporting forums exist, such as the Management Reporting Subcommittee, where reports are reviewed and validated among the consortium counties. The subcommittee and related work groups meet on a regular basis. Findings and notes are posted on a website for county use.

5. *Describe any sampling and estimation techniques employed in data validation. Document the soundness of all statistical procedures utilized in the verification process. Fully describe all reasonable estimation techniques. For estimates based on sampling or other statistical techniques, include the step-by-step computations of precision, affirming that the produced estimates are within statistically acceptable levels of reliability and validity.*

We have not implemented any sampling or estimation techniques employed in data validation.

## VI. VERIFICATION OF OTHER DATA USED IN CALCULATING THE WORK PARTICIPATION RATE

In addition to the work activities, the following data elements are used in calculating the TANF and SSP-MOE work participation rates:

- Reporting Month
- Stratum
- Case Number
- Disposition
- Type of Family for Work Participation
- Amount of SNAP Assistance
- Receives Subsidized Child Care
- Amount of TANF (& SSP-MOE) Assistance
- Family Affiliation Code
- Non-custodial Parent Indicator
- Date of Birth (Adult)
- Relationship to Head-of-Household
- Parent with Minor Child
- Work-Eligible Individual Indicator
- Date of Birth (Child)

Information for five of the data elements, Reporting Month, Stratum, Case Number, Date of Birth (Adult) and Date of Birth (Child), is automatically loaded from information provided by MEDS. The remaining data is manually entered by state and county reviewers.

1. *For each of the data elements, describe the state's data validation procedures to ensure "complete and accurate" data reporting.*

For each of the data elements listed above, electronic and manual reviews of case files are completed by state and county staff. At the county level, a case cannot be completed until system-generated edits are addressed and cleared. At the state level, additional edits are generated as part of the system database. In addition, state staff must clear federal edits that are received subsequent to transmission of data to ACF.

State staff validates a portion of the federal cases by:

- Performing county-level reviews and analyses of data collection processes, including the county's automated system to determine if data collection complies with the state's approved Work Verification Plan.
- Conducting case validation reviews of work participation findings for individual cases. Sampled cases will be reviewed to determine whether the data was

collected in accordance with the approved plan and meets federal and state wage or activity participation reporting requirements.

- Providing technical assistance to counties to assure the accuracy of work participation.
2. *Describe any procedures employed to eliminate data inconsistencies between two or more data elements.*

State staff reviews the data for inconsistencies and/or errors prior to final submission to ACF. If necessary, the case is discussed with and/or returned to the county to ensure that the data reported is accurate based on the information obtained from the case file and/or collateral contacts with the recipient, employer, service provider, etc.

### **Work Participation Status**

1. *Describe the state's procedures to ensure that a family is not disregarded from the work participation rate for more than 12 months per lifetime based on being a single custodial parent with a child less than one year of age.*

Counties have been provided instructions, including definitions, on reviewing cases for federal data reporting purposes. Included in these instructions is information on the limitations for single custodial parents with a child less than one year of age. In addition, training is provided to counties to ensure consistency and accuracy. Edits related to the disregard limit appear in RADEP and in the system database at the state level.

In addition, the consortia are programmed to adhere to state regulations, and automatically exempt a single custodial parent with a child less than one for a maximum of 12 months. They provide an area to record exemption only once per lifetime based on a unique identifier of the individual. This information may also be helpful in ensuring the family is not disregarded for more than 12 months per lifetime.

2. *Describe the state's procedures to ensure that a family is not disregarded from the work participation rate for more than three months in the preceding 12-month period based on a work-eligible individual's refusal to participate in work.*

County and state staffs have been provided instructions and training on reviewing cases for federal data reporting purposes. Based on information received from ACF on the federal reporting of sanctioned cases, the limit of three months of 12 preceding months did not previously apply to sanctioned cases in California because the adult was not aided and was removed from the assistance unit.

However, beginning with the October 2006 sample, these cases have been reported to ACF based on modified business rules, edits, and instructions that

have been provided to the data reporting staff. In addition, training was provided to further support these changes.

3. *Describe the state's procedures for ensuring a family deemed engaged in work based on 20 hours of participation in countable work activities meets the requirements of a single custodial parent or caretaker relative with a child under age six.*

The state currently has processes in place to ensure that single custodial parents with a child under age six are meeting the federal requirements. As with other populations, the state has established business rules, edits, and written instructions that assist in the provision of accurate data.

# WINS Tool

## Eligibility Requirements

## Work Verification Requirements

<b>Guidance Reference</b>	ACL 13-71, 13-71E ACIN I-14-14,I-14-14E	ACL 14-51,14-51E ACWDL(December 5, 2014) ACWDL (January 2015) Work Verification Plan (December 2014)
<b>Household (HH)</b>	<ul style="list-style-type: none"> <li>• Must be a CalFresh HH.</li> <li>• Not receiving CalWORKs.</li> <li>• At least one WEI in household meeting work requirements for aid code.</li> <li>• Must have a minor under age 18 years in home.</li> </ul>	<ul style="list-style-type: none"> <li>• Must have received WINS benefit.</li> <li>• Must have at least one WEI in household.</li> <li>• Federally required case characteristics data must be collected and reported.<sup>1</sup></li> </ul>
<b>Household Income</b>	<ul style="list-style-type: none"> <li>• Obtain at:               <ul style="list-style-type: none"> <li>○ Initial application; When HH reports change; SAR 7 submission; recertification.</li> </ul> </li> <li>• Determine using:               <ul style="list-style-type: none"> <li>○ One pay cycle's paystub</li> <li>○ Work number</li> <li>○ Third party verification source (IEVS)</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Only reported as a case characteristic in RADEP.</li> </ul>
<b>Weekly Work Hours</b>	<ul style="list-style-type: none"> <li>• Determine using:</li> <li>• <b>Only Subsidized/Unsubsidized Employment Hours.</b> <ul style="list-style-type: none"> <li>○ Stated or actual hours that meet TANF minimum WPR requirements.</li> <li>○ Only when hours are unavailable may the proxy calculation be used.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• For federal data reporting use:</li> <li>• <b>Actual documented and verified Hours of Participation.</b> <ul style="list-style-type: none"> <li>○ Meets documentation and verification requirements of work verification plan.</li> <li>○ Pay stubs, work number, batch process</li> <li>○ Projection of hours calculations (if <b>no</b> information for HH has changed).</li> <li>○ Third party verification source (IEVS).</li> <li>○ Phone call to recipient for hours worked, and follow-up with verified documentation.</li> <li>○ Verified participation in other federally allowable activities.</li> </ul> </li> </ul>

This tool has been developed to provide counties the distinction of WINS eligibility requirements and WINS work verifications requirements. Should you have any additional questions concerning regarding the differentiation between WINS eligibility and work verification please contact Priscilla Singh at [Priscilla.Singh@dss.ca.gov](mailto:Priscilla.Singh@dss.ca.gov).

<sup>1</sup> Name, contact information, SSN, DOB, citizenship, education, employment information/contact, and hours worked for all activities.