

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, California 95814



July 25, 2006

ALL COUNTY LETTER NO. 06-27

TO: ALL COUNTY WELFARE DIRECTORS
 ALL CalWORKs PROGRAM SPECIALISTS
 ALL WELFARE TO WORK COORDINATORS
 ALL CONSORTIUM PROJECT MANAGERS
 ALL REFUGEE PROGRAM COORDINATORS

SUBJECT: CALIFORNIA WORK OPPORTUNITY AND RESPONSIBILITY TO KIDS
 (CalWORKS) CHANGES TO SANCTION POLICIES

REFERENCE: WELFARE AND INSTITUTIONS (W & I) CODE SECTION 11327.5; ALL
 COUNTY LETTER (ACL) 03-59

REASON FOR THIS TRANSMITTAL

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

The purpose of this letter is to inform counties of a change to the CalWORKs Welfare-to-Work (WTW) program sanction policies resulting from the passage of AB 1808, Chapter 75, Statutes of 2006, and to provide preliminary instructions to counties on implementing this change.

AB 1808 amended Section 11327.5 of the W & I Code pertaining to minimum WTW sanction periods for first, second, third, and subsequent financial sanctions for CalWORKs recipients who do not comply with program requirements. These provisions have been repealed and a new provision has been adopted that allows recipients to cure their sanction at any time, regardless of the number of times they have been sanctioned. The new provision reads as follows:

“An instance of noncompliance without good cause shall result in a financial sanction. This sanction shall terminate at any point if the noncomplying participant performs the activity or activities he or she previously refused to perform.”

This bill also authorized the California Department of Social Services (CDSS) to implement this new WTW provision through ACL. In addition, CDSS will adopt emergency regulations to implement this program change by July 1, 2008.

The new provision, which ends WTW durational sanctions, took effect on July 12, 2006. Effective immediately, an individual may contact the county and request to cure his or her sanction without having to wait a minimum sanction period. Counties must use the curing process for first time sanctions, as outlined in ACL 03-59, to cure all sanctions. There have

been no other changes to the law regarding sanctions. Therefore, counties shall follow all other aspects of the sanction process as set out in ACL 03-59.

In addition, counties must inform in writing, as soon as possible, all individuals who are currently sanctioned, or in the process of being sanctioned, for a second, third, or subsequent financial sanction that they may now contact the county welfare department at any time to make arrangements to cure their sanction. Counties' written notification should include the following suggested language; however, counties may modify the language to include appropriate reference to individual county Welfare-to-Work programs:

"Your family gets less cash aid because of a welfare-to-work sanction. You were sanctioned because you did not meet the welfare-to-work rules. The CalWORKs rules about sanctions have changed. To stop your sanction, you must agree to do what the county says about meeting the welfare-to-work rules. To stop your sanction, you can now contact your county worker at any time. If you do not know your worker's address or telephone number, call your county at _____."

A subsequent ACL will be released that will provide additional guidance to counties, including the transmittal of revised Notice of Action and WTW forms. During this interim period, when issuing one of the Notice of Action forms pertaining to all instances of WTW noncompliance and financial sanctions, counties are instructed to complete the section of the forms that tell an individual "How To Get Back On Cash Aid" by marking the box next to "Contacting the county and telling them you want your cash aid back; then doing what the county asks." Please refer to the example below:

HOW TO GET BACK ON CASH AID

You can get back on cash aid, if you are eligible for it by:

- Contacting the county and telling them you want your cash aid back; then doing what the county asks.*
- Contacting the county no earlier than 45 days before _____, and telling them you want your cash aid back; then doing what the county asks. Even if you do this, your cash aid will not be restored earlier than _____.*

Additionally, if a county uses the WTW 31 (10/03), Request to Stop a Welfare to Work Sanction (Recommended Form), please strikeout some specific language on the form prior to using this form, as illustrated below:

INSTRUCTIONS TO THE CLIENT: *Your family gets less cash aid because of a Welfare to Work sanction. If you want your sanction to stop, ~~and it is your first sanction,~~ you can fill out this form and return it to your Welfare to Work worker right away.*

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~~If this is your second or more time that the county has sanctioned you and you want your sanction to stop, fill out this form. Return this form to your Welfare to Work worker no earlier than 45 days from the date under the "How To Get Back On Cash Aid" section of the Notice of Action (NA 840) sent to tell you that you were being sanctioned.~~

Counties are reminded that they must update their CalWORKs WTW Handbooks to reflect this program change.

If you have questions or need additional information regarding the information in this letter, please contact your CDSS Employment Bureau county consultant at (916) 654-2137.

Sincerely,

CHARR LEE METSKER
Deputy Director
Welfare to Work Division

c: CWDA
CSAC