

DEPARTMENT OF SOCIAL SERVICES



December 28, 1982

ALL-COUNTY LETTER NO. 82-131

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: CONNECTION WITH THE LABOR FORCE, FEDERAL AFDC-U PROGRAM

REFERENCE: EAS 41-440.43

This letter is to remind the counties of the policy for determining a connection with the labor force for AFDC applicants and recipients, including refugee cases that are considered for conversion to federal AFDC-U. It also is to clarify certain factors that are linked to the one-year period immediately prior to the date of application for aid.

We are restating the policy because the preliminary data from the counties for the first quarter of FY 82/83 indicates that there is an unexpected, significant shift of cases from State-only AFDC-U to federal AFDC-U. The Department is planning efforts to determine the causes of the phenomenon.

The policies and guidelines that follow represent the standards by which a connection with the labor force is established and can be used as a practical guide for this purpose.

Concerning the linkage of an unemployed parent, the parent has established a connection with the labor force if he or she earned gross income of at least \$50, or participated in an appropriate work-related training program for at least five days, in any six quarters of any thirteen calendar-quarter period that ends within one year before the date of application for aid. Count quarters in the following manner:

1. Begin with the quarter in which application is made.
2. Count back seventeen quarters, including the quarter of application.
3. In that period, pick a thirteen consecutive-quarter period which includes any six quarters of work, any six quarters of training, or any combination of the two which totals six quarters (EAS 41-440.431 a. and b.). (See attached illustration.)

The Department is initiating action to amend EAS 41-440.431 to specify clearly that work quarters and training quarters may be combined to arrive at the required six quarters.

As an alternative to the above method, the parent can establish the required connection by receiving or being eligible to receive unemployment insurance compensation benefits within one year before application (EAS 41-440.432).

We wish to clarify that the phrase, "within one year previous to application" in Section 41-440.433 is intended only to link this section to 41-440.431 and is not intended to limit information in a sworn statement to a one-year period. This department's position is that a client's sworn statement as to earnings or training information needed to establish a connection with the labor force may cover the entire "six calendar quarters within any 13 calendar-quarter period ending within one year before the date of application for aid." The department is developing an amendment to clarify this regulation.

Work performed either inside or outside the United States should be evaluated identically, including work performed in refugee camps. Earnings eligible for consideration under this section include money and in-kind income.

In WIN, for work-related training to be appropriate, the quality of the training must meet local employers' requirements so that the individual will be in a competitive position within the labor market. A WIN equivalent program (see EAS 41-440.431(b)) must meet that standard. Therefore, any vocationally-oriented training program which is provided to assist individuals to prepare for employment and improve their competitive position in the labor market, e.g., "English-as-a-Second Language for refugees," may be counted towards the quarters of coverage to establish federal AFDC-U eligibility.

In determining eligibility for transfer from Refugee Cash Assistance to the AFDC-U program, counties should continue to use the "dates of application" set forth in parts a. and b. of EAS 41-440.434. However, counties should not continue to use the date, "October 1, 1977" (EAS 41-440.434(c)). That date was to be used during a special federally-mandated conversion of refugees to AFDC which occurred on October 1, 1977. The department is initiating action to repeal EAS 41-440.434(c).

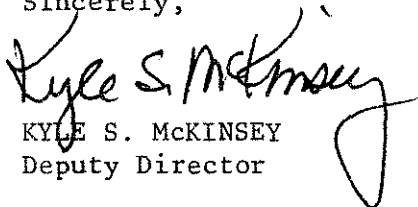
To summarize, for purposes of establishing a connection with the labor force (EAS 41-440.431), the following may be counted:

1. All earnings, in cash or in-kind.
2. Participation in county general relief work programs.
3. CETA and other manpower programs providing employment or employment-related training.
4. English-as-a-Second Language classes for refugees and others who need it in order to improve their competitive position in the labor market.

5. Any vocationally-oriented training program which meets the standard for WIN equivalency as described above in this letter.

If you have any questions or concerns, please contact your AFDC Management Consultant at (916) 445-4458.

Sincerely,



Kyle S. McKinsey

KYLE S. MCKINSEY
Deputy Director

Attachment

cc: CWDA