

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



August 3, 1983

ALL-COUNTY LETTER NO. 83-76

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: FEDERAL AFDC-U ELIGIBILITY

REFERENCE: EAS SECTION 41-440 AND ALL COUNTY LETTER NO. 82-131

This letter replaces All County Letter No. 82-131 concerning connection with the labor force and covers general federal AFDC-U eligibility requirements. Policy changes required because of the March 28, 1983 revision of EAS Section 41-440.431(b) are incorporated in this letter.

GENERAL (EAS Sections 41-440.1 and 41-440.411)

In order to establish deprivation on the basis of unemployment, both natural or adoptive parents must live in the home. The principal earner parent must be unemployed or employed less than 100 hours per month. The 100-hour limitation does not apply to the other parent.

PRINCIPAL EARNER (EAS Section 41-440.411)

For federal eligibility purposes, the principal earner is whichever parent earned the greater amount of income in the 24-month period prior to the latest application or request for AFDC-U. That parent is the one required to have a connection with the labor force. If the second parent could establish a labor force connection, but the principal earner parent cannot there is no federal eligibility.

DATE OF APPLICATION (EAS Section 41-440.431)

The date of application for purpose of determining both the principal earner and a connection with the labor force is the latest date of application or request for AFDC-U, interprogram status change, or interprogram transfer to federal AFDC-U. An "application" for this purpose is not limited to taking a CA 1 or CA 2, but can include any method of requesting aid, such as a CA 7, CA 8, CA 20 or other documented contacts.

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. The Department is processing an amendment to delete this phrase from Section 41-440.433.

EAS Section 41-440.434 provides three optional dates which can be used to establish a connection with the labor force for refugee cases converting to AFDC-U. The Federal Government has informed us that the authority for the provisions of this section was intended to be used for a short time frame and solely to implement Public Law 94-145 which was effective October 1, 1977. Therefore, a repeal of EAS Section 41-440.434 is in process.

CONNECTION WITH THE LABOR FORCE (EAS Section 41-440.43)

Earnings/Training (EAS Section 41-440.431)

The principal earner establishes a connection with the labor force if he or she earned gross income of at least \$50, or participated in Work Incentive Program (WIN) or Community Work Experience Program (CWEP) training for at least five days during a calendar quarter in any six calendar quarters of any thirteen consecutive calendar-quarter period that ends within one year before the date of application or request for aid on the basis of the unemployment of a parent.

Calendar quarters are counted as follows:

1. Count back sixteen calendar quarters beginning with the calendar quarter which ends before the date of application.
2. In that period, pick a thirteen consecutive calendar quarter period which includes:
 - a. Any six calendar quarters of earnings, or
 - b. Any six calendar quarters of WIN or CWEP training, or
 - c. Any combination of earnings and WIN or CWEP training which totals six calendar quarters. (See attached illustration.)

Earnings that are acceptable to establish a connection with the labor force include earnings in-kind or in cash. Earnings from work performed either inside or outside the United States, including work performed in refugee camps, are acceptable.

Subsequent to the release of All-County Letter 82-131, the Federal Government informed us that participation in a county General Assistance (GA) work program in order to qualify for GA aid payments does not meet the definition of earned income for purposes of establishing a connection with the labor force.

Training quarters that are acceptable to establish a connection with the labor force are limited to quarters in which the applicant participated in WIN or CWEP.

In summary, for purposes of establishing a connection with the labor force based on earnings and/or training the following may be counted:

1. All earnings, in cash or in-kind.
2. CWEP training.
3. WIN training.

Unemployment Insurance Benefits (UIB) (EAS Section 41-440.432)

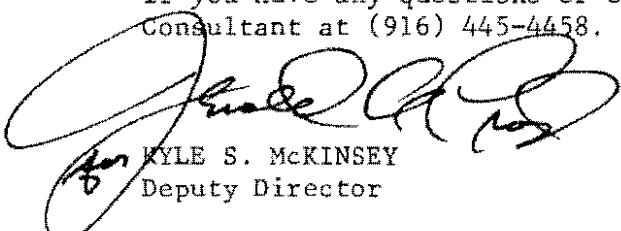
The principal earner also establishes a connection with the labor force when:

1. He or she is receiving UIB, or
2. He or she would have been eligible for UIB if he or she had applied for UIB within one year before the date of application, or
3. He or she would have been eligible to receive UIB had his or her work been covered by the Unemployment Compensation Law.

VERIFICATION OF WORK HISTORY (EAS Sections 40-115.22 and 41-440.433)

A client's sworn statement as to earnings or training is sufficient to establish a connection with the labor force. Such sworn statement may cover any or all of the six quarters. Work history information on the CA 2, or any other form which is signed under penalty of perjury also is acceptable. The counties may request a separate, specific sworn statement. However, refusal by the applicant to provide a duplicate statement would not be cause for denial or discontinuance.

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



KYLE S. MCKINSEY
Deputy Director

Attachment

cc: CWDA