



CDSS

WILL LIGHTBOURNE
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES

744 P Street • Sacramento, CA 95814 • www.cdss.ca.gov



EDMUND G. BROWN JR.
GOVERNOR

May 9, 2013

ALL COUNTY LETTER NO. 13-37

REASON FOR THIS TRANSMITTAL

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

TO: ALL COUNTY WELFARE DIRECTORS
 ALL CALWORKS PROGRAM SPECIALISTS
 ALL WELFARE-TO-WORK COORDINATORS
 ALL COUNTY REFUGEE COORDINATORS
 ALL COUNTY CALFRESH SPECIALISTS
 ALL CONSORTIA REPRESENTATIVES
 ALL TRIBAL TANF ADMINISTRATORS

SUBJECT: CALIFORNIA WORK OPPORTUNITY AND RESPONSIBILITY TO KIDS (CalWORKs) RELEASE OF THE SECOND SET OF WELFARE TO WORK (WTW) 24-MONTH TIME CLOCK QUESTIONS AND ANSWERS, AND ASSOCIATED WELFARE DATA TRACKING IMPLEMENTATION PROJECT (WDTIP) TRACKING RECIPIENTS ACROSS CALIFORNIA (TRAC) IMPACT CODES

REFERENCE: Senate Bill (SB) 1041 (Chapter 47, Statutes of 2012); All County Letters (ACLs) 12-53, 12-67, 12-69, 12-72, 13-01, 13-02, 13-12, 13-15, and 13-19; All County Information Notice I-08-13; Welfare and Institutions Code (WIC) Sections 11322.8, 11322.85, 11322.86, and 11322.87.

The purpose of this letter is to provide answers to questions that the California Department of Social Services (CDSS) has received regarding the implementation instructions issued to County Welfare Departments (CWDs) for major changes that were made to CalWORKs WTW requirements and the creation of the WTW 24-Month Time Clock pursuant to SB 1041. This letter also transmits two new WDTIP TRAC codes associated with new WTW 24-Month Time Clock exceptions.

This letter addresses questions related to the implementation of the new WTW 24-Month Time Clock, including but not limited to clarifying information regarding job search, WTW good cause, and WTW plans. Initial implementation instructions for these program changes are contained in ACLs 12-67 and 12-69. The first set of questions and answers relating to these program changes is contained in ACL 13-15. The second

set of questions and answers relating to these program changes can be found in Attachment A of this letter.

The TRAC system is being modified to capture all cumulative months used by all mandatory WTW participants as part of the new WTW 24-Month Time Clock. ACL 13-19 provided initial TRAC system WTW 24-Month Time Clock exception codes. This letter provides additional exception codes to the WTW 24-Month Time Clock (please see Attachment B). Any additional codes associated with the WTW 24-Month Time Clock, including those relating to WTW 24-Month Time Clock extenders, will be distributed under separate cover at a later date.

If you have any questions or need further information regarding this letter, please contact the following CDSS representatives:

- CalWORKs Eligibility County Consultant (916) 654-1322
- Employment Bureau County Consultant (916) 654-2137
- Child Care Programs (916) 657-2144
- Program Integrity (WDTIP) (916) 654-2125
- Refugee Programs (916) 654-4356

Sincerely,

Original Document Signed By:

TODD R. BLAND
Deputy Director
Welfare to Work Division

Attachments

ATTACHMENT A

Questions (Q) and Answers (A)

WTW 24-Month Time Clock – General

1. Q: All County Letter (ACL) 12-67 states that a month in which a client is participating in job search does not count toward the WTW 24-Month Time Clock. What are the limitations to this provision? If the client is only participating in job search for one week of the month or only doing a small number of hours each week, does that month count toward the WTW 24-Month Time Clock?

A: Participation that includes a job search activity may stop a client's WTW 24-Month Time Clock when any of the following conditions are met:

Condition #1: The client is participating in activities, including job search or job readiness, that meet CalWORKs federal standards. To meet CalWORKs federal standards, job search and job readiness is limited to four consecutive weeks, not to exceed six weeks, in a 12-month period. When California is a Needy State the 12-month total in job search and job readiness cannot exceed 12 weeks.

Condition #2: The client is participating in job search as part of the development of his or her WTW plan.

Condition #3: The client is participating in a WTW Plan where job search is at least 50 percent of the client's participation hours in the month. This is allowed for two months in a 12-month period and the client must first exhaust his or her federally countable job search allowance, as discussed in Condition #1 above.

As a reminder, in two-parent families, each parent has his or her own WTW 24-Month Time Clock. Months do not count toward either parent's WTW 24-Month Time Clock when one or both parents are meeting the 35-hour two-parent CalWORKs federal standards, based on participation in job search or job readiness (Condition #1). When time is not counted toward the first parent's WTW 24-Month Time Clock due to job search participation consistent with Condition #2, months would be counted toward the second parent's WTW 24-Month Time Clock based on that second parent's status or participation, not the first parent's participation. When time is not counted towards the first parent's WTW 24-Month Time Clock due to job search participation consistent with Condition #3, months would be counted toward the second parent's WTW 24-Month Time clock based on that second parent's status or participation, with the exception of the situation where the first parent is otherwise meeting the entire families 35-hour two-parent participation requirement. In that case, as discussed

in Question and Answer #4 of this ACL, the second parent would be excused from participation and time would not count toward the second parent's WTW 24-Month Time Clock.

Example #1: Jane is a single parent with a child under six. Jane became employed after a six-week pre-assessment job search and is meeting her 20-hour per week participation requirement through her employment. Jane is laid off at work and asks the CWD to allow her to participate in job search so that she can find a new job. The CWD and Jane immediately develop a new WTW plan that allows her to participate in job search 20 hours a week for two months. Jane begins her job search activity on July 1, 2013, finds a new job on July 19, 2013, and begins working in her new job on July 22, 2013.

Jane had already exhausted her six-week limit of federally allowable job search participation prior to being laid off, but the CWD will still not count the month of July 2013 toward her WTW 24-Month Time Clock. This is based on the fact that she met the requirements of Condition #3 above; that is, she participated in a WTW Plan where job search was her primary activity accounting for more than 50 percent of her hours that month and she had yet to exhaust her two month limit for this condition.

Example #2: Jill and Tom are a two-parent family, with an eight year old child and 35 hour per week participation requirement. Jill works 20 hours per week and Tom works 15 hours per week, thereby fulfilling their WTW participation requirement. Jill is laid off at work and asks the CWD to allow her to participate in job search so that she can find a new job. The CWD and Jane immediately develop a new WTW plan that allows her to participate in job search 20 hours a week for two months. Jill begins her job search activity on July 1, 2013, finds a new job on July 19, 2013, and begins working in her new job on July 22, 2013.

Jill had already exhausted her six-week limit of federally allowable job search participation prior to being laid off. The CWD will still not count the month of July 2013 toward her WTW 24-Month Time Clock. This is based on the fact that she met the requirements of Condition #3 above; that is, she participated in a WTW Plan where job search was her primary activity accounting for more than 50 percent of her hours that month and she had yet to exhaust her two month limit for this condition.

However, Tom's WTW 24-Month Time Clock was running in the month of July because he continued to only be employed for 15 hours a week. If in the month of July, Tom had changed his participation in order to allow the family to meet the 35-hour two-parent CalWORKs federal standards, then the month would not have counted toward his WTW 24-Month Time Clock.

2. Q: ACL 12-67 contains a list of conditions that allow a month to not count toward a client's WTW 24-Month Time Clock. One of these conditions is when a client has good cause for not participating in WTW. If a client has good cause at any time in a month, even if only for one day of missed work due to a flat tire, for example, would that month be counted toward his or her WTW 24-Month Time Clock?

A: A month in which a client is given good cause for not participating in WTW for at least 50 percent of his or her hourly work participation requirement will not count toward the client's WTW 24-Month Time Clock. If a client misses work for only one day (i.e. due to a flat tire or another good reason), but continues to receive WTW services for that month, then that month would count toward his or her WTW 24-Month Time Clock.

3. Q: When do months not count toward the WTW 24-Month Time Clock for teen parents who are attending school?

A: Months do not count toward the WTW 24-Month Time Clock any time the teen parent meets one of the following conditions:

Condition #1: The teen parent is eligible for Cal-Learn.

Condition #2: The teen parent is not eligible for Cal-Learn, but meets another condition that would allow months to not count toward the WTW 24-Month Time Clock, such as a WTW exemption, or meeting CalWORKs federal standards.

Note: Single head of household teen parents or married teens under the age of 20 who are making satisfactory progress in secondary school or who are participating in education directly related to employment for an average of at least 20 hours per week are meeting CalWORKs federal standards, which causes time not to count toward the WTW 24-Month Time Clock.

4. Q: If an excused second parent in a two-parent family chooses to volunteer, will time count towards this excused parent's WTW 24-Month Time Clock?

A: No. When one parent in a two-parent family fully meets the 35-hour participation requirement, the second parent may be excused from WTW participation. In this situation, regardless of whether the excused parent volunteers to participate, time does not count towards the excused parent's WTW 24-Month Time Clock until or unless the mandatory parent fails to meet the 35-hour participation requirement. In addition, if the mandatory and excused parents' combined number of hours and activities is such that the family meets the CalWORKs federal standards, then the mandatory parent's WTW 24-Month Time Clock will also stop.

The Work Participation Rate (WPR) and the WTW 24-Month Time Clock

5. Q: Does the federal 30 percent limit on the number of families in vocational education that a state can count toward the federal work participation rate affect the number of clients who are allowed to participate in vocational education under the new WTW 24-Month Time Clock rules?

A: No, California law has adopted no limit that mirrors the federal 30 percent limitation on the number of individuals participating in vocational education and teens participating in secondary school or education directly related to employment that can count toward the Temporary Assistance for Needy Families (TANF) work participation rate numerator. As a result, the federal 30 percent limit will have no effect on the number of clients who may engage in education before and after the expiration of their WTW 24-Month Time Clock.

WTW Plans

6. Q: When a client completes a WTW plan and needs a new or amended plan, does time stop counting toward his or her WTW 24-Month Time Clock when the first plan ends and then start counting toward it again once a new or amended plan is signed?

A: Yes. When a client completes a WTW plan and does not have a new or amended WTW plan ready to sign, he or she is in the process of developing a WTW plan. Months in which the client is developing a new or amended WTW plan do not count toward the WTW 24-Month Time Clock until the month after the client signs a new WTW plan that includes mutually agreed upon activities and necessary supportive services. An exception would be if a client's WTW plan ends and he or she signs a new or amended WTW plan in which his or her activities do not actually start before the first of the following month after the WTW plan is signed. In this case, the client should be given good cause for not participating and time would not count toward his or her WTW 24-Month Time Clock until the first month that the activities are available and account for at least 50 percent of the client's participation hours in the month.

7. Q: Can a client be sanctioned for failing to participate more than 20, 30, or 35 hours per week, when additional hours are included in the WTW plan?

A: Except for unapproved reductions due to the client's failure to continue employment or continue employment at the same level of earnings without good cause, clients may not be subject to sanction for failing to participate any number of hours beyond the required 20, 30, or 35 hours per week for WTW participation, even though additional hours may be written into the client's WTW plan. The additional hours must be agreed upon by the client and CWD.

WELFARE TO WORK (WTW) 24-MONTH TIME CLOCK WDTIP/TRAC EXCEPTION CODES

PGM EXC CD	PGM EXC RSN CD	START DATE	END DATE	PROGRAM EXCEPTION REASON NAME	PROGRAM EXCEPTION REASON TEXT	PGM EXC TANF 60 FG	PGM EXC CW 48 FG	PGM EXC WTW 24 FG
03	322	01/01/2013		Participating in WTW Job Search	WTW 24-Month Time Clock – Months an individual is participating in a WTW plan where job search accounts for at least 50 percent of the client’s participation hours in the month, will not count toward his or her WTW 24-Month Time Clock. This is allowed for two months in a 12-month period and the client must first exhaust his or her federally countable job search allowance.	Y	Y	N
04	408	01/01/2013		WTW Good Cause	WTW 24-Month Time Clock – Months an individual is given good cause for not participating in WTW for at least 50 percent of his or her hourly work participation requirement will not count toward the client’s WTW 24-Month Time Clock. This does not include good cause waivers due to domestic violence; those are tracked under separate codes.	Y	Y	N