

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



October 29, 1997

ALL-COUNTY LETTER NO. 97-72

REASON FOR THIS TRANSMITTAL

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

TO: ALL COUNTY WELFARE DIRECTORS
 ALL COUNTY GAIN COORDINATORS
 ALL COUNTY CAL-LEARN COORDINATORS
 ALL COUNTY CAL-LEARN CASE MANAGEMENT AGENCIES

SUBJECT: CALIFORNIA WORK OPPORTUNITY AND RESPONSIBILITY TO
 KIDS (CalWORKs) IMPLEMENTATION OF THE WELFARE-TO-
 WORK PROVISIONS

REFERENCE: ASSEMBLY BILL (AB) 1542, CHAPTER 270, STATUTES OF 1997
 ALL COUNTY INFORMATION NOTICE I-51-97

The purpose of this letter is to provide the guidelines or implementation instructions requested by County Welfare Departments (CWDs) on the CalWORKs welfare-to-work provisions contained in AB 1542. This bill authorizes the California Department of Social Services (CDSS) to implement the statute initially through the All County Letter (ACL) process in order to meet the January 1, 1998 implementation date.

This ACL transmits guidelines, including some existing regulations, draft forms, general information on fiscal claiming and data reporting, to assist counties with welfare-to-work program implementation. Existing Greater Avenues for Independence (GAIN) regulations will be repealed effective January 1, 1998. These guidelines will take the place of those regulations. The CDSS will adopt any necessary regulations, in addition to these guidelines, by July 1, 1998.

GUIDELINES

As part of the AB 1542 implementation process, CDSS and the County Welfare Directors Association (CWDA) worked closely together to develop these implementation instructions (See Attachment 1). Representatives from CWDA met regularly with CDSS staff, and at county request and with county input and advice, the attached guidelines were developed. They have been formatted to assist counties in expeditiously implementing their programs while allowing maximum flexibility within county administration.

At the request of county representatives in the CWDA/CDSS workgroup, these guidelines have paraphrased portions of the statute for consistency and to provide clarification. AB 1542 also maintained existing statutes that explicitly require the Department to promulgate regulations in the areas of:

- Regional market rates for transportation;
- Employee displacement grievance procedures; and
- Reasonable cost-effective methods for the recoupment of overpayments.

In these three areas, the Department has included current regulations in the guidelines. The Department has also included current regulations in the guidelines where litigation issues continue to apply in the areas of supportive services payments and recoupment of overpayments.

The compliance process in these guidelines reflects a modification of the GAIN conciliation process. These modifications result in a shorter, less complex process as compared to current requirements.

In addition, the federal requirements regarding participation rates, hourly participation requirements, and allowable activities have been added at county request to assist in the assignment of individuals to welfare-to-work activities. They are not intended to be used to calculate individual county participation rates. Further information on calculation of participation rates will be provided at a later date. In accordance with AB 1542, if California does not meet these requirements, counties that fail to meet these requirements would be required to share any penalty imposed on the State.

IMPLEMENTATION

The GAIN program regulations effective in the county on December 31, 1997 shall remain in effect until welfare-to-work requirements become operative in the county. The provisions of this program become operative no sooner than January 1, 1998. The attached guidelines provide information on how counties will implement the welfare-to-work program for applicants and recipients, and how to phase in GAIN participants. Counties may also choose to implement the welfare-to-work compliance provisions and Cal-Learn program provisions prior to the time that the county implements its welfare-to-work program provided the provisions are implemented on a county-wide basis and recipients are notified of the changes at least 30 days prior to the change.

FISCAL CLAIMING

The Fiscal Policy Bureau, in collaboration with the CWDA Cost Allocation Plan (CAP) Workgroup, recently received federal approval of amendments to the CWD CAP, allowing counties greater flexibility for distributing administrative costs and improving methods of charging costs directly to benefiting functions and programs, including one-time startup costs for new programs and/or program expansions. Related time study and claiming information has been transmitted via County Fiscal Letter (CFL) Nos. 97/98-01, dated July 2, 1997 and 97/98-26, dated October 15, 1997.

This flexibility will prove useful as counties begin program and financing strategies under the Temporary Assistance for Needy Families TANF/CalWORKs block grant.

Currently, the CDSS/CWDA CAP Workgroup is in the process of developing additional CAP amendments in order to meet the needs of CalWORKs. It is expected that with the combining of the Aid to Families with Dependent Children (AFDC) and Greater Avenues for Independence (GAIN) Programs under “CalWORKs,” consolidation of program codes will likewise be accomplished.

Implementing time study instructions for the CalWORKs program will be released in December 1997, effective the January-March 1998 quarter. In addition, any new assistance (aid) claiming instructions resulting from AB 1542 will also be released in December.

DATA REPORTING

In order to address CalWORKs data reporting needs as expeditiously as possible the CDSS Information Services Bureau and CWDA have established a sub-committee to specifically review these issues as well as decisions on program implementation that directly impact data requirements. Meetings of the subcommittee began in September to incorporate program implementation decisions and address the most critical reporting issues. We anticipate that this process will be ongoing over the next several months. Information will be provided regarding new or revised reporting requirements on a flow basis via ACL.

OVERPAYMENTS AND FRAUD

AB 1542 requires counties to take all reasonable steps necessary to promptly correct any overpayment or underpayment of supportive services payments to a recipient or a service provider, including but not limited to those involving fraud, consistent with procedures developed by CDSS [Welfare and Institutions Code (WIC) Section 11323.4(b)]. Counties should identify and track any overpayments involving recipients or providers, and should pursue collection of those overpayments.

Overpayments resulting from suspected fraud on the part of the recipient or provider should be referred for investigation, subject to the county’s criteria for fraud referrals.

STATE HEARINGS

State hearings are a part of the welfare-to-work provisions contained in AB 1542. While these guidelines permit counties the maximum flexibility in the implementation of welfare-to-work activities, participants continue to have all due process rights granted pursuant to Chapter 7 (commencing with WIC Section 10950) of Part 2. Participants may request a state hearing to review actions taken pursuant to county procedures developed to implement these welfare-to-work provisions.

FORMS AND NOTICES OF ACTIONS (NOA)

Attached Forms and NOAs

Attachment 2 contains the reproducible copies of Welfare-to-Work forms and NOAs required by state law. These forms and NOAs were developed with input and advice from the CWDA/CDSS workgroup. Attachment 3 contains model language for a description of the Welfare-to-Work program which could be used in place of the GAIN Guidebook.

Camera-ready Copies

Counties may obtain camera-ready copies of the English and/or Spanish versions of the attached forms and NOAs by calling or writing:

CDSS Forms Management Unit
744 P Street, MS 7-182
Sacramento, CA 95814
(916) 657-1907/ATSS 437-1907

Counties may obtain camera-ready copies of the attached forms and NOAs translated into the three standard Asian languages by writing to the CDSS Forms Management Unit at the above address or by calling (916) 654-1282/ATSS 464-1282.

IMPLEMENTATION

County Welfare Departments (CWDs) must provide all recipients with the TEMP 2146 informing notice prior to the county's implementation of the county's CalWORKs welfare-to-work program and the TEMP 2147 informing notice prior to January 1, 1998 if the county is not implementing its CalWORKs program on January 1, 1998.

If you have any questions regarding this letter or need additional information, please contact the following staff:

Subject	Contact Person	Telephone Number
Implementation of CalWORKs Welfare-to-Work Requirement	Stan Cagle	(916) 654-6480 or CALNET 464-6480
Time Limits	Julieta Leon	(916) 654-1785 or CALNET 464-1785
Welfare-to-Work Participation Requirements	Pat Sherard	(916) 654-8273 or CALNET 464-8273

Subject	Contact Person	Telephone Number
Exemptions and Good Cause for Not Participating	Julieta Leon	(916) 654-1785 or CALNET 464-1785
Federal Work Participation Requirements	Stan Cagle	(916) 654-6480 or CALNET 464-6480
Community Service Activities	Neil Shiffler	(916) 654-1421 or CALNET 464-1421
Welfare-to-Work Activities	Stan Cagle	(916) 654-6480 or CALNET 464-6480
Supportive Services (excluding child care)	Pat Sherard	(916) 654-8273 or CALNET 464-8273
Job Retention	Pat Sherard	(916) 654-8273 or CALNET 464-8273
Nondisplacement Protections	Randy Shiroy	(916) 654-1527 or CALNET 464-1527
Other Providers of Activities and Services	Julieta Leon	(916) 654-1785 or CALNET 464-1785
Noncompliance with Program Requirements	Julieta Leon	(916) 654-1785 or CALNET 464-1785
Cal-Learn Program-Teen Parents	Sonya Kinanahan	(916) 654-0708 or CALNET 464-0708
School Attendance	Pat Sherard	(916) 654-8273 or CALNET 464-8273

Sincerely,

BRUCE WAGSTAFF
Deputy Director
Welfare to Work Division

Attachments

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CalWORKs IMPLEMENTATION GUIDELINES

October 29, 1997

I. IMPLEMENTATION OF CalWORKs WELFARE-TO-WORK REQUIREMENTS

- A. **Effective Date of Welfare-to-Work Requirements.** The Greater Avenues for Independence (GAIN) program regulations effective in the county on December 31, 1997 shall remain in effect until welfare-to-work requirements become operative in the county. The provisions of this program become operative no sooner than January 1, 1998. With the exception of the time limits as discussed in Section II, all CalWORKs welfare-to-work provisions will become operative on the date the county implements its welfare-to-work program, subject to the following requirements:
1. An informing notice must be sent to all recipients in the county the month before the county may apply the new welfare-to-work requirements.
 2. The county may require an existing GAIN participant to enter into a new welfare-to-work plan prior to completion of the activities in the GAIN contract in which the individual is satisfactorily participating. New requirements (including, but not limited to, hours and/or activities) and services may be added to those in the contract, but no assignment(s) may be withdrawn prior to completion without the participant's written consent.
 3. Counties that wish to implement the welfare-to-work compliance provisions and/or the Cal-Learn program provisions on or after January 1, 1998, but prior to the time that the county implements its welfare-to-work program, may do so provided that the provisions are implemented on a county-wide basis and recipients are notified of the changes at least 30 days prior to the change.
- B. **Enrollment of New Applicants.** The county shall begin enrolling all new applicants for aid in its welfare-to-work program by March 10, 1998 or two months after certification of the county plan, whichever is later. The 18-month time limit period (see Section II, Time Limits) starts for each new applicant on the date the individual signs, or refuses, without good cause, to sign a welfare-to-work plan. 10532(c)(1)
- C. **Enrollment of Existing Recipients.** A parent or caretaker relative who was receiving aid in the month prior to implementation of CalWORKs in the county must be enrolled in the welfare-to-work program no later than January 1, 1999. The 24-month time limit starts on the date the recipient signs, or refuses, without good cause, to sign a welfare-to-work plan. 10532(c)(2)
- D. **Time Limits.** No month in which aid has been received prior to January 1, 1998, will be taken into consideration in computing the 18-month, 24-month, or 60-month limit. 11454(c)

II. TIME LIMITS

A. 18 and 24-month Time Limits

1. **New Applicants.** Except as otherwise provided in these guidelines, a parent or caretaker relative who is a new applicant upon implementation of the welfare-to-work program in the county is not eligible to receive aid for a cumulative period of more than 18 months (see implementation instructions), unless it is certified by the county that there is no job currently available for the recipient and the recipient either works in unsubsidized employment and/or participates in community service activities for the required minimum hours. 11454(a)(1)

The time limit period begins for each individual on the beginning date of cash aid.

The county may extend the 18-month limit by up to six months if the county determines that the extension is likely to lead to unsubsidized employment or if local unemployment or other conditions in the local economy are such that employment is not available. 11320.1(c) Each county shall adopt criteria for extending the 18-month limitation for up to six months. 11454(d)

2. **Existing Recipients.** A parent or caretaker relative, who was receiving aid in the month prior to implementation of the welfare-to-work program in the county, is not eligible to receive aid for a cumulative period of more than 24 months, unless it is certified by the county that there is no job currently available for the recipient and the recipient either works in unsubsidized employment and/or participates in community service activities for the required minimum hours. 11454(a)(2) The time limit period starts on the date the recipient signs, or refuses, without good cause, to sign a welfare-to-work plan. 10532(c)(1)
3. **Participation after Time Limits.** A parent or caretaker relative recipient who is subject to the 18 or 24-month time limit, who is working in unsubsidized employment for less than the required minimum hours, and for whom no job is currently available for the required number of hours, will remain eligible for aid by participating in community service activities for the additional number of hours required. 11454(a)(4)

If an individual has received aid for a cumulative period of more than 18 or 24-months and returns to aid after a break in aid of at least one month, the county determines whether to require the individual to participate in community service or in welfare-to-work activities. 11320.1(c)

4. **Job Not Available.** For purposes of these time limits, “no job is currently available” if a recipient has taken and continues to take all steps to apply for appropriate positions and has not refused an offer of employment without good cause. 11454(a)(3)

5. **Aid Excluded from 18 and 24-Month Time Limit Periods.** A month of receipt of aid will not count toward the 18 or 24-month time limit period when it is a month in which the individual is:
 - a. Not required to participate in welfare-to-work activities because they are exempt from participation, as described under subsection IV., A., 2., a-h, for a condition that is expected to last at least 30 days. 11320.3(b) and 11454.5
 - b. Eligible for, participating in, or exempt from, the Cal-Learn program, or participating in another teen parent program approved by the California Department of Social Services (CDSS). 11454.5(a)

III. WELFARE-TO-WORK PARTICIPATION REQUIREMENTS

A. Hours of Participation

1. **Adult in One-Parent Assistance Unit.** Unless exempt from participation, an adult recipient in a one-parent assistance unit shall participate each week in welfare-to-work activities for a minimum average of at least:
 - a. 20 hours each week beginning January 1, 1998.
 - b. 26 hours each week beginning July 1, 1998.
 - c. 32 hours each week beginning July 1, 1999, and thereafter.

In no event shall the adult recipient participate in welfare-to-work activities less than the hours of participation required under current and future federal law for the entire time period on aid (also see Section V. Federal Work Participation Requirements). The county has the option to require all recipients or individual recipients to participate in welfare-to-work activities in excess of the minimum number of hours specified up to 32 hours each week. 11322.8(a)

2. **Adult(s) in Two-Parent Assistance Unit.** Unless exempt from participation, an adult recipient whose basis for aid is unemployment shall participate in at least 35 hours of welfare-to-work activities each week that will meet the hours of participation required under current and future federal law. However, both parents in a two-parent assistance unit may contribute to the 35 hours, if at least one parent meets the federal work requirement of a minimum average of: 20 hours per week applicable on January 1, 1998, 25 hours per week applicable on January 1, 1999, and 30 hour per week applicable on January 1, 2000 or thereafter.

If the family receives federally funded CalWORKs child care, both parents shall participate to meet the family's minimum participation requirement of at least 55 hours per week in work activities. The 55-hour requirement does not apply to the family if an adult in the family is disabled, caring for a severely disabled child, or if non-federal funds are used for child care. 11322.8(b)

- B. **Assignment of Welfare-to-Work Activities.** After aid has been granted, recipients who are not exempt will be required to participate in welfare-to-work activities in the sequence described below. Note under "Orientation and Appraisal" (see B., 2.) and Job Search (see B., 3.) that applicants may participate in these activities on a voluntary basis. 11320.1

Cal-Learn Exclusion. Section III. will not apply to individuals who are eligible for, participating in, or are exempt from the Cal-Learn program or another teen program approved by CDSS. 11325.21

1. **Program Information for Applicants.** At the time an individual applies for aid or at the time a recipient's eligibility for aid is determined, the County Welfare Department (CWD) shall provide the individual, in writing and orally as necessary, with information including:
 - a. A general description of the education, employment, and training opportunities and the supportive services available, including transitional benefits.
 - b. A description of the exemptions from required participation provided in Section IV. and the consequences of a refusal to participate in program components if not exempt.

At the time an individual is required to participate in welfare-to-work activities, he or she shall receive a written preliminary determination, if applicable, that he or she is a member of a targeted group, for purposes of any federal or state employer tax credit that may be operative. 11324.8

2. **Orientation and Appraisal.** Recipients are required to participate in these activities. At the option of the county, applicants may voluntarily participate with their consent. 11320.1(a)

At the time a recipient enters the welfare-to-work program, the county shall conduct an appraisal, during which the recipient is informed of the requirement to participate in available training opportunities, and of available supportive services. The appraisal shall provide information about the recipient's employment history and skills, need for supportive services, and any other information the county requires in order to assign welfare-to-work activities appropriately. 11325.2

3. **Job Search.** Recipients are required to participate in job search activities. At the option of the county, applicants may voluntarily participate with their consent. 11320.1(a)

Upon completion of appraisal, all participants, except those specified below, shall be assigned to participate for a period of up to four consecutive weeks in job search activities. These activities may include the use of job clubs to identify the participant's qualifications. The county must consider the skills and interests of participants in developing a job search strategy. 11325.22(a)

Length of Job Search. The period of job search activities may be shortened if the participant and the county agree that further activities would not be beneficial. The county, at its option, may also shorten job search activities for a recipient if the county determines that the recipient will not benefit because he or she may suffer from an emotional or mental disability that will limit or preclude the recipient's participation under this article. 11325.22(a)

Job search activities may be required in excess of four weeks if the county determines that the recipient's performance during job search indicates unsubsidized employment would result from extending the job search period. However, no more than four consecutive weeks may be counted toward meeting federal work participation rates. 11325.22(a); 42 U.S.C. 607 (c)(2)(A)(I)

Exclusions from Mandatory Job Search. An individual is not required, but is permitted, to participate in job search as required in subsection B., 3., if:

- a. The job search schedule will interfere with unsubsidized employment or participation in an approved self-initiated program (SIP). See subsection B., 4., regarding SIPs.
- b. The individual is required to participate in Cal-Learn or is 19 years old and has not yet earned a high school diploma or equivalent certificate. These individuals are required to participate in the job search activities as described above upon reaching age 20 or earning a high school diploma or its equivalent, if they have not already taken the option to complete these activities as their first program assignments following appraisal. 11325.22(a)

4. **Self-Initiated Programs (SIPs).** Except as provided below, any student who, at the time he or she is required to participate under the welfare-to-work activities in accordance with the exemptions in these guidelines, is enrolled in any undergraduate degree or certificate program that leads to employment may continue in that program for the 18- or 24-month time period specified in subsection II., A., 1 or 2 as applicable, if: 11325.23(a)

- a. He or she is making satisfactory progress in that program;
- b. The county determines that continuing in the program is likely to lead to self-supporting employment for that recipient; and

- c. The welfare-to-work plan reflects that determination. 11325.23(a)

Any individual who possesses a baccalaureate degree will not be eligible to participate in a SIP unless the individual is pursuing a California regular classroom teaching credential in a college or university with an approved teacher credential preparation program. 11325.23 (a)

A program will be determined to lead to employment if it is on a list of programs that the county welfare department and local education agencies or providers agree lead to employment.

- a. The list must be agreed to annually, with the first list completed no later than January 31, 1998. By January 1, 2000, all educational providers must report data regarding programs on the list for the purposes of the report card established under Section 15037.1 of the Unemployment Insurance Code for the programs to remain on the list. 11325.23(a)
- b. For students not in a program on the list, the county will determine if the program leads to employment. The recipient must be allowed to continue in the program within the 18- or 24-month time period specified in subsection II., A., 1 or 2 if the recipient demonstrates to the county that the program will lead to self-supporting employment for that recipient and the documentation is included in the welfare-to-work plan. 11325.23(a)

Any student in any degree, certificate, or vocational program offered by a private postsecondary training provider will not be approved in a self-initiated training or education program unless the program is either approved or exempted by the appropriate state regulatory agency and the program is in compliance with all other provisions of law. 11325.23(f)

Degree, certificate, or vocational programs offered by private postsecondary schools are either: approved or exempted by the Council for Private Postsecondary and Vocational Education; or accredited by the Western Association of Schools and Colleges.

Concurrent Participation in Work Activities. If participation in a SIP, as determined by the number of hours required for classroom, laboratory, or internship activities, is not at least 32 hours, the county must require concurrent participation in work activities, to reach the 32 hour requirements, as outlined in these guidelines. 11325.23(a)

Welfare-to-Work Plan. Participation in the self-initiated education or vocational training program must be reflected in the required welfare-to-work plan. The welfare-to-work plan will provide that whenever an individual ceases to participate in, refuses to attend regularly, or does not maintain satisfactory progress in the SIP, the individual must participate in welfare-to-work activities. 11325.23(b)

SIP Interruption. Any person whose previously approved SIP is interrupted for reasons that meet the good cause criteria may resume participation in the same program if the participant maintained good standing in the program while participating and the SIP continues to meet the approval criteria. The county will adjust the completion date of the program, accounting for the time of absence to allow the participant a cumulative time frame as specified in subsection II., A., 1 or 2. 11325.23(c)

Grandfathering in SIPs. Any person may continue, until the beginning of the next educational semester or quarter, his or her educational program that does not meet the criteria of subsection 4., if:

a. At the time of:

The welfare-to-work appraisal, for persons who do not have a GAIN contract on the date the county implements its welfare-to-work program; or

The signing of a welfare-to-work plan, for persons who do have a GAIN contract on the date the county implements its welfare-to-work program;

b. The person:

Is not exempt or excused from participation for good cause;

Is making and continues to make satisfactory progress in the educational program; and

Was enrolled in, and making satisfactory progress in, the educational program on the date that the county implemented its welfare-to-work program.

Students will have until the beginning of the next educational semester or quarter break to continue his or her educational program if he or she continues to make satisfactory progress. At the time the educational break occurs, the individual is required to participate in welfare-to-work activities as provided in subsection B, of this Section. The time spent in the educational program will count toward the time limits and community service requirements established for recipients.

A recipient not expected to complete the program by the next break may continue his or her education under the time frames in subsection II., A., 1 or 2, provided:

a. He or she transfers at the end of the current quarter or semester to a program that qualifies under that subdivision;

b. The county determines that participation is likely to lead to self-supporting employment of the recipient; and

c. The welfare-to-work plan reflects that determination. 11325.23 (c)

5. **Assessment.** Participants, except those excluded as provided in subsection e. below, must be referred to assessment if unsubsidized employment is not found during the job search period, or at any time the county determines that participation in job search will not be required as the first activity because it would not be beneficial or decides to shorten job search because it is not likely to lead to employment. Based on the assessment, the county and the participant must develop a welfare-to-work plan to specify the activities to which the participant will be assigned and the supportive services to be provided. 11320.1 and 11325.22

a. Upon referral to assessment, a participant must work with the county welfare department to develop and agree on a welfare-to-work plan. 11325.4.

b. The assessment must include at least all of the following:

i. The participant's work history and an inventory of his or her employment skills, knowledge, and abilities.

ii. The participant's educational history and present educational competency level.

iii. The participant's needs including the need for supportive services in order to obtain the greatest benefit from the employment and training services offered under CalWORKs.

iv. An evaluation of the chances for employment given the current skills of the participant and the local labor market conditions.

v. Local labor market information.

vi. Physical limitations or mental conditions that limit the participant's ability for employment or participation in welfare-to-work activities.

vii. Identification of available resources to complete the welfare-to-work plan.
11325.4, 11325.7, and 11325.8

c. The county may contract with outside parties, including local educational agencies and service delivery areas, to provide the assessment. 11325.4

d. **Third Party Assessment**

- i. If the participant and assessor are unable to reach agreement on the welfare-to-work plan, the matter must be referred by the county for an independent assessment by an impartial third party. The results of this assessment, which shall be binding upon the county and the participant, will be used to develop the appropriate plan for the participant.
- ii. No third party assessment shall be made by a party having any financial or other interest in the result of the assessment. The party making the assessment must be selected by the county according to an unbiased procedure. 11325.4

No state hearing shall be granted regarding the development of an employment plan until an independent assessment has been performed.

- e. **Exclusions from Assessment.** An assessment shall not be required to develop a welfare-to-work plan for participants in approved SIPs unless the county determines that an assessment is necessary to assign the participant to concurrent activities to meet the minimum participation hours of 32 per week. 11325.22(b)

6. **Mental Health Assessment.** If there is a concern that a mental disability exists that will impair the ability of a recipient to obtain employment, he or she must be referred to the county mental health department. 11325.5

Subject to appropriations in the Budget Act, the county mental health department must evaluate the recipient and determine any treatment needs. The evaluation must include the extent to which the individual is capable of employment at the present time and under what working and treatment conditions the individual is capable of employment. The evaluation must include prior diagnoses, assessments, or evaluations that the recipient provides. 11325.5

Each CWD must develop individual welfare-to-work plans for recipients with mental or emotional disorders based on the evaluation conducted by the mental health department. The plan for the recipient must include appropriate employment accommodations or restrictions, supportive services, and treatment requirements. Any prior diagnosis, evaluation, or assessment provided by the recipient must be considered in the development of his or her individual welfare-to-work plan. 11325.5

7. **Welfare-to-Work Plan.** Any individual who is required or who volunteers to participate in welfare-to-work activities must enter into a written welfare-to-work plan with the CWD after assessment. The plan must include the activities and services that will move the individual into employment. 11325.21

A participant must participate in one or more work activities as described in Section VI. for the required minimum hours under a welfare-to-work plan until he or she has reached the 18 or 24-month time limit. 11320.1

The plan must be written in clear and understandable language, and have a simple and easy-to-read format. 11325.21

- a. The plan must contain at least all of the following general information:
 - i. A general description of the program, including available program components and supportive services.
 - ii. A general description of the rights, duties, and responsibilities of program participants, including a list of the exemptions from the required participation, the consequences of a refusal to participate in program components, and criteria for successful completion of the program.
 - iii. A description of the grace period which states that a participant has 30 days from the beginning of the initial training or education assignment in which to request a change or reassignment to another component. 11325.21
 - iv. School attendance requirements, including the identification of any participation required of the parent by the school to ensure the child's attendance. 11253.5 (b) Such participation shall count toward the hours of participation.
- b. As appropriate and necessary for the removal of the individual's barriers to employment, a participant who lacks basic literacy or mathematics skills, a high school diploma or general educational development certificate, or English language skills, shall be assigned to participate in adult basic education as described under Section VI. Welfare-to-Work Activities. 11325.22
- c. Participation in activities assigned under the welfare-to-work plan may be sequential or concurrent. The county may require concurrent participation in the assigned activities if it is appropriate to the participant's abilities, consistent with the participant's welfare-to-work plan, and the activities can be concurrently scheduled. 11325.22
- d. The plan must specify, and must be amended to reflect changes in, the participant's welfare-to-work activity(ies), a description of services to be provided in accordance with the welfare-to-work activities, as needed, and specific requirements for successful completion of assigned activities including required hours of participation. The plan must also include a general description of supportive services that are to be provided as necessary for the participant to complete assigned program activities, and address school attendance of all children in the assistance unit for whom school attendance is

- e. compulsory. (See Implementation of Immunization & School Attendance Provisions/CalWORKs ACL 97-70). 11325.21 and 11253.5
 - f. Any assignment to a program component must be reflected in the welfare-to-work plan or an amendment to the plan. The participant must maintain satisfactory progress toward employment through the methods set forth in the welfare-to-work plan, and the county must provide the necessary supportive services. 11325.21
 - g. The participant has 30 days from the beginning of the initial training or education assignment in which to request a change or reassignment to another component. The county must grant the participant's request for reassignment if another assignment is available that is consistent with the participant's welfare-to-work plan and the county determines the other assignment will readily lead to employment. This grace period will be available only once to each participant. 11325.22
 - h. The county must allow the participant three working days after completion of the plan or subsequent amendments to the plan in which to evaluate and request changes to the terms of the plan. 11325.21
 - i. If activities to be provided under the welfare-to-work plan are not immediately available to the participant, he or she must be assigned to job search/job readiness assistance activities until the education or training services designated in the plan are available. These job search activities are subject to the limits described under Job Search in subsection III., B., 3. 11325.6
8. **Reappraisal.** The county must conduct a reappraisal of any participant who does not obtain unsubsidized employment upon completion of all of the activities in a welfare-to-work plan, and is referred to reappraisal, unless the participant has reached the 18 or 24-month time limit that limits work activities to unsubsidized employment and/or community service. 11326 The reappraisal must evaluate whether there are extenuating circumstances, as defined by the county, that prevent the participant from obtaining employment within the local labor market area. 11326

Upon a determination that extenuating circumstances exist, the participant must be assigned to additional activities in accordance with Section VI., Welfare-to-Work Plan, as the county determines to be appropriate and necessary. 11326

Upon a determination that no extenuating circumstances exist, and until this determination is reversed or mandatory participation is limited to unsubsidized employment and/or community service activity upon reaching the 18 or 24-month time

limit, the participant is required to participate for required minimum hours in activities that are limited to the following:

- a. Unsubsidized employment (including self-employment).
 - b. Work experience.
 - c. Job skills training directly related to employment.
 - d. Mental health, substance abuse, and/or domestic violence services. 11326
9. **Community Service after Time Limit.** If a participant has reached the 18-month time limit (and exhausted any extension granted) or the 24-month time limit, as applicable, and has not found unsubsidized employment sufficient to meet the required minimum hours of participation and the county has certified that no job is available, in accordance with Section II., A., 4., for that participant, the participant will remain eligible for aid only if he or she works in unsubsidized employment and/or participates in community service activities for the required minimum hours. See requirements for community service under Welfare-to-Work Activities subsection VI., B. 11320.1

For individuals who have reached the 18 or 24-month time limits, the county must provide community service activities assignments as described in subsection VI., B. An individual may participate in community service activities until he or she has received aid for a total of 60 months. 11320.1

10. **Evaluation.** A participant with a suspected learning or medical problem, as indicated by information received during appraisal or assessment or by lack of satisfactory progress in an assigned program component, must be referred to an evaluation to determine whether the individual is unable to successfully complete or benefit from a current or proposed program assignment. As part of the evaluation, the county may require the individual to undergo the appropriate examinations to obtain information regarding the individual's learning and physical abilities. 11325.25 (a)

Based upon the results of the evaluation, the CWD may refer the individual to any of the following, as appropriate:

- a. Any of the activities described under Section VI., Welfare-to-Work Activities, including referral to the participant's previous activity.
- b. Existing special programs that meet specific needs of the individual.
- c. Job search services, if the county determines the individual has the skills needed to find a job in the local labor market.

- d. Assessment or reappraisal.
- e. Rehabilitation assessment and subsequent training. 11325.25 (b)

Except for an individual who is eligible for, participating in, or exempt from the Cal-Learn Program or other county teen parent program approved by CDSS, an 18 or 19-year-old custodial parent who is required to participate in CalWORKs welfare-to-work activities is subject to evaluation, if a learning or medical problem is suspected. 11320.3(d)(2)

The participant must be involved in the decisions made during the evaluation and will have appeal rights consistent with those accorded to all program participants.11325.25 (c)

- 11. **Satisfactory Participation.** The criteria for successful completion of an assigned education or training activity includes regular attendance, satisfactory progress, and completion of the assignment. A person who fails or refuses to comply with program requirements for participation in the activities assigned pursuant to this section shall be subject to compliance and sanction requirements. 11327.4
- 12. **Exclusion of Pregnant or Parenting Teens.** A 19-year-old custodial parent who is not eligible to participate in Cal-Learn is required to participate in welfare-to-work activities only to earn a high school diploma or its equivalent. 11320.3(d) However, the county may determine that participation in education activities for the purpose of earning a high school diploma or equivalent is inappropriate for a 19-year-old custodial parent if the parent is reassigned pursuant to an evaluation or, at appraisal, is already in an educational or vocational program that is approvable as a SIP. 11320.3(e)

IV. EXEMPTIONS AND GOOD CAUSE FOR NOT PARTICIPATING IN WELFARE-TO-WORK

A. Exemptions from Welfare-to-Work Participation

1. General Requirements

- a. Every individual receiving aid is required to participate in welfare-to-work activities as a condition of eligibility, unless exempt. 11320.3 (a)
- b. An individual who is exempt and volunteers to participate in the welfare-to-work activities may end the participation at any time without loss of eligibility for aid, provided his or her status has not changed in a way that would require participation. 11320.3(c)

- c. A 19-year-old custodial parent who has not earned a high school diploma or its equivalent, and who is not exempt or whose only basis for exemption is caring for a child under six months of age shall be required to participate solely for the purpose of earning a high school diploma or its equivalent. During the time the Cal-Learn program is operative, this provision applies only to an individual who is 19 years of age and is not voluntarily participating in Cal-Learn. However, if the Cal-Learn program were to become inoperative, this provision would apply to an individual who is under 20 years of age. 11320.3(d)(1)
 - d. Any month in which an individual is exempt because of a condition described in subsection 2., a-h below that is expected to last at least 30 days or is eligible for, participating in, or exempt from, the Cal-Learn program or is participating in another teen parent program approved by CDSS shall not be taken into consideration as a month of receipt of aid in computing the 18 or 24-month time limits described in subsection II., A. 11454.5(a) This provision does not apply to individuals excused from participation for good cause described in subsection B, of this Section, except for subsection B., 1., b., which refers to an applicant or recipient who is a victim of domestic violence and for whom the CWD has determined participation is detrimental to, or unfairly penalizes, that individual or his or her family.
 - e. Any month in which an individual is exempt based on disability, advanced age, and caretaking responsibilities that impair a recipient's ability to be employed as noted in subsection 2., c- f., shall not be taken into consideration as a month of receipt of aid in computing the 60-month time limits.
 - f. The exemptions and good cause for not participating in welfare-to-work activities do not apply to teens who are subject to the Cal-Learn program, or another teen-parent program approved by CDSS.
2. **Welfare-to-Work Participation Exemptions.** The following individuals are not required to participate for so long as the conditions described in subsections a-h continue to exist. 11320.3 (b)
- a. **Exemption Based on Age Under 16.** An individual under 16 years of age is exempt from welfare-to-work participation. 11320.3(b)(1) and 11331.5(c)
 - b. **Exemption Based on School Attendance.** A child attending an elementary, secondary, vocational, or technical school on a full-time basis is exempt from welfare-to-work participation. A person who is 16 or 17 years of age, or a custodial parent who is under 20 years of age described in subsection 2., g. who loses this exemption, shall not requalify for this exemption by attending school as a required welfare-to-work activity. 11320.3 (d)(12) and 11331.5 (c)

- c. **Exemption Based on Disability.** An individual who has a disability that is expected to last at least 30 days and that significantly impairs his or her ability to be regularly employed or participate in welfare-to-work activities is exempt from welfare-to-work participation. To qualify for this exemption the individual shall:
 - i. Provide a doctor's verification of: (1) the disability, (2) the expected duration of the disability, and (3) the extent to which the disability impairs employment and/or participation in the welfare-to-work activities; and
 - ii. Actively seek appropriate medical treatment. 11320.3(b)(3)(A)
- d. **Exemption Based on Age 60 or Older.** An individual who is 60 years or older is exempt from welfare-to-work participation. 11320.3 (b)(3)(B)
- e. **Exemption Based on a Nonparent Relative Caring for a Child Who is a Dependent or Ward of the Court or a Child at Risk of Placement in Foster Care.** A nonparent caretaker relative who has primary responsibility for providing care for a child is exempt from welfare-to-work participation when he or she meets either of the following criteria:
 - i. The nonparent caretaker relative is caring for a child who is a dependent or ward of the court, or
 - ii. The nonparent caretaker relative is caring for a child who the county has determined is at risk of placement in foster care.

For an individual to qualify for this exemption, the CWD shall determine that the caretaking responsibilities are beyond those considered normal day-to-day parenting responsibilities and impair the caretaker relative's ability to be regularly employed or to participate in welfare-to-work activities. 11320.3(b)(4)

- f. **Exemption Based on Care of an Ill or Incapacitated Member of the Household.** An individual whose presence in the home is required because of illness or incapacity of another member of the household is exempt from welfare-to-work participation. For an individual to qualify for this exemption the CWD shall determine that the caretaking responsibilities impair the recipient's ability to be regularly employed or to participate in welfare-to-work activities. 11320.3(b)(5) and 11331.5 (c)
- g. **Exemption Based on the Care of a Child Under Six Months of Age**
 - i. A parent or other relative who has primary responsibility for personally providing care to a child six months of age or under is exempt from welfare-to-work participation. This period may be reduced or increased, on a case-by-case basis, to the first 12 weeks or the first 12 months after the birth or adoption of the child, based on CWD criteria. An individual may be exempt only once on this basis.

This exemption does not apply to a teen parent who graduated from high school or its equivalent while participating in the Cal-Learn Program.

- ii. Upon the birth or adoption of any subsequent children, an individual who has previously received this exemption shall be exempt for a period of 12 weeks. This period may be extended, on a case-by-case basis, to six months, based on CWD criteria.
- iii. In making the determination to extend the period of exemption after the birth or adoption of the child, as specified in subsections i. and ii. above, the CWD may consider the availability of child care, local labor market conditions, and other factors the CWD determines.
- iv. In a two-parent family eligible for aid due to unemployment, the exemption criteria described in subsections i. and ii. above apply to only one parent. 11320.3(b)(6)(A) and 11331.5(c)

- h. **Exemption Based on Pregnancy.** A woman who is pregnant and for whom it has been medically verified that the pregnancy impairs her ability to be regularly employed or participate in welfare-to-work activities is exempt from welfare-to-work participation.

An exemption based on a medically verified pregnancy may also be granted when, at the time of the determination, the CWD determines that participation will not readily lead to employment or that a training activity is not appropriate. 11320.3(b)(7) and 11331.5(c)

B. **Good Cause for Not Participating.**

An individual shall be excused from participation in welfare-to-work activities for good cause when the CWD determines there is a condition or other circumstance that temporarily prevents or significantly impairs the recipient's ability to be regularly employed or to participate in welfare-to-work activities.

The CWD shall review the good cause determination for its continuing appropriateness based on the projected length of the condition, or circumstance, but not less than every three months. The individual is required to cooperate with the CWD and provide information, including written documentation, as required to complete the review. [11320.3 (f)]

1. **Conditions that may be considered good cause for not participating in welfare-to-work activities.** Conditions that may be considered good cause for not participating in welfare-to-work activities include, but are not limited, to any of the following:

- a. Lack of necessary supportive services.
- b. The applicant or recipient is a victim of domestic violence, but only if participation is detrimental to, or unfairly penalizes, that individual or his or her family. Time limits on receipt of assistance may be waived for an individual who meets the criteria of this subsection on a case-by-case basis, but only for so long as necessary, in accordance with the CWD's protocol. 11495.1

Waivers of time limits shall not be granted if federal statutes or regulations clarify that abuse victims are included in the 20 percent hardship exemptions and that no good cause waivers of the 20 percent limit will be granted to the state for victims of abuse, thereby incurring a penalty to the state. 11495.1(c)

Waivers of the work requirements granted pursuant to this section shall not be implemented if federal statutes or regulations clarify that the state will be penalized for failing to meet work participation requirements due to granting waivers to abuse victims. 11495.1(d)

- c. The age of the individual as it may affect his or her ability to participate in welfare-to-work activities or to become employed.
- d. Licensed or license-exempt child care is not reasonably available during the individual's hours of training or employment, including commuting time, or arrangements have broken down or have been interrupted (See CalWORKs Implementation Child Care ACL 97-73):
 - i. for a child 10 years of age or younger, or
 - ii. for a child who is in foster care or is an SSI recipient and who is not included in the assistance unit.

This good cause criterion includes the unavailability of suitable special needs child care for children with identified special needs, including, but not limited to, disabilities or chronic illnesses.

The choices of child care shall meet either licensing requirements or the license exempt requirements. Please refer to the CalWORKs Implementation Child Care ACL 97-73. 11324

For purposes of this section, "reasonable availability" means child care that is commonly available in the participant's community to a person who is not receiving aid and that is in conformity with the requirements of federal Public Law 104-193. 11326.3 (f)

V. FEDERAL WORK PARTICIPATION REQUIREMENTS

A. State Participation Rate Requirements.

Counties may enroll each participant in any welfare-to-work activity authorized by state law (refer to the Welfare-to-Work Activities in Section VI.), based on county plans and the needs of each individual participant. Federal law requires the states to meet the participation requirements listed in subsection B. below. If California does not meet these requirements, counties that fail to meet these requirements would be required to share any penalty imposed on the state for failure to achieve the outcomes, including work participation rates, required by federal law.

In no event shall an adult recipient in a one-parent assistance unit participate in welfare-to-work activities less than the required hours of participation in Section 607(c) of Title 42 of the United States Code, and any subsequent amendments thereto, for the entire time period on aid. An adult recipient in a two-parent assistance unit shall participate in at least 35 hours of welfare-to-work activities each week that will meet the required hours of participation under Section 607(c) of Title 42 of the United States Code, and any subsequent amendments thereto. However, both parents may contribute to the 35 hours. 11322.8

B. Federal Participation Rate.

Penalties may result from the state's failure to meet federal participation rates as follows:

1. **All Families.** The state shall achieve the minimum participation rate specified in the following table for the federal fiscal year (FFY) with respect to all families receiving Temporary Assistance for Needy Families (TANF)/CalWORKs:

If the FFY is:	The minimum participation rate is:
1997	25%
1998	30%
1999	35%
2000	40%
2001	45%
2002 or thereafter	50%

2. **Two-Parent Families.** The state shall achieve the minimum participation rate specified in the following table for the FFY with respect to two-parent families receiving Temporary Assistance for Needy Families (TANF)/CalWORKs:

If the FFY is:	The minimum participation rate is:
1997	75%
1998	75%
1999 or thereafter	90%

42 U.S.C. Sec. 607(a) [Social Security Act Sec. 407(a)]

3. Calculation of Participation Rates

All Families - Average Monthly Rate - The participation rate for all families, including two parent families, for a fiscal year is the average of the participation rates for all families for each month in the federal fiscal year. 42 U.S.C. Sec. 607(b) [Social Security Act Sec. 407(b)]

Two-Parent Families - Average Monthly Rate - The participation rate for two-parent families of a State for a fiscal year is the average of the participation rates for two-parent families of the State for each month in the fiscal year. A two-parent family is one in which both parents are receiving CalWORKs assistance. A family that includes a disabled parent shall not be considered a two-parent family for purposes of the work participation rate. These families will be considered in the all families rate. 42 U.S.C. Sec. 607(b) [Social Security Act Sec. 407(b)]

4. Pro Rata Reduction of Participation Rate Due to Caseload Reductions not Required by Federal Law

The Secretary shall prescribe regulations for reducing the minimum participation rate otherwise required by this subsection for a fiscal year by the number of percentage points equal to the number of percentage points (if any) by which:

- a. The average monthly number of families receiving assistance during the immediately preceding fiscal year under the State program funded under this part is less than
- b. The average monthly number of families that received aid under the approved State plan under part A, of title IV of the Social Security Act (as in effect on September 30, 1995) during fiscal year 1995.

The minimum participation rate shall not be reduced to the extent that the Secretary determines that the reduction in the number of families receiving such assistance is required by Federal law.

Eligibility Changes Not Counted. The federal regulations required by this subsection shall not take into account families that are diverted from a State program funded under this part as a result of differences in eligibility criteria under the State program operated under the approved State plan under part A, of title IV of the Social Security Act (Block Grants to

States for TANF) (as such plan and such part were in effect on September 30, 1995). Such regulations shall place the burden on the Secretary to prove that such families were diverted as a direct result of differences in such eligibility criteria. Federal regulations related to this provision have not yet been issued.

Monthly Participation Rates for All Families and Two-Parent Families - The participation rate for all families and two-parent families for a month, expressed as a percentage, is:

- a. **Aided Families Engaged in Work** - The number of families receiving assistance that include an aided adult or a minor child head of household who is engaged in work for the month, divided by the amount by which:
- b. **Aided Families** - The number of families receiving such assistance during the month that include an adult or a minor child head of household receiving such assistance exceeds:
- c. **Sanctioned Families** - The number of families receiving such assistance that are subject in such month to a penalty, for refusing to engage in work, but have not been subject to such penalty for more than 3 months within the preceding 12-month period (whether or not consecutive). 42 U.S.C. Sec. 607(b) [Social Security Act Sec. 407(b)]
- d. **Exemption Based on the Care of a Child Under 12 Months of Age** - For any federal fiscal year, a state may, at its option, not require an individual who is a single custodial parent caring for a child who has not attained 12 months of age to engage in work, and may disregard such an individual in determining the participation rates.

Calculation Formula - The calculation of the participation rate, as described above, may be expressed as the following formula:

$$\text{Rate}^* = \frac{\text{Aided Families Engaged in Work (3a)}}{\text{Aided Families(3b) - Sanctioned Families(3c) and Exemption on Care of a Child Under 12 Months of Age(3d)}}$$

* The individual county rate calculation may vary depending on the exemption options selected by each county.

C. Federal Participation Requirements.

- 1. **All Families.** For purposes of calculating federal work participation rates, a recipient is engaged in work for a month in the FFY if the recipient is participating in work activities for at least the minimum average number of hours per week specified in the following table during the month.

If the month is in FFY:	The minimum average number of hours per week is:
1997	20
1998	20
1999	25
2000 or thereafter	30

42 U.S.C. Sec. 607(c) [Social Security Act Sec. 407(c)]

Minimum Hours Required in Certain Activities. At least 20 hours per week of the minimum average number of hours per week of participation, as specified under subsection III., A., 1., Hours of Participation, are to be attributable to the following activities:

- a. Unsubsidized employment.
- b. Subsidized private sector employment.
- c. Subsidized public sector employment.
- d. Work experience, if sufficient private sector employment is not available.
- e. On-the-job training.
- f. Job search and job readiness assistance (see limit on participation in subsection 4 below).
- g. Community service (For information on California’s community service program, see subsection VI., B.).
- h. Vocational educational training (not to exceed 12 months for any individual).
- i. Providing child care services to a participant in community service. 42 U.S.C. Sec. 607(c) [Social Security Act Sec. 407(c)]

Single Parent or Relative with Child Under Age 6. For purposes of determining monthly participation rates, a recipient who is the only parent or caretaker relative in the family of a child who has not attained six years of age is deemed to be engaged in work for a month, if the recipient is engaged in work for an average of at least 20 hours per week during the month. U.S.C. Sec. 607(c) [Social Security Act Sec. 407(c)]

Teen Head of Household or Married Teen. For purposes of the work participation rate, a recipient who is a single head of household or married teen and who has not attained 20 years of age is deemed, subject to the 30% limit on the number of individuals engaged in work by virtue of participating in vocational education activities or being a

teen head of household who maintains satisfactory school attendance, to be engaged in work for a month in a federal fiscal year if the recipient, beginning on October 1, 1999:

- a. Maintains satisfactory attendance at secondary school or the equivalent during the month; or
- b. Participates in education directly related to employment for at least a minimum average of at least 20 hours per week. U.S.C. Sec. 607(c) [Social Security Act Sec. 407(c)]

2. **Two-Parent Families.** For purposes of the work participation rate, an individual is engaged in work for a month in the FFY if the individual and the other parent in the family are participating in work activities for a total of at least 35 hours per week, of which not fewer than 30 hours per week are attributable to an activity described in subsection 1., a-i, above.

If the family receives federally funded child care assistance and there is no adult in the family who is disabled or caring for a severely disabled child, an individual is engaged in work if the individual and the other parent in the family are participating for a total of at least 55 hours per week in work activities during the month, not fewer than 50 hours per week of which are attributable to an activity described in subsection 1., a-i, above. 42 U.S.C. Sec. 607(c) [Social Security Act Sec. 407(c)]

A family that includes a disabled parent is not considered to be a two-parent family for purposes of work participation requirements. U.S.C. Sec. 607(c) [Social Security Act Sec. 407(c)]

2. **Other Allowable Activities.** Federal law emphasizes the activities specified in subsection 1., a-i, above, by requiring most participation to be in those activities. For hours above the minimum required for those activities, participation in any of the following activities may also be counted to achieve minimum weekly participation hours:

- a. Job skills training directly related to employment.
- b. 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.
- c. Satisfactory 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. 42 U.S.C. Sec. 607(d) [Social Security Act Sec. 407(d)]

3. **Number of Weeks for Which Job Search Counts as Work.** The amount of job search and job readiness assistance activities by any individual that counts toward meeting federal work participation requirements is limited to four consecutive weeks and six weeks total. The six-week limit may be extended to 12 weeks if California's

unemployment rate is at least 50 percent greater than the unemployment rate of the United States or California is a “needy state” as defined in federal law.

The state is required to consider the participation of the individual in a job search or job readiness assistance activity for three or four days during a week as a week of participation by the individual only once per individual. U.S.C. Sec. 607(c) [Social Security Act Sec. 407(c)]

4. **Limit on Education Activities.** For purposes of determining monthly participation rates, not more than 30 percent of the number of individuals in all families and in two-parent families, respectively, in a state who are counted as engaged in work for the month may consist of individuals who are determined to be engaged in work for the month by reason of participation in vocational educational training activities.

Beginning on October 1, 1999, this limit will also include single heads of household or married individuals who are under 20 years of age and either:

- (1) making satisfactory progress in secondary school or the equivalent, or
- (2) participating in education directly related to employment for an average of at least 30 hours per week during the month. U.S.C. Sec. 607(c) [Social Security Act Sec. 407(c)]

VI. WELFARE-TO-WORK ACTIVITIES

A. Welfare-to-Work Activities

1. Upon the completion of job search activities, or a determination that those activities are not required as the initial activity, the participant must be assigned to one or more of the following activities described below, as needed to attain employment. 11325.22

The welfare-to-work plan developed by the county welfare department and the participant shall provide for welfare-to-work activities. Welfare-to-work activities may include, but are not limited to, any of the following:

- a. Unsubsidized employment.
- b. Subsidized private sector employment.
- c. Subsidized public sector employment.
- d. Work experience, which means public or private sector work that must help provide basic job skills, enhance existing job skills in a position related to the participant's experience, or provide a needed community service that will lead to employment.

Unpaid work experience must be limited to 12 months, unless the CWD and the recipient agree to extend this period by an amendment to the welfare-to-work plan. The county welfare department must review the work experience assignment as appropriate and make revisions as necessary to ensure that the work experience assignment continues to be consistent with the participant's plan and effective in preparing the participant to attain employment.

- e. On-the-job training (OJT).
- f. Grant-based OJT, which means public or private sector employment or OJT in which the recipient's cash grant, or a portion thereof, or the aid grant savings resulting from employment, is diverted to the employer as a wage subsidy to partially or wholly offset the payment of wages to the participant. Grant-based OJT must also include community service positions pursuant to 11322.9.

The CWD shall ensure that, if there is any break in income for an employee in a grant-based OJT program caused by an employer's conduct, a recipient receives 100 percent of the maximum grant payment, not counting unpaid wages, that the assistance unit is eligible to receive. The payment to the recipient shall be made as a supplemental grant payment.

The agreement between the CWD and the employer regarding grant-based OJT shall state that the CWD will attempt to collect from the employer the amount of the grant diverted to the employer that was not paid as wages to the recipient.

The CWD shall monitor the retention of participants as employees by employers participating in grant-based OJT, and shall cancel participation of employers who demonstrate, over a period of time, an unwillingness to hire recipients who participated in grant-based OJT with that employer.

- g. Supported work or transitional employment, which means forms of grant-based on-the-job training in which the recipient's cash grant, or a portion thereof, or the aid grant savings from employment, is diverted to an intermediary service provider, to partially or wholly offset the payment of wages to the participant.
- h. Work-study.
- i. Self-employment. A county welfare department may include a training component in which persons participating under CalWORKs receive training in business development and self-employment.
- j. Community service pursuant to Section VII. Welfare-to-Work Activities, subsection B, Community Service.

- k. Adult basic education, which must include reading, writing, arithmetic, high school proficiency, or general educational development certificate of instruction, and English-as-a-second-language. Participants under this subdivision must be referred to appropriate service providers that include, but are not limited to, educational programs operated by school districts or county offices of education that have contracted with the superintendent of public instruction to provide services to participants pursuant to Section 33117.5 of the Education Code.
 - l. Job skills training directly related to employment.
 - m. Vocational education and training, including, but not limited to, college and community college education, adult education, regional occupational centers, and regional occupational programs.
 - n. Job search and job readiness assistance, which means providing the recipient with training to learn job seeking and interviewing skills, to understand employer expectations, and learn skills designed to enhance an individual's capacity to move toward self-sufficiency. See subsection III., B., 3., Work Participation Requirements for provisions on limits on job search and job readiness assistance activities.
 - o. Education directly related to employment.
 - p. Satisfactory progress in secondary school or in a course of study leading to a certificate of general educational development, in the case of a recipient who has not completed secondary school or received such a certificate.
 - q. Mental health, substance abuse, and domestic violence services that are necessary to obtain and retain employment.
 - r. Other activities necessary to assist an individual in obtaining unsubsidized employment. 11322.6
2. **Limit on Educational Activities.** Assignment to an educational activity as identified as adult basic education, vocational education and training, education directly related to employment, and attending a secondary school is limited to those situations in which the education is needed to become employed. 11322.6
3. **Adequate Range of Activities.** Every county must provide an adequate range of the welfare-to-work activities described in subsection 1., a-r, to ensure each participant's access to needed activities and services to assist him or her in seeking employment, to provide education and training the participant needs to find self-supporting work, and to arrange for placement in paid or unpaid work settings that will enhance a participant's ability to obtain unsubsidized employment.

No plan shall require job search and work experience of the participant to the exclusion of a range of activities to be offered to recipients. 11322.7

4. **Cal-Learn Exclusion.** Except for mental health and substance abuse treatment services, this section will not apply to individuals who are eligible for, participating in, or exempt from the Cal-Learn program or another teen parent program approved by CDSS.

B. **Community Service**

1. **County Requirements for Provision of Community Services**

- a. Counties may provide for community service activities for individuals who have not completed the 18 or 24-month time limit period specified in subsection II., A., and are not employed in unsubsidized employment, sufficient to meet the minimum hours of participation required by subsection III., A.
- b. Counties shall provide for community service activities for individuals who have completed the 18 or 24-month time limit period as specified in subsection II., A., who cannot find unsubsidized employment sufficient to meet the minimum hours of participation required by subsection III., A., and for whom the county certifies that no job is currently available, in accordance with Section II., A., 4., to fulfill the minimum hours, if they continue to meet the financial eligibility criteria for CalWORKs aid.
11322.9

2. **Criteria for Community Service Activities.** Community service activities must meet all of the following criteria:

- a. Be performed in the public and private nonprofit sector.
- b. Provide participants with job skills that can lead to unsubsidized employment.
- c. Comply with the anti-displacement provisions contained in subsection IX., A., 2.
- d. The County Plan shall describe the extent to which, and the manner in which, mental health services will be available to recipients after the period specified in subsection II., A., 1 or 2. 10531(f)

3. **Participant Requirements.** Participants in community service activities must do all of the following:

- a. Participate in a community service activity for the minimum number of hours required by subsection III., A., unless fewer hours of community service participation are required by subsequent changes in federal law.

b. Participate in other work activities for the number of hours equal to the difference between the hours of participation in community service and the minimum number of hours of participation required under subsection III., A. 11322.9

4. **Supportive Services Requirements.** Child care as a supportive service shall be provided to participants in community service activities pursuant to the Child Care ACL 97-73 and Section VII., Supportive Services. Other supportive services may be provided by the county at the county's option.

5. **Sanctions for Noncompliance with Community Service Requirements.** Aid under this chapter for any participant who fails to comply with the requirements of this section without good cause shall be reduced in accordance with Section XI., Noncompliance with Program Requirements. 11322.9(e)

C. **Mental Health Treatment Services.** Subject to specific expenditure authority, mental health services available must include all of the following elements:

1. Assessment for the purpose of identifying the level of the participant's mental health needs and the appropriate level of treatment and rehabilitation for the participant.

2. Case management, as appropriate, as determined by the county.

3. Treatment and rehabilitation services, that must include counseling, as necessary to overcome mental health barriers to employment and mental health barriers to retaining employment, in coordination with an individual's welfare-to-work plan.

4. In cases where a secondary diagnosis of substance abuse is made in a person referred for mental or emotional disorders, the welfare-to-work plan must also address the substance abuse treatment needs of the participant pursuant to subsection D. Substance Abuse Treatment Services, below.

5. A process by which the county can identify those with severe mental disabilities that may qualify them for aid under the State Supplementary Program for Aged, Blind and Disabled. 11325.7

D. **Substance Abuse Treatment Services**

1. Substance abuse treatment services shall include evaluation, treatment, employment counseling, provision of community service jobs, or other appropriate services.

2. A participant who is in a job search component of the county's welfare-to-work program may be directed by the job search manager, at any time to an assessment, if the county believes that the participant's substance abuse may limit or preclude his or her satisfactory completion of the job search component. 11325.8 (e)(1)

3. During the assessment, if the case manager believes that substance abuse will impair the ability of the participant to obtain and retain employment, the case manager must refer the participant to the county alcohol and drug program for an evaluation and determination of any treatment necessary for the participant's transition from welfare to work. If the county alcohol and drug program is unable to provide the necessary services, the county may refer the participant to a state-licensed or certified nonprofit agency under contract with the county to perform these services. 11325.8 (c)(2)
4. If a participant is determined to have a substance abuse problem, based on an evaluation by the county alcohol and drug program or a state-licensed or certified nonprofit agency, the case manager must develop the participant's welfare-to-work plan based on the results of that evaluation. In such a case, the participant's welfare-to-work plan may include appropriate treatment requirements, including assignment to a substance abuse program. 11325.8
5. If a participant is determined to have a substance abuse problem, he or she must be offered two opportunities to receive substance abuse treatment, except that the county may offer the recipient additional treatment opportunities. 11325.8
6. When a participant's welfare-to-work plan includes assignment to a treatment program, a case manager may determine that the participant is out of compliance with the welfare-to-work plan if, at any time, in consultation with the substance abuse treatment provider, the county determines that the participant has failed or refused to participate in a treatment program without good cause. The assigned treatment program must be reasonably accessible within the county of residence or a nearby county. 11325.8
7. When a case manager determines that a participant in a treatment program as specified in his or her welfare-to-work plan is out of compliance with a program requirement other than participation in a required treatment program, the determination of whether the participant has good cause to be out of compliance must include consideration of whether the participant's substance abuse problem caused or substantially contributed to the failure to comply with the program requirements. In this determination, the county must consult the substance abuse treatment provider as appropriate. 11325.8
8. No recipient may participate in a substance abuse treatment program for longer than six months without concurrently participating in a welfare-to-work activity, to be determined by the county and the recipient, in consultation with the treatment provider. However, if the recipient is in a residential treatment program or an intensive day treatment program that requires him or her to stay at the program site or otherwise not to participate in non-program activities, the requirements of the treatment program will fulfill the recipient's welfare-to-work activity requirement. 11325.8
9. Each county shall report annually to the state the number of CalWORKs program recipients who receive substance abuse treatment and the extent to which the allocation is sufficient to meet the need for substance abuse services as determined by the county. 11325.8

VII. SUPPORTIVE SERVICES

A. Supportive Services

1. **Necessary Supportive Services.** Necessary supportive services must be available to every participant, including SIPs, in order to participate in the program activity to which he or she is assigned or to accept employment or the participant will have good cause for not participating under the good cause criteria specified in these guidelines. As provided in the welfare-to-work plan entered into between the county and the participant in accordance with the welfare-to-work article, supportive services must include all of the following: 11323.2 and 11325.23(d)
 - a. **Child care** (See CalWORKs Implementation Child Care ACL 97-73).
 - b. **Transportation costs.** Regional market rates for transportation must be determined as follows: 11323.2

The least costly form of public transportation including CWD provided transportation that would not preclude participation in welfare-to-work activities. An assignment, job referral, job offer, or job is not considered appropriate for work or training if it requires travel between the place of employment or training and one's home that exceeds a total of two hours round trip, or two miles round trip when walking is the only available means of transportation, or requires the individual to remain away from home overnight without his/her consent. The limit on travel time and mileage excludes transportation time/mileage to take family members to and from school or care providers (See subsection XI., B., Good Cause for Failure or Refusal to Comply with Program Requirements).

If there is no public transportation available which meets these requirements, participants may use their own vehicles, and must be reimbursed at a rate used to reimburse CWD employees for the use of privately-owned vehicles.

Parking for welfare-to-work participants must be reimbursed at actual cost. Participants must submit receipts for this purpose, except in cases where parking meters are used.

Reimbursement to participants who choose to use their own vehicles when public transportation is available which will not exceed the rate as specified above.

The CWD must develop an alternative for areas in which there is no public transportation available, and where a per-mile reimbursement rate would result in excessive costs.

Participants who are in approved on-the-job training, grant based on-the-job training, supported work, or transitional employment assignments and who continue to receive a CalWORKs grant will be eligible for transportation expense payments.

42-750.4

- c. **Ancillary expenses.** These expenses must include the cost of books, tools, clothing specifically required for the job, fees, and other necessary costs.
- d. **Personal counseling.** A participant who has personal or family problems that would affect the outcome of the welfare-to-work plan entered into based on welfare-to-work activities, must, to the extent available, receive necessary counseling or therapy to help him or her and his or her family adjust to his or her job or training assignment.

11323.2

- 2. **Supportive Services Payments.** Payments for supportive services, except child care, as described in this Section will be advanced to the participant, wherever necessary, and when desired by the participant, so that the participant need not use his or her funds to pay for these services (See CalWORKs Implementation Child Care ACL 97-73).
 - a. Notwithstanding any other provision of welfare-to-work activities, any participant in on-the-job training who becomes ineligible for CalWORKs due to earned income, hours worked, or loss of income disregards, will remain a participant in the program under welfare-to-work activities for the duration of the on-the-job training assignment and will be eligible for supportive services for the duration of the on-the-job training, provided this duration does not exceed the time limits otherwise applicable to the recipient (See CalWORKs Implementation Child Care ACL 97-73).
 - b. Notwithstanding any other provision of welfare-to-work activities, any participant in on-the-job training, grant-based on-the-job training, supported work, or transitional employment who remains eligible for aid, will be eligible for transportation and ancillary expenses as specified in this section.
- 3. **Coordination of Supportive Services and Financial Aid.** Participants will be encouraged to apply for financial aid, including educational grants, scholarships, and awards.

Reimbursement for SIPs must be provided if no other source of funding for those costs is available. Any offset to supportive services payments will be made in accordance with financial aid provisions as specified above. 11325.23(d)

Treatment of Financial Aid. The CWD shall consider the availability of financial aid received by the participant in the form of educational grants, scholarships and awards when determining the need for welfare-to-work supportive services payments.

The CWD shall not deny or reduce welfare-to-work supportive services if the participant indicates that the financial aid is not available to meet supportive services needs.

The CWD shall document all determinations regarding consideration of a participant's educational grants, scholarships and awards in the case file.

The CWD shall attempt to enter into written agreements with the financial aid office at appropriate educational institutions providing welfare-to-work services in order to avoid duplication of supportive services payments to welfare-to-work participants.

Any agreement between the CWD and the institution shall include, but not be limited to the following:

- i. A description of the supportive services to be provided by each party.
- ii. A provision for amendment and modification as necessary.
- iii. A provision that supportive services needs will be evaluated on a case-by-case basis.

Educational loans or work study program awards shall be excluded from consideration when determining supportive services needs. MPP 42-750.9

B. Underpayments and Overpayments

1. **General Criteria.** The county welfare department must take all reasonable steps necessary to promptly correct any overpayment or underpayment of supportive services payments to a recipient or a service provider, including, but not limited to, all cases involving fraud and abuse, consistent with procedures developed by the department [Please see the CalWORKs Implementation Child Care ACL 97-73 (regarding Child Care Underpayments and Overpayments)] 11323.4
2. **Adjustment Amounts.** When an underpayment or denial of supportive services occurs and as a result the applicant or recipient does not receive the amount to which he or she should have received, the county must provide supportive services equal to the full amount of the underpayment. 11004
3. **Collection of Overpayments**
 - a. If the individual is no longer receiving aid under CalWORKs, recovery of overpayments will not be attempted where the outstanding overpayments are less than thirty-five dollars (\$35). 11004
 - b. Reasonable cost-effective efforts at collection must be implemented where the overpayment amounts owed are thirty-five dollars (\$35) or more.

The collection and recovery of an overpayment other than a child care overpayment shall be deferred if it is not cost effective to pursue the collection. The CWD shall defer collection and recovery of any overpayment if the collection would result in disruption of child care arrangements, preclude participation in welfare-to-work activities, or prevent employment.

The CWD shall: (1) notify the participant of the deferral and when a decision to defer overpayment collection is made; (2) reevaluate the need for deferring repayment when necessary; (3) document the expected ending date of the deferred repayment status.

Reasonable efforts must include written notification of the amount of the overpayment and that repayment is required. The following are reasonable cost-effective collection methods: 11004

Balancing. When an individual has both an overpayment and an underpayment, the county may offset one against the other, subject to the provisions specified in Supportive Services Payment Adjustment below.

Voluntary Cash Recovery. The county shall accept any voluntary cash payment from an individual to pay any portion of an existing overpayment.

Grant Adjustment. The individual shall be permitted to have supportive services overpayments adjusted from his/her CalWORKs grant when the individual is receiving CalWORKs, provided:

- i. The individual chooses this method of recovery; and
- ii. The individual agrees with the amount of the CalWORKs grant adjustment.

Individuals shall be allowed to revoke a repayment agreement incorporating grant adjustment at any time and enter into a new repayment agreement with the county.

Supportive Services Payment Adjustment. The following payment adjustment provisions shall be applicable only to current welfare-to-work participants.

The maximum recovery from the current payment(s) shall be as follows:

- i. Ten percent of the total payment, for recipient-caused overpayments, unless the individual volunteers to pay a higher percentage.
- ii. Five percent of the total payment for overpayments resulting from administrative error, unless the individual volunteers to pay a higher percentage.

When recovery is made in full from a subsequent supportive services payment the participant shall be informed, in writing.

When the current payment adjustment is not enough to recover the entire overpayment or no claim is received in a given month, then the remaining amount of the overpayment shall be applied to succeeding month(s) and the adjustment process shall be repeated as specified above.

When any adjustment is made, the county shall notify the participant in writing.

When no subsequent payment(s) are available for an adjustment to be made, because the individual becomes exempt and does not volunteer to participate or loses eligibility for CalWORKs the county shall attempt to establish or obtain a new repayment agreement.

The county shall notify the participant in writing when a reduction is made to adjust current supportive services. MPP 42-751.4

- c. In cases involving fraud, every effort must be made to collect the overpayments regardless of the amount. 11004
- d. If the individual responsible for the overpayment to the assistance unit is no longer eligible for supportive services or if he or she becomes a member of another assistance unit:

Recoupment of overpayments will be made against the individual or his or her present assistance unit, or both. 11004

- e. Where an overpayment has been made to an assistance unit which is no longer receiving supportive services, recovery will be made by appropriate action under state law against the income or resources of the individual responsible for the overpayment or against the family. 11004

- 4. **Recovery of Overpayments.** This subdivision will apply only to applicants, recipients and payees under CalWORKs. Any suits to recover overpayments will be brought on behalf of the county by the county counsel unless the board of supervisors delegates such duty to the district attorney by ordinance or resolution. 11004

VIII. JOB RETENTION SERVICES

If provided in a county plan, the county may continue to provide case management, services, and supportive services to either a recipient of aid under CalWORKs not participating under welfare-to-work or a former recipient of CalWORKs who has received aid within the previous 12 months if a recipient or former recipient is employed. 11323.2 and 11500

The county may provide these services for up to the first 12 months of employment after the first day of employment, to the extent they are not provided by the employer, the entity that arranged the job placement, if other than the county, and, to the extent that services are not available from other sources, and are needed for the individual to retain the employment. 11323.2 and 11500

IX. NONDISPLACEMENT PROTECTIONS

A. Nondisplacement in Work Activities

1. Activities covered by nondisplacement provisions are as follows: 11324.6

- € Unsubsidized employment
- € Subsidized private and public sector employment
- € Work experience
- € On-the-job training (OJT)
- € Grant-based on-the-job training
- € Grant-based supported work or transitional employment
- € Work study
- € Self-employment
- € Community Service
- € Adult basic education
- € Job skills training

2. Displacement provisions. The welfare-to-work activities must not result in the following: 11324.6

- a. The displacement or partial displacement of current employees, which includes but is not limited to, a reduction in regular work hours and overtime, wages, or employment benefits.
- b. The filling of promotional positions unless such promotions are normally filled through an open process in which nonemployees (recipients) are provided an opportunity to compete for the job.
- c. The filling of a position without complying with applicable personnel procedures or collective bargaining agreements or the filling of positions resulting from a strike, lockout, or other bona fide labor dispute.
- d. The filling of a vacant position that was created by termination, layoff, or reduction in work force that is caused by the employer's intent to fill the position with a subsidized welfare-to-work participant.
- e. The filling of a work assignment customarily performed by a worker in a job classification covered by a collective bargaining agreement or a work assignment in

which funded positions are vacant or in which regular employees are on layoff or in a public agency unless the positions are unfunded in an agency's budget.

- f. The termination of a contract for services, before its expiration date, that displaces or partially displaces workers and which is caused by the employer's intent to fill the position with subsidized welfare-to-work participants.
 - g. The denial to a participant or employee of protections provided other workers on the worksite under state and federal workplace health, safety, and representation laws.
3. Subdivisions b., and e., of this Section shall not apply to unsubsidized employment placements. 11324.6

- B. **Notification of Labor Unions And Nonunionized Employees on The Use of CalWORKs Recipients.** The county must notify the labor union of the assignment of a CalWORKs recipient to a welfare-to-work employment or training activity or any position created under a county pilot project, in any location or work activity controlled by an employer covered by a collective bargaining agreement.

Nonunionized employees are to be notified of the use of CalWORKs participants and the availability of a grievance process. Display of a poster will satisfy the notification requirement for nonunion employees. 11324.5

- C. **Employee Displacement Grievance Process.** The following grievance process shall be used to resolve the complaints of regular employees or their representatives who believe assignment of a CalWORKs participant to community service, work experience, on-the-job training, or any activity funded by grant-based on-the-job training violates any of the displacement provisions contained in subsection A above. All displacement complaints shall be in written form and shall include the full name, address (if any), and telephone number (if any) of the alleged displaced employee, the full name and address of the employer against whom the complaint is being filed, a clear and concise statement of the facts concerning the alleged displacement, including pertinent dates, and a statement that the complaint has been signed under penalty of perjury.

- 1. Informal Resolution
 - a. Upon receipt of a written complaint by the employee or employee's representative, the CWD shall contact both the complainant and affected employer and attempt to informally resolve the complaint.
 - b. The period for informal resolution shall begin on the date the complaint is received by the CWD and shall not exceed ten calendar days.
 - i. Nothing in this section shall prohibit informal resolution of the complaint at any time during the displacement grievance process.

- c. Following its efforts to informally resolve the complaint, the CWD shall send a letter informing the complainant of the following:
 - i. The employer's response to the complaint, including any actions the employer is willing to take toward informal resolution.
 - ii. The right to request a formal hearing, as specified in subsection IX., C., 2., if the complainant is dissatisfied with the employer's informal response.
 - iii. The procedures for filing a formal hearing including the address to which a request for hearing should be sent.
 - iv. The time limit for filing a request for formal hearing as specified in subsection IX., C., 2., a.
- d. The CWD shall send the letter required by subsection IX., C., 1., c., no later than the twentieth calendar day from the date the complaint was received by the county.
 - i. Copies of the letter shall be sent to the affected employer.

2. Formal Hearing

- a. If the complaint cannot be informally resolved, the complainant may request a formal hearing.
 - i. A written request for formal hearing must be filed no later than ten calendar days following the employee's receipt of the CWD letter required by subsection IX., C., 1., c.
 - (a). The date postmarked on the hearing request shall be considered the date of its filing.
- b. Formal hearings shall be conducted by the California Department of Social Services (CDSS), Administrative Adjudications Division.
- c. The CDSS, Office of the Chief Administrative Law Judge shall inform the complainant and affected employer in writing of the date, time and location of the hearing and of the opportunity to present evidence, bring witnesses, cross-examine witnesses, and bring or send an authorized representative.
 - i. An authorized representative is defined as an individual or organization that has been authorized by the complainant or affected employer to act on behalf of the complainant or affected employer in any and all aspects of the formal hearing. An authorized representative may include legal counsel, a relative, friend, or other spokesperson.

- ii. A party who wishes to submit a document into evidence must provide a copy of it, free of charge, to the other party.
 - iii. The Administrative Law Judge may not discuss the merits of a pending state hearing with one party outside the presence of the other party.
- d. Except as specified in this section, the following provisions of Manual of Policies and Procedures (MPP), Division 22 shall apply to formal hearings:
- i. Section 22-010 relating to authorized representatives.
 - (a) Notwithstanding the provisions of Section 22-010, both the complainant and affected employer may bring or send an authorized representative.
 - ii. Except as specified below, Section 22-049 relating to general rules and procedures at the hearing.
 - (a) To the extent that Section 22-049.11 refers to rehearings, it shall not apply.
 - (b) Sections 22-049.52 and 22-049.532, and any references to Section 22-049.532, shall not apply.
 - (c) Sections 22-049.8 and 22-049.9 shall not apply.
 - (d) To the extent the provisions of Section 22-049 apply to formal hearings, all references to "claimant" and "county" shall be deemed to refer to "complainant" and "affected employer," respectively.
 - iii. Section 22-050 relating to evidence.
 - (a) Requirements at Section 22-050.21 shall not apply.
 - iv. Section 22-053 relating to postponements and continuances for additional evidence.
 - (a) Section 22-053.11 shall not apply.
 - (b) Notwithstanding the time parameters identified in Sections 22-053.1 and 22-053.2, the time limit set forth in subsection IX., C., 2., e., shall apply.
 - (c) To the extent that the provisions of Section 22-053 apply to formal hearings, all references to "claimant" and "county" in such regulations

shall be deemed to refer to "complainant" and "affected employer," respectively.

- v. Sections 22-061.1, .3, and .4 relating to submission and adoption of proposed decisions.
 - vi. Section 22-062 relating to action by the Director.
 - (a) Notwithstanding the time limits for director action specified in Section 22-062.2, requirements for issuance of a hearing decision at Section IX., C., 2., e., shall apply.
 - e. A written hearing decision shall be issued within 90 calendar days of the date the complaint was received by the county.
 - f. Copies of the written decision shall be sent to all affected parties. The decision shall include:
 - i. A statement identifying the right to federal appeal of the hearing decision as specified in subsection IX., C., 3.
 - ii. The address and instructions for filing a federal appeal.
 - iii. The time limit within which the appeal must be filed as specified in subsection IX., C., 3., b.
 - iv. A listing of the required appeal contents as specified in subsection IX., C., 3., c.
 - g. When a hearing decision upholds the displacement complaint, the decision shall:
 - i. Require termination of the assignment which brought about the complaint and any other assignments which have caused the displacement of regular employees.
 - ii. Identify those actions which shall be taken to remedy the displacement in accordance with subsection IX., C., 4.
3. Federal Appeal
- a. Any dissatisfied party may appeal the formal hearing decision to the United States Department of Labor.
 - b. The appeal must be filed within 20 calendar days of the appellant's receipt of the written decision.

- c. The appeal shall contain the following:
 - i. The appellant's full name, address and telephone number.
 - ii. The provisions of the Social Security Act, federal regulations, or state regulations believed to have been violated.
 - iii. A copy of the original complaint filed with the CWD.
 - iv. A copy of the formal hearing decision regarding the complaint being appealed.
 - d. The state shall file the entire administrative record of the matter under appeal with the United States Department of Labor within 30 calendar days of that Department's request for this information.
4. Remedies
- a. Remedies for displaced employees shall include reinstatement, back pay, and/or back benefits from the affected employer.
5. Union Grievance
- a. Any grievance procedure that is part of a collective bargaining agreement between the employer and labor union representing the dissatisfied employee shall be used in lieu of the process described in subsection IX., C. MPP 42-731

X. OTHER PROVIDERS OF ACTIVITIES AND SERVICES

- A. **Contracting for Services.** A public agency shall, in implementing programs affected by the act adding this section to the Welfare and Institutions Code, perform discretionary program functions exclusively through the use of merit civil service employees of the public agency. 10619
- B. **Discrimination Prohibition.** Employers, sponsors of training activities, and contractors shall not discriminate against participants on the basis of race, sex, national origin, age, or disability. 11322.62

XI. NONCOMPLIANCE WITH PROGRAM REQUIREMENTS

Subsections A., B., and C. of this Section do not apply to recipients who are subject to the Cal-Learn program, or another teen parent program approved by CDSS.

A. Compliance Process

1. An applicant or recipient of aid shall be subject to sanctions specified in subsection XI., C., whenever he or she fails or refuses without good cause to:
 - a. sign a welfare-to-work plan; participate in any assigned program activity, including a self-initiated program; provide required proof of satisfactory progress in any assigned program activity, including a self-initiated program; or accept employment;
 - b. agree to comply with a compliance plan agreed to between the county and the participant; 11327.4
 - c. continue employment; or
 - d. continue employment at the same level of earnings. 11327.4
2. Upon determination that an individual has failed or refused to comply with program requirements, the CWD will send the individual a notice of action effective no earlier than 30 calendar days from the date of issuance. 11327.4 (b) (1)
3. The notice of action shall inform the individual that a sanction will be imposed if the individual fails to either attend an appointment scheduled by the CWD within 20 calendar days of the notice or contact the CWD by phone within 20 calendar days of the notice and fails to do the following:
 - a. Provide information to the CWD that leads the CWD to a finding of good cause for refusing or failing to comply with program requirements, 11327.4(b)(1)(A), or
 - b. Agree to a compliance plan to correct the failure or refusal to comply. 11327.4(b)(1)(B)
4. Cause Determination
 - a. The CWD shall schedule a cause determination appointment time within 20 calendar days of the notice of action during which each individual who has failed or refused to comply with program requirements has an opportunity to demonstrate that he or she had good cause for that refusal or failure. 11327.4(b)(1) and (2)
 - b. The individual shall be allowed to reschedule the cause determination appointment once within the 20-calendar-day period. 11327.4 (b) (2)
 - c. In determining whether good cause exists for a refusal or failure to comply with program requirements, the county must take into consideration whether the participant has a mental disability that caused or substantially contributed to the refusal or failure to comply with program requirements. This determination must be made, where appropriate, in consultation with the county mental health department. 11327.9

5. The written notice of action shall contain the following additional information: 11327.4(b)(2)
 - a. The date, time, and location of the scheduled appointment. 11327.4(b)(3)(C)
 - b. A description of the specific act or acts that have caused the individual to be out of compliance with participation requirements. 11327.4(b)(3)(A)
 - c. A statement that the individual has the right to demonstrate why he or she failed or refused to comply with program requirements and demonstrate good cause for his or her refusal or failure to comply. 11327.4(b)(3)(B)
 - d. Provide a general definition of good cause and examples of reasons that constitute good cause for not participating in the program. 11327.4(b)(3)(D)
 - e. Inform the individual of the right to contact the CWD by telephone to establish good cause over the telephone in lieu of attending the scheduled appointment. 11327.4(b)(3)(E)
 - f. Inform the individual of the right to reschedule the appointment once within a period of 20-calendar-days. 11327.4(b)(3)(F)
 - g. Describe the transportation and child care services available to the individual in order to attend the appointment. 11327.4(b)(3)(I)
 - h. Inform the individual that if good cause is not found, a compliance plan will be developed and the individual will be expected to agree to the plan or face a sanction. 11327.4(b)(3)(G)
 - i. Inform the individual of the name, telephone number, and address of state and local legal aid and welfare rights organizations that may assist the individual with the good cause and compliance plan process. 11327.4(b)(3)(H)
6. If the individual fails to attend the appointment, the CWD shall attempt to contact the individual by telephone at the time of, or after, the appointment to establish a finding of good cause or no good cause. If a finding of no good cause is made, the CWD shall develop a compliance plan to correct the instance of nonparticipation. 11327.4(c)
7. If the CWD is not able to contact the individual as described above, and the individual fails to contact the CWD within the 20-calendar-day period, the CWD shall impose a sanction. 11327.4(d)
8. The CWD shall rescind the notice of action if the individual attends the appointment or contacts the CWD by phone within 20-calendar-day period and the CWD makes either of the following two determinations: 11327.4(e)

- a. The individual had good cause for refusing or failing to comply, or
 - b. The individual agrees to a compliance plan to correct the noncompliance.
9. If the individual agrees to a compliance plan at the appointment, the individual shall be provided a copy of the plan. If the individual agrees to a compliance plan over the telephone, a copy of the plan shall be mailed to the client. 11327.4(e)
10. An instance of a noncompliance shall not be considered to have occurred if either of the following occurs:
- a. The CWD determines that the individual had good cause for failing or refusing to comply. 11327.4(f)
 - b. The individual did not have good cause for failing or refusing to comply, but agrees to a compliance plan and subsequently fulfills the terms of the compliance plan. 11327.4(g)
11. If the individual does not fulfill the terms of a written compliance plan agreed upon with the CWD and the CWD determines, based on available information, that the individual did not have good cause for failure to meet the terms of the plan, the CWD shall send a notice of action to impose a sanction. If a sanction is imposed under the terms of this paragraph, no further compliance procedures are applicable.
12. Welfare-to-work compliance procedures and sanction requirements shall not apply to any person who is not required, but who volunteers, to participate in the welfare-to-work program and who fails to appear for a scheduled appointment prior to entering into the welfare-to-work plan.

B. Good Cause for Failure or Refusal to Comply with Program Requirements 11320.31

1. No sanctions shall be applied for failure or refusal to comply with program requirements for reasons related to employment, an offer of employment, an activity, or other training for employment including, but not limited to, the following reasons:
- a. The employment, offer of employment, activity, or other training for employment discriminates in terms of age, sex, race, religion, national origin, or physical or mental disability. 11320.31
 - b. The employment or offer of employment exceeds the daily or weekly hours of work customary to the occupation. 11320.31
 - c. The employment, offer of employment, activity, or other training for employment is remote from the individual's home because either:

- i. The round-trip travel time required exceeds a total of two hours, exclusive of the time necessary to transport family members to a school or place providing care, or 11320.31
- ii. Walking is the only available means of transportation and the round-trip is more than two miles, exclusive of the mileage necessary to accompany family members to a school or a place providing care. 11320.31

An individual who fails or refuses to comply with the program requirements based on the remoteness of the employment, offer of employment, activity, or other training for employment shall be required to participate in community service activities in accordance with the guidelines in subsection VI., B. 11320.31

- d. The employment, offer of employment, activity, or other training for employment involves conditions that are in violation of applicable health and safety standards. 11320.31
- e. The employment, offer of employment, or work activity does not provide for worker's compensation insurance. 11320.31
- f. Accepting the employment or work activity would cause an interruption to an approved education or job training program in progress. For purposes of this section the education or job training program includes all welfare-to-work activities described in Section VI. 11322.6 (e), except work experience, on-the-job training, or community service assignment. 11320.31
 - i. The approved education or job training program in progress must lead to employment and sufficient income to be self-supporting.
 - ii. If the hours of participation in the approved education or job training program in progress is less than the hours required as a condition of eligibility for aid, the CWD may require the individual to engage in welfare-to-work activities to the extent necessary to meet the required hours of participation.
- g. Accepting the employment, offer of employment, or work activity would cause the individual to violate the terms of his or her union membership. 11320.31
- h. Mental disability - In determining whether good cause exists for a refusal or failure to comply with program requirements, the county must take into consideration whether the participant has a mental disability that caused or substantially contributed to the refusal or failure to comply with program requirements. This determination must be made, where appropriate, in consultation with the county mental health department. 11327.9

2. Also see Good Cause for Not Participating, subsection IV., B.

C. Sanctions 11327.5, 11327.6

1. Financial sanctions shall be applied when a non-exempt welfare-to-work participant has failed or refused to comply with program requirements without good cause and compliance efforts have failed.
2. The sanctions shall not apply to an individual who is exempt from the welfare-to-work requirements and is voluntarily participating in the welfare-to-work program. If an exempt volunteer engages in conduct that would bring about the sanction procedures described below but for his or her status as a volunteer, the individual shall not be given priority over other participants actively seeking to participate. 11327.5(b)
3. Financial sanctions for failing or refusing to comply with program requirements without good cause shall result in a reduction in the family's grant by removing the noncomplying family member from the assistance unit for a period of time that increases in the following manner: 11327.5(c) and (d)
 - a. The first instance of noncompliance without good cause shall result in a financial sanction until the noncomplying participant performs the activity(ies) he or she previously refused to perform.
 - b. The second instance of noncompliance without good cause shall result in a financial sanction for three months or until the noncomplying participant performs the activity(ies) he or she previously refused to perform, whichever is longer. (See Implementation of Financial Provisions/CalWORKs ACL 97-66).
 - c. The third and each subsequent instance of noncompliance without good cause shall result in a financial sanction for six months or until the noncomplying participant performs the activity(ies) he or she previously refused to perform, whichever is longer. 11327.5(d)
4. The financial sanction shall become effective on the first day of the first payment-month that the sanctioned individual's needs are removed from aid. 11327.5(e)
5. In a two-parent family, the sanctioned parent shall be removed from the assistance unit. 11327.5(c)(1)
 - a. Except as provided in subsection c. below, if the sanctioned parent's spouse or the family's second parent is not participating in the program, both the sanctioned parent and the spouse or second parent shall be removed from the assistance unit. 11327.5 (c) (1)

- b. The county shall notify the spouse of the noncomplying participant or second parent in writing at the commencement of the compliance procedures of his or her own opportunity to participate and the impact on sanctions of that participation.
 - c. Except as noted in subsection d. below, exemption criteria provided in Section IV., compliance procedures specified in Section XI., and good cause criteria specified in subsection IV., 3., shall apply to the sanctioned parent's spouse or the family's second parent. 11327.5 (c)(2)(A)
 - d. For purposes of this section, if a spouse or second parent is participating to avoid the sanction of the noncomplying parent, the exemption criteria for care of an ill or incapacitated member of the household and the care of a child under six months of age (or age determined by the CWD) does not apply. 11327.5 (b)(2)(B)
 - e. A spouse or second parent who chooses to participate to avoid the noncomplying parent's sanction and subsequently ceases participation without good cause and does not conciliate shall be removed from the assistance unit for a period of time specified in subsection C., 3. above. 11327.5 (c)(2)(C)
 - f. If the sanctioned parent's spouse or the second parent is under his or her own sanction at the time of the first parent's sanction, the spouse or second parent shall not be provided the opportunity to avoid the first parent's sanction until the spouse or second parent's sanction is completed. 11327.5 (c)(2)(D)
- 6. For families that qualify due to the absence or incapacity of a parent, only the noncomplying parent shall be removed from the assistance unit. 11327.5(b)(2)(D)(3)
 - 7. If the noncomplying individual is the only dependent child in the family, his or her needs shall not be taken into account in determining the family's need for assistance and the amount of the assistance payment. 11327.5(c)(4)
 - 8. If the noncomplying individual is one of several dependent children in the family, his or her needs shall not be taken into account in determining the family's need for assistance and the amount of the assistance payment. 11327.5(c)(5)

D. State Hearings

- 1. Except as specified in this section, whenever a participant believes that any program requirement or assignment in this program is in violation of his or her welfare-to-work plan or is inconsistent with the welfare-to-work article, the participant may request a state hearing pursuant to Manual of Policy & Procedures Division 22 or utilize a formal grievance procedure to be established by the county board of supervisors and specified in each county plan. 11327.8

2. If the participant is not satisfied with the outcome of the grievance procedure, he or she may appeal the decision in accordance with the procedures set forth in Manual of Policy & Procedures Division 22. Participants shall be subject to sanctions pending the outcome of the formal grievance procedure or any subsequent appeal, only if they fail to participate during the period the grievance procedure is being processed. However, a participant shall not utilize the grievance procedure to appeal the results of an assessment made pursuant to Section 11325.4. 11327.8
3. If a participant is not satisfied with the decision of a hearing conducted pursuant to Manual of Policy & Procedures Division 22 concerning on-the-job working conditions or workers' compensation coverage, the participant may file a further appeal with the United States Department of Labor, as provided by federal law. 11327.8

XII. PREGNANT AND PARENTING TEENS (CAL-LEARN PROGRAM)

Cal-Learn Program--Teen Parents

- A. **Program Eligibility.** Pregnant teens and custodial teen parents receiving CalWORKs cash aid who have not obtained a high school diploma or its equivalent shall participate in the Cal-Learn program, (Manual of Policies & Procedures 42-762 through 42-769) instead of welfare-to-work activities. These pregnant and parenting teens who are under the age of 19 are mandatory Cal-Learn participants. Cal-Learn participants may continue participating in Cal-Learn, on a voluntary basis, up to the age of 20. The 19-year-old teens shall be eligible for voluntary Cal-Learn participation only for as long as all of the following conditions are met:
 1. The teen was participating in Cal-Learn prior to reaching 19 years old.
 2. The teen has not obtained a high school diploma or equivalent.
 3. The teen is participating in a high school or equivalent program as a student attending school on a full-time basis, as normally defined by the school in which the teen is enrolled, unless the county determines that the teen has good cause for not meeting the requirement.
 4. The teen is otherwise eligible for Cal-Learn.

Nineteen-year-old teens who do not meet all of the above conditions shall be subject to welfare-to-work requirements.

Nineteen-year-old Cal-Learn participants are eligible for the same benefits and penalties as is any individual required to participate in the Cal-Learn program.

- B. **Supportive Services.** The Cal-Learn program shall be subject to Section VII. - “Supportive Services.” Supportive services shall be limited to those services that are necessary to enable the teen parent to attend school on a regular basis.
- C. **Cal-Learn Exclusion from Time Limits.** Teens eligible for, participating in, or exempt from the Cal-Learn program are exempt from the 18-month, 24-month and 60-month time limits. Months that teens are eligible for the Cal-Learn program will not count toward the calculation of time limits. 11454(c) and 11454.5
- D. **Cal-Learn Exclusion from School Attendance Requirements.** Teens eligible for, participating in, or exempt from the Cal-Learn program, or another approved teen parent program, are not subject to the school attendance requirements of this section. 11253.5

XIII. SCHOOL ATTENDANCE

- A. **CalWORKs School Attendance Requirements.** CalWORKs requires all children in an assistance unit for whom school is compulsory, except individuals who are eligible for the Cal-Learn program and children subject to a school attendance project, to attend school (See the Implementation of Immunization & School Attendance Provisions- CalWORKs ACL 97-70). 11253.5
 - 1. Teens age 16 and 17, who are not attending school, must be referred to the county’s welfare-to-work program to have a welfare-to-work plan developed. 11320.3
- B. **Teens 19 Years of Age.** Teens 19 years of age are not subject to compulsory education requirements. However, 19-year-old custodial parents, not eligible for Cal-Learn, are required to participate in CalWORKs welfare-to-work activities as described in Section VI.
- C. **Exemption from Participation in CalWORKs Welfare-to-Work Activities for Teens Attending School Full-Time.** Every individual, as a condition of eligibility for aid under CalWORKs, unless exempt or excused from participation for good cause, shall participate in welfare-to-work activities under CalWORKs.

The following individuals shall not be required to participate for so long as the condition continues to exist:

- a. An individual under 16 years of age, except when required to participate in the Cal-Learn program during the time that provision is operative.
- b. A child attending an elementary, secondary, vocational, or technical school on a full-time basis. A person who is 16 or 17 years of age, or a custodial parent under age 20 whose only basis for exemption is having a child under six months, who loses this exemption, will not requalify for the exemption by attending school as a required activity under CalWORKs. 11320.3

WELFARE TO WORK FORMS AND NOTICES OF ACTION (NOAS)

This attachment consists of new Welfare to Work Plan assignment forms, informing notices, and instructions, new and updated sanction NOA forms, NOA messages, and instructions and an updated Cal-Learn form that have been created or revised to implement the requirements of AB 1542.

All of these forms are required - substitutes permitted with prior CDSS approval (except for the NA 841, which is a recommended NOA). If a county wants to modify any required form, it must submit the proposed changes to CDSS for approval before issuing the modified form.*

NEW FORMS:

WTW 1 (1/98)	Welfare to Work Plan - Rights and Responsibilities [replaces the GAIN 1 (9/95)]
WTW 2 (1/98)	Welfare to Work Plan - Activity Assignment [replaces the GAIN 245 (1/97)]
WTW 3 (1/98)	Welfare to Work Plan - Activity Assignment Change [replaces the GAIN 10 (9/95)]
WTW 4 (1/98)	Notice to Other Parent [replaces the GAIN 39 (1/94)]
TEMP 2146 (12/97)	Welfare to Work Informing Notice and GAIN Contract Amendment
TEMP 2147 (12/97)	New GAIN Cause Determination/Compliance and Cal-Learn Requirements
CL 2 (1/98)	Cal-Learn Program Requirements [replaces the CL 2 (8/98)]

NEW AND REVISED NOAS:

NA 840 (1/98)	Sanction of a Mandatory Participant/Compliance Notice [replaces the NA 840 (4/96)]
NA 841 (1/98)	Suspension of a Volunteer/Compliance Notice [replaces the NA 841 (1/96)]
NA 845 (1/98)	Removal of the Second Parent's Needs/Compliance Notice

- * Counties may modify the phrase "Welfare to Work Handbook" on any of the forms and NOAs when they name their own replacement document for the GAIN Guidebook (7/96) without obtaining CDSS approval. Counties may also modify language regarding references to "Welfare to Work" or "Welfare to Work worker", without obtaining CDSS approval, if they decide to name their employment activities component of the CalWORKs program something other than Welfare to Work.

INSTRUCTIONS FOR WELFARE TO WORK PLAN FORMS

WTW 1 (1/98) Welfare to Work Plan - Rights and Responsibilities

Use this form in the same way that the GAIN 1 has been used in the past.

WTW 2 (1/98) Welfare to Work Plan - Activity Assignment

This form replaces the GAIN 45. Use this form when a participant begins any Welfare to Work activity, following orientation and appraisal. Use this form for both single parent and two-parent families. The form also accommodates concurrent participation in more than one Welfare to Work activity.

Completing the form:

“ACTIVITY” - Check the box that corresponds to the activity(ies) in which the participant will be participating:

Item 1 is for mandatory participants who are required by the county to participate in an assigned activity. Check the corresponding box, describe the assigned activity in the blank (for example, “attend cosmetology program at community college”).

Item 2 is for mandatory participants who are required by the county to participate in more than one activity concurrently. Check the box, describe the concurrent activity in the blank (for example, “attend job services at EDD”). Note that the other assigned activity should be addressed in Item 1. The participant should be told to refer to the Welfare to Work Handbook for further information regarding the activity to which he or she is assigned.

Item 3 is for volunteers only (CalWORKs recipients who are exempt from mandatory participation in Welfare to Work but choose to voluntarily participate). Check the box, describe the assigned activity in the blank.

If the assigned activity has requirements for attendance or making satisfactory progress (i.e., SIP, or training services after Assessment), check the appropriate box and write the name of the activity(ies) in the blank(s).

Check the box to indicate that the participant has up to 30 days to ask for a change in activity, and explain that the 30-day period may be used only once by each participant.

“LOCATION AND SCHEDULE” - If the location and schedule of the activity are known, put the information in the appropriate spaces. Note that the form accommodates the location and schedule for two concurrent activities.

Instructions for WTW 2 (cont.)

If the location and schedule are not known, check the appropriate box to indicate how the information will be obtained by the participant and fill in the corresponding blanks.

“SUPPORTIVE SERVICES” - Review this section with the participant and provide the necessary assistance in arranging for the participant’s supportive services.

“CERTIFICATION” - Carefully review this section with the participant and have the participant sign where indicated. The Welfare to Work worker should also sign where indicated. Put the date by which the participant must tell the Welfare to Work worker if the participant wants to change the terms of the Activity Assignment.

IMPORTANT: In the first sentence of the CERTIFICATION section, it is specified that the Welfare to Work Plan includes the WTW 1, WTW 2, and the Welfare to Work Handbook. This should be emphasized to the participant prior to signing this form. During State Hearings, CWDs should be sure to include the Welfare to Work Handbook when submitting the WTW 1, WTW 2, and WTW 3 forms as evidence.

Give a copy of the completed, signed form to the participant.

Note: After the WTW 2 has been signed and the participant begins his or her activity, the WTW 3 Activity Assignment Change form is to be used when there is a change within the activity. These changes could include a change in location, change in hours, etc. A new WTW 2 is also to be completed each time the participant begins a new activity. A new WTW 2 is also to be completed when a concurrent activity is added to an existing activity, and the new WTW 2 should include both the existing and added concurrent activities.

WTW 3 (1/98) Welfare to Work Plan - Activity Assignment Change

Use this form in the same way that the GAIN 10 has been used in the past.

WTW 4 (1/98) Notice to Other Parent

Use this form when the noncomplying individual is a parent in a two-parent assistance unit. This reminder must be sent to the other parent in the assistance unit when the noncomplying individual is sent the NA 840, Sanction of A Mandatory Participant/Good Cause/Compliance Notice, at the beginning of the formal cause determination/compliance period to alert that parent of the opportunity to avoid being sanctioned by participating in Welfare to Work activities.

WELFARE TO WORK PLAN RIGHTS AND RESPONSIBILITIES

PARTICIPANT NAME _____

CASE NAME _____

CASE NUMBER _____

I.D. NUMBER _____

This is an outline of the rights and responsibilities of participants in Welfare to Work activities under the California Work Opportunity and Responsibility to Kids (CalWORKs) Program. Your Welfare to Work Plan tells how you and the county will work together so that you can get and keep a job. Your plan includes this form, the Activity Assignment, and the Welfare to Work Handbook. The Welfare to Work Handbook tells you about Welfare to Work activities, services, and requirements. The Activity Assignment tells you the Welfare to Work activity that you will be participating in. The county must do certain things to help you while you are in Welfare to Work. The county must explain Welfare to Work to you and answer any questions.

The county must help you arrange and pay for child care, transportation, and work and training expenses. If necessary, the county can make advance payments to you for these supportive services.

This plan and any changes to it will apply to you and the county as long as you participate in Welfare to Work. But, the county may have to change or stop all or part of this plan if: 1) there are changes in law or regulations; 2) the county cannot get or pay for services from the provider or 3) you stop receiving cash aid under the CalWORKs program. The county will inform you of any changes in writing.

YOUR RIGHTS

As a Welfare to Work participant, you have the following rights which will help you take part in Welfare to Work.

You have the right to:

1. Receive direction and support from the county to help you improve your ability to get a job.
2. Receive payment for child care, transportation, and work or training-related expenses if you need it to participate or attend any Welfare to Work appointment or activity. These are called supportive services. If you are already in a job training or education program, you will receive payments for your supportive services only if you cannot get the supportive services costs from somewhere else.
3. Receive details of your supportive services arrangements in writing.
4. Receive advance payment, if you need it, for approved supportive services.
5. Receive a referral to places in the community that offer personal counseling, mental health, substance abuse, or domestic violence services if you need it to help you participate.
6. Change your mind about your activity assignment after you sign it. If you change your mind, you must tell your Welfare to Work worker within 3 working days.
7. Refuse a job if the county decides you have a good reason.
8. Refuse to participate if the services you and the county agree you need are not provided.
9. Refuse to participate if the county decides you have any other good reason.
10. Explain the reason if you fail to do what Welfare to Work requires.
11. Have a second chance to cooperate and participate in Welfare to Work through the compliance process.
12. Protest any county action you do not agree with.
13. Seek legal advice at any time regarding your participation in Welfare to Work.

YOUR RESPONSIBILITIES

As a Welfare to Work participant, you also have the following responsibilities to make sure Welfare to Work works for you. You must:

1. Accept a job if you get an offer unless you have a good reason not to.
2. If working, keep the job and not lower your earnings.
3. Sign activity assignments which tell how you and the county will work together while you participate.
4. Participate as described in your Welfare to Work plan unless you have a good reason.
5. Choose and arrange for supportive services. The county will help you.
6. Sign up for subsidized child care if you will need it. The county will tell you how.
7. Ask your Welfare to Work worker if you have any questions about Welfare to Work.
8. Tell your Welfare to Work worker of changes that may affect your participation.
9. Tell your Welfare to Work worker right away of changes in your need for supportive services. This includes changes in child care providers. If you don't tell the county in advance, the county may not be able to pay for the services that change.
10. Pay Welfare to Work back for any supportive services payments you got, but you did not need or you were not eligible for.
11. Respond to call-in notices the county sends to you.
12. Provide proof of satisfactory progress in your assigned activity if required by your county.
13. Read (or have read or explained to you) and understand the Welfare to Work Handbook.

QUESTIONS?

The Welfare to Work Handbook gives you more information on your rights and responsibilities. If you have any questions, be sure to check the Welfare to Work Handbook or call your Welfare to Work worker at the number shown below.

CERTIFICATION

I understand that the purpose of Welfare to Work is to help me prepare for work and find a job. I have read (or had read or explained to me) and understand this Rights and Responsibilities form. I have received a Welfare to Work Handbook. I know that I have certain rights and responsibilities as a participant in Welfare to Work. I know that I must meet all my responsibilities as a Welfare to Work participant. If I fail to meet my responsibilities without good reason, I know that there are certain penalties and that my cash aid may be affected.

PARTICIPANT'S SIGNATURE: _____

DATE: _____

WELFARE TO WORK WORKER'S SIGNATURE: _____

PHONE: _____

DATE: _____

WELFARE TO WORK PLAN - ACTIVITY ASSIGNMENT

PARTICIPANT NAME:	
CASE NAME:	
CASE NUMBER:	I.D. NUMBER:
WELFARE TO WORK WORKER NAME:	

ACTIVITY

- My assigned activity is _____
I understand that if I do not participate as required in this activity without the county deciding if I have a good reason, my cash aid will be lowered.
 - I understand that I must also participate in _____ (activity).
I understand that if I do not participate as required in this activity without the county deciding if I have a good reason, my cash aid will be lowered.
 - I understand that I do not have to participate in _____ (activity) at this time, but I agree to go to this _____ (type) activity and complete it anyway. My Welfare to Work worker has described this activity to me. I understand that if I stop participating in this activity without the county deciding if I have a good reason, my cash aid will not be lowered, but I may not be allowed to participate in Welfare to Work for a period of time.
- I understand that if I do not attend _____ / _____ [activity(s)] as required by Welfare to Work or make satisfactory progress in my assigned activity, Welfare to Work will determine why, and I may have to go to a different activity. I understand that I am required to give proof of satisfactory progress in my activity (s) to my Welfare to Work worker by the date(s) listed below.

Activity: _____ Date Proof is Due: _____

Activity: _____ Date Proof is Due: _____

- I understand that I have up to 30 days to ask for a change in my activity once it starts. I understand that I can only change my activity once. If Welfare to Work agrees to the change, I know I will have to sign a new Activity Assignment.

LOCATION AND SCHEDULE

Activity: _____	Activity: _____
Begins: _____ Expected to end: _____	Begins: _____ Expected to end: _____
Location and Schedule: _____	Location and Schedule: _____

- Welfare to Work will send me the location and schedule for my activity _____ by _____ (date).
- I will go to _____ (location) on/by _____ (date) to get my activity _____ location or schedule.
I will give my Welfare to Work worker a copy of my _____ (activity) schedule by _____ (date). I will tell my Welfare to Work worker if any changes are made and give my Welfare to Work worker a copy of the changes if required.

SUPPORTIVE SERVICES

Welfare to Work will pay for supportive services (child care; transportation; and work, education, and training related expenses) if I need them to participate in Welfare to Work and Welfare to Work rules allow for them.

I have reviewed my need for Welfare to Work supportive services with my Welfare to Work worker. I understand that I do not have to participate until specific arrangements for the supportive services I need have been made. I understand that I must tell my Welfare to Work worker right away of changes in my need for Welfare to Work supportive services, or if I no longer need them. If I do not report the changes in advance, Welfare to Work may not be able to pay for them. I understand that if Welfare to Work pays for supportive services that are more than what I need to participate in Welfare to Work, I will have to pay Welfare to Work back.

CERTIFICATION

I understand that my Welfare to Work Plan includes this form, the Welfare to Work Plan - Rights and Responsibilities and the Welfare to Work Handbook. I understand that Welfare to Work activities and services, and my rights and responsibilities as a Welfare to Work participant, are explained to me on these forms. I have received a Welfare to Work Handbook. I understand that I can ask my Welfare to Work worker if I have any questions. I understand that I have three working days to think about the terms of this Activity Assignment after I sign it. I understand that if I want to change the terms of this Activity Assignment, I must tell my Welfare to Work worker by _____ (date). If I don't tell my Welfare to Work worker by then, this Activity Assignment is considered final. If Welfare to Work agrees to change this Activity Assignment, and I sign a new one, I understand that the new Activity Assignment is considered final.

I have read (or had read to me) and understand this Activity Assignment, and have received a copy of it. If I fail to meet my responsibilities without a good reason, I know that there are certain penalties and that my cash aid may be affected.

PARTICIPANT'S SIGNATURE		DATE
WELFARE TO WORK WORKER'S SIGNATURE	PHONE	DATE

**WELFARE TO WORK PLAN
ACTIVITY ASSIGNMENT
CHANGE**

PARTICIPANT NAME:	
CASE NAME:	
CASE NUMBER:	IDENTIFICATION NUMBER:
WELFARE TO WORK WORKER NAME:	

The WELFARE TO WORK PLAN - ACTIVITY ASSIGNMENT that I signed on _____ (Date) has been changed as follows:

I have reviewed these changes and agree with them. I understand that everything else in my Welfare to Work Plan-Activity Assignment that I signed on _____ (Date) still applies.

I have reviewed my need for Welfare to Work supportive services (child care, transportation, and work and training related expenses) with my Welfare to Work worker. I understand that I do not have to participate until specific arrangements for the supportive services I need have been made. I understand that I must tell my Welfare to Work worker right away of changes in my need for Welfare to Work supportive services, or if I no longer need them. If I do not report the changes in advance, Welfare to Work may not be able to pay for them.

CERTIFICATION

I understand that my Welfare to Work Plan includes this Activity Assignment Change, the Welfare to Work Plan - Rights and Responsibilities, the Welfare to Work Plan - Activity Assignment, and the Welfare to Work Handbook. I understand that the Welfare to Work activities and services, and my rights and responsibilities as a Welfare to Work participant, are explained to me on these forms. I understand that I can ask my Welfare to Work worker if I have any questions.

I understand that I have three working days to think about the terms of this Activity Assignment Change. I understand that if I want to change the terms of this Activity Assignment Change I must tell my Welfare to Work worker by _____ (Date). If I don't tell my Welfare to Work worker by then, this Activity Assignment Change is considered final. If Welfare to Work agrees to change this Activity Assignment Change, and I sign a new one, I understand that the new Activity Assignment Change is considered final.

I have read (or had read to me) and understand this Activity Assignment Change, and have received a copy of it. If I fail to meet my responsibilities without good reason, I know that there are certain penalties and that my cash aid may be affected.

PARTICIPANT'S SIGNATURE:		DATE:
WELFARE TO WORK WORKER'S SIGNATURE		DATE:
PHONE:		

PLAN DEL PROGRAMA PARA LA TRANSICION DE LA ASISTENCIA PUBLICA AL TRABAJO (WELFARE TO WORK - WTW) ENMIENDA A UN CONVENIO DE ACTIVIDADES

NOMBRE DEL PARTICIPANTE:	
NOMBRE DEL CASO:	
NUMERO DEL CASO:	NUMERO DE IDENTIFICACION:
NOMBRE DEL TRABAJADOR DE WTW:	

El "PLAN DEL PROGRAMA PARA LA TRANSICION DE LA ASISTENCIA PUBLICA AL TRABAJO - CONVENIO DE ACTIVIDADES" que yo firmé el _____ (fecha) se ha cambiado de la siguiente manera:

He repasado estos cambios y estoy de acuerdo con ellos. Entiendo que todo lo demás que contiene el "Plan del Programa de Transición de la Asistencia Pública al Trabajo - Convenio de actividades" que firmé el _____ (fecha) todavía es pertinente.

He repasado con mi trabajador de WTW mis necesidades en cuanto a los servicios de apoyo de WTW (cuidado de niños, transporte, y gastos relacionados al trabajo y entrenamiento). Entiendo que no tengo que participar hasta que se hayan hecho los arreglos específicos para los servicios de apoyo que necesito. Entiendo que tengo que avisarle inmediatamente a mi trabajador de WTW si hay algún cambio en mis necesidades con respecto a los servicios de apoyo de WTW o si ya no los necesito. Si no reporto los cambios por adelantado, es posible que WTW no pueda pagar estos servicios.

CERTIFICACION

Entiendo que mi "Plan del Programa para la Transición de la Asistencia Pública al Trabajo" incluye esta "Enmienda a un convenio de actividades", el "Plan del Programa para la Transición de la Asistencia Pública al Trabajo - Derechos y responsabilidades", el "Plan del Programa para la Transición de la Asistencia Pública al Trabajo - Convenio de actividades", y el "Manual del Programa para la Transición de la Asistencia Pública al Trabajo". Entiendo que en estos documentos, se me explican las actividades y los servicios de WTW así como mis derechos y responsabilidades como participante de WTW. Entiendo que puedo comunicarme con mi trabajador de WTW si tengo alguna pregunta.

Entiendo que tengo tres días laborales para considerar las condiciones de esta "Enmienda a un convenio de actividades". Entiendo que si quiero cambiar las condiciones de esta enmienda, tengo que avisarle a mi trabajador de WTW a más tardar el _____ (fecha). Si no le aviso a tiempo, esta "Enmienda a un convenio de actividades" se considerará final. Si WTW está de acuerdo en cambiar esta "Enmienda a un convenio de actividades", y si firmo una nueva, entiendo que la nueva "Enmienda a un convenio de actividades" se considerará final.

He leído (o se me ha leído) esta "Enmienda a un convenio de actividades", la entiendo, y he recibido una copia de ella. Si no cumplo mis responsabilidades sin un motivo justificado, sé que hay ciertas sanciones y que mi asistencia monetaria puede resultar afectada.

FIRMA DEL PARTICIPANTE:	FECHA:
FIRMA DEL TRABAJADOR DE WTW:	NUMERO DE TELEFONO:
	FECHA:

NOTICE TO OTHER PARENT

COUNTY	
CASE NAME	
CASE NO.	OTHER ID NO.
WORKER NAME	

(ADDRESSEE)

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Questions? Ask your worker.

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Notice Date: _____

This is to let you know that there is a problem with _____'s participation in Welfare to Work. We would like to work out a plan to meet Welfare to Work requirements. If a plan is agreed to your family's cash aid will not be lowered. But if the problem is not worked out, both you and _____ can lose cash aid. Your children will still get their part of the cash aid.

You will still get your part of the cash aid if you are already in Welfare to Work or you agree to take part in Welfare to Work. You can agree to take part in Welfare to Work at any time. But if you agree after your cash aid is stopped, you must ask for cash aid again.

You may not have to participate in Welfare to Work if you have a good reason not to. Some good reasons for not participating are: You are a victim of domestic violence and participating would be harmful to you or your family, or you do not have the child care, transportation or work-related expenses needed to participate.

Call _____ for more information.

NOTIFICACION AL OTRO DE LOS PADRES

CONDADO	
NOMBRE DEL CASO	
Nº DEL CASO	OTRO Nº DE IDENTIFICACION
NOMBRE DEL TRABAJADOR	

(ADDRESSEE)

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¿Tiene preguntas? Comuníquese con su trabajador.

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Fecha de la notificación: _____

Esta notificación es para hacerle saber que hay un problema con la participación de _____ en el Programa para la Transición de la Asistencia Pública al Trabajo (*Welfare to Work - WTW*). Nos gustaría preparar un plan para que esa persona cumpla los requisitos del WTW. Si se llega a un acuerdo en relación a un plan, la asistencia monetaria para su familia no se disminuirá. Pero si no se soluciona el problema, tanto usted como _____ pueden perder la asistencia monetaria. Sus niños continuarán recibiendo la parte de la asistencia monetaria de ellos.

Usted continuará recibiendo su parte de la asistencia monetaria si ya participa en el WTW o si acepta participar en el WTW. Usted puede aceptar participar en el WTW en cualquier momento. Pero, si acepta después de que se suspenda su asistencia monetaria, deberá solicitar asistencia monetaria otra vez.

Es posible que no tenga que participar en el WTW si tiene una razón justificada para no hacerlo. Algunas de las razones justificadas para no participar son: si usted es víctima de la violencia doméstica y el participar sería dañino para usted o su familia, o si usted no tiene disponibles el cuidado de niños, la transportación, o el dinero para gastos relacionados con el trabajo que son necesarios para participar.

Llame al _____ para más información.

INSTRUCTIONS

TEMP 2146 (12/97) Welfare to Work Informing Notice and GAIN Contract Amendment

This notice is to inform applicants and recipients when the county is implementing the Welfare to Work component of the CalWORKs program. In the blank, enter the date that the county will implement the Welfare to Work component.

This notice must accompany the recipient's warrant the month prior to the county's implementation of these requirements.

TEMP 2147 (12/97) New GAIN Cause Determination/Compliance and Cal-Learn Requirements

This notice is to inform applicants and recipients that there will be new GAIN cause determination/compliance and Cal-Learn voluntary participation of the 19-year old teen parents requirements. In the blank, enter the date that the county will implement these program requirements. The TEMP 2147 is to be used by counties that want to implement these requirements prior to implementing their full Welfare to Work component of the CalWORKs program.

Counties that will implement the Welfare to Work component on the same date that they implement these requirements DO NOT need to use this notice.

This notice must accompany the recipient's warrant the month prior to the county's implementation of these requirements.

WELFARE TO WORK INFORMING NOTICE AND GAIN CONTRACT AMENDMENT

Effective, _____ the county is starting the Welfare to Work part of the new California Work Opportunity and Responsibility to Kids (CalWORKs) Program. The new rules about for participating in Welfare to Work activities apply to all CalWORKs recipients.

IF YOU HAVE A GAIN CONTRACT, THIS NOTICE CHANGES YOUR CONTRACT. Keep this notice with your copy of your GAIN contract.

WELFARE TO WORK ACTIVITIES AND HOURS OF PARTICIPATION - Recipients of cash aid under the CalWORKs Program will be required to participate in Welfare to Work activities, unless you are exempt from participating. The county will tell you what your hours of participation will be. Welfare to Work activities include the following: unsubsidized work, subsidized work, work experience, community service, adult basic education, vocational training, and job search services. To find out about all of the activities available in your county, ask your worker.

IF YOU HAVE A GAIN CONTRACT, YOUR ACTIVITIES AND HOURS OF PARTICIPATION WILL STAY THE SAME UNTIL THE COUNTY ASKS YOU TO SIGN A WELFARE TO WORK PLAN. Most Welfare to Work plans will let you finish your GAIN activities, but you may be required to increase your hours or add new activities.

COMMUNITY SERVICES - If you are unable to get a job with enough hours after receiving cash aid for 18 or 24 months under CalWORKs, depending on when you began receiving aid, you will be required to participate in community service, in order to continue to get your cash aid.

VOLUNTARY PARTICIPATION OF 19-YEAR OLD TEEN PARENTS IN THE CAL-LEARN PROGRAM - If you turn 19 while you are in the Cal-Learn program and have not graduated from high school or it's equivalent, you may be eligible to continue participating in the program until you turn 20 years old.

Rules: These rules apply; you may review them at your welfare office: CalWORKs Implementation Guidelines, Sections: III, IV, VI, XI, XII; Welf. & Inst. Code 11320.1, 11320.3, 11322.8, 11325.2, 11327.4 11331.5

COMPLIANCE - If you do not meet Welfare to Work requirements, the county will send you a notice. You will have 20 calendar days after the date of the notice to do the following:

- meet with or call your Welfare to Work worker to give a good reason for not doing what you are required to do. If you have a good reason for not doing what the county requires, your Welfare to Work worker will try to help you so that you meet Welfare to Work requirements, or
- if the county decides that you do not have a good reason for not doing what Welfare to Work requires, you must agree to sign a compliance plan to do what you are required. If you meet the requirement(s) of the plan, no penalties will be applied to you.

SANCTIONS - If you are required to participate in Welfare to Work and you refuse or fail to comply with Welfare to Work requirements without a good reason, or do not sign and complete a compliance plan, your cash aid will be lowered. The rules about how long your cash aid will be lowered are the same as they were under the GAIN program.

If you are not required to participate in Welfare to Work, but you asked to participate (volunteer) and you refuse or fail to comply with Welfare to Work requirements without a good reason, or do not sign and complete a compliance plan, your cash aid will not be lowered, but you may not be allowed back in Welfare to Work for a period of time.

SEE THE BACK SIDE OF THIS PAGE FOR WHEN YOU DON'T HAVE TO PARTICIPATE AND A LIST OF THE GOOD REASONS FOR NOT PARTICIPATING.

WHEN YOU DON'T HAVE TO PARTICIPATE - You don't have to be in Welfare to Work activities if you are excused (exempt). If you are eligible for the Cal-Learn Program, or if you got a high school diploma or its equivalent while you were in the Cal-learn Program, some of these exemptions may not apply to you. For more information, contact your eligibility worker or Cal-learn case manager. You are exempt if you are:

- Under 16 years old.
- 16, 17, 18 years old and go to school (not college) full time unless you go to school as one of your Welfare to Work activities.
- The nonparent relative caretaker of a child who is a dependent or ward of the court, or a child at risk of being placed in foster care and the county decides that taking care of the child keeps you from working or participating in a Welfare to Work activity on a regular basis.
- Staying home to take care of someone in the household who can't take care of him/herself if that keeps you from working or participating in a Welfare to Work activity on a regular basis.
- A parent or caretaker relative of a child six months old or younger (or, depending on the county, for a child 12 weeks old or younger or for a child 12 months old or younger). Ask your worker how old your child has to be for you to be exempt. This exemption is available only once. BUT if you are a teen parent who is required to participate in the Cal-Learn Program, you must participate no matter how old your child is, unless you have another reason to be exempt.
- * Physically or mentally unable to work or participate in a Welfare to Work activity on a regular basis for at least 30 calendar days.
- 60 years old or older.
- Pregnant and a doctor states that you cannot work or participate in Welfare to Work activities.

GOOD REASONS FOR NOT PARTICIPATING - You may have a good reason for not doing what the county requires. Some of these reasons are related to you personally and some are related to the activity.

• **Reasons related to you:**

- You need child care for a child 10 years old or younger, transportation, or work or training related expenses to participate and it hasn't been provided.
- you are the victim of domestic violence and participating would be harmful to you or your family.

• **Reasons related to activity or job:**

- Discrimination because of age, sex, race, color, religion, national or ethnic origin, physical or mental disability, political affiliation, or marital status.
- Travel to work or training from your home is more than two hours round trip by car, bus, or other transportation, or more than two miles round trip if you have to walk because other transportation is not available. This limit does not include the time or mileage to take your family members to or from school or to or from other care providers. (If you do not take a job or participate in an assigned activity because of this reason, you will have to participate in community service.)
- The job requires more daily or weekly hours than is normal or customary.
- Conditions that violate health and safety standards or that could cause you serious injury or death.

For other good reasons for not participating to Welfare to Work activities, ask your worker.

New Gain Cause Determination/Compliance and Cal-Learn Requirements

GAIN CONTRACT AMENDMENT AND INFORMING NOTICE

Effective _____, the rules about what happens when you do not meet GAIN requirements have changed. If you are a new or existing participant in the Greater Avenues to Independence (GAIN) program, you will have to follow a new process when you do not do what GAIN requires.

COMPLIANCE

If you do not meet GAIN requirements, the county will send you a notice. You will have 20 calendar days after the date of the notice to do the following:

- meet with or call your GAIN worker to give a good reason for not doing what you are required to do. If you have a good reason for not doing what GAIN requires, your GAIN worker will try to help you so that you do what GAIN requires, or
- if the county decides that you do not have a good reason for not doing what GAIN requires, you must agree to sign a compliance plan to do what you are required.

THIS NOTICE CHANGES YOUR GAIN CONTRACT, IF YOU HAVE ONE. Keep this notice with your copy of your GAIN contract.

CAL-LEARN INFORMING NOTICE

Voluntary Participation of 19-year Old Teen Parents in Cal-Learn Program

If you turn 19 while you are in the Cal-Learn program and have not graduated from high school or it's equivalent, you may be eligible to continue participating in the program until you turn 20 years old.

Rules: These rules apply; you may review them at your welfare office: CalWORKs Implementation Guidelines, Sections: XI, XII; Welf. & Inst. Code 11327.4, 11331.5

CL 2 - CAL-LEARN PROGRAM REQUIREMENTS (1/98) (revised) (required - substitutes permitted)

REFER: MPP 42-764.2

This notice is to be used to inform all mandatory registrants in the Cal-Learn program of participation requirement; a brief description of case management services and supportive services; information about bonuses and sanctions; and exemption and deferral criteria. It also informs participants that it is the teens responsibility to inform their case manager of a participation problem.

INSTRUCTIONS:

Give this notice to Cal-Learn participants when they attend their Cal-Learn program orientation meeting. This form is the document that starts the 90 day participation clock. If the teen parent does not attend the scheduled Cal-Learn Program orientation, send the CL 2 with the CAL-LEARN NOTICE OF PARTICIPATION PROBLEM (CL 3).

This notice is given to the teen parent and the caretaker of the AU.

CAL-LEARN PROGRAM REQUIREMENTS

DATE:
CASE NAME:
REGISTRANT'S NAME:
CASE NUMBER:
CASE MANAGER NAME:
PHONE NUMBER:

THIS NOTICE IS NOTIFICATION OF THE PROGRAM REQUIREMENTS

WHAT CAL-LEARN MEANS TO YOU

Because you have been registered for the Cal-Learn program:

- You are required to go to school on a full-time basis to get a high school diploma or equivalent.
- You are required to participate until you reach age 19 unless you are exempt.
- If you turn 19 while you are in the Cal-Learn program and have not graduated from high school or equivalent, you may be eligible to continue participating in the program until you turn 20 years old.
- You will be given the opportunity to help in the development of your case plan including a report card submittal schedule.
- You are required to submit your report card or progress report to your case manager.
- You can get up to four \$100 bonuses a year for getting a report card with grades that average a C or better. You could get four \$100 sanctions a year for getting grades that average below a D.
- You can receive a \$500 bonus upon graduation.

The county will provide case management services to help you with:

- Developing a report card schedule.
- Developing an educational plan to assist you in graduating from high school or equivalent.
- Monitoring your progress and help you make necessary changes to your school program.
- Providing referrals to appropriate community services.
- Making sure that you understand Cal-Learn requirements and consequences of not meeting program requirements.

You can receive child care, transportation and educational related expenses if needed.

You have the right to ask to be excused from Cal-Learn, or ask for services like child care and transportation, or to ask for any other service provided by the Cal-Learn Program. You may ask your case manager by phone or in person, or you may ask in writing.

It is your responsibility to tell your case worker if you move, change child care or need other supportive services, or have problems in meeting the program requirements.

Before we lower your cash aid for not making satisfactory progress in school, you will be given a chance to say why you did not. If you have a good reason, your cash aid will not be lowered.

EXEMPTIONS

You have been registered for the Cal-Learn program. A teen parent may be exempt if he or she:

- Is ill, injured, or physically unable to go to school.
- Is expelled from school and enrollment in an alternative school cannot be arranged.
- Cannot get child care or transportation.
- * A CalWORKs foster care payment is made on behalf of the teen.

DEFERRAL

A teen may be deferred if the teen parent:

- Needs supportive or case management services which are temporarily not available.
- Has a special need that stops the teen parent from meeting program requirements and the special need cannot be met.
- The doctor has given a period of time to recover after the birth of a child.

Individuals who are deferred are still mandatory participants in Cal-Learn.

If you meet any of the listed reasons for being exempt or deferred from Cal-Learn you are still required to go to school. The California Education Code Section 48200 requires that you attend school.

REQUISITOS DEL PROGRAMA DE CAL-LEARN

FECHA:
NOMBRE DEL CASO:
NOMBRE DEL PARTICIPANTE:
NUMERO DEL CASO:
NOMBRE DEL ADMINISTRADOR DE CASOS:
NUMERO DE TELEFONO:

ESTE AVISO ES NOTIFICACION SOBRE LOS REQUISITOS DEL PROGRAMA

LO QUE CAL-LEARN SIGNIFICA PARA USTED

Ya que se le ha registrado en el Programa de Cal-Learn:

- Se le exige a usted asistir a la escuela tiempo completo para obtener un certificado de la secundaria (*high school*) o su equivalente.
- Se le exige a usted participar hasta que cumpla los 19 años de edad, a menos que esté exento.
- Se le dará a usted la oportunidad de ayudar a establecer el plan de su caso, incluyendo un horario para presentar su tarjeta de calificaciones.
- Se le exige a usted presentar su tarjeta de calificaciones o el reporte sobre su progreso a su administrador de casos.
- Usted puede recibir hasta cuatro cantidades adicionales de \$100 al año por recibir una tarjeta de calificaciones con un promedio de "C" o mejor. Usted puede recibir cuatro sanciones de \$100 al año por recibir una tarjeta de calificaciones con un promedio más bajo de "D".
- Usted puede recibir una cantidad adicional de \$500 dólares al graduarse.

El condado le proporcionará servicios de administración de casos para ayudarle con:

- El establecimiento de un horario para entregar las tarjetas de calificaciones.
- El establecimiento de un plan educativo para ayudarle a graduarse de la secundaria o su equivalente.
- La revisión periódica de su progreso y para ayudarle a hacer los cambios necesarios en su programa escolar.
- La recomendación de servicios apropiados en la comunidad.
- El asegurarse que usted entienda los requisitos de Cal-Learn, así como las consecuencias por no cumplir los requisitos del programa.

Si los necesita, puede recibir pagos para cubrir gastos de cuidado de niños, transporte y otros gastos relacionados.

Es responsabilidad suya informarle al trabajador si usted se muda, cambia sus arreglos para el cuidado de niños, necesita otros servicios de apoyo, o tiene problemas para cumplir los requisitos del programa.

Antes que reduzcamos su asistencia monetaria por no progresar de una manera satisfactoria en la escuela, se le dará a usted la oportunidad de explicar por qué no progresó. Si tiene un motivo justificado, no se reducirá su asistencia monetaria.

EXENCIONES

Se le ha registrado en el Programa de Cal-Learn. Un padre/madre adolescente puede estar exento si:

- Está enfermo, lesionado, o físicamente imposibilitado para asistir a la escuela.
- Se le expulsa de la escuela y no se puede conseguir que se le matricule en una escuela alternativa.
- No puede conseguir cuidado de niños o transporte.
- Se hace un pago de AFDC-FC (cuidado de crianza temporal) a favor del adolescente.

APLAZAMIENTO

Se puede aplazar a un adolescente si el padre/madre adolescente:

- Necesita servicios de apoyo relacionados con la administración de casos los cuales temporalmente no están a la disposición.
- Tiene una necesidad especial que impide que el padre/madre adolescente cumpla los requisitos del programa, y no se puede cubrir la necesidad especial.
- El doctor ha otorgado un período de recuperación después del nacimiento de un bebé.

Las personas que han sido aplazadas todavía son participantes obligatorios en Cal-Learn.

Si usted tiene cualquiera de las razones enumeradas para que se le exente o se le aplaze de Cal-Learn, todavía se le exige que asista a la escuela. La sección 48200 del Código de Educación de California exige que usted asista a la escuela.

Usted tiene el derecho a que se le excuse de Cal-Learn, o a solicitar servicios como cuidado de niños y transporte, o a solicitar cualquier otro servicio que brinde el Programa de Cal-Learn. Puede pedirselo a su administrador de casos por teléfono o en persona, o lo puede hacer por escrito.

NOTICE OF ACTION

COUNTY OF _____

STATE OF CALIFORNIA
HEALTH AND WELFARE AGENCY
DEPARTMENT OF SOCIAL SERVICES

Notice Date : _____
 Case Name : _____
 Number : _____
 Worker Name : _____
 Number : _____
 Telephone: _____
 Address : _____

(ADDRESSEE)

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Questions? Ask your Worker.

State Hearing: If you think this action is wrong, you can ask for a hearing. The back of this page tells how. Your benefits may not be changed if you ask for a hearing before this action takes place.

As of _____, the County is changing your cash aid from \$ _____ to \$ _____. Cash aid will stop for _____, unless this person goes to the interview we have scheduled or calls us by _____, and gives us a good reason for not doing what the County asks or agrees to a plan to do what the County asks.

HERE'S WHY:

_____ has a problem with their participation in Welfare to Work. To discuss this problem, we have scheduled an interview with this person on: _____ at _____ o'clock at _____.

Here's the problem:

- not signing the Welfare to Work plan.
- not participating or making good progress in the assigned activity: _____
- not accepting a job.
- quitting a job.
- reducing their earnings.

WHAT HAPPENS AT THE INTERVIEW?

At the interview, you may give your reasons for not doing what the County asks. If you have a good reason, your cash aid will stay the same. Some good reasons for not participating are: you are the victim of domestic violence, you do not have child care, or you do not have transportation. For other good reasons, see your Welfare to Work Handbook.

You may also call your Welfare to Work worker, instead of going to the interview, to give us a good reason for not doing what the County asks, or to agree to a plan to do what the County asks. Contact _____ at _____ - _____.

Medi-Cal: This Notice of Action does NOT change or stop Medi-Cal benefits. **Keep your plastic Benefits Identification Card(s).**

Rules: These rules apply; you may review them at your welfare office: CalWORKs Implementation Guidelines, Section XI, Welf. & Inst. Code 11327.4, 11327.5

Monthly Cash Aid Amount

Section A. Countable Income, Month of _____

Total Business Income	.....	\$	_____
Business Expenses:			
a. 40% Standard	.....		_____
OR			
b. Actual	.....		_____
Net Earnings from Self-Employment	.....	=	_____

Total Disability-Based Unearned Income of (Assistance Unit + Non-Assistance Unit Members)	.....	\$	_____
\$225 Disregard	.....	-	_____
Nonexempt Unearned Disability-Based Income	.....	=	_____
OR			
Unused Amount of \$225 Disregard	.....	=	_____

Total Earned Income	.....	\$	_____
Net Earnings from Self-Employment (from above)	.....	+	_____
Subtotal	.....	=	_____
Unused Amount of \$225 Disregard (from above)	.....	-	_____
Subtotal	.....	=	_____
Earned Income Disregard 50%	.....	-	_____
Subtotal	.....	=	_____
Nonexempt Unearned Disability-Based Income (from above)	.....	+	_____
Other Nonexempt Income of (Assistance Unit + Non-Assistance Unit Members)	.....	+	_____
		+	_____

Net Countable Income = _____

Section B. Your Cash Aid, Month of _____

1. Maximum Aid _____ Persons (Assistance Unit + Non-Assistance Unit Members) .. \$ _____
2. Special Needs (Assistance Unit only) + _____
3. Net Countable Income from Section A - _____
4. Subtotal = _____
5. Maximum Aid _____ Persons (Assistance Unit only) (Excluding Sanctioned Persons) \$ _____
6. Special Needs (Assistance Unit only) + _____
7. Maximum Aid Subtotal = _____
8. **Full Month Aid Subtotal** (Lowest Amount on Line 4 or 7) = _____
9. Line 8 Prorated for Part of Month = _____
10. Adjustments: 25% Child Support Sanction - _____
 Overpayment - _____
 Other Sanctions - _____
 Bonus + _____
11. **Monthly Cash Aid Amount** (Line 8 or 9 Adjusted) = _____

NOTICE OF ACTION

(Continued)

COUNTY OF _____

STATE OF CALIFORNIA
HEALTH AND WELFARE AGENCY
DEPARTMENT OF SOCIAL SERVICES

Notice Date _____
Case Name _____
Number _____

If you cannot keep this interview, you may call your Welfare to Work worker to schedule another interview by _____. You may reschedule this interview only once.

If it is decided that _____ did not have a good reason for not doing what the County asks, we will make a plan for this person to do what the County asks. _____ will be expected to agree to the plan or cash aid will stop for this person.

If your cash aid stops, we will need a payee for your family's aid. We can send it to someone you trust. Give the name and address of that person to:

County Worker: _____

Street, City, Zip: _____

Phone () _____

We will not pay _____'s child care, transportation, or work or training related expenses while this person is off cash aid.

If this person does not take care of the participation problem by _____ and your cash aid is lowered, your cash aid may go up again if you are eligible for it and:

if _____ cooperates.

after _____ if _____ cooperates.

If this person has a good reason for not participating, we will work with him/her so that he/she is able to do what the County asks.

CHILD CARE AND TRANSPORTATION ARE AVAILABLE IF NEEDED TO HELP KEEP THIS APPOINTMENT

If help is needed with transportation or child care to keep this appointment, call your Welfare to Work worker.

This person can get free help with this appointment from:

Legal Aid Office: _____

Welfare Rights Office: _____

CCWRO: _____

Your new cash aid amount is figured on this notice.

Fecha de la notificación :
Nombre del caso :
Número del trabajador :
Número :
Teléfono :
Dirección :

(ADDRESSEE)

Address box for addressee

¿Tiene preguntas? Comuníquese con su trabajador.

Audiencia con el estado: Si usted cree que esta acción está equivocada, puede solicitar una audiencia. En el reverso de esta hoja, se le explica cómo solicitarla. Es posible que sus beneficios no cambien si usted solicita una audiencia antes que esta acción entre en vigor.

A partir de _____, el condado cambiará su asistencia monetaria de \$ _____ a \$ _____. Se descontinuará la asistencia monetaria de _____.

LA RAZON ES LA SIGUIENTE:

_____ no tuvo un motivo justificado para:

- no firmar el contrato de GAIN*.
no participar ni mostrar un buen progreso en la actividad asignada :
no ir a una entrevista para un empleo.
no aceptar un empleo.
dejar su empleo.
reducir sus ingresos.

Si se descontinúa su asistencia monetaria, necesitaremos a un representante cobrador a quien se le pudiera pagar la asistencia para la familia de usted. Podemos enviar el pago a alguien en quien usted tenga confianza. Dele el nombre y dirección de esa persona al:

Trabajador del condado:
Calle, ciudad, zona postal:
Teléfono: ()

No pagaremos el cuidado de niños, el transporte, ni los gastos relacionados al trabajo o entrenamiento de _____ mientras que esta persona no esté recibiendo asistencia monetaria.

ES POSIBLE QUE SU ASISTENCIA MONETARIA NO CAMBIE SI reúne los requisitos para recibirla y si _____, quien tiene 20 días consecutivos, empezando en _____, para comunicarse con el trabajador de GAIN de usted, firma un plan por escrito sobre su participación en GAIN y está de acuerdo en hacer lo que este plan diga o da un motivo justificado para no hacer lo que GAIN le pide. Esta persona tiene hasta _____, para solucionar este problema relacionado a la participación.

Medi-Cal: Esta notificación NO cambia ni suspende sus beneficios del Programa de Asistencia Médica de California (Medi-Cal). Conserve sus tarjetas de plástico de identificación de beneficios.

Reglas: Las siguientes reglas, las cuales puede revisar en la oficina de bienestar público, son pertinentes: MPP 42-781.4, 42-786.1, 42-786.2, 42-786.3

Cantidad mensual de asistencia monetaria

Sección A. Ingresos contables del mes de

Table with 2 columns: Description and Amount. Rows include Total de ingresos ganados, Deducción por gastos de trabajo, Deducción de \$30 y 1/3, Deducción por cuidado de personas a su cargo, Otros ingresos contables, and Ingresos netos contables.

Sección B. Su asistencia monetaria del mes de

- 1. Necesidades básicas, _____ personas \$
2. Necesidades especiales..... +
3. Ingresos netos contables de la Sección A... -
4. Subtotal de necesidades básicas =
5. Asistencia máxima, _____ personas.... \$
6. Necesidades especiales..... +
7. Subtotal de asistencia máxima..... =
8. Subtotal de asistencia del mes completo (Cantidad menor del renglón 4 ó 7) =
9. Renglón 8 prorrateado para parte del mes =
10. Ajustes: cobro por un pago excesivo..... -
10a. por una sanción de Cal-Learn** ... -
10b. por una cantidad adicional de Cal-Learn +
11. Cantidad mensual de asistencia monetaria (Renglón 8 ó 9 incluyendo los ajustes) .. =

*GAIN es el Programa de Mejores Opciones para Independizarse.

**Cal-Learn es un programa de California para la educación de los padres adolescentes que reciben Asistencia para Familias con Niños Necesitados (AFDC).

NOTIFICACION DE ACCION

CONDADO DE _____

STATE OF CALIFORNIA
HEALTH AND WELFARE AGENCY
DEPARTMENT OF SOCIAL SERVICES

(Continuación)

Fecha de la notificación : _____
Nombre del caso : _____
Número : _____

Si esta persona no soluciona el problema relacionado a la participación para la fecha límite y se reduce la asistencia monetaria de usted, es posible que su asistencia monetaria vuelva a subir si usted reúne los requisitos para recibirla y:

- si _____ coopera.
- si _____ coopera, después de _____.

Para hacer una cita para hablar sobre el plan de participación de esta persona o para darnos un motivo justificado para no hacer lo que GAIN pide, comuníquese con _____ al _____ - _____.

Si esta persona tuvo un motivo justificado para no participar, cooperaremos con él/ella para que pueda hacer lo que GAIN pide.

PLAN DE PARTICIPACION

El plan que proponemos para _____ para hacer lo que GAIN pide es:

Si esta persona no está de acuerdo con nuestro plan, puede sugerir otro plan a continuación, y lo consideraremos.

Esta persona puede recibir ayuda gratuita a través de una cita con la oficina de asesoramiento legal: _____

Oficina de Defensa de los Derechos Relacionados a la Asistencia Pública: _____

Coalición de Organizaciones de California para la Defensa de los Derechos Relacionados a la Asistencia Pública (CCWRO): _____

EL CUIDADO DE NIÑOS Y EL TRANSPORTE ESTAN A LA DISPOSICION SI LOS NECESITA PARA PODER ASISTIR A UNA CITA PARA HABLAR ACERCA DE LA PARTICIPACION EN GAIN.

Si necesita ayuda en relación al transporte o el cuidado de niños para poder asistir a una cita para completar o hablar sobre el plan de participación, llame a su trabajador de GAIN.

En esta notificación se calcula su nueva cantidad de asistencia monetaria.

Reglas: Las siguientes reglas, las cuales puede revisar en la oficina de bienestar público, son pertinentes:

Audiencia con el estado: Si usted cree que esta acción está equivocada, puede solicitar una audiencia. En el reverso de la primera página, se le explica cómo solicitarla.

State of California
Department of Social Services

Manual Message Number: NA 840
Action : Change
Title: Sanction of Mandatory Participant
/Good Cause/Compliance Notice

Auto ID No. :

Form No. : NA 200, NA 270

Flow Chart No. :

Effective Date : 01/01/96

Source : Welfare to Work

Revision Date : 01/01/98

Regulation Cite : CalWORKs Implementation Guidelines, Section XI, Welf. & Inst. Code 11327.4,
11327.5

MESSAGE:

As of _____, the County is changing your cash aid from \$_____ to \$_____. Cash aid will stop for _____, unless this person goes to the interview we have scheduled or calls us by _____, and gives us a good reason for not doing what the County asks or agrees to a plan to do what the County asks.

Here's why:

_____ has a problem with their participation in Welfare to Work. To discuss this problem, we have scheduled an interview with this person on:
_____ at _____ o'clock at _____.

Here's the problem:

not signing the Welfare to Work plan.

not participating or making good progress in the following assigned activity:_____.

not accepting a job.

quitting a job.

reducing their earnings.

WHAT HAPPENS AT THE INTERVIEW?

At the interview, you may give your reasons for not doing what the County asks. If you have a good reason, your cash aid will stay the same. Some good reasons for not participating are: you are the victim of domestic violence, you do not have child care, or you do not have transportation. For other good reasons, see your Welfare to Work Handbook.

You may also call your Welfare to Work worker, instead of going to the interview, to give us a good reason for not doing what the County asks, or to agree to a plan to do what the County asks. Contact _____ at _____ - _____.

If you cannot keep this interview, you may call your Welfare to Work worker to schedule another interview by _____.

_____. You may reschedule this interview only once.

If it is decided that _____ did not have a good reason for not doing what the County asks, we will make a plan for this person to do what the county asks. _____ will be expected to agree to the plan or cash aid will stop for this person.

NA 840 - Sanction of Mandatory Participant/Good Cause/Compliance Notice

If your cash aid stops, we will need a payee for your family's aid. We can send it to someone you trust. Give the name and address of that person to: _____
_____.

We will not pay _____'s child care, transportation, or work or training related expenses while this person is off cash aid.

If this person does not take care of the participation problem by _____ and your cash aid is lowered, your cash aid may go up again if you are eligible for it and:

if _____ cooperates.
 after _____ if _____ cooperates.

If this person had a good reason for not participating, we will work with him/her so that he/she is able to do what the County asks.

CHILD CARE AND TRANSPORTATION ARE AVAILABLE IF NEEDED TO HELP KEEP THIS APPOINTMENT.

If help is needed with transportation or child care to keep this appointment, call your Welfare to Work worker.

This person can get free help with an appointment from:

Legal Aid
Office

Welfare Rights
Office

CCWRO

Your new cash aid amount is figured on this notice.

INSTRUCTIONS: Use to sanction a mandatory participant who fails or refuses to comply with program requirements and the county determines that no good cause existed for the failure or refusal. This notice also serves to inform the individual that he or she has a 20-calendar-day period beginning from the date of this notice, to provide good cause or agree to a compliance plan, or sanctions will be imposed no earlier than 30 days from the date of this notice.

If it is a two-parent family, the WW 4, Notice to Other Parent, must be sent to the other parent at the same time this NOA is sent.

At the top of the notice, put the effective date of the sanction and indicate the old and new cash aid amounts. Enter the name of the sanctioned individual and the date by which the individual must provide good cause or agree to a compliance plan in order to prevent the sanction from going into effect.

Under "Here's why:", enter the name of the sanctioned individual. Enter the date, time, and location of the appointment scheduled for the individual to provide good cause or to agree to a compliance plan. Check the box with the appropriate participation problem.

Identify the CWD staff person who the sanctioned individual is to contact to provide good cause or agree to a compliance plan, and include the phone number.

NA 840 - Sanction of Mandatory Registrant/Conciliation Notice

Enter the ending date of the 20-calendar day period that the individual has to reschedule his/her appointment.

Enter the name of the sanctioned individual in the next two blanks.

If the sanctioned individual is the parent in a single-parent family, check the box to indicate the need for a payee and identify the CWD staff person who is to receive the payee information from the sanctioned individual. Include the CWD staff person's address and phone number.

Enter the name of the sanctioned individual.

Enter the date by which the individual must provide good cause or agree to a compliance plan in order to prevent the sanction from going into effect.

If this is the first sanction, check the first box and enter the name of the sanctioned individual. If this is the second or subsequent sanction, check the second box, fill in the appropriate date, and enter the name of the sanctioned individual. (Reminder: Second sanctions last at least 3 months, and third and subsequent sanctions last at least 6 months.)

Enter the names, addresses, and telephone numbers of the state and local legal aid and welfare rights organizations that may assist the individual with the good cause and compliance plan process.

In the right hand column, show the budget computation.

The NA BACK 8, Your Hearing Rights, must be provided with this notice.

NOTICE OF ACTION

COUNTY OF _____

STATE OF CALIFORNIA
HEALTH AND WELFARE AGENCY
DEPARTMENT OF SOCIAL SERVICES

Notice Date : _____
 Case Name : _____
 Number : _____
 Worker Name : _____
 Number : _____
 Telephone: _____
 Address : _____

(ADDRESSEE)

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Questions? Ask your Worker.

State Hearing: If you think this action is wrong, you can ask for a hearing. The back of this page tells how. Your benefits may not be changed if you ask for a hearing before this action takes place.

As of _____, the County is taking _____ out of Welfare to Work, unless this person goes to the interview we have scheduled or calls us by _____, and gives us a good reason for not doing what the County asks or agrees to a plan to do what the County asks..

Here's why:

_____ has a problem with their participation in Welfare to Work. To discuss this problem, we have scheduled an interview with this person on:

_____ at _____ o'clock at _____.

Here's the problem:

- not participating or making good progress in the following assigned activity: _____.
- not accepting a job.
- quitting a job.
- reducing their earnings.

WHAT HAPPEN AT THE INTERVIEW?

At the interview, you may give your reasons for not doing what the County asks. If you have a good reason, You can stay in Welfare to Work. Some good reasons for not participating are: you are the victim of domestic violence, you do not have child care, or you do not have transportation. For other good reasons, see your Welfare to Work Handbook

You may also call your Welfare to Work worker, instead of going to the interview, to give us a good reason for not doing what the County asks, or to agree to a plan to do what the County asks. Contact

_____ at _____ - _____.

If you cannot keep this interview, you may call your Welfare to Work worker to schedule another interview by _____. You may reschedule this interview only once.

If it is decided that _____ did not have a good reason for not doing what the County asks, we will make a plan for this person to do what the County asks. _____ will be expected to agree to the plan or this person will be taken out of Welfare to Work.

We will not pay _____'s child care, transportation, or work or training related expenses while this person is not in Welfare to Work. We will not change your cash aid amount.

If this person does not take care of the participation problem by _____ and is taken out of Welfare to Work, he/she may be able to get in again at a later date. To find out when this person may be able to participate again and what must be done, contact your Welfare to Work worker.

If this person has a good reason for not participating, we will work with him/her so that he/she is able to do what the County asks.

CHILD CARE AND TRANSPORTATION ARE AVAILABLE IF NEEDED TO HELP KEEP THIS APPOINTMENT.

If help is needed with transportation or child care to keep this appointment, call your Welfare to Work worker.

This person can get free help with this appointment from:

Legal Aid Office: _____

Welfare Rights Office: _____

CCWRO: _____

Medi-Cal: This Notice of Action does NOT change or stop Medi-Cal benefits. **Keep your plastic Benefits Identification Card(s).**

Rules: These rules apply; you may review them at your welfare office: CalWORKs Implementation Guidelines, Section XI, Welf. & Inst. Code 11327.4, 11327.5

NOTIFICACION DE ACCION

CONDADO DE _____

STATE OF CALIFORNIA
HEALTH AND WELFARE AGENCY
DEPARTMENT OF SOCIAL SERVICES

Fecha de la notificación : _____
Nombre del caso : _____
Número : _____
Nombre del trabajador : _____
Número : _____
Teléfono : _____
Dirección : _____

(ADDRESSEE)

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¿Tiene preguntas? Comuníquese con su trabajador.

Audiencia con el estado. Si usted cree que esta acción está equivocada, puede solicitar una audiencia. En el reverso de esta hoja se le explica cómo hacerlo. Sus beneficios no cambiarán si usted solicita una audiencia antes que esta acción entre en vigor.

A partir del _____, el condado va a quitar a _____ del Programa para la Transición de la Asistencia Pública al Trabajo (WTW) a menos que esta persona vaya a la entrevista que hemos programado o nos llame a más tardar en _____, y nos dé un motivo justificado para no hacer lo que el condado le pide o acepte un plan para hacer lo que el condado le pide.

Esta es la razón:

_____ tiene un problema en relación a su participación en WTW. Para hablar sobre este problema, hemos programado una entrevista con esta persona el:

_____ a las _____ en _____.

Este es el problema:

- no está participando o no está progresando de manera satisfactoria en la siguiente actividad que se le asignó: _____.
- no aceptó un empleo.
- dejó el empleo.
- redujo sus ingresos.

¿QUE OCURRIRA EN LA ENTREVISTA?

En la entrevista, usted podrá explicar sus motivos para no hacer lo que el condado le pide. Si tiene un motivo justificado, podrá seguir en el Programa para la Transición de la Asistencia Pública al Trabajo. Algunos motivos justificados para no participar son: usted es víctima de la violencia doméstica, no tiene quien cuide a sus hijos, o no tiene transporte. Para obtener información sobre otros motivos justificados, vea su Manual del Programa para la Transición de la Asistencia Pública al Trabajo.

También puede llamar a su trabajador de WTW, en vez de ir a la entrevista, para darnos un motivo justificado de por qué no hace lo que el condado le pide, o para aceptar un plan para hacer lo que el condado le pide. Póngase en contacto con

_____ llamando al _____ - _____.

Medi-Cal: Esta Notificación de Acción NO cambia ni suspende sus beneficios de Medi-Cal. **Conserve sus tarjetas de plástico de identificación de beneficios.**

Reglas. Las siguientes reglas, las cuales puede revisar en la oficina de bienestar, son pertinentes: Normas para la Implementación de CalWORKS (Programa de California de Oportunidades de Trabajo y Responsabilidad hacia los Niños), sección XI; Código de Bienestar Público e Instituciones 11327.4, 11327.5

Si no puede asistir a esa entrevista, puede llamar a su trabajador de WTW a más tardar en _____ para programar otra entrevista. Solamente puede volver a programar esta entrevista una vez.

Si se decide que _____ no tuvo un motivo justificado para no hacer lo que el condado le pide, haremos un plan para esta persona para que haga lo que el condado le pide. Se espera que _____ acepte el plan o se quitará a esta persona del Programa para la Transición de la Asistencia Pública al Trabajo.

No pagaremos los gastos de cuidado de niños ni de transporte de _____, ni los gastos relacionados al trabajo o entrenamiento, mientras que esta persona no esté en el Programa para la Transición de la Asistencia Pública al Trabajo. No cambiaremos la cantidad de asistencia monetaria de usted.

Si esta persona no soluciona el problema relacionado a la participación a más tardar en _____ y se le quita del Programa para la Transición de la Asistencia Pública al Trabajo, es posible que pueda volver a participar en ese programa en el futuro. Para enterarse de cuándo esta persona podrá volver a participar otra vez y de lo que se tiene que hacer, póngase en contacto con su trabajador de WTW.

Si esta persona tiene un motivo justificado para no participar, cooperaremos con ella para que pueda hacer lo que el condado le pide.

HAY CUIDADO DE NIÑOS Y TRANSPORTE A LA DISPOSICION SI SE NECESITAN PARA ASISTIR A LA CITA.

Si se necesita ayuda con el transporte o cuidado de niños para poder asistir a la cita, llame a su trabajador de WTW.

Esta persona puede recibir ayuda gratuita en relación a esta cita a través de:

Oficina de asesoramiento legal: _____

Oficina de defensa de los derechos relacionados a la asistencia pública: _____

CCWRO (Coalición de Organizaciones de California para la Defensa de los Derechos Relacionados a la Asistencia Pública): _____

State of California
Department of Social Services

Manual Message Number: NA 841
Action : Change
Title: Suspension of Volunteer/
Good Cause/Compliance
Notice

Auto ID No. :
Flow Chart No. :
Source : Welfare to Work
Regulation Cite : CalWORKs Implementation Guidelines, Section XI, Welf. & Inst. Code 11327.4,
11327.5

Form No. : NA 290
Effective Date : 01/01/96
Revision Date : 01/01/98

MESSAGE:

As of _____, the County is taking _____ out of Welfare to Work, unless this person goes to the interview we have scheduled or calls us by _____, and gives us a good reason for not doing what the County asks or agrees to a plan to do what the County asks.

Here's why:

_____ has a problem with their participation in Welfare to Work. To discuss this problem, we have scheduled an interview with this person on:
_____ at _____ o'clock at _____.

Here's the problem:

- not participating or making good progress in the following assigned activity: _____.
- not accepting a job.
- quitting a job.
- reducing their earnings.

WHAT HAPPENS AT THE INTERVIEW?

At the interview, you may give your reasons for not doing what the County asks. If you have a good reason, you can stay in Welfare to Work. Some good reasons for not participating are: you are the victim of domestic violence, you do not have child care, or you do not have transportation. For other good reasons, see your Welfare to Work Handbook.

You may also call your Welfare to Work worker, instead of going to the interview, to give us a good reason for not doing what the County asks, or to agree to a plan to do what the County asks. Contact _____ at _____ - _____.

If you cannot keep this interview, you may call your Welfare to Work worker to schedule another interview by _____. You may reschedule this interview only once.

If it is decided that _____ did not have a good reason for not doing what the County asks, we will make a plan for this person to do what the county asks. _____ will be expected to agree to the plan or this person will be taken out of Welfare to Work..

We will not pay _____'s child care, transportation, or work or training related expenses while this person is not in Welfare to Work. We will not change your cash aid amount.

If this person does not take care of the participation problem by _____ and is taken out of Welfare to Work, he/she may be able to get in again at a later date. To find out when this person may be able to participate again and what must be done, contact your Welfare to Work worker.

NA 841 - Suspension of Volunteer/Good Cause/Compliance Notice

If this person had a good reason for not participating, we will work with him/her so that he/she is able to do what the County asks.

CHILD CARE AND TRANSPORTATION ARE AVAILABLE IF NEEDED TO HELP KEEP THIS APPOINTMENT.

If help is needed with transportation or child care to keep this appointment, call your Welfare to Work worker.

This person can get free help with an appointment from:

Legal Aid
Office

Welfare Rights
Office

CCWRO

INSTRUCTIONS: Use to preclude from participation a volunteer Welfare to Work participant who fails or refuses to comply with Welfare to Work requirements and the county determines that no good cause existed for the failure or refusal to comply. This notice also serves to inform the individual that he or she has a 20-calendar-day period beginning from the date of this notice, to provide good cause or agree to a compliance plan, or he or she will be removed from participation in Welfare to Work no earlier than 30 days from the date of this notice.

At the top of the notice, put the date that the volunteer is suspended from participation, enter the name of the volunteer, and the date by which the volunteer must provide good cause or agree to a compliance plan in order to prevent the suspension from going into effect.

Under "Here's why:", enter the name of the volunteer. Enter the date, time, and location of the appointment scheduled for the volunteer to provide good cause or to agree to a compliance plan. Check the box with the appropriate participation problem.

Identify the CWD staff person who the volunteer is to contact to provide good cause or agree to a compliance plan, and include the phone number.

Enter the ending date of the 20-calendar-day period that the individual has to reschedule his/her appointment.

Enter the name of the volunteer in the next three blanks.

Enter the date by which the volunteer must provide good cause or agree to a compliance plan in order to prevent the suspension from going into effect.

Enter the names, addresses, and telephone numbers of the state and local legal aid and welfare rights organizations that may assist the individual with the good cause and compliance plan process.

The NA BACK 8, Hearing Rights, must be provided with this notice.

NOTICE OF ACTION

COUNTY OF _____

STATE OF CALIFORNIA
HEALTH AND WELFARE AGENCY
DEPARTMENT OF SOCIAL SERVICES

Notice Date : _____
 Case Name : _____
 Number : _____
 Worker Name : _____
 Number : _____
 Telephone: _____
 Address : _____

(ADDRESSEE)

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Questions? Ask your Worker.

State Hearing: If you think this action is wrong, you can ask for a hearing. The back of this page tells how. Your benefits may not be changed if you ask for a hearing before this action takes place.

As of _____, the County is changing your cash aid from \$ _____ to \$ _____. Cash aid will stop for _____, the family's second parent, unless this person goes to the interview we have scheduled or calls us by _____, and gives us a good reason for not doing what the County asks or agrees to a plan to do what the County asks.

HERE'S WHY:

_____ has a problem with their participation in Welfare to Work. To discuss this problem, we have scheduled an interview with this person on: _____ at _____ o'clock at _____.

Here's the problem:

- not signing the Welfare to Work plan.
- not participating or making good progress in the assigned activity: _____.
- not accepting a job.
- quitting a job.
- reducing their earnings.
- _____ is no longer exempt from participating and is not participating in Welfare to Work.
- _____ did not have a good reason for not doing what the County asks and already got another notice(s) telling him/her what he/she did not do; _____, the family's second parent, is not participating in Welfare to Work.

Monthly Cash Aid Amount

Section A. Countable Income, Month of _____

Total Business Income	.....	\$ _____
Business Expenses:		
a. 40% Standard	.....	- _____
OR		
b. Actual	.....	- _____
Net Earnings from Self-Employment	.....	= _____
Total Disability-Based Unearned Income of (Assistance Unit + Non-Assistance Unit Members)	.....	\$ _____
\$225 Disregard	.....	- _____
Nonexempt Unearned Disability-Based Income	.....	= _____
OR		
Unused Amount of \$225 Disregard	.....	= _____
Total Earned Income	.....	\$ _____
Net Earnings from Self-Employment (from above)	.....	+ _____
Subtotal	.....	= _____
Unused Amount of \$225 Disregard (from above)	.....	- _____
Subtotal	.....	= _____
Earned Income Disregard 50%	.....	- _____
Subtotal	.....	= _____
Nonexempt Unearned Disability-Based Income (from above)	.....	+ _____
Other Nonexempt Income of (Assistance Unit + Non-Assistance Unit Members)	.....	+ _____
_____		+ _____
Net Countable Income	.....	= _____

Section B. Your Cash Aid, Month of _____

1. Maximum Aid _____ Persons (Assistance Unit + Non-Assistance Unit Members)	..	\$ _____
2. Special Needs (Assistance Unit only)	.....	+ _____
3. Net Countable Income from Section A	.....	- _____
4. Subtotal	.....	= _____
5. Maximum Aid _____ Persons (Assistance Unit only) (Excluding Sanctioned Persons)	.....	\$ _____
6. Special Needs (Assistance Unit only)	.....	+ _____
7. Maximum Aid Subtotal	.....	= _____
8. Full Month Aid Subtotal (Lowest Amount on Line 4 or 7)	.....	= _____
9. Line 8 Prorated for Part of Month	.....	= _____
10. Adjustments:		
25% Child Support Sanction	.....	- _____
Overpayment	.....	- _____
Other Sanctions	.....	- _____
Bonus	.....	+ _____
11. Monthly Cash Aid Amount (Line 8 or 9 Adjusted)	.....	= _____

Medi-Cal: This Notice of Action does NOT change or stop Medi-Cal benefits. **Keep your plastic Benefits Identification Card(s).**

Rules: These rules apply; you may review them at your welfare office: CalOWRKs Implementation Guidelines, Section XI, Welf. & Inst. Code 11327.4, 11327.5

NOTICE OF ACTION

(Continued)

COUNTY OF _____

STATE OF CALIFORNIA
HEALTH AND WELFARE AGENCY
DEPARTMENT OF SOCIAL SERVICES

Notice Date _____
Case Name _____
Number _____

WHAT HAPPENS AT THE INTERVIEW?

At the interview, you may give your reasons for not doing what the County asks. If you have a good reason, your cash aid will stay the same. Some good reasons for not participating are: you are the victim of domestic violence, you do not have child care, or you do not have transportation. For other good reasons, see your Welfare to Work Handbook.

You may also call your Welfare to Work worker, instead of going to the interview, to give us a good reason for not doing what the County asks, or to agree to a plan too what the County asks. Contact _____ at _____ - _____.

If you cannot keep this interview, you may call your Welfare to Work worker to schedule another interview by _____. You may reschedule this interview only once.

If it is decided that _____ did not have a good reason for not doing what the County asks, we will make a plan for this person to do what the County asks. _____ will be expected to agree to the plan or cash aid will stop for this person.

If your cash aid stops, we will need a payee for your family's aid. We can send it to someone you trust. Give the name and address of that person to:

County Worker: _____
Street, City, Zip: _____
Phone () _____

We will not pay _____'s child care, transportation, or work or training related expenses while this person is off cash aid.

If this person does not take care of the participation problem by _____ and your cash aid is lowered, your cash aid may go up again if you are eligible for it and:

- if _____ cooperates.
- after _____ if _____ cooperates.

The family's second parent, _____, may get cash aid again if he/she is eligible for it and:

- cooperates
- after _____ if he/she cooperates.

CHILD CARE AND TRANSPORTATION ARE AVAILABLE IF NEEDED TO HELP KEEP THIS APPOINTMENT.

If help is needed with transportation or child care to keep this appointment, call your Welfare to Work worker.

This person can get free help with this appointment from:

Legal Aid Office: _____

Welfare Rights Office: _____

CCWRO: _____

Your new cash aid amount is figured on this notice.

Fecha de la notificación:
Nombre del caso:
Número Nombre del trabajador:
Número:
Teléfono:
Dirección:

(ADDRESSEE)

¿Tiene preguntas? Comuníquese con su trabajador.

Audiencia con el estado: Si usted cree que esta acción está equivocada, puede solicitar una audiencia. En el reverso de esta hoja se le explica cómo solicitarla. Sus beneficios no cambiarán si usted solicita una audiencia antes que esta acción entre en vigor.

A partir de _____, el condado cambiará la cantidad de su asistencia monetaria de \$ _____ a \$ _____. La asistencia monetaria para _____, el otro de los padres de la familia, se descontinuará a menos que esta persona vaya a la entrevista que le hemos programado o nos llame a más tardar en _____ y nos dé un motivo justificado para no hacer lo que el condado pide, o acepte un plan para hacer lo que el condado pide.

LA RAZON ES LA SIGUIENTE:

_____ tiene un problema en relación a su participación en el Programa para la Transición de la Asistencia Pública al Trabajo (Welfare to Work - WTW). Para hablar de este problema, hemos programado una entrevista con esta persona en _____ a la(s) _____ en _____.

Este es el problema:

- No firmó su plan de WTW.
No está participando o no está progresando de una manera satisfactoria en la actividad que se le asignó:
No aceptó un empleo.
Dejó un empleo.
Redujo sus ingresos.
_____ ya no está exento de participar y no está participando en WTW.
_____ no tuvo un motivo justificado para no hacer lo que el condado pide y ya recibió otra(s) notificación(es) informándole de lo que no hizo; _____, el otro de los padres de la familia, no está participando en WTW.

Cantidad mensual de asistencia monetaria

Sección A. Ingresos contables del mes de

Table with financial calculations: Total de ingresos provenientes de un negocio, Gastos del negocio, Ingresos netos provenientes de trabajo por cuenta propia, Total de ingresos no ganados basados en incapacidad/discapacidad, Deducción de \$225, Ingresos no ganados basados en incapacidad/discapacidad no exentos, Total de ingresos ganados, Ingresos netos provenientes de trabajo por cuenta propia, Subtotal, Deducción del 50% de los ingresos ganados, Ingresos no ganados basados en incapacidad/discapacidad no exentos (de la parte de arriba), Otros ingresos no exentos (unidad de asistencia + personas que no son parte de la unidad de asistencia).

Ingresos netos contables

Sección B. Su asistencia monetaria del mes de

- 1. Asistencia máxima para _____ personas (unidad de asistencia + personas que no son parte de la unidad de asistencia)
2. Necesidades especiales (unidad de asistencia + personas que no son parte de la unidad de asistencia)
3. Ingresos netos contables de la Sección A
4. Subtotal
5. Asistencia máxima para _____ personas (unidad de asistencia solamente) (excluyendo a las personas que han sido sancionadas)
6. Necesidades especiales (unidad de asistencia solamente)
7. Subtotal de asistencia máxima
8. Subtotal de asistencia del mes completo (La cantidad de la línea 4 ó 7, la que sea menor)
9. Línea 8 prorrateada para parte del mes
10. Ajustes: Sanción del 25% por mantenimiento de hijos Pago excesivo Otras sanciones Cantidad adicional
11. Cantidad mensual de asistencia monetaria (Línea 8 ó 9 después de los ajustes)

Medi-Cal: Esta notificación NO cambia ni suspende sus beneficios de Medi-Cal (Programa de Asistencia Médica de California). Conserve sus tarjetas de plástico de identificación de beneficios.

Reglas: Las siguientes reglas, las cuales puede revisar en la oficina de bienestar público, son pertinentes: Sección XI de las Normas para la Implementación de CalWORKs (Programa de California de Oportunidades de Trabajo y Responsabilidad hacia los Niños); secciones 11327.4 y 11327.5 del Código de Bienestar Público e Instituciones

NOTIFICACION DE ACCION

(Continuación)

CONDADO DE _____

STATE OF CALIFORNIA
HEALTH AND WELFARE AGENCY
DEPARTMENT OF SOCIAL SERVICES

Fecha de la notificación _____
Nombre _____
del caso _____
Número _____

¿QUE SUCEDE EN LA ENTREVISTA?

En la entrevista, usted puede dar sus motivos para no hacer lo que el condado pide. Si tiene un motivo justificado, su asistencia monetaria no cambiará. Algunos ejemplos de motivos justificados son: usted es víctima de la violencia doméstica o no tiene cuidado de niños o transporte. Para obtener más ejemplos de motivos justificados, vea su manual de WTW.

En vez de asistir a la entrevista, usted puede llamar a su trabajador de WTW para darnos su motivo justificado para no hacer lo que el condado pide, o para aceptar un plan para hacer lo que el condado pide. Comuníquese con _____ llamando al () - _____.

Si no puede asistir a esta entrevista, puede llamar a su trabajador de WTW a más tardar en _____ para programar otra entrevista. Solamente puede volver a programar esta entrevista una vez.

Si se decide que _____ no tuvo un motivo justificado para no hacer lo que el condado pide, haremos un plan para que lo haga. Se espera que _____ acepte el plan o se discontinuará la asistencia monetaria de esta persona.

Si se discontinúa la asistencia monetaria de usted, necesitaremos a una persona autorizada para recibir el pago de asistencia de su familia. Podemos enviárselo a alguien en quien usted confíe. Dele el nombre y dirección de esta persona al:

Trabajador del condado: _____
Calle, ciudad, zona postal: _____
Teléfono: () _____

No pagaremos el cuidado de niños, el transporte, ni los gastos relacionados al trabajo o entrenamiento de _____ mientras que esta persona no esté recibiendo asistencia monetaria.

Si esta persona no resuelve el problema relacionado a su participación a más tardar en _____ y se reduce la asistencia monetaria de usted, es posible que su asistencia monetaria vuelva a subir si reúne los requisitos y:

- si _____ coopera.
- si _____ coopera; después de _____.

El otro de los padres de la familia, _____, puede volver a recibir asistencia monetaria si reúne los requisitos y:

- coopera.
- coopera; después de _____.

HAY A LA DISPOSICION CUIDADO DE NIÑOS Y TRANSPORTE SI LOS NECESITA PARA AYUDARLE A ASISTIR A ESTA CITA

Si necesita ayuda con el cuidado de niños o el transporte para poder asistir a esta cita, llame a su trabajador de WTW.

Esta persona puede obtener ayuda gratuitamente de la:

Oficina de asesoramiento legal: _____

Oficina para la defensa de los derechos relacionados a la asistencia pública: _____

CCWRO (Coalición de Organizaciones de California para la Defensa de los Derechos Relacionados a la Asistencia Pública): _____

En esta notificación se calcula la nueva cantidad de su asistencia monetaria.

State of California
Department of Social Services

Manual Message Number: NA 845
Action : Change
Title: Removal of Second Parent's Needs/Good Cause/Compliance Notice, Two-Parent Family

Auto ID No. :
Flow Chart No. :
Source : Welfare to Work
Regulation Cite : CalWORKs Implementation Guidelines, Section XI, Welf. & Inst. Code 11327.4, 11327.5

Form No. : NA 200, NA 270
Effective Date : 01/01/96
Revision Date : 01/01/98

MESSAGE:

As of _____, the County is changing your cash aid from \$_____ to \$_____. Cash aid will stop for _____, the family's second parent, unless this person goes to the interview we have scheduled or calls us by _____, and gives us a good reason for not doing what the County asks or agrees to a plan to do what the County asks.

Here's why:

_____ has a problem with their participation in Welfare to Work. To discuss this problem, we have scheduled an interview with this person on: _____ at _____ o'clock at _____.

Here's the problem:

- not signing the Welfare to Work plan.
- not participating or making good progress in the following assigned activity: _____.
- not accepting a job.
- quitting a job.
- reducing their earnings.
- _____ is no longer exempt from participating and is not participating in Welfare to Work.
- _____ did not have a good reason for not doing what the County asks and already got another notice(s) telling him/her what he/she did not do; _____, the family's second parent, is not participating in Welfare to Work.

WHAT HAPPENS AT THE INTERVIEW?

At the interview, you may give your reasons for not doing what the County asks. If you have a good reason, your cash aid will stay the same. Some good reasons for not participating are: you are the victim of domestic violence, you do not have child care, or you do not have transportation. For other good reasons, see your Welfare to Work Handbook.

You may also call your Welfare to Work worker, instead of going to the interview, to give us a good reason for not doing what the County asks, or to agree to a plan to do what the County asks. Contact _____ at _____ - _____.

If you cannot keep this interview, you may call your Welfare to Work worker to schedule another interview by _____. You may reschedule this interview only once.

If it is decided that _____ did not have a good reason for not doing what the County asks, we will make a plan for this person to do what the county asks. _____ will be expected to agree to the plan or cash aid will stop for this person.

NA 845 - Removal of Second Parent's Needs/Good Cause/Compliance Notice, Two-Parent Family

If your cash aid stops, we will need a payee for your family's aid. We can send it to someone you trust. Give the name and address of that person to: _____

We will not pay _____'s child care, transportation, or work or training related expenses while this person is off cash aid.

If this person does not take care of the participation problem by _____ and your cash aid is lowered, your cash aid may go up again if you are eligible for it and:

- if _____ cooperates.
- after _____ if _____ cooperates.

The family's second parent, _____, may get cash aid again if he/she is eligible for it and:

- cooperates.
- after _____ if he/she cooperates.

If this person had a good reason for not participating, we will work with him/her so that he/she is able to do what the County asks.

CHILD CARE AND TRANSPORTATION ARE AVAILABLE IF NEEDED TO HELP KEEP THIS APPOINTMENT.

If help is needed with transportation or child care to keep this appointment, call your Welfare to Work worker.

This person can get free help with an appointment from:

Legal Aid
Office

Welfare Rights
Office

CCWRO

Your new cash aid amount is figured on this notice.

INSTRUCTIONS: Use: 1) to remove the second parent's needs from the grant in a two-parent family when the second parent was participating in Welfare to Work, subsequently fails or refuses to comply with Welfare to Work requirements without good cause and is not exempt, and the first parent is under a financial sanction; 2) to remove the second parent's needs from the grant when the second parent is determined to no longer be exempt from Welfare to Work participation, but does not participate while the first parent is under a financial sanction; 3) to remove the second parent's needs from the grant after the NA 840, Sanction of Mandatory Participant/Good Cause/Compliance Notice is sent to the first parent, the first parent fails to provide good cause or agree to a compliance plan; the sanction goes into effect; and the second parent does not respond to the WW 4, Notice to Other Parent. This notice also serves to inform the second parent that he or she has a 20-calendar-day period beginning from the date of this notice, to provide good cause or agree to a compliance plan, or his/her needs will be removed from the grant no earlier than 30 days from the date of this notice.

At the top of the notice, put the effective date of the sanction and indicate the old and new cash aid amounts. Enter the name of the sanctioned individual and the date by which the individual must provide good cause or agree to a compliance plan in order to prevent the sanction from going into effect.

Under "Here's why:", enter the name of the second parent. Enter the date, time, and location of the appointment scheduled for the individual to provide good cause or to agree to a compliance plan. Check the box with the appropriate participation problem.

NA 845 - Removal of Second Parent's Needs/Good Cause/Compliance Notice, Two-Parent Family

1. If the second parent was participating in Welfare to Work and subsequently fails or refuses to comply with Welfare to Work requirements without good cause or agreeing to a compliance plan and is not exempt, check the appropriate box from the first five choices.
2. If the second parent is no longer exempt from participating in Welfare to Work and is not participating, check the sixth box and put the name of the second parent in the blank.
3. If the second parent fails to respond to the WTW 4 and the first parent is sanctioned, check the seventh box and put the name of the first parent in the first blank. Put the name of the second parent in the second blank.

Identify the CWD staff person who the sanctioned individual is to contact to provide good cause or agree to a compliance plan, and include the phone number.

Enter the ending date of the 20-calendar day period that the individual has to reschedule his/her appointment.

Enter the name of the second parent in the next two blanks.

Identify the CWD staff person who is to receive the payee information from the second parent. Include the CWD staff person's address and phone number.

Enter the name of the second parent.

Enter the date by which the individual must provide good cause or agree to a compliance plan in order to prevent the sanction from going into effect.

Under "your cash aid may go up again...":

1. If this is the first sanction, check the first box and enter the name of the sanctioned individual.
2. If this is the second or subsequent sanction, check the second box, fill in the appropriate date, and enter the name of the sanctioned individual. (Reminder: Second sanctions last at least 3 months, and third and subsequent sanctions last at least 6 months.)

Under "The family's second parent... may get cash aid again..." enter the name of the second parent and:

1. If this is the first instance of noncompliance, check the first box.
2. If this is the second or subsequent instance of noncompliance, check the second box, and fill in the appropriate date.

Enter the names, addresses, and telephone numbers of the state and local legal aid and welfare rights organizations that may assist the individual with the good cause and compliance plan process.

In the right hand column, show the budget computation.

The NA BACK 8, Your Hearing Rights, must be provided with this notice.

SUGGESTED LANGUAGE FOR A WELFARE TO WORK HANDBOOK

This attachment consists of suggested language that counties may use to develop a handbook for the county's Welfare to Work program. AB 1542 requires that recipients be provided this information prior to entering the Welfare to Work component of the CalWORKs program. Counties should use this handbook in the same way that they have been using the GAIN Guidebook, PUB 168 (7/96). Whenever a Welfare to Work Plan agreement form is signed, the Welfare to Work worker should emphasize to the participant that the Welfare to Work Handbook is part of the Welfare to Work Plan, and that it contains important information regarding Welfare to Work. In addition, when submitting evidence during a State Hearing, the CWD should include the Welfare to Work Handbook as part of the Welfare to Work Plan.

WELFARE TO WORK HANDBOOK

[Replace with county's title for handbook.]

What Welfare to Work Is And What Welfare to Work Can Do For You

The purpose of Welfare to Work is to help you prepare for work and find a job. Finding a job will help you become self-supporting, and your family will enjoy a better way of life. After you get a job, you will have more money for your family, serve as a role model for your children, increase your self-confidence, and build a future.

Welfare to Work was designed with you in mind. It's not just another government program. It's much more than that.

- € Welfare to Work staff are with you every step of the way, providing you with such important supportive services as child care, transportation, and work or training related expenses.
- € Welfare to Work can help you get a job that you need to be self-sufficient. If needed, you'll learn skills that will help you get a job in today's work force. If needed, you'll learn skills that will help you get a job in your local labor market.
- € Welfare to Work can help you improve your chances of getting a job with private industries, businesses, or public employers in your area.

Through Welfare to Work, everyone wins. You gain a job and a future. Employers gain a skilled work force.

Who Must Participate?

Mandatory Participants. If you are a California Work Opportunity and Responsibility to Kids (CalWORKs) recipient, and you are not exempt, you must participate in Welfare to Work. You are called a "mandatory participant". If you are a mandatory participant, you must:

- € keep appointments made by your Welfare to Work worker;
- € sign a Welfare to Work Plan;
- € meet all Welfare to Work requirements, including the requirements in your Welfare to Work Plan;

- € not quit your job or lower your earnings; and
- € provide proof of satisfactory progress in your assigned activity when required.

We will decide if you must participate in Welfare to Work when:

- € you apply for aid;
- € your eligibility is redetermined; or
- € you have a change in your exemption status.

Volunteers. Even if you are not required to participate in Welfare to Work, you can ask to take part. You would be called a “volunteer.” Ask your worker how you can get into Welfare to Work.

DEMONSTRATION PROJECTS -

Some counties are part of demonstration projects. These projects test different rules to see what works best. Your Welfare to Work worker will explain to you if [*insert the name of the county*] is part of a demonstration project and if any rules that are different from what is in this [*Insert the county's title for the Welfare to Work description*] apply to you.

Who Doesn't Have to Participate?

Exemptions

You are exempt and do not have to participate in Welfare to Work if you:

- € are under 16 years old and not a custodial parent, or 60 years or older;
- € are 16, 17, or 18 years old and go to school (not college) full time, unless you are in school as one of your Welfare to Work activities or you are a custodial parent;
- € have a disability that is expected to last at least 30 days and that would keep you from working or participating in a Welfare to Work activity, and you are either getting or trying to get the medical help you need (this exemption does not apply if you are a teen parent required to participate in the Cal-Learn program);
- € are pregnant and a doctor states that you cannot work or participate in Welfare to Work activities (this exemption does not apply if you are a teen parent required to participate in the Cal-Learn program);

- € are the nonparent relative caretaker of a child who is a dependent or ward of the court, or a child at risk of placement in foster care and we decide that taking care of the child keeps you from working or participating in a Welfare to Work activity on a regular basis;
- € must stay at home to take care of someone in the household who is unable to care for himself or herself if it keeps you from working or participating in a Welfare to Work activity on a regular basis (this exemption does not apply if you are a teen parent required to participate in the Cal-Learn program);
- € are the parent or other relative caretaker of a child six months of age or younger, and are personally providing care for the child, with the following restrictions:
 - You may be exempt for this reason only one time during a period of continuous stay on aid under the CalWORKs program.
 - If you received this exemption before and you give birth to or adopt another child six months old or under, you may be exempt for 12 weeks.
 - If you are a teen parent required to participate in the Cal-Learn program, this exemption does not apply.

We may ask for proof when you claim any of the above exemptions. Your Welfare to Work worker can review your situation at any time.

[If the county elects to reduce and/or increase this period from 12 weeks to 12 months, insert language describing the period and the criteria for determining it]

Welfare to Work

There are many paths open to Welfare to Work participants. Your path may not involve every activity in Welfare to Work. A lot depends on your education and job history. The activities that Welfare to Work offers are described below. Remember: the purpose of Welfare to Work is to **HELP YOU PREPARE FOR WORK AND FIND A JOB** so that you can support yourself and your family.

APPRAISAL - When you start participating in Welfare to Work, you will go to Appraisal. During Appraisal, your Welfare to Work worker will look over your work history and education, need for supportive services, and other information to help the county decide what your welfare to work activity or activities will be.

JOB SEARCH - Following Appraisal, most participants will be assigned to up to four weeks of Job Search activities. However, the Job Search activities may be longer or shorter if the county and you agree that it would be beneficial to you. [*Insert county's listing and description of specific job search services that it provides.*]

The following participants will not be required to participate in Job Search activities after Appraisal, but may ask to do so:

- € a person who is working in an unsubsidized job or is participating in an approved self-initiated program (SIP) if the job search schedule would keep him or her from working or participating in a SIP; or
- € a teen parent required to participate in the Cal-Learn program or a custodial parent age 19, without a high school diploma or GED.

ASSESSMENT - If you do not get an unsubsidized job during your time participating in Job Search, if we decide that sending you to Job Search as your first activity would not help you, or if we decide to shorten your time in Job Search because it is not likely to lead to you getting a job, you will be sent for Assessment. The purpose of Assessment is for you and us to put together a **WELFARE TO WORK PLAN** to help you get a job. To do this, the assessor will look at your abilities, interests, work history and education, need for supportive services to get the most out of job and training services offered under CalWORKs, estimate your chances of getting a job given your skills and the jobs available in your area, any physical or mental problems you may have that limit your ability to work or participate in Welfare to Work activities, and list the services it has or can get for you so that you can finish your welfare to work plan.

If you are in a Self-Initiated Program, your Welfare to Work Plan may be set-up based on your Appraisal. However, you may be sent for an Assessment if we need to send you to another activity at the same time so that you are participating in Welfare to Work activities for the number of hours that is required of you.

Welfare to Work Activities

UNSUBSIDIZED EMPLOYMENT

SUBSIDIZED PRIVATE SECTOR EMPLOYMENT

SUBSIDIZED PUBLIC SECTOR EMPLOYMENT

WORK EXPERIENCE

COMMUNITY SERVICE

ON-THE-JOB TRAINING(OJT)

GRANT-BASED OJT

TRANSITIONAL EMPLOYMENT

SUPPORTED WORK

WORK STUDY

SELF-INITIATED PROGRAMS

ADULT BASIC EDUCATION

JOB SKILLS TRAINING DIRECTLY RELATED TO TRAINING

VOCATIONAL TRAINING

JOB SEARCH AND JOB READINESS ASSISTANCE

EDUCATION DIRECTLY RELATED TO EMPLOYMENT

**SECONDARY EDUCATION OR GED INSTRUCTION FOR RECIPIENTS
WITHOUT A DIPLOMA OR CERTIFICATE**

**MENTAL HEALTH, SUBSTANCE ABUSE, AND DOMESTIC VIOLENCE
SERVICES**

[Insert county-developed descriptions of the welfare to work activities that they will provide to participants.]

REAPPRAISAL - If you have not gotten a job after finishing all of the activities included in your Welfare to Work Plan, and you have had an assessment, unless you have been on aid 18 or 24 months, you will go to Reappraisal. In Reappraisal, we will decide if there were special circumstances that kept you from getting a job in your area. If we decide that you did have special circumstances, you will be sent to another activity. If we decide that you do not have special circumstances, you will have to participate in one of the following activities:

€ Unsubsidized work.

€ Work experience.

€ Job skills training directly related to employment.

€ Mental health, substance abuse, and/or domestic violence services.

Hours of Participation

One-Parent Families - If you are the adult in a one-parent CalWORKs case, and you are not exempt, you will have to participate in your assigned Welfare to Work activity or activities for a total of at least 20 hours a week. Starting July 1, 1998, you will have to participate for at least 26 hour a week, and starting July 1, 1999, you will have to participate for at least 32 hours a week. [*Counties that elect to implement the 32-hour requirement earlier than the July 1, 1999 should modify the language to reflect the date when they will put this requirement into effect.*]

Two-Parent Families - If you are an adult in a two-parent CalWORKs case, and you are not exempt, you and or the other parent in your assistance unit will have to participate in your assigned Welfare to Work activity for a total of at least 35 hours a week. **NOTE:** Both parents may participate to meet the 35-hour requirement, but one of you must participate for at least 20 hour a week. Also, to receive CalWORKs child care paid for with federal money, you and the other parent will have to participate for at least 55 hours a week, unless one of you is disabled or has to care for a severely disabled child.

NOTE: The hours of participation requirements do not apply if you are participating in the Cal-Learn Program.

PARTICIPATING IN MORE THAN ONE ACTIVITY AT A TIME

We may require you to participate in more than one activity at the same time if you can handle it, it is consistent with your Welfare to Work Plan, and the activities can be scheduled together.

Satisfactory Participation

ATTENDANCE - When you sign your Welfare to Work Plan, you agree to go to your activity and complete it. [*Insert county criteria for attendance*]

SATISFACTORY PROGRESS - All Welfare to Work participants are required to make satisfactory progress toward completing their assigned activities. [*Insert county criteria for satisfactory progress*]

Supportive Services

We understand that you may need more than just training and job counseling to take part successfully in Welfare to Work. That is why we will help you arrange and/or pay for child care, transportation and work or training related expenses. If other funding sources are not available to pay for all of your supportive services expenses, we will pay for the supportive services as described below.

Advance Payments. If you qualify for Welfare to Work supportive services payments, and you need your supportive service payment before you begin your activity, we will give you an advance payment. That way, you will not be out any money - even for a short time.

NOTE: By July 1, 1998, advance payments for child care will go directly to the provider. We won't be able to give the advance payment to you.

Supportive services payments include the following:

- € child care costs, if the child care is necessary for you to participate in Welfare to Work activities. You can get child care for each child in your CalWORKs assistance unit, who is 10 years old or younger. Your 11 or 12 year old child may get child care if money is available. Also, you may get child care for a child who lives with you but is not in your CalWORKs assistance unit, if not having child care would keep you from participating or getting a job. You can choose the kind of child care you want, like child care centers, relatives, friends, or neighbors. We cannot pay for child care if you choose somebody in your CalWORKs assistance unit, the child's legal guardian, the parent, or somebody under 18 years old as the care giver. Payments can be made to licensed child care providers and, in some cases, to persons who don't need to be licensed. If your provider is not licensed, he or she must apply for Trustline registration, unless your provider is your child's aunt, uncle, or grandparent. The most we can pay is the rate based on what is normally charged for child care in the area where you live.
- € transportation costs up to a certain amount for travel to and from your Welfare to Work activity, and for you and your children to travel to and from child care.
- € work or training related costs for books, tools, and special clothing you need as part of your Welfare to Work activity.

If you need personal counseling to help you participate in Welfare to Work, and services are available in your community, we will refer you to those places which may be able to help you. *[Counties may insert the names of the specific entities that they will refer participants to for counseling or delete this bullet if counseling services are not available.]*

NOTE: If Welfare to Work pays more child care, transportation costs, or work or training related costs than you need to participate, you will have to pay Welfare to Work back. But, you may not have to pay Welfare to Work back while you are in Welfare to Work if doing so would keep you from participating.

SUPPORTIVE SERVICES AFTER YOU GET A JOB

We will provide case management and supportive services for up to 12 months after you have started a job. We will pay only if you need it to keep your job and you cannot get the services costs from somewhere else. *[Insert this language if your county elects to provide for job retention services in your county plan as specified in Welfare and Institutions Code, Section 11323.2.]*

ALTERNATIVE PAYMENT PROGRAM

Once your situation becomes steady or you leave aid, we will transfer your child care reimbursement to the local Alternative Payment Program. Your child care provider does not have to change once you go to work or transition off aid. If you still need help with your child care costs after you have been off aid for two years, you may be eligible, depending on the amount of your income, to continue to get help from the Alternative Payment Program.

We or the Alternative Payment Program will pay your care giver directly.

See your Welfare to Work worker for more information on having your child care paid.

Your Welfare to Work Plan

Your Welfare to Work Plan is important. It tells you how you and we will work together so that you can compete for and find a job. The plan will make sure that you receive the agreed-upon services and training for as long as you are taking part in Welfare to Work and receiving cash aid. Your plan tells you what you must do, and what we must do, to make Welfare to Work work for you.

Your Welfare to Work worker will help you review each of the following parts of your Welfare to Work Plan:

1. The WELFARE TO WORK PLAN - RIGHTS AND RESPONSIBILITIES tells you about Welfare to Work, our responsibilities, and your rights and responsibilities as a participant. This agreement applies as long as you are in Welfare to Work.

2. This [*Insert the county's title for the Welfare to Work Handbook*].
3. The WELFARE TO WORK PLAN - ACTIVITY ASSIGNMENT tells you about the Welfare to Work activity in which you are participating. You will sign a new activity assignment each time you begin a new Welfare to Work activity.

Read all of the parts of your Welfare to Work Plan, including this [*Insert the county's title for the Welfare to Work Handbook*], carefully. If you have any questions, be sure to ask your Welfare to Work worker. Both you and your Welfare to Work worker will sign each assignment.

You must continue to participate in Welfare to Work, moving from one activity to another, until you get a job and become self-supporting.

Good Reasons for Not Participating

We recognize that you may have a good reason for not signing your Welfare to Work Plan, for not taking part in one of the Welfare to Work activities that you agreed to in your activity assignment, for not accepting a job offer or job referral, for quitting a job, or for reducing your earnings. Some of these reasons are related to you personally, and some are related to the assignment.

Reasons related to you:

- € You need transportation or work or training related expenses paid to participate, and these have not been provided.
- € You are the victim of domestic violence and participating would be harmful to you or your family.
- € Licensed or exempt child care is not reasonably available during your training, employment or travel time for:
 - a child 10 years old or younger; or
 - a child who is in foster care or is an SSI recipient, but who is not included in the assistance unit.

[*Insert any additional reasons that the county wants to include*]

Reasons related to activity assignment or job:

- € Discrimination at the job or training because of age, sex, race, color, religion, national or ethnic origin, physical or mental disability, political affiliation or marital status.
- € Travel to work or training from your home is more than two hours round trip by car, bus or other transportation, or more than two miles round trip if you have to walk because other transportation is not available. The limit on travel and mileage does not include transportation time or mileage to take family members to and from school or to and from other care providers. **NOTE:** If you do not take a job or participate in an assigned activity because of this reason, you will have to participate in Community Service.
- € The job requires more daily or weekly hours than is normal or customary.
- € Conditions at the job or training violate health and safety standards or that could cause you serious injury or death.
- € The job or work activity does not provide Worker's Compensation Insurance.
- € Accepting a job or work activity would interrupt or interfere with an approved education or training assignment, except Work Experience or Community Service.
- € Accepting a job or work activity would cause you to violate the terms of your union membership.

[Insert any additional reasons that the county wants to include]

What Happens if You Do Not Participate

As you know, participation in Welfare to Work is mandatory for all able-bodied CalWORKs applicants and recipients. Exemptions are listed in the section titled, "Who Doesn't Have to Participate".

If for any reason, you do not do what Welfare to Work requires, the following steps will be taken:

Cause Determination - If you do not meet Welfare to Work requirements, you have the right to explain why. The county will decide if it is a good reason. (See the section titled, "Good Reasons for Not Participating".)

If you have a good reason for not doing what Welfare to Work requires, your Welfare to Work worker will try to help you so that you can meet Welfare to Work requirements. If changes can't be made so that you are able to meet the Welfare to Work requirements, you will not be required to participate in Welfare to Work.

Compliance - If you do not meet Welfare to Work requirements, we will send you a notice. You will have 20 calendar days after the date of the notice to meet with or call your Welfare to Work worker to give a good reason for not doing what you are required or to agree to sign a compliance plan to do what you are required, if you do not have a good reason. If you meet the requirements of the plan, no penalties will be applied to you.

Financial Sanctions - If you are a mandatory participant (see the section titled, "Who Must Participate"), your family's cash aid will be lowered if you fail or refuse to meet Welfare to Work requirements without a good reason and do not resolve the problem by signing and completing a compliance plan.

Your family's cash aid will be lowered if anybody who must participate does not meet Welfare to Work requirements. This financial sanction will happen only if the person does not have a good reason, or they fail to sign or complete a compliance plan. The person who gets a financial sanction will not receive cash aid for a period of time.

If your family is a two-parent family getting cash aid because of unemployment, there are special rules for financial sanctions. If a parent who must participate in Welfare to Work causes a financial sanction, both parents will lose their cash aid. But the parent who did not cause the sanction can keep his or her cash aid if he or she participates in Welfare to Work, or is exempt, or has good cause for not participating.

The first time you are sanctioned, your family's aid will be lowered until you do what Welfare to Work requires and apply again for cash aid. The second time, your family's cash aid will be lowered for at least three months. After three months, the sanction will stop if you apply again for cash aid and do what Welfare to Work requires. The third or additional time, your family's aid will be lowered for at least six months. After six months, the sanction will stop if you apply again for cash aid and do what Welfare to Work requires.

Penalties for Volunteers - Individuals who are exempt from participation (see the section titled, "Who Doesn't Have to Participate") may choose to volunteer to participate in Welfare to Work. If you volunteer for the Welfare to Work program, but fail to meet Welfare to Work requirements without a good reason, you may not be allowed to participate in Welfare to Work for a period of time.

See your Welfare to Work worker if you have any questions regarding these requirements.

Your Child's School Attendance

If your child(ren) must attend school and we decide that he or she does not do so regularly, (unless he or she is eligible to participate in the Cal-Learn Program) [*San Diego and Merced counties also should include children participating in school attendance projects.*] your family's cash aid also will be lowered. You must show proof that your child is attending school regularly, if we ask for it.

What You Can Do if You Do Not Agree

There are three actions you can take if you do not agree with our decision.

- 1. State Hearing** - If you disagree with any county decision regarding a Welfare to Work penalty (see the section titled, "Good Reasons for Not Participating"), your status (standing) in Welfare to Work, your Welfare to Work activity or your Welfare to Work supportive services, you can ask for a state hearing. For Welfare to Work financial sanctions, you can use the same process you use when you disagree with the action we take on your cash aid. Your Welfare to Work worker will help you file for a state hearing if you want one. You can request a rehearing after the state hearing decision is reached.
 - If you file for a state hearing before the penalties start, penalties will not be applied while the hearing is being decided.
 - If you file for a state hearing for any other county action, different rules apply. The Welfare to Work hearing rights form explains those rules. You can ask for copies of the form at any time.
- 2. Independent Assessment** - If you do not agree with the results of your Assessment or Welfare to Work Plan, someone who is not a county representative will review your Assessment and do another one, if necessary. The results of this independent Assessment will be used to set up your Welfare to Work Plan.
 - If you have an independent Assessment done, penalties will not be applied while you await the results of the review.
- 3. Formal Grievance set by the County Board of Supervisors** - This is the process adopted by the [*insert the name of the county*] Board of Supervisors. Your Welfare to Work worker will tell you how this grievance process works.
 - If you use the formal grievance process, you must continue to meet Welfare to Work requirements. If you do, penalties will not be applied while the grievance is being decided.