



CDSS

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December 05, 2014

ALL COUNTY WELFARE DIRECTORS LETTER

TO: ALL COUNTY WELFARE DIRECTORS

FROM: TODD R. BLAND  
Deputy Director  
Welfare-to-Work Division

SUBJECT: WORK INCENTIVE NUTRITIONAL SUPPLEMENT (WINS) STATEWIDE  
PRIORITY

REFERENCE: ALL COUNTY LETTER (ACL): 13-17,13-71, 13-71E; ALL COUNTY  
INFORMATION NOTICES (ACIN): I-58-13, I-58-13E, I-14-14, I-14-14E

REASON FOR THIS TRANSMITTAL

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

In order to meet the 50 percent work participation (WPR) goal, the timely verification of WINS cases is critical. The California Department of Social Services (CDSS) requests your assistance in making WINS verification a priority. This letter addresses three problematic WINS WPR data reporting issues:

1. How to prioritize WINS WPR sample cases;
2. How to verify participation hours for WINS cases; and,
3. How to report recipient characteristics for WINS cases.

**Background**

The WINS program provides a ten dollar (\$10) per month additional food supplement benefit for CalFresh households that are meeting Temporary Assistance for Needy Families (TANF) WPR requirements. WINS cases are receiving CalFresh, but are not on CalWORKs. This food benefit is considered a form of TANF assistance thus including these working CalFresh/WINS cases in the state's TANF WPR calculation; however, TANF rules, such as time limits, do not apply to WINS cases. WINS began operating in all CWDs on July 1, 2014 and begins officially counting towards the state's TANF WPR as of October 2014.

California is currently subject to severe fiscal penalties for failing to meet WPR requirements in federal fiscal years (FFY) 2008 through 2011. The penalty amount currently stands at approximately \$587 million in the form of a TANF block grant reduction.

The CDSS has submitted a corrective compliance plan to the federal Administration for Children and Families (ACF) in order to avoid or mitigate this penalty. In conjunction with counties' ability to improve statewide WPR levels, and other reform and investment efforts--such as subsidized employment and the move out of the safety net cases--WINS is intended to help California meet the TANF WPR during the designated corrective compliance period, FFY 2015 (October 2014 through September 2015).

### **Prioritize the WINS RADEP Sample**

The CalFresh families receiving the WINS benefit will be included in the sample cases reported to ACF via the RADEP data collection tool. Federal sampling requirements mandate that the same number of cases be sampled annually from the WINS program as is sampled from the TANF program, thus adding approximately 3,000 WINS cases to the statewide sample.

Due to the urgency associated with achieving the TANF WPR in FFY 2015, it is requested that CWDs prioritize and act on their WINS RADEP sample cases first. In order to facilitate this workload, the CDSS is allowing an extension to the due dates for submission of E2Lite sample data. If needed, CWDs can submit their E2Lite data up until August 31, 2016. The revised due dates for the WINS RADEP sample for FFY 2015 are as follows:

## REVISED WINS ONLY FFY 2015 REPORTING SCHEDULE

Due to CDSS	SAMPLE MONTH
11/20/2014 THU	OCT New Cases
12/22/2014 MON	OCT Supplemental New Cases NOV Ongoing Active
1/20/2015 THU	NOV Supplemental and New DEC Ongoing Active
2/20/2015 FRI	DEC Supplemental and New JAN Ongoing Active
3/20/2015 FRI	JAN Supplemental and New
4/30/2015 MON	FEB 2015 Sample
5/6/2015 WED	MAR 2015 Sample
7/15/2015 MON	APR 2015 Sample
7/30/2015 MON	MAY 2015 Sample
8/5/2015 THU	JUNE 2015 Sample
10/14/2015 MON	JULY 2015 Sample
10/30/2015 TUE	AUG 2015 Sample
11/5/2015 FRI	SEPT 2015 Sample

### **Verifying WINS Hours**

In order for a CalFresh household to be eligible to receive WINS benefits, the household must be meeting the TANF WPR requirements in subsidized or unsubsidized employment. The TANF WPR hours requirement is an average of 20 hours per week for single parent families with a child under six, an average of 30 hours per week for single parent families with no children under six, and an average of 35 hours per week for two-parent families with one of the parents working at least 30 of the 35 hours.

For purposes of the RADEP WINS sample, work hours are verified from income documents submitted during initial application, at SAR 7 submission, or at recertification. Most often verification is in the form of a paycheck stub that displays the number of hours worked.

In situations where a paystub or other income documentation is unavailable, verification through the Work Number and/or another third party verification source (through the Income and Eligibility Verification System [IEVS], etc.), is an accurate and acceptable means of reporting employment hours.

Projection of employment hours for up to six months, based on actual hours reported on the SAR 7 form and/or other employer-issued documentation, is the next most accurate and acceptable method of reporting employment hours.

When actual employment hours are not available in the case file, not in the Work Number or IEVS, or not projected, then the CWD may seek the hours of participation from the recipient. A suggested best practice is to contact the recipient (by phone or mail ) and ask them to fill-in a calendar/work sheet showing the hours worked in the month. The county may verify the newly documented hours by comparing the hours to existing verification/documentation such as pay stubs that support the individual's employment.

If the information is not available from the recipient, the CWD may work with the individual to obtain the hours information by calling the employer of record or sending a letter to verify the client's hours of participation.

For WPR reporting purposes, CWDs are to request that the household/employer only verify the WINS work hour requirements, not the specific wage information that may necessitate a recalculation of CalFresh benefits, as per CalFresh Verified Upon Receipt (VUR) rules. Please refer to ACL 13-17 and ACIN I-58-13 for clarification of the actions required for information considered VUR.

After pursuing the steps described above, if the actual hours of employment cannot be determined, the CWD may divide the salary by the actual hourly wage to determine the number of hours worked per month divided by 4.33 and then rounded to the nearest whole number to determine the average number of hours per week of participation.

Note: for administrative ease, other federally countable activities beyond employment, such as educational activities, have been pre-populated in the WINS data reporting system because most WINS cases will meet federal WPR requirements only through employment

hours. However, hours of participation in other federally allowable activities, such as education, are countable for WINS cases. Counties may overwrite the pre-populated fields in the WINS data reporting system if applicable.

At a minimum, the client's name; the name of the employer, work site supervisor or other service provider; the number of hours; and the name and phone number of the person verifying the hours (for example, a county case worker or data reporting worker) must be maintained in the case file.

If sufficient hours of employment cannot be verified, the CWD should ask the client about participation in other activities that would count towards the WPR, such as vocational education and/or training (see California's *Work Verification Plan* for the full list of federally-countable activities: <http://www.cdss.ca.gov/cdssweb/entres/pdf/VerificationPlanEffective2008.pdf>). If the client is engaged in such additional activities, the CWD shall seek documentation to verify the hours of the activities. If the sum of the client's employment hours and other federally countable hours equals or exceeds the average weekly requirement for the household type, then the household will be counted in the WPR numerator.

If after pursuing all of the steps above hours verification is not available, counties should attempt to determine if the WINS case is not work-eligible or qualifies for a federal disregard from the WPR thus removing the case from the WPR calculation. Not work-eligible/federal disregards are as follows: a minor parent and not the head-of-household; an alien who is ineligible to receive assistance due to his or her immigration status; a recipient of Supplemental Security Income benefits; a parent responsible for a disabled family member living in the home; an individual in a family receiving assistance under an approved Tribal TANF program; and single custodial parents with a child under age one (applicable for lifetime maximum of 12 months); however, if participating at least 20 hours per week, may be included in the WPR.

If after pursuing all of the steps above hours verification is not available it will not affect CalFresh benefits; however, the CWD shall discontinue the WINS benefit.

### **WINS Recipient Characteristics**

In addition to hours worked, characteristics information must be reported via the RADEP survey to the federal government for WINS cases.

Most fields in the RADEP survey have been prepopulated based on the likelihood that those data elements are not applicable to the WINS population.

For cases where characteristics information not otherwise pre-populated is unavailable in the case file, please look in the consortia system or contact the recipient to obtain any information not related to income. If the necessary characteristics information cannot be found in the consortia system or from the client, then a reasonable determination can be made based on the available known information.

For example, if the education level of a child in a WINS case is unknown, then the CWD may make a reasonable determination of that child's education level based on the child's age.

Information regarding verification of hours and characteristics data collection has been disseminated to the Performance Management County PMC Yahoo! users group. If CWDs have additional questions pertaining to WINS RADEP survey questions they should contact the PMC Yahoo! Users group at [PMCSupervisors@yahogroups.com](mailto:PMCSupervisors@yahogroups.com).

*Administrative funds for WINS:*

CDSS separately allocated \$5.4 million in administrative funds to County Welfare Departments in order to support WINS data collection and reporting efforts. This funding was provided to CWDs in the WINS Allocation, separate from the CalWORKs Single Allocation. The CDSS will monitor CWD claiming throughout FFY 2015 to determine if additional funds are needed in order to support the success of WINS program.

If you're interested in further discussion or have questions about WINS or WPR penalties, please contact Kären Dickerson, Chief, CalWORKs Employment and Eligibility Branch, at 916-651-6562, Damien Ladd, Chief, CalWORKs Employment Bureau, at 916-654-1451, or call the CalFresh Policy Bureau at (916) 654-1896.