STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
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WILL LIGHTBOURNE
DIRECTOR

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GOVERNOR

REASON FOR THIS TRANSMITTAL

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

December 1, 2015

ALL COUNTY LETTER NO. 15-99

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

SUBJECT: CALIFORNIA WORK OPPORTUNITY AND RESPONSIBILITY TO KIDS (CalWORKs) PROGRAM: UNTICKING OF THE WELFARE TO WORK 24-MONTH TIME CLOCK (WTW 24-MTC) FOR ADULTS WITH ZERO PARTICIPATION HOURS

REFERENCE: SENATE BILL (SB) 1041 (CHAPTER 47, STATUTES OF 2012); WELFARE AND INSTITUTIONS CODE (WIC) SECTIONS 11322.8, 11322.85, 11322.86, AND 11322.87; MANUAL OF POLICIES AND PROCEDURES (MPP) SECTION 42-708

This letter provides guidance to County Welfare Departments (CWDs) for identification and appropriate action on the WTW 24-MTC for adults with zero participation hours, and provides a form for reporting this information to the California Department of Social Services (CDSS).

Background

The CDSS administrative data suggest that a number of aided, non-exempt adults who are not engaged in WTW activities may have months ticking on the WTW 24-MTC. Adults required to participate can understandably have brief periods of inactivity as CWDs engage them in activities or transition them from one activity to the next. However, administrative data suggest that a portion of the non-exempt and non-sanctioned WTW caseload is in this unengaged status for at least six months.

Pursuant to MPP Section 42-708, all CalWORKs adults are provided a total of 24 cumulative months under the WTW 24-MTC, during which they may receive a wide array of CalWORKs services and activities that are consistent with their assessments in order to make progress towards self-sufficiency. The WTW 24-MTC is designed on the premise that the clock should tick only for months in which clients are participating in the flexible WTW activities and receiving services in accordance with a WTW plan (MPP Section 42-708.22).

Population Criteria

To ensure that CalWORKs adults are receiving the benefits of the WTW 24-MTC, CWDs are to identify currently aided or sanctioned adults (as of the date of this letter) that met all of the following three conditions for any consecutive six-month period between January 1, 2013 and September 30, 2015:

1. The adult(s) was aided;
2. The aided adult(s) had zero hours of participation in a WTW activity; and
3. The adult(s)' WTW 24-MTC ticked.

For purposes of this inquiry, zero participation hours means that the CWD has no record of the adult having earned income or participating in any WTW activity.

For the adults identified, CWDs are required to (1) identify the population meeting criteria described above, (2) untick months appropriately from the WTW 24-MTC as described below, (3) notify clients of the months unticked from the WTW 24-MTC and, (4) attempt to engage them in WTW activities, if appropriate.

As provided in MPP Section 42-708.3, the WTW 24-MTC should not tick (or should be unticked) for months when the adult is:

- Meeting CalWORKs federal standards.
- Exempt from WTW.
- Sanctioned.
- In good cause status for 50 percent or more of the participation requirement.
- In development of a WTW plan.

The above actions should be taken regardless of whether the adult has time remaining or has exhausted the WTW 24-MTC. Adults who met the criteria described above, but whose WTW 24-MTC was subsequently unticked (and appropriate notice was provided) prior to the date of this letter to account for months in which the adult had zero hours require no action or reporting in accordance with this letter.

Unticking Months from the WTW 24-MTC Due to Noncompliance Beyond 60 Days

Manual of Policies and Procedures (MPP) Section 42-721.23 requires CWDs to initiate the compliance process upon determination that the client failed or refused to comply with program requirements. Further, MPP Section 42-721.23 provides a 20-day compliance window from initiation of the compliance process to communicate with the client and make a good cause determination (MPP Section 721.24), during which the WTW 24-MTC may tick (ACL 13-59, page 5). Following the start of the compliance period, a sanction must be imposed no earlier than 30 days from the CWDs notice to the client of noncompliance and no later than the first of the month following the elapse of this 30-day period (MPP Section 42-721.44).

The identified adults should be given good cause for lack of engagement and have the WTW 24-MTC unticked for:

1. **Months in which the client was unengaged before initiation of the compliance process; and**
2. **Months in excess of 60-days period from initiation of the compliance process to imposition of a WTW sanction, described in MPP Sections 42-721.23 and .44, or agreement to a compliance plan as described in MPP Section 42-721.282.**

Any action taken on client grant amounts as a result of this inquiry must be made prospectively only.

Informing Notice for WTW 24-MTC Unticked Months

For adults whose WTW 24-MTC is unticked as a result of this All County Letter, the county must provide notice of the change to the clock as described above via form or letter equivalent to an informing notice. The notice should be sent as soon as administratively possible, but no later than three months from WTW 24-MTC adjustment. At a minimum, the notice must include the number of months unticked on the WTW 24-MTC and the reason why. The following language serves as an example:

A total of___ months are being added to your WTW 24-Month Time Clock because you were:

□ *Meeting CalWORKs federal standards,*
□ *Sanctioned,*
□ *Exempt from WTW,*
□ *Given good cause,*
□ *In development of a WTW plan,*
□ *In noncompliance beyond 60 days*

This does not impact the amount of money you receive or the number of months you have on aid.

Examples of WTW 24-MTC Action

Example No. 1

Angela is currently sanctioned. Angela signed a WTW plan on December 1 to begin participating in an education program on December 5. Angela's WTW 24-MTC began ticking on December 1; however, Angela encountered an unforeseen circumstance and did not attend her activity on December 5 or thereafter, but Angela's WTW 24-MTC continued to tick. The county initiated the compliance process four months later on April 1; however, a sanction was not imposed until three months later on July 1. In this example, Angela's WTW 24-MTC should be unticked for the reason of good cause for lack of engagement for the months of being unengaged prior to initiation of the compliance process (December, January, February, March) and for the month in excess of 60 days after compliance was initiated until sanction was imposed (June), for a total of five months unticked from Angela's WTW 24-MTC.

Example No. 2

Jill is currently aided. Jill is pregnant with her second child and received a pregnancy-related disability exemption starting July 4. On January 6, Jill gives birth to her second child and decides to use her one-time 12-month young child exemption. Although the county stopped the WTW 24-MTC from ticking upon approving the young child exemption, months continued to tick during Jill's pregnancy disability exemption. As a result, six months (July, August, September, October, November, and December) were unticked from Jill's WTW 24-MTC.

Reporting

Related to these actions, counties must report to CDSS the following information regarding the identified population:

- The number of adults who met the above criteria.
- The number of these adults whose clock was unticked as a result of this inquiry.
- The reasons why the clocks were unticked.

In addition to the above information, CWDs are asked to provide a narrative description of the following:

- The CWD's process(es) (automated and/or manual) for tracking the WTW 24-MTC.
- The CWD's process(es) (automated and/or manual) for tracking and ensuring client participation.

- The most common reasons (maximum of three) why the adults identified had zero participation hours.
- The CWD's plan to:
  1. Minimize the length of time clients who are not sanctioned or exempt have zero participation.
  2. Ensure that months tick on the WTW 24-MTC in accordance with state regulations (MPP Section 42-708).

By February 15, 2016, CWDs must provide to CDSS the information requested in this letter using the attached reporting form. Please send the completed reporting form to Amreet Sandhu via email at Amreet.Sandhu@dss.ca.gov; or by mail to:

Amreet Sandhu
CalWORKs Employment Bureau
California Department of Social Services
744 P Street, M.S. 8-8-33
Sacramento, CA 95814

If you have any questions about this letter or request for information, please contact Ms. Sandhu with the CalWORKs Employment Bureau at (916) 651-9958.

Sincerely,

Original Document Signed By:

TODD R. BLAND
Deputy Director
Welfare to Work Division

Attachment

Zero Hours Population Reporting Form

County Name:_____ Date:_____ **(Due February 15, 2016)**

Contact Name:_____

Contact Phone Number:_____ Email:_____

Below is our county's report of CalWORKs adults who are currently aided or sanctioned (as of the date of this letter) and met all of the following three conditions for any consecutive six-month period between January 1, 2013 and September 30, 2015: (1) the adult(s) was aided, (2) the aided adult(s) had zero hours of participation in a WTW activity; and (3) the adult(s)' WTW 24-MTC ticked.

Population Description	**Number**
1) Total Number of adults Identified:	
i) Number of these adults in single-parent assistance units	
ii) Number of these adults in two-parent assistances units	
2) Number of these who had months unticked on the WTW 24-MTC as a result of this inquiry:	
i) Number of these adults in single-parent assistance units	
ii) Number of these adults in two-parent assistances units	
3) Number of these adults who had months unticked from the WTW 24-MTC as result of this inquiry for the following reasons:	
i) Number of these adults in single-parent assistance units	
a. WTW exemption	
b. WTW sanction	
c. Good cause for 50 percent or more of the month	
d. Good cause due to noncompliance beyond 60 days*	
e. Development of a WTW plan	
ii) Number of these adults in two-parent assistances units	
a. WTW exemption	
b. WTW sanction	
c. Good cause for 50 percent or more of the month	
d. Good cause due to noncompliance beyond 60 days*	
e. Development of a WTW plan	

* Adults identified should be given good cause for lack of engagement and have the WTW 24-MTC unticked for the following months:

1. Months in which the client was unengaged before initiation of the compliance process; and ,
2. months in excess of 60-days from initiation of the compliance process to imposition of a WTW sanction (month in which aid was reduced) or agreement to a compliance plan as described in MPP Section 42-721.282.

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Narrative Responses

(Provide your responses on a separate document attached to this form)

1) Please describe your county's process for tracking the WTW 24-MTC:
2) Please describe your county's process for monitoring and ensuring continued client participation:
3) Please describe the reasons the identified cases had zero participation hours.
4) Please describe your county's plan to (1) minimize the length of time that clients who are not exempt or sanction have zero participation hours and (2) ensure that months tick on the WTW 24-MTC in accordance with state regulations (MPP Section 42-708).