STATE PLAN FOR PROVISION OF

PUBLIC ASSISTANCE UNDER

THE PERSONAL RESPONSIBILITY

AND WORK OPPORTUNITY

RECONCILIATION ACT OF 1996

October 1, 1999

As amended effective October 1, 2000

STATE OF CALIFORNIA
Gray Davis, Governor

HEALTH AND HUMAN SERVICES AGENCY
Grantland Johnson, Secretary

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES
Rita Saenz, Director

CERTIFICATION

California will operate a program to provide temporary assistance to needy families so that children may be cared for in their own homes or in the homes of relatives; to end dependence of needy parents on government benefits by promoting job preparation, work, and marriage; to prevent and reduce the incidence of out-of-wedlock pregnancies and establish annual numerical goals for preventing and reducing the incident of these pregnancies; and to encourage the formation and maintenance of two-parent families. This program is known as the California Work Opportunity and Responsibility to Kids (CalWORKs) Program.

Executive Officer of the State: Gray Davis, Governor

The California Department of Social Services, the Department of Child Support Services (effective 1/1/2000), the California Department of Health Services and the Office of Criminal Justice Planning are the state agencies responsible for supervision of local political subdivisions in the administration of the Temporary Assistance to Needy Families (TANF) Program. These agencies have authority under State law to make rules and regulations that are binding on such political subdivisions. This State Plan will be binding on the subdivisions and will be in effect throughout the State.

In administering and operating a program that provides temporary assistance for needy families with minor children under Title IV-A of the Social Security Act, the State will:

1. Assure that local governments and private sector organizations:

   (A) have been consulted regarding the plan and design of welfare services in the State so that services are provided in a manner appropriate to local populations, and

   (B) have had at least 45 days to submit comments on the plan and the design of such services, the 45-day comment period ended on December 6, 1999.

2. Operate a Child Support Enforcement program under the State Plan approved under part D;

3. Operate a Foster Care and Adoption Assistance program in accordance with part E, and certify that the State will take all necessary actions to ensure that children receiving assistance are eligible for medical assistance;

4. Provide each member of an Indian tribe, who is domiciled in the State and is not eligible for assistance under a tribal family assistance plan approved under section 412, with equitable access to assistance under the State program funded under this

part attributable to funds provided by the federal government.

5. Establish and enforce standards and procedures to ensure against program fraud and abuse, including standards and procedures concerning nepotism, conflicts of interest among individuals responsible for the administration and supervision of State programs, kickbacks, and the use of political patronage;

6. Make available to the public a summary of the State Plan.

7. Exercise the Family Violence Option (FVO) in accordance with Title 42 USC 602 (a)(7). California has established and is enforcing standards and procedures to:

   (A) Screen and identify individuals receiving TANF and MOE assistance with a history of domestic violence, while maintaining the confidentiality of such individuals.

   (B) Refer such individuals to counseling and supportive services; and

   (C) Provide waivers, pursuant to a determination of good cause, of normal program requirements to such individuals for so long as necessary in cases where compliance would make it more difficult for such individuals to escape domestic violence or unfairly penalize those who are or have been victimized by such violence or who are at risk of further domestic violence.

CERTIFIED BY THE CHIEF EXECUTIVE OFFICER OF THE STATE:

_____ _____

DATE GRAY DAVIS, Governor

A. GENERAL PROVISIONS

i. Outline how the State intends to conduct a program designed to serve all political subdivisions in the State (not necessarily in a uniform manner), that provides assistance to needy families with (or expecting) children and provides parents with job preparation, work and support services to enable them to leave the program and become self-sufficient.

Effective January 1, 1998, California enacted its welfare reform program, entitled the California Work Opportunity and Responsibility to kids (CalWORKs) program. CalWORKs serves all political subdivisions (counties) in the State. This program is supervised by the California Department of Social Services (CDSS) and administered by county welfare departments (CWDs) in accordance with a statewide system of regulations that ensure universal access as well as consistent and uniform eligibility criteria. CalWORKs includes welfare reform measures and services designed to encourage recipients to qualify for and find jobs that will enable families to be self-supporting.

Beginning October 1, 1999, assistance units that consist of two, aided, nondisabled, natural or adoptive parents of the same aided or SSI/SSP minor child (living in the home), unless both parents are aided minors and neither is the head-of-household, will be aided under a separate state program. Adults in the separate state program for two-parent families will be required to participate in at least 35 hours each week of welfare-to-work activities that are equivalent to those listed in Section A iii. Both parents in the assistance unit may contribute toward the 35-hour requirement if at least one parent participates a minimum average of 20 hours per week. Two-parent families are also subject to the CalWORKs 18- or 24-month time limit, which is outlined in Section A ii. The creation of a separate state program for two-parent families will allow California to address the diverse needs of this population. In particular, the program will be able to address the unique needs of individuals whose primary language is other than English and who comprise a disproportionate percentage (55 percent in July 1998) of the State's two-parent population.

ii. Outline how the State intends to require a parent or caretaker receiving assistance under the program to engage in work (as defined by the State) once the State determines the parent or caretaker is ready to engage in work, or once the parent or caretaker has received assistance under the program for 24 months (whether or not consecutive), whichever is earlier.

The CalWORKs program established mandatory work and/or community service participation requirements for aided parents and caretakers as follows:

- Aid for a current recipient is limited to a cumulative period of 24 months, unless:
  - The CWD certifies that there is no job currently available for the recipient; and
  - The individual is engaged in unsubsidized employment and/or participates in community service for the number of hours required under Section 607(c) of Title 42 of the United State Code.
- Aid for new applicants is limited to a cumulative period of 18 months, unless:
  - The individual qualifies for a six month extension under criteria specified and adopted by the CWD; or
  - The CWD certifies that there is no job currently available for the recipient; and
  - The individual is engaged in unsubsidized employment and/or participates in community service for no less than the required number of hours.
- For purposes of this section, a current recipient is an individual who was receiving aid for the month prior to the implementation date of the CalWORKs Welfare-to-Work Program in the county; and a new applicant is an individual whose beginning date of aid is in the month that the CalWORKs Welfare-to-Work Program is implemented in the county, or thereafter.
- At the time of application, the CWD may determine that the individual meets specified criteria for exemption from participation in employment preparation or work activities; otherwise, the CWD will determine an individual's ability to engage in work upon their entry into the CalWORKs Welfare-to-Work Program.
- In most instances, an individual who is not exempt from participation will be assigned to job search for four weeks as their first work activity. However, job search may be shortened if the CWD determines that the recipient would not benefit from the activity or it may be lengthened if additional job search would result in employment.
  - Individuals who do not find employment during their job search will undergo an assessment and develop a welfare-to-work plan before being assigned to an education, training, or work experience program, as appropriate, and as resources permit.

iii. Outline how the State intends to ensure that parents and caretakers receiving assistance under the program engage in work activities in accordance with Section 407.

California's welfare-to-work program is designed to assist CalWORKs recipients find employment and/or acquire the necessary job skills to obtain employment.

- After aid has been granted, recipients who are not exempt are required to participate in an appraisal and, generally, are assigned to job search for four weeks as their first work activity upon completion of the appraisal.

- If the recipient is unable to find unsubsidized employment through job search, the individual will be referred for an assessment. Based upon the assessment, the CWD and the recipient must develop and agree upon a welfare-to-work plan, which covers the activities and services that will be provided to an individual.

- The welfare-to-work plan will specify the supportive services, which may include childcare, transportation costs, ancillary expenses, or personal counseling that will be provided to the individual.

  - If necessary supportive services are unavailable, the participant will have good cause for not participating in their assigned welfare-to-work activity.

- To the extent that services are not available from other sources, counties have the option to provide job retention services, such as case management and supportive services, in order to assist the individual in retaining employment, if the individual is employed and currently receiving aid but not participating in welfare-to-work and/or received aid within the previous 12 months.

- The welfare-to-work activities offered by the CWD, may include, but are not limited to the following:

  (1) Unsubsidized employment – self-explanatory

  (2) Subsidized private or public sector employment – employment in which the participant's employer is partially or wholly reimbursed for wages and/or training costs.

  (3) Work experience – a welfare-to-work training activity in the public or private sector that is performed under close supervision and helps provide basic job skills, enhance existing skills, or provide a needed community service that will lead to unsubsidized employment.

(4) On-the-Job Training (OJT) – self-explanatory.

(5) Grant based OJT – a welfare-to-work activity that is performed in the public or private sector in which a recipient's cash grant, or portion thereof, or the aid grant savings resulting from employment is diverted to the employer as a subsidy to wholly or partially offset the payment of wages.

(6) Supported work or transitional employment – a grant-based funded welfare-to-work activity in which a recipient's cash grant, or portion thereof, or the aid grant savings resulting from employment, is diverted to an intermediary service provider totally or partially offset the payment of wages to the recipient.

(7) Work study – programs established by Title IV of the federal higher Education Act, of Chapter 2 of Part 42 of the California Education Code or the State annual Budget Act.

(8) Self-employment – defined by the county but must meet the definition of employment, which is defined as work that is compensated at least at the applicable federal or state minimum wage. If neither wage rate applies, the work must be compensated in an amount equal to the lesser of the two rates.

(9) Community service – a welfare-to-work training activity that is temporary and transitional, which is performed in the public or private nonprofit sector under close supervision, and provides participants with job skills that can lead to employment while also meeting a community need.

(10) Adult basic education – a welfare-to-work activity needed by the individual to become employed and may include instruction in reading, writing, arithmetic, high school proficiency, or general educational development (GED) certificate instruction, and English as a Second Language.

(11) Job skills training directly related to employment – self-explanatory.

(12) Vocational education and training – programs including but not limited to those offered through colleges, community college, adult education, and regional occupation centers.

(13) Job search/job readiness – training in basic job seeking and interviewing skills and understanding employer expectations and employee obligations.

(14) Education directly related to employment – self-explanatory.

(15) Programs leading to a general educational development (GED) certificate or satisfactory progress in secondary school as needed by an individual to become employed.

(16) Mental health counseling, treatment and rehabilitation activities necessary to obtain and retain employment.

(17) Substance abuse counseling, treatment, and rehabilitation activities necessary to obtain and retain employment.

(18) Domestic violence services necessary to obtain and retain employment.

(19) In addition, an individual's welfare-to-work activity may include the parent's participation required by a school to ensure that a child in the assistance unit attends school as required.

(20) Other activities necessary to assist an individual in obtaining unsubsidized employment.

- Unless otherwise exempt, an adult in a single parent household is to participate in welfare-to-work activities for at least the minimum number of hours required under Section 607(c) of Title 42 of the United States Code. Effective July 1, 1999, an adult in a single parent household was required to participate in Welfare-to-Work activities for a minimum of 32 hours per week.

- Any nonexempt recipient of assistance, who refuses to sign their welfare-to-work plan, refuses to cooperate in meeting program requirements, or fails to fulfill the terms of their welfare-to-work plan without good cause, shall be removed from the assistance unit incurring a financial sanction until the individual performs the required welfare-to-work activity for the first instance of noncompliance. The second instance of noncompliance shall result in a financial sanction for a minimum period of three months. The third and each subsequent instance of noncompliance shall result in a financial sanction for a minimum period of six months.

- The Cal-Learn program assists pregnant and parenting teens, unless exempted or deferred, who have not obtained a high school diploma or its equivalent.

iv. Outline how the State intends to take such reasonable steps as the State deems necessary to restrict the use and disclosure of information about individuals and families receiving assistance under the program attributable to funds provided by the federal government.

Existing State law specifies that information about individuals and families receiving assistance is to be considered confidential. Therefore, except as authorized by federal law, the State will continue to enforce existing confidentiality regulations. These regulations have been developed to protect applicants and recipients against identification, exploitation, or embarrassment that could result from the release of information identifying them as having applied for, or having received, public assistance.

The regulations apply to all records, papers, files, and communications (whether written or oral) pertaining to applicants for, and recipients of, public assistance. They also outline under what circumstances, and to whom, such information may be released.

Except as otherwise provided by federal law, all information concerning the circumstances of any individual applying for, or receiving, public assistance is confidential and is to be safeguarded. No disclosure of any information obtained by a representative, agent, or employee of the county, in the course of discharging his or her duties, shall be made directly or indirectly other than in the administration of public social service programs, or as provided under federal law. Any disclosure of information that identifies by name or addresses any applicant or recipient of public social services to federal, state, or local legislative bodies and their committees without the consent of such applicant or recipient is prohibited. Both the release and the possession of confidential information in violation of the rules are misdemeanors.

v. Outline how the State intends to establish goals and take action to prevent and reduce the incidence of out-of-wedlock pregnancies, with special emphasis on teenage pregnancies, and establish numerical goals for reducing the illegitimacy ratio of the State (as defined in section 403(a)(2)(B)) for calendar years 1996 through 2005.

As evidenced by the statistical data, California, through a comprehensive, multi-faceted approach, has dramatically reduced the incidence of out-of-wedlock pregnancies. An example of these programs are the Adolescent Family Life Program (AFLP), AFLP Siblings Program, Cal-Learn, Community Challenge Grants, Partnership for Responsible Parenting Campaign, Male Involvement Program, Family PACT, and the Information and Education Program. We intend

to continue our efforts in order to fully explore which strategies (or combination thereof) are the most effective and to what extent. Armed with this evidence, we will be able to begin developing numerical goals as we develop our future program budgets.

California has a stated goal of reducing the incidence of pregnancies among females aged 17 or younger. "Partnership for Responsible Parenting", through the Department of Health Services, coupled with other ongoing teen pregnancy prevention efforts, represents the State's comprehensive, multi-faceted, preventive approach to this complex social issue. The Partnership for Responsible Parenting has four components:

(1) Community Challenge Grants – A grant program that is being implemented to support over 130 private organizations and public agencies to develop and implement innovative, effective community-based strategies to reduce teen and unwed pregnancies in geographic areas with statistically significantly higher birth rates to teens.

(2) Media Campaign – A multi-media awareness campaign designed to educate Californians about the problems surrounding teenage pregnancy and fatherlessness, and to engage the public in efforts to promote responsible parenting.

(3) California Mentor Initiative – The State has expanded its mentoring program to help reach the goal of linking 250,000 mentors with at-risk youth.

(4) Statutory Rape – The State has expanded its "vertical prosecution" program to further strengthen law enforcement's ability to prosecute adult men who have sex with teenage girls. Vertical prosecution allows the same prosecutor to follow a specific case all the way through the judicial process.

Other significant teen pregnancy prevention programs:

- A statewide clinical services program known as Family Planning Services, Care and Treatment (FAMILY PACT) to prevent unintended pregnancy through expanded access to reproductive health and family planning services for low income women and men, including adolescents.

- Local male involvement programs that provide programs to increase knowledge, skills and motivation of adolescent boys and young men regarding their role in pregnancy prevention, fatherhood, and community values.

- Information and education programs that provide a continuum of educational interventions to assist females and males of reproductive age to acquire the knowledge, attitudes, and behavioral skills necessary to make responsible decisions regarding their reproductive health.

- Pregnant or parenting teens will be required to live at home, with good cause exceptions, if they are to receive financial assistance.

- Cash grants will not be increased for additional children born to families who have received aid for the ten months prior to the child's birth unless they meet certain exemption criteria.

vi. Outline how the State intends to conduct a program designed to reach State and local law enforcement officials, the education system, and relevant counseling services, that provides education and training on the problem of statutory rape so that teenage pregnancy prevention programs may be expanded in scope to include men.

California intends to attack the problem through the Statutory Rape program that includes targeting adult men fathering babies with teenage mothers on three primary fronts:

(1) Strengthening Prosecution of Statutory Rape

The State has strengthened enforcement of existing statutory rape laws by establishing a Statutory Rape Vertical Prosecution Program in all 58 counties. Vertical prosecution results in higher rates of conviction by allowing the same prosecutor to follow a specific case all the way through the judicial process and by promoting greater cooperation of victims and witnesses and closer coordination between attorneys and law enforcement personnel. Effective January 1, 1997, civil penalties were increased for those who commit statutory rape.

(2) Partnerships for Responsible Parenting Media Campaign

The State has developed a multimedia public awareness campaign designed to educate the public about the problems surrounding teenage pregnancy and fatherlessness and to promote responsible parenting. A primary goal of this campaign is to shift social support and normative behaviors toward increased male participation in pregnancy prevention. The specific themes and messages of this media campaign have three platforms focusing on the importance of adult teen communication, pregnancy prevention messaged for teens and the importance of male involvement and responsibilities in primary prevention of teen and unwed

pregnancies, including fatherhood and statutory rape.

(3) Male Involvement Programs

The State has awarded funds to 26 community agencies to implement male involvement programs. Each local program will focus their activities on motivating and informing adolescent boys and young men to promote their role in reducing teen pregnancies. The diverse array of topics covered in the male involvement programs include family planning, birth control, legal and social consequences of out-of-wedlock pregnancies, responsible parenting, and domestic violence prevention, job training and youth leadership development.

B. SPECIAL PROVISIONS

i. Indicate whether the State intends to treat families moving into the State from another state differently than other families under the program, and if so, how the State intends to treat such families under the program.

State law provides that for the first 12 months of California residence, the grant amount will be the lesser of 1) California's actual computed grant amount for the family, or 2) the maximum amount a family of that size could receive in the former state. In Saenz v. Roe the United States Supreme Court upheld a lower court decision that the California State law was unconstitutional. Because of the ruling, California will not treat families moving into the State from another state differently than other families under the program.

ii. Indicate whether the State intends to provide assistance under the program to individuals who are not citizens of the United States, and if so, include an overview of such assistance.

California uses TANF funds to serve qualified aliens in accordance with TANF provisions. California also aids some legal aliens who are not eligible for TANF with State-only funds. These are legal aliens who were eligible under the former Aid to Families with Dependent Children (AFDC) Program, but who lost federal eligibility with the passage of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA). These aliens must meet the same financial criteria and are subject to the same work requirements as CalWORKs recipients.

iii. Set forth objective criteria for the delivery of benefits and the determination of eligibility and for fair and equitable treatment, including an explanation of how the State will provide opportunities for recipients

who have been adversely affected to be heard in a State administrative or appeal process.

CalWORKs establishes uniform objective criteria for determination of eligibility for cash aid, diversion services and supportive services to families with (or expecting) a needy child. Eligibility is based upon need as indicated by age, citizenship, deprivation, income, resources, and residency. In addition, continued eligibility is based on compliance with work requirements, the reporting of specific information, and is limited to 60 months. Exemptions to work requirements and time limits are defined. Convicted drug felons and fleeing felons are ineligible for benefits under this program.

An applicant family shall not be eligible for CalWORKs unless the family's income, exclusive of the first ninety dollars ($90) of earned income for each employed person is less than the minimum basic standard of adequate care (MBSAC) as specified in California Welfare and Institutions (W&I) Code Section 11452.

A recipient family shall remain eligible when a needy child is temporarily absent from the home. The time period for temporary absences from the home is one full calendar month of at least 30 days with the following exceptions:

- An individual confined to a correctional facility on the first of the month and expected to remain for one full month or more shall be considered permanently absent as of the first of the month.

- A child in a public hospital (supported by government funds) may be temporarily absent for up to two full calendar months.

- Other individuals may be considered temporarily absent from the home beyond the full calendar month time limit and for the duration of the activity in special family circumstances linked to:

    - Hospitalization (other than a child in a public hospital);
    - Employment;
    - Education/Training;
    - Child in a Group Home due to a family crisis under specified circumstances.

State regulations require that the basis for the temporary absence be documented in the case file.

A recipient family shall not be eligible for CalWORKs if income, exclusive of amounts exempt under W&I Code Section 11451.5, equals or exceeds the

maximum aid payment (MAP) specified in W&I Code Section 11450. W&I Code Section 11451.5 provides that the first $225 of the recipient family's disability-based income is disregarded. If disability-based unearned income is less than $225, any remaining portion of the $225 disregard shall be applied to the family's earned income. After such application, any remaining earned income is disregarded at a rate of 50 percent.

Child care services will be provided to every recipient determined to be eligible for cash aid to enable the recipient to work or participate in work activities. Child care payments are paid to the provider of services or the parent in specific situations without the use of income disregards.

California's lump-sum diversion program is designed to assist applicants who are apparently eligible to receive CalWORKs cash assistance and would likely avoid the need for extended assistance beyond the diversion period if the family was provided one-time assistance. The CWD shall determine eligibility for the diversion program at its sole discretion. The applicant may either participate in the diversion program or decline participation. If the applicant chooses to participate, the CWD shall deny the CalWORKs part of the application but will continue to determine eligibility for Medi-Cal and Food Stamps. If the individual reapplies for cash assistance within the diversion period, the CWD shall, at the option of the recipient, either recoup the amount paid from the cash grant over a period of time or count the number of months the diversion period covers towards the 60-month time limit.

In addition to CalWORKs recipients, California's TANF program will also provide services consistent with the four purposes of the TANF program to the following populations:

- Job retention services to former recipients who are employed may be provided at CWD option as described in Section A.iii. Recipients who leave aid may be eligible for up to 12 months of transitional Medi-Cal and/or 24 months of child care.

- Child Support Assurance Demonstration Project (CSA) participants will receive a guaranteed child support payment in lieu of a grant under the CalWORKs program. Custodial parents participating in CSA will receive supportive services such as child care; Medi-Cal; job retention and career advancement services; enhanced child support enforcement; peer support; mediation; mental health and substance abuse treatment; transportation and ancillary expenses. Noncustodial parents are provided similar services to encourage financial and emotional involvement with their children.

- Services will be provided to unemployed or underemployed noncustodial parents whose children are receiving public assistance such as CalWORKs, Food Stamps, Medi-Cal, Healthy Families or Child Support Assurance benefits Services may include employment training, job finding skills, family mediation services, parental skill building, supportive services and applicable child support program services.

- Family focused case-specific services will be provided to children in the juvenile justice system. Children who are habitual truants, runaways, at risk of being wards of the court, or are under juvenile court supervision or supervision of the probation department may receive emergency services. Individuals may be provided services that were previously funded through IV-A on September 30, 1995. The same eligibility criteria will be applied to this population that was in effect at that time.

- The Emergency Assistance (EA) Program provides benefits and services to children and families in emergency situations, with eligibility restricted to once in a 12-month period. This program provides benefits and services for wards and children in county juvenile assessment and residential treatment facilities. Individuals may be provided services that were previously funded through IV-A on September 30, 1995. The same eligibility criteria will be applied to this population that was in effect at that time.

- The Kin-GAP Program will serve those children exiting the foster care system to enter a guardianship with a relative; the children may have been receiving either federal Aid to Families with Dependent Children – Foster Care (AFDC-FC) or CalWORKs benefits prior to entering the Kin-GAP Program.

  To be eligible to receive a Kin-GAP payment, the child must have lived with the relative for at least 12 months, and the relative guardianship must be established and juvenile court dependency dismissed pursuant to State statute any time after January 1, 2000. Once the dependency is dismissed, no follow-up services are required and the child welfare services case will be dismissed.

  In addition to the guardianship requirements, the child must meet financial and resource standards set in the CalWORKs Program.

- Performance Incentives are awarded to counties based on specific outcomes. Exclusively for the expenditure of these performance incentives and for purposes of providing nonassistance services pursuant to Section 42 U.S.C. Sec. 601(a)(1) and (2) to families not receiving aid, “needy families” includes any family in which the minor child is living with a parent or adult relative caregiver and the family’s income is less than 200 percent of the official

federal poverty guidelines applicable to a family of the size involved. No more than 25 percent of performance incentive funds may be expended for these purposes.

- Group repatriation planning is conducted at the county government level and TANF funds are distributed to local government agencies for developing, planning or exercising emergency plans.

Applications for CalWORKs are made on a State-supplied application form that elicits the same information in every case. Applications are processed promptly by CWDs under a system of statewide regulations that ensure fair and humane treatment free of discrimination.

The following policies and principles are in State statute and/or regulations and govern the delivery of public assistance:

- Assistance is to be administered promptly and humanely, with due regard to the preservation of family life and without discrimination on account of race, color, national origin, religion, political affiliation, sex, disability or marital status.

- Assistance is to be administered so as to encourage self-respect, self-reliance and the desire to be a good citizen useful to society.

- It is the responsibility of all who are concerned with the administration of aid to do so with courtesy, consideration, and respect toward applicants and recipients and without attempting to elicit any unnecessary information. Administrative duties should be performed in such a manner as to secure for every applicant and recipient the amount of aid to which he or she is entitled under the law.

- The provisions of the law relating to public assistance are to be fairly and equitably construed.

- There are to be no questions, inquiry, or recommendation relating to the political or religious opinions or affiliations of an applicant or recipient.

Existing State law provides that applicants and recipients who have been adversely affected are guaranteed a fair hearing before an administrative law judge. Applicants and recipients can request such a hearing either by filing a written request with the CWD or by calling a toll free number in Sacramento.

CalWORKs provides a grievance procedure for regular employees and their representatives to resolve complaints of displacement by welfare-to-work

participants. However, any existing grievance procedure that is part of a collective bargaining agreement will be used in lieu of the State's grievance process. In addition, CWDs are required to notify the appropriate labor union of the assignment of welfare-to-work participants to a worksite covered by a collective bargaining agreement. Posters informing employees of the displacement grievance process are to be posted at non-union work sites in which welfare-to-work participants are placed. The State's grievance process consists of an informal procedure that may be followed with a formal hearing conducted by the State Hearings Division of the California Department of Social Services, if the informal procedure fails to resolve the complaint. Complaints of displacement are to be made in writing and filed with the CWD. The CWD is responsible for the informal resolution process and notifying the complainant in writing of any offer made by an employer to informally resolve the complain, the right to request a formal hearing, and the process for filing a request for a formal hearing.