

CCWRO #2003-16-June 1, 2003-Weekly New Welfare News Bulletin

NO COLA IN THE JUNE 1, 2003 CHECKS

The law (W&IC §11453) provides that on June 1, 2003, CalWORKs families shall receive a cost-of-living adjustment (COLA). On May 30, 2003, DSS decided to ignore the law because the Governor's budget had proposed to suspend the COLA. Thus, DSS has decided to suspend the law, because the Governor proposes to suspend the law, the law has been suspended. Who needs the Legislature. It's just a joke. No COLA June 1, 2003.

Off course this is not the first time that the Department of Social Services has put themselves above the law. The California Supreme Court is familiar with the deviant acts of DSS as follows:“.. **the department has ignored this fundamental principle of administrative law, and has arrogated to itself the authority to reject explicit legislative determinations, an authority which is completely incompatible with the basic premise on which our democratic system of government rests.**” Cooper v. Swoap, Cal., 115 Cal.Rptr. 1, 524 P.2d 97. This was the case in 1971 and it continues to be the case in 2003. The department of social services continues to put itself above the law without shame. And why should welfare recipients obey the law?

DSS NEWS

The 4/22/03 Notes from the State Hearings Division Item 03-04-02E provides that if an applicant sign a withdrawal form of his or her application, he or she can still file for a hearing to show that the withdrawal was not voluntary or not in accord with regulations.

Client Abuse

Ms. E. Willis of Los Angeles is a single mom being terrorized by Los Angeles County.

She has been working at Goodwil on and off. Her welfare worker told her that the county does not pay for child care. She believed her lying welfare worker. She has not received transportation for a long time.

She is also being sanctioned by Los Angeles County Department of Social Services (DPSS) because she failed to comply with the child support division. She did keep her appointment, but they did not like her answers. She did not know where the absent parent was. And not knowing something in Los Angeles County is a sanctionable offense. That is because the Los Angeles Child Support Department must have a policy that all welfare recipients are liars, thus, if they say they do not know any answer to

any question, they must be lying, and therefore are sanctioned.. [Run by State of California?]

She is also being sanctioned for allegedly failing to cooperate with the GAIN program. She was scheduled for a 4/8/03 orientation appointment. She did not come to the appointment because she was pregnant and was having a baby.

DPSS is a mecca of efficiency. The GAIN worker informed us that they have no idea what information the DPSS welfare worker has or does not have. Moreover, they never tell the welfare worker what information they have. They both may work for the same department, but one might as well be in China and the other one in Chili. They blame this on Leader and Gears. Leader is the eligibility computer system, while Gears is the Los Angeles Welfare to Work computer system. For example, if Ms. Willis had found a job and informed the GAIN worker, the eligibility worker would never be aware of this information until informed by the recipient or by IEVS.

Ms. Willis, who has to take three buses each way to get to work and back was paid transportation for three months during 2002. On June, 2002, DPSS, unlawfully, without a Notice of Action, stopped her transportation, because she did not tell the GAIN worker that she was still working. Her monthly income report reflected her income. Her benefits were reduced due to her income. But her transportation

benefits were stopped, without Due Process, because the GAIN worker had no idea whether or not she was still working. And it is because of these kinds of devious and evil policies that over 46% of the GAIN participants in Los Angeles County are unlawfully being denied their transportation supportive services. Actually, Los Angeles County is stealing money from GAIN participants blind.

County Performance Incentive Funds Still Unspent

On May 5, 2003, County Fiscal Letter 02/03-51 informed counties that for the FY 2002-2003, they had \$422,1 million of Performance Incentives.

The performance incentives of over \$400 million is given to counties because welfare recipients found jobs. There is no direct links between county actions and the job.. The law assumes that the county had something to do with the CalWORKs recipient finding the job. Often, the welfare department can be a barrier to getting a job, but still, they take credit for what welfare recipients do and get a over \$400 million bonus to play with. This money is used to fund pet projects of county welfare officials and county board of supervisors. Meanwhile, there is not enough money to pay for the annual cost of living increases for welfare recipients, but there is over \$400 million for county burueacrats to have fun with.

According to our sources at DSS less than 18% of the \$422 million was spend during the first two quarter of Fiscal Year 2002-2003. A county--by-county report will be available in our next Bulletin for your information.