

ANALYSIS

OF

S.B. 15

A STATEWIDE JOB SEARCH AND WORKFARE PROGRAM FOR
AFDC RECIPIENTS.

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**COALITION OF CALIFORNIA
WELFARE RIGHTS ORGANIZATIONS**

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EXECUTIVE SUMMARY

SB 15 is a bill to extent the authorization of the Employment Preparation Program, which is currently a demonstration program being tested in six counties and to authorize the operation of a workfare program at the county level at the option of the county welfare departments.

The workfare portion of this bill has received major opposition during the past years. The employment preparation program (EPP) has also received some resistance from persons concerned with the plight of the poor because it has resulted in two (2) parent families being terminated from public assistance for a period of three months and six month for a subsequent termination.

The opponents of the EPP and workfare program have been primarily concerned about the following problems:

- ° In some cases EPP and workfare participants are not provided with adequate child care services, thus they have been forced to leave their children at home by themselves, which has added to the number of "latchkey kids" in California;
- ° Children are punished because their parents allegedly have failed to cooperate with the program, which results in total destitution of the family for three or six months for two parent families and grant reduction for three or six months for single parent families;
- ° Persons not in need of the EPP or workfare services are forced into the program in a paternalistic manner.

Most of the opponents will have no problem with the program if it were voluntary and there were no sanctions punishing the children for their parents alleged behavior, but the AFDC program was established to support needy children and it is not a rehabilitation program for the parents or a behavior modification program through punishment and rewards for the parents.

The proponents allege that lack of sanctions would diminish participation in the program, but this has never been tested and the opponents believe that if the program has merit, then people will participate.

The proponents would rather use the stick to obtain participation, the opponents advocate "sugar".

Most legislative initiatives have embraced "incentives" as a method obtaining cooperation from persons and corporations. For example, welfare officials have always advocated that the federal government provide them with increased funding to lower their error rates. State law recently passed provides for amnesty to those who have not paid taxes and come forward. Corporations are provided with huge tax write-offs for operating programs that would benefit society.

Although proponents allege that the EPP program has resulted in many people going to work, which is a definite plus, it does not outweigh the total destitution that many children will suffer if this program is enacted, which is the bottom line.

SECTION 1

This section makes some technical changes in Section 5302, which is the section that outlines the conciliation period to persons prior to being sanctioned by the WIN program.

SECTION 2

This section provides that after WIN registrants have completed the job search workshop and their 4 weeks or more job search, they may be referred to education, training or employment services, "to the extent feasible" and to the extent that these services are available. It appears, however, that most of the WIN funds would be used up for job search workshops and supervised job search.

SECTION 3

This section is designed to include EPP into the JTPA local planning process to achieve coordination between the two programs.

SECTION 4

Makes technical changes in current law.

SECTION 5

Makes technical changes in current law.

SECTION 6

Authorizes the State Department of Social Services to administer federal and state funds appropriated for the support of the demonstration and special assistance programs for which it has administrative responsibility. This authorizes DSS to operate a state-wide workfare program in California, because most workfare programs operated in the United State are demonstration programs.

SECTION 7

This section mandates DSS to operate a grant diversion program in California. Current law leaves it to the department's discretion. This law makes it mandatory, provided DSS could obtain waivers. The department has been resistant to operating this program.

SECTION 8

This section makes the EPP program permanent in state law. This is the main section of the bill, thus we would analyze it subsection by subsection.

The section starts off with a statement that the public lacks confidence in the program and this program would gain public confidence in public assistance program. This hypothesis has not been verified to date. In fact, this hypothesis can be verified through a polling of San Diego County residents to see if the San Diego Workfare program has changed or enhanced public confidence in public assistance programs.

It also provides that the administration of the program would be done by EDD, DSS, educational institutions, private industry councils, etc.

It also provides that the EPP program shall consist of two major components: (1) an Employment Search Program, and (2) Job Experience Training Program, which is the workfare program for all practical purposes. EDD will operate the Employment Search Program (ESP) and EDD would supervise the county welfare departments.

Subsection (a)

Provides that all mandatory registrants shall be required to participate in this program.

Subsection (b)

This section provides that some mandatory registrants may not be able to participate because they have language problems or cultural barriers and other problems. "As appropriate, counties shall refer these individuals to" other services. This will only be done at the sole and exclusive discretion of the county welfare departments. Currently there are many loatian refugees in Contra Costa County who are being sanctioned because they have language and cultural barriers, and by existing law they should not be sanctioned. Moreover, this statute leaves it to the subjective determination of the county welfare departments to decide who has a language barrier or a cultural barrier, and we do not anticipate the counties finding any person having a language or cultural barrier.

Subsection (c)

This section provides that if any mandatory registrant fails to comply with the various requirements of this program, they will be severely punished by having the aid reduced for one parent family and total destitution for two parent families for a period of 3 months for the first offense and 6 months for the second offense.

It also provides that the EPP program "shall include at least the following components" which means the county or EDD could have more components at their discretion and can develop a more punitive program if they so desire. The minimum requirements are:

1. Referring mandatory registrants to EDD;
2. Orientation to the program which may be done on a group basis;
3. Placement of persons qualified for available job, which never happens, but sure sounds nice;
4. Job assistance workshops, which will teach the registrants basic job seeking skills, understanding employers' requirements and expectations of employees, and improvement of participants' self-image and awareness. This program is mandatory for those people who could teach another person how to look for a job and if they have a bad image of themselves, it was created by the barbaric county welfare treatment they were subjected to when they applied for assistance, and throughout their experience with the welfare department.

Subsection (e)

Supervised job search, and were possible, access to phone to conduct job search. Most of these people are not provided with transportation assistance in advance, thus they are forced to use their limited AFDC funds which is supposed to be used for food for their children to participate in this program, otherwise they will have nothing for three months or six months. Thus some people starve their children for several weeks to make sure that they do not starve their children for several months.

Subsection (f)

An assessment after "not more than four consecutive weeks of job search", which means that the state could have a year around job search, if they so desire, to determine what other needs they have to become employable.

Subsection (g)

Coordinating this program with JTPA.

SECTION 9- This section provides that AFDC mandatory registrants will register at the county welfare department.

SECTION 10

Provides that EPP shall be implemented statewide within five (5) years and mandates that during the fiscal year of 1986-1987 the state shall fully implement this program in six current demo counties and an undetermined number of other counties.

SECTION 11

This section makes several technical changes.

SECTION 12

This section tries to get maximum amount of federal funds to operate this program, including an attempt in trying to get Emergency Assistance funds to operate this program. There is no attempt to obtain federal emergency assistance funds for homeless and foodless families in California. In fact the federal Emergency Assistance Program, which was actually designed to help families in emergency situations has become a mecca for states trying to obtain additional federal funding for state sponsored initiatives, which is a classic manipulation of the system by state welfare departments.

SECTION 13

This section repeals a current statute requiring the Director of DSS to secure waivers to implement the EPP program in California.

SECTION 14

This section provides that persons who want to volunteer for the program, may do so. It also states again, just in case someone must it in Section 8, subsection (c), that failure to participate in this program could have severe consequences, like a family with two (2) parents could become totally destitute for 3 or 6 months, and one-parent families could have their already meager grant reduced for three to six months. They are entitled to conciliatory resolution of the problem as provided in Section 5302 of the Unemployment Insurance Code, which was effective July 1, 1984, but after six (6) months is yet to be implemented by the department.

SECTION 15

This section provides that if the county has the resources, then they shall review those cases where the EPP program was not made available to certain families and try to get them to mandatorily participate in the program.

SECTION 16

This section takes a crack at trying to say that the author is concerned about families who have no resources to participate in the program. The language is written very loosely and it would not resolve the problem of having families participating in the program and using their family's food budget funds to meet the expenses of this program.

There needs to be language that would mandate the county to obtain verification from the family that they have the funds to meet their training and job search related expenses, rather than assuming that if there is a problem, the registrant would tell the county. It is interesting to note, that when the welfare officials are concerned about some information from applicants or recipients, they have a hundred and one ways of making sure that they discover that information. But when the county needs to discover information that would protect the health and welfare of the family and would help the children, they all of a sudden run out of ways to find out information beneficial to the family.

SECTION 17

This section provides that after the registrant has completed their Job Search program, and has not been sanctioned, then the department shall develop an employability program, which may include, among many other programs, the "workfare program" now called "Job Experience Training Program". It appears that the bill has learned a lesson from Ronald Reagan. Reagan is not raising taxes, it is "revenue enhancement" or "tax reform". This bill does the same thing.

SECTION 18

This section repeals existing language which required a report in 1982 on the performance of the EPP program.

SECTION 19

This section requires that DSS, in consultation with EDD submits yearly reports about the success of this program(EPP).

SECTION 20

This section requires that the Governor's budget report each year how much was saved because of the EPP program and shall recommend that a portion or all of the savings be put back into this program.

SECTION 21 AND 22

Technical changes.

SECTION 23

This section outlines the "Job Experience Training Program", which is

actually the Garamendi workfare program. The program basically has all of the same features that the Deukmejian workfare program had. In some places it has more words than the Deukmejian legislation had, but the recipient impact will be the same. It will be operated by the county welfare departments.

SECTION 24

This section allows San Diego to continue to operate their workfare program.

SECTION 25

This section states that although this act is effective immediately, it shall not effect any applicant or recipient of AFDC until July 1, 1986.

SECTION 26

This section provides that DSS may fund 100% of the cost of operating the workfare program by the counties. The legislation assumes that the counties will not implement this program if they have to put up the money. It appears that the counties would only support and operate this program, if it doesn't cost them anything. As always, something for nothing is always attractive to the counties.

It also appropriates an unspecified amount of funds for DSS and EDD to operate this program.

SECTION 27

This section provides that any section in the bill, which is contrary to federal law shall not effect the remainder of the sections of the bill. It also allows DSS and EDD to promulgate emergency regulations to implement a program which becomes effective July 1, 1986. We wonder why does the author find it necessary to abrogate the regular regulatory process to implement a bill which is effective year and a half from now?

SECTION 28

This section concludes that the bill would save money and would cost money, thus in the final analysis it won't cost any money. The opponents of the bill believe that this bill would cost more than it would ever save. If the author believes that this bill would save enough to operate the program, then he should amend this section to provide that there would only be an appropriation for the first year and every year thereafter the program shall operate on the funds saved by the program.

SECTION 29

This section provides that the bill becomes effective immediately because it is necessary for the immediate preservation of the public peace, health, or safety within the meaning of the Constitution. It also provides that in order to save money and provide poor people with skills as job seeking and to gain work skills as soon as possible, the bill should become effective immediately upon enactment. This seems to conflict with section 27 of the bill.

CONCLUSION

S.B. 15's enactment would be detrimental to the health and welfare of needy children of the State of California.

Although some parents may find full-time employment, (and it should be noted that many find full-time employment without any assistance from these government funded programs, for the average stay on AFDC is two (2) years) there will be many children who will suffer total destitution (and many will suffer partial destitution), to ensure that some of the families obtain employment.

C.C.W.R.O. has no problem with helping poor families obtaining employment, however we can never support the achievement of this goal at a cost of having other families become totally destitute or partially destitute- resulting in more foodless and homeless children in California.