

CCWRO Welfare News

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Welfare Recipients Deprived of Over \$300 Million by Counties

Counties, with the support of State Department of Social Services, have been depriving welfare recipients of WtW transportation supportive services since 1998 in an amount exceeding \$300 million.

State regulations require that transportation be paid in advance to make sure welfare recipients are not using their fixed welfare benefits which are at the same level that they were in 1989.

County Welfare Department Victim Report on the following page, cites examples of victims working or participating in a county-assigned activity who are not being paid the transportation assistance that they are entitled to.

Table #1, on this page, shows DSS's WtW 25 reports which reveal the amount of dollars not paid to welfare-to-work (WtW) participants for WtW transportation supportive services during October of 2009. In October, 2009, there were 148,122 welfare recipients living on fixed incomes below 50% of the poverty level, who were required to participate in a welfare-to-work activity and entitled to transportation. But only 76,443 families (48%) were given transportation assistance. In October of 2009, this cost California's poor \$3.6 million.

State regulations governing WtW transportation services are governed by the following regulations:

42-750.112 Transportation. Transportation costs shall be governed by regional market rates as determined below:

(a) The least costly form of public transportation, including CWD provided transportation, that would not preclude participation in welfare-to-work activities pursuant to Section 42-721.313.

Counties October, 2009	Families Not Receiving Transp.	Percentage of Families Not Receiving Transp.	Number of Children Affected	Amount of Money Not Paid to Poor Families
Statewide	75,033	50.24%	225099	\$3,751,650.00
Tulare	3,580	94.94%	10740	\$179,000.00
Napa	142	91.61%	426	\$7,100.00
Ventura	1,779	89.22%	5337	\$88,950.00
Lake	317	84.76%	951	\$15,850.00
San Luis Obispo	1,114	83.13%	3342	\$55,700.00
Yuba	574	80.50%	1722	\$28,700.00
Madera	516	77.71%	1548	\$25,800.00
Glenn	148	77.49%	444	\$7,400.00
Trinity	54	76.06%	162	\$2,700.00
Mendocino	331	74.89%	993	\$16,550.00
Santa Barbara	741	74.70%	2223	\$37,050.00
Kern	3,692	74.54%	11076	\$184,600.00
El Dorado	275	74.53%	825	\$13,750.00
Imperial	779	74.12%	2337	\$38,950.00
San Mateo	559	72.79%	1677	\$27,950.00
Shasta	730	72.56%	2190	\$36,500.00
San Benito	205	72.18%	615	\$10,250.00
Amador	46	71.88%	138	\$2,300.00
Stanislaus	1,814	71.76%	5442	\$90,700.00
Butte	610	70.85%	1830	\$30,500.00
Colusa	21	70.00%	63	\$1,050.00
Contra Costa	2,373	69.53%	7119	\$118,650.00
Tehama	283	68.86%	849	\$14,150.00
Orange	3,304	66.35%	9912	\$165,200.00
Placer	488	64.38%	1464	\$24,400.00
Alameda	3,841	64.28%	11523	\$192,050.00
Sacramento	8,056	63.54%	24168	\$402,800.00
San Joaquin	2,660	63.12%	7980	\$133,000.00
Sutter	341	63.03%	1023	\$17,050.00
Tuolumne	115	61.50%	345	\$5,750.00
Yolo	498	60.66%	1494	\$24,900.00
Calaveras	87	60.42%	261	\$4,350.00
Santa Cruz	444	59.20%	1332	\$22,200.00
Fresno	4,956	57.39%	14868	\$247,800.00
Merced	995	55.93%	2985	\$49,750.00
Solano	575	53.84%	1725	\$28,750.00
Nevada	152	51.70%	456	\$7,600.00
San Francisco	938	50.68%	2814	\$46,900.00
Kings	383	48.18%	1149	\$19,150.00
Humboldt	278	46.72%	834	\$13,900.00
Sonoma	605	45.90%	1815	\$30,250.00
Riverside	3,536	42.29%	10608	\$176,800.00
San Diego	4,361	41.80%	13083	\$218,050.00
Los Angeles	15,062	40.99%	45186	\$753,100.00
Monterey	406	33.61%	1218	\$20,300.00
Santa Clara	1,207	25.05%	3621	\$60,350.00

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(b) If there is no public transportation available which meets these requirements, participants may use their own vehicles. Participants shall be reimbursed at one of the following rates:

(1) The county shall select an existing reimbursement rate used in the county, or

(2) The county shall develop a rate that covers necessary costs.

(3) The reimbursement rate may not include a "cap," or maximum monthly reimbursement amount, beyond which additional miles driven are not reimbursed.

(c) Parking for welfare-to-work participants shall be reimbursed at actual cost. Participants shall submit receipts for this purpose, except in cases where parking meters are used.

(d) Participants who choose to use their own vehicles when public transportation is available will be reimbursed at the least expensive reimbursement.

42-750.2 Supportive Services Payments

.21 Payments for supportive services, except child care as described in Chapter 47-100, shall be advanced to the participant when necessary and desired by the participant so that the participant need not use personal funds to pay for these services.

Here are some examples of victims of the county welfare department fleecing welfare families out of money to which they are entitled to.

County Welfare Department Victim Report

LAKE COUNTY VICTIM

A Lake County welfare recipient was only given \$35 in transportation reimbursements after accumulating 1,101 miles going to and from work. The recipient requested a State hearing. The hearing decision made the following finding: "It is Lake County's position that the claimant was correctly approved for the use of her private car for 1,101 miles, but was only entitled to receive payment for a \$35 bus pass for the other 462 miles since she could have used public transportation during the time she drove those 462 miles. The latter 462 miles were driven from July 15 through July 31, when the claimant was not going to school

and working as she had during the first 14 days of July, but was working and not attending school.

The transportation reimbursement for use her own car is 39 cents a mile.

According to the County's public transportation route analysis if the claimant left her home in the morning, walked 0.34 miles to the bus stop in Middletown, took a bus at 8:30 am, transferred to a second bus which would drop her off at Lakeport, arriving there at 9:55 am and then she could walk to the workplace which is 0.14 miles from the bus stop. Coming home, she could take a bus leaving Lakeport at 5:25 pm, transfer once, and arrive at Middletown at 6:52 pm. Excluding the walk to and from her home, and to and from her place of work, the total time involved using the bus would be 2 hours and 52 minutes a day.

Based on the distances from the home to the bus station, and the bus station to work, and the claimant's testimony that it probably takes about five minutes to walk to the bus stop from her home, the Administrative Law Judge (ALJ) finds that total time using public transportation exceeds three hours, if everything goes smoothly, and the buses run on time, and the claimant manages to arrive not too early at the bus stop so as to minimize her wait, and not too late so as to miss her bus. The county considers the \$35 bus pass adequate to have met her needs in the month of July. The county acknowledges that it did not buy her a bus pass. However, as of the date of the hearing, the County had not even authorized the bus passes for July.

State regulations, Section 42-721.31, provide that if the round trip travel time exceeds two hours in a day, good cause exists for not participating in Welfare to Work activities such as employment or training. By using her own car, the travel time was reduced to approximately one and one-half hours daily, which means that the Welfare to Work activity was not too remote.

(In addition, Ms. 09261023 has a four year old and a 15 year old child.) The hearing decision states: "Based upon this analysis of the necessary travel time, as well as the age of the younger child, the time of day the claimant would be required to leave her own home, and the fact that the claimant would have been able to claim an exemption from the Welfare to Work activity if she had used public transportation, it is concluded that public transportation was not reasonable available. The claimant is entitled to reimbursement at 39 cents per mile for the 462 miles she drove her own car to participate in Welfare to Work activities during the period from July 15 through July 31, 2009..."

FRESNO COUNTY VICTIM

Mr. 09259162 is a WTW participant in Fresno County. He began working on June 8, 2009. At that time, he requested WTW supportive services related to transportation costs to and from work using of his own vehicle. He asked that he be reimbursed at the County's mileage reimbursement rate of 55¢ per mile. County wanted to pay bus fare in lieu of mileage as required by State law and regulations. He requested a state hearing. The hearing decision states that since beginning work, he has submitted to the county monthly WTW Private Auto Mileage Records indicating he travels 22 miles one-way to work.

The county presented a print out from the MapQuest website indicating that the distance from the claimant's home to his work is 14.96 miles one-way.

Mr. 09259162 testified he used the trip odometer on his vehicle and measured the distance to work as 22 miles one-way. The claimant acknowledged that the County's MapQuest route is a route from his home to work. The claimant stated, however, that he uses a different route, and he described that route at the State hearing.

The County noted that the route described by Mr. 09259162 is an indirect route using freeways and that in using this route the claimant travels out of his way. The County noted that the 14.96 miles MapQuest route that uses primarily city streets and roads is a more direct route for travel from the claimant's home to work.

Mr. 09259162 testified that he uses the freeway route because portions of the city street and road route on the MapQuest map are not safe to travel through. The claimant noted that he travels to work at 2:00 a.m., and believes the MapQuest route is even more dangerous at this time.

Fresno County's written mileage rate policy states that the Internal Revenue System mileage rate of 55¢, which became effective January 1, 2009, is to be used for mileage claims made after January 1, 2009. (Director's Office Memorandum No. 082, December 23, 2008.)

The County failed to present details of the area depicted on the MapQuest route, other than that this route is 14.96 miles one-way using mostly city streets and roads. The claimant, however, gave sworn and credible testimony that portions of the city street and road route on the MapQuest map are not safe to travel through.

The hearing decision noted: "There is no indication that the county has considered the claimant's safety in deciding that the MapQuest route is a suitable route for the claimant to take to and from work. It therefore is determined that the county has not considered all relevant facts in making this decision..." "Based on the claimant's sworn and credible testimony and the lack of any further evidence of the area depicted on the MapQuest route, it is determined that reimbursement based on a travel distance of 22 miles one-way is a supportive service that is necessary for the claimant to participate in WTW activity..."