

CCWRO Welfare News

Coalition of California Welfare Rights Organizations, Inc.
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June 14, 2011
Issue # 2011-09

COUNTY VIOLATION OF THE LAW HAS NO CONSEQUENCES COMPARED TO THE PENALTIES AGAINST WELFARE RECIPIENTS

Ms. X and her one child received \$533 CalWORKs benefits in June. She was asked to come to a Welfare-to-Work appointment in May, but she could not because she did not have childcare and money for transportation. She left a message for her worker that she needed childcare and transportation, but the worker did not return her call. The county imposed the WtW sanction so effective July 1, 2011 she will only get \$300. That is a 44% reduction in her fixed income.

In 1975 the grant level for a family of two (2) was \$311. Lack of childcare and/or transportation is a good reason for not participating in the Welfare-to-Work (WtW) program, but research shows that thousands of families have been sanctioned when they were not given supportive services..

On the other hand it is not unusual to hear welfare officials talking about "integrity." In fact DSS has a so-called "integrity division" just to make sure that people think that the operators of the California welfare program believe in law and order and want to uphold law.

There are many rules that welfare recipients are subject to and there are devastating consequences for failure to obey the rules. For example, for Ms. X, the WtW sanction left her with \$300 that would not even cover the rent.

If a child has is not immunized because the parent cannot afford to go to the doctors office, the family's fixed income that is at the same level of what it was in 1984 is reduced by 25%.

If the parent has been found to not be cooperating with the Local Child Support Agency because of to lack of money to buy gas for up to \$4 a gallon, the family's fixed income that is at the same level of what it was in 1984 is reduced by 25%.

With these kinds of severe consequences imposed on impoverished families by welfare officials, one would assume that these officials would be a shining example of what it is to obey the rules that govern their behavior. Ironically there are zero consequences for welfare officials who violate the welfare rules.

The WtW program is not only way welfare officials break the law. Recently it has been discovered that some counties are requiring inter-county transfer (ICT) cases to complete a SAWS2. MPP §40-121.33 provides:

40-121.3 The Application Form
...An application shall not be required for:

.33 Any intercounty transfer.
(See Section 40-187.)

Some counties have insisted on forcing ICT recipients to complete a SAWS2. Counties are aware that this is not right, but they do it anyhow and the state single agency, California Department Social Services (CDSS), is aware of this unlawful practice of counties and refuses to halt this unlawful practice.

Another unlawful practice that we have discovered is counties requiring food stamp recipients to complete a QR7 as a condition of completing the Food Stamp recertification process. The process required for food stamp recertification is set forth in MPP § 63-504.253. There is nothing in this regulation that states food stamp recipients have to complete a QR-7, yet counties are unlawfully requiring food stamp recipients to complete the QR7. Counties are aware that this is not right, but they do it anyhow and the state single agency, CDSS is aware of this unlawful practice of counties and refuses to halt this unlawful practice.

If a food stamp recipient does not complete the QR7 as unlawfully required by the counties, they will lose their food stamp benefits while the county workers and their bosses keep their jobs.

For the past 10 years, 50% of WtW participants have not received transportation supportive services. This money comes out of the counties "single allocation", thus, counties have an incentive to not provide legally mandated transportation payments.

There is no statute that allows welfare recipients to sue the state for breaking the law and impose equitable penalties against the state or county welfare officials as they face everyday.

DSS PROMULGATES UNDERGROUND RULE TO IMPROPERLY DENIES TRANSPORTATION PAYMENTS

Adel Baroni of Calaveras County asked DSS on 1/20/11 whether or not a CalWORKs recipient working as an IHSS provider should be paid mileage to take his employer to a dialysis appointment. On 2/10/11, DSS responded that according to **MPP Section 42-750.11** "WtW participants are entitled to reimbursement from the county for transportation to and from their WtW activity(ies) including employment as stated in MPP Section 42-750.1, but not for tasks that are assigned to them by their employer as a part of their job. If the participant is working in either subsidized or unsubsidized employment, the county is responsible for their costs of performing the job itself, only if the county has entered into such an agreement with the employer."

The problem is that MPP 42-750.11 actually states: "[n]ecessary **supportive services shall be available to every participant** in order to participate in the program activity to which he or she is assigned or to accept or **retain employment.**" Under MPP 42-750.11, transportation is not limited to going to and from employment, but includes all transportation necessary to keep the job. Part of the job of an IHSS worker is to take the IHSS client to medical appointments. Transportation necessary for employment, including transporting IHSS recipients to medical appointments, should be covered by supportive services. A welfare recipient living on a fixed income at the same level as 1989 does not have the money to pay up to \$4.00 a gallon gasoline plus wear and tear on his or her car to take the IHSS recipient to dialysis center. This is clearly an underground rule made up by DSS to help counties deny transportation money which should be paid.

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