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Editorials

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The safety net holds only so much weight

NOBODY'S happy that Santa Clara County is too poor to prevent unskilled, unemployed people from falling through President Reagan's safety net. But that's the fact.

That's also why the county now must press forward in court to preserve new rules requiring able-bodied individuals to make a serious job search if they receive certain welfare benefits.

"It illustrates where the county is," said County Executive Sally Reed. "We're doing some pretty gruesome things that a lot of taxpayers have been saying we ought to do."

In June, the board of supervisors, faced with state budget reductions caused by an anemic economy and federal cutbacks, had to slash \$2.5 million from last year's \$7 million budget for general assistance payments.

This is the program that provides niggardly stipends (average \$193 per month) to unemployed individuals who have no children, little education and, by all meaningful measures, no income or assets. In any one month in Santa Clara County they number about 2,700, of whom about 900 are, in the county's view, able to work.

Under the state welfare and institutions code, it's the county's responsibility to ensure the survival of these people.

A \$2.5 million reduction in general assistance payments, then, could mean only one thing: bouncing about 900 people from the county's meager dole.

Of course they don't say things like that in government. Rather, "The philosophy was to encourage people to go out and get work if they at all could," Jean Gervais, manager of the general assistance program, told us.

But in truth the new requirements for staying on general assistance had to be tightened. So in July, the supervisors adopted a policy that said, "A recipient classified as able-to-work, who fails to obtain employment when jobs are available for which he or she is qualified, may receive aid for only 30 days during any one-year period."

Just as the policy was being implemented, the Welfare Recipients League sued to stop it, charging that it was unconstitutional to limit relief to 30 days and that the requirements for a job search were harshly unrealistic.

The league also said the policy "unlawfully presumes that recipients who have been unable to obtain unemployment have not in good faith attempted to do so."

Under the initial rules, that may have been a valid charge. According to the first set of rules, those recipients who hadn't found work after 30 days, no matter the cause, would have

been automatically dropped from general assistance. If they wanted back on the dole, they would have had to reapply, having no income during the wait.

But the department quickly changed its procedures so that recipients were to be given proper notice that their benefits would run out after 30 days. Any time during the 30 days, they could ask for a hearing to prove that they'd made an honest effort to find work. In the meantime, they were to continue to receive assistance until their cases were resolved.

Last week, Superior Court Judge Frank Cliff ruled that the county may not implement its new policy until the issue of cutting people off general assistance after 30 days is resolved in a trial.

In a related case, Cliff ruled that the county may deny aid to recipients who fail to follow strict rules. But he was troubled by the aspect of the new policy that would declare an individual ineligible for general assistance for 11 months if he or she were found to have made an inadequate job search during the previous 30 days.

We hope the county's general approach will be upheld in the end, although some tinkering with procedures may be required to ensure that recipients' legal rights are guaranteed.

Under the proposed policy, individuals may remain on general assistance as long as they make a "good faith effort" to find work. That's defined as daily contact with the state unemployment office and face-to-face contact with five employers per day or "equivalent efforts," a catch-all to provide flexibility.

So that recipients can get around, each is given a transit pass, good for unlimited free bus rides within the county.

Bob Watson, a spokesman for the Welfare Recipients League, says, "Nobody wants to be on general assistance. It's the most brutalized and fascist program there is. They pay you just enough to keep you from starving."

"You're living in a dream world if you think there are jobs out there," he says.

If that's so, then general assistance clients ought to be able to show that it's not their fault they can't find work, and therefore that they should continue to receive aid.

But in an imperfect world, we find more persuasive the reasoning advanced by Deputy County Counsel Paul Mason. "The policy doesn't require you to find work, only to make a good faith effort," he says. "These people are getting free money and we expect them to work hard at finding a job."

That's a valid standard, and the courts should allow the county to enforce it.