

Volunteers help welfare people fight for rights

Group goes to bat against system

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When Elisa James comes calling, she's often loaded down with hefty books and binders.

The manuals — filled with the policies, procedures and regulations for the statewide Department of Social Services — are her ammunition. With them, she says, she's armed to fight the system.

James is founder and director of the Stanislaus County Welfare Rights Organization, formed a year ago. The organization is just one chapter of the larger, statewide Coalition of California Welfare Rights Organizations, headquartered in Sacramento.

The theory behind welfare rights is capsulized by James with this succinct statement:

"When you're born into this world you need to eat, you need to be sheltered and you need to be clothed. Those three items are the basics You shouldn't have to go hungry."

The welfare rights group deals mostly with the welfare department, the monolithic county agency that operated on nearly a \$90 million budget last year and serves more than 10,000 families each month.

James and Ora Scruggs, administrator of the organization, both work as full-time volunteers, mostly out of the garage of James' Modesto home. They say they are not paid and get what little they can from donations by the welfare recipients they've helped.

What they thrive on is their work.

"Our purpose is to help people get the aid that they're entitled to under the law and get it for them when they need it," James said. "To educate and empower them to be able to negotiate on their own behalf.

'Our purpose is to help people get the aid that they're entitled to under the law and get it for them when they need it'

— Elisa James

"That's payment right there."

In one case, James said, she was able to help a family that had been sanctioned — meaning the family suffered reduced or discontinued benefits — because it failed to keep an appointment at the welfare department.

James said she proved to a state hearing officer that the family had indeed kept the appointment. She said she was able to get the benefits reinstated.

Every time the coalition gets a case of a recipient not able to work out a problem, James said, she first tries communicating with a caseworker or supervisor.

If possible, the problem is solved early on. But sometimes, James said, she has to take the client through a fair hearing process, in which a state attorney, the client, the recipients' representative and a representative from the county welfare office try to work the matter out.

Welfare recipients can designate anyone, including the coalition, to be their representative. Other groups, including California Rural Legal Assistance, the Western Center of Law and Poverty and some private attorneys, may serve as representatives for welfare recipients during the fair hearing process.

James said she has filed for about 60 fair hearings in the past year and won almost every one. She also noted that a fair hearing can cost the county about \$2,000.

But Marsena Buck, director of the county Department of Social Services, said fair hearings, on a statewide average, cost only about \$500. Buck noted that between Jan. 1 and June 30 she received 42 requests for fair hearings in which the welfare rights organization was the representative.

Of the 42 requests, Buck said, one was granted, two were denied and in four the decision is still pending. The rest were either postponed, withdrawn or no-shows, she said.

James said Buck's figures were inaccurate, and she stood behind her statement that she had won virtually every fair hearing in which she had participated.

Both James and Scruggs said they are not, as a general rule, made to feel welcome at the welfare department by employees.

"The reason why they don't want us there is that we are uncovering their mistakes. We pick up where they failed to continue," Scruggs said.

Buck said she does not mind the presence of the welfare rights group, adding that federal law is very clear about the client's right to representation by any individual or organization.

The fair hearing process, also

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guaranteed by federal law, is the welfare recipient's right of due process, a system Buck said she strongly supports.

James said most problems at the welfare department are in the intake unit where recipients check in.

"There's not enough of them (case workers)," James said. "Their caseload is too big and their training is not long enough for them to know all the rules and regulations."

But James complimented workers and supervisors in the continuing unit, where welfare recipients are helped on an ongoing basis. "We've always been able to work things out with no problem."

Working things out also figures into future plans for the coalition.

James is currently trying to figure out a way for the organization to help people who have outstanding utility bills work with local companies and arrange time payments.

Another future challenge that the coalition is preparing for is "workfare," a state-mandated program scheduled to begin in Stanislaus County Sept. 1. In the program, all able-bodied recipients of ~~Aid to Families With Dependent Children~~ will have to go to work or school. If they don't follow the program, they may lose some benefits.

"We are concerned that there's going to be many people that are going to be hurt and they're not really going to benefit by this

program," James said. "We do realize there's going to be a lot of people who are going to benefit."

In addition to their opinion that workfare will cost much more than the initial \$5.2 million the county anticipates, James and Scruggs said other problems exist:

- Child care. Both women claim families in the program will not be given enough choices about quality child care.

- Possible sexual harassment. When AFDC recipients — mostly women — go to work, their employers will know they are on welfare. And that opens the door to possible harassment because if they don't keep their jobs, recipients could lose their welfare checks.

- The education aspect of the program is not extensive enough. "It's not something you can take with you," James said. "If you're really going to get people off welfare you're going to have to educate them."

Most important, James said, she would like to see the Department of Social Services cooperate more and exercise more sensitivity. She hopes the future might even include an office at the county complex where welfare recipients could meet with coalition workers.

"We could save the county a lot of money if they would set up an office," Scruggs said. "If you're right there and a client is displeased with what he gets, then you could go out this door and right into the door there. And we could straighten it out, right there."