



# Coalition of California Welfare Rights Organizations, Inc.

Kevin M. Aslanian  
Executive Director  
[Kevin.aslanian@ccwro.org](mailto:Kevin.aslanian@ccwro.org)

Grace A. Galligher  
Directing Attorney  
Steve Konhoff,  
Director of Development  
1111 Howe Avenue,  
Suite 150  
Sacramento,  
CA 95825-8551  
Tel. (916) 736-0616  
Fax (916) 736-2645  
Cell (916) 712-0071  
[ccwro.org](http://ccwro.org)

## SB 1041- Impact on Sanctions

WtW sanctions have been a concern since the enactment of the Welfare-to-Work program. In 2006, the State legislature enacted AB 1808, Chapter 75, Statutes of 2006. AB 1808 added another \$90 million in TANF funds to the Employment Services component of the County Single Allocation to reduce WtW sanctions.

TABLE #1 reveals that the \$90 million allocated to reduce sanctions has not had the effective results as the legislature had intended. In 2008, we see only a 4% reduction in sanctions from the previous year. In 2009, we see only a 2% reduction. In 2010, sanctions rise again to 34%.

On June 27, 2012, SB 1041, Chapter 47, statutes of 2012, was signed into law requiring families with children under the age of 6 to be reengaged in a WtW activity or face the WtW sanctions. CCWRO opposed this change because it meant increased sanctions imposed upon impoverished families living in toxic poverty. This policy briefing examines whether sanctions have increased in light of the enactment of SB 1041.

TABLE #2 reveals that sanctions increased from 30% in 2008 up to a whopping 49% in December of 2014. This is based on the sanctions imposed on unduplicated participants in the WtW program and not the “enrollees” as preferred by the Department. The rationale for using unduplicated participants is set forth below in detail.

**TABLE # 1 - Percentage of Unduplicated Welfare-to-Work participants Sanctioned**

Year/ November	Percentage of Sanctioned Unduplicated Participants
2005	48%
2006	35%
2007	34%
2008	30%
2009	32%
2010	34%
2011	38%
2012	43%
2013	45%
2014	49%

WtW sanctions are imposed upon “participants”. Enrollees are not sanctioned in California since the enactment of the GAIN and WtW program. In fact, enrollees have never been sanctioned in California.

CDSS and others have erroneously tried to use enrollees as a numerator to calculate the sanction rate to determine a lower sanction rate that is actually endured by CalWORKs recipients in the real world.

The definition of “enrollee” includes recipients “willing to participate” which does not mean they are participating, thus they are not subject to sanctions. Moreover, enrollees does not include sanctioned families.

Thus, using enrollees and sanctioned participants as a basis for calculating the WtW sanction rate is dishonest and misleading. Moreover, it represents an attempt to conceal the true impact that these punitive sanctions inflicted upon impoverished families, often because counties did not provide supportive services.

The statute and the state regulations provide that sanctions can be imposed upon “participants” and not “enrollees”. In fact, the only place that “enrollees” are mentioned in the statutes is only for the purposes of determination of eligibility for allowing participants to continue their self-initiated education in §§ 11320.3 and 11325.23. Enrollees are also mentioned in the statute authorizing the Temporary Assistance Program (TAP) program.

Looking at the state regulations, “enrollees” only appear in two places:

1. MPP § 42-702 which provided that GAIN recipients must enroll in the newly enacted WtW program; and

2. MPP 42-711.54 which is the Self-Initiated Program (SIP)

## WHO CAN BE SANCTIONED IN THE WtW PROGRAM?

Only persons who fail to participate can be sanctioned. See MPP §§ 42-721.21 below.

## DOES “ENROLLEES” INCLUDE SANCTIONED PERSONS?

No. How can a sanction rate be calculated by including the persons who are not being sanctioned?

The sanctioned persons cannot be in the numerator when that is the number for the denominator.

## [WtW 25 Instructions and ACL 06-56](#)

**“Enrollee:** Is an individual who has been enrolled or has been sent a notice that he or she was scheduled for a WTW appraisal. Count individuals who received cash aid, who were eligible for cash aid (e.g., individuals in a zero basic grant status), or were considered CalWORKs recipients in the report month.

This would include adults who are in receipt of family reunification services, have had a child(ren) removed from the home, and are no longer in receipt of cash aid. An enrollee is defined as either (1) required to participate, or (2) willing to participate.”

**“WTW sanction:** Occurs when the individual is not aided during the report month for a failure to comply with WTW program requirements without good cause and for whom compliance efforts have failed (MPP Section 42-721.41).”

*MPP 42-720.21 “An individual who is required to participate in program activities as a condition of receipt of aid shall be subject to sanctions specified in Section 42-721.4, whenever:*

*.211 He or she fails or refuses without good cause to comply with program requirements;...”*

Below is the list of activities that a CalWORKs recipient can be sanctioned, if they fail to participate therein without good cause, that are set forth

in the WtW 25 reporting form. Numbers 6-29 are represented in cell 30 of the WtW 25. Often participants are not able to participate due to lack of supportive services as revealed in a report done by the Rand Corporation. The counties never verify that the participants adequate supportive services.

*“30. Number of individuals 6-29 (Unduplicated): Enter the unduplicated total number of individuals who were counted in activities 6-29 during the report month. This total is not the sum of Items 6-29.”*

6.	Appraisal
7.	Assessment
8.	Reappraisal
9.	Job search & job readiness assistance
10.	Unsubsidized employment
11.	Self-employment
12.	Subsidized private sector employment
13.	Subsidized public sector employment
14.	On-the-job training (OJT)
15.	Grant-based on-the-job training (OJT)
16.	Work-study
17.	Supported work or transitional employment
18.	Work experience
19.	Community service
20.	Job skills training directly related to employment
21.	Vocational education training
22.	Education directly related to employment
23.	Adult basic education
24.	Satisfactory progress in a secondary school
25.	Other activities
26.	Providing childcare to community services participants
27.	Mental health services
28.	Substance abuse services
29.	Domestic abuse services
30.	Number of individuals 6-29 (Unduplicated)

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**TABLE # 2- Detailed Table of California WtW Sanctions from 2008 through 2014**

Year/ November	Enrollees WtW 25	Enrollees WtW 25A	Total Enrollees	Undupl. Part. WtW 25	Undupl. Part. WtW 25A	Total Undupl. Part.	Sanctions WtW 25	Sanctions WtW 25A	TOTAL Sanctions	% of Undupl. Part. Sanction	% of Enrollee Sanction Part.
2008	138961	53974	192935	98,534	33,778	132,312	33311	6181	39492	30%	20%
2009	137882	63152	201034	103,523	41,216	144,739	36090	10694	46784	32%	23%
2010	131250	64742	195992	98,005	41,534	139,539	34600	12414	47014	34%	24%
2011	110158	53576	163734	85,850	36,152	122,002	32466	13287	45753	38%	28%
2012	106602	48422	155024	83,998	32,764	116,762	35371	14606	49977	43%	32%
2013	122182	49285	171467	85,120	30,126	115,246	37748	14681	52429	45%	31%
2014	131772	52937	184709	90,044	31,897	121,941	42706	16630	59336	49%	32%

Undupl. Part. - Unduplicated WtW Participants

Source: CDSS WtW 25 reports.