



A Tradition of Stewardship
A Commitment to Service

NAPA COUNTY HEALTH AND HUMAN SERVICES AGENCY
Self Sufficiency Services Division

POLICY AND PROCEDURE:

WTW Program Non-Compliance

REVIEW FREQUENCY:

Every two years

POLICY # 2000601-2015-17

DISTRIBUTION:

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| <input checked="" type="checkbox"/> Employment Services | <input checked="" type="checkbox"/> Eligibility Services |
| <input type="checkbox"/> CSOA | <input checked="" type="checkbox"/> Quality Mgmt |

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APPROVAL:

Eligibility Services Manager	Date
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APPROVAL:

<i>Teresa Brown</i>	8/25/17
Employment Services Manager	Date

APPROVAL:

<i>Lynn Perry</i>	8/26/17
SSSD Deputy Director	Date

APPROVAL:

<i>John K...</i>	8-24-17
HHS Director	Date

POLICY STATEMENT:

It is the policy of the Napa County Health and Human Services Agency (NCHHSA) to inform participants of repercussions for not complying with their assigned Welfare-to-Work (WTW) activities, review for good cause, and explain the process of curing non-compliance.

ADMINISTRATION:

Eligibility Worker (EW)
Employment Services Worker (ESW)

DEFINITIONS:

None

END OF POLICY

PROCEDURE

I. Failure or Refusal to Comply

- A. A recipient of aid shall be subject to sanctions whenever he/she fails or refuses without good cause to do one of the following:
 - 1. Sign a WTW plan
 - 2. Participate in any assigned WTW program activity, including a self-initiated plan (SIP)
 - 3. Provide required proof of satisfactory progress in any assigned program activity, including a SIP.
 - 4. Accept employment
 - 5. Continue employment
 - 6. Continue employment at the same level of earnings
 - 7. Agree to and comply with a compliance plan agreed to between the County and the participant.
- B. A participant cannot be sanctioned for not reporting or verifying his/her participation if the verification is solely for the purpose of obtaining documentation to meet federal data reporting requirements.
- C. Upon determination that an individual has failed or refused to comply with program requirements, the ESW sends a Notice of Action (NOA) with a sanction date effective no earlier than thirty (30) calendar days from the date of issuance. (Twenty (20) days for compliance process plus ten (10) day notice).
 - 1. WTW 38 – WTW 24-Month Time Clock Notice shall be sent, if applicable.
 - 2. Include the SSSD 1002 – PIU Brochure
- D. NOA NA 840, NA 841, or NA 845 with the NA 9 NOA back are used to inform the participant that a sanction will be imposed if he/she fails to either attend an appointment scheduled by the ESW within twenty (20) calendar days of the notice, or contact the ESW by phone within the twenty (20) calendar days of the notice and fails to:
 - 1. Provide information to the ESW that leads to a finding of good cause, **or**
 - a. The WTW 27 – Request for Good Cause Determination is mailed to the participant with the NA 840, NA 841, or NA 845.
 - 2. Agree to a compliance plan to correct the failure or refusal to comply.
- E. Noncompliance provisions do not apply to the following individuals:
 - 1. Teen parents who are subject to the Cal-Learn Program.
 - 2. Any person who is not required to, but volunteers to, participate in the WTW program and who fails to appear for a scheduled appointment prior to entering into a WTW plan.
 - 3. A reunification parent whose WTW activities and services are only included in a reunification plan.

II. Cause Determination

- A. The ESW will schedule a cause determination appointment to provide the individual an opportunity to demonstrate that he/she had good cause for the failure or refusal to comply.
 - 1. The appointment is scheduled within ten (10) calendar days of the NOA NA 840/841/845 date.
 - 2. The participant is allowed to reschedule the cause determination appointment once within the twenty (20) calendar day period.
 - a. Additional rescheduling must be permitted if the participant has good cause for not attending the meeting.

- B. If the participant fails to attend the scheduled interview appointment, the ESW will attempt to contact the individual by phone to establish whether or not good cause exists.
 - 1. The phone attempt is made the same day as the missed appointment.
 - 2. If a finding of no good cause is made, the ESW will develop a compliance plan to correct the instance of non-participation.
 - 3. A journal entry should be made for all contacts and attempted contacts, plus a determination of good cause or no good cause.
- C. If the ESW is unable to contact the individual and the individual fails to contact the ESW within the 20 calendar day period, the ESW will impose a sanction.
 - 1. The ESW will send or give the participant the following documents:
 - a. SSSD 2027 – Voucher/Vendor Fact Sheet
 - b. WTW 31 – Request to Stop a WTW Sanction
 - c. CW 2166 – Work Pays Notice
 - d. CW 2186A – CalWORKs Exemption Request Form
 - 2. ESW will notify the CalWORKs (CW) EW to impose the sanction and the effective date of the sanction.
- D. The ESW will rescind the NOA and notify the CW EW to stop the sanction if the individual attends the appointment or contacts the ESW within the 20-calendar day period and the ESW makes either of the following determinations:
 - 1. The participant had good cause for failing/refusing to comply, **or**
 - 2. Individual agrees to a compliance plan to correct the non-compliance and successfully completes the terms of the compliance plan.
- E. When a participant has claimed good cause (whether good cause was claimed on the WTW 27, verbally, or another means), the ESW must complete and issue an NA 840A, after the good cause or no good cause determination has been made.
- F. If the participant attends an appointment and fulfills a compliance plan after the twenty (20) calendar day period, but prior to the effective date of the sanction, the sanction will be rescinded. (See Attachment #1, Example #1)

III. Compliance Plan

- A. A compliance plan is developed when:
 - 1. A finding of no good cause is made at the interview appointment, from the phone contact, or home visit made after the participant fails to attend a scheduled appointment, **or**
 - 2. Participant attends the good cause appointment or contacts the ESW and agrees to a compliance plan.
- B. If the participant agrees to a compliance plan at the appointment, he/she is given a copy of the WTW Compliance Plan – WTW 32.
 - 1. If the plan is agreed to over the phone, two copies of the plan are mailed to the participant (one to sign and return and one to keep for his/her records) and the participant is given ten (10) days to return the signed plan.
 - 2. If the participant fails to sign and return the compliance plan, within the given ten (10) days, the compliance process has failed and the participant is sanctioned.
- C. The compliance plan will identify the specific WTW activity the individual failed to complete/participate in and must participate in to correct the non-compliance.
 - 1. The participant is considered to have complied with program requirements by satisfactorily performing the activity until completed or up to a maximum of sixty (60) calendar days from

the date the participant begins the activity, whichever is less. (See Attachment #1, Example #2 and #3)

- a. The ESW may not require the participant to participate for a period of time that exceeds the length of the original activity that brought about the instance of non-compliance (See Attachment #1, Example #4)
- D. If the participant does not fulfill the terms of a written compliance plan agreed upon by the ESW and the participant and the ESW determines that the participant did not have good cause for failure to meet the terms of the plan, the ESW will send a NOA to impose a sanction the first day of the first payment month following timely and adequate notice.
 1. The ESW will send or give the participant the following documents:
 - a. SSSD 2027 – Voucher/Vendor Fact Sheet
 - b. WTW 31 – Request to Stop a WTW Sanction
 - c. CW 2166 – Work Pays Notice
 - d. CW 2186A – CalWORKs Exemption Request Form
 2. NOA NA 816 (second parent sanctioned), NA 817 (first parent sanctioned), or NA 818 (volunteer precluded from participation) is sent.
 3. If a sanction is imposed under these conditions, no further compliance procedures are applicable.
 4. ESW shall notify the CW EW to impose the sanction and the effective date of the sanction.
- E. If the ESW determines that the participant did have good cause for failing to fulfill the terms of the compliance plan, a new compliance plan is written.

IV. Good Cause for Failure or Refusal to Comply

- A. No sanctions will be applied for failure or refusal to comply for reasons including, but not limited to the following:
 1. The employment, offer of employment, activity, or training discriminates in terms of age, sex, race, religion, national origin, or physical or mental disability.
 2. Employment or offer of employment exceeds the daily or weekly hours of work customary to the occupation.
 3. The employment, offer of employment, activity, or training is remote from the participant's home because either:
 - a. Round trip travel time exceeds a total of two hours, exclusive of the time necessary to transport family members to school or child care, **or**
 - b. Walking is the only available means of transportation and the round trip is more than two miles, exclusive of the distance necessary to transport family members to school or child care.
 - c. Participants who fail or refuse to comply based on the remoteness of the employment or activity will be reviewed for participation in work experience.
 4. The employment, offer of employment, activity, or training involves conditions that are in violation of applicable health and safety standards.
 5. The employment, offer of employment, or work activity does not provide worker's compensation insurance.
 6. Accepting the employment or work activity would cause an interruption to an approved education or job-training program in progress. For purposes of this section, the education or job-training program includes all WTW activities except work experience, on-the-job-training, or community service.

- a. The approved education or job training program in progress must lead to employment and sufficient income to be self-supporting.
 - b. If the hours of participation in the approved program are less than the hours required as a condition for aid, the ESW may require the individual to participate in additional WTW activities to total the required hours of participation.
- 7. Accepting the employment, offer of employment, or work activity would cause the participant to violate the terms of his/her union membership.
- 8. Mental disability caused or substantially contributed to the failure or refusal to comply.
 - a. When appropriate, this determination is made in consultation with the Mental Health Counselor.
- B. A participant shall have good cause for not participating in WTW activities if he/she meets the criteria described in EAS MPP 42-713 and/or the good cause determination procedure.
- C. ESW can make a determination that good cause existed for reasons other than listed above as long as a journal entry clearly justifies the determination.

V. Sanctions

- A. Financial sanctions are applied when a mandatory participant fails or refuses to comply with program requirements without good cause and compliance efforts have failed.
 - 1. Any month in which a participant is under sanction and removed from the assistance unit shall not be counted as a month of aid in determining the TANF 60-month, CW 48-month, or WTW 24-Month time limit.
 - 2. Any days spent in the compliance process or under sanction shall not be counted as days toward the ninety (90)-day universal engagement timeframe.
- B. Sanctions do not apply to a participant who is exempt from WTW and is voluntarily participating. If an exempt volunteer engages in conduct that would bring about sanction procedures if he/she were not a volunteer, the participant will not be given priority over other participants actively seeking to participate.
 - 1. NOA NA 841 is sent to notify the volunteer of the suspension from WTW.
- C. Financial sanctions for failing or refusing to comply with the WTW program requirements without good cause will result in a reduction in the family's grant by removing the non-complying participant from the assistance unit.
 - 1. Every instance of non-compliance without good cause results in a financial sanction, which continues; until the non-complying participant performs the activity/activities he/she previously failed or refused to perform.
- D. The financial sanction becomes effective on the first day of the first payment month that the sanctioned participant's needs are removed from aid following timely and adequate notice.
 - 1. If the participant appeals the sanction through the state hearing process within the period of timely filing, no sanction shall be applied until the hearing decision is reached.
 - a. If the county's action is sustained, the discontinuance shall be effective the end of the payment month in which the state hearing is received. If unable to discontinue at the end of that month, aid shall be discontinued at the end of the following month.
- E. In a two-parent assistance unit, whose basis for deprivation is unemployment, the sanctioned parent is removed from the assistance unit.
 - 1. If the sanctioned parent's spouse or the family's second parent is not participating in WTW, both the sanctioned parent and the spouse or second parent is removed from the assistance unit.

2. The second parent of the non-complying participant is notified in writing at the beginning of the compliance procedures of his/her own opportunity to participate and the impact on sanctions of that participant.
 - a. The WTW 4 is sent at the same time the non-complying parent is sent the NA 840 to alert the second parent of the opportunity to avoid sanction.
 3. If the second parent is participating, and the first parent is sanctioned for non-compliance, the exemption criteria for care of an ill or incapacitated household member and the care of a child under 16 weeks for the first child, 12 weeks for subsequent children, does not apply. Other exemptions and good cause criteria (as described in MPP 42-712 and 42-713) and compliance procedures apply to the sanctioned parent's spouse or the family's second parent.
 4. A second parent who chooses to participate to avoid also being sanctioned and subsequently ceases to participate without good cause and does not conciliate will be removed from the assistance unit.
- F. For families that qualify for aid due to absence or incapacity of a parent, only the non-complying parent is removed from the assistance unit
- G. If the sanctioned individual is the only dependent child in the family, or is one of several children in the family, his/her needs are not taken into account in determining the assistance payment.
- H. If a sanctioned participant is receiving housing assistance through Section 8, the CW grant amount used in the housing computation is not reduced when the grant is decreased due to the participant's sanction.
 1. A copy of the NA 840 NOA is forwarded to the housing technician when the sanction action is taken in C-IV. This will notify the housing technician that the participant has been sanctioned and what the grant amount was prior to the sanction.
 - a. NA 840 should be faxed Attention: Michael Kucz at (707) 257-9412
 2. The ESW will notify the housing technician when the sanction action is rescinded or cured.
 - a. Email should be sent to Michael Kucz at mkucz@cityofnapa.org
- I. Sanctioned participants shall be contacted as listed below, and all contacts or attempted contacts will have a journal entry made by the ESW.
 1. During the first three (3) months of the sanction, contact or attempted contact shall be made a minimum of once every month.
 2. Beginning the fourth month of sanction periodic stability reviews shall be completed at SAR 7 and renewal months. Periodic stability reviews shall include at minimum the following:
 - a. Comprehensive review of any income versus all claimed and unclaimed likely expenses
 - b. Review for the need of a referral to the Program Integrity Unit.

VI. Curing Sanctions

- A. To stop/cure a sanction, the participant must:
1. Contact the ESW and inform the ESW of their wish to cure the sanction.
 2. Comply with the requirements in the WTW 29 – Plan to stop a WTW Sanction.
 3. Satisfactorily perform the activity specified in the curing plan until completed, or up to a maximum of thirty (30) calendar days, whichever is shorter, from the date the curing plan is signed. (See Attachment # 1, example #5).
 - a. If the participant requests to cure their sanction due to an approvable exemption, the participant must provide proof of exemption (CW 61) within the thirty (30) calendar days.

- B. When the participant contacts the ESW, the ESW must schedule the appointment to meet with the participant to discuss and sign the curing plan, within ten (10) calendar days of:
 - 1. The date the participant speaks to the ESW to inform of their wish to cure the sanction, **or**
 - 2. The receipt date of the completed WTW 31 – Request to Cure a WTW Sanction.
- C. If a participant contacts the ESW to start the curing process **after** a sanction, the cash aid is effective the first day of the month following contact. (See Attachment #1, Example #6)
- D. The ESW may develop the curing plan via the telephone and mail the plan to the participant.
 - 1. ESW develops the WTW 29 and informs the participant of the curing requirements (assigned activity, location, start and end dates, hours, etc.)
 - a. The date the ESW informs the participant of the specifics of the curing plan by telephone is considered the date that the participant signs the plan for purposes of beginning the maximum thirty (30) calendar day curing period. (see Attachment # 1, Example #7).
 - 2. Mails two copies of the WTW 29 to the participant (one to sign and return, one to keep for his/her records), along with a return envelope.
 - 3. Give participant ten (10) days to return plan.
 - a. If the participant does not sign and return the WTW 29 within the ten (10) calendar day period, the sanction continues until the participant re-contacts the ESW to cure their sanction.
 - 1) In the above situation, the date of re-contact is the date on which the participant is considered starting the curing process.
 - 4. Create a journal entry for all contacts with the participant during the curing process; be sure to include proper dates for starting timeframes.
- E. In cases when the second parent complies with participation requirements as required, after receiving the WTW4, the first parent remains sanctioned.
 - 1. Participation by the second parent does not cure the sanction imposed upon the first parent.
 - 2. If the second parent is complying with WTW program requirements after the first parent is sanctioned, and the first parent cures his/her sanction, the one parent may stop (or reduce hours of) participation without being subject to sanction.
- F. For either parent to have aid restored, each parent must cure his/her own sanction by doing what he/she refused to perform.
 - 1. If each parent was supposed to participate for 35 hours per week, but failed to do so without good cause and was sanctioned, then each parent must meet the 35 hour requirement to cure his/her sanction.
- G. If child care is needed in order to participate in the activity to cure the sanction, the ESW will:
 - 1. Complete the CRC 02 and forward to Community Resources for Children (CRC). (Refer to Supportive Services – Child Care procedure)
 - 2. Complete a journal entry in C-IV to document that childcare has been authorized to cure the sanction and what activity has been assigned.
 - 3. If child care cannot be provided, the participant has good cause for not participating in the activities to cure the sanction and shall be considered as having cured the sanction at the time the county determines it cannot provide the supportive services. (See Attachment #1, Example #8).

VII. State Hearings

- A. Except as specified in B. and C. below, whenever a participant believes that any program requirement or assignment is in violation of his/her WTW plan, the participant may request a state hearing or utilize the county grievance process.
- B. If the participant is not satisfied with the outcome of the grievance procedure, he/she may appeal the decision.
 - 1. Participants will not be subject to sanctions pending the outcome of the formal grievance procedure or any appeal, if they participate during the period the grievance procedure is being processed.
 - 2. Participants may not utilize the grievance procedure to appeal the results of an assessment.
- C. If a participant is not satisfied with the decision of a hearing concerning on the job conditions or worker's compensation coverage, the participant may file a further appeal with the United States Department of Labor.

VIII. Fraud Referral

- A. When the ESW has reason to suspect that there is unreported income, other person is present in the home, no eligible child in the home, no explanation on how client is meeting their needs with reduced grant, or any other possible fraud issues that may have contributed to the participant's sanction, a request for investigation is made.

IX. C-IV Entry

- A. When sending the NA 840 to begin the compliance process:
 - 1. On the Customer Activity List Page:
 - a. Click View Progress and update months with current hour information for each activity that is "Active"
 - b. Click "Edit" on each Active activity and complete the following:
 - 1) On the Customer Activity Detail Page click "Add" under the status bar
 - i. Status = Closed
 - ii. Status Reason = Unsatisfactory Progress or No Show
 - iii. Begin Date = Date Status has changed
 - 2. On the WTW Status Page:
 - a. Click "Add Status" under Program
 - 1) Status = Non-Comp
 - 2) Status Reason = Reason you are sanctioning participant
 - 3) Begin Date = Begin Date of the Non-comp (date of NA 840)
 - b. NA 840 should automatically pop up.
 - 1) Complete the NA 840 by filling in all of the blank information.
 - 2) Ensure all pre-filled lines on the NA 840 are correct
 - 3) Update reason for non-compliance on the WTW 27 attached.
 - c. Click "Edit" and enter/update Review Date.
 - 1) Review Date should be the same date as the compliance appointment
 - 3. Complete a journal entry.
- B. When good cause is found:
 - 1. On the Customer Activity List Page:
 - a. Resume previously closed activity by changing activity status to Active
 - 2. On the WTW Status Page:

- a. Click "Add Status" under Program
 - 1) Status =Active
 - 2) Status Reason =Enrolled
 - 3) Begin Date = Date Good Cause was determined
 3. In the Template Repository:
 - a. Complete the NA 840A and send/give to participant
 4. Complete a journal entry
- C. When no good cause is found and the participant agrees to a compliance plan:
 1. In the Template Repository:
 - a. Complete the NA 840A and send/give to participant.
 - b. Complete the WTW 32
 2. On the WTW Status Page:
 - a. Click "Add Status" under Program
 - 1) Status = Non-Comp
 - 2) Status Reason = In Conciliation
 - 3) Begin Date = Date WTW 32 is signed
 - b. Update review date to monitor progress in compliance plan
 3. On the Customer Activity List Page
 - a. Create new activity to match what was agreed upon on the WTW 32.
 4. Complete a journal entry
- D. When the participant has fulfilled the terms of the compliance plan:
 1. On the WTW Status Page:
 - a. Click "Add Status" under Program
 - 1) Status = Active
 - 2) Status Reason = Enrolled
 - 3) Begin Date = Date client complied with plan.
 - b. Update review date
 2. Complete a journal entry
- E. When the participant fails to show for the compliance appointment or the participant does not fulfill the terms of the compliance plan:
 1. If Activity was entered because of compliance plan - On the Customer Activity List Page:
 - a. Click View Progress and update months with current hour information for each activity that is "Active"
 - b. Click "Edit" on each Active activity and complete the following:
 - 1) On the Customer Activity Detail Page click "Add" under the status bar
 - i. Status = Closed
 - ii. Status Reason = Unsatisfactory Progress or No Show
 - 2) Begin Date = Date Status has changed
 2. On the WTW Status Page:
 - a. Click "Add Status" under Program
 - 1) Status =Sanction
 - 2) Begin Date = Date Sanction is effective (1st of a month)
 - b. Update review date
 3. In the Template Repository:
 - a. Complete the NA 816 or NA 817 and send to participant
 - 1) Complete only if participant signed and failed to complete a compliance plan.

- b. Complete a WTW 31 and send to participant
 - 4. Complete a journal entry
 - 5. ESW will add a C-IV task to impose a sanction. Send email to EW that task was entered.
 - a. Program = CalWORKs
 - b. Due Date = Date Entered Task
 - c. Type = Sanction/Penalty
 - d. Assign to Program Worker box should be checked
 - e. Long Description = Include date sanction shall begin and sanction reason
 - 6. Set task for 1st day of 4th month of Sanction for EW to review for voucher/vendor
 - a. Program = CalWORKs
 - b. Due Date = 1st day of 4th month of Sanction
 - c. Type = Review
 - d. Long Description = Review case for voucher/vendor set up.
- F. When participant requests to cure a sanction
 - 1. In the Template Repository:
 - a. Complete the WTW 29.
 - 2. On the WTW Status Page:
 - a. Click "Add Status" under Program
 - 1) Status = Non-Comp
 - 2) Status Reason = In process of curing sanction
 - 3) Begin Date = Date participant requested to cure sanction
 - b. Update review date to monitor progress in compliance plan
 - 3. On the Customer Activity List Page
 - a. Create new activity to match what was agreed upon on the WTW 29.
 - 4. Complete a journal entry
- G. When participant cures the sanction
 - 1. On the WTW Status Page:
 - a. Click "Add Status" under Program
 - 1) Status = Active
 - 2) Status Reason = Enrolled – Cured Sanction
 - 3) Begin Date – Date sanction cure is effective (1st of a month)
 - 2. ESW will add a C-IV task to remove the sanction. Send email to EW that task was entered.
 - a. Program = CalWORKs
 - b. Due Date = Date Entered Task
 - c. Type = Sanction/Penalty
 - d. Assign to Program Worker box should be checked
 - e. Long Description = Include date sanction shall be ended and to review voucher/vendor to be ended.
 - 3. Remove voucher/vendor task if voucher/vendor has not yet been set up.
 - 4. Complete a journal entry.

REFERENCES:

[ACIN I-30-09](#) – Final Regulations Implementing AB 1808 Regarding Durational Sanctions

[ACL 03-59](#) – WTW good cause, compliance, and sanction procedures

[ACL 04-47](#) – Two Parent sanction procedures

[ACL 06-27](#) – Changes to sanction policies

[ACL 07-04](#) – Changes to sanction policies

Good Cause Determination Procedure

[MPP 42-721](#)

FORMS

CAGE Screening Tool – Tool to screen for potential drug and/or alcohol issues as a barrier to employment

CRC 02 – Child Care Referral

CW 61 – Authorization to Release Medical Information

CW 2166 – Work Pays Notice

CW 2186A – CW Exemption Request Form

NA 816 – Notice of Action

NA 817 – Notice of Action

NA 818 – Notice of Action

NA 840 – Sanction of a Mandatory Participant

NA 840A – Determination of Good Cause/No Good Cause

NA 841 – Notice of Action

NA 845 – Notice of Action

SSSD 2027 – Voucher/Vendor Fact Sheet

WTW 4 – Notice to Other Parent

WTW 27 – Request for Good Cause Determination

WTW 29 – Plan to Stop a WTW Sanction

WTW 31 – Request to Stop a WTW Sanction

WTW 32 – WTW Compliance Plan

WTW 38 – WTW 24-Month Time Clock Notice

CONTACT PERSON(S):

Shanna Gardner, Staff Services Analyst

END OF PROCEDURE

REVISION HISTORY:

Revision	Date	Description of Change	Requested By
1.0	03-22-12	Biennial Review. Updated to add C-IV Entry information. Included usage of CAGE screening tool.	S. Gardner, SSA
2.0	02-19-15	Biennial Review. Updated to include WTW 38 and periodic stability reviews. Removed home visit requirements.	S. Gardner, SSA
3.0	08-23-17	Biennial Review. Change NW 769 to SSSD 2027. Added in process for task to be set to initiate and stop sanctions.	S. Gardner, SSA

Attachment #1

Example # 1 - A recipient contacts her worker within the 20-day period indicated in the NA 840 sanction notice and presents information regarding good cause that requires additional verification. The worker cannot impose a sanction pending the verification. The recipient turns in the verification within the time period indicated in writing by the worker, but by the time the worker receives and reviews it, it is beyond the 20-day period. The worker finds no good cause and advises the recipient that she must enter into a compliance plan to avoid a sanction. If she agrees to enter into a compliance plan, an NA840A is mailed stating that no good cause was found but because the recipient agreed to a compliance plan, her aid will not be reduced.

Example # 2 - A recipient fails to show up and enroll in a three-month computer training class without good cause. After receiving the NA 840, the recipient contacts the county on March 1, which is within the 20-day compliance period, and agrees to sign a compliance plan. The previous computer class has closed and the county cannot locate another class, or other appropriate activity, that begins before April 15. For purposes of compliance, the county will assign the recipient to the new computer class, or other appropriate activity, from April 15 through June 13 (60 calendar days from the date the activity begins). When the recipient participates in the assignment through June 13, as required, the county shall not impose a sanction.

Example # 3 - A recipient is assigned to a six-month community service program scheduled for December through May. During the first month he missed seven days and was found to have violated the program's attendance requirements without good cause. After receiving the NA 840, the recipient contacts the county within the 20-day compliance period, and agrees to sign a compliance plan. The recipient signs the compliance plan on February 1 and the county reassigns him to the community service program to participate for 60 calendar days, from February 15 through April 17. After the recipient has successfully completed his assignment, he has met compliance requirements and the instance of noncompliance must not be counted.

Example # 4 - A recipient fails to show up at a one-day CW orientation and appraisal, without good cause. After receiving the NA 840, she contacts the county within the 20-day compliance period and signs a compliance plan on March 1. The recipient is assigned to attend the next orientation/appraisal on March 8. On March 8, the recipient completes orientation and appraisal, therefore meeting program requirements and completing the compliance process. By satisfactorily completing the compliance process, the recipient shall not be sanctioned and her failure to participate shall not be counted as an instance of noncompliance. As noted above, the county may not required the recipient to participate for a period of time that exceeds the length of the original activity that brought about the instance of nonparticipation. Therefore, the county may not require the recipient in this example to also attend another activity, such as job search, before determining that she has completed the compliance process.

Example #5 – An individual failed to participate in a three-month community service assignment. To cure, she would normally be scheduled to participate for 30 days of community service from the date she signed her curing plan, however, the county is not able to place the individual in the community service activity until ten days after she signs her plan. She is, therefore, only required to participate for 20 calendar days to cure her sanction.

Example #6 – An individual with a sanction contacts the county on April 2 and indicates he wishes to cure the sanction. On April 5, the individual meets with the county and signs his curing plan, which specifies he must

complete a two-week adult basic education course beginning April 11. After the individual has successfully completed the adult basic education course on April 24, the county restores aid effective May 1.

Example #7 – An individual contacts the county on July 15 and wishes to cure her sanction. The individual does not live close to the county office and wants to discuss the curing requirements over the telephone and have the plan mailed. The worker locates an appropriate activity for the individual on July 20 and contacts her on July 21, within the 10-calendar day timeframe, to communicate the details of the activity as well as mail the plan.

The individual receives the plan on July 23, and signs, dates, and returns the plan to the county on July 25, within the return period noted in the signature section of the curing plan. Her activity also begins July 25 and she would normally be required to participate in the activity 30 calendar days. Because she cannot be required to participate longer than 30 calendar days from the sign date of the plan (in this case, the informing date of July 21), she can only be required to participate until August 19 (a total of 26 days).

Example #8 – The County wishes to assign an individual to a 30-day community service assignment to cure her sanction. The individual requires child care in order to participate. The county confirms that no child care is currently available and no openings are anticipated within 30 days from the sign date of the curing plan. Because the necessary child care is not available, the individual is considered to have cured her sanction and aid shall be restored.

Attachment #2
NON-COMPLIANCE



Attachment #3
CURING A SANCTION

