SSA Intranet
CW100-F1
Date: 12-06 (R4/13)

Welfare-To-Work Exemptions

Approved: *Signature on file*

EXEMPTION FROM WTW PARTICIPATION

The purpose of the CalWORKs program is to provide recipients with services necessary to help them achieve self-sufficiency. Unless exempt or excused, adult recipients must participate in Welfare-To-Work (WTW) activities. CalWORKs applicants and recipients can request a WTW exemption verbally or in writing. When the individual states that he/she meets a condition that qualifies as an exemption, the request shall be documented in CalWIN case comments and he/she will be provided with form CW 2186A CalWORKs Exemption Request Form. The ISW/OSW must provide the CW 2186A however, it is not mandated that the recipient return the form in order to receive the exemption. The ISW/OSW must evaluate all written or verbal requests for exemptions and inform the individual whether an exemption is approved or denied utilizing form CW 2186B CalWORKs Exemption Determination within 15 calendar days from the date of the verbal or written request.
The ISW/OSW will make the appropriate CalWIN entries in Data Collection. Refer to Welfare to Work Exempt/Non-Exempt Status Resource Guide (R11/06) for steps to view or change WTW statuses.

EXEMPTIONS
UNDER 16 YEARS
(Do not use for Cal-Learn)

A child under 16 years of age is exempt.
Review:
The ISW/OSW will review the exemption when child turns 16, when processing the QR 7, and/or at RRR.

SCHOOL ATTENDANCE
(Do not use for Cal-Learn)

A 16-17 year old who **has completed high school** or its equivalent, and is not enrolled or planning to enroll in post-secondary education or a vocational or technical program, is required to participate in WTW activities and is subject to all WTW program requirements. Reference WTW Plan Policy 211.
Review:
The ISW/OSW will review school attendance 30 days prior to the child's 16th, 17th, and 18th birthday and/or at RRR. Reference
CalWORKs School Attendance Policy 100-E4 and Eligibility for Teens Turning Age 18 Policy 100-E8.

AGE 60 OR OLDER

An individual who is 60 years or older is exempt.
Review:
The ISW/OSW will review case prior to the individual's 60th birthday.

DISABILITY

An individual is exempt when he/she has a disability that is expected to last at least 30 days **and** significantly impairs his or her ability to be regularly employed or participate in WTW activities. The individual must be actively seeking medical treatment.
Chronically ill individuals or individuals who are considered to be permanently disabled must be referred to apply for permanent disability benefits such as Supplemental Security Income (SSI/SSP).

Documentation:
To qualify for this exemption, the individual must provide verification of the disability signed by a doctor or other health care provider, which includes the following:

- Expected duration of the disability, **and**
- Extent to which the disability impairs employment and/or participation in WTW activities **and**,
- Actively seek appropriate medical treatment.

The CW61 Coversheet and Authorization to Release Medical Information , CW61A Physical Capacities, and CW61B Mental Capacities are forms that may be signed by a healthcare provider or provider's authorized representative to document this information. However, a written statement from a physician, licensed or certified psychologist, or a member of the physician's staff may also be accepted if all documentation requirements noted above are included in the statement. The statements must be appropriate for the credentials of the health care provider. For example, verification of a broken leg is acceptable from a medical doctor but not from a psychologist.
The CW61A and CW61B can be completed when:

- The individual's current physical condition interferes with the individual's ability to participate in WTW activities (Physical Capacities CW61A)
- The individual's current mental condition interferes with the individual's ability to participate in WTW activities (Mental Capacities CW61B)

If the CW61A and CW61B are sent to the provider but only the CW61 is returned, it can be accepted as complete documentation if it contains all the necessary information.
If the CW61 or doctor's statement does not include an end date for a chronic condition, enter the date of the next RRR. If the condition is acute enter the date of the next doctor's appointment.
No partial exemptions are granted. Participants must be able to participate fully (20/30/35 hours per week), otherwise an exemption should be approved.

Review:
The ISW/OSW will review the exemption in the month the condition is expected to end, or sooner if there is a reason to believe that there has been a change in the condition, or at RRR.

AIDED CARETAKER RELATIVE CARING FOR A CHILD WHO IS A DEPENDENT/ WARD OF THE COURT OR AT RISK OF PLACEMENT IN FOSTER CARE

An aided caretaker relative who has primary responsibility for providing care to a child may be exempt when that child:

- Is a dependent or ward of the court, **or**
- Is receiving Kin-Gap benefits, **or**
- Is at risk of placement in foster care, as determined by the County.

To qualify for this exemption, the worker shall determine that the individual's caretaking responsibilities are beyond those considered normal day-to-day parenting responsibilities and impair his/her ability to participate in WTW activities.
Note: The ISW/OSW may grant this exemption based on the recommendation of the Children and Family Services Senior Social Worker (CFS SSW).

Documentation:
A copy of court documents verifying the child is a dependent or ward of the court.
Documentation and/or contact with Children and Family Services (CFS) Senior Social Worker (SSW) to verify that the child is at risk of placement in foster care.

Review:
The ISW/OSW will review caretaking responsibilities and their impact on the caretaker's ability to work or participate in WTW activities at RRR.

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CARE FOR AN ILL OR INCAPACITATED HOUSEHOLD MEMBER

An individual is exempt when his/her presence in the home is required because of illness or incapacity of another member of the household. For an individual to qualify for this exemption the worker shall determine that the caretaking responsibilities impair the individual's ability to be regularly employed or to participate in WTW activities.

Documentation:

Coversheet and CW61 Authorization to Release Medical Information, signed by a health care provider or provider's authorized representative or a written statement from a physician, licensed or certified psychologist, or a member of the physician's staff may also be accepted if all documentation requirements are included in the statement. The statement must indicate that the family member is ill and someone is needed in the home to provide care.

Review:

The ISW/OSW will review the exemption in the month the condition is expected to end, or sooner if there is a reason to believe that there has been a change in the condition, or at RRR.

ONCE-IN-A-LIFETIME YOUNG CHILD EXEMPTION

A parent or caretaker relative who has primary responsibility for providing care to one child who is from zero through 23 months of age is eligible to receive a one-time young child exemption. This exemption is a **once-in-a-lifetime** option and is used at the discretion of the client; the client may choose to request the exemption or reserve it for future use.

NOTE: In addition to this once-in-a-lifetime exemption, WTW exemptions for parents caring for a child six months and under, and for subsequent child are available, and may be utilized as appropriate.

Each parent in a two-parent assistance unit meeting the young child exemption criteria must be provided the option to receive this exemption. Only one parent at a time may be granted the exemption; however, the parents have the option to alternate which parent is exempt. For example, one parent may receive the exemption for a period of time, and then alternate so that the other parent receives the exemption. This may continue until the parents no longer meet exemption criteria. The exemption is then fully exhausted for both parents and neither parent is eligible to receive it again.

CARE OF A CHILD 6 MONTHS OF AGE AND UNDER

A parent or caretaker relative who has primary responsibility for personally providing care to a child 6 months of age or under is exempt. An individual may be exempt only once for this reason. On a case-by-case basis, based on county criteria, this exemption may be reduced to the first 12 weeks, or increased to the first 12 months, after the birth or adoption of the child. See Criteria to Extend Infant Exemption section in this policy.

In a family where both parents are in the home, the exemption applies to only one parent if the parent or caretaker relative has not previously received it.

Note: This exemption shall not apply to a 19-year old custodial parent who has no high school diploma or equivalent and is not participating in Cal-Learn. He/she is required to participate in WTW activities **only** to earn a high school diploma or equivalent.

SUBSEQUENT CHILD

Upon the birth or adoption of a subsequent child, an individual who has previously received the "Care of Child 6 Months of Age and Under" exemption shall be exempt for 12 weeks. This period may be extended to 6 months, on a case-by-case basis, based on county criteria. See Criteria to Extend Infant Exemption section in this policy.

Review:

For first child, the ISW/OSW will review the exemption 30 days prior to child turning 6 months or 30 days prior to end of extension date.

For all subsequent children, review the exemption 30 days prior to the end of the exemption or extension period.

CRITERIA TO EXTEND INFANT EXEMPTION

The following criteria will be used in case-by-case situations in making a determination to decrease or increase the period of exemption. Supervisory approval is required and the reason for the extension must be narrated in CalWIN Case Comments.

Availability of infant childcare:

- Based on information received from local childcare Resource and Referral Agency.
- For non-traditional hours.
- For special needs infants.

PREGNANCY
(Do not use for Cal-Learn)

A woman who is pregnant **and** for whom it has been medically verified that the pregnancy impairs her ability to be regularly employed or participate in WTW activities is exempt.

Documentation:

• Written statement signed by a physician, physician's assistant, state certified nurse midwife, nurse practitioner, or by designated medical or clinic personnel with access to the patient's medical record, **and**

• Includes sufficient information to determine the anticipated month of birth, **and**

• Includes a statement that the individual's pregnancy medically impairs her ability to be regularly employed or participate in WTW activities.

The CW61, CW61A, and CW61B Medical Reports may be used to provide medical verification of pregnancy and inability to work or participate in WTW activities.

Review:

The ISW/OSW will review the exemption the month of due date or month impairment is expected to end. The ISW/CM will change WTW participation "status" on the **Registration** tab of the Employment Services subsystem as appropriate (Exempt/Registered).

VOLUNTEERS IN SERVICE TO AMERICA (VISTA)

An individual is exempt if he/she is a full-time volunteer in the Volunteers in Service to America (VISTA) Program.

This exemption is documented by either of the following:

• A copy of a Domestic Volunteer Earning Statement or

• A written verification from the VISTA sponsor or the Federal Region IX ACTION/VISTA Office.

EXEMPT VOLUNTEERS

An exempt individual may volunteer to participate. An individual who is exempt and volunteers to participate may end his/her participation at any time without penalty. However, volunteers who are not compliant with their WTW plan are subject to cause determination, compliance plans, and may have supportive services discontinued for failure to participate. (Reference CalWORKs Policy 240 Good Cause/Compliance/Sanction, and CalWORKs Policy 211 WTW Plan).

CAL-LEARN OR TEEN PARENT PROGRAMS

WTW participation requirements do not apply to Cal-Learn teens. However, a teen custodial parent 18 or 19 years of with no high school diploma or equivalent, who is not participating in Cal-Learn is required to participate in WTW activities, for the purpose of earning a high school diploma or its equivalent, unless otherwise exempt.

TIME LIMIT EXEMPTIONS

A month of aid will not be counted in computing the CW 48-month time limit when an individual is exempt from WTW participation for the following reasons:

• Age 60 or older

• Disability

• Cares for Ill or Incapacitated Household Member

• Aided Non-parent Relative caring for a child who is a court dependent or at risk of placement in Foster Care

• Caring for a child zero through 23 months of age (effective 1/2013)

Reference CalWORKs Time On Aid Policy 100 E3.

Certain exemptions stop the CalWORKs and/or WTW time clocks. Refer to Worker Tool 7.

COMMUNICATION FORM

The OSW communicates changes or actions related to exemption status to the CM using the CalWORKs Communication Document F063-41-70

CASE COMMENTS

Narrate all actions taken on the case in the Case Comments section in CalWIN.

ATTACHMENTS

CW61A Physical Capacities
CW61 Coversheet and CW61 Authorization to Release Medical Information
CW61B Mental Capacities
CW 2186 A CalWORKs Exemption Request Form
CW 2186 B CalWORKs Exemption Determination

OCSSA

REFERENCES

CalWORKs Resource Guide Welfare To Work Exempt/Non-Exempt Status
CalWORKs Policy 100-E4 School Attendance
CalWORKs Policy 100-E8 Eligibility for Teens Turning Age 18
CalWORKs Policy 240 Good Cause/Compliance/Sanction
CalWORKs Communication Document F063-41-70
CalWORKs Time On Aid Policy 100 E3
Welfare to Work Plan Policy 211
ACL 01-44
ACL 12-72 Extension of Short Term Changes and the New Young Child Exemption
42-712 Exemptions from WTW Participation
42-719.11 School Attendance

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