

**County of Orange Social Services Agency
Family Self-Sufficiency Division**

Program/Area: CalWORKs

Title: RCA Work Registration and Employment Participation

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Approved:

PURPOSE

To provide guidelines for completing Refugee Cash Assistance (RCA) employment registration, exemption and good cause determination, and the sanction process for non-cooperation.

POLICY

Each RCA applicant/recipient is required to register for employment services with a designated Refugee Employment Service (RES) Provider unless the participant is determined exempt. Failure to cooperate with registration requirements may result in denial of aid, while failure to cooperate with participation requirements may result in termination of aid.

**REFUGEE
EMPLOYMENT SERVICE
PROVIDERS**

The following components are operated by contracted, refugee specific employment service providers. RCA recipients and non-aided refugees are served through this program.

Refugee Employment Services Program

- Family Self-Sufficiency Plan/Individual Employment Plan
- Vocational English Language Training
- Employment Preparation Workshops
- Resource Center
- Unsupervised Job Search
- Job Counseling and Job Search Assistance
- Job Development and Placement
- Employment Support/Job Retention
- Skills Training Monitoring
- Case Management

Orange County Refugee RES Providers are: Access California Services (Access), OMID Multicultural Institute for Development (OMID), and The Tiyya Foundation (Tiyya).

Refugee Social Services (RSS) for both RCA recipients and post aid recipients includes the following:

Outreach and Referral for Low Income Programs and Community Resources

- Outreach
- Referral for Low Income Programs and Community Resources:
 - Financial and Support Programs
 - Health Screenings
 - Tax Assistance Services
 - Translation Services
- Mentoring Services
 - Assessment
 - Services

**WORK
REGISTRATION
PROCESS**

During the initial interview, for each non-work exempt person, the Intake Employment & Eligibility Specialist (IEES) will:

- Explain registration requirements using the [RS36 Employment and Training Requirements for Refugee Cash Assistance](#).
- If applicable, document on the RS36 form and in CalWIN case comments that the appropriate translations were made.
- Give the signed original copy of the completed RS36 to the participant and maintain the copy in the case file.
- Refer the applicant to the designated RES Provider using form [RS3 Service Provider Referral/Notification Form](#).

It is essential to complete all applicable sections of the [Service Provider Referral/Notification form RS 3](#), (sections 1 through 14, including item #11a), when referring a Non-Exempt, Mandatory RCA applicant to a designated Refugee provider.

- Use the [Service Provider, Referral/Notification form RS 3](#) fillable form available on the FSS Intranet, under FSS Forms Room, CW/WTW Forms.
- Refer to the [example](#) of a [completed Service Provider, Referral/Notification form RS 3](#).

Attachment.

Documentation that registration has been completed must be received prior to approval. If the applicant fails to return the completed registration form RS3 within 10 days, the application for RCA may be denied.

If the applicant declines enrollment, the RES Provider shall contact the eligibility worker immediately for appropriate action.

A non-exempt participant is required to:

- Register with a RES Provider prior to approval of RCA and provide verification of work registration, as a condition of RCA eligibility.
- Participate in a county approved employment activity within 30 days of receipt of RCA benefits.
- Accept referrals to employment interviews and bona fide offers of employment unless the refugee is participating in on-the-job training or vocational training as part of an approved employability plan.
- Accept employment directed services if the participant is employed part time, provided that such services do not interfere with the recipient's job.
- Maintain participation in the RES Program for the duration of their 8-month eligibility period, even after employment is obtained.

WORK REGISTRATION EXEMPTIONS

RCA applicants and recipients are Exempt from RES Registration Requirements when the individual is:

- A person age 60 or older.
- A person 18 years of age who is a full-time student in a secondary school (12th grade or below) or in equivalent level of vocational or technical training, if the person is expected to complete 12th grade or the training program prior to his/her 19th birthday.
- A person who is ill or injured, when his/her illness or injury is verified by a physician's written statement that the illness or injury is serious enough to temporarily prevent his/her entry into employment or an employment-directed education/training program.
- A person who is incapacitated, when it is determined that the physical or mental impairment, by itself or in conjunction with age, prevents the individual from

engaging in employment or participating in an employment-directed education/training program.

- A person whose presence in the home is required on a substantially continuous basis because of the physical or mental impairment of another member in the household, when verified by a physician's written statement.
- A woman who is pregnant and provides medical verification that the pregnancy impairs her ability to be regularly employed or participate in employment/training related activities. An exemption based on a medically-verified pregnancy may also be granted when the County determines that participation will not readily lead to employment or that a training activity is not appropriate.

**EXEMPTION
EVALUATION
PRIOR TO
RCA APPROVAL**

When a client discloses having a medical condition that will prevent him/her from participating in RES activities, the IEES will:

Complete the upper sections of a CW 61 template, print and have the client sign the authorization, and provide the client with a CW61 packet:

- CW61 Coversheet and Authorization to Release Medical Information – with client's signature
- CW61A Physical Capacities
- CW61B Mental Capacities

And

Inform client a written statement from a physician, health care

provider, licensed or certified psychologist may also be accepted,

which should include the following:

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

If all verifications are received including disability documentation, the IEES will complete the following steps:

- Approve the RCA application following program mandates

- Enter disability information in CalWIN through the Data Collection subsystem
- Run EDBC and authorize case as appropriate
- Run Exemptions in Wrap-Up which will add the exempt status in the Employment Services Subsystem
- Update CalWIN Case Comments
- Complete the Refugee Cash Assistance Quality Assurance Checklist (F063-50-44) to inform the Continuing Employment Eligibility Specialist (CEES) of exemption details in the EXEMPTION section.
- Send documents to the Centralized Mail and Imaging Center (CMIC) for imaging
- Email an electronic copy of the Case Transfer Form (F063-02-240) to his/her supervisor indicating the case has been imaged in OnBase and ready for transfer to the regionally designated RCA/CEES.

**EXEMPTION
EVALUATION
AFTER
EMPLOYMENT
REGISTRATION**

If all verifications are received, including confirmation that the RCA applicant has registered with the RES provider, but the disability documentation to grant a medical or mental exemption is not available, the IEES will complete the following steps:

- Approve the RCA application to not delay the RCA 30-day processing requirement
- Update CalWIN Case Comments, documenting the date the CW61 was given or mailed to the client.
- Complete [Refugee Cash Assistance Quality Assurance Checklist \(F063-50-44\)](#) to inform the CEES of the pending CW61 – in the EXEMPTION section of the form.
- Complete a [CalWORKs/RCA Communication Document F063- 41-70](#) per current business processes, within one (1) business day, to have the Regional RCA/CEES assigned
- Send documents to the CMIC for imaging
- Email an electronic copy of the [Case Transfer Form \(F063-02-240\)](#) to his/her supervisor indicating the case has been imaged in OnBase and ready for transfer to Continuing

RCA/Continuing Employment & Eligibility Specialist (CEES) steps:

Upon receipt of the RCA case the regionally designated

RCA/CEES shall:

- Review CalWIN/OnBase as appropriate
- Review Refugee Cash Assistance Quality Assurance Checklist (F063-50-44) for pending items, i.e. CW61
- Set controls to monitor for the return of the CW61 and/or the medical or mental exemption end date, per current business process.

Once the required documentation to evaluate a pending exemption is received, the RCA/CEES shall make a determination to approve or deny the exemption request.

Exemption Approved

The RCA/CEES shall notify the RES Provider of the exemption approval utilizing the [RS18 \(Refugee Services Information Transmittal form\)](#) to close the RES case if the exemption period exceeds the remaining months of RCA eligibility.

Exemption Denied

The CEES shall send the RS 18 to notify the RES Provider of the exemption denial and to continue with the requirements of their RES activities.

RCA/CEES will complete a monthly contact with exempt RCA recipients if the exemption is expected to end prior to the RCA 8-month time limit. The contact may take place in person or on the telephone, and must be documented in CalWIN Case Comments.

Note: When an exemption ends prior to the 8-month time limit, the RCA/CEES will complete the [RS 3 Service Provider Referral/Notification Form](#) within one (1) business day to have the mandatory client register with a Regionally designated RES Provider as a condition of their ongoing RCA eligibility.

ONGOING COMMUNICATION

The Client Tracking Form (RS 3A) is used by the RES Provider to report changes in the residence, health, employment, and non-cooperation/cooperation status of all mandatory RES participants to the RCA eligibility worker in a timely manner. A new RS 3A form will be completed for each reported change/update.

Refugee Services Information Transmittal (RS18) is used by the RCA/CEES to advise the RES Provider of the change in status of the mandatory RES participant via fax or [secure]

email.

When the [RS 18](#) is sent via fax, the RCA/CEES shall send an email to the RES Provider, acknowledging that an RS 18 was faxed.

Some instances in which the RCA/CEES will submit the RS 18 to the RES Provider are:

Section I. Client Status Changes:

- Client continues as mandatory referral – when a request for exemption from RES results in the RCA recipient not meeting exemption criteria.
- Client no longer mandatory referral:
 - Exempt (State Reason)
 - Other (State Reason)
- Good cause was/was not established - indicate reason
- Sanction imposed - indicate sanction date

Section II. Changes to Client's Personal Data:

- New Address
- New Telephone Number
- Transfer to another aid program (use when the RCA pregnant woman transfers to CalWORKs in the third trimester)
- Clients reported employment to the RCA/CEES

**EXEMPTION,
GOOD CAUSE,
NON-COOPERATION
OF MANDATORY RCA
PARTICIPANTS**

The purpose of the good cause and compliance process is to give each mandatory RES participant who has failed or refused to comply with RES Program requirements an opportunity to demonstrate good cause or agree to a Compliance Plan, prior to being sanctioned and discontinued from RCA.

The RES Provider tracks a participant's progress on a weekly and monthly basis. When the actions of a RES participant result in the need for an evaluation of exemption from participation, determination of good cause for non-participation, or non-cooperation in an assigned activity, the RES Provider completes and sends the [RS 3A Client Tracking](#) to the assigned RCA/CEES to advise them of the situation.

**GOOD CAUSE
DETERMINATION**

For RCA Applicants:
An applicant for RCA shall not, without good cause and within 30 consecutive calendar days immediately prior to the

application for assistance, have voluntarily quit employment or have refused to accept an offer of employment or employment-directed education/training.

For RCA Recipients:

If a recipient fails or refuses to participate in the RES, a good cause determination shall be made within 10 working days:

The RCA/CEES shall conduct a face-to-face or phone interview with the individual prior to making a good cause determination.

- The RCA/CEES must send [RCA 43, RCA Notice of a Participation Problem](#) to the participant to schedule an office or phone interview within 10 working days of becoming aware of the situation to discuss exemption good cause, or non-cooperation.
- If the RCA recipient contacts the RCA/CEES prior to the scheduled cause determination interview to request a rescheduling, the individual shall be permitted one rescheduling of the interview.
- This rescheduled interview shall take place within 10 working days that the RCA/CEES is informed of the recipient's failure to cooperate or within 30-days of the date that the recipient failed to cooperate, whichever occurs first.
- If the recipient does not keep the initial or rescheduled face-to-face/phone appointment for the cause determination interview, a cause determination shall be made from available information.

Good cause exists when:

- The individual was ill or was required to care for an ill member of the Assistance Unit (AU) because no other care arrangements were available; or
- The employment or training was unavailable due directly to a bona fide strike or lockout; or
- The individual would be required to work for an employer contrary to the conditions of his/her existing membership in the union; or
- The employment or training site violated applicable health and safety laws and regulations; or
- The employment or training was in excess of the individual's mental or physical capacity; or
- The daily/weekly hours of work exceed those

customary to the occupation; or the individual had a definite offer of full-time employment (100 hours or more per month); or

- The individual was prevented from participating or reporting due to physical or mental incapacity; or
- The employment or training violated laws and regulations pertaining to discrimination based on age, sex, race, religion, color, national origin, marital status, political affiliation, or handicap.

The RCA/CEES worker shall impose a sanction/discontinuance from RCA on individuals who do not agree to a compliance plan, or when a compliance plan is unsuccessful for failure to cooperate/participate without good cause.

NOA Issuance: **M69-207 RCA Disc - Failure to Meet Employment Requirements**

**GOOD CAUSE/
EXEMPTION
FOUND**

If the client is found to have good cause, the RCA/CEES shall send the [RS 18](#) to the RSS Provider, indicating that the participant has good cause for non-cooperation.

If the client is found to meet exemption criteria, the RCA/CEES shall send the [RS 18](#) to the RES Provider, indicating that the participant is exempt from participation with the exemption not to exceed the 8-month time limit, and to discontinue the client's RES Program. If all other eligibility criteria exist, the client will continue receiving RCA as an exempt recipient.

**GOOD CAUSE/
EXEMPTION
NOT FOUND**

If the RCA/CEES determines the individual does not have good cause, or is not exempt for failing or refusing to comply with program requirements, the RCA/CEES shall develop a compliance plan to correct the instance of nonparticipation prior to sanctioning the individual.

The RCA/CEES shall:

- Develop a compliance plan with the non-compliant individual either over the telephone or face-to-face.
- If the non-compliant individual did not keep the face to face/phone appointment, the RCA/CEES shall develop a compliance plan on behalf of the client.
- Send the client a completed [RCA 44, RCA Notice of No Good Cause Determination and Compliance Plan Appointment](#), stating the proposed plan in the

“Compliance Plan” section.

- Send a copy of RCA 44 to the RES provider to inform them of the conditions of the compliance plan and to begin monitoring compliance.

**DURING
THE 30-DAY
COMPLIANCE
PLAN**

The RES Provider monitors and reports participant’s compliance to eligibility worker immediately or at the end of 30 days, as appropriate:

- Non-compliance with a compliance plan could occur within one week of monitoring the participant when the activity requires daily attendance.
- The RES Provider sends [RS 3A Client Tracking](#) to the RCA/CEES stating the participant’s cooperation or non-cooperation with the compliance plan.

**UNSUCCESSFUL
COMPLIANCE**

If the individual does not fulfill the terms of a written compliance plan, and the eligibility worker determines, based on available information, that the individual did not have good cause for failure to meet the terms of the plan, the eligibility worker shall send a notice of action to impose a sanction. If a sanction is imposed, no further compliance procedures are applicable.

When the RCA/CEES receives [RS 3A Client Tracking](#) from the RES Provider informing that the participant is not cooperating, the RCA/CEES shall:

- Complete CalWIN case actions and Case Comments and send appropriate 10-day NOA to impose a sanction. (**M69-207 RCA Disc - Failure to Meet Employment Requirements**)
- Complete and send [RS 18](#) to the RES Provider indicating the effective date of the sanction/discontinuance of RCA, and to discontinue mandatory RES case management.

**SUCCESSFUL
COMPLIANCE**

The RCA/CEES receives [RS 3A Client Tracking](#) from the RES Provider informing that the participant is cooperating.

- The RCA/CEES will record in CalWIN case comments the reported compliance.
- No further action is required.

REFERENCES

MPP 69-200; Refugee Coordinator Letter 06-03; EAS 42-712;
CW [Policy 100-F1 WTW Exemptions](#)

ATTACHMENTS

- [RS36 Employment and Training Requirements for RCA](#)
- [RS3 Service Provider Referral/Notification Form](#)
- [RS3 Completed Service Provider, Referral/Notification form Example](#)
- [Refugee Service Providers Map](#)
- [RS18 Refugee Services Information Transmittal](#)
- [RS 3A Client Tracking](#)
- [RCA 43 RCA Notice of Participation Problem](#)
- [RCA 44 RCA Notice of No Good Cause Determination and Compliance Plan Appointment](#)

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