

35. Deferred/Good Cause

35.1 Good Cause for Not Participating [EAS 42-713 and 42-721]

35.1.1 Definition

An individual shall be excused from participation in welfare-to-work activities for good cause when it is determined that there is a condition or other circumstance that temporarily prevents or significantly impairs the recipient’s ability to be regularly employed or to participate in welfare-to-work activities as specified in this section.

The criteria for determining good cause for not participating may be applied to an isolated incident. When the good cause determination is for an isolated incident the individual may resume the appropriate activity. On the other hand, some good cause determinations may be based on a projected length of time.

An individual who is excused from welfare-to-work participation for good cause is subject to the CalWORKs 60-month time limit.

35.1.2 Verification

The individual is required to cooperate with the county and provide information, including written documentation, as required to complete the review. Document good cause in the [Maintain Case Comments] window in CalWIN and forward verification to the Integrated Document Management (IDM) station.

35.1.3 CWES Worker Action

If the CWES Worker determines that the individual has good cause for not participating, take appropriate action as follows:

If...	Then...
The good cause determination is for an isolated incident, i.e., dentist or doctor visit,	The client may resume the appropriate activity.
The client has signed a CalWORKs time limited plan and has verification of good cause for not participating for a period of time that is less than 30 calendar days, but at least 50% of participation requirements,	The CWES Worker will re-refer the client to the correct activity once this period ends.

If...	Then...
The client has verification of good cause for not participating for a period that is expected to last 30 calendar days or more, and meets possible exemption criteria,	Have the client complete a “CalWORKs Time-Limit and Welfare-to-Work Participation Exemption Request Form” (CW 2186A), then forward documentation to the Eligibility Worker.
The Good Cause reason does not meet Exemption criteria or an exemption is not approved for an individual when the intended period of good cause for not participating is 30 calendar days or more,	The CWES Worker will end date the Registration status in CalWIN, add Deferred-Good Cause status, and enter the reason for the Good Cause. The worker must enter a Review Date of 30 days from the current date on the Reasons window. The CWES Worker will review the client’s ability to participate on a month-to-month basis and update CalWIN as appropriate. When the Good Cause has ended, the worker must end the Deferred-Good Cause status and enter the Registered status in CalWIN and re-refer the client to the correct activity.



Reminder:

CWES Workers must enter the proper status on the activity if the client was referred or participating in an activity.

35.1.4 Monthly Review

The CWES Worker shall review the good cause determination on a month to month basis for its continued appropriateness based on the projected length of the condition, or circumstance, as specified on the verification received.

When the good cause period is due, the CWES Worker can:

- Continue good cause, or
- End good cause based on the current circumstances.

35.1.5 Conditions for Good Cause

Conditions that may be considered good cause for not participating in welfare-to-work activities include, but are not limited to, the following:

Illness/Injury

An individual may be temporarily excused from participation if the CWES Worker determines that the individual is temporarily ill, or is physically or mentally unable to participate in welfare-to-work activities.

Court/Incarceration

The individual is required to appear in court or is temporarily incarcerated.

Family Crisis

The individual is experiencing a family crisis or change of individual or family circumstances, such as:

- Death of a spouse, parent, or child.
Note: For death of child, good cause is to be granted a minimum of two months, beginning with month of death, and evaluate for Family Services.
- Illness of a spouse, parent, or child which requires the individual's immediate attention.

Lack of Necessary Supportive Services

The individual is in need of transportation or work or training related expenses paid to participate, and these have not been provided.

Child Care

Licensed or exempt child care is not reasonably available during the individual's hours of training or employment; or transportation to and from child care is not available; or sick child, child care is not available, or other arrangements have broken down or have been interrupted for:

- A child 12 years old or younger, or
- A child who is in foster care or is an SSI recipient and who is not included in the assistance unit.

"Reasonable availability" for this section means child care that is commonly available in the participant's community to a person who is not receiving aid.

Homelessness

The individual is considered homeless when verification is received that the AU:

- Lacks a fixed and regular nighttime residence, or
- Has a primary nighttime residence that is a supervised publicly or privately operated shelter designed to provide temporary living accommodations, or
- Is residing in a public or private place not designed for, or ordinarily used as a regular sleeping accommodation for human beings, such as a hallway, bus station, lobby, or car.

Domestic Abuse

The individual is a victim of domestic abuse and participating would be harmful to the individual or his or her family.

Inappropriate Work or Training

The employment, offer of employment, activity, or other training for employment is one that meets any of the following conditions:

Condition	Description
Discrimination	Discrimination at the job or training because of race, religious creed, color, national origin, ancestry, sex, marital status, disability, medical condition (cancer-related), age, political belief, organizational affiliation, or sexual orientation.
Travel (Remoteness)	<ul style="list-style-type: none"> • Travel to work or training from the individual's home is more than two hours round trip by car, bus or other transportation, or • Walking is the only available means of transportation and the round-trip is more than two miles. The limit on travel and mileage does not include transportation time or mileage to take family members to and from school or to and from another place providing care. <p>Note: An individual who fails or refuses to comply with program requirements based on the remoteness of the employment, offer of employment, activity or other training for employment shall be required to participate in community service.</p>
Excess Hours	The job requires more daily or weekly hours than is normal or customary.
Health and Safety	Conditions at the job or training violate health and safety standards or that could cause serious injury or death.
Worker's Compensation	The job or work activity does not provide Worker's Compensation Insurance.
Union Membership	Accepting a job or work activity would cause the individual to violate the terms of his/her union membership.
Interruption	Accepting a job or work activity would interrupt or interfere with an approved education or training assignment, except Work Experience or Community Service.

35.2 Good Cause in CalWIN

35.2.1 General

When a client has a good cause (temporary excuse) for not participating in a welfare-to-work activity, the CWES Worker must:

- Document the good cause incident in the [Maintain Case Comments] window in CalWIN for ALL good cause incidents.
- Add the current good cause status on the “Registration Tab” of the [Maintain Employment Services Participation] window and record the good cause reason in the [Maintain Registration Status Reason] window when the Good Cause will last longer than 30 days.
- Record no More than 16 hours of monthly excused absences or 80 hours in the preceding 12-months in the [Attendance] tab. Additional excused absences must be included with the good cause documentation with case comments.

