

12. U-Parent Deprivation

12.1 Definitions [41-440.1]

12.1.1 Unemployed Parent Program (U-Parent)

A child is considered deprived of parental support and care when the principal earner parent is unemployed and no other basis of deprivation exists.

12.1.2 Unemployed Parent

An unemployed parent is a natural or adoptive parent with whom a child is living (both parents must be in the home) and who:

- Is the principal earner, AND
- Is not working, OR
- Meets the following criteria:

IF ...	AND ...	THEN ...
The PE U-parent is an applicant,	Is employed 100 hours or more per four week period,	U-parent deprivation does not exist.
	Is employed under 100 hours but is expected to work over 100 hours in the following four weeks,	
	Is employed under 100 hours per four week period, OR Is employed 100 hours or more in a particular four week period, but the work is intermittent and the excess over the 100 hours is temporary in nature as evidenced by: <ul style="list-style-type: none"> • His/her hours of employment were less than 100 hours in the two prior four week periods, AND • His/her hours of employment are expected to be less than the 100 hours in the succeeding four week period, 	U-parent deprivation exists.
The U-parent is a recipient,	Is employed 100 hours or more per four week period.	U-parent deprivation continues.

**Note:**

Once an applicant case is found eligible under the U-parent program and becomes a recipient, the 100 Hour Rule no longer applies.

**Reminder:**

Parents in On The Job Training, Public Services Employment and parents in JTPA Employment are considered employed (for purposes of deprivation) if participating over 100 hours.

12.1.3 Principal Earner

The principal earner is whichever parent (both parents of the child are in the home) earned the greater amount of income in the 24 month period, the last month of which immediately precedes either:

- The application month when the application is based on the unemployment of the parent. [[Refer to "Date of Application," page 12-2](#)]

OR

- The date the family circumstances changed (after application date) to meet the requirements of unemployment deprivation definition (e.g., parent returns to the home).

When either parent can qualify as the principal earner because both parents earned an identical amount of income in the applicable 24 month period the EW in consultation with the parents, must determine who to designate as the PE.

12.1.4 Date of Application

For purposes of determining the principal earner (U-parent) the application date is:

- The date of the last request for U-parent (this includes a restoration with less than one calendar month break in aid), OR
- The date of the interprogram status change, e.g., CalWORKs FG to U-parent (absent parent returns unemployed), OR
- The date of the interprogram transfer; e.g., a change from RCA to CalWORKs.

12.1.5 U-Parent Principal Earner

The U-parent PE is the parent establishing a basis of deprivation due to unemployment. The parent can be included or excluded from the AU. The designation refers only to the parent establishing the basis of deprivation and does not include the other parent of the child(ren).

12.1.6 Exempt U-Parent Principal Earner

The exempt U-parent PE is the U-parent principal earner who is exempt from work registration. The determination of work registration status is completely separate from the determination of principal earner. Therefore, there may be circumstances when the U-parent principal earner is exempt from Employment Services registration.

12.1.7 Unemployed

The applicant PE must always meet the definition of unemployment. [Refer to “Unemployed Parent Program (U-Parent),” page 12-1] of this section.] The term UNEMPLOYED includes:

- Those not working, OR
- Those working less than 100 hours in a four week period.

12.2 Requirements to be Met in Order to Establish Deprivation Due to Unemployment [EAS 41-440.2 & WIC 11201]

U-parent deprivation is when the child's natural or adoptive parent who is the principal earner is unemployed.

12.2.1 Waiting Period

The principal earner must have worked less than 100 hours in the four (4) week period prior to the beginning date of aid.

12.2.2 Social Security Number

The principal earner must possess or apply for a Social Security Number. Refer to [“Obtaining an SSN,” page 7-1.]

12.2.3 100 Hour Rule for U-Parent Deprivation

The applicant principal earner must have been unemployed or employed less than 100 hours in the four weeks (28 calendar days) prior to the date of application.

When the applicant has worked in the last four weeks (28 calendar days), the EW will determine the beginning date of aid by looking at the past four weeks (28 calendar days) from the date of application.

If the applicant was...	Then...
Employed less than 100 hours,	The family is eligible effective the date of application.
Employed 100 hours or more,	The family is not eligible effective the date of application.
Not eligible effective the date of application,	Start counting the four weeks (28 calendar days) from the day after the date of application to determine the four week period. Continue day by day until you have a four week period with hours less than 100. This date determines the beginning date of aid for U-parent deprivation.

The four week (28 calendar days) period changes daily according to the applicant's circumstances.



Example:

The applicant principal earner quit his job on August 13th and applied for CalWORKs on August 14. He worked a total of 89 hours in the four weeks (28 calendar days) prior to August 14. This applicant's four week period for U-parent is met the date of application. This family is eligible August 14.



Example:

The applicant principal earner's employment terminated on May 20. The customer applies for CalWORKs on May 21. He actually worked three full 40 hour weeks in May totaling 120 hours. The four week period begins on May 21 (the day he was terminated from full-time employment) and the beginning date of aid for U-parent is June 18.



Example:

The applicant principal earner's employment terminated on May 8. His work hours varied in the prior four weeks. The work hours are shown on the chart below. As of the date of application (May 8) the applicant had 116 hours of employment in the prior four week period. See chart below to determine beginning date of aid.

	Sun.	Mon.	Tues.	Wed.	Thurs.	Fri.	Sat.
Fourth Prior Week						4/10/06	
		8	8	8	8	8	
Third Prior Week						4/17/06	
		8	8	8	8	8	
Second Prior Week						4/24/06	
		8	8	8	8	8	
First Prior Week						5/1/06	
		4	4	4	4	4	
Date of Applic. 5/8/06						5/8/06	5/9/06
			8			8	
	5/10/06	5/11/06	5/12/06	5/13/06	5/14/06	5/15/06	
					BDOA		

As of 5/9/06, the applicant had 116 hours of employment in the prior four weeks.
 As of 5/10/06, the applicant had 116 hours of employment in the prior four weeks.
 As of 5/11/06, the applicant had 116 hours of employment in the prior four weeks.
 As of 5/12/06, the applicant had 108 hours of employment in the prior four weeks.
 As of 5/13/06, the applicant had 100 hours of employment in the prior four weeks.
 As of 5/14/06, the applicant had 92 hours of employment in the prior four weeks.

The beginning date of aid (BDOA) for U-parent deprivation is 5/14/06.



Reminder:

If it appears that the applicant will be eligible within 60 days, the EW must keep the case in pending status until the application can be approved or denied. [Refer to "Deferrals," page 5-5].

12.2.4 Non-Participation in a Strike

The principal earner must not be unemployed as a result of his/her participation in a strike. [Refer to “Definitions [EAS 80-301],” page 25-1].for definition of strike.]

12.2.5 Application for UIB

The apparently eligible principal earner must apply for and accept UIB even if exempt from work registration. The principal earner who is required to register for work must also cooperate in continuing to maintain UIB eligibility. [Refer to “Application for UIB,” page 12-6].]

12.2.6 Work Related Training

The principal earner who is in an approved work-related training program, is required to participate in and fulfill the requirements of the program. Employment Services will approve or disapprove work-related training programs.

12.2.7 Register for Work, Unless Exempt

The principal earner must register for work unless exempt. The principal earner who is exempt for any reason does not have a work registration requirement.

The U-parent who must register for work, and who is not working or who is employed less than 100 hours is required to cooperate with Employment Services, and be available for and seeking employment or be accepted for or participating in a training program which is essential to future self support, and which is approved by Employment Services.

The EW will follow the CalWIN On-Line Users Manual (OLUM) procedures to register the U-parent with Employment Services in CalWIN.

Employment Services must complete an appraisal within 20 working days from the date of work registration. The Employment Services appraisal will:

- Determine if the customer meets the criteria for deferral.
- Review with the customer:
 - The available Employment Services services
 - The individual's responsibilities, and
 - The consequences of failing to participate.
- Advise the customer of the right to appeal, conciliate and grieve.
- Determine to which component the non deferred registrant should be assigned.
- Identify needed supportive services.
- Enter into a basic contract with the registrant.

When the U-parent is not eligible for Employment Services, that parent must:

- Accept a bona fide offer of employment or employment related training.
- May continue existing employment.
- Participate in employment related training.
- Appear for interviews with an employer.

12.3 Deprivation Status Changes

When the U-parent becomes incapacitated, the deprivation must be changed to incapacitated. When the U-parent recovers and is still unemployed, the deprivation must be changed back to U-parent.

12.4 Documenting the Unemployment of the Principal Earner [WIC 11201]

12.4.1 Request for Information from Employer

A "Request for Information from Employer" (SC 549) is required from the applicant's current or previous employer to support a determination that deprivation is due to the unemployment of the child's parent(s).

The SC 549 is sent to the current employer for every principal earner at time of application, and to the previous employer if the principal earner has quit or lost his/her job within the last four weeks (28 calendar days).

- Complete the SC 549 and scan a copy into the case record.
- Document the **Maintain Case Comments** window with the date the SC 549 was sent.
- Enclose a pre-addressed return envelope.
- Enter the EW's District Number in the lower left-hand corner of the envelope.

In emergency situations, the SC 549 may be hand-carried to the employer by the applicant with follow-up telephone contact between the EW and the employer to verify that the statements are true and correct. Document in the **Maintain Case Comments** window of CalWIN the date the SC 549 was given to the applicant and the follow-up telephone contact with the employer.

Aid is not granted until the completed SC 549 has been returned, unless:

- A letter approving or denying a current application for UI benefits has been viewed and documented on the SAWS 2, OR

- The employer has been given 10 days in which to return the SC 549 but has failed to do so. The applicant's sworn statement on the "Statement of Facts for Cash Aid, Food Stamps and Medi-Cal/CMSP " (SAWS 2) is acceptable evidence.

Document why the application was approved prior to the return of the SC 549 in the **Maintain Case Comments** window of CalWIN.

The Social Services Program Manager (SSPM) may approve authorization of aid prior to the end of the 10 day waiting period when a hardship otherwise results and all evidence available indicates clear eligibility.

- When eligibility is cleared by exception prior to the expiration of the 10 day waiting period, the case must remain with the Intake EW for the full 10 days to allow for the return of the SC 549 before the case is transferred to a Continuing EW.

12.4.2 Statement from Employment Development Department

A statement from the Employment Development Department (EDD) will be accepted providing it indicates:

- The date the applicant was referred to On the Job Training, Public Services Employment or JTPA Employment. (If the applicant is participating over 100 hours per four week period he/she is considered fully employed.)

AND/OR

- The amount of UIB received by the applicant for one year previous to the date of application and the amount if any, he/she is receiving on the date of application. (UIB abstract)

12.4.3 The Work Number

The Work Number employment verification system is an agency used by employers to provide employment and wage verification.

The Work Number employment verification may be used in the same manner as information provided by the employer. The Work Number may also be used when required to contact an employer for other income determinations such as:

- Verification of the regularity of receipt
- The gross or net earnings
- Year-to-date earnings information.

EWs may contact the Work Number to verify recipient or applicant employment information, however, the Work Number should only be used as a secondary source of verification; the EW should first

contact the recipient or applicant to request additional information or records. CWES staff may use The Work Number to verify compliance with Employment Services.

[Refer to CP HB Section 21.9 for further details on how to access TheWork Number]

12.5 100 Hour Rule [WIC 11201].

The 100 hour rule continues to apply to U-parent APPLICANT cases to establish unemployed parent deprivation. [Refer to “100 Hour Rule for U-Parent Deprivation,” page 12-4].]

The 100 hour rule does not apply to RECIPIENTS.

12.5.1 Change in Deprivation

Once an applicant case is found eligible and payment is made under the U-parent program, the family is no longer subject to the U-parent deprivation rule. Eligibility is then based on income, property and age, unless deprivation changes (example: U-parent to incapacity).



Example:

U-parent family becomes eligible for CalWORKs on 4/2. On 4/30, the father finds full time employment at \$8.50 an hour. His gross monthly income will be (160 hours x \$8.50) \$1360. The 100 hour rule does not apply and the family remains financially eligible. They will be eligible for the \$550 and 50% disregards.



Example:

The absent father returns home to a continuing CalWORKs family. He is determined to be the Principal Earner (PE) and is employed over 100 hours. He is considered to be an applicant and the 100 hour rule applies. The family becomes ineligible for CalWORKs at the end of the current QR Payment Quarter. There is no change in the 100 hour rule for applicants.

