

# CALIFORNIA

## EMPLOYMENT LAW LETTER

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### JOB TRAINING

## Legislature strengthens CalFresh Employment and Training Program

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*CalFresh is an entitlement program that assists Californians who are unable to afford nutritious food necessary to support a healthy family. The state offers an employment and training program designed to facilitate higher employment levels and wages among benefit recipients. The California Legislature, supported by Governor Jerry Brown, continues to encourage and facilitate the passage of bills designed to strengthen the CalFresh Employment and Training Program (CFET) and make it more effective and accessible to all Californians.*

### **CalFresh nutrition assistance program**

CalFresh is a federally mandated, California-supervised, and county-operated entitlement program that provides monthly benefits to low-income households and allows families to purchase food necessary to maintain adequate nutrition. Benefit levels depend on family size, income, and monthly living expenses such as housing and utilities.

All California resident U.S. citizens and legal permanent resident children are eligible to receive CalFresh benefits. Others may also be eligible for benefits, subject to restrictions. CalFresh enrollees may be required to participate in employment and training activities such as searching for work, performing community service, or attending school. Able-bodied adults without dependents (ABAWDs) are limited to three months of CalFresh benefits in three years unless they qualify for an exemption or waiver or work at least 20 hours per week.

An integral part of CalFresh is the CFET, which is designed to assist recipients in gaining skills, training, work, or experience that will increase their opportunities

for regular employment and reduce their dependency on public benefits. On September 28, 2017, Governor Brown signed three bills to expand the CFET and increase access to better food and jobs for millions of Californians facing hunger and employment insecurity.

### ***Clarifying and broadening the CFET***

**Assembly Bill (AB) 563**, authored by Assemblymember Joaquin Arambula (D-Fresno), makes the following legislative findings:

- (1) Unemployed Californians who would like to work should be supported in their employment and training goals.
- (2) Underemployed Californians who are impoverished because of a lack of education or skills should not be relegated to poverty if they would like to improve their skills or education.
- (3) A strong safety net prevents the long-lasting harm of poverty and offers people an opportunity to exit poverty and earn enough to not need a safety net.
- (4) The federal Supplemental Nutrition Assistance Program (SNAP) Employment and Training Program makes available a limited amount of 100 percent funding and an uncapped amount of 50 percent reimbursement funding for states offering employment and training services to SNAP recipients.
- (5) The state makes funding available to participating counties based on their number of work registrants or ABAWDs.
- (6) The CFET helps low-income Californians complete training and education and receive the antihunger help they need to stay healthy while they work toward a future without poverty.
- (7) Approximately 35 of California's 58 counties participate in the CFET.

AB 563 amends the California Welfare and Institutions Code to further support CalFresh recipients in securing employment and exiting poverty. Specifically,

it exempts ABAWDs from mandatory placement in the CFET and expands CFET offerings to include job search training, Workforce Innovation and Opportunity Act activities, self-employment training, job retention, and subsidized jobs. The bill maintains the ability of the California Department of Social Services (CDSS) to contract directly with and receive federal government reimbursement on behalf of employment training providers.

### ***Encouraging CFET-ESE partnerships***

**AB 415**, authored by Assemblymember David Chiu (D-San Francisco), makes the following legislative findings:

- (1) California's employment social enterprises (ESEs) employ people, including parents, in transitional jobs and prepare them to face barriers to securing and retaining long-term employment such as low skills and education, criminal records, homelessness, substance abuse, and mental illness.
- (2) California's ESEs are funded with a mix of public and private dollars and are expected to employ more than 20,000 people in the next five years.
- (3) ESEs have experience in combining short- or long-term wage-paying employment that includes real work, training, and skill development with supportive services to participants who are overcoming significant barriers to employment. Thus, ESEs could leverage CFET funding to expand services to even more Californians.

The bill authorizes the CDSS to contract directly with ESEs, nonprofits, educational institutions, and other agencies to hire and assist Californians who are willing and able to work but face barriers in attaining employment. In addition to employment opportunities, such entities provide on-the-job skills development, counseling, and life-stability support such as food, clothing, transportation, and housing assistance. The department may receive federal reimbursement on behalf of an entity, provided the entity (1) complies with state and federal contracting requirements, (2) serves CFET participants who face multiple barriers to employment, and (3) offers evidence-based skills development that results in a demonstrable increase in employment rates and earnings.

### ***Expanding options for ABAWDs***

**Senate Bill (SB) 282**, the Reducing Hunger Among Vulnerable Californians Act of 2017, was authored by Senator Scott Wiener (D-San Francisco). Current federal law offers waivers on the time limits for ABAWDs in areas with high unemployment. If an ABAWD has a waiver, she is subject to the same work requirements as other adults receiving benefits but is not cut off from obtaining food aid if she is unable to find a job after three months.

California has operated under a series of statewide waivers from the ABAWD time limit, and the waivers are set to expire on August 31, 2018. Absent the waivers, approximately 150,000 ABAWDs will be required to meet the weekly work obligations or risk the three-month cutoff, putting them in jeopardy of losing food benefits. Nearly half of all ABAWDs are women or have only a high-school diploma or GED. Many face multiple challenges to self-sufficiency, including homelessness, physical and mental health limitations, language barriers, unstable employment histories, and criminal records.

SB 282, among other things, expands options for ABAWDs to meet CalFresh work requirements so they may continue to receive benefits. Specifically, the bill requires the CDSS to seek a federal waiver that would allow counties that do not have a waiver of the ABAWD time limit to use federal SNAP funds to pay for subsidized employment offered via the CFET.

### ***Bottom line***

CalFresh provides entitlement benefits to prevent hunger and malnutrition among low-income Californians. The CFET offers job training and services in an effort to improve employment rates over time, thus breaking the cycle of food insecurity. The new laws expand and streamline CalFresh participants' access to CFET training and support services and make it easier for the CFET to partner with third-party providers (e.g., ESEs) to make benefits more accessible to needy Californians.

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