

**County of San Diego, Health and Human Services Agency (HHSA)  
CalFresh Program Guide**

**Non-Compliance**

**Number**

**63-905**

**Page**

**1 of 3**

**Revision Date:**

01/01/2020

**Background:**

San Diego County's CalFresh Employment and Training (E&T) Program consists of four components, Workfare (WF), Supervised Job Search (SJS), Education and Work Experience/Apprenticeship (WE). Social Workers (SW) will make appropriate assignments to any or all components for non-exempt members of the target population.

This section has been revised to remove references to UJS, and add SJS, Education and WE components.

**Policy:**

**63-905.1 Cause Determination:**

When a participant does not fulfill the E&T program requirements by either failing to attend the scheduled assessment interview or complete the component assignment, the SW will make a cause determination for the failure.

Participants are required to notify the SW if they are unable to keep a scheduled interview or complete a component assignment. The cause determination is based on this notification or other known circumstances, including information received from the worker. If no notification or information is received, a "No Good Cause" determination will be made.

**63-905.2 Good Cause:**

A determination of Good Cause will be made if the reason for failure to comply meets any of the following criteria:

- Circumstances beyond the control of the E&T participant. Such circumstances include, but are not limited to:
  - Illness or incapacitation of the participant,
  - Illness or incapacitation of another household member which requires the presence of the participant,
  - A household emergency\*.
- Participant became exempt from the E&T work requirements.
- Household moved out of the area of the E&T Program.
- Cost of transportation and other expenses exceed \$50 per month and are not being reimbursed by E&T.

Verification of the above or similar circumstance is not required unless the household's statements are questionable. In such cases, document in the case file the reason the statement(s) was questionable, and the means used to resolve the question.

It is not necessary to contact the worker unless the information is questionable or the worker needs to know the good cause reason, i.e., change of address, became exempt, temporary job that may affect CalFresh allotment.

\*A reasonable judgment is expected to be made as to whether the nature of a given emergency is such that it would be unreasonable to expect the participant to complete the component.

A determination of No Good Cause will be made when the customer does not contact the SW or does not provide a reason for failure that meets "Good Cause".

**Aid Paid Pending:**

**County of San Diego, Health and Human Services Agency (HHSA)  
CalFresh Program Guide**

**Non-Compliance**

**Number**

**63-905**

**Page**

**2 of 3**

When a participant appeals an E&T disqualification and aid is paid pending the hearing, the participant's E&T case will remain closed. When the hearing decision is received, the Work Experience Appeals Liaison will forward a copy to the SW for action.

**Procedure:**

**Notification:**

After determining that the participant had "No Good Cause" for failing to complete the component assignment, notify the E&T Liaison of the CalFresh office of record via email that the customer has been dropped from the program. Also enter an "S" code in the Good Cause column of the E&T/Work Project Spreadsheet.

The cause determination by the SW is the final determination. The worker has no responsibility in determining whether or not the finding is correct.

If there is pertinent information not previously communicated to the SW, the worker is to notify the SW immediately so the removal of the participant from the program can be re-evaluated.

If no additional information is available, the worker will enter a case comment that the customer has been dropped from the program and will no longer participate in E&T.

**Ending a Disqualification Period:**

Participation in E&T is voluntary; therefore, individuals are not sanctioned for non-compliance. Participants who are non-compliant will remain registered for E&T but will be dropped from the program.

**Sanctioning of CalWORKs/CalFresh Households:**

When a public assistance CalFresh household member is sanctioned for not cooperating with CalWORKs Welfare to Work requirements, the participant will also be disqualified from CalFresh unless they meet another exemption (see 63-901.3). Send an appropriate NOA to the Household when they are disqualified from participating. (See processing Guide 905-01)

**Length of Disqualification Period:**

As the program is voluntary, participants are not sanctioned for non-compliance with the E&T Program.

However, if an individual failed to comply with the work requirements of a substitute program (CalWORKs), and does not meet another CalFresh work requirement exemption, the person must be disqualified from CalFresh for one, three, or six months, depending on the instance of non-compliance.

Instance of Non-Compliance	Length of Disqualification
First Instance	1 month
Second Instance	3 months
Third Instance	6 months

**Disqualifications applied to a Closed Case:**

Disqualify individuals who are determined to be subject to the disqualification even if the person or case is discontinued for another reason. In these situations, the worker will send the appropriate work disqualification NOA.

**County of San Diego, Health and Human Services Agency (HHSA)  
CalFresh Program Guide**

**Non-Compliance**

**Number**

**63-905**

**Page**

**3 of 3**

**Ending the Disqualification Period:**

After the worker has imposed a work registration disqualification, the disqualified individual may regain eligibility by:

- Reapplying; and
- Being otherwise eligible to CalFresh; and
- Agreeing to comply/complying with the work registration requirements; or
- Becoming exempt to the requirements of the work registration program.

**Other Program Impacts:**

No Impacts

**References:**

MPP 63-407 Work Registration Requirements

CFR 273.7 Work Provisions

ACL 10-11 Elimination of FS Sanctions for Non-Compliance with GR

**Sunset Date:**

This policy will be reviewed for continuance by 12/31/2022

**Approval for Release:**



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Eligibility Operations