

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

Program/Area: CalWORKS/Welfare-To-Work
Title: Welfare-To-Work Exemptions
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PURPOSE

To provide guidelines on Welfare-to-Work (WTW) exemptions.

The Employment and Eligibility Specialist (EES) is responsible for evaluating and granting the WTW exemptions and assisting in obtaining the supporting verification. Collaboration and communication between the EES and the Case Manager (CM) is critical to ensure compliance with this policy.

Refer to the WTW Exemptions Processing Guide for operational guidance and system entries.

POLICY

Individuals are required to participate in Welfare-to-Work (WTW) as a condition of eligibility to cash aid under CalWORKs (CW), unless they meet one of the following WTW exemption criteria:

- Age – under 16 years or over 60 years
- Cal-Learn participation
- Caring for an ill or incapacitated household member
- Caring for a Dependent Ward of Court or Foster Care Risk
- Child Exemptions
- Disability – physical/mental
- Pregnancy
- School Attendance
- Volunteers in Service to America (VISTA)

CW applicants and recipients may request a WTW exemption verbally or in writing via the CW 2186A - CalWORKs Exemption Request Form or any written statement. All WTW exemption requests must be approved or denied in writing within 15 calendar days from receiving the request using the CW 2186B - CalWORKs Exemption Determination.

Exemption options must be explained to determine which one is in their best interest including:

- Impact to the CW 60-month time limit
- Once-in-a-lifetime limitations
- Verification requirements
- Exemption duration timeframe

Individuals must be allowed 10 calendar days to provide supporting verification when required. Assistance shall be provided to help obtain the necessary verification. Exemptions will be denied if verification is not received by the 10-day deadline unless good cause exists. Missing or incomplete information may be verbally obtained if signed CW 61 is on file and the name of the person verifying the information is documented in the case via a Journal entry.

The effective date of an exemption is the first of the month in which the exemption is requested and supporting verification is received timely. Verification received after a request is denied will be treated as a new request, and the effective date may be delayed unless good cause exists. Exemptions that stop the 60-Month Time Clock (MTC) will end on the last day of the month. Exemptions that do not stop the 60-MTC will end when the exemption eligibility period ends which can be in the middle of the month.

When verification shows that the individual was actively seeking treatment prior to the exemption request date, the exemption must be granted retroactively for the months that verification is provided.

Exemptions must be reviewed 60 and 30 days prior to the exemption end date or when there is a change in the individual's situation to ensure timely WTW engagement. Refer to the following Effective Dates Examples.

Effective Date Examples:

Example 1: Exemption Begins Same Month as Request

- Exemption request date – January 5th
- Supporting verification due date – January 15th
- Supporting verification received date – January 10th
- Exemption begin date – January 1st

Example 2: Exemption Begins a Month After Request

- Exemption request date – March 15th
- Supporting verification due date – March 25th
- Request denied date – March 26th
- Supporting verification received date – April 3rd
- Exemption begin date – April 1st

Note: If good cause is granted, the beginning date is March 1st.

Example 3: Exemption Begins a Month Prior Request

- Exemption request date – June 10th
- Supporting verification due date – June 20th
- Supporting verification received date (indicating that the individual was seeking treatment since April 23rd) – June 19th
- Exemption begin date – April 1st

BOOKMARKS

- [Age](#)
- [Cal-Learn Participation](#)

- [Caring of an Ill or Incapacitated Household Member](#)
- [Care of a Dependent Ward of Court or Foster Care Risk](#)
- [Child Exemptions](#)
- [Disability – physical/mental](#)
- [Pregnancy](#)
- [School Attendance](#)
- [Volunteers in Service to America \(VISTA\)](#)
- [Two-Parent Households](#)
- [Exempt Volunteers](#)
- [Good Cause](#)
- [CalWORKs 60-Month Time Limit](#)
- [Forms](#)
- [Journal Entries](#)
- [References](#)
- [Attachments](#)

AGE	Children under 16 years of age and individuals over the age of 60 are exempt. In Two-Parent Households (HH) where the primary WTW participant turns 60 years of age and becomes exempt, the other parent will be mandatory unless they meet an exemption criterion. Refer to the Two-Parent Households section of this policy for more information on Two-Parent HHs.
CAL-LEARN PARTICIPATION	The Cal-Learn program is designed to assist CalWORKs eligible pregnant and parenting teens (under 19 years old) graduate from high school or earn an equivalent diploma. Therefore Cal-Learn participants are exempt. Pregnant and custodial parenting teens ages 18 or 19 with no high school diploma or equivalent, not participating in Cal-Learn, are required to participate in WTW for the purpose of earning a high school diploma or its equivalent, unless otherwise exempt. Refer to Policy 100-C7 – Cal-Learn Program and Policy 260 – Cal-Learn Case Management for more information on the Cal-Learn program.
CARE OF AN ILL OR INCAPACITATED HH MEMBER	Individuals are exempt when caring for an ill or incapacitated HH member residing in the same home and there is no other adult in the home to provide care. Caretaking responsibilities must impair the individual's ability to participate in WTW activities. This exemption may not be granted if the individual is currently meeting the WTW participation hours based on the Assistance Unit (AU) family type. This exemption also does not apply to Two-Parent HHs when one of the parents is WTW sanctioned as the sanctioned parent is available to provide care. Refer to the Two-Parent Households section of this policy for more information on

exemptions for Two-Parent HHs.

Acceptable verifications include:

- A written statement from a medical or behavioral health provider or a member of their staff indicating the:
 - disability and whether chronic or acute,
 - onset date,
 - expected duration, and
 - need someone to provide care.
- WTW 112 - Care of a Household Member Verification
- CW 61 - Authorization to Release Medical Information and
- CW 61A - Physical Capacities and/or
- CW 61B - Mental Capacities as needed.

**CARE OF A CHILD
DEPENDENT/WARD
OF THE COURT OR
AT RISK OF FOSTER
CASE PLACEMENT**

Aided caretakers are exempt when caring for a child who is:

- A dependent or ward of the court,
- Receiving Kin-Gap benefits, or
- At risk of placement in foster care, as determined by the County.

The aided caretaker's responsibilities must be beyond the normal day-to-day parenting responsibilities and must impair their ability to participate in WTW. If the aided caretaker meets the mandated WTW participation hours, the exemption will not continue.

Acceptable verifications include:

- Court documents verifying whether the child is a dependent or ward of the court, or
- Documentation or confirmation from the Children and Family Services Senior Social Worker verifying that the child is at risk of placement in foster care.

**CHILD
EXEMPTIONS**

Parents or caretakers may be exempt when they meet one or more of the Child Exemptions. The three Child Exemptions noted below must be explained to assist in deciding which exemption is in their best interest. The exemption duration period, once-in-a-lifetime limitations, and the impact to the CW 60-month time limit must be explained.

In a Two-Parent HH, only one parent may be granted a Child Exemption at a time. However, parents have a one-time option to alternate these exemptions as long as one parent is not sanctioned. Refer to the Two-Parent Households section of this policy for additional information on this exemption for Two-Parent HHs.

First Child (Birth to 6 Months)

A parent or caretaker responsible for providing care to the first child (while on aid) who is six (6) months of age or younger may be granted this once-in-a-lifetime exemption. The exemption begins on the first day of the month in which the child is born or adopted and ends on the day the child turns six (6) months old. If there

is break-in-aid for 30 days or less, this exemption may resume for remainder of the eligible period, but it cannot be transferred to another Assistance Unit (AU). Refer to the example below for begin and end dates.

Example 1

Child's birthdate – March 14, 2025

Exemption begin date – March 1, 2025

Exemption end date – September 13, 2025

On a case-by-case basis, this exemption may be reduced to the first 12 weeks or extended to the first 12 months after the birth or adoption of the child based on any of the following:

- Availability of childcare for infants, infants with special needs, or non-traditional hours
- Local labor market conditions
- Extenuating circumstances such as natural disasters or national emergencies
- Other reasons beyond the parent's or caretaker's control

Subsequent Children (Birth to 12 Weeks)

A parent or caretaker (previously exempt for caring for the first child six (6) months and under) may be exempt for 12 weeks upon the birth or adoption of any subsequent child. The exemption begins on the first day of the month in which the child is born or adopted and ends on the day the child turns 12 weeks old. This exemption is not limited to once-in-a-lifetime. Refer to the example below for the beginning and end dates.

Example 1

Child's birthday – September 11, 2025

Exemption begin date: September 1, 2025

Exemption end date: December 3, 2025

On a case-by-case basis, this exemption may be extended to six (6) months after the birth or adoption of the child based on any of the following:

- Availability of childcare for infants, infants with special needs, or non-traditional hours
- Local labor market conditions
- Extenuating circumstances such as a natural disaster or national emergencies
- Other reasons beyond the parent's or caretaker's control

Young Child Exemption (Birth to 23 Months)

A parent or caretaker responsible for caring for a child from birth to 23 months may be granted this exemption once in a lifetime. This exemption begins on the first day of the month on which the child is born or the date the exemption is requested (whichever comes later) and ends on the last calendar day of the child's 23rd month. If there is break-in-aid for 30 days or less, this exemption may resume

for remainder of the eligible period, but it cannot be transferred to another AU. Refer to examples below for begin and end dates.

- Example 1: Birthdate and Request Date on Same Month
 - Child's birthdate – January 15, 2023
 - Exemption request date – January 22, 2023
 - Exemption begin date – January 1, 2023
 - Exemption end date – January 31, 2025

Note: In this example the child is 23 months in December 2024 and January 2025.

- Example 2: Birthdate and Request Date Not on Same Month
 - Child's birthdate – April 1, 2023
 - Exemption request date – May 15, 2023
 - Exemption begin date – May 1, 2023
 - Exemption end date – March 31, 2025

DISABILITY – PHYSICAL/MENTAL

Individuals may be exempt based on a physical or mental disability when the disability is expected to last at least 30 calendar days, and it significantly impairs the ability to participate in WTW. This exemption may not be granted if the individual is currently meeting the WTW participation hours based on the AU family type. Exemption must be granted for the entire duration of the verified disability while the individual is seeking treatment. Exemptions must be reviewed 30 calendar days before the exemption ends or 30 calendar days before the CW Re-evaluation (RE) for chronic/permanent disabilities.

A disability exemption may be granted retroactively when:

- The individual was seeking medical treatment prior to the exemption request, or
- There is a delay in granting exemption for reasons beyond the individual's control such as delays caused by the healthcare provider or agency.

The individual must provide verification from a healthcare provider indicating the disability, the expected duration of the disability, the extent to which it impairs WTW participation, and that the individual is actively seeking medical treatment.

A healthcare provider includes:

- Physicians/doctors
- Licensed/certified psychologists
- Marriage and Family Therapists or Licensed Clinical Social Workers licensed by the State's Board of Behavioral Health Sciences

Acceptable verifications include:

- A written statement from a healthcare provider or a member of their staff indicating the:
 - disability and whether chronic or acute,
 - onset date,
 - expected duration,

- impact on WTW participation, and
- confirmation that the individual is actively seeking medical treatment.

Note: The statement must align with the healthcare provider's credentials. For instance, verification of a leg fracture is acceptable from a physician or doctor, but not from a psychologist.

- An award letter from any of the following disability-based benefits:
 - State Disability Insurance (SDI)
 - Supplemental Security Income/State Supplemental Payment (SSI/SSP)
 - Title II Retirement, Survivors and Disability Insurance (RSDI)
 - Veteran's Administration (VA)
 - Worker's Compensation

Note: The beginning and end dates on the award letter will be used for the exemption duration period.

- The CW 61 - Authorization to Release Medical Information form and the CW 61A - Physical Capacities and/or CW 61B Mental Capacities form when the information on the CW61 is not sufficient to determine the extent to which the disability impairs WTW participation.

PREGNANCY

Prior to January 1, 2022, pregnant individuals requesting a WTW exemption were required to verify a medical impairment which prevented them from participating in WTW. Effective January 1, 2022, all pregnant individuals are exempt and are no longer required to verify a medical impairment; however, verification of pregnancy is still required. WTW sanctions imposed on or after January 1, 2022, for failure to participate in WTW must be lifted upon granting the pregnancy exemption.

An initial 30-day exemption may be granted after receiving a sworn statement signed under penalty of perjury or verbal attestation of pregnancy. The exemption may be extended for the duration of the pregnancy if medical verification of the pregnancy is received within the 30-day timeframe after the sworn statement or verbal attestation is received. The exemption will end after the 30th day when medical verification is not received within the 30-day deadline. If verification is received after the 30-day timeframe, the exemption is considered a new request and shall be granted with an effective date of the first of the month in which verification is received.

Note: If medical verification of the pregnancy is provided on the same day as the initial request, the exemption may be granted for the duration of the pregnancy without the initial 30-day exemption.

The sworn statement or verbal attestation must include:

- The pregnant individual's name, and
- CW application date or Pregnancy Special Need (PSN) request date.

Additionally, verbal attestations must also include:

- Verbal attestation date and time,
- A summary of the information the client verbally agrees to, and
- The response confirming agreement or disagreement with the verbal attestation

Acceptable medical verification is a written statement confirming the pregnancy and the expected delivery date from any of the following:

- Physician
- Physician's assistant
- State-certified nurse midwife
- Nurse practitioner
- Medical or clinic staff with access to the patient's medical record

The pregnancy exemption counts toward the CW 60-month time limit. However, pregnant individuals may be granted a disability exemption which does not count toward the CW 60-month time limit. Both exemption options must be explained to determine which one is in the individual's best interest.

SCHOOL ATTENDANCE

Prior to January 1, 2023, individuals aged 16 or 17 who did not attend school full-time lost their once-in-life time WTW and were required to participate in WTW with school as their WTW activity. Effective January 1, 2023, the once-in-a-lifetime exemption limit was removed. Therefore 16- or 17-year-olds may again receive the exemption by resuming full-time school attendance.

Individuals 16, 17, or 18 years old attending a school grade 12 or below, vocational, or technical school full time are exempt.

Individuals 16 or 17 years old who have completed high school or its equivalent and enrolled or planning to enroll in post-secondary education, a vocational or technical school are exempt. A written statement from the individual or the parent expressing the intent to enroll in an educational program for each school term is acceptable verification for this exemption. Refer to:

- WT 62 – CalWORKS Teens Exempt from Welfare-to-Work
- Policy 100-E8 - Eligibility for Teens Turning 18
- Policy 223 – Vocational Training - Privately Funded Postsecondary Institutions
- Policy 223-A – Vocational Education and Training- Publicly Funded Postsecondary Institutions

VOLUNTEERS IN SERVICE TO AMERICA (VISTA)

Volunteers in Service to America (VISTA) is an anti-poverty program designed to provide needed resources to nonprofit organizations and public agencies to increase their capacity to lift communities out of poverty. Individuals volunteering full-time in VISTA are exempt.

A copy of a Domestic Volunteer Earnings Statement or a written statement from

the VISTA sponsor or the Federal Region IX ACTION/VISTA Office are acceptable verification for this exemption.

TWO-PARENT HOUSEHOLDS

In a Two-Parent HH, only one parent may be granted an exemption based on one of the Child Exemptions at a time. However, the other parent may be granted an exemption if they meet another exemption criteria.

When one parent is WTW sanctioned, the other parent may not be granted an exemption based on providing care for an ill/incapacitated HH member or the Child Exemptions as the sanctioned parent is available to provide care. If one of the parents is granted one of these exemptions and the other parent later becomes WTW sanctioned, the exemption must be ended. The exempt parent must begin participation on the same day that the other parent's financial sanction is imposed. The exempt parent must be notified that the exemption is ending using WTW 4 - Notice to Other Parent unless they meet one of the following:

- The non-sanctioned parent is eligible to another exemption such as over 60 years of age or disability.
- The non-compliant parent begins participating in WTW before becoming sanctioned.

When one of the parents is not aided such as an undocumented non-citizen and unaided sponsored non-citizen, the aided parent may be exempted based on providing care for an ill/incapacitated HH member or the Child Exemptions as they are not considered a two-parent HH. Refer to the Two-Parent HH Examples:

- Example 1: Both Parents Exempt for Different Reasons
 - Parent A requests an exemption based on disability, and Parent B requests one based on one of the Child Exemptions. Both exemptions may be granted.
- Example 2: WTW Sanctioned Parent and Exempt Parent's Reason Changes
 - Parent A is exempt based on caring for an ill/incapacitated common child. Parent B will be WTW sanctioned effective October 1st which will end Parent A's exemption. However, Parent A will turn 60 years old on October 1st. Parent B is WTW sanctioned, and Parent A's exemption is now based on age.
- Example 3: Non-Compliant Parent Participates and Other Parent's Exemption Continues
 - Parent A is exempt based on caring for an ill/incapacitated common child. Parent B will be WTW sanctioned effective October 1st which will end Parent A's exemption. However, Parent B begins participating and WTW sanction is not imposed. Parent B is participating in WTW, and Parent A's exemption continues.
- Example 4: Unaided Parent and Exempt Parent
 - Parent A is an undocumented non-citizen and is not aided. Parent B requests one of the Child Exemptions. Parent B's exemption may be granted as the HH is not considered a Two-Parent HH.

**EXEMPT
VOLUNTEERS**

Exempt individuals may volunteer to participate in WTW but are not subject to hourly participation requirements and may end participation at any time without being subject to a WTW sanction. Exempt volunteers may select the activity of their choice but must agree to sign a WTW Plan to receive Supportive Services. If exempt volunteers fail to comply with the WTW Plan, Supportive Services must be discontinued. The exemption may resume as appropriate.

Refer to Policy 240 – Noncompliance Process and Policy 211 - Welfare-to-Work Plan for more information.

GOOD CAUSE

Prior to imposing a WTW sanction for failing to participate in WTW and/or denying a WTW exemption request for failure to provide the required verification, good cause must be evaluated and granted as appropriate. Obtaining the required verification for an exemption may be challenging for individuals. Therefore, assistance should be provided to help obtain the verification.

Refer to Policy 240 – Noncompliance Process for addition information on good cause evaluations.

**CALWORKS 60-
MONTH TIME LIMIT**

A month of aid will not count toward the CW 60-month time limit when an adult individual is exempt from WTW participation for any of the following reasons:

- Age 60 or older
- Disability – physical or mental
- Aided Non-Parent Relative caring for a child who is a court dependent or at risk of placement in Foster Care
- Care for Ill or Incapacitated HH Member
- Care for a child from birth through 23 months of age

Refer to Policy 100-E3 –Time on Aid Limits for additional information on CW 60-month time limit.

FORMS

The following is a list of forms and notices used during the exemption evaluation process available via CalSAWS.

- CW 61 – Authorization to Release Medical Information - optional form used to determine if a physical/mental condition exempts or limits WTW participation.
- CW 61A – Physical Capacities - used as a supplement to the CW 61 to obtain additional information on the physical condition when the provider indicates limitations to participation.
- CW 61B – Mental Capacities - used as a supplement to the CW 61 to obtain additional information on the mental condition when the provider indicates limitations to participation.
- CW 2186A – CalWORKs Exemption Request Form - optional form

used to request an exemption.

- CW 2186B – CalWORKs Exemption Determination - mandatory notice used to approve or deny the WTW exemption and CW 60-month time limit exemption.
- WTW 4 – Notice to Other Parent - mandatory notice used to notify the exempt parent that their exemption is ending because of the other parent being sanctioned for failing to comply with WTW.
- WTW 100 – Good Cause/Exemption Letter - informs participant about the end of exemption or good cause period and sets return appointment.
- WTW 112 – Care of a HH Member Verification - optional form used to determine if an ill or incapacitated HH member's condition requires someone in the home to care for them.
- WTW 6010 – WTW Appointment Letter - used to schedule an appointment with a participant for various purposes, including an appointment to discuss an exemption or good cause.

JOURNAL ENTRIES Journal entries must be completed when an exemption is requested, approved, denied, extended, or ended. Journal entries should contain the following (non-exhaustive) information:

- Exemption request date
- Exempt individual(s)
- Exemption type
- Exemption request determination (approved or denied) and date
- Exemption begins and end date
- Exemption extension date
- Required verifications
- Verifications due date
- Good cause determination
- Exemption forms and/or notices provided and date
- Impact to CW 60-month time limit
- If the individual met the criteria for multiple exemptions, indicate that options and considerations were explained, and which one the individual opted for.

REFERENCES

- EAS 42-721 Compliance with Program Requirements
- EAS 42-712 Exemptions from WTW Participation
- EAS 42-719.11 School Attendance
- ACIN 1-38-15 Clarification on Pregnancy and Young Child Exemptions
- ACL 23-30 CalWORKs and CalFresh Program Changes as a Result of AB 2300
- ACL 22-55 CW Program Guidance for Pregnant Recipients
- ACL 21-134 CW Pregnancy Verification, Signature, and In-Person Identification Requirements
- ACL 20-120 WTW 24-Month Time Clock Repeal
- ACL 15-08 CW/TW Program Guidance for Disability Exemptions
- ACL 13-01 CW Short Term Exempt Individuals in Welfare-To-Work Activities

- ACL 12-72 CW Extension of Short-Term Changes and the New Young Child Exemptions
- Job Aid - Work Registration Details
- Job Aid - Welfare to Work Exemptions
- Policy 100-C7 – Cal-Learn Program
- Policy 100-E3 –Time on Aid Limits
- Policy 100-E8 – Eligibility for Teens Turning 18
- Policy 211 – Welfare-to-Work Plan
- Policy 223 – Vocational Training - Privately Funded Postsecondary Institutions
- Policy 223-A – Vocational Education - Publicly Funded Postsecondary Educational Institutions
- Policy 240 – Noncompliance Process
- Policy 260 – Cal-Learn Case Management
- WTW Exemption Processing Guide
- WTW Exemption Tasks Processing Guide

ATTACHMENTS

- CW 61 - Authorization to Release Medical Information
- CW61A - Physical Capacities
- CW 61B - Mental Capacities
- CW 2186A - CalWORKs Exemption Request Form
- CW 2186B - CalWORKs Exemption Determination
- NA 818 - Taking You Out of Welfare to Work
- WTW 4 - Notice to Other Parent
- WTW 100 – Good Cause/Exemption Letter
- WTW 112 - Care of a Household Member Verification
- WTW 6010 – WTW Appointment Letter