
ENGROSSED SUBSTITUTE SENATE BILL 5625

State of Washington

56th Legislature

1999 Regular Session

By Senate Committee on Labor & Workforce Development (originally sponsored by Senators Kohl-Welles, Fairley, Winsley, Brown, Thibaudeau, Kline, Patterson, Fraser, Franklin, Gardner, Rasmussen, B. Sheldon, Snyder and Horn)

Read first time 03/03/1999.

1 AN ACT Relating to work requirements under the temporary assistance
2 for needy families program; amending RCW 74.08A.010, 74.08A.260, and
3 74.08A.270; adding new sections to chapter 74.08A RCW; and creating a
4 new section.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 **Sec. 1.** RCW 74.08A.010 and 1997 c 58 s 103 are each amended to
7 read as follows:

8 (1) A family that includes an adult who has received temporary
9 assistance for needy families for sixty months after July 27, 1997,
10 shall be ineligible for further temporary assistance for needy families
11 assistance. The number of recipients exempted or deferred from the
12 time limit in this subsection shall not exceed twenty percent of the
13 temporary assistance for needy families caseload.

14 (2) For the purposes of applying the rules of this section, the
15 department shall count any month in which an adult family member
16 received a temporary assistance for needy families cash assistance
17 grant unless the assistance was provided when the family member was a
18 minor child and not the head of the household or married to the head of

1 the household or the recipient received a deferral under section 2 of
2 this act.

3 (3) The department shall refer recipients who require specialized
4 assistance to appropriate department programs, crime victims' programs
5 through the department of community, trade, and economic development,
6 or the crime victims' compensation program of the department of labor
7 and industries.

8 (4) The department may exempt a recipient and the recipient's
9 family from the application of subsection (1) of this section by reason
10 of hardship or if the recipient meets the family violence options of
11 section 402(A)(7) of Title IVA of the federal social security act as
12 amended by P.L. 104-193. ~~((The number of recipients and their families
13 exempted from subsection (1) of this section for a fiscal year shall
14 not exceed twenty percent of the average monthly number of recipients
15 and their families to which assistance is provided under the temporary
16 assistance for needy families program.~~

17 ~~(5) The department shall not exempt a recipient and his or her
18 family from the application of subsection (1) of this section until
19 after the recipient has received fifty two months of assistance under
20 this chapter.))~~

21 NEW SECTION. Sec. 2. A new section is added to chapter 74.08A RCW
22 to read as follows:

23 (1) Each recipient approved to receive temporary assistance for
24 needy families shall be subject to an employability screen as a
25 condition of eligibility. If the employability screen determines the
26 recipient meets the criteria specified in RCW 74.08A.270 for a good
27 cause exemption to work requirements the department shall defer the
28 work requirement under RCW 74.08A.260, as long as the condition of the
29 recipient that causes him or her to meet the exemption criteria exists.
30 When the condition ceases to exist, the exemption terminates.

31 (2) All recipients not deferred shall be placed in the job search
32 component. Failure to participate in the job search component shall
33 result in sanctions as provided in RCW 74.08A.260. If a recipient
34 fails to find employment during the job search component, the
35 department may refer the recipient to those work activities that are
36 directly related to improving the recipient's employability.

37 (3) The department shall adopt rules providing for the review of
38 recipients granted deferrals under this section.

1 **Sec. 3.** RCW 74.08A.260 and 1997 c 58 s 313 are each amended to
2 read as follows:

3 Recipients who have not obtained a deferral under section 2 of this
4 act or paid, unsubsidized employment (~~((by the end of the job search~~
5 ~~component authorized in section 312 of this act))~~) shall be referred to
6 a work activity.

7 (1) Each recipient shall be assessed immediately upon completion of
8 the job search component. Assessments shall be based upon factors that
9 are critical to obtaining employment, including but not limited to
10 education, employment strengths, and employment history. Assessments
11 may be performed by the department or by a contracted entity. The
12 assessment shall be based on a uniform, consistent, transferable format
13 that will be accepted by all agencies and organizations serving the
14 recipient. Based on the assessment, an individual responsibility plan
15 shall be prepared that: (a) Sets forth an employment goal and a plan
16 for moving the recipient immediately into employment; (b) contains the
17 obligation of the recipient to become and remain employed; (c) moves
18 the recipient into whatever employment the recipient is capable of
19 handling as quickly as possible; and (d) describes the services
20 available to the recipient to enable the recipient to obtain and keep
21 employment.

22 (2) Recipients who are not engaged in work and work activities, and
23 do not qualify for a good cause exemption under RCW 74.08A.270, shall
24 engage in self-directed service as provided in RCW 74.08A.330.

25 (3) If a recipient refuses to engage in work and work activities
26 required by the department, the family's grant shall be reduced by the
27 recipient's share, and may, if the department determines it
28 appropriate, be terminated.

29 (4) The department may waive the penalties required under
30 subsection (3) of this section, subject to a finding that the recipient
31 refused to engage in work for good cause provided in RCW 74.08A.270.

32 (5) In implementing this section, the department shall assign the
33 highest priority to the most employable clients, including adults in
34 two-parent families and parents in single-parent families that include
35 older preschool or school-age children to be engaged in work
36 activities.

37 (6) In consultation with the recipient, the department or
38 contractor shall place the recipient into a work activity that is
39 available in the local area where the recipient resides.

1 (7) The department shall encourage and facilitate placement of
2 recipients into apprenticeships or preapprenticeship training programs.

3 **Sec. 4.** RCW 74.08A.270 and 1997 c 58 s 314 are each amended to
4 read as follows:

5 (1) Good cause reasons for failure to participate in WorkFirst
6 program components include: (~~(1)~~) (a) Situations where the recipient
7 is a parent or other relative personally providing care for a child
8 under the age of six years, and formal or informal child care, or day
9 care for an incapacitated individual living in the same home as a
10 dependent child, is necessary for an individual to participate or
11 continue participation in the program or accept employment, and such
12 care is not available, and the department fails to provide such care;
13 or (~~(2) until June 30, 1999,~~) (b) if the recipient is a parent with
14 a child under the age of one year. A parent may only receive this
15 exemption for a total of twelve months, which may be consecutive or
16 nonconsecutive; or (~~(3) after June 30, 1999, if the recipient is a~~
17 parent with a child under three months of age) (c) if the recipient is
18 a victim of domestic violence; or (d) if the recipient is
19 incapacitated; or (e) if the recipient is caring for an incapacitated
20 child; or (f) if the recipient is fifty-five years of age or older and
21 is the grandparent or nonparent relative of the dependent child.

22 (2) For purposes of this section, domestic violence victimization
23 must be documented by either a protection order or a written
24 confirmation of treatment by a health care professional licensed under
25 chapter 18.57, 18.57A, 18.71, 18.71A, 18.79, or 18.83 RCW for the
26 effects of domestic violence. Incapacity of a recipient or child must
27 be documented by medical or psychiatric clinical evidence, confirmed in
28 writing by a health care professional licensed under chapter 18.57,
29 18.57A, 18.71, 18.71A, 18.79, or 18.83 RCW.

30 (3) When the domestic violence victimization or the incapacity of
31 the recipient or child no longer exist, the good cause deferral under
32 this section terminates. The department shall notify the recipient of
33 the termination of the good cause exemption.

34 NEW SECTION. **Sec. 5.** A new section is added to chapter 74.08A RCW
35 to read as follows:

36 Recipients who are not required to meet work requirements under RCW
37 74.08A.270 shall receive grants, child care, and related services that

1 are not supported by the temporary assistance for needy families block
2 grant.

3 NEW SECTION. **Sec. 6.** If any part of this act is found to be in
4 conflict with federal requirements that are a prescribed condition to
5 the allocation of federal funds to the state, the conflicting part of
6 this act is inoperative solely to the extent of the conflict and with
7 respect to the agencies directly affected, and this finding does not
8 affect the operation of the remainder of this act in its application to
9 the agencies concerned. Rules adopted under this act must meet federal
10 requirements that are a necessary condition to the receipt of federal
11 funds by the state.

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