

# **GAIN: THE BRIDGE TO INDEPENDENCE**

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### 410 OVERVIEW

Individuals are automatically registered for GAIN, except when documentation or other case information indicates that they are exempt. Exempt persons are not registered for GAIN until the exemption ends, unless they volunteer to participate or when participants who are exempted for a child under 12 months of age or for subsequent children under six months of age, are scheduled for appraisal in order to give them an opportunity to volunteer. Refer to [Chapter 200, Section 210.1](#), for persons eligible to participate in GAIN. While a participant is exempted from GAIN activities, the 60-month time clock will stop for some exemptions.

### 411 KEY POINTS

- The 60-month clock continues to run for participants exempted under Codes [08](#), [09](#), [11](#), and [12](#), and for participants with Employment Tracking Codes [10](#) and [13](#) if they continue to receive cash aid.
- Exemption Codes [01](#), [02](#), and [06](#), do not impact the 60-month clock as only adults are subject to time limits.
- Exemption Codes [04](#), [05](#), [07](#), and [14](#) stop the 60-month clock.
- The 60-month clock is not resumed if an exempt adult, who is currently enrolled and participating in GAIN, opts to continue participation as a volunteer.
- All exemptions must be reviewed at least annually except [exemption Code 04](#) for persons age 60 or older. [Exhibit I - GAIN Exemption Guidelines](#), summarizes each exemption, lists the documentation requirements and time frames for review.
- Regular exemption guidelines are applied to timed-out participants who become eligible for exemptions prior to timing off aid.
- Time limit extenders must be granted or re-evaluated at 12-month intervals, or sooner if the condition is expected to improve at an earlier date.
- State law prohibits non-civil service employees from determining exemptions for CalWORKs participants. DPSS-designated County staff must evaluate and make a final determination on exemptions for contracted case management staff.
- An evaluation for good cause is required to identify and evaluate the potential for an exemption when participants indicate significant barriers to employment or full participation in WtW activities.

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- The Designated Exemption Worker shall contact exempted participants to either extend the exemption or prepare the participant to enter the GAIN flow.
- A patient diagnosis is not required and shall not be requested for any exemption request. A diagnosis is not to be documented on GEARS MGPA screen, even if voluntarily provided.

### 412 POLICY

#### .1 Exemption Documentation

##### .11 Written Third Party Documentation

This is the preferred form of documentation. The documentation must include the date that the statement is provided; name, address and phone number of the person providing the documentation; statement justifying exemption; duration of exemption; and statement that the individual cannot work or participate in GAIN.

**A diagnosis is not required and shall not be requested by the GSW. A diagnosis is not to be documented on GEARS MGPA screen, even if voluntarily provided.**

.111 Where possible, documentation should be on appropriate letterhead. When necessary, an ABCDM 228, Applicant's Authorization for Release of Information, is obtained from the participant.

.112 The CW 61, Authorization to Release Medical Information, CW 61A, Physical Capacities and/or CW 61B Mental Capacities, should be used to document medical exemption Code [05](#) (Section 412.31), Code [07](#) (Section 412.32) and Code [09](#) (Section 412.42).

.113 The CW 61 or written third-party documentation is needed to approve or deny an exemption request. CW 61A, Physical Capacities and CW 61B, Mental Capacities forms are not required to process an exemption request. They are the preferred documents when evaluating the feasibility of a partially/fully disabled participant engaging in any WtW activity.

.114 The CW 61 form(s) and the steps to finalize the process are explained to the participant by the GSW. The explanation includes all sections of the CW 61 forms. Input from the health care professional and the participant is vital to the approval/denial of the exemption request and the development

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of an appropriate Welfare-to-Work plan.

.115 If the documentation received is incomplete or inconsistent with other available information, the participant or GSW must obtain additional or collateral information/documentation to resolve the issue. For approval criteria, see [Section 412.313](#).

### .12 Verbal Third Party Documentation

If written third party documentation cannot be obtained, verbal third party documentation is acceptable.

The verbal documentation must be recorded via GEARS MGPA screen and include the date the statement is provided; name and phone number of the person who provided the statement; reason for the exemption; duration; statement that the individual cannot work or participate in GAIN; and the name of the GSW who obtained the statement.

### .13 PA 853, Affidavit

The participant's written statement on a PA 853 is acceptable as documentation on a case-by-case basis, only in the unusual circumstance that a participant or GSW is unable to obtain independent documentation of the reason for exemption.

.131 The PA 853 must be completed in the presence of the GSW and include the reason for the exemption; anticipated duration; statement that the individual cannot work or participate in training; participant's signature and date; and GSW's signature and date.

.132 The GSW shall document via GEARS MGPA screen the reasons for the use of the PA 853, including efforts to obtain the appropriate documentation of exemption.

## **.2 Age-Related Exemptions**

LEADER verification is required for exemptions related to the participant's age.

### .21 **Code 01: Youth under Age 16**

This exemption applies to a child under age 16. It is documented by CalWORKs case information obtained by the EW, which substantiates age.

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Upon granting this code, the GSW must submit the exemption request by generating a GN 60016 via GEARS MNOF screen with the following message: Child is under age 16. Please verify the birth date on LEADER.

### .22 **Code 02:** Youth Age 16 through 17, Full-Time Student

This exemption applies to an individual 16 through 17 years of age who is a full-time student, grade 12 or below, or in vocational/technical school; or has obtained a high school diploma or its equivalent, and is enrolled or planning to enroll in a postsecondary educational, vocational or technical school training program.

.221 CalWORKs case information is obtained and documented by the EW, which substantiates age and school attendance. When granting this code, the GSW must submit the exemption request by generating a GN 60016 via GEARS MNOF screen with the following message: Youth is 16/17 years old. Please verify school attendance and make any necessary corrections on LEADER.

.222 If the participant loses the Code 02 exemption by not attending school, he/she can never re-qualify for this exemption.

### .23 **Code 04:** Age 60 or Older

This exemption applies to an individual who is age 60 or older. It is documented by CalWORKs case information obtained by the EW, which substantiates age. When granting this code, the GSW must submit the exemption request by generating a GN 60016 via GEARS MNOF screen with the following message: Individual is 60 years or older. Please verify and update LEADER with the correct age.

### .24 **Code 06:** 18-Year Old Child in School Full-Time (Non-Parent)

This exemption applies to an individual who is an 18-year old non-parent in school full-time. The school verification and age of the individual is documented by CalWORKs case information. When granting this code, the GSW must submit the exemption request by generating a GN 60016 via GEARS MNOF screen with the following message: Please verify school attendance and make any necessary corrections on LEADER.

When the Code 06 exemption expires, the individual will no longer be eligible for aid and therefore, will not be called into GAIN.

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### .3 60-Month Clock-Stopper Exemptions

These exemptions stop the CalWORKs 60-month clock.

#### .31 Code 05: Incapacity

This exemption applies to an individual who has a physical or mental impairment that is expected to last at least thirty calendar days and prevents him/her from engagement in employment or other GAIN activities. To qualify for this exemption, the participant must provide a doctor's verification and be actively seeking medical treatment.

##### .311 Documentation

All incapacity exemptions will be documented by the GSW using:

- (a) The CW 61, CW 61A, Physical Capacities, and/or CW 61B, Mental Capacities (if completed) and/or written or verbal statement from a health care professional (doctor of medicine, osteopathy, chiropractic, and licensed/certified psychologists) who is licensed by the state to diagnose/treat physical and mental impairments specifying the problem and duration that the participant is unable to work;
- (b) Receipt of Old-Age-Survivors and Disability Insurance (OASDI) benefits based on the individual's own disability when verified by a copy of the award letter, or written verification from Social Security; or,
- (c) Receipt of State Disability Insurance (SDI) or Worker's Compensation for the period covered by the benefit when verified by a copy of the award letter or other written verification.

##### .312 Disability Exemptions Are Not Automatic

Physically disabled persons who can benefit from the program are not automatically excluded from GAIN participation. As appropriate, the GSW will determine, based on written documentation, whether the disabled person meets the Code [05](#) incapacity exemption.

##### .313 Medical Exemption Approval

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A participant's medical exemption shall be approved for the length of time the health care professional indicates on the CW 61 that the participant is unable to work (up to 12 months) and is actively seeking treatment. The GSW shall review the health care provider's statements on the CW 61A, Physical Capacities and/or CW 61B, Mental Capacities (if completed), to determine how a current physical or mental condition affects the participant's ability to participate, if at all. The benefits of participation in GAIN as an exempt volunteer are discussed at each contact with a participant. If a CW 61B is completed, the participant is referred to Specialized Supportive Services (mental health) by the GSW, see [Section 1260](#).

The GSW shall not recommend WtW activities that exceed the total number of work hours per day, or hours at one time listed in the CW 61 or third party document. Further, recommended activities must not interfere with, or potentially worsen the participant's physical/mental conditions as described in the CW 61A or CW 61B. The GSW shall discuss applicable limitations with the participant and provider prior to activity assignment. Disability diagnosis or limitations not related to the activity are not to be discussed with the provider. Examples of WtW determinations are listed below and are for guidance purposes only. The GSS shall assist the GSW in determining appropriate modifications to accommodate the participant's limitations.

- (a) The CW 61A indicates the participant can sit for at least two to four hours at one time, with no other restrictions. ORI, JCL, OJC, SIP, and VOC are feasible activities.
- (b) The CW 61A indicates the participant may sit only four total hours during the day. Modified ORI, Flex Job Club, SIP, and VOC are feasible activities.
- (c) The CW 61B indicates the participant's mental condition would interfere with his/her ability to complete a task. The participant will need a referral to Specialized Supportive Services (mental health), [Section 1260](#) and/or CalWORKs [Supplemental Security Income Advocacy Program \(SSIAP\)](#), Section 412.315.

### .314 Notification to CalWORKs Upon Receiving Information that the Participant or Household Member is No Longer Disabled

Upon receiving notification from the participant that he/she is no longer disabled, or a household member he/she is caring for is

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no longer disabled, the GSW shall generate a GN 60016 via GEARS MNOF to alert CalWORKs. If verification is received from the participant, a copy shall be forwarded to the GAIN designate, and then forwarded to the GAIN Coordinator.

If fraud is suspected, instructions indicated in [Chapter 1600](#) for initiating referrals shall be followed.

### .315 CalWORKs Supplemental Security Income Advocacy Program (SSIAP) Office Inquiries

When a medical exemption is requested and the participant has returned the completed CW 61, CW 61A, and/or CW 61B in person, the GSW will explain the services available from the CalWORKs SSIAP and give the participant the PA 4705, "Need More Money? Get What's Rightfully Yours thru SSI (Aged, Blind and/or Disabled CalWORKs Participants)" flyer.

The SSIAP is voluntary. The participant must expect a **cumulative** total disability of 12 months or more. The 12 months may be a combination of the current approved Code 05 with expired Code 05 months. Talking points (a) – (h) will assist in emphasizing the benefits of SSI to potentially SSI eligible participants.

- (a) DPSS SSI Advocates provide free professional SSI application assistance.
- (b) SSI provides long term, even lifetime benefits in many cases.
- (c) SSI may improve the quality of life.
- (d) SSI is a national, rather than a state program; therefore, participants can move to another state and continue to receive their benefits.
- (e) Federal cash SSI benefits may be issued to adults and/or eligible children in the same household.
- (f) SSI approval usually results in more total income for the household than CalWORKs benefits.
- (g) Adults receiving SSI are not required to participate in the GAIN program.
- (h) SSI approval creates potential eligibility for additional benefits, such as In-Home Supportive Services.

Before the conclusion of the GAIN appointment, the GSW shall contact the SSI Advocacy Supervisor (or designate) at the Glendale district office to assist the participant in obtaining an appointment. Contact information can be obtained from the

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GAIN Region Designated Exemption Worker (DEW). If the SSI Advocacy Supervisor is not available, the GSW shall telephone the back-up. The case-carrying GSW/CCM and/or the DEW shall identify their affiliation with the case when making the referral call to the SSI Advocacy Supervisor (or designate).

If the participant is not immediately interested in SSI Advocacy services, the GSW provides a copy of the PA 4705. See [Supplemental Security Income \(SSI\) Advocacy Decision Chart](#), Section 413.5.

### .316 CalWORKs Supplemental Security Income Advocacy Program (SSIAP) Mail Inquiries

When the participant has returned the completed CW 61 by mail, resulting in approval of a Code 05 medical exemption, the PA 4705 shall be mailed to the participant. The GSW shall also make at least three telephone contact attempts to recommend participation in the SSIAP services using the talking points from Section 412.315. Please see [Supplemental Security Income \(SSI\) Advocacy Decision Chart](#), Section 413.5.

### .317 CalWORKs Supplemental Security Income Advocacy Program (SSIAP) Phone Inquiries

The GSW shall use the talking points in [CalWORKs Supplemental Security Income Advocacy Program \(SSIAP\)](#), Section 412.315 when recommending SSIAP services. If the participant's request for Code 05 exemption has been approved, the GSW shall assist the participant in obtaining an appointment with the SSI Advocacy Supervisor. If the SSI Advocacy Supervisor is not available, the GSW shall telephone his/her back-up. The GSW shall mail the participant the PA 4705. Please see [Supplemental Security Income \(SSI\) Advocacy Decision Chart](#), Section 413.5.

### .318 Availability of In-Home Supportive Services (IHSS)

The GSW shall provide or mail the GN 6370, IHSS Outreach flyer to the participant. The GN 6370 explains the IHSS program and provides application instructions.

### .32 **Code 07:** Provides Continuous Care for an Ill Household Member

This exemption applies to an individual whose presence in the home is required because of the physical or mental impairment of another member of the same household. Verification of the child's school

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attendance status is no longer needed when evaluating a Code 07 exemption for taking care of an ill child. The person with the physical or mental impairment must show on LEADER as living in the home.

- .321 This exemption is documented by the GSW using a CW 61, and/or written or verbal statement from a physician or psychologist, which indicates:
  - (a) that a household member is physically/mentally ill;
  - (b) that someone is needed in the home to provide full-time care; and,
  - (c) the expected duration.
- .322 The GSW must also obtain a PA 853 indicating that the participant is the only adult living in the home available to provide care and the hours of care preclude GAIN participation.
- .323 Only one adult in a two-parent household can be granted the Code 07 exemption. If there is more than one adult living in the ill person's household and available, or the hours of care do not seem to preclude GAIN participation, the GSW will consult with the GSS to determine who the most feasible person to provide care is. The GSW will then document the final decision via GEARS MGPA screen.
- .324 The Code 07 exemption is controlled via GEARS and reviewed based on documentation expiration date, or at least annually, whichever is less. Once the GSW determines that this exemption should be granted, the GSW requests approval from the GSS. The GSS reviews the exemption and updates the RELE (Request LEADER Exemption/Clock Stopper/Extender) screen.
- .325 If LEADER does not reflect the ill household member as receiving SSI, inform the participant of SSI referral services available through the CalWORKs SSIAP for the ill household member, [Section 412.315](#). The PA 4705 shall be given in the office or mailed to the participant.
- .326 GSW shall provide or mail the GN 6370, IHSS Outreach flyer to the participant informing him/her of services available through IHSS. GSW shall discuss with the participant the benefits of the ill household member receiving IHSS, and the opportunity for the participant to become an IHSS provider.

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### .33 **Code 14:** Non-parent Relative Caring for a Child Who is a Dependent or a Ward of the Court or at Risk of Being Placed in Foster Care

When granted, the Code 14 exemption stops the 60-month time clock and/or provides an extension to the 60-month time clock for participants who have exhausted their time limits.

To qualify for this exemption, a non-parent caretaker relative who is providing care for a child must meet one of the criteria described below.

#### .331 Dependent or Ward of the Court

The non-parent caretaker relative is caring for a child who is a dependent or ward of the court. The participant must provide proof of a Court Order; in addition, the GSW reviews with the participant the day-to-day responsibilities required for care and then determines if the responsibilities impair the participant from employment or other GAIN activities.

#### .332 Child at Risk of Placement in Foster Care

The non-parent caretaker relative is caring for a child who the County has determined is at a risk of placement in foster care. A child is at risk if the following criteria are met:

- (a) The caretaker and child are involved with the Department of Children and Family Services (DCFS);
- (b) The child has been placed in the caretaker's home by DCFS; or the caretaker (participant) has a Relative Placement Agreement.
- (c) The participant must provide written documentation from a DCFS Social Worker stating, "This child must be with the caretaker only" and must include the reason.

## .4 **Welfare-to-Work Participation Exemptions**

These exemptions exempt the CalWORKs participant from mandatory participation in the GAIN Program, but do not stop the 60-month clock.

### .41 **Code 08:** Exemption - Parent/Relative of a Child under Age of One

This exemption applies to an individual who is the parent or other relative of a child under age one, who is personally providing care for the child. Only one parent in a two-parent household qualifies for this exemption. If the exempt parent in a two-parent household chooses to

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participate instead of the mandatory parent, both parents shall be registered into GAIN to determine who will participate, and the GSW will ensure at least one parent is engaged in WtW activities at all times. The 60-month time clock continues to run when this exemption is granted.

- .411 Mandatory Cal-Learn participants do not qualify for a Code 08 or Code [12](#) exemption.
  - .412 Custodial parents under the age of 20 who do not possess a high school diploma or its equivalent do not qualify for this exemption.
  - .413 The Code 08 exemption will end on the first birthday of the youngest child. The exemption remains linked to that specific child. If the exemption linked to this specific child is interrupted, the exemption will be suspended but may be resumed if reinstated before the child turns one.
  - .414 Participants granted this exemption will automatically be scheduled for an Appraisal appointment every three months, as an exempt volunteer, until the child turns one.
  - .415 A participant may be eligible for the Code 08 exemption only one time. The exemption will not be granted again, even if the parent/relative becomes responsible for the care of another child. In such circumstances, the participant will be evaluated for Code 12 eligibility.
  - .416 The Code 08 exemption is controlled via LEADER. The CalWORKs case information obtained by the EW substantiates the age of the child. The GSW must submit the exemption request by generating a GN 60016 via GEARS MNOF screen with the following message: Participant is personally providing care for (name of child) who is a child under the age of one. Please verify and update LEADER.
- .42 **Code 09: Pregnancy**

An evaluation shall be made to determine if the medically verified pregnancy impairs the participant's ability to be regularly employed or participate in WtW activities. The 60-month CalWORKs time clock continues to run when this exemption is granted.

- .421 If the GSW learns that the participant is pregnant and cannot work or participate in other GAIN activities, the GSW shall refer

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to [Medical Exemption Approval](#), Section 412.313.

- .422 Although the participant is not exempt for medical reasons, the GSW, after consulting with the GSS, may determine that participation will not lead to employment or that a GAIN activity is not appropriate. In such cases, the Code 09 exemption can be granted. The GSW is to document this determination via GEARS MGPA screen.
  - .423 When a participant is both pregnant and medically incapacitated, the exemption Code [05](#) takes priority over the pregnancy exemption Code 09. If the doctor's statement establishes that the participant has a medical condition which prevents her from working or participating in WtW activities, the pregnant participant is considered incapacitated and is given a Code 05 exemption. If the medical provider reported that the participant can participate, but is unable to maintain employment, then the Code 09 is appropriate.
  - .424 GSW shall review the Request LEADER Exemption/Clock Stopper/Extender, RELE screen for any LEADER reported pregnancy. GSW shall verify with the participant if the pregnancy is the same as the LEADER reported pregnancy.
  - .425 Once the GSW determines that this exemption should be granted, requests approval from the GSS. The GSS reviews the exemption and updates the RELE screen. GSS shall select identifier indicating whether the exemption requested is for the same pregnancy reflected on LEADER. This exemption is controlled via GEARS and reviewed by the GSW upon the expiration date of the documentation.
  - .426 When the GSW receives pregnancy verification from the participant that has not been reported to the Eligibility Worker, or the expected date of birth differs from what is reported on LEADER, the GSW shall generate a GN 60016 via MNOF and forward a copy of the pregnancy verification received to the GAIN Coordinator.
- .43 **Code 10: Single Parent Working 32 Hours or More per Week and Earning at Least State Minimum Wage, or Federal if Self-Employed**

THIS IS A TRACKING CODE ONLY, DO NOT DEREGISTER! Post-Employment Services ([PES](#)) will be explained and offered to the participant.

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Code 10 applies to single parents who are working 32 or more hours per week in unsubsidized employment which is expected to last at least 30 continuous calendar days and who are earning at least the State minimum wage, or Federal if self-employed. ([See Chapter 1000](#))

.44 **Code 11: Full-Time Volunteer in the Volunteers in Service to America (VISTA) Program**

This exemption applies to an individual who is participating as a full-time volunteer in VISTA, a national anti-poverty program.

.441 Volunteers serve for one or more year(s) at a nonprofit organization or public agency.

.442 VISTA members generally do not provide direct services, such as tutoring or building homes. Instead, they focus their efforts on building the organizational, administrative, and financial capacity of organizations that assist low-income communities.

.443 VISTA members receive a stipend and health benefits during their service, and have the option of receiving an education award or set cash amount.

.444 To qualify for this exemption, the participant must provide either of the following supporting documents:

- (a) a copy of a Domestic Volunteer Earnings Statement or
- (b) a written verification from the VISTA Office or sponsor.

.45 **Code 12: Exemption - Parent/Relative of a Child under Age Six Months**

This exemption applies to an individual who has previously received exemption Code [08](#) and then becomes responsible, as a result of birth or adoption only, for the personal care of a child under six months of age. Only one parent in a two-parent household qualifies for this exemption. If the exempt parent in a two-parent household chooses to participate instead of the mandatory parent, both parents shall be registered into GAIN to determine who will participate, and the GSW will ensure at least one parent is engaged in WtW activities at all times. The 60-month CalWORKs time clock continues to run when this exemption is granted.

.451 Code 12 is a limited exemption granted for six months from the date of birth or date of adoption. However, a participant granted this exemption will be automatically scheduled for an [Appraisal](#)

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appointment, as an exempt volunteer, once the child turns three months old. At the Appraisal appointment, the GSW will inform the participant of the 60-month time limit and encourage the participant to volunteer. Interruptions in responsibility for care of the child will suspend the exemption, but it will be reinstated if care is resumed before the expiration date.

- .452 This exemption is controlled via LEADER. The CalWORKs case information obtained by the EW substantiates the age of the child and relationship to the caretaker. LEADER tracks information required to establish whether a Code [08](#) exemption was previously granted. If so, LEADER will determine that only a Code 12 can be granted. The GSW must submit the exemption request by generating a GN 60016 via GEARS MNOF screen with the following message: Participant is personally providing care for (name of child) who is a child under the age of six months. Please verify and update LEADER.
- .453 Mandatory Cal-Learn participants do not qualify for a Code [08](#) or Code 12 exemption.
- .46 **Code 13: Working 35 Hours or More per Week and Earning at Least State Minimum Wage, or Federal if Self-Employed**

THIS IS A TRACKING CODE ONLY, DO NOT DEREGISTER! Post-Employment Services ([PES](#)) will be explained and offered to the participant.

The Code 13 exemption applies to two-parent households who are working 35 or more hours per week in unsubsidized employment which is expected to last at least 30 days, and who are earning at least State minimum wage or Federal if self-employed. The 35 hours per week requirement can either be met by one parent or a combination of both parent's work hours totaling 35 hours per week, if the CalWORKs case is approved. Parents whose CalWORKs case has been terminated cannot combine their work hours. ([see Chapter 1000](#))

All other provisions of Exemption Code [10](#) apply to the Code [13](#) with the exception that a two-parent household must meet the 35-hour per week requirement.

### **.5 Exemption Guidelines and Responsibilities**

The GSW shall mail or provide the participant with the CW 2186A, CalWORKs Time Limit and Welfare-to-Work Participation Exemption Request Form when an exemption is requested verbally or in writing. The

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GSW shall then provide or mail the CW 2186B, CalWORKs and Welfare-to-Work Time Limit Exemption Determination to the participant. If a participant is granted an exemption, he/she shall be encouraged to participate as an exempt volunteer. The aforementioned actions shall be documented via GEARS MGPA screen.

### .51 Exemption Processing

The LEADER system determines all exemptions (except for employment tracking Codes [10](#) and [13](#)) based on updates made on LEADER and GEARS.

.511 Eligibility Workers (EWs) gather and enter data on LEADER (Codes [01](#), [02](#), [04](#) and [06](#)) which may result in an exemption.

.512 GSWs determine whether exemption Codes [05](#), [07](#), [08](#), [09](#), [12](#), and [14](#) will be granted or denied.

.513 GSSs are responsible for the exemption approval and update of GEARS screen RELE (Request LEADER Exemption/Clock Stopper/Extender).

### .52 Exemption Processing for GAIN Contractors

CCMs, as non-civil service employees, are prohibited from determining Welfare-to-Work exemptions. Therefore, the CCM gathers information needed to make recommendations to designated GAIN staff on the participant's exemption request.

GAIN CCMs request exemptions and/or good cause rulings from County staff for participants via the GN 6164, Potential Exemption Gram. Within two work days of receiving the GN 6164 from the CCM, the designated County designated GSW grants or denies the request. See the [Exemption Process By Contracted Case Managers Decision Chart](#), Section 413.2.

### .53 Exemption Processing for Refugee Employment Program (REP) Contractors

REP CCMs request exemptions and/or good cause rulings from County staff for participants via the GN 6156, REP Exemption Recommendation Gram. ([See Chapter 1700](#))

## **.6 Exempt Volunteer**

GSW shall discuss the benefits and encourage participants who have been

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granted an exemption code [04](#), [05](#), [07](#), [08](#), [09](#), [12](#) or [14](#) to participate as an exempt volunteer. This discussion must be documented on the GEARS MGA screen.

### .61 Hours of Participation

The 20-hour core activity and the 32/35 hour per week rules do not apply to exempt volunteers.

### .62 Contract Activity Agreement

The participant must sign a WtW2, Welfare-to-Work Plan Activity Assignment as an exempt volunteer, and agree to complete the activities on the WtW2. ([See Chapter 900](#))

### .63 Exclusionary Sanction

If the exempt volunteer is not meeting satisfactory progress/attendance in accordance with the WtW 2, or stops participating in his/her agreed activity without [good cause](#), he/she may be subject to the compliance process and exclusion from GAIN participation. GAIN financial sanctions do not apply to exempt volunteers. (See [Chapter 900](#) and [Chapter 1300](#))

### .64 Participation Registration (MPRS) Screen

When an exempt participant not registered in GAIN volunteers, the participation requested flag on MPRS must be updated.

The participation requested flag must be updated to allow component assignment for exempted, GAIN-registered volunteers.

### .65 Deregistration

When an exempt participant chooses not to volunteer or continue participation as a volunteer, deregister the GAIN case.

Exempt volunteers who are registered in GAIN, but do not attend their initial appraisal appointment or contact their GSW will be automatically deregistered in 10 work-days. If appraisal screens MGA1 and MGA2 are updated during the 10 work-days, the case will not be automatically deregistered.

## **.7 Expiring Exemptions**

After an exemption expires, the participant is scheduled for a new Appraisal

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Appointment. Although the participant is mailed an Appraisal Appointment Letter and Information packet (refer to [Chapter 500 – Appraisal](#)), the next GAIN activity is determined by the last GAIN activity completed prior to exemption.

### .71 Designated Exemption Worker (DEW) Outreach

To ensure GAIN participants receive the information and guidance needed to extend their exemption or to begin/resume GAIN participation:

.711 The DEW from each Region shall receive the monthly listing of participants with expiring exemptions.

.712 The listing is used by the DEW to contact participants to discuss the need for a further exemption.

(a) If the participant is eligible for further exemption, the benefits of participating as an exempt volunteer shall be explained. GSWs shall inform participants of the services available through the CalWORKs SSIAP as appropriate. See [CalWORKs Supplemental Security Income Advocacy Program \(SSIAP\)](#), Sections 412.315-.317, and [Supplemental Security Income \(SSI\) Advocacy Decision Chart](#), Section 413.5.

(b) If the participant is no longer eligible for an exemption, or wishes to participate as an exempt volunteer, guidance shall be provided for successful GAIN participation. For example, the DEW will arrange the intake appointment. If Specialized Supportive Services are requested, the DEW shall arrange a Specialized Supportive Services appointment and refer the participant to the 211 Information Line when an immediate need is indicated.

(c) Confirm addresses and telephone numbers.

### .72 GEARS Updates

The DEW updates GAIN case records for participants with expiring exemptions prior to GAIN enrollment using a specialized limited GEARS profile. The DEW GEARS profile allows specific access to the following GEARS screens: Request LEADER Exemption/Clock-Stopper/Extender (RELE), Participant Registration (MPRS), and Maintain Case Phone and Address (MCAP).

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.721 Contractors refer to County designated staff for continued exemption requests See [.52 Exemption Processing for GAIN Contractors](#) and [Exemption Process By Contracted Case Managers Decision Chart](#), Section 413.2.

### **.8 Time Limit Extenders**

Parents, aided stepparents, and/or caretaker relatives residing in the home, may be eligible for time limit extenders after exhausting their 60-month time limit when they meet one of the extender criteria.

#### **.81 Extender Criteria:**

.811 Providing care for an ill or incapacitated household member ([see Code 07](#)) that prevents the participant from working or participating in WtW activities;

.812 Domestic Violence see ([Chapter 1200](#));

.813 Age 60 years or older ([see Code 04](#));

.814 Non-parent relative caring for a child who is a dependent or ward of the court, or at risk of placement in foster care ([see Code 14](#));

.815 Not in the Assistance Unit for any reason other than reaching the 60-month time limit;

.816 Disabled and receiving disability-based income or services such as State Disability Insurance, Workers Compensation, Temporary Disability Insurance, In-Home Supportive Services, or the State Supplementary Program; Social Security disability based; and/or,

.817 Unable to maintain employment or participate in WtW activities and has a history of full cooperation in WtW activities.

#### **.82 Domestic Violence**

Participant signs the GN 6196, Domestic Violence Waiver form, if he/she self-declares to be a victim of domestic violence. If the participant chooses to access services, the 60-month time clock is extended once Services 002 component is added to GEARS.

When the participant self-declares to be a victim of domestic violence and chooses not to sign the GN 6196, the GSW processes the

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exemption/extender request and submits it to the GSS for GEARS screen RELE update to extend the 60-month clock. ([See Chapter 1200](#))

### .83 Time Limit Exemption/Extender Review

Upon receipt of a CW 2186A requesting a time extender/ exemption, staff must request and review the documentation to determine if a participant is eligible for a time-limit extender, or current or retroactive exemption. Time limit reviews may be performed by the case-carrying GSW or Time Limit Liaison at any point, prior to or after timing off, or by a regional designate during the Time Limit workshop. Some extenders may be related to exemptions that stop the 60-month time clock. Other extenders allow the participant to receive CalWORKs cash assistance beyond the 60 months.

#### .831 Time Limit Liaison

The responsibilities of the Time Limit Liaison include, but are not limited to:

- (a) GEARS updates to Select Requested LEADER Exemptions (SREL) and Enhanced Request LEADER Exemption/Clock Stopper/Extender (RELE) screens for the automated request of LEADER 60-month clock adjustments of time limit Extenders, and retroactive exemptions;
- (b) Review of GEARS screen RELE and LEADER screens;
- (c) Review of forms used to request and approve time limit extenders;
- (d) Working with the GAIN Coordinator to resolve GEARS/LEADER interface issues.

#### .832 Records Retention

- (a) Forms used to track the participant's time on aid, and documents supporting or verifying extenders and exemptions are retained permanently in the participant's case record folder. These forms include, but are not limited to the:
  - (1) GN 6188, Time Limit Review Gram;
  - (2) CW 2186A, CalWORKs Time Limit and Welfare to

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- Work Participation Exemption Request Form;
- (3) CW 2186B, CalWORKs and Welfare to Work Time Limit Exemption Determination; and
  - (4) PA 4026, Time Limit Inquiry Request.

(b) Case records, forms, and documents used and obtained for time limit reviews that result in denial of extenders and exemptions, or a Fair Hearing are retained for three years after the approval/denial date. These forms include, but are not limited to the:

- (1) GN 6186, 60-Month Time Limit Review and Exemption Request;
- (2) GN 6189, 60-Month Time Limit Review and Exemption request; and
- (3) GN 6331, Request for Review of Months Counted Toward the 60-Month Time Limit.

Case records and supporting documents obtained during the time limit review resulting in a denial are retained longer than three years when/if those documents are reviewed in a state or federal audit.

(c) Access to non-privileged case records should be granted upon the request of the participant ([See Chapter 1300](#), Compliance and Participant Complaints).

### .833 Elimination of Records

Documents used for a time limit review or time limit workshop, but not used for the approval of a time limit extender or exemption, may be destroyed three years from the denial date.

### .84 Time Limits on Specialized Supportive Services

Extenders for participants receiving mental health and substance abuse services must be evaluated at the end of the Specialized Supportive Services component, in consultation with the appropriate service provider. ([See Chapter 1200](#))

### .841 Learning Disabilities

Participants with diagnosed or self-declared [Learning Disabilities \(LD\)](#) are eligible for extenders until they are able to maintain employment. Therefore, participants with LD can be approved for 12-month extenders that must be re-evaluated

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every twelve months.

### .842 Mental Health and Substance Abuse

Participants in mental health and substance abuse activities are extended until the end of their component. For example, if a participant was enrolled in a services component until September 2005, and the 60-month time clock expired in June 2005, the extender must be re-evaluated prior to the component expiration date, which is less than twelve months.

## **.9 Good Cause**

The good cause determination is an important part of the non-compliance process. It provides an opportunity for the participant to present information relevant to the issue of non-participation and can often lead to resumed participation and the avoidance of a sanction. The participant must be given an opportunity to establish good cause for failing to comply with program requirements prior to being GAIN sanctioned.

### .91 Good Cause Eligibility Period

Good Cause may be granted in 30-day intervals; determinations must be reviewed at least every 30 days and may be extended for a total of 90 days. GSWs/CCMs are required to explain the Good Cause and compliance processes at the first point of contact.

### .92 Examples of Good Cause

.921 Homelessness

.922 Temporary Illness (less than 30 days)

.923 Temporary Medical Illness of Child/Family Member

.924 Court Appearances/Legal Difficulties

.925 Death in Family

.926 Severe Family Crisis

.927 Breakdown of Transportation and/or Child/care Arrangements  
(case-by-case basis)

### .93 Documentation Requirement

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Standard documentation (i.e., affidavit, written or verbal third party documentation) requirements apply to all good cause reasons, including substantial and compelling/other good cause reasons.

### .94 Multiple Good Cause Requests

Multiple requests for Good Cause because of [Incapacity](#) (Code 05) or [Caring for an Ill Household Member](#) (Code 07) will require the GSW to contact the participant's health care provider. If the total expected duration exceeds 29 days, an exemption may be granted.

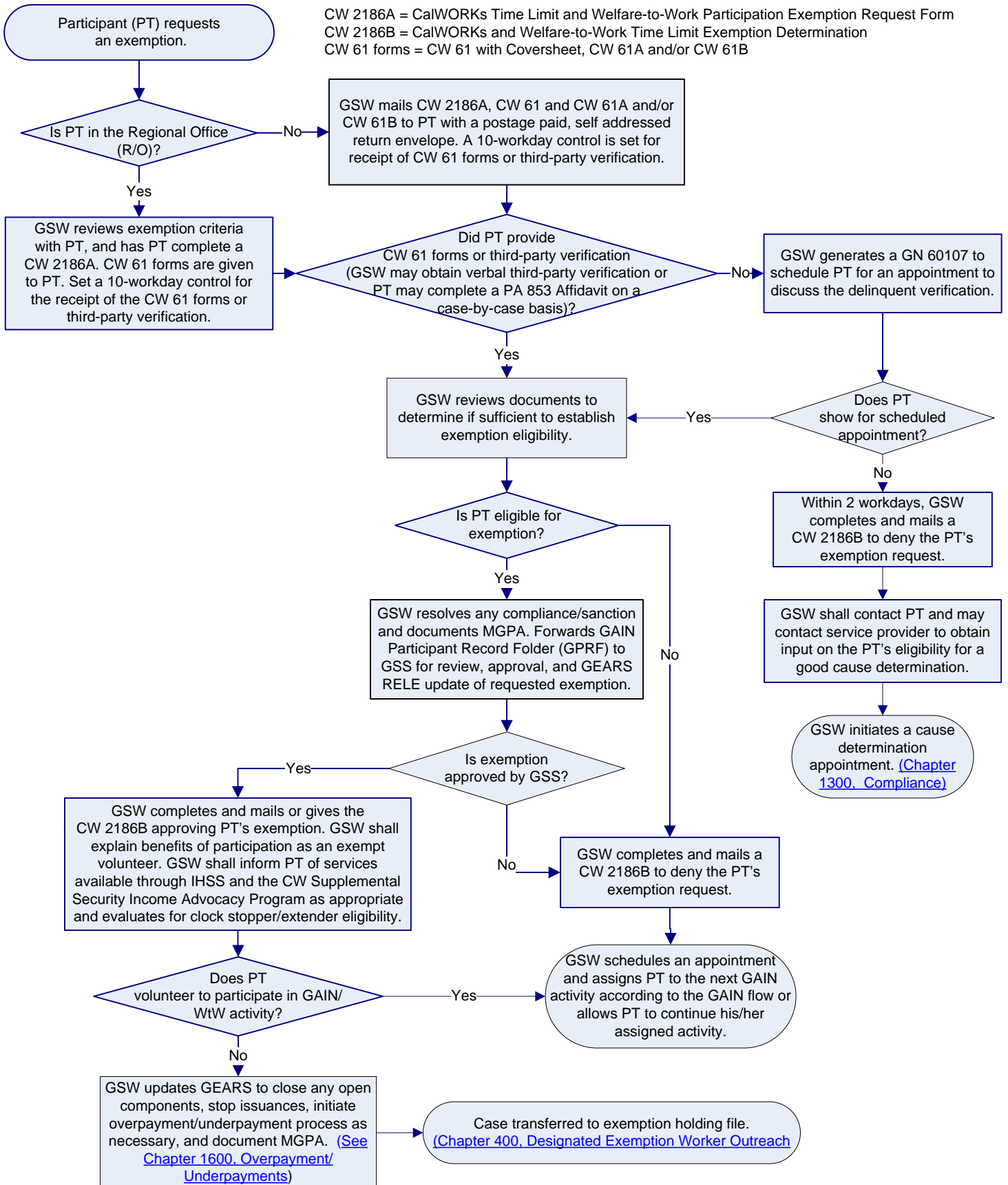
The retroactive exemption period is the first day of the first exemption request. The exemption end date is the last date verified with the health care provider.

# CHAPTER 400 - EXEMPTIONS AND GOOD CAUSE

## 413 DECISION CHARTS

### .1 Evaluation of Possible Exemption

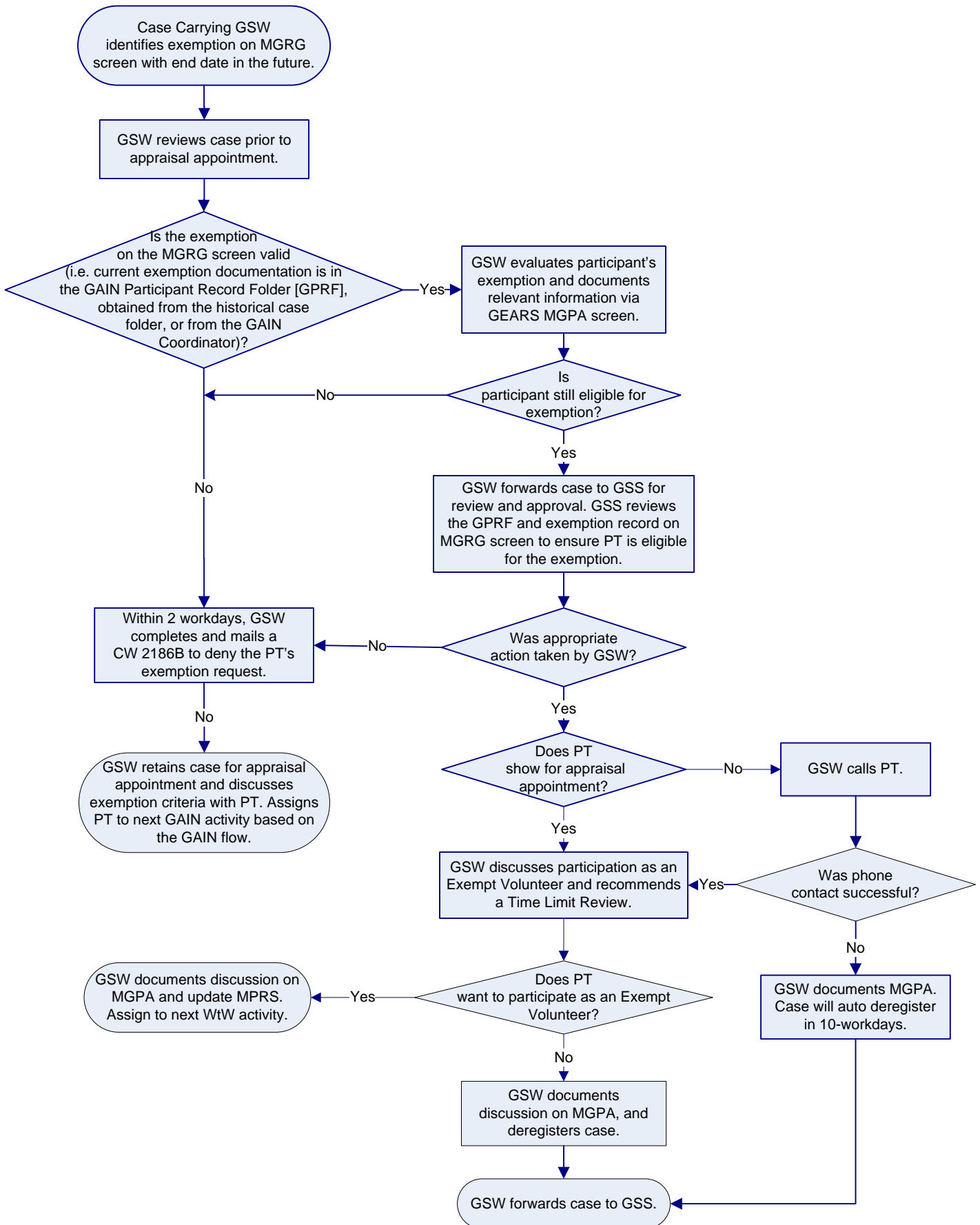
#### .11 Evaluation of Exemption Decision Chart



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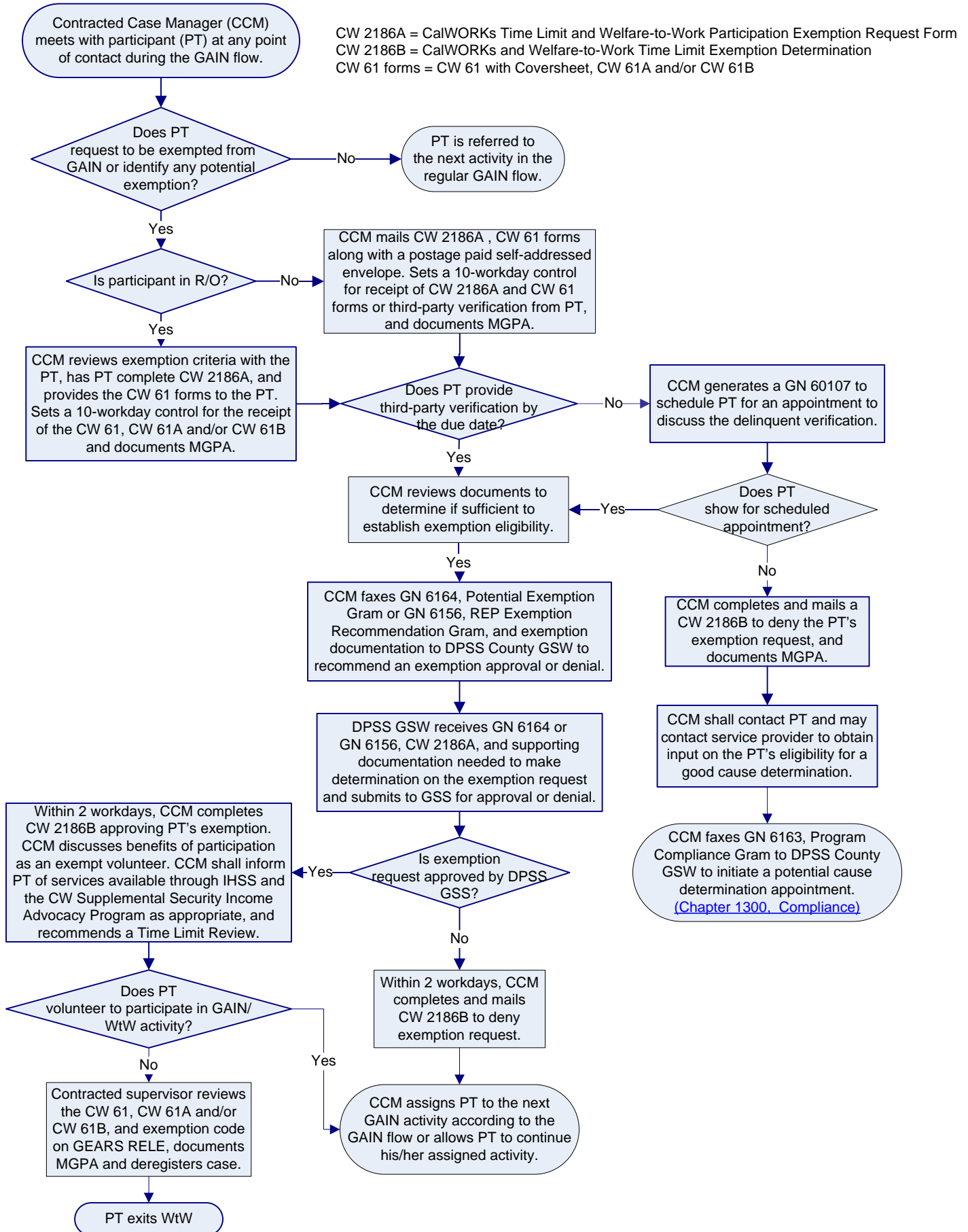
## 413.1 Evaluation of Possible Exemption

### .12 Evaluation of Exemption By Case Carrying GSW Decision Chart



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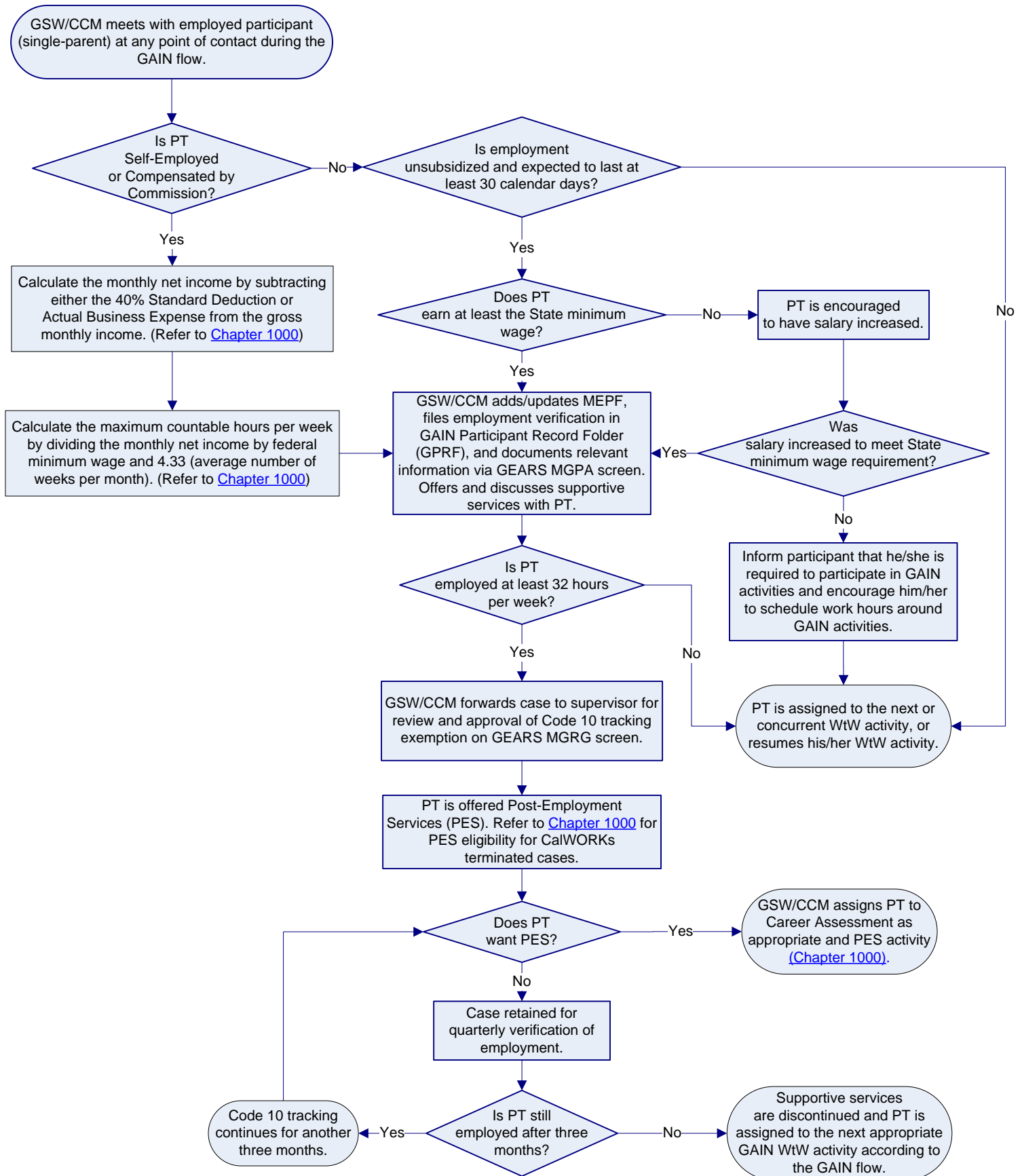
## 413.2 Exemption Process By Contracted Case Managers Decision Chart



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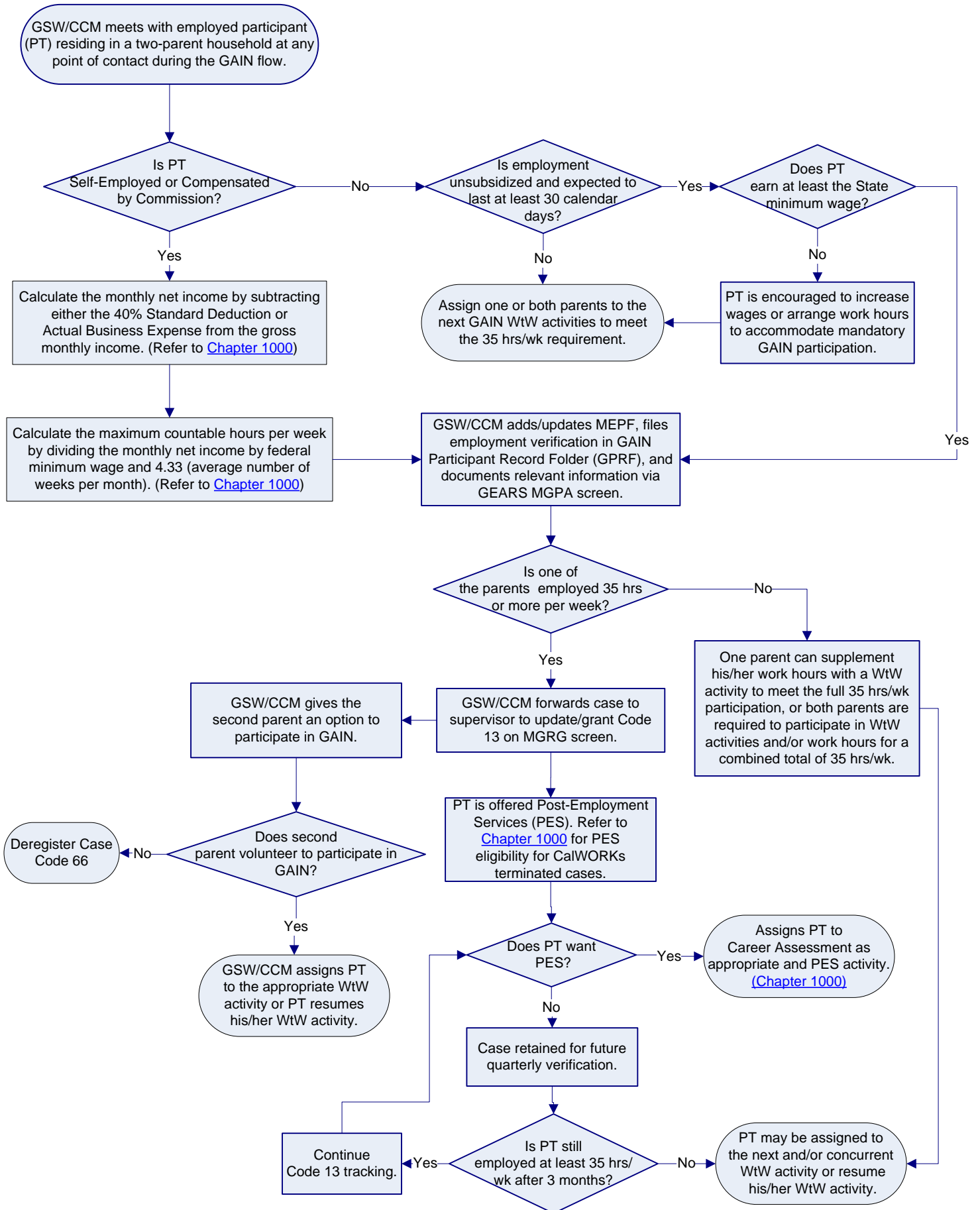
## 413.3 Employment Decision Charts

### .31 Tracking Code 10 Exemption Decision Chart



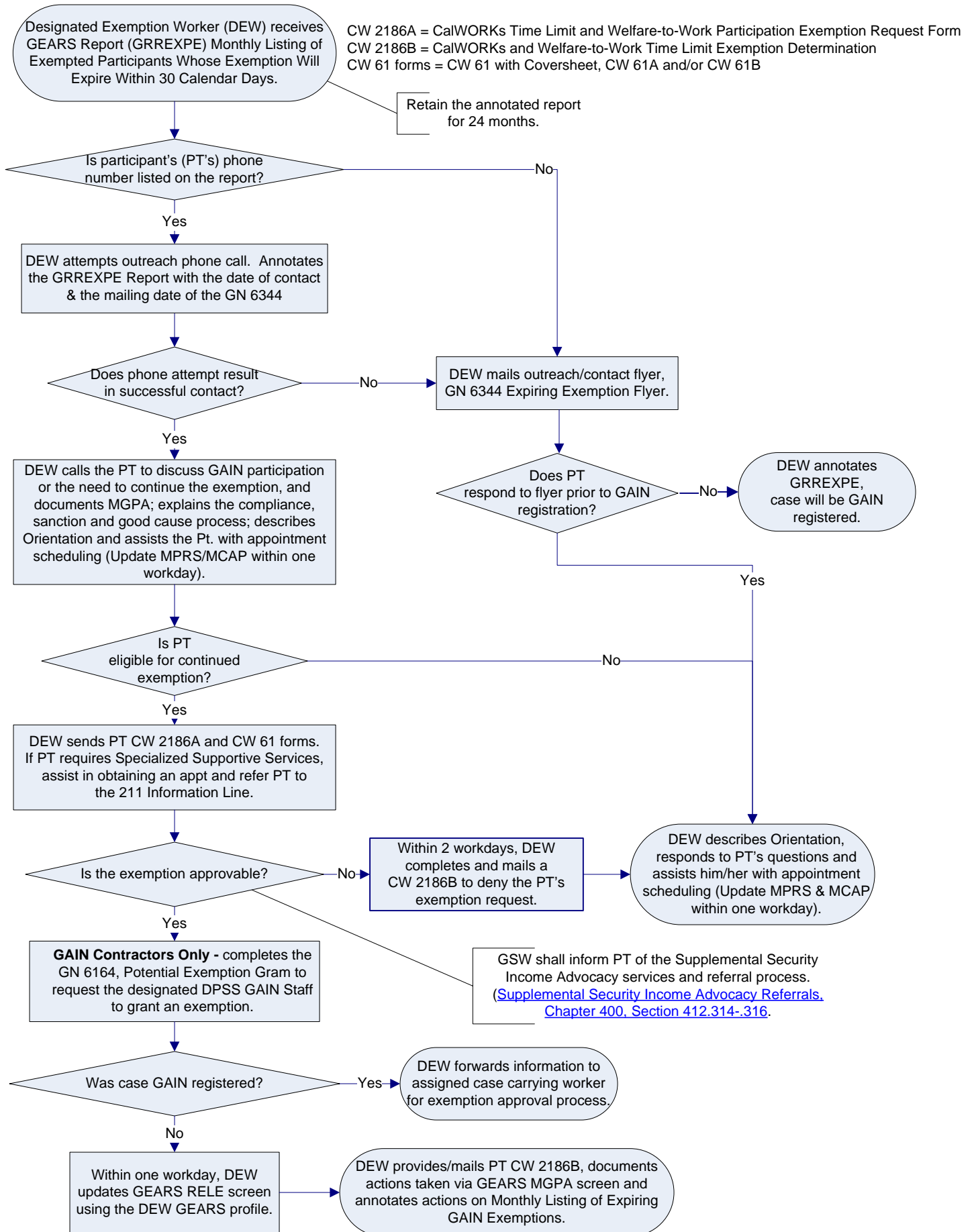
# CHAPTER 400 - EXEMPTIONS AND GOOD CAUSE

## 413.32 Tracking Code 13 Exemption for CalWORKS Two Parents Decision Chart



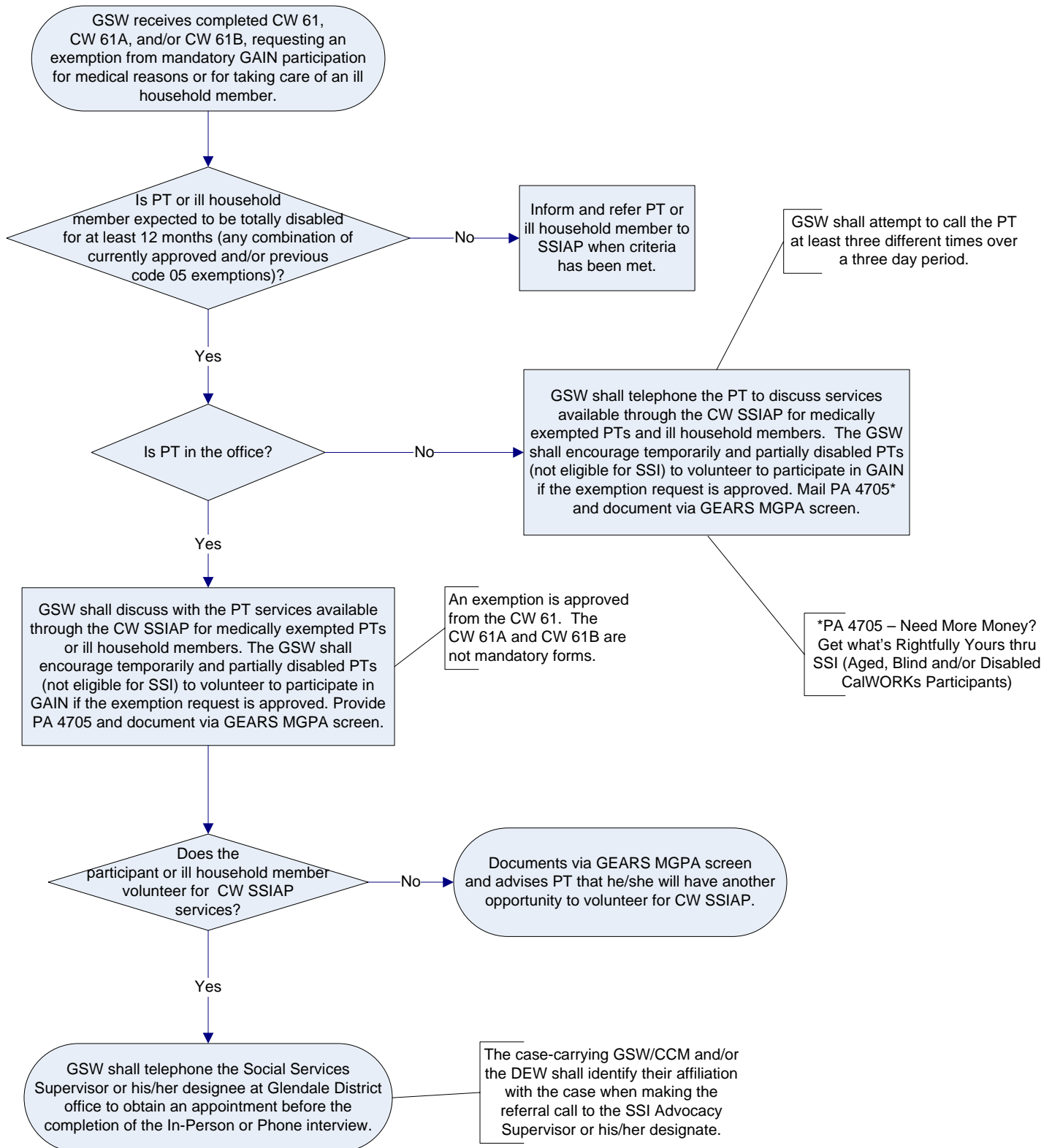
# CHAPTER 400 - EXEMPTIONS AND GOOD CAUSE

## 413.4 Designated Exemption Workers' Expiring Exemption Decision Chart



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## 413.5 CalWORKs Supplemental Security Income Advocacy Program (SSIAP) Decision Chart



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### 414 EXHIBITS

#### .1 Exhibit I - GAIN EXEMPTION GUIDELINES

Code	Definition	Documentation Requirements	Review Time Frames	Comments/Special Action
01	Youth under age 16	The CalWORKs case information obtained by the EW and input to LEADER which substantiates age.	Reviewed monthly via LEADER.	
02	Youth age 16-17 full-time student	The CalWORKs case information obtained by the EW and input to LEADER which substantiates age and proof of school attendance.	Reviewed monthly via LEADER.	If the participant loses this exemption it cannot be reapplied.
04	Age 60 or older	The CalWORKs case information obtained by EW and input to LEADER which substantiates age.	No review is required.	
05	<b>Incapacity</b>  Applies to an individual who is seeking treatment for a physical or mental impairment	The CalWORKs case information is obtained and input to LEADER by EW documenting incapacity.  <b>GSW obtains:</b> <ul style="list-style-type: none"> <li>▪ CW 61, CW 61A and/or CW 61B (the CW 61 Coversheet must be provided to the PT along with the CW 61), or</li> <li>▪ Statement from physician, psychologist or authorized staff member which includes: <ul style="list-style-type: none"> <li>○ the date the statement is provided;</li> <li>○ name, address and phone number of person providing the documentation;</li> <li>○ a statement as to the reason for exemption; and</li> <li>○ the duration, or</li> </ul> </li> <li>▪ Verification of receipt of: <ul style="list-style-type: none"> <li>○ Old-Age-Survivors and Disability Insurance (OASDI) benefits based on the individual's own disability when verified by a copy of the award letter, or State Disability Insurance (SDI) or</li> <li>○ Worker's Compensation.</li> </ul> </li> </ul>	Reviewed monthly via LEADER screen when assigned by LEADER.  Controlled via GEARS whenever assigned by the GSW. Reviewed based on expiration date of documentation, or at least annually, whichever is less.	<b>Code 05 exempt participants should be informed of services available through In-Home Supportive Services (IHSS).</b>  The GSW must inform the participant of the SSI Advocacy referral process if he/she has: <ul style="list-style-type: none"> <li>• an exemption end date of 12 months or more; or</li> <li>• received an exemption code 05 for documented exemptions lasting 12 months or more (may be combined);</li> <li>• a permanent medical condition.</li> </ul>

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### .1 Exhibit I - GAIN EXEMPTION GUIDELINES (Continued)

Code	Definition	Documentation Requirements	Review Time Frames	Comments/Special Action
06	18 years old, in school full-time	CalWORKs case information obtained by the EW and input to LEADER which substantiates age and proof of school attendance.	No review is required.	
07	Provides continuous care for ill household member	<p><b>GSW obtains:</b></p> <ul style="list-style-type: none"> <li>▪ CW 61 (the CW 61 Coversheet must be provided to the PT along with the CW 61), or</li> <li>▪ Statement from a physician, psychologist or authorized staff member stating that:               <ul style="list-style-type: none"> <li>○ the household member is physically/mentally ill,</li> <li>○ someone is needed in the home to provide care, and</li> <li>○ expected duration:</li> </ul> </li> </ul> <p><b>AND</b></p> <ul style="list-style-type: none"> <li>○ If there is more than one adult in the household, a PA 853 which specifies that the individual is the only adult living in the home available to provide care and the hours of care will preclude participant from GAIN participation.</li> </ul>	Controlled via GEARS and reviewed based on the expiration date of the documentation or at least annually, whichever is less.	<p>The GSW will review day-to-day responsibilities with the participant to determine if he/she will be unable to participate in GAIN.</p> <p>The GSW must inform the participant of services available through the CalWORKs SSIAP, if the ill household member is expected to be disabled for 12 months or more, or a combination of past and current disability months for at least 12 months, or has a permanent condition.</p> <p>Code 07 exempt participants should be informed of services available through In-Home Supportive Services (IHSS) for the ill household member, and the potential opportunity for becoming an IHSS provider.</p>
08	<p>Full Exemption- Parent or relative of child under one.</p> <p><b>NOTE:</b></p> <ul style="list-style-type: none"> <li>▪ Parent/relative must be personally providing care for the child.</li> <li>▪ Only one parent in a two-parent household can be given this exemption.</li> </ul>	<p>CalWORKs case information obtained by the EW and input to LEADER which substantiates the child's age and relationship to the caretaker.</p> <ul style="list-style-type: none"> <li>▪ May be granted only one-time.</li> <li>▪ Linked to a specific child.</li> </ul>	Reviewed by the GSW every three months at an automatically scheduled Appraisal appointment.	<p>At the Appraisal appointment the GSW will determine if the participant wants to volunteer.</p> <p>Former Cal-Learn participants do not qualify for this exemption.</p>

## CHAPTER 400 - EXEMPTIONS AND GOOD CAUSE

### .1 Exhibit I - GAIN EXEMPTION GUIDELINES (Continued)

Code	Definition	Documentation Requirements	Review Time Frames	Comments/Special Action
09	Pregnant and disabled participants due to pregnancy. Applies to women who are pregnant and cannot work or participate in a training program while pregnant.	<p><b>GSW obtains:</b></p> <ul style="list-style-type: none"> <li>▪ CW 61, CW 61A and/or CW 61B (the CW 61 Coversheet must be provided to the PT along with the CW 61), or</li> <li>▪ Statement from a physician which includes:               <ul style="list-style-type: none"> <li>○ verification of pregnancy</li> <li>○ verification of disability during pregnancy</li> <li>○ expected delivery and recovery dates.</li> </ul> </li> </ul>	Controlled via GEARS and reviewed based on expected delivery dates.	The GSW can grant this exemption if he/she determines that although the participant is not disabled during pregnancy, participation will not lead to employment or training is not appropriate.
11	Full-time volunteer in the Volunteers in Service to America (VISTA) program	<p><b>GSW obtains one of the following:</b></p> <ul style="list-style-type: none"> <li>▪ a copy of a Domestic Volunteer Earnings Statement; or</li> <li>▪ a written verification from the VISTA Office or sponsor.</li> </ul>	Reviewed based on the expiration date of the documentation or at least annually, whichever is less.	
14	Non-parent relative caring for a child who is a dependent or ward of the court or at risk placement in foster care.	<p>If caring for a dependent or ward of the court, GSW obtains:</p> <ul style="list-style-type: none"> <li>▪ a Court Order.</li> </ul> <p>If caring for a child at risk of placement in foster care, GSW obtains the following:</p> <ul style="list-style-type: none"> <li>▪ a Relative Placement Agreement; and</li> <li>▪ written verification from the Department of Children and Family Services that he/she must solely provide care for the child, including the reason.</li> </ul>	Reviewed based on the expiration date of the documentation or at least annually, whichever is less.	The GSW will review day-to-day responsibilities required for care of the child with the participant to determine if he/she will be unable to participate in GAIN.

## CHAPTER 400 - EXEMPTIONS AND GOOD CAUSE

### .2 EXHIBIT II - EMPLOYMENT TRACKING CODES

Code	Definition	Documentation Requirements	Review Time Frames	Comments/Special Action
10	Single Parent working 32 hours or more per week.	<p>The following are acceptable forms of documentation for participants who are currently working:</p> <ul style="list-style-type: none"> <li>▪ Paystubs obtained through CalWORKs via CAST system;</li> <li>▪ Paystubs, PA 167, and/or employer's written or verbal statement as to the employment hours and start date;</li> </ul> <p>The following are acceptable forms of documentation for participants who have not started work or If the participant has not yet started work:</p> <ul style="list-style-type: none"> <li>▪ GSW obtains documentation based on the PA 1672-1 and/or PA 167, or employer's written or verbal statement as to the employment hours and start date, and share this with the EW.</li> </ul>	When this tracking code is entered on GEARS by GSW, it is reviewed after 3 months by the GSW.	This code is a tracking code. The participant will be offered Post-Employment Services while employed.
13	Two Parent household, CalWORKs-U case, working 35 hours per week.	<p>The verification process for Code <a href="#">13</a> is the same as for code 10.</p> <p>See <a href="#">Chapter 1000</a> for criteria for combined work hours to meet the 35 hours per week.</p>	Reviewed after 3 months by the GSW.	This code is a tracking code. The participant will be offered Post-Employment Services while employed.