

2SHB 3141 - H AMD 1094

By Representative Kagi

ADOPTED AS AMENDED 02/14/2010

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 74.08A
4 RCW to read as follows:

5 (1) The legislature finds that the goal of the Washington WorkFirst
6 program is economic self-sufficiency for families through unsubsidized
7 employment. The legislature also finds that matching available
8 resources with families' needs and developing a comprehensive plan
9 assists families in attaining lasting self-sufficiency through
10 employment.

11 (2) The legislature also finds that the primary purposes of the
12 temporary assistance for needy families program are: (a) To help job
13 ready participants secure gainful employment; (b) to assist parents to
14 prepare for and obtain sustainable employment that will lift the family
15 out of poverty and lead to economic self-sufficiency; and (c) to
16 provide basic income assistance and support to parents who are disabled
17 or otherwise exempt from work activity requirements under federal law.

18 (3) The legislature further finds that parents who have adequate
19 job skills and experiences should be referred to job search activities
20 that will lead to employment.

21 (4) The legislature also finds that completion of appropriate
22 educational and training programs is necessary for some families to
23 achieve economic self-sufficiency through employment because research
24 demonstrates that without adequate levels of education or training, job
25 search activities alone have no measurable impact on a family's ability
26 to become and remain economically self-sufficient.

27 (5) The legislature further finds that while many families have
28 been successful in permanently leaving the program of temporary
29 assistance for needy families, statistics indicate that families

1 continue to return to the program in the absence of adequate education
2 and training.

3 (6) In order to provide work opportunities for parents with
4 significant barriers to employment, the legislature intends to build
5 upon the successes of the community jobs program and to provide
6 subsidized employment opportunities to parents who are unable to find
7 employment after earnest efforts at job search or education and
8 training activities.

9 (7) The legislature recognizes the vital importance of early
10 childhood development and the significant developmental risks presented
11 for children living in low-income households, particularly during
12 critical developmental stages. Therefore, the legislature intends to
13 reform components of Washington's subsidized childcare program by
14 redesigning the eligibility determination process to promote: (a)
15 Stability for children and (b) predictability for parents who are
16 either working or preparing and searching for work and the childcare
17 providers who are serving low-income families.

18 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.215 RCW
19 to read as follows:

20 (1) The department shall establish and implement policies in the
21 working connections child care program to promote stability and quality
22 of care for children from low-income households. Policies for the
23 expenditure of funds constituting the working connections child care
24 program must be consistent with the outcome measures defined in RCW
25 74.08A.410 and the standards established in this section intended to
26 promote continuity of care for children.

27 (2) Beginning in fiscal year 2011, for families with children
28 enrolled in an early childhood education and assistance program, a head
29 start program, or an early head start program, authorizations for the
30 working connections child care subsidy shall be effective for twelve
31 months unless a change in circumstances necessitates reauthorization
32 sooner than twelve months.

33 (3) The department, in consultation with the department of social
34 and health services, shall report to the legislature by September 1,
35 2011, with:

36 (a) An analysis of the impact of the twelve-month authorization

1 period on the stability of child care, program costs, and
2 administrative savings; and

3 (b) Recommendations for expanding the application of the twelve-
4 month authorization period to additional populations of children in
5 care.

6 NEW SECTION. **Sec. 3.** A new section is added to chapter 74.08A RCW
7 to read as follows:

8 The Washington WorkFirst subcabinet, in consultation with the
9 governor, shall:

10 (1) Reevaluate the structure and policies of the WorkFirst program
11 in the context of legislative intent expressed in section 1 of this
12 act, and in consideration of the relevant research relating to family
13 economic self-sufficiency and the completion of training and education
14 programs shown to be correlated with increased earnings and career
15 growth;

16 (2) Develop a proposal for redesigning the state's use of temporary
17 assistance for needy families funds in a manner that makes optimum use
18 of all funds available in the state to promote more families moving out
19 of poverty to sustainable self-sufficiency; and

20 (3) Report the proposal to the appropriate committees of the
21 legislature by December 1, 2010. The proposal must include the
22 following elements:

23 (a) A process for conducting a reassessment for persons who have
24 been unable to achieve sustainable self-sufficiency through employment
25 after receiving WorkFirst assistance for fifty-four months. The
26 reassessment must be designed to determine if referral to community
27 jobs or other services, including education and training opportunities,
28 is appropriate or necessary to assist the person in attaining self-
29 sufficiency for the family;

30 (b) A plan for referring persons who have been unsuccessful in
31 finding sustainable employment to the community jobs program or other
32 wage-subsidized employment program established under RCW 74.08A.320.
33 Referrals should complement other activities that might be identified
34 in a reassessment under (a) of this subsection; and

35 (c) A schedule for the development and implementation of three
36 pathways to family self-sufficiency that will guide case management and

1 engage parents early in developing a comprehensive plan to achieve
2 self-sufficiency while addressing families' current basic needs. The
3 pathways must address appropriate referrals for:

4 (i) Persons who have: (A) Marketable job skills, adequate
5 education, or experience and attachment to the job force, (B)
6 transportation, (C) safe child care arrangements in place, and (D) no
7 unaddressed barriers to employment;

8 (ii) Persons who have: (A) Few or no marketable job skills, (B)
9 little experience or attachment to the job force, (C) no high school
10 diploma or equivalent, or (D) a need to complete adult basic education
11 or other activities to remove barriers to employment; and

12 (iii) Persons who are: (A) Incapacitated and unemployable, (B)
13 caring for a child with a disability, or (C) the primary caregiver for
14 a family member with a disability.

15 **Sec. 4.** RCW 74.08A.285 and 2003 c 383 s 3 are each amended to read
16 as follows:

17 The WorkFirst program operated by the department to meet the
18 federal work requirements specified in P.L. 104-193 shall contain a job
19 search component. The component shall consist of instruction on how to
20 secure a job and assisted job search activities to locate and retain
21 employment. Nonexempt recipients of temporary assistance for needy
22 families shall participate in an initial job search for no more than
23 twelve consecutive weeks, when appropriate, given the recipient's
24 marketable job skills, attachment to the labor force, and level of
25 education or training. Each recipient shall receive a work skills
26 assessment upon referral to the job search program. The work skills
27 assessment shall include but not be limited to education, employment
28 history, employment strengths, and job skills. The recipient's ability
29 to obtain employment will be reviewed periodically thereafter and, if
30 it is clear at any time that further participation in a job search will
31 not be productive, the department shall assess the recipient pursuant
32 to RCW 74.08A.260. The department shall refer recipients unable to
33 find employment through the initial job search period to ((work))
34 activities that will develop their skills or knowledge to make them
35 more employable, including additional job search and job readiness
36 assistance.

1 **Sec. 5.** RCW 74.08A.320 and 1997 c 58 s 325 are each amended to
2 read as follows:

3 The department shall establish a wage subsidy program to be known
4 as the community jobs program for recipients of temporary assistance
5 for needy families who have barriers to employment, lack experience and
6 attachment to the job force, or have been unsuccessful in securing
7 employment leading to family self-sufficiency. The department shall
8 give preference in job placements to private sector employers that have
9 agreed to participate in the wage subsidy program. The department
10 shall identify characteristics of employers who can meet the employment
11 goals stated in RCW 74.08A.410. The department shall use these
12 characteristics in identifying which employers may participate in the
13 program. The department shall adopt rules for the participation of
14 recipients of temporary assistance for needy families in the wage
15 subsidy program. Participants in the program established under this
16 section may not be employed if: (1) The employer has terminated the
17 employment of any current employee or otherwise caused an involuntary
18 reduction of its workforce in order to fill the vacancy so created with
19 the participant; or (2) the participant displaces or partially
20 displaces current employees. Employers providing positions created
21 under this section shall meet the requirements of chapter 49.46 RCW.
22 This section shall not diminish or result in the infringement of
23 obligations or rights under chapters 41.06, 41.56, and 49.36 RCW and
24 the national labor relations act, 29 U.S.C. Ch. 7. The department
25 shall establish such local and statewide advisory boards, including
26 business and labor representatives, as it deems appropriate to assist
27 in the implementation of the wage subsidy program. Once the recipient
28 is hired, the wage subsidy shall be authorized for up to nine months.

29 NEW SECTION. **Sec. 6.** RCW 74.08A.200 (Intent--Washington
30 WorkFirst) and 1997 c 58 s 301 are each repealed.

31 NEW SECTION. **Sec. 7.** It is the intent of the legislature that
32 this act be implemented within the funding appropriated in the 2009-11
33 biennial budget. No additional appropriations will be provided for its
34 implementation."

35 Correct the title.

EFFECT: (1) Revises the intent section to state that the goal of the WorkFirst program is economic self-sufficiency through unsubsidized employment. (2) Removes references in the intent section relating to specific certification or credential programs; supports to be provided to persons who are exempt on the basis of disability; duplicative references to education and training opportunities to prepare parents for employment and economic self-sufficiency; and alleviating the effects of poverty on Washington's children. (3) Clarifies legislative intent regarding implementation of the act and requires the act to be implemented "within funding appropriated in the 2009-11 biennial budget" instead of "within existing resources."

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