

E2SHB 3141 - S COMM AMD
By Committee on Ways & Means

ADOPTED 03/03/2010

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 work. The legislature also finds that matching available resources
8 with families' needs and developing a comprehensive plan assists
9 families in attaining lasting self-sufficiency through work.

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

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

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

26 (5) The legislature further finds that while many families have
27 been successful in permanently leaving the program of temporary
28 assistance for needy families, statistics indicate that families
29 continue to return to the program in the absence of adequate education
30 and training.

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

7 (7) The legislature intends to reform components of Washington's
8 subsidized childcare program by redesigning the eligibility
9 determination process to promote: (a) Stability for children and (b)
10 predictability for parents who are either working or preparing and
11 searching for work and the childcare providers who are serving low-
12 income families.

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

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

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

28 (3) The department, in consultation with the department of social
29 and health services, shall report to the legislature by September 1,
30 2011, with:

31 (a) An analysis of the impact of the twelve-month authorization
32 period on the stability of child care, program costs, and
33 administrative savings; and

34 (b) Recommendations for expanding the application of the twelve-
35 month authorization period to additional populations of children in
36 care.

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

3 The Washington WorkFirst subcabinet, in consultation with the
4 governor, shall:

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

11 (2) Develop a proposal for redesigning the state's use of temporary
12 assistance for needy families funds in a manner that makes optimum use
13 of all funds available in the state to promote more families moving out
14 of poverty to sustainable self-sufficiency. The subcabinet must report
15 the proposal to the appropriate committees of the legislature by
16 December 1, 2010. The proposal must include the following elements:

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

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

29 (c) A schedule for the development and implementation of three
30 pathways to family self-sufficiency that will guide case management and
31 engage parents early in developing a comprehensive plan to achieve
32 self-sufficiency while addressing families' current basic needs. The
33 pathways must address appropriate referrals for:

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

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

5 (iii) Persons who are: (A) Incapacitated and unemployable, (B)
6 caring for a child with a disability, or (C) the primary caregiver for
7 a family member with a disability; and

8 (3)(a) Adopt the goal of increasing the percentage of households
9 receiving temporary assistance for needy families that move into the
10 middle-income bracket or higher, and delineate specific program
11 strategies within the proposal required in subsection (2) of this
12 section to reach that goal.

13 (b) The proposal developed under subsection (2) of this section
14 shall also include an estimate by the office of financial management,
15 in consultation with other state agencies, of the percentage of
16 Washington residents with incomes in the middle-income bracket or
17 higher, and the percentage of WorkFirst clients who have historically
18 moved into the middle-income bracket or higher. The office of
19 financial management shall continue, by December 1 of every year
20 thereafter, to estimate and report the percentage of Washington
21 residents with incomes in the middle-income bracket or higher to the
22 governor and the appropriate committees of the legislature.

23 (c) For purposes of this section, "middle-income bracket" means
24 family incomes between two hundred and five hundred percent of the 2009
25 federal poverty level, as determined by the United States department of
26 health and human services for a family of four, adjusted annually for
27 inflation.

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

30 The WorkFirst program operated by the department to meet the
31 federal work requirements specified in P.L. 104-193 shall contain a job
32 search component. The component shall consist of instruction on how to
33 secure a job and assisted job search activities to locate and retain
34 employment. Nonexempt recipients of temporary assistance for needy
35 families shall participate in an initial job search for no more than
36 twelve consecutive weeks, when appropriate, given the recipient's
37 marketable job skills, attachment to the labor force, and level of

1 education or training. Each recipient shall receive a work skills
2 assessment upon referral to the job search program. The work skills
3 assessment shall include but not be limited to education, employment
4 history, employment strengths, and job skills. The recipient's ability
5 to obtain employment will be reviewed periodically thereafter and, if
6 it is clear at any time that further participation in a job search will
7 not be productive, the department shall assess the recipient pursuant
8 to RCW 74.08A.260. The department shall refer recipients unable to
9 find employment through the initial job search period to ((work))
10 activities that will develop their skills or knowledge to make them
11 more employable, including additional job search and job readiness
12 assistance.

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

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

1 business and labor representatives, as it deems appropriate to assist
2 in the implementation of the wage subsidy program. Once the recipient
3 is hired, the wage subsidy shall be authorized for up to nine months.

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

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

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10 On page 1, line 2 of the title, after "families;" strike the
11 remainder of the title and insert "amending RCW 74.08A.285 and
12 74.08A.320; adding new sections to chapter 74.08A RCW; adding a new
13 section to chapter 43.215 RCW; creating a new section; and repealing
14 RCW 74.08A.200."

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