

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 1052\*

Short Title: AFDC Emp./Workfare/Funds.

(Public)

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Sponsors: Representative Howard.

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Referred to: Welfare Reform and Human Resources if favorable, Appropriations.

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May 8, 1995

A BILL TO BE ENTITLED

AN ACT TO REQUIRE RECIPIENTS OF AID TO FAMILIES WITH DEPENDENT CHILDREN (AFDC) TO PARTICIPATE IN EMPLOYMENT/WORKFARE AND TO APPROPRIATE FUNDS.

The General Assembly of North Carolina enacts:

Section 1. Article 2 of Chapter 108A of the General Statutes is amended by inserting a new Part to read:

**"PART 5A. AFDC EMPLOYMENT/WORKFARE PROGRAM.**

**"§ 108A-53.10. AFDC Employment/Workfare.**

(a) The General Assembly finds that all eligible Aid to Families with Dependent Children (AFDC) recipients shall participate in an employment/workfare program.

(b) Effective July 1, 1995, the Department of Human Resources shall, jointly with the Employment Security Commission, establish the AFDC Employment/Workfare Program.

Effective October 1, 1995, the Department shall begin the operation of the AFDC Employment/Workfare Program by notifying all current AFDC recipients and applicants for AFDC assistance that all AFDC recipients are required to participate in the AFDC Employment/Workfare Program if not declared exempt. After that date, the Department shall ensure that all applicants for AFDC assistance are notified that all AFDC recipients are required to participate if not declared exempt.

1       The Employment/Workfare Program shall consist of three major components:

- 2           (1) Job Search;  
3           (2) Job Preparedness; and  
4           (3) Community Service.

5       (c) An Employment Security Commission interviewer shall evaluate every AFDC  
6 recipient to place the recipient in any of the three components of the  
7 Employment/Workfare Program that the interviewer considers appropriate based upon  
8 the evaluation's assessment of the recipient's job readiness or need for other assistance  
9 before being considered competitive in the local labor force, or to make the recipient  
10 temporarily or permanently exempt from the Employment/Workfare Program. A  
11 recipient shall be considered exempt if:

- 12           (1) The recipient is younger than 16 years of age or a recipient 65 years of  
13 age or older;  
14           (2) The recipient is physically or mentally unfit for employment;  
15           (3) The recipient is a parent or other household member who is responsible  
16 for the care of a dependent child under five years of age, or for an  
17 incapacitated person;  
18           (4) The recipient is a regular participant in a drug addiction or alcohol  
19 treatment and rehabilitation program;  
20           (5) The recipient is employed or self-employed and is working a minimum  
21 of 30 hours weekly or is receiving earnings equal to the federal  
22 minimum wage multiplied by 30 hours;  
23           (6) The recipient is a student who is enrolled full time in any recognized  
24 public or private school, training program, or institution of higher  
25 education; or  
26           (7) A household member who is currently actively and satisfactorily  
27 participating in a work training program under AFDC at least 30 hours  
28 per week.

29       (d) Once the Employment Security Commission interviewer has placed the  
30 recipient in the appropriate component of the Employment/Workfare Program, the  
31 Employment Security Commission shall register the recipient.

32       (e) The recipient placed in the Job Search component of the  
33 Employment/Workfare Program shall look for work and shall accept any suitable  
34 employment. The Employment Security Commission shall refer recipients to current job  
35 openings, shall make job development contacts for recipients. Recipients shall be  
36 required to keep a record of their job search activities, which activities shall be monitored  
37 by the Employment Security Commission. The Job Search component shall last a  
38 maximum of eight weeks and shall include at least one contact weekly with the  
39 Employment Security Commission.

40       The Employment Security Commission shall provide the recipient placed in the Job  
41 Preparedness component of the Employment/Workfare Program with a job-seeking skills  
42 workshop, employment counseling, and other assessment tools, such as testing and  
43 interest inventories. If the Commission considers it necessary, the Commission shall also

1 make referrals of recipients placed in the Job Preparedness component of the  
2 Employment/Workfare Program to the local community college for enrollment in  
3 General Education Development (GED), Adult Basic Education (ABD), or Human  
4 Resources Development (HRD) programs that are already in existence. Additionally, the  
5 Commission shall refer the recipient to the literacy council. Whenever recipients are  
6 referred to the community college or the literacy council, the Commission shall monitor  
7 the recipients' progress through close communications with those agencies.

8 The Job Preparedness component of the Employment/Workfare Program shall last a  
9 maximum of eight weeks.

10 (f) A recipient who has not found a job within eight weeks of being placed in the  
11 Job Search component of the Employment/Workfare Program or who is not job ready  
12 within eight weeks of being placed in the Job Preparedness component shall be placed in  
13 the Community Service component, in order to enable recipients to gain valuable skills  
14 such as work experience and positive work habits that will eventually enable them to gain  
15 employment while allowing the community to benefit from the support of these  
16 recipients. This component shall use the services of AFDC recipients and other  
17 recipients of assistance available under this Article to provide uncompensated assistance  
18 to public or nonprofit, private agencies in the recipients' communities. Recipients shall  
19 work without compensation in their local communities for the number of hours monthly  
20 that equals the amount of their AFDC assistance divided by the appropriate minimum  
21 wage. The Department of Human Resources shall ensure that the number of hours  
22 worked per month does exceed this number of hours.

23 When the recipient requires transportation to community service of more than two  
24 miles from where the recipient lives, the Program shall reimburse the recipient up to  
25 twenty-five dollars (\$25.00) per month.

26 (g) The Department of Human Resources shall ensure that a recipient's continued  
27 AFDC assistance is contingent upon satisfactory participation in the  
28 Employment/Workfare Program unless the Department finds that one or more of the  
29 following 'good cause failure to comply' situations have occurred, in which case AFDC  
30 assistance shall continue:

- 31 (1) Illness of the recipient or a household member for whom the recipient is  
32 responsible;
- 33 (2) Household emergency, such as death;
- 34 (3) Necessity for a recipient parent or other responsible household member  
35 to care for a child between the ages of five and 12 when other adequate  
36 child care is not available;
- 37 (4) Emergence of exempting condition, as prescribed in subsection (c) of  
38 this section;
- 39 (5) Household moving out of the area of the Program; or
- 40 (6) If notification is spoken or written only in English, the inability to speak  
41 or write English.

42 (h) The Department of Human Resources shall, jointly with the Employment  
43 Security Commission, adopt rules to implement this section, including rules to ensure that

1 all AFDC recipients and applicants for AFDC assistance are notified of all the  
2 requirements of the Employment/Workfare Program and that all community services  
3 employing agencies operate fairly and in full cooperation with the Employment/Workfare  
4 Program."

5       Sec. 2. The Department of Human Resources shall immediately, as of the  
6 effective date of this act, prepare and apply for any waiver from the federal government  
7 required to implement Section 1 of this act. If, before the effective date of Section 1 of  
8 this act, the federal government denies the waiver or has not accepted the waiver, then the  
9 Department and the Employment Security Commission, when appropriate, shall  
10 implement Section 1 of this act to the extent that implementation is not inconsistent with  
11 any federal law.

12       Sec. 3. There is appropriated from the General Fund to the Department of  
13 Human Resources the sum of one hundred thousand dollars (\$100,000) for the 1995-96  
14 fiscal year and the sum of one hundred thousand dollars (\$100,000) for the 1996-97 fiscal  
15 year to implement this act. The Department shall direct the appropriate amount of these  
16 funds to the Employment Security Commission for its implementation.

17       Sec. 4. Except for and subject to the conditions set forth in Section 2 of this  
18 act, unless otherwise stated, Section 1 of this act becomes effective October 1, 1995, and  
19 applies to AFDC assistance issued beginning with the month following that date. Section  
20 3 becomes effective July 1, 1995. This section is effective upon ratification.