

90-700.05. JOB QUIT/TERMINATION SANCTIONS

**A.
General**

This section provides information regarding the job quit/termination sanctions in the GR AB Program.

**B.
Policy**

All AB applicants, who have either failed without good cause to accept a verified offer of employment, or have terminated employment, including Grant Diversion Employment, or have terminated or refused paid training sufficient to meet Basic Needs, shall be ineligible for 30 days following the last day worked or the date the job offer was to begin (Mascorro v. Board of Supervisors).

**C.
Determination
of Good
Cause for
Quitting or
Refusing a
Job**

Statements of employers and applicants will both be considered in the determination of good cause. Both will be considered as equally valid sources of information. When the statements of the employer and the applicant are in conflict, the applicant should be advised of the situation and given the opportunity to bring in any additional information available.

Only the most recent employment, paid training, or job offer within the prior 30 days is evaluated for good cause.

The pre-application worker is responsible for determining if it is probable that the applicant had good cause for terminating or refusing to accept employment/training by questioning the applicant.

If ...	Then the ...
questionable circumstances exist,	applicant will be scheduled for an Intake appointment and the Intake worker will determine if good cause existed for the terminated employment/training, and document on the 11-67 HHSA (Appendix A).
the applicant's statements clearly indicate that good cause does not exist,	application shall be denied and the applicant will be provided a denial NOA. Form 11-67 HHSA shall be documented to indicate that a willful sanction will be applied.

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**D.
Good Cause
Criteria for
Job Quit**

The table below shows the good cause criteria along with acceptable evidence.

Criteria	Acceptable evidence
Employer does not: <ul style="list-style-type: none"> • Possess a business license • Withhold SDI contributions • Carry worker’s compensation insurance or possess a certificate of self-insurance 	Statement from: <ul style="list-style-type: none"> • A local business licensing agency • EDD • The State Industrial Relations Department • The employer, other third party, or applicant
Employment or training violates health and safety laws	Statement from the State Industrial Relations Department, State Health Services Department, County Department of Environmental Health, or another government agency
Wage offered for employment/training was less than the federal minimum wage or customary wage in the community as set by EDD	Statement from: <ul style="list-style-type: none"> • EDD • Employer, other third party, or applicant
The offer of employment was due directly to a bona fide strike or lockout	Statement from the employer or a statement from EDD
The employment or training was in excess of the individual’s physical or mental capacity	Statement from: <ul style="list-style-type: none"> • The employer or training agency • A licensed physician or certified psychologist • From EDD
The individual was ill or required to care for an ill member of the immediate family and no other care arrangements were feasible	Statement from: <ul style="list-style-type: none"> • A licensed physician or certified psychologist • The applicant • The employer

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**Good Cause
Criteria for
Job Quit
(continued)**

Criteria	Acceptable evidence
The individual lacked transportation to or from the place of employment or training	The applicant's statement and the worker's determination that public transportation was not available to meet the requirements of the employment or training schedule

**E.
Determination
of Good
Cause When
Applicant
Was Fired**

The pre-application worker is responsible for determining if it is probable that the applicant was fired due to circumstances beyond his/her control. When questionable circumstances exist, the applicant will be scheduled for an intake appointment and the intake worker will make a good cause determination.

**F.
Good Cause
Criteria for
Firing**

In general, applicants who were fired for reasons beyond their control will not be sanctioned. Examples are:

- Applicant fired for poor performance and the poor performance was due to inability or incapacity to perform the job
- Applicant fired for inefficiency
- Applicant fired for any reason beyond his/her control

Applicants fired for willful acts which harmed their employer or fellow employees will be sanctioned.

**G.
Verification
Procedures**

The table below shows the steps the worker must take to verify if good cause exists.

Step	Action
1	View documents in the applicant's possession that relate to the firing.

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Verification Procedures
(continued)

Step	Action						
2	Contact the employer by phone, when possible, for information on the firing.						
	<table border="1" style="width: 100%;"> <thead> <tr> <th style="text-align: center;">If the employer cannot be ...</th> <th style="text-align: center;">Then ...</th> </tr> </thead> <tbody> <tr> <td>reached by phone,</td> <td>send form CSF 22, Employment Verification, to the employer for a reply.</td> </tr> <tr> <td>contacted,</td> <td>take a sworn statement from the applicant describing the firing.</td> </tr> </tbody> </table>	If the employer cannot be ...	Then ...	reached by phone,	send form CSF 22, Employment Verification, to the employer for a reply.	contacted,	take a sworn statement from the applicant describing the firing.
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H. Documentation

- Third party contacts must be recorded on Form 11-14 HHSA.
- The cause determination must be documented in the case record on Form 11-67 HHSA.

I. Sanctions Applied to Married Couples

Job quit/refusal sanctions shall apply only to employable GR applicants. The sanction shall not apply to spouses who are Incapacitated or who receive Public Assistance.

If ...	Then ...
both spouses are employable and one of the spouses quits a job,	both spouses shall be ineligible for the sanction period, because of the spouse for spouse responsibility
the couple includes one employable spouse and one Incapacitated spouse, and the employable spouse quit a job sufficient to meet both their needs,	only the employable spouse shall be ineligible during the sanction period.
the Incapacitated spouse becomes employable during the sanction period of the employable spouse,	both spouses shall be ineligible for the balance of the sanction period.

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Sanctions Applied to Married Couples (continued)

If ...	Then ...
the couple includes one employable spouse and Public Assistance recipient,	the employable spouse need only quit a job sufficient to meet his/her needs in order to become ineligible during the sanction period.

J. Military Separations Policy

All ex-military personnel, who have been separated from active services within 30 days of application for GR, shall be presumed to have quit/terminated employment without good cause. Exceptions to this policy shall be allowed for anyone meeting any of the good cause criteria in D, above, or in the event that the applicant is currently Incapacitated.

K. Military Separations Verification

Upon separation from military service, all military personnel receive a Report of Separation from Active Duty, DD 214. The ex-servicemen/women receive the first and fourth copy of this document. Both copies will state the length of time in the service and the separation date. In addition, copy 4 will also give the type of discharge and the reason for discharge.

A second document is also issued upon separation from military service. The table below shows the types of certificates and the form number.

Certificate	Number
Honorable Discharge	DD256
General Discharge	DD257
Undesirable Discharge	DD794
Bad Conduct Discharge	DD259
Dishonorable Discharge	DD260

Each of the Discharge Certificates form numbers will be followed by an abbreviation indicating the branch of service. The table below shows these abbreviations.

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**Military
Separations
Verification**
(continued)

Abbreviation	Definition
A	Army
AF	Air Force
CG	Coast Guard
MC	Marine Corps
N	Navy

**L.
Appellate
Leave**

Appellate leave is a non-pay, non-duty active status given to some servicemen/women who are awaiting separation from the service, pending a review of their discharge.

All servicemen/women on Appellate Leave shall be considered fully employed and ineligible for GR, regardless of the amount of income.

Upon final separation from the service, they shall be evaluated under [K](#), above.
