

**County of San Diego, Health and Human Services Agency (HHS)A)
General Relief Program Guide (GRPG)**

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Issue Date:

June 15, 2015

Effective Date:

Upon receipt

Background:

90-700.18.A

This section shows how good cause is evaluated for non-cooperation with GR Employable Program requirements.

Purpose:

To provide instructions for determining good cause for non-compliance in the Employable Program.

Policy:

90-700.18.B

When non-compliance with an Employable Program requirement occurs, notify the recipient in writing and allow them five days to offer an explanation of the non-compliance. This explanation will be used in the Good Cause evaluation to determine if the non-compliance was due to circumstances beyond the recipient's control, negligence, or willfulness.

Procedure:

90-700.18.C, Definitions

The table below shows the definitions of terms used in this section.

Term	Definition
Circumstances Beyond the Recipient's Control	<ul style="list-style-type: none"> • A medical emergency, hospitalization, doctor's appointment, personal/ household illness or crisis on the day of absence • Incarceration, arrest, jail, or required court appearances • Prearranged job interview • Non-receipt of initial aid when no fault of recipient and distance to worksite is too far to walk • The recipient was incapacitated during the assignment dates • The recipient started a job or paid training <p>Verification requirements are in section D, below.</p>
Negligence	Includes haste, oversight, forgetfulness, lack of attention or misunderstanding, or any other reason, which does not involve a willful failure to comply.
Willfulness	The failure to comply with published and signed expectations when there was no good cause for the failure. It is an intentional refusal to comply and/or an indifferent disregard of the duty to comply with program requirements.

90-700.18.D, Verification Requirements

The recipient's ability and willingness to prove that non-compliance was due to circumstances beyond the recipient's control or negligence will be fully evaluated.

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90-700.18.E, Standard Verification

Standard verification will consist of written proof or a third party verification by phone of circumstances beyond the recipient’s control or negligence provided by a disinterested third party.

90-700.18.F, Circumstances Not Requiring Verification

When the recipient fails to provide standard verification, the CalFresh E&T SW will determine if the recipient:

- has become homeless within the past 30 days, exhibits physical/mental distress, and has no prior history of homelessness within the past six months
- is visibly incapacitated (not to include back injuries, migraine headaches, arthritis, sprains, or other conditions not visible to the naked eye)
- has received GR for less than three months, identifies a specific program requirement not understood, and has not used this excuse in the past (SW Supervisor’s approval and second written explanation of requirements required)

If one of the circumstances above is applicable, the sanction will not be applied.

90-700.18.G, Lack of Standard Verification

Recipients who are unable to provide standard verification or who do not meet one of the conditions in F, above, will be allowed two unverified instances of non-compliance with Employable requirements (not to exceed one day’s duration) due to circumstances beyond control or negligence. In such cases, the recipient will receive another explanation of program requirements and the sanction will not be applied.

90-700.18.H, Potential FRC Manager Waiver

When the recipient’s explanation of non-compliance is not verified, or the recipient does not meet the conditions described in F, above, and the two unverified instances of non-compliance for cause have been exhausted, the FRC Manager may grant a waiver of the sanction when the following conditions exist:

- No such waiver has been granted during the current certification period
- The recipient could not have obtained verification of the circumstances
- The recipient’s explanation is both consistent and credible

When these conditions exist, the CalFresh E&T SW will refer the matter to the FRC Manager for evaluation. If a waiver is approved, no sanction will be applied.

90-700.18.I, Completion of Good Cause Determination Worksheet

Form 11-67 HHS)A, Good Cause Determination Worksheet, must be completed for all good cause evaluations, even when the recipient does not respond. The table below shows the actions that must be taken for the good cause determination for each requirement that is not completed.

Requirement	Action
Job Searches (JS)	<ul style="list-style-type: none"> • Late and incomplete JSs without a verified excuse are considered one instance only for good cause determinations

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	<ul style="list-style-type: none"> Expanded JSs only represent one instance if they are incorrect or incomplete A late JS as a third instance of negligence only imposes a one-month sanction, regardless of the type of failure for the first two instances
Orientation	<ul style="list-style-type: none"> Missed orientations must be completed before a Work Project (WP) can be assigned. An 11-67 HHS A must be completed and applicant rescheduled as appropriate The three months of GR Employability need not be contiguous If an applicant misses orientation (and the following two days of the Work Test) and contacts the worker three days later, this would constitute one instance because the applicant had not yet been assigned to a WP.
Program Requirements	Unfamiliarity/misunderstanding with the GR Employable Program requirements is only acceptable once for any reason in the lifetime of the case, and does not count as an instance of negligence.
Modified Aid Payment Cycle (MAPC) Cases	MAPC status does not reset the three-month clock for determining the number of negligent instances.
Work Project (WP)	<ul style="list-style-type: none"> Recipients sent back by a worksite supervisor require that a good cause determination be made and appropriate action taken based on that determination Each different excuse for a specific day must receive an 11-67 HHS A addressing that day (for example, Day 1, 2, and 3 must be addressed separately if they were missed for different reasons. If they were all missed for the same reason, one 11-67 HHS A may be used) An expanded JS may be substituted for an interrupted WP which cannot be completed in the remainder of the month (however, this does not repay GR)
Waivers	<ul style="list-style-type: none"> A waiver is not required unless the circumstances would require it (for example, a credible explanation for the Employable requirement that was missed is provided) Appeals can overturn a FRC Manager waiver, but it must be approved by the GR Hearing Officer's Manager FRC Manager waivers may be received once each certification period
No Response from Recipient	<ul style="list-style-type: none"> There is no need to determine good cause for a recipient who does not return to provide verification for missing an Employable requirement. However, a 11-67 HHS A must still be completed and checked "willful" in Section 6 Good cause determination worksheets must be provided in every case closed for failure to comply with Employable requirements
Addendum	<ul style="list-style-type: none"> The 11-67 HHS A should be signed on the closing date of the case If Good Cause can be determined, no instance is counted against the recipient

Impacts:

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Other Programs Impacted:

None

References:

GRPG Letters [62](#), [65](#), and [81](#)

Sunset Date:

This policy will be reviewed for continuance by June 30, 2018.