
SECOND SUBSTITUTE HOUSE BILL 3141

State of Washington

61st Legislature

2010 Regular Session

By House Ways & Means (originally sponsored by Representatives Kagi, Pettigrew, Seaquist, Kenney, and Ormsby)

READ FIRST TIME 02/09/10.

1 AN ACT Relating to redesigning the delivery of temporary assistance
2 for needy families; amending RCW 74.08A.285 and 74.08A.320; adding new
3 sections to chapter 74.08A RCW; adding a new section to chapter 43.215
4 RCW; creating a new section; and repealing RCW 74.08A.200.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

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

8 (1) The legislature finds that promoting meaningful change in the
9 lives of needy families requires a thoughtful and creative approach to
10 matching available resources with families' needs and developing a
11 comprehensive plan to assist the family in attaining lasting self-
12 sufficiency.

13 (2) The legislature further finds that policies to encourage the
14 completion of appropriate educational and training programs result in
15 more parents obtaining employment in living wage jobs, and more
16 families becoming economically self-sufficient so that they may leave
17 public financial assistance programs permanently.

18 (3) The legislature also finds that ample research demonstrates
19 that the completion of at least forty-five college credits, resulting

1 in a credential or certificate, is often critical to obtaining
2 sustainable employment on a career track that will lead to family self-
3 sufficiency.

4 (4) Research also demonstrates that without adequate levels of
5 education or training, job search activities alone have no measurable
6 impact on a family's ability to become and remain economically self-
7 sufficient.

8 (5) The legislature also finds that while many families have been
9 successful in permanently leaving the program of temporary assistance
10 for needy families, statistics indicate that families continue to
11 return to the program in the absence of adequate education and
12 training.

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

20 (7) The legislature recognizes that federal law exempts certain
21 parents from training or work requirements due to a disability,
22 including caring for a disabled child. The legislature intends that
23 these parents and children also will be supported with appropriate
24 services.

25 (8) In order to provide work opportunities for parents with
26 significant barriers to employment, the legislature intends to build
27 upon the successes of the community jobs program and to provide
28 subsidized employment opportunities to parents who are unable to find
29 employment after earnest efforts at job search or education and
30 training activities.

31 (9) The legislature recognizes the vital importance of early
32 childhood development and the significant developmental risks presented
33 for children living in low-income households, particularly during
34 critical developmental stages. Therefore, the legislature intends to
35 reform components of Washington's subsidized childcare program by
36 redesigning the eligibility determination process to promote: (a)
37 Stability for children and (b) predictability for parents who are

1 either working or preparing and searching for work and the childcare
2 providers who are serving low-income families.

3 (10) The legislature intends, through the implementation of this
4 act, to: (a) Infuse new energy into efforts to assist families in
5 poverty through offering appropriate education and training
6 opportunities that will prepare parents for sustainable employment
7 leading to economic self-sufficiency for families and (b) help
8 alleviate the effects of poverty on Washington's children, particularly
9 those experiencing significant poverty during critical stages of their
10 development.

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

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

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

26 (3) The department, in consultation with the department of social
27 and health services, shall report to the legislature by January 10,
28 2011, with:

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

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

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

1 The Washington WorkFirst subcabinet, in consultation with the
2 governor, shall:

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

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

13 (3) Report the proposal to the appropriate committees of the
14 legislature by December 1, 2010. The proposal must include the
15 following elements:

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

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

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

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

37 (ii) Persons who have: (A) Few or no marketable job skills, (B)

1 little experience or attachment to the job force, (C) no high school
2 diploma or equivalent, or (D) a need to complete adult basic education
3 or other activities to remove barriers to employment; and

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

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

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

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

31 The department shall establish a wage subsidy program to be known
32 as the community jobs program for recipients of temporary assistance
33 for needy families who have barriers to employment, lack experience and
34 attachment to the job force, or have been unsuccessful in securing
35 employment leading to family self-sufficiency. The department shall
36 give preference in job placements to private sector employers that have

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

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

23 NEW SECTION. **Sec. 7.** It is the intent of the legislature that
24 this act be implemented within existing resources. No additional
25 appropriations will be provided for its implementation.

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