

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 478

Session of
1977

INTRODUCED BY HASAY, MACKOWSKI, NOYE, KUSSE, LEVI, HELFRICK,
THOMAS, DeVERTER, L. E. SMITH, GALLEN, BURD, LYNCH,
FREIND, SPITZ, ZEARFOSS, HASKELL, MILLER, GEESEY, GOEBEL,
E. H. SMITH, S. E. HAYES, W. W. FOSTER, KLINGAMAN,
WAGNER, CESSAR, MANMILLER, SIRIANNI, PICCOLA AND
E. Z. TAYLOR, MARCH 2, 1977

REFERRED TO COMMITTEE ON HEALTH AND WELFARE, MARCH 2, 1977

AN ACT

1 Amending the act of June 13, 1967 (P.L.31, No.21), entitled "An
2 act to consolidate, editorially revise, and codify the public
3 welfare laws of the Commonwealth," requiring able-bodied
4 persons receiving public assistance to work on assigned local
5 governmental jobs.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. The act of June 13, 1967 (P.L.31, No.21), known
9 as the "Public Welfare Code," is amended by adding a section to
10 read:

11 Section 405.2. Able-bodied Persons Receiving Public
12 Assistance to Work on Local Jobs.-- (a) All able-bodied persons
13 receiving public assistance who have registered in compliance
14 with subsection (a) of section 405.1 but have not as yet been
15 employed shall perform such work as may be assigned to them by
16 the department on local governmental jobs relating to
17 environmental protection, road repair or projects to improve

1 urban living conditions. The department shall provide for
2 physical examinations of such persons by departmental physicians
3 to determine the fact of their being able-bodied. Any such
4 person found to be able-bodied refusing to perform such work
5 shall receive no further general assistance payments until he
6 shall have complied with the provisions of this section.

7 (b) The department shall make available each month to local
8 governmental agencies the number of able-bodied persons
9 receiving public assistance who are available for employment,
10 classified by occupation and political subdivision.

11 (c) Local government agencies shall furnish employment for
12 as many able-bodied persons as their supervision will permit.
13 They shall designate to the department the number of persons
14 that can be used, and the character of the work for which they
15 are required. Thereupon, the department shall notify the
16 required number of such persons to report for work for a
17 specified number of hours each week, at a time and place
18 designated in the notice. Such services shall be rendered free
19 of charge to the governmental agencies, except for the cost of
20 transportation if the distance from such person's residence to
21 the work project exceeds two and one-half miles, in which case
22 such persons shall be required to report to some designated
23 point within two and one-half miles from their residence from
24 which transportation shall be furnished.

25 (d) During any week any such person shall work in return for
26 assistance received, he shall be required to work only such
27 number of hours as he would work if paid a compensation equal to
28 such assistance at the prevailing rate of pay in the locality
29 where the work is being done. Such work shall be performed
30 during the week for which the assistance is being or is to be

1 received. The department shall, in all cases, be the judge of
2 the prevailing rate of pay in the locality for the particular
3 type of work.

4 (e) Any such person receiving assistance who fails to appear
5 for work at the time and place specified in any notice from the
6 department, or who fails to continue at the work as long as
7 required so to do, without reason deemed sufficient by the
8 department, shall be deemed to have refused to work, and shall
9 be refused further general assistance.

10 (f) The projects or work to which such persons shall be
11 assigned by the department shall not be in substitution of
12 existing projects, or of projects which could be sponsored under
13 Federal programs, or work which the State or political
14 subdivisions have undertaken or contracts entered into by them
15 so as to decrease the Federal funds available for work projects
16 or so as to displace any present or contemplated employment; but
17 the work to which the unemployed employables are assigned shall
18 be in addition and supplementary to any existing Federal
19 projects or to any projects, work or contracts now being
20 performed, undertaken or to be performed or undertaken in the
21 usual and regular course of the needs and requirements of the
22 State or any political subdivision.

23 (g) No person receiving public assistance shall be assigned
24 to any work that is in competition with any gainfully employed
25 person.

26 Section 2. This act shall take effect immediately.