
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 321 Session of
1993

INTRODUCED BY SAURMAN, FLICK, CARONE, MERRY, WOZNIAK,
STRITTMATTER, HERSHEY, FARGO, LYNCH, KING AND E. Z. TAYLOR,
FEBRUARY 8, 1993

REFERRED TO COMMITTEE ON HEALTH AND WELFARE, FEBRUARY 8, 1993

AN ACT

1 Establishing within the Department of Public Welfare the
2 Welfare-to-Work Program; providing for selection of counties;
3 establishing voluntary advisory boards; providing for
4 funding, for program eligibility and for plans and reports;
5 and making an appropriation.

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

8 Section 1. Short title.

9 This act shall be known and may be cited as the Welfare-to-
10 Work Act.

11 Section 2. Legislative intent.

12 It is the intent of the General Assembly that:

13 (1) This act shall provide jobs to all able-bodied and
14 employable welfare recipients of three selected counties in
15 lieu of receiving food stamps, general assistance and aid to
16 families with dependent children.

17 (2) This act shall encourage all citizens who are on
18 welfare and willing to work to become self-sufficient and
19 improve their position in the work force through full
20 employment, coupled with extensive on-the-job training.

21 (3) No additional personnel shall be required to
22 administer the Welfare-to-Work Program above those currently
23 administering the existing cash assistance and food stamp
24 programs.

25 Section 3. Definitions.

26 The following words and phrases when used in this act shall
27 have the meanings given to them in this section unless the
28 context clearly indicates otherwise:

29 "AFDC." Aid to families with dependent children.

30 "Board." The voluntary advisory board of each pilot county.

1 "Department." The Department of Public Welfare of the
2 Commonwealth.

3 "GA." General assistance.

4 "Program." The Welfare-to-Work Program established in
5 section 4.

6 Section 4. Program established.

7 There is hereby established in the Department of Public
8 Welfare a pilot program to be known as the Welfare-to-Work
9 Program.

10 Section 5. Selection of counties.

11 The 67 counties in this Commonwealth shall be equally divided
12 into three groups. The first group shall consist of the most
13 populous counties, the second group shall consist of the next
14 most populous counties and the third group shall consist of the
15 least populous counties. County population shall be based on the
16 1990 census. One county from each grouping shall be selected to
17 participate in the program based on the following procedure:

18 (1) The county commissioners who represent a county
19 which desires to participate in the program shall make a
20 formal request through an application form prepared by the
21 department.

22 (2) The department shall evaluate all the requests
23 received and make a decision based upon those characteristics
24 which make a county most representative of the particular
25 grouping within which it is classified.

26 Section 6. Food stamp eligibility.

27 The department shall ensure that Supplemental Security Income
28 recipients, GA and AFDC recipients who are eligible for and
29 receiving food stamp benefits and who are not required to
30 register with the Work Registration Program under section

1 405.1(a) of the act of June 13, 1967 (P.L.31, No.21), known as
2 the Public Welfare Code, in the pilot counties continue to
3 receive those benefits just as they would have in the absence of
4 the program, except that, contingent upon Federal approval,
5 those food stamp program benefits will be paid in the form of
6 cash rather than stamps.

7 Section 7. JOBS Program.

8 The department shall promulgate amendments, if feasible, to
9 the Job Opportunities and Basic Skills Training Program (JOBS),
10 created by the Family Support Act of 1988 (Public Law 100-485,
11 102 Stat. 2343), to qualify the program under this act as the
12 JOBS Program in the pilot counties and, if feasible, within this
13 Commonwealth.

14 Section 8. Board.

15 (a) Establishment.--There is hereby established a voluntary
16 advisory board in each pilot county to assist the employment
17 office in the administration of the program and to allow local
18 flexibility in dealing with the particular needs of each pilot
19 county.

20 (b) Policy.--Each board shall develop a policy and
21 procedures consistent with this act.

22 (c) Members.--Each board shall have seven members who are
23 appointed by the county commissioners in each pilot county.

24 (d) Terms.--Members of each board shall be residents of the
25 pilot county and shall have three-year terms.

26 Section 9. Funding.

27 (a) Benefit accruals.--During the pilot period of the
28 program, there shall be no benefit accruals to residents of the
29 pilot counties under the food stamp program, GA program or AFDC
30 program as they currently exist, except for those residents who

1 fall under the exemption provided in section 6, and the benefit
2 accruals shall recommence only upon the termination of the
3 program.

4 (b) Continuation of benefits.--Recipients of AFDC, GA or
5 food stamps will continue to receive those benefits until such
6 time as they are offered a job under this act.

7 Section 10. Program eligibility.

8 (a) Requirements.--The following persons are eligible for
9 the program:

10 (1) Any resident of a pilot county who is required to
11 register with the Work Registration Program under section
12 405.1(a) of the act of June 13, 1967 (P.L.31, No.21), known
13 as the Public Welfare Code, shall be eligible to participate
14 and remain in the program for the duration of the pilot
15 period. Pilot county welfare recipients between 16 and 18
16 years of age shall be eligible for summer work in the
17 program.

18 (2) Those residents who receive AFDC, GA or Social
19 Security Income who do not meet the eligibility requirements
20 set forth in paragraph (1) may choose to participate in the
21 program as an alternative to receiving benefits as provided
22 in section 6.

23 (b) Nonparticipation.--There shall be no eligibility
24 requirements or limitations other than as provided in subsection
25 (a), and no one shall be required to participate. However, those
26 residents who are eligible for the program but choose not to
27 participate shall not receive any benefits from existing GA,
28 AFDC or food stamp programs.

29 Section 11. Employers.

30 Every employer, including both public and private sector

1 employers, within this Commonwealth shall have the right to
2 utilize program participants. No employer is required to
3 participate in the program. Priority for job placement shall be
4 made first to private or nonprofit businesses or organizations.
5 In the event that there are unassigned participants which no
6 private or nonprofit employer desires to utilize, they shall be
7 assigned to work for a public agency located within the pilot
8 county.

9 Section 12. Program participants.

10 (a) Employment office.--Eligible individuals desiring work
11 through the program shall contact the nearest employment office
12 serving the pilot county in which they reside. Employment office
13 personnel shall develop an assessment of the work skills, job
14 history and general preparedness of the individual for work.
15 Employers shall contact the employment office and provide a
16 schedule of the work and a number of individuals desired. The
17 employment office shall attempt to match the profile of a given
18 individual with the needs of an employer when assigning
19 participants to work with a given employer. Either the employer
20 or the participant in the program may terminate an assignment by
21 contacting the appropriate employment office. In that event, the
22 employment office shall, upon a subsequent request, reassign the
23 participant and provide the employer with a different
24 participant.

25 (b) Wages.--An eligible individual participating in the
26 program shall be paid at the hourly rate of 90% of the State
27 minimum wage then in effect. The department shall pay 100% of
28 these wages for the first six-month trial and evaluation period.
29 The department's share of the participant's wages shall decrease
30 by 20% each subsequent six-month period, and the employer's

1 share of the participant's wages shall increase by 20% with each
2 subsequent six-month period. The department, through
3 participating employers, shall provide a maximum of 40 hours of
4 work per week, and participants shall be compensated only for
5 time worked or for participation in approved training or
6 counseling programs.

7 (c) Skilled participants.--Skilled participants may be paid
8 a higher wage, provided that the employers have a need for the
9 labor and specifically request it and it is approved by the
10 board. For the use of requested skilled participants, employers
11 shall pay the department an hourly rate equivalent to that
12 received by skilled temporary employees for comparable work
13 within the county, as determined by the department. In addition
14 to 90% of the State minimum wage, the department shall pay a
15 skilled participant one-half of the difference between 90% of
16 the State minimum wage and the rate charged to the employer for
17 the utilization of the skilled labor. The employer shall be
18 required to compensate the skilled employee for the remainder of
19 the skilled wage. The higher rate of pay shall apply only while
20 skilled labor requested by employers is performed; otherwise,
21 the participant shall be paid 90% of the State minimum wage.

22 (d) AFDC parents.--Caretaker AFDC parents, through 18 years
23 of age, shall be permitted to receive program wages for time
24 spent in school in pursuit of a high school diploma or GED
25 certificate.

26 (e) Training and counseling.--Program participants who
27 demonstrate a need for rehabilitation for substance abuse or
28 other work-limiting problems may be sent by the department to
29 existing local nonprofit agencies to receive appropriate
30 training and counseling. Each individual who is willing to

1 participate shall be compensated at the regular program rate for
2 the time spent in training or counseling up to a maximum of 40
3 hours per week.

4 Section 13. Exemptions and waiver requests.

5 The Governor, by December 31, 1993, shall petition the
6 President and the United States Congress, and shall work
7 diligently to obtain all exemptions and waivers from and
8 amendments to Federal statutes, rules and regulations necessary,
9 to implement the program and to assist by making funds from the
10 suspended Federal programs or any other applicable Federal
11 program available to the program.

12 Section 14. Plans and reports.

13 (a) Plan.--The department shall submit a detailed plan of
14 implementation of this act for legislative review and comment no
15 later than 60 days prior to the first assignment of program
16 participants to jobs under this program.

17 (b) Semiannual report.--The department shall submit a
18 semiannual report to the Governor and the General Assembly on
19 the status of the program.

20 (c) Full and complete analysis.--Six months prior to the
21 completion date of the pilot program, the department shall
22 submit a written report to the Governor and the General Assembly
23 containing a full and complete analysis of the program. The
24 report shall include recommendations from the department
25 regarding appropriate revisions to the program and the potential
26 for its permanent implementation for the entire Commonwealth.

27 Section 15. Rules and regulations.

28 The department shall promulgate rules and regulations
29 necessary to carry out the provisions of this act.

30 Section 16. Appropriation.

1 The sum of \$, , or as much thereof as may be
2 necessary, is hereby appropriated to the Department of Public
3 Welfare for the fiscal year July 1, 1993, to June 30, 1994, to
4 carry out the provisions of this act.

5 Section 17. Expiration.

6 This act shall expire at the end of three years from the
7 effective date of this act.

8 Section 18. Effective date.

9 This act shall take effect immediately.