

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

HOUSE BILL NO. 1457

By: Pope (Clay)

AS INTRODUCED

An Act relating to poor persons; amending 56 O.S. 1991, Sections 501, 502, 503, 504, 505, 506, 507, 508, 509, and 510, which relate to the Community Workforce Experience Act; changing short title; removing legislative recognition of certain system; clarifying and updating language; providing for training; removing and modifying certain exemptions; repealing 56 O.S. 1991, Section 511, which relates to federal funding; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 56 O.S. 1991, Section 501, is amended to read as follows:

Section 501. This act shall be known and may be cited as the "Community ~~Workfare Experience~~ Work and Training Act".

SECTION 2. AMENDATORY 56 O.S. 1991, Section 502, is amended to read as follows:

Section 502. A. 1. The Legislature recognizes that most employable persons who receive public assistance would prefer to be self-supporting if offered the opportunity to do so.

~~The Legislature further recognizes that the general public lacks confidence in the existing public assistance system because rather than eliminating dependency, the system often seems to encourage it by not providing sufficient incentives for work.~~

2. The Legislature further recognizes that public assistance programs should be reserved for those persons who are in need because of their inability to work productively due to circumstances beyond their control.

B. Therefore, it is the intent of the Legislature to pursue a more intensive approach to solving the employment problems of those persons who are in need of assistance because, although they are able to work, they lack the training or experience required by employers or they lack the ability to find and retain suitable permanent employment. Toward the achievement of this end, the ~~Legislature intends that the~~ Department of Human Services shall, with the full cooperation of all state, county and municipal agencies, administer a program to prevent and reduce welfare dependency by assisting ~~AFDC~~ applicants and recipients for public assistance benefits to upgrade their employment skills and to find jobs as quickly as possible.

SECTION 3. AMENDATORY 56 O.S. 1991, Section 503, is amended to read as follows:

Section 503. As used in this act:

- ~~1.~~ ~~"AFDC" means Aid to Families with Dependent Children;~~
- ~~2.~~ "Commission" means the Commission for Human Services;
- ~~3.~~ 2. "Department" means the Department of Human Services;
- ~~4.~~ 3. "Director" means the Director of the Department of Human Services; ~~and~~
- ~~5.~~ 4. "Program" means the Community ~~Workfare Experience~~ Work and Training Program; ~~and~~
5. "TANF" means The federal Temporary Assistance to Needy Families Act.

SECTION 4. AMENDATORY 56 O.S. 1991, Section 504, is amended to read as follows:

Section 504. A. The Department of Human Services shall establish and administer the Community ~~Workfare Experience~~ Work and Training Program, which shall provide job training and experience to AFDC TANF recipients. The Department shall develop programs in each county of the state.

B. The Director shall promulgate rules ~~and regulations~~ to implement the program.

SECTION 5. AMENDATORY 56 O.S. 1991, Section 505, is amended to read as follows:

Section 505. The facilities of the Oklahoma Employment Security Commission may be utilized to locate training and employment opportunities for participants in the program.

SECTION 6. AMENDATORY 56 O.S. 1991, Section 506, is amended to read as follows:

Section 506. A. Programs shall be ~~limited to~~ developed in joint partnership and cooperation with private industry and through community projects. ~~Community projects which serve a useful public purpose in fields such~~ shall include such areas as health, social service, environmental protection, education, urban and rural development and redevelopment, welfare, recreation, public facilities, public safety and day care.

B. To the extent possible, the prior training, experience and skills of a recipient shall be utilized in making appropriate work experience assignments. ~~The federal priorities of service and placement shall be taken into consideration.~~

SECTION 7. AMENDATORY 56 O.S. 1991, Section 507, is amended to read as follows:

Section 507. The program shall provide:

1. Appropriate standards for health, safety and other conditions applicable to the performance of work or training;

2. Guarantees against the displacement of persons currently employed, or the filling of established unfilled position vacancies;

3. Reasonable conditions of work or training, taking into account the geographic region, the residence of participants and the proficiency of the participants;

4. That the maximum number of hours in any month that a participant may be required to work or receive training is that number which equals the amount of aid payable with respect to the family of which such individual is a member, divided by the greater of the federal or state minimum wage; and

5. Reimbursement to participants of transportation and other costs, not in excess of an amount established by the Commission, reasonably necessary and directly related to participation in the program.

SECTION 8. AMENDATORY 56 O.S. 1991, Section 508, is amended to read as follows:

Section 508. Nothing contained in ~~this act~~ the Community Work and Training Act shall be construed as authorizing the payment of aid as compensation for work performed in a program ~~under this act~~ pursuant to the Community Work and Training Act.

SECTION 9. AMENDATORY 56 O.S. 1991, Section 509, is amended to read as follows:

Section 509. A. Each ~~AFDC~~ TANF recipient must register and shall participate, upon referral by the Department, in ~~a~~ the Community Work and Training program ~~unless such individual is:~~. The recipient may be exempted from participation in the program if:

1. ~~Employed for no fewer than eighty (80) hours per month and is earning an amount not less than the applicable minimum wage for such employment;~~

~~2.~~ A child who is under sixteen (16) years of age or attending school full time;

~~3.~~ 2. A person who is ill, incapacitated or over the age of fifty-five (55) years;

~~4.~~ 3. A person whose presence in the home is required because of illness or incapacity of another member of the household; or

~~5.~~ 4. The mother or other relative who is caring for a child under the age of ~~one (1) year.~~

~~B.~~ The exemptions contained in subsection A of this section may be modified by the Department in the event of a change in the federal exemption criteria six (6) months, provided the mother or other relative who is caring for a child under the age of six (6) months shall be required to participate in training as required by rule of the Commission for Human Services pursuant to law.

~~C.~~ B. Any individual referred to in subsection A of this section shall be advised of the option to register, if so desired, and shall be informed of the child care and other services which would be available in the event such individual should decide to register and participate in the program.

SECTION 10. AMENDATORY 56 O.S. 1991, Section 510, is amended to read as follows:

Section 510. ~~Any~~ The individual needs of any person or recipient who has been found by the ~~Director~~ Department of Human Services to have refused without good cause to participate in the program or to have refused without good cause to accept employment which is offered through the Oklahoma Employment Security Commission, or is otherwise offered by an employer, if the offer of such employer is determined to be a bona fide offer of employment, ~~then such individual's needs~~ shall not be taken into account in making the determination of aid or benefit denial.

SECTION 11. REPEALER 56 O.S. 1991, Section 511, is hereby repealed.

SECTION 12. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby

declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

46-1-5287

KSM