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WOMEN WORK!  
The National Network for Women's Employment

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August 28, 2006

Attention: Mr. Robert Shelbourne  
Office of Family Assistance (OFA)  
Administration for Children and Families  
5<sup>th</sup> Floor East  
370 L'Enfant Promenade, SW  
Washington, DC 20447

RE: Reauthorization of the Temporary Assistance for Needy Families Program Interim Final Rule, 45 CFR Parts 261, 262, 263, 265 (June 29, 2006)

Dear Mr. Robert Shelbourne:

Thank you for your invitation to comment on the Administration for Children and Families' Interim Final Rule to implement the statutory changes enacted in the Deficit Reduction Act of 2005 to reauthorize the Temporary Assistance for Needy Families (TANF) program.

Women Work! The National Network for Women's Employment is the nation's largest network of women's career counseling, education, and training programs. Across the United States, over 1,000 local programs serve more than 330,000 displaced homemakers, single parents and other women in transition each year— many of whom are current or former welfare recipients. Since 1978, we have assisted more than 10 million women to successfully enter, re-enter and advance in the workforce.

We agree that there is much to be done to improve the TANF program and appreciate your recognition that the average wages of welfare clients are far too low to ensure family well-being. We too believe that welfare programs should end the cycle of poverty and ensure that single mothers and other welfare recipients are not locked into low-wage jobs. However, the Interim Final Rule fails to further this objective in several respects. As such, we have identified three primary areas for improvement: ensuring that states have the flexibility to give welfare recipients access to the education and skills they need to succeed in the workplace; ensuring that participants in the TANF program are able to balance work, education, and family responsibilities; and, finally, ensuring that barriers to employment are reasonably and responsibly addressed.

## **A.) EDUCATION, TRAINING, AND SKILLS – THE TICKETS TO WORKPLACE SUCCESS.**

Our success in helping women enter, re-enter and advance in the workforce confirms what research demonstrates – job training and education are crucial means for women to achieve economic self-sufficiency. Education and training programs go beyond simply moving women off welfare; they prepare women to succeed in jobs with career potential and upward mobility.

*Section 407(d) of the Social Security Act specifies 12 separate and distinct activities. Thus, we have attempted to draft definitions that are, as far as possible, mutually exclusive from one another (Preamble §261.2).*

We are concerned that this “mutually exclusive” approach to defining work activities will prevent States from continuing their most successful programs – those that utilize a mixed-strategy of education, training and work. The most effective welfare programs combine and blend services across work activity categories. States must be given the flexibility to provide the combination of education, job training, job search, and work that will best help their TANF recipients obtain and retain better jobs with higher wages.

We encourage you to integrate increased flexibility into the definitions of work activity categories, so that States can continue to run high-performance mixed-strategy programs.

In addition, States should be allowed to count all hours that a participant spends in a single welfare-to-work program (even if those hours are spent engaged in a mix of activities) toward a single, primary work activity category. For example, if a TANF participant spends 20 hours a week in a work experience program, which includes a few hours per week of life skills training and basic education, all 20 hours should count toward the “work experience” activity category.

**§261.2 (i) Vocational educational training (not to exceed 12 months with respect to any individual) means organized educational programs that are directly related to the preparation of individuals for employment in current or emerging occupations requiring other than a baccalaureate or advanced degree. Vocational educational training must be supervised on an ongoing basis no less frequently than daily.**

In order to ensure that welfare recipients have the education and skills they need to succeed in the workplace, States should retain the flexibility to define vocational educational training and determine which skill-building programs fall within this definition. In particular, states must be able to count toward work participation requirements: basic education, GED preparation, English as a Second Language (ESL), life skills classes, and postsecondary education that leads to a bachelor’s degree.

*Basic education, GED preparation, and ESL.* Many women who participate in the TANF program are in desperate need of basic skill development; over forty percent have not earned a high school diploma. For these women, basic education or GED preparation is necessary to participate in additional education or to gain employment with family-supporting wages. Similarly, for women with limited English proficiency, ESL training is a prerequisite to further training or well-paying work.

*Life skills.* Skills such as time management, problem solving, teamwork, effective communication, organization and conflict resolution are also essential to women’s ability to secure and succeed in well-paying jobs. Those who have not had the opportunity to acquire these “life skills” find it difficult to achieve success in the job market.

*Higher education.* Research strongly suggests that post-secondary education leads to increased earnings and employment stability for single mothers and other welfare recipients – self sufficiency that lasts a lifetime. Some exposure to college-level coursework, without completing a degree, increases lifetime earnings by 50 percent. Completing a bachelor’s degree increases lifetime earnings by 110 percent.

**§261.2 (f) *On-the-job training means training in the public or private sector that is given to a paid employee while he or she is engaged in productive work and that provides knowledge and skills essential to the full and adequate performance of the job. On-the-job training must be supervised by an employer, work site sponsor, or other responsible party on an ongoing basis no less frequently than daily.***

The definition of “on-the-job training” should be broadened beyond paid employment to include training at a work experience site. On-the-job training is a compelling, if under-utilized, strategy to increase welfare participants’ ability to advance in the workforce. Integrating on-the-job training can enhance the extent to which “work-experience” activities increase the participants’ skills and ability to secure jobs that pay family-supporting wages.

## **B.) BALANCING FAMILY, EDUCATION, AND WORK**

In order to improve economic outcomes for women, welfare reform policies must recognize and address the constraints imposed by caregiving responsibilities. Women who participate in our programs consistently struggle to balance efforts to improve their economic situations with child and family care responsibilities. Allowing TANF participants the flexibility to meet family responsibilities enhances their ability to gain, retain and advance in work.

***States may not count unsupervised homework time as part of the hours of participation for this activity (Preamble §261.2).***

This requirement will make it much more difficult for TANF recipients to balance family caregiving responsibilities with work and education responsibilities and should be eliminated.

**§261.6 (b) *For the purposes of calculating the work participation rates, actual hours may include the hours for which an individual was paid, including paid holidays and sick leave. For participation in unpaid work activities, it may also include excused absences for hours missed due to holidays and a maximum of an additional 10 days of excused absences in any 12-month period, no more than two of which may occur in a month.***

States should receive credit toward their work participation rate when recipients participate for most of the required hours but miss more hours of participation for unavoidable reasons, such as caring for a sick child. In addition, States should be allowed to count recipients who miss certain hours of scheduled work participation to care for a family member with a disability toward their work participation rate.

**§261.2 (n) (2) *The term [work-eligible individual] also excludes: a parent providing care for a disabled family member living in the home who does not attend school on a full-time basis, provided that the need for such care is supported by medical documentation.***

This exception should be clarified to include parents caring for family members with disabilities who live outside the TANF recipient’s home.

## **C.) ADDRESSING BARRIERS TO EMPLOYMENT**

A significant percentage of women who participate in TANF face substantial barriers to employment including: poor physical or mental health, substance abuse and domestic violence. In order to enable women to obtain and retain jobs with family supporting wages, States require flexibility to reasonably and responsibly address these barriers.

***§261.2(g) Job search and job readiness means the act of seeking or obtaining employment, preparation to seek or obtain employment, including life skills training, and substance abuse treatment, mental health treatment, or rehabilitation activities for those who are otherwise unemployable.***

By including participation in life skills training, substance abuse treatment, mental health treatment and other rehabilitation services under the “job search and readiness category”, these activities are limited to four consecutive weeks and for up to six weeks in any 12 month period – far less time than needed for a TANF participant to succeed at a treatment or program.

We recommend that you integrate increased flexibility into the definitions of work activity categories so that hours of participation in substance abuse, mental health and other rehabilitative services can be counted towards work activity categories that are not restricted by statutory time limits.

In addition, we recommend that you adjust the system for measuring weekly limits on job search and readiness activities by only counting weeks in which a majority of a recipient’s hours of participation were spent in these activities and measuring the overall limit on participation in these activities on an hourly basis. A recipient who spends a small number of hours receiving rehabilitative or pre-employment services in a particular week – in combination with other work activities – should not exhaust an entire week of participation.

#### **D.) CONCLUSION.**

Women Work! respectfully urges the Administration for Children and Families to consider and implement the above modifications with respect to the Interim Final Rule for the Temporary Assistance for Needy Families program.

Please contact me if I can be of further assistance. Thank you for your attention to our recommendations.

Sincerely,

Jill Miller  
CEO