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Testimony of Christine Hastedt, Maine Equal Justice Partners in *opposition* to LD 1815, An Act to Require a Work Search for Job-ready Applicants for Benefits under the Temporary Assistance for Needy Families Program

Good afternoon Senator Craven, Representative Farnsworth and honorable members of the Health and Human Services Committee. My name is Chris Hastedt and I work for Maine Equal Justice Partners. I am speaking today in opposition to LD 1815.

I understand that at first glance the policy proposed by LD 1815 may seem to some like a reasonable approach. But we all also understand that before enacting policies that will affect thousands of children and families, it is imperative to look beyond first impression.

To begin, imagine yourself as the single parent of a young child turning to TANF because you are in crisis. Imagine yourself without income, without a car, without child care, with an illness or disability that limits your ability to work, or with a child with a disability that requires regular and multiple medical appointments—and then imagine that the rent is due on Friday.

Imagine next being asked to look for 3 jobs in a small community knowing you couldn't take that job even if you got it because of your current circumstances. If you apply for the job and don't take it you burn a bridge with one of the few employers in your community with whom you may someday hope to be able to take a job. When thinking about this proposal from this perspective it becomes far less reasonable.

We understand that this bill does, on its face, limit this requirement to those who are "job-ready." However we have serious and well-founded concerns that this provision will not, in practice, deliver the protection that it appears to provide. Here's why.

Last year this Committee gave its unanimous support to LD 1343 which subsequently became law. This legislation established a new assessment process for TANF recipients performed by contracted staff from the Maine Medical Center Vocational Department. These comprehensive assessments form the basis for individual plans to help these parents overcome barriers limiting their ability to work. This bill was enacted because of the increasing prevalence of disability and other serious barriers to employment faced by TANF families. It was also enacted because it was recognized that Department staff did not have the expertise necessary to make employability determinations given the nature and extent of the barriers that these families face. Yet this is the very same kind of determination that LD 1815 proposes that Department staff make.

This legislation is inconsistent with the important action taken last year by this Committee and would undermine this new process created by that legislation. It would subject people to job-readiness assessments by workers who are admittedly not qualified to make them. It would deprive applicants that are unable to meet the new work search requirement of both needed TANF benefits and a chance to be assessed in a manner that will help identify what is really needed for them to move toward employment and ultimately greater economic security. For those who do manage to meet the new job search requirement it would create a process that is redundant, inefficient and costly.

Our second reason for concern is based on our now substantial experience with a similar “hardship” protection enacted as part of the TANF time limit law enacted in 2011. As many members of this Committee may recall TANF families that have received 60 months of assistance may be eligible for an extension to that limit if they can show evidence of a hardship including disability, a child with a disability, domestic violence and certain other barriers that prevent them from working. We have seen numerous cases in which families eligible for hardships did not receive them. Moreover, two studies by Professor Sandy Butler from the University of Maine at Orono that have followed the lives of families who lost TANF as a result of time limits have found a pattern of similar problems by families in accessing extensions.

Data provided by the Department of Health and Human Services this fall shows that of the more than 3,000 families losing assistance as a result of time limits since June 2012 only 17% received a disability-related extension. That low percentage gives us considerable concern in light of an earlier Maine study showing that nearly 90% of families receiving TANF for five years or longer have a work-limiting disability themselves or are caring for a disabled family member.¹ Similarly only 1 percent of all terminated families received an extension based on domestic violence, yet nearly 25 percent of families that apply for TANF do so after leaving an abusive relationship.²

The experiences of other states that have implemented pre-eligibility job search requirements similar to that proposed by LD 1815 also raise red flags.

Kansas implemented a new applicant job search requirement which also exempted certain groups of applicants in November 2011. In the first year alone, thousands of applications were denied benefits due to this new requirement with the state estimating that it lead to a 10 percentage point drop in the approval rate for applications. Kansas has since abandoned this pre-approval requirement and is now implementing a work skill assessment for families once they begin to receive TANF.³

Pennsylvania had a similar experience when their Human Services Department implemented a new policy requiring that families apply for at least 3 jobs and document those efforts prior to being allowed to receive assistance. Following implementation of this policy the state of Pennsylvania denied as many as eight of every 10 applications for cash welfare in 2013, a major increase over previous years.⁴ According to the state's data, the spike in welfare denials peaked at 81 percent after a decades-long norm ranging from 50 percent to 60 percent.

¹http://www.maine-womens-policy-center.org/assets/files/reports/Families_in_Focus_Final%20Report.pdf

² *ibid*

³ Information provided by the Center on Budget and Policy Priorities

⁴ http://articles.philly.com/2013-09-17/news/42117456_1_tanf-cash-welfare-public-welfare--Pennsylvania

The problem is not that TANF families do not want to work. They are eager to work and the vast majority has work experience. The 2010 TANF study cited above shows that 97% of TANF parents have work experience with an average of 3 jobs in the past 5 years.

The real problem that these families face is not an unwillingness to work. It is the higher and deeper levels of poverty that they are facing with all of the associated hardships, lack of opportunity, and loss of hope. Child poverty is particularly troubling with one out of four children under the age of five living in poverty and with the rate of poverty for these children rising four times faster than the national average. The real solutions for these families is not to bar the door to TANF assistance but rather allow families the opportunity to meet their most basic needs, and to get the benefits of the employment, education and training services offered through the ASPIRE and Parents as Scholars Programs. Education and skills training is widely recognized to be one of the surest routes out of poverty. Our state's policies should do all they can to encourage access to these opportunities, not close the door to them as this bill would do.

Thank you for the opportunity to share our concerns about LD 1815 with you today. I would be glad to try to answer any questions that Committee members may have.