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ABSTRACT

Welfare and Work: Comparing Full and Partial Sanctions on the Front Lines

This study contrasts partial and full family work sanctions by examining their administration in Texas, a state that initially imposed a partial benefit sanction, and then changed to full benefit sanctions. Using administrative fair hearing data, this study uses a qualitative research design to examine how full and partial sanctions may differ, and how front line workers administer both types of sanctions. This study found that recipients' reasons for not complying with work rules were similar under both regimes and that full family sanctions did not provide an increased incentive to overcome obstacles and barriers to work. Workers responses under both regimes were also very similar, with workers creating the welfare-to-work version of an eligibility-compliance culture. The findings of this study suggest that a better balance between supports and sanctions is needed.

Welfare reform's foundation is built on behavioral based reforms that mandate work for the adult members of families receiving public assistance. The primary means for enforcing work are sanctions, which are financial penalties imposed on recipients for violating work rules. Most states impose full family sanctions instead of partial sanctions, although the latter are permitted under federal law. Specifically, 36 states impose some form of full family sanction, cutting the entire family, including children, off from aid either immediately or gradually when an adult member violates a work rule. Fourteen states, including the two states with the largest population of welfare recipients (California and New York) impose a partial sanction, where only the noncompliant adult's portion of the grant is eliminated (Pavetti 2003). The overall trend is toward stricter sanctions. For example, Texas initially imposed partial sanctions, but then switched to full family sanctions in 2003. Legislative proposals for full family sanctions have been made in New York.

Some argue that sanctions, especially full family sanctions, are the key to transforming welfare from an income maintenance to a work based system (Mead 2001; Rector 1997). However, the few studies that analyze sanctions isolated from other

reforms, such as increased supports and work incentives, have produced mixed results as to whether sanctions motivate work. Studies also vary in their definition of success, with some studies measuring success based on caseload declines and others relying on rates of welfare exits through employment (Hofferth, Stanhope, and Harris 2000; Lee, Slack, and Lewis 2004; Rector and Youseff 2002). There is also little empirical data on how sanctions are applied on the front lines, where policy is translated into practice. Comparisons between partial and full family sanctions are also lacking.

This study seeks to understand how full and partial sanctions may differ, as administered on the front lines. It focuses on Texas, which shifted from partial to full family sanctions in 2003. It thus takes advantage of this rare opportunity to study how the same welfare bureaucracy implemented partial sanctions, and then full family sanctions. A qualitative research design is used consisting of individual case studies obtained from administrative fair hearing data. Two questions are addressed: What reasons do recipients give for not complying with the work rules, and did these reasons change when Texas shifted from a partial to a full family sanction regime? How are sanctions applied on the front lines, and do workers administer full family sanctions differently than partial sanctions?

Sanctions Under TANF

Scholars disagree both on whether sanctions work and how to measure their effectiveness. Using caseload declines as a measure, Rector and Youseff (2002) found that states with stricter sanction policies, including full family sanctions, experienced greater caseload declines than states with more moderate sanction policies, including partial sanctions. However, Rector and Youseff did not consider whether sanctions were

correlated with employment, or other markers of self-sufficiency, and measure success solely by caseload decline. In contrast, Hofferth, Stanhope, and Harris (2000) found that sanctions were associated with exits from welfare due to employment. However, their study addressed only partial and less moderate sanctions because at the time of their analysis few states had strict sanction policies. A more recent study, by Lee, Slack and Lewis (2004) found sanctions were negatively associated with formal employment and earnings, and had no affect on welfare use. The sanctions used were a mix of strict and moderate; the first two instances resulted in partial sanctions, with a full family sanction imposed after three months of noncompliance in partial grant sanction status. Lee, Slack and Lewis also found that sanctioning threats (defined as sanctions resolved before benefits were reduced) similarly had no association to formal work and welfare outcomes. Likewise, Hamilton and Scrivener (1999) found sanctions do not increase participation rates or compliance with work rules. In sum, despite a common perception that work rules and sanctions are responsible for the perceived success of welfare reform, research has produced conflicting results.

In contrast, much is known about the characteristics of sanctioned recipients, with similar results across studies. In the realms of work and home, sanctioned recipients are more disadvantaged than non sanctioned recipients. Labor market barriers include lower levels of education, less work experience and longer periods of time on public assistance than non sanctioned counterparts (Born and Cordero, 1999; Cherlin et al. 2002; Edelhoch, Liu, and Martin 2000; Fein and Lee 1999; Hasenfeld, Ghose, and Larson 2004; Kalil, Seefeldt, and Wang 2002; Koralek 2000; Mancuso and Lindler 2001; Pavetti et al. 2004; Westra and Routley 2000; Wu et al. 2004).

Sanctioned recipients' personal characteristics also place them at a disadvantage compared to non sanctioned recipients. Sanctioned recipients are younger, have more children, and are more likely to have never married (Cherlin et al. 2002; Fein and Lee 1999; Hasenfeld, Ghose, and Larson 2004; Kalil, Seefeldt, and Wang 2002; Koraleck 2000; Mancuso and Lindler 2001; Edelhoch, Liu, and Martin, 2000; Pavetti et al. 2004; Westra and Routley 2000). Also more common among sanctioned recipients are health problems, including alcohol and drug problems, and domestic violence (Cherlin et al. 2002; Kalil, Seefeldt, and Wang 2002; Mancuso and Lindler 2001; Pavetti et al. 2004; Polit, London, and Martinez 2001). Logistical problems, such as securing transportation or child care, are also more frequent among sanctioned recipients (Cherlin et al. 2002; Hasenfeld, Ghose, and Larson 2004; Kalil, Seefeldt, and Wang 2002; Mancuso and Lindler 2001; Pavetti et al. 2004).

While several studies have linked these characteristics and problems to noncompliance with work rules (California Department of Social Services 2001; Derr 1998; Fraker et al. 1997; Oggins and Fleming 2001), little is known about the front line transactions between worker and recipients that culminate in a sanction. Sanctions have restructured recipient-worker relationships, giving workers a potent and potentially coercive tool for eliciting recipient participation in work programs. While front line workers have always exercised discretion, the devolution of welfare implementation to local actors, and the great increase in the number of recipients subject to sanctions, has increased this discretion (Fording, Schram, and Soss 2006). Workers are now responsible for monitoring recipient's work behavior and are continually confronted with choices

about who and when to sanction. If they view recipients as lacking a commitment to work it can have serious consequences, including the loss of assistance.

In the past, front line workers have been criticized for exercising their discretion negatively, disempowering recipients they viewed as unworthy of aid (Lipsky 1984). Welfare bureaucracies were characterized by an “eligibility compliance-culture”, where processing paper took precedence over processing people (Kane and Bane 1994; Lipsky 1984). Front line interactions were often depersonalized and mechanistic. Worker’s actions often subverted policy goals; for example, excessive and unnecessary demands for paperwork resulted in the denial of aid to otherwise eligible people.

The introduction of work requirements over the years required workers to take on the more complex task of encouraging self-sufficiency. As Kane and Bane (1994, 20) observe “the story of these efforts is one of conflicts between the eligibility-compliance culture and the culture of self-sufficiency.” Workers failed to communicate the advantages and benefits of work and were instead preoccupied with the “instrumental” tasks involved in processing eligibility claims instead of the “transformational” tasks that would engage recipients in work activities (Meyers and Dillon 1999). Workers focused on rules rather than results, for example slotting recipients into inappropriate job search programs instead of education and training to meet federal participation requirements (Brodkin 1997). They relied on rote and standardized procedures for assessing recipients and applying work rules (Hasenfeld and Weaver 1996).

If these old style welfare practices still persist the utility of sanctions may be undercut. An overly bureaucratic approach, where workers get bogged down in procedural rules and create the welfare-to-work version of an eligibility-compliance

culture, may work at cross purposes to welfare reform. It may upset the balance between what Mead (2003, 578) describes as “help and hassle”, by increasing financial hardship, disrupting work activities and creating unnecessary obstacles.

Several studies have suggested that sanctions are sometimes administered improperly (Author 2005; Goldberg and Schlot 2002; Nixon, Kauff, and Lossby 1999; Wisconsin Legislative Audit Bureau 2002). However, we know little about the specific circumstances under which front line workers apply sanctions in individual cases. As noted above, most sanction studies focus more broadly on the general characteristics of sanctioned recipients, statistical variations in sanctioning, and macro level outcomes, such as caseload declines and employment outcomes. This study, by using a more inductive approach that focuses on individual cases, and which encompasses both partial and full family sanctions, adds to our knowledge of the effectiveness of both in practice.

Data and Methodology

This study uses as a data source fair hearings, which are adversarial style administrative hearings triggered when recipients appeal an adverse decision by the agency, including work sanctions. They provide a detailed accounting of individual cases because of the dictates of the adversarial process, which requires the presentation of evidence by the recipient and agency, cross examination of witnesses, and a written decision summarizing each side’s position and findings of fact and law. Fair hearing decisions thus provide a narrative of recipient and worker encounters on the front lines that incorporates both perspectives. Unlike on-site observations and retrospective interviews where participants may alter their behavior when observed or inaccurately describe past events, these data capture the actions of the parties most interested and

involved in the transaction, in the midst of it, and without any interference from a researcher. This permits a deeper, case specific and more inductive type of analysis than possible with quantitative data, thus providing a more complex assessment of the dynamics and processes underlying this behavioral based reform. To more fully understand the structure and scope of the sanctioning process, I supplement these data with an analysis of the agency's regulations, policies and procedures governing sanctions.

This study builds on an earlier study by the author, which used fair hearing data to study the administration of partial work sanctions in Texas in 2002 (See Author, forthcoming). Using the same data source in 2004 to study full family sanctions provides an opportunity to contrast different sanctioning policies in the same state and within the same bureaucracy, thus eliminating the inherent variation in cross state comparisons and among different bureaucracies.

Two regions in Texas were chosen to provide a contrast between a primarily urban/suburban area and a more rural area. The regions reflect geographical distinctions made by the Texas Health and Human Services Commission, which has divided the state into ten separate regions. One region is a well populated urban/suburban region (hereinafter referred to as the "urban/suburban region") and the other is primarily rural, with no large cities (hereinafter referred to as the "rural region").

Texas's Freedom of Information Law was used to request a random sample of every other fair hearing decision on work rules issued in 2002 under the partial sanction regime. The total sample was 178 decisions, with 109 decisions from the urban/suburban region and 69 from the rural region. Because fewer hearings were held under the full

family sanction regime, (in part because of caseload declines between 2002 and 2004 and because in the urban region more cases were settled prior to hearing) to obtain a sufficient sample size all fair hearing decisions on work rules issued in 2004 were requested. The total sample for full family sanctions was 77 decisions, with 38 decisions from the urban/suburban region and 39 decisions from the rural region.

Content analysis was used to analyze the decisions. First, the following data was extracted verbatim from the decision and copied onto an excel spreadsheet: nature of work rule violation, agency's description of violation, recipient's reason for not complying, hearing officer's decision and rationale. Cases were grouped according to recipients' reasons for noncompliance under the following categories: medical or other exemption, lack of notice of appointment date, family obstacles or situational challenges, administrative error, and scheduling conflicts with work or school.

Coding was conducted using the framework of an eligibility-compliance culture, as identified in the literature. The term eligibility-compliance culture was coined by Kane and Bane (1994) to describe public welfare bureaucracies where interactions with recipients are depersonalized, mechanistic and routine, with process emphasized over a full assessment of need. Such cultures are prone to goal displacement because of an excessive preoccupation with paperwork and a rigid or arbitrary application of rules (Brodkin 1986; Kane and Bane 1994; Lipsky 1984). Coding was based on the following three categories identified by the author (forthcoming) as characteristic of an eligibility-compliance culture in the original study of partial sanctions:

1. Failing to fully assess exemptions from the work rules. Included in this category were allegations that a recipient's medical problems or other

exemptions had been overlooked, medical documentation ignored, or that a full assessment of their medical condition had not been made.

2. Viewing sanctions as a clerical rather than an evaluative task. Included in this category were allegations of clerical errors or bureaucratic foul-ups (such as miscommunication, improper coding, premature sanctioning, and a recipient's failure to receive notice of appointments) or overlooking or ignoring personal and family challenges (such as sickness, ill family members, unstable housing, or domestic violence) or logistical and situational obstacles to work (such as child care or transportation problems).
3. Administering sanctions in a manner inconsistent with policy goals. Included in this category were cases where a recipient was working, attending school, or otherwise attempting to comply with the work rules when sanctioned.

Both the errors found by the hearing officer and recipients' allegations concerning agency practices were coded. While a reversal by a hearing officer is perhaps stronger proof of an eligibility-compliance culture than the recipient's allegation standing alone, such allegations, stated under oath and preserved in the fair hearing record, are also an important source of information about agency practices.

To assure reliability, for the partial sanction cases a research assistant conducted coding on fifteen cases, with an inter-coder reliability rating of above 90 percent. For the full family sanction cases, a research assistant coded all 39 cases from the rural region. I then conducted coding on all of these cases, with an inter-coder reliability rating of above 90 percent.

Limitations

One limitation is that the data were only available by regions, each of which consisted of multiple counties, local offices and workforce boards. Thus, it was not possible to determine variations in practice among counties or local offices or to distinguish well-performing offices from poorly performing ones.

It is also not known whether appealers are different than non-appealers, although research of complaining behavior has found that those who complain are more likely to be the “tip of the iceberg” than atypical, with the few representing the many (Hyman, Shingler, and Miller 1992). However, here the comparison is between recipients who appealed their sanctions under both regimes, and not between those who appealed and those who did not. Another limitation is the small sample size, as few recipients appeal (Author 2005). Previous research has established that even a few decisions are useful for discerning patterns of errors (Altman, Bardo, and Furst 1979). However, it cannot be determined whether the errors or practices alleged are occurring some, most, or all of the time.

Another limitation, shared by virtually all welfare reform studies, is the difficulty of generalizing results across states because of the substantial flexibility permitted in program design. Sanctions, however, are a universal tool used by all welfare offices and the experiences of one state can provide important insights into how complex bureaucratic systems administer them.

Background

In response to welfare legislation, Texas initiated its welfare to work program in November of 1997. The program, called Choices, emphasizes job readiness, search and placement services up front, with training and education later (Capps et al. 2001).

Responsibility for work programs have been devolved to outside agencies on the local level, where a network of local workforce development boards contract with local service contractors (profit and non-profit) to provide work related services and monitor recipients' compliance. The Texas Health and Human Services Commission is responsible for determining eligibility, including exemptions of the work rules, and for implementing sanctions based on information provided by locally and independently run Choices programs.

Texas's benefit levels are among the lowest in the nation. It opted initially to impose the more lenient partial sanction. Examples of violations included failing to attend a workforce orientation or job search activities or participate in community service assignments. Violations resulted in a grant reduction of \$78 for failing to participate in Choices, and \$25 for voluntarily quitting a job (Texas Works Handbook). The maximum grant for a family of 3 was \$208, thus a sanction reduced the grant by more than a third. Minimum penalty periods also applied, and were set at one month (or until the recipient complied, whichever was longer) for the first noncompliance, and then three and six months thereafter.

In September 2003, Texas switched to full family sanctions. "Pay for performance" as Texas labels its sanction rules, requires that the entire family's grant be eliminated when a participating adult fails to comply with the work rules. Sanctions are no longer durational, but recipients must demonstrate cooperation with Choices for four consecutive weeks before benefits are restored. Thus at a minimum recipients lose one full month of benefits. When Texas implemented full family sanctions it also tightened the procedures for imposing them. Local workforce boards had considerable flexibility

when imposing partial sanctions. Under full family sanctions local workforce boards maintain that flexibility, but are now required to make a “timely and reasonable attempt” (as defined by the local workforce board) to contact the family to determine the reason for non-cooperation before initiating a penalty (Texas Workforce Commission 2004).

Under both full and partial family sanctions, good cause for not complying with the work rules includes a temporary illness or incapacitation, court appearance, caring for a physically or mentally disabled household member, lack of transportation or child care, an absence of support services, an individual or family crisis or family circumstance (including substance abuse, mental health or disability-related issues), and domestic violence (40 Texas Administrative Code § 811.16(c), 2004). Recipients can also obtain exemptions from the work rules based on age (over 60), pregnancy, disability, and caring for a child under one or a disabled household member.

What reasons do recipients give for not complying with the work rules, and did these reasons change when Texas shifted from a partial to a full family sanction regime?

Sanctions are based on the premise that recipients make rational decisions on the costs and benefits of welfare (Rector 1993). Under partial sanctions recipients may calculate that not complying with intrusive and burdensome work rules offsets the reduction in their grant. They may rationally choose less money in exchange for not having to attend work activities. In contrast, recipients have more incentive to avoid full family sanctions. Unlike partially sanctioned families, whose children remain on public assistance rolls, the consequences are a full loss of benefits. Presumably recipients would try harder to avoid a full family sanction and would be less likely to let barriers, such as family problems, poor health, and logistical or situational problems, interfere with

compliance. They would also be more likely to track notices to make sure appointments were not missed. If they are sanctioned, one might assume it is because they are not truly needy, and unwilling rather than unable to work (Rector 1993).

Table one about here

The findings indicate that both partial and full sanctioned families gave similar reasons for not complying with work rules (Table 1). In the urban/suburban region the most common reason for non-compliance was a personal or situational obstacle, such as a temporary illness or ill family member or transportation or child care problems. Personal or situational obstacles were cited by 34 percent of the partially sanctioned and 39 percent of the fully sanctioned. The second most common reason was a medical or other exemption, cited by 31 percent of the partially sanctioned and 34 percent of the fully sanctioned. The percentage of recipients who claimed they did not receive notice was virtually identical, at 22 percent (partially sanctioned) and 21 percent (fully sanctioned).

In the rural region, a lack of notice was the most common reason cited by both groups (41 percent for the partially sanctioned, and 33 percent of the fully sanctioned). The biggest change in the rural region after the switch to a full family sanction was the percentage of recipients claiming a medical exemption, increasing from 18 percent to 51 percent. Personal or situational obstacles remained relatively constant, at 13 percent for the partially sanctioned and 18 percent for the fully sanctioned.

Thus, as Texas shifted from partial to full family sanctions the reasons for non compliance remained fairly stable, with the exception of medical exemptions in the rural area. This suggests that while sanction incentives changed, recipients' reasons and circumstances surrounding their noncompliance did not. As recipients reported, personal

and situational obstacles and disabilities were still a barrier to compliance, as was a lack of notice of work appointment dates. On the other hand, the increase in medical exemption claims in the rural region may reflect recipients' attempts to protect themselves from the harsher consequences of a full family sanction by claiming an exemption.

In sum, full and partially sanctioned recipients were very similar in their reasons for non-compliance. Both groups cited various difficulties and obstacles, or lack of notice, as the primary reasons for their noncompliance. This finding is consistent with previous studies, (see *infra* pp. 3-4) that sanctioned recipients are more disadvantaged, have more obstacles to work than non sanctioned recipients, and are often unaware they have been sanctioned. These findings suggest that increasing the penalty from partial to full family sanctions, at least among some recipients, does not provide an increased work incentive. Recipients were no more able to overcome personal, situational and other obstacles than they were under a partial sanction regime. In other words, if recipients' reasons for non-compliance are that they can't comply, and not that they don't want to, full family sanctions will not make them more likely to comply.

How are sanctions applied on the front lines, and do workers administer full family sanctions differently than partial sanctions?

The application of sanctions- full or partial- are an uneven mix of regulatory rules and worker discretion. Rules or standard operating procedures may direct workers to sanction recipients for a specific infraction, such as a missed meeting. But workers can use their discretion and give recipients additional opportunities to meet their obligations. There was evidence of both in the partial and full sanction hearing data. Workers

sometimes sanctioned recipients after the first offense; at other times workers imposed sanctions after a string of rescheduled or neglected appointments. In some cases sanctions were entered days after the infraction. In other cases they were entered weeks or months later after several contacts with the recipient.

While under both regimes workers exercised discretion, presumably workers would be slower to apply full family sanctions because of the harsher consequences. On the other hand, Texas's switch to full family sanction indicates a more conservative stance towards welfare. As Fording, Schram and Soss (2006) found in their study of Florida's sanctioning rates and policies, individual case workers in counties with a more conservative political climate were more likely to impose sanctions than those in liberal environments.

The data on the number of sanctions provided little support for either possibility. The sanctioning rate in the urban region remained the same at 4.5 percent in 2002 and 2004, indicating that workers willingness to sanction did not change after full family sanctions were imposed. (The sanction rate was determined by dividing the average monthly number of sanctions by the average monthly caseload.) In the rural region, the sanctioning rate decreased from four percent to 2.2 percent, perhaps indicating slightly less of a willingness to sanction.

When sanctions were imposed, presumably workers would be more careful because of the harsher consequences and new procedural safeguards for full family sanctions. However, recipient success rates at hearings were virtually identical in the rural region for full and partial family sanctions, at 49 and 48 percent respectively. In the urban/suburban region, recipient success rates declined from 48 percent to 36 percent,

although the decline was not because of fewer errors. As reported by the agency, it was more willing to settle cases and withdraw the sanction when recipients appealed under the full sanction regime. Hence, success rates were still high and caseworkers were still making errors at similar or substantial rates (according to fair hearing outcomes) in the application of full family sanctions.

Table 2 about here

The fair hearing data also revealed similar evidence of the welfare-to-work version of an eligibility-compliance culture under both the partial and full sanction regimes. As described more fully elsewhere (Author forthcoming) under the partial sanction regime workers at times viewed sanctions as a clerical rather than evaluative task. Recipients were sanctioned quickly, without evaluating their willingness to work. Thus, for example, workers automatically entered sanctions into the system a few minutes after a recipient's appointment time, neglecting to reverse it when the recipient showed up a few minutes later. Personal and situational obstacles to work, such as a lack of transportation or child care, sick children, or unstable living arrangements, were overlooked or ignored. Attendance at school or even a job was not always considered a reason for missing a Choices meetings. The failure to attend a single appointment was considered the equivalent of refusing to work. Workers missed cues in the recipient's case record of a disability and did not fully investigate medical documentation. In sum, a thorough assessment of the recipient's ability to work, behavior towards work, and obstacles that interfered with work was missing.

These practices persisted under the full family sanction regime. Workers in both regions failed to fully explore work exemptions. In a case in the urban/suburban region

reversed by the hearing officer, the recipient submitted documentation she had been in a car accident and could not work, yet this information was ignored. In another case, the recipient was needed in the home to care for her husband who was in danger of paralysis from recent neck surgery. The hearing officer found that the “recipient was not attempting to get out of participating, but [was] not able to participate due to the surgery and medical conditions of her spouse.”

Similar cases of ignored or overlooked exemptions occurred in the rural region. In one case, the recipient had spent part of the year in a coma, but was sanctioned even though she had submitted medical documentation. In another case the agency sanctioned a disabled recipient after the worker called her home and was told- falsely- by her mother-in-law, who suffers from Alzheimer’s, that “she had gone up north to work.” In both cases, the hearing officer reversed the sanctions.

An overly rigid approach to paper work also resulted in errors. In one case in the rural region reversed by the hearing officer the recipient had submitted a form in December indicating she was needed at home to care for a disabled child. The form was rejected because it did not state that the child’s condition was permanent. The recipient then submitted a second form in January clarifying the condition was permanent. The agency refused to apply the form retroactively, sanctioning her for the December violation, but not the next month.

As under Texas’s partial sanction regime, it was also evident that workers- and sometimes hearing officers- viewed sanctions as a punitive, rather than motivational, tool. A case from the urban/suburban region is particularly illustrative. The recipient was in the midst of moving when a letter was sent advising her of an orientation appointment.

She received the letter a week after the appointment date because it was sent to her old address. She called her worker the day she received the letter and was advised to attend an orientation at an office closer to her new home. Four days after this conversation she called the new office and made an appointment for four days hence, and attended it. Although she rescheduled the missed orientation within two weeks of the original date, and was participating in work activities, she was still sanctioned. The agency refused to withdraw the sanction because the recipient had not called immediately but waited four days to reschedule the orientation. The hearing officer concurred, noting that it had taken the recipient three and one half weeks after her move to begin full participation. Neither the agency or the hearing officer directly questioned the recipient's willingness to comply, but only the speed with which she arranged appointments, setting arbitrary deadlines for the latter.

In another case in the urban region the recipient arrived at an appointment eight minutes late according to her, and fifteen minutes late according to the agency. She was refused entry into the meeting, which she then rescheduled for later that week and attended. Although the agency then deemed her to be cooperating she was sanctioned for the original failure to appear timely. Much of the hearing focused on whether the recipient was eight, or fifteen minutes late, with the recipient acknowledging that her car clock could have been wrong. The sanction was upheld by the hearing officer, who found that the "failure to make certain your clock is working is not considered good cause for failing to appear on time for a scheduled appointment with the agency. "

Similar cases, where workers opted for a rigid application of the rules while ignoring recipients' attempts to comply, occurred in the rural region. In one case a

recipient missed her appointment because her child was ill. She went to the office the following day, but a sanction was imposed, and then upheld by the hearing officer. In another case, later reversed by the hearing officer, a recipient who had good cause for not participating several months earlier was sanctioned when her worker could not reach her by telephone. (The recipient did not have a telephone, but received messages, often unreliably, at her cousin's home). The worker then discontinued the recipient's child care "to see if the [recipient] would respond", and then sanctioned her when she did not.

Workers were often suspicious of recipients' reasons for not complying with the work rules. In both regions, recipients claimed a variety of personal crisis and other obstacles, ranging from domestic violence, to a lack of transportation, to sick children, to deaths in the family, or the recipient's own illnesses. Overall, such explanations were typically greeted with skepticism by the agency and the hearing officer, especially in the urban region where only one of the twelve cases in this category were reversed. (Recipients won a third of such cases in the rural region).

No clear pattern emerged as to why recipients were believed or not. In the one case reversed in the urban/suburban, the recipient was caring for a child with cerebral palsy while living in a shelter and was without transportation. The agency acknowledged at the hearing that they were aware of all these problems, and had granted good cause for a subsequent appointment. The hearing officer reversed the sanction, finding that the recipient had a reasonable explanation for not keeping the appointment. In contrast, a hearing officer in the rural region refused to reverse a sanction against a recipient who claimed a good cause exception based on domestic violence and then failed to attend a counseling appointment for domestic violence shelter because she "was having problems

with her ex-spouse.” Another recipient, whose sanction was not reversed, explained that she did not successfully complete her job search hours because of unreliable transportation, difficulty understanding English, and a lack of work experience. Other explanations from recipients, including doctors appointments for asthmatic children, food poisoning that required hospitalization, and a daughter’s fractured ankle were similarly rejected, sometimes because recipients could not obtain hospital records or doctor’s notes.

Discussion

The change in Texas from a partial to a full family sanction did not change recipients’ reasons for not complying with work rules. Despite the harsher consequences recipients reported being unable to overcome work obstacles. Workers responses under both regimes were also very similar. Although the hardships endured by the welfare poor are well documented, (See for eg. Edin and Lein 1997; Rank 1994; Seccombe 2007) claims of personal and situational barriers, including ill health, sick children, and a lack of transportation, were often greeted with suspicion and distrust.

This may occur because of the difficulty in responding to the chaos and problems that were evident in the fair hearing record, from unstable housing, to domestic violence, to ill or disabled children and family members. Workers are often unable to resolve such problems for a multitude of reasons, including their severity, a lack of resources, or a lack of skill (Meyers, Glaser, and Mac Donald 1998). As Handler explains (2004, 83), workers often resort to “moral typification”, disfavoring difficult to serve recipients and treating them more harshly. Frustrated with being unable to help, workers will dismiss

barriers as exaggerated or the recipient's fault, thus justifying imposing a sanction rather than securing scarce supports.

Bell (forthcoming) in her interviews with front line workers in Texas, found this dynamic among the majority of caseworkers she interviewed. Overburdened caseworkers were hesitant to uncover barriers to work, and relied on a "one size fits all" approach that sidestepped them. Bell found that workers often diagnosed the hard to serve population as simply unmotivated, and used threats and sanctions rather than addressing their obstacles.

This dynamic may explain why studies have consistently found that sanctioned recipients are often the most disadvantaged; workers are more likely to respond to such disadvantages by sanctioning recipients instead of helping them. It may also explain why workers under the full family sanction regime in this study did not more accurately target recalcitrant recipients despite additional safeguards. Declining caseloads in Texas between 2002 and 2004 likely resulted in caseloads with a higher percentage of harder to serve recipients as those able to work left the rolls. It is this population that generates the most frustration and resentment among workers. For workers, sanctioning, rather than helping, is the easier or more manageable course of action. But full family sanctions won't work as an incentive if recipients do not have sufficient resources to overcome their disadvantages. As other less disadvantaged recipients find ways to avoid sanctions by either leaving the rolls or complying, these disadvantaged recipients may be at increased risk of sanctions.

Proponents of work rules argue that they prepare recipients, including those with multiple disadvantages, for the "real work of work", where "employees who do not

regularly perform assigned duties will not receive pay or maintain employment” (Rector and Youseff 1999, 8). By holding recipients “accountable for their own actions”, they “learn habits of self-control, responsibility, and persistence” (Rector and Youseff 1999, 88). Full rather than partial sanctions are necessary to instill these better habits.

However, inappropriately applied sanctions can accomplish the opposite, especially when the penalties lack real world proportions. A particularly illustrative example was the recipient who lost a month of benefits because she came eight minutes late (by her account) or fifteen minutes late (according to the workers testimony) to an employment planning appointment. Docking an employee a months pay for coming minutes late to a meeting would be unlikely in the work world. Similarly, recipients were sometimes arbitrarily held to unrealistic work expectations. This was demonstrated by the case of the recipient who, despite the record of calls made and appointments kept to comply with the work rules after she moved, lost a months grant because she called in four days, rather than one day, to reschedule an appointment she subsequently attended. By terminating recipients from assistance for these arguably minor transgressions workers also terminated recipients’ connections to work activities and support services, making it harder to prepare recipients for work (Schott, Greenstein, and Primus 1999).

Conclusion and Implications

In sum, under both full and partial sanction regimes, process took precedence over substance, with little or no distinction made between the reluctant and the incapable, or the serious infraction that revealed an avoidance of work and the minor infraction that did not. This was most evident when workers applied arbitrary deadlines or overtly strict compliance rules not reflective of the real world of work that tripped up even the more

vigilant recipients. Workers also constructed recipients as morally rather than materially deficient, causing them to overlook, discount, or blame recipients for barriers that prevented full compliance with work rules. The result was the sanctioning of already disadvantaged recipients, creating further hardship and obstacles to work. While these practices occurred under both partial and full family sanction regimes, the consequences were more severe under the latter.

These findings suggest improvements are necessary in the design and administration of sanctions. One suggestion is to adopt Wisconsin's sanctioning model, which avoids the disproportionality of a full family sanction. Instead, sanctions consist of hourly payment reductions; for every hour missed in assigned work and training activities without good cause, the recipient's grant is reduced by \$5.15. This approach has the advantage of more closely mimicking the workplace.

The use of sanctions should also be reconciled with the need for support services, especially among the hard-to-serve population. The necessity for such services, especially as this population increasingly makes up the rolls, has long been recognized. States and the federal government have devoted substantial funding for an array of services, including child care, transportation, job counseling and training. Sanctions can undermine the effectiveness of such services by cutting recipients off from activities and supports that can lead to labor market participation. Changes are needed to insure that sanctions are not applied where help would be more appropriate. One approach, suggested by The National Council on Disability (2003), is to amend federal law to require all states to have pre-sanction review procedures to avoid erroneous and inappropriate sanctions, and to prohibit sanctions unless steps are taken to identify barriers and provide help. This

would result in a better balance between help and hassle, and would prevent families from being left without assistance and unable to survive without a safety net because of unresolved barriers to work.

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Table 1: Reasons for Non-Compliance

Reason	Urban/Suburban		Rural	
	Partial	Full	Partial	Full
Scheduling conflict with Work or school	13%	8%	13%	8%
Agency error	15%	21%	18%	15%
Family obstacles; situational challenges	34%	39%	13%	18%
Non-receipt of notice of date of appointment	22%	21%	41%	33%
Medical or other exemption	31%	34%	18%	51%

Table 2: Recipient Success Rates

Reason	Urban/Suburban		Rural	
	Partial	Full	Partial	Full

Scheduling conflict with Work or school	31%	33%	44%	50%
Agency error	73%	83%	61%	75%
Family obstacles; situational challenges	23%	8%	62%	33%
Non-receipt of notice of date of appointment	38%	25%	55%	55%
Medical or other exemption	57%	55%	50%	44%
Overall	48%	36%	48%	49%