

## SOLVING PROBLEMS

### In CalWORKs...

If you need a change in the *CalWORKs program* rules because of a disability, and the county won't help you:

- Ask for a state fair hearing if this affects your aid or welfare to work participation. Call 800-952-5253, or fill out the back of any Notice of Action.
- File a Civil Rights complaint. Call toll free (866) 741-6241.
- If you can't do 32-35 hours/week because of your condition, ask for a **exemption**.

### At Work...

If the employer has 15 or more workers, it must make "reasonable accommodations." If not, call the Department of Fair Employment and Housing at 800-884-1684 to file a discrimination complaint.

- You can get employment advice from the Worker's Rights Clinic at 415-864-8208.
- Ask the county for "good cause" to quit your job and/or to get another welfare to work assignment.

**Call Legal Services**

## CalWORKs

*Making it Work for You*

# Disability Rights

Getting the Help  
You Deserve



Prepared by  
Legal Services of Northern California  
[www.lsn.net](http://www.lsn.net)

# GETTING HELP

## WHAT ARE MY RIGHTS?



If you have a disability, you have the right to be treated equally and use welfare programs and services like people without disabilities. This may mean that the Welfare Department must make changes to its programs or policies, in order to allow you to participate.

## WHAT IS A DISABILITY?

A mental, emotional, physical or learning disability, that affects a basic part of your life. These are things like walking, talking, eating, being able to work or learn, etc. *It is not the same as a disability for getting SSI.*



## SHOULD THE COUNTY HELP ME?

Yes! The county and most jobs are required to make changes, or "accommodations," to their rules to help you. The "accommodation" must be reasonable. If they don't think what you want is reasonable, they need to try to find a

change you will agree to. (So, they can't just say no, but need to try to work something out for you.)

## GETTING AN ACCOMMODATION

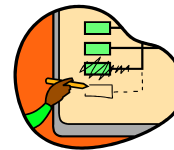


### 1. Give Notice

The county and employers only have to "accommodate" you if they know you have a disability. No magic words are required. The easiest way is to say "I would like a disability accommodation." You don't need to list your condition or a diagnosis, but you do need to show you have an condition that has a "significant impact" on basic life activities.

2. Put it in writing (if possible)
3. Go to the appointments to arrange for accommodations.
4. Talk to an accommodation specialist for help.

## Accommodation Resources



- Job Accommodation Network: 800-526-7234
- Disability and Business Technical Assistance Centers: 800-949-4232
- The LIBRA Project (for psychiatric disabilities): (415) 864-8848 or [www.las-elc.org/disability.html](http://www.las-elc.org/disability.html)

## CALWORKS RULES

1. If your worker thinks you have a condition that gets in the way of your doing welfare-to-work tasks, the worker must refer you to a disability evaluation. If a disability is found, the county must review if you should be exempt or if your welfare to work plan should be changed to meet your needs.
2. If you disagree with the welfare to work plan the county suggests after a disability evaluation you have the right to:
  - A non-county review of the proposed plan. (This is called a "Third Party Assessment.")
  - A state hearing to review the plan.
3. You cannot have your aid cut if you refuse to be in a program or job that discriminates. *Tell your worker — don't just quit.*
4. You must be able to physically get into and use county buildings and programs. (For example, ramps, brailled signs, etc.)

