

1 [Establishing Maximum Work Hours For General Assistance Programs.]

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3 **Ordinance amending Chapter 20, Article VII, to add Section 20.58.6 to provide that the**

4 **maximum number of hours the Department may require General Assistance recipients**

5 **to work shall be calculated by dividing the Maximum Monthly Assistance Grant under**

6 **Section 20.57 of this Chapter by the hourly wage rate established under Section**

7 **12P.3(b)(3) of the Administrative Code and by amending Chapter 20, Article VIII,**

8 **Section 20.77.6 to provide that the maximum number of hours of activities the**

9 **Department of Human Services may require of participants in the Personal Assisted**

10 **Employment Service Program shall be the same as required of General Assistance**

11 **recipients.calculated by dividing the Maximum Monthly Assistance Grant by the**

12 **Minimum Compensation Wage Rate.**

13 Note: Additions are *single-underline italics Times New Roman*;  
14 deletions are ~~strikethrough italics Times New Roman~~.  
15 Board amendment additions are double underlined.  
Board amendment deletions are ~~strikethrough normal~~.

16 Be it ordained by the People of the City and County of San Francisco:

17 Section 1. The Ordinance contained herein shall become effective 30 days after it is  
18 adopted. It shall have prospective effect only.

19 Section 2. The San Francisco Administrative Code is hereby amended by amending  
20 Chapter 20, Article VII, to add Section 20.58.6 to read as follows:

21 **SEC. 20.58.6. USE OF MINIMUM COMPENSATION HOURLY WAGE RATE TO**  
**CALCULATE MAXIMUM NUMBER OF HOURS OF SERVICE.**

22 **Where the Department requires that an applicant or recipient engage in work activity, which**  
**would be considered “employment” under the Fair Labor Standards Act (29 U.S.C. §§ 201 et. seq.)**  
**and any applicable U.S. Department of Labor Guidelines, to become eligible or maintain eligibility for**

1 aid under this Article, the maximum number of hours of work assignments that the Department may  
2 require shall be calculated by dividing the Maximum Monthly Assistance Grant to which a recipient is  
3 eligible under Section 20.57 of this Chapter divided by the Minimum Compensation Ordinance hourly  
4 wage rate established under Section 12P.3(b)(3) of the Administrative Code.

5 Section 3. The San Francisco Administrative Code is hereby amended by amending  
6 Chapter 20, Article VII Section 20.77.1, to read as follows:

7 SEC. 20.77.1. PARTICIPANT AGREEMENT.

8 (a) Participants in PAES must enter into a written Participant Agreement which  
9 outlines the first phase of PAES activities with which the participant must comply. Such  
10 activities may include, but are not limited to: (1) supported work experience; and/or (2) job  
11 search; and/or (3) group sessions or activities; and/or (4) any other appropriate activity, as  
12 determined by the Department, that leads to preparation of the PAES Plan; and (5) keeping  
13 an appointment to establish a PAES Plan upon the notification of the date and time of such an  
14 appointment. The maximum number of hours of activities, which would be considered “employment”  
15 under the Fair Labor Standards Act (29 U.S.C. §§ 201 et. seq.) and any applicable U.S. Department of  
16 Labor Guidelines, that the Department may require shall be the same amount as for General  
17 Assistance recipients, as calculated for General Assistance recipients under Section 20.58.6  
18 of this Chapter. calculated by dividing the Maximum Monthly Assistance Grant to which the  
19 recipient is eligible under Section 20.76 of this Chapter divided by the Minimum  
20 Compensation Ordinance hourly wage rate established under Section 12P.3(b)(3) of the  
21 Administrative Code. Any combination of activities in the Participant Agreement shall not require  
22 more than 20 hours per week of participant commitment in order to maintain compliance.

23 (b) Participants who provide verification of a temporary physical or mental condition  
24 which prevents them from complying with the Participant Agreement as specified above may:

1       (1) be temporarily exempted from those requirements, or (2) be required to participate in any  
2       appropriate activity that is likely to remedy the temporary physical or mental condition and  
3       lead to preparation of the PAES Plan.

4           (c)     Failure to comply with the Participant Agreement shall be considered failure to  
5       meet continuing eligibility requirements. Such failure shall result in discontinuance from PAES,  
6       subject to the notice and administrative hearing provisions of this Article, and the imposition of  
7       a 60 day sanction. Failure to comply with the Participant Agreement is not subject to the  
8       Conciliation For PAES Plan Noncompliance provisions of this Article.

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10       APPROVED AS TO FORM:  
11       DENNIS J. HERRERA, City Attorney

12       By:       PAUL ZAREFSKY  
13                    Deputy City Attorney