

Bye-Bye to the Safety Net

Because she worked full-time, Sambath Dy got relatively little from her five-year welfare max. Boy, could she use that money now.

Sambath Dy, 53, sleeps in the living room of her one-bedroom Oakland apartment. Lining the walls of the small room — she has given over the bedroom to her fifteen-year-old son — are photos of Dy's children and relatives. One faded black-and-white print shows her family in Cambodia, most of whom are long dead, victims of the country's brutal Khmer Rouge regime. Pill bottles line a shelf against the wall and sit in a cluster on the table. According to an evaluation from her welfare file, Dy suffers frequent flashbacks and

**BY
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nightmares from the Cambodian war, as well as a series of medical problems. On the table next to the pills is the small journal where Dy records her blood-sugar levels each morning.

A small woman with a worn face but still-black hair, Dy found out she had diabetes right around the time she was laid off from her job at an Oakland factory — minimum-wage work that, combined with supplemental welfare payments, had allowed her to support herself and her four children (three of whom have since come of age and moved out). At the same time, she discovered she was no longer eligible for welfare because she had timed out under welfare-to-work rules that limit recipients to five years of aid. Soon, her story would inspire a campaign to change the system, but for the time being, she was out of luck.

Dy fled Cambodia with her husband 25 years ago, escaping a revolution that left almost two million people dead, including her parents and most of her siblings. The couple spent almost two years in refugee camps before making their way to Tennessee, where Dy worked as a seamstress and cook. She separated from her husband and moved to the Bay Area in 1991, and from then on she raised her children without support from their father on a combination of her paycheck and government assistance. All the while, she battled health problems ranging from a leg injury she suffered during the war to post-traumatic

stress disorder and depression, according to her welfare file.

The hardworking immigrant is practically a case study of the sort of person welfare is designed for — someone who needs help despite her legitimate efforts to live independently. Instead, she has become a poster child for the inequities of welfare reform. Financially speaking, Dy would have been better off not working. At least that's the conclusion advocates at Berkeley's East Bay Community Law Center reached after meeting her. The reason: The welfare checks she got while employed were far smaller than what nonworkers received — some months she took in as little as \$60 in aid, while a nonworker in her situation would have gotten up to \$700.

The problem is that, under state welfare rules, every month a person receives a check, whether it's for \$60 or \$700, is counted the same way. And when a person hits sixty months, as Dy did right around the time she lost her job and began keeping her blood-sugar diary, that's it. She has reached the federal government's five-year lifetime maximum for welfare assistance. Hit the road, Jill.

Roughly 80,000 of the state's 255,000 adults on welfare are at least partially employed. After hearing Dy's story, the Community Law Center advocates began pushing to change California's law so that those who work full-time or almost full-time would get a break from the five-year limit. They enlisted other nonprofits, including Oakland's LIFETIME, and last week they cleared the first hurdle when Assemblywoman Sally Lieber of Silicon Valley agreed to propose the change. Lieber says she'll tack the proposal onto a "welfare bill of rights" she introduced February 16 once the bill is opened to amendments in March.

The Community Law Center argues that the current rules subvert the intent of the very reforms that set the time limits. "The political message of welfare has been that we'll reward responsibility for people who are working," says Ann O'Leary, a

Boalt Law School student who is working on Dy's case for the center. Yet, she says, "Even people who are doing everything they can to play by the rules are being punished by the time limit."

Congress reformed the welfare system in 1996 under President Clinton. A major argument for reform at the time was that welfare gave low-income women — "welfare queens," the critics called them — an incentive not to work because they could make as much or more by going on welfare as by taking a low-wage job. Meanwhile, the system discouraged those who did work by limiting their benefits. The idea, then, was to set a five-year limit on aid during which welfare recipients could get job training, pursue degrees, and gain work experience in preparation for the day they would go off on their own.

Under the new rules, recipients must engage in "welfare-to-work" activities after two years of aid. This can mean working, participating in job training, attending school, doing volunteer work or community service, or even, in some cases, getting mental-health or drug-addiction treatment. Dy, however, worked at her factory job throughout the full five years, foregoing both the two years she could have collected aid without working and the opportunity to fulfill the welfare-to-work requirement with an unpaid activity.

For taking the honorable route, Dy was penalized. Her advocates argue that counting the months when recipients work against their five-year limit is a disincentive to working, since nonworkers get paid much more over their five years. The average grant to families in which the parents don't work is \$603 a month versus \$448 for the average working welfare family. The actual spread

can be much greater, though, if the recipient works more hours, as in Dy's case. In fact, LIFETIME interviewed one mother who received just \$20 in cash and \$10 in food stamps monthly when she was working.

O'Leary, who worked on welfare issues for Senator Hillary Clinton before coming to Boalt, says meeting Dy convinced her that the reformed welfare system still needs adjustments. "I'm a big proponent of helping people move from welfare to work," she says. "But I think some of the harshness of what happened is evident when you meet a person like Ms. Dy, who was doing everything she could but found there was no safety net left."

The new bill would bring back the safety net, O'Leary argues. While California can't change the federal rules, the state could pick up the tab for workers who still qualify for small amounts of welfare. That would get these employed people off the federal welfare rolls so that they wouldn't run down their entitlement clock in exchange for small payments. There is a precedent for this: Five other states — Illinois, Maryland, Rhode Island, Delaware, and Pennsylvania — already have

time-limit relief for recipients who work a specified number of hours.

In the meantime, Dy has found assistance with help from the law center staff and other social workers. She is still unemployed, but her advocates helped her apply for Supplemental Security Income, a federal program to aid people with disabilities. On a recent morning, she sat in her apartment, preparing for another doctor's visit for yet another of her ailments. She was tired, she said, and in pain. But at least she was getting by. ■

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