



The Racial Impact and Human Toll of Federal TANF Hours Verification Requirements

(April 26, 2021)

There is now a body of convincing research making the case that federal Temporary Assistance for Needy Families (TANF) work requirements, which include the strictest hours reporting and verification requirements ever seen in a public assistance program, are rooted in racist assumptions and beliefs that Black people are lazy and cannot be trusted to perform and honestly report hours of work or work-related activities.

Shifting away from the strict and hyper-controlling federal TANF hours verification policies, as we have proposed in a separate paper,¹ is essential, not only to fully realize the human-centered vision of the Department of Human Services' (DHS') Employment & Training program redesign, but also to mitigate the historical impact of racism on a program whose beneficiaries are disproportionately Black.

False characterizations of Black people as inherently lazy first emerged as a justification for slavery. After the abolition of slavery, White leaders invoked this by then established stereotype to justify criminal justice and welfare policies designed to keep Blacks in a subservient role in society, working in the fields and homes of White people.² For the remainder of the 19th Century and throughout the 20th Century these racist assumptions and beliefs about Blacks served as justification for the imposition of work requirements in assistance programs providing for families' basic needs—first informal and local, and later formal and national.³

Racial stereotyping as justification for work requirements culminated in the enactment of the TANF program by Congress in 1996. While we are certainly not suggesting that state officials charged with implementing these federal requirements are racially biased or complicit in furthering racial stereotyping, we believe that all of us have an obligation to take a fresh look at the TANF program through the lens of racial equity, now that research has exposed the racist roots of this program. This, we think, is precisely what Department of Human Services (DHS) has asked of us in light of the heightened attention to racial equity that we have witnessed in past year.

The Department of Human Services' Historic Commitment to Address the Impacts of Racism on the TANF and Other Public Assistance Programs

In January of 2021, the Pennsylvania Department of Human Services (DHS) issued a report entitled, "Racial Equity Report 2021." Citing the May 25, 2020 death of George Floyd, a Black man, at the hands of police and the "wave of civil rights protests and demonstrations around the world" that it sparked, Secretary Teresa Miller stated, "[t]hese protests amplified important and overdue conversations about systemic racism, overt and covert racism, and both conscious and unconscious bias."⁴

¹ "How Pennsylvania Could Shift the Focus in its TANF E&T Programs from the Very Strict Verification of Hours Requirements Currently in Place to More Simplified Tracking of Participation and Outcomes, Without Compromising its Ability to Meet the Federal TANF Work Participation Rate."

² "The Racist Roots of Work Requirements," Elisa Minoff, Center for the Study Social Policy, February 2020, at pp. 4-5. Available at [2020- Feb Racist-Roots-of-Work-Requirements-CSSP-1.pdf](#)

³ *Id.*, at p.5.

⁴ Racial Equity Report 2021, p. 1.

The Report recognizes that, while the impact of racism on the design of public assistance programs is not the doing of DHS or the staff who administer these programs, we all have a responsibility to closely examine DHS programs for policies that were founded upon and/or perpetuate racist assumptions and beliefs:

*Racism has been a part of America's history since Europeans reached the continent. We cannot undo this past, but we must all do all we can to build an equitable commonwealth and country. We must lead the fight for justice, equity, and opportunity for all people every day.*⁵

This process must begin by acknowledging the historical influence of race on public benefit programs.

*The influence of race on political rhetoric and policies associated with public assistance programs is evident throughout our national history and is still observable today. We must acknowledge the role that racism plays in the present day and historical animosity toward these programs.*⁶

And it should focus on programs and policies where the impact of race is most evident – a prime indicator of which is where people of color are the most disproportionately affected. The DHS Report observes that:

*Because poverty disproportionately impacts non-White people, people of color are disproportionately served by DHS-administered public assistance programs.*⁷

This disproportionality is strikingly evident in the TANF program. The Report highlights that:

*While Black Pennsylvanians represent 13 percent of the general population, they make up 25 percent of our Medical Assistance population, 29 percent of our SNAP population and **53 percent of our TANF population.***⁸

Acknowledging the role of systemic racism in the TANF program, the Report takes specific aim at federal TANF work requirements as an area where change must occur if DHS is to remediate racial inequity.

*Due to the impacts of systemic racism, fifty-three percent of our TANF recipients are Black. The adult population is primarily single moms of color. Redesigning this program allows us to **shift the focus away from keeping beneficiaries in compliance with the work requirements** and to what we can do to help them move and stay out of poverty.*⁹

“Shifting the focus away from” strict compliance with work requirements is precisely what advocates have proposed in the paper referenced above. In this paper, we have presented a proposal for how Pennsylvania, using flexibility it has under federal rules, could shift its focus from strict hours verification to more reasonable and appropriate participant and provider accountability measures of its own design -- and still easily meet its federal work participation rate requirement.

⁵ Id.

⁶ Id. at p. 7.

⁷ Id.

⁸ Id. (emphasis added)

⁹ Id. (emphasis added)

Our proposal, we think, is entirely in line with the Report’s directive to re-examine policies that may perpetuate racial and poverty-related trauma experienced by TANF parents.

No Policy Calls Out for Scrutiny from a Racial Equity Perspective More than Federal TANF Work Requirements, Including Hours Reporting Rules

As discussed above, the racist origins of TANF work requirements are rooted in false characterizations of Blacks as lazy and unwilling to work, unless coerced to do so. These myths continued to be invoked, even after the abolition of slavery, during the Jim Crow era where they were similarly used as justification to coerce work, even in early public assistance programs.

The decades following the Civil War were a critical transition period, when Black people vied for control over the terms and conditions under which they worked as many White political leaders invoked the myth of Black laziness to justify new policies designed to coerce work— including public assistance, or relief, policies.¹⁰

The stereotyping of Blacks as lazy persisted into and throughout the twentieth century, serving as a pretext for imposing work requirements in financial assistance programs, including the AFDC program that operated from the early 1930s into the 1990s.

Despite the Civil Rights movement in the 1960s racist assumptions continued to drive welfare policy discourse, culminating in the “welfare reform” movement in the 1990s. As Elisa Minoff writes in the “*The Racist Roots of Work Requirements*”:

Black people were the image of welfare reform. After the Republican landslide in the 1994 midterm elections, Clinton negotiated a bill with Newt Gingrich and Congressional conservatives. As Jason DeParle, the New York Times reporter who chronicled the political debate, observed, while Reagan talked about welfare queens, Gingrich invoked other stereotypes of Black criminality and promiscuity, asserting “you can’t maintain civilization with 12-year-olds having babies and 15-year-olds killing each other and 17-year-olds dying of AIDS.” The racial subtext was lost on no one.¹¹

The TANF program, as promised, ended welfare as we knew it, but did so with the strictest work requirements ever imposed, including for the first time stringent hours reporting rules.

Under TANF, the threat to reduce or eliminate assistance unless a participant documented work for a certain number of hours per week was combined with some supports and services to make it possible for parents to complete their hours, but the value of these services varied tremendously from state to state, and in practice programming often functioned as little more than coercive hoops participants must jump through in order to receive meager assistance.¹²

Had the framers of the TANF program focused on facts, rather than mythology, they would have realized that Blacks, and Black women in particular, have worked more than any other group in American history, belying the notion that coercive measures are needed to incentivize participation in employment and training activities.

¹⁰ *Id.*, at p.10.

¹¹ *Id.*, at p.23, citing 118 DeParle, *American Dream*, p. 133.

¹² *Id.*, at p.23, citing Minoff, Elisa. “What do “Work Requirements” Actually Require? A look at programs that meet families’ basic needs in Montgomery County, Maryland.” Center for the Study of Social Policy, June 2019. Available at: <https://cssp.org/resource/whatdo-work-requirements-actually-require/>.

The painful irony is that Black people have worked—in the narrow terms work requirements’ proponents would understand—more than any other group in American history. As the historian Steven Hahn has written, “African Americans were more consistently a part of the nation’s working class, over a more extended period of time, than any other social, ethnic, or racial group.” For Black women and men, slavery required full employment. For the century that followed, Black women worked significantly more than White women in formal, paid, employment, and their labor force participation has been higher ever since—only recently have White women caught up.¹³

Given the strong commitment to work manifest in the history of Black labor, it stands to reason that what was needed in the TANF program was not the threat of punishment, but meaningful employment and training programs -- programs that acknowledge past trauma and treat participants with respect -- coupled with supportive services, to assist Black and other low-income mothers in addressing barriers and acquiring skills needed for gainful employment. The strong desire on the part of these mothers to support their families was and remains incentive enough to ensure participation in work and work-related activities.

Federal TANF Hours Verification Requirements Embody the Racist Assumptions Underlying the TANF Program.

Federal TANF hours verification requirements go well beyond what any employer would ever expect of its employees and reflect a belief on the part of the TANF program’s architects that mothers receiving cash assistance are fundamentally lazy and must essentially be surveilled to ensure that they are not gaming the system by cheating on their hours.

Under these requirements, desperately poor parents, who are disproportionately single Black mothers, must participate in work or work-related activities for 20 to 30 hours per week and provide weekly documentation of every hour of participation – the documentation required being a signature on their weekly attendance sheet by a third party, e.g., case manager, instructor, professor, librarian -- for each activity in which the parent is engaged, corroborating that the parent was actually doing what she says she was doing for the hours claimed on the attendance sheet. And all of this under threat of sanction -- loss of benefits -- if the parent fails or is unable to provide the required weekly documentation of participation.

In her Message accompanying the DHS Racial Equity Report, the Secretary, referencing Black Lives Matter, states that:

If we mean these words, this cannot be just a momentary conversation — we must act. We must look at where Black lives are not being respected and valued.¹⁴

TANF hours verification requirements are most certainly one such place. Here, for example, is how one TANF mom described how these requirements make her feel:

¹³ Id. at 4, citing Hahn, Steven. *A Nation Under Our Feet: Black Political Struggles in the Rural South from Slavery to the Great Migration*. Harvard University Press, 2005, p.10. and Goldin, Claudia. “Female Labor Force Participation: The Origins of Black and White Differences, 1870 and 1880.” *Journal of Economic History*, 37, no. 1 (1977), pp. 87-108. Available at: https://dash.harvard.edu/bitstream/handle/1/2643657/Goldin_

¹⁴ DHS Racial Equity Report 2020, at p. 1

I only do timesheets because it is absolutely necessary. It [makes]me feel childish and untrustworthy. It makes me feel like I have to report the hours that I study because I need to be monitored, when in reality I put in way more hours into my study. I study for hours a day because I want to do well and prepare for my career, not because I need to report it. In my opinion, timesheets are waste of time and does not accomplish much.

How TANF Hours Verification Requirements Control and Demean TANF Parents

There two main features of federal TANF hours verification requirements that go well beyond reason and certainly well beyond the kind of accountability for work hours expected by employers of their workers:

1. Requiring TANF parents on a weekly basis to account for every hour, and in the case of education **every minute**, of each and every activity in which the parent is engaged in her E&T program. Most participants are engaged in a multitude of activities each week that could include adult education, class time in community college or credentialing programs, study time, job search, community service, and myriad barrier remediation services, such as counseling and therapy. What is required of them is not simply a matter of clocking in and out each day, but keeping track of and noting the exact amount of time spent on each activity and then logging those hours on a weekly attendance sheet.

Here is what one TANF parent had to say about this:

"I wish i didn't have to fill them [attendance sheet] out. I wish that welfare will just accept the fact that we go to [community college] and that's it. Not have to do turn in hours we have our lives to attend to and most of us are parents of little ones its not right that our benefits can be affected just because we don't turn in hours especially now a days when no one is promised if we wake up the next day with Covid please take out those attendance sheets out . I try my best to get them in but with kids home from school its hard. And on top of that classes and homework. Its enough proof of hours that us parents make. This is how i feel. Sorry 😊 if i offend anyone. ♡ KEYS PROGRAM."

(See, also, **Appendix A**, Voices of TANF Parents)

2. Requiring signed third-party documentation of activities outside of the contractor site, in the case of EARN, or outside of classroom hours, in the case of KEYS. For TANF parents this can mean asking a librarian to verify with her signature that the parent was in the library studying on the days and for number of hours claimed on the weekly attendance sheet; asking a tutor to sign and verify that he or she provided tutoring services to the parent on the days and for the number of hours claimed by the parent on her weekly attendance sheet; or asking an agency already extending itself by offering a community service placement for the parent to verify with an agency staff person signature that the parent was there on the days and for the hours claimed on her weekly attendance sheet.

It requires little imagination to understand how humiliating it is for these parents to have to essentially announce to the world at large that they are "on welfare" and are not trusted to honestly report the hours they have spent on their education and training activities. The distrust and racial bias, reflected in such a system has led TANF parents to say things like:

"I feel like I am in jail when you make me do this" and

“You don’t want my Black ass to succeed”

(See, also, **Appendix A**, Voices of TANF Parents)

Not surprisingly, the enforcement of TANF hours verification procedures that is expected of E&T providers undermines their ability to establish the kind of trusting relationship with participants that DHS wants to see them develop as part and parcel of a human-centered approach to E&T.

Here are a few statements from E&T Program staff reflecting and how TANF hours verification requirements affect their relationships with participants:

- One E&T program worker said that the hours verification requirements force staff to take on a *“stalker mentality.”*
- Another E&T program worker said these requirements make her feel like she is *“policing the customer.”*
- An E&T program director says that she feels that the hours verification she is required to ask of participants in her program are the equivalent of *“surveillance.”*

Fortunately, there are solutions to the problems posed by federal TANF hours verification requirements. (See, CLS/CJP paper referenced in footnote 1) We firmly believe that a system for ensuring accountability of both TANF E&T participants and E&T providers need not resort to dehumanizing methods in order to be effective. Perfectly reliable accountability measures could be developed by DHS, independent of federal requirements, based upon the case management system already in place in both the EARN and KEYS programs, that would track whether participants are *“regularly”* attending/participating in activities; whether they are making *“satisfactory progress”*; and whether they are achieving the goals they and their case manager have agreed upon.

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Appendix A: Voices of TANF Parents

“I have a hard time getting them in. I am a good student and sometimes, on top of school, things, and having my home and son to worry about, the attendance sheets become stressful to remember. Now that I am online due to the pandemic it is a lot more confusing to keep up with.

It’s hard to keep track when the classes change and teachers don’t show up and you do! Remembering to turn them in when you don’t pass the office! They are just really time consuming!”

“It has no value to me. It does not show any level of accountability. I have no extra time for anything but my many obligations.”

"I don't see the need because of anyone can put any amount of time and not actually be in class. Grades and actual attendance are documented by the college."

"I can't say I grab it every day to enter how much time I spent in class or studying or doing homework. My days are hectic with two small children and a teenager, so I always catch myself filling it out on Mondays before it's due and breaking my head open trying to remember what times I was doing what during the previous week."

Having to fill out an attendance sheet for me makes me feel like we are being watched which is a problem but I don't think the people in this program would be in the program if they didn't want to be and I don't think people wouldn't be working and or taking classes to provide for their kids I believe there should be other ways to check in on peoples progress maybe a monthly meeting or quarterly

I don't understand the hours log and I can't do it on my phone nor do I have access to a printer to print

It's annoying. I go to school everyday. I'm paying to go to school so of course I'm going to go. This isn't high school.

If my grades reflect that I'm doing what I'm supposed to it seems like a waste to have to fill out a form.

An E&T case manager reports two TANF parents told her that the reporting requirements make them

- *"feel like they are children," and that they*
- *"wish that they were trusted that they are doing what they are supposed to unless it was proved by grades that they aren't"*