Employment Development Department
State of California

INFORMATION NOTICE

Date: February 10, 2020 **Number:** WSIN19-31
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ADDRESSING CONCERNS ABOUT WIOA AND PUBLIC CHARGE

In August 2019, the federal government released a new "public charge" policy that expands the type of public benefits that may be considered in a "public charge" determination. In response to various legal challenges, including one brought by California, several courts entered orders preventing the rule from taking effect as the cases proceed. However, on January 27, 2020, the United States Supreme Court entered an order that allows the federal government to implement the "public charge" rule.

The America's Job Center of California[SM] (AJCC) system should know that *Workforce Innovation and Opportunity Act* (WIOA) Title I and Title III programs are not a public benefit considered under the amended "public charge" rule.

AJCC staff may receive questions and concerns from individuals about how their participation in WIOA Title I or Title III programs may negatively impact their immigration application or their family. AJCC staff should inform individuals that that the new "public charge" rule does not include WIOA Title I or Title III programs or services.

When assisting individuals, AJCC staff should not offer immigration legal advice. Individuals with additional questions related to their immigration status and the use of public benefits may be referred to one of the Immigration Services Contractors available through the California Department of Social Services. These nonprofit contractors are qualified to provide accurate immigration guidance and information.

For more information, please refer to Immigrant Legal Resource Center's Community Flyer, Five Things to Know Public Charge (PDF), or the National Immigration Law Center's Public Charge: Does this Apply to Me (PDF) which can be printed and made available within the AJCC and to the public. Additional information can also be found through California's Immigrant Guide.

/s/ JAIME L. GUTIERREZ, Chief
Central Office Workforce Services Division

The EDD is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities.