

# **Equity vs Equality: Discourses and Practices within Decentralized Welfare-To-Work Programs in California**

## **Abstract**

The U.S welfare reform of 1996 brought about highly decentralized Welfare-to-Work (WTW) programs, granting discretion to states and local governments to implement policies. Previous research has emphasized racial disparities in WTW sanction rates, by focusing on state/county characteristics or frontline-workers' biases. There is a dearth of research focusing on different understandings of equity or equality and corresponding practices embedded within WTW programs at the state and local levels. This knowledge is important to better understand how race disparities in WTW may be shaped. Our case is California's comparatively generous and highly devolved WTW program and its implementation in two most different counties. Descriptive analysis of administrative data reveals racial disparities in WTW sanctions and exemptions at the state-level and contrasting racial disparity patterns across two counties. Drawing on an equity framework, critical discourse analysis (CDA) of policy documents and interviews at the state level reveals conflicting discourses and practices around equity and equality, leaving room for interpretation at local agencies. CDA of county-level documents and interviews with county administrators showcases contrasting discourses and practices: while one county operates on an equality discourse that does not challenge existing disparities, the other county adopts an equity-related discourse of providing better treatment towards some historically disadvantaged groups. The observed discourses and practices help to understand the different racial disparity patterns. We conclude that in the absence of a clear equity framework at the state level, decentralization in WTW complicates the manner in which equity discourses and practices play out at the local level.

**Keywords:** Equity, Equality, Discourse, Devolution, Welfare-to-Work, Race Inequity

## 1 Introduction

Over several decades, many developed nations have transformed welfare through workfare policies that tie benefits to work requirements. The U.S. led the way when, in 1996, President Clinton “ended welfare as we know it” through the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) that introduced the Temporary Aid to Needy Families (TANF) program. TANF's main components are lifetime limits for benefits, work requirements, sanctions for non-compliance policies, and regulated exemptions from work requirements (e.g. when a client has a newborn child or a medical issue). Through the TANF block grant system, the U.S. government granted considerable discretion to states in program design and implementation. Second-order devolution (SOD) occurred as 14 states passed responsibility down to the local governments, which are counties in the U.S., giving them significant discretion and authority over local spending sanction practices (Fording, Soss, & Schram, 2007).

Previous literature has traced the historical origin of the welfare reform legislation and revealed a strong presence of negative stereotypes, such as the image of a ‘welfare queen’: a poor mother of color that abuses the welfare system by not working and having more children instead (Monnat, 2010; Monnat & Bunyan, 2008; Wacquant, 2009). There is evidence of how such biased perceptions have shaped practice and policy choices and reproduced racial inequities (Fording, Soss, & Schram, 2011). Further literature has focused on explaining and understanding race disparities in welfare practices: (i) states with a higher proportion of Black<sup>i</sup> and Hispanic recipients have less generous benefits and stricter policies, such as shorter eligibility periods, harsher sanctions, and family caps (Soss, Fording & Schram, 2011; Bentele & Nicoli, 2012; Monnat, 2010; Fording et al., 2011); (ii) frontline-worker biases where White clients receive more services like childcare, education, and training compared to Black and Hispanic clients, while the latter have a higher chance of being sanctioned (Bonds, 2006; Soss et al., 2011); (iii) disproportionate sanction rates for non-white recipients linked to disparities in other systems, such as education, housing and the labor market (Keiser, Mueser & Choi, 2004; Lee & Yoon, 2012). Such evidence suggests that inherent bias and indirect discrimination exist in TANF implementation.

Until now, there was a dearth of knowledge surrounding how racial disparities are potentially shaped by different understandings of equity or equality and corresponding practices embedded within state TANF programs and their local implementation. According to Espinoza (2007), 'equality' can be conceptualized as sameness of treatment by asserting the fundamental equality of all persons, while 'equity' can be conceptualized as fairness, where individual or group circumstances are taken into consideration. In 1964, the U.S. enacted the Civil Rights Act to end overt discrimination and segregation by protecting people from differential treatment based on race, color, religion, sex, or national origin, thereby establishing the norm of equality. Few studies have explicitly focused on the question of how current TANF-programs tackle the issue of equality or equity. Gooden (2014) argues that social and racial equity has been a "nervous area of government" in U.S. public administration.

The current study aims to fill the gaps in the WTW literature by exploring how different racial disparity patterns in sanctions and exemptions are potentially shaped by different equity or equality discourses and practices at the state and county level. Thereby, we further the understanding in how SOD potentially hinders or fosters social equity. This knowledge is particularly relevant, as the treatment of clients based on their socio-demographic characteristics within TANF programs could influence a client's chances of securing stable employment. In turn, differential access to varied services or different quality in services based on their race could adversely affect the lives of individuals and their family members (Cho, Crenshaw, & McCall, 2013).

The paper structure begins with our conceptual framing of equity, discourses and critical race theory, following which we introduce our case study: California's version of TANF and two most different counties. After discussing our triangulated data and mixed method analysis, we present our findings: Descriptive analysis of administrative data reveals different patterns of racial disparities in WTW sanctions and exemptions statewide and across the two counties. Our critical discourse analysis (CDA) of policy documents and interviews with administrators explores mechanisms potentially underlying these disparities: CDA at state level reveals a dominant equality discourse in conflict with an emerging equity discourse. In two different counties, CDA reveals two contrasting discourses and practices that help to

understand the race disparity patterns. The study provides practice and policy recommendations surrounding the relationship between SOD and the provision of more explicit equity frameworks at a higher policy level to more deeply assess and address racial disparities in TANF.

## **2 Social Equity, Discourse, and Critical Race Theory**

Social equity, a concept of fairness applied to all, directly relates to the democratic principles of justice. Sometimes, achieving justice means treating everyone the same. In other cases, different groups might get differential treatment based upon their current and/or past inequities (Gooden, 2014).

Accordingly, the National Academy of Public Administration (2000) defined social equity as "[F]air and equitable distribution of public services, and implementation of public policy" and developed four criteria to measure social equity: (i) procedural fairness; (ii) access or distributional equity; (iii) quality or process equity; (iv) equity outcomes (Johnson & Svara, 2011, 20-22; Gooden 2014). Drawing on Gooden's work (2006), we apply this framework by focusing on how devolved governmental administrations are responsible for equitable welfare policy implementation for all clients.

Previous research has focused on welfare discourses to understand welfare outcomes (Adams & Padamsee, 2001; Orloff & Palier, 2009). Discourses are understood as constructed within a given context (e.g. in a welfare program or welfare office), institutionalized meanings (e.g. on equity or equality) (Keller, 2011:27), or as "socially produced forms of knowledge that set limits upon what it is possible to think, write or speak about" (Bacchi, 2009: 35). Studies in other international contexts and policy areas have reflected on the fluid conceptualizations of equity and equality (Lanfranconi & Valarino, 2014; Lombardo & Meier, 2008; Malone & Miller, 2019; Zhou, Rinne & Kallo, 2018). Like Lanfranconi & Valarino (2014), this study draws on the concepts of equity/equality discourse at state and county levels to highlight how these discourses shape the local level of policy implementation and potentially influence inequities.

Welfare discourses are often shaped by existing racial stereotypes that are part of the social framework of knowledge about race and racial issues. Critical race scholars assume that racial discrimination and white supremacy are structurally embedded in organizations, institutions, and bureaucratic practices (Delgado & Stefancic, 2017). Bonilla-Silva (2001), for instance, argues that the adoption of color-blind racism leads to a reproduction of racial structures in the U.S., identifying three dominant frames of color-blind racism that perpetuate racial power structures within U.S. society. He explains one of them, abstract liberalism, with the statement: "I am all for equal opportunity, and that's why I don't think Blacks should get any special treatment" (Bonilla-Silva, 2001; Monnat, 2010, 646). Bonilla-Silva critique abstract liberalism as propagating equal treatment and undermining the aim of equity. We will draw on the concepts of critical race theory to discuss how race is structurally embedded in WTW program implementation at both the state and county levels.

### **3 Case Study: California and two Different Counties**

California's WTW program, California Work Opportunity and Responsibility to Kids (CalWORKs), provides temporary cash assistance to meet basic family needs, while also providing education, employment, and training. The program requires adults, unless exempt, to participate in appropriate WTW activities as a condition of receiving aid (CDSS, 2019a). We chose CalWORKs as an ideal case for our study for three reasons. First, CalWORKs is highly devolved; as it is operated and administered by county welfare departments, under the supervision of the California Department of Social Services (CDSS). The 58 county WTW directors are organized in the County Welfare Directors Association (CWDA) that advocates for CalWORKs at the state level, together with other advocacy organizations, such as the Western Center for Law and Poverty (WCLP). Second, California is the most racially diverse state: 38.8% Hispanic, 37.9% White, 13.9% Asian, 5.5% Black, and 3.9% others (CDSS, 2019b; California Health Care Foundation, 2019). Third, CalWORKs has higher client benefits than other states and, since recovering from the Great Recession (2007-2009), has introduced innovative, client-

focused reforms (Authors, in press; Stanczyk, Carnochan & Hengeveld-Bidmon, 2018). Three such examples are the introduction of the Family Stabilization (FS) program, CalWORKs 2.0, which grants greater flexibility to frontline-workers, and the introduction of CalWORKs Outcome and Accountability Review (CalOAR), which helps counties self-assess their WTW programs through performance metrics.

In order to understand how SOD plays out, we select two "most different" (Flyvberg, 2001) counties, using cluster analysis of county level characteristics, as seen in the first two rows in table 1. We stratified all 58 counties into two clusters with the largest dissimilarities, finding that the average county from cluster 1 had a higher WTW exemption rate, a lower WTW sanction rate, higher populations of minorities, a lower poverty rate, and a higher percentage of democratic voters than the average county from cluster 2. Following this, we consulted with our state level informants regarding the two different counties from both clusters. Informants stressed the importance of labor market conditions, which are different in urban and rural counties. We selected two counties through this process. Both counties share a high percentage of people of color in the population but are different in their WTW sanction rates, poverty rate, political ideology, and urbanization. The bottom two rows in table 1 present the characteristics of the two selected counties (named, for anonymity reasons, Urban- and Rural-County).

[Insert Table 1 here]

The previous literature (Soss et al., 2011; Bentele & Nicoli, 2012; Monnat, 2010; Fording et al., 2011) and our interviewees suggested that conservative ideology and weak economic conditions (e.g., high poverty rate and less urbanization) might explain high WTW sanction rates among minorities. Therefore, we expected to observe less consciousness around equity and race disparities in WTW practices in the Rural-County compared to the Urban-County.

#### **4 Data and Methods**

In this section, we present the three data sources that we triangulated (4.1) and the three stages of our discourse analysis (4.2).

#### **4.1 Data Triangulation**

In order to understand how different equity discourses and practices may underlay different racial disparities at state and county levels, we triangulated data from different sources. Triangulation refers to combining different data and methods to the same phenomenon to get several perspectives, thus providing a more complete picture of the phenomenon (Jick, 1979).

First, we used administrative data and descriptive statistics to understand the racial disparities in WTW sanctions and exemptions at the state level and compared the patterns of these racial disparities across the two selected counties. State level data was retrieved from the most current CalWORKs annual summary, which reported data for the state fiscal year 2017 (CDSS, 2019a), and county level data was collected from both counties' WTW administrative data of 2018. To understand racial disparities in WTW sanctions or exemptions, we examined each racial group's presence in sanctions or exemptions relative to the number of WTW participants by calculating the difference between its share of sanctions or exemptions and its share of WTW participants.<sup>ii</sup> We consider a difference larger than 2 percentage points as evidence of overrepresentation or underrepresentation, suggesting racial disparities in sanctions or exemptions.

Second, we analyzed policy documents to evaluate different discourses and practices potentially underlying patterns of racial disparities in WTW sanctions or exemptions. We included publicly available CalWORKs documents and documents collected during interviews. For document selection, we utilized the latest version of a particular document type, sifting these documents based on relevance when there were more than ten similar documents, until theoretical sampling of documents was reached (Keller, 2011). Through this process, we collected:

- 52 state level policy documents, including publicly available annual reports, CDSS website pages, CalWORKs forms, All-County Letters (ACLs), CalWORKs 2.0 materials, and internal documents collected during interviews, such as training materials.

- 27 county level policy documents, including CalWORKs annual reports, website pages, training materials, and front-line employee handbooks.

Third, we conducted interviews with the most relevant CalWORKs Directors and Managers at state and county levels. The interviewees were selected through consulting of websites/organigrams and through recommendations of previous interviewees. We used the interviews to uncover discourses and practices, but also to get contextual information of emerging discourses (Keller, 2011). We conducted the following interviews:

- Seven interviews with state administrators: in CDSS with the Deputy Director, a representative of the Civil Rights Unit (CRU), the CalWORKs Branch Chief, the two CalWORKs program Managers; the Executive Director of CWDA; and an advocate at WCLP.
- Ten interviews at the county level: CalWORKs Directors, Deputy Directors, Managers, Supervisors and a Civil Rights Coordinator.

Barring one phone interview, interviews were conducted in-person by the first author between April and August of 2019. Key topics of the semi-structured interview guide included: (i) CalWORKs organization; (ii) CalWORKs process; (iii) diversity within client demographics; (iv) CalWORKs regulations for equality, equity and fairness; and (v) challenges and future developments. The interviews lasted one to two hours, were audio-recorded with participants consent, and transcribed for the further analysis.

#### **4.2 Methodology of Critical Discourse Analysis (CDA)**

To analyze the qualitative data (policy documents and interviews), we used critical discourse analysis (CDA) (Bacchi, 2009; Keller, 2011; Turgeon 2018; Van Dirk 1993) to uncover different equity or equality discourses and practices. CDA – different to other forms of discourse analysis – is used in order to understand potential consequences of both linguistic and social practices in the (re-)production of power-structures and inequities. We proceeded in three steps.

First, we used the computer-assisted qualitative data analysis software, MAXQDA, to code documents and interviews through an inductive-deductive interplay (Kelle / Kluge 2010). By drawing on equity/equality frameworks (Espinoza, 2007; Gooden, 2014) and discourse theory (Bacchi, 2009; Keller, 2011), a coding scheme of six master codes was generated deductively; (i) equity/equality; (ii) differences; (iii) problems; (iv) solutions; (v) responsible actors; and (vi) style of language. Using this code-system, we coded all the documents and interview transcripts, further inductively generating various subcodes out of the document and interview material. In the most important code for this study, the equity/equality code, four main different understandings of equity or equality emerged. Therefore, we created the four subcodes: (i) *equal-treatment of everyone*; (ii) *anti-discrimination*; (iii) *cultural awareness*; (iv) *systematic better treatment of historically disadvantaged groups*. For each subcode, a code memo was created to summarize the most relevant content from the data. Three different researchers performed this first step, discussing their understanding of subcodes regularly in order to guarantee consistent interpretation.

Second, utilizing the four criteria of social equity of the National Academy of Public Administration (Johnson & Svara, 2011, 20-22; Gooden 2014), our team of three researchers used MAXQDA to analyze every citation made in the coding system across the state and county level to reveal the predominant discursive patterns at these different levels. The total material we analyzed was about 40 pages long, containing 281 citations from documents and 225 citations from interviews. As a result, we summarized the dominant discursive patterns and corresponding practices at both state and county levels according to the four dimensions. We further identified typical citations, in order to demonstrate how the discursive dimensions and their corresponding practices across different localities play out.

Third, we identified two dominant discourses playing out differently at the state level as well as within both counties WTW systems; an equality discourse that mainly consisted of citations of the subcodes (i) *equal-treatment of everyone* and (ii) *anti-discrimination*, and an equity discourse that mainly consisted of the citations of the subcodes (iii) *cultural awareness* and (iv) *systematic better treatment of historically disadvantaged groups*. To validate our quantitative findings for the dominant discourses at the state level and across both counties, we used the quantitative MAXQDA “statistics for subcodes”

function, which allows to count the citations in each sub-code in its relation to the total number of citations of the equity/equality code for the state level and across both counties.

## 5 Findings

In this section, we present our findings pertaining to racial disparities in WTW sanction and exemption rates at the state level and across two selected counties (5.1), our findings on discourses and practices at the state level (5.2), and our findings on contrasting discourses and practices made possible by county level discretion (5.3).

### 5.1. Racial Disparity Patterns in WTW Sanction and Exemption Rates in California and Two Counties

[Insert Figure 1 here]

At the state level, we observe racial disparities in sanction and exemption rates. According to CDSS (2019a), 47.8% WTW participants were Hispanic, 23.6% were non-Hispanic White, 20.9% were Black, 4.4% were Asian, and remaining 3.2% were others in 2017. Our descriptive analysis (Figure 1) reveals two distinct patterns of racial disparities in WTW sanctions and exemptions statewide: (i) Hispanics were overrepresented in WTW sanctions by 5.2 percentage points, while Blacks were underrepresented in sanctions by 3 percentage points; (ii) Whites were overrepresented in WTW exemptions by 5.2 percentage points, while Blacks were underrepresented in exemptions by 5.8 percentage points (Figure 1). These findings align with our expectation based on previous research evidence: an overrepresentation of clients of color in sanctions and an underrepresentation in exemptions (Soss, Fording & Schram, 2011; Bentele & Nicoli, 2012; Monnat, 2010; Fording et al., 2011), except for the underrepresentation of sanctions for Black clients. Further analyzing the employment rate of

CalWORKs participation by race, we found that Black clients had a higher employment rate (44.9%) compared to other racial groups (Hispanic: 39.8%; Asian: 33.7%; White: 31.1%), which might help to explain the underrepresentation of sanctions for Black clients. However, the second highest employment rate for Hispanic clients cannot explain the overrepresentation of sanctions for Hispanic clients. As CalOAR statistics show, the employment rate for Spanish-speaking clients was lower than English-speaking clients by 7 percentage points in 2018 (CDSS 2019b). This suggests that the language issue can be a barrier to service access and employment.

The two main criteria for WTW exemptions are caregiving for young children and health/disability conditions that prevent WTW participants from working. The considerable difference in exemptions between Blacks and Whites might be because Blacks have a lower need for exemptions than Whites. However, child birth rate and the disability rate statistics by race do not support this thesis: (i) Blacks on average have slightly more children than Whites, where for every 1,000 women ages 15-44 during 2014-2016, the child birth rate was 53.5 for Blacks and 52.8 for Whites (National Center for Health Statistics, 2020); (ii) Blacks have considerably poorer health on average than Whites, as seen in the rate of disability among non-institutionalized working-age people (age 21-64) in 2017, where Blacks made up 14.2% and Whites accounted for 8.9% (Cornell University, 2018). These state level statistics suggest that Blacks may experience barriers to be exempted from the work requirements in CalWORKs.

[Insert Figure 2 here]

At the county level, we observe varying racial disparities between two counties. Our analysis indicates two patterns (Figure 2): (i) the pattern of racial disparities in WTW found in the Urban County is similar to the statewide pattern, while the pattern found in the Rural County, surprisingly, reveals nearly no difference between exemption rates across races. Moreover, contrary to the state and Urban-County pattern, Hispanics are underrepresented by 3.1 percentage points in sanctions and Whites are overrepresented by 2.6 percentage points. This less disparate Rural-County pattern is puzzling, given the

overall higher sanction rates, higher poverty, and more conservative political ideology in the Rural-County compared to the Urban-County. To understand possible mechanisms underlying these observed disparities, we analyze the discourses and practices at the state and county level.

## 5.2. Conflicting discourses and practices at the state level

[Insert Figure 3 here]

State-level CDA of documents and interviews showcases the dominance of an equality discourse, which stresses non-differential treatment of clients. As seen in figure 3, MAXQDA statistical analysis reveals that 63% of equality/equity codes pertained to the equality discourse. This dominant equality discourse conflicts with an emerging, non-dominant discourse of equity, which stresses providing differential treatment to structurally disadvantaged clients. In state level interviews, equity is framed often as an aim not yet reached. A typical example is the following: *“If you asked me ‘Where is CalWORKs on a spectrum of equity,’ I think we have a ways to go – but for a federal effort conceived as a way to aid white widows with children, we’re making progress toward weaving racial equity into the fabric of the program”* [Deputy Director, CDSS, 2019]. Our analysis of subcode distribution in interviews and documents confirms that the process of “weaving equity into the fabric of the program” has only begun. In the following, we utilize Gooden’s framework of social equity to better understand how these conflicting discourses play out in each dimension.

[Insert Table 2 here]

In regards to *procedural fairness*, which relates to due process, equal rights, and equal protection within programs, our CDA shows how in CalWORKs state and federal protections are implemented so that clients are protected from differential treatment in aid, benefits, or services. A typical example of this

dominant discursive pattern of “same processes for all” is from a form given out to all clients: “*no person shall, because of race, color, national origin, political affiliation, religion, marital status, sex, age or disability be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal or state financial assistance*” [CalWORKs Form]. Our analysis highlights the practice of strong anti-discrimination processes that correspond with the dominant discursive pattern of having the “same process for all” in CalWORKs: Clients can appeal decisions and bring forward complaints if they feel that they have been discriminated against.

*Distributional or access equity* requires a reiterative process that seeks to improve upon policies, services, and practices to increase access for different groups and respond to issues of unequal access. Our CDA displays that, while state administrators recognize unequal access of different racial groups, they have not implemented tools to address this. The program operates on the dominant equality discourse, which limits the possibility to address racial differences in program access that result from differences outside of the program. A typical example of how minorities in CalWORKs face access barriers produced by unequal social systems is from an interviewee who emphasized how immigrants, predominantly Hispanics, resist applying for CalWORKs due to fear of the public charge rule, which dictates that welfare dependency can negatively affect their possibility of attaining citizenship [CRU, CDSS, 2019]. When discussing access to effective appeal processes, another interviewee similarly stated, “*There is a good legal process that works. Is it the case that white families are more willing to appeal something? They trust judges more than we see of African American families who have historically learned when they get in front of a judge; something bad usually tends to happen*” [WCLP, 2019]. So far, state level actors have not implemented tools to address such inequities in access to the CalWORKs program. An interviewee, who supports progress toward social equity, states, “This [equity] is one of the most challenging parts of my job, and I would anticipate it would continue to be moving forward” [CalWORKs Branch Chief, CDSS, 2019]. In the interview, she explained that, while equity is a crucial aim, sometimes she must carefully choose her messages and policy avenues to protect vulnerable

populations within a complex national landscape that does not always have the best interests of those populations as its goal.

With respect to the criteria of *process equity*, which pertains to the level of the consistent quality of services across all groups and areas, the CDA reiterates a conflict between the dominant equality discourse and the emergence of the non-dominant, equity discourse. An important example of the equality discourse's dominance is the following form given out to clients that construes the provision of differential aid, benefits, or services as illegal: "*Under State law, welfare agencies may not provide you aid, benefits or services that is different from aid provided to others*" [CalWORKs Form]. In contrast, the emerging equity discourse is exemplified in the state level CRU mission statement: "*to ensure that all programs administered or supervised by the California Department of Social Services are done so equitably and effectively*" [Website, CDSS, CRU, 2019]. What is not specified is how equitable treatment can be implemented without conflicting with equal treatment mandates, as shown above. Another important example of the emerging equity discourse is the state level Government Alliance on Race and Equity (GARE), which is responsible for the recent development of a "Racial Equity Action Plan". The plan has four main goals of language access, workforce representation and recruitment, data analytics, and communications [Deputy Director, CDSS, 2019]. Two of these goals have been institutionalized to concrete practices within the last year: (i) CDSS has regulations, which requires each county to offer all materials and resources in other languages, if a certain proportion of the population speaks that language; (ii) workforce recruitment practices have resulted in a more diverse workforce better representing its diverse clients. Though these aims and practices do provide a more explicit attempt at equity, they do not repeal the codified and institutionalized equality discourse, thereby undermining *process equity*.

Lastly, equity outcomes require an investigation of policy and program results. At the state level, our CDA points out a recognition of inequitable outcomes but a lack of tools to address them. A typical example is an interviewee who mentioned that Blacks have poorer access to the healthcare system compared to Whites due to "*structural systems that tend to disadvantage minorities*" [CRU, CDSS, 2019], showcasing that Black clients do not have equal access to WTW exemptions since exemptions require

documentation from a healthcare provider. Though state-level administrators recognized how group-specific barriers produced from broad social inequities impact CalWORKs participation (such as a poorer access to the health system or judicial system for Blacks, or the public charge rule which disproportionately affects the Latino population), the administrators are unable to address these barriers within the framework of the dominant equality discourse. Since the equity discourse is only emerging, and there remains no clear framework for implementing it comprehensively, CalWORKs seems limited in its current ability to address inequities produced outside of the WTW system. In sum, our CDA of state-level interviews and documents showcases a conflict between an emerging equity discourse and an institutionalized equality discourse.

### **5.3 Contrasting discourses and practices at the county level**

[Insert Figure 4 here]

CDA of documents and interviews of our two most different counties reveal contrasting discourses with corresponding practices. Unlike our initial expectation of lower consciousness of social equity within the relatively political conservative Rural-County, we find the reverse in our data. We observe, both in qualitative and quantitative analysis of citations, a stricter reproduction of the equality discourse in the Urban-County. As seen in figure 4a, 69% of Urban-County equality/equity codes pertain to the equality discourse. Rural-County, on the other hand, operates on an alternative equity-related discourse with corresponding practices that recognizes some group-specific barriers. As seen in figure 4b, 60% of Rural-County equality/equity codes pertain to the equity discourse.

[Insert Table 3 here]

In terms of *procedural fairness*, our CDA in the Urban-County – similarly to the state level – shows a dominant discursive pattern of same processes for all. A typical example is the following statement: “*All of the services are available to everyone equally. Programs are available to everyone equally*” [Urban-County, CalWORKs manager, 2019]. CDA of Urban-County documents reveal that the pattern of treating everyone the same is applied more strictly than at the state level. For example, in a presentation used for training purposes, it is stated that a frontline-worker could not, “*Subject an individual to separate treatment in any matter related to his/her receipt of any benefit (...) [or] restrict an individual in any way in the enjoyment of any advantage or privilege enjoyed by others*” [Civil Rights Training, Urban-County]. These statements, however, were pulled from sub-definitions that were meant to be interpreted under a primary CRU policy which defines differential treatment as discriminatory “*unless differences are necessary to make services as effective as those provided to other groups*” [Training Manual, Civil Rights Unit]. This last sentence, however, is not present in the Urban-County’s training manual, which highlights the strict application of the equality-discourse. By contrast, CDA in the Rural-County shows an equity-approaching provision of *procedural fairness*, in the sense of differential treatment for disadvantaged groups. A typical example is seen within trainings, where cultural humility stresses the recognition of certain group-specific contexts, yet still requires equal protection, rights, and due process. Cultural humility is a conceptual model that operates on the need for individual and institutional accountability, self-criticism through reflection, and the active change of systemic power imbalances (Fisher-Borne, Cain & Martin, 2015, 173). The Rural-County’s training around Southeast Asian (SEA) participants, namely the Hmong community, exemplifies how this concept is put into practice.<sup>iii</sup> A typical example of Rural-County cultural humility implementation comes from training material where frontline-workers are instructed to “*Assess, but don’t assume every SEA believes the same way. Do not assume that person will act the same way as did the last person you worked with from the same ethnic group*” [Training, Rural-County]. Through such instructions, frontline-workers are held to standards that make them accountable for questioning their assumptions and improving upon their delivery of services for diverse clients.

In terms of *distributional equity*, our CDA again displays a strong presence of an equality discourse; differential access barriers between groups are not addressed, aside from simply treating everyone the same. A typical example of how access to the program is guaranteed in the Urban-County is the following citation: “*All programs are open to everyone, whether everyone takes the same advantage, probably not. But anyone is welcome*” [Urban-County, Director, 2019]. The equality discourse shifts the responsibility of equally accessible programs onto the clients, by “welcoming” individuals without addressing the structural barriers they face. The Rural-County’s praxis, by contrast, has approached *distributional equity* more closely through the development of working groups for Hispanic and Southeast Asian (SEA) communities, which are committed to equitable access to programs for diverse populations: “*For example, the Latinx workgroup has advocated for culturally appropriate language in our written materials. This led to the creation of a Spanish Family Stabilization brochure that translated the name of the program into a more culturally appropriate term, family well-being, instead of the literal translation which had a negative connotation*” [Rural-County, Deputy Director, 2019]. Both working groups advertise actively for CalWORKs in SEA and Hispanic communities to guarantee access to the program for these populations.

In terms of *process equity*, both the Urban-County and Rural-County make an effort towards workforce representation to establish consistent quality of services. CDA of Urban-County documents and interviews displays that the aim of workforce representation in Urban-County is still the identical treatment of all clients, as showcased in the following citation: “*Sometimes, even though we say we are going to serve every client equal, clients will often do better when the person who is sitting on the other side of the table looks like them*” [Urban-County, Manager, 2019]. In contrast, CDA in Rural-County highlights that the discourse and praxis resembles *process equity* more closely through implementing group-specific approaches, coupled with cultural trainings, to make sure that the quality of services consistently leads toward more equivalent outcomes. A typical example of how the working groups provide culturally specific treatments is as follows:

“[The Rural County has] *been able to come up with workshops that are culturally sensitive. It is the same information, the same materials as the English workshops. However, staff modified the way the workshops are delivered by offering a culturally driven perspective from the way we welcome clients to tailoring the information we present. For example, for the Spanish re-engagement workshops, staff would bring Mexican bread to share with clients. They would add décor in the workshop room that was in Spanish and full of color, reminiscent of the Mexican and Latinx cultures*” [Rural-County, Deputy Director, 2019].

In terms of equitable *outcomes*, our CDA again displays different patterns. When asked about disparities in WTW sanctions and exemptions by race in the Urban County, a manager replied, “*What you are saying about disproportionality does not surprise me. (...) There is a lot of disproportionality in child welfare, overrepresentation of Black and Latino families as well*” [Urban-County, Manager, 2019]. Thus, in the Urban-County, we observe a strict application of the equality discourse that avoids program responsibility for equitable access and treatment. By contrast, in the Rural-County, the Deputy Director exemplifies an equity-related approach: “*For a person who is more vulnerable or disadvantaged because of their own personal history and trauma, or that of the group or population they belong to, we want to make sure that they obtain the type of service they need to get to the same level as other folks (...). That means existing services are tailored to meet those clients’ needs. Essentially, the outcome should be equal for all clients regardless of where they started*” [Rural-County, Deputy Director, 2019]. Notably though, while our CDA in the Rural-County reveals evidence of cultural specific practices for Hispanic and SEA populations and other immigrants, we do not see similar practices for African American populations. When asked about this, the Rural-County Director made the argument that the same types of efforts made for SEA and Hispanic communities are not necessary for other groups since “*we are all Americans (and he goes on and talks about African Americans)*” [Rural-County, WTW director, 2019]. This distinction between which groups get culturally-specific practices and which groups can be treated like “all Americans” represents the need for established equitable practices that are engaged in a more holistic way. In summary, our CDA of county-level documents and interviews showcases contrasting discourses and practices among our two case counties.

## 6 Discussion

Even in the relatively generous WTW program of California, which has undergone several innovative reforms to meet diverse needs of participants in the aftermath of the Great Recession, we find race disparities in exemption and sanction rates, as earlier research has shown (Soss, Fording & Schram, 2011; Bentele & Nicoli, 2012; Monnat, 2010; Fording et al., 2011). At the state level, our descriptive analysis displays an underrepresentation of Blacks and an overrepresentation of Whites in exemptions, with an overrepresentation of Hispanics in sanctions (CDSS 2019). In two most different counties, we find puzzling patterns: racial disparities are similar to the state level in the Urban-County while, surprisingly, the Rural-County has less racial disparities in exemptions, and an underrepresentation of Hispanics and an overrepresentation of Whites in sanctions. Adding to research that focused on understanding racial disparities in WTW, we analyze different discourses and practices around equity or equality within CalWORKs at the state and county levels in order to contribute to the understanding of such racial disparities.

At the state level, our critical discourse analysis (CDA) of 52 CalWORKs policy documents and seven interviews with important state administrators reveals a dominant equality discourse with corresponding practices that conflicts with an emerging equity discourse. According to Bacci (2009, 35), a discourse limits what is possible to think and act on, as seen amongst the state level administrators who are mostly operating within the equality discourse as they recognize existing inequities impacting WTW services, yet do nothing to remedy it. The Civil Rights Act of 1964 provides the basis for federal legislation that institutionalized the equality discourse and may contribute to hindering a true implementation of equity within CalWORKs. State actors recognize racial inequities in the WTW system (Bonds, 2006; Soss et al., 2011), as shown in the examples of inequitable access to CalWORKs for immigrants, inequitable access to exemptions due to lack of access to healthcare, and inequitable access to appeals processes for Blacks due to fear of the court-system. Such inequities often result from inequities

outside the WTW systems (Keiser et al., 2004; Lee & Yoon, 2012) that remain unchallenged in a system operating on the idea of equal-treatment of all clients, which shifts the responsibility for outcomes onto clients. In such a color-blind (Monnat 2010; Bonilla-Silva 2001) system, white supremacy and institutionalized racism (Delgado & Stefancic, 2017) go unchallenged. This interpretation helps – besides other possible factors at play such as possible frontline-workers beliefs and practices (Bonds, 2006; Soss et al., 2011) – to understand the race disparities in sanctions and exemptions found in California. The study's findings are in line with how ambiguity between equity and equality is also found in other international contexts and policy fields (Lanfranconi & Valarino, 2014; Lombardo & Meier, 2008; Malone & Miller, 2019; Zhou, Rinne & Kallo, 2018). The U.S. anti-discrimination protections and practices, however, stand out by guaranteeing equity while simultaneously hindering the pursuit of it. We assume that administrations are nervous (Gooden, 2014) to contend with potential lawsuits related to unequal treatment as enshrined through the Civil Rights Act of 1964, and hence are anxious about embracing the equity framework wholeheartedly. Although CalWORKs currently implements diverse innovative policy changes (e.g. CalWORKs 2.0 and FS), and has begun to adopt a racial equity plan (e.g., through multi-lingual documentation and diversifying the workforce), CalWORKs has not challenged the equality discourse.

SOD allows counties to interpret the conflicting state level equality and equity discourses. At the county level, we analyzed 27 CalWORKs documents and ten interviews with key CalWORKs administrators from two most different counties to reveal contrasting discourses and corresponding practices at play in both counties. The Urban-County, which has a similar racial patterns in sanctions and exemptions as the state, is dominated by an even stricter version of the equality discourse, which operates on the logic of *abstract liberalism* (Bonilla-Silva 2001; Monnat 2010, 645). Urban-County interviewees described inequitable access and outcome disparities within programs, yet limited their responsibility to providing same treatment to all clients. Group-specific disparities are not systematically challenged. By contrast, the Rural-County, where racial patterns in sanctions are opposite to the ones found in the Urban-County and there are no racial differences in exemptions, we identify an equity-related discourse that

recognizes the disadvantages faced by some groups. However, we find that certain groups are seen as more deserving (i.e., Hmong, Hispanic) than others (i.e., Blacks), suggesting room for improving equity discourses and practices. These contrasting county-level findings, which were the reverse of our initial expectations, highlight how discourses cannot be explained solely by economic and ideological considerations but rather must consider local historical changes surrounding the emergence of discourses (Keller 2011), such as the Hmong migration to the Rural-County.

Overall, our findings suggest that the embedded understanding and practice of equity or equality at the local level may influence the chance of success for more disadvantaged clients in the WTW system. We assume that the local level interpretation of equity or equality influences the chances of diverse clients in accessing CalWORKs, getting legitimate exemptions from the work requirement, not getting sanctioned, and finally successfully maintaining employment. For example, a Hispanic mother participant in the Rural-County CalWORKs program will benefit from culturally-specific practices addressing and welcoming her in her specific context, while in the Urban-County she would be “welcome to participate in all programs” but without similar efforts beyond language services.

The findings reveal a need for a coherent equity definition and framework. We recommend, for the purpose of policy and praxis, that this framework cannot be race-neutral (like the Urban-County) but must be race-conscious (Gooden 2014) and critically engage with all present racial groups without risking inequities by only recognizing some marginalized groups (as in the Rural-County). Moreover, a true equity framework would not reproduce the individual responsibility discourse but truly engage with disparities in the society that hinder access equity for all clients, as shown in the examples of access to the program in general, access to WTW exemption documentation or access to appeal processes. A good basis for such an equity framework has been proposed by the National Academy of Public Administration in 2000. Based on our contrasting findings at the county level, we further recommend that it is the higher-level government of any SOD state that should set clear minimum standards and rules for the lower-level government. Ideally, in the case of the U.S, the federal government should adopt a clear equity framework. As proposed by others (Gooden, 2014, p. 11), we recommend expanding federal performance

measures of states to include equity outcomes. Besides monitoring these processes and outcomes, TANF should further introduce concrete measures to change discovered inequities (Afridi & Murji, 2019) and monitor improvements. These recommendations can also be adopted by decentralized WTW programs in Europe or elsewhere.

We suggest that further research test a larger sample – for California ideally in all 58 counties – the mechanism that our qualitative study suggests: that county interpretations of equity or equality may shape race disparities. Moreover, we recommend future research to focus on equity-concepts held by frontline-workers and how equity discourses on county and state levels shape the beliefs and practices of frontline-workers. Moreover, further research should broaden our understanding of how different equity discourses and practices affects WTW outcomes and experiences of clients.

## **7 Conclusion**

This paper addresses different understandings and corresponding practices of equity or equality within a highly devolved WTW program in California. It triangulates statistical analysis on racial disparities in WTW sanctions and exemptions with a critical discourse analysis (CDA) of policy documents and interviews with key administrators, both at the state and county levels. The paper contributes to the WTW literature, which so far has focused on frontline-worker stereotypes, county characteristics, or systems outside of the WTW program to understand racial disparities. Our paper adds an important perspective on how different embedded discourses around equity or equality at the state and local levels may shape racial disparities in WTW programs. The paper further adds to the SOD literature in showing how conflicting discourses at higher administrative levels can create room for open interpretation at the local level. Our study showcases how SOD can bring innovative solutions toward equity in some localities, such as in Rural-County, while other counties provide less effort towards equity, such as in Urban-County. We conclude that in the absence of a clear equity framework at the state level, decentralization complicates the manner in which equity discourses and practices play out at the local

level. We recommend, for any decentralized WTW program, introducing an equity framework that operates at a higher policy level and engages in a closer examination and monitoring of unequal program outcomes.

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Table 1. Characteristics of Two Clusters and Two Selected Counties

County	Exemption	Sanction	Non-White	Poverty	Democrat	Urbanization
Cluster 1 (N=20)	35%	14%	55%	13%	67%	963
Cluster 2 (N=38)	28%	21%	40%	17%	42%	87
Urban-County	26%	15%	67%	9%	73%	412
Rural-County	22%	34%	71%	23%	51%	132

Note:

1. WTW exemption/sanction as a percentage of WTW population. Source: CDSS WTW25 Monthly Activity Report All (Other) Families, 2018.
2. Poverty rate, source: the Census Reporter, Table B17001 (ACS 2017 5-year data).
4. Non-white rate, source: the Census Reporter, Table B03002 (ACS 2017 5-year data).
5. Democrat: Percentage of votes casted for the 2016 Democrat presidential candidate.
6. Urbanization: Number of people per square mile (population density). Source: The 2010 Census Population Density Data.

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Table 2: State-level: Dominant Discourse and Corresponding Practices

	<b>Summary: dominant discourse</b>	<b>Equality discourse – and emerging equity discourse in conflict</b>
<b>Procedural fairness</b>	<b>DDP</b>	Same processes for all
	<b>CP</b>	Strong Anti-discrimination processes and rules
<b>Access and distributional equity</b>	<b>DDP</b>	Recognition of inequivalent access – but same access for all
	<b>CP</b>	So far: no tools to change inequivalent access
<b>Quality and process equity</b>	<b>DDP</b>	Equality and emerging steps to improve process for more disadvantaged groups
	<b>CP</b>	Practices: Language access, Workforce representation
<b>Outcome equity</b>	<b>DDP</b>	Recognition of unequal outcomes
	<b>CP</b>	So far: no monitoring of outcomes

Note: DDP = Dominant discursive pattern, CP = Corresponding practices

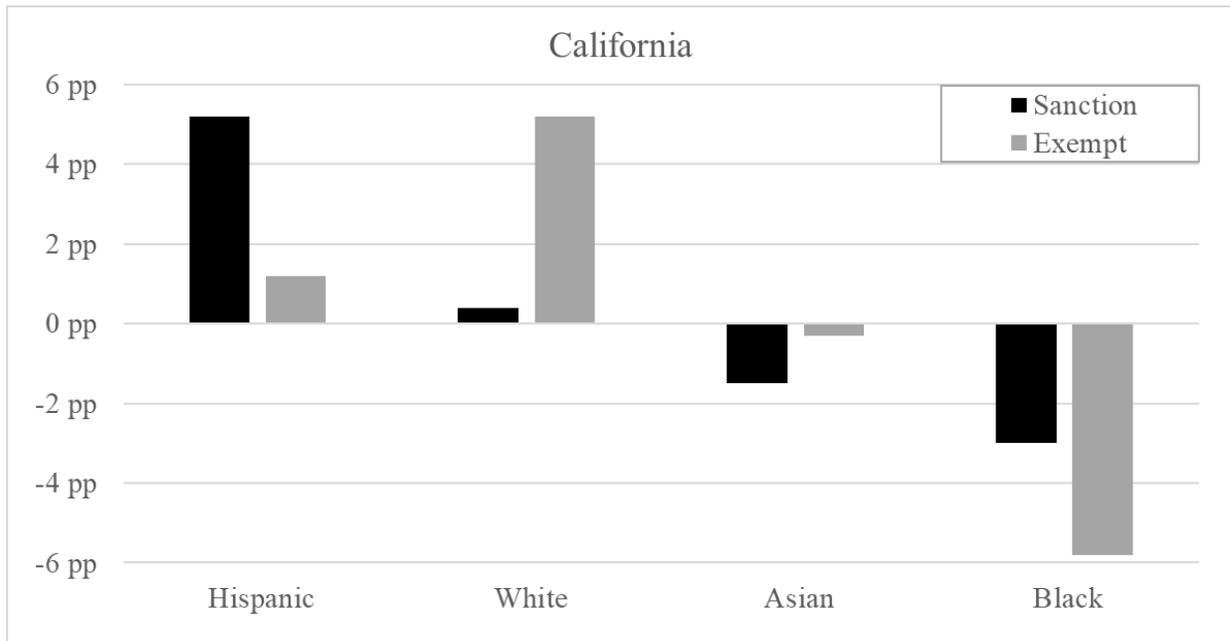
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Table 3: County-level: dominant discourse and corresponding practices

		<b>Urban-County</b>	<b>Rural-County</b>
	<b>Summary: dominant discourse</b>	<b>Equality discourse: same treatment</b>	<b>Equity discourse: different treatment of more disadvantaged clients</b>
<b>Procedural fairness</b>	<b>DDP</b>	Same processes for all	Same processes for all, however cultural humility
	<b>CP</b>	Strong Anti-discrimination processes and rules	Strong Anti-discrimination processes and rules, however cultural humility
<b>Access and distributional equity</b>	<b>DDP</b>	Recognition of inequivalent access – but same access for all	Recognition of unequal access and steps taken to change in direction of equity (cultural awareness)
	<b>CP</b>	No need seen to change	Cultural awareness in access + special events for some disadvantaged clients
<b>Quality and process equity</b>	<b>DDP</b>	Equality and insufficient steps to improve process for more disadvantaged groups	Focus on different processes for more disadvantaged clients
	<b>CP</b>	Practices: Language access, Workforce representation	Practices: Workforce representation, culturally aware events etc.
<b>Outcome equity</b>	<b>DDP</b>	Recognition of unequal outcome, but no need seen to change	Recognition of unequal outcome and need seen to change for some disadvantaged groups
	<b>CP</b>	So far: no monitoring of outcomes	So far: no monitoring of outcomes

Note: DDP = Dominant discursive pattern, CP = Corresponding practices

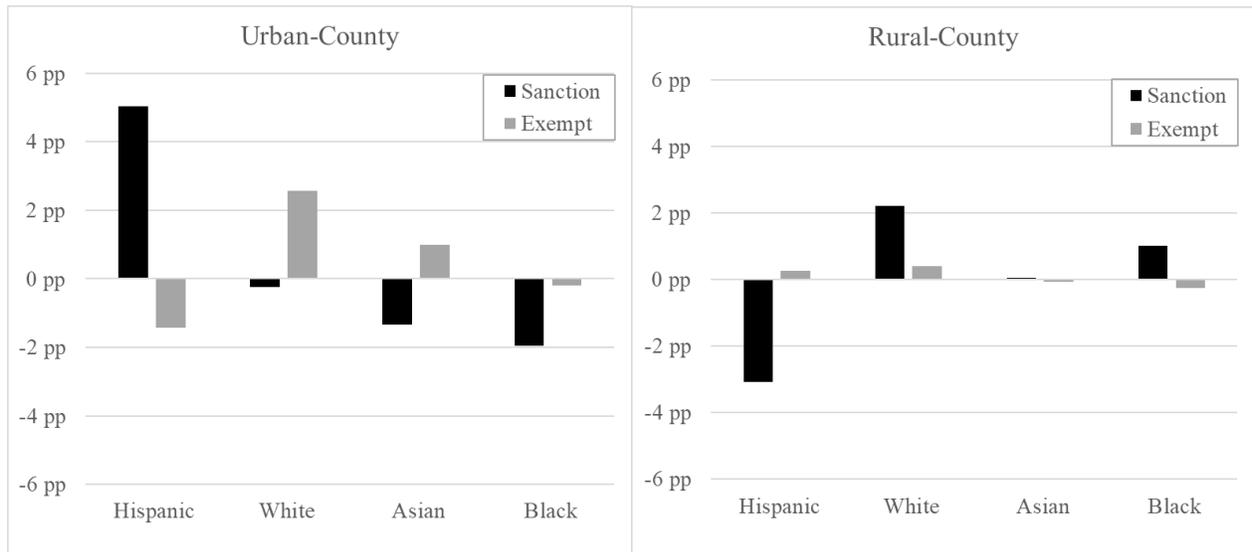
Figure 1. Difference in percentage point (pp) between the racial distribution of WTW sanction/exempt and the racial distribution of WTW participants in California, 2017



Note: 0 pp indicates no difference across two compared racial distributions.  
Source: CDSS, 2019.

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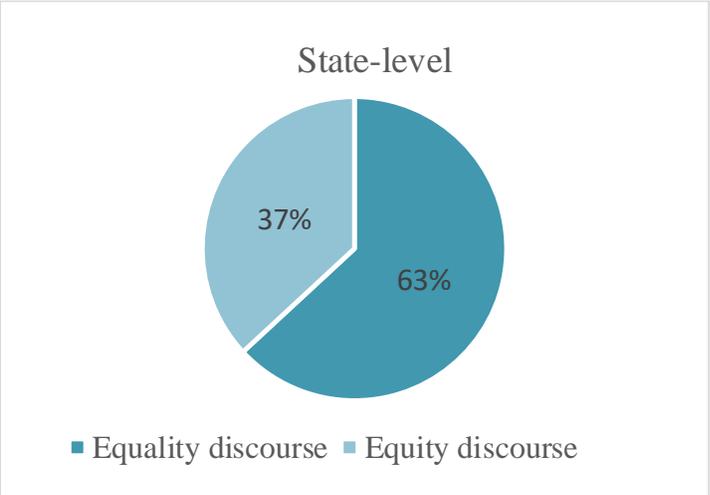
Figure 2. Difference in percentage point (pp) between the racial distribution of WTW sanction/exempt and the racial distribution of WTW participants in Urban-County and Rural-County, 2018



Note: 0 pp indicates no difference across two compared racial distributions  
 Source: Counties' administrative data, 2019.

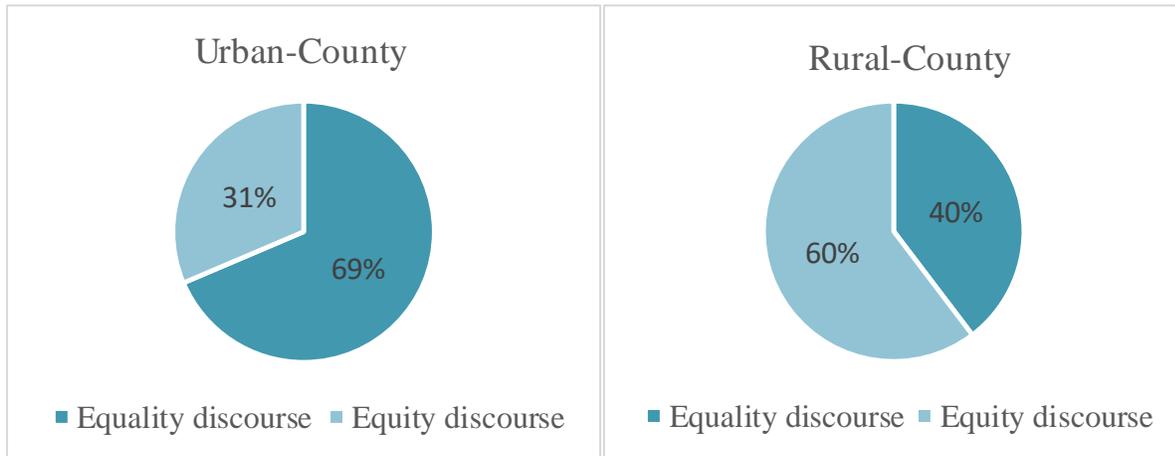
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Figure 3: Discourses at the state-level: Percentage of the coded segments of the interviews and documents



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Figure 4: Discourses at the county level: Percentage of the coded segments of the interviews and documents in Urban County and Rural County



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<sup>i</sup> We use the terms Hispanic, White, Asian and Black as used by CDCC (e.g. CDSS, 2019a).

<sup>ii</sup> Due to the data limitation, we used the racial distribution of WTW participants as a proxy measure of the racial distribution of WTW adult populations.

<sup>iii</sup> The application of cultural humility to the Hmong's must be seen in the context of county-specific historic events, such as the immigration of large Hmong populations to many Californian rural counties, in the 1980s after the Vietnam War. The Hmong fell under the "deserving poor" category due to their status as political refugees who fought for America in the Vietnam War (Reese, 2011, 67).

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