Policy as Planned?
The Implementation of Welfare-to-Work Programs in Manitoba and Ontario

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ABSTRACT

New fiscal pressures, rising neo-conservatism, and a general desire to reinterpret social rights and responsibilities have led to the emergence of welfare-to-work policies in Canada and internationally. This paper seeks to understand welfare-to-work but, most importantly, its implementation. The paper begins with a look at the rich literature on the emergence of welfare-to-work, making an important distinction between insertion' models and 'workfare' models. In either format, welfare-to-work indicates a marked shift away from social rights towards an emphasis on personal obligation and responsibility. While the 'new welfare' has received considerable attention, the implementation of such policies is a neglected area. This paper argues that studying implementation is crucial to the outcomes of policy reform: policy is, effectively, remade on the ground level. Understanding the importance of street-level bureaucracy, the paper questions whether the shift in welfare is replicated in implementation and how it varies across systems and models. Utilizing qualitative data from two months of non-participant observation and over forty interviews with welfare-to-work participants and workers in Manitoba and Ontario, the paper argues that the interactions between workers and clients can greatly alter the focus and nature of significant pieces of welfare-to-work policies. The paper argues that discretion at the implementation level, mitigated by time, information and attitude, is crucial in understanding the impact of policy. It concludes by discussing the implications of the findings on the importance of discretion. The implications include positing a role for street-level bureaucrats in devising policy to ensure effective implementation and also questioning to what degree we can understand welfare reform in the past two decades without significant implementation data.

A. INTRODUCTION

To suggest that the welfare state has undergone significant changes in the last two decades is hardly controversial. This paper begins by describing these shifts in the welfare state, notably in the area of social assistance. It then goes on to assess whether these changes are reflected at the level of implementation. Thus, this paper asks two central questions. First, it asks what has changed about welfare states in the last few decades. Here it builds on the literature about the shift towards obligations, and the move towards conditionality and away from a 'right' to welfare. Second, it asks whether or not a shift in welfare thinking is discernable in the implementation of welfare-to-work programs at the street level. Does what is happening on the ground in the relationship between front-line workers and clients/participants bear witness to a shift in policy terms? I argue that a shift in welfare has occurred in policy terms, resulting in a focus on employment and the introduction of conditionality for benefit receipt. At the level of implementation, workers capitalise on the discretion afforded them in these programs to subvert policy in some cases to assist the client (mitigated, however, by time and information) or in other cases to sanction the client (mitigated by policy and attitude), thereby altering and recasting the shift set out in policy terms. We begin with a discussion of the reforms that have occurred in the welfare state in the last two decades.

B. A DUAL SHIFT IN WELFARE?

Shifts in the Broader Welfare State

The post-war period is often described as the 'golden age' of the welfare state, one which "emphasised society, citizenship rights and statutory provision" (Harris, 2002, 377-380), and saw the development of significant social security programs. Recent years, however, have seen a move away from social rights and instead an increased emphasis on rights *and* responsibilities. In welfare this has created programs that stress not just the user's ability to collect benefits but also their related responsibility to actively seek work and end their dependency on the social assistance system. Harris describes the macro-level shift in welfare as follows, picking up on this emphasis on the individual and on personal responsibility:

- o A move from 'society' to 'community', influenced by concerns about social relationships, trust and moral standards,
- o An emphasis on voluntary effort rather than collective provision, set within a rhetoric of local bonds and social responsibility,
- o A shift in the axis of obligation, from strangers to associates and from the obligations of government to the obligations of recipients,
- o A move from 'affirmative' to 'remedial' views of human behaviour and motivation. (Harris, 2002: 386)

Cox also raises this point arguing that the 'new' welfare, best described by austerity measures, actuarial reforms in pensions programmes, administrative

reforms and efforts to enforce the duties of citizenship, has fundamentally changed the nature of social rights: "programmes are becoming more exclusive rather than inclusive, they are placing a greater emphasis on needs rather than rights as the basis of the claim to assistance, and they often mark a shift from universal to selective assistance" (Cox, 1998: 6-8). Korpi and Palme (2003: 441) argue that the last two decades have seen a shift in entitlements for citizens as programs have reduced their eligibility, decreased their benefit levels and scrapped some programs altogether.

The particular shape and characteristics of this 'new welfare' are not universally agreed upon. Esping-Anderson points out that this shift is neither a fait accompli nor 'complete'.

> ... We feel that these standard accounts are exaggerated and risk being misleading. In part, the diversity of welfare state types speaks against too much generalization. (Esping-Andersen, 1996: 2)

This in many ways relates to Pierson's wider argument that retrenchment is not easy as social programs attract interest groups which fight against any rollback in benefits and that 'new politics' is in many ways country-specific (Pierson, 1994; Pierson, 2001). This is reinforced by the lack of change in social spending within the OECD and the lack of convergence within the policies of Western welfare states.[1] Nevertheless, while retrenchment is difficult, country specificity is important, and changes will vary by program, we can see that the post-Keynesian welfare state has a new focus. Fiscal austerity has become a principal characteristic of governments in their programs of social welfare and this has placed a new emphasis on obligations, individual responsibility and means-testing. Summing it up, "the real content of social rights is changing" (Cox, 2001, 13).

Shifts in Social Assistance

Given the shift at the macro level of the welfare state, what has happened in the particular sphere of social assistance? Some would argue, following the logic of Pierson's claim that retrenchment is harder where loyalty groups are stronger (Pierson: 1994), that social assistance was particularly ripe for reform. The unemployed and those on social assistance have few financial resources and are turning to the state in a time of great vulnerability and need, thereby limiting their resources and their capacity for fighting against retrenchment. And although varying across countries (Paugam and Russell, 20oo: 261-263) and even between social classes (Fridberg and Ploug, 2000: 348), the unemployed and, more importantly, welfare recipients are often subjected to negative public opinion and stigma. All of this is simply to say that social assistance was vulnerable to change. Social assistance was the only program reformed, although

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[1] For further evidence of this point see Esping-Andersen (1996: 11); Taylor-Gooby (2001: 135); George (1998: 35).

some have argued it was specifically targeted (Palier, 2001: 106); but it was vulnerable to any attempt.[2]

As Lodemel and Trickey suggest, "a new wisdom" has emerged in welfare, creating a solid bond between welfare and work, though there has been "diversity in the application of workfare programmes" (Lodemel and Trickey, 2000: 2-3).[3] Clasen and van Oorschot articulate these broad reforms under the banner of "activation" policies and highlight that they have occurred across a variety of countries throughout Europe:

> The stronger emphasis on activation (of working-age benefit recipients) has certainly brought with it a blurring of the traditional division between the policy areas of social protection and labour market policy... It applies to countries which have successfully overturned a previously bleak labour market situation (the Netherlands, the UK or Denmark), to those which always have had comparatively low levels of unemployment (Norway, Switzerland), to those with stubbornly high levels of unemployment in the 1990s (France, Finland and Germany) and to those where unemployment levels have fluctuated (Sweden Slovenia). (Clasen and van Oorschot, 2002: 236)

Put another way, employment – that is, getting welfare recipients into the workforce – has become the key issue in welfare reform (Vandenbroucke, 2001: 161).

While the shift in the welfare state and in social assistance is perceptible in most Western countries, there is still national differentiation in type and degree. Morel argues there are two broad differentiated models in "the conception and implementation of the 'contract of reciprocity' between the poor and the State" (Morel, 2000: 7), namely what she describes as a "workfare" model and an "insertion" model. Workfare represents a policy aimed at tackling the poor's dependency on benefit, whereas insertion relates more to tackling the barriers preventing a client from full participation in society (including employment). Lødemel and Trickey present a definition of workfare, which is comprised of three parts: workfare is compulsory, primarily about employment, and aimed at the social assistance client (Lodemel and Trickey: 2000a). The contrasting model of insertion could be broadly defined as efforts to increase the client's human capital to ease their transition into the labour market.

Lødemel (2000: 397) offers an alternative dichotomy (largely a difference in name alone), distinguishing between programs with a Human Resource Development (HRD) strategy and those with a Labour Market Attachment (LMA) strategy.

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[2] Cf. Korpi and Palme (2003: 431).

[3] Lodemel and Trickey's use of the term "workfare" is problematic as it usually conjures up a particular variant of social assistance, however, they use it to denote the broad emergence of social assistance reforms pairing benefit receipt with an attempt to move clients into the labour market.

As we will see in the following section, the two programs selected for this case study broadly reflect these two versions of welfare-to-work, with Ontario broadly conforming to a "workfare" model and Manitoba an "insertion" model. Their divergence in approach to activation will allow us to investigate whether the type of welfare reform affects the degree to which it is reflected in implementation.

Shifts at the Level of Implementation?

We have essentially covered two parts of a tri-partite argument. First, changes are occurring in the broad welfare state in reaction to the combined pressures of reduced government revenue, increased international competition and demographic trends which raise social expenditures. Second, this shift has impacted social assistance by creating a greater focus on the relationship between social assistance benefits and the labour market. While varied across national contexts, this shift has brought about a focus on "activation" which has ranged from training and education for welfare recipients to increased compulsion and paternalism. However, all of this amounts to nothing if these shifts are not reflected in the actual implementation at the ground level. Thus the third and most substantial portion of this paper focuses on implementation.

The idea that activation policies represent "a fundamental change in the balance between rights and obligations in the provision of assistance" (Lodemel and Trickey, 2000: 10) in many ways highlights the importance of implementation and of street-level bureaucracy in the modern social assistance system. Questions immediately spring to mind: who articulates these rights and obligations on behalf of the state? Who enforces these obligations? Who determines how these different rights and obligations affect the particular client's benefit claims and receipts? The reality is that these questions all point to the significance of the street-level bureaucrat in rolling out government policy.

In his seminal text on the subject, Michael Lipsky makes the most powerful case for the importance of street-level bureaucrats. Public policy is often "too complicated to reduce to programmatic formats" (Lipsky, 1980: 15), thereby necessitating a front-level bureaucracy which uses its discretion to implement government rules and regulations. According to Lipsky, this discretion results in a 're-making' of policy at the ground level. Or, as Peters puts it:

> Both quantitative and qualitative trends in policy formation lead us to the conclusion that we must understand public bureaucracy in order to understand policy in contemporary political systems, and, further, that the power of bureaucracies is increasing steadily. (Peters, 2001: 16)

At the heart of the argument that street-level bureaucrats 're-make' policy is the concept of discretion. As Davis defines it:

> A public official has discretion whenever the effective limits of his power leave him free to make a choice among possible courses of action or inaction. (Davis, 1974: 4)

In many ways, it is a necessary function of the street-level bureaucrat to use discretion. As Hudson puts it, "to say that human interaction is required in service delivery is to suggest that the situation requires judgements to be made about potentially ambiguous situations; the requisite human judgement cannot be programmed" (Hudson, 1993: 396). Thus, the degree to which a benefit can be claimed is in many ways influenced by the degree to which discretion is utilised.

> A public official's discretion may be limited in a number of ways, e.g. statutorily, administratively, professionally, politically or judicially, but the stronger the claim an individual has the greater his power to make and enforce demands on officials. Conversely, the weaker the rights an individual has, the more he will be at the mercy of their discretion. (Adler et al., 1993: 402).

Therefore, in the new context of welfare, one would expect a greater degree of discretion available to the individual worker making the study of implementation all the more important.

In many ways, discretion simply relates the individual bureaucrat's abilities to tailor rules to the individual client's situations. What is important to grasp, however, is that this ability is hampered or encouraged depending on the given policy environment. Factoring in the welfare shift described earlier, discretion becomes crucial in understanding delivery in welfare-to-work.

Lipsky points to a number of factors which influence this discretion, notable among them the complexity of social services, the lack of sufficient resources forcing bureaucrats to make trade-offs, and the personal perceptions of front-line workers. Other studies of policy implementation concur with these findings. Reamer's writings on the ethical dilemmas faced in the social services relates the "divided loyalties" workers face: "It is not uncommon for social workers to feel torn between satisfying the interests of various parties, such as employers and clients, whose intentions conflict" (Reamer, 1982: 100). This is further complicated when there are insufficient resources to meet the demands placed on the department, in many ways necessitating workers to stray from department regulations to comply with department standards of service (Lipsky, 1980: 19).

Furthermore, street-level bureaucrats are fundamental to the implementation of policy as they often go beyond their discretion to choose which aspects of policy they will carry out or not. As Wright's study of welfare reforms in Scotland highlighted, workers often do not follow policy and develop categorisations to ease the process of an overwhelming caseload of clients. These perceptions of clients, which in Wright's case study involved categorising welfare recipients as either "wasters", "unemployable", "nutters and numpties", "snooty" or those who were "at it", are employed to deal with the lack of resources, but also reflect the

personal opinions of workers implementing protocols (Wright, 2003: 243-249). These characterisations are reflected in the evaluation of US welfare-to-work programs, which found there was enormous variance in what clients received as administrators attempted to deal with the variant goals of "producing more substantial earnings for some individuals, maximizing welfare savings, or reducing long-term dependency"(Gueron and Pauly, 1991).

The importance of implementation and of the bureaucrat's role in 'making' and 'acting out' policy is further strengthened by changes in thinking about the role of the bureaucracy arising from the program to 'bring the state back in'. Drawing on the arguments of Skocpol (1985) and Nordlinger (1981), Pal notes that "the salient feature of these arguments is the independence of bureaucracy and hence its disproportionate effect on public policy" (Pal, 1988, 96). Pal goes on to assert a bold argument: first that we must contradict the idea that the state is simply an arena where events occur, not an actor in and of itself. Second, we must go beyond this to argue that the state is actually multiple actors, not a monolithic whole, and that bureaucratic politics and inter-bureaucratic conflict have enormous explanatory value in understanding policy change (Pal, 1988: 94-135).

The argument for the importance of the bureaucracy in implementing welfare reform policies is two-fold (beyond the general argument of the importance of the bureaucracy in enacting all legislation): first that welfare reform is contentious and therefore consent from workers to enact the policies is problematic; and second that the shift to activation in many ways necessitates a personalising of benefits increasing the discretion available to front-line workers.

Critical to the argument that welfare reform is contentious and therefore problematic to implement are findings by both Lipsky and Bardach that workers' own agreement or disagreement with policy will influence their actions. Bardach argues that a "well-functioning paternalist program must be grounded in a coherent moral theory" for "an incoherent or misguided moral theory will not only fail … but will also provoke cynicism and quiet sabotage" (Bardach, 1997: 249; cf. Lipsky, 1980: 18). Inefficiencies, sabotage and an unwillingness to follow policy are all possible consequences if the street-level bureaucrat does not accept that the program they implement is a good one. "Whether staff members make the effort to work at a high level depends in part on how much they believe in the moral rightness of what they are doing, which in turn depends on how much they believe in the moral rightness of what they are asking welfare recipients to do" (Bardach, 1997: 255).

In addition, implementation is key to welfare reform as theorists (Considine, 2001) argue these reforms have brought on a new role for the bureaucracy with findings indicating, in addition, that the bureaucracy is key to program success. These findings are backed up both by theorists who argue that welfare state activities are no longer codified in law (Scheuerman, 1994) and must be flexible

and tailored to individual needs,[4] and by analysts of actual reform who suggest that "management and resources matter and [that] the quality of local implementation was vital" (Finn, 2000: 56). Considine considers this movement to be an "enterprising" of the state whereby states are invoking new patterns of activity, processes and relationships with clients, suppliers and the public. At the heart of this "enterprise" state are public officials "who deliver these welfare-state programs" and "are central players in a new game of flexible, intensive and selective service delivery" (Considine, 2001: 22). This is pivotal in welfare reform which is "heavily fortified by new conditions and expectations of specific performance on the part of job seekers and advisers" (Considine, 2001: 171).

In short, implementation matters. State bureaucratic actors are of importance not only as they reinvent policy on the ground (Lipsky) or as they follow or don't follow directives (Wright), but also because the bureaucracy too has become a target of reform. These changes are significant and are subtle, complex and fundamental to an understanding of welfare-to-work (Considine). Using the discretion inherent in their role and enhanced by the current policy environment, delivery becomes a crucial factor in understanding welfare reform. To see the impacts of implementation, we look at welfare reform in Manitoba and Ontario, whose policies are discussed below.

C. CASE SELECTION AND THE CASES

As many have noted, a researcher's case selection is as much a function of ease and personal interest as it is of selecting something analytically significant.[5] However, Canada with its "bifurcated welfare state" (Banting, 1982), wherein social responsibilities are divided between the provinces and the federal levels of government, provides a unique opportunity for parallel yet differentiated observation. Within this context, a researcher can hold most variables constant (national culture, political tradition, government system and general identity) while investigating the variation in another particular area (in this case the implementation of social assistance policies). This is particularly the case for social assistance, as Boychuk argues that, with provincial control, Canada has developed not one but ten social assistance models each with its own aims, instruments and values (Boychuk, 1998). These particular characteristics make Canada both interesting and significant for analytic and research purposes.

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[4] Cox (2001), 10 and Norris and Thompson (1995), 11 argue "The policy must still be transformed into a working program; it must be implemented. This is particularly relevant in the domain of welfare reform, where extensive bureaucracies have evolved to implement complex systems of public assistance. The extent and quality of implementation is affected by the character of these implementing agencies, the complexity of the policy, the attitudes of the people implementing it, and the resources available."

[5] As King, Keohane and Verba (1994: 14) argue: "The specific topic that a social scientist studies may have a personal and idiosyncratic origin."

With this in mind, this paper focuses on Employment and Income Assistance in Manitoba and Ontario Works in Ontario as a means by which to assess the importance of implementation in welfare-to-work policies.

Manitoba

The Manitoba program under study, Manitoba Employment and Income Assistance, relates to a reform contained within the Social Allowances Amendment Act which introduced work expectations for welfare recipients, created a one-tier welfare system (essentially absorbing the City of Winnipeg assistance program) and altered social assistance in Manitoba from a program of "social allowances" to a program "to emphasize employment" (Legislative Assembly of Manitoba, 1996a: 3182). Although Gary Filmon, then Premier of Manitoba and responsible for the first reforms, attempted a second piece of legislation, Bill 40, The Employment and Income Assistance Act, debated in Committee and passed in the House just prior to the 1999 election, which included further work expectations and mandatory addictions testing and programs[6], it was never promulgated after the Tory's loss in 1999. Upon their election in 1999, the NDP began to make regulatory changes of their own to EIA. Herein lies the change from Manitoba's 'workfare' beginnings to more of an 'insertion' model. While the Manitoba program includes many of the same reform buzzwords including "employment-focus" and "responsibility", the program's aims set it apart from being an unflinching 'workfare' model:

> Employment and Income Assistance (EIA) is a program of last resort which provides temporary assistance to participants who have no other means to support themselves and their families. For participants who are able to work, EIA's primary focus is employment.
>
> When other means of support are unavailable, longer-term assistance may be provided to eligible participants who are unable to work. Employed participants whose earnings are insufficient to achieve self-sufficiency may also receive longer-term assistance. (Government of Manitoba, 2003: 6.1.1)

The Manitoba Bill goes on to include a number of exceptions to the general rules it sets out including special provisions for the disabled, for single parents, for multi-barriered clients[7] and for appeals for clients of all types. The NDP government repealed potentially punitive measures, such as granting the Minister personal discretion in setting assistance rates and allowing for the inclusion of parental income in calculating benefit levels. Even in the area of work

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[6] The Toronto Star reported, "The Filmon government is getting tougher on welfare recipients in its pre-election campaign, announcing expanded enrolment in drug and alcohol addiction programs. It also proposed community service work such as mowing lawns." Toronto Star (1999).

[7] Multi-barriered clients are those who are working through compounded issues in moving from benefit to the labour market. Examples would include those with an unstable home life and a substance abuse problem or those with health issues and no work experience.

expectations, a centre-piece of the legislation in both case studies, the NDP broadened the means by which participants can fulfil them to include:

    a. active employment search
    b. employment preparation programming,
    c. vocational or other employment-related training,
    d. education upgrading,
    e. rehabilitative treatment or programming,
    f. employment referral or placement,
    g. placement in an employment program
    (Government of Manitoba, 2003)

While the Manitoba program is centrally controlled by the Province and the municipal program was taken over in the reforms, the program allows for significant variation and exceptions. The program is geared towards flexible and needs-appropriate service. In the Winnipeg branches, one office handles all 'most-employable' clients, another 'employable with some barriers' clients and a third serves those clients with multiple barriers and little hope in the labour market. Furthermore, the Province sorts clients at Intake by the following codes:

F	Only dealing with the client's financial need because other community supports are in place.
FE1	The client is employment ready, can be fast-tracked. May require some assistance to prepare for job search i.e.: resume update, interview practice. Legislated work deferred client is employment ready and wishes to begin an active job search.
FE2	Client requires short term or extended term employment related support i.e.: skills training. Has no medical or social barriers.
FESS (short term)	Social barriers exist. However, these clients can be engaged in employment placement and/or skill training activities within the next three months.
FESL (long term)	Social barriers exist and pre-employment activities may be provided on a continuum of longer term interventions.
FEM	The client has medical needs that may limit opportunities for employment, but they have a need for employment services.
FEMS	Clients with medical and social needs that may limit their employment opportunities but not eliminate their need for employment services.
FM	The client is a disability case. Has medical needs that preclude employment, likely for the longer term.
FMS	Clients with extreme social along with medical needs.
FS	The client has significant social needs that have to be addressed, usually chronic issues.
P	Cases where EIA issues emergency assistance to the client, but the FEMS assessment has not been completed. Case will be kept at intake until FEMS assessment has been completed.

These codes indicate the flexibility of the program as well as its client barrier focus. This flexibility is combined with recent benefit hikes (Rabson, 2004) for general assistance clients and a revamping of the former Tory government's "Making Welfare Work" initiatives which were aimed at more strictly enforcing work expectations and have now been re-titled "Building Independence" and aim at a more systematic approach to tackling client obstacles to employment and meeting client need.

The Manitoba Program, with its client streaming, more generous benefit levels and policy exceptions, personifies the 'insertion' model tackling client barriers as a means to moving clients from benefit to the labour market. This is in sharp contrast with the model present in Ontario.

Ontario

Ontario welfare reform is caught within the sea change of the 1995 general election when Mike Harris and his Progressive Conservatives came to power. Harris was elected under the banner of the "Common Sense Revolution", an aggressive neo-conservative agenda of tax cuts, job creation, deficit fighting and cuts to social spending. Struthers and Morel argue that the 1995 election was "the first in Ontario since the Great Depression of the 1930s during which 'welfare was a core issue, indeed perhaps the core issue'" (Morel, 2002: 77). Harris promised significant welfare reform in the 1995 campaign and in 1997 his government began to recruit municipalities to pilot his new program of Ontario Works, which would be a mandatory program for all social assistance recipients and would introduce community placements (volunteer spots for benefit claimants), mandatory job search (unless disability or parental responsibilities granted a deferral) and an overall 20% reduction in benefits. Following his pilots and the benefit cuts, Harris followed this up legislatively by introducing Bill 142, The Social Assistance Reform Act of 1997 which created a skeletal core of new powers for the Social Services Ministry to essentially takeover municipal assistance and run it by regulation. In the 1999 election Harris proposed further amendments to the Act including mandatory drug treatment programs for anyone suspected of addictions and further efforts to reduce fraud, but these were never implemented (Boyle, 1999).

One can see the clear stress on obligations and responsibilities as well as the decreased emphasis on benefits within the aims of Ontario Works. These state that the program is to:

- o   Recognize individual responsibility and promote self-reliance through employment;
- o   Provide temporary financial assistance to those most in need while they meet obligations and stay employed;
- o   Effectively serve people needing assistance; and
- o   be accountable to the tax payers

(Government of Ontario, 2001: 1.0-2)

These aims combine with the policy intent that:

> o participants have a responsibility to participate in employment assistance activities as a condition of eligibility for financial assistance; and
> o delivery agents have a responsibility to offer employment assistance activities to participants.
> (Government of Ontario, 2001: 1.0-2)

The Ontario program is regulated by a skeletal act which passed Parliament but is then actually operated by a series of policy directives as passed by the single-party Cabinet making them far less open to public scrutiny and easier to agree to. This means that provisions for the disabled and for appeals are also not legislatively enshrined but instead are controlled by Ministry-directed policies. While these policy directives allow for interventions for training programs and other services to help move clients into the labour market, the program's policies specifically state that "working is the first resort for people in need."

The Ontario program is also centrally regulated and controlled to try and rule out possible exceptions or variations at the municipal level of delivery. The government initially piloted Ontario Works in 36 communities who volunteered to participate. However, after a poor response from the over-400 remaining communities, the government introduced Bill 142 which centralised the regulation and operation of social assistance but forced municipalities to enforce these regulations. The rate of benefits, eligibility criteria, appeals and even data storage are all managed centrally despite decentralised implementation.

This necessity for consistency drove the Ontario government to pursue a "Business Transformation Model" for initial client intake (in keeping with Considine's notion of the enterprising state in the New Management of welfare-to-work). Contracted to Accenture (formerly Andersen Consulting), the Ontario Government established a call-centre for the first stage of the social assistance application. A recent review of the model revealed its use as a further gatekeeper to eligibility. For instance, "an ISU [intake screening unit] *may*, on the basis of preliminary information, inform the person that they may not be eligible and give them an opportunity to discontinue the application" (Herd and Mitchell, 2002: 6).   This enhanced gate-keeping and increased regulation highlights the significant degree to which the Provincial government seeks uniformity in delivery and attempts to reduce 'exceptions' within the system.

What this description reveals is that Ontario Works is a highly-regulated, uniform and punitive policy. Its stiff penalties, gate-keeping and lack of flexibility reflects its classical 'insertion' approach.

D. METHODS

In-depth interviews constituted the centre-piece of the research strategy for this study: previous studies of street-level bureaucracies have revealed the importance of understanding the words and phrases participants/workers use to describe their experience (Anderson, 1999, 235). The interviews adopted were semi-structured, reflecting Lofland's depiction of the semi-structured interview as critical when seeking out hypotheses as opposed to testing them (Lofland, 1971: 77)

In the Ontario case, I performed interviews and observations over eleven days in September of 2003 interviewing workers with a variety of roles and a diversity of clients while also observing over twenty meetings between case-workers and their clients. The interviews ranged in length from ten to ninety minutes. In the Manitoba case, I initially interviewed three case workers and two clients randomly selected by the Department of Family Services, and then interviewed an additional six workers and twenty clients and observed over twenty worker/client interactions. In total, I spent eighteen days between two welfare offices in the City of Winnipeg.

E. FINDINGS AND DISCUSSION

The Shift in Welfare

The research highlighted the significant changes in welfare/work thinking at the street level over the last number of years. Observations highlighted a clear stress on the rights and responsibilities of the client and there was a noticeable stress placed on the return to the labour market. This shift in welfare/work thinking was noted by both clients and workers. As one worker in Manitoba phrased it in relation to the flexibility of existing policy and legislation:

> **W:** I think there's a certain amount of flexibility there in that regard. My sense is that over the last, oh, 5-10 years, my sense has been that there's been a change of focus in the program and that the legislation hasn't really changed that much but it's more at the implementation stage. So, there has been that flexibility there to allow for management-directed changes or changes from the more front-line staff.

So the policy-level shift described above does, in some ways, to resonate with the experience on the ground. However, the findings are more nuanced. The picture that emerges from the street level is one of workers and clients bending and negotiating policy to individual circumstance while also negotiating the particular constraints of the overall welfare system: money, time and information. This more nuanced understanding of the implementation of welfare reforms suggests a less clear shift towards the ideal type of either a labour market activation or a insertion program, but instead a hybrid program shaped by discretion, a lack of time, and the individual caseworker/client relationship.

Breaking down this understanding of the implementation of welfare-to-work programs, three central findings arise. Firstly, the case study findings confirm

Lipsky's (1980) original thesis that policy is, in some ways, made or re-written on the ground level. Observation and interviews yielded data which underlined the centrality of worker discretion in implementation and noted the importance of the discourse between worker and client. Secondly, the case studies indicated enormous variance in the usage of discretion by individual workers. Discretion was influenced by a variety of factors including, but not limited to, the worker's perception of the client's motivation, the worker's time with the client to discover potential areas of need or barriers between the client and the labour market, the client's willingness to disclose barriers, and the worker's skill in assessing barriers and the information they possess on these barriers. Thirdly, the case studies revealed that policies do impact and override certain functions of the caseworker, notably in the area of finance and regulation. However, the central thesis of these findings is that despite highly divergent policies, Ontario Works and Manitoba Employment and Income Assistance are often 'lived out' in similar fashions because workers are given sufficient discretion to override policy to help or regulate the client. We will explore each of these findings in turn.

Policy Remade

In Ontario, a clearly distressed woman enters to complete an application program to be signed onto assistance. She has recently left her abusive husband, is undergoing cancer treatment and is still in the chaos of sorting out housing, independent sources of income and medical care. The worker disregards the policy requirement that all documentation be completed before assistance is granted (the client possesses no documentation of her medical condition), does not have the client fill out an employment readiness form to sort out possible means of fulfilling her participation requirements, waives the need to prove she has closed her joint bank account with her husband, and makes the client available for immediate assistance. She enters into the computer that the client will proceed with seeking a community placement but indicates to the client that this will not be necessary and that she should simply try and sort out housing and a voluntary activity of even just one hour a week so that she can grant her the extra $100 which comes with volunteering. The worker will also try and backdate the application to grant the client food money for the month of August (the observation occurred in September).

This experience described above was not uncommon in either province. Workers consistently bent policy in an attempt to make it work with a particular client's circumstances. A client who misses his appointment to re-instate his application is placed back onto assistance anyway because his address and volunteer placement can be confirmed; a client who has a health problem is brought onto the program not as a health problem but as a COE (Could not Obtain Employment) because this distinction requires less paperwork; a client who has already received his first pay from his new job is issued another month's benefit to ease the transition to the work force; a client goes through program referral after program referral because the worker believes there to be undisclosed barriers to finding work. These are all normal activities in the life of welfare-to-

work on the ground. However, this re-making is particular complicated and we turn now to the discretion which so greatly influences it.

Discretion: Critical and Divergent Usage

Implementing a large-scale social program is never simple. However, the variety of circumstances and problems within welfare create particular difficulties in arriving at consistent delivery. A comment from a Manitoba worker frustrated with the lack of clear standards across the Department, echoes this sentiment:

> **W:** Part of the problem with a big bureaucratic structure like this is that there is variation, as much as you try and maintain consistency across the board. Partly it's because the policies are written up in such a way that they try and set out guidelines but there's room for grey areas based on individual circumstances and reviews by, by superior staff. So, in some cases, you're going to end up with things that don't appear as consistent because of that. But also, different personalities, people trained different ways, at different stages in their careers. Inevitably it happens that things aren't as consistent here. But we try and be as consistent as possible so at least there's consistency from this end. And, uh, try and make people accountable for what they've agreed to do.

This comment perfectly reflects the difficulty in the delivery of human services and, more specifically, the risk in the implementation of welfare-to-work. Case management is complex, guidelines are open to interpretation and the reality is that discretion, flexibility and inconsistency are unavoidable. However, there are patterns to the use of discretion which we will attempt to describe here and these patterns are often the product of other important factors: time, information, attitude and policy.

Discretion as a 'Role'

Before beginning a discussion on the factors influencing discretion, it is important to note that, in many ways, discretion is fundamental and innate in the role of the caseworker. The worker possesses two very split roles, administrator and gatekeeper, and the emphasis a worker places on one side or the other transforms discretion from being something the worker *chooses* to employ to either make work more efficient or increase success to something that is *necessitated* for the worker by the structure of the system itself. One worker in Manitoba reflects this divide perfectly:

> **W:** Yeah, there is just one thing, and it's just my own opinion. But I feel like I wear two different hats and they don't work well. Like, on the one hand I'm assessing eligibility and so I feel like I'm an investigator or the police and then on the other hand, I'm supposed to be referring and compassionate and making good assessments and an ally. So, I'm both which I particularly find distasteful. I'd rather be the friend than the other and there are times when I would rather be the other. So I think we would

be better served as an organization having me only do one side and other
people that enjoy the other part, doing the other side.

This is further emphasized by a worker in Ontario who notes that "it's very hard
to be the person who gives them money and the person who has to work intensely
with the personal life. I find they will often say whatever they think I want them
to say so that they can get the cheque in the end..." Thus, workers also play a large
administrative role—entering the client's details into the computer system,
assessing a client's financial eligibility for the program and controlling the client's
budgets. However, there is the additional task of "helping clients meet their
needs" which requires an assessment of the client's capabilities and attempting
either to assist them with the barriers they face by placing them into programs
run by community or social service agencies, or, seeing their barriers as
secondary, to assist them in finding work. However, this 'barrier-tackling
function still operates within the confines of welfare-to-work. Hence, all barrier-
tackling still needs to be related to "the shortest possible route to employment"
(as one Ontario worker phrased it), which makes this process less focused on
tackling *all* barriers but rather on attacking only those which directly impede the
client's progress into employment.

In short, workers have detailed administrative roles and significant oversight of
the financial and clerical sphere of welfare delivery but are then also to move the
client to employment, and it is this task that is less defined and is open to the
discretion of workers. Discretion then becomes central to any understanding of
implementation as it possesses the power to fundamentally alter the nature of the
welfare-to-work program. We turn now to what influences this discretion and,
thereby, the nature of the programs themselves.

Discretion and Time

Nearly the first observation I made when entering the welfare-to-work offices
under study was the importance of time in its operation. Welfare offices are
crowded, busy places. This busy-ness translates into a distinct shortage of time
which influences the workers' use of discretion.

At its most basic, policy mandates that the worker and client interact to provide
requisite financial and personal information and then to develop a return to work
action plan together. In Ontario, the expectation is that a client meets a worker at
intake (with an intake worker), then at a one-month appointment (with a one-
month service planning worker), then with their ongoing worker at two months
and then every three to six months thereafter. In Manitoba, a highly employable
client is to be seen every two weeks, whereas a less employable client is seen
every three months. These figures include only mandated appointments. On top
of these, workers often deal with unscheduled requests from clients or other
workers. With case loads in both provinces hovering between 130 and 175,
workers are often pressed to meet even their minimal functions. One worker in

Manitoba described the process of taking clients from another manager and the realisation that many of these clients had slipped through the cracks.

> **W:** Wow! The arguments we were having or the confrontation we were having. Participants who said, 'well why do I have to come in here now? I never even met my case coordinator and I've been on welfare for 4 years'.

Beyond just limiting the performance of basic job functions, time is a more critical factor in the way in which workers perform these tasks. Policy mandates that workers coordinate with the client to develop a return to work action plan. However, the degree to which this action plan reflects the barriers the client may face in moving into the labour market is dependent on the time available between worker and client to get at that information. In some cases, this creates a differentiation between workers—those who take the time to dig for unmentioned barriers and those who do not. This discussion with a worker in Ontario highlights this divide:

> **R:** ... Like, do you see that at all? Like, do you see that those designations exist—that there are the 'hard ass' workers and the 'bleeding heart' workers?
> **W:** There are. There are. There are some that, that if, yeah, that I guess I want to say, they enforce the work first without really digging into what's going on, or what brought them on to assistance in the first place. And then there's others that may try and do some digging to try and figure it out—and sometimes the clients open up more too. Yeah, I guess so.
> **R:** ... Now do you find that you have the time to be able to dig enough in your cases to get at all their barriers?
> **W:** Not at all. I feel like I am a band-aid worker. I feel like all I can do is cover up band-aids. Even with helping those that are highly employable and ready to go it's really tough to really work with them to get the job because you're putting out fires, for the most part. It's far too high.

These findings indicate that the worker's ability to use discretion to 'bend' policy is hindered by the time available between worker and client.

Discretion and Information

Every worker and manager interviewed agreed that there was insufficient time to perform requisite job functions. However, many related this lack of time to an inability to get at the information required to best assist a client. Information influences discretion in multiple ways: first, does the worker possess the full information on the client's particular situation and the barriers they face? Secondly, and related to the first, does the worker possess the assessment skills to be able to translate the information provided by the client into a list of barriers facing the client? Thirdly, upon complete information about the client and their barriers, does the worker possess the information about how one can tackle these barriers and about the community resources available to assist with these? Complete or incomplete information then influences the worker's actions and

their use of discretion to either assist or further regulate a client. Information acts as a lever on the use of discretion as the worker builds the case to justify straying or sticking to policy as written.

Getting at client barriers is often difficult. It was noted by most workers that clients are often reluctant to self-identify the barriers they face. While certain barriers—health issues or language problems for example—are often easy to discuss, issues such as mental illness, domestic violence or motivation issues are far more difficult. The reality that a client does not walk into a session with their worker to reveal, 'I'm a partially illiterate former factory worker who has suffered abuse and severe depression', makes the worker's role all the more critical at drawing out this information. The worker's ability to get at this information thus becomes critical in the operation of the program. As one worker in Manitoba explains, this process of information extraction is very difficult:

> **R:** And do you find that most of the barriers are, do you find that most clients are good at self-identifying? Or is a lot of it digging and pulling?
> **W:** Self-identification would be the physical health but that's what they'll bring to you. But all of this family stuff—violent relationships, stuff like that—you have to ask the right questions in order to get them to disclose in some way. Um, and it's not as easy to get at. And people that are functioning at a lower level of intelligence don't have documents so we're expecting them, or a learning disability, so we're expecting them to perform in a way that might not necessarily…

The second related point on information is the worker's ability to perform assessments on clients' potential barriers. This is a slightly more nuanced version of the previous point: that is, even upon receiving the information from the client, does the worker possess the capacity to deduce what is really going on with the client? The observation and interview data from the two case studies suggest that there is significant variation in assessment skills between staff in both programs. This assessment capability also varies by the type of barrier being assessed. Workers were often open to admitting their lack of skills in this area:

> **R:** …do you feel comfortable in your tools that you have in making assessments?
> **W:** Well, in some ways I feel comfortable and on others I don't. Like, for example, I suspect that a lot of people that I see suffer from foetal alcohol syndrome and besides kind of a preliminary understanding of what to look for I feel like I'm not completely equipped to do that, to identify it. And usually, they're not identifying it. So, it's the kind of thing that results in all kinds of behaviours and maybe you can trace it back to that but maybe you don't end up tracing it back to that and you just think, this person's completely irresponsible or something like that.
> **R:** Does time play a factor in that? Is it a matter of training or is it a matter of time or both?
> **W:** Oh, it's both. Like, one advantage I see to referring to outside agencies is a time management sort of factor and also a training factor as well, I guess. I'm hopefully referring them to somewhere where there's more

training and expertise with regards to identifying pro- whatever particular issue that they're working on and also it allows me time to cope with all the others things that I have to cope with in a day.

The skills of workers vary greatly though, often depending on their previous experience in working with clients. For instance, another worker felt completely comfortable in her assessment capability but felt that time limited the ability for her to use her skills:

> **R:** How prepared or confident do you feel in making those sorts of assessments on those sorts of barriers? Do you feel like with your current case load and the time you have available with the clients that you're able to articulate and go through these types of barriers?
> **W:** ... I feel pretty comfortable addressing a lot of those barriers—that may be in large part because of my background because I've worked in places where I have had to address those before. I worked in crisis counselling before I worked here. So, it's dealing with a lot of those types of things. Time-wise, again, I don't feel like I have a lot of time to get into the depth and the amount of support I would like to offer at times.

The final piece of the information puzzle revolves around how to actually deal with barriers once they've been uncovered. Here again, workers' knowledge of the community resources available varied greatly and many felt that for particular barriers, there were few options for treatment. Even if the issue was assessed, it was often difficult to try and navigate the client towards some form of treatment, as workers were loath to try and coerce a client. This conversation with a Manitoba worker reveals the difficulties workers face with particular barriers:

> **R:** And then if there's a mental health client that you can determine—so, it's this client who thinks you're leaving her crazy messages on her answering machine, and she's not willing to admit it, what ends up happening to that individual, for the most part?
> **W:** Honestly?
> **R:** Yeah.
> **W:** I think they get lost. She has contacted me and asked me for bus tickets and I'll send them out. If she's asking to go to a program, I'll do that. She had a job for short period of time—I'm sure she lost it because she's not really with it.
> **R:** But...
> **W:** I don't see a lot happening. I give her the resources and hope she's OK.

The importance of information in the client/worker relationship lies not only in guiding a worker's discretion but also in helping the client understand how their case is being handled. Oftentimes, clients don't understand the choices they are being offered or don't understand why they are being refused certain options. Many clients I observed were denied particular options, notably skill development courses, and did not understand the rationale for their refusal. For instance, this client in Ontario notes his difficulty with selecting a course for skill development:

> **R:** And at the end of every one you develop this participation agreement, this contract that you sign so that you'll find a course and get back to her?
> **C:** Yes.
> **R:** How's that been? Have you been in a course at all? Or was this the first course that you applied for?
> **C:** I actually came for a course—a construction course—nine month or ten month but they told me they no accept. So, you want me to stay in—tell me no accept so what can I do?

What the findings indicate is that the information available to the worker acts as a lever influencing the amount of discretion utilised and its force and direction. More importantly, the findings indicate that for a worker to feel justified in fully utilising their discretion, the worker must possess full information about the client's barriers, full information about what those barriers mean for the client's participation in the program and full information about how to deal with/treat these barriers. Ideally, the client would also be given full information about how their case was proceeding so as to develop a sense of openness in sharing with their worker. What the findings reveal however is that this perfect information is nearly impossible to attain: time does not permit it, the worker's skills might prove insufficient to get at it and the worker's inventory of resources might be incapable of dealing with it. Information thus plays a dampening role on discretion: without enough information, workers may not feel comfortable 'bending' policy.

Discretion and Attitude

It became clear through the observations that a worker's perception of the client, notably the worker's perception of the client's motivation, played a critical role in the worker's use of discretion and in overall program implementation. The basic finding was that if a worker perceived a client to be lazy or unmotivated the worker would not utilise the discretion to alter policy in the client's favour. In fact, in certain instances, a worker may actually further regulate a client they perceived to be either unmotivated or displaying a negative attitude. Similarly, a client who came across as highly motivated and with a positive attitude was likely to see the rules bent to accommodate their particular requests.

Workers and clients alike commented on the important role that attitude plays. One client noticed that her worker was immediately 'against her' and ended up in a full-time work program for highly employable individuals. She noted how the relationship with her worker was difficult and that this didn't allow her individual circumstances to be addressed:

> **C:** Well, this time around I didn't really know my worker very well. But the very first time I met her she was really rude. And thought she could, like, push me around or something. And so, I wasn't even going to go down there. And even going up there now, it's like I said before, they treat you like, you're nothing. [laughs]. Like I guess it's just this attitude, like

they try and group everybody into one circle and we're all the same [laughs].

Even management within the program agreed that discretion could often be influenced by attitude and personality:

> **R:** ... How do you feel about that level of discretion and how much of policy is made in that client-worker relationship and how much of it can you control and how do you feel about that? Do you feel comfortable in that?
> **W**: Well, I guess I feel comfortable in that because I'm probably the person where that grey area, where I think it is an advantage to workers because it does give them the ability to say to them, that they're not ready. Have I seen it misused? Yeah. I've seen it where, maybe a caseworker, the person is not somebody that this person—personalities clash and the discretion is used against the participant but I think in, in our division anyway, we are actively involved in a lot of the actual, in the decision planning, in the action plans...

Breaking down 'attitude' and 'personality' becomes problematic as it seems prone to stereotype and easy generalisations: the client who says little and seems not to have a clear plan will be closely monitored; the eager client with a long list of self-supplied barriers is more likely to be treated nicely and see policy bent to meet their needs. This is not to suggest there are no exceptions, nor that it is easy to decode the complicated personality interactions between worker and client. It is more to say that in the calculus of factors influencing the implementation of welfare-to-work programs, one cannot deny that the worker's perception of the client's attitude and the attitudes, more generally, of both client and worker seem to play a principal role in accounting for the use of discretion at the worker level and the flexibility of policy in the worker/client relationship.

Discretion and Policy

The above sections have all focused on the worker's ability to use discretion to interpret policy to either assist or further regulate the client. Reading these sections on their own would suggest that policy has no bearing on the actions of workers. However, this was very much not the case and there are particular areas, notably in finance and in regulation, in which workers' actions were controlled by policy.

In both case studies, discretion held no sway over the monetary amount of benefit a client received. While workers could subvert policy by keeping recipients on benefit for longer periods or further regulate clients by seeing them more regularly and creating additional bureaucracy to receive benefits, workers could not change the fixed benefit amounts set out in the Government policies. This frustrated many workers and clients alike who felt that the monetary amounts, especially for single general assistance clients, were below subsistence levels.

Clients in both provinces tended to be particularly frustrated with the benefit level for housing, as this client in Manitoba indicates:

> **C:** Umm... I have a pretty good worker, he's pretty nice. The only problem I have is that they don't allow you a lot for your rent. Like, for me and my daughter, they allowed us $380 with everything included so that kind of leaves you limited to get a bachelor suite or something that's not really very nice. So that's really the only problem that I have with assistance is the amount they allow you for rent.

The inability to alter the benefit levels themselves in many ways hampers workers from providing clients with some of the essentials they require for living. This is partially offset in Ontario with the worker's access to some discretionary funding: $100 for a metropass if the client is involved with a registered voluntary activity, up to $750 for a Community Start-Up Allowance for those moving into new accommodation and a few other miscellaneous funds for things such as license renewals, the purchase of work clothes or a one-time transportation allowance for job searching. However, these funds are closely monitored and any of the substantial sums (for new accommodation or work clothes) can only be given once in a calendar year. This led to some sincere frustration from some workers who felt that what on the surface appeared to be great incentives for training and skill development became mere top-ups for the insufficient basic income provided by the Ontario government. Workers in Manitoba, echoed by many others, argued that the low benefit rates set in policy actually created an additional barrier in moving clients from benefit to the labour market.

> **W:** We're fostering not a great work, not a great environment for them to live in because even just where they're living alone can be a barrier. If they're living in a rooming house or if they're living—if they're being kept up all night, how did they get up for work the next morning where there's parties going on in these rooming houses?

> **W:** [The amount we provide] can be a barrier in the sense of slowing down the progress, I think. Often, for example with housing, often finding stable, safe housing is delayed because of the limited amount that we're able to provide for shelter costs. Um, or, um, as far as clothing goes, we combine our food and clothing budgets together as a basic needs amount, we call it, and my impression, which I think is accurate, is that almost none of that goes to clothing,

Policy does not only control the financial levels of benefit but in many ways also controls the regulatory environment for the actions of workers. Although workers can often interpret rules and, in many ways, management is complicit in this general outlook, workers still must report to their superiors who, inevitably, also have their political bosses. Both programs were launched with the hopes of lowering welfare caseloads; keeping the majority of clients on welfare for long periods of time as workers tackle barriers will therefore inevitably face some scrutiny higher up the chain. Workers expressed this as pressure to close files and to lower the numbers of clients within their caseloads.

W: ...So, I think sometimes, it is a little bit better to extend their time and get everything covered so they won't need to come back.
R: And do you feel that attitude is supported in the Department?
W: No.
R: No?
W: Well, to some degree but not in whole.
R: Where do you sort of feel that resistance?
W: I guess I feel it more with single people. Um, with families or with anyone with children.
R: ... So that's pressure?
W: And that then is pressure to get it done.

What this section reveals is that a worker is not simply able to control all aspects of the worker/client interaction and, thereby, the implementation of their respective welfare-to-work program. While policy can be subverted and manipulated it cannot be completely ignored, notably in the areas of finance and regulation. Policy also shapes the delivery structure and nature of the program, which provides the most profound divergence between the two case studies.

Comparative Findings

Until now I have primarily discussed the two programs interchangeably as the crux of the argument, that worker/client relationships allow for significant discretion which alters and, often, subverts policy, is mirrored in both case studies. However, in an earlier section I detailed the significant divergence between the two types of programs. I will now explore how the crux of the argument stays constant while still allowing for divergence between the two programs. The major divergence between the two programs is variance in the locus of discretion and the differing levels of freedom within the program to deviate from stated policy.

The locus of discretion indicates that in the two programs discretion enters into implementation at different stages. In Manitoba, discretion is crucial right at the earliest stages of the program's implementation. A client who enters a welfare office gives basic details to a reception counter including the last job held, age and a short description of his or her current state of affairs. From this the client is screened into either a pre-assistance program or is granted an intake application. At intake, the client is processed with an FE code, which will determine whether they are considered employable and are then assigned a corresponding worker. The setting of the FE code will set the participation requirements and also will determine whether the client sees their worker every three months or every two weeks. This streaming is crucial and, in many ways, determines the freedom the worker has in setting a program for moving the client from benefit to work. In Ontario, the intake appointment is not nearly as crucial other than initialising the first participation agreement which will set some of the expectations for the client while on the program. However, those expectations are universally applied to all clients except single mothers with children under six. The real dialogue around

the client's interaction with the program is set in the one-month service planning session and with the actual ongoing worker.

The locus of discretion places significant pressure on the decisions made at intake in Manitoba, while the Ontario system shifts that burden onto the individual worker. In some ways, the Manitoba decision is harder to reverse, as in Ontario the worker will see the client more often and may be able to establish barriers over a longer period. This fear was reflected in the thoughts of some managers in Manitoba:

> W: I think we need to make sure that where the streamlining is done that it's being done by people who are doing proper assessments because unfortunately I think right now, and I've never agreed that some of the front-line streamlining is being done by clerks that have no assessment skills whatsoever. I mean they're in the front, they're asking a few questions but they're all the same.

Despite the possibility for incorrect streaming in Manitoba, the divergence in program operation is more obvious in the freedom granted to workers to individualise benefit packages, which is far more supported in Manitoba. The Ontario program is defined by its centralisation. Other than clients referred to the Ontario Disability Support Program (ODSP) or single mothers with children under the age of six, there is no variation in how the program treats clients. This provides few outlets for special circumstances and makes the use of discretion by the worker all the more difficult. While there is still a significantly high proportion of clients referred to outside agencies for barrier-tackling or job-finding, the flexibility allotted to the worker is minimal making the re-making of policy on the ground all the more subversive.

In Manitoba, the FE streaming system is an admission that there are different groups of clients with different needs. This is recognisable in the program's three different offices within the City of Winnipeg, each aimed at a very different clientele (highly employable, employable with barriers and multiple-barriered). Furthermore, the Manitoba program has allowed for significant policy experiments. These include a pre-welfare program for highly employable people where clients gain access to unadvertised job vacancies; a program aimed at multiple-barriered clients called Steps to Independence which allows clients to set more manageable goals such as entering a treatment program rather than finding work; and a program called Community Home Services that actually employs welfare recipients to work for the Government. This flexibility in some ways encourages discretion.

The lack of manoeuvrability was lamented by both workers and clients in Ontario. Nearly all workers responded that they felt they had to inject flexibility into the system. One client suggested the inflexibility made welfare-to-work in Ontario a dependency trap:

C: So, yeah, there's a lot of thing that don't seem to work. Like they don't give you that leeway where you, um, like this could be a good opportunity. She's getting into a job and that maybe this could lead to something. And then, open up those doors so I could still have day care, you know what I mean? And give me that little help, and it would have made a huge difference but I didn't get that help. So, when I say, like, when I say that in this office sometimes I feel trapped, that's what I mean. And it's really like, and it's awful—it's just and I've looked at some really awful jobs just to get out of here. But you've got to pay the bills, because, if you look at some jobs and what they pay, like, I don't know which is better? It's awful.

Meanwhile workers and managers in Manitoba suggested that, while the program wasn't necessarily what politicians had originally intended, workers needed to exploit the grey areas of the policy to make things work for the client. Management believed this was, in some ways, more important that sticking to the letter of the legislation:

W: So, for a brand new person reading the legislation, it probably just looks like these people have to work, it doesn't necessarily talk about the flexibility if they don't or they can't. ... So the barriers is the thing that we've developed having to work with these individuals and I don't know if that's something that when they developed that legislation and when they implemented it that they really realised the number of people that were on this program with barriers. I think they thought they could just go through a case load and a clean sweep and get them all jobs.

What the nuanced reading of these findings suggests is that discretion is central in both case studies but that the character of the two programs, workfare v. insertion, does shine through in the way in which the program is organized and the freedom with which it permits staff to use their discretion.

The findings have articulated the centrality of discretion, something that highlights the importance of the worker and their conception of welfare-to-work. In essence, the findings have shown that workers do not perceive themselves as instruments of government policy but instead as independent actors examining a particular situation and assessing how to move forward. This makes the workers' conception of the policy central to how the policy is then implemented. As the introductory section indicated, part of the interest in understanding the delivery of social programs is that a worker's moral agreement or disagreement with policy will influence whether they follow it, alter it or sabotage it. These findings have underscored the significance of workers' understanding of policy and the impact their independence from government has on the nature of welfare-to-work. Essentially, workers do what *they believe* to be best for the client they interact with, following or straying from policy as they see fit. While policy is not insignificant, what I have argued is that the *meaning* the worker makes out of the policy works with the discretion they have available to stray from stated policy.

F. CONCLUSION

What does this all mean?

What these findings indicate is that the complexity of social services does not allow for simplistic or clear guidelines for the implementation of social programs. While both programs under study have participation requirements and a mandate to move clients into the labour market quickly, the 'human' element of the worker/client relationship introduces significant discretion which can 'rewrite' policy on the ground. While the effects of this discretion are mitigated by time, information, attitude and policy, the case studies reveal that welfare-to-work looks very different on the front lines than it does in legislation. While some of the specific characteristics of policies are visible and in some ways one can differentiate between workfare and insertion programs, the findings highlight that the worker's discretion has the capacity to contort both of these types of policies, into programs that are less about the shortest distance between client and labour market and more about a quest for tackling the barriers of assistance seekers and routing them to *sustainable* employment.

One manager in Manitoba reflected on this when asked whether she thought Gary Filmon, former Premier of Manitoba and a prime instigator of the province's welfare reform, would approve of how 'his' program was being lived out:

> R: I don't think Gary Filmon, if he was in this office would think that the program is running the way that he thought it was going to.
> W: But I don't think Gary Filmon really knew what a true welfare recipient really was.

In many ways this sums up the experience of welfare-to-work policy on the ground in both provinces—that workers must transform a policy defined by politics and ideology and make it meet the realities across the interview table.

These findings have important consequences for our previous discussion about the shift in the broader welfare state and within social assistance specifically. Taking a closer at implementation findings and the degree to which they differ from stated policy goals, we begin to understand that discussions about sweeping changes to the welfare state, and the significant alteration to 'social rights' may be overstated. Moreover, we understand that for policy reform to be effective, it needs the buy-in and support of front-line workers. In short, any notion that policy changes immediately upon third reading of legal statutes or the publication of a policy manual is misguided and future research must consider the large degree to which street-level bureaucrats utilise discretion (mitigated by a number of factors) to shift the meanings of policy as originally planned by government.

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