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OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE**  
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**David A. Paterson**  
*Governor*

**Local Commissioners Memorandum**

**Section 1**

<b>Transmittal:</b>	09-LCM-11
<b>To:</b>	Local District Commissioners
<b>Issuing Division/Office:</b>	Center for Employment and Economic Supports
<b>Date:</b>	July 9, 2009
<b>Subject:</b>	OTDA Transitional Jobs Program
<b>Contact Person(s):</b>	<p><u>Program Related Questions:</u> Libby McGinn at (518) 486-6106 <a href="mailto:Elizabeth.McGinn@otda.state.ny.us">Elizabeth.McGinn@otda.state.ny.us</a> Or Employment and Advancement Technical Advisor</p> <p><u>Claiming Related Questions:</u></p> <p>James E. Carroll (Region 1-4) 1-800-343-8859, extension 4-7549 <a href="mailto:James.Carroll@otda.state.ny.us">James.Carroll@otda.state.ny.us</a></p> <p>Michael Borenstein (Region 5) 631-854-9704 <a href="mailto:Michael.Borenstein@otda.state.ny.us">Michael.Borenstein@otda.state.ny.us</a></p> <p>Marian Borenstein (Region 6) 212-961-8250 <a href="mailto:Marian.Borenstein@otda.state.ny.us">Marian.Borenstein@otda.state.ny.us</a></p>
<b>Attachments:</b>	<p>Attachment A: Subsidized Employment Program Matrix Attachment B: LDSS Transitional Jobs Program Allocations Attachment C: Budget Instructions Attachment D: Program Narrative Attachment E: Budget Form Attachment F: Budget Narrative</p>
<b>Attachments Available On – Line:</b>	yes

## Section 2

### I. Purpose

The purpose of this Local Commissioners Memorandum (LCM) is to advise social services districts (districts) that the enacted State Fiscal Year (SFY) 2009-10 Budget contains funding for three new initiatives to support subsidized employment. This funding will be used to support services provided through the Green Jobs Corps, the Health Care Jobs program, and the Transitional Jobs program. The attached Subsidized Employment Programs Matrix provides a summary of each program model (see **Attachment A**). This LCM provides program instructions and funding award information for the Transitional Jobs program. LCMs are also being released concurrently to provide program instructions and funding information for the Health Care Jobs program and the Green Jobs Corps program.

A total of \$25 million - \$5 million in Temporary Assistance for Needy Families (TANF) funds and \$20 million in Emergency Contingency Fund for State TANF programs - will be distributed to districts to establish subsidized jobs with public or private organizations through the OTDA **Transitional Jobs Program**. District allocations for the OTDA Transitional Jobs Program are included in **Attachment B**. The Transitional Jobs Program will permit districts to establish subsidized jobs lasting up to 12 months at an hourly rate of at least \$8.00 per hour for up to 28 hours per week of paid employment and at least seven hours per week of paid education and training activities.

### II. Background

Subsidized employment can serve as an important component of any district's employment services by offering an effective placement for individuals lacking an adequate or demonstrated work history, who have other barriers to employment, or when employment opportunities in the community are limited due to a contracted economy. The Transitional Jobs Program can provide an effective mechanism for entrance into unsubsidized employment by permitting the participant to develop and demonstrate positive work skills to a current or prospective employer and will also provide the opportunity for participants to achieve educational gains and/or new job skills through training. Additionally, paid employment provides participants financial and other incentives to participate fully in employment and education/training services. The fact that participants are paid for hours worked, reinforces the message that "work pays" and enables participants to access earned income tax credits and other tax credits to further supplement their income.

### III. Program Overview

Funds are made available to establish the OTDA Transitional Jobs program to provide education, training, and subsidized job placements for low or no income TANF-eligible individuals. Districts establishing a Transitional Jobs program are expected to provide a subsidized employment placement for up to twelve months at an hourly rate of at least \$8.00 per hour for up to 28 hours per week of paid employment and at least 7 hours per week of paid education and training activities to help prepare individuals for local employment opportunities. Each district establishing a Transitional Jobs program will be required to (either directly or through agreements or contracts with other organizations):

**Identify employment opportunities** that exist or that can be created in the public or private sector with priority for placements with businesses or occupational sectors with opportunities for continued unsubsidized employment, such as, but not limited to:

- Child care;
- Health care;
- Social and human services;
- Retail and hospitality;
- Clerical administrative assistance;
- Transportation; and
- Construction/outdoor maintenance.

Districts should consider creating transitional employment opportunities that prepare individuals for permanent employment, but that are intended to serve as a continuous source of temporary subsidized placements that are available to the district to prepare individuals for permanent employment. During the transitional job period individuals have the opportunity to adjust to working, develop workplace skills and realize the benefits of paid employment. The position may also serve as an incentive to keep recipients engaged in work-related education and training as well as active job search.

Subsidized employment positions may not replace existing funding and may not displace staff doing equivalent work consistent with Social Services law sections 336-e and 336-f.

**Provide education and training activities** that will prepare individuals for unsubsidized employment. Funds may be used to support limited pre-employment job readiness training (generally not to exceed 3 weeks). Participants will engage in paid education and training activities for at least seven hours per week for the duration of their transitional employment. Districts may also enroll individuals in additional unpaid education or training services, so long as at least seven hours are paid. The combination of the subsidized employment with the education/training will permit participants to develop workplace skills while also enhancing education attainment and/or job skills to support permanent job placement at or before the end of the transitional job.

Districts are encouraged to leverage services available through separately funded education and training providers in the community and to target training to the needs of employers in the region. In some instances districts may choose to enroll program participants as a group in education or training activities, while in other instances districts may have individually based education or training components. Education and training services provided through the Transitional Jobs Program may include, but is not limited to:

- Adult basic education;
- General equivalency diploma programs;
- English as a second language programs;
- Job skills training;
- Vocational Training; and
- Workplace basic skills.

Program participants who do not have high school diploma or equivalent, shall be given the opportunity to participate in adult basic education services that will enable the participant to improve literacy/math proficiency or to obtain an equivalency diploma. Additionally, training that provides employment related credential, credits or certificates to support future employment opportunities, is preferred. Districts are encouraged to meet with local education and training providers early to discuss programming and scheduling options that complement the Transitional Jobs program.

**Provide Support Services** to program participants as needed to support job retention both during and following the subsidized job period and to support advancement in the education/training component of the program. Such support services may include, but are not limited to, child care, transportation, case management and other necessary services. Districts are encouraged to develop program models that include support through a mentor or case manager to help participants resolve or cope with factors that may interfere with continued employment (such as housing difficulties, child care concerns or adapting to work). Projects are encouraged to provide comprehensive student support services, including but not limited to, tutoring, mentoring, child care, after school program access, transportation, financial development services, referrals for public benefits, and case management as a part of the individual training plan.

Districts are expected to ensure that program participants are provided information on the availability of earned income tax credits and other credits that they may access once working. Additionally, as with all individuals who go to work, districts are expected to facilitate access to transitional benefits including health insurance and transitional child care and Supplemental Nutrition Assistance benefits.

Districts are encouraged to explore combining grant diversion along with funding made available through the Transitional Jobs Program as one option to enhance the number of individuals to be served by the district's allocation, (for more information see 09-ADM-11).

#### **IV. Program Implications**

##### **Eligible participants**

Transitional Jobs program participants must be eligible for TANF non-assistance services and may include the following categories of individuals:

- Individuals in receipt of TANF/Family Assistance (case types 11 or 12) and Safety Net MOE Assistance (case types 16 or 17 with state charge code 63 or 64);
- Individuals in two-parent cases with children receiving Safety Net Assistance (as described in 06 LCM-09); and
- Individuals not in receipt of public assistance but who are determined TANF-eligible based on TANF 200% of Poverty guidelines included in 00 LCM-20. Safety Net Assistance recipients in households without children may be eligible for TANF funded services due to being a noncustodial parent of a minor child as outlined in 00 LCM-20 and districts are strongly encouraged to determine such eligibility and serve these individuals through the Transitional Jobs program.

In all instances, priority for participation in the Transitional Jobs program shall be given to TANF-eligible public assistance recipients. Districts should also target services to formerly incarcerated individuals, including non-custodial parents who were formerly incarcerated or who have a criminal history and who are determined eligible under the TANF 200% of Poverty guidelines.

Up to thirty percent of program participants may be disconnected youth, eighteen to twenty-four years old.

### **Funding**

A total of \$25 million in TANF funds is available to support comprehensive employment services to support a Transitional Jobs program. Budget language requires preference in allocations be given to districts with unemployment rates that exceed the statewide average. District allocations for the OTDA Transitional Jobs Program are included in **Attachment B**.

District allocations were developed as follows: 95% was allocated based on an established floor (\$40,000 for each local social services district) and caseload which was defined as the monthly average of non-work exempted TANF and Safety Net MOE adults; 5% was allocated to districts that had a six-month average Unemployment Rate above the six-month Statewide Average (December 2008 – May 2009). Finally the Floor, the amount from the Non-Work Exempt Individuals, and the amount from the Unemployment Rate were added together.

Districts must ensure that these funds are used for increased costs associated with operating a new or expanded subsidized employment programs. These funds should not be used to supplant costs associated with current subsidized employment programs operated by or funded by districts.

Approved projects are expected to begin on August 15, 2009 and operate through August 13, 2010, with final claims due by September 30, 2010. However, availability of funds after September 15, 2010 is contingent upon reappropriation in the SFY 2010-11 State Budget.

## **V. Plan Format**

Districts must submit plans consisting of a Program narrative, Budget form, and Budget Narrative to OTDA for approval. OTDA staff will review the submission to determine that services are directly related to the provisions of allowable program services and activities to eligible participants and that program components regarding paid employment and education/training are met.

### **Program Narrative:**

Plans must detail the overall structure of the program using the program narrative form (see **Attachment C and Attachment D**). The program narrative should not exceed six pages in 12-pitch font using standard one inch margins. The program narrative should be comprehensive and address each of the following:

- a description of the employment opportunities targeted, including prospective employers who will provide the subsidized employment opportunities;

- a description of the type of education and/or training expected to be provided for at least 7 hours averaged weekly throughout the month, along with the education and training providers expected to conduct such training. The type or hours of education/training services may vary depending on participant needs and employment goals. Districts are expected to offer adult basic education/GED preparation services for program participants without a high school diploma or equivalent. Districts should identify in the Program Narrative those instances where the program will leverage training or education services that are separately funded;
- an estimate of the range of wages to be paid, the number of hours to be subsidized each week, and the expected length of the subsidy period;
- an estimate of the number of participants to be served during the program period;
- a description of expectations at the end of the subsidy period, including job placement services that will be offered to secure unsubsidized employment once the timeframe for the subsidized employment has expired;
- indication of whether or not the district will utilize grant diversion as an option to enhance the number of individuals to be served; and
- a description of supportive services, including child care and transportation supports and job retention services that will be provided to program participants during and after the subsidy period.

### **Budget and Budget Narrative Forms:**

The budget and budget narrative forms (see **Attachments E and F**) should identify staff and services to be funded through the program and the estimated cost (see **Attachment C** for instructions regarding budget preparation).

Plans must detail the overall structure of the program, including the type of training to be provided, who is providing the training, the types of jobs targeted, the range of wages to be paid, the length of the subsidy period. Plans should also identify the employers to provide the subsidized employment opportunities.

## **VI. Submission of Plans**

Completed plans must be submitted no later than August 14, 2009, to be eligible for funding under this initiative. District allocations are available beginning August 15, 2009 for completed and approved plans. Completed plans should be e-mailed by August 14, 2009 to Libby McGinn at [Elizabeth.McGinn@otda.state.ny.us](mailto:Elizabeth.McGinn@otda.state.ny.us), or mailed to the following address:

Ms. Libby McGinn  
 NYS Office of Temporary and Disability Assistance  
 Employment and Advancement Services Bureau  
 40 North Pearl Street, 11<sup>th</sup> Floor  
 Albany, NY 11243-0001

## **VII. Reporting Requirements**

Districts will be required to report on an individual basis (Client Identification Number and name), case type (if applicable), age, the dates of enrollment, the date of placement in subsidized employment, the rate of hourly pay, scheduled average weekly hours of employment, scheduled average weekly hours of education/training and the type of education/training provided. In addition, districts will be required to report the number of individuals who transition to unsubsidized employment following the subsidy period, including those that transition to unsubsidized employment with the same employer or with another employer following the subsidized job.

OTDA will provide the reporting format upon plan approval.

## **VIII. Claiming Instructions**

All expenditures against the Transitional Jobs allocation should be claimed in accordance with the local social services district's Transitional Jobs approved plan. Local districts may claim reimbursement for Transitional Jobs expenditures made from August 15, 2009 through August 13, 2010. Final claims must be received by September 30, 2010. These deadlines are contingent upon re-appropriation authority in the SFY 2010-2011 budget. If not reappropriated, final claims must be submitted by August 15, 2010.

The administrative and/or contracted costs associated with approved plans should be reported in the F-17 function (Other Reimbursable Programs) on the Schedule D, DSS Administrative Expenses Allocation and Distribution by Function and Program (LDSS-2347). These costs will carry forward to the Schedule D-17, Distribution of Allocated Costs to Other Reimbursable Programs, (LDSS-3274), and be reported in a column labeled Transitional Jobs. These expenditures will support Form LDSS-3922, Reimbursement Claims for Special Projects. The LDSS-3922 project name box label should be entitled Transitional Jobs.

Local district staff not working fulltime on Transitional Jobs must be time studied and only those related costs should be charged to Transitional Jobs.

The LDSS-3922 for Transitional Jobs should be submitted on a monthly basis to the Bureau of Financial Services using the TRACS system. Districts must retain the signed LDSS-3922 which supports the claims submitted via TRACS for audit purposes. Instructions for completing the Schedule D-17 are found in the Fiscal Reference Manual (FRM) Volume 3 (Volume 4 for New York City), Chapter 18. Instructions for completing the LDSS-3922 are found in FRM, Volume 2, Chapter 3. The expenditures should be entered in the non-Administration / Administration Costs columns based on the guidelines below.

According to TANF regulations, costs considered to be program are:

- Direct costs, including salaries and fringe benefit costs for staff providing program services
- Direct administrative costs associated with providing these services (e.g., supplies, equipment, travel, postage, utilities, rental costs, and maintenance)
- Contracts devoted entirely to program activities

According to TANF regulations, administrative costs include:

- Contract costs that are not excluded totally or in part as program activities
- All indirect or overhead costs (i. e., A-87 costs)

- Activities related to eligibility determinations

See Chapter 10 of Volume 3 (Volume 4 for New York City) of the Fiscal Reference Manual for detailed information on TANF administrative expenditure requirements.

Under these guidelines the local districts should enter their expenditures in the proper column of the LDSS-3922. Most of the activities incurred under this program should be reported in the Non-Administration Costs column. Overhead and A-87 costs should be entered in the Administration Costs column. Expenses should be reported on the appropriate lines of the LDSS-3922, with the amount of the actual work subsidy entered on line 12, Assistance Direct to Client. Expenditures should be claimed at 100% Federal share up to the amount of the allocation.

Costs in excess of the allocation may be claimed on the Schedule D-3 Allocation and Claiming of Administrative Costs for Employment Programs (LDSS-2347-B1) as Direct Charge Costs (Line 7) under TANF Program (Column 2) for TANF-eligible clients.

**Issued By:**

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