

## **Guide for Completion of 2018-2019 Temporary Assistance and Supplemental Nutrition Assistance Program Employment Plan**

### **Overview**

In accordance with Department Regulation 18 NYCRR 385.10, a Social Services District's Temporary Assistance (TA) and Supplemental Nutrition Assistance Program (SNAP) Employment Plan (Plan) must be developed in cooperation with local education institutions, childcare providers, childcare resource and referral agencies, labor unions, libraries, public and private employers, employment and training agencies, Workforce Innovation Opportunity Act partners, and Workforce Development Boards, as well as any other applicable agencies or institutions. Draft Plans are required to be made available for public comment for a 30-day period. The 30-day public comment period should begin at the time the draft plan is submitted to OTDA for initial review.

These instructions should be used as a guide in completing each section of the district's TA and SNAP Employment Plan. The instructions are divided into sections that correspond to each section of the Plan. For further information or clarification concerning the contents of this document, please contact your Office of Temporary and Disability Assistance (OTDA) Employment Services Advisor (ESA).

Social Services districts (districts) may access their Plan template through a designated Microsoft SharePoint site located at: <http://sharepoint.otda.state.ny.net/projects/ldss-emp-plan/SitePages/Home.aspx>. The fillable 2018-19 Plan template has been added to the "2018-19" folder in each district's library.

A SharePoint site is a website that provides a central storage and collaboration space for documents, information and ideas. SharePoint enables staff to share information and work together. SharePoint consists of document libraries and allows team members to upload documents in a manner to enable each member of a team to have access. Team members will be the district Employment Coordinator, the OTDA Employment Services Advisor (ESA), and other staff as needed. Training on the use of SharePoint is available via a web based training or through the district's ESA.

District Employment Coordinators should notify their ESA once the draft Plan is complete on SharePoint and ready for OTDA review. If requested, districts may submit draft Plans in an alternative manner and OTDA will load the document to SharePoint.

Districts must submit their Plan for a 30-day public comment period, and to OTDA, as a draft no later than November 27, 2017. Districts are asked to submit their draft Plan to OTDA using Microsoft SharePoint.

Upon completion of OTDA's review of the draft Plan, the district Commissioner and Employment Coordinator will receive a letter indicating any changes which must be made, if applicable, prior to final Plan approval. Districts must incorporate any changes, required by OTDA as well as any changes necessitated by public comment, and submit a final copy of the Plan signed by the district Commissioner along with any attachments to OTDA for approval.

A hard copy of the final Plan or a scanned copy of the final Plan that includes the Commissioner's signature should be submitted, including any applicable attachments, for approval to the address below:

Stephanie Boshart  
[Stephanie.Boshart@otda.ny.gov](mailto:Stephanie.Boshart@otda.ny.gov)  
Director, Employment and Advancement Services  
Office of Temporary and Disability Assistance  
40 N. Pearl Street, 11<sup>th</sup> floor  
Albany, NY 12243

Or the signed Plan along with applicable attachments may also be e-mailed to:  
[Stephanie.Boshart@otda.ny.gov](mailto:Stephanie.Boshart@otda.ny.gov)

After OTDA has approved the Plan, if a district makes any policy or procedural changes, deletions or additions to their employment program that require a Plan amendment, the amended Plan must be submitted to OTDA for approval. Districts wishing to amend their Plan should consult with their ESA. All Plan amendments shall be submitted by the district's Commissioner, or designee with the Commissioner copied on the transmittal.

### **Instructions for Plan Sections**

Most areas of the Plan template are self-explanatory but the following instructions may be used to assist in Plan completion.

### **Section 1 Assurances and Commissioner's Signature**

This section records the district's commitment to administer an employment program that is in compliance with all applicable federal and State policies, laws, regulations, and provisions outlined in the local Plan. This section includes the signature of the district Commissioner affirming this assurance.

The chart following the signature page is to be completed by OTDA to document any approved amendments to the Plan.

### **Section 2 Administration**

This section includes a description of internal local district employment administration and contracts with external agencies.

#### **2.1 Administrative Structure**

As stated in the Plan template, the district is to include an organizational chart as an attachment in the Appendix section. Include in this section a description of the principal organizations/agencies/staff that provide employment services and specify what services are provided. Employment services include, but are not limited to, employability determinations, orientation, assessment, employment planning, assignment to work activities, monitoring of participation, developing and monitoring treatment plans for exempt individuals engaged in treatment or rehabilitation to restore self sufficiency, coordination and provision of supportive services, and employment placement and retention services. Also include a description of the

staff/units that are responsible for conciliation, sanction, and dispute resolution. If applicable, please include the unit's relationship to other offices in the department of social services. Indicate in this section if the district contracts with another agency to provide any of the employment services, and specify what programs and/or services those contractors provide. In those instances for which the majority of the district's employment services are provided by another agency such as a county employment and training agency, the Plan should also include an organizational chart and description of the organizational arrangements and staff that provide employment services for the TA and SNAP population on behalf of the district.

## **2.2 TA and SNAP E&T Provider Agencies**

Complete Table 1 with information regarding agencies/providers with which the district contracts to provide employment services for the TA and SNAP population. In selecting providers, districts are encouraged to take into account such factors as past performance in providing similar services, demonstrated results, fiscal accountability, cost effectiveness and ability to meet other performance standards.

Providers may include, but are not limited to, private education and training providers, community based organizations, WIOA agencies, State agencies, school districts, Board of Cooperative Educational Services, post secondary educational institutions, Educational Opportunity Centers, and others. When it is feasible, districts should develop performance-based contracts or agreements with such entities. Standards must include an evaluation procedure to ensure that services offered by a provider are sufficient to substantially enhance a participant's opportunity to secure unsubsidized employment. Contracts entered into by districts must be available for review by OTDA upon request.

In the second column, please enter the annual contract cost. The district may not contract for a service or activity which is otherwise available at no cost. This section also states that the contracts must include a cost allocation methodology that satisfies Generally Accepted Accounting Principles and the requirements of pertinent U.S. Office of Management and Budget Circulars, unless services are reimbursed on a performance basis. For the "Total Contract Cost" column to calculate a total at the bottom of the table, enter all the amounts into the table, then right click the dollar amount cell in the bottom row and select "Update Field".

In the third column, please select the funding sources used by the agency/provider to support the contract. Funding sources may include the Flexible Fund for Family Services (FFFS), SNAP Employment and Training (SNAP E&T), local or other. Choose all that apply for each contract.

In the fourth column, select the categories of clients referred by the district that are served by the provider. Categories may include Family Assistance (FA), Safety Net Assistance for Families (SNA Family), Safety Net Assistance households without children (SNA Individual), Supplemental Nutrition Assistance Program (SNAP), and TANF 200% population.

The last column of Table 1 may contain the name of the program but must contain a description of the program, services, or activities that are provided.

### **Table 2 Other Service Providers**

There may be organizations to which the district refers participants for employment services that do not require a payment from the district. These organizations may be directly funded by OTDA or some other source such as State and federal education funds. Please list these

organizations, the funding source(s) if known, the categories of individuals referred by the district that are served, and the programs, services or activities provided by the organization for those referred by the district.

### **2.3 OTDA Jobs Staff**

This section is to be completed for those districts that currently have OTDA Jobs staff who provide support for various employment related services. The district should designate which services will be offered and the target group(s) that will be served by placing an “X” in the selected areas. Additional narrative may be included to describe specific services or duties Jobs staff will be expected to fulfill which are not included in the template.

### **2.4 Access to TANF Employment & Training at Comprehensive Career Centers**

In this section districts are asked to identify how they provide access to their programs and services at the Comprehensive Career Centers. Please check all applicable boxes that describe how access is provided.

Also in this section, please provide a brief description of how the district is working with the local Career Center partners to enhance service delivery, maximize resources, improve access to available programs and services, etc. for Temporary Assistance recipients.

## **Section 3 Engagement and Work Preparation**

### **3.1 Federal “Engaged in Work” Requirement**

This section contains the definition of what it means to be “engaged in work” to comply with the federal requirement that all TANF-funded parents and caretakers will be engaged in work prior to receiving 24 months of assistance. An acceptable definition is included in the Plan template but districts may include additional information to reflect local requirements.

### **3.2 Orientation**

All applicants and recipients of Temporary Assistance must receive an orientation regarding employment expectations and other requirements. This orientation should include information regarding time limits and requirements to engage in work, school attendance for teen parents and finding childcare if necessary. A complete explanation of the rights and responsibilities of applicants and recipients and the benefits and obligations of participation in employment activities will help districts meet participation rate requirements and help recipients understand program expectations and support efforts to achieve economic independence.

The complete list of what must be included in orientation is contained in 18 NYCRR 385.5. If additional elements are covered in the district’s orientation, please check the appropriate box and provide a brief description of them.

Also in this section, please describe how the district completes the orientation, including who conducts the orientation (e.g., TA staff, Employment staff, or both), at what point during the application process is it completed, in what type of setting (e.g., group or individual), and if the process for providing orientation to exempt individuals is different from the orientation process for non-exempt individuals. In addition, please indicate whether the orientation requirement is addressed differently at recertification and, if so, how.

### 3.3 Assessment and Employment Planning

Assessments and employment plans are required for most Temporary Assistance participants. Assessments must include a review of educational level, including literacy and English language proficiency, basic skills proficiency, childcare and supportive service needs, as well as a review of family circumstances.

#### Temporary Assistance Assessment

In subsection “a” indicate by checking the appropriate box if the district enters assessment information directly into WTWCMS, or uses the LDSS 4980 (New York State Assessment), or uses a local equivalent assessment tool. If a local equivalent is used, please include a copy of the district’s employment assessment and indicate whether the assessment tool contains additional elements and list those elements. Please also indicate if the district’s assessment includes specific screening tools to identify participants with potential disabilities.

Districts are encouraged to reevaluate a participant’s work status and activity assignment at least annually. It is important to periodically evaluate whether or not any changes to the individual’s assignment or support services are warranted based on any changed circumstances and the extent to which the individual is making progress in the current activity assignment(s).

In subsection “b” districts are asked to describe the local process for the completion of an employment assessment. Please describe district policy that ensures that all adults in households with dependent children and 16 and 17-year-olds not in school receive assessments within 90 days of eligibility. District policy should also ensure that all adults applying for or receiving temporary assistance and residing in households without dependent children receive assessments within a year following their application. Districts are reminded that individual self assessment alone does not meet the requirements for conducting assessments as outlined in 18 NYCRR 385.6(c) and 385.7(c). Districts must ensure that local assessment procedures are in place that will gather relevant information about an individual’s strengths and barriers as part of a comprehensive strategy to help the individual obtain meaningful employment or otherwise assist the family to become economically secure.

Subsection “d” asks for qualifications of the individuals completing assessments and employment plans. Specifically, please indicate what type of training the individuals receive for these tasks or if there is an experience requirement for the position. Please include the title of the individual if he/she is a district employee.

Indicate in subsections “e” and “f” if assessments are completed with applicants, for both households with children and households without children.

Indicate in subsection “g” whether the district requires exempt adults in households without dependent children to participate in the completion of an assessment.

#### Temporary Assistance Employment Plans

In subsection “a” indicate by checking the appropriate box if the district enters employment plan information directly into WTWCMS, or uses the LDSS 4978 (New York State Employment Plan), or uses a local equivalent employment plan. If a local equivalent is used, indicate whether the employment plan tool contains additional elements and list those elements.

Include a copy of the district’s employment plan form as attachments to the Plan.

### **3.4 Participation Rates and Work Activities**

Subsection “a” contains questions asking for the district’s plan to meet federal and State participation rates. As part of this description, please include the typical time period between case opening and engagement in activities for nonexempt individuals and the typical time period for engagement in a traditional work activity after an individual’s status changes from exempt to nonexempt. Include how this and other factors regarding participation rate and engagement are monitored. Please also indicate in this section what the district’s weekly standard participation requirement is for individuals in the different case and household types. For example, is the district’s participation standard 30, 35, or 40 hours per week for households with no children under age six? Is it 20 or more hours per week for a single caretaker of a child under age six? Please explain.

Subsection “b” asks for the estimated number of individuals served, averaged monthly, for households with and without dependent children.

Subsection “c” describes how the district uses work participation management reports available through Cognos or other reports and activities to monitor district progress toward meeting work participation requirements and ensuring full engagement by adults in work or work preparation activities.

Subsection “d” describes the extent to which the district requires Non-Temporary Assistance Supplemental Nutrition Assistance Program (NTA SNAP) applicants and recipients to participate in SNAP E&T work activities. If the district is not mandating SNAP E&T work activity assignments, please describe how NTA SNAP work registrants are informed of the services available, upon request, for assistance with job search activities. Please note that districts not eligible for a county-based ABAWD waiver are required to monitor compliance with ABAWD requirements in non-waived areas of the county. Also, include information regarding the services that will be provided to at-risk ABAWDs in this subsection.

In subsection “e,” districts are asked to provide a description of the local policy for Job Search. In the chart provided, please indicate the number of employer contacts or hourly participation (or both) that is generally required of applicants in households with and without dependent children. Districts should also provide a separate description of Job Search requirements for recipients in households with and without children in the space provided.

Participation in Job Search includes time directly supervised by the program provider as verified through attendance records or other statements from the program provider. As required by the federal Department of Health and Human Services, individuals participating in self-directed job search will be required to maintain and submit a log detailing the amount of time spent participating in independent job search activities. This job search log will be reviewed by the staff person responsible for providing supervision of the activity to assess the extent to which a reasonable number of contacts were made during the time reported given the amount of time required to identify, apply and interview for a job as well as time spent preparing and sending follow-up materials to an employer. Districts are strongly encouraged to support each individual’s search for work through actions such as helping participants identify job openings that are consistent with his or her work abilities and interests.

In subsection “f”, districts are asked to provide a description of the policies and procedures, including the guidelines workers follow, when determining whether participation in self-employment is approved as part of an individual’s required work activities.

Subsection “g” describes the work activities in which participants are enrolled. The Final TANF rule defined each countable federal work activity. The work activity definitions established by OTDA incorporate the requirements established in the Final TANF rule at 45 CFR 261.2 and New York’s approved Work Verification Plan. Districts may choose to provide additional detail regarding local activity offerings so long as the activity description for all countable work activities remains consistent with the requirements outlined in [08 ADM-07](#).

Districts may provide, but are not limited to providing, activities from the list contained in the Plan template. The district must indicate which categories of participants the activities are available for by placing an “X” in the appropriate boxes.

Considerations and requirements for some of the work activities are as follows:

- Districts are encouraged to enroll Temporary Assistance recipients in job skills training or vocational education programs to provide participants with marketable job skills.
- Districts are required to consider enrollment in an educational activity for all participants who do not have a high school diploma or equivalent.
- As stated in Office regulation 18 NYCRR 385.9(d)(3), work experience and community service must meet the requirements prohibiting displacement and other applicable provisions. The number of hours of participation in work experience cannot exceed the TA and SNAP grants divided by the federal or State minimum wage, whichever is higher.
- According to Office regulation 18 NYCRR 385.9(b), a non-graduate degree student who is participating in work study, internships, externships, or other work placement that is part of that student’s curriculum cannot be unreasonably denied the opportunity to participate in that placement as a work activity assignment. The regulation states that participation in such a program is to be considered unsubsidized employment, subsidized private or public sector employment or on-the-job training. Subsidized employment may be more appropriate for federal work study programs, while participation in internships or externships would probably be more appropriately considered on-the-job training.
- At a minimum, districts are required to make available Job Search as a SNAP E&T activity for SNAP applicants and recipients. Districts without a federally approved ABAWD waiver for the full county must also ensure that the district offers an ABAWD qualifying work activity to ABAWDs who request such an activity to maintain eligible for SNAP benefits for more than 3 months in the 36-month period.

### **3.5 Job Development**

This subsection is for districts to describe job development activity, if any, in which the district is involved. Job development includes active efforts by the district to identify potential job openings for which participants are qualified to apply through outreach to area employers, employer associations and other methods. Please check the box next to “Yes” or “No” to indicate whether or not job development activities are conducted. If yes, check the appropriate box(es) that follow to indicate who is involved in job development and describe number of staff, frequency of contact with employers and any other pertinent information. Districts are encouraged to coordinate job development activities with local workforce agencies.

### **3.6 Training Approval and Activity Enrollment Policies**

Districts should ensure that education and job training services are available to individuals whose assessment indicates a need for Adult Basic Education or English Language Instruction and

districts should also strive to provide opportunities for job skills training for individuals who would benefit from these services.

Federal participation rate requirements limit the types of educational activities that will count towards meeting work participation rates. Districts are reminded that all hours in a vocational education placement count toward federal TANF/MOE work participation rates for up to 12 months in a lifetime for any individual. Job skills training counts toward the federal TANF/MOE work participation requirement, so long as combined with at least 20 hours weekly in a “core” work activity such as employment or work experience. (Work experience may be less than 20 hours weekly if “deemed” to meet the 20-hour standard due to the hourly participation being equivalent to the number of hours resulting from dividing the household’s TA grant plus SNAP allotment by the higher of the federal or State minimum wage).

In subsections “a” and “b”, each district is asked to describe how it identifies and provides appropriate education or job skills services for individuals whose assessment indicates that such services would be an appropriate work activity assignment. These subsections should include what arrangements the district has in place with education and training providers, including contracted services, to provide such services. This information is requested to ensure that each district’s planning process includes an active effort to ensure such services are available for individuals whose assessment indicates that education or training is appropriate.

Subsections “c and d” asks districts to describe their process for making educational activities available to participants and the guidelines workers follow for determining when individuals without a high school diploma or equivalent are enrolled in educational activities. Regulations effective October 1, 2009, define basic literacy level as a literacy level equivalent to the ninth grade and require districts to offer individuals who have not attained a high school diploma or equivalent the opportunity to participate in educational activities including adult basic education and activities intended to prepare them to attain a high school diploma or its equivalent. As with all activity assignments, districts may consider factors when determining whether or not assignment in an educational activity is appropriate. Include in subsection “d” instances, if any, when the agency would deny participation in educational activities. (Reference 09-ADM-16)

Subsection “e” asks each district to describe the district’s process and policy for determining whether or not a participant is approved/assigned to participate in job skills or vocational educational activities. Districts are reminded that vocational education counts fully toward federal work participation requirements for an individual for up to 12 months in the individual’s lifetime. Job skills training counts without a time limit so long as combined with 20 hours of core work activity (and vocational education beyond the 12 months may be reported as job skills training, again requiring the 20 hours of core work activity). (Reference 08 ADM-07)

Subsection “f” asks each district to describe the highest level of post-secondary level education that the district will approve as a work activity, up to a four year college program.

Subsection “g” asks districts to describe how they will ensure that enrollments in post-secondary education beyond the 12 month lifetime limit are combined with a weekly average of at least 20 hours in paid employment activities, work experience or community service.

Each social services district is responsible for the approval of work activities including training and education. In this section, describe the district’s standards for approving training providers including the determination that the training is for positions that are “in demand” in the area or, if the training is more general, that it provides the base needed by some individuals in order to progress toward or within competitive employment. An evaluation procedure must be incorporated into the approval determination standards of each social services district. Each social



services official must maintain a list of programs which have been approved by the district. Also in this section, describe the procedure for advising applicants/recipients of approved activities and providers as well as the procedures for notifying applicants/recipients whether enrollment in a work activity is approved and the requirements participants must meet to maintain their enrollment in those activities. These items are to be completed in subsections “h” through “j.”

For subsection “k”, unless a valid reason exists, districts must approve as an activity, work study, internships, externships, etc. that are associated with a non-graduate educational program, whether or not they have approved the educational program. The reasons for withholding such approval must be included in the Plan. All of the reasons listed in the regulation are listed in the Plan template and the district may check only those that are conditions under which the district would deny approval of the activity. The district may check all or any of the conditions listed in this subsection and may include additional conditions. At least one condition must be included unless the district would never deny such an activity.

The procedure for monitoring teen school enrollment to determine the individual’s exempt status is to be entered in subsection “l.” If normal periodic monitoring procedures cause the verification to be due during a summer month when students are not normally in school, some type of tickler must be established so the enrollment can be verified when school reconvenes.

Subsection “m” asks districts to identify how it ensures that individual’s health limitations are accommodated when making an assignment to a work activity. Districts are reminded that a participant’s limitations must be provided, in writing, to the provider consistent with 18 NYCRR 385.2(d). Privacy laws prohibit disclosure of a medical condition but restrictions or limitations resulting from the medical condition must be shared with the supervisor at the participant’s work assignment.

### **Section 3.7 Work Verification**

This section of the Plan describes the district’s procedure for monitoring attendance in work activities and also includes the controls in place to ensure that exemptions which may result in the federal exclusions from the work participation rate calculation are accurately made, work eligible individuals are correctly identified, hours of attendance reported by providers is accurate and documented, data entry is accurate and that district and providers adhere to approved district and State policy in terms of work activity definitions and determination of excused absence and holiday reporting. Districts must validate attendance reporting by monitoring visits to providers and viewing attendance rosters for training. The district must describe the frequency of attendance monitoring visits, which may vary based on the number of participants served by the provider.

The number of cases a district must sample is based upon the percentage of the Rest of State (ROS) Total Denominator, which is used to determine district size. Districts are listed below in one of the following categories (NYC, and ROS Large, Medium or Small).

The number of cases that each district will sample will be at a minimum:

#### NYC:

- Paid Work Activities – 75 Cases,
- Unpaid Work Activities – 50 Cases,
- Caretaker of a disabled household member (employability code 38) – 25 Cases
- Caretaker of a child under the age of 12 months (employability code 31) – 25 cases

Large Districts: (Erie, Monroe, Nassau, Onondaga, Suffolk, and Westchester)

- Paid Work Activities – 24 Cases,
- Unpaid Work Activities – 24 Cases,
- Caretaker of a disabled household member (employability code 38) – 12 Cases
- Caretaker of a child under the age of 12 months (employability code 31) – 12 cases

Medium Districts: (Albany, Broome, Chautauqua, Niagara, Oneida, Orange, Ulster)

- Paid Work Activities – 12 Cases,
- Unpaid Work Activities – 12 Cases,
- Caretaker of a disabled household member (employability code 38) – 6 Cases
- Caretaker of a child under the age of 12 months (employability code 31) – 6 cases

Small Districts: (Allegany, Cattaraugus, Cayuga, Chemung, Chenango, Clinton, Columbia, Cortland, Delaware, Dutchess, Essex, Franklin, Fulton, Genesee, Greene, Hamilton, Herkimer, Jefferson, Lewis, Livingston, Madison, Montgomery, Ontario, Orleans, Oswego, Otsego, Putnam, Rensselaer, Rockland, St. Lawrence, Saratoga, Schenectady, Schoharie, Schuyler, Seneca, Steuben, Sullivan, Tioga, Tompkins, Warren, Washington, Wayne, Wyoming, Yates)

- Paid Work Activities – 6 Cases,
- Unpaid Work Activities – 6 Cases,
- Caretaker of a disabled household member (employability code 38) – 3 Cases
- Caretaker of a child under the age of 12 months (employability code 31) – 3 cases

**Section 3.8 Strategies/Procedures for Accommodating Individuals with Limited English Proficiency**

In this section, include a description of how the district accommodates the needs of non-English speaking participants in accessing employment services. Please be specific regarding how the district provides equal access to employment services for the participant who has a language barrier and how the district helps the individual understand (e.g., bilingual staff, access to interpreters, etc.) his/her rights and responsibilities.

**Section 3.9 Strategies/Procedures for Increasing Program Attendance**

Federal work participation rate requirements significantly limit the number of days that may be reported toward the work participation rate based on excused absence from attending a program activity. Additionally, it is important that program participants adopt strategies to balance work and other needs to reduce time missed from work so they are better prepared to enter and retain employment. Districts are asked to describe district policies and procedures in place to reduce the amount of time participants fail to participate in work activities, including time missed with good cause. These practices may include strategies to motivate client participation, counseling clients on the importance of having back up childcare arrangements and strategies to reduce the extent to which personal needs conflict with work schedules. Additionally, districts should take steps to reduce the extent to which agency requirements conflict with work activity schedules and employ strategies such as immediate outreach to ensure attendance is quickly resumed.

### **Section 3.10 Strategies/Procedures for Engaging Sanctioned Temporary Assistance Participants**

In this section, please check the appropriate box regarding the specific strategies the district uses to attempt to engage sanctioned participants and, at what point during the sanction period. Also, include the procedures the district uses to attempt to reengage sanctioned participants.

### **Section 3.11 Strategies for Reducing the Need for Temporary Assistance**

Describe in this section if the district uses strategies to divert applicants from needing/applying for continued Temporary Assistance. This is not to include applicant assessment since it is an eligibility requirement and does not provide an alternate source of income or meet an immediate need. Districts may indicate in this section that supportive services are provided as a strategy but need not list those services since they are to be listed in Section 4.1 “d.” Specific criteria for providing those services should be listed here (e.g. verified employment, promise of employment).

### **Section 4 Support Services**

Support services may include, but are not necessarily limited to, childcare assistance, transportation assistance, nonrecurring payments to meet employment related needs such as car repairs or clothing, and placement and retention services including job coaches and other methods of case management.

It is important to remember that families who have received 60 months of TANF-funded assistance and who are now receiving Safety Net Assistance remain eligible to receive TANF funded nonassistance support services. The exception is supportive services, such as transportation assistance provided to families that are not employed. Supportive services for these families must be provided if necessary to participate in work activities approved by the district, but must be funded with Safety Net Assistance or local funds.

#### **4.1 For Temporary Assistance and Non-Temporary Assistance Supplemental Nutrition Assistance Program Applicants and Recipients in Work Activities approved by the District**

Each social services district must provide - when resources are available and when the district determines they are necessary - transportation, work related expenses, case management and medical assistance. Childcare shall be guaranteed, if appropriate, to individuals who need such care to participate in orientation, assessment, employment planning and work activities approved by the social services district.

Describe in subsection “a” the services the district will provide or for which the district will provide reimbursement to individuals to participate in approved employment related activities or to assist participants to improve their opportunities for sustained employment or advancement. Include maximum amounts for items if applicable.

Describe in subsection “b” the transportation services the district provides. Districts must continue to make diligent efforts to assist a person in obtaining transportation to get to and from a work activity site. Where lack of transportation is a direct barrier to participation in a work activity the local district must make a reasonable effort to assign the individual to an appropriate work activity at a site as close as possible to the individual’s home. If there is a specific mileage

reimbursement rate, please indicate that here along with information regarding the method used to establish the reimbursement rate.

The standard mileage reimbursement rates established by the Internal Revenue Service effective January 1, 2017, are as follows:

- Business mileage 53.5 cents per mile
- Medical/moving .17 cents per mile

While gasoline is a significant factor in the mileage figure, other items enter in the calculation of mileage rates, such as depreciation and insurance and other fixed and variable costs. The business standard mileage rate is used to compute the deductible costs of operating an automobile for business use in lieu of tracking actual costs.

Based on the information provided above, OTDA policy establishes a mileage reimbursement rate of no less than the IRS established rate for medical/moving purposes. In all instances, should the actual cost of transportation needed to participate in a work activity approved by the district exceed the reimbursement rate determined by the district, the district will reimburse for the actual costs based on reasonable documentation submitted by the work activity participant.

OTDA policy establishes a distance not to exceed 2 miles as the maximum distance that the district can require a participant to walk to a work activity assignment or to access public transportation. In subsection c, identify the maximum distance, if any, that a participant may be expected to walk, but no greater than 2 miles.

Describe in subsection “d” the support services which the district will provide to assist individuals at risk of needing Temporary Assistance to improve their opportunities for employment or to maintain their employment.

#### **4.2 Transitional Support Services**

In this section describe the supportive services provided for up to 90 days after an individual’s Temporary Assistance case has closed due to employment.

#### **4.3 Extended Supportive Services**

Describe in this section the supportive services the district will provide for individuals who are eligible under the TANF Services 200% of poverty eligibility guidelines, as long as funding is available.

### **Section 5 Conciliation, Good Cause, and Dispute Resolution Procedures**

District Plans must include a description of the conciliation process used to afford a Temporary Assistance client the opportunity to explain a refusal or failure to comply with an assignment or to dispute an activity assignment. The Plan must also include a description of the SNAP conciliation process that is used by the district to determine if good cause exists for a recipient’s failure to comply with a SNAP E&T employment requirement and to offer the opportunity to avoid a SNAP sanction consistent with 14 ADM-06.

## 5.1 Conciliation

Conciliation must be conducted in accordance with Dept. Reg. 385.11. Check the appropriate boxes of Section 5.1 that indicate how conciliations are conducted (more than one may be checked) and what staff person or other entity makes the determination that noncompliance by Temporary Assistance recipients was willful and without good cause. Please include additional information where requested, and the steps an individual must take if any, to lead to a positive resolution.

Consistent with 18 NYCRR 385.11 districts must also offer conciliation when a recipient has failed to comply with Supplemental Nutrition Assistance Program, (SNAP) work requirements. The SNAP conciliation process includes the opportunity to document that the individual was not willful, had good cause or has become exempt from participation in SNAP work activities, and the opportunity to avoid a SNAP E&T sanction by demonstrating compliance with SNAP work requirements, as assigned by the district. In determining whether the individual's noncompliance was willful or good cause exists, the district must consider the facts and circumstances, including information submitted by the client. Individuals who demonstrate that the noncompliance was not willful, had good cause, or document an exemption from SNAP E&T requirements, or demonstrate compliance with SNAP work requirements as assigned by the district would not be subject to a SNAP E&T sanction. Please include specifics on which activities and number of hours a SNAP recipient would need to complete to demonstrate compliance to avoid a SNAP E&T related sanction (i.e. 5 hours or 4 contacts of job search.)

## 5.2 Sanctions

Temporary Assistance and/or SNAP benefits must be added back to the household's case upon the completion of the minimum sanction duration period and upon the individual demonstrating a willingness to comply with employment requirements, which may include documenting an exemption from work requirements consistent with 18 NYCRR 385.2 for TA and 385.3 for SNAP. The household must also be eligible for TA and/or SNAP benefits.

For section "a", describe the districts procedures for "ending" a TA employment sanction for failure or refusal to comply with employment requirements. Individuals who are subject to a durational sanction period must serve the full durational period and demonstrate a willingness to comply to the satisfaction of the district to restore eligibility for TA benefits. In all instances, the time period established for demonstrating compliance to the satisfaction of the district cannot exceed ten business days.

Note: Nonexempt TA applicants who have completed the minimum durational sanction period required by 18 NYCRR 385.12 at the time of application for TA benefits are subject to TA applicant employment requirements as described in Section 3 of the Plan to the same extent as other nonexempt TA applicants.

For section "b", describe the district's procedures for "ending" a durational SANP sanction for failure or refusal to comply with employment requirements. Individuals who are subject to a durational sanction period must serve the full durational period and demonstrate a willingness to comply to the satisfaction of the district or document that he/she has become exempt from SNAP work requirements as outlined in 18 NYCRR 385.3 to restore eligibility for SNAP benefits. In all instances the time period established for demonstrating compliance to the satisfaction of the district cannot exceed ten business days.

### **5.3 Dispute Resolution**

Dispute resolution must be conducted in accordance with Office regulation 18 NYCRR 385.11. Dispute Resolution must be available to clients who wish to dispute a work activity assignment. This process is also used for participants who dispute the district's response to their request for health related accommodations. Please check the appropriate box in this section to describe the district's dispute resolution procedure.

## **Section 6 Disability Determinations, Documentation, and Requirements for Exempt Temporary Assistance Participants**

### **6.1 Disability Determination Process**

In this section describe the process by which determinations of disabilities are made. A participant has ten calendar days from the date of the request by the district to provide documentation of a medical impairment in order for the district to determine disability and/or work limitations of the individual. The district can decide if the individual's medical documentation is sufficient to make a determination.

Alternatively or in conjunction with the request for documentation, the district may refer the individual to a health care practitioner for a determination of his/her ability to work. If the district refers the individual to its practitioner, the individual may submit his/her own medical documentation to the district's practitioner for consideration in the evaluation within prescribed time frames in Office regulation 18 NYCRR 385.2(d).

Please describe in this section, by checking the appropriate box and including additional information as required, how the district obtains medical documentation and who makes the disability determination once the documentation is received.

### **6.2 Mental Health Screening and Assessment**

In this section, indicate whether the district conducts screening for a possible mental health condition, separate from the general screening for disability. The district should describe their policy for determining who is screened. The policy should be consistent among participants (for example, for all participants at recertification, for all participants who have been sanctioned beyond the duration, for all non-exempt participants with no stable employment or work participation for a certain period of time). Also, please indicate whether the district uses the Modified Mini Screening Tool (MMS) [see 15-ADM-04] or another mental health screening tool. Districts administering the MMS are asked in this section to specify their chosen cutoff score (between 7 and 9) for referral to a mental health evaluation for the population (s) to whom the screening is offered. Finally, describe the procedure for referring an individual for a mental health evaluation when warranted by screening result. For example, which workers are responsible for arranging for the evaluation, which entity(ies) will provide the evaluation, treatment plan and treatment.

### **6.3 Requirements for Exempt Temporary Assistance Participants**

In this section of the Plan, outline the district's procedures for assisting participants who are unable to work due to a mental or physical impairment, but who have the potential through treatment or other rehabilitative activities to be restored to self-sufficiency (18 NYCRR 385.2(e)). In subsection "a" the district may refer to their disability process outlined in Section 6.1, but there is no need to repeat that information here. The purpose of this subsection is to describe how the

information obtained, as described in Section 6.1, is interpreted for the purpose of determining if some type of treatment or rehabilitation would improve the individual's ability to work. Include who (e.g., title, unit, etc.) makes the determination and what information is used to assist in the determination. If the district has a special unit or has contracted with a provider that assists with this process, please include that information.

Subsection "b" is to include what factors/considerations the district includes in developing a participant's treatment plan and referring for appropriate treatment. (This section is **not** to include the district's procedures for mandatory substance abuse screening and treatment, which are covered by separate OTDA regulations.)

Subsection "c" is to contain the district's process for monitoring compliance with the treatment plan, including who in the agency is responsible for monitoring compliance, the frequency and manner in which attendance verification is obtained or how compliance is otherwise assured and documented. Monthly attendance verification is required for the activity to possibly count toward the district's participation rate.