



Office of Temporary and Disability Assistance

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Local Commissioners Memorandum

Section 1

Transmittal:	19-LCM-06
To:	Social Services District Commissioners
Issuing Division/Office:	Employment and Income Support Programs
Date:	August 26, 2019
Subject:	Additional 100% Supplemental Nutrition Assistance Program Employment and Training Allocations – FFY 2019
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Attachments:	Attachment 1 – SNAP E&T FFY 2019 ABAWD Allocation
Attachment Available Online:	<input type="checkbox"/>

Section 2

I. Purpose

The purpose of this Local Commissioners Memorandum (LCM) is to provide additional federal fiscal year (FFY) 2019 Supplemental Nutrition Assistance Program (SNAP) 100% funding allocations for each social services district (district) that does not have a federally approved waiver of the Able-Bodied Adults Without Dependents (ABAWD) requirements for the full county or who have declined an ABAWD waiver for calendar year 2019. All districts previously received FFY 2019 SNAP 100% and 50% administrative funding allocations. Please refer to [19-LCM-04](#) for these amounts. Additionally, important information regarding the use of SNAP E & T funds is also included in the LCM.

II. Background

To support district efforts in serving the ABAWD population, OTDA requested supplemental 100% SNAP Employment and Training (E&T) funding from USDA and received an additional \$2.25 million. This funding is intended specifically for the purpose of offering and providing qualifying work activities to individuals who are subject to the ABAWD time limit. The funds are available to districts that do not have a federally approved full county ABAWD waiver or who have declined an ABAWD waiver for calendar year 2019. These additional 100% federal funds are distributed based on the estimated percentage of ABAWDs residing in non-waived areas of each district as compared to the total estimated number of ABAWDs residing in non-waived areas statewide.

District FFY 2019 SNAP E&T administrative allocations are available to reimburse SNAP E&T eligible expenditures incurred from October 1, 2018 through September 30, 2019, subject to the availability of federal SNAP E&T funds. Once a district spends its 100% SNAP E&T allocation,

any additional SNAP E&T eligible claims must be submitted against the 50% SNAP E&T allocation. Districts are encouraged to fully claim 100% funds before claiming 50% funds. All claims for FFY 2019 100% SNAP E&T reimbursement must be final accepted in the Automated Claiming System no later than **February 3, 2020**.

III. Program Implications

An additional SNAP E&T 100% allocation is being provided to districts that do not have a federally approved full district waiver of the ABAWD requirements or who have declined an ABAWD waiver for calendar year 2019 to support districts efforts to offer and provide an ABAWD qualifying work activity to individuals subject to the ABAWD time limit.

Districts that do not have an approved ABAWD waiver for all residents of the district must monitor each ABAWD's compliance with the ABAWD requirement on a monthly basis, offer and provide an ABAWD qualifying work activity for an ABAWD to maintain SNAP eligibility, and issue a Notice of Adverse Action (NOAA) in a timely manner to a SNAP household, as appropriate, to prevent the issuance of a fourth month of SNAP benefits for any ABAWD not eligible to participate in the SNAP due to not meeting the ABAWD work requirements.

Districts that do not have a full county ABAWD waiver must provide the [LDSS-5127 Able-Bodied Adults Without Dependent \(ABAWD\) Work Activity Letter](#) (or locally developed equivalent approved by OTDA) to each ABAWD subject to the ABAWD requirements, who resides in a SNAP applicant or recipient household to offer the ABAWD the opportunity to meet with a district staff member or contracted employment vendor for assistance in obtaining a qualifying work activity assignment so that the ABAWD might continue to retain eligibility for SNAP benefits beyond the three-month federal time limit. Specific information about issuing the LDSS-5127 *ABAWD Work Activity Letter* can be found in [18-ADM-07](#).

ABAWDs may meet the ABAWD work requirement through one of the following activities:

- Working (including "in-kind" work and volunteer work) for at least 80 hours per month,
- Participating in a qualifying work/training program approved by the district for at least 80 hours per month,
- Complying with a Work Experience Program (WEP) assignment for the number of hours per month equal to the SNAP benefit, divided by the higher of the federal or State minimum wage,
- Participating in a program under the Workforce Innovation and Opportunity Act (WIOA), which may include job search, job readiness, occupational skills training, and education activities or the Trade Act for at least 80 hours per month, or,
- Participating in a combination of work or qualifying work programs for at least 80 hours per month.

Note: According to federal rules, participation in stand-alone job search or job readiness training provided under TA or SNAP E&T does not meet the ABAWD work requirement. In order for the ABAWD to participate in job search or job readiness **and** meet the ABAWD work requirement, the job search or job readiness training must be a secondary component and equal less than half of the total monthly hours. For example, in order to meet the 80 hours per month ABAWD work requirement, an ABAWD would be able to participate in 39 hours of job search or job readiness training as long as they also participated in at least 41 hours of paid employment or volunteer work.

SNAP E&T funds are available to support costs associated with operating the SNAP E&T program. Such costs may include those related to serving applicants and recipients of SNAP benefits, including Safety Net Assistance applicants and recipients who are also receiving SNAP benefits and are assigned to a SNAP E&T activity. The goal of SNAP E&T is to help SNAP

participants gain the skills and credentials they need to obtain good jobs. Districts are strongly encouraged to use this additional funding allocation to engage ABAWDs in educational or occupational skills training programs that consider the needs of local employers and will lead SNAP participants to economic self-sufficiency.

Please refer to federal SNAP regulations at 7 CFR 273.7(d)(1)(ii) and 273.7(e)(1), Section 385.3 of the OTDA TA and SNAP Employment Policy Manual and to the New York State Fiscal Reference Manual, Volume 3, Chapter 10 for further information on allowable SNAP E&T activities and claiming instructions.

SNAP E&T Funding Rules

The following rules apply to the use of SNAP E&T funds and the non-federal funds used to meet the non-federal share of the SNAP E&T funds:

Eligible Services/Costs:

- Districts may operate any work activity authorized under 18 NYCRR § 385.9 that is included as part of the district's SNAP E&T program including, but not limited to, work experience, job search, and job readiness activities. While subsidized employment is an allowable SNAP E&T program activity, federal regulations prohibit the use of SNAP E&T and the non-federal funds to be used to meet the non-federal share of SNAP E&T costs for wage subsidies. While the SNAP E&T funds cannot be used to subsidize a wage (payment to employer), they can be used to support the administration of a subsidized employment program (case management staff, job developers, etc.).

Note: The Agriculture Improvement Act of 2018 (Farm Bill) expands or modifies certain work activities allowable as part of the SNAP E&T component. USDA is in the process of providing States with implementation guidance regarding these changes. Districts should continue to operate their current SNAP E&T components. OTDA will issue guidance to districts once the changes are implemented.

- SNAP E&T funds may be used to provide allowable job retention services, including case management services to SNAP recipients for up to 90 days following the date the SNAP recipient begins a job. To qualify for job retention services, the SNAP recipient must have participated in a SNAP E&T activity within 90 days prior to starting employment. SNAP E&T funds cannot be used to provide job retention services to applicants and recipients of Temporary Assistance to Needy Families (TANF)-funded assistance (case types 11 or 12), or two-parent families where neither parent is disabled and whose assistance costs are reported as Safety Net Assistance Federally Non-Participating Non-MOE consistent with [06-LCM-09](#).
- Mandatory SNAP E&T assignments may not exceed 30 hours per week/120 hours per month. However, individuals may volunteer to participate in SNAP E&T activities for an unlimited number of hours.

Note: SNAP recipients who participate in assigned work activities for at least 30 hours per week cannot be sanctioned for SNAP purposes, but may be subject to a TA sanction in those instances where the district determines that the individual willfully and without good cause refused or failed to comply with the assigned work requirement (see Section 385.11 and 385.12 of the TA and SNAP Employment Policy Manual for more information).

- SNAP E&T participant reimbursement funds may be used to provide eligible SNAP recipients with supportive services that are necessary to engage them in SNAP E&T work activities and job retention services to assist them in retaining employment for up to 90 days following the date the employment started. To qualify for the receipt of participant reimbursement funds as

a retention service a SNAP recipient who is employed must have participated in another SNAP E&T activity within 90 days prior to starting employment. Allowable participant reimbursement costs include transportation costs (other than payments for automobile insurance, registrations and automobile purchases), as well as costs for clothing, equipment or tools required for the job. As noted above, SNAP E&T participant reimbursement funds and dependent care costs must both be claimed separately from SNAP E&T administrative funds.

Ineligible Services/Costs:

- Services associated with substance abuse, including drug and alcohol addiction counseling and the costs associated with monitoring a client's compliance with a treatment program are not allowable uses of SNAP E&T funds. Any non-federal funds used in this regard cannot be used to meet the non-federal share of SNAP E&T costs.
- SNAP E&T funds and the non-federal funds used to meet the non-federal share of SNAP E&T costs cannot be used to reimburse the cost of supervision of work experience participants, or the cost of materials and/or equipment necessary to support a work experience placement (see [00-LCM-10](#)).
- SNAP E&T funds cannot be used to support employment services for applicants and recipients of TANF-funded assistance (case types 11 or 12), or two-parent families where neither parent is disabled and whose assistance costs are reported as Safety Net Assistance Federally Non-Participating Non-MOE consistent with [06-LCM-09](#).
- SNAP E&T funds and the non-federal funds used to meet the non-federal share of SNAP E&T costs cannot be used to purchase computers or provide internet connections for SNAP E&T participants.
- Consistent with federal regulations at 7 CFR 273.7(d)(1)(ii)(A), SNAP E&T funds and the non-federal funds used to meet the non-federal share of SNAP E&T costs cannot be used to determine if an individual is required to participate in SNAP E&T work activities. This restriction includes any costs related to the evaluation of an individual's medical condition. SNAP E&T funds must not be used for medical screenings, examinations or medical services of any kind. SNAP administrative funds may be used to support costs associated with the completion of medical screenings (see [18-LCM-01](#)) which are done to evaluate if the individual is exempt or nonexempt from SNAP employment requirements.

Federal SNAP E&T participant reimbursement funds and the associated non-federal funds used for participant reimbursement costs cannot be used to provide supportive services to applicants and recipients of TANF-funded assistance (WMS case types 11 or 12), or two-parent families where neither parent is disabled and whose assistance costs are reported as Safety Net Assistance Federally Non-Participating Non-MOE consistent with [06-LCM-09](#). TANF-funded recipients are categorically exempt from SNAP work requirements. The same restriction applies to the use of SNAP E&T Dependent Care funds.

IV. Claiming Instructions

OTDA provides a Cognos report entitled the "Local District PA-SNAP Claiming Tool" for the purpose of allocating employment program costs that are not direct charged to the benefiting program and are allowable under all funding sources. This Claiming Tool provides needed information on the number of TA adult individuals who are subject to TA and/or SNAP employment requirements or are exempt, but are voluntarily engaged in unpaid work activities approved by the social services district. The Claiming Tool also includes TA and SNAP recipients

who are working less than 30 hours per week. The count for individuals who are employed in unsubsidized employment for 30 or more hours per week is limited to those individuals who are concurrently participating in another work activity or for SNAP purposes are concurrently participating in another SNAP E&T work activity or had participated in another SNAP E&T work activity within 90 days from the start of employment and are still within 90 days from the start of unsubsidized employment. The numbers displayed in the SNAP section of the Claiming Tool also include the number of SNAP only (case type 31) recipients who are engaged in unpaid work activities or subsidized employment during the report month, as reported by the district through the Welfare-To-Work Caseload Management System. These numbers of individuals can be used to determine the allocation claiming percentages for use on the Schedule D-3, Allocation and Claiming of Administrative Costs for Employment Programs, [LDSS-2347-B1](#). Instructions for completing the Schedule D-3 can be found in the Fiscal Reference Manual (FRM) Volume 3, Chapter 10.

New York City will continue to use their in-house produced Engagement Report for this purpose. Guidelines for using the Engagement Report are contained in FRM Volume 3, Chapter 10.

The FRM is available at: http://otda.state.ny.net/bfdm/finance/FRM_Vol3_Manual.asp

The Local District PA-SNAP Claiming Tool is available on a monthly basis in Cognos using the following link: [Local District PA-SNAP Claiming Tool \(Revised May 2017\)](#)

Districts experiencing problems accessing Cognos can call the Customer Response Center at: (800) 342-3010.

All claims for FFY 2019 100% SNAP E&T reimbursement must be final accepted in the Automated Claiming System no later than **February 3, 2020**.

Issued By

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