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Governor

NEW YORK STATE  
OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE  
40 NORTH PEARL STREET  
ALBANY, NY 12243-0001

David A. Hansell  
Commissioner

## Local Commissioners Memorandum

### Section 1

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| <b>Transmittal:</b>                    | 07-LCM-13   |
| <b>To:</b>                             | Local District Commissioners  |
| <b>Issuing Division/Office:</b>        | Center for Employment and Economic Supports   |
| <b>Date:</b>                           | October 18, 2007  |
| <b>Subject:</b>                        | 2008-2009 Temporary Assistance and Food Stamp Employment Plan   |
| <b>Contact Person(s):</b>              | OTDA Employment Technical Advisor or<br>Employment and Advancement Bureau at (518) 486-6106   |
| <b>Attachments:</b>                    | Attachment A: Temporary Assistance and Food Stamp Employment Plan Template<br>Attachment B: Temporary Assistance and Food Stamp Employment Plan<br>Instructions |
| <b>Attachment Available On – Line:</b> | Yes   |

### Section 2

#### I. Purpose

The purpose of this Local Commissioners Memorandum (LCM) is to instruct each local social services district (district) to develop and submit its 2008-2009 Temporary Assistance and Food Stamp Employment Plan to the Office of Temporary and Disability Assistance (OTDA) no later than December 7, 2007. Planning instructions and a plan template are attached to support completion of the biennial plan.

#### II. Background

Section 333 of the New York Social Services Law requires that every two years each district submit for approval to OTDA a plan that describes the district's employment program. The plan must include a description of the provision of education, work, training, and supportive services for all public assistance applicants and recipients along with other information required by OTDA.

State regulations at 18NYCRR 385 set forth the requirements of public assistance and food stamp employment programs, including the administration of local employment plans.

### III. Program Implications

The biennial plan outlines local policy governing employment programs operated to provide employment services for Family Assistance (FA), Safety Net Assistance (SN), and Food Stamp (FS) recipients as well as optional services for individuals eligible for Temporary Assistance for Needy Families (TANF) services with incomes up to 200% of the federal poverty standard. The plan includes local services available, engagement policies, district policy for the approval of training programs, disability determinations and work accommodation procedures, available support services and conciliation procedures. The activity definitions and other sections are consistent with the requirements included in 06-ADM-17, Implementation of Interim Final TANF Rule. Additionally, two new significant areas are covered by the 2008-09 Plan regarding work verification procedures and vocational education/job skills activity enrollments. Specifically,

- Section 3.6 includes new information regarding how the district identifies appropriate adult basic education, English Language Instruction, Vocational Education and Job Skills training programs. This information is requested to ensure that each district's planning process includes an active effort to ensure that such services are available for individuals whose assessment indicates that education or training is appropriate. In addition, this section requests that each district establish a goal of increasing enrollments in vocational education and job skills training. This goal is being established as one effort to improve the skill development of recipients and to support improved job placement and job retention outcomes.
- Section 3.7 will describe the district's work verification procedures. This section requires that each district develop a quality assurance process to assess the extent to which participation rate policies and practices are accurate and consistent with State and federal requirements. Districts are reminded that the Interim Final TANF Rule included a new federal fiscal penalty of between 1 and 5 percent of the state's TANF block grant that will be applied if the district fails to meet the new work verification standards, including documentation of work activity participation. Districts will soon receive an additional informational release to provide additional instruction based upon New York's Work Verification Plan as approved by HHS on September 28, 2007.
- Section 3.9 will include information on 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. This information is requested due to the fact that recent 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 and program providers adopt strategies to support consistent program participation to better prepare participants to enter and retain employment.

Districts must submit the plan for a 30-day public comment period and to OTDA as a draft no later than December 7, 2007. Plans, including required attachments, should be sent to Barbara Guinn by email at [BarbaraC.guinn@otda.state.ny.us](mailto:BarbaraC.guinn@otda.state.ny.us) or by mail to:

Barbara C. Guinn  
Director, Employment and Advancement Services  
NYS Office of Temporary and Disability Assistance  
40 N. Pearl Street, 11<sup>th</sup> Floor  
Albany, New York 12243

Districts will receive a letter indicating any changes identified by OTDA that must be made prior to plan approval. Districts must incorporate any OTDA required changes, along with any changes necessary as a result of the public comment process and submit the final plan for approval by the due date included on the comment letter. Each district will be given written notification of plan approval and copies of all approved plans will be provided to the Office of Administrative Fair Hearings to support hearing decisions.

**Issued By**

**Name:** Russell Sykes  
**Title:** Deputy Commissioner  
**Division/Office:** Center for Employment and Economic Supports