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Andrew M. Cuomo  
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## Local Commissioners Memorandum

### Section 1

<b>Transmittal:</b>	14-LCM-10
<b>To:</b>	Local District Commissioners
<b>Issuing Division/Office:</b>	Center for Employment and Economic Supports
<b>Date:</b>	September 25, 2014
<b>Subject:</b>	Supplemental Nutrition Assistance Program Employment and Training Allocations – FFY 2014
<b>Contact Person(s):</b>	Program Contact: Keri Stark: (518) 402-3550, <a href="mailto:Keri.Stark@otda.ny.gov">Keri.Stark@otda.ny.gov</a> or Employment Services Advisor Claiming Contact: Ed Conway (Regions 1-5): (518) 474-7549, <a href="mailto:Edward.Conway@otda.ny.gov">Edward.Conway@otda.ny.gov</a> ; Michael Simon (Region 6): (212) 961-8250, <a href="mailto:Michael.Simon@otda.ny.gov">Michael.Simon@otda.ny.gov</a>
<b>Attachments:</b>	<a href="#">Attachment 1: FFY 2014 100% and 50% SNAP Employment and Training Allocations</a>
<b>Attachment Available On – Line:</b>	Yes

### Section 2

#### I. Purpose

The purpose of this Local Commissioners Memorandum (LCM) is to provide the federal fiscal year (FFY) 2014 Supplemental Nutrition Assistance Program Employment and Training (SNAP E&T) 100% and 50% administrative funding allocations for each social services district (district). This memorandum also includes important information regarding the use of SNAP E&T funds.

#### II. Background

New York State receives annual allocations from the United States Department of Agriculture (USDA) to support SNAP E&T program administration. There are two funding streams available to support program administration: 100% federal funds and 50% federal funds.

The 100% federal funds are available to fully reimburse SNAP E&T administrative costs without any non-federal share. Individual district's FFY 2014 100% SNAP E&T allocations are based on each district's proportionate share of the statewide monthly average number of work registrants for FFY 2013. New York City's 100% allocation is limited to 50% of the total 100% funding available for distribution to districts to ensure a meaningful level of 100% funding is available to other districts. Additionally, because New York City is the only district that implemented ABAWD requirements during FFY 2014, all of the ABAWD pledge funds available are awarded to New York City.

Federal 50% SNAP E&T funds are also available to reimburse 50% of the SNAP E&T eligible expenditures with the remainder supported with local non-federal funds. Each district's 50% SNAP E&T allocation is based on the district's SNAP E&T claiming history.

Funds to support participant reimbursements or dependent care costs for SNAP E&T are not included in either of the 100% or 50% SNAP E&T administrative allocations made available by this LCM. Participant reimbursements, including transportation necessary for a SNAP work registrant to participate in assigned SNAP E&T activities must continue to be claimed separately as a 50% SNAP E&T participant reimbursement. Districts will continue to claim dependent care expenses separately and should refer to 14-LCM-09 for information on the use of SNAP E&T funds for dependent care expenses.

Your district's FFY 2014 SNAP E&T administrative allocations are available to reimburse SNAP E&T eligible expenditures incurred from October 1, 2013 through September 30, 2014, 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 2014 100% SNAP E&T reimbursement must be received no later than **February 2, 2015.**

### **III. Program Implications**

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

Districts may continue to use SNAP E&T funds for employment-related costs associated with Safety Net families (case types 16 and 17) who are also SNAP E&T work registrants, including those with a child under six years of age who would otherwise be exempt, but are required to fulfill public assistance work requirements.

Since individuals with a child under six years of age would be considered volunteers for SNAP E&T purposes, they generally would not be subject to a SNAP sanction for failure to comply.

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 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

Districts are reminded of the following rules regarding use of SNAP E&T funds and the non-federal funds used to meet the non-federal share of the SNAP E&T funds:

- Services associated with substance abuse, including anti-drug 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), or to support employment services for applicants and recipients of TANF-funded assistance (case type 11 or 12), who are categorically exempt from SNAP work requirements.
- 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. USDA has determined that costs related to computer purchase/internet connections are not reasonable and necessary and are not directly related to participation in SNAP E&T activities.
- 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 whether or not 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 12-LCM-06) which are done to evaluate whether or not the individual is exempt or nonexempt from SNAP employment requirements.
- SNAP E&T participant reimbursement funds may be used to provide services associated with retaining employment for **up to 90 days only** following the date an individual begins a job. The individual must have been participating in another SNAP E&T activity within 90 days prior to starting employment to qualify for the receipt of participant reimbursement funds. Allowable costs include transportation costs (other than automobile purchases), clothing required for the job or equipment or tools required for the job.
- 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 non-federal funds 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.).

- 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.
- Districts are reminded of the requirement to offer and provide a qualifying work or training opportunity if requested by an able-bodied adult without dependents (ABAWD) if needed to allow her or him to retain eligibility for SNAP benefits beyond the three-month time limit (see Section 385.3, page 4 of the OTDA Employment Policy Manual). This provision only applies to districts that are imposing ABAWD requirements.
- Districts are also reminded of the ability to exempt individuals from participation in SNAP E&T work activities based on several personal characteristics or situations. These exemptions are in addition to the regulatory exemptions required by federal and State requirements (See 18 NYCRR § 385.3.) The exemptions can be found on the Welfare-To-Work Caseload Management System (WTWCMS) under “Emp SNAP status (WTW)” on the Evaluation Employability Plan screen.

Districts are encouraged to record the use of these exemptions on WTWCMS. The district must reevaluate an individual’s personal exemption status at each recertification for SNAP benefits or at any time the district has reason to believe that circumstances have changed. ABAWDs may not be exempted under categorical exemptions and existing Public Assistance (PA) exemption criteria would apply when determining participation by any PA individual in a PA work program. Following are the characteristics or situations that would justify exempting an individual who would otherwise be required to participate in SNAP E&T activities:

- Lack of child care – Districts must determine if a parent or caretaker of a child has made reasonable efforts to secure necessary child care. This may include referrals by the district to available day care providers. If the district determines that such efforts were reasonable and the recipient still lacks necessary child care, the recipient may be exempted from participation in SNAP E&T work activities.
- Substantial barriers to employment – work registrants with substantial barriers to employment that would make them very difficult to place. These barriers include medical problems, language problems, family problems including domestic violence issues and transportation problems. Victims of domestic violence must be determined to be exempt from participation in work activities by the district’s domestic violence liaison.
- Job-attached persons – Individuals on a temporary layoff expecting to return to work within 60 days may be exempted from participation in SNAP E&T

work activities by the district. This includes school employees during summer break as long as the job to which the individual is returning provides employment of 30 hours per week or more or earnings of at least 30 times the federal minimum wage per week.

- Migrant and seasonal farm workers
- Pregnant (within 30 days of medically verified date of delivery)

#### **IV. Claiming Instructions**

OTDA provides a Cognos report entitled the “Local District PA-SNAP Claiming Tool” for the purpose of allocating employment program costs. This Claiming Tool provides needed information on the number of PA adult individuals who are subject to employment program work requirements and the number of NPA-SNAP work registrants engaged in work activities during the report month. 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 Fiscal Reference Manual (FRM) is available at:

FRM Vol. 3 – [http://otda.state.ny.net/bfdm/finance/FRM\\_Vol3\\_Manual.asp](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: [COGNOS SNAP Folder](#)

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

Districts may file supplemental claims transferring dollars from the 100% category to the 50% category once they exceed their 100% SNAP E&T allocation. This will result in the district receiving these funds sooner without waiting for the State to shift the claims.

#### **V. Additional Information**

Any district that projects it will require additional FFY 2014 federal SNAP E&T 50% funds or an increase in FFY 2015 federal SNAP E&T 50% funds should submit a written request for an increase by **October 31, 2014**. The request should include both the amount of funds requested, the year for which the funds are requested and an explanation of the reasons for the expected increase in SNAP E&T expenditures. All FFY 2014 requests received by the **October 31, 2014** deadline will be reviewed and if approved by OTDA, honored to the extent that federal 50% funding is available. Receiving requests by **October 31, 2014** will permit OTDA to assess statewide funding needs and determine if additional federal funds should be requested. Requests for

additional funding may be submitted beyond this date, but approval is contingent on the availability of federal funds and may be delayed if OTDA must secure approval from the United States Department of Agriculture.

Requests for an increase in 50% federal SNAP E&T funds must be submitted to:

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New York State Office of Temporary and Disability Assistance  
Center for Employment and Economic Supports  
Employment and Advancement Services Bureau  
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**Issued By**

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**Division/Office: Center for Employment and Economic Supports**