



Office of Temporary and Disability Assistance

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Governor

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Local Commissioners Memorandum

Section 1

Transmittal:	22-LCM-10
To:	Social Services District Commissioners
Issuing Division/Office:	Employment and Income Support Programs
Date:	August 30, 2022
Subject:	Revisions to the LDSS-5087 NYC <i>Re-Engagement and Conciliation Notice</i>
Contact Person(s):	Employment and Advancement Services Bureau 518-486-6106 or otda.sm.eisp.eas@otda.ny.gov
Attachments:	Attachment 1 – LDSS-5087 NYC <i>Re-Engagement and Conciliation Notice</i>

Section 2

I. Purpose

The purpose of this Local Commissioner Memorandum (LCM) is to inform social services districts (districts) of revisions to the [LDSS-5087 NYC *Re-Engagement and Conciliation Notice*](#) (previously Rev. 12/18). This notice is only for use in New York City.

II. Background

The amendments to the Social Services Law (SSL) made by Chapter 562 of the Laws of 2015 required the Human Resources Administration (HRA) to implement changes to the Temporary Assistance (TA) conciliation and sanction procedures that are used when a TA applicant or recipient refuses or fails to comply with a work requirement assigned by HRA. These revised procedures were outlined in [19-ADM-01](#) and included a review of an individual's case before issuing a re-engagement/conciliation notice; use of a new re-engagement/conciliation notice (LDSS-5087 NYC) consistent with the requirements of SSL §341-a; support of an individual's ability to continue participation in work activities during the re-engagement/conciliation process; and a modification to the TA sanction progression for all TA households to eliminate durational sanction periods.

The LDSS-5087 NYC *Re-Engagement and Conciliation Notice* has been revised. Aside from general minor adjustments to the organization and phrasing of some content, the following specific revisions have been made:

- The notice now uses the term “Cash Assistance” in place of “Temporary Assistance”
- Clients are informed of the option to discuss the reasons for the failure to comply and present good cause over the phone and via email, in addition to the previously available option to attend an in-person appointment.

III. Program Implications

If HRA determines, based on the information available at the time of the case review, that the individual was not exempt, and that any necessary supportive services (e.g., childcare, transportation and accommodations for a disability) were available at the time of noncompliance, the LDSS-5087 NYC must be issued by HRA to inform the individual of the opportunity to avoid a TA sanction and a pro-rata reduction or discontinuance in TA benefits by demonstrating compliance with the assigned work activity, by documenting that the individual is exempt from work activities, or by showing that the noncompliance was not willful or that the individual had good cause for the failure to comply.

As outlined in [19-ADM-01](#), the re-engagement/conciliation notice must:

- Identify the specific act or acts of noncompliance (failure or refusal to comply or participate) that has/have taken place;
- Inform the individual of the right to avoid the pro-rata reduction in TA benefits through re-engagement (demonstrating compliance with assigned work requirements, by documenting an exemption consistent with 18 NYCRR 385.2 or by otherwise demonstrating that the noncompliance was not willful or showing good cause);
- Indicate that HRA has reviewed the case record and based on the information available determined that the individual is not exempt from work requirements and that the necessary supportive services and accommodations for a disability were available at the time of the noncompliance;
- Explain what would constitute good cause and provide examples of acceptable forms of documentation that may be provided to HRA to warrant an exemption or excused absence (e.g., medical note, letter from the court, etc.); and,
- Indicate that the individual has 10 calendar days to participate in the re-engagement/conciliation process and explain why they did not participate in the assigned work requirement.

The updated version of the LDSS-5087 NYC (Rev. 7/22) meets all these requirements. Upon the release of this LCM, all previous versions of the LDSS-5087 NYC *Re-Engagement and Conciliation Notice* must be immediately replaced with the new version.

IV. Form Ordering Information

The above referenced document has been posted on the OTDA Intranet website at: https://otda.state.nyenet/ldss_eforms/ and is available for download for reproduction locally.

Issued By:

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Title: Deputy Commissioner

Division/Office: Employment and Income Support Programs, Office of Temporary and Disability Assistance