



Local Commissioners Memorandum

Section 1

Transmittal:	23-LCM-13
To:	Social Services District Commissioners
Issuing Division/Office:	Employment and Income Support Programs
Date:	August 29, 2023
Subject:	2023-2024 Youth Employment Program (YEP) Allocations
Contact Person(s):	Iwona Ostrowska-Sheedy (518) 473-2500 SYEP@otda.ny.gov
Attachments:	Attachment A – 2023-2024 YEP Allocations Attachment B – 2023-2024 NYS YEP District Designation Form Attachment C – 2023-2024 YEP District and LWDB Performance Goal Form

Section 2

I. Purpose

The New York State Fiscal Year 2023-2024 Enacted Budget appropriates \$18 million in Temporary Assistance for Needy Families (TANF) funds for services and expenses of a Youth Employment Program (YEP). The program was established to support a reduction in gun involved violence as part of the New York State Gun Involved Violence Elimination (GIVE) Initiative and will operate in localities in receipt of GIVE funding, as provided by the Division of Criminal Justice Services. The purpose of this Local Commissioners Memorandum (LCM) is to notify select social services districts (districts) of their 2023-2024 YEP allocation, to provide general program guidance, and to request that each district inform the Office of Temporary and Disability Assistance (OTDA) of their decision concerning the administration of the 2023-2024 program and the use of their allocation by no later than September 20, 2023. Each district in receipt of YEP funding must ensure its 2023-2024 YEP adheres to the guidelines established in this LCM.

II. Background

The YEP is an important platform which is intended to help reduce community gun violence and youth criminal justice involvement by providing year-round employment opportunities. Research shows, vulnerable at-risk and unemployed youth can face struggles later in life including poverty, dependence on public assistance programs and criminal justice involvement. In addition, youth exposed to trauma and violence may suffer long term harmful effects including barriers to successful employment and financial prospects later in life. These funds will support the establishment of a program which includes employment, education and/or career exploration opportunities for TANF-eligible youth from low-income households. This funding is further intended to support employment programs for youth at risk of gun violence as part of a statewide gun-

violence reduction intervention model. If such programs are available in their district, providers must collaborate with local SNUG Street Outreach Programs, aimed at reducing and preventing community violence. SNUG is an evidence-based violence reduction initiative that can help providers identify at-risk youth and break the cycle of violence. Providers are also encouraged to collaborate with local law enforcement and other local organizations serving at-risk youth.

The YEP will serve youth 14 to 20 years of age and will run from January 1, 2024-June 30, 2024. It is anticipated that future years' funding will be increased to support programming from September through June. YEP participant enrollments for July and August are expected to be funded through the SYEP allocation.

Allocations for the 2023-2024 YEP are available to provide services to eligible youth in select districts as listed in Attachment A. Districts may opt to retain their allocation and use district mechanisms (i.e., direct administration, district contracts, transfer of funds between county agencies) to operate the program, or they may assign funds to their Local Workforce Development Board (LWDB) to operate the program.

III. Program Implications

A. Program Activities and Services

The YEP will provide TANF-eligible youth from low-income households, with wrap-around employment and educational opportunities in conjunction with services provided through the traditional Summer Youth Employment Program (SYEP). Paid employment is an integral component of the YEP. To augment the work component of the YEP, providers may include limited educational and/or career exploration activities, which will better prepare youth as they continue their education and transition to the world of work. Allowable activities and services for the YEP include work subsidies for youth (payment to employer or third party); education and training; and supportive services such as transportation, case management, and incentive payments.

- Providers electing to offer education and/or career exploration components must limit these non-employment activities to **no more than 20%** of each provider's total 2023-2024 enrollments. These enrollments may be most appropriate for younger participants and/or individuals with special needs.
- The remaining program participants, at least 80%, must be engaged in traditional paid employment activities with **no more than 30%** of hourly participation for these YEP participants in non-employment activities such as career exploration, mentoring outside the workplace, financial literacy, or education.

Providers are required to include a financial literacy education program for all participants as part of the 2023-2024 YEP.

Every employer in New York State is required to adopt a sexual harassment prevention training. All employees must complete the model training, or a comparable training that meets the minimum standards developed by the Department of Labor (DOL) and Division of Human Rights, on an annual basis. Model sexual harassment policy language and training materials are available on the DOL website at:

<https://www.ny.gov/combating-sexual-harassment-workplace/employers/>.

Districts are encouraged to conduct outreach to YEP participant families to help them access the range of programs and services available in New York State to assist low-income households. Such programs include Temporary Assistance, the Supplemental Nutrition Assistance Program (SNAP), as well as various tax credits. More information regarding these

programs and other resources may be found on OTDA's website at:
<https://otda.ny.gov/programs/>.

Districts may also order myBenefits.ny.gov palm cards ([PUB-4951](#)) and Earned Income Tax Credit (EITC) brochures ([PUB-4786](#)) for dissemination to youth and their families. These and other helpful publications may be ordered on OTDA's website at:
<http://otda.ny.gov/programs/publications/>.

Districts may want to coordinate with SNAP outreach providers and health insurance facilitated enrollers in their area to ensure comprehensive service delivery. If the district opts to assign all or a portion of their 2023-2024 YEP allocation to their LWDB, they should assist program operators with providing this information to YEP participants and their families.

Agencies should make a concentrated effort to maximize the number of youths employed by this allocation and limit administrative and program staffing expenditures to those essential to program delivery.

B. Participant Eligibility

Eligible participants are youth ages 14 to 20 who are:

- Family Assistance (FA) recipients,
- Former FA recipients who have reached their 60-month limit on TANF and have transitioned to Safety Net Assistance (SNA), or
- Eligible under the TANF 200% of federal poverty guidelines in accordance with [00-LCM-20](#).

Funds for this initiative are targeted to districts receiving project GIVE funding. Priority should be given to TANF-eligible youth from low-income households, referred from their local SNUG organizations. Districts should also continue to make special efforts to ensure participation of at-risk and vulnerable youth including, but not limited to, youth in foster care, homeless and runaway youth, and youth with a disability.

YEP providers are encouraged to use the TANF Youth Services Application and Review Form ([LDSS-4770](#)) to document eligibility determinations for the YEP participants eligible under TANF 200% of federal poverty guidelines. A modified application may be used by providers if it captures all the information included on the TANF Youth Services Application. Modified local equivalent applications must be approved by OTDA. The 2023-2024 YEP Guidelines and Reporting Requirements will be emailed to YEP providers following the release of this LCM, once the District Designation Form is received, and will contain additional information regarding eligibility requirements and the procedure for requesting approval of local equivalent forms. Please note, TANF Youth Services Applications are valid for 12 months following the date of application and should be completed at the time of enrollment in the YEP. For individuals participating in both the YEP and the SYEP for a period beyond the initial 12-months, a new TANF Youth Services Application and Review Form must be completed to substantiate TANF 200% of federal poverty eligibility for the successive 12-month period.

C. Allocations

A total of \$18 million is available to districts outside of New York City that are in receipt of GIVE funding, as provided by the Division of Criminal Justice Services to support the 2023-2024 YEP. District allocations are provided in Attachment A and are based on each district's share of 12 to 17-year-olds residing in households with income under 200% of the federal poverty level. It is critical that districts adhere to the Program Activities and Services and Participant Eligibility requirements provided above, as reimbursement is only available for enrollments that are consistent with these requirements.

IV. Claiming Instruction and Forms for Districts

For districts opting to assign all or a portion of their 2023-2024 YEP allocation to LWDBs, districts will be held liable for assigned funds not used in a manner consistent with the purpose of the YEP allocation.

Instances which may result in a payment due to OTDA include overpayment of claims or disallowances of claims resulting from audits performed by OTDA and other agencies. The LWDB will have 30 days from the date of final notification of an audit finding, to repay OTDA. If OTDA is not successful in obtaining repayment from the LWDB, the payment will be recouped through a bottom-line adjustment on a district settlement. OTDA will keep the district's accounting office apprised of our attempts to reach a fiscal settlement with the LWDB.

For 2023-2024, YEP payments will consist of three-monthly advances of 15% of the total estimated expenditures, as indicated in the 2023-2024 District Performance Goal Form. The final 55% of the allocation will be paid as claims are submitted to substantiate payment.

Federal regulations define non-administrative (program) and administrative costs as follows:

- Non-Administrative (program) costs are the direct salaries and fringe benefit costs of the staff providing direct services; providing program information to clients; developing employability plans, providing work activities and work subsidies for eligible program participants; providing post-employment services and work supports; and performing case management services. Non-salary costs of staff performing work activities that are considered programmatic are also allowable program costs. Non-salary costs may include, but not be limited to travel, postage, utilities, rental costs, maintenance, supplies, and equipment. Contracts whose main purpose is to provide services defined above as program costs are considered program as well. Agencies should limit the amount of program costs necessary to operate the YEP to maximize the amount of funds available to pay participant wages and the number of youths employed.
- Administrative costs are the salaries, fringe benefits, and non-salary costs of staff performing activities related to eligibility determinations; preparing program plans, budgets and schedules; monitoring programs and projects; performing procurement activities; providing public relations; performing accounting, legal, payroll and personnel activities; property management; and preparing reports and other documents. OTDA has set a 15% spending limitation on administrative costs.

Consistent with the definition at 45 CFR 260.31(b)(2) and at 45 CFR 286.10(b)(2), work subsidies are payments to employers or third parties to help cover the costs of employee wages, benefits, supervision, and training; and include all expenditures related to operating a subsidized employment program, including the costs of overseeing the program, developing work sites, and providing training to participants.

Project expenditures for the 2023-2024 YEP must be claimed through the RF17 claim package for special project claiming. These costs are first identified on the YEP SSD 2023 2024 claim package as F17 functional costs and reported in the F17 column on the [LDSS-923](#) "Cost Allocation Schedule of Payments Administrative Expenses Other Than Salaries" and the [LDSS-2347](#) "Schedule D DSS Administrative Expenses Allocation and Distribution by Function and Program. After final accepting of the YEP SSD 2023 2024 claim package, the individual project costs are then reported under the project label "YEP SSD 2023 2024" on the [LDSS-4975A](#) RF17 Worksheet, "Distribution of Allocated Costs to Other Reimbursable Programs."

Salaries, fringe benefits, staff counts, and central services costs are directly entered on the RF-17 Worksheet while overhead costs are automatically brought over from the YEP SSD 2023 2024, Schedule D and distributed based upon the proportion of the number of staff assigned to this

project. Employees not working all their time on this project must maintain time studies to support the salary and fringe benefit costs allocated to the program.

Non-salary administrative costs are reported with the appropriate object of expense(s) on the [LDSS-923B](#) Summary-Administrative (page 1) “Schedule of Payment for Expenses Other Than Salaries for Other Reimbursable Programs”. Any client-related program costs should be reported as object of expense 19.5 – Work Subsidies for Training on the [LDSS-923B](#) Summary-Program (page 2) “Schedule of Payments for Expenses Other than Salaries for Other Reimbursable Programs”.

Total project costs and shares should be reported on the [LDSS-4975](#) “Monthly Statement of Special Project Claims Federal and State Aid (RF17)”.

Administrative costs may be claimed up to 15% of the amount allocated to your district for the 2023-2024 YEP. **Any administrative costs in excess of the 15% limit should be claimed on the Schedule D3 “Allocation and Claiming for Administrative Costs for Employment Programs” ([LDSS-2347-B1](#)).**

The 2023-2024 YEP claims must be for services provided during the period 01/01/2024 through 06/30/2024. Expenditures for such services must be made by 07/31/2024 and claims for 2023-2024 YEP expenditures must be “Final Accepted” in the Automated Claiming System (ACS) no later than 10/31/2024.

Additional instructions for completing time studies, the [LDSS-923](#) and Schedule D, Schedule D-3, and RF17 claim package can be found in Chapters 4, 7, 10 and 18 of the Fiscal Reference Manual (FRM) Volume 3. The FRMs are available on the OTDA website at: <https://intranet.otda.ny.gov/bfdm/finance/>.

Claiming Contacts:

Claiming Questions (ROS): Justin Gross, (518) 408-4970 or via email at: otda.sm.Field_Ops.I-IV@otda.ny.gov

V. Necessary Action

Each district must complete the 2023-2024 YEP District Designation Form (Attachment B) to indicate if YEP funds will be retained by the district or assigned to the LWDB. Districts must also complete the 2023-2024 District Performance Goal Form (Attachment C) with anticipated program performance goals, estimated total expenditures, and plan detail. Both are due by September 20, 2023. Forms not received timely will result in delayed remittance of advances. Email the completed forms to Iwona Ostrowska-Sheedy at SYEP@otda.ny.gov.

For those districts opting to assign funds to the LWDB, the appropriate LWDB will be notified of the amount of funds available to serve eligible participants from each respective county within their Local Workforce Investment Area. The LWDBs that operate the 2023-2024 YEP will receive program guidelines, including the necessary claim forms and claiming instructions, via email once the District Designation Form is received.

Issued By:

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