

DATE: April 21, 2017

TO: Subscribers

SUGGESTED DISTRIBUTION: Commissioners, TA Directors, Employment Coordinators,
WMS Coordinators, Staff Development Coordinators

FROM: Jeffrey Gaskell, Assistant Deputy Commissioner
Employment and Income Support Programs

SUBJECT: Option to End a Temporary Assistance Employment Sanction Notice for Social
Services Districts Outside of New York City

EFFECTIVE DATE: May 1, 2017

CONTACT PERSON: Employment Services Advisor or Employment and Advancement
Services: (518) 486-6106

The purpose of this General Information System (GIS) message is to notify Social Services Districts (districts) that effective May 1, 2017, the New York State Office of Temporary and Disability Assistance (OTDA) will implement a process to issue the Option to End a Temporary Assistance Employment Sanction notice (previously referred to as the LDSS-4231) on behalf of all districts outside of New York City. This notice reminds Safety Net Assistance (SNA) recipients, who were residing in a household without dependent children at the time that a Temporary Assistance (TA) employment sanction was imposed and are still sanctioned at the end of the minimum durational TA sanction period of the sanctioned individual's ability to end a TA employment sanction at the end of the durational sanction period by demonstrating compliance with work requirements as assigned by the district. An individual may also end a TA employment sanction at the end of the durational period by documenting that he/she is exempt from TA work requirements consistent with 18 NYCRR §385.2. Such notification is required by Section §341 of the Social Services Law and 18 NYCRR §385.12(d)(4) regardless of whether the household is active or closed at the end of the minimum durational TA sanction period. An individual must also meet all program requirements and be determined eligible to receive TA benefits. Districts are advised that local issuance of such notices should be discontinued on the effective date identified above.

The Option to End a TA Employment Sanction notice (XL313C/XL313D) will be issued to the case name of the SNA case without dependent children where one of the Welfare Management System (WMS) reason codes identified below was used to impose the TA sanction and mailed to the address on the WMS. The notice will be generated on the day the durational TA sanction period has ended and will include contact information for the district that imposed the TA sanction. A second sheet, the language insert (XL0206), will be included as it appears in the attached letter.

| Temporary Assistance WMS Reason Code | Description |
|--------------------------------------|---|
| N41 | Recipient Voluntary Quit/Reduction in Earnings (First Sanction) |
| N42 | Recipient Voluntary Quit/Reduction in Earnings (Second Sanction) |
| N43 | Recipient Voluntary Quit/Reduction in Earnings (Third and any subsequent sanction for recipient voluntary quit) |
| WE1 | First sanction for noncompliance with TA employment requirements |
| WE2 | Second sanction for noncompliance with TA employment requirements |
| WE3 | Third and any subsequent sanction for noncompliance with TA employment requirements. |

OTDA will use the information entered into the WMS at the time that the TA sanction is imposed to determine the end of the minimum durational TA sanction period. Therefore, districts must ensure that staff enter the correct effective date on screen 5 of WMS when imposing the TA sanction on WMS. A sample of the notice that will be issued by OTDA has been included as an attachment.

A separate GIS will be issued to describe the Option to End TA Sanction process and notice that applies to residents of New York City who are sanctioned for refusal or failure to comply with TA employment requirements

**OPTION TO END A TEMPORARY ASSISTANCE
EMPLOYMENT SANCTION**

Date:

Case Number

General Telephone Number: -

Your household's temporary assistance (TA) benefit was reduced or stopped because you or someone in your temporary assistance household failed to comply with a temporary assistance work requirement or voluntarily quit a job or reduced earnings.

How can a sanctioned individual end a TA employment sanction and restore TA benefits after the required sanction time period?

- The sanctioned individual may end his/her employment sanction after the required sanction time period by demonstrating compliance with a work requirement as assigned by the social services district.
- The employment sanction may also end after the required sanction time period if the sanctioned individual documents that he/she is now exempt from temporary assistance work requirements. Some examples of why an individual may not be required to participate in a work activity (exempt) include: being 60 years of age or older; needed to care for an incapacitated household member; or, having a physical or mental health condition that prevents participation in work activities. If the individual believes that he/she is exempt from work requirements for any reason they should contact their social services district to discuss their circumstances.

The sanctioned individual must otherwise be eligible for temporary assistance benefits.

If the sanctioned individual would like to end his/her TA employment sanction at the end of the required sanction time period, you (or the sanctioned individual in your household) should contact the social services district office at the telephone number provided above to discuss what must be done to end the TA employment sanction.

**Optativa de terminar su sanción de
requisito laboral de Asistencia Temporal**

Fecha:

Número de caso:

Número de Teléfono General:

El subsidio de Asistencia Temporal (TA, siglas en inglés) de su grupo familiar se redujo o se suspendió porque usted o un integrante de su grupo familiar que recibe el subsidio de Asistencia Temporal no cumplió con un requisito laboral de Asistencia Temporal o voluntariamente dejó un empleo o redujo las entradas.

¿Cómo una persona que recibió una sanción por incumplimiento de requisito laboral de TA, puede terminar la sanción y reanudar el subsidio de TA después del periodo de sanción?

- La persona sancionada puede terminar su sanción por incumplimiento de requisito laboral después del periodo de sanción requerido, si demuestra que ha cumplido con el requisito laboral asignado por el distrito de servicios sociales.
- También puede terminar la sanción por incumplimiento de requisito laboral después del periodo de sanción requerido, si la persona sancionada documenta que él o ella ahora está exenta de los requisitos laborales de Asistencia Temporal. Algunos ejemplos de motivos por los cuales a una persona no se le exige el requisito de participar en actividades laborales (exento) son: tener 60 años de edad o más; tener la necesidad de cuidar a un miembro del hogar que está incapacitado; o tener una condición física o mental que le impida participar en actividades laborales. Si la persona cree que él / ella está exento(a) del requisito laboral por algún motivo, él / ella debe comunicarse con el distrito de servicios sociales para hablar sobre su situación.

En dado caso la persona sancionada debe ser apta para recibir el subsidio de Asistencia Temporal.

Si la persona sancionada desea terminar su sanción por incumplimiento de requisito laboral de TA al finalizar el periodo de duración de la sanción, usted (o la persona sancionada de su grupo familiar) debe comunicarse con la oficina del distrito de servicios sociales marcando el número de teléfono indicado arriba con motivo de tratar el tema sobre lo que debe hacer para terminar la sanción por incumplimiento de requisitos laborales de TA.

Important notice

Important notice enclosed. If you need help reading the notice, contact your worker.

Aviso importante adjunto. Si necesita ayuda para leer este aviso, comuníquese con su trabajador(a).

إخطار هام طيه. إذا احتجت إلى مساعدة في قراءة الإخطار خاطب مسؤول ملفك.

內附重要通告. 如需幫助閱讀此通告, 請與您的個案負責人接洽。

Avis important ci-joint. Si vous avez besoin d'aide pour lire cet avis, veuillez contacter votre collaborateur.

Gen yon avi enpòtan nan anvlòp la. Si ou bezwen èd pou li avi a, kontakte travayè sosyal ou.

중요한 통지서가 동봉되어 있습니다. 이 통지서를 읽는데 도움이 필요하시면, 담당 직원에게 연락하십시오.

Содержит важную информацию. Если при чтении этого извещения у Вас возникнут трудности, обратитесь к сотруднику, ведущему Ваше дело.

Có đính kèm thông báo quan trọng. Nếu cần được giúp đỡ để đọc bản thông báo này, xin liên lạc với nhân viên xã hội của quý vị.

א וויכטיגע מעלדונג איז בייגעלייגט. אויב איר דארפט הילף צו ליינען די מעלדונג, רופט אייער ארבעטער.

Importante avviso allegato. Se occorre aiuto per leggere l'avviso, rivolgersi al proprio operatore di riferimento.

