



# Office of Temporary and Disability Assistance

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## General Information System (GIS) Message

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### Section 1

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| <b>Transmittal:</b>            | 21 TA/DC021<br>Upstate and New York City  |
| <b>Date:</b>                   | April 14, 2021  |
| <b>To:</b>                     | Subscribers   |
| <b>Suggested Distribution:</b> | Commissioners, Employment Coordinators, TA Directors, SNAP Directors, Staff Development Coordinators                                      |
| <b>From:</b>                   | Alison Maura, Director of Temporary Assistance and HEAP Employment and Income Support Programs  |
| <b>Subject:</b>                | Change in Documentation Requirements for Reporting Hours of Paid Employment for Work Participation Rate Purposes                          |
| <b>Effective Date:</b>         | Immediately   |
| <b>Contact Information:</b>    | Employment and Advancement Services Bureau 518-486-6106 or <a href="mailto:otda.sm.eisp.eas@otda.ny.gov">otda.sm.eisp.eas@otda.ny.gov</a> |

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### Section 2

The purpose of this General Information System (GIS) message is to inform social services districts (districts) of revised documentation requirements for the reporting of hours of paid employment at job entry for work participation rate purposes. Districts were previously informed that at initial job entry, reported hours in paid employment could be based on an individual's self-attestation for up to four weeks. However, the United States Department of Health and Human Services (HHS) Administration for Children and Families (ACF) has recently instructed that self-attestation of hours is not an allowable basis for determining hours for reporting purposes. Instead, effective immediately, districts must obtain employer verification of hours of participation in paid employment. Hours of participation can only be documented by pay stubs from an employer, employer forms, direct verbal communication between the employer and case worker that is clearly documented in the case record, time and attendance records or other employer/supervisor statements, including third party verification such as the National Database of New Hires (NDNH) or State Database of New Hires (SDNH) as both interface with TALX (The Work Number) and contain gross income and hours of employment.

Districts are still permitted to project actual hours for participation in self-employment and other paid employment as long as the appropriate documentation is present in the case record. Hours of paid employment, including unsubsidized or subsidized employment and paid On-the-Job Training (OJT) positions, can continue to be based on existing documentation and projected forward, but for no more than six months, provided that updates to reported hours are made in a timely manner based upon current documentation whenever a change in the number of hours worked is reported. After six months, reported hours must be based on current documentation, and may be projected for additional six-month increments. When projecting hours, the total should be based on previously verified hours from the prior four weeks, but should be adjusted accordingly for any verified information indicating that any of those weeks were atypical and for any schedule changes that are expected to continue into the future. A case

note should be entered into the case record indicating which paystubs or documentation was used to project the schedule into the future.

As a reminder, there are additional considerations for self-employment. Absent other documentation of the hours of employment for self-employed individuals, the number of hours are determined by dividing the individual's self-employment income (gross income less documented business expenses) by the Federal minimum wage. Please see [95 INF-33](#) for more information about budgeting self-employment income. Alternate means for documenting self-employment hours worked, including statements from supervisors, business contacts or customers to verify hours of self-employment, remain permissible. For example, districts can document and verify hours of work by an informal childcare provider based upon time records used by the district to authorize the childcare payments or based upon statements from the parent of the child for whom the client is providing care in the same manner as is used to budget the earnings of childcare providers. For a participant known to be involved in a start-up business with income received on an annual or intermittent basis, other reasonable forms of verification of hours, such as tax records and business records, remain acceptable forms of documentation. In such cases, to determine the number of reportable hours, the income, after subtracting certain allowable business expenses, should be averaged over the overall period and divided by the Federal minimum wage and prorated to a weekly number of hours. Such hours can then be projected for a period not to exceed six months.

Districts are encouraged to report the actual start date for any entry to employment when documentation is received and report the hours worked retroactively, to ensure proper case documentation. For example, if the district receives documentation on April 1<sup>st</sup> to verify that an individual began working on February 5<sup>th</sup>, the actual hours the individual worked, as supported by documentation maintained in the case record, should be reported starting February 5<sup>th</sup> and then the schedule projected for a six-month period from April 1<sup>st</sup>, assuming the job is not temporary.

Further guidance related to changes to the New York State Work Verification Plan is forthcoming from the Employment and Advancement Services Bureau.