

**Angle, Patricia (OTDA)**

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**From:** Friedland, Lauren B [friedlandl@hra.nyc.gov]  
**Sent:** Friday, July 14, 2006 5:19 PM  
**To:** Angle, Patricia (OTDA)  
**Subject:** ADA/LEP Self-Evaluation Form  
**Attachments:** ADA LEP Self Evaluation 7-13-06.pdf; OTDA letter dated 5-10-06.pdf

14,  
2006

Patricia Angle  
Secretary  
Temporary Assistance Bureau  
Division of Employment and Transitional Supports  
40 North Pearl Street, 11<sup>th</sup> Floor  
Albany, NY 12243

Dear Ms. Angle:

Please find the ADA/LEP self-evaluation form with attachments that was completed by the New York City Human Resources Administration ("HRA"). Also attached is a copy of the letter, dated May 10, 2006 that was sent to HRA from Russell Sykes instructing the agency to return the completed form to you. Please contact me if you have any questions regarding the attached materials. I may be reached at (212) 331-5143.

truly yours,

Friedland  
Compliance Officer

Very

Lauren  
ADA

**Lauren B. Friedland, Esq.**  
**ADA Compliance Officer**  
**NYC Human Resources Administration**  
**Confidentiality and Legislative Support Office**  
**180 Water Street, Rm. 1734**  
**New York, NY 10038**

7/17/2006



**AMERICANS WITH DISABILITIES ACT (ADA)/LIMITED ENGLISH PROFICIENCY (LEP)**  
**Self-Evaluation Form**

District New York City Form completed by: Lauren Friedland Phone #: 212-331-5143

**Access – ADA**

1. Do you have an ADA contact person within DSS who is responsible for social services program access and for the taking and resolution of complaints from applicants/recipients (A/Rs)?

Yes  No (\*)

2. If yes to #1, who is your ADA contact? Lauren Friedland.

Please provide the ADA contact's telephone # 212-331-5143.

3. a. Has your district done a self-evaluation of program access by A/Rs with disabilities?

Yes  (Please attach a copy of the report) No  (\*)

- b. Were deficiencies found in the self-evaluation?

Yes  (go to c.) No  (Go to #4)

- c. Were corrective actions taken?

Yes  (Please attach copy of the corrective action plan) No  (\*)

4. Do you have a written procedure for handling complaints from applicants/recipients who claim to have been denied access to social services programs due to a disability?

Yes  (Please attach copy) No  (\*)

5. Do you provide applicants/recipients (A/Rs) for social services programs with information about the ADA's prohibitions against discrimination?

Yes  (Please attach copy) No



6. Reasonable accommodation means an adaptation or alteration that gives an A/R with disabilities meaningful access to social services programs. Do you have written reasonable accommodation procedures?

Yes  (Please attach copy) No  (\*)

7. Do you have a procedure to insure that the A/R who is offered reasonable accommodation, but refuses, understands the consequences of that refusal?

Yes  (Please attach copy) No  (\*)

### Access – General Disabilities

1. a. Are your facilities accessible to, and usable by, individuals with disabilities?

Yes  No

b. Are your parking areas and sidewalks accessible to, and usable by, individuals with disabilities?

Yes  No

c. Is the entrance wheelchair accessible?

Yes  No

d. Are bathrooms and drinking fountains wheelchair accessible?

Yes  No

e. Are areas such as the photo ID/finger imaging areas wheelchair accessible?

Yes  No

f. If No to e., are alternate accessible sites available?

Yes  No

g. If the client area is above or below the 1<sup>st</sup> floor, are there elevators?

Yes  No  1<sup>st</sup> floor only



h. If No to g., are services available at alternate accessible sites?

Yes \_\_\_ No \_\_\_ (\*)

2. In social services districts with more than one district office, are all district offices accessible according to #1. a – e above.

Yes  \_\_\_ No (go to #3)

3. When one or more district office is not handicap accessible, is reasonable accommodation offered?

Yes (attach copy of reasonable accommodation plan, or specify)  
\_\_\_ No (\*)

Clients with disabilities are directed to an accessible site. This information is communicated to the client either in person, over the telephone, through signage and/or written correspondence

4. Do you have procedures for determining when home visits will be provided for A/Rs who are physically or mentally unable to travel to the office/center?

Yes (go to #6) \_\_\_ No (\*) (go to #5)

5. If No to #4, what alternate accommodations are provided? \_\_\_\_\_

6. Are the home visit or alternate accommodations procedures in writing?

Yes (please attach a copy – go to #7) \_\_\_ No (\*) (go to #7)

7. How is the district's policy regarding home visits or alternate accommodations conveyed to A/Rs? Job Center staff inform clients of the policy during the application stage and also through recertification correspondence. (Go to #8)

8. How is the district's policy regarding home visits or alternate accommodations conveyed to the appropriate LDSS staff? Policies regarding home visits or alternate accommodations are conveyed to LDSS staff through written policy directives, procedures and training.

### Access – Visually/sight Impaired

1. a. Are there signs in Braille for the visually/sight impaired?

Yes \_\_\_ No  \_\_\_ Men's and Women's rooms





Yes _____	No <u>✓</u>	Room Numbers
Yes _____	No <u>✓</u>	Exits
Yes _____	No <u>✓</u>	Permanent Rooms and Spaces
Yes <u>✓</u>	No _____	Elevators

b. If NO to any of the above, how does the visually impaired person find a necessary location?

Employee escort.

2. Do you have procedures in place for A/Rs who, due to visual impairment, are unable to read the application, information booklets, notices, etc.?

Yes ✓ (Please provide copy) No \_\_\_\_\_ (\*)

**Access – Mental Impairment**

1. Do you have procedures in place to assist a mentally impaired A/R?

Yes ✓ (Please provide copy) No \_\_\_\_\_ (\*)

*Access – Hearing Impaired*

1. Do you have procedures in place to assist hearing impaired A/Rs?

Yes ✓ (Please provide copy) No \_\_\_\_\_ (\*)

2. Is a sign-language interpreter provided?

Yes ✓ No \_\_\_\_\_ (\*)

3. Does the office/agency have TTY/TTD equipment or New York Relay Services available?

Yes ✓ (Type of Service: Hearing impaired clients may communicate with the Human Resources Administration's ADA Compliance Officer, the agency's EEO office and/or their local job centers through TTY/TTD equipment and New York Relay Services.) No

**Access – Limited English Proficiency**

1. Do you have procedures to assist limited or non-English speaking A/Rs?

Yes ✓ (Please provide copy) No \_\_\_\_\_ (\*)

2. Are the following available in other than English language?



Signs Yes  No   
Posters Yes  No   
Pamphlets Yes  No   
Other client handouts: Yes  (Describe: LDSS-2921, multi-language contact forms) No

3. a. Is the "Interpreter Services Poster" (PUB-4842) displayed in the waiting area?

Yes  No  (\*)

b. Is the recommended 6/04 version of the "Interpreter Services Desk Guide" (PUB-4843) and/or the optional language palm cards used?

c. Yes  No

(\*) Answers with (\*) will require a corrective action plan to be submitted within sixty days of the date that this form is due to be returned to the Division of Employment and Transitional Supports (DETS).



**Access--ADA**

**EXHIBIT "1"\***

**\*Refer to this attachment for question 3a. under this section.**



Access--ADA

EXHIBIT "1"\*

\*Refer to this attachment for question 3a. under this section.

Date prepared 2/28/05  
Date revised 9/7/05

**GENERAL SUPPORT SERVICES  
ADA COMPLIANCE STATUS AT HRA FACILITIES**

Address	Floors	Full Compliance	Accessibility	Partial Compliance with		Strobe/Horn	Signage	Comments
				Elevator	Toilets			
MANHATTAN								
109 East 16th Street - Job Center	1-12		✓		✓			
Help Haven	1-6	1st Fl. Only	✓	N/A	✓	✓		ADA BTHRMS ON SOME FLR TRANSITIONAL HOUSING
110 Williams Street	9		✓		✓	✓		
Help Harbor	1-6	126 A Only	✓	126 A	✓	✓		
127 West 127th Street	1-4	✓	✓		✓	✓		TRANSITIONAL HOUSING
132 West 125th Street	1-5	✓	✓		✓	✓		MULTI SERVICE CTR.
180 Water Street.	1-25	✓	✓		✓	✓		
330 W 34th Street	2,4-6,9,11	✓	✓		✓	✓		
348 West 34th Street	1, Mezz	✓	✓		✓	✓		
400 8th Avenue	1-8	✓	✓	N/A	✓	✓		
151 West Broadway	4-7	✓	✓		✓	✓		
2 Washington Street	8,11-17,22	✓	✓		✓	✓		PARTIAL ADA BTHRMS
2322 3rd Avenue - Job Center	1, 3-5	✓	✓		✓	✓		
250 Church Street	1-15, Pent	✓	✓		✓	✓		AKA 165 E. 126 ST.
280 11th Avenue	1-7, Pent	✓	✓		✓	✓		N/A FOR PENTHSE(16FL)
4680 Broadway - Job Center	1-2	✓	✓		✓	✓		
520 West 135th Street - Job Center	1-3	✓	✓		✓	✓		
8-12 West 14th Street - Job Center	1-6	✓	✓		✓	✓		
115 Chryslle Street	3,4,5	✓	✓		✓	✓		
60 Lafayette Street	1,7	✓	✓		✓	✓		OCSE OCSE / Court
1951 Park Avenue - Job Center	1-4	✓	✓		✓	✓		
BROOKLYN								
1 Hoyt Street								
1001 Herkimer Street	3-5	✓	✓		✓	✓		
710 Hendrix Street	1-3	✓	✓		✓	✓		Doors Too Narrow MULTI SERVICE CTR.
3050 West 21st Street - Job Center	1	✓	✓	N/A	✓	✓		
2857 West 8th Street	1-3	✓	✓		✓	✓		
45-53 Nevins Street	1-2	✓	✓		✓	✓		
	2-4	✓	✓		✓	✓		



Address	Floors	Full Compliance		Partial Compliance with				Comments
		Accessibility	Elevator	Toilets	Sirbel/Horn	Signage		
10 Metrotech/625 Fullon Street	1	✓	✓	✓	✓	✓	✓	
12 Metrotech	12	✓	✓	✓	✓	✓	✓	
15 Metrotech	L, 12 - 16	✓	✓	✓	✓	✓	✓	OCSE / Court
210 Livingston Street - Job Center	5	✓	✓	✓	✓	✓	✓	
213 Durfield Street	1-10	✓	✓	✓	✓	✓	✓	
233 Schemerhorn Street	1-7	✓	✓	✓	✓	✓	✓	
404 Pine Street - Job Center	1-7	✓	✓	✓	✓	✓	✓	ADA BTHS ON 1,2,5,7 FLRS
495 State Street	1-3	✓	✓	✓	✓	✓	✓	
501 State Street - Job Center	1-3	✓	✓	✓	✓	✓	✓	
500 Detail Avenue - Job Center	1-3	✓	✓	✓	✓	✓	✓	
New Visions	1-6	✓	✓	✓	✓	✓	✓	
1420 Bushwick Avenue	1-4	✓	✓	✓	✓	✓	✓	
30 Thornton Street - Job Center	B, 1-3	✓	✓	✓	✓	✓	✓	TRANSITIONAL HOUSING
444 Thomas Boyland Blvd.	1-4	✓	✓	✓	✓	✓	✓	MULTI SERVICE CENTER
6740 4th Avenue - Job Center	1-3	✓	✓	✓	✓	✓	✓	TOILETS ON 1st FLR ONLY.
First Step	1-4	✓	✓	✓	✓	✓	✓	
35 4th Avenue/387 Dean Street	1-4	1st Fl.	N/A	1st Fl.	1st Fl.	1st Fl.	✓	Elev. Not ADA
Safe Harbor	1-2	1st Fl.	N/A	1st Fl.	1st Fl.	1st Fl.	✓	TRANSITIONAL HOUSING
88 3rd Avenue/275 Bergen Street	1-4	✓	✓	✓	✓	✓	✓	TRANSITIONAL HOUSING
	Job Center							Elev. Not ADA
<b>BRONX</b>								
New Day I	1-6							
New Day II	1-6							
305 Rider Avenue - Job Center	1-6		N/A					
248-260 East 161st Street - Job Center	1-4	✓	N/A	2nd Fl.	1-3 Fl.	✓	✓	TRANSITIONAL HOUSING
1209 Colgate Avenue - Job Center	1-8	✓	✓	✓	✓	✓	✓	TRANSITIONAL HOUSING
1365 Jerome Avenue - Job Center	1-2	✓	✓	✓	✓	✓	✓	
1775 Grand Concourse	1-2	✓	✓	✓	✓	✓	✓	
1790 Grand Concourse	7-8	✓	✓	✓	✓	✓	✓	
2547 -51 Bainbridge Avenue - Job Center	3,4	✓	✓	✓	✓	✓	✓	
	1-4	✓	✓	✓	✓	✓	✓	

Address	Floors	Full Compliance	Partial Compliance with	OCSE/Court
555 East Tremont Ave - JTB Court	1-6	✓	✓	✓
800 Sheridan Avenue	1-2	✓	✓	✓
<b>QUEENS</b>				
32-14 Northern Blvd. - JTB Court	1-4, 5, 6	✓	✓	✓
33-28 Northern Blvd. - JTB Court	1-6	✓	✓	✓
32-02 Queens Blvd.	1, 3	✓	✓	✓
714 02 Guy Brewer Blvd-MSC.	1-3	✓	✓	✓
90-75 Sulphin Blvd. - JTB Court	1-6	✓	✓	✓
90-31 Union Hall Street	2-3	✓	✓	✓
219 Beach 59th Street - JTB Court	1-2	✓	✓	✓
520 Beach 20th Street	1	✓	✓	✓
151-20 Jamaica Avenue	1	✓	N.A.	Relinquish 11/05
<b>STATEN ISLAND</b>				
201 - 200 Bay Street - JTB Court	1-2	✓	✓	OCSE - Court
215 Bay Street	1	✓	✓	✓

**Access--ADA**

**EXHIBIT "2"\***

\*Refer to this attachment for questions 4, 6 and 7 under this section; for questions 2 under the section "Access-Visually/sight Impaired" and for question 1 under the section "Access-Mental Impairment."



**FAMILY INDEPENDENCE ADMINISTRATION**  
 Seth W. Diamond, Executive Deputy Commissioner



James K. Whelan, Deputy Commissioner  
 Policy, Procedures and Training

Lisa C. Fitzpatrick, Assistant Deputy Commissioner  
 Office of Procedures

**POLICY DIRECTIVE #06-14-ELI**  
*(This Policy Directive Replaces PD #06-04-ELI)*

**THE AMERICANS WITH DISABILITIES ACT (ADA)**

<b>Date:</b> May 2, 2006	<b>Subtopic(s):</b> Individuals with Physical and/or Mental Disabilities
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**AUDIENCE** The instructions in this policy directive are for staff in Job Centers and Non-Public Assistance (NPA) Food Stamp (FS) Offices.

**REVISIONS TO PRIOR PROCEDURE**

This policy directive has been revised to include the following:

- Three categories of individuals protected under the ADA;
- Expanded definitions of qualified and physically disabled persons;
- Categories and circumstances not covered under the ADA;
- Accommodation for applicants/participants with physical and mental disabilities when scheduling appointments and conducting interviews;
- The rights under the ADA, including voluntary disclosure, of applicants/participants with physical and mental disabilities and the responsibility of the JOS/Worker to assist them;
- Information for the JOS/Worker regarding the determination of whether a temporary impairment is a disability;
- Work requirements under the ADA;
- Additional information related to the applicant/participant's disability that the JOS/Worker must enter in the case record and Employability Plan (EP);
- Information for the JOS/Worker on maintaining the confidentiality regarding the nature of the applicant/participant's disability;
- Good cause for noncompliance with eligibility requirements;
- The requirement that grievances (i.e., written complaints) be signed by the applicant/participant or authorized representative;
- The specific Receptionists at Job Centers and NPA FS Offices;
- Model Center and Paperless Office System (POS) implications.

**HAVE QUESTIONS ABOUT THIS PROCEDURE?**  
 Call 718-557-1313 then press 2 at the prompt followed by 765 or  
 send an e-mail to *FIA Call Center*

Distribution: X

**POLICY**

Three categories of protected individuals; new information

The ADA protects individuals with disabilities who:

- Have a physical or mental impairment that substantially limits one or more major life activities;
- Have a record of a physical or mental impairment that substantially limits one or more major life activities; or
- Are regarded as having an impairment, regardless of whether or not the impairment actually exists.

Expanded definition of "qualified individual"; new information

Individuals with physical and mental disabilities are protected by the ADA, the Rehabilitation Act of 1973 and social services regulations. No qualified individual with a physical or mental disability can be excluded from participation in or denied the benefits, programs and services of a public entity or be subject to discrimination by any public entity. An individual with a disability is "qualified" if s/he, with or without reasonable accommodation, meets the essential eligibility requirements to receive benefits or services or participate in the programs or activities provided by a public entity.

Expanded definition of "physically disabled individual"; new information

Persons with physical disabilities or impairments include individuals with Acquired Immune Deficiency Syndrome (AIDS), those who test positive for Human Immune deficiency Virus (HIV) infection or are perceived as susceptible to AIDS or HIV infection. A physical impairment is also any disorder or condition, including drug and alcohol addiction, which affects at least one body system, i.e., neurological, musculoskeletal, respiratory (including speech organs), cardiovascular, etc. Although drug and alcohol addiction are recognized impairments under the ADA, the Agency may withhold services or benefits from the applicant/participant based on his/her current and illegal use or abuse of drugs and alcohol.

Categories and circumstances not covered under ADA

The ADA requires that individuals with disabilities have equal access to public assistance (PA), medical assistance (MA) and FS benefits, programs and services. The ADA does not cover:

- Disadvantages due to environmental, cultural or economic factors, such as poverty or having a criminal record;
- Physical characteristics, such as hair, skin or eye color, however, cosmetic disfigurement is included in the definition of physical impairment;
- Age alone, unless the physical or mental impairment limits one or more of an individual's major life activities (e.g., caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working);
- Personality traits, such as poor judgment or a quick temper, where these are not symptoms of a mental or psychological disorder, unless the person has a recognizable physical or mental impairment in addition to these characteristics.

Reasonable accommodation must be made at all Job Centers and NPA FS Offices to service individuals with physical or mental disabilities unless the accommodation would impose an undue hardship on the operation of the program. "Reasonable accommodation" includes modification to the program's policies or practices, removal of architectural, communication or transportation barriers, and the provision of auxiliary aids and services.

**REQUIRED ACTION**

Appointments and interviews

Whenever possible, the JOS/Worker must schedule appointments for applicants/participants requiring an accommodation due to a physical or mental disability at a time of day that would best prevent undue waiting time and travel during rush hours. To avoid appointment time conflicts, the JOS/Worker should ask, prior to scheduling an appointment at the Center/Office, if the applicant/participant has any previously scheduled medical appointments. Individuals with disabilities may need to reschedule appointments for a number of disability-related reasons. The JOS/Worker must reschedule appointments because of such reasons whenever necessary.

New information

Appointments should be scheduled such that the number of return visits is minimized. When an appointment is rescheduled for an applicant/participant with a physical or mental impairment because a reasonable accommodation cannot be made or no interpreter is available on the date the application is filed, the delay does not affect the application filing date or any other dates relevant to processing the application. All emergency/immediate needs must be addressed as appropriate. Interview areas must afford reasonable privacy.

Voluntary disclosure; new information

Applicants/participants are not required to disclose a disability. However, if the applicant/participant claims that s/he is unable to work, has limited ability to work or has demonstrated an inability to successfully participate in a work activity due to a disability, s/he may be required to participate in screening and evaluation to verify the disability or limitation and to identify the appropriate services.

If the Agency suspects that an applicant/participant has a disability and s/he refuses to disclose or cooperate with efforts to identify the suspected disability, the Agency must discuss with him/her:

- Benefits available to applicants/participants with documented disabilities; and
- Possibly enforcing compliance with work requirements without accommodation if the applicant/participant refuses to disclose or cooperate with efforts to identify a disability;
- Voluntary disclosure by the applicant/participant;
- Actions that may be taken to identify the disability.

Applicant/participant's rights; new information

JOS/Workers must inform applicants/participants with physical or mental impairments, whether the impairment is self-disclosed or observed by the JOS/Worker, of their rights under the ADA to reasonable accommodation to access benefits, programs and services. Where the applicant/participant agrees with the Agency to identify his/her disability needs, the JOS/Worker should conduct an initial inquiry to identify them. If the initial inquiry indicates that the disability will impact the successful completion of eligibility requirements or prevent the applicant/participant from benefiting from the Agency's benefits, programs and services, the JOS/Worker should offer the opportunity for a more comprehensive evaluation or assessment through referral for Wellness, Comprehensive Assessment, Rehabilitation and Employment (WeCARE) services to determine the necessary accommodation to be provided.

Inquiry into the nature of the applicant/participant's disability may not exceed what is necessary to provide reasonable accommodation to access benefits, programs and services.

Assistance with information and completing forms

JOS/Workers must provide and clearly explain documentation and referral information to all applicants/participants and not discriminate against anyone making an inquiry about PA/MA/FS. The information must be provided in a manner that is accessible to persons with visual or hearing disabilities. JOS/Workers must have access to interpreter services desk guides and provide necessary auxiliary aids and services to ensure effective communication with persons with disabilities.

New information

New information

JOS/Workers must also assist applicants/participants in meeting eligibility requirements, including eliminating nonessential procedures or rules that deny an applicant/participant with a disability an equal opportunity to participate in the Agency's benefits, programs and services; however, requirements for eligibility may not be eliminated solely because the applicant/participant has a disability. For example, as a condition of eligibility applicants/participants are required to comply with Office of Child Support Enforcement (OCSE) standards. If the OCSE location is inaccessible to disabled persons, the Agency may need to accommodate the person by bringing a child support worker to the Job Center.

Assistance with filling out the application or other forms, gathering supporting documents and providing home visits are other accommodations that Job Centers/NPA FS Offices must provide to those with physical and/or mental disabilities who need assistance.

Temporary impairments; new information	The determination of whether a temporary impairment is a disability is made on an individual basis by staff performing WeCARE services. The duration, including anticipated duration, of the impairment and the extent to which major life activities of the applicant/participant are substantially limited must be considered in making the determination.
Work requirements; new information	Applicants/participants are required to comply with work requirements as a condition of PA/FS eligibility. Work activity assignments must not be based on generalizations or stereotypes. Applicants/participants must be referred to the WeCARE program for an assessment of their specific abilities and limitations.
Case record entries	All requests for reasonable accommodation and all responses to these requests must be entered in the case record. JOS/Workers must ensure that documentation of the disability is obtained and filed in the case record. In addition, the disability and the actions taken to ensure access and coordinate services must be recorded in the case record, including in the applicant/participant's EP.
New information	All requests for reasonable accommodation and all responses to these requests must be entered in the case record. JOS/Workers must ensure that documentation of the disability is obtained and filed in the case record. In addition, the disability and the actions taken to ensure access and coordinate services must be recorded in the case record, including in the applicant/participant's EP.
Refusal of special accommodation	Applicants/participants are not required under the ADA to use a modification or accommodation offered by the Agency to provide access to benefits, programs and services and must be offered the opportunity to exhibit the ability to meet the program's requirements without identifying the disability.
New information	In some cases, intentional refusal to use reasonable accommodation may result in noncompliance with eligibility requirements. When the applicant/participant refuses to accept reasonable accommodation, JOS/Workers must document the refusal in the case record before taking adverse action on the application or case. If the refusal of reasonable accommodation is due to the applicant/participant's inability to recognize or acknowledge the existence of his/her disability, the JOS/Worker may need to refer him/her for WeCARE services to facilitate compliance with eligibility requirements.
Confidentiality; new information	Staff must take appropriate steps to ensure and maintain the confidentiality of the applicant/participant's information regarding the nature of his/her disability, unless such knowledge is necessary for the provision of services. The accommodation required may be provided to the JOS/Worker responsible for providing benefits and services.



Good cause; new information

Good cause may be granted to applicants/participants who do not comply with eligibility requirements due to a physical or mental impairment. JOS/Workers must consider an individual's limitations and disability when determining whether or not noncompliance with eligibility requirements was willful and without good cause before imposing an employment sanction. JOS/Workers must also determine whether the individual's disability contributed to the noncompliance and whether or not sufficient reasonable accommodation was provided or needs to be provided to allow the applicant/participant to comply.

The applicant/participant's use or abuse of drugs or alcohol must not be considered as good cause for his/her noncompliance with eligibility requirements. An applicant/participant's request for good cause must be substantiated with appropriate medical documentation.

Filing a grievance

The Are You Disabled? brochure (**W-681A**), which explains the ways in which the Agency accommodates applicants/participants with mental and physical disabilities indicates the mailing address for filing a grievance. The brochure must be included in all application and recertification kits.

New information

Any applicant/participant who believes that s/he has been discriminated against based on a mental or physical disability or denied a reasonable accommodation in any HRA program may file a written complaint. The complaint shall contain information about the alleged discrimination, including the name, address and telephone number of the complainant, the location, date, description of the problem and, if applicable, any current medical documentation necessary to support a request for a reasonable accommodation. The written complaint must be signed by the applicant/participant or his/her authorized representative. HRA shall provide assistance to any person with a disability who needs a reasonable accommodation to enable him/her to file a complaint.

Refer to CD #06-08 for more information on civil rights complaints.

The complaint shall be submitted no later than 60 calendar days after the alleged violation to:

ADA Compliance Officer  
Office of Legal Affairs  
180 Water Street, 17th Floor  
New York, NY 10038  
or  
Fax: (212) 331-4465

New information

During the grievance process, the applicant/participant may not be sanctioned for noncompliance with a work activity requirement or failure to keep a scheduled appointment. S/he may, however, be required to comply during the adjudication process. If the noncompliance with the work activity requirement is due to the work location not reasonably accommodating the applicant/participant, s/he may not be required to comply with the work activity requirement until the Agency has determined that reasonable accommodation has been made.

Compliance with required actions

To comply with all the required actions, Workers at Job Centers and NPA FS Offices must proceed as follows:

Job Centers

**Case Management Unit (CMU) Receptionist/CMU Worker**

- When an individual notifies the CMU Receptionist/CMU Worker that s/he cannot complete the forms because of a disability, the Worker must alert the Director's Designee to assist the applicant/participant. The Worker must also inform the Group Supervisor.
- If an individual notifies the CMU Receptionist/CMU Worker that s/he is unable to wait to be interviewed because of discomfort due to his/her disability, the Worker must arrange to accommodate the applicant/participant with an earlier appointment or request that the Director's Designee arrange for a homebound visit. If the individual is subsequently determined to be homebound according to standard procedure, be sure to code him/her as homebound in the Welfare Management System (WMS).

**Director's Designee**

- The Director's Designee at Job Centers is available to assist applicants/participants in completing forms.
- The Director's Designee is to hand the **W-681A** to all individuals who are scheduled for homebound recertification/application interviews at the time of the interview.
- If an individual with a disability must be scheduled or rescheduled for an appointment, the Director's Designee must also check NYCWAY to see whether any travel accommodations have been identified for the applicant/participant before scheduling the appointment through NYCWAY according to current procedure.

Refer to PB #06-13-SYS for further information regarding travel accommodations.

NPA Food Stamp Offices

**NPA FS Receptionist/Eligibility Specialist (ES) Worker**

- When an individual notifies the NPA FS Receptionist/ES Worker that s/he cannot complete the forms because of a disability, the Worker must alert the Mail Processing Unit (MPU) Worker to assist the applicant/participant.
- If an individual notifies the NPA FS Receptionist/ES Worker that s/he is unable to wait to be interviewed because of discomfort due to his/her disability, the Worker can either arrange to accommodate the applicant/participant with an earlier appointment or arrange for homebound processing of the application as follows:
  - Contact an MPU Worker, who will provide the individual with all necessary forms, which the applicant/participant can fill out and mail back to the NPA FS Office along with all appropriate documentation.
  - Transfer the case to the Homebound Center (F-63) according to standard procedure if the individual is determined to be homebound.
- If a participant calls the NPA FS Office because s/he is unable, due to disability, to keep an in-person recertification appointment, the Worker must contact MPU to arrange for recertification by mail.

Workers must also remember that if an individual is physically or mentally disabled, s/he may be eligible for disability benefits. Investigate this possibility and all other possible resources available for the applicant/participant (e.g., Supplemental Security Income/Social Security Disability).

Wheelchair access

All Job Centers and NPA FS Offices must take appropriate action to ensure that each location is wheelchair accessible.

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**LIMITED ENGLISH  
SPEAKING ABILITY  
(LESA) AND  
HEARING  
IMPAIRED  
IMPLICATIONS**

For Limited English Speaking Ability (LESA) and hearing-impaired applicants/participants, make sure to obtain appropriate interpreter services in accordance with PD #06-12-OPE and PD #06-13-OPE.

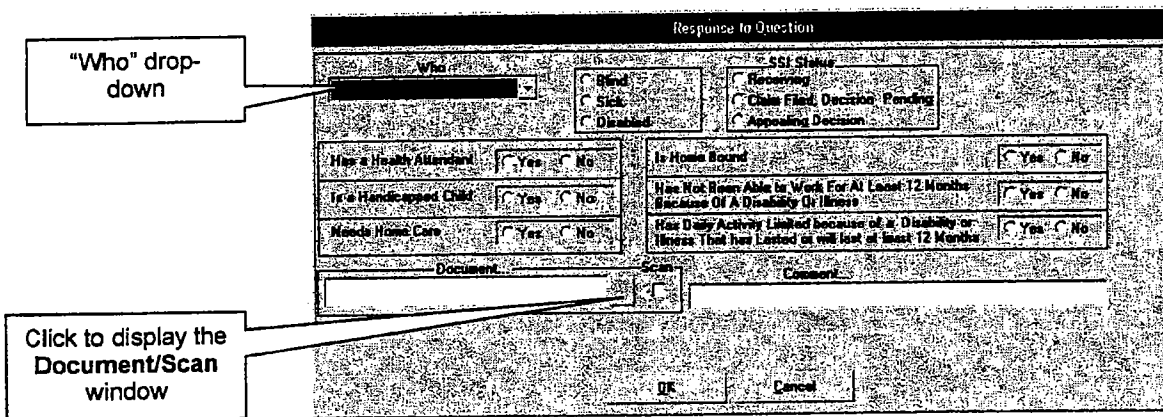
**PROGRAM IMPLICATIONS**

**Model Center Implications**

The instructions in this policy directive must also be followed by JOS/Workers in the Customer Service and Information Center (CSIC). When an applicant/participant with a disability reports to a Model Center and requires a special accommodation, the Front Door Receptionist must route him/her to CSIC by issuing a CSIC General ticket.

**Paperless Office System (POS) Implications**

POS Workers will document the disability by answering "Yes" to the "Has Daily Activity Limited because of an Illness/Temporary Disability or is Blind, Sick or Disabled?" question in the **Medical** window. The **Response to Question** window shown below will then appear.




After selecting the individual from the "Who" drop-down, the JOS/Worker must indicate whether the applicant/participant is blind, sick or disabled and indicate his/her Supplemental Security Income (SSI) status by clicking on the appropriate radio button.

The JOS/Worker must complete the remaining questions about the impact of the blindness, illness or disability and select the appropriate document(s) to verify the blindness, illness or disability in the **Document/Scan** window in the **Response to Question** window. The document(s) selected will appear on the "Documents Submitted at Interview" list in the indexing application.

The JOS/Worker must indicate in the **Comments** field the applicant/participant's specific illness or disability and what was done to comply with the ADA.

**Note:** If the illness or disability is one requiring heightened confidentiality, such as HIV, use care in the comment section to protect the individual.

The JOS/Worker may enter a case comment by clicking on the Case Comments icon  or pressing <ALT>M on the keyboard to indicate the individual has a disability and enter additional information about ADA compliance or the individual's refusal to accept help that allows the Agency to comply with the ADA.

Additionally, all non-POS-generated forms and notices that are signed by the individual, except Domestic Violence-related documents, must be scanned into the electronic case record.

## FAIR HEARING IMPLICATIONS

### Avoidance/Resolution

If an applicant/participant's case has been denied/closed and s/he disagrees with the action taken, the Worker should look at the denial/closing reason and evaluate whether the denial/closing was related to the individual's disability. For example, if the denial/closing reason was failure to keep an appointment and the applicant/participant is coded as homebound, the denial/closing may be settled. If review of the case record indicates that the individual is disabled and should have been coded as homebound, however s/he was not coded as such, settle the case.

### Conferences at the Job Center

If an applicant/participant comes to the Job Center and requests a conference, the Job Center Receptionist must alert the Fair Hearing and Conference (FH&C) Unit that the applicant/participant is waiting to be seen. The FH&C AJOS/Supervisor I will listen to and evaluate the applicant/participant's complaint.

In Model Job Centers, when the applicant/participant notifies the Front Door Receptionist (FDR) that s/he is requesting a conference, the FDR will issue an FH&C Conference ticket to the applicant/participant and direct him/her to the FH&C Unit, where the FH&C AJOS/Supervisor I will call him/her to conduct the conference.

The FH&C AJOS/Supervisor I will discuss the issue with the Case Management Unit Team Supervisor. The FH&C AJOS/Supervisor I will notify the appropriate Supervisor of his/her decision regarding the applicant/participant's complaint, in accordance with current procedure.

The FH&C AJOS/Supervisor I is responsible for ensuring that further appeal by the applicant/participant through a Fair Hearing request is properly controlled and that appropriate follow-up is taken in all phases of the Fair Hearing process.

**Conferences at the  
NPA FS Office**

If an applicant/participant comes to the NPA FS Office and requests a conference, the Receptionist must alert the Site Manager. In Model Job Centers, the FDR will issue a FS Conf/Appt/Problem ticket to the applicant/participant and route him/her to the NPA FS Office Receptionist, who will alert the Site Manager.

The Site Manager will listen to and evaluate the applicant/participant's complaint and make a decision regarding the complaint.

The Site Manager is responsible for ensuring that further appeal by the applicant/participant through a Fair Hearing request is properly controlled and that appropriate follow-up action is taken in all phases of the Fair Hearing process.

**Evidence Packets**

All complete and relevant evidence packets must include a copy of the denial/closing notice, any relevant documents issued by the Worker (including attempts to make a homebound visit) and any documents presented by the applicant/participant verifying her/his disability.

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**REFERENCES**

18 NYCRR Section 303.1 (a), (b)  
18 NYCRR Section 303.5  
18 NYCRR Section 303.7  
18 NYCRR Section 355  
18 NYCRR Section 356  
02 LCM 7 Americans with Disabilities Act (ADA) – Access to Local District Social Services Programs and Services and Activities  
06-ADM-05 Providing Access to Temporary Assistance Programs for Persons with Disabilities and/or Limited English Proficiency (LEP)  
Welfare-to-Work Employment Policy Manual (Sec. 1300.2 [Part B])

**ATTACHMENTS**

☒ Please use Print on Demand to obtain copies of forms.

**W-681A**

Are You Disabled? (Rev. 2/28/06)

**W-681A (S)**

Are You Disabled? (Spanish) (Rev. 2/28/06)

## HRA Grievance Procedure

Any applicant or participant who believes s/he has been discriminated against based on a mental or physical disability or denied a reasonable accommodation in any Human Resources Administration (HRA) program may file a written complaint. The complaint shall contain information about the alleged discrimination, including the name, address and telephone number of the complainant, the location, date, description of the problem, and, if applicable, any supporting medical documentation necessary to support the request for reasonable accommodation. HRA shall provide assistance to any person with a disability who needs a reasonable accommodation to enable him/her to file a complaint. The complaint shall be submitted to the 60 calendar day after the alleged violation to:

ADA Compliance Officer  
Office of Legal Affairs  
180 Water Street, 17th Floor  
New York, NY 10038  
or  
Fax: (212) 331-4465



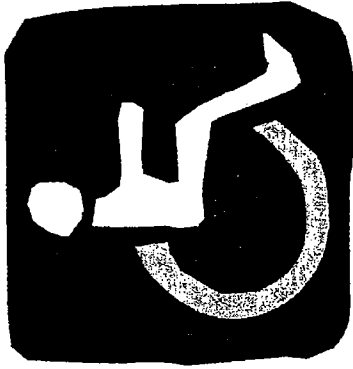
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Human Resources Administration.



The City of New York  
Human Resources Administration

## Are You Disabled?

Do you require assistance  
with your application or  
recertification?



If you are physically or  
mentally disabled and as a result  
you need help completing your forms or  
have difficulty waiting to be interviewed,  
please notify the Receptionist or your Worker.

Form W-681A LLF  
Rev. 2/28/06



## Service Assistance

The Americans with Disabilities Act states that no "qualified individual with a disability" can be excluded by reason of such disability from programs or activities of a public entity.

You are a "qualified individual with a disability" if you meet the essential eligibility requirements of our program, with or without reasonable modifications to our policies or practices.

The Human Resources Administration (HRA) recognizes its responsibility under the law to make reasonable accommodations to the physical or mental limitations of individuals applying for or in receipt of social services, including but not limited to cash assistance, medical assistance and/or food stamps.

The Director's Designee in Job Centers and the Mail Processing Unit in Non-Public Assistance Food Stamp (NPA FS) Offices will assist applicants and participants when special help is needed.

Home visits may be arranged for homebound individuals who are applying for or in receipt of public assistance. Telephone interviews and, if necessary, mail certifications can be arranged for homebound individuals in receipt of or applying for food stamps. Contact the Receptionist or your Worker for more information.

If you feel that your request for assistance based on your disability has not been addressed, you may contact the Fair Hearing and Conference Unit (FH&C) in a Job Center. In Non-Public Assistance Food Stamp (NPA FS) Offices, you can contact the Receptionist and request to speak to the Office Site Manager or his/her designee.



## Did You Know?

As a person with a disability, your rights with HRA are protected by Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act. These laws define a person with a disability as anyone with a physical or mental disability that substantially impairs or restricts one of the major life activities, such as walking, seeing, hearing, speaking, working or learning.

A record of such an impairment, or being regarded as a person with such an impairment, is also recognized as a disability under these regulations.

Here is a partial list of conditions that may be disabling:

- Cancer
- Hearing impairment
- Epilepsy
- AIDS/HIV-related conditions
- High blood pressure
- Mental illness
- Heart disease
- Cerebral palsy
- Orthopedic-related conditions
- Speech impairment
- Visual impairment

