

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

District Warren Form completed by: Michael Jabaut Phone #: (518) 761-6337

**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? Michael Jabaut, Director Administrative Services

Please provide the ADA contact's telephone # (518) 761-6337

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) N/A

c. Were corrective actions taken?

Yes  (Please attach copy of the corrective action plan) No  N/A

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? Our district has a written complaint response procedure that includes all types of complaints including those complaints relative to the denial of access to social programs due to the existence of a disability. (See attached).

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? This issue is discussed on pages numbered 3-4 of Book NO. 1 LDSS-4148A "What you should know about your rights and responsibilities" (when applying for or receiving benefits). Book NO. 1, as well as Books No. 2 + 3 are provided to all applicants for and recipients of temporary assistance, food stamps, Medicaid and services.

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? We do follow the procedures as detailed in food stamps, temporary assistance, Medicaid and services. While we don't have locally developed procedures, we do follow the procedures as detailed in food stamps, temporary assistance, Medicaid and services.

accommodation procedures, the local district managers provide, conveyed to local districts by the state department of social services a administrative directive 86 Adm-26. (See attached)

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? while we have no locally written procedures, applicants for or recipients of Public assistance, Food stamps, Medicaid or services are always informed of the consequences of a refusal to accept reasonable accommodation by their individual case manager. Clients also have the right to request a case conference with their case manager's supervisor, to request either a conciliation conference or a Dispute Resolution conference should the agency have deemed them non-exempt from work or work related activities. Should a client remain unsatisfied he/she can request an administrative "Fair Hearing" in front of a credentialed State Hearing Officer. Note: Fair Hearings may be requested by clients at any time whether or not a conference

Yes  (Please attach copy) No

Access - General Disabilities

- 1. a. Are your facilities accessible to, and usable by, individuals with disabilities? *The public entrance to our building is located on the ground floor and there are NO steps*  
 Yes  No
- b. Are your parking areas and sidewalks accessible to, and usable by, individuals with disabilities? *Handicap parking up front, near entrance and clearly marked.*  
 Yes  No
- c. Is the entrance wheelchair accessible? Yes  No
- d. Are bathrooms and drinking fountains wheelchair accessible?  
 Yes  No
- e. If the client area is above or below the 1<sup>st</sup> floor, are there elevators? *Client waiting room is on the first floor. We do have elevators to our second floor that is available to visitors, disabled or not.*  
 Yes  No  1<sup>st</sup> floor only
- f. If No to e., are services available at alternate accessible sites? Yes  No   
*We do not have an alternate site - main office only.*
- 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)  *N/A* *only one building fully accessible, no alternate sites.*

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  *N/A only one building fully accessible*

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) *Case manager will discuss the need for a home visit with his/her supervisor. Supervisor based on facts presented as well as other pertinent factors, will decide whether a home visit by staff should occur or not.*

5. If No to #4, what alternate accommodations are provided?  
N/A

6. Are the home visit or alternate accommodations procedures in writing? *our district relies on the authority of Dept. Regulations.*  
 Yes (please attach a copy - go to #7)  No (go to #7) *18 NYCRR 351.28(a) (see attached)*

7. How is the district's policy regarding home visits or alternate accommodations conveyed to A/Rs?  
Individual Case manager discusses policy with Client. (Go to #8)

8. How is the district's policy regarding home visits or alternate accommodations conveyed to the appropriate LDSS staff?  
 1) Supervisors discuss with workers on a case-by-case basis as the need occurs.  
 2) Periodically the need for home visits is discussed at unit wide training sessions.

*We have no locally developed visit policy*

**Access – Visually/sight Impaired**

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

Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Men's and Women's rooms
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Room Numbers
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Exits
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Permanent Rooms and Spaces
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Elevators

b. If NO to any of the above, how does the visually impaired person find a necessary location?  
*AS Part of our building Security procedures all visitors disabled or not are escorted by employees while in the building.*

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  *Staff will read to and assist the A/Rs in understanding and completing the application, booklets or notices.*

**Access – Mental Impairment**

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

Yes  (Please provide copy) No  *Should our Assistance Division staff i.e. T.A. NTA/FS, M.A. or employ unit employees be unable to make themselves understood we will request that our Adult Protective Services (APS) case work unit assist us*

**Access – Hearing Impaired**

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

Yes  (Please provide copy) No  *We follow the same rules set by the state for the hearing impaired as we do for other disabled individuals*

2. Is a sign-language interpreter provided? Yes  No

*Should we need an interpreter we will call our local office for the association for the hearing impaired and make arrangements to secure one*

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

Yes  (Type of Service: TTY 8840) No

**Access – Limited English Proficiency**

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

Yes  (Please provide copy) No  *We make use of the Learning Enterprises (LLE-LINK) an interpreting service.*

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

Signs Yes  No   
 Posters Yes  No  *Spanish*  
 Pamphlets Yes  No   
 Other client handouts: Yes  (Describe: \_\_\_\_\_) No

3. a. Is the "Language Poster" displayed in the waiting area? Yes  No  *m-744*

b. Are the Language palm cards used? Yes  No

# YOUR RIGHTS

## 1. Application Rights

You have the right to:

- Be told about the programs and help you can get.
- Be told what you need to do to get these programs.
- Apply for these programs.
- Get an Application when you ask for one.
- Turn in (file) the Application the same day you get it.

**NOTE:** A Food Stamp Benefits Application must be accepted if you have filled in at least your name, address (if you have one) and signature. This is important because the amount of your Food Stamp Benefits is figured from the day you turn in your Food Stamp Benefits Application. You could get more Food Stamp Benefits if you turn in your application the same day you get it. Please note, however, that you will have to fill out the rest of the application to see if you can get Food Stamp Benefits.

- Mail in your application if you are applying only for child care services.
- Have an interview
  - For Medical Assistance (Medicaid/Child Health Plus A/Family Health Plus/Family Planning Benefit Program) there is no specific time frame within which you or your representative must be interviewed. However, you must be interviewed before eligibility can be established.
  - For Temporary Assistance, this interview should be within seven working days.
  - For Food Stamp Benefits, the interview must be scheduled timely in order to ensure a determination of eligibility and benefit issuance within 30 days of application filing.
  - For Food Stamp benefits, you have the right to request that the in-office interview be waived in hardship situations. Hardship generally includes, but is not limited to, illness, transportation difficulties, care of a household member, hardship due to residency in a rural area, prolonged severe weather, or work or training hours that prevent you from coming in during SSD office hours. The in-office interview will be waived, at your request, if all the adult members of your household are elderly or disabled with no earned income. The agency may waive the in-office interview in favor of a telephone interview or scheduled home visit. In-person interviews may be scheduled in advance at any mutually acceptable location including a household's residence.

**NOTE:** If you are applying for Temporary Assistance, and you tell us today that you have an emergency, we must interview you today about your emergency. We must also tell you in writing today about our decision on your emergency. If you are applying for Food Stamp Benefits, and you are eligible for expedited processing, your interview and the notice of our decision will be no later than five calendar days after the day you filed your application.

- Bring someone to your interview to interpret for you. If you need an interpreter, the agency will arrange for one. You cannot be denied access to services because you are not fluent in English. Hearing or speech impaired applicants/recipients may consider utilizing TTY/TDD relay systems to gain access to services.
- Have the same access to social services programs, if you have a disability, as someone who does not have a disability.
- Be told, within 30 days of the date you turned in (filed) your Application for Family Assistance and Food Stamp Benefits, if your Application is approved or denied; be told within 45 days of the date you turned in (filed) your Application for **Safety Net Assistance** if your Application is approved or denied.
- Have a decision made to approve or deny your application for Services within 30 days of the date you turned in (filed) your application, and have written notice of that decision sent to you within 15 days after the decision is made. However, a decision to approve or deny protective services for adults must be made at the time a protective services for adults assessment services plan is completed.
- Be notified if you are eligible for Medical Assistance or if your application is denied when your application for Medical Assistance, including your interview is completed. The time frame for you to be notified varies:
  - Pregnant women and young children must be told within 30 days of filing the Application;
  - If a person's eligibility is dependent on disability status, the person must be told of the eligibility decision with 90 days of filing the Application; and
  - All other persons must be told within 45 days of filing the Application
- Get a written notice telling you if your Application is approved or denied
  - If your Application is approved, this notice will tell you what benefits you will get.
  - If your Application is denied, this notice will tell you why and what you should do if you disagree or do not understand this decision.

*over*

(01/24/96 new section added.)

351.28 Home Visits.

- (a) A visit to the home of an applicant for or recipient of Aid to Dependent Children (ADC) or Home Relief (HR) may be conducted by an official of the social services district as part of an investigation into eligibility or continuing eligibility for such assistance. The visit may be conducted with advance notice that a visit may take place, or without advance notice in the circumstances described in subdivision (b) of this section. A home visit must ordinarily be conducted only during the normal business hours of the social services district or during daylight hours, unless the circumstances of the applicant or recipient make such time impractical. The social services official conducting such visit must properly identify himself or herself.
- (b) A visit to the home of an applicant for or a recipient of ADC or HR by an official of the social services district may be conducted without advance notice to the applicant or recipient when the district has information that is inconsistent with or fails to support pertinent information reported by the applicant or recipient during the eligibility or redetermination of eligibility process, when the applicant or recipient fails to provide information pertinent to the eligibility or redetermination of eligibility process that he or she would reasonably be expected to provide or when it appears that information provided by the applicant or recipient during the eligibility or redetermination of eligibility process is false. Examples of such circumstances include, but are not limited to: where the landlord does not verify the household composition or provides information which is inconsistent with the information in the application; where the household's stated expenses exceed the stated income or the current grant without a reasonable explanation; where there is no information concerning a parent who is alleged to be absent from the home or the information is inconsistent with the information in the application; where the application is inconsistent with prior case information in the district's possession; or where the application contains inconsistent information that would affect eligibility for ADC or HR.
- (c) Consent by the applicant or recipient to an unscheduled visit must not be considered to be permission to search the premises. The official may question the applicant or recipient about people or objects in plain view on the premises.
- (d) Failure by the applicant to cooperate during an unscheduled visit or to permit such visit is not a basis for a discontinuance or denial of assistance. An official conducting an unscheduled visit must not indicate or lead the applicant or recipient to believe that failure to cooperate or to permit the visit will be a basis for denying or discontinuing benefits.

Revision

(6/30/92 new section added.)

(11/27/92 paras. (a) and (b) amended.)

(10/23/02 Title of Section 351.24 amended, Subdivisions (b) through (g) of section 351.24 are

NEW YORK STATE  
 DEPARTMENT OF SOCIAL SERVICES  
 40 NORTH PEARL STREET, ALBANY, NEW YORK 12243

CESAR A. PERALES  
 Commissioner

*Distl Comm.  
 Bob P  
 MB.*



[An Administrative Directive is a written communication to local Social Services Districts providing directions to be followed in the administration of public assistance and care programs.]

*Cancelled by  
 [Signature]*

**ADMINISTRATIVE DIRECTIVE**

TRANSMITTAL NO.: 86 ADM-26  
 [Executive Deputy  
 Commissioner]

TO: Commissioners of Social Services

SUBJECT: Local District Manager's Guide

*Copy of  
 Section No. 3*

DATE: August 12, 1986

SUGGESTED DISTRIBUTION: Deputy Commissioners  
 Directors of Administrative Services  
 Staff Development Coordinators

*ies Clients Rights  
 which includes:  
 3.1 - Civil Rights  
 3.2 - Confidentiality  
 3.3 - Acceptable Professional Standards for dealing w. our clientele*

CONTACT PERSON: Any questions concerning this release should be directed to Peter Dimitri, Local Liaison Unit, by calling 800-342-3715, extension 49541.

I. Purpose

This directive transmits the Local District Manager's Guide. The purpose of the Guide is to consolidate all general administrative requirements of local districts into a single reference source. Future policy directives which are not related to one of the major program areas (IM, MA, Services, Accounting, etc.) will be issued in the form of page replacements or new sections to the Guide. In addition, over the next year, existing administrative policies and procedures currently contained in Administrative Directives or Manual Bulletins will be incorporated into the Guide and the previous ADM's and MB's cancelled.

II. Background

One of the major recommendations of the Local District Communications Study Advisory Groups was the development of a series of Program Manuals which would become the primary reference source for Department policy and procedures. The manuals will be designed to consolidate existing materials currently contained in ADM's and Manual Bulletins with appropriate indexing and cross-referencing. The manuals will be updated with page replacements at regular intervals and previously issued materials cancelled as they are incorporated into the manuals.

**FILING REFERENCES**

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Social Services Law and Other Legal References	Bulletin/Chapter Reference	Miscellaneous Reference
	83 ADM-19 85 ADM-11		SSL Sec. 34		
	<i>Acceptable Professional Standards</i>				

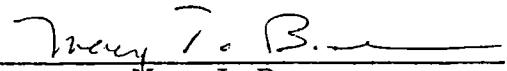
DSS-296 (n.v. 8/82)

III. Required Action

Appropriate Local District staff should familiarize themselves with the contents of the Local District Manager's Guide and refer to it as needed for guidance on administrative policy and required procedures.

IV. Effective Date

The Local District Manager's Guide is effective July 1, 1986.



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Mary Jo Bane

AD 27 86 ADM

- NOTICE -

Administrative Directive, 86 ADM-26 is being sent to you without the Manual attached. The Department of Social Services is limiting issuance to only those agencies or persons that have need of the information this document contains.



### 3. CLIENT RIGHTS

#### 3.1 Civil Rights

Departmental policy is found in 18 NYCRR 303.1, which states:

No social services district or official shall establish or apply any policy or practice which would have the effect of discriminating against an individual because of race, color, national origin, age, sex, religion or handicap. This prohibition shall apply to all aid, care, services, benefits or privileges provided directly or indirectly by other agencies, organizations or institutions participating under contractual or other arrangements.

In the provision of public assistance, child welfare services, other care and services, no social services district official or any member of his staff shall, on the basis of race, color, national origin, age, sex, religion or handicap:

- A. deny an individual any aid, care, services, other benefits or privileges provided by the district;
- B. provide any aid, care, services, other benefits or privileges to an individual which are different, or are provided in a different manner, from that provided to others;
- C. subject an individual to segregation or separate treatment in any manner related to his receipt of any aid, care, services, other benefits or privileges;
- D. restrict an individual in any way in the enjoyment of any advantage or privilege enjoyed by others receiving any aid, care, services, other benefits or privileges;
- E. treat an individual differently from others in determining whether he satisfies any eligibility or other requirement or condition which individuals must meet in order to receive any aid, care, services, other benefits or privileges;

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- F. deny any individual an opportunity to participate in a program through the provision of services or otherwise afford him an opportunity to do so which different from that afforded others under the programs (including the opportunity to participate in the program as an employee where the primary objective of the program is to provide employment, including a program under which the employment is provided to reduce unemployment);
- G. make distinction in relation to use of physical facilities, intake and application procedures, caseload assignments, determination of the amount and type of aid, care, services and other benefits under the program and use thereof.

No social services district or official shall establish any employment policy or practice which would have the effect of discriminating against an individual because of race, color, national origin, age, sex, religion or handicap.

**3.2 Confidentiality and Disclosure of Information**

What follows reflects current Department regulations concerning confidentiality and disclosure of information. However, the complexity of some confidentiality standards and the possible need for judicial constructions suggest that questions involving confidentiality and disclosure of information should be discussed with the local social services attorney and, if necessary, with the Department's Division of Legal Affairs prior to taking any action.

**A. Prohibition Against Disclosure of Information**

- (1) Officers and employees of social services districts shall not reveal information obtained in the course of administering public assistance for purposes other than those directly connected with the administration of public assistance, except for the name, address, and the amount received by or expended for a recipient of public assistance when the appropriating body or social services official has authorized their disclosure to an agency or person deemed entitled to it pursuant to Section 136 of the Social Services Law.
- (2) Each social services official shall designate the person, or persons, within the agency with authority to disclose information.

**B. Nature of Information to be Safeguarded**

Information to be safeguarded includes names and addresses of applicants, recipients, and their relatives, including lists thereof; information contained in applications and correspondence; reports of investigations; reports of medical examination and treatment; resource information and financial statements; and records of agency evaluations of such information. This applies to all information secured by the agency, whether or not it is contained in the written record.

**C. Basis for Disclosure of Information**

(1) Safeguards in Disclosing Information

Information shall be released to another agency or person only when the social services official providing such data is assured that:

- a. the confidential character of the information will be maintained,
- b. the information will be used for the purpose for which it is made available (such purposes to be reasonably related to the purposes of the social services program and the function of the inquiring agency), and
- c. the information will not be used for commercial or political purposes.

(2) Disclosure of Medical Information

- a. The medical information supplied directly by a physician, dentist, or nurse, as well as hospital or clinic reports shall be considered a confidential communication and shall be released to another agency only with the specific consent of the patient, if competent.
- b. To the extent they are available, medical histories of a child legally freed for adoption and of his or her natural parents, with information identifying such natural parents eliminated, shall be provided by an authorized agency to such child's prospective adoptive parent(s).

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- c. To the extent they are available, the medical histories of a child in foster care and of his or her natural parents shall be provided by an authorized agency to such child when discharged to his or her own care.
  - d. For the purpose of paragraphs (2) and (3) of this subdivision, medical histories shall include all available information setting forth conditions or diseases believed to be hereditary, and drugs or medication taken during pregnancy by the child's natural mother, and any other information which may be a factor influencing the child's past, present or future health.
- (3) Disclosure to Applicant, Recipient or Person Acting on His Behalf
- a. The case record shall be available for examination at any reasonable time by the applicant or recipient or his authorized representative upon reasonable notice to the local district. The only exceptions to access are:
    - i. those materials to which access is governed by separate statutes, such as child welfare, foster care, adoption or child abuse or neglect, or any records maintained for the purposes of the Child Care Review Service;
    - ii. those materials being maintained separate from public assistance files for the purpose of criminal prosecution and referral to the district attorney's office; and
    - iii. the county attorney or welfare attorney's files.
  - b. Information may be released to a person, a public official, or another social agency from whom the applicant or recipient has requested a particular service when it may properly be assumed that the client has requested the inquirer to act in his behalf and when such information is related to the particular service requested.

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(4) Disclosure to Relatives

Because Section 132 of the Social Services Law requires agencies to investigate the ability and willingness of relatives to contribute support and because legally responsible relatives need to know the amount of the applicant's needs and income, the agency may inform them of basic circumstances of the applicant's needs insofar as may be necessary in a discussion of a contribution of support. Such a relative is a "person...considered entitled to such information." (See Social Services Law Section 136, subd. 2.)

(5) Disclosure to Federal, State, or Local Official

- a. Information may be disclosed to any properly constituted authority. This includes a legislative body or committee upon proper legislative order, an administrative board charged with investigating or appraising the operation of public welfare, law enforcement officers, grand juries, probation and parole officers, government auditors, and members of public welfare boards, as well as the administrative staff of public welfare agencies.
- b. Information may be released to a selective service board when such information is necessary if the board is to arrive at a valid and consistent decision regarding dependency.

(6) Disclosure upon Subpoena by Court

- a. When a public assistance record is subpoenaed by a court, the public welfare agency shall immediately consult its legal counsel before producing any record, revealing any information or giving any testimony.
- b. When the subpoena is for a purpose directly related to the administration of public assistance or protection of the child, the agency before complying with the subpoena shall endeavor to get in touch with the client whose record is involved or his attorney and secure permission to reveal the contents of the record which relate to the administration of public assistance.

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c. In the event that the subpoena is for a purpose not directly related to the administration of public assistance or the protection of a child, the agency shall plead, in support of its request to withhold information, that the Social Security Act, the Social Services Law, and the regulations of the State Department of Social Services prohibit disclosure of confidential information contained in records and files, including names of clients. The agency will be governed by the final order of the court after this plea is made.

(7) The written assurance required by Section 136 of the Social Services Law that the names and addresses of applicants and recipients of assistance shall not be published shall be obtained by the public welfare official before allowing examination of records of disbursements by that bona fide news disseminating firm.

**D. Prohibition Against Improper Use of Lists of Applicants and Recipients**

All materials sent to applicants and recipients of public assistance, including material enclosed in envelopes containing checks, must be directly related to the administration of the public assistance programs and shall not have political implications. (Additional statutory authority: Social Services Law, Sections 136, 258, 320.)

**E. Procedures for Safeguarding Information Maintained by the New York State Department of Social Services, Local Social Services Districts, and Other Authorized Agencies**

(1) Records containing individually identifiable information shall be marked "confidential" and kept in locked files or in rooms that are locked when the records are not in use.

(2) When in use, records shall be maintained in such a manner as to prevent exposure of individual identifiable information to anyone other than the authorized party directly using the case record.

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- (3) No records shall be taken from the place of business without prior authorization by appropriate supervisory staff of the New York State Department of Social Services, the local social services district, or other authorized agency.
- (4) No records shall be taken home by agency staff except upon prior authorization by appropriate supervisory staff in order to perform a function which requires the possession of the records outside of the agency and when return of the records to the agency at the close of business would result in an undue burden to the staff. When records are taken home by staff, the records are to be maintained in a secure location and are not to be disclosed to anyone other than those expressly authorized by statute or regulation. The records are to be returned to the agency by staff on the following business day.
- (5) Records shall be transmitted from one location to another in sealed envelopes stamped "confidential," and a receipt shall be obtained documenting delivery of said records.
- (6) Interviews with clients shall be conducted at a location in a manner which maximizes privacy.
- (7) Employees of the New York State Department of Social Services, the local social services district, or the other authorized agency, consistent with applicable statute and regulation, shall have access to individual identifiable information only where the employee's specific job responsibilities cannot be accomplished without access to individual identifiable information.

**F. Confidentiality Policy and Procedures Manual**

The New York State Department of Social Services, local social services districts, and other authorized agencies shall disseminate to staff a policy and procedures manual establishing and describing:

- (1) responsibilities of staff to safeguard information pursuant to statute, regulation, and policy;
- (2) procedures for properly informing clients of records collection, access, utilization, and dissemination;

- (3) agency policies and practices applicable to confidential information;
- (4) procedures governing employee access to information; and
- (5) disciplinary actions for violations of confidentiality statutes, regulations, and policies.

### 3.3 Acceptable Professional Standards for Dealing with Our Clientele

- A. Each local department of social services is legally bound to insure that programs are administered in a fair and humane manner. Program administration must be absolutely free of even the suggestion of discrimination. Local commissioners and supervisors are accountable for the behavior of all agency staff.

Local commissioners of social services must insure that their staff understand and adhere to standards of appropriate professional behavior and positive and supportive employee-recipient/applicant interaction. Local district employees should be aware of their responsibilities as professionals. They should also be aware of the consequences of noncompliance, consequences which (over and above adverse State actions) may include exposure to litigation and ultimately awards of damages against them personally.

- B. To insure that agency obligations are fully discharged, the following activities should be scrutinized and addressed as appropriate:

- (1) Employee Training

Employees should be informed of their responsibilities regarding client contact and program administration. Training should include overview and discussion of relevant EEO laws and regulations and agency and individual responsibilities under the law. To the extent that resources permit, State training will be available upon request. Requests should be directed to Mr. Robert Donahue, Director of the Office of Human Resources Development (518-474-9645).



(2) Client Interviews

Client interviews should be conducted in areas in which reasonable privacy is afforded and in an atmosphere that is as non-threatening to the client as possible. Every effort to maintain client confidentiality must be undertaken. Also, to the extent practicable, client interviews should be scheduled in a way which will minimize waiting and which will result in a minimum number of return visits. Waiting rooms should be as comfortable as possible, with convenient access to rest rooms, water fountains, etc.

(3) Non-English Speaking Clients

Local districts are responsible for making arrangements to provide translators for individuals who are not fluent in English. No person shall be denied access to services because a district cannot provide adequate translations.

(4) Discrimination

Discrimination in any form, whether based on race, gender, age, religion, or ethnic background is absolutely illegal. Local districts must post in a conspicuous manner procedures for filing complaints and list those agencies or persons that will handle complaints, i.e., Local District Commissioner, County Affirmative Action/Equal Employment Opportunity Office, NYSDSS/OMPD, NYS Division of Human Rights.

(5) Initial Client Contact

During an initial client contact it is particularly important to treat the individual courteously and provide him/her with a maximum amount of information regarding benefits available, required documentation, and that individual's responsibilities in maintaining continuing eligibility. Initial contact is the beginning of a formal process. Appropriate and required documentation of all such contacts and their disposition should be maintained. Written notice of denials must be provided to applicants.

(6) Timeliness

Client eligibility determinations should be made as quickly as possible and in every case in conformity with applicable requirements.

(7) Holding Checks

When an agency suspects misconduct, it has an affirmative responsibility to investigate thoroughly and develop evidence which either proves or disproves the allegations. Withholding benefits because of a mere suspicion is illegal.

(8) Record Keeping

Maintaining proper case files is essential to insure both appropriate case management and proper employee behavior. All transactions involving recipients or applicants should be noted.

(9) Responsiveness to Client Inquiries

Agency employees should be responsive to requests from clients regarding their case or their situation. Agency employees should be able to explain adverse case actions to the individual and what remedies are available to that individual.

(10) Complaints

Complaints of misconduct, discrimination (or) improper case administration should be vigorously and thoroughly investigated. Local commissioners are responsible for ensuring that reasonable procedures for conducting such investigations have been developed and are understood by agency staff. The investigations and their findings must be fully documented and recorded. When such complaints are found to be justified, employees should be instructed again about their responsibilities. Habitual or serious violators should be disciplined or dismissed.

Any questions concerning this section (3.3) should be directed to the Assistant Commissioner, Office of Minority Program Development, by calling 1-800-342-3715, extension 3-8555.

Fax: (518) 473-0511

40 N Pearl St  
11<sup>th</sup> floor  
Albany, NY 12243

New York State Office of Temporary  
and Disability Assistance

Division of Employment and  
Transitional Supports

Temporary Assistance Bureau

**Fax**

To: <i>Miki Jalout</i>	From: <i>Ruthie Mullaly</i>
Agency: <i>Warren Co. DSS</i>	Phone: <i>518-414-5396</i>
Phone: <i>518-761-6331</i>	Cover plus <input checked="" type="checkbox"/> pages <i>Bal. of 10 pages</i>
Fax: <i>518-761-6238</i>	Date: <i>7/19/06</i>

Re:

*As requested*

*(FYI - Postmarks shows  
mail date of 11/22/04)*

