| Office of Administrative Hearings (OAH) | Transmittal Number: 95-39 |
|---|---|
| Procedures Transmittal | Date: November 15, 1995 |
| Distribution: | |
| ALB OAH Staff [X] UPS ALJs/ [] Upstate LDSS [] | Subject: Expansion of OES Intake Interviews for Temporarily |
| NYC OAH Staff [X] NYC ALJs/ [X] NYC Agencies [X] SUP ALJs [X] (NOES only) | Unemployable Clients |

Effective October 2, 1995, the Office of Employment Services (OES) expanded the types of clients who are called in for OES Intake interviews to include those who are temporarily unemployable (see attached appointment letter). In the past, interviews were conducted only for HR clients who were coded employable in WMS. Those clients who are temporarily unemployable must now document their continuing unemployability to qualify for HR benefits.

Those clients who fail to report to the interview or otherwise cooperate with the Office of Employment Services will have their cases closed because they violated the requirement that they document their employability status and continuing eligibility for assistance. There is no provision for conciliation in these cases; therefore, the client will immediately receive a Notice of Intent to discontinue Public Assistance, Food Stamps, and/or Medicaid (see attached Notice of Intent).

Since employment Notices of Intent may be generated by either the Office of Employment Services or the Income Support Centers, it is important to ascertain which agency sent the notice. There are three ways to identify the issuing agency as outlined on the attached sample notice.

- (1) If the notice is from the Bureau of Employment Services (BES) and is so labeled in the upper-right corner, NOES should appear in the agency field, with the IS Center number in the secondary agency if available. If the notice is from the IS Center, it will simply indicate the center number in the upper right corner, in which case the IS Center number should appear in the agency field.
- (2) If the upper-right corner of the notice indicates:

PGM - Code: 6 = OES
PGM - Code: 2 = IS Center

(3) If in the text of the notice, it indicates the location of the conference is at:

109 East 16th Street, Room 400A = OES Center address = IS Center Obviously, when reviewing correspondence with the notice attached or if a walk-in client brings the notice, it will be easy to distinguish the source of the notice and, therefore, the proper agency to notify. However, telephone intake staff should make every effort to question the appellants on the telephone as to whether or not they recall the address of the conference or if they can refer to the notice and identify either the program code or whether the notice was issued by BES.

These instructions are consistent with instructions distributed in a memorandum from Mark Lacivita, dated September 29, 1992, with the exception that there is no longer a need to use subcategory OES2. These instructions are being reissued in the anticipation that there may be an increasing number of fair hearing requests generated by OES' expansion of the scheduling of interviews for the unemployable HR population. If you have any questions, please refer them to Sue Fiehl at (518) 473-4779 or via e-mail at 90j029.

Mark Lacivita, Director of Administration Office of Administrative Hearings

Attachments