

Office of Administrative Hearings (OAH)	Transmittal Number: 97-19
Procedures Transmittal	Date: June 5, 1997
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Distribution:	
ALB OAH Staff <input checked="" type="checkbox"/> UPS ALJs/ <input type="checkbox"/> Upstate LDSS <input type="checkbox"/>	Subject: Coding for WEP Worker's Organizing Committee, ACORN, Fair Hearing Requests
SUP ALJs <input type="checkbox"/>	
NYC OAH Staff <input checked="" type="checkbox"/> NYC ALJs/ <input type="checkbox"/> NYC Agencies <input type="checkbox"/>	
SUP ALJs <input type="checkbox"/>	

Currently, there is a project underway to code and enter approximately 995 requests for fair hearings submitted by the WEP Workers Organizing Committee of an organization known as ACORN. Fair hearings have been requested to challenge Work Experience Program (WEP) assignments due to the contentions that (1) the assignment is not designed to move clients to self-sufficiency and economic independence; and (2) the choice of the WEP assignment is not consistent with the client's employment plan in that it is not designed to improve employability.

These hearings will be grouped on separate calendars utilizing the coding as set forth below:

ADC Requests from ACORN

HR Requests from ACORN
(or if category is unknown)

Agency: NBEG/ISC
Category: ADC
Subcategory: SP03
Issue Code: 709
Action: INAD
Aid Status: Non-Aid

Agency: NOES/ISC
Category: HR
Subcategory: OES2
Issue Code: 709
Action: INAD
Aid Status: Non-Aid

As indicated above, cases will be given the subcategories SP03, for NBEG cases, and OES2, for NOES cases. Previously, these subcategories were used for different issues (SP03 was used for failure to recertify; OES2 was used for employment issues). It is important that the subcategories SP03 and OES2 are used only for issues specified in the ACORN requests, rather than for their previous usage, to ensure the proper coding and potential retrieval of these cases.

If the Income Support Center (ISC) is not provided on the original request, only the agency NBEG or NOES will be entered in the agency field.

The representative for all of these fair hearings is:

Ms. Milagros Silva
ACORN
845 Flatbush Avenue
Brooklyn, New York 11226

Each fair hearing request will have the following information entered into the Comment Information Screen:

"Contests assignment to WEP activity in that it is not designed to move app to self-sufficiency & economic independence; and the choice of the WEP assignment is not consistent with app's employability plan in that it is not designed to improve employability."

Communications Intake Unit staff please note: Do not combine other issues on these requests as calendars will be designed to hear the WEP issue only. Also, these requests are being input into FHIS by designated staff. Any isolated requests received on similar issues need not be coded in this manner. If you have any questions regarding this transmittal, you may contact your supervisor or Susan Fiehl at (518) 473-4779, or via e-mail 90j029.

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Mark Lacivita, Director of Administration
Office of Administrative Hearings