



FAMILY INDEPENDENCE ADMINISTRATION


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POLICY BULLETIN #13-25-ELI

ACTIONS TAKEN WHEN A SAFETY NET ASSISTANCE HOUSEHOLD WITH CHILDREN IS ISSUED A CNS SANCTION NOTICE CONTAINING THE INCORRECT SANCTION PERIOD (HERCULES LAWSUIT)

Date: March 27, 2013	Subtopic(s): Employment Sanctions												
<p> This procedure can now be accessed on the FIAweb.</p>	<p>The purpose of the policy bulletin is to inform Job Center Supervisors, Fair Hearing Supervisors, Fair Hearing & Conference Unit staff, Centralized Rivera Office (CRO) staff, Fair Hearing Representatives, and the Job Center's Fair Hearing Compliance Unit of the actions they must take under the terms of the <u>Hercules</u> settlement, if they see that a Safety Net Assistance (SNA) individual living in a household with a dependent child was sent a CNS Sanction Notice containing the incorrect sanction period.</p> <p>Due to a computer programming error, CNS sanction notices issued between August 24, 2007 and August 25, 2011, to SNA individuals in a household with at least one dependent child contained the sanction period for SNA households <u>without</u> children which is a longer sanction period than authorized by law. . The following chart summarizes the different employment sanction periods applicable to SNA households with and without a dependent child:</p> <table border="1" data-bbox="480 1325 1451 1696"> <thead> <tr> <th></th> <th>Duration of First Sanction</th> <th>Duration of Second Sanction</th> <th>Duration of 3⁺ Sanctions</th> </tr> </thead> <tbody> <tr> <td>SNA household with a dependent child</td> <td>Until willing to comply</td> <td>90 days & until willing to comply</td> <td>180 days months & until willing to comply</td> </tr> <tr> <td>SNA household without a child</td> <td>90 days & until willing to comply</td> <td>150 days & until willing to comply</td> <td>180 days & until willing to comply</td> </tr> </tbody> </table> <p>The computer error has been corrected so that CNS sanction notices now reflect the correct sanction period.</p>		Duration of First Sanction	Duration of Second Sanction	Duration of 3 ⁺ Sanctions	SNA household with a dependent child	Until willing to comply	90 days & until willing to comply	180 days months & until willing to comply	SNA household without a child	90 days & until willing to comply	150 days & until willing to comply	180 days & until willing to comply
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HAVE QUESTIONS ABOUT THIS PROCEDURE?

Call 718-557-1313 then press 3 at the prompt followed by 1 or send an e-mail to *FIA Call Center Fax* or fax to: (917) 639-0298

CNS sanction notices that contain the incorrect sanction period must not be issued. If staff see a CNS sanction notice with an incorrect sanction duration issued to a SNA individual in a household with at least one dependent child, the notices must be withdrawn, any Cash Assistance (CA) benefits lost must be restored, and any sanction(s) imposed must be deleted.

The sanction must be deleted from WMS using CA Case Opening Code **Y46** or CA Line Opening Code **Y48** which will delete the last sanction.

Any retroactive relief that is issued must be exempt as income and as a resource for the purpose of determining eligibility.

Additionally, when a CNS notice containing the incorrect sanction duration is identified, the Supervisor or FH staff must promptly notify the Office of Legal Affairs via email to all of the following individuals:

- Stephanie Feinberg feinbergs@hra.nyc.gov,
- Robin Bettinger bettingerr@hra.nyc.gov and
- David Lock lockd@hra.nyc.gov.

Effective Immediately