

Employment Process Manual

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Employment Process Manual

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Policy

As a condition of eligibility for public assistance (PA), New York State regulations require all un- or underemployed nonexempt individuals in receipt of public assistance to engage in continuous job search for unsubsidized employment that will reduce or eliminate the need for PA. In addition, as required by Federal and State mandates, nonexempt participants must participate in approved work activities. New York City rules require participants to be engaged 35 hours weekly (a simulated workweek) as a condition of eligibility for public assistance.

The employment activities an individual may be assigned to and the subsequent penalties for noncompliance differ, depending on the individual's primary exempt/nonexempt status. Employment activities must be consistent with individuals' abilities and must ensure that any functional limitations due to medical or mental health conditions are accommodated. Additionally, because current information regarding an individual's abilities is essential to support employment assignments that best promote self-sufficiency, regular updates on the individual's abilities must be completed.

Exemptions for Public Assistance Applicants and Participants

An applicant for or recipient of public assistance is exempt from participation in job search and work activities if s/he is determined to be:

- ill or injured to the extent that s/he is unable to engage in work activities for up to three months, as verified by medical evidence;
- 60 years of age or older;
- under the age of 16 or under the age of 19 and attending full time a secondary, vocational or technical school;
- disabled or incapacitated, according to State regulations;
- needed in the home because another member of the household requires his/her full presence due to a verified mental or physical impairment and no other member of the household is appropriate to provide such care;
- pregnant, beginning 30 days prior to the medically verified date of delivery of the child;
- the parent or other caretaker relative in a one-parent household of a child under 12 months of age who is personally providing care for such child. This exemption must last no longer than 12 months for any parent or caretaker relative's life. The exemption shall last no longer than three months for any one child unless a determination is made to extend the exemption for the child up to the total 12-month maximum for the life of such parent or caretaker relative;
- exempt from work activities due to substance abuse, as verified by a Credentialed Alcohol and Substance Abuse Counselor (CASAC), or if granted a full employment waiver by the Office of Domestic Violence (ODV).

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Note: As a general rule, a separate FS determination must be made for PA/FS participants who are nonexempt (subject to employment rules) and are sanctioned for failure to comply with a work activity. The exception to this rule is for a participant who has infringed with a Work Experience Program (WEP) assignment. In this instance, for the first infraction period, the individual must be sanctioned until compliance, and for FS, the individual would be sanctioned for two months and until compliance, even in instances where there is a child under six years of age in the household.

References:

[18 NYCRR 385.2](#)

[18 NYCRR 351.2](#)

SECTION I: POLICY

Work Registration Exemptions for Food Stamp Applicants and Participants

A Food Stamp (FS) applicant/participant is exempt from work activities if s/he is:

- younger than 16 years of age or is 60 years or older;
- physically or mentally unfit for employment;
- a parent or household member who is responsible for the physical care of a dependent child under the age of six or of an incapacitated person; however, if the parent or household member is also in receipt of Temporary Assistance to Needy Families (TANF), s/he is not exempt if s/he is required to participate in WEP;
- a recipient of unemployment compensation. An applicant for unemployment compensation is exempt if s/he was required to register for work as part of the unemployment compensation application process;
- a regular participant in a drug or alcohol treatment and rehabilitation program, with “regular” being defined as an individual determined unable to work and participating in required treatment to an extent that assignment to work activities is impractical;
- employed or self-employed and working a minimum of 30 hours weekly or receiving weekly earnings at least equal to the Federal minimum wage, multiplied by 30 hours;
- a person age 16 or 17 who is attending school or an employment training program on at least a half-time basis;
- a student, 18 years of age or older but under the age of 50 and physically and mentally fit, enrolled at least half time in any recognized school, training program or institution of higher education, and meets at least one of the following criteria:
 - is employed for a minimum of 20 hours per week and is paid for such employment or, if self-employed, is employed for a minimum of 20 hours per week and receives weekly earnings at least equal to the Federal minimum wage, multiplied by 20 hours;
 - receives benefits from the TANF program;
 - is responsible for the physical care of one or more dependent household members under the age of six;
 - is a single parent with responsibility for the physical care of a dependent child under the age of 12 (regardless of the availability of adequate child care);
 - is responsible for the care of a dependent child above the age of five and under the age of 12 for whom adequate child care is not available to enable the individual to attend classes and work 20 hours per week or participate in a State or federally financed work study program;

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- participates in a State or federally financed work study program, funded under title IV-C of the Social Security Act, during the regular school year; or
- is assigned to or placed in an institution of higher education through a:
 - job Training Partnership Act program;
 - Food Stamp Employment and Training (FSET) program;
 - Department of Labor program under section 236 of the Trade Act of 1974;
 - Safety Net Job Opportunities and Basic Skills (JOBS) program activity which is comparable to a FSET activity approved by the State; or
 - TANF JOBS program funded through title IV-E of the Social Security Act.

Note: A student remains exempt during normal periods of attendance, vacation and recess unless there is a break in the student's enrollment status due to graduation, suspension, expulsion or intent not to return to school.

- an applicant for Supplemental Security Income (SSI) and food stamps under the joint processing provisions, until such time as the individual is determined to be:
 - eligible for SSI and, thereby, exempt from work registration; or
 - ineligible for SSI and a subsequent redetermination of his/her work registration status is made.
- a PA/FS participant subject to and complying with PA work requirements.

There are no work requirements to be determined eligible for medical assistance (MA).

Change in Exemption Status

An individual who loses exempt status due to any change in circumstance that must be reported according to the change reporting requirements must be registered for work when the change is reported.

References:

[18 NYCRR 385.3](#)

[18 NYCRR 387.1](#)

Overview of the Employment Process and Employability Plan

The Family Independence Administration (FIA) promotes finding and sustaining gainful employment as the foundation of self-sufficiency. At the time of application, individuals are notified that they must agree to engage in job search and work-related activities, with the goal of becoming self-sufficient.

The Employability Plan (EP) is the mechanism by which the Agency tracks an individual's progress toward that goal. It captures all of the information pertinent to an individual's achievement of sustained employment, assessing an individual's employability at a given point in time. An EP must be prepared for every adult, 18–59 years of age, in receipt of PA with the exception of homebound individuals. For individuals applying for recurring public assistance, an EP is initiated by the JOS/Worker during the initial application interview.

Please note: If an applicant for a nonrecurring (one-shot) grant later decides s/he wants to apply for recurring assistance, the JOS/Worker must initiate an EP.

The EP is continued by the Back to Work (BTW) vendor and contributed to by other approved vendors who engage with the individual. During an individual's participation with FIA, many employment plans may be completed on behalf of the individual that will chart progress being made toward reaching the individual's employability goals; however, only one EP will be initiated at a time.

This manual will use the EP as a road map for discussing the employability process.

The EP, accessed through NYCWAY by JOS/Workers and through the Web-based NYCWAY by Outstationed Workers (OSWs) and vendors, gathers the following information:

- personal and family background – captures demographics, language(s) and information regarding personal circumstances and potential barriers to employment success;
- educational background – captures all information regarding educational, vocational and other training experiences;
- job experience – captures all information regarding any and all work experience, paid or unpaid;
- job skills – categorizes skills disclosed by the applicant/participant and lists any licenses or certificates attained;
- job preferences – records the applicant/participant's choices for work-related activities;
- participant's certification – records the participant's signature, verifying that s/he understands what is required of him/her.

SECTION II: OVERVIEW OF THE EMPLOYMENT PROCESS AND EMPLOYABILITY PLAN

The EP lists key questions for each section on one screen. Depending on the response to these questions, subscreens or drop-down boxes appear, providing either additional questions or opportunities to make referrals and/or appointments. The JOS/Worker must address the following screens in the order they appear in the system:

Preliminary EP Exemptions

Adult individuals who are not work rules required (e.g., age 60 and older) are not required to have an EP initiated. Attempts to initiate an EP for these individuals will result in an advisory message on the **EP – Request Plan Date** screen, at which point the EP can be continued (if the individual would like to voluntarily participate – see next page) or canceled by pressing F10.

MAPER2-A (99992)

File Edit Functions Scripts Session Release Help

08/04/2006 New York City - Work, Accountability and You (NYC-WAY) 1600.300

EP 11:11 EP - Request Plan Date User: E5126

| | | | |
|-------------|-------------------------|----------------|------------|
| Case Number | CIN | ES Code 32 | Office 084 |
| Name | DoB | SSN | Sex Male |
| Status | EXEMPT - AGE 60 OR OVER | Case Type SNCA | IndStat AC |

New Plan Date - Please Enter

| | |
|-----------|----------|
| Plan Year | (2006) |
| Month | (08) |
| Day | (04) |

EP - Client is over 60 years of age

1602.030

MnMenu

Status field shows advisory message

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If an individual, age 60 or older, would like to participate in voluntary assignments, an EP must be completed for him/her. If the individual would like to participate in a specialized or voluntary program, once all barriers are addressed, an exemption can be overridden by entering **Y** in the **Override** field on the **Exemption Analysis** screen.

MAPER2-A (99992)

File Edit Functions Scripts Session Release Help

08/04/2006 New York City - Work, Accountability and You (NYC-WAY) 1600.300

EP 11:12 Exemption Analysis User: E5126

Case Number CIN ES Code 32 Office 084

Name DoB SSN Sex Male

Status EXEMPT - HGE 60 OR OUER Case Type SNCA IndStat AC

| Type | Kmp | Data/Outcome | Override |
|----------------|-----|--------------|----------|
| Over Age Limit | Yes | 12/14/1934 | |

Press Fk1 to return to Primary Questionnaire

Xmit to Complete Assessment

Plan Date 08/04/2006 1624.020

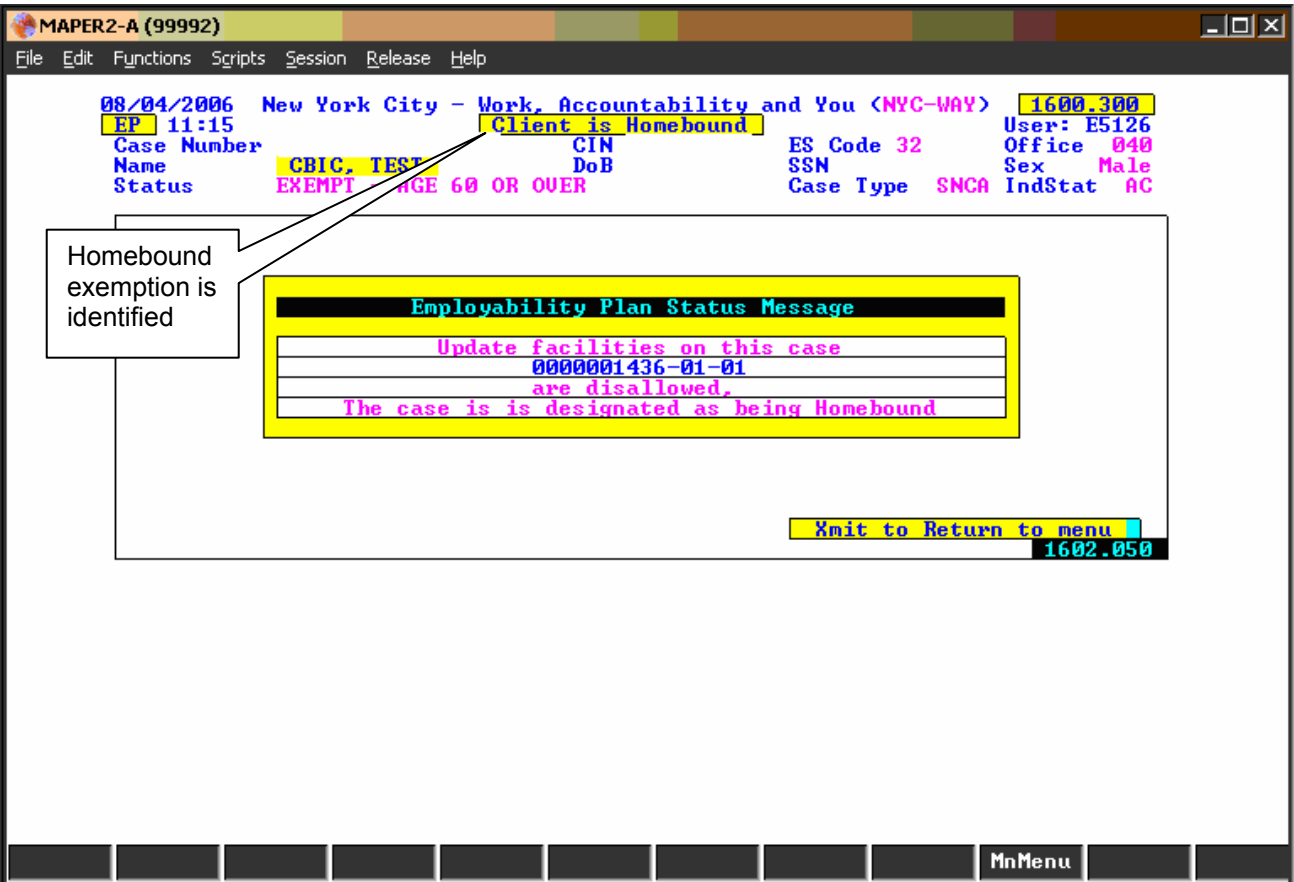
EP - To Override, enter a 'y' alongside the 'exemption'

Prior ActInq C-Note Help MnMenu

Once the exemption is overridden, staff can continue on to the language proficiency screen as indicated on page 2.5.

SECTION II: OVERVIEW OF THE EMPLOYMENT PROCESS AND EMPLOYABILITY PLAN

An EP is not required for HIV/AIDS Services Administration (HASA), closed cases or for individuals who are not applying and households with a homebound indicator. Attempts to initiate an EP for any of the aforementioned will result in an error message, as illustrated below for a case that has a homebound indicator.



This screen appears before the **EP – Request Plan Date** screen and does not allow for an exemption override.

If no other preliminary exemptions exist staff can continue with the EP as indicated on the next pages.

Language Proficiency Assessment

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The **Language Proficiency Assessment** screen is used to record the individual's self-described ability to read, write and speak in his/her primary and secondary language (if any), a determining factor in the selection of vendor, work and training activities during employment planning. If an individual answers "No" to speaking, reading or writing English, the system will register the need for basic education or English as a second language.

MAPER2-A (99989)

File Edit Functions Scripts Session Release Help

06/26/2006 New York City - Work, Accountability and You <NYC-WAY> 1600.300
 EP 14:33 Language Proficiency Assessment User: SYS77
 Case Number 000000011-01-01 CIN [REDACTED] ES Code 31 Office 067
 Name RJ M78, PA DoB [REDACTED] SSN [REDACTED] Sex Male
 Status Unknown Case Type SNCA IndStat AP

| Language | Speak | Read | Write |
|------------------------------------|-------------------------------------|------|-------|
| English | <input checked="" type="checkbox"/> | - | - |
| Is English the Primary Language? - | | | |
| Spanish | - | - | - |
| Russian | - | - | - |
| French/Creole | - | - | - |
| Chinese | - | - | - |
| Laotian | - | - | - |
| Hindi/Urdu | - | - | - |
| Other? specify | - | - | - |

Plan Date 06/26/2006 1603.020

Prior ActInq C-Note Help PrtInq MnMenu

Assessment – Primary Questionnaire

The **Assessment – Primary Questionnaire** screen is used to identify potential barriers to employment. Posed as questions, this section records the declared and/or suspected existence of the following identified barriers to employment:

- Special Assessment Issue?
- Alcohol/Drug Issue?
- Medical/Mental Health Issue?
- Needed at Home Claimed?
- Other Personal Issues?
- Felony Convictions?

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File Edit Functions Scripts Session Release Help

06/26/2006 New York City - Work, Accountability and You (NYC-WAY) 1600.300
EP 14:34 Assessment - Primary Questionnaire User: SYS??
Case Number 000000011-01-01 CIN [REDACTED] ES Code 31 Office 06?
Name RJ M78, PA DoB [REDACTED] SSN [REDACTED] Sex Male
Status Unknown Case Type SNCA IndStat AP

Special Assessment Issue? N
Alcohol/Drug Issue? N
Medical/Mental Health Issue? N
Needed at Home Claimed? N
Other Personal Issues? n
Felony Convictions? n

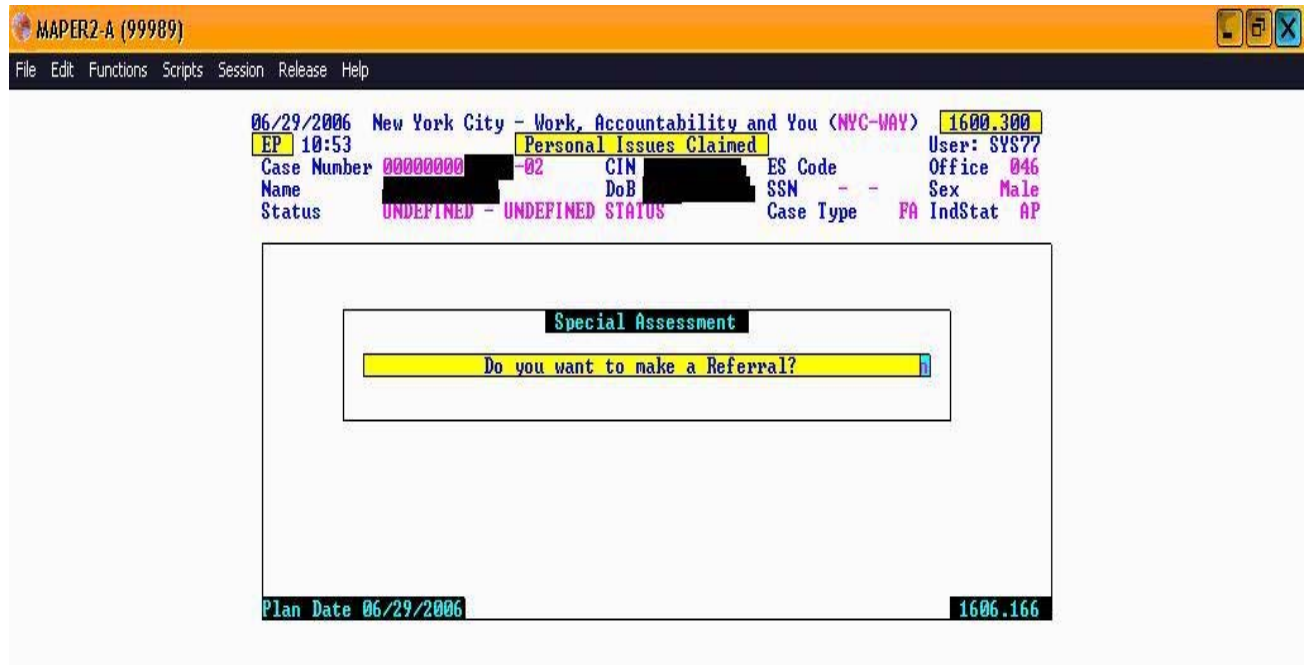
Plan Date 06/26/2006 1607.020

Prior Reset ActInq C-Note Help PrtInq MnMenu

Barrier(s) selected on this screen will lead to the **Supplementary Information Inquiry** subscreen, which will ask a question pertinent to the barrier(s) selected. When that question is answered it will be followed by a screen that will ask “Do you want to make a referral?” A “Yes” answer will lead to the **Personal Issues Claimed** subscreen.

Personal Issues Claimed

It is on this screen that a referral will be made, if needed, to a specialized unit that will assess the impact of the alleged barrier and any implications it may have on the applicant/participant's ability to be engaged. When a Special Assessment issue exists and is selected, only a referral to a Domestic Violence Liaison (DVL) can be made. Supplementary questions for other claimed barriers will still be asked, but other necessary referrals cannot be made until the domestic violence issue has been addressed and an outcome received.



Training Assessment Questionnaire

**SECTION II: OVERVIEW OF THE EMPLOYMENT PROCESS AND
EMPLOYABILITY PLAN**

DATE: 02/01/07

The **Training Assessment Questionnaire** screen records all educational and training programs completed, diplomas and degrees attained, along with the identified employment goals, chosen from a drop-down list of options. It is from this screen that a Training Assessment Group (TAG) referral is made when an individual wants to enroll or is currently enrolled in a training program. TAG is responsible for evaluating and approving training choices.

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File Edit Functions Scripts Session Release Help

06/26/2006 New York City - Work, Accountability and You (NYC-WAY) 1600.300
 EP 14:36 Training Assessment Questionnaire User: SYS??
 Case Number 000000011-01-01 CIN [REDACTED] ES Code 31 Office 06?
 Name RJ M78, PA DoB [REDACTED] SSN [REDACTED] Sex Male
 Status Unknown Case Type SNCA IndStat AP

Undertaken Educational/Training Programs? - In Past 3 years

High School Diploma or GED? Highest School Grade Achieved?

What is your Employment goal?
 Press F8 for List

What steps do you feel are necessary to reach your goal?
 Press F8 for List

Are you currently enrolled/requesting enrollment in a Training Program?

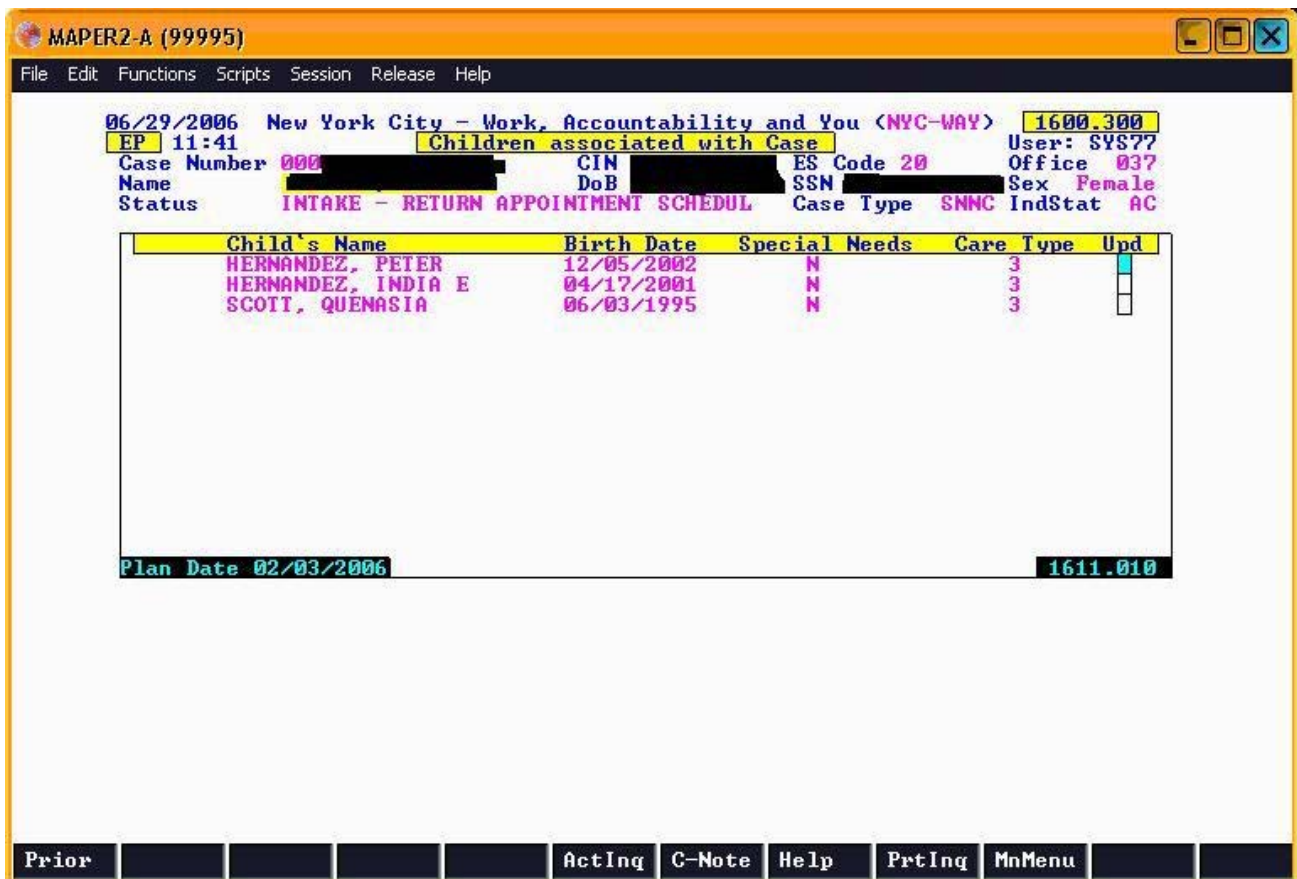
Applicant in (or nearing) Training (Post 935I)?

Plan Date 06/26/2006 1613.300

Prior ActInq C-Note Help PrtInq MnMenu

Children Associated with Case

The **Children Associated with Case** screen displays information on all children under the age of 13 on the case. Information captured on this screen is used to evaluate whether or not child care services are needed. Whether child care is already in place, needed, not required or refused, the system will allow the selection of a care type code to indicate such. If there are unresolved child care issues, an EP cannot be continued at the point this screen is being addressed. Therefore, once child care has been established, if needed, Action Code **119N** (EP Barrier Assessment Completed – Nonexemption) must be posted prior to proceeding to the next screen, the **Personal Circumstances** screen.



Personal Circumstances

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The **Personal Circumstances** screen captures the individual's veteran status, employment history and licenses/certificates. Answers on this screen will be used to determine the next steps in the employment and/or training process. For individuals who have been referred to BTW, this screen will be the first screen completed by the BTW vendor. For those referred to TAG, the TAG Worker will complete this screen after completing the TAG assessment and approval/disapproval process.

The screenshot shows a terminal window titled "MAPER2-A (99989)". The main content area displays the following information:

06/26/2006 New York City - Work, Accountability and You <NYC-WAY> 1600.300
EP 14:38 Personal Circumstance Questionnaire User: SYS??
Case Number 000000011-01-01 CIN [REDACTED] ES Code 20 Office 067
Name RJ M78, PA DoB [REDACTED] SSN [REDACTED] Sex Male
Status Unknown Case Type SNCA IndStat AC

Below this information is a box titled "Service, Employment and Licenses" containing three questions with input fields:

- Veteran?
- Ever been/Currently Employed?
- Possess any Licenses or Certificates?

At the bottom of the screen, the text "Plan Date 06/26/2006" is visible on the left and "1614.020" is on the right. A navigation bar at the very bottom contains buttons for "Prior", "ActInq", "C-Note", "Help", "PrtInq", and "MnMenu".

Work Experience Questionnaire

**SECTION II: OVERVIEW OF THE EMPLOYMENT PROCESS AND
EMPLOYABILITY PLAN**

DATE: 02/01/07

The EP captures work experience and preferences of the individual on two consecutive screens. On the **Work/Client Experience** screen, the JOS/Worker will enter “Y” next to any of the listed job categories in which the individual indicates s/he has paid or unpaid experience. Any previous experience that was recorded from prior completed EPs will show an indicator of “Y” next the work experience category.

On the **Client/Work Preferences** screen, the Worker will enter “Y” next to any of the job categories listed in which the applicant/participant indicates s/he would prefer to be involved. The individual’s employment goal, which was captured on the Training Assessment Questionnaire, will be indicated with a “Y.” On both screens, there are “Other” fields, in which the JOS/Worker can data enter any work experience/preferences that are not listed. If neither work experience nor preferences are declared, the system will prompt the Worker to confirm this by entering a “Y” on a pop-up confirmation screen before proceeding.

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File Edit Functions Scripts Session Release Help

06/26/2006 New York City - Work, Accountability and You (NYC-WAY) 1600.300
 EP 14:39 Work/Client Experience User: SVS77
 Case Number 000000011-01-01 CIN [REDACTED] ES Code 20 Office 067
 Name RJ M78, PA DoB [REDACTED] SSN [REDACTED] Sex Male
 Status Unknown Case Type SNCA IndStat AC

| Maintenance | Human Services | Office Work & Other |
|---|---|--|
| Janitorial <input type="checkbox"/> | Child Care <input type="checkbox"/> | Clerical <input type="checkbox"/> |
| Mechanic <input type="checkbox"/> | Health Care <input type="checkbox"/> | Computer Technology <input type="checkbox"/> |
| Food Service <input type="checkbox"/> | School Aide <input type="checkbox"/> | Data Entry <input type="checkbox"/> |
| Domestic <input type="checkbox"/> | Hospital Work <input type="checkbox"/> | Receptionist <input type="checkbox"/> |
| Building Maintenance <input type="checkbox"/> | Home Care <input type="checkbox"/> | Word Processing <input type="checkbox"/> |
| Security <input type="checkbox"/> | Livery / Taxi <input type="checkbox"/> | Messenger <input type="checkbox"/> |
| Housekeeping <input type="checkbox"/> | Beauty Culture <input type="checkbox"/> | Sales <input type="checkbox"/> |
| Construction <input type="checkbox"/> | | |
| House Painting <input type="checkbox"/> | | |
| Other <input type="checkbox"/> | Other <input type="checkbox"/> | Other <input type="checkbox"/> |

MAPER2-A (99989)

File Edit Functions Scripts Session Release Help

06/26/2006 New York City - Work, Accountability and You (NYC-WAY) 1600.300
 EP 14:39 Client/Work Preferences User: SVS77
 Case Number 000000011-01-01 CIN [REDACTED] ES Code 20 Office 067
 Name RJ M78, PA DoB [REDACTED] SSN [REDACTED] Sex Male
 Status Unknown Case Type SNCA IndStat AC

| Maintenance | Human Services | Office Work & Other |
|---|---|--|
| Janitorial <input type="checkbox"/> | Child Care <input type="checkbox"/> | Clerical <input type="checkbox"/> |
| Mechanic <input type="checkbox"/> | Health Care <input type="checkbox"/> | Computer Technology <input type="checkbox"/> |
| Food Service <input type="checkbox"/> | School Aide <input type="checkbox"/> | Data Entry <input type="checkbox"/> |
| Domestic <input type="checkbox"/> | Hospital Work <input type="checkbox"/> | Receptionist <input type="checkbox"/> |
| Building Maintenance <input type="checkbox"/> | Home Care <input type="checkbox"/> | Word Processing <input type="checkbox"/> |
| Security <input type="checkbox"/> | Livery / Taxi <input type="checkbox"/> | Messenger <input type="checkbox"/> |
| Housekeeping <input type="checkbox"/> | Beauty Culture <input type="checkbox"/> | Sales <input type="checkbox"/> |
| Construction <input type="checkbox"/> | | |
| House Painting <input type="checkbox"/> | | |
| Other <input type="checkbox"/> | Other <input type="checkbox"/> | Other <input type="checkbox"/> |

The information captured on this screen will be used by the system to produce a list of recommended work activities by matching activities with the determined skill levels, experiences, preferences and goals.

**SECTION II: OVERVIEW OF THE EMPLOYMENT PROCESS AND
EMPLOYABILITY PLAN****Work Activities and Programs**

There are various work activities and programs including, but not limited to:

- **Anti–Domestic Violence Eligibility Needs Team (ADVENT)** – a specialized unit within the domestic violence program whose task it is to provide a range of services, including a work experience assignment, to individuals residing in DV shelters who have barriers that include, but are not limited to, trauma-related symptoms, low self-esteem, borough restrictions (due to the close proximity to the abuser) and substance addiction.
- **Begin Employment Gain Independence Now (BEGIN) Managed Programs** – BEGIN Managed Programs offer no-cost employment and long-term skills training and education to individuals with language and literacy barriers to employment. BEGIN offers the following programs:
 - **BEGIN Work Study (BWS)/General Education Diploma (GED)** offers two tracks of educational instruction: GED preparation classes for those who test at the ninth-grade reading level or above and basic education classes for those who test below the ninth-grade reading level. This option allows an opportunity to work toward gaining a general education diploma.
 - **BEGIN Language Work Study (BLWS)** is appropriate for those individuals who speak English as a second language. The program is designed to improve English language skills and employability chances by combining two days of work readiness and language training/support with three days of work experience. Language and job skills are simultaneously developed in the program for participants at all educational levels.
 - **BEGIN Internship (BI)** is designed for those who have a GED/high school diploma and possibly additional educational experience but still face barriers to successful employment, such as the need for additional computer skills.
 - **BEGIN Vocational Work Study (VoWS)** is a full-time, five-day/35-hour-per-week assignment. Two days are spent in classroom training and three days the participant reports to a work site, where s/he receives practical hands-on work experience. In-depth training is offered in a variety of fields including health care, computer applications, custodial services, security, customer service, Web site design and office administration. At the conclusion of the training program, the participants receive job placement assistance.
 - **BEGIN Employment Plus (BEGIN E+)** offers extended hours of adult basic education, English as a Second Language (ESL) classes and GED preparation to assist individuals who may require intensive skills enhancement. BEGIN E+ also offers an after-school program for individuals with children between five and 12 years of age, to assist them with their child care needs while they are engaged.

SECTION II: OVERVIEW OF THE EMPLOYMENT PROCESS AND EMPLOYABILITY PLAN

- **Back to Work (BTW)** – The Back to Work program integrates the job search, short term training, job readiness and job placement services that were provided separately by the Skills Assessment and Placement (SAP), Employment Services and Placement (ESP) and the Special Populations (SPoP) contracted vendors.
- **Perfect Opportunity for Individual Skills and Educational Development (POISED)** – The POISED program offers special education and employment services, such as health and parenting classes, career planning, job placement and academic and computer training, to women on public assistance who have a child under the age of two and/or women who are pregnant. The POISED program also offers home services for women who are exempt from work activities due to a high-risk pregnancy as well as for women who have a child under 13 weeks of age. Workers should refer to the Perfect Opportunity for Individual Skills and Educational Development (POISED) Desk Guide ([W-204W](#)) for more information on the following POISED programs:
 - **POISED I** is a 13-week, full-time program for women who are on public assistance and less than seven months pregnant or who have a child who is at least 13 weeks but less than two years of age.
 - **POISED II** is a 12-week program that consists of intensive job search for 28 hours biweekly with a concurrent WEP activity of up to 42 hours biweekly for **POISED I** graduates who are on public assistance, are not pregnant and have a child who is at least 13 weeks but less than two years of age.
- **Work Experience Program (WEP)** – WEP is a program that is designed to give work experience to individuals in receipt of PA. Work opportunities are generally divided into three categories: office services, maintenance services, human/community services.
- **Grant Diversion/Wage Subsidy** – Grant Diversion is a government program designed to encourage and promote the employment of public assistance participants by providing funding to public, nonprofit or private sector employers to offset the cost of hiring new employees. The enrollment period for each participating employer is limited to a maximum of six months. While there are no restrictions on the types of jobs offered, employers participating in this program must pay wages at least equal to the prevailing wage for the job type and not less than minimum wage, in accordance with State and Federal labor laws. In addition, participants who are taking part in this program must be allowed to participate in any applicable collective bargaining and receive the same benefits/protections as an employee. Eligibility to participate in the Grant Diversion Program is not limited to an individual's category of assistance. Enrollment in the Grant Diversion Program is limited to a total of 12 months.

If the participant has exhausted the 12-month limit, s/he can no longer participate in the program. Participants who successfully complete the Grant Diversion Program are expected to enter into unsubsidized employment at the end of the enrollment period as a direct result of their participation. Currently, the Parks Opportunity Program is the main Grant Diversion/Wage Subsidy program.

**SECTION II: OVERVIEW OF THE EMPLOYMENT PROCESS AND
EMPLOYABILITY PLAN**

- **Training/Educational Programs** – A participant who meets the eligibility criteria and whose training request is approved by TAG may attend training and/or education as a primary work activity if s/he has an employability status (EMP) code of **20** (Mandatory Employable), **64** (Substance Abuser – In Rehabilitation or Waiting for Rehabilitation – Nonexempt) or on a voluntary basis for participants coded **32** (Advanced Age – 60 Years and Older) (see Section XII – Voluntary Programs). Additionally, short-term training may be arranged by the Back to Work vendor, when appropriate, via an Individual Training Account (ITA) (see Section XI – Other Engagement Activities).

There is a 12-month lifetime limit on counting vocational educational training while in receipt of PA. Training assignments that apply to the 12-month limit are tracked in NYCWAY. During the 12-month period the participant is allowed to go to training without a concurrent work activity, as long as attendance equals a total of 35 hours weekly. If attendance is less than 35 hours weekly, the participant must be engaged in a combination of training and work activities (see Section V – Training as a Work Activity for additional information).

References:

[18 NYCRR 385.9 \(c\)](#)

[18 NYCRR 385.6](#)

SECTION III: EMPLOYMENT VENDORS**Employment Vendors**

HRA contracts with community-based employment and training organizations to provide job readiness training, placement services and vocational training to public assistance applicants/participants under the BTW employment program; they are responsible for:

- providing orientation on-site at the Job/Model Centers or off-site, when applicable, for applicants/participants referred to BTW;
- conducting in-depth interviewing, skills testing, employability assessments and assisting applicants/participants in identifying job goals;
- initiating, updating and/or completing the EP initiated by the JOS/Worker. This includes entering assessment outcomes and the steps for reaching the employment goal in the EP;
- providing carfare for job search/training until it is issued on the case;
- ensuring compliance with mandatory attendance in accordance with welfare reform requirements;
- if appropriate, working collaboratively with treatment providers;
- helping applicants/participants become job ready and assisting them in conducting a job search as well as placing applicants/participants in paid, unsubsidized employment;
- making linkages with community-based organizations that provide services/support that will assist individuals in keeping their jobs;
- assisting with securing any transitional benefits the applicant/participant may be eligible for once unsubsidized employment is secured;
- helping applicants/participants retain the jobs they obtain and plan for career growth;
- career counseling; and
- completing a post-employment plan once the individual has gained employment.

SECTION III: EMPLOYMENT VENDORS**Family Independence Administration (FIA) Outstationed Worker (OSW)**

An FIA Worker will be outstationed at selected BTW vendor sites and available to all individuals assigned to BTW. The FIA OSW at the BTW vendor has a key role in ensuring that individuals are tracked for compliance with employment requirements. In addition, the FIA OSW:

- ensures child care is in place and discusses back-up child care plans;
- ensures that noncitizen applicants/participants have an employment authorization document (EAD) and a Social Security number (SSN) valid for working;
- reviews the Open Case list of individuals whose PA cases have been accepted and calls them in to:
 - confirm the completeness and validity of information entered into the individual's most recent EP;
 - discuss the employment and educational/training preferences as recorded in the EP.

When a participant is called in for engagement, the FIA OSW also:

- ensures that the individual understands that his/her preferences for a particular type of work or job goal will be taken into consideration in determining assignments appropriate to his/her employment plan. However, individual educational level and remaining length of time in the 12-month lifetime limit for training as primary work activity will factor into the assignment process;
- utilizes the questionnaire of work experience and preferences (see p. 2.8) in conjunction with the EP for assessment, test scores and the individual's preferences entered previously by the vendor to engage the participant in an appropriate work activity;
- ensures that the EP is completed, dated, certified and signed by both him/herself and the applicant/participant;
- ensures that the signed EP is immediately scanned and indexed into the case record and that a copy is given to the participant;
- reassesses participants that vendors claim were inappropriately referred;
- attends HRA training/vendor training meetings;
- attends Job CenterStat (at the Center level) and VendorStat (BTW vendors) meetings;
- acts as principle HRA liaison between the BTW vendor and the Job Center;
- makes referrals for specialized assessments when the BTW vendor suspects or identifies other barriers that may affect work participation.

JOS/Worker Interview for Public Assistance (PA) Eligibility and Compliance with Employment Rules

At the intake interview at application, recertification or other point of employment contact, prior to initiating the EP the JOS/Worker must:

- work with the applicant/participant to complete the Statewide Common Application ([LDSS-2921](#)) or the Recertification for Public Assistance, Medical Assistance, Food Stamps ([LDSS-3174](#)) and all other appropriate application/recertification forms, as applicable;
- discuss time limits: 60-month lifetime cash assistance limit for Family Assistance (FA) participants, 24 months for Safety Net Assistance (SNA) participants;
- emphasize the importance of paid employment;
- inform applicants of their rights and responsibilities as stated in the booklet, “What You Should Know About Your Rights and Responsibilities When Applying For or Receiving Social Services” ([LDSS-4148A](#)) and review the Important Information about Child Care ([LDSS-4647](#)) with applicants/participants who have children under 13 years of age;
- screen for possible barriers to employment using the Domestic Violence Screening Form ([LDSS-4583](#)) and the Alcohol and Drug Abuse Screening and Referral Form ([LDSS-4571](#));
- determine if there are other personal issues that may affect employability of applicants/participants who are not otherwise exempt (e.g., age 60 or older).

In the EP, the JOS/Worker must:

- identify and record the applicant’s primary and secondary language, if any, in the **Language Proficiency Assessment** screen;
- complete the **Assessment – Primary Questionnaire** by entering a “Y” or “N,” as appropriate, next to each barrier listed.

For each barrier that may exist, proceed as follows:

Special Assessment

If the applicant/participant makes a claim of domestic violence or the [LDSS-4583](#) indicates the existence of a DV situation, the JOS/Worker must ask the applicant/participant if s/he would like to be referred to the DVU for an assessment and possible services. If s/he wants to be referred, a “Y” must be entered next to the Special Assessment issue on the **Assessment – Primary Questionnaire** screen. The JOS/Worker must also explain that any waivers regarding participation in required PA activities because of DV can only be granted by DVU after a DV assessment is conducted. If the applicant/participant agrees to go to DVU for an assessment, proceed to make a referral as follows:

The system will ask this supplementary DV question: "Form LDSS-4583 Completed?" If a "Y" is entered, the next screen will ask, "Do you want to make a referral?" The JOS/Worker will enter "Y," and the system will post:

- **991S** for applicants
- **991I** for applicants identified as noncitizens requiring a credibility assessment due to information entered in the Paperless Office System (POS)
- **191A** for participants

Along with the above-listed referral codes, the system will post the appropriate corresponding return appointment codes, **910V** for **991S/991I** referrals or **105M** for **191A** referrals. As a result, the Special Assessment Letter ([W-103D](#)) will be generated and a seven-day Future Action Date (FAD) will post, during which time the individual is deferred from any mandatory activities and cannot receive an infraction code entry.

The JOS/Worker will not be able to make any additional referrals once the applicant/participant has been referred to the Domestic Violence Liaison (DVL) until an outcome is received or the individual fails to report, which can be seen on the NYCWAY **Activity** screen when posted. All referrals and employment and engagement activities are deferred until the DVL has completed the evaluation.

The DVL may grant a temporary waiver from certain public assistance requirements if it is determined that these requirements would increase the potential for continued abuse of the victim and/or the victim's children or impede their ability to leave the abusive situation.

The DV evaluation will determine if the person can be engaged or whether a full or partial waiver will be issued.

No Employment Waiver

If it has been determined that the individual is not a victim of DV and/or does not need a waiver from employment requirements, the DVL will enter Action Code **913N** (Special Assessment Result – No Waiver Granted [Applicant]) for **991S** referrals, **931J** (followed by **913N**) for **991I** referrals and **131N** for **191A** referrals in NYCWAY to indicate nonexempt, no waiver granted.

Employment Waiver

If a waiver is granted, the DVL will enter action codes as indicated for each waiver type:

- **Full Employment Waiver**

If it is determined that the applicant/participant should be waived from compliance with employment requirements, the DVL will enter Action Code **931A** (Assessment Result – Full Employment Waiver [Applicant]) for **991S** referrals, **931G** (followed by **931A**) for **991I** referrals or **131A** for **191A** referrals in NYCWAY. The employability (EMP) status code (element **375** of the Turn-Around Document [TAD]) will change to **45** (Work Requirements Waived).

- **Partial Employment Waiver**

If the DVL determines that the DV situation does not prevent the PA applicant/participant from engagement in work activities, a partial waiver is granted to ensure borough-specific safety for the individual. The DVL will enter in NYCWAY Action Code **931B** (Assessment Result – Partial Employment Waiver [Applicant]) for **991S** referrals, **931G** (followed by **931B**) for **991I** referrals or **131B** for **191A** referrals and any comments associated with the borough(s) or areas within the borough the applicant/participant should be excluded from for work activity. The EMP status code will automatically change to **46** (Work Requirements Waivable – Nonexempt). The applicant/participant should be assigned to appropriate work activities that will not endanger him/her.

- **Substance Abuse Waiver**

If the DVL determines that an applicant/participant, already identified as in need of substance abuse treatment, needs to be waived from the requirement to participate in substance abuse treatment for safety reasons, Action Code **931C** for **991S** referrals, **931G** (Special Assessment Appointment Kept – Waiver Granted [Applicant]) (followed by **931C**) for **991I** or **131C** for **191A** referrals will be entered in NYCWAY. The EMP status code will change to **45** (Work Requirements Waived). This exempts the applicant/participant from substance abuse requirements until a reassessment is done by the DVL.

- **Time-Limit Exemption Waiver**

A DV victim qualifies for a time-limit exemption if, nearing the end of the 60 months in receipt of FA, the victim is unable to work or participate in a training program due to a disability that was verified to have been caused by the DV. When a DV time-limit exemption is granted, the DVL will enter one of the following action codes in NYCWAY:

- **131D – Incapacitated/Disabled**

This code will be entered if the DVL determines that the individual's disability was caused by DV and has resulted in the individual being unable to participate in work-related activities for more than six months. When this code is entered in NYCWAY, the EMP status code will change to **47** (Incapacitated/Disabled – Time Limit Exemption [more than 6 months]).

- **131H – Needed in the Home to Care for an Incapacitated Child**

This code is entered if the DVL determines that the individual is needed at home to care for a child who is incapacitated due to DV. When the code is entered in NYCWAY, the EMP status code will change to **48** (Needed in the Home to Care for Incapacitated Child – Time Limit Exemption).

- **131I – Incapacitated**

This code will be entered if the DVL determines that the individual's physical incapacity is the result of DV, but documentation indicates that the individual will be able to participate in work-related activities in three to six months. When the code is entered in NYCWAY, the EMP status code will change to **49** (Incapacitated – Time Limit Exemption [4 to 6 Months – Exemption]).

Employment waivers are not applicable to DV victims who are granted a time-limit waiver. A DV victim cannot have both an employment waiver and a time-limit waiver at the same time, as the time-limit waiver already meets the criteria for an exemption from work activities. The employability status code of individuals who already have an employment waiver and are subsequently granted a time-limit waiver must be changed from **45** or **46** to the appropriate time-limit exemption code.

All waivers are granted for a minimum of four months and may only be granted by the DVL. The DVL will also determine if a waiver must be modified, extended or discontinued. NYCWAY is programmed to allow only identified DVU staff to enter waiver determinations in the system.

Complying with a DV assessment and/or accepting domestic violence services is strictly voluntary and does not affect receipt of benefits except in instances where the assessment is required to establish credibility. If an individual fails to report to the Special Assessment appointment or refuses DV services s/he must comply with all mandatory activities. After seven days, the DVL will post the following action codes for individuals who fail to report for the referral:

- **931F** for an applicant who was referred with Action Code **991S**;
- **931K** (Failure to Report to Special Assessment Appointment) (**991I** referrals only)(followed by **931F**) for an applicant who was referred with Action Code **991I**;
- **131F** for a participant referred with Action Code **191A**.

The **931F** and **131F** failure to report action codes have no adverse effect and only serve as outcome codes for the DVL referral. The JOS/Worker will resume the normal application process, including referral to any required job search/work activities. The **931K** may result in the denial of assistance and will appear on the **ISAR** worklist for follow-up action. After these codes are posted, other referrals can be made and the JOS/Worker can continue with the EP process.

Reference:

[06-INF-11](#)

Alcohol/Drug Issue

If, based on information disclosed in the interview, observation or on the [LDSS-4571](#) screening form, it is determined that an applicant/participant needs a referral for a substance abuse (SA) assessment by a Credentialed Alcohol and Substance Abuse Counselor (CASAC), enter “Y” next to “Alcohol/Drug Issue.”

The next window will present the following question, “Screening Form <LDSS-4571> Completed?” By entering a “Y,” the next question to appear will be “Do you want to make a referral?” A “Y” must be entered in this field for the system to prompt a referral for substance abuse assessment and possible case management services.

Bronx and Brooklyn residents will be referred to a Comprehensive Services Model (CSM) vendor, Bronx University Behavioral Associates (site designation code **D20**) or Project Ace (site designation code **D10**), respectively, with Action Code **915C** (CSM Assessment – Applicant). Manhattan, Queens, Staten Island and, on occasion, an overflow of Brooklyn and Bronx applicants, will be referred to the Substance Abuse Service Center (SASC) (site designation code **B10**) with Action Code **915G** (CASAC Assessment – Applicant). For participants, Action Code **193** (CASAC Assessment – Participant) must be used.

Applicants/participants at the Riverview Job Center (37) are referred to an on-site CASAC with Action Code **915R** (Applicant) and **214W** (Participant) (same-day referral) or **193R** (Participant), if done through the EP process.

Action Codes **193** and **193R** will post batch code **214H**, which will call in the individual for assessment. Action Codes **915G** and **193** will generate the Referral for Assessment at the Substance Abuse Service Center (SASC) (**W-456AA**); Action Code **193R** will generate the Reevaluation of Employability Status Appointment (**W-584M**). Action Codes **915C** and **915D** (see below) will generate the Referral to Comprehensive Services Model (CSM) (**W-500HH**).

For referral code **915G**, the system will offer a corresponding return appointment (code **910S**).

For PA reapplicants with a history in NYCWAY of alcohol/substance abuse services recorded in NYCWAY within the past three years, “Y” will auto-post next to “Alcohol/Drug Issue?” based on a review of SA action codes. These individuals must go for a substance abuse assessment and the system will require the JOS/Worker to schedule a mandatory assessment appointment. If the individual is an applicant with a prior history with CSM, the system may prompt the Worker to post Action Code **915D** for referral to an available CSM slot unless the CSM vendor previously terminated the assignment with Action Code **241X** (Discharged from CSM Management). If no CSM program slots are available, the system will offer the SA assessment referral code **915G**.

The Worker will advise the individual referred for an SA assessment that a substance abuse problem will not necessarily prevent him/her from participating in a work activity and that a work assignment could be part of his/her rehabilitation program. Individuals who are determined to need intensive treatment are mandated for at least 15 hours per week (full-time enrollment) in a treatment program and are exempt from work activities. Individuals who are determined to need nonintensive treatment are mandated to up to 14 hours per week of treatment and are assigned to concurrent work activities. Individuals who do not require any kind of SA treatment will be assigned to work activities.

Action Codes **915G** and **193** automatically change the EMP status code to **63** (Substance Abuser – In Rehabilitation or Waiting for Rehabilitation – Exempt) to ensure that the applicant/participant does not get assigned to inappropriate work activities while awaiting the outcome of an SA assessment. In addition, when the **193** is posted, if the participant is engaged in any work activity, s/he will be deassigned.

When the SA assessment is completed by the CASAC, one of the following outcome codes will be entered in NYCWAY:

Nonexempt – No Treatment Required

Applicant

- **240N** – The CASAC has determined that no substance abuse treatment is required for the applicant. If the **915G** and the **910S** (return appointment code) were posted by the JOS/Worker, the applicant must keep the **910S** return appointment to the Job Center once the **240N** code is posted. At the return appointment, if the applicant has no other barriers, the JOS/Worker must assign him/her to appropriate work activities.

Participant

- **241N** – The CASAC has determined that no substance abuse treatment is required for the participant. If it has been assessed that the participant should be referred for engagement, the SASC Worker will refer the participant to appropriate work activity (BTW, training, etc.) if no barriers exist and child care is in place. If child care is needed, the SASC Worker must refer the participant back to the Job Center using code **105E** and enter a comment informing the Worker that the individual is nonexempt, no treatment is required and that s/he is in need of child care services prior to being engaged. If another barrier to engagement such as domestic violence exists, the SASC Worker will make the appropriate referral.

Nonexempt – Treatment Required*Applicant*

- **240W** – The applicant is nonexempt from job search and work requirements but is mandated to receive nonintensive (up to 14 hours per week) substance abuse treatment concurrent with work activities. This code automatically makes the applicant's EMP status code **64**. The applicant will be required to participate in substance abuse treatment as the primary activity and a secondary activity (such as job search) .

Participant

- **241W** – The participant is nonexempt from job search and work requirements but is mandated to receive nonintensive (up to 14 hours per week) substance abuse treatment concurrent with work activities. This code automatically makes the participant's EMP status code **64**. The participant will be required to participate in substance abuse treatment as the primary activity and two other secondary activities.

For the nonexempt treatment-required individual, the CASAC will inform the individual that participation in the treatment program is mandatory and request that s/he sign the Consent for Disclosure of Alcohol or Substance Abuse Treatment Program Information and Records and Public Assistance and Care Information and Records ([M-75z](#)) form. The CASAC must proceed to enter in NYCWAY:

- **225** – indicates that the applicant/participant signed the consent form;
- **224** – refers the applicant/participant to a treatment program. This generates a Referral to Treatment Program (**W-687R**) form to be given to the applicant/participant. Once entered in NYCWAY, if the participant is assigned to WEP, the Worker will adjust his/her WEP hours by deducting a standard seven hours per week (14 hours/cycle) from the WEP schedule for attendance in substance abuse treatment;
- **243A** (SASC) or **243C** (CSM) – entered only in instances when the CASAC deems necessary. It indicates that the applicant/participant must return to the CASAC for a follow-up assessment in up to, but not more than, 90 days. Used only as deemed necessary, the **243A** or **243C** requires a manual FAD that will trigger a batch call-in notice for participants (applicants will receive the batch call-in notice once the case becomes active) to the CASAC. At that time, if able to work, the participant must be assigned to a work activity. This code is also used for cases where individuals are mandated into a non-HRA-recognized/approved treatment program;
- **205G** – refers the applicant/participant to the SASC Worker and generates a CASAC Referral to a Substance Abuse Service Center form ([W-500EE](#)). The CASAC will assign a same-day FAD and give the letter to the participant.

The SASC Worker is responsible for updating or completing the EP and assigning the individual to appropriate work activities (BTW, Training, etc.).

If the applicant/participant claims that s/he cannot participate in a work activity due to a medical or mental health condition, the SASC Worker must return to the primary assessment in the EP, enter “Y” on the “Medical/Mental Health Issue?” line and transmit. The system will prompt either:

- **968U** – to refer the applicant for medical assessment via Wellness, Comprehensive Assessment, Rehabilitation and Employment (WeCARE); or
- **168U** – to refer the participant for a medical assessment via WeCARE.

If the medical assessment confirms that no medical barriers exist, the SASC Worker will:

- enter **200P** in NYCWAY to generate an automated Notice of Temporary Assistance Work Requirements Determination (Nonexempt) ([LDSS-4005 \(a\) NYC](#)), which must be given to the applicant/participant;
- make an assignment to an appropriate work activity (BTW, training, etc.) to serve as a secondary assignment. If the assignment is to a BTW vendor, **917Q** (Applicant) or **153Q** (Participant) must be entered;
- assign participants to a tertiary concurrent activity (such as WEP or training), as appropriate) and complete the EP;
- inform the participant that s/he is now enrolled in substance abuse treatment and two concurrent activities, WEP and BTW or WEP and training. All three activities are mandatory. The substance abuse treatment is the primary activity;
- give the individual an “Excused Absence” form to take to the concurrent activities that s/he has been assigned to.

Note: Treatment programs record and monitor attendance in and compliance with treatment using the Substance Abuse Tracking and Reporting System (STARS). Once the applicant/participant attends substance abuse treatment, the treatment program worker will make an entry in STARS to indicate that the individual attended the treatment program and is thus enrolled in treatment. As a result, once STARS transmits the information to NYCWAY, the appropriate **284** series action code (found in the NYCWAY Guide to Codes) will be posted in NYCWAY.

Exempt – Intensive Treatment Required

Applicant

- **240T:** The applicant is fully exempt from work requirements for 90 days due to substance abuse. This exemption may extend until an SA reassessment determines that the individual is no longer in need of intensive treatment. This automatically reclassifies the applicant’s EMP status code as **63** and terminates all current engagement assignments such as BTW, if it has not been done already.

Participant

- **241T:** The participant is fully exempt from work requirements for 90 days due to substance abuse and is in need of extensive treatment. This exemption may extend until an SA reassessment determines that the individual is no longer in need of intensive treatment. This automatically changes the participant's EMP status code to **63** and terminates all current engagement assignments such as WEP, BEGIN and BTW, if it has not been done already.

The CASAC will inform the individual that participation in the treatment program is mandatory and request that s/he sign the [M-75z](#), and then proceed to enter:

- **225** – if the applicant/participant signs the **M-75z**;
- **224** – to refer the applicant/participant to a treatment program.

Note: If the applicant/participant refuses to sign the [M-75z](#) consent form, s/he is not in compliance with the substance abuse program rules (see the Failure to Report or Comply with Substance Abuse Assessment section for proper infraction codes to be used in these instances).

For individuals who were referred to a CSM and/or a Clinical Case Management Services (CCMS) vendor for the SA assessment and substance abuse case management services, the SA assessment outcomes and employment assignments, as appropriate, will be processed by CSM staff. CSM staff will use Action Code **917C** (Applicants) and **153M** (Participants) to refer an individual to a BTW vendor.

Failure to Report or Comply with Substance Abuse Assessment

Substance abuse assessment is mandatory for those whose initial screening revealed relevant indicators.

Action Code **211A** (FA FTR to Job Center Referral to SASC) must be entered for an applicant who fails to report (FTR) or fails to comply (FTC) with assessment. This code will place the case on the **ISAR** worklist for the Worker at the Job Center to reject the case.

Action Code **457A** (FTR Call-In for SA Assessment) will be entered for participants who FTR or FTC with the following functionality:

- For a single-person case, the system automatically initiates a case closing with WMS Closing Code **F45** (Failed to Keep an Appointment);
- For a multi-person case, the **457A** will initiate the action to sanction the individual with WMS sanction code **F45**. All other household members, if otherwise eligible, must receive assistance through Safety Net Non-Cash (SNNC), if a childless couple case, or Safety Net Federally Participating (SNFP), if a family case.

If an individual fails to sign the **M-75z** consent form, Action Code **211D** (Applicants)(Failure to Comply with Application Consent Form) or **484** (Participants)(Failure to Comply with Consent Form) must be input in NYCWAY.

Failure to Report or Comply with Substance Abuse Treatment

Substance abuse treatment is mandatory for those determined by the CASAC to require it.

For an applicant who FTRs or FTCs, the treatment program will enter that information in STARS, which will communicate to NYCWAY to post Action Code **210D** (FA Treatment Prg Res: FTR/FTC to Program Appointment), which will place the individual on an **ISAR** worklist for case rejection. For an applicant who FTRs or FTCs, Action Codes **211F** (FA FTR to Treatment Program Referral) and **211G** (FA FTC to Treatment Program Referral), respectively, may be used instead of the **210D**, with the same result.

Action Code **480A** (FTC Participate or Complete Outpatient Treatment Program) will be entered for participants who FTR or FTC, with the following functionality:

- For a single-person case, the system automatically takes action to close the case;
- For a multi-person case, the **480A** will sanction the individual from the public assistance case using WMS sanction/closing code **GX1**. All other household members, if otherwise eligible, must receive assistance through SNNC, if a childless couple case, or SNFP, if a family case.

In these cases, after automatic sanction is implemented, Temporary Assistance to Needy Families (TANF) cases will be placed on an **FYF** worklist so the Worker can reclassify the case as SNFP.

References:

[18 NYCRR 385.6 \(a\) \(6\)](#)

[18 NYCRR 385.12 \(a\) \(2\)](#)

Medical/Mental Health Issue

If the applicant/participant claims to have a health or mental health condition that prevents him/her from participating in any work activities:

- request that the applicant/participant sign the voluntary Consent for Disclosure of Medical and Alcoholism and Substance Abuse Treatment Records ([M-76n](#)) and the Consent for the Release of Possible Confidential HIV-Related Information ([M-76m](#));
- enter “Y” next to “Medical/Mental Health Issue?” The system will then ask the following supplemental questions:
 - Task List Inquiry <[W-680F/W-680W](#)> Completed?
 - Claiming Physical Limitations?
 - Claiming Mental Health Issues?
- enter a “Y” next to the appropriate question and another window will open in which two questions are presented: “Do you want to make a referral?” and “Client Consenting to Medical History disclosure?”
 - If the JOS/Worker enters “Y” to both questions, the next screen will ask for confirmation to post the referral Action Code **968W** (Applicants) or **168W** (Participants) and the WeCARE Consent for Disclosure Signed Code (**16WS**).
 - If the JOS/Worker enters “Y” to the referral question and “N” to the consent for disclosure question, the next screen will ask for confirmation to post the referral Action Code **968W** (Applicants) or **168W** (Participants) and the WeCARE Consent for Disclosure Not Signed Code (**16WD**).
- enter “Y” when the system asks for confirmation to post the above WeCARE referral action codes. **Note:** There is no adverse action if the consents are not signed. The system will post the WeCARE medical evaluation referral code and the consent code. The **968W/168W** will automatically generate the Medical Provider Appointment (**W-538C**), which is given to the applicant/participant;
- print out and give the WeCARE brochure (**W-331**) to the applicant/participant;
- provide the Physician’s Functional Assessment Form (**W-538**) for the applicant/participant’s doctor to complete, if needed. This form is available in the **Print Forms** window in POS and the applicant/participant should be advised to submit this form, and any other supporting documentation provided by his/her doctor on the doctor’s letterhead, to the medical services provider at the evaluation appointment;
- explain to the applicant/participant that a comprehensive assessment, including a medical examination, will be conducted to determine his/her employability. Additional assignments and services will be based on the outcome of that assessment and the resulting employability determination;
- ensure that the applicant/participant understands that they have the right to submit documentation from their own physician to the HRA-WeCARE medical provider, who will make the deciding determination regarding his/her employability status.

If the initial WeCARE appointment needs to be canceled and will not be rescheduled, enter action code:

- **968X** for applicants or **168X** for participants.

If the initial WeCARE appointment is canceled and needs to be rescheduled, enter action code:

- **968W** for applicants or **168W** for participants.

After completion of the comprehensive assessment, the WeCARE vendor makes a determination of the Functional Assessment Outcome for each individual. If the applicant/participant is deemed fully employable, WeCARE will enter the Functional Capacity Outcome (FCO) code **968E** for an applicant or **168E** for a participant. These codes will trigger the corresponding Return Appointment Codes **968J** (Applicant) or **168J** (Participant) to the Job Center or BTW OSW.

Failure to Report (FTR) or Failure to Comply (FTC) with an Initial Medical Assessment

In instances where an applicant/participant fails to report to or comply with a WeCARE appointment, the WeCARE vendor must make escalating outreach efforts to contact the individual, which include telephoning, sending letters and/or making home visits, as appropriate. The outreach period is six business days for an applicant and 11 business days for a participant.

The vendor will enter **173B** (WeCARE Outreach – FTR to Initial Appointment/Referral) or **173K** (WeCARE Outreach FTC to Initial Appointment/Referral) to indicate that outreach has been initiated for individuals who FTR or FTC. If outreach efforts are successful, the vendor will enter Action Code **168G** (WeCARE Outreach Successful) in NYCWAY.

If outreach efforts are not successful, at the end of the outreach period the appropriate infraction code will autopost in NYCWAY and place the noncompliant individual's case on a worklist: **ISAR** worklist (Applicants) or **NOI** worklist (Participants). When the worklist is received by the Worker in the Job Center, s/he must take action to either reject or close the cash assistance case using code **W11** (Failure to Keep Appointment for Medical Assessment).

JOS/Workers should refer to the Wellness, Comprehensive Assessment, Rehabilitation and Employment (WeCARE) PD #05-07-ELI procedure for detailed instructions.

Needed at Home

For individuals who claim they are needed at home, enter “Y” next to “Needed at Home.” Supporting documentation from a medical, clinical or other qualified professional must be presented before an exemption can be granted. In addition, verification must be submitted, proving that the person the individual is needed at home to care for is living in the household. When “Y” is entered next to “Needed at Home” the system will ask “Does client have valid documentation to support this claim?” If the applicant/participant has acceptable supporting documentation the JOS/Worker will enter “Y.” A screen will appear with the question, “Do you want to post an exemption code?” If the JOS/Worker enters “Y,” a list of the following exemptions will appear:

For applicants, the system will display the following codes:

- **905H** for an applicant that is the caretaker of an incapacitated household member;
- **905I** if the applicant is a foster parent.

For participants, the system will display the following action codes:

- **174V** if the participant is a verified foster parent;
- **183B** if the participant is a foster parent of a child with special needs;
- **187V** if the participant has been determined exempt – needed at home to care for an incapacitated household member full time.

The Needed at Home exemption codes provide the following maximum time allotments for FAD entries:

- **174V** – 180 days fixed (all categories);
- **183B** – FA/SNA foster parent of child with special needs – up to 90 days (manual entry);
- **187V** – 90 days fixed (all categories).

The system will post **18AC** when the person in care is an adult and **18CC** when the person in care is a child.

The JOS/Worker will then select the appropriate exemption action code from those listed. Once the exemption has been entered in the system, the individual will receive the Notification of Temporary Assistance Work Requirements Determination (Exempt) ([LDSS-4005 NYC](#)) with Part 2 (Other than Medical) completed. The EMP status code will be changed accordingly.

If the applicant/participant does not have supporting documentation:

- answer “N” to the question “Does client have valid documentation to support this claim?”;
- a screen will appear with the question, “Do you want to schedule a return appointment?”;
- give the individual the Family Care Assessment ([W-582A](#)) form to be completed by a physician;
- enter “Y” to the question “Do you want to schedule a return appointment?” The system will auto-post Action Code **910R** for applicants or **187R** for participants for the individual to return with the completed **W-582A**. The JOS/Worker will determine the return date. A minimum of 10 days must be granted to the individual to return with supporting documentation, unless the individual agrees to an earlier return appointment.

If the applicant/participant returns with the completed **W-582A** signed by a physician that supports the needed at home claim, enter “Y” when the system asks “Does client have valid documentation to support claim?” and continue the EP to select the appropriate exemption code as well as prepare Part 2 (Other than Medical) of the [LDSS- 4005 NYC](#) and issue it to the applicant/participant.

Note: JOS/Workers are reminded that a completed [W-582A](#) signed by a physician by itself does not support a claim of needed at home. The reasons for which the physician claims the applicant/participant is needed at home must be evaluated.

If “N” is entered at the return appointment when the system asks “Does client have valid documentation to support claim?” the system will ask two questions: “Do you wish to schedule (another) return appointment?” and “Do you wish to continue with the EP?” Select one of these two options. The system will either schedule a return appointment or the applicant/participant will be considered nonexempt for the needed at home claim and would then need to be considered employable and the JOS/Worker will continue with the EP.

Note: If the applicant/participant is deemed nonexempt, Part 3 (NONEXEMPT – Other than Medical) of the Notification of Temporary Assistance Work Requirements Determination (NONEXEMPT) – ([LDSS-4005 \[a\] NYC](#)) must be completed and issued to the applicant/participant.

When the Needed at Home FAD expires, a batch appointment for employability reassessment will automatically be sent to the participant. The appointment is mandatory and failure to keep it without good cause will result in the case closing if the applicant/participant who FTRs is a member of the mandatory filing unit. Otherwise, it will result in a line level denial/closing of the individual who fails to report.

Other Personal Issues

There may be other personal issues (other than needed at home) that an applicant may have that will lead to an exemption. In such situations, by entering a “Y” on the **Primary Questionnaire** screen for “Other Personal Issues,” the Worker will be led to the **Other Categories – Applicant/Single Issue** screen, populated with a list of exemptions. It is on this screen that all exemptions (other than Needed at Home) will be addressed for applicants. However, it should only be used when documentation is presented by the applicant clearly indicating why an exemption from work activities is needed. If documentation has been presented that supports the claim to be exempt, the Worker will enter a “Y” next to the applicable exemption(s). The next screen presented will ask “Do you want to post an Exemption Code?” to which the Worker will respond “Y” and transmit. The corresponding applicant exemption code will post and the EMP status code will change. Once the exemption code posts, the EP is considered completed and Action Code **119U** (Employment Assessment Completed – Exempt) will auto-post in NYCWAY.

Felony Convictions

If an individual indicates s/he has been convicted of a felony, the nature and date of the crime must be entered in this section of the EP. To select from a list of possible felonious crimes, the Worker must put the cursor in the first available row on the screen and press the **HELP** button, located at the bottom of the screen. A pop-up window will appear from which the Worker can choose from a list of crimes.

SECTION V: TRAINING AS A WORK ACTIVITY

Training as a Work Activity

Individuals, including nonexempt single parents or caretaker relatives of dependent children, who are in receipt of public assistance can request to have training/vocational education count as their primary work activity for up to the 12-month lifetime limit.

Review of Training Request and Training Assessment

All requests for enrollment in an educational or training program as a primary work activity will be reviewed by specially designated TAG staff. TAG Workers will determine whether the requested educational/training program is consistent with the participant's EP and his/her ability to meet the program entrance and curriculum requirements. The designated TAG Worker will:

- conduct math and language proficiency tests;
- review and discuss the test scores, preferences and employment goals;
- verify that the chosen school or program is on the HRA Master List of Approved Training Programs (accessible on the HRA intranet) and provide information about how schools/programs that are not on the list can be approved by HRA;
- review the requirements of the requested program with the individual;
- review and update the EP, completing the **TAG Training History**, **TAG Future Start Program Details** and **TAG Worker Affirmation** screens of the EP. These screens are only accessible to TAG Workers for data entry but are viewable by all staff via the EP Print/Inquiry function;
- have the participant complete/submit an FIA/Training Enrollment Letter (**W-700D**);
- provide the individual with the Notice of Approval of Request for Education/Training Program (**W-116J**), the Notice of Denial of Request for Education/Training Program (**W-116R**) or the Notice of Training Alternative Program (**W-116T**), as appropriate, if all information required to render a decision has been submitted;
- ensure child care is in place; and
- make the training assignment and complete the EP.

Referrals to the Training Assessment Group (TAG)*Applicants*

If an individual is already enrolled in or starting an education/training program within 30 days, enter "Y" when the system asks the question "Applicant in (or nearing) training?" When "Y" is entered, the system will post Action Code **935T** (Assigned to an Educational/Training Program), which will prevent any other work activity assignments until a TAG evaluation has been conducted. When the **935T** is posted, the Notice of Self-Enrollment in Training/Education Program (**W-507A**) will be generated. This notice informs the individual that prior to his/her TAG appointment, s/he is excused from participating in a work activity and that the training/education activity that s/he is currently enrolled in is an unapproved activity until such time that TAG assesses and approves the training/education activity.

SECTION V: TRAINING AS A WORK ACTIVITY*Participants*

Refer participants who request that education/training be counted as a primary work activity to TAG for assessment if:

- they have not previously been assessed for education/training activities or no test scores are on record;
- they are seeking to enroll in a program that is different from the one for which they have previously been assessed and approved;
- they are requesting more than 15 hours of education/training per week and have exceeded the 12-month lifetime limit for training/education as a primary work activity; or
- they have a sanction that is non-durational or expires within 45 days and are requesting an identified training program to lift the sanction.

Do not refer participants to TAG if:

- they need basic education (i.e., no GED or high school diploma – refer to a BEGIN Managed Program [BMP] for assessment and placement) and are not seeking to enroll in a specific program; see *PD #03-46-EMP for complete instructions on BMP criteria*; or
- they have a durational sanction that does not expire within 45 days.

To refer a participant to TAG, on the **Training Assessment Questionnaire** screen enter “Y” when the system asks the question “Do you wish to refer this client to the Training Assessment Group? The system will prompt the posting of one of the following action codes:

- **13TT** (Referral to Training Assessment Group) for a participant not in sanction status;

Note: At the time the **13TT** is posted, if there is no appointment available the system will post a **13TK**. At the time an appointment becomes available, Action Code **13TJ** will post to call in the participant; or

- **13TG** (For sanctioned individuals whose sanction period will expire within 45 days or is non-durational and who request training to lift the sanction, if referring to TAG).

These codes will generate the Mandatory Training Assessment Group Appointment (**W-507**) notice.

If the TAG appointment needs to be rescheduled, the TAG Worker will enter in NYCWAY Action Code **13TS** (Rescheduled TAG Appointment) for participants. The rescheduled appointment action code will also generate the **W-507**. TAG Workers will not reschedule the assessment appointment more than twice without good cause and will initiate sanctions for failure to complete a mandatory assessment.

SECTION V: TRAINING AS A WORK ACTIVITY**Training Search and Enrollment Period(s)**

At TAG it may be necessary to schedule a return appointment to complete interviewing, submit additional documentation and/or rearrange or complete child care if previously established child care has terminated. Action Code **13TE** (10-Day Return Appointment to TAG Scheduled) is used when the participant has already identified a program and only needs to submit a completed **W-700D**. Action Code **13TF** (15-Day Return Appointment to TAG Scheduled) is used when the participant has not already selected a specific program. Both **13TE** and **13TF** are posted through the EP TAG screens. Action Code **13TR** (Return Appointment to the Training Assessment Group) is a general TAG return appointment. Return appointments to TAG to submit documentation and/or child care data entry (see Section VI) may be required before an approval/denial or alternative program is recommended.

These TAG return appointment action codes will generate the **W-507** appointment notice.

Training Approval

TAG staff will issue an approval for training if:

- the individual's test results and educational background indicate that s/he qualifies for the selected program;
- the training program is consistent with the EP; and
- the chosen program is on the HRA Master List of Approved Training Programs.

Note: If the chosen program is not on the HRA Master List, the applicant/participant may request that the program be allowed to apply for inclusion. If requested, the TAG Worker will give the participant a 10-business-day return appointment (Action Code **13TE**) and provide the participant with written instructions to give to the program to contact the Training Evaluation and Monitoring Office (TEAM), which will work directly with the education/training program on the approval process.

If the participant does not qualify for his/her originally selected program but selects and qualifies for another program on the HRA Master List, it will be considered an approval.

When a participant is approved for a program on the HRA Master List the TAG Worker will:

- ensure that the individual understands that s/he must secure his/her own funding for training/education if free programs are not available;
- ensure child care is in place;
- select "Training Approved" on the **TAG Worker Affirmation** screen. The system will post Action Code **13TP** (TAG Training Approval);
- give the participant the **W-116J** that will be generated by the **13TP** action code;
- select on the **Training Assessment** screen the name of the approved program and the start and end dates;

SECTION V: TRAINING AS A WORK ACTIVITY

- complete the EP by updating all remaining screens and making the training assignments (**135K** will post – the training/provider program will be cross referenced with the **13TP** data previously entered) and posting the **119B**. The individual will be called back to TAG when the FAD of the **135K** posting is reached, using the TAG Reassessment Referral Code **13TL**;
- if training does not begin for more than 30 days from the time of the appointment, assign the individual to full-time flexible WEP.

Training Alternative Program

If the participant does not qualify for a program on the HRA Master List of Approved Training Programs that is consistent with his/her EP, the TAG Worker may offer BEGIN educational activities (Work Study or Language Work Study) as an alternative. BEGIN educational activities will be offered as an alternative training program when:

- the participant's academic skills do not meet minimum entrance requirements for the requested program and basic education needs are indicated; or
- after assessment by the Training Evaluation and Monitoring office, the program chosen by the participant does not meet HRA requirements for placement on the Master List or does not respond to requests for information; or
- the program chosen by the participant requires a tuition fee and BEGIN offers a similar program at no cost.

If the participant is approved for an alternative program, the TAG Worker must:

- ensure child care is in place;
- select "Alternative Program Approved" on the **TAG Worker Affirmation** screen. The system will post Action Code **13TV** (Training Alternative Program) and the participant must be given the **W-116T**;
- ensure that the participant signs and dates the **W-116T**; and
- complete the EP by making the BEGIN assignment (a **124**-series action code will post) and posting the **119B**.

SECTION V: TRAINING AS A WORK ACTIVITY**Training Disapproval**

If the training is disapproved, the individual will not be able to count any non-HRA training hours toward the 35-hour mandatory workweek and will be assigned other job readiness/job search activities. Students who have self-enrolled in disapproved degree or certificate programs may not count any classroom hours toward their mandatory 35-hour workweek. Bachelor degree (four-year) programs are not permissible. Individuals whose training program is not approved must participate in one or more approved work activities.

When training/education is disapproved, the TAG Worker will:

- ensure child care is in place;
- select “Training Program Disapproved” on the **TAG Worker Affirmation** screen. The system will post Action Code **13TD** (TAG Training Disapproval);
- give the participant the **W-116R** that will be generated by the **13TD**, indicating denial, and the reasons for the denial; and
- complete the EP by making the appropriate assignment (BTW/WEP/Parks) and posting the **119B**.

SECTION V: TRAINING AS A WORK ACTIVITY**Rules for Counting Classroom Hours Toward the Mandatory 35-Hour Workweek**

If a participant wants to attend a full-time school/training program, s/he must have enough time remaining on the 12-month lifetime training limit. Once the 12 months allowed for full-time training have been exhausted, a participant can still count (with approval) up to 15 hours of class time toward the mandatory 35-hour workweek.

If the participant had a documented hardship during the initial 12 months, s/he may be allowed, after review by the Training Assessment Group, to count up to 20 hours of class time toward the 35-hour workweek for up to an additional 12 months. The TAG Worker will enter Action Code **13TH** (Training Hardship Extension Approved) to indicate that a hardship extension was granted.

Requests for hardship extensions will be reviewed on a case-by-case basis based on:

- nearness to completion of the program;
- enhancement of employability and consistency with the EP;
- attendance and grade point average or program certification;
- compliance with all other PA requirements;
- individual has not switched training more than twice without completion and/or employment;
- emergency circumstances (serious personal injury or illness, domestic violence, homeless/housing crisis, lack of child care, death of a family member, needed at home to care for ill family member);
- associate's degree requires more than 60 credits to achieve certification (participant must have 2.0 or higher grade point average);
- two or more remedial and/or English language courses were required to obtain associate's degree (participant must have 2.0 or higher grade point average);
- individual has been displaced from or maintained at least three months of paid employment and received training prior to employment;
- other extenuating circumstances as documented by the participant and evaluated by TAG.

If a hardship extension request is denied, TAG Workers will enter Action Code **13TI** (Training Hardship Extension Disapproved) in NYCWAY.

The TAG Worker will select the reason for denial of the hardship request from the drop-down list that will appear when the hardship denial code is posted. The reasons provided on the drop-down list are:

- No Documentation Submitted;
- Inadequate Documentation Submitted; or
- Other (comment required).

SECTION V: TRAINING AS A WORK ACTIVITY

If training is approved, and in instances where the training activity is less than 35 hours per week, TAG will assign work activities concurrent with the training program such that the individual has the mandatory 35-hour workweek. All CUNY students and students who attend select non-CUNY schools requiring WEP hours should be referred to College and Related Experience (CARE) WEP. In this program a CARE WEP vendor administers the WEP worksites and ensures that all CUNY and select non-CUNY students are engaged on or near their campuses and that timely rosters are submitted to HRA.

For all other college students (non-CUNY) enrolled in approved programs, applicants/participants should be given flexible work activities that accommodate their school schedules as much as possible. Agencies such as the NYC Department of Parks and Recreation, Department of Citywide Administrative Services and community-based organizations may be available to accommodate varying schedules and may have work locations in each borough.

Workers should adhere to the following guidelines for approved associate degree and certificate programs when assigning students:

One (1) class hour equals one (1) hour of work activity.

Hours must be supplemented with approved work activities, which include:

- unsubsidized employment;
- subsidized private or public sector employment;
- vendor-supervised job search/job preparation activities;
- Federal work-study, internships and/or externships; and
- work experience program activities.

Students may use a combination of class hours and work activities to comprise the mandatory 35-hour workweek. Internships, externships and Federal work-study programs are not subject to the 12-month limit on training and can be counted as primary work activity in lieu of WEP unless the participant:

- has voluntarily quit a job in order to qualify for initial or increased PA benefits or to take an internship/externship assignment; or
- is offered an actual job or job training position comparable to the work-study, internship, externship or other work placement that cannot reasonably be expected to exist in the private, public or nonprofit sector; or
- has previously enrolled in work-study, internship/externship or other work placement and failed without good cause to complete the work assignment; or
- has failed (participant or school) to cooperate in monitoring attendance and performance in the work assignment without good cause; or
- has not maintained at least a cumulative "C" average or its equivalent. This requirement may be waived by the Agency for undue hardship based on any of the following:
 - death of a relative of participant; or
 - personal injury or illness of participant; or
 - other extenuating circumstances.

SECTION V: TRAINING AS A WORK ACTIVITY**Education/Training Reassessment Call-In**

Participants engaged in training will be called in for reassessment at the conclusion of their program term, or at six months, whichever comes first. The system will post Action Code **13TB** on a case where the participant is nearing completion of his/her training program and the FAD of the **135K** has been reached. The **13TB** code will change to **13TL** (TAG Reassessment Referral) when an appointment becomes available for the participant to be reassessed. At that time, the TAG Worker will initiate a new EP and assess if any licenses, certificates, degrees and/or grades have been received from the training program then enter that information on the **Training Assessment** screen of the EP. The TAG Worker will also evaluate criteria such as satisfactory attendance, program certification/grades or a recent transcript.

If a student is in a college program and falls below a 2.0 grade point average for more than one school term (a semester or quarter), this may indicate that the course of study is not appropriate for this individual. The hours of participation in the program will be disapproved and the participant will be assigned to a full-time (35-hour) flexible WEP assignment.

At the end of the training program, if the individual is not reenrolled in the training/education program and has not gained employment, s/he must be referred to an appropriate activity (such as BTW, WEP, Parks) by the TAG Worker (refer to Section VII).

Reenrollment in a Training/Education Program

The system will post Action Code **13TB** on a case where the participant is nearing the completion of his/her TAG program and the FAD of the **135K** has been reached. The **13TB** code will change to **13TL** (TAG Reassessment Referral) when an appointment becomes available for the participant to be reassessed. In order to process for reenrollment, the TAG Worker must ensure no barriers to reenrollment exist, and:

- initiate a new EP;
- ensure that the individual has a current **W-700D**. If not, post Action Code **13TE** or **13TF** to schedule a return appointment for the individual to bring in the document from the school registrar;
- ensure that child care is in place;
- complete the **Training Assessment Questionnaire** in the EP (answer "Y" to the question "Do you want to refer to TAG?");
- verify that the selected training/education program is consistent with the participant's employment goals and training history and that the selected program is on the HRA Master List of Approved Training Programs (can be viewed on the FIAweb);
- evaluate and update training history to determine if education/training will be the primary or secondary activity. If the individual has not reached the 12-month lifetime limit, training will be the primary activity;

SECTION V: TRAINING AS A WORK ACTIVITY

- enter the name of the school, program start and end dates, school hours and all other enrollment information on the NYCWAY **Training Enrollment** screen. The system will post Action Code **135K** to indicate that the participant is enrolled in a training program as an assignment;
- assign concurrent activities such that the individual is fully engaged in the mandatory 35-hour workweek;
- if the program does not begin within 30 days, the TAG Worker must assign the participant to full-time flexible WEP;
- participants are to remain in their current assigned activities until the program start date.

Failure to Report (FTR) or Comply (FTC) with TAG

Failure to report to or comply with requirements of the assessment will result in an employment infraction. If a participant fails to report to a TAG appointment the system will auto-post action code:

- **434A** FA/SNFP
- **430K** for a Safety Net individual

If a participant fails to comply with the TAG assessment, the TAG Worker will enter action code:

- **434B** for a FA/SNFP individual
- **430K** for a Safety Net individual

Any inappropriate TAG referral or open TAG training activity can be canceled by a TAG Worker by entering Action Code **13TX** (Cancel TAG Activity [cancels any open TAG code]).

Scanning and Indexing Documentation

After all documentation regarding the education/training program has been submitted to the Training Assessment Group, the Worker should ensure that the signed and certified EP, the **W-700D** and all other relevant completed documents are scanned and indexed in the participant's case record.

The TAG Worker can enter case notes at any time regarding the training assessment and/or outcome by entering Action Code **13TA** (TAG Case Note) for participants.

SECTION VI: CHILD CARE NEEDS

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|-------------------------|
| Child Care Needs |
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After all other barriers to engagement have been addressed, nonexempt applicants/participants who have a child under the age of 13, or 13 years or older with a special need, will need assistance with securing child care. The JOS/Worker will:

- explain/give parents/guardians the Important Information About Child Care (**LDSS-4647**) notice;
- explain/give the New York State Office of Children and Family Services (OCFS) Enrollment Form for Provider of Legally-Exempt Family Child Care and Legally-Exempt In-Home Child Care (**OCFS-LDSS-4699**) or the Enrollment Form for Provider of Legally-Exempt Group Child Care (**OCFS-LDSS-4700**) with the Child Care Provider Enrollment Supplement form (**W-274W**) to the parent/guardian for completion by the provider;
- provide the individual with other essential child care forms, such as:
 - Child Care Fact Sheet and Planner (**W-574EE**);
 - Child Care Provider Packet (terms and conditions, taxpayer identification and authorization);
- provide two licensed child care provider referrals, even if the individual states s/he has a caregiver in mind or that there will be no child care costs. This will prevent an additional return appointment in instances where the individual's prearranged child care services do not work out. Note: The JOS/Worker should stress that formal child care services should be chosen over informal child care services;
- explain to the individual that s/he will be required to report to the mandatory job search activity once child care is in place.

Use the EP **Children Associated with Case** screen to select the care type for the children known to NYCWAY and to indicate special needs and identify any children unknown to NYCWAY. The child care types and their associated action codes are as follows:

Child Care Referral Codes

- Care Type 1 – Child Care in Place – Licensed at Cost to the Agency
- Care Type 2 – Child Care in Place – Informal at Cost to the Agency

Action Code **933T** (Child Care in Place Licensed/Informal at Cost to the Agency – Applicant) or **133T** (Child Care in Place Licensed/Informal at Cost to the Agency – Participant) will post with the selection of these care types.

- Care Type 3 – No Child Care in Place – Arrangement Required
 - Option 1 – Child Care Provider Needed and Documentation Required
Action Code **933S** (Applicants) or **133S** (Participants) will post
 - Option 2 – Child Care Documentation Required
Action Code **933D** (Applicants) or **133D** (Participants) will post

SECTION VI: CHILD CARE NEEDS

The system will post a return appointment for no greater than 10 days. The system will also post the appropriate infractions if the individual fails to return to the scheduled child care appointment.

- Care Type 4 – Not Required – Child 13 years or older
- Care Type 5 – Child Care in Place – Licensed at No Cost
- Care Type 6 – Child Care in Place – Informal at No Cost

If Care Type 4 is selected, Action Code **933O** (Applicant) or **133O** (Participant) will post. If Care Types 5 or 6 are selected, Action Code **933Z** (Applicant) or Action Code **133Z** (Participant) will post. A comment will also be required in the “Comments” box that will appear.

- Care Type 7 – Child Care is Refused

Care Type 7 can only be selected if child care is inappropriately refused without good cause after two licensed referrals and a return appointment have been given. The system will only allow the JOS/Worker to select Care Type 7 after a Care Type 3 return appointment has been kept. Action Code **933R** (Applicants) or **133R** (Participants) will post. The JOS/Worker should then give a work assignment, ensuring that all referrals and appointments are documented in the case record.

Note: If multiple care types are entered when there is more than one child requiring child care, the system will only post one of the above action codes based on the following:

- For Care Type 7, Action Code **933R/133R** takes precedence, regardless of other child care types entered;
 - For Care Type 3, Action Code **933D/S** or **133D/S** takes precedence, regardless of other child care types entered;
 - For Care Type 5 or 6, Action Code **933Z** or **133Z** takes precedence, regardless of other child care types entered;
 - For Care Type 4, Action Code **933O** or **133O** takes precedence, regardless of other child care types entered;
 - If there is Care Type 1 or 2, Action Code **933T** or **133T** will post.
- complete the child care payment process using the Automated Child Care Information System (ACCIS). Enter the child care information in ACCIS when the individual returns on her/his scheduled appointment date.

JOS/Workers should refer to PD #01-49 Automated Child Care Information System (ACCIS) and any ACCIS updates available on the HRA intranet for complete ACCIS data entry instructions.

Certification/Signature of the EP

After the participant has been given his/her training and/or work (see Section VIII) assignment, the Worker completing the EP (JOS/Worker or OSW) enters the appropriate information in the Participant's Certification section of the EP, indicating that the participant's preferences have been addressed or, if applicable, the reasons why the preferences could not be accommodated.

The date the participant and the Worker signed the completed EP is captured in the **Assessment/Plan – Certification** section of the EP (as shown below). As a reminder, failure to sign the EP is not a failure to comply with an employment requirement. If the participant fails to sign, the Worker must note that the EP was discussed with the participant but the individual declined to sign the EP and the EP process should be continued. Upon completion of the EP, the Worker must:

- ensure that the participant understands his/her obligations to comply with all mandatory appointments;
- print the completed EP;
- sign and have the participant sign and date the completed EP; and
- give one copy to the participant and ensure that a copy is scanned/indexed into the case file.

Reminder: The EP cannot be completed until the case is in active status and all sections have been completed.

MAPER2-A (99983)
File Edit Functions Scripts Session Release Help

02/09/2006 New York City - Work, Accountability and You <NYC-WAY> 1600.300
EP 11:34 Assessment/Plan - Certification User: E6689
Case Number CIN ES Code 27 Office
Name DoB SSN Sex Male
Status Case Type SNNC IndStat AC

Were the preferences of the client met?
<If not, indicate reason. Press Help for list of reasons>

Date of Participants Signature 02/09/2006
Date of FIA Worker/Authorized Worker's Signature 02/09/2006

Plan Date 02/09/2006 1629.020

Engaging the Nonexempt Individual

Once all (if any) barriers to employment have been addressed and child care (if needed) is in place, the nonexempt individual can be referred for further in-depth assessment and/or referred/assigned to work activities.

Engaging an Applicant

All nonexempt applicants who are not enrolled in or due to begin a training/education program within 30 days at the time of the application interview should be referred/assigned to a BTW vendor.

Note Regarding Job Search Activities for Noncitizens: Noncitizens with the exception of Lawful Permanent Residents (LPRs) and Conditional Permanent Residents must have an employment authorization document (EAD) and an SSN stamped “Valid-for-Work” before a referral to a BTW vendor can be made.

Noncitizens, except for LPRs and Conditional Permanent Residents, who do not have an EAD and an SSN stamped “Valid-for-Work” cannot be referred to BTW, the Parks program or any program where the main focus is job search or subsidized employment. This individual can only be referred to TAG, BEGIN or WEP once his/her case is accepted for public assistance.

The BTW vendor’s responsibilities should be explained to the applicant, emphasizing mandatory requirements. In addition, it should be explained that while attending programs with the assigned vendor s/he will be required to:

- report to job search activities assigned by the BTW vendor from 9 AM to 5 PM daily;
- wear appropriate business attire; and
- report all absences to the vendor and provide documentation on a timely basis.

On the **Continue Assessment/Refer Individual** screen of the EP, enter “Y” for the question “Refer Individual to BTW?” The system will then prompt the posting of Action Code **917Q** (Referral to BTW – Applicant), which will generate a **W-502** notice for a same-day or next-available appointment. The system will also post a **125I** (BTW Roster Indicator), which is used to indicate the vendor location to which the individual is currently assigned.

In the majority of Job Centers, the BTW orientation will occur on-site (at the Job Center) and last approximately two hours. Most sites will have three or more orientations daily and, at the very least, two orientations will occur daily. Once on-site orientation is completed the individual will be sent to the vendor’s off-site location. For those Centers that do not have an on-site vendor present, the individual will be referred to an off-site vendor location for orientation. If the BTW referral is made for a location other than the Job Center, the individual will be sent off-site for orientation as well.

SECTION VIII: ENGAGING THE NONEXEMPT INDIVIDUAL

The applicant should be given round trip carfare to report to the BTW vendor site and advised that the vendor will be responsible for providing carfare associated with participation in job search activities until his/her case becomes active.

In the event that a BTW orientation slot is not available on the day of application, the JOS/Worker is responsible for issuing the applicant carfare to return for the next-day BTW orientation (**917Q** referral). At the end of the on-site orientation, the vendor will enter Action Code **917B** (Vendor Offsite Appointment) in NYCWAY to send the individual to the vendor's off-site location. At some vendor locations, Action Code **917G** (Vendor Intake Site Appointment) will be posted and then the **917B** will post. When either the **917B/917G** is posted, a **W-502** will be generated and must be given to the applicant.

Rescheduling Same-Day Back to Work (BTW) Vendor Appointments

If, after the **917Q** appointment has been scheduled, the individual informs the JOS/Worker that s/he cannot keep that appointment and has good cause, the JOS/Worker will cancel the appointment by posting a **917X** (Deassign/Cancel Individual from Activity) and the JOS/Worker can then create a new appointment by manually entering Action Code **917Q** (Applicants) via the EP.

BTW Vendor Activities for Applicants

When the applicant reports to the vendor site for a **917B/917G** appointment, the vendor must enter in NYCWAY Action Code **917K** (Vendor Appointment Kept). Applicants will spend approximately four to six weeks at the BTW vendor. During this time they will be tested and receive an evaluation of their test scores as well as their language skills. In addition, their preferences, job history and educational background will be explored and used to develop an Employability Plan. The vendor will update the EP appropriately and when the assessment portion of the EP is completed, code **119E** (Employment Plan Assessment Completed by Vendor) will post.

FTR/FTC with BTW Referral and On-Site or Off-Site Orientation

If the applicant fails to report to or comply with on-site orientation (referred with Action Code **917Q**), the BTW vendor will enter Action Code **436A** (FTR) or **436B** (FTC). If the applicant was referred with Action Code **917B/917G**, the vendor will enter **436B** (FTC).

Note: If the applicant who fails to report or comply is an essential person on an active Family Assistance case, s/he must be split off the active case onto his/her own suffix. Once the essential person is represented on his/her own suffix, his/her case can then be closed/sanctioned using the appropriate code.

SECTION VIII: ENGAGING THE NONEXEMPT INDIVIDUALRequest for Training While at the Back to Work (BTW) Vendor

If, during the first five days of the BTW assignment, an applicant informs the BTW vendor that s/he is enrolled in a training/education program or will begin a training assignment within 30 days, the BTW vendor will post Action Code **917O** to refer the individual back to the OSW, who will review the training information and, if appropriate, post Action Code **917T** (refer applicant back to the Job Center if the applicant is enrolled in a training/education program that starts within 30 days). Simultaneously, Action Code **917R** (Return Appointment Scheduled to OSW) will be posted to issue the applicant a return appointment to the BTW OSW.

If the training is approved by TAG, Action Code **935T** will post and will close out both the **917T** and **917R** appointments. If the training is not approved, the JOS/Worker will post **917D**, which will close out the **917T** appointment only and the applicant must keep the **917R** appointment in order to remain in compliance.

Applicant's Case is Accepted and Activated

When the applicant's case is accepted (AP status changes to AC), Action Code **010Q** will post, and the individual will be placed on the **BTWAC** report/worklist that will be monitored by the OSW. The OSW will enter Action Code **153R** to call in participants listed on this worklist to discuss the next steps in their EP and to receive a work activity assignment in accordance with PA requirements and the individuals' preferences. Individuals will receive the Appointment with FIA Outstationed Worker at Back to Work (BTW) Vendor (**W-500BB**).

FTR/FTC with OSW Call-In Appointment

If the participant fails to report/comply with a **917R** call in, the OSW will post a **436B** (FTC); otherwise the system will auto-post the **436B**.

Selecting a Work Assignment Other than BTW/TAG

After the employment assessment is completed, if the individual does not have any barriers to employment, is not in an education/training program and is not interested in a TAG referral, the EP's **Work Activity Schedule** screen will pop up and the OSW will have the option of reviewing the recommendations given by the system's assignment matrix. If the individual chooses and is assigned to a work activity other than BTW or POP, s/he must continue with the BTW vendor until the start of the new work activity. Once the new work activity begins, NYCWAY will post **153Y** (System Completion of BTW). Among the choices are the following mandated programs/work activities:

SECTION VIII: ENGAGING THE NONEXEMPT INDIVIDUAL**Begin Employment Gain Independence Now (BEGIN)**

If the individual would be better served by a BEGIN Managed program, the OSW must select this option from the **Work Activity Schedule** screen by selecting the BEGIN option. The **BEGIN Selection** screen will appear and the OSW must select either BEGIN Employment Plus or BEGIN Managed Programs.

If BEGIN Managed Programs is selected, the following choices will appear for the OSW:

- BEGIN Work Study (BWS)/General Education Diploma (GED)
- BEGIN Language Work/Study (BLWS)
- BEGIN Internship (BI)
- BEGIN Vocational Work Study (VoWS)

Once the appropriate BEGIN program is selected and the assignment made, the following corresponding action codes will be posted and the corresponding referral letter will be generated:

- BWS (Action Code **124W**)
- BLWS (Action Code **124L**)
- BI (Action Code **124I**)
- BEGIN VoWS (Action Code **124V**)
- BEGIN E+ (Action Code **124E**)

Action Codes **124W**, **124L**, **124I**, **124V** and **124E** will generate a BEGIN Program Referral Letter (**W-573XX**).

FTR/FTC with BEGIN

If a participant fails to report to or comply with a BEGIN Managed Program assignment, the following action codes will be entered by the BEGIN Worker in NYCWAY to initiate a conciliation notice that will be sent to the participant. The participant will then have an opportunity at conciliation to resolve the matter. If the BEGIN Worker determines that the participant's refusal or failure to comply was willful and without good cause, the sanction process will be initiated.

- BWS, BLWS or BEGIN E+ (Action Code **434H**) – Failure to Report
- BWS, BLWS or BEGIN E+ (Action Code **434I**) – Failure to Comply
- BI (Action Code **434K**) – Failure to Report
- BI (Action Code **434L**) – Failure to Comply
- BEGIN VoWS (Action Code **434N**) – Failure to Report
- BEGIN VoWS (Action Code **434P**) – Failure to Comply

SECTION VIII: ENGAGING THE NONEXEMPT INDIVIDUAL**Perfect Opportunity for Individual Skills and Educational Development (POISED)**

If it is determined that the individual meets the criteria for either POISED I or POISED II, on the **Work Activity Schedule** screen under “Special Programs,” the OSW must input “Y” next to POISED. The system will then auto-post Action Code **120A** and the Worker must select an appropriate site destination:

- **U18** (Manhattan – City College)
- **U19** (Bronx – Bronx Community College)
- **U20** (Brooklyn – Medgar Evers College)

FTR/FTC with POISED

If a participant fails to report, the system will automatically post the appropriate action code listed below; if the participant fails to comply, the POISED Worker must input the FTC code in NYCWAY. All codes will initiate a conciliation notice that will be sent to the participant.

- Action Code **430K** (Safety Net) – Failure to Report
- Action Code **434A** (TANF) – Failure to Report
- Action Code **443E** (Safety Net/TANF) – Failure to Comply

Parks Opportunity Program (POP)

If an individual is determined to meet the criteria for the POP program, a note will appear in red on the **Work Activity Schedule** screen, indicating that the individual is “grant eligible.” Once an entry of “Y” is input in the **Wage Subsidy** field, NYCWAY will post Action Code **155G**, which will generate an Employment Appointment Notice (**W-116H**).

FTR/FTC with Parks Opportunity Program (POP)

If a participant fails to report to a mandatory call-in, the system will automatically post Action Code **434O** (Failure to Report). The posting of this code will initiate the conciliation process.

Concurrent Work Experience Program and BTW Assignments

If it is determined that the individual would be best served by continuing to participate in BTW activities together with a concurrent WEP assignment, the OSW will select both the BTW option and the WEP option in the EP. The BTW option will auto-post Action Code **153Q** (BTW Option Selected in EP) and the **W-502** will be generated. The OSW will be presented with one or more appropriate WEP assignment sites. Once s/he has selected a WEP site, Action Code **120A** will post, which generates the Assignment Information Summary (AIS) (**W-500G**). The participant will be assigned to WEP for up to but not more than 21 hours per week unless s/he is engaged in:

SECTION VIII: ENGAGING THE NONEXEMPT INDIVIDUAL

- unsubsidized employment;
- subsidized private sector employment;
- subsidized public sector employment.

For participants, the number of WEP participation hours will be based on the sum of their monthly PA grant and FS benefit divided by the State's minimum hourly wage. The system will make this calculation and assign the number of hours. These participants will also be required to engage in BTW job search activities for a minimum of 14 hours weekly.

In most instances the WEP assignment will not begin immediately. Therefore, since the participant is already at the BTW location, the participant will simply remain on location full time until the start of the WEP assignment. Once the WEP assignment starts, in instances where the grant does not support WEP participation for 21 hours a week, the difference between the WEP hours and the 35 hours of full engagement will be applied to job search activities.

Once the OSW has made the appropriate assignment/referrals for the participant and has completed the EP, s/he will refer the participant back to the vendor by posting Action Code **153P**, which generates the **W-502** referral notice. Once the participant reports back to the vendor, the vendor will post **153K** (Vendor Appointment Kept).

Note: No combination of any concurrent work activities should exceed more than 70 hours biweekly.

FTR/FTC with WEP

If a participant fails to report to or comply with WEP, the following action codes will be input in NYCWAY and will initiate a conciliation notice that is sent to the participant.

- Action Code **440W** (Safety Net) – Failure to Report
- Action Code **440X** (Safety Net) – Failure to Comply
- Action Code **434N** (TANF) – Failure to Comply/Failure to Report
- Action Code **434P** (TANF) – Failure to Comply with WEP

Reassignment/Deassignment

If the BTW vendor feels that the WEP/BTW assignment given to the participant is not appropriate and wants to recommend a change in the WEP assignment on behalf of a participant, the BTW vendor can reassign the individual within five days of the initial assignment by posting Action Code **153W**, which refers the participant to the OSW, who can assess the recommendation.

SECTION VIII: ENGAGING THE NONEXEMPT INDIVIDUAL

If the OSW deems that the assignment is no longer appropriate, s/he will deassign the individual from the activity using Action Code **917X** (Applicant) or **153X** (Participant). The OSW will also make a referral back to the Job Center for reevaluation using code **105E** (Participant) or **910R** (Applicant).

TAG Referrals by BTW Vendor

During the engagement assignment, if the participant expresses an interest in education/training, the BTW vendor must post Action Code **153O** to refer the participant to the OSW. The OSW must access the **Training Questionnaire** screen of the EP and enter "Y" next to the question "Do you wish to refer to the Training Assessment Group?" The system will post Action Code **13TT** to refer the individual to TAG and generate a **W-507**. However, until a determination of eligibility for a TAG program is rendered, the participant will remain with a BTW vendor for a minimum of 21 hours weekly.

Engaging an Unengaged Participant

Individuals who are active on a PA case and appear to be employable but are not engaged or who were not assigned to work activities during the application period must be assessed and, if appropriate, assigned to work activities by the JOS/Worker. During the engagement interview the JOS/Worker will initiate the EP, and if no barriers are found and training is not requested, the JOS/Worker must engage the participant in appropriate work activities. By entering "Y" in the **Show Recommendations** field, the JOS/Worker will be presented with a listing of assignment recommendations determined by the assignment matrix. The JOS/Worker will select the appropriate engagement activities by entering a "Y" next to each desired activity on the **Work Activity Schedule** screen.

In instances where the participant is assigned to BTW/WEP, the system will post Action Code **153Q** (Referral to BTW – Participant), which will generate a **W-502** same-day referral to the on-site Job Center BTW orientation, along with a **125I** (BTW Roster Indicator) and Action Code **120A**, which will generate the AIS WEP notice. JOS/Workers remain responsible for issuing carfare in any instance where a slot for a same-day BTW orientation is not available or if the participant has to travel to another location for the BTW orientation.

Reminder: If the participant is a noncitizen who does not have an EAD or an SSN valid for work, a referral cannot be made to BTW, the Parks program or any program where the main focus is job search or subsidized employment. In this instance, a referral to TAG, BEGIN or WEP should be made.

For those participants who attend the BTW on-site orientation, the BTW vendor will post Action Code **153B/153G**, which will generate a **W-502** referral to the assigned BTW vendor site for the participant.

SECTION VIII: ENGAGING THE NONEXEMPT INDIVIDUAL

If activities other than BTW and concurrent WEP are found to be more appropriate for the participant, refer to the instructions for the other activities mentioned on pgs. 8.4–8.6.

FTR/FTC with BTW Referral and On-Site Orientation

If the participant fails to report to or comply with the BTW on-site orientation (referred with Action Code **153Q**), the BTW vendor will enter Action Code **436S** (FTR). If the participant infracts on the **153B/153G** appointment, the vendor will enter Action Code **436U** (FTC). If the vendor fails to post the **153K** within the appropriate timeframe the system will auto-post **436U** (FTC).

Engaging a Sanctioned Individual

Nonexempt sanctioned participants with nondurational sanctions who are now willing to comply with work requirements may be referred to BTW for job search and assigned to a provisional WEP assignment. To refer a nonexempt sanctioned participant to a BTW vendor, enter Action Code **153Q** in NYCWAY. These participants will receive a provisional WEP assignment, which will result in the posting of Action Code **120N**.

Nonexempt sanctioned participants who are assigned to the Intensive Services Job Center (71) may be referred to BTW; however, they will be required to demonstrate compliance by participating in job search activities consistently for a period of time in order for the sanction to be removed. To refer Center 71 participants for engagement, the JOS/Worker must input Action Code **917S** in NYCWAY. Once compliance has been demonstrated, Work Experience Management (WEM) will post a **134H** for the JOS/Worker to remove the sanction. Once the sanction has been lifted and the case is active, WEM will post **134I** to refer the participant to the JOS/Worker. The JOS/Worker will then assign the individual for full engagement activities using the appropriate work activity action code, along with Action Code **120A** for a WEP assignment, and complete the EP.

FTR/FTC with BTW Referral and On-Site Orientation for Center 71 Sanctioned Participants

If a sanctioned participant fails to report/comply with a BTW referral and on-site orientation, the vendor will enter Action Code **438Q** and the participant will remain in sanction status.

Barriers That Emerge at Back to Work Vendors

If a barrier issue arises during an individual's assignment at the BTW vendor, the vendor will refer the applicant/participant to the OSW using Action Code **917O** (Applicant) or **153O** (Participant). These codes will generate the [W-500BB](#) for the applicant/participant. The OSW at BTW must immediately address those issues by making appropriate referrals through the EP on the Web-based NYCWAY. The system process for the OSW to make referrals regarding barrier issues is similar to the JOS/Worker's process for making the same kind of referrals.

The action codes for a return appointment back to the OSW at BTW (except for DVL referrals, which use the same return appointment codes regardless of location of the appointment) are **917R** (Applicants) or **153R** (Participants), and are posted by the system in conjunction with the barrier referral appointment. The OSW will print the referral notice as well as the [W-500BB](#) (generated by Action Codes **917R** and **153R**) to give to the applicant/participant.

When making any referral to address barrier issues, the OSW must post the appropriate return appointment back to the OSW at BTW as indicated below.

Special Assessment

If an applicant/participant self-reports a domestic violence situation, the OSW will make a DV referral by entering a "Y" in the "Special Assessment" field on the **Primary Questionnaire** screen of the EP. The system will offer the appropriate DV referral codes, as discussed in Section IV of this manual.

The system will post the **153Z** (BTW Assignment Roster Flag) to excuse the individual from BTW, the related DV referral code as well as the appropriate return appointment action code to the OSW: **917R** (Applicants) or **153R** (Participants).

The individual will receive one of three outcomes (discussed in detail in Section IV):

- full waiver – if given, the outcome code will change the EMP code to **45** and close out the BTW assignment, return appointment and the **153Z**;
- partial waiver – if given, the outcome code will change the EMP to **46**, and the individual must keep the return appointment to the BTW OSW. The OSW will post **917P** (Applicant) or **153P** (Participant) to send the individual to the BTW vendor, which will close out the **153Z**;
- no waiver – if given, the participant will be expected to keep the return appointment to the BTW OSW. The OSW will post **917P** (Applicant) or **153P** (Participant) to send the individual to the BTW vendor, which will close out the **153Z**.

SECTION IX: BARRIERS THAT EMERGE AT BACK TO WORK VENDORS

If the applicant/participant is determined nonexempt but receives a partial waiver from DVL and it has been determined that the borough where the BTW assignment is located is unsafe, s/he must be immediately deassigned from the location. S/he will be assigned to a BEGIN Managed Program when the case becomes active, for completion of the EP and assignment to safe work activities.

Substance Abuse

If a substance abuse situation emerges at the BTW vendor, the vendor will complete the Referral for Assessment at the Substance Abuse Service Center (SASC) (**W-456AA**). If the individual did not have a CASAC assessment or had a CASAC assessment but is not currently in treatment, the OSW will:

- complete **Part A** of the Alcohol and Drug Abuse Screening and Referral form (**LDSS-4571**) if the individual reports a substance abuse problem but is not exhibiting behavior indicative of a problem; or
- complete **Part B** of the [LDSS-4571](#), indicating the vendor reported/observed behavior, if the individual is exhibiting behavior indicative of a problem; and
- update the EP to refer him/her for a CASAC assessment, as discussed in detail in Section IV, page 4.5 of this manual;
 - For individuals referred with **915G** or **193E**, the SA Referral will change the EMP code to **63**, which will exempt the individual from work activities;
 - The system will offer a return appointment: **917R** (Applicant) or **153R** (Participant); and
 - The system will auto-post a **153Z** to excuse the individual from BTW attendance until a SA outcome code is posted.
- Given the CASAC appointment may not be for the same day, the applicant/participant will generally be excused from the point the referral to CASAC is made until the CASAC outcome.

If the individual had a CASAC assessment and is currently in treatment but still exhibiting behavior indicative of a substance abuse problem, the OSW will contact the Treatment Program (TP) Liaison at SASC at (212) 835-8278.

The SASC TP Liaison will immediately contact the treatment program and determine if the applicant/participant is in the beginning phase of treatment (and not yet substance-free) or needs a reevaluation of treatment level or an increase in treatment hours. The Liaison will call the OSW back and advise the OSW to either:

- allow the individual to continue at BTW and schedule a manual return appointment to the OSW (five to seven days) to determine if the individual has been able to remain substance free; or

- refer to a CASAC to reevaluate treatment hours and/or level of care (follow the referral instructions in Section IV, page 4.4, but no **LDSS-4571** is necessary). The OSW must schedule the CASAC appointment.

There are three possible outcomes of the CASAC assessment:

- **Exempt – 240T** (Applicant) or **241T** (Participant) will be posted, which deems the individual exempt from work activities. The EMP Code will change to **63** and the BTW assignment will terminate, along with the return appointment and the **153Z**;
- **Nonexempt, SA Treatment Required – 240W** (Applicant) or **241W** (Participant) will be posted, which changes the EMP code to 64 and terminates the BTW assignment, return appointments and the **153Z**. Work assignment hours may have to be adjusted to accommodate the treatment program;
- **Nonexempt, No SA Treatment Required – 240N** (Applicant) or **241N** (Participant) will be posted, which changes the EMP code to **20**. The individual must keep his/her return appointment to the OSW. At the return appointment, the OSW will post the **917P** (Applicant)/**153P** (Participant) to return the individual to the BTW vendor, which will close the **153Z**.

Medical Barriers

If a medical issue is reported during the BTW assignment, the OSW must select “Yes” next to the “Medical/Mental Health Issue?” question on the EP **Primary Questionnaire** screen. The system will then ask a series of supplemental questions, which will result in the offering of one or more of the WeCARE referral codes to post, as indicated in Section IV of this manual. Once the referral code is posted, the BTW assignment will be terminated. In addition, the OSW must give the applicant/participant the [W-538C](#) and the Documentation Requirements form ([W-113K](#)).

If the individual is subsequently deemed fully employable, WeCARE will enter Action Code **968E** (Applicants) or **168E** (Participants) and the applicant/participant will be directed to return to the BTW vendor as indicated on the [W-500BB](#) to continue the employment plan and job readiness activities. The WeCare vendor will post the **917R/153R** to return the applicant/participant to the BTW OSW. When the applicant/participant reports back to the BTW OSW, the BTW OSW will post Action Code **917P/153P**, which will generate an appointment for the applicant/participant to return to the BTW vendor.

If the WeCARE Functional Outcome Code is other than **968E/168E**, the individual will remain with WeCARE.

Individuals who are deemed eligible for WeCARE services will be transferred to WeCARE.

Needed at Home

If an applicant/participant reports that a situation has emerged at home where s/he is now responsible for the full-time care of a household member, the OSW will select the **Needed at Home** field in the EP. The system will ask whether the care is needed for an adult or child and if the participant has valid documentation to support this claim. Once documentation is received to support the claim and the Worker inputs a “Y” next to the documents submitted on the **Needed at Home – Documentation Inquiry** screen in the EP, the system will auto-post the appropriate exemption code (see Section IV).

If the required documentation to support the claim has not been received, the system will offer the **917R** or **153R** return appointment and the OSW will give the applicant/participant a Family Care Assessment Form ([W-582A](#)) to be completed by a physician and returned to the OSW at the scheduled return appointment.

The OSW should follow the Needed at Home instructions in Section IV of this manual for appropriate action codes to be entered in NYCWAY after a determination is made and documentation is received. If the applicant/participant is granted a Needed at Home exemption, the [LDSS-4005 NYC](#) will be generated and must be given. The FAD call-in will be to the Job Center for review and reevaluation at its expiration (90–180 days).

Child Care Issues

If a parent/guardian has a disruption in child care during his/her stay at the BTW vendor, the OSW should enter the appropriate child care type referral (see Section VI of this manual) in the EP and give the parent/guardian the child care provider forms that need to be completed. If the OSW does not have access to ACCIS, a return appointment to the Job Center should also be entered in the system so that child care information can be data-entered into ACCIS. If the issue cannot be immediately settled (five to seven days), the individual should be deassigned until the issue is resolved.

**Barriers That Emerge While Participating in the Training Assessment
Group (TAG) or Begin Employment Gain Independence Now (BEGIN)****Barriers That Emerge During TAG**

Participants enrolled in a training/education activity who report a social or medical barrier that prevents them from continuing in a concurrent training/WEP assignment must be assessed by the TAG Worker. The TAG Worker must enter Action Code **13TX** (Cancel TAG Appointment) and proceed as follows:

- domestic violence/substance abuse – enter Action Code **105E**, which will refer the participant back to his/her Job Center for special assessment;
- medical barriers – complete the EP, noting the medical barrier, and refer to WeCARE.

Note: If the WeCARE appointment does not cancel out the TAG appointment, the TAG Worker must enter **13TX**, along with appropriate comments.

Concurrent BEGIN and CASAC Assignments

If it is determined that a participant in a BEGIN program has a substance abuse problem, s/he must be referred to the OSW, who will make a referral to SASC for evaluation by entering NYCWAY Action Code **193B** (BEGIN Referral to SASC for Substance Abuse Evaluation). The **W-456AA** will be generated by the code.

The OSW will also give the participant a return appointment to the program for the next business day following the SASC appointment, using NYCWAY Action Code **105K** (BEGIN Managed Program Return Appointment). This code will generate a manual return appointment form, on which the OSW must annotate that the participant should bring back documentation from the CASAC to show the appointment was kept. Participants will remain on the BEGIN Managed Program roster.

If, after referral to the CASAC, the participant is deemed to be substance abuse nonexempt, nonintensive treatment required (less than 15 hours of treatment per week), s/he will continue the BEGIN assignment with concurrent treatment. If s/he is deemed to need intensive treatment (15 or more hours per week), the participant will be automatically deassigned from the BEGIN assignment and coded exempt, as appropriate.

Note: The OSW should enter Action Code **105Y** (Complied with Return Appointment) after the CASAC evaluation in order to close out the Action Code **193B** referral.

Other Engagement Activities**Individual Training Account (ITA) Voucher Training**

Qualified participants who are assigned to Back to Work employment vendors but have not been successful in gaining employment due to a lack of skills or education may receive an ITA voucher to enhance their employability. ITA voucher use is restricted to:

- schools on the list of HRA-approved providers;
- courses for occupations in high demand;
- \$2,500 maximum (including uniform and books, if applicable); and
- schools located within New York City's five boroughs.

All training is short term (not to exceed six months) and there is a 12-month lifetime limit on vocational education training. Time used for full-time training is tracked in NYCWAY.

Vouchers are processed in the Workforce Information System Automated Reporting Database (WISARD), which checks NYCWAY to verify eligibility; specific actions in WISARD trigger the posting of action codes in NYCWAY. The BTW vendor can then print a paper voucher with a unique, system-generated authorization number directly from the WISARD system.

The following participants in HRA programs may be eligible to receive an ITA for short-term training:

- PA participants (FA and SNCA cases only);
- NPA Food Stamp participants (whose PA case closed within the six months preceding the application for ITA training);
- Parks Opportunity Program participants (indicated by Action Code **155M** on case);
- Administration for Children's Services (ACS)—referred foster youth and certified noncustodial parents referred by the Office of Child Support Enforcement (OCSE) may also obtain vouchers, but their applications are processed separately.

In addition to other requirements, the participant must demonstrate compliance with program requirements (Back to Work and WEP) for one full month (if requesting full-time training) from the date the referral to the BTW vendor was made in order to be eligible for an ITA voucher. Part-time training requestors must demonstrate compliance with program requirements (Back to Work and WEP) for a two-week period from the date the referral to the BTW vendor was made.

SECTION XI: OTHER ENGAGEMENT ACTIVITIESFull-Time Training

Full-time training is defined as more than 15 hours per week, during normal business hours (9:00–5:00, Monday–Friday). A maximum of 35 hours of training per week is permitted during business hours (9:00–5:00, Monday–Friday). If the participant will not be attending the training program for a minimum of 35 hours a week, s/he must be placed in a concurrent activity for the number of hours required, to total 35 hours weekly.

For qualified full-time training only, TANF and SN participants may be considered fully engaged and should not be evaluated for WEP for up to 90 days (three months). Also, any changes in assignment must be consistent with the individual's assessment and included in the EP. Food Stamp Able Bodied Adults Without Dependents (ABAWD) Work Required (WR) may not attend training in lieu of the ABAWD work requirements of 80 hours per month, in accordance with New York State requirements.

Part-Time Training

Part-time training is defined as 15 or fewer hours per week, during normal business hours (9:00–5:00, Monday–Friday). The participant must be placed in a concurrent activity for hours s/he is not in training, to complete the 35-hours-per-week engagement requirement. Part-time training programs must accommodate WEP schedules to the extent possible. The chosen program/course may not exceed six months in duration.

Voluntary Programs

There are various voluntary employment programs designed to develop skills and enhance engagement opportunities for individuals who are employed full time, have certain marketable skills, or who would ordinarily be exempt from work rules but who would like to be referred to an employment program. Because these programs are voluntary, there is no adverse action if the individual fails to report or comply with the program.

POISED-at-Home

This program is for pregnant women who are eight or more months pregnant, have reported medical complications or have a high-risk pregnancy, as well as for mothers who have a child under 13 weeks of age.

BEGIN E+

This program serves employed individuals who are fully engaged but would like to obtain services or skills to enhance their employment opportunities. To refer individuals to BEGIN E+, the Worker must input Action Code **149B**, and the **W-573XX** will be generated.

Business Link

Business Link is a no-fee employment service provided by HRA. Its purpose is to establish a connection between businesses with entry-level positions and the pool of multitalented public assistance participants who are job-ready. Only job seekers with an active public assistance case are eligible to participate. When Business Link has job opportunities, they do a call-in through the system, utilizing the **156E** code in NYCWAY. Generally people with a specific skill (e.g., driver's license for Taxi and Limousine Commission recruitment) or those who have received public assistance benefits for 60 or more months are called in to attend Business Link orientation/screenings. Each orientation session is unique, to reflect the needs of the prospective employer, and properly qualified job applicants are sent to the prospective employer to be interviewed.

Voluntary Assignments to BTW/TAG for Seniors

Participants age 60 and older who are otherwise exempt from engagement have the opportunity to obtain employment-related skills/training that may lead to a job that can supplement their Supplemental Security Income or help to obtain additional qualifying quarters so that they can receive SSA benefits. Seniors who want to obtain such skills can be referred to BTW, using Action Code **153Q**, or to TAG, using Action Code **13TT**. There is no adverse action for participants meeting this criteria who do not comply.

Applicants/Participants Who Obtain Employment

At any point that an applicant/participant obtains employment, an **FIA-3A** Job Notice must be completed, as per current procedure. The **FIA-3A** can be completed by the JOS/Worker, the BTW vendor or the OSW. If the **FIA-3A** is completed by either the BTW vendor or the OSW, s/he is responsible for and must ensure that the documentation that supports the employment information reported on the **FIA-3A** is obtained, scanned and indexed in the HRA viewer.

The public assistance case and/or Food Stamp case is rebudgeted or closed as per current procedure, based on the amount of employment income and the household circumstances.

Overview of Conciliation

Participants are required to be engaged in a work activity, including training, for 35 hours per week. Participants who do not comply or cooperate with work requirements/process, including time deficiencies, will have an infraction code posted on his/her case. The infraction code will initiate the conciliation process and the participant will be sent a Conciliation Notification. There are different notices depending on the infraction:

- Conciliation Notification form (**W-532A**)
- Conciliation Notification for Activity Period Continued form (**W-532B**)
- Conciliation Notification for Activity Period Discontinued form (**W-532C**).

The infraction code that is entered in NYCWAY will determine which notice is sent to the participant. After the infraction code is entered, the system generates a Conciliation code and issues the appropriate notice. FA participants are allotted 10 days and SNA participants 7 days to respond to the Conciliation Notice. The Conciliation period cannot last longer than a total of 14 days from the date of request for conciliation for SNA participants and no longer than 30 days from the date the Conciliation Notice is issued for FA participants, unless the Agency and participant agree to extend the period.

The Conciliation Notices (**W-532A**, **W-532B**, and **W-532C**) inform the participant that the agency believes the participant willfully and without good cause failed to comply or cooperate with the engagement activity/process and that failure to respond may result in the reduction or discontinuance of cash assistance and/or food stamp benefits. The notice also provides the participant with a date and time for a Conciliation appointment to be held at the Center with a Conciliation Worker. The participant has the opportunity to discuss and present documentation to support any good cause excuse or claimed exemption from the requirement to participate in work activities at the Conciliation appointment. If the participant cannot attend the Conciliation appointment on the scheduled date and time, he/she is entitled to be seen at any time prior to the expiration date indicated on the Conciliation Notice. It is the participant's responsibility to contact the Job Center to discuss the reasons for non-compliance and to provide documentation, as appropriate.

The Conciliation appointment is the participant's opportunity to discuss and present evidence regarding the infraction. It is also an opportunity for the Agency to communicate a clear message about the mandatory nature of assigned work activities and to enforce a consistent policy for all Job Centers and work sites. If good cause has not been established or the individual has not been determined to have been exempt at the time of the infraction, or, if the participant does not report before the expiration date of the Conciliation Notice, a Notice Of Intent (NOI) is issued.

Conciliation Staff must be consistent in following guidelines for determining that a participant willfully and without good cause refused or failed to comply with employment requirements. Granting good cause is based upon the explanation provided by the participant and/or

supported by documentation, as determined necessary, and not upon the participant's agreement to comply in the future.

If willfulness is established, good cause is not granted. If the reason for the infraction is not willful and documentation either is not available or unnecessary good cause can be granted, and the Supervisor must provide detailed comments as to why good cause was or was not granted.

Failure to Report/Failure to Comply

If an applicant Fails to Report (FTR) to or Fails to Comply (FTC) without good cause with applicant assessment or applicant job search, his/her application will be denied. There is no conciliation process for applicants who fail to comply with applicant assessment or applicant job search.

If a participant FTR or FTC willfully and without good cause with any part of the employment process/requirements, an infraction code will post to NYCWAY either manually or systemically and the conciliation process will be initiated. If a nonexempt participant FTR/FTC with a substance abuse activity, an infraction will post in NYCWAY initiating the conciliation process.

The Conciliation process allows the participant the opportunity to present his/her view of the issues, provide documentation and/or justification for noncompliance or to support any claims of exemption from work requirements.

If the participant fails to avail himself/herself of the Conciliation process and no other information is received to establish good cause, or that noncompliance was not willful, the Notice Of Intent (NOI) process will begin when the Conciliation period expires. (See Section XV: Notice of Intent for Employment Infractions). When the NOI notice expires, the sanction will be implemented in WMS unless the individual requests a Fair Hearing and is granted Aid to Continue (ATC).

Initiation of the Conciliation Process

An infraction can be committed at any point of engagement. The most common infractions are:

- Failure to report to a mandatory engagement appointment
- Failure to report to an assigned activity
- Failure to cooperate with any of the assigned activities
- Failure to attend 100% of the scheduled program hours unless otherwise excused (time deficiency)
- Failure to report to or attend a training program
- Failure to accept an offer of employment

See the Appendix at the end of this manual for a complete listing of employment infractions.

All employment infractions other than applicant job search, applicant assessment, and applicant voluntary job quit will initiate the Conciliation process. There are several ways an infraction can be posted in NYCWAY:

- If the infraction is committed at the Job Center, a JOS/Worker will enter the infraction code in NYCWAY.
- If the infraction takes place at an assigned activity, the infraction can be entered by the vendor via Web-based NYCWAY. TAG infractions are sent to NYCWAY from TPTS.

Note: Participants deemed exempt and not employable because of substance abuse treatment (Employability Status [ES] code **63**) are not offered conciliation. Participants who are enrolled in substance abuse treatment but are still deemed employable (ES code **64**) will be offered conciliation and subject to the standards set forth in this section

- If the vendor/program does not have access to Web-based NYCWAY or if the Web-based NYCWAY site is temporarily unavailable, the infraction will be submitted to MIS to enter via the Participant Change of Status Form ([W-572E](#)).
- In some instances, such as when a time deficiency is reported via an assignment roster, NYCWAY will automatically post the infraction.

For most mandatory appointments, NYCWAY will automatically post the infraction if the participant fails to report to the appointment.

Scheduling Conciliation Appointments

Conciliation appointments are scheduled systematically by MIS. Job Center appointment slots are maintained by Job Center Administrative staff. MIS issues a citywide worklist of scheduled Conciliations (the **SYS** worklist) to schedule the participant for a conciliation appointment.

Returned Notices

When a Conciliation Notice that has been mailed to a participant is returned as undeliverable by the U.S. Postal Service, Center-designated JOS/Workers must follow the current "returned mail" policy instructions to ensure that the participant is not sanctioned inappropriately (refer to PD #10-36-OPE for the returned mail process).

Preparing for the Conciliation Appointment

Designated Center staff can view the NYCWAY Appointment Roster for specific dates and times of appointments scheduled for his/her Center. Designated staff members use the appointment roster to print appropriate and relevant information from the participant's records and create a folder for use by Conciliation staff conducting the interviews. If appropriate, tickler files are set up by appointment date.

The Conciliation AJOS I/Supervisor I conducting the interview must be fully informed of the issues regarding the infraction. In preparation for the meeting, the staff member who will be conducting the interview must:

- Review the appropriate time keeping system
 - Daily Timekeeping System (DTS) for WEP and BTW infractions (refer to PB #09-97-EMP for instructions on accessing the system);
 - Training Provider Tracking System (TPTS) and NYCWAY for Training Assessment Group (TAG) infractions (refer to PB #11-51-SYS for instructions on accessing the system);
 - WeCARE Timekeeping System for WeCARE infractions (refer to PB #11-77-SYS for instructions on accessing the system)
- Review the **NYCWAY Activity History Print** report, which can be generated as follows:
 - Select the **Inquiry on Activity** option from the **Master Menu** and transmit.

MAPER-A (99941)

File Edit Functions Scripts Session Release Help

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MASTER MENU

Case #/App Reg#: [] Suffix: [] Line #: []

Demographics [] Detail [] Case Profile

Activity: [] Inquiry on Activity [] Correct an Action
 [] Enter an Action

Employment: [] PIA3A [] Employability Plan

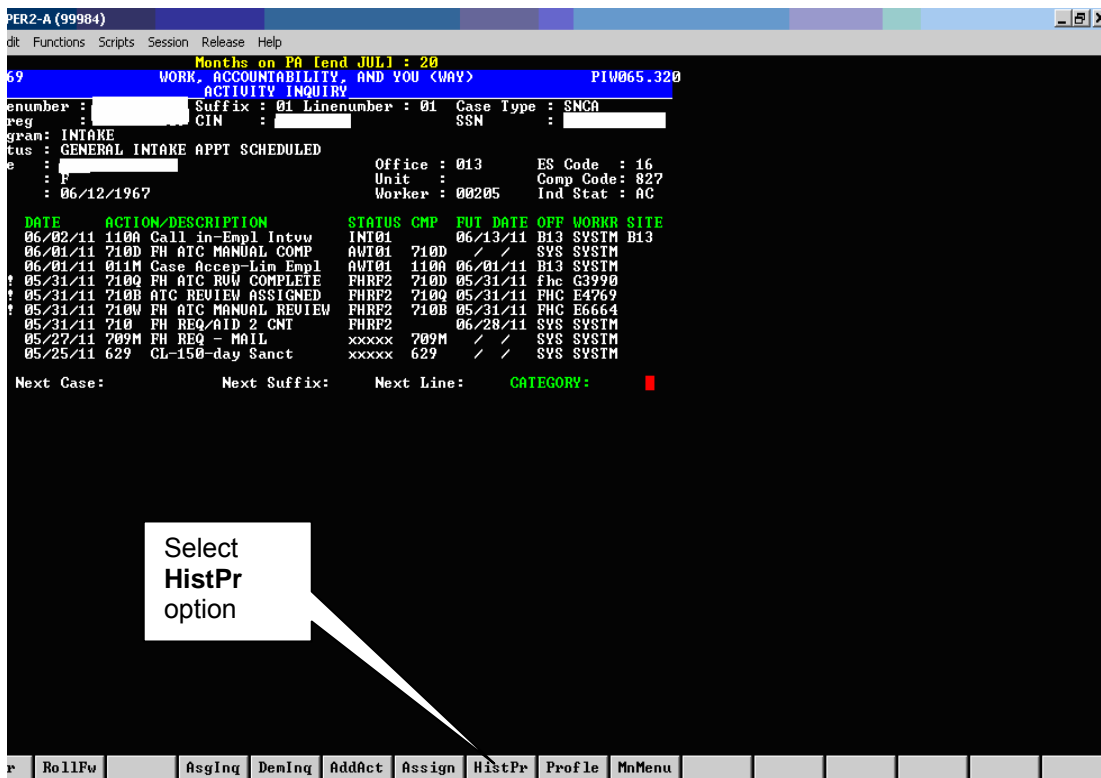
Lists: [] Caseload Management
 [] Worklist Processing

Assignment [] Assignment
 Attendance [] Assignment Inquiry [] Attendance Inquiry
 [] Assignment Adjustment [] Training Inquiry

Administrative Functions [] Reporting []

Archiv Suppnu ActCds News List Help Print Exit

Select
**Inquiry on
 Activity**
 option



- Select the **History Print** option.
- A printout of the **NYCWAY Activity History Print** report will be generated. This report will contain the entire history of actions taken on the case, including all associated case entry notes.
- The staff member may choose to view just the participant’s history of infractions, including previous Conciliation settlements. This may be done by performing the following:
 - Move the cursor to the **Category** option on the **Activity Inquiry** screen and transmit.

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File Edit Functions Scripts Session Release Help

Months on Pa tend JUL1 : 20

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ACTIVITY INQUIRY

Casenumber : ██████ Suffix : 01 Linenumber : 01 Case Type : SNCA
 Appreg : ██████ CIN : ██████ SSN : ██████

Program: INTAKE
 Status : GENERAL INTAKE APPT SCHEDULED

Name : ██████ Office : 013 ES Code : 16
 Sex : F Unit : Worker : 00205 Comp Code : 827
 DOB : 06/12/1967 Ind Stat : AC

| DATE | ACTION/DESCRIPTION | STATUS | CMP | FUT DATE | OFF | WORKR | SITE |
|---------------|----------------------|--------|------|----------|-----|-------|------|
| 06/02/11 1100 | Call in-Empl Intvw | INT01 | | 06/13/11 | B13 | SVSTM | B13 |
| 06/01/11 710D | FH ATC MANUAL COMP | AWT01 | 710D | / | SVS | SVSTM | |
| 06/01/11 011M | Case Accep-Lim Empl | AWT01 | 1100 | 06/01/11 | B13 | SVSTM | |
| 05/31/11 710Q | FH ATC RVW COMPLETE | FHRE2 | 710D | 05/31/11 | FHC | G3990 | |
| 05/31/11 710B | ATC REVIEW ASSIGNED | FHRE2 | 710Q | 05/31/11 | FHC | E4769 | |
| 05/31/11 710W | FH ATC MANUAL REVIEW | FHRE2 | 710B | 05/31/11 | FHC | E6664 | |
| 05/31/11 710 | FH REQ/AID 2 CNT | FHRE2 | | 06/28/11 | SVS | SVSTM | |
| 05/27/11 709M | FH REQ - MAIL | xxxxxx | 709M | / | SVS | SVSTM | |
| 05/25/11 629 | CL-150-day Sanct | xxxxxx | 629 | / | SVS | SVSTM | |

Next Case: Next Suffix: Next Line: CATEGORY:

Select CATEGORY option

Prior RollFw AsgInq DemInq AddAct Assign HistPr Profile MnMenu

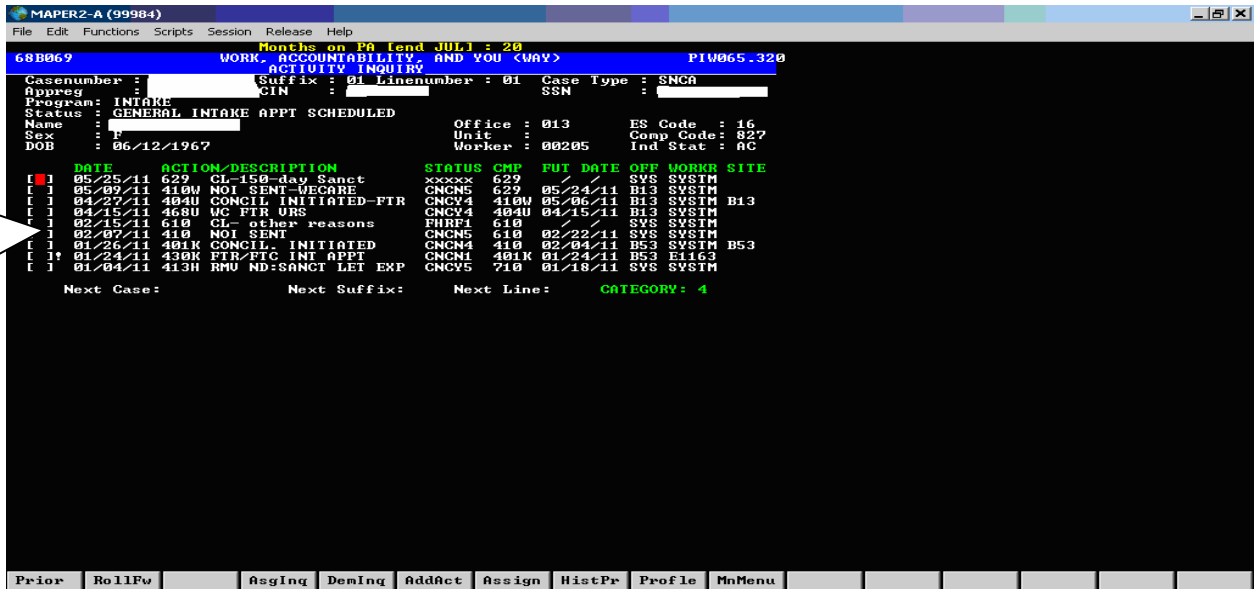
- Select 4 Infractions/Good Cause from the Action Category List and transmit.

Action Category List - Please Choose

- 01 Work Activities
- 02 Medical
- 03 S.A.
- 04 Infractions/Good Cause
- 05 EAEP
- 06 FFR
- 07 Appointments
- 08 Fair Hearing
- 09 Automated MDR
- 10 Child Support
- 11 Special Assessment
- 12 Training
- 13 ISAR
- 14 HBRP/HUN/HB

Select Infractions/Good Cause option

- The participant's complete infraction and Conciliation settlement history is displayed in reverse chronological order.



View participant's infraction and Conciliation settlement history

- Review JOS/Worker and vendor comments and supporting documentation in the case record.
- Review documents specific to the employment infraction such as appointment and/or referral letters.
- Review the participant's attendance history (F4 FTR/FTC Inquiry in NYCWAY) to determine any patterns of failure to report.
- Review assignment history for compliance and any contesting employability claims.
- Print a copy of the Employment Plan from NYCWAY.
- If needed, speak with relevant staff concerning the case.

The Conciliation Appointment

When a participant arrives at a non-Model Job Center for a Conciliation appointment, the Receptionist or designated staff member reviews the Conciliation Notice to be sure that it is before the expiration date and verbally notifies the Conciliation staff of the participant's arrival.

At Model Centers, Front Door Reception will give the participant a **CA Conciliation** ticket and route him/her to the **CA Conciliation** section.

If the participant comes in to the Job Center after the Conciliation expiration date, refer the participant to FH&C for a conference, see Sec.XV.

Willful Standard

Willfulness for the purpose of imposing an employment sanction is determined on a case-by-case basis taking into consideration whether the individual intentionally, knowingly, or deliberately refused or failed to comply with CA or FS employment requirements.

Individuals are responsible for notifying the worker timely and for providing documentation for the period of noncompliance (upon request) to substantiate that the noncompliance was not willful and with good cause. Where requested by the agency, the individual must make reasonable attempts to obtain documentation and is required to notify the agency timely of any reasons that may impact his/her ability to provide documentation required by the agency. The worker must review the information provided and determine whether the information supports a finding of willfulness and without good cause. If the noncompliance was not both willful and without good cause, the individual must not be sanctioned or have any grant reduction imposed due to such noncompliance. Absent contrary information, it would be appropriate for a worker to determine that the individual's failure to comply with employment requirements was willful and without good cause in those instances where the individual does not respond to the conciliation notice.

Deliberate refusal or failure to comply with employment requirements would also be considered willful and without good cause.

For example:

A nonexempt FA participant was assigned to participate in a vocational training program for a three month period beginning July 6th. On July 19th and 20th the individual did not show up at the training program, which was reported by the vendor to the agency. During the conciliation conference, the individual indicated that she understood she was expected to participate in the training program and had not attended for the two days because she went to visit a friend over the weekend and decided to stay a few extra days. The individual indicated that the visit was not for any emergency situation. In this instance, the Worker determined that the individual's failure to participate in the training program was willful and without good cause as the individual intentionally chose to not participate for a reason that did not constitute good cause.

The willful determination must be made on a case-by-case basis. Any steps that the individual took to address issues within his/her control which prevented compliance with the employment requirement must be explored in each instance of non-compliance. The information used to make the determination of whether or not a participant's failure to comply is willful and without good cause must be documented in the case record.

The willful standard does not apply for failure to comply with applicant assessment and applicant job search, which would result in denial of the CA application. The willful standard also does not apply to applicant voluntary quit which would result in individual ineligibility for

SECTION XIV: Conciliation Process for Employment Infractions

DATE: 10/03/11

CA for 90 days from the voluntary job quit or reduction in earnings. The willful standard does not apply to instances of noncompliance with FS work requirements, which are subject to a food stamp employment sanction. The worker must consider good cause for not complying with food stamp work requirements.

Guidelines for Granting Good Cause

At the Conciliation appointment the infraction issue is discussed, documents are reviewed, and a determination is made to grant or not grant good cause. Granting good cause for an infraction requires documentation, if appropriate, of the reason provided by the participant. Should good cause be granted without documentation, detailed comments must be provided.

Listed below are examples of typical good cause reasons for infraction and supporting documentation. (This list is not all-inclusive.) Dates must be consistent with the infraction period.

| Typical Good Cause Reasons for Infraction | Supporting Documentation |
|--|--|
| Doctor's appointment or emergency visit for participant or child | Note from doctor or hospital (Must indicate number of days) |
| Jury duty or court appointment | Court documentation (Must indicate number of days) |
| Disruption in transportation system | Transportation carrier documentation |
| Death in the family | Death certificate; obituary, memorial or service program |
| Domestic violence incident | Police, shelter or caseworker report |
| Child care not available | Letter from child care provider indicating unavailability (Must be consistent with infraction period) |
| Needed at home for disabled household member | Note from doctor or hospital Family Care Assessment (W-582A) form completed by a physician (see Section IV: JOS/Worker Interview for Cash Assistance (CA) Eligibility and Compliance with Employment Rules, Needed at Home subsection) |
| Employed or at job interview | Employer letter/paystubs/ FIA-3A entry |
| Participant has chronic illness or impairment (previously undiagnosed) | Note from doctor or hospital/WeCARE medical outcome |

| | |
|--|---|
| Family emergency | Documentation/supervisory judgment |
| Conflicting appointments with other HRA or City agencies | Appointment letter, notice |
| Medically inappropriate assignment | WeCARE evaluation/doctor's note |
| Did not receive appointment letter | Documentation of new address (e.g., utility bill) Note: Worker should confirm address on file is accurate and complete |
| Appointment at child's school | School appointment letter |
| Other | Documentation/supervisory judgment, Credible witness – No documentation, Other (must be detailed by a Supervisor in a case note entry (Action Code 100A) [Case Note Entry]) |

Issue Settled During Conciliation (Good Cause Granted)

If the Conciliation Supervisor determines that the infraction was due to an agency error, he/she must grant good cause to settle the infraction. Otherwise, the participant must show that his/her actions were not willful and show good cause for noncompliance with the work requirements/process. In addition, the participant must also provide appropriate and original documentation supporting his/her reason for not complying, if required. Photocopies should be accepted if they can be determined to be authentic in the event that an individual has lost the original and obtained a photocopy from the original source. Supporting documentation should include the date and time covering the infraction period. The Conciliation Supervisor will interpret Agency policy and must consider the client's history of noncompliance (even if documentation is provided) and previous infractions prior to granting good cause, particularly to a participant without documentation, when determining whether or not the participant provided a good cause reason for this noncompliance.

If the individual is unable to provide required documentation, staff should provide assistance with completing necessary paper work and requesting documentation, or make collateral contacts to the vendor/program to confirm the good cause reasons.

Once the reason for the infraction has been established and the documentation has been reviewed, if good cause is granted, the Conciliation Supervisor will scan and index all documentation submitted by the client into the case record and enter Action Code **810** (Good Cause Granted – **DSS-4004/4015** Not Issued) or **810H** (for WECARE infractions) in NYCWAY. A drop-down list will automatically appear on the **Good Cause Infraction Choices** screen of the typical good cause reasons for infractions listed on pages 14.9-14.10.

The Conciliation Supervisor will select from the list the reason provided by the participant. Another drop-down list of supporting documentation will then appear. Only applicable supporting documentation, based on the infraction reason selected, will be shown. If “Other” is selected as the good cause reason, a must-fill comment box will automatically appear. In cases in which good cause is granted and the client does not have documentation, detailed case notes (Action Code **100A**) must accompany a “Credible Witness – No documentation” or “Agency/vendor error” selection.

Follow-up Action When Good Cause is Granted

Entering Action Code **810** or **810H** in NYCWAY prevents the sanction from processing. After Action Code **810** or **810H** is entered, the Conciliation Supervisor or designated JOS/Worker should immediately reassess, assign, or reassign the participant in accordance with regular assignment procedures for full engagement. If the client refuses to accept the assignment with the engagement process, do not give an infraction to the client at that point. Offer the assignment, explain the requirements and if necessary, add a case note to explain the situation.

Supervisors should regularly review the **CSUPV** worklist (refer to the Top Worklists for FIA Centers [\[W-206\]](#) form for more information) to ensure that participants who have been granted good cause but have not yet been reassigned are immediately reengaged. The **CSUPV** Worklist times-out after five days. The “timed-outs” are monitored citywide.

If an adverse action was taken based upon an Agency or vendor error, the Conciliation Supervisor should make sure that the action is reversed and benefits are restored.

Issue Not Settled During Conciliation (Willful Standard Affirmed and Good Cause Not Granted)

If the participant’s claim or documentation presented does not satisfy the criteria for good cause, or the participant does not report for Conciliation and no other information is received to establish good cause, the case will move to NOI status automatically after the expiration date of the Conciliation Notice.

If the participant reports for Conciliation but is determined to have willfully and without good cause FTR/FTC with employment requirements, the Conciliation Supervisor will scan and index all documentation submitted by the participant into the case record and enter Action Code **830** in NYCWAY. Once action code **830** is entered in NYCWAY, a drop-down list will appear with reasons for not granting good cause.

The Conciliation Supervisor will select one of the following:

- Insufficient/invalid documents
- No explanation &/or docs of situation presented
- Agency/vendor action correct (supported by evidence)
- Other

The Conciliation Supervisor must provide further information on the decision in a case note entry (Action Code **100A**) to explain why good cause has not been granted.

All documents submitted by the participant must be scanned and indexed into the case record regardless of the determination.

Reassessment

Barriers to Engagement

While reassessing the client for re-engagement, a participant may indicate that he/she has a barrier to employment for many reasons, including but not limited to the following:

- Personal illness or disability (Medical Limitations)
- Needed to care for disabled household member
- SSI/SSD awarded
- In or awaiting rehabilitation treatment for substance abuse
- Domestic Violence situation

Note: All documentation submitted by the participant to support his/her claim must be scanned and indexed into the case record.

Medical Limitations Claimed

If during the Conciliation appointment the participant claims a physical or mental health impairment which was the reason for the infraction, the sanction process must be stopped. If this is a new medical claim and the individual does not have documentation or further evaluation is appropriate, the participant must be referred to WeCARE for a mandatory Biopsychosocial (BPS) assessment.

If this is an existing medical claim, the participant must be referred to the WeCARE Clinical Review Team (CRT) for an interview to review past and current medical documentation. WeCARE or WeCARE CRT will evaluate and determine the participant's employability.

To refer the participant to WeCARE for a new claim, the Conciliation Supervisor will:

- Have the participant fill out a Participant's Task List (**W-680W**) form.
- Request that the participant sign the voluntary Consent for Disclosure of Medical and Alcoholism and Substance Abuse Treatment Records (**W-333T**) and advise the participant of his/her right to bring medical documentation from his/her treating medical practitioner and other sources to the WeCARE appointment for consideration in the determination of his/her employability status.

- In POS:
 - Complete the task list in the **Pre-Referrals** window in POS based on the completed **W-680W** form.
 - Give the participant the Physician's Functional Assessment Form (**W-538**) from the **Print Forms**.

- In NYCWAY:
 - Enter Action Code **810** or **810H** in NYCWAY to stop the sanction process.
 - Initiate a new EP.
 - Enter **Y** for the question of **Medical/Mental Health Issue** on the **Assessment - Primary Questionnaire** window.
 - Select Action Code **16WS** if the participant signs the medial consent form (**W-333T**);
or
 - Select Action Code **16WD** if the participant refuses to sign the voluntary consent. This may be automated via the EP.

Note: The WeCARE vendor will not have access to NYCWAY for participants who do not sign the consent. In these instances all actions will be manually processed and entered in NYCWAY by the Customized Assistance Services (CAS) WeCARE Outstationed Worker.

- Give the participant the Medical Provider Appointment (**W-538C**) form for the WeCARE assessment

- Image, index, or file signed consents and appointment notices, as appropriate.

To refer the participant to WeCARE CRT for an existing claim, the Conciliation Supervisor must:

- in NYCWAY:
 - Enter Action Code **810H** to stop the sanction process.
 - Initiate a new EP.
 - Enter **Y** for the question of **Medical/Mental Health Issue** on the **Assessment - Primary Questionnaire** window.
 - NYCWAY will determine if a WeCARE Functional Capacity Outcome (FCO) was posted for the participant within the last 12 months. If one was posted, the Worker will be prompted to select either Action Code **16HR** (Referral to WeCARE Review Board – Fair Hearing Result) or Action Code **16JR** (Referral to WeCARE Review Board – Previous FCO). The Conciliation Supervisor must select **16JR** in these instances.

If there is no evidence of a former WeCARE FCO or the FCO is more than 12 months old, the Worker will be prompted to post the normal WeCARE referral codes.

Based on the outcome of the WeCARE/WeCARE CRT evaluation, the WeCARE/WeCARE CRT vendor will post the appropriate assessment code in NYCWAY. If a WeCARE FCO of fully employable is posted, this code will trigger a return appointment for the participant to report to the Center. At the participant's return appointment to the Center, the JOS/Worker must:

- Update the EP.

Note: Employability Status code **ES20** will be automatically assigned to individuals determined to be fully employable.

- If the participant was evaluated by WeCARE CRT, CRT will issue the Notification of Temporary Assistance Work Requirements Determination (Nonexempt) (**LDSS-4005[a] NYC**) (if the participant was evaluated by WeCARE, WeCARE will provide the participant with this notice). The **LDSS-4005(a) NYC** informs the participant of the Agency's determination of his/her employability as well as his/her right to contest the determination if he/she requests a Fair Hearing within 10 days of receiving the notice.

If the participant is determined not exempt from work requirements:

- Resolve any nonmedical barriers to employment, including child care arrangements, if appropriate.
- Continue through the EP and assign the participant to an appropriate engagement activity per current procedure.

If the participant is determined exempt from work requirements, he/she must be issued Notification of Temporary Assistance Work Requirements Determination **LDSS-4005 (NYC)** (exempt) and may be referred to and required to participate in reasonable medical treatment or rehabilitation activities expected to help him/her improve his/her ability to work. If the participant is determined to be unemployable, he/she may be required to apply for SSI benefits and cooperate with any follow-up appeal process. Individuals who are required to apply for SSI benefits as a condition of CA eligibility are exempt and cannot be assigned to work activities until the district has determined, based on the documentation available, that the individual is nonexempt and no longer required to apply for SSI benefits as a condition of eligibility for CA benefits.

Nonmedical Barriers

If the participant is claiming unemployability for a nonmedical reason, he/she must provide documentation to support his/her claim. Whether or not the participant is granted good cause for the specific infraction, upon a claim of unemployability, the Conciliation Supervisor must refer the participant to a JOS Worker for reassessment, to determine if he/she is now exempt from the work requirement.

The JOS/Worker must issue Form **LDSS-4005 NYC** (exempt) or **LDSS-4005(a) NYC** (nonexempt) to inform the participant of the Agency's determination as well as his/her right to contest the determination if he/she requests a Fair Hearing within 60 days of receiving the notice.

Domestic Violence

If the participant claims domestic violence as a barrier to engagement, follow the prompts within the EP to refer the participant for a special assessment in accordance with current procedure.

Other Barriers

If the participant claims to have any other nonmedical barriers (i.e. substance abuse, child care, etc.) the barriers must be addressed in accordance with this manual as well as current procedures.

Notice of Intent for Employment Infractions**Overview of the Notice of Intent (NOI) Process for Employment Infractions**

A NOI will be issued when a participant's failure or refusal to comply with employment requirements is determined to be both willful and without good cause. The NOI will inform the participant that his/her CA and/or FS benefits will be reduced or the case closed, the duration of any sanction and the basis for the employment sanction, as well as information about his/her right to a Conference. The Conference is similar to the Conciliation appointment in that the participant has the opportunity to submit evidence of good cause to resolve the adverse action. However, the Conference is conducted by a Fair Hearing and Conference (FH&C) AJOS I/Supervisor I.

Initiation of the NOI Process

The NOI process is initiated the day after the Conciliation Notice expires for employment infractions. Based on the type of infraction and household composition, NYCWAY automatically posts the appropriate action code.

Engagement Infraction Action Codes

- **410** (Automated NOI Sent)
- **41PO** (Manual NOI Required – Perfect Opportunity for Individual Skills and Educational Development [POISED])
- **41SA** (Manual NOI Required – non-exempt SA)
- **411F** (Manual NOI Required – WeCARE Vocational Rehabilitation Services [VRS])
- **411N** (Manual NOI Required – Employment)

Action Code **410** sends the case to WMS for an automated case action and NOI generation through the Client Notices System (CNS). All other action codes above place the case on the **NOI** or **CLSD** worklist, indicating that a manual process to implement the adverse action and initiate a Worker-generated NOI is required.

In all cases, the participant has 10 calendar days from the date of the NOI to report for a Conference. Failure to respond to the NOI within 10 calendar days of the date of issue to request aid to continue or to establish good cause during the Conference may result in a pro rata reduction, discontinuation of CA and FS (if applicable), or a determination of individual ineligibility. FS employment sanctions are based on the noncompliant individual and are not prorata or for the entire FS household.

Supervisory Review Reports

CNS automatically prints a Supervisory Review Report for each manual NOI generated. Supervisors are to check each Supervisory Review Report to ensure that:

- the correct closing code was used (some codes are for both individual and case level, but often a different code is required for individual or case level).
- the correct line was closed.
- the correct infraction date was input.
- appropriate language was used in the must-fill fields.

NOI Conferences

Job Centers

If the individual comes in to the Job Center and requests a Conference, the Receptionist must alert the FH&C Unit that the individual is waiting to be seen by an FH&C Associate Job Opportunity Specialist I (AJOS I) or Supervisor I. If the individual calls the JOS/Worker directly, the JOS/Worker must instruct him/her to call FH&C unit.

Model Centers

If the individual comes in to a Model Center, the Receptionist at Main Reception will issue an FH&C ticket to route the individual to the FH&C Unit. A verbal alert to the FH&C Unit will not be required in this instance.

FH&C

The FH&C AJOS I/Supervisor I will listen to and evaluate any material presented by the applicant/participant, review the case file, and discuss the issue(s) with the JOS/Worker responsible for the case and/or the JOS/Worker's Supervisor. The AJOS I/Supervisor I will explain the reason for the Agency's action(s) to the applicant/participant.

Good Cause Granted

If the determination is that the applicant/participant has presented good cause for the infraction or that the outstanding NOI needs to be withdrawn for other reasons, the FH&C AJOS I/Supervisor I will Settle in Conference (SIC) the pending action, enter Action Code **820** (Good Cause Granted) or **820H** (Good Cause Granted-WeCARE) in NYCWAY with detailed case notes, and forward to the appropriate JOS/Worker all the documents the applicant/participant submitted to verify and support the SIC action. The JOS/Worker is responsible for taking any corrective action necessary. In addition, if the adverse case action is still pending in WMS, the FH&C AJOS I/Supervisor I must:

- prepare and submit PA Recoupment Data Entry Form (**LDSS-3722**) to change the case action status to **01** (Client Has Settled in Conference) if the case was granted Aid to Continue (Fair Hearing status **02** in WMS) and the case still shows this status; and/or
- prepare and submit an **LDSS-3573** to delete a recoupment; and
- complete a Conference Report (**M-186a**).

Issue is Settled During Conference

If the case is SIC, Action Code **820** or Action code **820H** (for WeCARE issues) will be entered in NYCWAY to indicate that good cause was granted in Conference. As with Action Codes **810** and **810H**, Action Codes **820** and **820H** provide a drop-down list (examples shown on pages 14.9-14.10) so that the FH&C representative can select the reason good cause was granted. Another drop-down list of Supporting Documentation (examples shown on pages 14.9-14.10) will appear so that the FH&C representative can select the documentation provided. The FH&C representative may enter additional comments with further explanation.

The FH&C representative will also enter Action Code **10FH** in NYCWAY to refer the participant for an immediate appointment with a JOS/Worker for assignment to an activity. Action Code **10FH** generates the Referral for Employment Assessment (**W-500H**) form, which is given to the participant. Depending on the reason for the infraction, the FH&C representative may choose to refer the participant to WeCARE or a CASAC assessment (Action Code **16FH**) instead of immediately referring the participant to a JOS/Worker.

For single cases with no dependent children, Action Code **820** ends the sanction process. NYCWAY will receive an Action Code **899** (WMS Fair Hearing Status 1) from WMS 24 hours after Action Code **820** is entered in NYCWAY to confirm that the sanction was stopped. Fair Hearing Status **1** indicates that the participant SIC For all other cases, after Action Code **820** is entered in NYCWAY, the FH&C representative will:

- go to Pending Action in WMS.
- find the relevant sanction action.
- fill out a manual Form **LDSS-3722** entering a **1** (Client Has Settled in Conference) in the Aid Status box.
- send to Control for data entry.

Twenty-four hours after Control enters information from Form **LDSS-3722** to stop the sanction, the pending sanction action will no longer appear in WMS. The FH&C representative should go to option **4** (Case Action History) in WMS to access the All Change Action screen to confirm that the sanction was stopped. He/she should see Fair Hearing Status **1**.

Participant Claims to be Unemployable During the Conference

If during the Conference the participant claims to be unemployable for a medical reason, the FH&C Supervisor will follow the instructions on the previous page to stop the sanction process in NYCWAY and WMS. If WeCARE determines that the participant is non-exempt and the individual still refuses to comply, a new sanction is imposed. See page 14.12 for instructions on referring the participant to WeCARE for assessment.

If the participant has a nonmedical reason for claiming to be unemployable, he/she must present documentation to support his/her claims. Whether or not good cause is granted, the FH&C Representative should enter Action Code **10FH** in NYCWAY. This Action Code makes a same-day appointment for the participant to see a JOS/Worker. It is also necessary to enter case notes regarding the reason the participant is being returned to the JOS/Worker.

Issue is Not Settled During Conference

If the FH&C representative is not satisfied with the participant's claims or documentation presented during the Conference, or the participant does not report for the Conference, the issue cannot be settled. If the participant reports for the Conference but is not granted good cause, the FH&C representative will enter Action Code **830** (good cause not granted) in NYCWAY. The drop-down list will appear for the FH&C representative to select the reason good cause was not granted. Whether the participant did not report for a Conference, or reported but was not granted good cause, the sanction process will continue. The sanction will be in effect 10 calendar days after the date of the NOI and the participant's cash assistance will be reduced or the case will be closed.

Concluding the Conference

The FH&C Supervisor must enter comments detailing the type of documentation presented and providing further explanation as to why good cause is or is not being granted. All documents presented by participants during the Conference are to be scanned and indexed into the electronic case record by FH&C staff, regardless of the outcome of the Conference.

Should the applicant/participant elect to continue his/her appeal by requesting or proceeding to a Fair Hearing that was already requested, the FH&C AJOS/Supervisor I is responsible for ensuring that further appeal is properly controlled and that appropriate follow-up action is taken in all phases of the Fair Hearing process.

Fair Hearing

Applicants who are denied assistance as a result of an employment–related infraction are entitled to request a Fair Hearing within 60 days from the date of the denial notice.

Applicants/participants who disagree with the employability determination based on a medical condition may request a Fair Hearing within 10 days of the notice date on form **LDSS-4005 NYC/LDSS-4005(a) NYC**. Applicants/participants who disagree with the employability determination for a nonmedical reason may request a Fair Hearing within 60 days from the notice date on Form **LDSS- 4005 NYC/LDSS-4005(a) NYC**.

Avoidance/Resolution

Ensure that all case actions are processed in accordance with current procedures and that electronic case files are kept up to date. Workers are reminded that adequate or timely notification must be sent to all applicants/participants when an adverse action is taken. In addition, the applicant/participant should be given the opportunity to resolve the infraction issue without having to resort to a Fair Hearing.

Evidence Packets

All Evidence Packets must contain a detailed history, copies of relevant WMS screen printouts, other documentation relevant to the action taken, and copies of NYCWAY “Case Notes” screens. This includes, but is not limited to, the following for the work activity or program outlined below:

| Program | Evidence Packet must include: |
|---------|---|
| BTW/WEP | A copy of form W-502 or Assignment Information Summary (W-500G) form; a Conciliation Notification and a copy of the CNS notice sent to the participant |
| BEGIN | A copy of the BEGIN Program Referral Letter (W-573XX); a Conciliation Notification and a copy of the CNS notice sent to the participant |
| | |
| POISED | A copy of the Mandatory POISED Assessment Appointment (W-500Y) form; a Conciliation Notification and a copy of the CNS notice sent to the participant |
| TAG | Mandatory Training Assessment Group Appointment (W-507) form; Notice of Applicant Self-Enrollment in Training/Education Program (W-507A) form; Notice of Appointment for Disapproved Training/Education |

SECTION XV: THE NOTICE OF INTENT/CONFERENCE AND
FAIR HEARING PROCESS

DATE: 12/02/10

| | |
|----------------------------|---|
| | Program Review (W-507HH) form; Notice of Approval of Request for Educational/Training Program (W-116J) form or Notice of Denial of Request for Educational/Training Program (W-116R) form or Notice of Training Alternative Program (W-116T) form; CUNY TANF and SNNC College Student Hardship Exemption Request Form; and the Conciliation notice. |
| Parks Opportunity Program | Employment Appointment Notice Form (W-116H), Notice of Job Interview Form (W-116G), Grant Diversion Program Letter (EXP-75); Participant Statement of Understanding signed and dated by the participant; Parks Opportunity Program Orientation Letter; Parks Opportunity Program Completion Letter; Parks Notice of Participant Termination; Notice to Report to Center Form (M-3g); Mandatory Dispute Resolution Summary, a copy of the CNS notice and the Conciliation notice sent to the participant |
| Substance Abuse Assessment | Consent for Disclosure of Alcohol or Substance Abuse Treatment Program Information and Records and Public Assistance and Care Information and Records (M-75z) form; Participant Rights and Responsibilities (M-75r) form; the CASAC assessment and a copy of the CNS notice sent to the participant |
| Substance Abuse Activities | M-75r and M-75z forms; a copy of the CASAC assessment; Conciliation Notification and a copy of the CNS notice sent to the participant |
| WeCARE | A copy of the Medical Provider Appointment (W-538C) form; a printout of the EP; a copy of the vendor's medical information, including the CSP; a copy of the NOI to Change/Continue Benefits; a copy of the LDSS-4005(a) NYC ; copy of vendor case notes; DVE/IPE and a copy of the CNS notice sent to the participant |

Forms

Statewide Common Application ([LDSS-2921](#))
Recertification for Public Assistance, Medical Assistance, Food Stamps ([LDSS-3174 NYC](#))
PA Recoupment Data Entry Form ([LDSS-3573](#))
Fair Hearing/Case Update Data Entry Form ([LDSS-3722](#))
Notification of Temporary Assistance Work Requirements Determination (Exempt) ([LDSS-4005 NYC](#))
Notice of Temporary Assistance Work Requirements Determination (Nonexempt) ([LDSS-4005A](#))
Notice of Intent to Change Benefits ([LDSS-4015A](#) and **B**)
“What You Should Know About Your Rights and Responsibilities When Applying For or Receiving Social Services” ([LDSS-4148A](#))
Alcohol and Drug Abuse Screening and Referral Form ([LDSS-4571](#))
Domestic Violence Screening Form ([LDSS-4583](#))
Important Information About Child Care ([LDSS-4647](#))
New York State Office of Children and Family Services (OCFS) Enrollment Form for Provider of Legally-Exempt Family Child Care and Legally-Exempt In-Home Child Care ([OCFS-LDSS-4699](#))
Enrollment Form for Provider of Legally-Exempt Group Child Care ([OCFS-LDSS-4700](#))

NYC Parks Opportunity Program Cover Letter ([EXP-75](#))
Grant Diversion Program Statement of Understanding for Parks Opportunity Program Participants ([EXP-76G](#))
Conference Report ([M-186a](#))
Participant Rights and Responsibilities ([M-75r](#))
Records and Public Assistance and Care Information and Records ([M-75z](#))

Special Assessment Letter ([W-103D](#))
Notice of Job Interview ([W-116G](#))
Employment Appointment Notice ([W-116H](#))
Notice of Approval of Request for Education/Training Program ([W-116J](#))
Notice of Denial of Request for Education/Training Program ([W-116R](#))
Notice of Training Alternative Program ([W-116T](#))
Child Care Provider Enrollment Supplement Form ([W-274W](#))
Child Care Provider Prior to Engagement or Recertification ([W-274X](#))
WeCARE Brochure ([W-331](#))
Substance Abuse Service Center (SASC) ([W-456AA](#))
Mandatory Appointment Notice for Part-Time Employed Participants ([W-500A](#))
Appointment with FIA Outstationed Worker at Back to Work (BTW) Vendor ([W-500BB](#))
Assignment Information Summary (AIS) ([W-500G](#))
POISED Assessment Appointment ([W-500Y](#))

Mandatory Training Assessment Group Appointment ([W-507](#))
Notice of Self-Enrollment in Training/Education Program ([W-507A](#))
Notice of Appointment for Unapproved Training/Education Program Review ([W-507HH](#))
Physician's Functional Assessment Form ([W-538](#))
Medical Provider Appointment ([W-538C](#))
BEGIN Program Referral Letter ([W-573XX](#))
Child Care Fact Sheet and Planner ([W-574EE](#))
Family Care Assessment ([W-582A](#))
Consent for Disclosure of Alcohol or Substance Abuse Treatment Program Information and Referral to Treatment Program ([W-687R](#))
FIA/Training Enrollment Letter ([W-700D](#))
CUNY TANF and SNNC College Student Hardship Exemption Request Form
Parks Opportunity Program Orientation Letter

NYCWAY Codes

| Back to Work | | |
|--------------------------------------|--------------------------------|---|
| Applicant Action Code | Participant Action Code | Definition |
| 917B | 153B | Off-Site Vendor Referral |
| 917C | | CSM Applicant Vendor Assignment |
| 917G | 153G | Intake Vendor Referral |
| | 153M | CSM Undercare Vendor Assignment |
| 917K | 153K | Vendor Appointment Kept |
| 917O | 153O | Vendor Referral to OSW |
| 917P | 153P | OSW Referral Back to Vendor |
| 917Q | 153Q | Vendor Assignment |
| | 917S | Intensive Services Center Vendor Assignment |
| | 153W | Vendor WEP Recommendation |
| 153Z | 153Z | BTW Assignment Roster Flag |
| 125I | 125I | BTW Roster Indicator |
| | 010Q | Case Accepted – Participating In BTW |
| | 120A | Assignment to Work Experience Program (WEP) Site |
| | 120N | Sanctioned Provisional WEP Site |
| Back to Work Infraction Codes | | |
| Applicant Action Code | Participant Action Code | Definition |
| | 436A | FTR with BTW Referral/Orientation (On-Site/Off-Site) |
| | 436B | FTC with BTW Referral/Orientation (On-Site/Off-Site) |
| | 436S | FTR with BTW referral/Orientation (used when active participant is referred with Action Code 153Q/153B) |
| | 436U | FTC with BTW Referral/Orientation (used when active participant is referred with Action Code 153Q/153B) |
| | 438Q | FTR/FTC with BTW Referral/Orientation (used when participant referred is sanctioned) |

| Back to Work Outstation Worker | | |
|---------------------------------------|--------------------------------|---|
| Applicant Action Code | Participant Action Code | Definition |
| 917R | 153R | Return Appointment Scheduled to OSW |
| 917P | 153P | OSW Referral Back to Vendor |
| | 153D | Vendor WEP Recommendation Rejected |
| 917T | | Vendor Applicant Appointment to Job Center for Training Claim |
| 917X | 153X | Deassigned from Vendor |
| 910R | 105E | Job Center Return Appointment – Other |
| BEGIN Program | | |
| Applicant Action Code | Participant Action Code | Definition |
| | 124E | Assignment for mandatory participants to BEGIN E+ |
| | 124G | BEGIN GED Program |
| | 124I | Referral to BEGIN Internship (BI) |
| | 124L | Referral to BEGIN Language Program (BLWS) |
| | 124V | Referral for BEGIN Vocational Work Study (VoWS) |
| | 124W | Referral to BEGIN Work Study (BWS) |
| | 124X | Deassigned from BEGIN Managed Activity |
| | 149B | Voluntary Assignment for Nonmandatory Participants |
| | 193B | BEGIN Referral to SASC |
| BEGIN Infraction Codes | | |
| Applicant Action Code | Participant Action Code | Definition |
| | 434H | FTR to BWS, BLWS or BEGIN E+ |
| | 434I | FTC with BWS, BLWS or BEGIN E+ |
| | 434K | FTR with BI |
| | 434L | FTC with BI |
| | 434N | FTR with BEGIN VOWS |
| | 434P | FTC with BEGIN VoWS |

| Child Care | | |
|-------------------------------------|---|---|
| Applicant Action Code | Participant Action Code | Definition |
| 933D | 133D | Child Care Return Appointment – Documentation Needed |
| 933O | 133O | Child Care Not Required |
| 933R | 133R | Refused Child Care Referral/Placement |
| 933S | 133S | Child Care Return Appt. – Provider Needed |
| 933T | 133T | Paid Child Care in Place |
| 933Z | 133Z | Child Care In Place at No Cost to FIA |
| Employment Plan Action Codes | | |
| Action code | Definition | |
| 119A | Employment Plan (EP) Initiated | |
| 119B | EP Completed | |
| 119E | EP Assessment Completed by Employment Vendor | |
| 119F | EP Assessment Completed by Job Center | |
| 119G | EP Return to Primary Questionnaire | |
| 119N | EP Barrier Assessment Completed – Non Exemption | |
| 119T | EP Terminated | |
| 119U | EP Barrier Assessment Completed – Exempt | |
| 119X | EP Cancel | |
| 119Z | EP Closed by System | |
| Needed at Home | | |
| Applicant Action Code | Participant Action Code | Definition |
| 910R | 187R | Return Appointment – Needed at Home |
| 905H | 187V | Applicant is caretaker of an incapacitated household member |
| 905I | 174V | Applicant is a foster parent |
| | 183B | Foster parent of a child with special needs |
| | 18AC | Needed at home person is an adult |
| | 18CC | Needed at home person is a child |

Parks Opportunity Program (POP)

| Applicant Action Code | Participant Action Code | Definition |
|-----------------------|-------------------------|---|
| | 15AC | Parks ATC Granted |
| | 15ER | Resignation from Employment |
| | 15HR | Parks Hire Reinstatement |
| | 15PA | Parks Job Center Call-In for Eligibility Appt. – Manual |
| | 15PB | In Parks Eligibility Call-In Pool |
| | 15PC | Parks Completed |
| | 15PE | Referral to Employment Interview at Parks Center |
| | 15PS | Parks Grant Diversion Payment Stop |
| | 155G | Referral to POP Program/Grant Diversion Program |
| | 155L | Client is Eligible for Parks 2 |
| | 155M | Parks/Grant Diversion – Client Working |
| | 155O | Client Referred for Parks Orientation |
| | 155P | Referral to Job Opportunity Program (JOP) – Parks |
| | 155Q | Client Pending Parks Documentation |
| | 155R | Referral to Job Opportunity Program (JOP) |
| | 155S | Referral to ESP Parks |
| | 155T | Client Terminated – Failed to Meet Employment Requirement Client Terminated |
| | 155U | Park/Grant Diversion Completed |
| | 155V | Grant Diversion Completed – Hired at Parks |
| | 155W | Grant Diversion Completed – Hired Outside Parks |
| | 155X | Job Opportunity Program (JOP) Canceled |
| | 155Z | Ineligible for Parks Program |

POP Infraction Code

| Applicant Action Code | Participant Action Code | Definition |
|-----------------------|-------------------------|--|
| | 434O | FTR to Mandatory Call-In |
| | 434U | Failure to Report to a Job Interview |
| | WE1 | Failure to Comply with Employment Requirements |
| | 452J | Failure to Report to Orientation |
| | 452R | Failure to Report to an Eligibility Call-In Appt |

Perfect Opportunity for Individual Skills and Educational Development (POISED)

| Applicant Action Code | Participant Action Code | Definition |
|-----------------------|-------------------------|--|
| | 106 | POISED Call In |
| | 106A | POISED Appointment (Batch Appointment) |
| | 106C | POISED Rescheduled Appointment |
| | 106D | POISED at Home |
| | 106R | POISED Return Appointment |
| | 106X | CANCEL POISED Appointment |
| | 111E | POISED I Completed |
| | 111F | POISED II Completed |

POISED Infraction Codes

| Applicant Action Code | Participant Action Code | Definition |
|-----------------------|-------------------------|------------------|
| | 430K | FTR (Safety Net) |
| | 434A | FTR (TANF) |
| | 443E | FTC (SN/TANF) |

| Special Assessment | | |
|------------------------------|--------------------------------|---|
| Applicant Action Code | Participant Action Code | Definition |
| 910V | 105M | Special Assessment Return Appt. to the Job Center – used with Action Codes 991S , 991I and 191A |
| 931A | 131A | Assessment Result – Full Employment Waiver |
| 931B | 131B | Assessment Result – Partial Employment Waiver |
| 931C | 131C | Assessment Result – Full Employment Waiver Plus – used with individuals already identified in need of substance abuse treatment |
| | 131D | Time Limit – Assessment Result – Incapacitated/ Disabled – ES code changes to 47 |
| 931F | 131F | Fail to Report to Special Assessment Appointment |
| 931G | | Special Assessment Appointment Kept – Waiver Granted (991I referral only) |
| | 131H | Time Limit – Assessment Result – Needed at home – ES code changes to 48 |
| | 131I | Time Limit – Assessment Result – Incapacitated – ES code changes to 49 |
| 931J (followed by 913N) | | Special Assessment Result: No Waiver Granted – used with 991I referrals |
| 931K (followed by 931A) | | Fail to Report Special Assessment Appointment (991I referrals only) |
| | 131M | Special Evaluation Result: Exempt |
| 913N | 131N | Special Assessment Result – No Waiver Granted |
| | 131O | Assessment Result – Other Employment Waiver |
| | 131R | Deficient in Advent Hours |
| | 131S | Special Evaluation Result: No Issue |
| 931X | 131X | Special Assessment Outcome Canceled |
| 940D | 140D | Special Assessment Required |
| 991S | 191A | Referral for Special Assessment |
| 991I | | Noncitizen referral to obtain a credibility assessment |
| 991C | | Special Assessment Needed – Credibility Determination |
| 991X | | Cancel Applicant Special Assessment Referral |
| | 191T | Assigned to Advent Program |
| | 191G | Special Assessment Reassessment Appointment |
| | 191Q | Advent Reenrollment |
| | 191X | Terminated Advent Program |
| | 191Z | Special Assessment Appointment Cancellation |
| | 199W | Special Assessment Non-Medical Deferral |

| Substance Abuse | | |
|------------------------------|--------------------------------------|--|
| Applicant Action Code | Participant Action Code | Definition |
| | 225, 224 | Treatment program outcome codes for treatment required, generates consent forms for participants |
| | 243A (SASC) 243C (CSM) | Indicates participant must return to for CASAC follow-up assessment |
| | 205G | Assigns participant to SASC Worker and generates a CASAC referral to a substance abuse service center |
| | 200P | SASC enters to assign individual to BTW. Generates the Notice of Temporary Assistance Work Requirements Determination (Nonexempt) (LDSS-4005 (a) NYC) |
| 240N | 241N | Nonexempt, no treatment required |
| 240T | 241T | Fully exempt from work requirements – intensive treatment required |
| 240W | 241W | Nonexempt, treatment required |
| 910S | | Corresponding Return Appointment – used with referral code 915G |
| 915C | | Referral to CSM vendor because of SA problem (Temporary Assistance to Needy Family [TANF] and Safety Net) |
| 915D | | CSM referral for individual with prior history with CSM |
| 915G | 193 (214H is the actual appointment) | Referral – CASAC Assessment |
| 915R | 214W 193R (if done through EP) | Riverview Job Center referrals to on-site SASC |
| | 193B | Referred by OSW to SASC for substance abuse evaluation |
| | 105K | Return appointment to program for next business day following SASC appointment |
| | 105Y | Complied with Return Appointment – Used to close out 193B referral |

Substance Abuse Infraction Codes

| Applicant Action Code | Participant Action Code | Definition |
|------------------------------|--------------------------------|---|
| 211A | 457A | Fail to Report/Comply with Substance Abuse Assessment |
| 211D | 484 | Failure to Comply with Application Consent Form |
| 210D 211F 211G | 480A | Fail to Report/Comply with Substance Abuse Treatment |

| Training Assessment Group Action Codes | | |
|---|--------------------------------|---|
| Applicant Action Code | Participant Action Code | Definition |
| 935T | | Assigned to an Educational/Training Program |
| | 105T | Manual Referral to Training Assessment |
| | 13RR | Recent Program Complete for TAG Training |
| | 13TA | TAG Training Case Note |
| | 13TB | TAG Call In Pool for Reassessment |
| | 13TC | TAG Call-In Pending Training |
| 917D | 13TD | TAG-Training Denied/Invalid Request |
| | 13TE | 10–Day Return Appt. to TAG Scheduled |
| | 13TF | 15–Day Return Appt. to TAG Scheduled |
| | 13TG | TAG referrals for sanctioned individuals whose sanction period will expire within 45 days or is nondurational and who request that training lift the sanction |
| | 13TH | Training hardship extension approved (TAG) |
| | 13TI | Training hardship extension disapproved (TAG) |
| | 13TJ | Referred to Training Assessment Group |
| | 13TK | Pending TAG Scheduling |
| | 13TL | TAG Reassessment Appointment |
| | 13TN | Provisional Training Assignment for Sanctioned Individual |
| | 13TP | TAG Training Approved |
| | 13TR | Return Appointment to TAG Scheduled |
| | 13TS | TAG Rescheduled TAG Appointment |
| 917T | 13TT | Referral to Training Assessment Unit (TAG) |
| | 13TV | Training Alternative Program (TAG) Approved, Generates Notice of Training Alternative Program |
| | 13TW | TAG Referral – Post Conciliation/Conference |
| | 13TX | Cancel TAG Training Activity |
| | 13TZ | TAG Filter |
| | 135K | Vocational Training Approved |
| | 135X | Training Terminated (Administrative Reason) |

| TAG Infraction Codes | | |
|------------------------------|--------------------------------|---|
| Applicant Action Code | Participant Action Code | Definition |
| | 434A/B | FTR/FTC FA/SNFP with TAG |
| | 430K | FTR/FTC Safety Net Individual |
| | 496C | FTR/FTC Sanctioned Referral to TAG |
| WeCARE | | |
| Applicant Action Code | Participant Action Code | Definition |
| | 16MB | WeCARE Batch Call-In for Medical Assessment |
| | 16WD | WeCARE Disclosure Not Signed |
| | 16WG | Intensive Services Sanction Referral to WeCARE |
| | 16WH | General Sanction Referral to WeCARE |
| | 16WM (results in a 16MB) | Awaiting WeCARE Medical Referral |
| | 16WS | WeCARE Consent for Disclosure Signed |
| 96WY | 16WY | MDRC Online Referral To WeCARE |
| 917C | 153M | Used by CSM to refer an individual to a BTW vendor |
| 968E | 168E | Individual deemed fully employable by WECARE |
| 968I | 168I | SA CM Referral to WeCARE |
| 968J | 168J | Return appointment to Job Center or Back to Work Outstationed Worker |
| 968U | 168U | SASC enters to refer an individual for WeCARE assessment |
| 968U | 168U | SASC Referral to WECARE |
| 968W | 168W | Initial Referral to WeCARE |
| 968X | 168X | Cancels a WeCARE Appointment |
| | 173B | WeCARE outreach – Fail to Report to initial appointment/referral |
| | 173K | WeCARE outreach – Fail to Comply to initial appointment/referral |
| | 168G | Outreach efforts by vendors successful |

| Miscellaneous | | |
|------------------------------|--------------------------------|---|
| Applicant Action Code | Participant Action Code | Definition |
| | 105E | Referred for Employment Appointment – Employable – Used when while individual participating in a work activity but DV/SA assessment is needed |
| 134H | | Demonstrated Compliance – Lift Sanction |
| | 156E | Call-In for Business Link Program |