



# FAMILY INDEPENDENCE ADMINISTRATION

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## POLICY BULLETIN #04-215-EMP

*(Use with PD #01-38-EMP)*

### ISSUING SUPPLEMENTS TO SANCTIONED INDIVIDUALS WHO DEMONSTRATE COMPLIANCE WITH PUBLIC ASSISTANCE WORK REQUIREMENTS

<b>Date:</b> December 20, 2004	<b>Subtopic(s):</b> Work Requirements, PA/FS Eligibility
<p> This procedure can now be accessed on the FIAweb.</p> <p>For the complete process, see PD #01-38-EMP Eligibility Review of Sanctioned Individuals/ Demonstrated Compliance.</p>	<p>The purpose of this policy bulletin is to provide staff at the Job Centers with a clarification regarding the demonstrated compliance process.</p> <p>Caseheads and individuals who are sanctioned for non-compliance with public assistance (PA) work rules may be required to demonstrate compliance with PA employment rules by completing five consecutive business days in a work activity before the PA sanction can be lifted.</p> <p>Once the PA sanction period expires and the sanctioned individual agrees to comply with the work requirements and demonstrates his/her willingness to comply, the PA grant must be supplemented retroactive to the date the individual agreed to comply with the work rules.</p> <p>Example:</p> <p>A Family Assistance (FA) participant who has been sanctioned for the second time for failure to comply with the work rules indicates to the Worker on 12/1 that s/he is now willing to comply. The Worker confirms that the participant's sanctioned period has ended, and schedules the participant for a five-day demonstrated compliance assignment that begins on 12/6. On 12/13, the Worker confirms that the participant complied with the assignment and proceeds to lift the PA sanction. The Worker issues PA benefits retroactive to 12/1 (the date the individual was willing to comply).</p>

HAVE QUESTIONS ABOUT THIS PROCEDURE?  
Call (718) 557-1313 then press 2 at the prompt followed by 765 or  
send an e-mail to *FIA Call Center*

**Food Stamp Implications:**

Workers are reminded that food stamp (FS) sanction periods for failing to comply with FS work requirements are durational in nature, beginning with the first infraction. Because the sanction periods differ from PA sanction periods, when a Worker is lifting a PA sanction, s/he must ensure that the FS sanction period has also ended before lifting the FS sanction and issuing a FS supplement.

**Example:**

An FA participant failed to comply with the PA and FS work rules and is sanctioned for both on 10/1. On 11/1, the participant informs the Worker that s/he is now willing to comply with the work rules. The Worker checks the system and determines that this is the participant's first offense and therefore the PA sanction can be cured at any time. Based on this information, the Worker schedules the participant for a five-day demonstrated compliance assignment that begins on 11/6.

On 11/13, the Worker confirms that the participant complied with the five-day assignment and takes action to lift the PA sanction only. A PA supplement is issued retroactive to 11/1. The two-month durational FS sanction cannot be lifted until 12/1 because once a FS sanction is correctly imposed, it must be served in its entirety unless the participant becomes exempt from FS work rules during the sanction period.

*Effective Immediately*

**References:**

NYCRR 1300.12 (d) and (e)