



**NEW YORK STATE  
OFFICE OF TEMPORARY AND DISABILITY  
ASSISTANCE**

40 NORTH PEARL STREET  
ALBANY, NY 12243-0001

**David A. Paterson**  
*Governor*

**Informational Letter**

**Section 1**

<b>Transmittal:</b>	09-INF-20
<b>To:</b>	Local District Commissioners
<b>Issuing Division/Office:</b>	Center for Employment and Economic Supports
<b>Date:</b>	October 19, 2009
<b>Subject:</b>	Countability of Job Search and Job Readiness Training Activities
<b>Suggested Distribution:</b>	Employment Coordinators Employment Program Staff
<b>Contact Person(s):</b>	Employment Technical Advisor or John Healey at 518-473-0446
<b>Attachments:</b>	none

**Filing References**

<b>Previous ADMs/INFs</b>	<b>Releases Cancelled</b>	<b>Dept. Regs.</b>	<b>Soc. Serv. Law &amp; Other Legal Ref.</b>	<b>Manual Ref.</b>	<b>Misc. Ref.</b>
08 ADM-07 07-ADM-08		385.8 and 385.9		Temporary Assistance and Food Stamp Employment Policy Manual: Section 385.8 and 385.9	

## Section 2

### I. Purpose

The purpose of this Informational Letter (INF) is to inform social services districts that New York State has met one of the criteria that allow the State to be deemed a “Needy State” under the provisions set forth in the Temporary Assistance for Needy Families (TANF) Final Rule. This designation allows New York to report the hours of participation in job search or job readiness training activities for up to twelve weeks during a 12-month period, no more than four of which can be consecutive and to have those hours of participation count fully towards the federal participation rate calculation.

Local Departments of Social Services were notified of this change in an e-mail from WTWCMS sent to all WTWCMS Liaisons on July 28, 2009.

Two existing desk aides have been updated to reflect this change and are available through the OTDA intranet at [http://otda.state.nyenet/ldss\\_eforms/default.htm](http://otda.state.nyenet/ldss_eforms/default.htm):

- [4923 \(6/09\) TANF and SNA MOE Work Activities Countability Desk Guide \(Households with Dependent Children\)](#)
- [4924 \(6/09\) SNA non-MOE Work Activities Countability Desk Guide \(Households without Dependent Children\)](#)

### II. Background

Federal TANF Regulations allow for states that are deemed a “Needy State” as referenced in Section 407(c)(2)(A)(i) of the Social Security Act and 45 CFR 260.30 to report and to count fully up to 12 weeks of participation in job search and job readiness training activities.

A state is deemed to be a “Needy State” based on the following criterion:

- Unemployment Trigger: the state’s three-month average of seasonally adjusted unemployment is greater than or equal to 6.5%, and higher than 110% for either of the corresponding three-month periods in the two preceding calendar years; or
- Food Stamp Trigger: the state’s three-month average Food Stamp caseload increased to at least 110% of what it was during the corresponding time period during federal fiscal year 2004 or 2005.

New York State met the Food Stamp trigger and has, therefore, been deemed to be a “Needy State” by the United States Department of Health and Human Services. As a result, the State is eligible to report and to include up to 12 weeks of participation in either job search or job readiness training activities in the participation rate calculation.

### III. Program Implications

The State may now report up to twelve weeks during a 12-month period, no more than four of which can be consecutive, of participation in either job search or job readiness

training activities for individuals in receipt of TANF or SNA MOE assistance and be included in the federal TANF work participation rate calculation. OTDA will apply the same countability rules to the work participation rate established for households without children in receipt of SNA non-MOE.

For the TANF/SNA MOE work participation rate, job readiness training activities include substance abuse treatment or treatment other than substance abuse. For work participation rate purposes, households without children in receipt of SNA non-MOE assistance, substance abuse and other treatment continue to be counted as Community Services which has no time limit. (See 08 ADM-07 and 07 ADM-08 for work participation guidance.)

To support this change, the Welfare Reporting and Tracking System (WRTS) has been modified to track and include participation in these activities by an individual to count towards the participation rate calculation for up to 12 weeks during the Federal Fiscal Year, no more than four of which can be consecutive. This change to the tracking logic was made effective July 6, 2009. Currently, WRTS tracks participation in these activities based on the presence of weekly schedules in Job Search or Job Readiness Training activities beginning with October 1, 2009. Once the tracking changes are finalized on WTWCMS, tracking of participation in these activities will be converted to hours of participation during the preceding 12-month period.

Participation by individuals in the job search or job readiness training activities (and the two treatment activities for TANF and SNA MOE) will be tracked for a total of **12** weeks during a Federal Fiscal Year (October 1 through September 30). No more than four weeks of participation may be consecutive, as required by federal statute and regulations. For currently enrolled individuals, who do not have a break in their job search or job readiness training activities schedules, the **actual** hours of participation during the fifth and tenth weeks will not count towards the participation rate calculation. **Actual** hours of participation during weeks 1-4 will count, participation during week 5 will be ignored, **actual** hours of participation during weeks 6-9 will count, participation during week 10 will be ignored; and **actual** hours of participation during weeks 11-14 will count. Districts are strongly encouraged to structure program assignments in a manner that do not rely on more than four consecutive weeks of participation in job search or job readiness to the extent possible to ensure that individuals attain the federally required hours of participation for each month.

In instances for which the revised job search or job readiness training activities tracking logic attributed countability to weeks during past months (and incremented the weeks) yet participation credit was not derived (due to insufficient hours prorated throughout the entire month) the Time Limit Tracking Override function in WMS may be used to manually correct the Job Search/Job Readiness Tracking counter, if desired. Please note that workers should only take this action if supported by adequate documentation and noted in the Client Notes section of WTWCMS.

**Issued By**

**Name:** Russell Sykes  
**Title:** Deputy Commissioner  
**Division/Office:** Center for Employment and Economic Supports