



NEW YORK STATE  
OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE  
40 NORTH PEARL STREET  
ALBANY, NEW YORK 12243-0001

David A. Paterson  
*Governor*

David A. Hansell  
*Commissioner*

## Local Commissioners Memorandum

### Section 1

<b>Transmittal:</b>	09-LCM-04
<b>To:</b>	Local District Commissioners
<b>Issuing Division/Office:</b>	Center for Employment and Economic Supports
<b>Date:</b>	May 20, 2009
<b>Subject:</b>	Food Stamp Employment and Training Allocations – FFY 2009
<b>Contact Person(s):</b>	Kathryn DeBella: (518) 408-4972 or WTW Technical Advisor Fiscal Contacts: Regions 1-4, James E. Carroll at 1-800-343-8859, extension 4-7549 Email: <a href="mailto:james.carroll@otda.state.ny.us">james.carroll@otda.state.ny.us</a> Region 5, Michael Borenstein at (631) 854-9704 Email: <a href="mailto:michael.borenstein@otda.state.ny.us">michael.borenstein@otda.state.ny.us</a> Region 6, Marian Borenstein at (212) 961-8250 Email: <a href="mailto:marian.borenstein@otda.state.ny.us">marian.borenstein@otda.state.ny.us</a>
<b>Attachments:</b>	Attachment 1: FFY 2009 100% and 50% Food Stamp Employment and Training Allocations
<b>Attachment Available On – Line:</b>	Yes

### Section 2

#### I. Purpose

The purpose of this Local Commissioners Memorandum (LCM) is to provide the federal fiscal year (FFY) 2009 Food Stamp Employment and Training (FSET) 100% and 50% administrative funding allocations for each social services district. This memorandum also includes important information regarding the use of FSET funds.

#### II. Background

New York State receives annual allocations from the United States Department of Agriculture (USDA) to support FSET program administration. Two funding streams are available: 100% federal funds and 50% federal funds.

The 100% federal funds are available to fully reimburse FSET administrative costs without nonfederal match. Districts' 100% FSET allocations for FFY 2009 are based on work registrant caseloads.

Federal 50% FSET funds are also available to further support the FSET services, along with matching non-federal funds. Each district's 50% FSET allocation is based on claiming history.

Participant reimbursement and dependent care funding for FSET is not included in either of the administrative allocations and should continue to be claimed separately. Districts are reminded that FSET dependent care may not be used to cover the costs of care for individuals who are eligible for services under the Child Care Block Grant (see 02 LCM-10).

Your district's FFY 2009 FSET administrative allocations are available to reimburse costs incurred from October 1, 2008 through September 30, 2009. Once a district spends its 100% FSET allocation, any additional claims must be submitted against the 50% FSET allocation. Districts are encouraged to fully claim 100% funds before claiming 50% funds. All claims for FFY 2009 100% FSET reimbursement must be received no later than **February 3, 2010**.

Federal 50% FSET administrative claims, participant reimbursement and dependent care claims must be matched with nonfederal funds.

### **III. Program Implications**

FSET funds are available to support costs associated with operating the FSET program. Such costs may include those related to applicants and recipients of food stamps, including Safety Net applicants and recipients who are also receiving food stamps and assigned to a FSET activity.

Districts may continue to use FSET funds for employment costs associated with Safety Net families who are also FSET work registrants, including those with a child under six years of age who would otherwise be exempt, but are required to fulfill Temporary Assistance work requirements. Since individuals with a child under six years of age would be considered volunteers for FSET purposes, they would not be subject to a food stamp sanction for failure to comply.

Please refer to federal Food Stamp regulations at 7 CFR 273.7 (d)(1)(ii) and 273.7 (e)(1) and to the New York State Fiscal Reference Manual, Volume 3 (Volume 4 for New York City), Chapters 3, 5 and 10 for further information on allowable FSET activities and claiming instructions.

#### FSET Funding Rules

Districts are reminded of the following rules regarding use of FSET funds:

- Services associated with substance abuse, including anti-drug counseling and the costs associated with monitoring a client's compliance with a treatment program are **not** allowable uses of FSET funds.
- FSET funds **cannot** be used to reimburse the cost of supervision of work experience participants (see 00 LCM-10), or to support employment services for TANF applicants and recipients who are categorically exempt from food stamp work requirements.
- FSET funds **cannot** be used to purchase computers or provide internet connections for FSET participants. USDA has determined that costs related to computer purchase/internet connection are not reasonable and necessary and are not directly related to participation in FSET activities.
- Consistent with federal regulations at 7 CFR 273.7(d)(1)(ii)(A), FSET funds may **not** be used to determine whether or not an individual is required to participate in FSET work activities. This restriction includes any costs related to the evaluation of an individual's medical condition. FSET funds must **not** be used for medical screenings, examinations or medical services of any kind.
- FSET participant reimbursement funds may be used to provide services associated with retaining employment for up to 90 days following the date an individual begins working. The individual must have been participating in another FSET activity prior to starting employment in order to qualify for the receipt of participant reimbursement funds. Allowable costs include transportation costs, clothing required for the job or equipment or tools required for the job.
- Districts may operate any work activity authorized under 18 NYCRR 385.9 that is included as part of the district's FSET program including, but not limited to, work experience, job search and job readiness activities. While subsidized employment is an allowable FSET program activity, federal regulations prohibit the use of FSET and nonfederal funds used as a match for FSET funds for wage subsidies. Mandatory FSET assignments may not exceed 30 hours per week/120 hours per month. However, individuals may volunteer to participate in FSET activities for an unlimited number of hours.
- Districts are also reminded of the requirement to offer and provide a qualifying work or training opportunity if requested by an able-bodied adult without dependents (ABAWD) if needed to allow him or her to retain eligibility for food stamps beyond the three-month time limit (see Section 3, page 57 of the New York State Temporary Assistance and Food Stamp Employment Policy Manual).

#### **IV. Claiming Instructions**

The Department has moved into production a new Cognos employment report entitled "Individuals by Employability Code Counts." This new report has replaced the current WINR-9475 and the Monthly Statistical Report on Employability (DSS-2238) for the purpose of allocating employment program costs. Using related data there is also a new

Cognos report entitled the “Local District PA-FS Claiming Tool.” This Claiming Tool provides needed information on the number of PA individuals who are subject to employment program work requirements and the number of NTA-FS work registrants engaged in work activities during the report month. These numbers of individuals can be used to determine the allocation claiming percentages for use on the Schedule D-3, Allocation and Claiming of Administrative Costs for Employment Programs, LDSS-2347-B1.

New York City will continue to use their in-house produced Engagement Report for this purpose. Guidelines for using the Engagement Report are contained in Chapter 10 of Volume 4 of the Fiscal Reference Manual.

The new Monthly Employability Code Summary Report and Local District PA-FS Claiming Tool provide unduplicated case member counts. These reports are available on a monthly basis in Cognos 8 using the following link: [http://cognos.dfa.state.ny.net/cognos8/cgi-bin/cognosisapi.dll?b\\_action=xts.run&m=portal/cc.xts&m\\_folder=i1D22C59234A84D44AB09C78D492E9CCC](http://cognos.dfa.state.ny.net/cognos8/cgi-bin/cognosisapi.dll?b_action=xts.run&m=portal/cc.xts&m_folder=i1D22C59234A84D44AB09C78D492E9CCC)

The local districts should start using this Claiming Tool with the original claim submission for April 2009. Copies of the Claiming Tool are available back to October 2008 for those districts that decide to submit revised claims.

Instructions for using the new Claiming Tool are contained in Chapter 10 of Volume 3 of the Fiscal Reference Manual.

Districts can contact John Hanofee at (518) 473-7567 or email at [john.hanofee@otda.state.ny.us](mailto:john.hanofee@otda.state.ny.us) for copies of the Monthly Employability Code Summary Report and the Local District PA-FS Claiming Tool.

Districts may file supplemental claims transferring dollars from the 100% category to the 50% category once they exceed their 100% FSET allocation. This will result in the district receiving these funds sooner without waiting for the State to shift the claims.

## **V. Additional Information**

Any district that projects it will require additional FFY 2009 federal FSET 50% funds must submit a written request for an increase by August 1, 2009. The request should include both the amount of funds requested and an explanation of the reasons for the expected increase in FSET expenditures. All requests received by the August 1, 2009 deadline will be reviewed and if approved by OTDA, honored to the extent that federal 50% funding is available. Receiving requests by August 1, 2009 will permit OTDA to assess statewide funding needs and determine if additional federal funds should be requested. Requests for additional funding can be submitted beyond this date, but approval could be delayed if a Plan amendment is required to secure additional federal funds.

Requests for an increase in 50% FSET funds must be submitted to:

Kathryn DeBella  
New York State Office of Temporary and Disability Assistance  
Employment and Advancement Services Bureau  
40 North Pearl Street, 11<sup>th</sup> Floor  
Albany, New York 12243  
FAX: (518) 486-7650  
Email: [kathrynm.debella@otda.state.ny.us](mailto:kathrynm.debella@otda.state.ny.us)

**Issued By**

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

**FFY 2009 Food Stamp Employment and Training Allocations**

DISTRICT	100% ALLOCATION	50% ALLOCATION
ALBANY	89,340	162,900
ALLEGANY	22,580	66,600
BROOME	167,400	30,600
CATTARAUGUS	27,760	568,100
CAYUGA	33,920	45,800
CHAUTAUQUA	114,890	419,700
CHEMUNG	81,540	154,100
CHENANGO	41,510	30,600
CLINTON	39,310	152,000
COLUMBIA	9,790	43,300
CORTLAND	17,270	144,800
DELAWARE	5,210	30,600
DUTCHESS	83,810	101,000
ERIE	879,030	3,387,600
ESSEX	11,440	30,600
FRANKLIN	45,910	30,600
FULTON	54,220	96,500
GENESEE	12,630	213,300
GREENE	14,690	134,600
HAMILTON	1,430	30,600
HERKIMER	36,260	30,600
JEFFERSON	73,450	33,500
LEWIS	17,460	50,500
LIVINGSTON	28,940	286,900
MADISON	25,200	30,600
MONROE	595,670	512,500
MONTGOMERY	30,730	30,600
NASSAU	108,290	656,600
NIAGARA	167,970	455,500
ONEIDA	144,270	148,900
ONONDAGA	253,480	187,500
ONTARIO	34,150	133,500
ORANGE	80,260	30,600
ORLEANS	18,660	130,100
OSWEGO	87,850	373,200
OTSEGO	31,930	140,800
PUTNAM	1,640	113,600
RENSSELAER	81,320	30,600
ROCKLAND	54,820	279,600
ST.LAWRENCE	77,310	77,600
SARATOGA	30,730	82,400
SCHENECTADY	38,320	30,600
SCHOHARIE	9,580	97,500
SCHUYLER	12,350	135,300
SENECA	5,800	54,200
STEUBEN	72,300	80,600
SUFFOLK	229,640	1,886,300
SULLIVAN	24,980	30,600
TIOGA	28,900	169,000
TOMPKINS	42,150	46,200
ULSTER	39,800	30,600
WARREN	15,620	85,100
WASHINGTON	22,730	156,700
WAYNE	43,570	61,600
WESTCHESTER	339,000	2,278,000
WYOMING	8,590	36,900
YATES	10,010	30,600
TOTAL UPSTATE	4,677,410	14,899,400
NEW YORK CITY	4,728,443	81,246,868
STATEWIDE	9,405,853	96,146,268