



**NEW YORK STATE  
OFFICE OF TEMPORARY AND DISABILITY  
ASSISTANCE  
40 NORTH PEARL STREET  
ALBANY, NY 12243-0001  
Andrew M. Cuomo  
Governor**

**Local Commissioners Memorandum**

**Section 1**

<b>Transmittal:</b>	11-LCM-10
<b>To:</b>	Local District Commissioners
<b>Issuing Division/Office:</b>	Center for Employment and Economic Supports Employment and Advancement Services Bureau
<b>Date:</b>	September 9, 2011
<b>Subject:</b>	2012-2013 Biennial Temporary Assistance and Food Stamp Employment Plan
<b>Contact Person(s):</b>	OTDA Employment Services Advisor or Employment and Advancement Bureau at (518) 486-6106
<b>Attachments:</b>	<a href="#">Attachment A: Temporary Assistance and Food Stamp Employment Plan Instructions</a> <a href="#">Attachment B: Temporary Assistance and Food Stamp Employment Plan Template</a>
<b>Attachment Available On – Line:</b>	Yes

**Section 2**

**I. Purpose**

The purpose of this Local Commissioners Memorandum (LCM) is to instruct each social services district (district) to develop and submit for review and approval its 2012-2013 Temporary Assistance and Food Stamp Employment Plan (Plan) to the Office of Temporary and Disability Assistance (OTDA) no later than November 15, 2011. Instructions are attached to support completion of the Plan (see Attachment A). The Temporary Assistance and Food Stamp Employment Plan template (see Attachment B) is available through SharePoint and may be accessed through <http://sharepoint.otda.state.ny.net/projects/testep>.

**II. Background**

Section 333 of the New York State Social Services Law requires that every two years each district submit for approval to OTDA a plan that describes the district's employment services program. The Plan must include a description of the provision of education, work, training, and support services for all public assistance applicants and recipients along with other information required by OTDA.

State regulations at 18 NYCRR 385 set forth the requirements of public assistance and food stamp employment programs, including the establishment of local employment plans.

### **III. Program Implications**

The Plan outlines local policy governing employment services for Family Assistance (FA), Safety Net Assistance (SN), and Food Stamp (FS) applicants and recipients as well as optional services for individuals/households with income up to 200% of the federal poverty level who are eligible for Temporary Assistance for Needy Families (TANF) funded services. The Plan includes information regarding the availability of work preparation activities, the district's policy for the approval of training programs, disability determinations and work accommodation procedures, conciliation procedures, sanction procedures and available support services.

A few sections of the Plan have been expanded to include more detailed information regarding district procedures. Local districts are asked to make special note of the following sections:

- Section 3.6 includes information regarding the district process for making education activities available to nonexempt recipients who have not attained a high school diploma and district procedures regarding approval of participation in educational activities. Districts must ensure that the employment assessment process incorporates the requirement to offer educational opportunities for individuals without a high school diploma as required by OTDA regulations (18 NYCRR 385.6 and 385.7).
- Section 4.1 describes the district's efforts to assist a person in obtaining transportation to get to and from a work activity site. Districts are asked to describe transportation assistance provided, including any mileage reimbursement rate applied by the district. OTDA has established a minimum reimbursement rate and any district seeking to apply a lower rate must provide sufficient information on the method used to establish the reimbursement rate that must be expected to reimburse participant costs incurred.

District Plans must be submitted for a 30-day public comment period and to OTDA as a draft no later than November 15, 2011. Districts are asked to submit Plans using Microsoft SharePoint. Training on the use of SharePoint is available via a web-based training (WBT) or through the district's Employment Services Advisor (ESA). If requested, districts may submit Plans in an alternative manner and OTDA will load the document to SharePoint.

A SharePoint site is a Website that provides a central storage and collaboration space for documents, information and ideas. SharePoint enables staff to share information and work together. SharePoint consists of document libraries and allows team members to upload documents in a manner to enable each member of a team to have access. In this instance, the team members will be the local district Employment Coordinator, the OTDA Employment Services Advisor, and other staff as needed.

OTDA will upload the Plan template to each district folder on the designated SharePoint Library located at <http://sharepoint.otda.state.ny.net/projects/testep>

The name of the SharePoint library is Employment Plans. The local district Employment Coordinator has been assigned permissions to access the library and staff can work on the Plan outside the SharePoint system if desired and upload the Plan to the site when ready for OTDA review. Employment Coordinators should notify their Employment Services Advisor once the Plan is submitted for OTDA review.

Districts will receive a letter indicating any changes identified by OTDA that must be made prior to Plan approval. Districts must incorporate any OTDA required changes along with any changes necessary as a result of the public comment process and resubmit the final Plan for approval by the due date included in the comment letter. A hard copy of the final Plan including the Commissioner's signature should be submitted, including any applicable attachments, for approval to the address below:

Barbara C. Guinn  
Director, Employment and Advancement Services  
Office of Temporary and Disability Assistance  
40 N. Pearl Street, 11<sup>th</sup> floor  
Albany, NY 12243

The Plan along with all applicable attachments may also be e-mailed to: [BarbaraC.Guinn@otda.state.ny.us](mailto:BarbaraC.Guinn@otda.state.ny.us)

Each district will be provided written notification of Plan approval. Copies of all approved Plans will be provided to the Office of Administrative Fair Hearings to support hearing decisions and will also be made available for public review on the OTDA website.

**Issued By**

**Name: Russell Sykes**

**Title: Deputy Commissioner**

**Division/Office: Center for Employment and Economic Supports**

## Attachment A

### **Instructions for Completion of Biennial (2012-2013) Temporary Assistance and Food Stamp Employment Plan**

These instructions should be used as a guide in completing each section of the Social Services District's Temporary Assistance and Food Stamp Employment Plan. The instructions are divided into sections that correspond to the sections in the local Plan. For further information or clarification concerning any of the contents of this document, please contact your Office of Temporary and Disability (OTDA) Employment Services Advisor (ESA).

Districts must submit their Plan for a 30-day public comment period and to OTDA as a draft no later than **November 15, 2011**. Districts are asked to submit their Plan using the Microsoft SharePoint. Training on the use of SharePoint is available via a web based training (WBT) or through your ESA.

A SharePoint site is a website that provides a central storage and collaboration space for documents, information and ideas. SharePoint enables staff to share information and work together. SharePoint consists of document libraries and allows team members to upload documents in a manner to enable each member of a team to have access.

OTDA will upload the Plan template to each district folder on the designated SharePoint Library located at: <http://sharepoint.otda.state.ny.net/projects/teststep>. The name of the library is Employment Plans. The local district Employment Coordinator has been assigned permissions to access the library. Employment Coordinators should notify their Employment Services Advisor once the Plan is complete on SharePoint and ready for OTDA review. If requested, districts may submit Plans in an alternate manner and OTDA will load the document to SharePoint.

Upon completion of OTDA's review, the district Employment Coordinator will receive a letter indicating any changes which must be made, if applicable, prior to Plan approval. Districts will be expected to incorporate any changes required by OTDA as well as any changes necessitated by public comment and to submit a final hard copy of the Plan signed by the district Commissioner along with any attachments to OTDA for approval. Final Plans should be submitted for approval to:

Barbara C. Guinn  
Director, Bureau of Employment and Advancement Services  
Office of Temporary and Disability Assistance  
40 N. Pearl Street, 11<sup>th</sup> floor  
Albany, NY 12243

The Plan along with applicable attachments may also be e-mailed to  
[BarbaraC.Guinn@otda.state.ny.us](mailto:BarbaraC.Guinn@otda.state.ny.us)

After OTDA has approved the Plan, if a social services district makes any policy or procedural changes, deletions or additions to their employment program that require a Plan amendment, the amended Plan must be submitted to OTDA for approval. Each page of the

document may serve as a modification document. On a blank copy of the page in question, enter the proposed change(s) to the Plan, check the “amendment” box at the bottom of the page, and submit a request for approval.

## **General Instructions**

In accordance with Department Regulation 18 NYCRR 385.10, the local employment Plan must be developed in cooperation with local education institutions, childcare providers, childcare resource and referral agencies (if available in the district), labor unions, libraries, public and private employers, employment and training agencies, Workforce Investment Act (WIA) agencies, and Workforce Investment Boards, as well as any other applicable agencies or institutions. Draft Plans are required to be made available for public comment for a 30-day period.

Most areas of the Plan template are self explanatory, but the following instructions should be used to assist in Plan completion.

### **Section 1 Assurances and Commissioner’s Signature**

This section records the district’s assurance to administer an employment program that is in compliance with all applicable federal and State policies, laws, regulations, and provisions outlined in the local Plan. This section includes the signature of the Commissioner of the Department of Social Services (DSS) affirming this assurance.

### **Section 2 Administration**

This section includes a description of internal local district employment administration and contracts with external agencies.

#### **2.1 Administrative Structure**

As stated in the Plan document, the district is to include an organizational chart with this section. Include in this section the principal organizations/agencies/staff that provide employment services and specify what services are provided. Employment services include, but are not limited to, employability determinations, orientation, assessment, employment planning, assignment to work activity, monitoring of participation, developing and monitoring treatment plans for exempt individuals engaged in treatment or rehabilitation to restore self sufficiency, coordination and provision of supportive services, and job placement and retention services. Also, include a description of the staff/units that are responsible for conciliation, sanction, and dispute resolution. If applicable, please include the unit’s relationship to other offices in the local department of social services. Indicate in this section if the district contracts with another agency to provide any of the employment services and specify what programs and/or services those contractors provide. In those instances for which the majority of the district’s employment services are provided by another agency such as the county Employment and Training Agency, the Plan should also include an organizational chart and description of the organizational arrangements and staff that provide employment services for the TA and FS population on behalf of the district.

## 2.2 TA and FSET Provider Agencies

Complete Table 1 with information regarding agencies and providers with which the district contracts to provide employment services for the TA and FS population. In selecting providers, districts are encouraged to take into account such factors as past performance in providing similar services, fiscal accountability, cost effectiveness and the ability to meet performance standards.

Providers may include, but are not limited to, private education and training providers, community based organizations, WIA agencies, State agencies, school districts, Board of Cooperative Educational Services, post secondary educational institutions, Educational Opportunity Centers, and others. When it is feasible, districts should develop performance-based contracts or agreements with provider agencies. Standards must include an evaluation procedure to ensure that services offered by a provider are sufficient to enhance a participant's opportunity to secure unsubsidized employment. Contracts entered into by districts must be available for review by OTDA upon request.

In the second column, please enter the annual contract cost.

The district may not contract for a service or activity which is otherwise available at no cost. This section also states that the contracts must include a cost allocation methodology that satisfies Generally Accepted Accounting Principles and the requirements of pertinent U. S. Office of Management and Budget Circulars, unless services are reimbursed on a performance basis.

The categories of clients served may include Family Assistance (FA), Safety Net Assistance for Families (SNF), Safety Net households w/o children (SNA), Food Stamp (FS), and TANF 200% population. Those categories served by the provider should be listed in the column.

The last column of Table 1 may contain the name of the program, but it must also contain a description of the program, services, or activities that are provided.

## Table 2 Other Service Providers

There may be organizations to which the district refers participants for employment services that do not require a payment from the district. These organizations may be directly funded by OTDA (e.g., Wage Subsidy, FSET Ventures) or some other source such as State and federal education funds. Please list these organizations, the funding source(s) if known, the categories of individuals referred by the district that are served, and the programs, services or activities provided by the organization for those referred by the district.

## 2.3 OTDA Jobs Staff Agreement

This section is to be completed for those districts currently participating in the OTDA Jobs Program, which provides State staff support for various employment related services. The district should designate which services will be offered and the target group(s) that will be served by placing an "X" in the selected areas. Additional narrative may be included to describe

specific services or duties Jobs staff will be expected to fulfill which are not included in the template.

Any district seeking to amend current Jobs staffing levels should address that request with OTDA's Center for Employment and Economic Supports.

OTDA Jobs staff are currently located at the Department of Labor offices, One Stop Centers and LDSS offices. When OTDA Jobs staff work at local district locations or, by agreement, One Stop Centers locations, OTDA is requesting districts provide logistical support for the Jobs staff. This support may include: work space (desk, chairs and secure files), telephone, local fax access and postage. At the end of this section, please identify the district employee designated as the primary contact for OTDA with respect to OTDA Jobs staff.

### **Section 3 Engagement and Work Preparation**

#### **3.1 Federal "Engaged in Work" Requirement**

This section contains the definition of what it means to be "engaged in work" to comply with the federal requirement that all TANF parents and caretakers will be engaged in work prior to receiving 24 months of assistance. An acceptable definition is included in the Plan template but districts may include additional information to reflect local requirements.

#### **3.2 Orientation**

All applicants and recipients of Temporary Assistance must receive an orientation regarding employment expectations and other requirements. This orientation should include information regarding time limits and requirements to engage in work, school attendance for teen parents and finding childcare if necessary. A complete explanation of the rights and responsibilities of applicants and recipients and of the benefits and obligations of participation in employment activities will help districts meet participation rate requirements and help recipients understand program expectations and support efforts to achieve financial security.

The complete list of what must be included in orientation is contained in OTDA Regulations (18 NYCRR 385.5). If additional elements are covered in the district's orientation, please check the appropriate box and provide a brief description of them.

Also in this section, please describe how the district completes the orientation, including who conducts the orientation (e.g., TA staff, Employment staff, or both), at what point during the application process is it completed, in what type of setting (e.g., group or individual), and if the process for providing orientation to exempt individuals is different from the orientation process for non-exempt individuals. In addition, please address whether the orientation requirement is completed differently at recertification and, if so, how.

#### **3.3 Assessment and Employment Planning**

Assessments and employment plans are required for most Temporary Assistance participants. Assessments must include a review of educational level, including literacy and English language proficiency, basic skills proficiency, work history, childcare and supportive service needs, as well as a review of family circumstances. Indicate by checking the appropriate

box in subsection “a” under Temporary Assistance Assessments if the district assessment contains additional elements and list those elements.

If the district’s assessment includes specific screening tools to identify participants with potential disabilities, please indicate this in subsection “a” and include in subsection “b” what tool is used.

Districts are expected to reevaluate a participant’s work status and activity assignment at least annually. It is important to periodically evaluate whether or not any changes to the individual’s assignment or support services are warranted based on any changed circumstances and the extent to which the individual is making progress in the current activity assignment(s).

If the district’s assessment includes specific screening tools to identify participants with potential disabilities, please indicate this in subsection “a” and include in subsection “b” what tool is used.

In subsection “c” districts are asked to describe the local process for the completion of an employment assessment. Please describe district policy that ensures that all adults in households with dependent children and 16- and 17-year-olds not in school receive assessments within 90 days of eligibility. District policy must also ensure that all adults applying for or receiving public assistance and residing in households without dependent children receive assessments no later than a year following their application. Districts are reminded that individual self assessment alone does not meet the requirements for conducting assessments as outlined in 18 NYCRR 385.6(c) and 385.7(c). Districts must ensure that local assessment procedures are in place that will gather relevant information about an individual’s strengths and barriers as part of a comprehensive strategy to help the individual obtain meaningful employment or otherwise help the family to become economically secure.

Subsection “d” asks for qualifications of the individuals completing assessments and employment plans. Specifically, please indicate what type of training the individuals receive for these tasks or if there is an experience requirement for the position. Please include the title of the individual if he/she is a DSS employee.

Indicate in subsection “e” if assessments are completed with applicants, for both households with children and households without children.

Under Temporary Assistance Employment Plans, indicate by checking the appropriate box if the district includes additional elements in the employment plans and, if so, describe those elements.

Include a copy of the district’s assessment and employment plan forms as attachments to the Plan.

### 3.4 Participation Rates and Work Activities

Subsection “a” contains information regarding the district’s plan to meet federal and State work participation rates. As part of this description, please include the typical time period between case opening and engagement in activities for nonexempt individuals and the typical



time period for engagement in a traditional work activity after an individual's status changes from exempt to nonexempt. Include how this and other factors regarding participation rate and engagement are monitored. Indicate in this section what the district's weekly standard participation requirement is for individuals in the different case and household types. For example, is the district's participation standard 30, 35, or 40 hours per week for households with no children under age six? Is it 20 or more hours per week for a single caretaker of a child under age six? Please describe.

Subsection "b" describes how the district uses work participation management reports available through Cognos or other reports and activities to monitor district progress toward meeting work participation requirements and ensuring full engagement by adults in work or work preparation activities.

Subsection "c" describes the extent to which the district requires Non-Temporary Assistance Food Stamp applicants and recipients to participate in FSET work activities. If the district is not mandating FSET work activity assignments, please describe how NTA Food Stamp work registrants are informed of the services available locally, upon request, for assistance with job search activities.

Subsection "d" describes the work activities in which participants are enrolled. The Final TANF rule defined each countable federal work activity. The work activity definitions established by OTDA incorporate the requirements established in the Final TANF rule at 45 CFR 261.2 and New York's Work Verification Plan approved by the federal Department of Health and Human Services. Districts may choose to provide additional detail regarding local activity offerings so long as the activity description for all countable work activities remains consistent with the requirements outlined in 08 ADM-07.

Districts may provide, but are not limited to providing, activities from the list contained in the Plan template. The district must indicate which categories of participants the activities are available for by placing an "X" in the appropriate column(s).

Considerations and requirements for some of the work activities are as follows:

- Districts are encouraged to enroll Temporary Assistance recipients in job skills training or vocational education programs to provide participants with marketable job skills.
- Districts are required to consider enrollment in an educational activity for all participants who do not have a high school diploma or equivalent.
- As stated in Department Regulation 385.9 (d)(3), work experience and community service must meet the requirements prohibiting displacement and other applicable provisions. The number of hours of participation in work experience cannot exceed the Temporary Assistance and Food Stamp grants divided by the federal or State minimum wage, whichever is higher.
- According to Department Regulation 385.9(b), a non-graduate degree student who is participating in work study, internships, externships, or other work placement that is part of that student's curriculum cannot be unreasonably denied the opportunity to participate in that placement as a work activity assignment. The regulation states that participation in such a program is to be considered unsubsidized employment,

subsidized private or public sector employment or on-the-job training. Subsidized employment may be more appropriate for federal work study programs, while participation in internships or externships would probably be more appropriately considered on-the-job training.

- At a minimum, districts are required to make available Job Search as an FSET activity for Food Stamp applicants and recipients. Where ABAWD requirements are followed, districts must provide ABAWD qualifying activities to all food stamp recipients who require such enrollments to maintain eligibility.

Districts are asked to provide a description of the local policy for Applicant Job Search and Recipient Job Search. Please indicate the number of employer contacts and hourly participation generally required for applicant and recipient job search and the district's procedures for monitoring the job search. Participation in a job search activity will include time directly supervised by the program provider as verified through attendance records or other statements from the program provider. As required by the federal Department of Health and Human Services, individuals participating in self-directed job search will be required to maintain and submit a log detailing the amount of time spent participating in independent job search activities. This job search log will be reviewed by the responsible staff person providing supervision of the activity to assess the extent to which a reasonable number of contacts were made during the time reported given the amount of time required to identify, apply and interview for a job as well as time spent preparing and sending follow-up materials to an employer. Districts are strongly encouraged to support each individual's search for work through actions such as helping participants identify job openings that are consistent with his or her work abilities and interests.

### 3.5 Job Development

This subsection is for districts to describe job development activity, if any, in which the district is involved. Job development includes active efforts by the district to identify potential job openings for which participants are qualified to apply through outreach to area employers, employer associations and other methods. Please check the box next to "Yes" or "No" to indicate whether or not job development activities are conducted. If yes, check the appropriate box (es) that follow to indicate who is involved in job development and describe number of staff, frequency of contact with employers and any other pertinent information. Districts are encouraged to coordinate job development activities with local workforce agencies.

### 3.6 Training Approval and Activity Enrollment Policies

Districts should ensure that education and job training services are available to individuals whose assessment indicates a need for adult basic education or English Language Instruction and districts should also strive to provide opportunities for job skill training for individual's whose job placement efforts would benefit from these services.

Federal participation rate requirements limit the types of educational activities that will count towards meeting work participation rates. Districts are reminded that all hours in a vocational education placement count toward federal TANF/MOE work participation rates for up to 12 months in a lifetime for any individual. Job skills training counts toward the federal TANF/MOE work participation requirement, so long as combined with at least 20 hours weekly

in a “core” work activity such as employment or work experience. (Work experience may be less than 20 hours weekly if “deemed” to meet the 20-hour standard due to the hourly participation being equivalent to the number of hours resulting from dividing the households TA and FS grants by the minimum wage).

In subsections “a” and “b”, each district is asked to describe how it identifies and provides appropriate education or job skills services for individual’s whose assessment indicates that such services would be an appropriate work activity assignment. This section should include what arrangements the district has in place with education and training providers, including contracted services, to provide such services. This information is requested to ensure that each district’s planning process includes an active effort to ensure such services are available for individuals whose assessment indicates that education or training is appropriate.

Subsections “c and d” ask each district to describe the process for making educational activities available to participants and the guidelines workers follow for determining when individuals without a high school diploma or equivalent are enrolled in educational activities. Regulations effective October 1, 2009, define basic literacy level as a literacy level equivalent to the ninth grade and require districts to offer individuals who have not attained a high school diploma or equivalent the opportunity to participate in educational activities including adult basic education and activities intended to prepare them to attain a high school diploma or its equivalent. As with all activity assignments, districts may consider factors when determining whether or not assignment in an educational activity is appropriate. Include in subsection “d” instances, if any, when the agency would deny participation in educational activities. (Reference 09-ADM-16)

In subsection “e” districts are asked to describe what steps the district will take to increase or maintain a high number of enrollments in vocational education or job skills training programs. Districts are strongly encouraged to make job skills training and vocational education programs available to program participants and to establish a job placement strategy for individuals who complete training.

Districts are reminded that vocational education counts fully toward federal work participation requirements for an individual for up to 12 months in the individual’s lifetime. Job skills training counts without a time limit so long as combined with 20 hours of core work activity (and vocational education beyond the 12 months may be reported as job skills training, again requiring the 20 hours of core work activity). (Reference 08 ADM-07)

Each social services district is responsible for the approval of work activities including training and education. In this section, describe the district’s standards for approving training providers including the determination that the training is for positions that are “in demand” in the area or, if the training is general, that it provides training that is needed by some individuals to progress in competitive employment. An evaluation procedure must be incorporated into the approval determination standards of each social services district. Each district must maintain a list of approved programs. Also in this section, set forth the procedure for advising applicants/recipients of approved activities and providers as well as the procedures for notifying applicants/recipients whether enrollment in a work activity is approved and the requirements participants must meet to maintain their enrollment in those activities. These items are to be completed in subsections “f” through “i.”

For subsection “j”, unless a valid reason exists, districts must approve as an activity, work study, internships, externships, etc. that are associated with a non-graduate educational program, whether or not they have approved the educational program. The reasons for withholding such approval must be included in the Plan. All of the reasons listed in the regulation are listed in the Plan and the district may check only those that are conditions under which the district would deny approval of the activity. The district may check all or any of the conditions listed in this subsection and may include additional conditions. At least one condition must be included unless the district would never deny such an activity.

The procedure for monitoring teen school enrollment to determine the individual’s exempt status is to be entered in subsection “k.” If normal periodic monitoring procedures cause the verification to be due during a summer month when students are not normally in school, some type of tickler must be established so the enrollment can be verified when school reconvenes.

Subsection “l” asks districts to identify how it ensures that individual’s health limitations are accommodated when making an assignment to a work activity. Districts are reminded that a participant’s limitations must be provided, in writing, to the provider should it appear that the limitation would impact on the individual’s ability to participate in the particular activity. Privacy laws prohibit disclosure of a medical condition, but restrictions or limitations resulting from the medical condition must be shared with the supervisor at the participant’s work assignment.

### Section 3.7 Work Verification

This section of the Plan describes the district’s procedure for monitoring attendance in work activities and also includes the controls in place to ensure that exemptions which may result in the federal exclusions from the work participation rate calculation are accurately made, work eligible individuals are correctly identified, hours of attendance reported by providers is accurate and documented, data entry is accurate and that district and providers adhere to approved district and State policy in terms of work activity definitions and determination of excused absence and holiday reporting. Districts must validate attendance reporting by monitoring visits to providers and viewing attendance rosters for training. The district must describe the frequency of attendance monitoring visits, which may vary based on the number of participants served by the provider.

### Section 3.8 Requirements for Exempt Temporary Assistance Participants

In this section of the Plan, outline the district’s procedures for assisting participants who are exempt, but who have the potential to be restored to self-sufficiency (18 NYCRR 385.2(e)). In subsection “a” the district may refer to their disability process outlined in Section 6, but there is no need to repeat that information here. The purpose of this subsection is to describe how the information obtained, as described in Section 6, is interpreted for the purpose of determining if some type of treatment or rehabilitation would improve the individual’s employability. Include who (e.g., title, unit, etc.) makes the determination and what information is used to assist in the determination. If the district has a special unit or has contracted with a provider that assists with this process, please include that information.

Subsection “b” is to include what factors/considerations the district includes in developing a participant’s treatment plan and referring for appropriate treatment. (This section is **not** to include the district’s procedures for mandatory substance abuse screening and treatment, which are covered by separate OTDA regulations.)

Subsection “c” is to contain the district’s process for monitoring compliance with the treatment plan, including who in the agency is responsible for monitoring compliance, the frequency and manner in which attendance verification is obtained or how compliance is otherwise assured and documented. Monthly attendance verification is required for the activity to possibly count toward the district’s participation rate.

### Section 3.9 Strategies/Procedures for Increasing Program Attendance

Federal work participation rate requirements significantly limit the number of days that may be reported toward the work participation rate based on excused absence from attending a program activity. Additionally, it is important that program participants adopt strategies to balance work and other needs to reduce time missed from work so they are better prepared to enter and retain employment. Districts are asked to describe district policies and procedures in place to reduce the amount of time participants fail to participate in work activities, including time missed with good cause. These practices may include strategies to motivate client participation, counseling clients on the importance of having back up childcare arrangements and strategies to reduce the extent to which personal needs conflict with work schedules. Additionally, districts should take steps to reduce the extent to which agency requirements conflict with work activity schedules and employ strategies such as immediate outreach to ensure attendance is quickly resumed.

### Section 3.10 Strategies/Procedures for Engaging Sanctioned Temporary Assistance Participants

In this section, please check the appropriate box regarding whether the district uses specific strategies to try to engage sanctioned participants and, if so, at what point during the sanction period. Also include the procedures the district uses to try to reengage sanctioned participants.

### Section 3.11 Diversion Strategies

Indicate in this section if the district uses strategies to divert applicants from needing/applying for continued Temporary Assistance. If yes, describe those strategies. This is not to include applicant assessment since it is an eligibility requirement and does not provide an alternate source of income or meet an immediate need. Districts may indicate in this section that supportive services are provided as a diversion, but need not list those services since they are to be listed in Section 4.1 “d.” Specific criteria for providing those services should be listed here (e.g. verified employment, promise of employment).

## Section 4 Support Services

Support services include, but are not necessarily limited to, childcare assistance, transportation assistance, nonrecurring payments to meet employment related needs such as car repairs or clothing and placement and retention services including job coaches and other methods of case management.

Families receiving Safety Net Assistance because they have received 60 months of TANF assistance, remain eligible to receive TANF funded nonassistance support services. The exception is transportation assistance provided to families that are not employed because such payments are considered TANF Assistance. Transportation assistance for these families should be provided, but must be funded with Safety Net funds or Food Stamp Employment and Training (FSET) Funds if eligible.

#### 4.1 Support Services for Temporary Assistance and Non-Temporary Assistance Food Stamp Applicants and Recipients in Work Activities

Each social services district must provide, when resources are available and when the district determines they are necessary, transportation, work related expenses, case management and medical assistance. Childcare shall be guaranteed, if appropriate, to individuals who need such care to participate in orientation, assessment, employment planning and assigned work activities.

Describe in subsection “a” the services the district will provide or for which the district will provide reimbursement to individuals to participate in employment related activities or to assist participants to improve their opportunities for sustained employment or advancement. Include maximum amounts for items if applicable.

Describe in subsection “b” the transportation services the district provides. Districts must continue to make diligent efforts to help a person obtain transportation to get to and from a work activity site. Where lack of transportation is a direct barrier to participation in a work activity the local district must make a reasonable effort to assign the individual to an appropriate work activity at a site as close as possible to the individual’s home. If the district applies a specific mileage reimbursement rate, please indicate the rate used. If a district uses a mileage reimbursement rate that is less than the “medical/moving” rate established by the Internal Revenue Service, an explanation of the method used to establish the reimbursement rate must be provided.

In recognition of recent gasoline price increases, the Internal Revenue Service has adjusted the standard mileage reimbursement rates effective July 1, 2011. The new rates are as follows:

- Business mileage      55.5 cents per mile
- Medical/moving      23.5 cents per mile

While gasoline is a significant factor in the mileage figure, other items enter in the calculation of mileage rates, such as depreciation and insurance and other fixed and variable costs. The business standard mileage rate is used to compute the deductible costs of operating an automobile for business use in lieu of tracking actual costs.

OTDA policy establishes a mileage reimbursement rate of no less than the IRS established rate for medical/moving purposes. If any district seeks to apply a lower rate, the district must provide a methodology used to establish the rate including information that the rate would cover actual vehicle use costs for typical program participants.

Describe in subsection “c” the district’s approach for work activity assignments for clients who reside in an area without public transportation and for whom a lack of transportation is a major barrier to self sufficiency. OTDA policy establishes a distance not to exceed 2 miles as the maximum distance that the district can require a participant to walk to a work activity assignment. Please identify the maximum distance, if any, that a participant may be expected to walk, but no greater than 2 miles.

Describe in subsection “d” the support services which the district will provide to assist individuals at risk of needing Temporary Assistance to improve their opportunities for employment or to maintain their employment.

Subsection “e” is to include a description of how the district accommodates the needs of non English speaking participants in accessing employment services. Please be specific regarding how the district provides equal access to employment services for the participant who has a language barrier and how the district helps the individual understand (e.g., bilingual staff, access to interpreters, etc.) his/her rights and responsibilities. If the district never or very seldom has such a participant, they may check the box stating that it is not applicable.

#### 4.2 Transitional Support Services

In this section describe the supportive services provided for up to 90 days after individuals have lost their Temporary Assistance due to employment.

#### 4.3 Extended Supportive Services

Describe in this section the supportive services the district will provide for individuals who are eligible under the 200% of poverty eligibility guidelines, as long as funding is available.

### **Section 5 Temporary Assistance Conciliation and Dispute Resolution Procedures; Food Stamp “Good Cause” Determination Procedures**

District Plans must include a description of the conciliation process they use to afford a temporary assistance client the opportunity to explain a refusal or failure to comply with an assignment or to dispute an activity assignment. The Plan must also include the procedure used by the district to determine if good cause exists for a client’s failure to comply with a food stamp employment requirement.

#### 5.1 Conciliation

Conciliation must be conducted in accordance with Dept. Reg. 385.11(a). Check the appropriate boxes of Section 5.1 that indicate how conciliations are conducted (more than one may be checked) and what staff person or other entity makes the determination that noncompliance was willful and without good cause. Please include additional information where requested, and the steps an individual must take if any, to lead to a positive resolution.

#### 5.2 Sanctions

Temporary Assistance benefits must be restored to the household upon the completion of the minimum sanction duration period and upon the individual demonstrating a willingness to comply with employment requirements. Describe the districts procedures for ending a sanction at the end of the durational period, (if any), including any requirement that the individual demonstrate compliance prior to the restoration of benefits.

### 5.3 Dispute Resolution

Dispute resolution must be conducted in accordance with Dept. Reg. 385.11(b). Dispute Resolution must be available to clients who wish to dispute a work activity assignment. This process is also used for participants who dispute the district's response to their request for health related accommodations. Please check the appropriate box in this section to describe the district's dispute resolution procedure.

### 5.4 Food Stamp Good Cause Determination

When an applicant or recipient has failed to comply with Food Stamp program work requirements or assignment to work activities, the district must determine whether the noncompliance was without good cause before a sanction may be imposed. In determining whether good cause exists, the district must consider the facts and circumstances, including information submitted by the client. The applicant or recipient is responsible for notifying the district of the reasons for the noncompliance and for furnishing evidence to support any claim of good cause. The district has no obligation to send a separate notice requesting good cause information to the individual at the time of noncompliance, but may do so if they wish. Check the appropriate box in Section 5.4 to describe the district's good cause determination for Food Stamp. Conciliation for FSET failures to comply is not required, but districts have the option to use that procedure. Check the appropriate box in this section to indicate the procedure the district uses and include additional information if appropriate.

## **Section 6 Disability Determinations**

In this section describe the process by which the district determines the extent to which a medical condition affects an individual's ability to work (disability determination). A participant has ten calendar days from the date of the request by the district to provide documentation of a medical impairment in order for the district to make a determination regarding the extent to which the individual's disability and/or work limitations affect his/her ability to work. The district can decide if the individual's medical documentation is sufficient to make a determination.

Alternatively or in conjunction with the request for documentation, the district may refer the individual to a health care practitioner for a determination of his/her ability to work. If the district refers the individual to its practitioner, the individual may submit his/her own medical documentation to the district's practitioner for consideration in the evaluation within prescribed time frames in OTDA regulations (18 NYCRR 385.2(d)). Dept. Reg. 385.2(d).

Please describe in this section, by checking the appropriate box and including additional information as required, how the district obtains medical documentation and who makes the disability determination once the documentation is received.



**Temporary Assistance and Food Stamps Employment Plan  
January 1, 2012– December 31, 2013**

**Section 1 Assurances/Signature**

As a condition of the receipt of federal and State funds the [\[Click here and type your county\]](#) Department of Social Services submits this Temporary Assistance and Food Stamp Employment Plan (Plan) to the New York State Office of Temporary and Disability Assistance. The Plan outlines the administration of employment services for Temporary Assistance (TA) and Food Stamps (FS) applicants and recipients for the period January 1, 2012 through December 31, 2013. As Commissioner of \_\_\_\_\_ County Department of Social Services, I hereby affirm that employment services programs will be administered in accordance with all applicable federal and State policies, laws, regulations and provisions of this Plan.

\_\_\_\_\_, Social Services Commissioner

Date ["\[Click here and indicate the date signed\]"](#)

**Section 2 Administration**

**Section 2.1 Administrative Structure**

This agency's organizational chart is attached. It identifies the units and staff within the agency that are involved in the operation of the district's employment program.

Following is a description of the office(s) in and/or outside of the Department of Social Services that are involved in the operation of the district's employment program. The responsibilities of each office are described below.

["\[Click here and describe\]"](#)

**Section 2.2 TA and FSET Provider Agencies**

Table 1 lists the local contracts or agreements with agencies to provide employment services to TA and FS clients. These activities and services may include, but are not necessarily limited to, employability determinations, development of assessments and employment plans, conciliation and grievance activities, provision of work activities such as job readiness training, education and job skills training, monitoring and support for compliance with treatment plans for exempt individuals with the potential for restoration to self-sufficiency, job development, job placement and retention services, and other employment related activities.

Each contract listed in Table 1 contains an assurance that the activities are not otherwise available from that provider on a non-reimbursable basis and, if not a performance-based contract, a statement

regarding use of a cost allocation methodology that satisfies Generally Accepted Accounting Principles, as well as the requirements of U.S. Office of Management and Budget Circulars A-122 for nonprofit organizations, A-21 for educational institutions, or A-87 for State and local governments.

Table 2 includes agencies/providers that offer services to participants and to which the district expects to refer participants but which have no direct financial agreement with the district (e.g., WIA programs, SED funded services, OTDA Wage Subsidy providers).

**TABLE 1 - Contracts Associated with TA and FS Employment Programs and Services**

<b>Provider</b>	<b>Total Contract Cost (per yr.)</b>	<b>Funding Source(s)</b>	<b>Categories of Clients Served</b>	<b>Programs, Services or Activities Provided</b>
	\$			
	\$			
	\$			
	\$			
	\$			
	\$			
	\$			
	\$			
Total	\$			

**TABLE 2 – Other Service Providers**

<b>Provider</b>	<b>Funding Source(s) (if known)</b>	<b>Categories of Clients Served</b>	<b>Programs, Services or Activities Provided</b>

## Section 2.3 OTDA Jobs Staff Agreement

### **OTDA Jobs Program Services – Target Groups**

("X" signifies those that apply in this district)

<b>Services</b>		<b>Target Groups</b>	
Assessment/Employment Plan	_____	Applicants	_____
Supervised Job Search	_____	TANF (inc. SNF)	_____
Job Readiness Training	_____	SNA non-MOE Singles	_____
Job Club	_____	Food Stamps	_____
Job Placement Services	_____	200% of Poverty	_____
Grant Diversion	_____		
Job Development (employer outreach)	_____		
WOTC pre-certifications	_____		

### **Other Services Requested**

Described below are additional services/duties which will be requested of Jobs staff (e.g., WTCMS data entry, case conferencing, job fairs)

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### **OTDA Jobs Program Staffing and Location**

**Please list staff location address and indicate  
# of staff at that location.**

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

### **District Staff Contact for OTDA Jobs Program (Name & Phone Number)**

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### **Section 3 Engagement and Work Preparation**

#### **Section 3.1 Federal “Engaged in Work” Requirement (Reference 18 NYCRR 385.2 (f))**

For purposes of satisfying the federal requirement which states that parents or caretakers must be engaged in work as soon the district determines they are ready, but no later than within 24 months of receiving federally funded assistance, the district’s definition of “Engaged in Work” is:

Compliance with assessment, employment planning, all activities included in the individual’s Employment/Self-Sufficiency plan including any need to attend treatment/rehabilitation programs, or any of the work activities listed in Section 3.4. Also included is pursuit of other forms of income such as SSI and SSD.

**"[Click here and identify the additional items included]"**

#### **Section 3.2 Orientation (Reference 18 NYCRR 385.5)**

Check one of the following:

- ☐ The district provides orientation in accordance with Dept. Reg. 385.5 and no additional information is provided at orientation.
- ☐ In addition to the requirements outlined in Section 385.5 of the regulations, the district’s orientation provides the following.

**"[Click here and identify the additional items included]"**

Described below is the manner in which the district completes the required orientation for all applicants and recipients of Temporary Assistance (e.g., done in a group setting or individually or a combination of both), including the orientation procedure for exempt individuals and non-exempt individuals, if different.

**"[Click here and describe the procedure]"**

#### **Section 3.3 Assessment and Employment Planning**

##### **Temporary Assistance Assessment (Reference 18 NYCRR 385.6 and 385.7)**

a. Check one of the following:

- ☐ The district conducts assessments in accordance with 18 NYCRR 385.6(a) and 385.7(a) with no additional requirements.
- ☐ In addition to the requirements outlined in 18 NYCRR 385.6(a) and 385.7(a), the district’s assessment also includes the following elements:

**"[Click here and identify the elements]"**

- b. A copy of the assessment tool used by the district is attached. Additional assessment tool(s) used by the district is (are):

"[Click here and identify the selected assesment tools]"

- c. Describe the local district procedure for the completion of an employment assessment:

"[Click here and describe local district procedure]"

- d. The qualifications of the employees administering the assessment tool(s) are at minimum: (Refer to requirements listed in 18 NYCRR 385.6(c) and 385.7(c))

**DisplayText cannot span more than one line!**

- e. The district administrative unit or contractor responsible for conducting assessments is:

"[Click here and identify the administrative unit or contractor responsible]"

- f. Applicants in households with dependent children are required to participate:

☐ Yes ☐ No

Applicants in households without dependent children are required to participate:

☐ Yes ☐ No

Temporary Assistance Employment Plans (Reference 18 NYCRR 385.6(b) and 385.7(b))

- a. A copy of the district's employment plan is attached and:

☐ The district completes employment plans in accordance with 18 NYCRR 385.6(b) and 385.7(b) and no additional information is contained in the plan.

☐ In addition to the requirements outlined in 18 NYCRR 385.6(b) and 385.7(b), the employment plan includes:

"[Click here and provide additional information]"

- b. The district administrative unit or contractor that develops employment plans is (list only if different from those performing assessments):

"[Click here and describe ONLY if different from those performing assessments]"

- c. The qualifications of the employees developing employment plans are (list only if different from the requirements for those performing assessments):

"[Click here and describe ONLY if different from those performing assessments]"

Section 3.4 Participation Rates and Work Activities (Reference 18 NYCRR 385.8 and 385.9)

- a. Described below is how the district plans to meet federal and State Temporary Assistance participation rate requirements. Included is the weekly hours standard participation requirement for individuals in the different case and household types, along with the typical time period it takes for nonexempt individual to be engaged in activities for both newly opened cases and individuals who status changed from exempt to nonexempt. Information regarding engaging exempt individuals is entered in Section 3.6

"[Click here and describe the description]"

- b. Described below is a description of how the district uses work participation management reports available through Cognos or other reports and activities to monitor district progress toward meeting work participation requirements and ensuring full engagement by adults in work or work preparation activities.

"[Click here and describe the description]"

- c. Describe the extent to which the district requires Non-Temporary Assistance Food Stamp applicants and recipients to participate in FSET work activities. If the district is not mandating FSET work activity assignments, please describe how NTA Food Stamp work registrants are informed of the services available, upon request, for assistance with job search activities. Please note: At a minimum, districts are required to make available job search as an FSET activity to food stamp applicants and recipients.

"[Click here and describe the description]"

- d. The allowable work activities that are available in the social services district are listed and defined as follows. An “X” in the appropriate column indicates the activity is available for individuals receiving Family Assistance (FA), Safety Net Assistance for households with children (SNF), Safety Net Assistance for households without children (SNA), and/or Food Stamp (FS) benefits.

If a column is blank it indicates that the activity is not available for that household/case type.

FA	SNF	SNA	FS	Activity	Definition
				Unsubsidized Employment	Full time or part time employment in the public or private sector that is not subsidized by TANF or any other public program (excluding employer tax credits). Unsubsidized employment includes self employment and/or paid internships.
				Subsidized Private Sector Employment	Employment in the private sector for which the employer receives a subsidy from TANF or other public funds (excluding tax credits) to offset some or all of the wages and costs of employing and training a recipient in accordance with New York State Social Services Law 336-e. Subsidized private sector employment will include positions subsidized through grant diversion/TEAP, supported employment programs, and paid college work study programs at private institutions. Individuals participating in subsidized private sector employment are paid wages and receive the same benefits as unsubsidized employees who perform similar work. An employment situation will be subsidized for up to the full amount of wages/benefits provided to the program participant and will be subsidized for the length of time as determined appropriate by the State or social services district.
				Subsidized Public Sector Employment	Employment in the public sector for which the employer receives a subsidy from TANF or other public funds (excluding tax credits) to offset some or all of the wages and costs of employing and training a recipient. Subsidized public sector employment will include positions subsidized through grant diversion/TEAP, supported employment programs, and paid college work study programs at public institutions. Individuals participating in subsidized public sector employment, and work study unless otherwise permitted under a federal work study program, are paid wages and receive the same benefits as unsubsidized employees who perform similar work. An employment situation will be subsidized for up to the full amount of wages/benefits provided to the program participant and will be subsidized for the length of time as determined appropriate by the State or social services district.



				<p>Work Experience</p> <p>Unpaid work performed at a public or not-for-profit organization to enable participants who cannot find unsubsidized employment to improve his or her employability. Work experience provides participants with an opportunity to acquire the general skills, training, knowledge and work habits necessary to obtain and retain employment. Participation in work experience includes training required for the participant to complete the work experience assignment. For example, an individual who is expected to provide clerical support in a government agency may be provided training to develop or refine filing and data entry skills as needed to perform the tasks required as part of the work activity assignment.</p> <p>In addition to those components noted above, work experience will include unpaid internships that are part of any non-graduate student's education curriculum. (Note: Paid internships are to be reported as employment.)</p>
				<p>On-the-Job Training (OJT)</p> <p>Training in a public or private sector employment setting during which the participant receives work-essential paid training while he or she is engaged in productive work that provides the knowledge and skills essential to attain full and adequate performance of the job.</p> <p>OJT will be unsubsidized (for which the employer does not receive a subsidy) or subsidized using TANF funds or other funds to offset the cost of the training provided to the participant. A subsidized OJT will be subsidized for up to the full cost of providing such training and wages/benefits provided to the program participant. Positions will be subsidized for the length of time determined appropriate by the State or social services district. OJT is distinct from subsidized employment due to the fact that the individual must participate in workplace training to attain full and adequate job performance and the subsidy provided is intended to offset the cost of such training.</p>

				Community Service	<p>A structured program in which participants perform work for the direct benefit of the community under the auspices of public or nonprofit organizations. Community service placements must be projects that serve a useful community purpose in fields such as health, social services, environmental protection, education, urban and rural redevelopment, welfare, public recreation, public facilities, public safety, and childcare. Community Service programs are designed to improve the employability of participants not otherwise able to obtain unsubsidized employment. Participation in community service may include training that is directly required for the participant to complete the community service assignment. For example, an individual who is expected to provide clerical support to a food pantry may be provided training to develop or refine filing and data entry skills.</p> <p>Community service assignments will primarily be voluntary in nature including participation in VISTA, Americorps, and unpaid volunteer activities at a school, Head Start programs, religious or faith-based institutions, community organizations or a nonprofit or public agency, but will also include such mandated participation when court ordered. Participation in activities to support these organizations is deemed to provide a service to the community. In those instances where the participation could meet the federal definition of work experience or community service and the district or program provider would like to have another recipient provide childcare for the community service individual, such hours of work may be reported as participation in community service.</p>
				Job Search	<p>The act of seeking or obtaining employment or preparing to seek or obtain employment and will include looking for suitable job openings in a group or individual setting, making contact with potential employers, learning appropriate workplace expectations and behaviors in preparation for submitting job applications and interviewing, preparing to or applying for and/or interviewing for jobs and related activities.</p>

				<p>Job Readiness Training Activities</p> <p>Participation in programs that include seeking and preparing for work. JRT includes two types of activities: (1) traditional activities of resume preparation, training in interviewing skills, and instruction in workplace expectations, training in effective job seeking, including life skills training; and (2) activities that improve an individual's employability, such as substance abuse treatment, mental health treatment, or rehabilitation activities in which a qualified medical or mental health professional has certified that such treatment is necessary.</p> <p>Traditional JRT activities will include: resume preparation, training in interview skills, instruction in workplace expectations, training in effective job seeking, life skills essential to workplace success, time management, goal setting, budgeting, basic math and literacy skills, household management, interpersonal skills, decision making skills, anger management, parenting skills when it has been determined that such training could help reduce unplanned work leave or apprehension toward entering employment.</p> <p>For TANF and SNA MOE families, JRT also includes substance abuse and other treatment and rehabilitative services that are required for individuals who are unable to work or individuals whose employability and employment retention requires such services. Such services, which should be reported on WTCMS as such, will be deemed within WRTS participation rate logic to be JRT for recipients of TANF and SNA MOE but will be deemed to be Community Service for recipients of SNA non-MOE, include:</p> <ul style="list-style-type: none"> <li>• Physical health treatment and rehabilitation services including attending necessary physical therapy, and doctor appointments. Such treatment will include medical, behavioral and other treatment necessary for individuals suffering from substance abuse (current and former users) with such required treatment ranging from detoxification services to after care/abstinence maintenance.</li> <li>• Mental health services including therapy, counseling, and other services to address mental or emotional disorders that can interfere with an individual's daily life functions, ability to work, looking for work or the ability to retain employment.</li> </ul>
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				Vocational Education	Vocational education is defined as an organized educational program that directly relates to the preparation of individuals for current or emerging occupations that require training other than a baccalaureate or advanced degree. Vocational education does not generally include basic or remedial education or ESL but may include work focused general education and language instruction that is a regular or integral part of a vocational education program. Social services districts are responsible for ensuring that any such remedial education or ESL is a regular part of the program for participants with similar skill sets as the TANF/SNA MOE client, is determined necessary by the program provider, and is limited in hours to less than one half of program participation. Vocational education programs include the completion of activities that provide individuals the knowledge and skills to perform a specific trade, occupation or vocation. Vocational education must be provided by an education or training organization.
				Job Skills Training	Training or education in job skills to improve a participant's employability, to ensure clients have the basic skills competencies required by employers to support job entry and/or to advance or adapt to the changing demands of the workplace. Where identified as needed such training may include the development of basic workplace skills including professional workplace behaviors and decision making skills. Job skills training may include customized or technical training designed to provide participants with additional workplace skills, post secondary education courses leading to a bachelor's or other advanced degree or other training included under the definition of vocational education training. Job skills training may include literacy instruction, English language instruction or other basic education for an individual who has already obtained a high school diploma or equivalency when determined from a client's assessment that such instruction is needed to improve the participant's employability.

			Education Training	Education directly related to employment for a recipient who has not received a high school diploma or equivalency must be related to a specific occupation, job or job offer or otherwise determined based on a client assessment as necessary to improve the participant's employability to support job entry, retention or advancement. Education directly related to employment may include courses designed to provide the knowledge and skills for general or specific occupations or work settings to ensure clients have the basic skills competencies required by employers and may also include adult basic education, English as a Second Language (ESL) instruction and education leading to a GED or HS equivalency diploma as determined as necessary to improve the participant's job opportunities in potential occupations. Where identified as needed such training may include the development of basic workplace skills including professional workplace behaviors and decision making skills.
			Secondary School	Regular attendance in accordance with the requirements of the secondary school or a course of study at a secondary school or other State accredited institution leading to a general equivalence diploma (GED), in the case of a recipient who has not completed secondary school or received a certificate of general equivalence. Secondary school participation may include general adult basic education or ESL if it is linked to attending secondary school or leading to a GED as determined necessary by the educational institution. Secondary School or GED programs that routinely include ESL, career training, alternative school, tutoring, dropout prevention, teen pregnancy or parenting programs as a requirement of program participation as determined by the educational institution will also be permitted.
			Provision of Childcare for Individual Participating in Community Service	Providing unpaid childcare to enable another Temporary Assistance (TANF/SNA MOE funded) recipient to participate in a community service program.
			Other	Any work activity that does not meet the criteria of any of the above countable activities constitutes participation that is not countable toward federal and state participation rates.

### Local District Job Search Procedures:

The district assigns Temporary Assistance applicants to Job Search. ☐ Yes ☐ No

If yes, please describe the local district procedure for TA Applicant Job Search, including the required number of job search contacts and hours per week assigned. Also include a description of how often applicants are generally required to report job search outcomes and if activities other than job search are routinely expected of TA applicants during the application period.

"[Click here and describe local district procedure]"

The district assigns TA recipients to Job Search. ☐ Yes ☐ No

If yes, please describe the local district procedures for TA Job Search, including the required number of job search contacts and hours per week assigned. Also include a description of how often recipients are generally required to report job search outcomes and who in the agency is responsible for monitoring the job search.

"[Click here and describe local district procedure]"

### Section 3.5 Job Development

☐ Yes ☐ No The district conducts or receives job development activities to expand job opportunities for TA and FS clients, either directly or by contract or agreement.

If yes, the district participates in job development activities in the following manner:

- ☐ District staff contact employers to solicit jobs for Temporary Assistance participants. Below is the description of how this is done, including number of staff, frequency of contacts, etc:

"[Click here and describe]"

- ☐ District contracts or has an agreement with another agency to contact employers and solicit jobs for Temporary Assistance participants. Below is the description of how this is done, including number of staff, frequency of contacts.

"[Click here and describe]"

- ☐ OTDA Jobs Program staff are charged with job development as indicated in Section 2.3. Additional information, if any, is described below:

"[Click here and provide additional information]"

Section 3.6 Training Approval & Activity Enrollment Policy (Reference 18 NYCRR 385.9)

- a. Describe how the district identifies appropriate education program providers for program services of Adult Basic Education, GED preparation, and English Language Instruction, that are available to clients whose assessment indicates such services would be an appropriate work activity assignment:

"[Click here and describe]"

- b. Describe how the district identifies appropriate education program providers of Vocational Education and Job Skills Training programs that are available to clients whose assessment indicates such services would be an appropriate work activity assignment:

"[Click here and describe]"

- c. Describe the process and guideline workers follow to ensure that individuals who have not attained a basic literacy level and/or have not attained a high school diploma are offered the opportunity to participate in an educational activity:

"[Click here and describe]"

- d. Describe the district's process and policy, including the guideline workers follow, when determining whether participation in educational activities is approved for individuals who have not attained a high school diploma who are interested in participating in an educational activity; also include in this section instances when the agency would deny participation in education activities:

"[Click here and describe]"

- e. Describe what steps the district will take to increase or maintain high levels of engagement by participants in vocational education and job skills training programs. Such steps may include increased use of such contracted services through local training providers, including WIA funded services and State Education Department funded training programs. Districts should consider additional blending of activities such as work experience or employment with job skills training in fields that would improve participants' ability to obtain employment or increase wages or hours of employment.

"[Click here and describe]"

- f. Education and training providers are evaluated by the following standards:

"[Click here and describe additional information]"

- g. The district procedure for advising participants of approved training providers is:

"[Click here and describe]"

- h. Describe the district's process and policy for determining whether or not a participant is approved/assigned to participate in job skills or vocational education activities:

"[Click here and describe]"

- i. The district procedure for notifying participants of approval for training or enrollment in a work activity is:

"[Click here and describe]"

- j. In accordance with 18 NYCRR 385.9 (b), regardless of whether the college program is approved for the participant as an employment work activity, the district will approve as a work activity a work-study, internship, externship or other work placement that is part of a non-graduate student's curriculum unless one or more of the following conditions applies as check below:

- ☐ It has been determined that the student voluntarily quit a job or reduced earnings to qualify for initial or increased Public Assistance.
- ☐ A job or on-the-job training position that is comparable to the work-study, internship, externship or other work placement cannot reasonably be expected to exist in the private, public, or not-for-profit sector.
- ☐ The student is not maintaining a cumulative C average (or the equivalent). The district may disregard this provision if the student documents an undue hardship.
- ☐ The institution or student fails to monitor and report information regarding the student's attendance and performance as required.
- ☐ The student fails to progress toward the completion of a course of study without good cause, as determined by the district.
- ☐ The student has previously enrolled in a work-study, internship, or other work placement and failed to complete the work placement without good cause as determined by the district.
- ☐ Additional reasons as stated below:

[Click here and type the procedure]

- k. In order to verify continued exempt status, the local district will monitor the high school attendance of 16-18 year old students in the following manner:

[Click here and type the manner in which the local district will monitor the attendance]

- l. The district's procedure for ensuring that an individual's health related limitations are accommodated when assigning the individual to a work activity is:

"[Click here and describe the procedure]"

### Section 3.7 Work Verification

Consistent with New York State's approved Work Verification Plan (WVP), and in accordance with the requirements established by the United States Department of Health and Human Services, districts must develop a quality assurance plan to ensure that the data reported, from which their work participation rates are derived, are accurate. The plan must include the



district's procedure for monitoring reported scheduled and actual attendance in paid employment and unpaid work activities and the controls in place to ensure that reported exemption statuses resulting in federal exclusions from the work participation rate calculation are accurately made, work eligible individuals are correctly identified, hours of attendance reported are accurate and documented, data entry is accurate and that the district and its providers adhere to the approved work activity definitions and the determination of countable excused absences and holiday reporting within federal limits. Each district must maintain documentation to verify what is being reported to NYS OTDA.

Each district must describe how it will conduct periodic self audits to determine that system entries are consistent with documentation in case files. The district must also explain how it will choose the sample size, select sample cases and establish the review period (no less frequently than semi-annually). The plan must indicate the district will maintain documentation on all pertinent findings produced through its self audit process and that case records for all reviewed cases will be available for State and other auditors in their review of the local work verification system for the standard 6 year period associated with such reviews.

After each self audit is completed, the district must submit a summary of findings for State review including specific information on each of the errors identified. In addition, when monitoring reveals substantial problems, the district must describe the corrective action it will take.

The Quality Assurance plan must explain how staff will:

- Ensure that documentation of wages and actual hours of employment is verified and accurately projected/reported and present in the case file, is actual and is projected correctly;
- Ensure that the documentation for actual hours, supervision/attendance, excused absences, and holidays in other activities is present in the case file;
- Assess whether participation in the work activities reported for work eligible individuals meets the approved federal definition for the activity;
- Assess that the data entered into either WTWCM, NYCWAY or other automated system used for reporting work activities is accurate, including actual hours, excused absences and holidays; and is based on documentation in the case record; and
- Ensure that documentation necessary to determine an individual to be exempt due to being the caretaker of a disabled household member (Employability Code 38), and/or parent or caretaker relative of a child in the household under 12 months of age, (Employability code 31), is present in the case file and that individuals meet the exempt status based on the required documentation.

Please describe the process the district will use to review district worker collected documentation and data entry of the above listed elements (include a description of how a case sample for review will be selected, sample size and frequency of reviews):

"[Click here and describe the procedure]"

Please describe the process the district will use to review provider collected documentation and data entry of the above listed elements (include a description of how a case sample for review will be selected, sample size and frequency of reviews):

"[Click here and describe the procedure]"

### Section 3.8 Requirements for Exempt Temporary Assistance Participants (Reference 18 NYCRR 385.2 (e))

An exempt individual who has the potential to be restored to self-sufficiency through rehabilitation may be required to accept medical care to assist the individual in recovering from a mental or physical impairment, accept referral to and enrollment in a program of vocational rehabilitation, training, and/or other essential rehabilitation, and provide requested evidence that he/she is participating in the assigned program.

- a. Following is the district's procedure for determining if a disabled individual has the potential to be restored to self-sufficiency. This determination is different from the determination of the individual's disability exemption as covered in Section 6 of this plan. Included here is who (e.g., physician, employment worker, Temporary Assistance worker, local review team, etc.) makes or assists in this determination that an individual can restore or improve employability through treatment or other rehabilitative activities. Also included is the source and type of information used to make the determination (e.g., information from individual's physician, district contracted provider, specialist evaluation obtained as result of district referral, etc.):

"[Click here and describe the procedure]"

- b. Following is the district's procedure for developing a treatment plan and for referring the participant to appropriate treatment, etc. Please be specific:

"[Click here and describe the procedure]"

- c. Following is the district's procedure for tracking the participant's compliance with the treatment plan, including who in the district is responsible for monitoring compliance. Include elements such as monthly confirmation of attendance at rehabilitation or other factors to judge participation and progress, along with how often the treatment plan is updated.

"[Click here and describe the procedure]"

### Section 3.9 Strategies/Procedures for Increasing Program Attendance

Describe district policies and/or procedures in place to reduce the amount of time participants fail to participate in work activities, including absences that are with good cause:

"[Click here and describe the procedure]"

### Section 3.10 Strategies/Procedures for Engaging Sanctioned Temporary Assistance Participants

- [ ] District has no specific strategies to engage sanctioned participants.

"[Click here and describe the procedure]"

- [ ] District attempts to engage sanctioned participants as soon as they are sanctioned using the following strategies:

"[Click here and describe the procedure]"

- [ ] District attempts to engage sanctioned participants when the durational period of the sanction is completed using the following strategies:

"[Click here and describe the procedure]"

- [ ] District attempts to engage sanctioned participants during different times in the sanction period using the following strategies:

"[Click here and describe the procedure]"

### Section 3.11 Diversion Strategies:

- [ ] District has no specific diversion strategies.

- [ ] District's diversion strategies are described below:

"[Click here and describe]"

## **Section 4 Support Services** (Reference 18 NYCRR 385.4)

### Section 4.1 For Temporary Assistance and Non-Temporary Assistance Food Stamp Applicants and Recipients in Work Activities

- a. The social services district will provide childcare in accordance with the childcare section of the district's Child and Family County Services Plan. The district will also provide to participants the following expenses which the district deems necessary for the individual to participate in orientation, assessment, employment planning, work activities and activities to restore self sufficiency:

"[Click here and identify what services will be provided]"

- b. The district will use the following approach to assist those participants who need transportation to and from a work activity site, including any applicable mileage reimbursement rate. OTDA policy establishes a mileage reimbursement rate of no less than the IRS established rate for medical/moving purposes unless the district can document an acceptable methodology for applying a lower rate. (The IRS

medical/moving rate effective 7/1/11 is 23.5 cents per mile. Please refer to attachment A for further guidance.)

"[Click here and describe local district procedure]"

- c. The district will use the following approach for those individuals who reside in an area where public transportation is not available. OTDA policy establishes a distance not to exceed 2 miles as the maximum distance that the district can require a participant to walk to a work activity assignment. Please identify the maximum distance the participant would be expected to walk, if applicable:

"[Click here and describe the approach that the district will use]"

- d. The district will provide the following services to assist individuals at risk of needing public assistance to improve their opportunities for employment or to maintain their employment:

[Click here and type what services will be provided]

- e. Following is a description of how the district accommodates the needs of non-English speaking participants in accessing employment activities and services (or see below):

"[Click here and describe]"

- [ ] The district does not generally find the need to provide services to individuals who do not speak English (never or rarely have occasion to serve such individuals).

#### Section 4.2 Transitional Support Services

The district will provide the following supports and strategies to support job retention:

[Click here and type what services will be provided]

The district will provide the following support services, for up to 90 days after case closing, to individuals whose Temporary Assistance cases have closed due to employment:

"[Click here and indicate what services will be provided]"

#### Section 4.3 Extended Support Services

As long as funding is available (through FFFS, etc.), the district will provide the following supportive services for individuals who are eligible under the TANF Services 200% of poverty eligibility guidelines.

"[Click here and indicate what services will be provided]"

**Section 5 Temporary Assistance Conciliation and Dispute Resolution Procedures; Food Stamp “Good Cause” Determination Procedures** (Reference 18 NYCRR 385.11 and 385.12)

**Section 5.1 Conciliation**

The district’s conciliation process is in accordance with 18 NYCRR 385.11(a). Conciliations are conducted (check all that apply, and describe the procedure.):

- ☐ in person
- ☐ by phone
- ☐ by mail, etc

"[Click here and describe the procedure]"

The good cause/willfulness determination is made by:

- ☐ client’s employment worker
- ☐ a supervisor
- ☐ separate entity

"[Click here and describe the process]"

**Section 5.2 Sanction**

The district’s procedure for determining compliance for those individuals who wish to end their employment sanction (18 NYCRR 385.11(b), 385.12) is:

"[Click here and describe the process]"

**Section 5.3 Dispute Resolution**

The district’s procedure for individuals who wish to dispute their work activity assignments, including individuals who dispute the district’s response to their request for health-related accommodations is conducted in accordance with 18 NYCRR 385.11(b).

The grievance is mediated by:

- ☐ an agreement with an independent entity
- ☐ supervisory staff who are trained in mediation and who have no direct responsibility for the individual’s case
- ☐ designated supervisory staff who have no direct responsibility for the individual’s case and who are not trained in mediation

**Section 5.4 Food Stamps Good Cause Determination**

The district's procedure for determining if good cause exists for applicants and recipients who fail to comply with Food Stamp Program employment requirements is in accordance with 18 NYCRR 385.12(c) and is conducted:

- ☐ conciliation is offered in the same manner as described in Section 5.1 of this plan;
- ☐ by the Employment worker using available information, including that provided by the participant, if any, to determine if there was a good cause reason.
- ☐ Other (described below)

"[Click here and describe the procedure]"

### **Section 6 Disability Determinations** (Reference 18 NYCRR 385.2(d))

The district's process for determining an individual's disabilities and/or work limitations is in accordance with 18 NYCRR 385.2(d). Check all that apply, and describe the process:

- ☐ District participates in the OTDA managed contract for independent medical evaluations
- ☐ District contracts directly with a physician to provide independent medical evaluations
- ☐ District accepts physician's statement provided by participant
- ☐ District accepts physician's statement provided by participant but refers for an independent evaluation when deemed necessary
- ☐ Other process

"[Click here and describe the process]"

The local process for reviewing the medical documentation to determine if the individual is exempt, nonexempt, or work limited is as follows:

- ☐ District directs the contracted physician or individual's physician to determine status
- ☐ District review team reviews and determines status (described below)
- ☐ Specialized disability/medical staff or unit reviews and determines status (described below)
- ☐ Other

"[Click here and describe the process]"