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TRANSMITTAL: 90 INF-30

TO: Commissioners of
 Social Services

DIVISION: Income
 Maintenance

DATE: May 23, 1990

SUBJECT: Home Relief (HR) Job Search Program Questions and
 Answers

SUGGESTED
 DISTRIBUTION: Employment Coordinators
 Income Maintenance Directors
 Accounting Supervisors
 Staff Development Coordinators

CONTACT PERSON: Local District Technical Advisor, Bureau of Employment
 Programs, at 1-800-342-3715, extension 3-8744

ATTACHMENTS: Attachment A - Questions and Answers - available
 on-line.
 Attachment B - HR Job Search Reporting Form -
 available on-line.

FILING REFERENCES

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
89 ADM-44		352.31(d)			89 LCM-140
88 ADM-44		352.7(m)			89 LCM-153
86 ADM-10		385.14			All Comm.
85 ADM-45		387.13(e)			Letter 9/28/89

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This letter provides answers to the questions which arose during the October and November 1989 Statewide training sessions on the HR Job Search Program. In addition, we have included the answers to questions frequently asked as a result of the implementation of this program along with a revised Home Relief Job Search Reporting form (Attachment B).

Oscar R. Best, Jr.
Deputy Commissioner
Division of Income Maintenance

1. QUESTION: When will the new WMS Payment Type code be available and how is it to be used (exclusive of New York City)?

ANSWER: The new Payment Type code "E8-Job Search Transportation" became operational on WMS on February 5, 1990. It will be accepted by BICS as either a direct payment to the client or an indirect payment to a vendor. If authorized in WMS as an indirect payment, the authorized vendor must have, on the BICS vendor file, an assigned commodity code of "18", Transportation (see BICS Fiscal Update dated February 10, 1990 for additional information).

There is no special processing contained in the BICS logic for categorizing E8 payments, either on the abstract or the composites. For example, if the E8 payment is for Case Type 16, Home Relief, and there are no other mitigating claiming criteria, the E8 payment will be commingled with all other HR payments in the abstract and monthly composites.

If it is necessary for the district to identify those E8 expenditures made by BICS for a claim month, produce the Payment Type Report available through BICS Production Request (BPR), Selection 78. (Description of this report is illustrated in the Payment Issuance and Control Subsystem (PICS) Manual, Pages V.74 - 76.)

The Job Search allocation referred to in this release is not tracked by BICS. If it is necessary for the BICS district to "reallocate" any E8 expenditure(s) made by BICS from normal claiming, to the manually tracked E8 allocation, reduce the amount of the composite total as produced by BICS and transfer the amount to the DSS-3922, Financial Summary for Special Projects, Line 11, Allowances. Make a notation on the BICS composite roll next to each case transferred to the DSS-3922. Prepare a manually prepared roll in support of the DSS-3922, and retain for audit purposes.

2. QUESTION: If a local district had not used the full amount of its HR allocation for the implementation and operation of the HR Job Search Program by the end of March 1990, can the remainder be claimed in the 1990-91 fiscal year?

ANSWER: Yes. Local districts can claim these funds beyond March 1990. Districts will be provided with instructions and a claiming deadline.

3. QUESTION: Are there any limits on the transportation allowance?

ANSWER: The transportation allowance is limited to the amount of the cost of making employer contacts. The current normal rate of reimbursement is the rate required for public transportation or a rate not to exceed the reimbursement rate for private transportation by the local district.

4. QUESTION: An individual participates in the initial Job Search for 40 days and then obtains a job. However, the individual loses the job before the case is closed. Can the district assign the individual to complete the remaining 20 days of the 60 day Job Search?

ANSWER: Yes, because the case was never closed.

5. QUESTION: An individual is temporarily excused from Job Search. When the individual's excuse is no longer valid and the individual is found to be job ready, can the district assign the individual to complete the days remaining in the 60 day job search?

ANSWER: When the individual's excuse is no longer valid and the individual is found job ready the district may reassign the individual to complete the days remaining in the job search.

6. QUESTION: What is the definition of a dependent child as it applies to HR applicants/recipients who would be exempt from Job Search because they are residing with a dependent child?

ANSWER: A dependent child is identified in the Job Search legislation as an individual under 18 years of age, living with and under the supervision of an HR parent or caretaker.

7. QUESTION: Two adults in an HR case have a dependent child. Can one parent be considered for the Job Search Program?

ANSWER: No. Chapter 77 of the Laws of 1989 exempts any HR applicants/recipients who reside with their dependent child under the age of 18.

8. QUESTION: Does the applicant/recipient need to sign the "Food Stamp Employment and Training Participant Rights and Responsibilities" form when concurrently enrolled in the HR Job Search Program and the FSET Program?
- ANSWER: No. (See 89 ADM-18 dated May 3, 1989, page 8, section V.A. item 3.)
9. QUESTION: An applicant is found job ready, receives a transportation allowance, but does not comply with HR Job Search and the case is denied. At a later date the individual reapplies. Can the district advise the applicant to "use the transportation allowance we gave you last time?"
- ANSWER: If the individual no longer has the previously issued transportation allowance, the district cannot require the applicant to use funds not available. If transportation is required for the job search process, the local district must provide the allowance.
10. QUESTION: An applicant determined to be job ready receives "upfront" transportation monies but does not return for further case processing. If the individual reapplies at a later date, can the transportation allowance originally provided be used to cover the "second" job search attempt?
- ANSWER: No. An applicant who develops a history of taking the transportation allowance and not complying with HR job search or not completing the eligibility process should not be assigned to Job Search until eligibility is established. Once the individual is a recipient a sanction can be imposed for failure to comply.
11. QUESTION: If a transportation allowance is given to a job ready HR applicant, but the case is never opened, and at a later date the client returns, reapplies, is determined job ready, starts the job search process and becomes an HR recipient, is there any way to recoup the transportation allowance previously given?
- ANSWER: Local districts will need to identify and document that such an allowance was given and never used by the applicant for the intended purpose. After the individual becomes a recipient the local district can inquire about the first transportation allowance. If a district determines that an overpayment has occurred, recovery must be pursued in accordance with DR 352.31(d).
12. QUESTION: An applicant is found job ready and given the DSS-4158 "Notification of Job Readiness and the Right to Contest". May the district send the client a check for

the necessary transportation cost, and advise the client on the DSS-4158 to start the HR Job Search on the date the check will arrive?

ANSWER: No. Districts are responsible for identifying the specific date that the individual is required to begin the job search.

13. QUESTION: Can the three year period used to determine whether a sanction is progressive apply to both opened and closed case time?

ANSWER: Yes. The regulations state that sanctions for failure to comply may be progressive if they occur within a three year period beginning with the date of the most recent instance of a failure to comply. Case status has no bearing on this time frame.

14. QUESTION: A food stamp only recipient becomes an HR applicant. Can the local district count the time already spent in the FSET Independent Job Search toward the 60 day HR Job Search period?

ANSWER: No. The time spent in either Job Search Program only counts for the other when the individual is participating in both concurrently.

15. QUESTION: May an employment and training agency give the DSS-4158 "Notification of Job Readiness and Right to Contest" to an applicant/recipient who is found job ready?

ANSWER: Yes. Outside agency staff may perform the job readiness review and determine which individuals are job ready. However, the district and not the outside agency is legally responsible for that determination.

16. QUESTION: Must local districts require face to face meetings with job search participants as part of the verification process?

ANSWER: Yes. Verification of job search activity must be face to face.

17. QUESTION: Must an applicant/recipient who contests employability still participate in a Job Readiness review?

ANSWER: No. The job readiness evaluation should not be administered until the district has reviewed the evidence available and has determined the client to be employable.

18. QUESTION: How does a transfer from HR to ADC and back to HR affect the 120 day HR Job Search limitation?

ANSWER: As long as the case was never closed the recipient is subject to no more than 120 days of HR Job Search activity if Job Ready. This has no effect on the individual's ADC Job Search assignment.

19. QUESTION: An applicant/recipient is determined employable and does not at that time contest the employability determination. Next, the client goes through the Job Readiness evaluation and is determined job ready. At that point the client contests employability. How does this affect the individual's obligation to participate in HR Job Search?

ANSWER: If during or after the Job Readiness evaluation the applicant/recipient challenges the employability determination, the job readiness evaluation is terminated and the individual is not required to participate in HR Job Search until the challenge is resolved and the applicant/recipient is determined to be employable. The district should refer to 85 ADM-45 (Fair Hearings to Contest Determination of Employability) for information on handling challenges to employability determinations.

20. QUESTION: An HR applicant starts the HR Job Search, but the case is never opened and thus no information is entered into the subsystem. At a later date the individual reapplies, is determined job ready and participates in HR Job Search. Is there any way to show that previous HR Job Search activity in the subsystem?

ANSWER: No. Local districts can keep track of such information for local purposes by using manual procedures.

21. QUESTION: How does Crawford fit into the HR Job Search sanction procedures?

ANSWER: Districts should provide recipients, who are sanctioned because of HR Job Search non-compliance, with a copy of the Crawford Notice found in 86 ADM-10 (Attachment I) in addition to DSS-4015 "Notice of Intent to Change Benefits: Public Assistance, Food Stamp, Medical Assistance Coverage and Services".

NOTE: The sentence on Medical Assistance contained in the Crawford Notice should be crossed out or removed as that information is stated on the DSS-4015.

A separate employment notice which is specific to HR Job Search is being developed by SDSS.

22. QUESTION: When sanctioning the recipient for non-compliance, does the local district have the option of using "Notice A and Notice B". [DSS-4003 and DSS-4004, "Notice of Intent to Change Public Assistance Grant and/or Food Stamp Benefits and/or Medical Assistance Coverage for Non-Compliance with Employment Related Requirements (Timely and Adequate)"]?

ANSWER: No. Use of the DSS-4003 and DSS-4004 is not appropriate in sanctioning HR recipients for non-compliance with the Job Search Program. These forms contain language regarding willful failure to comply. Such language is not an issue in the HR Job Search Program. Employment notices specific to HR Job Search will resemble the "A" and "B" formats but will omit the willfulness language.

23. QUESTION: Can the Job Search administrative costs and training related expenses spent on serving a PG-ADC case be reclaimed as ADC costs when (and if) the case becomes ADC?

ANSWER: Yes. Such costs and expenses can be reclaimed as ADC and submitted as part of the appropriate district claiming process.

24. QUESTION: How often may applicants be made to report?

ANSWER: The law and regulations do not specify how often applicants must report, but it is clear that when asking applicants to report, the district must not interfere with or delay the application process.

25. QUESTION: Can an applicant be denied food stamps for refusal to comply with HR Job Search requirements?

ANSWER: No. There are currently no comparable food stamp requirements for applicants.

26. QUESTION: If a food stamp recipient fails to comply with the job readiness review or with HR Job Search activities what food stamp sanction procedures does the district use?

ANSWER: The required food stamp procedures are located in 89 ADM-44, Section D (Non-Compliance), Part 3 (pages 9 and 10).

27. QUESTION: How will a local district receive "credit" for welfare grant savings when an HR applicant enters employment?

ANSWER: There is no welfare grant savings (WGS) for an HR applicant who does not become a recipient and where a grant was not calculated and issued. Local districts, for their own use could manually track the cost avoidance that results when an applicant obtains a job.

28. QUESTION: Can a local district fax the "Home Relief Applicant Job Search Reporting Form" to the Department?

ANSWER: Yes. The number is (518) 474-9347.

29. QUESTION: When an HR recipient is currently enrolled in the FSET Independent Job Search Program and is sent to a classroom component of employment related training (ERT), how will this affect the HR Job Search activity?

ANSWER: If an HR recipient is attending an approved food stamp employment related training program that does not allow the recipient time to compete for available job openings, then the district may want to suspend participation in job search until the individual completes the ERT activity.

30. QUESTION: Is "documentation" required for the job readiness evaluation process?

ANSWER: Documentation is not required in filling out the Job Readiness Evaluation (DSS-4159). The only exception is in Item 8, when the district verifies approved training.

31. QUESTION: For what may the 100% allocation be used?

ANSWER: The allocation can be used for anything related to the Job Search Program such as staff costs, transportation allowances, training related expenses, administrative expenses, etc.

32. QUESTION: Will there be new WMS reason codes to support HR Job Search and when will they be available on WMS (exclusive of New York City)?

ANSWER: The following WMS codes became operational on the Production System on February 12, 1990 to support HR mandated Job Search Program activities.

(1) (a) Reason Code 257 - Failure to Comply with Job Ready Evaluation

(b) Reason Code 258 - Failure to Conduct Mandatory Job Search

These codes are to be used for both application and case denial actions in HR case types 14, 16, and 17.

- (2) Reason Code 959 - Refusal to Conduct Mandatory Job Search is to be used with HR case types 14, 16 and 17 when performing Undercare Maintenance Change (05) or Recertification (06) Transactions.
- (3) Reason Code 158 - Refusal to Conduct Mandatory Job Search is to be used for Closing (07) or Recertification Closing (08) transactions in HR case types 14, 16 and 17.
- (4) Sanctioned/Ineligible Reason Code 31 - Failure to Conduct Mandatory Job Search is to be used with change or closing transactions due to sanction for HR case types 14, 16 and 17.
- (5) Anticipated Future Action Code 209 - End of Mandated Job Search Sanction

NOTE: The new codes are not yet incorporated in the Auto WGS routine. It is anticipated that the system change will be in the next version, tentatively scheduled for June 4, 1990.

Employment Coordinators should review these codes with their district IM directors. IM eligibility workers need to be trained on the importance these codes have on Auto WGS and tracking the effectiveness of HR Job Search.

33. QUESTION: Will there be a revised manual reporting form and when will it become effective?

ANSWER: The Home Relief Job Search Reporting Form (Attachment B) will be effective June 1, 1990 for reporting May's data. As with the old form contained in 88 ADM-44, the revised form must be locally reproduced.

HOME RELIEF JOB SEARCH
REPORTING FORM

District: _____ Contact Person: _____

Report Month: _____ Phone Number: _____

A. HOME RELIEF EMPLOYABLE APPLICANTS

Job Readiness Reviews Conducted _____

1. Number determined job ready _____

2. Number determined not job ready _____

3. Other (e.g., contesting employability) _____

Denials Resulting from HR Job Search _____

Entries to Employment Resulting
from HR Job Search _____

B. HOME RELIEF EMPLOYABLE RECIPIENTS

Job Readiness Reviews Conducted _____

1. Number determined job ready _____

2. Number not job ready _____

3. Other (e.g., contesting employability) _____

Sanctions or Closings Resulting
from HR Job Search _____

Entries to Employment Resulting
from HR Job Search _____

LOCAL DISTRICTS ARE REQUIRED TO SUBMIT A FACSIMILE OF THIS MANUAL REPORT
ON A MONTHLY BASIS (DUE 10 DAYS AFTER THE END OF THE REPORTING MONTH).

Send form to:

New York State Department of Social Services
Bureau of Employment Programs
Data Management Unit
40 North Pearl Street, Floor 7B
Albany, New York 12243-0001