

# **Herkimer County**

## **Temporary Assistance (TA) and Supplemental Nutrition Assistance Program (SNAP) Employment Plan**

January 01, 2024 - December 31, 2025

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# 1. Administration

## 1.1 Administrative Structure

- a. 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.  
*(Attachments must be uploaded to the system through the "Documents" screen prior to submitting the plan. Use the textbox below to provide any additional information.)*

See attached.

- b. Below 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 and include the responsibilities of each office.

1. Employment Coordinator (Oversees all employment operations and Child Care Assistance Program)
2. Employment Counselor (Safety Net non-exempt caseload, Medically exempt population, Work Experience Programs, case management, assessments, conciliations)
3. Employment Counselor (TANF non-exempt caseload, Medically exempt population, 200%, SNAP Job Search assistance, assessments, conciliations, manages JRT and HSC programs)
4. Social Welfare Examiner- Child Care Assistance Program
5. Caseworker -vacant
6. Clerk (full-time, clerical support)
7. Vocational Service Coordinator (Exempt population-TANF, employability determinations, monitors treatment plans for compliance, completes referrals to Resource Center for Independent Living)
8. Drug and Alcohol Coordinator - Assesses and monitors drug and alcohol treatment recommendations for Temporary Assistant applicants/recipients
9. Employment and Training Administration (ERT program - Herkimer County One Stop)

## 1.2 TA and SNAP Employment & Training (SNAP E&T) Provider Agencies

- a. Table 1 lists the local contracts or agreements with agencies to provide employment services to TA and SNAP clients. These activities and services may include, but are not limited to: employability determinations; development of assessment 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. Districts must maintain proper monitoring and oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts.

Funding sources include, FFFS, SNAP E&T, Local or “other”. Categories of clients served include Family Assistance (FA), Safety Net Assistance for households with dependent children (SNA Fam), Safety Net Assistance for households without dependent children (SNA Ind), Supplemental Nutrition Assistance Program (SNAP), and Temporary Assistance to Needy Families (TANF) 200%.

### Contracts or Agreements with Agencies Who Provide TA and SNAP Employment Services

Provider	Total Contract Cost per Year	Funding Source(s)	Categories of Clients Served	Programs, Services or Activities Provided
Employment and Training Admin	\$50,000	FFFS Local	FA SNA Family SNA Individual	Job Readiness Training
Employment and Training Admin	\$7,000	FFFS Local	FA SNA Family SNA Individual	Desk space for one Employment worker at Working Solutions
Resource Center for Independent Living (RCIL)	\$52,000	FFFS	FA	Initial screenings, assessment & planning, employment preparation, coordination of services, assist in meeting work activities requirements and reporting & follow-up.

<b>Provider</b>	<b>Total Contract Cost per Year</b>	<b>Funding Source(s)</b>	<b>Categories of Clients Served</b>	<b>Programs, Services or Activities Provided</b>
Industrial Medical Associates	\$1,000	FFFS	FA SNA Family	Complete medical, psychological, and intellectual evaluations to help determine employability and limitations of applicants and recipients.

- b. 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.

Categories of clients served include Family Assistance (FA), Safety Net Assistance for households with dependent children (SNA Fam), Safety Net Assistance for households without dependent children (SNA Ind), Supplemental Nutrition Assistance Program (SNAP), and TANF 200%.

**Agencies and Providers to whom the District Refers for Employment Services**

<b>Provider</b>	<b>Funding Source(s)</b>	<b>Categories of Clients Served</b>	<b>Programs, Services or Activities Provided</b>
Herkimer County BOCES	Others: Non-Financial	FA SNA Family SNA Individual	High School Equivalency
Herkimer County Working Solutions	Others: Non-Financial	FA SNA Family SNA Individual SNAP	Resume workshop, job search assistance, job interview workshop, basic computer skills training, how to job search on the internet, and in some cases on the job training financial assistance.
ARC Herkimer	Others: Non-Financial	FA SNA Family SNA Individual	Create a personal employment/life plan. Identify and help individuals address barriers to employment and/or to Access VR eligibility. Individuals identified who may have a disability will be referred to Access VR. Provide job coaching.
Resource Center for Independent Living	Others: Non-Financial	FA SNA Family SNA Individual	Assist individuals with the SSI process. Assist individuals with coordinating appointments such as medical. Act as an advocate for families and individuals. Also provide job coaching services.

<b>Provider</b>	<b>Funding Source(s)</b>	<b>Categories of Clients Served</b>	<b>Programs, Services or Activities Provided</b>
Access VR	Others: Non-Financial	FA SNA Family SNA Individual	Meet with work limited individuals in order to assess their work capabilities and make any necessary referrals such as vocational programs.
The Center	Others: Non-Financial	FA SNA Family SNA Individual	Service for refugees included but not limited to naturalization assistance, English as a second language classes, employment services and interpretation services.

c. **Monitoring and Oversight of TANF and SNAP E&T Funded Contracts/Agreements**

Described below is the process used to monitor district held contracts/agreements with providers that use TANF and SNAP E&T funds for employment services:

The Employment Coordinator monitors the services provided in the contracts. Herkimer County uses Results Based Accountability System (RBA) to enter monthly statistical information and outcomes which are reviewed every 6 months. Herkimer County also has an interagency contract with the Youth Bureau to assist with contract monitoring.

### 1.3 OTDA Jobs Staff Agreement

a. **OTDA Jobs Program Services - Target Groups** (reply yes or no to the options as they apply):

**Services Provided by Jobs Staff**

<b>Yes or No:</b>	<b>Services Provided:</b>
N/A	Assessment/Employment Plan
N/A	Supervised job search
N/A	Job readiness training
N/A	Job club
N/A	Job placement services
N/A	Grant diversion
N/A	Job development (employer outreach)
N/A	WOTC pre-certification

**Jobs Staff Target Groups**

<b>Yes or No:</b>	<b>Target Groups:</b>
N/A	Applicants

<b>Yes or No:</b>	<b>Target Groups:</b>
N/A	FA & SNA with children
N/A	SNA without children
N/A	SNAP
N/A	TANF 200%

- b. Described below are the additional services/duties Jobs Staff will be requested to perform (e.g., Welfare to Work Case Management System (WTWCMS) data entry, case conferencing, job fairs).

N/A

### **1.4 Access to Services at New York State Career Centers**

- a. Described below is how the district provides access to its programs and services with Career Center partners (reply yes or no to the options as they apply):

#### **Programs and Services Provided at Career Centers**

<b>Yes or No:</b>	<b>Programs and Services Provided:</b>
Yes	The district has employee(s) physically present at a Career Center
No	The district has contract staff physically present at a Career Center
No	The district makes available direct access to its program staff via phone or technology at a Career Center
Yes	The district makes available copies of the LDSS-2921 (Common Application) at a Career Center
Yes	Other (described here): All non-exempt Temporary Assistance applicants are referred to the Career Center to register to access the employment services offered.

- b. Described below is how the district coordinates with Career Center partners to provide services to the district's clients, including referral and information sharing mechanisms, or other collaboration such as participation on the local WIOA Business Services Team, etc.

As part of the employment assessment process the Employment Worker provides the applicant with an appointment to meet with a Career Center representative. Once the applicant has attended their appointment the Career Center representative notifies the employment unit and provides information on any direct job referrals given to the applicant. If the applicant hasn't completed the Employment Readiness Training at the Career Center, they are enrolled at this appointment.



## 2. Orientation, Assessment and Employment Plan

### 2.1 Orientation (Reference 18 NYCRR 385.5)

- a. How does the district provide orientation (reply yes or no to the options as they apply)?

#### District Orientation Procedures

Yes or No:	District Orientation:
Yes	The district provides orientation in accordance with 18 NYCRR 385.5 and no additional information is provided at orientation.
No	In addition to the requirements outlined in 18 NYCRR 385.5 of the regulations, the district's orientation provides the following:

- b. Described below is how the district completes the required orientation for all applicants and recipients of TA at application and recertification. Orientation can be held in-person, either in a group setting, individually, or a combination of both. It can also be held virtually, over the phone, or by sending orientation material to the client by mail. Please include the orientation procedure for exempt individuals and non-exempt individuals, if different:

Orientation is completed on an individual basis at the time of application. The orientation process is the same for all applicants. During the interview the worker screens the applicant to determine if they will be exempt or non-exempt. Based on that determination the applicant is given an appointment date and time with an employment worker to complete an assessment. During this meeting the employment worker informs the applicants of all employment requirements. Other DSS responsibilities are covered at the assessment such as: supportive services, educational opportunities, and child care. Workers will discuss the opportunity to participate in the home visiting program with eligible households.

### 2.2 Temporary Assistance (TA) Employment Assessment

- a. How does the district conduct assessments as required by 18 NYCRR 385.6(a) and 385.7(a) (reply yes or no to the options as they apply)?

#### District Assessment Procedures

Yes or No:	How the district conducts assessments
No	The district enters assessments directly into WTCMS.
Yes	The district uses the LDSS 4980 (New York State Assessment) and later enters information into WTCMS.
No	The district conducts assessments using a local equivalent tool, and later enters information into WTCMS. If applicable, the local equivalent contains additional elements beyond what is required:

- b. Described below is the district procedure for the completion of an employment assessment, including when initial assessments are conducted and whether an assessment is conducted in-person, virtually by phone, or a combination of both:

Assessment date and times are given to the applicant at orientation. All assessments are conducted one on one by employment staff. The TANF exempt applicant assessments are conducted by the Vocational Service Coordinator. Households with dependent children and 16 and 17 year old's not in school will receive an assessment within the 90 day requirement. Households without dependent children will be assessed within the year from application.

- c. Which district administrative unit or contractor is responsible for conducting assessments?

Herkimer County Employment Unit, RCIL Vocational Service Coordinator, and the departments Drug and Alcohol Liaison.

- d. Described below are the minimum qualifications of the employees conducting the assessment (refer to requirements listed in 18 NYCRR 385.6(c) and 385.7(c)):

All Employment staff have met and exceeded the qualifications for their positions under the Civil Service System. They have received on the job training and attend state approved training. Assessments are completed by the Employment Coordinator, Employment Counselor, Caseworkers, Vocational Service Coordinator and Drug and Alcohol Liaison.

- e. Are applicants in households with dependent children required to participate in completion of an employment assessment?

Yes

- f. Are applicants in households without dependent children required to participate in completion of an employment assessment?

Yes

- g. Are exempt adults in households without dependent children required to participate in completion of an employment assessment?

Yes

- h. How often and under what circumstances is the employment assessment updated?

Employment assessments are updated every six months or as needed if a change in the household's circumstance takes place.

## 2.3 TA Employment Planning (Reference 18 NYCRR 385.6 and 385.7)

- a. How does the district develop individual employment plans as required by 18 NYCRR 385.6(a) and 385.7(a) (reply yes or no to the options as they apply)?

### District Employment Plan Procedures

Yes or No:	How the district develops employment plans
No	The district enters employment plans directly into WTCMS.
No	The district uses the LDSS-4987 (New York State Employment Plan) and later enters information into WTCMS.
Yes	The district develops individual employment plans using a local equivalent tool. If applicable, the local equivalent contains the following additional elements beyond what is required: For non-exempt the plan includes referrals to BOCES orientation for TABE testing, Working Solutions for registration and direct job referrals. For exempt the plan includes requirement to provide monthly attendance to treatment/rehabilitation and drug and alcohol treatment, referral to apply for Social Security/SSI benefits and referrals to Legal Aid, Industrial Medical Associates, Access-VR, RCIL and Arc Herkimer.

- b. Who develops the employment plan (reply yes or no to the options as the apply)?

### District Employment Plan Development

Yes or No:	Who develops the districts employment plans
Yes	The same administrative unit or contractor that conducts employment assessments also develops employment plans.
No	A different administrative unit or contractor develops employment plans and the contractor's qualifications include:

- c. Described below is the district procedure for the completion of an individual's employment plan:

Individualized employment plans are completed at the participant's assessment appointment. The employment worker in collaboration with the participant develop the employment plan. The plan includes the participants employment preferences and goals, work activity assignments and details on any supportive services provided to the participant. Once completed the client is provided a copy of the employment plan for their records.

- d. How often and under what circumstances is the employment plan updated?

Employment plans are updated every six months or as needed if a change in the household's circumstance takes place.

### **3. Engagement**

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

- a. Federal requirements state that parents or caretakers must be engaged in work as soon as 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 4.1. Also included is pursuit of other forms of income such as SSI and SSDI.

- b. Described below is additional information regarding the district’s “Engaged in Work” requirements:

N/A

#### **3.2 Strategies/Procedures for Accommodating Individuals with Limited English Proficiency**

- a. Described below is how the district accommodates non-English speaking participants' access to employment activities and services:

Herkimer County will assist non-English speaking individuals with a referral to an ESL class and provide needed supports. Herkimer County has used bilingual staff to assist workers in informing the non-English speaking participants of employment services and their rights and responsibilities. Herkimer County also has access to interpreters by contacting Language Line Solutions (800-752-6096).

#### **3.3 Strategies/Procedures for Increasing Program Attendance**

- a. Described below are the district policies and/or procedures used to reduce the number of times participants fail to participate in work activities. This includes absences with good cause:

The Employment Representatives, as part of their interviews, assist the clients in developing a childcare plan as well as a back-up plan. The Employment Representative also counsels the client on the importance of scheduling appointments so that they do not conflict with their work hours. Herkimer County's practice is to schedule agency appointments in a way that does not conflict with the client's work activity schedule. The Caseworker who is responsible for post-employment assistance also is available to assist clients through problems that may be affecting their work attendance.

### 3.4 Strategies/Procedures for Engaging Sanctioned TA Participants

- a. The following are strategies used to engage sanctioned participants. If a district uses one of the options, a description will be provided (reply yes or no to the options as they apply and provide a description for “yes” responses):

#### Strategies and Procedures for Engaging Sanctioned TA Participants

Yes or No:	Strategies and Procedures for Engaging Sanctioned TA Participants
No	Described here are the strategies the district uses to attempt to engage sanctioned participants as soon as they are sanctioned:
Yes	Described below are the strategies the district uses to attempt to engage sanctioned participants when the durational period of the sanction is completed: The Department will issue LDSS-4231 one month prior to the end of the durational period giving the sanctioned individual an opportunity to demonstrate their willingness to comply with employment requirements. Individuals who agree to comply will be scheduled an appointment for a re-assessment, if necessary, and to discuss past non-compliance and ways they can re-engage with employment activities. The sanctioned individual is then assigned to an approved activity. Once the individual has participated in the activity for 5 consecutive days the sanction will be lifted. Temporary Assistance benefits will be restored retroactive to the date the individual indicated a willingness to comply, but no earlier than the expiration of the minimum duration period.
Yes	Described below are the strategies the district uses to attempt to engage sanctioned participants during different times in the sanction period: At the time that a re-assessment would have taken place the agency will contact the sanctioned individual to discuss their past non-compliance, ways to re-engage with employment activities and how re-engage would affect their TA benefits.

### 3.5 Strategies for Reducing the Need for TA

- a. Described below are the district’s strategies for reducing the need for TA:

Herkimer County Department of Social Services utilizes diversion strategies to facilitate and promote an individual's ability to obtain employment, retain employment and eliminate their need for Temporary Assistance. Strategies include: mandatory participation in a 4 week Employment Readiness Program for SN applicants and two parent cases who are able to work, referrals to Temp Employment Agencies and referral to One Stop Career Center for referrals to job openings. Day care applications for individuals requiring services to accept employment are expedited.

## 4. Work Activities

### 4.1 Allowable Work Activities

- a. Below is a list of activities available to individuals receiving Family Assistance (FA), Safety Net Assistance for households with dependent children (SNA Fam), Safety Net Assistance for households without dependent children (SNA Ind), and Supplemental Nutrition Assistance Program (SNAP) benefits. In the chart below, the case type is listed next to each activity available to it in the district.

#### Allowable Work Activities by Case Type

Activity and Definition	Case Type
<p><b>Unsubsidized Employment</b> – 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.</p>	<p>FA SNAFAM SNA SNAP</p>
<p><b>Work Experience</b> – Unpaid work performed at a public or not-for-profit organization to enable a participant who has not obtained unsubsidized employment to improve his or her employability. Work experience provides participants with an opportunity to acquire training, knowledge, work habits, and work references 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>FA SNAFAM SNA SNAP</p>
<p><b>Job Search</b> – 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 and applying for, and/or interviewing for jobs and related activities.</p>	<p>FA SNAFAM SNA SNAP</p>
<p><b>Vocational Education</b> – 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 up to a four-year degree. Vocational education does not generally include basic or remedial education or English as a Second Language (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.</p>	<p>FA SNAFAM SNA SNAP</p>

Activity and Definition	Case Type
<p><b>Secondary School</b> – 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 high school equivalence (HSE) diploma, 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 HSE diploma as determined necessary by the educational institution. Secondary School or HSE 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.</p>	<p>FA SNAFAM SNA SNAP</p>
<p><b>Job Skills Training</b> – 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.</p>	<p>FA SNAFAM SNA SNAP</p>
<p><b>Education Training</b> – 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 (ABE), ESL instruction and education leading to a high school 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.</p>	<p>FA SNAFAM SNA SNAP</p>
<p><b>Job Readiness Training (JRT) Activities</b> – 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>FA SNAFAM SNA SNAP</p>

Activity and Definition	Case Type
<p><b>Subsidized Private Sector Employment</b> – 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-f. Subsidized private sector employment will include positions subsidized through grant diversion/Transitional Employment Advancement Program (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.</p>	N/A
<p><b>Subsidized Public Sector Employment</b> – 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 in accordance with New York State Social Services Law 336-e. 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>	N/A
<p><b>Community Service</b> – 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>	N/A
<p><b>Provision of Childcare for Individual Participating in Community Service</b> – Providing unpaid childcare to enable another TA (TANF/SNA MOE funded) recipient to participate in a community service program.</p>	N/A
<p><b>SNAP E&amp;T Supervised Job Search</b> – The act of seeking or obtaining employment through a job search that is directly supervised and may include: case management services, career exploration, interview preparation, job application assistance, learning appropriate workplace expectations and behaviors in preparation for submitting job applications and interviewing, job leads, and direct job referrals.</p>	N/A



<b>Activity and Definition</b>	<b>Case Type</b>
<b>On-the-Job-Training (OJT)</b> – 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.	N/A
<b>Other</b> – 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.	N/A

## 4.2 Job Development

- a. Does the district conduct or access job development services to expand job opportunities for TA and SNAP participants?

Yes

How does the district participate in job development activities (reply yes or no to the options as they apply)?

### How the District Participates in Job Development Activities

<b>Yes or No:</b>	<b>How the district participates in job development activities</b>
No	District staff contacts employers to solicit jobs for TA and/or SNAP participants. Describe how this is done, including number of staff, frequency of contact, etc.:
Yes	District contacts or has an agreement with another agency to contact employers and solicit jobs for TA and/or SNAP participants. Described here is how this is done, including number of staff, frequency of contacts, etc.: The Department refers individuals to Working Solutions for job referrals, resources, and job fairs. On a weekly basis the Department creates a list of local employment opportunities from online job websites. These lists are given to all Employment representatives to provide to their applicants/recipients. Also, there is a Jobs Board located in DSS reception area which has copies of the job's lists, job fairs, Working Solutions flyer, and other employment information.

## 4.3 Training Approval and Activity Enrollment Policies (Reference 18 NYCRR 385.9)

- a. Described below is how the district identifies appropriate education program providers for services of Adult Basic Education (ABE), High School Equivalency (HSE) diploma preparation, and English Language Instruction that are available to clients whose assessment indicates such services would be an appropriate work activity assignment. Please ensure to include providers the district partners with for the provision of ABE, HSE, and English language instruction in Table 1 or Table 2 under section 1.2 of this Plan.

Providers must be accredited by the New York State Dept. of Education and have demonstrated history of serving the educational needs as it relates to providing education and/or training that leads to job placement.

- b. Described below is how the district identifies appropriate 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. Please ensure to include the current providers the district partners with for the provision of Vocational Education and Job Skills Training in Table 1 or Table 2 under section 1.2 of this Plan.

Providers must be accredited by the New York State Dept. of Education and have demonstrated history of serving the educational needs as it relates to providing education and/or training that leads to job placement.

- c. Described below are the district's process and guidelines 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. This includes individuals who are 18 and older and individuals aged 16 or 17 who are not attending secondary school or its equivalent.

If it is determined during the assessment that the applicant or recipient has not attained a basic literacy level and/or has not attained a high school diploma, the employment worker will include HSE orientation and HSE attendance on the employability plan. The BOCES personnel will administer the testing required to determine the educational level. Full-time or part-time attendance will be determined by taking into consideration other activities the client may be participating in.

- d. Described below are the district's process and policy, including the guidelines 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. Include in this section instances when the district would deny participation in educational activities.

The employment worker who conducted the assessment will determine if the individual should be referred to the HSE orientation. The BOCES staff will administer the testing to determine if there is a need for pre-HSE instruction or if the individual is a good candidate for the HSE program. Some instances where the agency would deny participation are: history of past non-compliance, poor performance in past educational activities, and a literacy level not meeting the standard required by the educational activity.

- e. Described below is the district's process and policy for determining whether a participant is approved/assigned to participate in job skills or vocational education activities.

An individual must complete a face-to-face interview/assessment prior to training approval. The Employment Unit Representative may identify the need for vocational education or job skills program by reviewing the employment assessment section that covers past employment history or by a face-to-face interview where the client may verbally express an interest in a certain job field. The client's past participation history would be considered in the decision process.

- f. Described below are the standards by which education and training providers are evaluated.

Providers must be accredited by the New York State Dept. of Education and have demonstrated history of serving the educational needs as it relates to providing education and/or training that leads to job placement.

- g. Described below is the district's procedure for advising participants of approved training.

A recipient is notified of approval or denial of training by letter. The participant is informed of approved training providers during the assessment and orientation phases. Also, during other phone and agency contacts.

- h. Described below is the district's procedure for notifying participants they are approved for training or enrollment in a work activity.

Enrollment in a work activity is discussed at the assessment and is included on the applicant/recipient's employability plan. This plan is signed by the applicant/recipient and a copy is given. The specifics of the placement are supplied by mail or in person. The enrollment letter is generated by WTWCMS.

- i. Described below is how the district will monitor the high school attendance for 16-18 year-olds in order for them to retain their TA exempt status.

Teen school attendance is monitored by the Family Assistance Examiner at application/recertification by following the requirements outlined on LDSS 4888, School Attendance Desk Guide.

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

To ensure that accommodations are made for a work limited individual in a work activity, the participant's health related limitations are provided to the worksite supervisor in writing in the activity placement letter. The worksite agency will be notified in writing if any conditions change.

#### 4.4 Post-Secondary Education Approval and Enrollment Policies

- a. Described below is the highest level of post-secondary level education that the district will approve as a work activity, up to a four-year college program (please ensure to include the current providers the districts partners with for the provision of post-secondary education programs in Table 1 or Table 2 under Section 1.2 of this plan):

The agency will approve up to the completion of a two-year college program as an approved work activity.

- b. 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 described below (reply yes or no to options as they apply):

##### Conditions For Disapproval of Work Activities For Individuals Enrolled in College

Yes or No:	Conditions for disapproval of work activity
Yes	It has been determined that the student voluntarily quit their job or reduced earnings to qualify for initial or increased TA.

Yes or No:	Conditions for disapproval of work activity
Yes	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.
Yes	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.
Yes	The institution or student fails to monitor and report information regarding the student's attendance and performance as required.
Yes	The student fails to progress toward the completion of a course of study without good cause, as determined by the district.
Yes	The student has previously enrolled in work-study, internship, or other work placement and failed to complete the work placement without good cause as determined by the district.
No	Additional reasons as stated here:

## 5. Work Requirements

### 5.1 Meeting TA Work Requirements

- a. Described below is how the district plans to meet federal and State TA participation rate requirements. Included in this description is the weekly hours standard participation requirements for individuals in the different case and household types, along with the typical time period it takes for nonexempt individuals to be engaged in activities for both newly opened cases and individuals whose status changed from exempt to nonexempt. (Information regarding engaging exempt individuals is entered in Section 9).

In Herkimer County, engagement in activities is immediate and continuous. All Temporary Assistance applicants are given an appointment with the Employment Unit at their application interview. Appointments are usually scheduled within 7 days. Assessments and employability plans are completed at the assessment appointment. Non-exempt individuals are required to participate at least 30 hours per week, but no more than 40 hours per week in countable activities unless restricted by a documented medical condition. Non-exempt individuals (TA) are given direct job referrals, a referral to a staffing agency, and enrolled in ERT if applicable. SNAP applicants are informed of job search assistance if needed. Potentially exempt are given medical/psychiatric statements to be completed by a medical professional and returned within 10 days. Non-exempt and exempt clients are engaged and participating from this point until the closing of their Temporary Assistance case. Their employment worker monitors non-exempt participants for maximum participation. All work activities are included for participation (ex. Community service, training, work, work experience, job search, job readiness). Exempt participant information is included in Section 9.3.

- b. Estimate the number of individuals expected to receive employment services for:

**Number of Individuals Who Receive Employment Services**

Household Type	Number Served
Households with Dependent Children Average Monthly	60
Households without Dependent Children Average Monthly	90

- c. Described below is 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:

Cognos reports such as Monthly Countable / Not Countable Weeks based on scheduled and actual hours are reviewed and used to determine what needs to be done to increase the participation rate. Engagement reports are also reviewed to make sure recipients are involved in some type of a core activity.

- d. Does the district assign TA applicants to Job Search? If yes, describe the district procedure for Job Search, including the required number of job search contacts and hours per week assigned. Use the “Additional Information” column in the chart below to describe how often individuals are generally required to report job search outcomes and if activities other than job search are routinely expected:

Yes

**Applicant Job Search**

Applicant Job Search	Min. Contacts	Min. Hours	Additional Information
TANF and SNA MOE	12	20	At application individuals are required to register at Working Solutions and are assigned a job search with a minimum of 12 contacts to be completed within 10 days. Once registration is complete and job search is returned the applicant is assigned to Employment Readiness Training (ERT) class.
SNA Individuals	12	20	At application individuals are required to register at Working Solutions and are assigned a job search with a minimum of 12 contacts to be completed within 10 days. Once registration is complete and job search is returned the applicant is assigned to Employment Readiness Training (ERT) class.

- e. Does the district assign TA recipients to Job Search? If yes, describe the district procedure for Job Search, including the required number of job search contacts and hours per week assigned. Include a description of how often individuals are generally required to report job search outcomes and if activities other than job search are routinely expected using the "Additional Information" column.

Yes

**TA Recipient Job Search**

<b>Recipient Job Search</b>	<b>Min. Contacts</b>	<b>Min. Hours</b>	<b>Additional Information</b>
TANF and SNA MOE	12	20	At the completion of ERT class the recipient has not located employment or is employed part-time and not meeting their participation requirements they will be assigned to an additional job search. For those not participating in any other activities they will be required to complete a minimum of 12 contacts within 10 days. For those participating in another activity they will be required to complete 6 contacts within 10 days. They will be required to job search for 8 weeks (OTDA recommends for 12 week max.)
SNA Individuals	12	20	At the completion of ERT class the recipient has not located employment or is employed part-time and not meeting their participation requirements they will be assigned to an additional job search. For those not participating in any other activities they will be required to complete a minimum of 12 contacts within 10 days. For those participating in another activity they will be required to complete 6 contacts within 10 days. They will be required to job search for 8 weeks (OTDA recommends for 12 week max.)

- f. Described below is the district's process and policy used for determining whether participation in self-employment is approved as part of an individual's required work activities, including the guidelines workers follow. If the district always approves self-employment as part of an individual's required work activities, please note this policy below:

In order for self-employment to be approved there must be creditable documentation indicating work hours and income. The work hours and income should at least be at minimum wage level and a minimum of 30 hours per week. If it appears that this self-employment will not eventually result in self-sufficiency, the self-employment will not be approved.

## 5.2 Informing SNAP Applicants and Recipients of Work Requirements

The district informs SNAP households where at least one member is subject to a work requirement of the applicable work rules at certification, recertification, and when a previously exempt household member or new household member becomes subject to work requirements. Notification is provided verbally and in writing.

- a. Described below is how SNAP applicants and recipients are informed in writing of SNAP work requirements (reply yes or no to options as they apply).

### Written Information Provided to SNAP Applicants and Recipients

Yes or No:	How written information is provided to SNAP applicants and recipients
Yes	Eligibility staff use the LDSS-5193 <i>Important Information about SNAP Work Rules (General, Mandatory E&amp;T, and ABAWD)</i> and the LDSS-5193A <i>Important Information about SNAP Work Rules (General and Mandatory E&amp;T)</i> as appropriate.
No	Eligibility staff use a local equivalent consolidated work requirements notice to inform SNAP applicant and recipient households of their work requirements. Please attach a copy of the district's OTDA approved local equivalent.

- b. Described below is the process eligibility staff follow to provide a comprehensive oral explanation to SNAP households of work requirements, including General SNAP Work Rules, Mandatory SNAP E&T, and ABAWD Rules which pertain to non-exempt individuals in the household.

At application, recertification and when previously exempt household member or new member becomes subject to work requirements the eligibility worker will verbal advise the household of work rules. The worker will document the discussion in the care record and if applicable complete LDSS-4826C.

- c. Described below is how the district documents in the case record how the written information about SNAP work requirements was provided to the household (reply yes or no to options as they apply).

### How the District Documents the Written Requirement in the Case Record

Yes or No:	How written information is provided to SNAP applicants and recipients
Yes	The district retains copies of all LDSS-5193/LDSS-5193A in the case record.
No	The district retains copies of local equivalent notices provided to the household in the case record.

- d. Described below is the district's process for documenting in the case record how the oral explanation of SNAP work requirements was provided to the household (reply yes or no to options as they apply).

**How the District Documents the Oral Requirement in the Case Record**

<b>Yes or No:</b>	<b>How oral information is provided to SNAP applicants and recipients</b>
Yes	Eligibility staff complete the LDSS-4826C and retain a copy in the case record.
No	Eligibility staff use a locally developed oral explanation tool and retain a copy in the case record.
No	Eligibility staff document the case record through case notes/comments.

**5.3 Meeting SNAP Work Requirements**

- a. Described below is the extent to which the district requires NTA SNAP recipients to participate in SNAP E&T work activities. (Please note: Case management services must be provided to all participants enrolled in SNAP E&T activity):

Herkimer County is not mandating NTA/SNAP applicants or recipients to participate in SNAP E&T work activity assignments.

- b. If the district is offering Supervised Job Search as an E&T activity component, describe below how the job search activity will be supervised and tracked, including the frequency of monitoring the participant's job search efforts.

Herkimer County is not mandating NTA/SNAP applicants or recipients to participate in SNAP E&T work activity assignments.

- c. If the district is not mandating SNAP E&T work activity assignments, please describe below how NTA SNAP 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 offer job search assistance to NTA SNAP applicants and recipients):

Letters are included in all SNAP application packets informing the individual that they may phone the Employment Unit for job search assistance.



## 5.4 Advising Households of Employment and Training Services

At the time of recertification, non-exempt SNAP recipients who are members of certain TA/SNAP and NTA/SNAP households must be advised of the availability of employment and training services within the district and/or region. This requirement applies non-exempt recipients in households containing at least one adult, with no elderly or disabled individuals, and with no earned income at their last certification or required report.

- a. Described below is who the district provides information about employment and training services to (reply yes or no to the options as they apply):

### Who the District Provides Employment and Training Services Information to

Yes or No:	Who the district provides employment and training services information to:
Yes	Required population only
No	Other groups described here:

- b. Described below is the method the district uses to advise SNAP recipients of available employment and training services at recertification (reply yes or no to the options as they apply):

### How the District Provides Employment and Training Services Information

Yes or No:	How the district provides employment and training services information
Yes	Materials and information provided in print form
No	Materials and information provided on a website. Described here is how individuals are made aware the information is available on the website:
No	Material and information provided via email.

## 5.5 Provider Determinations

- a. Not every activity assignment/referral to training might be the right fit for every participant. As such, districts are required per federal regulations at 7 CFR 273.7(c)(18) to have procedures in place for when a provider/contractor determines an individual is not a good fit for a particular activity or program they are referred or assigned to. This is called the provider determination process. Described below is the district's process for provider determination, including the process for screening individuals prior to referral to a provider, how to communicate information related to provider determinations with the district, how workers communicate information related to provider determinations with the client, and documenting provider determinations.

During the assessment process, the worker and client discuss the client skills, interests, and employment goals. Based on this discussion and any previous history with the client, the individual will be referred to an appropriate activity. If the provider determines that the individual is not a good fit, they will contact the department within 10 days. This can be

done in person, over the phone or by email. The worker will attempt to contact the client immediately to discuss the determination and complete a reassessment. During this assessment, the worker will discuss possible exemptions or assignment to a new work activity. The worker will enter notes in WTWCMS regarding the providers determination, the reassessment and the new activity assignment or new exemption.

- b. Described below is the district process for informing providers of their authority and responsibility to determine if an individual is not a good fit for a particular activity or program.

At the time of establishment of activity, the provider is advised of their right to determine if an individual is not a good fit to participate in an activity. At this time the provider is advised of their responsibility to make sure that determinations are fair and non-discriminatory.

- c. Described below is the district process for provider oversight to ensure that provider determinations are not unfair or used to discriminate against protected classes.

The department will review the information supplied by the provider to make sure that the determination is fair and non-discriminatory.

## **6. Quality Assurance/Work Verification**

### **6.1 Quality Assurance Process - Random Case Sampling**

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 the 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.

The district will sample cases from each month within the (6 month) semi-annual period. The October to March review will be due by May 20th. The April to September review will be due by November 20th. The results of these audits will enable the district to identify policies, processes or cases that may need corrective action.

After each self audit is completed, the district must submit a summary of findings to OTDA A&QI at [AQI.WV.SelfAudits@otda.ny.gov](mailto:AQI.WV.SelfAudits@otda.ny.gov) 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 (QA) plan must include the following elements:

- 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 WTWCMS, the Self-Sufficiency, Employment, Assessment and Management System (SEAMS) or other automated systems 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 parent caretaker of a disabled household member (TA Employability Code 38 or 48), and/or parent or caretaker relative of a child in the household under 12 months of age, (TA Employability Code 31), is present in the case file and that individuals meet the exempt status based on the required documentation.
- a. Below is the number of random sample cases of participation in paid work activities the district will review semi-annually. Refer to the Instruction Guide for the minimum number of cases per district and guidance regarding review requirements.
- 6
- b. Below is the number of random sample cases of participation in unpaid work activities the district will review semi-annually. Refer to the Instruction Guide for the minimum number of cases per district and guidance regarding review requirements.
- 6
- c. Below is the number of random sample cases in which a case member is reported as an TA Employability Code 38 – “Parent needed in the home full time to care for an incapacitated/disabled household member” or TA Employability Code 48 – “Needed in the home to care for an incapacitated child full time – time limit exemption”. Refer to the Instruction Guide for the minimum number of cases per district and guidance regarding review requirements.
- 3
- d. Below is the number of random sample cases in which a case member is reported as an TA Employability Code 31 – “Parent or caretaker relative of a child under 12 months of age”. Refer to the Instruction Guide for the minimum number of cases per district and guidance regarding review requirements.
- 3

The district will review district worker or approved provider/vendor collected documentation and data entry of the above listed elements. The district will assess and verify that participation in the reported work activities listed above meet the State approved definition for the activity.

## **6.2 Use of Outside Providers/Vendors**

- a. Does the district utilize outside providers/vendors to collect documentation and enter data directly into WTCMS?

No

- b. If Yes, does the district's provider/vendor documentation collection, data entry and management of WTCMS follow the same process that would be used by the district worker?

N/A

- c. If No, describe below the process used:

N/A

## **7. Supportive Services**

### **7.1 TA and Non-TA SNAP Applicants and Recipients in Work Activities Approved by the District**

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

Transportation - the least expensive form of transportation that is available will be reimbursed to a participant on a monthly basis. The Herkimer County Department of Social Services will reimburse recipients with their own vehicles the county established mileage reimbursement rate of 30 cents per mile. Bus passes will be issued when public transportation is available. Mileage is also reimbursed in a situation when another individual gives the participant a ride to and from the approved activity. The participant must submit a written statement signed by the individual providing the transportation. Herkimer County Department of Social Services will reimburse participants for work related expenses, which are essential for participation in work activities, within limits, and pre-approved by the Herkimer County Department of Social Services (\$100 max). The Herkimer County Department of Social Services will provide case management to all Temporary Assistance recipients who are participating in work activities including employment.

- b. Indicated below are the services the district will use to assist those participants who need transportation to and from an approved work activity site, including any applicable mileage reimbursement rate, and the method used by the district to arrive at that reimbursement rate. OTDA policy establishes a mileage reimbursement rate of no less than the IRS established rate for medical/moving purposes. In all instances, should the actual cost of transportation needed to participate in an assigned work activity exceed the reimbursement rate determined by the district, the district will reimburse for the actual costs based on reasonable documentation submitted by the work activity participant (reply yes or no to the options as they apply).

**Transportation Services Provided to Clients**

Yes or No:	Transportation Assistance Provided
Yes	Bus pass/token
No	Gas card/voucher
No	Mileage reimbursement at the IRS Business rate (effective 1/1/2023 is 65 cents per mile)
No	Mile reimbursement at the IRS Medical/Moving rate (effective 1/1/2023 is 22 cents per mile)
Yes	Other mileage rate (the methodology used to establish reimbursement rate is described here): Herkimer County attempts to place participants in work activities that are in proximity to their residence or accessible by public transportation. If public transportation is necessary to the department will provide bus tickets to the participant. For those participants who live in a rural area with no public transportation the department will provide a mileage reimbursement at a rate of 30 cents per mile, or the actual cost based on documentation submitted by the work activity participant.

- c. OTDA policy establishes a distance not to exceed two miles as the maximum distance that the district can require a participant to walk to a work activity assignment or to access public transportation. Describe below the distance an individual may be required to walk, each way, to a work activity or to access public transportation:

Herkimer County would require a participant to walk to a work activity assignment that is within the village limits where they reside. This distance should be no greater than 2 miles. Exceptions to this standard may be made for participants with a disability, parents with issues regarding location of child care, weather conditions, terrain and/or safety of the route.

- d. Described below are the services the district will provide to assist individuals at risk of needing TA to improve their opportunities for employment or to maintain their employment:

Herkimer County may authorize, within limits and pre-approval, supportive services such as: work required clothing, bus passes, and if employed, child care.

## 7.2 Post-Employment/Transitional Supportive Services

- a. Described below are the supports and strategies the district will provide to support job retention:

Herkimer County assists with child care cost if financial eligible. Bus passes will be offered up until first pay. A voucher for work required clothing is also provided. An Employment Caseworker will assist in accessing child support, upgrading of employment, finding child care, and vocational training opportunities.

- b. Described below are the support services (for up to 90 days after case closing) the district will provide to individuals whose TA cases have closed due to employment:

Employment Caseworker management services.

## 7.3 Extended Support Services

- a. Described below are the support services the district will provide for individuals who are eligible under the TANF Services 200% of poverty eligibility guidelines. These services can be provided as long as funding is available (FFFS, etc.):

Child care assistance through Child Care Block Grant.

# 8. Conciliation, Sanction and Dispute Resolution Procedures

## 8.1 Conciliation

- a. The district's conciliation process for TA applicants and recipients must be conducted in accordance with 18 NYCRR 385.11(a). Indicate below how conciliations are conducted (reply yes or no to the options as they apply).

### How the District Conducts Conciliation for TA Applicants and Recipients

Yes or No:	How conciliation is conducted
Yes	In person
Yes	By phone
Yes	By mail

The districts process for conduction TA conciliations is described below:

The Herkimer County Department of Social Services will provide the following conciliation process: Individuals who failed or refused to comply with Welfare-To-Work activity assignments are issued a Conciliation Notification. Response to this notice must be within the 10 day required time frame. Individuals will be advised that the purpose of this meeting is to show that their failure to comply was not willful and was good cause. The conciliation meeting will consist of the individual, an Employment Unit representative and supervisor, and a staff person who is not directly responsible for the customer's case (s). If, in the Herkimer County Department of Social Services judgment, the individual fails to show good

cause or fails to respond to the Conciliation Notification within the prescribed time limit(s), a sanction of the case(s) will be imposed. The Herkimer County Department of Social Services has ten (10) days to arrive at a determination and inform the individual, in writing, of the agency's decision. When the individual's noncompliance is found to be willful and they fail to show good cause, a sanction is imposed, and the agency will then issue a 10-day Notice of Intent. If the individual is in disagreement with the conciliation finding, a Fair Hearing may be requested.

If the recipient calls and states that they are unable to attend the conciliation, a new date and time will be provided or information will be taken over the phone and the recipient will be given an opportunity to put their good cause in writing and submit any supporting documentation.

- b. Who makes the TA good cause/willfulness determination (reply yes or no to the options as they apply)?

**How the District Makes the Good Cause/Willfulness Determination for TA Applicants and Recipients**

<b>Yes or No:</b>	<b>Who makes the TA good cause/willfulness determination?</b>
Yes	The client's employment worker
Yes	A supervisor in the district
Yes	A separate entity (described here): The information taken by the conciliator and the documentation submitted by the recipient or applicant are reviewed by both the employment worker and supervisor. After this case review a determination to sanction or not sanction is made. Quite often the conciliator also takes part in the determination.

- c. The district's conciliation process for SNAP applicants and recipients must be conducted in accordance with 18 NYCRR 385.11(d). Indicate below how conciliations are conducted (reply yes or not to the options as they apply).

**How the District Conducts Conciliation for SNAP Applicants and Recipients**

<b>Yes or No:</b>	<b>How conciliation is conducted</b>
Yes	In person
Yes	By phone
Yes	By mail

The district's process for conducting SNAP conciliations is described below:

Individuals who failed or refused to comply with Welfare-To-Work activity assignments are issued a Conciliation Notification. Response to this notice must be within the 10 day required time frame. Individuals will be advised that the purpose of this meeting is to show that their failure to comply was not willful and was good cause. The conciliation meeting will consist of the individual, an Employment Unit representative and supervisor, and a staff person who is not directly responsible for the customer's case(s). If, in the Herkimer County

Department of Social Services judgment, the individual fails to show good cause or fails to respond to the Conciliation Notification and fails to demonstrate compliance to avoid a SNAP sanction within the prescribed time limit(s), a sanction of the case(s) will be imposed. The Herkimer County Department of Social Services has ten (10) days to arrive at a determination and inform the individual, in writing, of the agency's decision. When the individual's noncompliance is found to be willful and they fail to show good cause, a sanction is imposed, and the agency will then issue a 10-day Notice of Intent. If the individual is in disagreement with the conciliation finding, a Fair Hearing may be requested. If the recipient calls and states that they are unable to attend the conciliation, a new date and time will be provided or information will be taken over the phone and the recipient will be given an opportunity to put their good cause in writing and submit any supporting documentation.

- d. Who makes the SNAP E&T good cause/willfulness determination (reply yes or no to the options as they apply)?

**How the District Makes the Good Cause/Willfulness Determination for SNAP Applicants and Recipients**

Yes or No:	Who makes the TA good cause/willfulness determination?
Yes	The client's employment worker
Yes	A supervisor in the district
Yes	A separate entity (described here): The information taken by the conciliator and the documentation submitted by the recipient or applicant are reviewed by both the employment worker and supervisor. After this case review a determination to sanction or not sanction is made. Quite often the conciliator also takes part in the determination.

- e. Described below is the district's procedure for engaging SNAP recipients in a work activity to demonstrate compliance to avoid a SNAP E&T related sanction:

If it is determined that the individual did not have good cause and that the individual willfully failed to comply with required work activities, he/she will be given the opportunity to avoid a SNAP sanction by completing a work activity as assigned. The work activity will be job search. The individual will be required to submit 12 job contacts within 10 days. If the individual successfully completes the job search activity, a SNAP sanction will not be imposed. If the individual fails to submit the 12 required job contacts, a request will be sent by the Employment Unit Worker to the Eligibility Worker to impose the SNAP sanction per Sec. 385.12.

**8.2 Sanction**

- a. Described below is the district's procedure for determining compliance for those TA recipients who wish to end their employment sanction (18 NYCRR 385.12, 385.13), including the time period established for demonstrating compliance to the satisfaction of the district:

The sanctioned individual request to be added back to the case. The sanctioned individual is then assigned to an approved activity. Once the individual has participated in the activity for 5 consecutive days the sanction will be lifted. Temporary Assistance benefits will be restored retroactive to the date the individual indicated a willingness to comply, but no earlier than the



expiration of the minimum duration period.

- b. Describe below the district's procedure for determining compliance for those SNAP recipients who wish to end their employment sanction (18 NYCRR 385.12, 18 NYCRR 385.13), including the time period established for demonstrating compliance to the satisfaction of the district:

Upon completion of the minimum sanction duration, TA/SNAP individuals who wish to end their employment sanction must request to be added back to the case. Once the individual has participated in the activity for 5 consecutive days the sanction will be lifted. Also, an TA/SNAP individual may be added back to the household if the household provides proof that the individual meets the criteria to be exempt from SNAP work requirements and is otherwise eligible for SNAP. For the NTA SNAP recipients, we do not mandate SNAP E&T activities, so all they would need to do is reapply once the duration has expired.

### 8.3 Dispute Resolution

- a. 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 must be conducted in accordance with 18 NYCRR 385.11(c). Indicate below who mediates the grievance (reply yes or no to the options as they apply).

#### Grievance Mediation

Yes or No:	Who makes the TA good cause/willfulness determination?
No	An independent entity which has an agreement with the district.
No	Supervisory staff who are trained in mediation and who have no direct responsibility for the individual's case.
Yes	Designated supervisory staff who have no direct responsibility for the individual's case and who are not trained in mediation.

## 9. Disability Determinations, Documentation and Requirements of Exempt Individuals

### 9.1 Disability Determination Process and Tools

- a. The district's process for determining an individual's disabilities and/or work limitations must be in accordance with 18 NYCRR 385.2(d). Indicate below what the district's process is for determining an individual's disabilities and/or work limitations (reply yes or no to the options as they apply).

#### Process for Determining Disabilities and/or Work Limitations

Yes or No:	How the district determines an individual's disabilities and/or work limitation
Yes	District participates in the OTDA managed contract for independent medical evaluations.

<b>Yes or No:</b>	<b>How the district determines an individual's disabilities and/or work limitation</b>
No	District contracts directly with a physician to provide independent medical evaluations.
Yes	District accepts physician's statement provided by participant.
Yes	District accepts physician's statement provided by participant but refers for an independent evaluation when deemed necessary.
Yes	Other process: Applicant/recipients are provided a LDSS-4526 Medical Examination For Employability Assessment, Disability Screening, and Alcoholism/Drug Addiction Determination form to be completed by the physician along with LDSS-2642 indicating the client must return the medical documentation within 10 days. If the applicant/recipients is not established with a physician or the information provided by the physician is not clear they will be referred to IMA to have an evaluation completed.

- b. Described below is the district's procedure for notifying an individual of their exempt or non-exempt determination whenever an individual alleges to be unable to participate, or the individual otherwise participates in the employability disability review, including when an individual is notified that their status changes from exempt to non-exempt:

When the LDSS-4526 is returned, the Employment representative reviews the information and notifies the applicant/recipient in writing of their employment status, exempt or non-exempt, or work limited via the LDSS-4005 or 4005(a). This notification will be issued within 10 days of the determination.

- c. Described below is how the district notifies an individual of their exempt or non-exempt determination (reply yes or not to the options as they apply):

**Process for Notifying an Individual of Their Exempt or Non-Exempt Status**

<b>Yes or No:</b>	<b>District's process for reviewing medical documentation</b>
Yes	The district sends the LDSS-4005 or LDSS-4005a and a retains a copy in the case record.
No	The district sends a local equivalent and retains a copy in the case record.

- d. Indicated below is the process for reviewing the medical documentation to determine if the individual is exempt, nonexempt, or work limited and describe the process by which the determination is made (reply yes or no to the options as they apply).

**Process for Reviewing Medical Documentation**

<b>Yes or No:</b>	<b>District's process for reviewing medical documentation</b>
No	District directs the contracted physician or individual's physician to determine status.
Yes	District review team reviews and determines status (described here):

<b>Yes or No:</b>	<b>District's process for reviewing medical documentation</b>
No	Specialized disability/medical staff or unit reviews and determines status (described here):
Yes	Other process: When a completed medical statement or evaluation is returned, the employment worker reviews and makes a determination of employability based in the individual's diagnosis, limitation/s, expected durations, recommended treatment and/or recommendation to apply for Social Security benefits. If the medical documentation is not clear, then the Employment Supervisor and/or physician's office is consulted to assist in the disability determination. If further information is needed from other physician's, specialists and/or rehabilitation program additional LDSS-4526 will be requested and another 10 days will be given to return the document.

## 9.2 Mental Health Screening and Assessment

- a. In addition to screening for a disability as part of the application or disability determination process, does the district administer a screening tool for TA participants to help determine whether a referral for a mental health evaluation is warranted?

No

- b. Describe the district's policy for determining when a program participant is offered a mental health screen:

N/A

- c. What screening tools does the district use (reply yes or no to the options as they apply)?

### Screening Tools the District Uses

<b>Yes or No:</b>	<b>Screening Tools</b>
N/A	LDSS 5009 - Mental Health Screening Tool
N/A	The computer assisted version of the Modified Mini Screening tool (MMS)
N/A	Other Screening tool (described here):

- d. If using the MMS, indicate below the district's cutoff score (7, 8 or 9) for referral to a mental health evaluation.

N/A

- e. Describe below the procedure the district uses if the screening tool warrants a mental health evaluation referral:

N/A

### **9.3 Requirements for Exempt TA Participants (Reference 18 NYCRR 385.2 (e))**

- a. An exempt individual who has the potential to be restored to self-sufficiency through rehabilitation may be required to accept medical care to assist them 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 the individual is participating in the assigned program.

Described below is the district's procedure for determining if an individual, who is unable to work due to mental or physical impairment, has the potential through treatment or other rehabilitative activities to improve the ability to work. This determination is different from the determination of the individual's disability exemption as covered in Section 9.1 of this Plan. Indicate who makes or assists in this determination that an individual can restore or improve employability through treatment or other rehabilitative activities (e.g., medical practitioner, employment worker, TA worker, local review team, etc.). Also indicate the source and type of information used to make the determination (e.g., information from individual's medical practitioner, district contracted provider, specialist evaluation obtained as result of district referral, etc.).

Based on the recommendation on the LDSS-4526 or the evaluation completed by IMA the worker will contact the applicant/recipient to advise of the recommended treatment. If the individual is already participating in treatment, then worker will discuss compliance and monitoring. If the individual is not already participating the worker will issue a LDSS-2642 Document Requirements requesting that they supply proof of schedule appointment or establishment with the chosen provider within 10 days. The worker will also discuss compliance and monitoring.

- b. Described below is the district's procedure for developing a treatment plan and for referring the participant to appropriate treatment, etc.

Based on the information obtained during the assessment and from the individual's medical provider the worker will complete a Restoration to Self Sufficiency Plan along with the client, assigning the individual to the recommended treatment and/or requiring the individual to apply for Social Security Benefits.

- c. Described below is the district's procedure for tracking the participant's compliance with their 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.

The employment workers are responsible for tracking the clients assigned to their caseload. Attendance to recommended treatment is required on a monthly basis. Clients are verbally advised of this requirement at assessment and when necessary. Worker's issue LDSS-2642 Document Requirements along with a copy of the completed Restoration to Self Sufficiency plan advising the client of the requirements to comply with the recommended treatment and supply proof of attendance to treatment on a monthly basis.

## **10. District Certification**

### **10.1 Certification**

As a condition of the receipt of federal and State funds the Local District Commissioner of Herkimer County Department of Social Services submits this Temporary Assistance (TA) and Supplemental Nutrition Assistance Program (SNAP) Employment Plan (Plan) to the New York State Office of Temporary and Disability Assistance. The Plan outlines the administration of employment services for TA and SNAP applicants and recipients for the period January 1, 2024 through December 31, 2025. Submission of this Plan certifies that the district has read and accepts the terms of this certification and hereby affirms that employment services programs will be administered in accordance with all applicable federal and State policies, laws, regulations, and provisions of this Plan.

2/13/2024  
Timothy Seymour  
Commissioner