



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

Andrew M. Cuomo
Governor

Kristin M. Proud
Commissioner

Local Commissioners Memorandum

Section 1

Transmittal:	13-LCM-06
To:	Local District Commissioners
Issuing Division/Office :	Center for Employment and Economic Supports
Date:	July 10, 2013
Subject:	Supplemental Nutrition Assistance Program (SNAP) Civil/Human Rights Complaint Procedures
Contact Person(s):	OTDA SNAP Bureau: (518) 473-1469
Attachments:	Attachment 1 – Bureau of Equal Opportunity and Diversity (EOD) Supplemental Nutrition Assistance Program Civil/Human Rights Violation Complaint Form Attachment 2 – Civil/Human Rights Complaint Compliance Agreement
Attachment Available On – Line:	X

Section 2

I. Purpose

The purpose of this release is to request updated social services districts' (SSD) contact information and to remind social service districts of the statewide uniform procedure for resolving civil/human rights complaints concerning the Supplemental Nutrition Assistance Program (SNAP). This updating process will be repeated annually to remain current.

II. Background

While the number of civil/ human rights complaints related to the SNAP in New York State has historically been low, we want to ensure that each civil / human rights complaint is tracked and handled appropriately. To ensure that all SSDs have a uniform and equitable method of providing clients access to filing a complaint, the Office of Temporary and Disability Assistance (OTDA) is providing the Bureau of Equal Opportunity and Diversity Supplemental Nutrition Assistance Program Civil/Human Rights Violation Complaint Form and the Civil/Human Rights Complaint Compliance Agreement.

III. Program Implications

Pursuant to Federal and State requirements, program managers are required to record any allegation of discrimination that is made by applicants/recipients of the SNAP based on any of the following factors: Race, Age, Arrest Record, Sexual Orientation, Color, Sex/Sexual Harassment, Criminal Conviction, Military Status, National Origin, Marital/Family Status, Gender Identity, Domestic-Violence-Victim Status, Creed/Religion, Disability, Predisposing Genetic Characteristics, and retaliation or reprisal for having previously filed, or helped someone else with a discrimination case, or reported any allegations of any of these factors, . In addition to logging in the actual complaint, social service districts are required to maintain copies of all pertinent records of the incident and the resolution of the complaint. These records are subject to both State and Federal audit and, therefore, must be readily retrievable for a period of seven [7] years or until the audit is concluded.

SSDs must record each civil/human rights complaint on OTDA's Bureau of Equal Opportunity and Diversity [EOD] Civil/Human Rights Complaint Form [Attachment I]. The Civil/Human Rights Violation Complaint Form requires a preliminary review or investigation to determine merit and must be forwarded to OTDA when this preliminary review or investigation is completed. Those cases deemed to indicate a need for full investigation must be reported to the OTDA when the investigation is complete using Attachment I.

SSDs must retain a copy of the complaint form that has been referred to OTDA along with any other materials related to the resolution of the complaint. EOD will send a formal notice to the contact person, receive all reports of local determinations and/or full investigations and close the inquiry when the issue is resolved.

By completing and returning the attached Civil/Human Rights Complaint Compliance Agreement [Attachment II], SSDs will designate a local contact person who will be responsible for coordinating local investigations, resolutions and an office telephone number that will be available for inquiries. Once received by EOD, the agreement will be maintained on file by EOD. As local contact information changes occur, SSDs must submit updated agreements to OTDA to reflect the staffing and office telephone number changes. Please note the attached Civil / Human Rights Complaint Compliance Agreement (Attachment II) must be completed and sent by August 1, 2013, to:

**Bureau of Equal Opportunity and Diversity
New York State Office of Temporary and Disability Assistance
40 North Pearl Street
Albany, New York 12243**

SSDs also are reminded that the "Supplemental Nutrition Assistance (SNAP) Complaint Procedures Poster" (LDSS-8036, revised 08/12) is required to be posted in all social service district offices.

Issued By

Name: Phyllis Morris

Title: Deputy Commissioner

Division/Office: Center for Employment and Economic Supports