

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON GENERAL WELFARE WITH COMMITTEE ON CIVIL SERVICE AND LABOR

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October 1, 2014
Start: 1:27 p.m.
Recess: 4:41 p.m.

HELD AT: Committee Room - City Hall

B E F O R E:

STEPHEN T. LEVIN
Chairperson

I. DANEEK MILLER
Chairperson

COUNCIL MEMBERS:

COSTA G. CONSTANTINIDES
DANIELL DROMM
ELIZABETH S. CROWLEY
ROBERT E. CORNEGY, JR.
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RUBEN WILLS
VANESSA L. GIBSON

A P P E A R A N C E S (CONTINUED)

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2 [gavel]

3 CHAIRPERSON LEVIN: Good afternoon

4 everybody. Thank you all for your patience. We now
5 have our audio visual equipment up and running. So
6 I want to thank you all for being here today. Good
7 afternoon I'm Council Member Stephen Levin and I'm
8 chair of the Council's Committee on General
9 Welfare. Today along with my colleague Council
10 Member Daneek Miller who is chair of the Council's
11 Committee on Civil Service and Labor we're going to
12 be discussing the Human Resources Administration's
13 proposed changes to their various employment
14 programs as laid out in their biannual employment
15 plan. I want to acknowledge the members of both
16 committees that are here today, Ritchie Torres of
17 the Bronx, Carlos Menchaca of Brooklyn, Corey
18 Johnson of Manhattan, Liz Crowley of Queens, my co-
19 chair Daneek Miller of Queens, and Council Members
20 Vanessa Gibson of the Bronx and Council Member
21 Annabel Palma of the Bronx. Today HRA publically
22 released its 2015/2016 Employment Plan pursuant to
23 both federal and state laws recipients of cash
24 assistance are required to participate in work
25 activities unless they are exempt for reasons such

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2 as age, illness, or disability. At the current
3 point in time there are over 107, excuse me, 170
4 thousand individuals receiving cash assistance in
5 New York City but throughout the course of fiscal
6 year 2014 there were over 589 thousand individuals
7 receiving cash assistance. When we account for
8 various exemptions to work requirements there are
9 approximately 56 thousand individuals at any point
10 in time that are required to engage in work
11 activities. It is the job of HRA and the city to
12 assist these individuals in obtaining employment
13 that pays a living wage and leads to self-
14 sufficiency. In 1996 President Clinton said when
15 advocating for the personal responsibility and work
16 opportunity reconciliation act of 1996 often
17 referred to as the 1996 welfare reform that the
18 goal was quote to give people on welfare a chance
19 to draw a paycheck not a welfare check, to give us
20 a better chance to give those on welfare what we
21 want for all families in America, the opportunity
22 to succeed at home and at work. Sadly since 1996 in
23 New York City this has not been the reality for far
24 too many families. For the many thousands of New
25 Yorkers that are, participated over the years in

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2 the Work Experience Program or WEP they have held
3 up their end by going to work and abiding by the
4 rules but they never saw a paycheck like President
5 Clinton promised. Instead they worked for the city
6 of New York and for not-for-profits for, with
7 little or no chance of advancement for n
8 compensation once so ever. This council has
9 recently passed a resolution sponsored by Council
10 Members Darlene Mealy and Inez Dickens to eliminate
11 WEP entirely and I'm eager to hear HRA's plan to
12 help our city move beyond this fundamentally unfair
13 program and leave it in the dustbin of history
14 where it belongs. In addition the city has not done
15 a sufficient job in helping individuals connect to
16 permanent employment and remain off of public
17 assistance. In the employment plan HRA notes that
18 one out of every four individuals who has received
19 employment assistance from HRA returns to the
20 agency seeking cash assistance within 12 months or
21 less of getting off assistance. This clearly
22 indicates that the current work activities are not
23 effective at assisting individuals gain employment
24 and are simply a way to make the individuals earn
25 their benefits. This employment plan which HRA will

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2 outline for the committees and all in attendance
3 today does include meaningful changes including
4 increased access to education, a phasing out of the
5 WEP program, and a more thoughtful approach to the
6 sanctioning process among other proposals. The
7 committee is interested in learning the details of
8 these changes and how they will be implemented.
9 This will not be the committees last look at this
10 plan and the proposed changes that we will discuss
11 today going forward, excuse me, this will not be
12 the last, this will not be the committee's last
13 look at this plan and the proposed changes we will,
14 will discuss today. But going forward we will look
15 continually by checking in on HRA's progress and we
16 hope to see more cash assistance recipients
17 advancing their education, connecting to permanent
18 employment that pays a living wage, and less
19 clients being sanctioned. Lastly I want to quickly
20 remark that while this administration has had many
21 areas where they have differed dramatically from
22 the previous administration few areas are as
23 pronounced as the subject of today's hearing.

24 Commissioner Banks and his team at HRA are
25 demonstrating a historic, significant, and welcome

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2 change with this employment plan. And we thank you
3 Commissioner and your team for testifying before
4 this committee today. My co-chair today, Council
5 Member Daneek Miller will now make his opening
6 remarks. Thank you.

7 CHAIRPERSON MILLER: Thank you Chairman.
8 Good afternoon and thank you to the chair for your
9 leadership and the oversight of this hearing on
10 HRA's proposed changes in this employment plan. And
11 as chair of Civil Service and Labor I'm honored to
12 be here today and I look forward to discussions
13 with the assembled panels as we unpack the contents
14 of this plan. Given that human resources
15 administration oversees such a wide variety of
16 programs and will great, such great ability to
17 fight poverty and income and equality this is as a
18 great opportunity to reach hard working and hard on
19 their luck New Yorkers. Some key components of HRA
20 plan including improving custom, improving
21 customizing client assessment, boosting employment
22 services, and eliminating certain punitive actions
23 that undermine and prevent the agencies from truly
24 engaging the constituency it seeks to assist. As
25 well as I am hopeful that we will be able to

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2 discuss the provisions of the plan content, the
3 plan contains regarding job training programs,
4 promoting secondary higher education, and ensuring
5 growth of good civil service jobs through
6 responsible hiring practices. There are obviously
7 all issues which will require some degree of inner
8 agency coordination across various levels of
9 government but I am confident that we will learn
10 more about HRA's intentions to this effects we
11 continue to explore their plan. So before we begin
12 and I turn it over I'd like to acknowledge the
13 council's, committee's council Matt Carlen [sp?],
14 and... she's not here today huh? Okay and my
15 legislative director I'd like to thank Allie
16 Lasulendaja [sic] and my district director Al Canoe
17 [sic] who often works with HRA on behalf of the
18 clients and constituents in the 27th district. So
19 with that being said I turn it over to my, the
20 chair. And would like to acknowledge Council Member
21 Donovan Richards.

22 CHAIRPERSON LEVIN: Thank you Chair
23 Miller. So Commissioner before you testify I, I
24 would like to swear you in if that's okay. And for
25 anyone that's, that's, that's going to be

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2 testifying... Do you affirm to tell the truth, the
3 whole truth, and nothing but the truth in your
4 testimony before this committee and to respond
5 honestly to council members questions.

6 COMMISSIONER BANKS: I do.

7 CHAIRPERSON LEVIN: Okay Commissioner
8 it's all yours.

9 COMMISSIONER BANKS: Thank you very
10 much. And thank you very much both of you as chairs
11 for your kind words as we proceed. I last appeared
12 before this committee on May 19th. I think I was
13 about six weeks in the job at that point and now
14 we're at the six month mark. This is a moment that
15 we really had laid out the ground work for the plan
16 when we testified in May and we're going to be
17 providing you more details as we proceed. But first
18 I would like to just introduce to the committee the
19 new streamline leadership of HRA, the HRA that,
20 that I came to had 20 direct reports to the
21 commissioner and a range of different reporting
22 structures and certainly my experience in running a
23 legal aid society which I heard it on the, two
24 seconds away from going bankrupt, you had to have a
25 streamline operation to try to run the organization

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2 and that's what we've, we've done here. There are
3 great people that I would like the committee to
4 know who they are. So to my right is Lisa
5 Fitzpatrick, Lisa is in charge of cash assistance,
6 food stamps, medical assistance, child support. She
7 was a case worker and now is senior most level of
8 the agency. To my left is Ellen Levine who's
9 responsible for our budgeting and our planning and
10 our, our management systems. To my, guess it's only
11 fitting to my furthest left Dan Tietz, Dan, many of
12 you are familiar with Dan is in charge of the
13 services that we're providing in terms of domestic
14 violence services, adult protective services,
15 customized services, disaster relief, and HASA. And
16 many of you are familiar with his work in the area
17 and, and he's leading that area. In the row
18 immediately behind me I'm going to just have to
19 turn my back to you is Molly Murphy who many of you
20 know this special counsel to the commissioner and
21 the agency, and Martha Calhoun is the new general
22 counsel of the agency coming from corporation
23 counsel. And Kathleen Carlson is the, responsible
24 for our external relations. Some of you may recall
25 we didn't actually have an external relations

2 previously. But Kathleen is well situated to be in
3 charge of that area and has a long history in
4 community relations and other matters. Saratu
5 Ghartey is to her left, to her right and she's
6 responsible for program integrity and it's very
7 important as we make these reforms that we ensure
8 that our programs have integrity and they're
9 operating properly. Bruce Jordan who some of you
10 may be familiar with from the homelessness
11 prevention, he's responsible for a new focus that
12 we've created at the senior most level which is
13 homelessness prevention and legal services. As you
14 know many legal services programs that had been in,
15 in other agencies have now been consolidated at, at
16 HRA as the focal point of the administrations civil
17 legal services programs. Bruce also originally
18 began as a caseworker at the agency. Matt Brune who
19 some of you know from other roles is responsible
20 for, as our chief operating officer for all of our
21 systems MIS, general services, police, staff
22 development, labor relations and so forth. David
23 Neustadt is the Deputy commissioner for
24 communications and legislative matters and Jennifer
25 Yeaw who's doing a great job right there is the

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2 chief of staff of the agency and many of you know
3 her as well. Feel free at any time to all upon any
4 of them as you go forward and have any constituent
5 problems. So when I testified before you in May we
6 noted a number of challenges facing HRA in meeting
7 its goals, its mission which is to fulfill the
8 Mayor's mandate of fighting poverty and income
9 inequality and preventing homelessness. And there
10 were really four principal challenges. One was
11 ensuring that our employment and training programs
12 are effective in connecting people and reconnecting
13 people to the work force, phasing out a one size
14 fits all approach that's not been effective in
15 helping clients, addressing counterproductive
16 policies and procedures that kept clients from
17 moving forward towards work and have been
18 associated with adverse outcomes such as
19 homelessness, and changing city policies that put
20 us at risk of a ten million dollar fine as a result
21 of unnecessary fair hearings. The employment plan
22 implements many of these reforms that were
23 presented in the May testimony. There are a number
24 of elements that we'll be describing that are
25 already in place and others will have to be phased

2 in during the two year period of time. And I want
3 to emphasize that. It took us a long time to get to
4 the point we're at historically and it's,
5 overnight, it's not going to go away overnight.
6 It's going to take some time of phasing in these
7 reforms. But you'll, you'll see at the end of the
8 testimony we're going to give you an update on the
9 reforms that we reported to in May, a whole new
10 round of reforms that we've implemented that are
11 aimed at trying to ameliorate some of the problems
12 that we'll continue as we are phasing in these
13 reforms. The background of this as, as the Chair of
14 General Welfare pointed out is that every two years
15 we're required to submit to the State Office of
16 Temporary Assistance and Disability Assistance an
17 employment plan which outlines employment services
18 and training services for applicants and recipients
19 of cash assistance and food stamps. And this year
20 the plan is, is, is the basis for our proposals for
21 program reforms to improve employment and training
22 outcomes so that clients can have an opportunity to
23 achieve increased economic security by obtaining
24 employment and moving off of the case load and out
25 of poverty. In accordance with the biannual

2 planning process we will, we have posted the plan
3 on our website today and we'll be holding a public
4 hearing at HRA on the 16th and the information is
5 on our website with regard with that and it's a 30
6 day comment period and we'll be taking comments.

7 Once we take comments including the comments that
8 are made at this hearing into consideration we'll
9 finalize the plan and submit it to OTDA for review
10 and approval and then we'll be able to implement
11 the plan. This is again a plan that will be in
12 place over two year period of time during which we
13 will be phasing in the various reforms. And as the
14 reforms have phased in we're going to be evaluating
15 them for efficacy and impact and we'll modify them
16 accordingly if, if they're not having the efficacy
17 and impact that we would all like to see. Our
18 efforts to fight poverty and inequality through
19 employment services are certainly going to be
20 enhanced by the mayor's comprehensive initiatives
21 that are being developed through the Jobs for New
22 Yorkers Taskforce. And HRA is part of that
23 taskforce and that is certainly a change in city
24 orientation to have the Human Resources
25 Administration be part of the employment economic

2 development taskforce initiative that is, the mayor
3 convened. The reforms of the employment plan are
4 really based on three key elements; maximizing
5 education training and employment related services
6 will open up job opportunities and create a basis
7 for building a career pathway out of poverty,
8 improving assessments so we address each client's
9 actual strengths and needs will improve outcomes
10 and reduce the one out of four clients receiving
11 employment services who return to the case load
12 within 12 months, and thirdly eliminating
13 unnecessary punitive and duplicative actions that
14 lead to preventable negative actions and fair
15 hearings that potentially subject New York City to
16 10 million dollars in financial penalties will
17 allow our staff to focus on problem solving and
18 allow clients to involve delays in accessing
19 services and finding jobs and moving out of poverty
20 and into sustainable employment. The plan is based
21 on extensive feedback with a wide variety of key
22 stakeholders. We held more than 40 focus groups and
23 meetings with HRA staff, with existing and former
24 clients, with service providers, with community
25 based organizations, with advocates, with the legal

2 services community, and with other city agency
3 partners. We conducted a survey of HRA's workforce
4 to obtain feedback and we received more than 6,000
5 responses from our, from our own staff about
6 improvements that could be made in these services.
7 We'll be conducting an additional survey of current
8 and former clients during the public comment
9 period. And I want to just highlight as well that
10 these focus groups and other input that we've
11 received provided a range of recommendations for
12 service changes and program improvements in areas
13 other than the employment services that are covered
14 by this plan. And we'll be addressing those issues
15 in, in our other ongoing reform efforts. Why does
16 the system need reform? Well we're spending two
17 million dollars annually, 200 million dollars
18 annually on employment programs that have not been
19 as effective as they should be in connecting or
20 reconnecting New Yorkers to the workforce and
21 minimizing return to the cash assistance work load.
22 Our past approach was to track placements for only
23 six months but 25 percent of HRAs reported
24 placements and assistance ended up with clients
25 returning to seek recurring cash assistance again

within 12 months. Almost half of the job placements that we reported in 2013 were not as a result of the agency's direct efforts. 16 percent were already working when they received a onetime grant, usually rental assistance, 13 percent were rejected for assistance. Usually one time assistance but were discovered later in data to have found jobs on their own. And 18 percent of clients were found, who were not connected by our employment programs later data found that they had a job or they already had a, a job already at some point in the process. Counterproductive policies and procedures have also led to punitive actions including sanctions that are linked to negative outcomes for clients. As we reported previously to these committees 23 percent of the applicants for Department of Homeless Services Shelters during the first six months of 2013 had a cash assistance case that was closed or sanctioned related to noncompliance in the prior 12 months. And a third of our cash assistance recipients had their first application for assistance rejected but were accepted soon after that rejection. And more than a third of the cash assistance recipients subject to

current work programs or in the sanction process at any point in time and HRA's not permitted sanction clients to participate in training, work programs, job search, and thus they can't receive the help they need to get a job. Now HRA's employment related work is part of a broader context in which HRA provides work supports. Annually we provide support that helps low, many low income New Yorkers remain in the workforce. Three million New Yorkers are receiving Medicaid. 1.8 million are receiving federally funded food assistance, 700 thousand are receiving home energy assistance, and 100 thousand are receiving onetime cash assistance to prevent evictions or utilities or shut offs or other emergencies and not receiving recurring public assistance. Efforts aimed at keeping low income workers in the work force are much less expensive and more efficient than providing assistance to New Yorkers after they're out of the work force especially after an extended absence. The number of our clients who are affected by the plan are not, is important to focus on as well. There are 350 thousand New Yorkers receiving cash assistance in any given month. And 500 thousand unduplicated New

2 Yorkers receive recurring assistance during any
3 given year. That means the annual number of
4 recurring, recipients receiving recurring aid is a
5 half a million, 500 thousand, in any given month
6 that's 350 thousand. That boils down to 170
7 thousand households receiving assistance and about
8 91 thousand of those are permanently or temporarily
9 exempt from employment services under federal and
10 state law because their child only cases, they have
11 an adult whose unemployable or exempt due to
12 disability, illness, or age. And this volume of
13 numbers of people that are exempt is based upon the
14 criteria of federal and state law applied by prior
15 administrations. There are also about 23 thousand
16 households who have a working parent but there
17 income is low enough to still qualify for cash
18 assistance. They're working and they're already
19 meeting the work requirement. But addressing their
20 needs is certainly part of our overall concern in
21 terms of enabling them to earn a sufficient income
22 to move off of the case load. But there are about
23 56 thousand households have a cash assistance,
24 adult cash assistance recipient who's required to
25 participate in work, or work related activities in

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2 order to receive assistance under the federal and
3 state law referred to by the chair. The employment
4 plan is aimed at this group, that group of 56
5 thousand households out of the entire universe
6 [sic] cash assistance recipients or individuals or
7 families that we provided one shot assistance to.
8 About 20 thousand of those 50 thousand, 56 thousand
9 households are in sanction status or in the process
10 of being sanctioned at any given time and are not
11 participating in work or work related activities
12 because prior policy said once a client was in
13 sanction status they would not be given those
14 services. In, in a nutshell the employment plan is
15 aimed at as I said maximizing education training
16 and employment related services. We're going to
17 phase out the Work Experience Program and replace
18 it with more effective and sustainable work
19 activities.

20 [applause]

21 COMMISSIONER BANKS: We're going to
22 replace the one size fits all approach with
23 improved assessments and programs that address
24 specific client needs and abilities. We're going to
25 do that by customizing the hours of required work

related activities to enable individuals to succeed and move off of the case load. We're going to create a new employment strategy for youth. We're going to implement employment strategies for limited English proficiency cash assistance recipients. We're going to create an employment strategy for shelter residents. We're going to provide more effective support for domestic violence survivors. We're going to improve services for New Yorkers with work limitations. And we're going to enhance program participation and dispute resolution. Among HRA's employable clients 60 percent lack a high school diploma. 30 percent of those are at, below 9th grade proficiency in math and reading. And without education and skills needed in today's labor market cash assistance recipients will continue to face substantial barriers to sufficient wages and quality jobs. The challenge is to avoid training programs that do not prepare clients for the current job market and instead focus on degrees and targeted training programs that have proven value. And so along those lines HRA will allow recipients up to the age of 24 to participate in full time basic education as long

2 as they meet yearly goals and make sufficient
3 progress towards obtaining a credential beyond the
4 12 month current limit. It's important to provide
5 people with the education to start building a
6 career as early as possible. I note that the
7 economic data is, is very clear. Without a high
8 school diploma or equivalency the average age is 21
9 thousand dollars with a high school diploma or
10 equivalency, the average wage is 30 thousand
11 dollars and with at least an associate's degree the
12 average wage is 41 thousand dollars. So the linkage
13 between being able to move out of poverty and off
14 of the case load is very clear from the additional,
15 the kinds of education services that we're talking
16 about. We're going to allow recipients with limited
17 English proficiency to participate in full time
18 English as a second language and test for literacy
19 in their own language in order to prepare them for
20 work assignments to move off of the case load. Over
21 time HRA will be phasing out the current Work
22 Experience Program model and replace it with more
23 effective and sustainable work programs. We'll be
24 replacing WEP requirements with additional job
25 search and work study and internships for cash

2 assistance recipients with recent work histories or
3 with advanced degrees. We'll be replacing WEP
4 requirements with internships and work studies for
5 those in college. We'll be expanding HRA's capacity
6 to develop and support internship in community
7 service training programs as well as subsidize
8 employment, a similar to HRA's current Parks
9 Opportunity Program for all cash assistance
10 recipients who require core work activity under the
11 federal and state law in order to enable us to
12 replace WEP. We'll be developing the capacity to
13 expand the Jobs Plus Program that offers employment
14 opportunities for New York City Housing Authority
15 residents who are cash assistance recipients. And
16 we'll be, we'll be increasing employment vouchers
17 for uses such as the Career Pathways Programs tied
18 to careers and higher growth industries. To provide
19 more flexibility and to eliminate the one size fits
20 all approach we're going to be customizing the
21 hours of required work activities so that
22 individuals succeed and move off of the case load
23 consistent with what the requirements that are
24 specified in federal law and state law are. We'll
25 be maintaining the requirement for participation at

2 35 hours a week for families with children under
3 six, age six or older but we will allow for
4 reduction in 30 hours as permitted by the federal
5 and state law when families face necessary ongoing
6 obligations such as continuing medical treatments
7 or mandated parenting classes. For families with
8 children age four or five who don't need, they will
9 not need child care thanks to the mayor's new Pre-K
10 Program. They can also qualify for this reduction
11 when needed. We'll be allowing 25 hours for parents
12 of children age three or younger compared to 25
13 hours for parents of children under six elsewhere
14 in New York state or the 20 hours allowed by
15 federal law. Childcare for very young children is
16 more difficult to find and the reduced requirement
17 which with travel time can still amount to seven
18 hours a day will help parents remain engaged and
19 avoid unnecessary sanctions which can affect
20 financial stability of families. A parent with a
21 child three or younger who can secure child care to
22 work longer hours will be encouraged to do so.
23 We'll also be implementing a pilot program for job
24 ready applicants such as those whose unemployment
25 insurance benefits have expired and who are already

2 searching for work that allows self-directed job
3 search subject to documentation. We're going to be
4 creating a new strategy for youth. About 24
5 thousand young adults up to age 24 receive cash
6 assistance from HRA. About half are ages 18 to 20.
7 The overwhelming majority lack the high school
8 degree necessary for access to the job market
9 particularly for wages that will enable clients to
10 move off the case load and out of poverty. HRA will
11 be creating a youth coordinator position to manage
12 youth services and develop relationships with
13 community providers. HRA will be establishing a
14 relationship and devise a multi-year strategy with
15 the Administration for Children Services to
16 coordinate employment services for youth aging out
17 of foster care. And HRA will be connecting youth
18 ages 18 to 24 without a high school diploma or
19 equivalent to high school or equivalency classes in
20 order to prepare these clients for work assignments
21 to move off of the case load. We'll be implementing
22 employment strategies for LEP cash assistance
23 recipients. Only 4,000 limited English proficient
24 cash assistance adults are subject to HRA's
25 employment services. And for these clients we'll be

2 implementing customize employment strategies
3 including English as a second language and
4 assistance to enable these clients to obtain the
5 ability to move off the case load and into the work
6 force. We're going to be very focused on creating
7 an employment strategy for shelter residents. There
8 are approximately 13,700 cash assistance recipients
9 residing in DHS shelter services homeless shelter.
10 We'll be addressing their needs by implementing
11 shelter based employment programs based on the
12 successful program models currently operated by
13 shelter providers themselves. We'll be creating
14 strategic milestones for employment vendors serving
15 homeless clients. We're going to be implementing
16 comprehensive assessment, case management services,
17 and job plus program models for shelter clients.
18 We're going to be providing more effective support
19 for domestic violence survivors. Many domestic
20 violence survivors seek assistance but do not
21 report their status and thus miss out on receiving
22 assistance that could be vital in helping them
23 rebuild their lives and be safe. In order to
24 improve its ability to determine who is eligible
25 for these services. HRA will offer survivors an

opportunity to enroll in effective programs like the sanctuary for families initiative to develop the skills to work and become self-sufficient. We are extending the domestic violence waiver period to six months from the current four and thereby reduce unnecessary administrative appointments for survivors of domestic violence. The six months is permitted by federal and state law. To enhance safety and security for survivors we'll be modifying HRA's partial waiver program and grant a full waiver for those who need it. We'll be improving services for New Yorkers with work limitations. We're going to improve our assessing and identifying all clients with barriers to work especially those with mental health issues who do not disclose or may not be aware of them. Missing problems can set clients on the course for failure and unnecessary sanctions when better assessment could ensure appropriate assignments and success. HRA will implement more comprehensive standardized assessments to expand access to programs for clients with work limitations due to disabilities. When seeing a client we will review his or her case for a prior history of unsuccessful applications

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2 for federal supplemental security income benefits
3 and a history of noncompliance with program
4 requirements and refer such cases for assessment
5 with HRA's programs for clients with disabilities.
6 We're going to be implementing screens for
7 reasonable accommodation needs and mental health
8 issues. We'll be implementing a functional
9 assessment in vocational services and will be
10 assisting clients in filing SSI applications and
11 appeals of denials of IS, SSI applications
12 including federal court appeals. We're going to
13 provide client centered services for those with
14 substance use disorders including harm reduction
15 programs for clients with histories of
16 noncompliance with traditional substance use
17 treatment based on existing successful government
18 supported program models including those which
19 we're currently using in the HASA program which
20 were developed with input from community groups. H,
21 we're going to enhance our program participation
22 and dispute resolution. HRA is upheld in only one
23 out of every 10 fair hearing disputes that actually
24 go to a hearing. Because of the excessive number of
25 unnecessary fair hearings the city is now subject

2 to potential financial penalties of up to 10
3 million dollars annually. Even more important time
4 and money spent on fair hearings do nothing to move
5 clients out of poverty. HRA will be increasing
6 program participation and reducing unnecessary
7 sanctions and case closings for noncompliance by
8 implementing a pilot program to allow up to five
9 days of excused absences for illness without
10 documentation based on the new local paid sick leave
11 law. We're implementing a pilot project to provide
12 preconciliation outreach to avert unnecessary case
13 closings and sanctions consistent with the state
14 law requirement to excuse noncompliance upon a
15 showing of good cause and the absence of good cause
16 the state law requirement that we must show that
17 the noncompliance was willful. We're implementing a
18 grace period for failure to report extended to 72
19 hours from 24. This was one of the things that our
20 own workers highlighted that the 24 hour period was
21 not enough time to be able to sort out some of the
22 issues that could arise and that it was too short
23 and leading to some case closings and sanctions
24 that could otherwise have been avoided. We'll be
25 developing a data system to prevent scheduling

2 appointments that conflict with other known work
3 activities or appointments including court
4 proceedings and related service appointments and
5 appointments at other agencies. We'll be
6 implementing a system as we have already done..
7 automatic appointment reminders giving the ability
8 to reschedule eligibility related appointments. And
9 we're improving conciliation and good cause and
10 dispute procedures by developing a standard
11 question set to be used by our staff and will be
12 developing an informational brochure for clients.
13 These are all the things that we're planning on
14 doing including some that we have done. A good
15 track record to, of what we have done over the past
16 several months is indicative of the direction that
17 we're going and in proposing these types of
18 reforms. As you know we announced at the hearing in
19 May that we were accepting the federal waiver from
20 work requirements for able bodied adults without
21 dependents to allow them to receive food stamps.
22 This is something that had been done by all other
23 New York state counties and 43 other states and
24 we've successfully implemented that by enabling
25 able bodied adults to now receive food stamps given

the, the fact that food stamps fight hunger, provide an economic stimulus in the community, and people who can't find more than a 20 hours a, a week of work certainly need food stamps as much as anybody as 43 other states found to be the case. We are automatically updating the address on file for the Medicaid program whenever a client reports an address to enter the food stamp program. Previously that was not the case which led to problems. We've eliminated the, we've fully implemented the elimination of the sponsor deeming requirement. We've created certified application counsellor functions with an HRA to help New Yorkers navigate the state health care exchange. We have conducted benefits, a program outreach with help from the Robin Hood Foundation through the Benefits Data Trust to reach seniors who are receiving Medicaid and heat benefits, heat benefits but not food stamps by doing a data match and with the assistance of Robin Hood a not-for-profit is helping do what they did in Philadelphia which is link seniors to benefits which they should be eligible for but weren't receiving. We have created new outreach teams for the 15 NYCHA developments

identified in the mayor's action plan for neighborhood safety to ensure residents who are eligible for HRA benefits are receiving them. We've created an office of advocacy and are in the process of filling positions for limited English proficient and people with disabilities and immigrants and LGBTQ community advocate point people in order to improve our ability to solve problems when clients come to us with problems. We've developed a new complaint tracking system which gives us the ability to assign a complaint number to complaints to be able to follow up. We've hired a new director of immigrant eligibility training. We've created a new process for immigrant clients to receive fees for the U.S. CIS documentation process. We've worked with NYCHA to implement a new process for NYCHA to accept HRA certification that a family is in HRA or DHS shelter is a domestic violence survivor and is therefore, should be eligible for priority rather than requiring a whole separate paperwork process. We've established a centralized rent processing unit to expedite the issuance of rent checks to avoid evictions and address post eviction cases to

2 enable clients to regain possession of their
3 apartments. And during the three months that this
4 has been phased in we have issued 30 thousand rent
5 checks to forestall evictions. We've implemented a
6 system to enable cash assistance family members to
7 pursue tenancy rights for a NYCHA apartment when a
8 family member on the lease dies by arranging to
9 provide NYCHA with use and occupancy payments while
10 the hearing is conducted for such clients. We've
11 implemented a new system to ensure payment of rent...
12 for vulnerable clients such as formerly homeless
13 families at high risk of shelter entry by expanding
14 our availability of these services. We've expanded
15 anti-eviction prevention services by consolidating
16 all these services from other agencies at HRA and
17 provide an additional base line funding of seven
18 million dollars in this fiscal year for anti-
19 eviction services. We expeditiously implemented the
20 30 percent rent cap for HASA clients and issued
21 reimbursement checks for the April and June period
22 to more than 7,000 households in July and some into
23 August. We worked with DHS and developed and
24 implemented a new link rental assistance programs
25 that are being rolled out currently. We've

2 increased the timing for child care, return
3 appointments to 15 days so clients have time to
4 find appropriate, reliable, child care that will
5 support their work activities. We've closed the
6 intensive services center known as center 71 which
7 led to unnecessary case closings and sanctions.
8 We're making reminder calls for eligibility
9 appointments for food stamps and cash assistance to
10 reduce missed appointments. And we're making missed
11 appointment calls for cash assistance and food
12 stamp eligibility appointments with a rescheduling
13 option to reduce negative case actions. We stopped
14 additional engagement call-ins of clients who
15 request a fair hearing to avoid aid to continue for
16 an engagement related infraction in order to avoid
17 multiple infractions and multiple hearings on the
18 same basic issue. We have implementing a pilot for
19 five excused absences for clients in work programs
20 based on the city's five paid sick days law in
21 Staten Island and Rockaway. And we've developed new
22 procedures for compliance with the required case
23 conciliation process to avert negative case
24 outcomes. For example when there's good cause for
25 missing an appointment or other requirement and the

2 infraction isn't willful. We've modified the
3 partial domestic waiver, violence waiver procedure
4 and we now provide a full waiver from cash
5 assistance requirements that put survivors at risk.
6 And we've already extended the waiver period from
7 four to six months reducing client appoints to two
8 per year rather than three and reducing work load
9 to avoid the risk of clients missing appointments.
10 We're now scheduling child support enforcement
11 appointments 20 days from the date of application
12 to give clients additional time to reschedule
13 preexisting appointments. Clients had been required
14 to complete an appointment within seven days
15 previously. We have implemented a new process to
16 resolve fair hearing requests prior to the hearing
17 and when appropriate reduce unnecessary agency
18 workload and provide quicker resolutions of issues
19 for clients. We've been resolving many cases at
20 the, prior to the scheduling stage. And we're
21 allowing clients to pursue four year college
22 degrees as provided in the new state law as the new
23 semester has started if they meet the work activity
24 requirements and maintain the required grade
25 average. We recount all of these items that we've

2 done over the last few months as a background to
3 what we're trying to accomplish in the phase in.
4 And while I appreciate all of the kind words that I
5 have been expressed about our efforts we know we
6 have much work still to do. We also know that with
7 all of these reforms on any day of the week someone
8 could walk into one of our center as we're
9 implementing them and not get the assistance and
10 services that they could. We have a workforce that
11 is working very hard on the front lines to provide
12 services to clients. We have a workforce with a
13 workload problem. And that workload problem is
14 directly associated with the client services
15 problems that our clients experienced. And that
16 work load problem relates to all the transactions
17 that were unnecessary that our staff has been asked
18 to process that frequently lead to adverse impact
19 on clients. As we begin to unwind those
20 transactions and make those, the reforms that we've
21 laid out and continue to make the others that we
22 are proceeding we believe our clients will see a
23 difference and our staff will see a difference and
24 therefore all of you and your constituent services
25 representatives will see a difference. But we

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2 appreciate your support for our efforts and we'll
3 continue this effort. Happy to take any questions.

4 CHAIRPERSON LEVIN: Okay. Thank you
5 Commissioner. I, I counted 11 pages of reforms
6 already implemented. So even though it was large
7 font I, that's still very very impressive.

8 COMMISSIONER BANKS: Don't forget...

9 [applause]

10 CHAIRPERSON LEVIN: So...

11 COMMISSIONER BANKS: Don't forget all of
12 them in the May hearing.

13 CHAIRPERSON LEVIN: But, but we, we very
14 much appreciate your testimony and, and all of the
15 efforts already undertaken. And, and we're very
16 excited to work with the agency on implementing the
17 new, the new employment plan. I have a, a few
18 questions I want to start off with. And I know
19 Chair Miller does as well and, and some of our
20 colleagues do as well. I want to acknowledge
21 Council Member Danny Dromm from Queens is here as
22 well as Council Member Brad Lander was here. But
23 because of the extent of the testimony I think he
24 actually had to leave during the middle of the
25 testimony but... that's a testament to, to the, the

2 volume of reforms here. Oh and sorry and Council
3 Member Robert Cornegy as well of Brooklyn also
4 joining us. I, I wanted to start by asking... So with
5 the 50, 56 thousand individuals that are deemed
6 engage-able by HRA for work requirements, so those
7 that are not exempt due to age, disability,
8 illness, and other exemptions as you said in your
9 testimony 56 thousand individuals are currently
10 deemed engage-able. How does that 56 thousand
11 individuals, how is that currently broken down? In
12 other words you said that 20 thousand were in
13 sanction status but how was the rest of it broken
14 downs in terms of how they are currently engaged?
15 How many in the WEP program currently? How many in
16 education programs? How many pursuing... and then
17 within the education programs how many are pursuing
18 a high school equivalency, a high school, you know
19 high school diploma, high school equivalency, two
20 year degree, four year degree? How many are in job
21 training program or the JTP or, or the POP program
22 for example other subsidized employment programs?
23 Do you have a, an accurate kind of breakdown of how
24 that, how that is today?

2 COMMISSIONER BANKS: Let me, let me try
3 to give you some, some basic numbers that I think
4 will address your question and to the extent I
5 haven't covered something we certainly can provide
6 it following up to the hearing. So currently and
7 I'm just going to round these numbers if that's
8 okay?

9 CHAIRPERSON LEVIN: Sure.

10 COMMISSIONER BANKS: Currently there are
11 4,000 clients in WEP assignments in city agencies.
12 There are 1,000 clients pending an assignment to
13 WEP. There are 36 hundred clients involved with job
14 search activities. There are 5,000 clients involved
15 in school, training, education type activities.
16 This includes a program that some of you may be
17 familiar with called CareWEP in which people have
18 been in not-for-profit placements. There's about
19 500 or so in that program. There are 57, almost 58
20 hundred in vocational rehab the We Care Program.
21 That includes placements as well in, in not-for-
22 profits. About 23 hundred of those, of that number
23 are placements in not-for-profits. There are 37
24 hundred clients involved with substance use or
25 other similar activity programs. There are in

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2 excess of 15 thousand clients involved in
3 assessment or engagement type activities. And there
4 are currently 17,500 or so clients in the sanction
5 or process or being sanctioned.

6 CHAIRPERSON LEVIN: Okay and then...

7 (cross-talk)

8 COMMISSIONER BANKS: The 20 thousand
9 number I gave you earlier has been a historic
10 number.

11 CHAIRPERSON LEVIN: And, and for many
12 clients there, they may be involved in, in more
13 than one of those activity.. (cross-talk) at one
14 time?

15 COMMISSIONER BANKS: That's correct.
16 That roughly will tie out to 56 thousand but you're
17 right that people could be involved in multiple
18 programs. In terms of education there are 27
19 hundred clients involved in combined two year and
20 four year college or vocational non-degree type
21 programs. And that includes about 80, yeah I'm
22 sorry 800 in the various CUNY, CUNY placements.
23 That's again based upon the base line of, of where
24 we currently are before we, we begin to implement
25

2 the reforms with respect to the, the educational
3 programs.

4 CHAIRPERSON LEVIN: And, so as a follow-
5 up to that what is the... Do we have goals about how
6 we want that to, those to be broken down under an,
7 the new employment plan... how many, how many we're
8 shooting for to be involved in education programs
9 and vocational programs or is, or is that still to
10 be determined?

11 COMMISSIONER BANKS: I think that's,
12 again and getting away from the one size fits all
13 approach we want to be careful in not setting well
14 this particular subset that we're now going to
15 focus on should be X or Y. We think it's most
16 important to go into the forming of the process to
17 say these are the services that are needed and
18 we're going to assess people for these services and
19 whatever slot they fit into they'll fit into and I
20 think we'll have a better sense as this is phased
21 in how many need which service. But if you go back
22 to the basic statistic that you know 60 percent
23 don't have a high school degree or high school
24 equivalency and that means that they're likely to
25 earn 21 thousand dollars and that means they're

2 likely to be one of the 23 thousand clients that
3 are working full time but are remaining on our case
4 load. It sort of gives the urgency of really
5 focusing on getting people a credential to help
6 them to connect to higher paying jobs and remain
7 off the case load. Nothing... it's, it's certainly a,
8 you know a, a product of the welfare reform
9 initiatives that, that are going back to 1996 that
10 you described that we do have 23 thousand people on
11 the case load working full time. On the other hand
12 the fact we have 23 thousand people on the case
13 load working full time is something that we have to
14 address.

15 CHAIRPERSON LEVIN: Right. So in, in
16 looking at the issue of WEP and how... and obviously
17 we're all excited about the phasing out of, of WEP,
18 do, do we have a timeline in terms of, of how, how
19 long that's going to take. And, and how is that
20 going to be replaced? So how, what is going to be,
21 if there are you know 4,000 individuals that are in
22 city agencies right now not being compensated
23 through the WEP program and then an additional
24 several thousand in the We Care Program that are in
25 not-for-profits not being compensated how, how,

2 where are they going to go? Where, what are the,
3 what work experience are those clients going to be
4 able to engage in and is there an opportunity then
5 for compensation in those, in those positions?

6 COMMISSIONER BANKS: Well I think, I
7 think you have to step back and look at what are
8 the two principal critiques that, that, that many
9 of us of including you know you as the chair of the
10 committee have articulated two principal critiques
11 of the WEP program have been, and these aren't the
12 critiques of the agencies where the placements are
13 these are critiques of how HRA has done it...

14 CHAIRPERSON LEVIN: Sure.

15 COMMISSIONER BANKS: First is that they
16 weren't assessments so somebody who is recently in
17 the, in the workforce and had a long history of
18 working or an advanced degree would be sent to such
19 a placement and secondly that they became, they
20 have become an ending of themselves. It's where
21 you're sent and then that's it. And so in changing
22 the system and overhauling the system the first
23 place we have to begin is the assessment process.
24 So for the people who need to have a better
25 assessment process they're going to be connected to

2 the workforce. And that's a group of people, four
3 percent of, four percent of our clients already
4 come to us with an associates or, or higher degree.
5 And we could do, we need to do, and the, the
6 program is aimed at doing a better job of
7 connecting, reconnecting those individuals to the,
8 to the work, workforce. People who have no high
9 school equivalency, no high school degree there
10 we're going to certainly be emphasizing the
11 importance of giving them that degree to help them
12 compete for jobs outside of the work programs that
13 we've traditionally run. And then when all is said
14 and done there may well be a group of people who
15 have no work experience and could benefit from the
16 type of thing that is, seems to be standard in the
17 workforce, not just for our clients but for
18 everybody, a defined internship or community
19 service period of time that then gives you the
20 experience to be hired. So it's going to take a, a
21 very substantial overhaul of the system to get to
22 that place. But I think there is a place for
23 internships in, in the world, certainly that's the
24 world has been operating. We just want to make sure
25 our clients get the same opportunities that

internships have meant for others who ultimately in the work, are in the workforce which is a true work experience to move to some place rather than it's an end an end of itself. So where are they going to come from? That's going to be part of the development process. We have to repurpose 200 million dollars' worth of contracts that we have to deal with. That's going to take some time through the bidding process, to issue concept papers. Once the plan is approved we're going to go down that root obviously this committee and others will have an opportunity to be a public document about the concept papers to comment on them, to bid again, to repurpose those contracts, and then that will lead us to the next root of what are the placements going to look like, what are the assignments going to look like. The parks opportunity program has certainly been a successful program. There's certainly a cost to running it but it's been a successful program and we've got some job training programs like that that are run at, run in other context as well. As we said we're expanding Jobs Plus for housing authority residents and we think that has been a successful program. So as we phase

2 it in we're going to be trying to learn from what's
3 worked and develop a system that's going to work. I
4 keep emphasizing phasing in because don't forget
5 against the background that we're operating is the
6 background of federal and state requirements and
7 the federal participation rates. We couldn't just
8 say okay we're ending the program tomorrow because
9 then we would be able to comply with federal
10 participation rates. So we have to have a
11 replacements in place and that's going to take some
12 time in terms of repurposing those contracts.

13 CHAIRPERSON LEVIN: So just speaking to...
14 you mentioned the, the Parks Opportunities Program,
15 and in the, in the plan presented it says that HRA
16 will over time seek to replace, over time replace
17 the current WEP assignments and expand its capacity
18 develop and support internship opportunities
19 including enhanced programs and city agencies. Part
20 time subsidized employment similar to HRA's current
21 Parks Opportunities Program to the extent that
22 funding is available. So the, is, so funding is a
23 limitation in this. Where are the sources of that
24 funding for, for Parks Opportunity Program that

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2 funding comes out of HRA's budget or out of the
3 Parks budget?

4 COMMISSIONER BANKS: It comes out of
5 our, our funding. But as I said we're at the
6 beginning of the implementation.

7 CHAIRPERSON LEVIN: Mm-hmm.

8 COMMISSIONER BANKS: 200 million dollars
9 is, is a large amount of money and we're very
10 focused on trying to repurpose that to get, to get
11 this new series of programs in place to make them
12 work. And you know at this point in time we're
13 aimed at moving forward with that repurposing in
14 order to make the kind of reforms that we've laid
15 out too.

16 CHAIRPERSON LEVIN: I'm going to ask
17 just one other question then I'm going to turn it
18 over to my co-chair here. You mentioned in your
19 testimony the Jobs For New Yorkers task force that
20 HRA is a part of.

21 COMMISSIONER BANKS: Mm-hmm.

22 CHAIRPERSON LEVIN: Do, do you
23 anticipate that that that task force is going to
24 have specific recommendations as to deliverables
25 for HRA clients? And do you think that... if you

2 could explain it, to us a little bit about how that
3 process is moving forward and, and, and what role
4 HRA kind of is, is pursuing in, in that taskforce?
5 And the interagency coordination then with Small
6 Business Services and, and how we're bringing in
7 those resources as well as you know the other
8 private resources that, that, that can come with
9 that; industries, potential employers, so on and so
10 forth...

11 COMMISSIONER BANKS: I mean the, the
12 task force as you know includes employers, it
13 includes unions, it includes a range of different
14 stakeholders in, in employment and in economic
15 development. And the deliberations are still
16 continuing and the, the, the recommendations are
17 still being developed. But I can tell you is that,
18 that the positive outcome that we see and that I
19 see as the HRA commissioner is that we're involved
20 in the process and the, sort of one of the
21 strengths of the administration is the ability of
22 agencies to work collaboratively now and you know
23 the SBS and HRA are certainly both looking at the,
24 the needs that the city has overall but also the
25 needs that we, the, but our, the needs of our own

clients are included in that. And previously the idea that HRA had an annual obligation to connect people to employment or have a participation to comply with federal law was not part of the discussion and... (cross-talk)

CHAIRPERSON LEVIN: Mm-hmm.

COMMISSIONER BANKS:...that's clearly part of the discussion now and think that's a, a big step forward.

CHAIRPERSON LEVIN: Right. And then, but also that the task force has that obligation to connect the employment to HRAs clients right... (cross-talk)

COMMISSIONER BANKS: Just as we've been a voice before this committee we're certainly a voice everywhere but it's a voice others have embraced that, that concern that we have every year a number of clients who need to get connected to the work force. And the city overall is developing systems to do that.

CHAIRPERSON LEVIN: Right. Okay. Thank you very much Commissioner. I'm going to turn it over to Chair Miller.

2 CHAIRPERSON MILLER: Okay. I like to
3 acknowledge and, and, and he is gone again Council
4 Member Dromm, Council Member Cabrera, and
5 Constantinides who I always get to... So I'd like to
6 briefly just talk about the process of, as you know
7 the council last week had a resolution to phase out
8 all of WEP. And, and so you spoke to that as well.
9 In fact that's not the way it was put in the
10 resolution. You, and you use phase out but I want
11 to speak to that process because obviously the
12 state is going to have something to, to say about
13 that, the timeliness of it and how it was done. So
14 as we move forward collectively with a very
15 ambitious and, and aggressive plan that I think
16 we're all in agreement it may or may not be as easy
17 as we thing so I, I want you to kind of elaborate
18 on that.

19 COMMISSIONER BANKS: I, I appreciate
20 that. I appreciate that. I mean the, the steps that
21 we need to take to phase out and replace WEP are
22 constrained by the, the factors that, that I've
23 described with is that there's a federal
24 participation rate requirement to have clients
25 engaged in work activities. And to remove, to, to

2 say we're going to eliminate the program rather
3 than phase it out, would put us in a position which
4 we would be unable to comply with those federal
5 participation rate requirements. But that's why
6 we're taking the approach that if we can phase it
7 out we can accomplish the goal that you would like
8 us to accomplish and we can accomplish the goal
9 that our clients would like us to accomplish and at
10 the same time we can stay focused on the, on our
11 mission which is to give people the ability to move
12 off the case load and get out of poverty. I think
13 that step one for us is developing a replacement
14 process for the current vendor, 200 million
15 dollars' worth of vendor contracts we have and that
16 will help define what kinds of other employment
17 training programs we can put in place, what kind of
18 other internship programs we can put in place and
19 what kind of other community service we can put in
20 place. But, but the key element of moving forward
21 for us is going to whatever kinds of programs we're
22 going to have they have to be leading to something.
23 And as I said two principle critiques of how WEP
24 has worked operationally is no assessments of
25 people with tremendous work histories who could be

2 connected to the work force or assigned to WEP
3 assignments, two, the idea that that's just where
4 you're going. I think I had mentioned this to you
5 but it was driven home... If I didn't, if we didn't
6 already think this was certainly driven home on my
7 first day as the commissioner in April when Lisa
8 Fitzpatrick and I were at one of the centers and
9 someone came in, we were speaking to in the waiting
10 room and she said my unemployment insurance
11 benefits had just run out, I've been in a white
12 collar job for years and I, I really need to get
13 back into the workforce and you're sending me to
14 resume writing and WEP. And so the reforms in the
15 program, the reforms in our employment plan are
16 aimed at addressing that kind of a client obviously
17 but also the client that comes to us and says you
18 know I didn't complete high school, I can't get
19 into the work force, and we're going to address
20 that client's problems by, and challenges by
21 providing basic education because we value
22 education and that's a really important tool to
23 getting people out of poverty, off the caseload,
24 and into the workforce as, as I know the intent of
25 the resolution is.

2 CHAIRPERSON MILLER: So, so we don't
3 anticipate any great obstacles on the state level
4 that, that... which going to allow us to fulfill
5 this?

6 COMMISSIONER BANKS: Well I, I, I
7 wouldn't, I wouldn't want to be, be a predictor of
8 what the state legislature or the state, the
9 government would do. All I can say is that in
10 respective of the legislation we've developed to
11 plan... [cross-talk] to accomplish the goal which is
12 fully consistent with federal and state law and
13 we're going to proceed to implement it in the event
14 that the legislation should pass in Albany with a
15 different time table we'll have to adjust to it but
16 we're proceeding with a plan to achieve the goal
17 as, as quickly as we possibly can. But bearing in
18 mind that it's a two year plan it's going to take a
19 phase out period.

20 CHAIRPERSON MILLER: Okay great. So
21 with, with, with the plan that's being implemented
22 and some of the new policies and availability do
23 you anticipate any... what, what are the increase
24 numbers in clients in terms of... you said that
25 because now those who were at previously been not

2 able to access will, will, will because of some of
3 removal, some of the restrictions will now be able
4 to access with, and, and do and, anticipate and
5 increase in, in numbers and how do you address
6 that? Or do you think it will balance out to some
7 form of attrition, those moving off, out of the
8 work, the WEP program.. [cross-talk]

9 COMMISSIONER BANKS: Right.

10 CHAIRPERSON MILLER: ...or whatever?

11 COMMISSIONER BANKS: I mean we're, we're
12 very focused on the one out of four clients that
13 are returning to the case load from employment
14 assistance that was previously provided and so we
15 were focused on being more effective in providing
16 better programs to reduce the numbers of people
17 returning to the case load. And then in the end
18 that would balance out any other adjustments that
19 may occur. But as I said we're going to phase this
20 in very carefully and we're going to study each
21 piece that we implement to see what the impact and
22 the efficacy is and if there are changes that are
23 needed we're going, we're going to modify them. But
24 I think we're most focused on doing a more
25 effective and better job in connecting people to

2 the work force then ultimately that's going to be
3 the best solution to the case load rather than
4 focusing on the number and the case load we're
5 going focus on, on getting people off the case
6 load.

7 CHAIRPERSON MILLER: So now I think we
8 can get to the meat and potatoes of what, what we
9 do... [cross-talk]

10 COMMISSIONER BANKS: Okay.

11 CHAIRPERSON MILLER: At the... [cross-
12 talk]

13 COMMISSIONER BANKS: Okay.

14 CHAIRPERSON MILLER: ...Civil Service and
15 Labor Committee here and, and, and that's jobs and,
16 and employing folks. When we spoke the other day we
17 had a brief conversation and I asked about the,
18 the, the agencies that were actually, that were
19 employing or who had WEP workers involved in. And,
20 and so I had not yet received that so I would like
21 to have a more comprehensive analysis of those
22 agencies so that we can see what duties are
23 actually being performed. Certainly want to make
24 sure that those who commiserate, or the
25 compensation is consistent with that. And, and

2 perhaps that could be something that we move
3 forward into. We want to, and, and I know that
4 there has to be obviously some type of coordination
5 between these agencies because the work has to get
6 done to a certain degree. You mentioned that it was
7 more of a training, training... preparation where you
8 hone those skill sets. But I would submit that in
9 many cases these WEP workers are doing jobs that
10 permanent civil service employees are doing and not
11 being pro, appropriately compensated. So we need to
12 address that issue and, and, and again where it is
13 possible bring in all the stakeholder involved
14 whether it is the agency heads, the unions, so that
15 we can create a mechanism whereas these people who
16 are performing these task can have that entry level
17 employee employment without competitive exams.
18 Because obviously they've been doing the job
19 already, they've proven that they can do the job.
20 The bigger point is I, I, I, I would suffice to say
21 that the headcounts have been reduced in these
22 agencies and been replaced with these workers at a
23 much cheaper rate and that's certainly not what the
24 intentions should be or what we're about that, that
25 the opportunities, if they are there that is

2 something that should be explored, certainly
3 something that we would be willing to facilitate. I
4 know that in my background my past life as a union
5 president that we had facilitated just that and
6 that we made provisions for the folks that come in
7 and have those permanent transition into permanent
8 jobs. So while we, it's great that we train people
9 and we look for new way, areas of employment
10 there's employment that exists currently that
11 people are doing these jobs and not being
12 adequately compensated. So that is certainly a area
13 that we want to look at as we move forward.

14 COMMISSIONER BANKS: As we move forward
15 we certainly would be interested in working with
16 you and the committee to develop ways to improve
17 how things have been done. And we'll provide you
18 with the information about which of the agencies
19 and how many assignments there are in each agency.
20 Currently there are none in the Parks Department
21 because we've got the entire Parks Department is
22 the, is the POP [sp?] Program. But you know
23 historically there's been, this is a heavily
24 litigated area about what's permissible to do by
25 HRA or not. And you know to some extent we're

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2 constrained by what, what various rulings have been
3 from the Court of Appeals and from the Appellate
4 Courts but we're more than willing to participate
5 in any, any process that the committee would, would
6 want to convene to take a fresh look at everything.

7 CHAIRPERSON MILLER: That is great and,
8 and, and finally HRA obviously you guys have
9 enormous number of outstanding contracts and
10 vendors that you contract with, certainly something
11 else that we... how many actual percentage do actual
12 client intentioned activity, how many directly
13 related to client services?

14 COMMISSIONER BANKKS: I mean our staff...
15 [cross-talk]

16 CHAIRPERSON MILLER: What's a
17 percentage.

18 COMMISSIONER BANKS: Our staff has 14
19 thousand. And we have a whole range of contracts
20 for different kinds of services and we can
21 certainly give you a, a breakdown of that if that
22 would be helpful in this effort which we certainly
23 want to participate in with you.

24 CHAIRPERSON MILLER: Yeah. That, that
25 would certainly help... [cross-talk]

2 COMMISSIONER BANKS: Okay.

3 CHAIRPERSON MILLER: Thank you so much.

4 CHAIRPERSON LEVIN: So we've also been
5 joined by Council Member Fernando Cabrera and we
6 were joined by Council Member Costa Constantinides.
7 So we're going to turn the questions over to
8 members, Vanessa Gibson of the Bronx.

9 COUNCIL MEMBER GIBSON: Thank you. Good
10 afternoon. Thank you very much Chairs Levin and
11 Miller, thank you. And to Commissioner thank you so
12 much you and your staff and your team for being
13 here. So this is a very ambitious plan and I first
14 want to applaud you coming into an agency that has
15 a lot of challenges and really doing a lot of good
16 work. I have lots of questions but for the sake of
17 time I will limit them. But I do want to make
18 mention my district office in the Bronx is right
19 next to NHRA job center and I have seen tremendous
20 change in a good way. I had long lines that were
21 there for hours and now by 9:00 many clients are
22 already inside and that to me shows progress. That
23 means that something is being done to expedite the
24 process by which many clients are getting service.

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2 So I first applaud you on that. Always start with
3 good right... [cross-talk]

4 COMMISSIONER BANKS: ...give Lisa
5 Fitzpatrick all the credit for that.

6 COUNCIL MEMBER GIBSON: So I have a
7 question about the fair hearing process. You talked
8 about a pilot project that would allow five excused
9 absences, the grace period for failing to report,
10 the fact that HRA only is, is winning in 10 percent
11 of the cases. My question is can you walk us
12 through the fair hearing process number one. And
13 from what I experience in my office the biggest
14 challenge with fair hearings is to actually get a
15 hearing because you have to go through Albany. So
16 are there any changes that we're making in that and
17 can you just walk us through the process?

18 COMMISSIONER BANKS: Well you're right
19 that the hearings are held by, by the State Office
20 of Temporary Assistance and Disability Assistance
21 and the process starts when a client has a, a
22 grievance based upon something that we did or
23 didn't do. And they can request a hearing. And the
24 hearing is then scheduled and held at a, at a state
25 office. We're, many of these reforms and others

2 that we have already been implemented are aimed at
3 trying to avoid the client being in the position of
4 receiving a notice for example the automated calls
5 that we put in place were aimed at reminding people
6 that they have an appointment. I don't know about
7 you but I don't really like to go to the dentist
8 but they do call me and remind me. And so we
9 thought by putting that in place that would help.
10 Or similarly if you missed the appointment they
11 call you and they remind you so we put that system
12 in place. And those were aimed at, at trying to
13 avoid the problem of you know client misses an
14 appointment then we send a notice and the whole
15 apparatus starts, starts rolling so we're trying to
16 do outreach. We've talked about our preconconciliation
17 outreach in an effort to try to connect with people
18 before adverse actions are taken to try to reduce
19 the numbers of hearings that are, that are
20 requested. We are, even as we're settling more
21 hearings we are seeing some decrease in the numbers
22 of hearings that are requested whether it's a trend
23 or not I can't, you know I can't say. But we're
24 very focused on what you're focused on which is
25 trying to stop the problem further upstream before

2 you get to a point where a client is aggrieved
3 about something we did or didn't do.

4 COUNCIL MEMBER GIBSON: So with the
5 number of cases that are right now in the sanction
6 status there are about 20 thousand right?

7 COMMISSIONER BANKS: Currently it's 17,
8 we're down to about 17... [cross-talk] thousand.

9 COUNCIL MEMBER GIBSON: So the bulk of
10 these cases that you know remain in limbo are they
11 clients that have failed to provide substantial
12 data or work requirements? What are the bulk of
13 these cases?

14 COMMISSIONER BANKS: These are work
15 related sanctions and they typically involve issues
16 about attendance or not attendance for various
17 kinds of appointments. One of the things we're also
18 trying to do, you saw it with the domestic violence
19 waiver cutting down the three to the two, trying to
20 reduce the numbers of transactions that clients are
21 asked to do because that helps our workers since
22 part of the challenge that we've got is that there
23 are so many transactions the workers are required
24 to do and each one of them potentially has an
25 adverse impact on a client. So if we can streamline

2 the transactions that will, we believe will have a
3 beneficial impact as well.

4 COUNCIL MEMBER GIBSON: I, I have
5 noticed that a lot of the communication has
6 improved between case workers and clients. This is
7 a very paper driven agency unfortunately and so
8 there's a lot of paper that gets exchanged and a
9 lot of the cases that I have been aware of, the
10 non-compliance has really been missing paperwork.

11 COMMISSIONER BANKS: Right.

12 COUNCIL MEMBER GIBSON: That clients
13 have... [cross-talk]

14 COMMISSIONER BANKS: Right.

15 COUNCIL MEMBER GIBSON: ...said they have
16 submitted and somehow they get lost. And then the
17 client is faced with that burden of having to prove
18 that the paperwork was submitted.

19 COMMISSIONER BANKS: Right. That's,
20 that's a problem that we recognize as well. You
21 know one of the things that the prior
22 administration embarked on was a process to
23 essentially create online applications for food
24 stamps and online recertifications for food stamps
25 and the ability to submit documents online, not for

2 everybody, but to the extent that people want to
3 avail themselves of that it will certainly make,
4 reduce the numbers of transactions that the workers
5 have to process if there's more online involvement.
6 That program is something we've embraced and it
7 will begin to be rolled out in 2015 it will be
8 rolled out over the course of the year for food
9 stamps. We made the decision to extend it to cash
10 assistance as well. But because the initial roll
11 out as determined by the prior administration was
12 focused on food stamps we're not going to be able
13 to do cash at the same time but that will become a
14 next. In the meantime we've put some fixes in place
15 that we think will be helpful but frankly they're
16 fixes until we get to the full roll out during 2015
17 of the ability to submit online. So for example
18 there's a prompt in the viewer screen for the
19 workers now that indicates that a document has been
20 submitted to avoid the problem of well it's
21 submitted I didn't have it so now there's a prompt
22 to do that for food stamps. So that will at least
23 reduce some of those problems. We understand this
24 is a challenge and we believe that the, the
25 implementation of the online application

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2 recertification process will really help us in this
3 regard.

4 COUNCIL MEMBER GIBSON: Okay. Well I
5 appreciate that effort and I certainly encourage
6 you and you know you can certainly count on the
7 council to help. Yes internet access is important
8 but a lot of New Yorkers do not have it
9 unfortunately. And so I live in a district where
10 online is great but it's only going to touch a very
11 certain population so...

12 COMMISSIONER BANKS: Right. But in a
13 world in which we want to do anything we can to try
14 to address the workload of our workers...

15 COUNCIL MEMBER GIBSON: Right.

16 COMMISSIONER BANKS: ...even if it touches
17 a portion of... [cross-talk] clients in your district
18 it will help us better serve all the clients
19 because it reduces the numbers of transactions.

20 COUNCIL MEMBER GIBSON: Okay.

21 COMMISSIONER BANKS: By the way thank
22 you for calling that situation to our attention in
23 front of your office and I'm glad we were able to
24 be...

25 COUNCIL MEMBER GIBSON: Absolutely.

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2 COMMISSIONER BANKS: ...responsive. You
3 can... [cross-talk]

4 COUNCIL MEMBER GIBSON: And...

5 COMMISSIONER BANKS: ...thank Cathleen
6 Carlson for that... [cross-talk]

7 COUNCIL MEMBER GIBSON: Thank you thank
8 you. A lot of the new strategies that you've talked
9 about focus on vulnerable New Yorkers, domestic
10 violence victims, those with limited English
11 proficiency...

12 COMMISSIONER BANKS: Mm-hmm.

13 COUNCIL MEMBER GIBSON: ...youth, those
14 with alcohol substance abuse, as well as mental
15 health services but I was wondering is there a plan
16 or anything that we're looking to do to focus on my
17 personal project that I've been working on in the
18 Bronx, New Yorkers that are formerly incarcerated
19 that are coming home from prison that should be
20 eligible for some level of, of work experience but
21 they have a criminal record. Are we looking to see
22 if there's anything, you know with any agency we
23 can do?

24 COMMISSIONER BANKS: Yes. There is a,
25 there is a, a another taskforce that the mayor

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2 appointed focusing on criminal justice system
3 issues and we're very acutely concerned about that
4 at HRA too. As that process proceeds it's going to
5 inform some of the reforms we'll do in that area.
6 You're right that it's not covered in this
7 particular employment plan but it's covered in
8 other things that we're, we're trying to do because
9 it's a, it's a, certainly, certainly a, a
10 noticeable number of people in our case load have
11 that challenge. And we want to be able to
12 reintegrate people into the community and get them
13 connected to work where we can and, and, and
14 address the same things that concern you.

15 COUNCIL MEMBER GIBSON: Okay. Well just
16 for the sake of time I appreciate you responding
17 and I look forward to working with you. And I guess
18 the last question is do we have a time frame on
19 when we're implementing all of this, it's very
20 ambitious.

21 COMMISSIONER BANKS: It's, it's a two
22 year plan... [cross-talk]

23 COUNCIL MEMBER GIBSON: ...okay.

24 COMMISSIONER BANKS: ...because it's a
25 biannual plan and we'll be implementing things.

2 We've already begun to implement a number of
3 things.

4 COUNCIL MEMBER GIBSON: Right.

5 COMMISSIONER BANKS: But again I want to
6 emphasize as we implement things we're going to
7 evaluate did it work, did it not work, what was the
8 outcome, and then we're going to, going to adjust
9 accordingly depending on what we see.

10 COUNCIL MEMBER GIBSON: Okay. And also
11 the public hearing that you announced that's going
12 to be this month, it's just at the HRA office so
13 they'll be nothing like in the outer boroughs or...

14 COMMISSIONER BANKS: It's, it's just at
15 the, it's just at HRA.

16 COUNCIL MEMBER GIBSON: Okay.

17 COMMISSIONER BANKS: It's, it's in the
18 same way that we, we recently did a hearing on the,
19 the HASA 30 percent rent cap very well attended,
20 we, we think it's a good way to get it out. But
21 people can certainly comment in writing. It's a,
22 it's a 30 day comment period. People don't, should
23 not feel like they have to come to the hearing.
24 Because at the hearing they're going to present
25 their comments. And so people can certainly submit

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2 the comments directly to us. And the full plan is
3 on the website as of today. People can read it and
4 comment about any issues that they're concerned
5 about.

6 COUNCIL MEMBER GIBSON: And thank you
7 for your leadership on the HASA rent cap. I was a
8 strong supporter of that during my Albany days and...

9 COMMISSIONER BANKS: Right.

10 COUNCIL MEMBER GIBSON: ...certainly it's
11 a great great opportunity to really provide
12 services for many New Yorkers.

13 COMMISSIONER BANKS: That's great. Well
14 Dan...

15 COUNCIL MEMBER GIBSON: Thank you.

16 COMMISSIONER BANKS: ...Dan Tietz really
17 has been leading the way that, at our agency so...

18 COUNCIL MEMBER GIBSON: He, but you get
19 to take all the credit.

20 COMMISSIONER BANKS: I, I'm, I always...

21 [cross-talk]

22 COUNCIL MEMBER GIBSON: Thank you, thank
23 you.

24

25

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2 COMMISSIONER BANKS: ...I try to operate
3 that if we do something well it's the success of
4 everybody else. If something's... [cross-talk]

5 COUNCIL MEMBER GIBSON: To the entire
6 team.

7 COMMISSIONER BANKS: ...bad it's me.

8 COUNCIL MEMBER GIBSON: Thank you, thank
9 you Mr. Chair, thank you Chairs.

10 CHAIRPERSON LEVIN: Thank you Council
11 Member Gibson. Council Member Liz Crowley.

12 COUNCIL MEMBER CROWLEY: Thank you.
13 Thank you to our, both of our chairs. And to you
14 commissioner for coming forward with such a, an
15 aggressive plan so early on in your term as
16 commissioner. I couldn't agree more with the level
17 of education one receives being the best pathway
18 out of poverty. So I compliment you on that more
19 effective program that you're putting together. I'd
20 like to talk about you know those participants who
21 will likely, probably not be able to go to school
22 full time or obtain a GED or who may not just like
23 being in school. On the work programs I know you're
24 phasing out certain models. And I see that there's
25 one that's called like increasing employment

2 vouchers or... Is there a connection that is planned
3 or is, may even grow under your administration with
4 private employers?

5 COMMISSIONER BANKS: To the extent we
6 can find private employment we can place people
7 into either immediately or on an initial placement
8 and then ultimately in a permanent basis. We're
9 certainly looking to do that... [cross-talk]

10 COUNCIL MEMBER CROWLEY: When, when it
11 says vouchers is there any workforce investment
12 program where a subsidy is given to an employer for
13 a certain percentage of...

14 COMMISSIONER BANKS: Yes, yes there are
15 such programs and we want to try to make greater
16 use of them. I want to just touch on one, one
17 question that you, one aspect of your question
18 which I think is an important one which is we're
19 very focused on getting people a high school degree
20 or equivalency and if they are, if the assessment
21 indicates it's, it's appropriate... obviously for
22 some people four year college or associates... but I,
23 we do agree with you that there are some people for
24 whom none of those things are going to be options
25 that they want to pursue or based upon assessment

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2 would be an effective thing to pursue. None the
3 less for those clients we're still going to need to
4 have programs and, and trying to connect them to
5 private sector employment is something we're going
6 to try to do. Although I want to go back to our
7 concern about the differential and wages that are
8 paid by, with having a credential or not... [cross-
9 talk]

10 COUNCIL MEMBER CROWLEY: Absolutely
11 there has to be a... [cross-talk]

12 COMMISSIONER BANKS: ...but, but you raise
13 a very good point. [cross-talk]

14 COUNCIL MEMBER CROWLEY: ...percentage
15 that have come from... you know had some type of
16 learning disability or...

17 COMMISSIONER BANKS: Mm-hmm.

18 COUNCIL MEMBER CROWLEY: ...are not going
19 to be able to achieve those goals. And in that
20 percentage what type of program could be put
21 together to help those participants?

22 COMMISSIONER BANKS: Well somebody like
23 that who, who may have a disability of some sort as
24 we indicate in the plan we're going to have to do,
25 be effective at evaluating such a person's needs

2 and linking them to services and programs that
3 would help them. That's part of getting away from
4 the one size fits all. In the past such a person
5 may have simply, there needs may not have been
6 properly assessed and we're going to do a, do a
7 more, a more effective job at trying to identify
8 such individuals and linking them to services and
9 employment that's going to work for them.

10 COUNCIL MEMBER CROWLEY: And what type
11 of wage subsidy programs could be available to a
12 private employer? What would the federal government
13 allow? Is there a percentage of an hourly wage, of
14 minimum wage or... [cross-talk]

15 COMMISSIONER BANKS: I mean there have
16 been grant diversion programs that have been, been
17 run in the past. And we're certainly looking at
18 those kinds of options to operate. Ultimately you
19 know it has to be a program that's going to lead to
20 something...

21 COUNCIL MEMBER CROWLEY: Right.

22 COMMISSIONER BANKS: ...rather than
23 leading back to the case load. And that's going to
24 be the challenge for us as we develop those kinds
25

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2 of programs to make sure that they're not just a, a
3 time limited experience that leads to nothing.

4 COUNCIL MEMBER CROWLEY: Absolutely. And
5 other creative type programs like worker
6 cooperatives, the City Council is supporting the
7 growth of... [cross-talk]

8 COMMISSIONER BANKS: There are very
9 promising models that I know the council's looked
10 at in terms of worker cooperatives. There's the
11 Terrific Program in Sunset Park in terms of
12 domestic workers. And there's a lot of
13 possibilities that we think that, that that those
14 types of programs could provide for our clients.

15 COUNCIL MEMBER CROWLEY: Great. And do
16 you know the percentage of your clients in this
17 program with cash assistance were either formerly
18 incarcerated or are veterans?

19 COMMISSIONER BANKS: There is data on
20 that we'll take a look. Some of it may not be as
21 robust as we would like it to be but we can
22 certainly give you baseline data on that.

23 COUNCIL MEMBER CROWLEY: Okay. Thank
24 you. No further questions.

25

2 CHAIRPERSON LEVIN: Thank you Council
3 Member Crowley. Council Member Robert Cornegy.

4 COUNCIL MEMBER CORNEGY: Thank you
5 Chairs Levin and Miller. Thank you Commissioner and
6 your wonderful staff. You are truly a man after my
7 own heart, someone who has the propensity for what
8 I call BHAGs which are 'Big Hairy Audacious Goals'.
9 And I want to commend you on it because that's
10 necessary in this crisis period that we find
11 ourselves in as a city. You mentioned that four
12 percent of your clientele perhaps have college
13 grad, are college graduates is that the percentage?

14 COMMISSIONER BANKS: Associate or, or
15 above degrees only four percent.

16 COUNCIL MEMBER CORNEGY: As the chair of
17 Small Business and as we look at October being the
18 month of rollout for paid sick one of the things
19 that those businesses could use is a compliment of
20 bookkeeping, is one of the main concerns that are
21 going to befall small businesses as it relates to
22 the paid sick. I was wondering if we could somehow
23 partner with your office to see if there were
24 possibilities for light bookkeeping opportunities
25 for some of your clients.

2 COMMISSIONER BANKS: We'd love to do
3 that. It's a great, it's great to have the focus
4 from your committee and other committees beyond
5 well here's a particular sector where there's work.
6 And as we indicate in the plan we want to focus on
7 industries where there's growth, where there's
8 opportunity, and as a result of the new law of...
9 light bookkeeping is...

10 COUNCIL MEMBER CORNEGY: Absolutely.

11 COMMISSIONER BANKS: ...a growth area we
12 certainly want to work with you. Again I'm, we're,
13 we're not going to have one size fits all and have
14 every client do light bookkeeping but there me some
15 clients that we can identify who would fit in that
16 type of a career path and we might be able to
17 provide the services. But we certainly want to
18 talk, talk with you about that. Appreciate that.

19 COUNCIL MEMBER CORNEGY: And, and also I
20 would like to say that I'm, although you know we
21 are a city driven with a, a living wage perspective
22 there is a burgeoning industry at least in Brooklyn
23 and across the city which is hospitality and
24 tourism.

25 COMMISSIONER BANKS: Right.

2 COUNCIL MEMBER CORNEGY: I would like
3 for your office not to look past that because those
4 opportunities are presenting themselves at great
5 rates. And I know that that maybe not be trajectory
6 that your office is comfortable with, with, with
7 steering clients into however that industry is
8 growing very rapidly and I think that we should
9 begin to consider the potential for that as an, an
10 opportunity.

11 COMMISSIONER BANKS: We're not going to
12 rule anything out. Any, anything that can give
13 people a career pathway is something that, that we
14 want to help connect people to.

15 COUNCIL MEMBER CORNEGY: Thank you.

16 CHAIRPERSON MILLER: Commissioner I have
17 a, just a question... going back to the training, and
18 the vendor training and the services that they're
19 providing to the clients. Where, that we, we find
20 that they may be, some of the services are obsolete
21 and we talked about some of the training and, and
22 some of the... We talk specifically about 21st
23 century jobs and how do we identify and, and train
24 for those? For those vendors that may be under
25 contract and, but, but the opportunities that they

2 provide aren't consistent with the current
3 administration's what's their status? Are we asking
4 them to kind of step up and create, create
5 something new or what are we doing with them?

6 COMMISSIONER BANKS: I mean in terms of
7 the current employment vendors that we have we're
8 going to have a, a, we're going to go through the
9 process of creating a new bidding for these
10 contracts. Anyone of them could, can compete and
11 potentially be successful. We're just going to,
12 we're going to be making it very clear what it is
13 that we're looking for in terms of services. And
14 again no one's ruled out, no one's ruled in but
15 it's certainly going to be a fair opportunity for
16 people to compete to provide the services that,
17 that we're going to be looking for this time
18 around.

19 CHAIRPERSON MILLER: So essentially
20 we're just starting anew now?

21 COMMISSIONER BANKS: Right.

22 CHAIRPERSON MILLER: For, for the most
23 part.

24 COMMISSIONER BANKS: But if you're an
25 existing vendor and you're able to provide the

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2 service that we're looking for and you successfully
3 compete you could well end up with the same
4 contract. [cross-talk]

5 CHAIRPERSON MILLER: Right but if, but
6 if you're an existing vendor and your services are
7 obsolete then...

8 COMMISSIONER BANKS: Then that, that's
9 part of... [cross-talk] part of improving our client...
10 [cross-talk] services is, is to improve our client
11 services and the vendors if they can help us that's
12 great. If different... [cross-talk] vendors can help
13 us that's great too.

14 CHAIRPERSON MILLER: Thank you so much.

15 CHAIRPERSON LEVIN: Thank you. Thank you
16 Commissioner. So we have a few questions further...
17 And I apologize because I may be skipping around
18 from topic to topic...

19 COMMISSIONER BANKS: It's okay.

20 CHAIRPERSON LEVIN: ...so bear with me if
21 you wouldn't mind. See first question I wanted to
22 ask was about high school equivalency, formerly GED
23 programs, so as you stated 60 percent of those
24 individuals receiving cash assistance don't have a,
25 either equivalency or a high school diploma,

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2 however people still have currently, and correct me
3 if I'm wrong, the, the opportunity to do up to 12
4 months of, of GED education and have that count as
5 their primary activity is that correct?

6 COMMISSIONER BANKS: That's correct.

7 CHAIRPERSON LEVIN: So... what are the...

8 [cross-talk]

9 COMMISSIONER BANKS: For certain, for
10 certain ages, for certain age groups.

11 CHAIRPERSON LEVIN: For certain age, up
12 to the age of 24 now right? 20 for, for, and it can
13 count as your primary activity up to 12 months
14 correct?

15 COMMISSIONER BANKS: Right, it's not
16 counted towards your 12 months up to age, if you're
17 under 20.

18 CHAIRPERSON LEVIN: I see.

19 COMMISSIONER BANKS: If you're over 20
20 it is count... [cross-talk]

21 CHAIRPERSON LEVIN: After it's... [cross-
22 talk]

23 COMMISSIONER BANKS: ...right.
24
25

2 CHAIRPERSON LEVIN: But that is, just to
3 be clear that's being discontinued as part of, of
4 the new plan moving forward right?

5 COMMISSIONER BANKS: The limitation's
6 being discontinued yes.

7 CHAIRPERSON LEVIN: Right, right. I may
8 ask you to explain that a little bit further just
9 in terms of, actually if we can start off can you
10 explain that just so that everybody understands
11 what, what is changing there in terms of going
12 beyond 12 months.

13 COMMISSIONER BANKS: Well we're saying
14 that up to 20... that, if we looked at our youth age
15 18 to 24 there are distinct groups. There's 18 to
16 20 which has educational you know abilities in
17 terms of what the current law is. Then you've got
18 the group 20, above 20 to 24 where there is a 12
19 month limit. And so we're essentially saying look
20 it's so important to get a high school degree or
21 high school equivalency if you're outside of the
22 high school years that we want people to focus full
23 time on that as an activity. They'll be required to
24 engage in the activity. And that will put them on
25 the path to when, when they're, they've got it to

2 our, it will give us the ability to connect them to
3 the workforce and not simply assign them to a, a
4 program where they're not going to have any hope of
5 getting off of the case load. The big, the
6 difference is that we're going to emphasizing it as
7 a full time activity for people who previously
8 could not, could not do that beyond a 12 month
9 period of time. And given the fact that, that the
10 reading and math proficiency is at 9th grade level
11 we have to be very focused on setting goals that
12 can be achieved for each client and then achieving
13 those goals. And ultimately the goal is to help
14 people get off of the case load and giving them a,
15 a, a high school equivalency is, we think is an
16 important tool. And other states have done very
17 good job of this. I mean Kentucky and some of these
18 other states have done a very good job of this. New
19 York City has not.

20 CHAIRPERSON LEVIN: And, and in doing so
21 HRA is acknowledging that that may not count
22 towards its participation rate but HRA is seeing
23 that as a high enough priority that that's, that
24 that's making that judgment?

2 COMMISSIONER BANKS: Yes. Although I
3 want to caution that in making choices about things
4 that don't count to the participation rate if your
5 choices are too numerous eventually you won't
6 comply with a participation rate. But we think this
7 particular issue is such a priority that we're
8 willing to make sure that we give people this
9 particular tool, this particular credential that we
10 can manage it within our current participation rate
11 compliance.

12 CHAIRPERSON LEVIN: Okay now currently
13 though individuals can be up to 12 months in, in
14 the high school equivalency program.

15 COMMISSIONER BANKS: That's correct.

16 CHAIRPERSON LEVIN: Why, why is the, why
17 are more people not getting their GEDs? Has, has
18 HRA done a study to kind of get, try to understand
19 what's working what's not working, what are the
20 challenges what are the hurdles, what is preventing
21 people who could, could get it from getting it?

22 COMMISSIONER BANKS: I mean certainly
23 one of the things we think is missing is effective
24 assessment and making this a priority in the
25 agency. And so by making it a priority for us to

2 give the ability to our clients to get this tool,
3 to get this, to get this credential to be able to
4 move into the workplace, workforce we think that'll
5 make a difference. I mean the message has not been
6 that this is a high priority of the agency it will,
7 it will be now.

8 CHAIRPERSON LEVIN: Is HRA then teaming
9 up with, I mean is it looking at in terms of
10 contracts teaming up with a greater number of not
11 for profits or those that are successful or those
12 that are in, you know based in neighborhoods? Is
13 there kind of a strategy on how to pursue, how
14 that's going to be pursued in the next round of
15 contracts?

16 COMMISSIONER BANKS: Yeah that's going
17 to be all part of the repurposing. And there are
18 programs that do exist that, that, for whom our,
19 you know with which our clients could definitely
20 get services. So may not require you know
21 reinventing the wheel because there are good
22 programs out there that we need to connect our
23 clients to.

24 CHAIRPERSON LEVIN: Okay. So I apologize
25 again because I am going to be jumping around here.

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2 I wanted to ask about the youth coordinator
3 position. And so you mentioned that there were 24
4 thousand youth that are current, currently
5 receiving cash assistance. Is, is that going to be,
6 is that, is one coordinator going to be enough for
7 24 thousand young people or, or is it, they're
8 going to be a team then built around that
9 coordinator, how, how is that going to work?

10 COMMISSIONER BANKS: It's, it's... [cross-
11 talk]

12 CHAIRPERSON LEVIN: Administratively?

13 COMMISSIONER BANKS: ...It's the ladder. I
14 mean giving it a priority to have somebody who's,
15 has this responsibility within the reporting
16 structure is a first step but clearly you know
17 you're absolutely right you can't have one person
18 be responsible 24 thousand people. But what we can
19 do is have one person who's got a, a team working
20 within a structure to make this a priority for the
21 agency. And that's what creating the position's
22 going to do for us and for our clients.

23 CHAIRPERSON LEVIN: With regard to the,
24 the plan on domestic violence...

25 COMMISSIONER BANKS: Mm-hmm.

2 CHAIRPERSON LEVIN: ...can you explain,
3 can you explain a little bit further the, the
4 current partial waiver policy from work activities,
5 how that's, a little bit more about how HRA plans
6 to change that. And then with the issue of moving
7 it from four months to six months you know is six
8 months a, why only six months? Is that a, a federal
9 limitation do, and then do you see six months as
10 being enough time?

11 COMMISSIONER BANKS: I mean it's a
12 federal limitation and we wanted to, again from the
13 perspective of reducing transactions and, and
14 interactions that are unnecessary since the federal
15 law allows for six months we think six months is
16 appropriate. You know is there really going to be a
17 difference in two months so we're allowed to do
18 four months, six months so we're going to do that
19 and that'll reduce the appointments to two per year
20 rather than three and that will have a beneficial
21 impact for both clients and staff. In terms of the
22 prior situation if there would be a determination
23 made that well you may qualify for domestic
24 violence status but it's safe for you to work in
25 the Bronx. And that may or may not have been the

2 case. But the federal law provides for a waiver. On
3 the other hand we recognize from excellent programs
4 like the Sanctuary for Families Program and others
5 that providing work opportunities can be a very
6 effective part of a strategy for addressing the
7 problems that clients bring in that system. And
8 therefore we're going to provide clients with the
9 ability to opt in. So whereas we're not going to
10 force someone to not have their federal law white,
11 right to have the full waiver if somebody is
12 interested in participating in a work program and
13 it's safe to do so we will certainly permit someone
14 to do that.

15 CHAIRPERSON LEVIN: And then with regard
16 to domestic violence survivors who are receiving
17 cash assistance and living in the HRA emergency
18 shelters are there, is there further plans to work
19 with those individuals while they're in the HRA
20 shelters?

21 COMMISSIONER BANKS: Yeah. I mean our
22 development of shelter based programs are, are
23 certainly going to not overlook those clients who
24 want to be involved with work programs. Again
25 they're going to be qualified for a waiver because

2 of their status but they'll certainly be offered an
3 opportunity to participate and there are a number
4 of our clients in the HRA domestic violence shelter
5 system who are participating in work programs who
6 want to continue to do so. And we're, certainly
7 want to encourage that. We're concerned about the
8 people who were required to when there were
9 certainly safety issues and other concerns.

10 CHAIRPERSON LEVIN: I want to jump over
11 to clients in DHS shelters. So currently there's a
12 wide array of different types of DHS shelters both
13 for single adults, for single adults with no
14 children or sorry adults and couples with no
15 children and then adults with children. There are
16 what they call cluster sites, there are tier 2s,
17 and there's no real uniformity in terms of the, the
18 type of contact that clients may have with the
19 provider. So the level of service that you can have
20 access to at a tier two is significantly greater
21 potentially than you would at a, at a hotel or in a
22 cluster site. And you know that the, just there's,
23 there's a, there's no real uniformity within the
24 system. How does HRA plan to be able to have,
25 provide services, provide these options to

2 potential clients throughout the system where
3 you're kind of dealing with that, that challenge?

4 COMMISSIONER BANKS: Right. No we, we
5 certainly recognize that we can't have place based
6 services at every, located, located at every
7 location.

8 CHAIRPERSON LEVIN: Mm-hmm.

9 COMMISSIONER BANKS: But what we do know
10 is there, that clients who are in DHS shelters and
11 also required to participate in HRA systems HRA
12 employment systems have multiple appointments at
13 multiple different locations and that that can
14 impede the ability to be connected with the work
15 force. And so what we want to focus on, and this is
16 why it's important we're having a phase in process,
17 the larger locations may lend themselves to one
18 approach and the more diffuse locations may lend
19 themselves to another kind of approach. But what we
20 want to do is to be able to focus on the fact that
21 people are living within a city system and not
22 simply have the current process where they're then
23 going to act, interact with yet another city system
24 at another location. So it's going to take a lot of
25 work. You're absolutely pointing to the challenges

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2 that we face. But we want to turn the system around
3 to be much more focused on where people are rather
4 than take for granted that they're at location X
5 and we can then send them to another vendor at
6 location Y.

7 CHAIRPERSON LEVIN: And then I want to
8 ask about ACS, HRA's coordination with ACS, so your
9 plan indicates that you intend to partner with ACS,
10 develop a strategy for youth aging out of the
11 foster care system. Can you tell us a little bit
12 about what HRA has done up till this point with,
13 with ACS and with the foster care system in terms
14 of young people that are aging out or are eligible
15 for our cash assistance that are actually still in
16 the, the foster care system and then kind of how
17 that, how, how we're looking to change that.

18 COMMISSIONER BANKS: You'll allow me to
19 look forward and not backwards right?

20 CHAIRPERSON LEVIN: Sure yeah, yes.

21 COMMISSIONER BANKS: Like... [cross-talk]

22 CHAIRPERSON LEVIN: If you insist yes.

23 COMMISSIONER BANKS: The two agencies
24 have a, you know have a, have a shared mission of
25 dealing with young people who are coming out of

2 again one system and now being reconnected or
3 connected to the HRA systems. And so these are
4 clients that are going to certainly be benefiting
5 from the GED focus, the high school equivalency
6 focus, and the focus on the, the needs of youth in
7 the workforce. I said I wouldn't look backwards but
8 currently these young people are simply part of the
9 overall HRA approach to employment services. And so
10 by having a more focused approach on this
11 particular segment of our client population it's
12 not just young people, it's young people coming out
13 of a particular system. And so we think that
14 there'll be better outcomes by focusing on the
15 particular people and the systems they're coming
16 out of of and other needs they may have beyond the
17 needs of other kids of that age.

18 CHAIRPERSON LEVIN: Great. I mean we
19 are, we are expecting better outcomes. We're
20 certainly expecting better information and data
21 because the mayor just yesterday signed three new
22 laws...

23 COMMISSIONER BANKS: Right.

24 CHAIRPERSON LEVIN: ...into effect that
25 are helping us track some of these educational

2 outcomes and you know what is happening with young
3 people as they age out of that, out of that system.
4 But you know obviously an interagency coordination
5 is, is essential so that they are, you know able to
6 have the supports that they need because you are,
7 our, our system, our city, our society owes it to
8 those young people to give them all supports they
9 need.

10 COMMISSIONER BANKS: Absolutely.

11 CHAIRPERSON LEVIN: I want to, and I
12 apologize, we just have another set of questions
13 that we just wanted to make sure we get on for the
14 record here.

15 COMMISSIONER BANKS: It's okay. It's a
16 comprehensive plan so the questions could be
17 comprehensive too.

18 CHAIRPERSON LEVIN: With regard to... I
19 want to talk about auto posting and some of the
20 changes there. So I know that the plan indicates a
21 change from 24 hours to 72 hours. Now do, does H,
22 do you believe that that is enough time, does that
23 allow enough time for individuals to, to address
24 the issues that caused the, you know whatever it
25 was that, that could lead to a sanction. Or is

2 that, in terms of your focus groups and, and what
3 you've heard back from advocates, clients, and
4 staff does that, does that seem adequate enough or
5 is there an, and if you're, if it, if there's still
6 some dissatisfaction in the future is that,
7 openness to change to extend that...

8 COMMISSIONER BANKS: As I said we're
9 going to be implementing things to see if they're
10 effective and, and have the impact we want them to
11 have. If it turns out that it's not we'll certainly
12 adjust it. But remember that the 24 to 72 hour
13 change is only one piece of the things that are
14 being done.

15 CHAIRPERSON LEVIN: Mm-hmm.

16 COMMISSIONER BANKS: So a more robust
17 application of what the law is with respect to
18 determining good cause. And even if there's no good
19 cause was the violation willful. That's what the
20 court of appeals said a number of years ago. That's
21 what we're going to do in terms of how we're making
22 these determinations, outreach to preconciliation
23 outreach. There are a number of steps that we're
24 going to be putting in place. You asked about auto
25 posting and I would just say look auto posting

2 comes up, comes against a background of having to
3 document certain things for audits. And we're a
4 heavily audited agency by the federal and state
5 government about our ability to document things.
6 The challenge though is to make sure we have a
7 human intervention before nonhuman things cause
8 adverse impact. And that's the kind of systems that
9 we're, we're working on putting in place and that's
10 what the preconciliation efforts are aimed at and
11 all of the different things that we're trying to
12 put in place to make sure there's a human review of
13 things, a human involvement with things.

14 CHAIRPERSON LEVIN: No but there's still
15 a present, like a, the, a default that, that the
16 auto post, like that would assume that the, that
17 the client was at fault... I mean is that something
18 that can be changed with the flick of a switch if
19 you will?

20 COMMISSIONER BANKS: We're, we're taking
21 a look at all of, all of those processes. The
22 process that would give you the ability to document
23 whether something happened or didn't happen is
24 really important in terms of being able to address
25

2 federal and state audits. But on the other hand
3 we're looking at all our processes.

4 CHAIRPERSON LEVIN: And then I know that
5 you said that you're looking forward and back but I
6 wanted to ask about the fair hearing success rate
7 or you know that HRA in the past has had. And the
8 indication now is that, is it seven percent that
9 HRA, or the city won seven percent of the fair
10 hearings? We've heard in the past from HRA that it
11 was 90 percent right? So obviously those are like
12 inverse numbers. Can you explain a little bit about
13 how that came to be and...

14 COMMISSIONER BANKS: We, we looked at
15 what was the HRA win rate in cases that were
16 actually held. And that's what our concern is. If
17 it actually goes to a hearing do we prevail or not.
18 And the fact that we're you know basically a one of
19 10 prevailing rate is associated with all of the
20 issues with respect to the potential 10 million
21 dollar penalty. And so many of the reforms are
22 aimed at addressing not having those other nine
23 cases end up in that, in that world. Again this is
24 something that can't happen overnight. We're
25 settling lots of hearings before they get to the

2 scheduling stage. And once they get to the
3 scheduling stage and they're scheduled we're doing
4 everything we can to try to resolve them. But
5 ultimately we're looking... it's not a question are
6 we winning the hearings or not it's a question are
7 we having transactions that are occurring which
8 ultimately aren't sustainable.

9 CHAIRPERSON LEVIN: Right.

10 COMMISSIONER BANKS: And so that's what
11 we're trying to address the, the transactions and
12 we're you know streamlining our approach to how
13 we're going to operate our fair hearings. We're
14 consolidating the hearings under our... legal
15 affairs. We've had hearings done in many different
16 parts of the agency. We're trying to have a much
17 more focused approach on how to, how to address
18 this issue.

19 CHAIRPERSON LEVIN: Now has the state
20 set up clear guidelines as to you know what they
21 want to see in terms of reduction of fair hearings
22 or is it... in terms of like... is it clear as to what
23 is going to trigger or a fine or is it a sliding
24 scale or...

2 COMMISSIONER BANKS: There's a formula
3 in the state budget that was adopted on April one
4 and it, and it sets a, a, a specific formula, it's
5 a little more complicated than I could explain in
6 the remaining time for this afternoon... [cross-talk]

7 CHAIRPERSON LEVIN: Probably a lot more
8 complicated than I could understand... [cross-talk]

9 COMMISSIONER BANKS: But we could
10 certainly go through it with you. We were able to
11 avoid the penalty in the first quarter of the year
12 and we'll see how we do this quarter of the year.

13 CHAIRPERSON LEVIN: And it goes
14 quarterly?

15 COMMISSIONER BANKS: It's a quarterly
16 analysis.

17 CHAIRPERSON LEVIN: Okay. Let's see. I
18 wanted to ask about staff training and so obviously
19 the, it, well it's kind of a broader issue here
20 about, so obviously very extensive reforms here.
21 How, what's the strategy for communication to
22 clients so that if they're in a particular program
23 now say WEP and they... say, say an individual who's
24 in a WEP program now does not, does not, you know
25 doesn't have the ability up to this point to go

2 into a particular educational program or... How is
3 that then communicated to them that they now have
4 that opportunity? I'm assuming that it, a, this,
5 this, these reforms are applicable to individuals,
6 clients that are in the system now not just new
7 clients.

8 COMMISSIONER BANKS: That's true but
9 remember that they're going to be phased in.

10 CHAIRPERSON LEVIN: Uh-huh.

11 COMMISSIONER BANKS: So this can't
12 happen overnight. It's a substantial overhaul of
13 the system so it's going to take some time to, to
14 factor in things. But for example the automated
15 calls which we already did. The clients are getting
16 the calls. They're getting the opportunity to say
17 you know you have an appointment, remember to come
18 in, oh you missed your appointment do you want to
19 reschedule. That's just happening.

20 CHAIRPERSON LEVIN: Mm-hmm.

21 COMMISSIONER BANKS: And we set up a
22 process to do that and it's, it's having, we hope
23 some success. So there are reforms like that that
24 are just operational in which things will happen in
25 a, in a positive way and we'll starting the impact

2 to see if it's actually having the impact we want
3 it to have. But ultimately at each stage of the
4 change you're right there'll need to be certain
5 kinds of communications and they'll need to be
6 certain kinds of training. For our staff now which
7 is working very hard on the front lines in the
8 current construct that they have the main thing we
9 need to do is to reduce transactions and that will
10 produce a change for clients because the workload
11 for staff is interrelated to the transactions for
12 clients.

13 CHAIRPERSON LEVIN: Is there going to be
14 kind of like a, but is there going to be a, a new
15 training protocols or you know professional
16 development if you will or, or ways, and how is
17 that going to be approached?

18 COMMISSIONER BANKS: We're going, we're
19 going to need to do all that as we repurpose the
20 contracts. But you know in the way that the world
21 is working today the contracts are in place, the
22 WEP programs are in place, all these things are in
23 place until we have a, an approved plan that we can
24 move forward with. And then, then we'll start the
25 process of repurposing the contracts and all of

2 those pieces and that will lead us to, to
3 addressing the WEP issues and that will lead us to
4 exactly where, where you're, you're correctly
5 focusing which is okay then we're going to need
6 training.

7 CHAIRPERSON LEVIN: Right. And but in
8 terms of HRA staff like in the job centers for
9 example... [cross-talk]

10 COMMISSIONER BANKS: As I said... I, I
11 didn't mean to not answer your question, and that
12 will lead us to the place where we'll need to do
13 training for our staff.

14 CHAIRPERSON LEVIN: Right.

15 COMMISSIONER BANKS: As we get to, to
16 the change in how things are operating. But each
17 step is going to require a whole series of other
18 steps before we get to the place where the kind of
19 training that you'd like to see and we'd like to
20 see is going to be, going to, going to be
21 implemented.

22 CHAIRPERSON LEVIN: Absolutely. Few more
23 questions here.

24 COMMISSIONER BANKS: Okay.
25

2 CHAIRPERSON LEVIN: You spoke in your
3 testimony about limited English proficient clients...
4 can you speak a little bit more about specifically
5 the ESL programs and the requirements about, in, in
6 terms of the amount of time that they were, the,
7 the change that'll occur in turn the amount of time
8 that they're able to, to dedicate to that.

9 COMMISSIONER BANKS: We're going to
10 allow full time participation in ESL. They'll also,
11 as I said we're going to be evaluating for literacy
12 because that, that may be a challenge as well. And
13 we think that that's a good investment too and the
14 same as we talked about the investment in, in high
15 school or high school equivalency that it's a good
16 investment to give people the tools that they can
17 get through this type of an approach to enable them
18 to get into the workforce. And we have certainly
19 there are other issues that relate to our limited
20 English proficiency speakers who aren't, who aren't
21 subject to the work rules and we're going to be
22 addressing those too... really relate to people who
23 are, are lawful permanent residents but not
24 citizens and their inability to get SSI when they
25

turn 60 and we're, and we're going to be focusing on that kind of problem as well.

CHAIRPERSON LEVIN: But it, as it currently stands clients can do only up to two days a week... [cross-talk]

COMMISSIONER BANKS: Correct.

CHAIRPERSON LEVIN: ...currently? And they, that, the change is going to be from two days to now an allowable five days per week ENS, in the ESL program and that can count as their primary work activity correct?

COMMISSIONER BANKS: Correct. In order, and again with the aim of taking a more effective approach to putting people in a position where they can move off the case load.

CHAIRPERSON LEVIN: I wanted to ask about where... in, in, in the, excuse me in the plan, in the proposal it does speak about other jurisdictions, other states that are doing things that are working. Can you speak a little bit about where else we're kind of we're looking around the country and who's doing it right and kind of how New York City sees itself within the kind of broader context of, of, of, of jurisdictions?

2 COMMISSIONER BANKS: Right. And remember
3 our comparison is what we're doing in New York City
4 vis-à-vis what some other states are doing as
5 opposed to what New York State is doing. Our focus
6 is on simply what our challenges are here. And you
7 know states like Kentucky and Washington and
8 Oklahoma and Arkansas and California, Iowa,
9 Minnesota, Pennsylvania, all have very effective
10 education assessment and, and service programs in
11 place with the same aim that we're adopting which
12 is that those are going to be more effective tools
13 to help people get off of the case load. Other
14 states like Utah, Arizona, Florida, Iowa, Oklahoma,
15 Texas, Connecticut, California also have processes
16 that are in place that are, that are effective at
17 trying to avoid sanctions and case closings. And so
18 some of the techniques that they've been using are
19 things that we're going to try to use here. You
20 know there's a lot of, a lot of great learning that
21 other states have been engaged in and we want to
22 draw upon that and that's why we included it in, in
23 the plan as well that there are other, other things
24 going on in other states that we, that we surveyed.

2 CHAIRPERSON LEVIN: Alright. I think
3 what's, one thing that, that jumps out at me about
4 that is that it doesn't seem like it's going, you
5 know a long ideological these aren't red states,
6 these aren't... I mean...

7 COMMISSIONER BANKS: No.

8 CHAIRPERSON LEVIN: ...many of them are
9 red states, they're not all blue states. These are
10 you know across the ideological spectrum but, but
11 seems to be that, what, what works is, is most
12 important.

13 COMMISSIONER BANKS: Right. Our, our
14 focus is being, is, is on being as effective as we
15 can be in giving people the ability to move off the
16 case load into the workforce and for people who
17 aren't able to move off the case load into the work
18 force giving other services that will help them
19 with whatever challenges they have. That's not an
20 ideological issue and as these states have shown
21 there are overactive things that we can do that
22 we're proposing to do.

23 CHAIRPERSON LEVIN: You spoke a little
24 bit about helping individuals that could be
25 qualifying for SSISSD. Can you speak a little bit

2 to... I know we spoke the other day and I asked for
3 you know, to quantify, I asked you to quantify how
4 many individuals qualify and how many are enrolled.
5 I'm not necessarily going to make you do that right
6 now but what are some of the, the hurdles that we
7 are seeing right now in terms of individuals that
8 qualify that are not receiving those benefits? What
9 are some of the hurdles that, that HRA has, has
10 identified and what, and how are we going to help
11 them overcome those hurdles.

12 COMMISSIONER BANKS: I mean one of the
13 issues is you know nationally there's a, you know
14 basically a one-third award rate that SSA has
15 found. It's basically one-third award rate.
16 Currently we're having greater success than that.
17 We're you know at around 39 percent or so. And you
18 know that's a little deceptive in, in any given
19 year. It really depends on how many cases are
20 ultimately concluded in the appeals process. But
21 one area that we're definitely looking at is after
22 the appeal occurs. And if it's unsuccessful without
23 legal representation it's very difficult for
24 someone on their own to overturn an adverse finding
25 because it's a federal court challenge and we're

2 looking very closely with the various programs that
3 we already got that our legal services programs how
4 can we focus on that particular gap in services to
5 help reverse decisions of people who, who
6 unsuccessfully filed applications. And, and you
7 know there's national findings that people have
8 these kind of success rates, rates on their own but
9 with legal counsel they do better.

10 CHAIRPERSON LEVIN: Okay. Well
11 Commissioner I want to thank you very much for your
12 time and for your team's time today and for all
13 that you have done thus far and for coming to us
14 with, keeping your word and coming to us with a
15 very ambitious plan that I truly believe is a sea
16 change in, in the way that HRA, the city of New
17 York approaches employment and, and cash
18 assistance. And I think that this is something that
19 we take great heart in and, and we look forward to
20 continuing to be a partner with HRA as you work to
21 implement the plan. One thing that I do just want
22 to leave you with. And a couple of my colleagues
23 spoke to this; Chair Miller and, and Council Member
24 Cornegy, I think a very important part as we're
25 looking to move forward is tapping into emerging

2 industries, growing industries, areas where there
3 is going to be employment over the next decade and
4 two decades. I didn't, you know to me I hadn't
5 thought of hospitality but obviously Chair Cornegy
6 from the Small Business Services has been, has been
7 looking at that. And so I think that the
8 opportunity that the Jobs for New Yorkers Taskforce
9 presents where, making that linkage between HRA and
10 the private sector where things are expanding,
11 where, where there are just these opportunities
12 where a various level of education... you know not
13 everybody needs a, a, a bachelor's degree, an
14 associate's degree may be sufficient or a GED may
15 be sufficient. Making sure that we're, we're, we're
16 doing everything we can and that the rest, and that
17 honestly that the rest of the city helps out and,
18 and comes to, to the assistance of, of those that
19 need it. I think that that is essential to the
20 success of, of this plan and this agenda. And so I,
21 I want to leave you with that that I think that we
22 want to look, we look forward to, to partnering on
23 a long term strategy here and, and we appreciate
24 very much that, your, your, your, your real

2 willingness to, to put your all into this so..
3 Council Member Miller.

4 CHAIRPERSON MILLER: I take... I too
5 Commissioner would like to thank you and your team
6 for coming in and sharing your vision along with
7 the mayor and administration's vision and
8 overhauling this plan which, which greatly needed
9 overhauling. And, and would like to reiterate that
10 you have a partner certainly in the council and we
11 absolutely look forward to working you in this
12 ambitious and difficult plan as we implement it.
13 And so you can reach out to us at any time as well
14 as many of the allies and advocates that are
15 sitting there, out there today that I'm sure has
16 helped to develop this plan. So I, I, I really
17 thank you for coming out and I applaud you all for
18 this plan. Thank you... [cross-talk]

19 COMMISSIONER BANKS: We appreciate your
20 support and, and willingness to, to hear us out
21 today. We certainly feel the urgency of
22 implementing this plan on behalf of both our staff
23 and our clients but I caution again it's a phase
24 in, it's a lot of very important reforms that have
25 to be made, have to be made carefully. It's going

2 to take some time and I appreciate your patience.

3 Thank you very much.

4 CHAIRPERSON LEVIN: Thank you
5 Commissioner, thanks. Okay we are going to... there
6 are a number of people... And thank you all for your
7 patience and for your understanding in terms of our
8 space limitations. We, we, unfortunately we
9 couldn't get somebody to do the audio in the next
10 room so that's why we've all been crowded in here
11 for the last two hours or so but... I, I appreciate
12 everyone's patience. We're going to be calling out
13 the first panel now. Tanya Wong from Legal Services
14 NYC, let's see we have Mark Misrock of National
15 Working Positive Coalition, Maureen Lane of Welfare
16 Rights Initiative, and Kathleen Kelleher of the
17 Legal Aid Society. So because we have over 15
18 people that are signed up to testify we're going
19 ask everyone to keep your testimony to three
20 minutes and we're going to keep you on the clock if
21 that's alright. Whoever wants to begin can go
22 ahead. Just make sure the, the mic is on.

23 TANYA WONG: It on? Okay, thank you so
24 much. Good afternoon, my name is Tanya Wong and I'm
25 the Director of Government Benefits and Training at

2 Legal Services NYC. I'd like to thank the
3 Committees on General Welfare and the Committee on
4 Civil Service and Labor for holding this oversight
5 hearing on HRA's proposed changes to its employment
6 program. I will try to be very brief and just
7 highlight three of our recommendations. We are very
8 supportive of many of the changes that the HRA is
9 planning to implement. And I believe it will go a
10 long way in reducing the sanction epidemic in New
11 York City and better meet the needs of public
12 assistance applicants and recipients. However I
13 think the devil is always in the details. So we do
14 support a more customized approach and to determine
15 each applicant's work requirements and commend the
16 agency's step to increase access to education and
17 training, work study and internships, subsidize
18 employment and community activities. We're
19 particularly enthusiastic about the increased
20 access to basic education for applicants and
21 recipients up to age 24 and for, to ESL classes for
22 limited English proficient clients. We applaud the
23 agency's discontinuance of the ineffective Work
24 Experience Program and its participation in more
25 effective skill building initiatives. We support

2 the agency exploring a limited job search pilot to
3 allow job ready applicants and recipients to engage
4 in a self-directed job search. However we believe
5 that it is important that in that 30 to 45 day
6 application period the agent should be, in agency
7 should be investing more resources in properly
8 evaluating the needs of public assistance
9 recipients and connecting those clients to
10 appropriate services and activities. In our
11 experience we find that people applying for public
12 assistance are usually facing a myriad of pressing
13 legal, social, and medical issues at the time of
14 application and to require them to participate in
15 work activities before they've even actually
16 received any benefits will often result in a denial
17 for these people who may not be able to make all
18 these appointments. So we urge the agency to craft
19 very careful parameters and consider exemptions to
20 the, any kind of job search, work activity in the
21 application period and to really limit it to people
22 who are job ready and or not in crisis and facing
23 barriers to employment. We support the idea of a
24 customized employment strategy for LEP clients but
25 we remain concerned about the agency's inconsistent

2 provision of language services and its poor
3 translation of written document and other language
4 services that are mandated under local law 73. And
5 lastly I would just like to say I think that means
6 I'm out of time but I'd like to say that we applaud
7 the agency expanding the use of full waivers for
8 domestic violence survivors, for better screening
9 for people with disabilities particularly mental
10 impairments, and we believe that this will result
11 in people, more people being found exempt from the
12 work requirements. However, there is an issue that
13 we would like the agency to consider. These people
14 who have been found exempt will then lose access to
15 certain supportive services that only kick in when
16 people are engaged in a work activity. So for
17 example your child care could stop or you may not
18 get car fare if you have been found exempt. So we
19 would like to urge the, the agency to... You know and
20 I, you know people, there may be people who have
21 been given a domestic violence waiver or people who
22 have work limitations or are needed at home who may
23 wish to voluntarily engage in these activities for
24 their own benefit, for their own mental health and
25 to further them along and bring them further to

2 self-sufficiency so we would like the agency to
3 consider proving supportive services to these
4 categories of people who may wish to voluntarily
5 engage in work activities.

6 CHAIRPERSON LEVIN: Thank you very much
7 for your testimony and we have your full testimony
8 and, and your recommendations as well so... make sure
9 that HRA gets them. Thanks.

10 TANYA WONG: Thank you.

11 MARK MISROCK: ...my comments have some
12 relationship I think and follow along in a
13 different but real way. My name is Mark Misrock I'm
14 the Board President for the National Working
15 Positive Coalition. I'm also a certified
16 rehabilitation counsellor and a person living with
17 AIDS. The National Working Positive Coalition works
18 on expanding access to employment and employment
19 services for people living with HIV. Based on the
20 personal and, and economic wellbeing of people
21 living with HIV we're a cofounding member of the
22 New York HIV employment network together with 14
23 other agencies standing together to offer
24 assistance to HRA and its essential HIV AIDS
25 services administration. I'm excited by these

2 encouraging developments at HRA related to
3 employment with a particular interest in
4 highlighting the potential of implementing changes
5 at HASA which may not be addressed in the
6 employment plan. It is vitally important that we
7 acknowledge the intense challenges experienced by
8 people living with HIV in New York City to develop
9 and maintain stable health housing income and food
10 security and it's also true that many who have been
11 helped through HASA to find newfound stability have
12 found themselves trapped in a poverty lifestyle
13 that it self threatens the health benefits that
14 medical treatment and care can make available.
15 First step in considering employment for any HASA
16 participant is to seek understanding of what
17 changes may be possible while maintaining or
18 enhancing housing and health stability. For HASA
19 participants to be equipped to make well informed
20 decisions about making changes related to
21 locational rehabilitation and employment they must
22 have and understand the details of policies that
23 define their continuing access to economic housing
24 nutrition and healthcare stability. HASA has a work
25 opportunities incentive program but its policies

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2 and procedures have not been transparent to either
3 HASA participants or to community service providers
4 assisting people living with HIV and considering
5 employment. There has not been consistency in
6 communication or implementation of these policies
7 by HASA workers. It is inefficient and I believe
8 inhumane to entrap HASA participants in
9 circumstances where they feel unsafe seeking to
10 take steps out of poverty or blindly take risks
11 based on hearsay about what may or may not result.
12 Policies need to reduce the risk to continuing
13 stability of people living with HIV if they seek to
14 try to work and HASA participants have a right to
15 be equipped with information about HASA's
16 employment related policies, programs, and
17 procedures as well as relevant services and
18 resources in the community. Without these we are
19 encouraging thousands of New Yorkers living with
20 HIV to remain in poverty and maximally rely on
21 public resources. Thank you.

22 CHAIRPERSON LEVIN: Thank you very much.

23 MAUREEN LANE: Hi. Good afternoon. I'm
24 Maureen Lane, I'm Co-Executive Director of Welfare
25 Rights Initiative, WRI. WRI is located at Hunter

2 College at City University of New York. And
3 organize the students with firsthand experience
4 with poverty through leadership training and legal
5 advocacy to create and defend fair and just
6 policies. On behalf of the staff and students of
7 WRI we are pleased to be here and we are heartened
8 by the plan that the commissioner has just
9 introduced. I know that I have very little time and
10 as you said the testimony is in the record. It's
11 long but it, I do want to make a few points.

12 Commissioner Banks highlights improving how HRA
13 interacts with all different types of individuals
14 who come to the agency for help. In the 20 years
15 that we've been working with students receiving
16 public assistance we have come to understand that
17 change takes time. And we look forward to the HRA
18 hearing during the public comment period and our
19 students will participate to ensure that changes
20 happen with ease and speed. I want to highlight
21 just a few things. WRI understands that most of the
22 families who come to HRA, come to public assistance
23 come in crisis; some health issue, loss of family
24 member, loss of job, etc. Once the family is
25 stabilized aiding people's employment prospects is

an important next step. We cannot emphasize strongly enough once the family is stabilized. And stabilized is not a family living in a shelter or a student who has no money for food. New York City's best practices showed that housing, health, and food security for its residents are critical for this city's total ability thrive and prosper, prosper. I just want to emphasize that in addition we're really excited to see the expansion of education of four year college accounting has a, has been a long time coming and it should make a dramatic effect. However we are stunned to hear Commissioner Banks say there were only about 27 hundred, 35 hundred with another 800 and, associates and, and four year degrees. When I came to CUNY 10 20 years ago there were 28 thousand students receiving public assistance and I was one of them. And 90 percent of us moved off of, out of poverty and from welfare permanently. This is tragic news that less than 10 percent remain. However WRI has helped through our legal advocacy and policy to keep students in school and we would like to talk to you about continuing outreach and doing training for City Council constituents. And

last thing I'll just say is policy and regulations can support but the way we prioritize our values drives the impact of the services the city provides. That this is the force that can make these new changes a success or failure. WRI values human beings; HRA employees, students, even the City Council. We, with earnest and enlightened implementation the city's plan can make a difference. We look forward to be an invited back to review and report on HRA's progress. And thanks again for y'all, your hearing today.

CHAIRPERSON LEVIN: Thank you very much for your testimony. Thank you.

KATHHLEEN KELLEHER: Good afternoon. My name is Katie Kelleher and I'm a staff attorney at the Legal Aid Society. And along with my colleagues at the Legal Aid Society we represent many individuals on public assistance. We do 46 thousand individual cases in the civil practice a year benefiting 116 thousand low income children and adults. So what I want to talk about today is I want to echo one of the things that Chair Levin said. And I want to thank both Chair Levin and Chair Miller for letting us testify today. I want

2 to echo his comment that what we have heard and
3 what we've seen in the employment plan represent
4 historic, significant, and welcome change. And it's
5 also historic because we have submitted testimony
6 for the record that's 12 pages long. And about 10
7 pages is complimentary to the New York City Human
8 Resources Administration. And I can say that that's
9 a personal first for me. So I won't go into detail
10 about we are very positive and very grateful for
11 HRA's new shift to, it's focused on education as
12 Maureen Lane just pointed out. We're also really
13 pleased with their appropriate focus on client
14 populations that need particular services and
15 attention; like youth under the, from, between the
16 ages of 20 and 24, those seeking college education,
17 people who need ESL services. And we also want to
18 really highlight one of the things that we look
19 forward to seeing a big change in and that's the
20 way that HRA deals with clients with disabilities.
21 We at the legal aid society are very interested in
22 this because we have a long standing case that we
23 filed against the previous administration on
24 disability discrimination at the agency that we are
25 working to settle with the current administration,

it's called Lovely H. Versus Eggleston and we're very hopeful that we have the commissioner's commitment to work to resolve that case. So I, I, with the little time I have remaining I want to point out a couple of things where there's room for improvement. And one is we think that the city could have moved, and could move even further in terms of what they're doing in terms of minimum hours. They, we are pleased to see that they're going to have some flexibility with respect to, to clients and permitting clients to move to a minimum of 30 hours. We think that they could do that across the board and we think that this city could achieve significant savings for child care in doing that. We also think that this, that the city could move to the legal minimum of hours for clients who are parents of children the ages of six and under. HRA has chosen to focus on parents of children ages three and under. And instead of reducing it to the, to the permitted 20 hours has only opted for 25. We think that the agency again could move to the minimum, make it optional for people who wanted to participate more hours but the city could achieve significant savings. Just want to say, want to

2 highlight and really thank Chair Levin for the
3 questions that you asked about auto posting because
4 we think that's really important. Really excited to
5 hear Commissioner Banks say that he's willing to
6 take another look at it. And also very happy to
7 hear that the council understands that in order for
8 HRA to effectuate these changes there's some
9 reforms, systematic reforms they need to make to
10 the way they communicate with clients and the way
11 they train their, their staff. The one last thing
12 we would hope that the council would urge the
13 agency's attention to is we would like to see the
14 agency make use of testers to ensure that clients,
15 that all the policies they've talked about actually
16 are implemented on the ground and that clients are
17 treated with respect that the agency knows that
18 they deserve. Thanks so much for the opportunity to
19 testify today.

20 CHAIRPERSON LEVIN: Thank you all very
21 much. Thank you to this panel for your thoughtful
22 testimony. I'm sorry that we had the time clock on
23 you but we certainly have all of it for the record
24 and they're all significant recommendations that we
25 will be making sure to hold HRA to account to as

2 this plan is implemented. Again this is a first
3 step but, but I think that there's always room for
4 improvement and we're certainly going to make sure
5 that these very common sense reforms are, can, need
6 to be, to be made as the process moves forward. So
7 thank you all very much. Okay. So first we have
8 Joseph is it Mpa, John Medina, Francine Bates, and
9 Edgar Rojas all from Community Voices Heard. Thank
10 you all for joining us. Before you testify I just
11 want to thank Community Voices Heard for being
12 really the, the loudest voice in, in advocating for
13 reform you know before it was the popular thing to
14 do, before we had an administration that was
15 responsive and on the same team. CVH was out there
16 you know demonstrating and protesting and, and, and
17 again making your voices, the community's voice
18 heard. But it was very effective and it's really,
19 this, this is a testament to a lot of your hard
20 work so I just want to acknowledge that before your
21 testimony.

22 JOHN MEDINA: Good afternoon Chairman
23 Stephen Levin and council members. My name is John
24 Medina, board member for Community Voices Heard and
25 a decorated combat veteran who recently

2 participated in WEP experience program with
3 Department of Aging assisting seniors in public
4 housing. I wanted to express my deep appreciation
5 to the committee and all council members passing
6 resolution number 257-A, supporting the passage of
7 a bill ending WEP as a work requirement in New York
8 state. When I apply for public assistance and food
9 stamps for the first time in my life I never
10 expected to confront the disrespect, the disconnect
11 the case workers had towards the low income people
12 of color and poor people in general. Numerous times
13 staff at the human resource centers process my
14 documents without granting me a complete evaluation
15 of my skills and experience for the labor market.
16 Instead I was placed to do a WEP assignment for 20
17 hours a week to receive my welfare benefits. When
18 you take into account the hours worked divided by
19 the public assistance received it calculates to
20 still remaining below the federal poverty rate.
21 This is precisely the reason programs like WEP
22 should be eliminated and replaced with other
23 federal work activities. The WEP program is a
24 broken wheel that needs replacement now. HRA's
25 mission is to break the cycle of poverty with sound

2 employment practices like private and public
3 subsidized transitional jobs for participants on
4 welfare to climb out of despair and low self-
5 esteem. This can be achieved by expanding
6 transitional jobs in DCAS Department of Citywide
7 Administrative Services, HHC Health and Hospital's
8 Corporation, the MTA, and not-for-profits. Pathways
9 to permanent employment and skills building on the
10 job training are also critical pieces of the
11 transitioning to permanent self-sustainability.
12 Poor people in poverty provided with sustainable
13 employment creates growth in New York City economy
14 and decreases the tax burden on local residents and
15 reduces waste of federal government social services
16 funding. Thank you Chairman and Council Members for
17 your time and allowing my testimony for the record
18 and the concerns with the employment services and
19 HRA. We are glad that there's a new proposal of
20 changes and look forward to working with the
21 administration to implement them. The sooner the
22 better because every day another person is cut off,
23 beaten down, and loses hope. Thank you.

24 CHAIRPERSON LEVIN: Thank you very much.
25

2 FRANCINE BATES: Good afternoon. My name
3 is Francine Bates. And my experience with the Work
4 Experience Program started about three months ago.
5 After applying for HRA benefits I was told if I
6 wasn't 60 years or older I would have to attend
7 FECS and then eventually the WEP program. During
8 that time I was told by HRA that I would have to be
9 seen by an HRA case manager on site at the FECS
10 Office to select what type of work assignment I
11 would be expected to do. I was told to pick from
12 MTA, DCAS, or the Police Department which all are
13 maintenance positions without pay. I asked if there
14 were any clerical positions because my work
15 background is clerical. I was told clerical
16 positions are very rare. When I went to the
17 orientation for WEP I was told, I was in shock, it
18 was like a cattle call and we were spoken to as if
19 we had no other choice. I was also dealing with
20 personal health issues which meant I had to have
21 major surgery. I was told by WEP I had to produce
22 medical documents supporting why I couldn't
23 continue with this program. It was difficult
24 during, it was, it was a, it was difficult doing
25 maintenance work assigned to me because it required

2 lifting trash cans, mopping floors, using
3 chemically based products for cleaning which didn't
4 help with my medical situation. I'm a cancer
5 survivor and I'm afraid and concerned if I have to
6 go back to do this sort of work. I have health
7 concerns. I'm now enrolled in the We Care program.
8 WEP should be extinguished. It's demeaning, no pay,
9 and very insensitive. Right now I'm presently in
10 housing court because of public assistance only
11 pays 215 a month for my rent. How can I look for a
12 job is WEP has my time for three days a week five
13 hours a day. I really would probably, I'll probably
14 will be evicted from my apartment of 16 years which
15 doesn't help me in my recovery or my finances. I'm
16 here today because I wanted to hear the proposed
17 changes to the HRA work force system. I think it
18 sounds like improvements will be made. And I just
19 hope it's very soon because I need it to be fixed
20 now. Thank you.

21 CHAIRPERSON LEVIN: Thank you. Thank you
22 for your testimony.

23 JOSEPH MPA: Good afternoon ladies and
24 gentleman. My name is Joseph Mpa. I'm a member of
25 community Voices Heard also. And I want to thank

2 you for convening this hearing about the HRA
3 employment programs. The, the current grouping of
4 HRA programs is confronted by the simple reality
5 that in a capitalistic society the necessities of
6 having a job are paramount. The fact that the new
7 administration chooses not to do, not to
8 criminalize people on poverty is very refreshing
9 and very inspirational. My testimony is there for
10 you to read. However I just want to add a few
11 things. In terms of listening to the commissioner I
12 was very much impressed with some of the plans and
13 out of the box thinking that they have come forth
14 with. However it does concern me that we're talking
15 about two years in terms of the phasing out of WEP.
16 As people have spoken to and as others will address
17 the abuses will continue, the discrimination, the
18 harassment will continue. It has to be something
19 that has to be ended quickly. It's paramount to
20 thinking of slavery and saying well you know we're
21 going to phase it out in you know about maybe two
22 years and... you know but we're going to do it as
23 quickly as we can. There's a sense of urgency that
24 needs to be developed. What I urge is that in the
25 next 30 days where HRA is requesting responses on

2 their proposal is that we come forth with answers
3 to help them to quicken the process so that it can
4 be done with a say a reasonable amount of time
5 which would be tomorrow. But besides that maybe a
6 six month period. That certainly two years is far
7 too long for far too many people to have to go
8 through. And once again I commend Councilman Levin,
9 Council Member Miller in reference to your keeping
10 to task and attempting to hold them to the
11 resolution that was passed by the City Council. We
12 appreciate, respect, and we support you for that.
13 Thank you.

14 CHAIRPERSON LEVIN: Thank you very much
15 Mr. Mpa.

16 EDGAR ROJAS: Good afternoon Council,
17 Mr. Levin chair. My name is Edgar Rojas. I'm a work
18 participant. I've been on the workforce, on the
19 Work Experience Program for 29 months, 22 months
20 with the MTA outstanding evaluation, great
21 attendance, never called in sick, never been out.
22 However the frustration and the disrespect that
23 they treat us there was very disappointing. On
24 several locations one of the lead cleaners offered
25 to buy my food stamps, she will give me 50 dollars

if I give her 100. Okay one of the cleaners for the MTA. Far from that I made a complaint because I was verbally being abuse constantly by a cleaner. The director from that WEP assignment which is Ms. Pocker [sp?] was present. I was not aware of that. I was called to the side and in other words I was like a little disrespectful. I was just standing for my right. I was tired already of being verbally and mentally abuse. Upon that happening they pull me out of the site right away. They send me home and just wait call back and we see if we going to take you back. They had me there for approximately about a week. Calling back calling back nobody's there. Finally I called back I was told I can come back which I was happy because you know... My evaluations you know guaranteed job, well not guarantee job but recommended for hire. And upon that happening I came back now they had another issue. They said well the days that I were out that MTA excuse me when they send me home pending this outcome of that incident that happened they said well I was, you know I was out for those days so therefore you have been... It's our mistake but you come back. Went out again another two week you know

mission came back and eventually when they reassigned me they reassigned me to another facility to a, to another WEP assignment which is DOT. I was not too happy about that because I dedicated so much time dedication to this you know I've see and I witness 10 or 15 people get hired or 20 during my period there. I was next in line. That brought me down because of that complaint that I made is obviously, and also my age. I'm 54 years old. The, the parties that I seen to get hired they were younger than I. Well I can't do anything about that, I can't bring my age back but I'm still pursuing other avenues to get employment. I'm an IT guy doing maintenance work I don't care it's a job. During my time at DOT I got now seven month. I started on March of this year. I was doing good, again 100 percent evaluation, attendance perfect. I suffer an injury about two weeks ago. A latter fell on my head. Upon me questioning the management why I was not issue a safety gear, a hard hat or some goggles because I cut metals, I work in the sign shop. I don't know if that's my detail, I was told to do it, I'm just following it up. A latter fell and caused 17 inch... I had 7 stitches in my head.

2 And to make a long story short now upon that
3 complaining I was going to be transferred to
4 another facility but now since I emailed the HRA
5 through the help of CVH into you know getting
6 something done about this they sending me back to
7 HRA for no reason. I'm not being... it's just that
8 I'm complaining about the, you know the safety and
9 the safety for my own welfare. And I, therefore I
10 would like something to be done. I don't want to
11 be, I don't want to start again with HRA. I'm
12 already comfortable. I want to be back. Send me to
13 another facility. Why must I need to start all over
14 again? And that is why I'm here today. And I thank
15 you. If something's able to be done about this I
16 appreciate it very much.

17 CHAIRPERSON LEVIN: Thank you very much
18 for your testimony. Can I ask you a quick question?
19 So the, the individuals that you said were hired at
20 the MPA were they WEP clients or were they hired in
21 the...

22 EDGAR ROJAS: ...what do you mean? The,
23 the individuals who offered to buy my, my benefits?

24 CHAIRPERSON LEVIN: No no no... [cross-
25 talk]

2 EDGAR ROJAS: No?

3 CHAIRPERSON LEVIN: ...the, you said that
4 there were, you saw a number... [cross-talk]

5 EDGAR ROJAS: ...WEP workers that got
6 hired?

7 CHAIRPERSON LEVIN: Yeah were, were they
8 WEP workers? [cross-talk]

9 EDGAR ROJAS: Yeah, yeah, oh the, we,
10 absolutely they were where, they were WEP, there
11 was several of them, I witness, I was there. Some
12 of them got fired because of their negligence not
13 being responsible and drinking alright. So it's
14 just that the good people, they let them go. I mean
15 here's a guy with 100 percent evaluation, 100
16 percent attendance and all because he made a
17 complaint all of a sudden he's dropped.

18 CHAIRPERSON LEVIN: Right.

19 EDGAR ROJAS: And you know... being
20 biased. So that's the way I look at it.

21 CHAIRPERSON LEVIN: Right and I mean and
22 it highlights, to be totally honest I mean it
23 highlights one of the issues of just worker safety
24 and the fact that you know WEP workers don't have
25

2 the same time of protection that unionized workers
3 have... [cross-talk]

4 EDGAR ROJAS: And that's what my
5 concern... is too which the commissioner stated about
6 what about injuries that are, that, that can happen
7 in there. I'm a pure example. I don't know if this
8 going to affect me later on. I'm 54 years old you
9 know. I ain't, I don't think I got that much living
10 but I hope to live another 15 at least...

11 CHAIRPERSON LEVIN: Mm-hmm.

12 EDGAR ROJAS: ...or 20 if god is willing
13 you know. But what happens if that would have been
14 worse, it would have poked my eye or I would have
15 had eye, then what? Where am I going to be.

16 CHAIRPERSON LEVIN: Look at the statute
17 of limitations on that.

18 EDGAR ROJAS: Okay.

19 CHAIRPERSON LEVIN: Sue the city. But no
20 thank you very much for, for that, and to this
21 entire panel for, for helping us you know bring
22 this issue further into focus. Because again we
23 still have... I mean I, I think it's important to
24 note that while we're making great strides today we
25 still have work to do in the future and as, as this

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2 panel has really highlighted and we need to make
3 sure that we're getting, moving towards that day
4 where we eliminate WEP entirely and that we support
5 the dignity of work with, with, with proper
6 protection and compensation.

7 EDGAR ROJAS: I appreciate for listening
8 to me and thank you very much guys.

9 CHAIRPERSON LEVIN: Thank you. Thank you
10 very much to this panel, thank you. Next panel
11 Emily Miles Federation of Protestant Welfare
12 Agencies, Letitia Gibbs Health People Community
13 Prevent... sorry Health Institute People of Community
14 Prevent... Health Institute Letitia Gibbs, Louise
15 Feld Citizens Community for Children and Greg Bass
16 of National Center on Law and Economic Justice.
17 Sorry and before we hear from this panel I, I've
18 neglected earlier to, to acknowledge Committee
19 Staff Andrea Vasquez Council and Tanya Cyrus Policy
20 Analyst from General Welfare Committee, and Dohini
21 Sempora [sp?] Finance Analyst. Thank you, and this
22 panel can go ahead, thanks.

23 EMILY MILES: Hello, my name is Emily
24 Miles. I'm a senior policy analyst with the
25 Federation of Protestant Welfare Agencies. FPWA is

a antipoverty policy and advocacy non-profit with a membership network of 200 human services and faith based organizations. Each year we reach a, 1.5 million low income New Yorkers of all ages, ethnicities, and denominations. We like to thank the City Council for the opportunity to testify before you today regarding HRA's employment plan. I'm just going to do a brief summary of our comments. With the adoption of the new employment plan HRA has the opportunity to truly spend the 200 million dollars that they annually spend on employment programs to create pragmatic policies that actually assist those in need. As acknowledged by HRA the current one size fits all approach too often results in a lack of client engagement in meaningful employment programs and the inability to connect client to long term employment opportunities. In focusing on the three overarching principals HRA has developed a plan that fundamentally reforms the manner in which clients engage with the city and ensures improved educational employment outcomes. H, FPWA strongly supports HRA's intention to phase out the current WEP program. We believe that increased access to

2 evidence based training programs is essential for
3 the long term success of New York City's employment
4 plan. We strongly support the utilization of the
5 Career Pathway Program to engage clients and
6 meaningful educational opportunities and we
7 encourage HRA to implement comprehensive
8 transitional jobs programs for clients who may
9 require additional support services. Transitional
10 jobs are a particular form of publically subsidized
11 employment which seeks to help those who are hard
12 to employ, those that may be long term employed,
13 TANF recipients, disconnected youth or formerly
14 incarcerated. It helps to overcome employment
15 barriers with paid short term employment that
16 combines real work, skill development, and support
17 services. Participants are provided training in
18 both necessary soft skills in the work force and
19 with vocational training in a specific industry or
20 skill. These programs have been proven by several
21 studies to reduce dependence on public assistance
22 for participants and have been shown to largely
23 reduce recidivism among those who are formerly
24 incarcerated. With, that's our main recommendation.
25 Overall we are strongly supportive of this plan and

2 we look forward to implementation. I'll yield the
3 rest of my time to my colleagues.

4 LETITIA GIBBS: Good afternoon Mr. Levin
5 and Mr. Miller. Thank you for letting me testify
6 today. My name is Letitia Gibbs and I'm the special
7 coordinator for Health People Community Preventive
8 Health Institute. Today I just want to agree with
9 what Mark Maross [sic] said about people living
10 with HIV and AIDS being able to return back to the
11 workforce. Clients that were previously considered
12 unable to work due to HIV and AIDS related
13 illnesses are now available, are now able to
14 consider the possibility to reenter the workforce
15 in light of the improve health. Despite health
16 improvements people living with HIV and AIDS have
17 faced numerous obstacles with respect to workforce
18 entry including concerns about future health
19 outcomes, possible loss of welfare benefits,
20 outdated job skills, discrimination, accommodations
21 for HIV related disabilities. While the, while they
22 struggle to overcome these significant challenges
23 that affect their ability to live independently and
24 return to the workforce. Reentry is an important
25 aspect of the independence. The benefits of

2 permanent employment for individuals who are able
3 to reenter the workforce include decreased
4 depression systems, improve peer support. And I
5 just want to give you some reasons why people
6 living with HIV and AIDS want to return back to the
7 workforce which is increased income, increased
8 personal meaning, giving themselves worth, control
9 and, and increased self-efficacy, reduction of
10 family financial burden whether it's perceived or
11 whether is real, increase social interaction, and,
12 and all making is work despite compelling reasons
13 that support the importance of work reentry for
14 people living with HIV and AIDS the number of
15 obstacles often make this transition difficult.
16 These obstacles may suggest that the efforts at the
17 workforce entry, reentry are not worthwhile or that
18 the cost outweighs the benefits. Concerns related
19 to a possible loss of, or changes in health
20 benefits, fear, and anxiety over the possibility of
21 disclosure of H, reality of HIV related prejudice
22 and discrimination, and relative lack of job skills
23 or education are the leading factors. Therefore
24 work reentry programs that we know are effective
25 are crucial. We are pleased by HRA's attention and

concerns. We are looking over the proposals we heard today which certainly can be helpful, equally helpful would be to proper use that existing money. Two major examples would be to take back the 1.2 million and fund the allocated to GMACs [phonetic] to start an employment program under the last administration. This was a sole source non-bid contract given at the last minute and does not represent a proper use of city funds for an AIDS employment program. People from the Bronx and Brooklyn who are in most need of employment can't even reach the site. These funds should be put back into community based organizations that have experience and a higher success record for training, educating, and providing social skills needed to obtain employment. Over the past ten years HASA own job training program has only resulted in five to nine people a year actually getting a job. Proper utilization of these funds were required in an altered approach redirecting funds into peer programs which build the social, social skills necessary for work would be a worthwhile alternative to explore training people living with HIV and AIDS in office related tasks

2 teaching them to work well with others and provide
3 an educational resources are an integral part of
4 creating a successful reentry. Finally when issuing
5 these contracts and HI, and planning HIV training
6 and employment programs it is imperative that
7 organizations can demonstrate a steady record of
8 preparing people who were formerly incarcerated for
9 work and that they are actually hired, hiring the
10 formerly incarcerated themselves. In closing if
11 these funds are placed within organizations that
12 have shown dedications to do this work we can make
13 real progress. If we toss it into non-big contracts
14 we sadly would get nowhere. Thank you.

15 CHAIRPERSON LEVIN: Thank you for your
16 testimony.

17 LOUISE FELD: Good afternoon. My name is
18 Louise Feld and I'm the Senior Policy Associate for
19 Food and Economic Security at Citizens Committee
20 for Children. CCC is a multi-issue child advocacy
21 organization dedicated to ensuring that every child
22 is healthy, housed, educated, and safe. Thank you
23 so much to Chair Miller and to Chair Levin for
24 holding this hearing today. We've submitted written
25 testimony which was drafted prior to the release of

2 all of the details about the employment plan. And
3 we were optimistic even prior to hearing about all
4 the wonderful reforms that are going to be phased
5 in. Because of the breadth of sweeping changes to
6 which to, Commissioner Banks testified to both in
7 the May hearing that he referenced as well as
8 today, specifically things like disbanding Center
9 71, extending the amount of time that public
10 assistance applicants have to find childcare, and
11 the changes related to the four year college bill.
12 All of these things made us really excited to hear
13 the commissioner's testimony today and this
14 excitement and this optimism was obviously well
15 founded. So overall we want to express our strong
16 support for an approach to the updating the
17 employment plan that really considers a variety of
18 factors ranging from education, work history, all
19 of the other factors mentioned, I won't belabor it,
20 in order to properly assess employment
21 opportunities, skills needs, and really get public
22 assistance recipients into appropriate work
23 placements so that they can eventually achieve long
24 term employment and self-sufficiency. There were a
25 couple of other points that we've included in our

testimony for things that we hope to see in the employment plan and its implementation and so I'll briefly touch upon those. First, we do want to see increased coordination between HRA and ACS and the Department of Education. There was some talk about that. However we want to make sure that parents are fully educated on the types of child care, early education, and after school sports, supports that are available to them because of course working parents need these supports and, to be able to comply with their work requirements. We are also wishing to build upon some of the things that Chairman Miller raised and also as well Council Member Cornegy in his, in his questioning about the meaningful education and training opportunities that we would love HRA to think creatively about. Thinking aspirationally about ways to engage PA recipients in, all the panoply of educational opportunities so yes four year college but also two year college, vocational, technical education, GED programming. Looking toward successful pilots it was great to hear that Jobs Plus is going to be expand, expanded. There were other really successful pilots that CEO had tested such as the

2 Nursing Latters Program that connected people to
3 really sought after job skills and trades. And we'd
4 love to see ways that those could perhaps be
5 expanded upon or applied when PA recipients are
6 interested. And other opportunities that
7 infrastructure updates that are currently happening
8 could perhaps make connections between PA
9 recipients and the, a lot of those changes. We also
10 hope that in transition planning when recipients
11 are transitioning off of public assistance that
12 there is some connection between HRA and DCA to
13 help PA recipients figure out how to build assets
14 and save and access financial institutions for long
15 term financial security. And finally we do hope
16 that in all of this, with all the policy directives
17 that are going to be issued that there will also be
18 comprehensive training developed for the on, for
19 the front line case workers who have the very
20 difficult task of implementing the, implementing
21 the employment plan day to day. So overall we're
22 very excited about all of these new reforms and
23 look forward to the positive impact that they will
24 have on New York's families and children.

2 CHAIRPERSON LEVIN: Thank you very much
3 Ms. Feld.

4 GREG BASS: Thank you Chair Miller Chair
5 Levin. We appreciate the opportunity to testify. My
6 name is Greg Bass. I'm the senior attorney at the
7 National Center for Law and Economic Justice. The
8 center operates here in New York and both
9 nationally to address inequities in public benefit
10 systems on behalf of low income clients. My
11 comments are directed specifically towards the We
12 Care program. And I'll highlight just several
13 issues that my written testimony goes into some
14 more detail about. We Care is overseen by HRA and
15 currently administered by two private contractors
16 FECS and Fedcap, is part of a longstanding
17 documented troubled history of failing to deliver
18 on We Care's promise of delivering support services
19 and other sorts of services to people with multiple
20 and complex physical, mental health, and substance
21 abuse barriers. The deficiencies of We Care have
22 been documented in a number of sources both by this
23 committee and by Community Voices Heard among
24 others. We applaud the issues addressed
25 specifically to We Care that are in today's HRA

2 employment plan. And chief among those is the
3 reference to the We Care contracts being
4 reevaluated and rebid. We support that. We applaud
5 the reforms generally of this administration under
6 Commissioner Banks already in his first short six
7 months and we continue to look forward to working
8 with him on We Care among other issues. I'll
9 briefly highlight just several points about We
10 Care. Under the Americans with Disabilities Act, We
11 Care and HRA generally along with its contractors
12 must comply with disability mandates including
13 meaningful access to programs, services, and
14 activities of We Care, avoidance of discrimination,
15 a level playing field of equal opportunity and
16 fundamentally the affordance of reasonable
17 accommodations. As was highlighted by Katie
18 Kelleher from the Legal Aid Society the Lovely H
19 litigation is a groundbreaking piece of litigation
20 that addresses that very issue with HRA, the
21 affordance of reasonable accommodations to people
22 who have disabilities. The We Care population is a
23 prime example of those folks. It's directed towards
24 that very vulnerable population. So central to
25 these protections is something very fundamental.

2 Reasonable accommodations in everyday life examples
3 such as helping with scheduling of appointments,
4 helping with complex paperwork, helping with
5 providing third party verification from other
6 sources such as medical providers. These are very
7 fundamental reasonable accommodations that We Care
8 unfortunately has not delivered on through its
9 years since 2005 in its inception. Clients need
10 assistance in navigating what is a very complex
11 program. An example is the BPS, the Biopsychosocial
12 assessment process which actively hinders in its
13 structure through its multiple appointments, its
14 multiple locations, its multiple context with
15 multiple providers, it hinders this very process of
16 people who need reasonable accommodations. They
17 need flexibility and appointments. They need
18 flexibility in completing paperwork and it's not
19 given. And finally escalating outreach is addressed
20 in the employment plan and we support that. That's
21 a fundamental tenant of case management which is
22 currently highlighted in the contracts under We
23 Care with feds and feg [sic], FECS and Fedcap.
24 Unfortunately it isn't, it isn't delivered in a
25 reasonable manner that affords actual outreach to

2 people to miss, who miss these appointments, who
3 subsequently drop out, and who face program
4 compliance sanctions. The great volume of fair
5 hearings that persist to this day under the We Care
6 program involve missed appointments. So this is
7 continuing to be an issue. I would finally like to
8 leave you with a modified mini, the employment plan
9 of HRA today highlights that they will use this
10 modified mini mental health screening tool as a
11 gateway to We Care and as a gateway to affording
12 reasonable accommodations. We applaud that. If HRA
13 is able to use a modified mini in a meaningful way
14 with meaningful protocols HRA will be placed for,
15 first and foremost among agencies around the
16 country. There is no other comparable mental health
17 screening tool that's been validated for use by
18 public assistance populations. The Nathan Klein
19 [sp?] Institute did so with a modified mini in New
20 York and we applaud its use. Thank you.

21 CHAIRPERSON LEVIN: Sir, and just a
22 quick question Mr. Bass. So then do you... did you
23 see in the presentation of the jobs program today
24 you know enough in terms of how We Care is going to
25 be reformed? I mean we, we, what we you know, the

2 commitment is to you know adjusting the contracts
3 that are, that are going to be rewarded, re-RFP'd
4 or whatever but, but it, is there still room in
5 that, in that framework so that they can do more to
6 We Care, or, they should be doing more to, to We
7 Care in the, in the coming months?

8 GREG BASS: Well as I said... another
9 example is a reference to the employment plan
10 issued today to make We Care outreach more robust,
11 that's the phrase that's used. We certainly applaud
12 that but the devil is in the details. The contracts
13 that have been existing for a number of years
14 require this escalating outreach. What we continue
15 to hear from clients what's been documented by
16 Community Voices Heard and other sources for a
17 number of years is that it just simply doesn't
18 happen. And that's a function of case management.
19 This is a very vulnerable population with multiple
20 complex barriers. They need case management. Yet
21 when you ask We Care participants do you have a
22 case manager who is it they don't know because they
23 haven't been informed. They receive generic flyers,
24 and booklets, and information about what We Care
25 does but not how it's tied into what the program

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2 compliance goals are, what their requirements are,
3 what happens if they miss an appointment. So we
4 certainly... there are several specific references as
5 I said to We Care in today's employment plan. We
6 applaud them. We've been talking with and working
7 with Commissioner Banks and his staff about We Care
8 and we look forward to continuing to do that but
9 the contracts are up for renewal in July of next
10 year.

11 CHAIRPERSON LEVIN: Mm-hmm.

12 GREG BASS: And we would urge this
13 committee to exercise its oversight function about
14 that process, to have an open hearing through HRA.
15 We would like to see them as, as is referenced be
16 reevaluated and rebid and let's start from scratch.

17 CHAIRPERSON LEVIN: Right. The big
18 contracts I assume right?

19 GREG BASS: They're extremely big
20 contracts, 200 million dollars.

21 CHAIRPERSON LEVIN: And you've been,
22 HRA's been in touch with you and you've, as they've
23 gone through the, the, the, the outreach process
24 prior to this plan being put out today?
25

2 GREG BASS: That's right as well of, as
3 well as a number of other advocates including Katie
4 Kelleher and others and we continue to, to be, to
5 be in that loop and we look forward to that.

6 CHAIRPERSON LEVIN: Good. Okay, thank
7 you all very much. [cross-talk]

8 GREG BASS: Thank you.

9 CHAIRPERSON LEVIN: Thank you for your
10 testimony, thanks. Okay. Did you... Final panel;
11 Jennifer Flynn from VOCAL New York, Wendy
12 O'Shields, Deb, Deborah Dunleavy from Community
13 Voices Heard, we heard Edgar, we heard from Edgar
14 Rojas before right? Oh sorry. And Eric Kelly from
15 Community Voices Heard. Okay, you're up.

16 JENNIFER FLYNN: Alright hi. Good
17 afternoon my name is Jennifer Flynn and I'm the
18 executive director of Voices of Community Activists
19 and Leaders, VOCAL New York. We are a grassroots
20 membership organization committed to building power
21 among low income people affected by HIV and AIDS,
22 mass incarceration, and the drug war in order to
23 create health and just communities. On behalf of
24 VOCAL New York I want to thank the General Welfare
25 Committee Chair Steve Levin and the other members

2 of this committee for this opportunity today to
3 provide testimony. VOCAL New York began in 1998 as
4 the New York City AIDS housing network along with
5 other groups of poor people desperately fighting
6 back against these deadly welfare reform policies
7 that we have seen reversed here today. If there's a
8 silver lining of those policies it's that we
9 organize some of the groups that are the fiercest
10 membership organizations in New York City such as
11 our colleagues at Community Voices Heard, Make the
12 Road by walk, Make the Road New York and throughout
13 the country direct action for rights and equality
14 in Rhode Island and others. So I'd like to thank
15 the City Council and specifically this committee
16 for decades of leadership including countless
17 hearings that often devolved into exciting shouting
18 matches between the administration and the City
19 Council that were, when you were trying to reign in
20 the terror that was unleashed on New York City's
21 poor. And I know that sounds a little bit
22 hyperbolic but I really can't overemphasize how bad
23 the previous two administration's policies on
24 welfare were. Julianne and Bloomberg era welfare
25 policies have left our welfare system broken and

2 have served to drive people further into poverty
3 and frankly have fueled the AIDS epidemic in New
4 York City. As Mayor de Blasio and Commissioner
5 Banks know we cannot take a one size fits all
6 approach and we are so grateful that they have
7 recognized that. For clients of the city's HIV AIDS
8 services administration other low income
9 individuals living with HIV and AIDS we must make
10 certain that if individuals get sick and are no
11 longer able to work that there's a seamless
12 transition back into HRA for assistance or to HRA
13 for assistance and that they're able to remain
14 stably housed and have access to appropriate
15 medical care. Falling through the cracks of HRA for
16 people living with AIDS and HIV is, could literally
17 mean life and death. And policies related to
18 employment requirements must be extremely safe for
19 them. In order to achieve the end of AIDS which is
20 a stated goal of this administration and of the
21 City Council and of the governor we must expand
22 eligibility for HASA benefits to all HIV positive
23 New Yorkers. Currently it's restricted to, to New
24 Yorkers who have an AIDS diagnosis that's
25 antiquated the science is way ahead of us. We know

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2 that we need to get people into housing. We need to
3 get people access to food. We need to get people
4 access to transportation so that they can get to
5 their doctor's appointments before they get an
6 AIDS, have an AIDS diagnosis. We also must follow
7 the law and the many lawsuits that the City Council
8 supported and ensure the people can move into
9 emergency medically appropriate housing the same
10 day that they request it and that they move within
11 the timeframes as the City Council passed a law
12 stating into permanent housing within a short time
13 frame, 45 days they need to be given three options
14 for housing. So while, so this is a great day and I
15 am so proud to be a part of it. And literally when
16 I, when I heard the rumor that it was the end of
17 WEP I, and I saw a PowerPoint presentation of just
18 words tears were in my eyes. So you know I'm not
19 sure that people often cry when they see a
20 PowerPoint but I did today and so I thank you for
21 this opportunity to be a part of this historic day.

22 CHAIRPERSON LEVIN: Thank you and, and,
23 and thanks to VOCAL as a whole and to all of your
24 members for their you know fierce advocacy and
25

2 steadfastness and overall compassion for, for New
3 Yorkers that need it. Much, much noted so...

4 ANNE VALDEZ: As you know my name is not
5 Deborah Dunleavy. My name is Anne Valdez. We are
6 both from Community Voices Heard. She's not here,
7 she had to leave. I have the copies here, we just
8 found them. But I did say I would read her
9 statement. She says... Hello my name is Deborah
10 Dunleavy and I am a leader at Community Voices
11 Heard. I started on welfare in April of 2012. All I
12 needed from a job readiness viewpoint was the
13 retyping of a restaurant management's resume. The
14 Crescent Street We Care site could not and/or would
15 not help with this project. My resume was two pages
16 long because I am a career changer, from
17 accounting, to restaurant management, and secondly
18 I was mostly self-taught. I have learned how to
19 cook like a four star chef due to my 40 years of
20 experience and my passion for turning out the best
21 possible food for you to eat. My passion for wine
22 was developed by five years of business travel to
23 Europe for the manufacture of my own wide
24 comfortable and stylish shoe line. My first
25 shipping season was fall of 2011. All my orders

2 were cancelled and I lost all my money invested in
3 this project due to 9/11. I returned to work in
4 accounting and was doing fairly well until the
5 financial meltdown of 2008 and 2009. There was no
6 work, job, or projects for a person with 35 years
7 of experience. I hobbled a long financially, I
8 hobbled along financially by some small consulting
9 projects during 2009 2010 and 2011. But then had to
10 apply for assistance. We Care did three days of
11 occupational testing and then they did not give the
12 results of the testing or any good way of using the
13 information. My WEP assignment, my WEP assignments
14 were to make my programs of the highest degree.
15 Kehillah [sp?] in Jackson Heights had four or five
16 individuals doing a half person job. If you were
17 writing the check for necessary services but since
18 you have free bodies from We Care, WEP you can
19 bloat and freeload the organization because you are
20 not paying any labor costs. The worksite was unsafe
21 from an OSHA viewpoint but why should that be an
22 issue, it's okay for those people on welfare. I am
23 glad to know there will be changes. We need them
24 now. Thank you.

25 CHAIRPERSON LEVIN: Thank you very much.

2 WENDY O'SHIELDS: Hi, my name is Wendy
3 O'Shields. I just wanted to make a suggestion.
4 There was a program that was run in 1973, the
5 Comprehensive Employment and Training ACT, CETA. I
6 think that the mayor and Commissioner Banks should
7 look at that program. It was a, it was a paycheck
8 and the people were employed in city positions for
9 12 months to 24 months and many of them if they you
10 know made it through those period of time they were
11 hired on permanently. Also they were non-profits
12 that were utilized in you know placing these
13 fellows. And so that's my suggestion.

14 CHAIRPERSON LEVIN: I've actually heard
15 of the CETA program.

16 WENDY O'SHIELDS: You're so young.

17 CHAIRPERSON LEVIN: But I have heard it
18 about it from people that I worked with so...

19 [background comments]

20 WENDY O'SHIELDS: Okay. I was actually a
21 youth and I was participating in that program in
22 Cleveland, Ohio when I was about 15, yeah. It's a
23 federal program. And that's what I needed to say.

24 CHAIRPERSON LEVIN: Thank you very much.
25 And we'll definitely take that back to, to HRA.

2 WENDY O'SHIELDS: Okay.

3 CHAIRPERSON LEVIN: Okay. And we have
4 your testimony here.

5 WENDY O'SHIELDS: Okay.

6 ERIC KELLY: Well this is my first
7 testimony. Greetings Chairman Levin and the council
8 members and everybody here for taking the time to
9 listen to my testimony. My name is Eric J. Kelly
10 II. I'm a member of the Urban Justice Center, VOCAL
11 New York, and Community Voices Heard. And the
12 reason I'm here today is because I'd like to
13 discuss my experiences with the back to work
14 program and the Work Experience Program which many
15 of you already know by now as WEP. I've been a
16 participant of both of these so-called programs and
17 WEP does not do anything but save the city agency's
18 money and the Back to Work contractors make a
19 profit off the AR, HRA clients that they put to
20 some of the jobs that paid little or barely close
21 to the minimum wage. They get like a commission.
22 And they do not provide any type of help, real
23 skills, and actually to put people back to work in
24 their former career or in the job fit of their
25 choice. As I'm working with the three agencies I

mentioned earlier in helping people including myself secure our rights, help individuals get the proper information to succeed, and informing them of real jobs such as, such as Work Force 1 and New York public libraries which I mentioned to somebody yesterday that I went to for the first time, I haven't been to in years, I'm already telling my age... And I was so very impressed... all the books and the DVDs you can rent that they have actual job centers that help people put back to work. And I'm very surprised that the city and state haven't put more money into the Work Force 1 program or the libraries since it's a city and state agency to begin with. And they're very professional. They've help people get you know some type of city employment or even you know, you know corporation employment like the Barclay Center [sic], the newly expanded gateway mall that's not too far from my home. And they have put more housing, they're still putting up more buildings that creating construction. And the Work Force 1 and the library have these job offers that you know can break, put people back to work and of course there's a lot of, you know working with clerical, computers, and

everything else. And with this, with, with putting you know more emphasis on these two agencies it will help everybody gain secure employment. I'm also here to share with you many, many of my other individual clients including myself are... frustrated with HRA as a whole. There are many clients who for fear of losing their entire benefits feel they have nowhere to turn to or do not even have a voice. I, myself in speaking for some of the people including myself who are not here today to let you know that, you know we, you know we would like you know to see, how can I say, the city you know make changes to the Back to Work Program and having these agencies help and eliminating WEP because it doesn't do anything to help us you know or to you know like I say again further our career. I'm tell you another brief story. I was also a member, I mean a participant of two back to work programs at the same time. One being Goodwill and one being CEC, I don't know how that happened but I have to attend the two back to work programs simultaneously on the same week. And it didn't make sense but if I didn't attend these programs I would be fear of losing benefits when, when I... an HRA representative

2 of this, they say you supposed to only belong to
3 one back to work program but that was not the case.
4 I was stuck with two back, back to work programs at
5 the same time. And finally to wrap it up because I
6 already heard the bell our elders including
7 ourselves have for for many years to make sure that
8 we have you know these type of benefits and
9 programs in place for ourself [sic] to be able to
10 go back to work. And I feel like that work should
11 still be going on much better and the money being
12 utilized more to fund these programs are not you
13 know free labor because when people do work you
14 know they pay into their taxes and pay into their
15 benefits and be able to you know have a better life
16 and then you you know contribute back to the city
17 and state. Thank you council, Chairman, Councilman
18 Levin and the council panel for taking the time to
19 listen to my testimony. Thank you very much.

20 CHAIRPERSON LEVIN: Thank you Mr. Kelly.
21 I want to thank this panel very much for your
22 patience, for you know being here the entire time,
23 it's been three hours and... But obviously for being
24 here on such an important hearing and really you
25 know a, you know an epoch of a day in terms of, of

2 you know how we're moving forward in this new era
3 and it's, it's a, couldn't happen a moment too
4 soon. So we want to thank you very much for your,
5 for your patience and for your testimony. Council
6 Member Miller.

7 CHAIRPERSON MILLER: I too want to thank
8 you for, for being here. I think that the hearing,
9 first of all I, I'd like to thank Council Member
10 Levin for his leadership on this issue for
11 convening this hearing. So many extraordinary
12 things have come out to day. What is, is
13 extraordinary itself is the process and as you said
14 the, the stick-to-itiveness and steadfastness
15 that's been demonstrated by these advocates out
16 there the Make the Roads, the VOCALS, the Community
17 Voices and, and Legal Services that have been at
18 this for just decades upon decades. And there's not
19 a lot of days like this right. But, but they do
20 come. And they come because of you. And so I'm,
21 I'm, I'm happy, honored, and proud to be a part of
22 this hearing but also have been part of the happy
23 and proud to have kind of sat there and been an
24 advocate. And we do have a voice and that voice is
25 being manifested here today. And so it is,

continues to be a process and we will continue to work with you, consult you, and, and, and have you as a part of the process. I think that we have, there's relationships on both sides of the table already if they're not certainly reach out to my committee, to the council members' committee as well so that we can make sure that all that has been said today really becomes reality. You know that two years is a long time but certainly it's that patience that has gotten us here today. So it is our hopes that we can expedite this process but more importantly that everything's that been said today, that the program has been put forth is actually implemented with the suggestions that were made by expert testimony of yourselves and others as well. So I am really optimistic about the future of how we deliver services to those clients and those who are really in need here in the city of New York because that is a testament of who we are. So I'm excited about the future and I really thank you all for participating and your patience is demonstrated by staying here to make sure that your voice is heard and it has been heard. So thank you so much. And thank you Chair.

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2 CHAIRPERSON LEVIN: Thank you Chair as
3 well and thank you for your leadership on this
4 issue and all issues in regarding to the workers in
5 New York City. You're a great advocate and I very
6 much appreciate your committee's work on this
7 issue. Thank you.

8 [gavel]

C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date October 7, 2014