



Legislation Text

File #: Res 1604-2012, **Version:** *

Res. No. 1604

Resolution calling on the New York State Assembly to pass, the Senate to introduce and pass companion legislation and the Governor to sign A.9700, which amends the Social Services Law by clarifying that public assistance applicants and recipients are not subject to ineligibility provisions for child care related compliance issues when a parent is unable to find suitable child care.

By Council Members Vann, Brewer, Chin, Eugene, James, Lander, Mendez, Williams, Wills and Rodriguez

Whereas, The Temporary Assistance for Needy Families (“TANF”) program provides assistance and work opportunities to needy families by providing federal funds to states in order to allow them to develop and implement their own public assistance programs; and

Whereas, TANF mandates that recipients who are determined to be work-eligible must engage in approved work activities in order to receive public assistance; and

Whereas, If a recipient is determined to be work-eligible and has a child the family may qualify for subsidized child care; and

Whereas, The intent of providing subsidized child care is so the parent or caretaker can engage in approved work activities to comply with requirements in order to receive public assistance; and

Whereas, If an applicant refuses to comply with public assistance requirements they will be found ineligible for public assistance; and

Whereas, If a recipient fails or refuses to comply with public assistance requirements they are subject to sanctions; and

Whereas, New York State issues pro-rata sanctions, which reduce the amount of household benefits for recipients who fail or refuse to comply with a program requirement; and

Whereas, New York State Social Services Law mandates that child care must be provided to a family

who has applied for or is receiving public assistance when such services are needed for a child under age 13 in order for the parent to engage in work activities; and

Whereas, However, according to a report by NOW Legal Defense and Education Fund titled, “Still Nowhere to Turn: New York City’s Continuing Failure to Inform Parents of their Child Care Rights” (“the report”), parents are not always provided with adequate information about child care; and

Whereas, According to the report, 95 percent of parents surveyed in New York City said they were not informed by their public assistance caseworker that they could not be sanctioned if they were unable to work due to lack of child care and 45 percent said they had been threatened with sanctions if they were unable to work due to lack of child care; and

Whereas, No parent should be deemed ineligible for public assistance during the time that participation in work activities is prevented due to the lack of appropriate available child care; and

Whereas, A.9700 clarifies New York State Social Services Law related to public assistance recipients by stating that, “no applicant or recipient who is the parent or caretaker relative of an eligible child shall be subject to the ineligibility provisions if the lack of child care that is appropriate, suitable, and within a reasonable distance, and reflects parental preferences prevents the individual from complying with the requirements...”; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Assembly to pass, the Senate to introduce and pass companion legislation and the Governor to sign A.9700, which amends the Social Services Law by clarifying that public assistance applicants and recipients are not subject to ineligibility provisions for child care related compliance issues when a parent is unable to find suitable child care.

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