Legislation Details (With Text)

File #:	Res 1373-2012	**Version:** *	**Name:**	Clarify notice requirements, conciliation procedures and sanctions in cases where public assistance recipients fail or refuse to comply with employment program requirements. (S.6910/ A.3423-A)
Type:	Resolution		**Status:**	Filed
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Title: Resolution calling upon the New York State Senate and the New York State Assembly to pass and the Governor to sign S.6910 and A.3423-A, which would clarify notice requirements, conciliation procedures and sanctions in cases where public assistance recipients fail or refuse to comply with employment program requirements.

Sponsors:

Indexes:

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6/13/2012	*	City Council	Introduced by Council	
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Res. No. 1373

Resolution calling upon the New York State Senate and the New York State Assembly to pass and the Governor to sign S.6910 and A.3423-A, which would clarify notice requirements, conciliation procedures and sanctions in cases where public assistance recipients fail or refuse to comply with employment program requirements.

By Council Members Palma, Brewer, Chin, Comrie, Ferreras, James, Lander, Rose, Williams, Wills, Rodriguez and Vann

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 these recipients fail or refuse to comply with federal 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, In New York City, the local agency that determines eligibility for benefits and issues sanctions is the Human Resources Administration ("HRA"); and

Whereas, When HRA believes that a recipient has failed to comply with work requirements it will initiate the conciliation process and issue a Notice of Conciliation ("Notice"), which informs the recipient of his or her violation; and

Whereas, Current policy only minimally acknowledges agency administrative error, inadequate assessments for determining employability, and extensive reporting requirements; and

Whereas, If a recipient misses just one appointment, HRA may issue a sanction rather than re-engage the recipient in work activities, despite the hardships that the reduction or elimination of income causes in households already experiencing poverty; and

Whereas, According to Legal Momentum, nationally, in 2008, 85,000 families a month received reduced benefits due to a partial sanction, with an average monthly reduction of $146, which was 38 percent of the $383 average monthly TANF grant; and

Whereas, According to the Empire Justice Center and the Federation for Protestant Welfare Agencies, 25 percent of the public assistance caseload in New York City is currently sanctioned; and

Whereas, Legal Momentum reports that studies have found high error rates when sanctions are reviewed; and

Whereas, S.6910, currently pending in the New York State Senate, and companion bill A.3423-A, currently pending in the New York State Assembly, would enable local districts to promote re-engagement and will help recipients to avoid unwarranted sanctions; and

Whereas, S.6910/A.3423-A would require HRA to determine if there is an exemption, such as lack of child care, transportation or an accommodation for disability before issuing a Notice; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Senate and the New York State Assembly to pass and the Governor to sign S.6910 and A.3423-A, which would clarify notice requirements, conciliation procedures and sanctions in cases where public assistance recipients fail or refuse to comply with employment program requirements.

EH
LS #3568
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