



Human Resources
Administration
Department of
Social Services

TESTIMONY

“Oversight: Overcrowding at HRA Food Stamp Centers & Job Centers”

New York City Council General Welfare Committee

January 31, 2012

Good morning Chairwoman Palma and members of the General Welfare Committee. My name is Patricia M. Smith, I am the First Deputy Commissioner of the Human Resources Administration (HRA). With me here today are Lisa Fitzpatrick, Deputy Commissioner of our Family Independence Administration (FIA) over operations and Gary Jenkins, Assistant Deputy Commissioner of FIA and head of the Food Stamp Program.

HRA shares your concern regarding our services for the number of people coming into our Food Stamp and Job Centers. As Commissioner Doar outlined in his testimony before the Committee in November, we have made it a top priority of the Agency to address the office adequacy issues. It is imperative that we make sure that everyone who applies and is eligible receives their benefits within required time frames. We have continually kept a close eye on our timeliness rate in issuing benefits and can report that we are meeting federal and state standards in both our Food Stamp and Cash Assistance programs. However, it is clear that the growth of our Food Stamp Program in particular, more than 700,000 people in a four year period, which now serves 1.825 million people, has been challenging to those who seek our services as well as to our staff.

Initially, we met the increased demand through automation and procedural changes that were underway prior to the caseload rise (*see appendix A*). By 2008, we had implemented a paperless office system that allowed for easier processing of applications and recertifications, as well as electronic storage of case records and better management reports for both food stamps and cash assistance. From 2005 through 2007, we also converted many of our centers into "model offices" that helped streamline both the center design and the overall process. Within our Food Stamp Program, by 2008, changes were already in place to receive applications by fax and mail and to replace in-person interviews with telephone interviews for certain populations. We also had implemented an automated telephone recertification process for those with no changes in their financial circumstance from year to year.

CHALLENGES TO OUR PROGRAMS

Effects of State Administrative Reductions

However, the economic difficulties continued longer than expected and our operational challenges were exacerbated when the state severely reduced funding for administrative support to the City. The administrative funds represent staff as well as the bricks and mortar of our work. They pay for staff who see our clients, the facilities where we provide service, and all of the necessary support operations. The City spends over 626 million dollars annually to administer the food stamp and cash assistance programs. This amount covers staff salaries, buildings, supplies, technology and all other needed supports. The City's contribution for administering these programs has increased by more than 200 million dollars over the last six years, while the State's contribution has been reduced from over 200 million dollars down to zero dollars. Let me repeat that: the State's financial contribution in a program that was designed to be a state and local partnership has gone from over 200 million dollars to zero dollars. As a specific example, the 2009-2010 state budget removed support to the City for the administration of food stamps, cash assistance, and employment programs, while the City picked up costs of more than 120 million dollars annually. Making matters worse, last year it pulled back on its historic commitment to equally share in the benefit costs of the Safety Net caseload, requiring the City to pay 71 percent of the cost, an increase of 21 percent. The cost to the City of that change was over 225 million dollars yearly and is estimated at over 1.2 billion dollars over the next five years.

Headcount Reduction

As you know from our annual budget hearings, we worked hard to avoid layoffs and focused reductions on administrative and other support functions rather than direct services for as long as possible. In order to meet savings targets, HRA reduced our budgeted headcount by 1,300 positions, through eliminating vacancies while not laying off staff. During this time of caseload growth our productivity was challenged by the need to replace approximately 400 provisional Food Stamp Eligibility Specialists, Job Opportunity Specialists, and other center staff. While the newer workers have over two years of experience on the job at this point, there was a period of classroom and on-the-job training in order to come up to speed.

Although we tried to protect direct service staff from many of the personnel actions, the issue of growing demand for our services resulted in higher staff to case ratios. The Food Stamp Program, though, has historically been able to sustain higher staff to case ratios as it usually involves minimal direct client to staff contact. In fact, our average worker to case ratio prior to the economic downturn at the end of 2007 was approximately one for 549. We believed the additional increase could be absorbed by the new automation being integrated into the program, however we over-estimated the uptake in the use of technology to apply remotely. At the end of 2011, our worker to case ratio is one to 852.

Space Concerns and Consolidations

In an effort to reduce non-personnel costs, and thereby preserve staffing levels at our centers, HRA relinquished over \$7 million worth of annual rental space for a total of 359,584 gross square feet. A majority of this space was not occupied by centers, with two exceptions- the consolidation of two refugee job centers into one and the closure of the building in Harlem housing the Riverview Job Center. The latter would have required a substantial financial investment to renovate if we stayed; the City-owned property was made available for affordable housing. The clients from Riverview were accommodated in newly renovated space in Queens. The layout of our older facilities had created a set of problems as several have small waiting areas or areas that can only be accessed via limited elevator banks. It was also becoming clear that some of our space was no longer adequate to accommodate both a food stamp and job center. For example, in Brooklyn, our Euclid Job Center space was transitioned to the Food Stamp Program while an expanded Job Center was created by transferring our Food Stamp Program out of the Linden Center. In The Bronx specifically, delays in when space would become available also meant that our plan to create separate food stamp and job center space was interrupted in midstream. This delayed case transfers, placing increased demand on some centers.

RECENT AND UPCOMING CHANGES AND IMPROVEMENTS

Describing the problem doesn't solve it and we are very committed to continuing to make necessary changes and adjustments. The alleviation of crowding at our office is a high priority and recent actions we have taken are already showing results.

Staffing Additions and Adjustments

Additional staff is now on-board at our high demand food stamp centers with the 102 eligibility workers funded in last year's budget having completed training and now on the job for 3 months. We also added an additional 10 supervisory positions within our Rental Housing Assistance and Housing Court units who have seen an increased demand, particularly in the Bronx. This influx

of workers has been a great assistance and in February we are set to hire 49 additional Food Stamp eligibility workers and 50 Job Opportunity Specialists for targeted centers.

Space Redesign

We have reevaluated our space at centers experiencing problems with overcrowding and identified immediate and longer term changes. For the food stamp centers, we have been able to make some changes and adjustments to the physical layout to accommodate those seeking our services. For example, at several of the centers, notably in the Bronx and Brooklyn, additional waiting room space has been made available inside the facilities by reconfiguring layouts and using underutilized space. We also are reallocating some space that was utilized by other HRA programs in the same buildings. Additional space was also identified by asking some vendors and other community partners in particularly crowded centers to move to off site locations. As the Committee is aware, we are also in the planning stages with the Department of Citywide Administrative Services to take occupancy of brand new office space with the consolidation of the Melrose Job Center and its co-located Food Stamp Center into the Bank Note building in the Bronx and the Linden Job Center to 470 Vanderbilt Avenue in Brooklyn.

Reducing or Diverting Time Spent in a Center

As discussed by Commissioner Doar at the Committee's November hearing, HRA has also taken a series of actions that are reducing the foot traffic into the offices. After an analysis of the reasons why recipients come to our centers beyond applying for benefits, we found that a significant number of daily office visits were to request replacements of a lost NY State Common Benefit Identification Card, the card with which benefits are redeemed, and for budget letters to confirm budgets for various reasons. To avoid the need to go to their assigned center for a referral for a state card replacement, we implemented a centralized replacement card referral process for Brooklyn and Queens that is in closer proximity to the State's card center in Brooklyn. A similar process is underway and currently available for several of our Bronx centers. These two new sites have issued referrals for as many as 9,000 replacement cards each month. We also developed an automated telephone line on which cash assistance and food stamp recipients now have the ability to call a centralized number, (718) 722-8009, to request a budget letter on their case which will be generated and mailed to their residence rather than having to come to their assigned center to obtain one. Since April 2011, more than 6,800 budget letters have been requested and mailed to our clients. Now that the service is available in all five boroughs, we expect that utilization of this service will only grow.

This year, we also expect to see a large shift in the use of web-based electronic food stamp applications. The city-wide rollout of the online application process was completed early last year. Already, we have seen the percentage of our applications coming in via the web double since the first full month of operations last year; online applications now represent 22 percent of all our food stamp applications. The State Office of Temporary and Disability Assistance is also working to expand its "My Benefits" website to allow non-cash assistance food stamp participants to recertify for benefits online. They have told us that this new feature is expected to launch by early summer 2012. Food stamp participants are also now able to access the state's website to check their benefit amounts, confirm budget information, and view case details such as the names of the people on their case and the address on file. These initiatives make it easier for our clients to get the information they need without contacting the centers.

We had hoped that our collaborations with community-based organizations would have meant more food stamp applications being filed off-site. However, although we are now working with over 70 organizations, we receive an average of just over 1,300 applications a month from community organizations, much fewer than anticipated when we began the initiative.

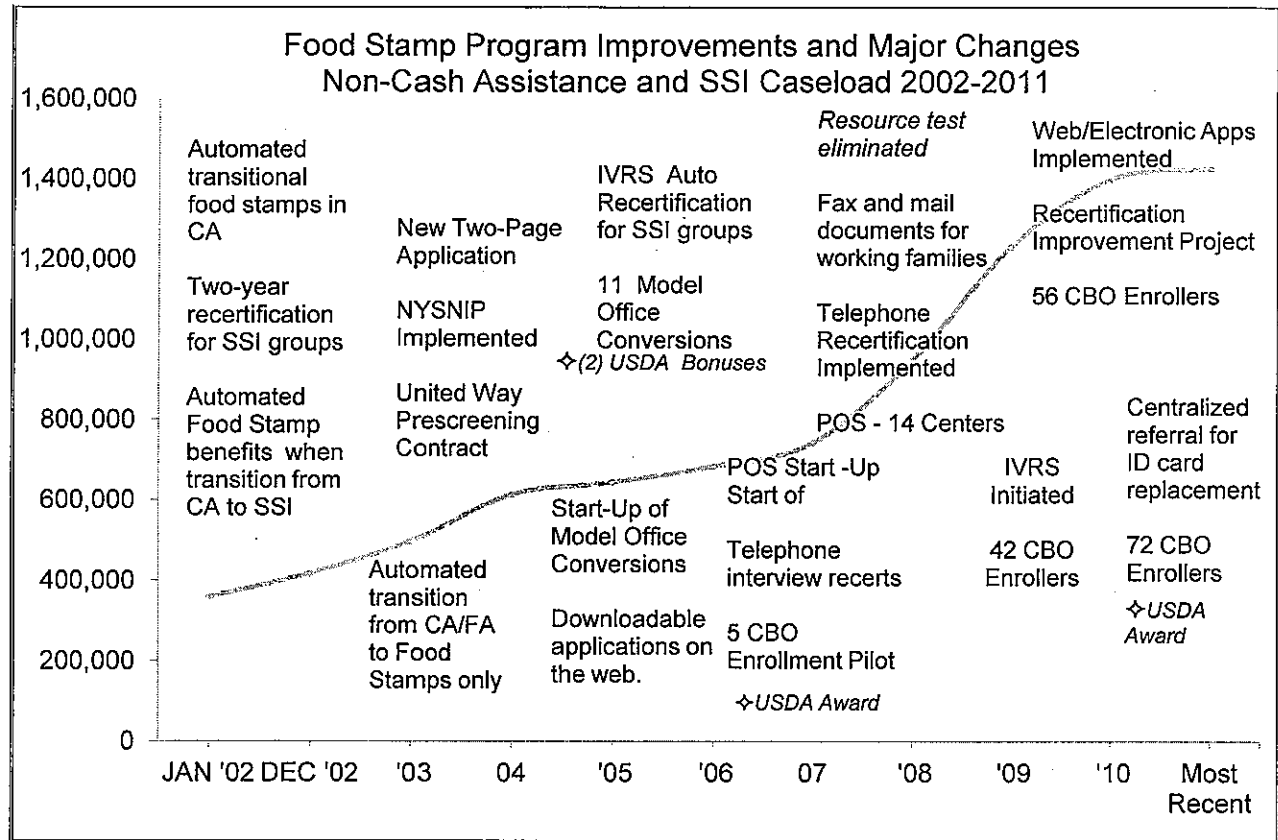
Better Alignment of Clients to Centers

Another focus of our efforts has been to balance and properly distribute caseload and staff workload to adjust when we find a particular location experiences a consistently high volume of applications. One way that we have accomplished this is through zip code realignments. We are very cognizant of travel times for clients in this process and are making sure that any increase of travel time is minimal. In the Cash Assistance Program, the use of some specialty centers has also been very effective. We reorganized our Job Centers by modifying our process for senior citizen and child-only cases, in which the adult is not part of the CA case. After initiating an application at a local Job Center, these cases are now transferred to a specialized Senior Center or a Family Services Center. In the Food Stamp Program, the Supplemental Security Income (SSI) only cases are served through one central location, which has also allowed for specialized staff training.

As you can see, we are taking a comprehensive approach to this issue. We are taking steps to make sure that applicants and recipients are served in professional accommodations, while putting into place both short and long-term solutions that will streamline the process for both clients and workers.

At this time I look forward to the Council's questions.

APPENDIX A



Good Day Distinguished Council Members:

I am Rose Lovaglio Miller, Vice President of Social Services Employees Union Local 371 (SSEU L371).

Thank you for affording me this opportunity to discuss the crisis in the Human Resources Administration's (HRA), Family Independence Administration (FIA), Job Centers. I will describe how this crisis is impacting on our members in the Job Opportunity Specialist (JOS) title series, their families and the communities as a whole.

The over-crowded, unmanageable conditions in the job centers is a direct consequence of City Hall's "do more with less policy". The current economic crisis has generated an increase in the number of clients needing services, and changes in the kinds of services needed. With the increased number of clients, the number of security incidents has risen sharply, creating a volatile and unsafe work environment. There have been several job centers with lines down the block and around the corner. On many occasions there were concerns of fire hazards as well as other health and safety issues due to the amount of clients in these centers. Along with safety concerns rising, the caseloads are rising, while staff morale is falling. There is a serious decline in staff morale because many of the workers who have families which include small children and/or elderly affirmed adults are often forced to either neglect their own families or be subjected to disciplinary actions.

Simultaneously, the attrition rate is rising because workers are stressed and burned-out from the growing demand for services. This in turn leads to increased amounts of mandated overtime, due to more clients with less workers. The workers have hit a brick wall!

Conditions are not improving; on the contrary, they will certainly get worse in light of proposed additional cuts and changes in Medicaid, Day Care and other social services, as well as staffing. HRA must be allowed to provide the tools necessary to administer these **mandated services** to its clientele. Staff shortages must be addressed immediately. Staffing is vital to the effectuation of any improvements in the system. Improvements in the system, especially of the job centers, are vital to the economic health of the City of New York. Undue staff cuts in the public and private sectors are hurting the ability of HRA to help get New Yorkers back to work, when they need it most. We, as a City, are hitting a point of diminishing returns as fewer people get put back to work, less tax revenue gets collected. Of all the functions the City can provide, this is where it should be putting its resources. The clientele we assist in the centers have changed. We are not only servicing the “traditional poverty stricken” population. We are now servicing clients that were recently middle-class, working individuals and families, like you and me. They are educated professionals that have had to take pay cuts and shortened work hours to keep a job; or have lost their jobs totally due to downsizing and layoffs.

We would be remiss if we did not propose some solutions to the overcrowding, security and work space issues we have raised. We have had several labor management meetings with HRA/FIA to discuss some of these

solutions and they have worked with us to implement some. However, the priority remains that the agency must be allowed to address staff shortages and work space concerns immediately, which will directly impact the security concerns. We are aware that the hiring and training processes take time. In the meantime, the agency may want to try a “quick service” policy for “minor services” such as bringing in documents or obtaining referrals. They can make changes in the amounts of call-ins scheduled on a daily basis or change the intake and screening processes, which they agreed to consider. However, they can’t control the number of walk-ins on any given day. These suggestions may help in the short term; but long term, the only real solution is additional staff.

The bottom line is the City must not continue to “crack the whip” over a beleaguered workforce with unrealistic expectations of doing more with less. Our members are willing and dedicated; they are not super human or unbreakable. In the past, they have volunteered to come in early and stay late, as well as, work through their duty free lunch hours, against our advice, to try to meet the **service mandates**. Now with the overwhelming amount of work they do it is not feasible. SSEU Local 371, in support of our members, demand that the City address this crisis with the realistic understanding that “more with less” has failed miserably and the workforce is not at fault!

**Testimony of Conrad A. Johnson,
Clinical Professor of Law,
Columbia University School of Law
New York City Council Committee on General Welfare
January 31, 2012**

Introduction:

Members of the Committee, thank you for inviting me to testify today. My name is Conrad Johnson. For the past twenty-two years, I have served as a Clinical Professor of Law at Columbia Law School, where I co-direct the *Lawyering in the Digital Age Clinic* with Professor Mary Zulack and Brian Donnelly. The video that you saw at the beginning of the hearing was prepared by two of my student colleagues in the Clinic, Christopher Watts and Benjamin Kopelman and I thank them for their efforts.

As you may know, clinical legal education typically involves teaching and learning through supervised experience. By engaging students in work on real cases and projects, students are able to hone core lawyering skills and learn more deeply about law and law practice while performing public service.

The *Lawyering in the Digital Age Clinic* focuses on the impact of technology on law practice and the profession. We do that by working closely with public interest legal organizations and members of the judiciary who wish to integrate technology into their work. Over the past eleven years, we have partnered with a variety of clients including the City Bar Justice Center, The Legal Aid Society, the Coalition for the Homeless and the Chief Judge of the State of New York.

Through our work, we have studied the use of technology in the delivery of public services. We have witnessed the potential of technology to improve the administration of justice, while cutting costs and increasing productivity. At the same time, we have seen technology facilitate arbitrary, incorrect results that do great harm to people and increase costs to local government.

For many years, one of our organizational clients has been Project FAIR. Project FAIR maintains an information table at 14 Boerum Place, which is where nearly all of the many hundreds of "fair hearings" in New York City take place each business day. The information table operates Monday through Friday and is staffed by volunteer attorneys, paralegals and students who provide information free of charge about fair hearings, public benefits and community services. Simply put, Project FAIR does great work and we have tried to assist them by designing and maintaining a database to help track and refer cases. We also created an online "Knowledge Base" to increase the breadth of information that is available to the volunteers as they address the problems of those seeking help.

Through our work with Project FAIR, we heard many stories about overcrowding at the City's job centers. We talked with the Project FAIR staff, colleagues at The Legal Aid Society and at Legal Services NYC and listened to repeated accounts of lines that stretched for blocks

outside job centers and people standing in the elements, many of whom are mothers accompanied by children, others of whom are disabled, hungry or homeless. To us, it sounded like the modern day equivalent of the depression era bread lines. We decided to see for ourselves.

What we saw and heard on December 5, 2011 at Center 37 in Queens was recorded in the video that you saw at the start of today's hearing. It is worth noting that Center 37 was targeted for improvement more than a year ago under HRA's "Overcrowding Action Plan". Other centers were targeted as well, including the DeKalb center where, on November 14th, 2011, the FDNY prohibited additional clients from entering until occupancy levels were reduced. Similarly, in an article that appeared on January 3, 2012, the Wall Street Journal reported that more than 100 people lined up outside the East 161st St. center in the Bronx, with the first of those arriving as early as 6:30 AM in the hopes of avoiding customary delays.

Autoposting:

There are many factors that contribute to the problem of overcrowding at the City's job centers and there is no doubt that HRA has a difficult and important job. You have heard or will hear from advocates about many aspects of the problem. Given the focus on technology in our clinic, I will concentrate on one particular practice that lies at the heart of the present crisis – "autoposting". Autoposting is a computerized process under which clients are *presumed to have missed required appointments* unless an HRA staff person indicates otherwise by affirmatively recording in the computer, the client's attendance.

This programmed assumption has a disastrous effect on those in need of subsistence benefits and is often incorrect. Typically, the alleged "failure to report" leads to a reduction or discontinuance of public assistance. This is true even if the client attended the appointment or was excused from attending and the worker failed to record it, or if the appointment notice was sent to an incorrect address, which is all too often the case, particularly for homeless clients.

I handled my first "fair hearing" in the late 1970s and I supervise the representation that our students provide at fair hearings now. What was true then, is true now, human error is an inevitable fact of life for HRA just as it is for everyone else. What is different now, is that technology plays an increasingly large role in the administration of public benefits. Now, inevitable human error is compounded by the inappropriate use of technology by HRA through autoposting.

"Garbage in, garbage out" is a basic concept in computer science and it can be traced back to the "father of computers", Charles Babbage. This mantra is used to remind programmers that when erroneous information is programmed into a computer, you can expect that the output will also be incorrect. That is what occurs through autoposting. It would be as if every student in the Law School automatically began each semester with the grade of "F" and that grade remained on the student's record, regardless of how hard she worked, unless I change the grade. Of course, that is not what occurs at Columbia. Faculty are prompted through various methods to enter grades into our computer system at the appropriate time. No grade is entered unless and until the professor considers the student's performance and inputs a grade. Any presumption of an "F" would be as absurd for our students as autoposting, with its presumption of non-compliance, is for those seeking public assistance.

Moreover, this inappropriate use of technology on a massive scale creates a cycle of waste. This cycle of waste costs the City and State money, squanders valuable resources, contributes to continued overcrowding and creates untold human suffering among the City's most vulnerable populations. When a person is presumed to have missed a required appointment a conciliation notice is generated and sent to the client's address, requiring the client to come to the center. If the client does not appear for conciliation a "Notice of Intent" to reduce or discontinue benefits is generated. Of those clients who actually receive a Notice of Intent, many return to the center in an attempt to undue an incorrect or inappropriate determination or avail themselves of a pre-fair hearing conference. In the alternative, a client may request a fair hearing. If a client receiving aid requests a fair hearing within ten days from the date of the Notice of Intent, the client's aid should continue uninterrupted. However, many clients never receive the Notice of Intent or receive it after the deadline to request "aid continuing" has passed. This in turn, necessitates further visits to the center for emergency aid or to reapply for benefits to prevent eviction or put food on the table. Obviously, the overarching point is that autoposting requires many to make repeated, unnecessary visits to already overcrowded centers.

Naturally, there is also a cost to the City to process and defend the eligibility determinations that flow from autoposting. City representatives appeared on behalf of HRA at the nearly 100,000 fair hearings that were held in New York City in 2010. It is worth noting that according to the Office of Temporary and Disability Assistance, Office of Administrative Hearings, only 12% of New York City fair hearing outcomes in 2010 were categorized as "correct when made" or "affirmed". Put another way, though fair hearing requests reflect only a subset of issues that drive clients to job centers, of those adverse HRA actions challenged through the fair hearing process, a high percentage were either withdrawn or reversed. This indicates that adverse case actions are often meritless and upon subsequent review, should not have been taken in the first place. In addition, the cost to the State to administer the fair hearing process for cases emanating from HRA is substantial. Beyond that, ancillary costs associated with a plunge into deeper poverty including emergency health care costs and homelessness are significant not only in monetary terms for the City but on a personal level for those suffering the consequences.

Recommendations:

¶The current administration has a laudable record of using technology to deliver higher quality public services. With sufficient focus, I am confident that HRA can, if it chooses, reduce overcrowding. The elimination of autoposting would go a long way towards achieving that result. The simple practice of using technology to flag the need to enter data regarding compliance rather than presuming noncompliance would help assure more accurate results and ultimately save time, resources and avoid needless suffering.

I am hopeful that HRA will announce renewed efforts to address this problem. I encourage the City Council to make findings to move that process along. In the meantime, I offer to coordinate a "video patrol" in which my clinic will work with advocacy groups to collect pictorial evidence on a randomized basis of the extent to which lines at job centers persist in the future. I ask that this committee remain open to receiving any reports that may result from that effort and thank you for your time and consideration of these remarks.



Civil Practice Law Reform Unit
199 Water Street
New York, NY 10038
T (212) 577-3300
www.legal-aid.org

**Testimony of The Legal Aid Society, Civil Practice
Before the City Council Committee on General Welfare
“Overcrowding at HRA Food Stamps and Job Centers”
January 31, 2012
250 Broadway, New York, N.Y.**

Introduction

The Legal Aid Society is pleased to have the opportunity to address concerns that have been raised regarding the causes and effects of overcrowding in the City’s Job and Food Stamps Centers administered by the Human Resources Administration. We thank speaker Quinn, Chairperson Palma and the members of the Committee for convening this important hearing. The issues being discussed today are of vital concern to literally hundreds of thousands of low income New Yorkers.

It has never been easy, but New York City has a long -- and generally honorable -- history of providing assistance to those in need. In our best moments we have done so in ways which support, rather than undermine, the dignity of those who reach out to our public institutions in times of need to help shelter their families, feed their children, and get back on their feet.

The Legal Aid Society, the nation’s oldest and largest not-for-profit legal services organization, is an integral part of that history. It is more than a law firm for clients who cannot afford to pay for counsel. The Legal Aid Society is an indispensable component of the legal, social and economic fabric of New York City – passionately advocating for low-income individuals and families across a variety of civil, criminal and juvenile rights matters, while also fighting for legal reform. The Legal Aid Society has performed this role in City, State and federal courts since 1876. It does so by capitalizing on the diverse expertise, experience, and capabilities of 900 of the brightest legal minds. These 900 Legal Aid Society lawyers work with 600 social workers, investigators, paralegals and support and administrative staff. Through a network of borough, neighborhood, and courthouse offices in 25 locations in New York City, the Society provides comprehensive legal services in all five boroughs of New York City for clients who cannot afford to pay for private counsel.

The Society’s legal program operates three major practices — Civil, Criminal and Juvenile Rights — and receives volunteer help from law firms, corporate law departments and expert consultants that is coordinated by the Society’s Pro Bono program. With its annual caseload of more than 300,000 legal matters, The Legal Aid Society takes on more cases for more clients than any other legal services organization in the United States. And it brings a depth and breadth of perspective that is unmatched in the legal profession.

Our Civil Practice has offices in every borough of the City, and worked on more than 43,000 individual legal matters last year benefiting more than 100,000 clients and their family members and winning over 90 percent of the cases that go to court or an administrative hearing. An additional two million individuals benefit from the Civil Practice's pending class action litigation. The Civil Practice works to improve the lives of needy New Yorkers by helping vulnerable families and individuals on issues ranging from health care, housing, homelessness prevention, employment law, education, foreclosure prevention, consumer law, community economic development, public assistance, immigration, family law and domestic violence and disability-related issues.

Overcrowding at HRA's Job and Food Stamps Centers is a Symptom of Larger, But Surmountable Problems.

Recent media coverage has helped to focus attention on the long lines outside of HRA's Job and Food Stamps Centers. The media reports have also highlighted the fact that, once inside a Center, those who have come to seek assistance or respond to agency "call-in" notices are frequently confronted with more lines and more waiting. For thousands of New Yorkers, every such trip to an HRA Center is a dreaded experience where they know they are likely to spend hours and hours waiting even for what could be the most routine request or transaction, in a harsh if not hostile environment. Those with prior experience, or learned wisdom from family members and neighbors, go off to the Center knowing that no matter how long they wait, they will likely have to return soon for yet another trip to submit one more document, or respond to one more call-in for what should be an unnecessary appointment. There can be little doubt that the current system imposes such undue hardships and barriers that needy New Yorkers are being discouraged, if not prevented, from obtaining assistance they need.

What is causing the overcrowding problem?

At its core the problem we see today is that HRA has not properly prioritized clients' needs in making choices about how the agency runs the food stamps and public assistance programs. There are certainly external factors that have helped to increase demands on HRA – including the economy and budgetary pressures. And, to be sure, federal and State policy changes could both improve the lives of low-income New Yorkers and simultaneously help ease the administrative burden of HRA. But the root cause of much of the problem is traceable to choices that have been made by HRA within the discretion the agency has under existing federal and State rules. Too often, agency choices have led to increasing bureaucracy that has done little to improve clients' self sufficiency. Too often the agency's policy choices have resulted in needless hardship. The good news is that as much of the problem is grounded in locally-generated policies, the solutions lie within the purview and control of New York City. We need not wait for Albany or Washington to act.

HRA can and should take the following steps:

- **Eliminate call-in appointments that are not required by State or federal law;**
- **Reduce the rate of unnecessary punitive sanctions and case closings which cause hardship and fuel demand for additional appointments;**
- **Adopt reliable procedures for clients to submit documents by fax and contact Center staff by telephone;**
- **Freeze plans to close, relocate or consolidate services in Job and Food Stamps Centers until the agency submits for Council and public review an assessment of the impacts on client services that addresses how the proposed actions will improve services to all affected, including those with disabilities.**

HRA's own policies and administrative procedures drive foot traffic into Centers, and impose unnecessary burdens on both clients and staff. Taking these steps will address problems related to overcrowding and long lines inside and outside of centers. They will also free up resources for HRA to provide services in a manner that is cost-effective and treat clients with fairness, dignity and respect.

1. Eliminate Call-In Appointments that Are Not Required by State or Federal Law.

While it appears that HRA has yet to reliably quantify factors that drive so many clients to its Job and Food Stamps Centers, staff at the Legal Aid Society, other advocates and virtually all of HRA's clients know that one overwhelming cause of foot traffic into the Centers is the repeated, mandatory call-in appointments clients must comply with at the risk of losing or being denied benefits. Many, if not most, of these appointments are "mandatory" only because HRA has made them so: they are not required either by State or federal law. Some examples include:

- **Food Stamp finger-imaging.** HRA has needlessly clung to an antiquated finger-imaging system for its food stamps program; the federal and State governments have not required the program for years, and have actually tried to discourage HRA from continuing it.
- **BEV (Bureau of Eligibility Verification) appointments.** These appointments, which are imposed upon applicants for assistance and for recipients, are not required by law. As in HRA's finger-imaging requirement for food stamps, the BEV program, as administered by HRA, is inefficient and imposes unnecessary burdens on HRA staff and clients in need of assistance.

- Recertifications more than once a year. Recertification for program eligibility can generally be reduced to once per year but HRA still schedules more frequent recertifications than is required by federal or State law.
- Non-Mandatory Eligibility Call-Ins. HRA has programmed its computers to issue mandatory eligibility “call in” appointments under circumstances in which there is no legal requirement – other than one imposed by HRA – for the client to report to the Center. Two examples of these are employment call-ins for food stamps recipients, and call-ins for clients who have already been sanctioned. Those appointments which are actually useful for clients may be made optional.

HRA should eliminate appointments not required by State or federal law, as listed above.

2. Reduce the Rate of Punitive Sanctions and Unnecessary Case Closings That Cause Hardship and Drive Demand for Additional Appointments.

- In an average month, more than 17,000 HRA clients are in sanction status, meaning their benefits have been reduced or terminated due to an alleged failure to comply with work requirements. Too often, the sanction process is initiated without attention to the underlying facts and circumstances. For example, literally tens of thousands of HRA sanction decisions are reversed each year, either voluntarily by the agency after closer review, or after an administrative hearing. Over 55,000 hearings were held on employment program issues in a 12 month period from 7/09-6/10, and HRA’s decision was affirmed less than 10% of the time. (http://otda.ny.gov/resources/legislative-report/2010_LEGISLATIVE_REPORT.pdf, Tables 23 and 32 - 37).
- Sanctions cause families increased financial hardship. This sometimes leads to eviction and homelessness. Even when they don’t have this dire result, sanctions frequently generate additional appointments to address the increased hardships sanctions cause, including the need for assistance with utility shut-offs, evictions, and further appointments to reopen a case that has been closed. The sanction process leads to other increases in in-person appointments that add additional demands on HRA staff and clients, including “conciliation” conferences and client appearances to inquire about the reason for a sanction or reduction in budget.
- In many instances sanctions result in a transfer to Center 71, where HRA sends sanctioned families from all over the City and subjects them to increased eligibility call-ins, and a “demonstrated compliance” program which requires ten consecutive daily appointments for lecturing and make-work activities which clients must endure in order to have their public assistance benefits reinstated. Clients who miss any of these appointments are required to start over, continuing the cycle of hardship and leading to more unnecessary appointments. Many clients have been transferred to Center 71 pursuant to HRA’s “Overcrowding Action Plan.”

- Many sanctions could be avoided if HRA exercised careful review of facts and circumstances prior to initiating a sanction, and if, consistent with federal and State law, offered individuals the opportunity to comply with program requirements before imposing food stamps and public assistance sanctions.
- An additional cause of needless appointments can be traced to HRA practices which engender “churning,” the closing of cases due to individuals’ alleged failure to comply with bureaucratic requirements – many imposed under HRA’s discretion – which tend to result in the need for more appointments related to fair hearings and reapplications, again causing hardships for clients and unnecessary burdens on HRA staff. These include so called eligibility call-ins imposed on sanctioned clients at Center 71, which at one point were resulting in the closing of nearly 1000 cases each month.
- HRA could reduce the number of erroneous sanctions and case closings by eliminating appointments not required by law, cease transferring clients to Center 71, reviewing cases for agency error *before* imposing negative case actions, and ceasing practices that result in “churning.”

3. Adopt Reliable Procedures for Clients to Submit Documents by Fax and Contact Center Staff by Telephone.

- Many clients are forced to travel to their Job or Food Stamp Center because HRA has not taken advantage of 20th Century technology to allow applicants and recipients to transact business, such as mandatory reporting of changes in household size, income, etc. and otherwise submit required documents, via fax instead of in-person.
- Similarly, clients, advocates and even HRA staff have long reported on the difficulty in reaching workers and Center staff via telephone for information, to report emergencies, or to respond to inquiries about HRA notices. Voice mailboxes are frequently full or inoperative, and clients are not able to leave a message. This inability to communicate without going into the Center causes families to take some of their very scarce resources to pay for public transportation. In some instances, HRA clients actually miss or postpone health-related appointments and employment opportunities merely because they “have” to go to a Center to take care of what should be routine business.
- Many appointments now required to be done in person by HRA, including conciliation, dispute-resolution and other conferences, could be handled via telephone, thereby minimizing the foot traffic at HRA Centers.

By eliminating non-legally required appointments and implementing reliable telephone and fax systems, HRA could reduce the overcrowding problem without the addition of any new staff while improving client services.

4. Freeze Plans to Close, Relocate or Consolidate Services in Job and Food Stamps Centers.

- Too often HRA has closed Centers, or for other reasons transferred thousands of cases from one Center to another, without carefully evaluating the impact its facility choices are having on clients and services. It is highly unlikely that facility closings, relocations or consolidations are necessary to address problems with overcrowding. It appears very likely that doing so, certainly without input and oversight, will lead to service reductions and make it even more difficult for clients to obtain services they need in a manner that is timely, fair, and respectful.
- Facility closings and program consolidations may have a particularly negative impact on individuals with disabilities. Since such individuals now comprise a very significant percentage of HRA's clients, the agency's plans must carefully consider these impacts before imposing new burdens on clients in terms of transportation and access.
- Recent experience has shown that, without oversight and public input, executive agency policies affecting vulnerable New Yorkers may be quickly advanced and implemented without careful consideration of client needs and the City's legal obligations thereto.
- In the absence of a credible plan to solicit public input and careful review, HRA should not proceed with further facility closings, relocations or consolidations.

Facility closings, relocations and program consolidations that do not address client needs or impose new burdens on clients are not a solution to the overcrowding crisis.

Conclusion

Once again, we thank the Council and its leadership for calling this hearing, and we look forward to answering any questions and working with you in the future.

Respectfully Submitted,

Judith Goldiner
Attorney-In-Charge
Civil Practice, Law Reform Unit
The Legal Aid Society
jgoldiner@legal-aid.org
212 577 3332

Susan Bahn
Staff Attorney
Brooklyn Neighborhood Office
The Legal Aid Society
sbahn@legal-aid.org
718 422 2772



**Testimony of Joel Berg, Executive Director
New York City Coalition Against Hunger
Before the New York City Council General Welfare Committee
Hearing on Crowded HRA Offices and Food Stamp Caseload Drops**

January 31, 2012

Introduction

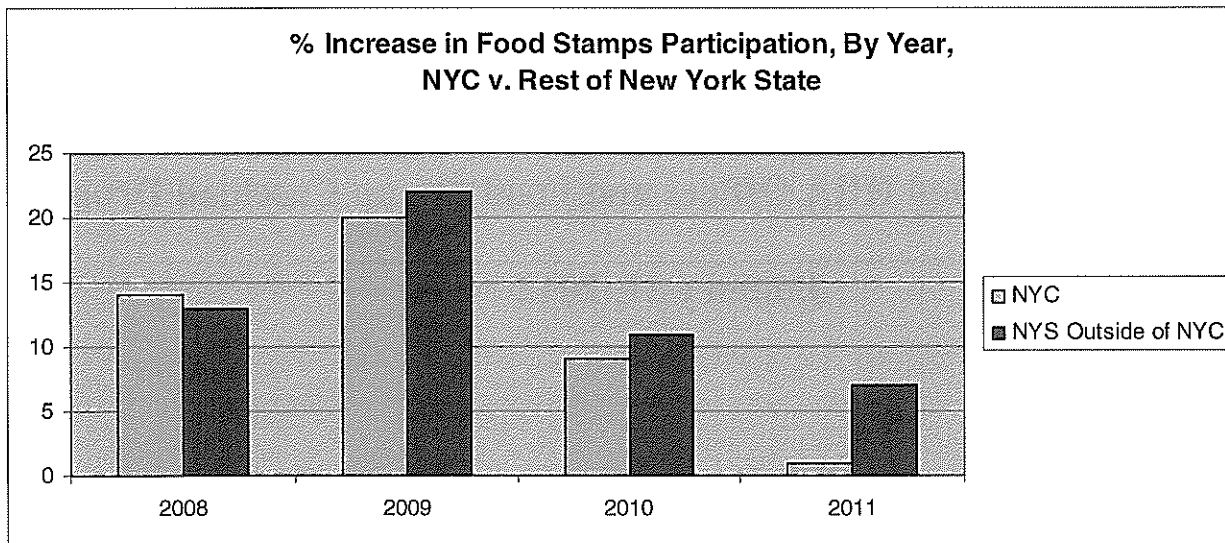
I am Joel Berg, Executive Director of the New York City Coalition Against Hunger. I am testifying on behalf of the city's more than 1,100 soup kitchens and food pantries – and the nearly 1.5 million New Yorkers who live in households that can't afford enough food. I want to first thank General Welfare Committee Chair Palma for holding this hearing and for all your amazing leadership on hunger and poverty

As many soup kitchens and food pantries in New York City were forced to close or to cut back in the past few years, increases to the federal Supplemental Nutrition Assistance Program (or "SNAP," also known as the Food Stamp Program locally) provided critical nutrition support for hungry residents. As of December 2011, 1.8 million New Yorkers received food stamp benefits. The program will provide an estimated \$3.4 billion worth of food to low-income city families in 2011 alone, a \$1.5 billion jump over 2008. It is important to emphasize that the average food stamp benefit in New York City as of December 2011 was \$288 per month per household, which dwarfs what even the most generous amount that a food pantry or soup kitchen could distribute in a month to a family. Food Stamp benefits are a vital lifeline for families.

Declining Food Stamps Rolls in the City

From 2008 – 2010, in response to the deep recession, Food Stamp Program participation skyrocketed in New York City, New York State, and the entire country. While most of the increase was due to factors beyond the control of the City, I will give the Bloomberg Administration and the City's Human Resources Administration (HRA) some credit for maintaining mostly a level number of employees to handle this soaring caseload, in contrast to municipalities in other parts of the nation that have implemented short-sighted cuts in the number of employees at social service agencies even as the need for help has increased.

However, as the chart below demonstrates, in 2011, while the food stamps caseloads continued to increase significantly statewide outside of New York City, the increase ground to a virtual halt *in* New York City.



In 2008, the caseload increased by 13 percent outside of the city and 14 percent in the city. In 2009, the caseload increased by 22 percent outside of the city and 20 percent in the city. In 2010, the caseload increased by 11 percent outside of the city and 9 percent in the city. Yet, in 2011, while the caseload increased by 7 percent outside the city, it increased by only 1% in the city.

Equally troubling is that the food stamps rolls in New York City actually declined in six of the last 12 months. There was even a more than 13,000- person decline in November, taking food away from hungry families just in time for the holidays.

When these statistics were revealed, the Bloomberg Administration offered two contradictory explanations. One hand, they claimed that the statistics were merely a statistical blip and that overall participation was still increasing. On the other hand, they claimed that the participation drops were good news, proof that the local economy was somehow improving. Of course, neither response is accurate. Given that huge discrepancy between the city and the rest of the state, and further given that there was a drop in six out of the last 12 months, the problem with the food stamps caseload in the city is no mere statistical blip. Given the soaring levels of poverty, unemployment, homelessness, and hunger in the city, it is clear that the drop in food stamps participation is *not* a sign of improvements in the local economy.

If the Bloomberg Administration is sincerely interested in governing purely based on data, then they would have to agree with us that something is now very wrong regarding the City's management of the Food Stamp Program.

I hope this hearing can determine the specific reasons for the drops, but I think a number of factors contribute:

1) There is some evidence that HRA has started enforcing food stamps work requirements they did not previously enforce for adults without dependents who are unemployed, and kicking people off the rolls who supposedly do not comply with work requirements.

2) It is likely that HRA's staff simply hasn't been able to keep up with their increasing caseload, resulting in people being knocked off the rolls when it is time for them to re-certify for benefits. This disrupts the supply of food for struggling families. Also, if such families are later returned to the food stamp rolls, that also results in extra spending of City and State dollars.

3) It is likely that the overcrowding and increased wait times at HRA offices leads to more people being denied benefits, or more people forced to leave HRA offices before they can get benefits.

But whatever the causes of the drops, it is clear that something is very, very wrong with food stamps management in New York City, and that the City seems to be in denial about this clear reality.

Troubling Rhetoric Attacking Hungry New Yorkers

On John Gambling's radio show a few weeks ago, Mayor Bloomberg claimed that, just as we will never know how much terrorism was prevented by the New York Police Department, we will never know how much fraud was prevented by food stamps finger imaging. Comparing all food stamps recipients – the vast-majority of whom are law-abiding citizens – to terrorists, even indirectly, is a beyond the pale demonizing of people forced to live in poverty. In another recent statement by the Mayor, he said that collecting DNA from criminals is essentially the same as collecting their finger prints. There is no question that finger imaging is an electronic stop-and-frisk, which assumes that low-income people are guilty until proven innocent. In yet another recent interview, Bloomberg implied that all people who didn't want to give their finger prints have something to hide. This was another shocking statement that entirely ignores the Bill of Rights and shows a disregard for the civil liberties that prevent America from becoming a totalitarian society. It is truly heartbreaking that a Mayor with a reputation for non-ideological, data-based governing – who has taken fact-based, common sense, stands on issues like gun control, religious liberty, and marriage equity – descends into misinformed right-ring rants against low-income people that drag him down into the Newt Gingrich realm.

Because it is impossible to disprove a negative, it is also impossible disprove his administration's false claim that finger imaging is the only way to prevent instances of fraud or duplication in the Food Stamp Program that never happened. For instance, it would be impossible to disprove a claim that the Mayor's kiss with Lady Gaga prevented a meteorite from hitting Times Square on New Year's Eve.

I laughed when the Mayor misquoted a famous Robert Frost's poem, "Mending Wall" (which is about why walls are unnecessary and cause outdated divisions between neighbors), by interpreting it as a call for *more* divisions between people, such as those caused by finger imaging.

But more seriously, the Mayor has never even attempted to even address the irrefutable fact that 48 other states detect duplication in the Food Stamp Program as well as, if not better than, New York City, using systems far less expensive and far less punitive than finger imaging. If he focused on the actual facts – instead of his biased prejudices against low-income New Yorkers – he would understand why so many other leading elected officials concluded that finger imaging is a waste of money that keeps food away hungry families.

The Bloomberg Administrations Fact-Free Defense of Finger Imaging

Below is a point-by-point rebuttal to recent claims about food stamps finger imaging made by the Mayor and his appointees:

Bloomberg Administration Claim:

The Mayor recently said: "When you have fingerprinting, it detects fraud, which means it gives people incentive to not commit fraud."

The Facts:

The City's HRA Commissioner, Robert Doar, a Mayoral appointee, has been forced to admit to the City Council that HRA has not caught a single case of prosecutable fraud with finger imaging. In a City Council hearing held on November 21, 2011, Doar made the following admission: "I do want to caution against the use of the word fraud. The purpose is to prevent fraud, if we find somebody who is somehow having benefits somewhere else, some other part of the city, and the finger image catches that, they haven't committed fraud, in my judgment. I don't think that would be worthy of a referral to a prosecutor."

Commissioner Doar is factually wrong about the legal definition of fraud. Every food stamp applicant has to sign an application before it is submitted, legally attesting to its accuracy. The form clearly states that providing false information constitutes perjury and filing a false instrument, which are subject to prosecution. Indeed, people prosecuted for food stamp fraud (which is detected through means *other than* finger imaging) are often prosecuted for filing a false instrument.

The average law-abiding food stamp household receives a few thousand dollars a year in food stamps benefits; I presume that any household that receives benefits fraudulently would receive at least a few thousand dollars in a year in benefits. Given that the City routinely prosecutes a person for turnstile jumping - which steals \$2.50 from the City - are we really expected to believe that they are so soft on crime they simply don't bother to prosecute people they find stealing thousands of dollars' worth of money? Of course not. The reason they don't prosecute anyone for fraud is that they don't find any *true* fraud.

In the same November 21 hearing, Doar admitted that he does not know how many of the duplicate cases they claim to find through finger imaging are caused by attempts at fraud as opposed to administrative mistakes made by HRA.

After being forced to admit that finger imaging catches no actual fraud, the Administration falls back on the claim that the deterrent effect of finger imaging prevents people from even *attempting* fraud. But if denying people benefits is some deterrent, wouldn't prosecuting people for attempted fraud be a much bigger deterrent? Of course it would. The record is clear that they don't prosecute fraud because they don't find it.

As for administrative duplications, the City has not provided a shred of evidence that finger imaging finds such duplications more effectively than the less intrusive, less costly methods used in the other 48 states.

Bloomberg Administration Claim:

The Administration claims that New York City, which finger images food stamps applicants, has a higher food stamps participation rate than the rest of the state, which hasn't used the practice for years.

The Facts:

USDA recently issued this report on program participation:

<http://www.fns.usda.gov/ora/MENU/Published/snap/FILES/Participation/Reaching2009.pdf>
According to this official USDA report, in 2009, 42% of all working families eligible for food stamps in New York State and 32% of all eligible families in New York State, failed to receive the benefits. In contrast, in Maine, nearly all eligible families, including nearly all eligible, working families, received benefits. Even in Pennsylvania (a state that is more similar to New York than is Maine), only 28% of eligible working families and only 17% of families overall, failed to receive the benefits. Neither state finger images applicants.

USDA does *not* publish official participation data at anything lower than the state-wide level. Yet given that NYC is 60% of the state caseload, it is mathematically impossible that the participation rate in the City is that much better than the rest of the state. The supposedly higher rate cited by the Mayor and Commissioner Doar comes from what USDA calls a "Program Access Index" (PAI). This measurement tool is a far less accurate estimate than the official figures. According to the USDA: "The PAI is not, strictly speaking, a measure of participation among people eligible for benefits. For most purposes, the participation rate among people for eligible benefits is a better measure of program performance." In other words, the lower participation rates I cite above are the more accurate ones recommended by USDA. Similarly, the USDA does not recommend use of the PAI measurement used by the City for accurately determining food stamp participation rates.

Nationwide, food stamps participation in urban areas is usually higher than in suburbs and rural areas. So comparing New York City to the rest of the entire state is comparing apples to oranges. The only city for which USDA publishes official participation rates is the District of Columbia, which does not fingerprint its applicants, where the rate is 86%, far higher than the rate claimed

by New York City. Participation has increased dramatically in the rest of the state this year while remaining flat in New York City. However, even if New York City previously had a higher participation rate than the rest of the state, that advantage has surely been significantly reduced in the last year. Finally, before California and Texas eliminated finger imaging, they had lower rates of participation and higher program error rates than the 46 states without it.

Yet even if the statistics cited by the City were accurate, that still means that one in five of the people in the city eligible – at least 600,000 eligible New Yorkers – fail to receive benefits. Would the City brag if the police or fire departments failed to respond to one in five calls for help? Of course not.

Bloomberg Administration Claim:

Since finger imaging is used in City offices and on Wall Street, it has no stigma.

The Facts:

The Urban Institute, which the City has hired for other research, has published a study indicating that the stigma associated with finger imaging does indeed keep eligible families from applying. Its absurd to compare government employees and Wall Street employees who may be finger imaged with low-income applicants for nutrition benefits. One of the greatest reasons that finger imaging creates stigma is fear of government, obviously not a problem for government employees and little problem for Wall Street employees. Additionally, the type of employees cited by Bloomberg get finger imaged at work, while food stamps applicants have to travel to a government office and wait on lines for hours to provide their image. Government employees and Wall Street workers get finger imaged on work time, and thus are paid to do so. Many food stamps applicants work in jobs in which they are paid by the hour, and thus have to lose hours worth of wages, or maybe risk losing their job completely, to provide finger images.

Bloomberg Administrative Claim:

Finger imaging reduces the City's food stamps error rate, which proves that it helps reduce fraud

The Facts:

Just a few days before November's City Council hunger hearing, HRA posted on its web site a document which made the following claim: "For the first half of the 2011 fiscal year, the City's cumulative food stamps error rate was only 4.32 percent. One of the ways that HRA has managed to maintain a higher accuracy rating is by finger imaging clients when they apply for food stamps." http://www.nyc.gov/html/hra/downloads/pdf/Food_Stamp_Performance_2011.pdf

Aside from the fact that the error rate that they bragged about is actually higher than the error rate in states that don't finger image, HRA is clearly claiming that finger imaging is one key reason that the quality control error rate isn't higher.

Yet at the November 21, 2011, City Council hearing (see page 26 of hearing transcript, lines 11 - 15), Commissioner Doar, when pressed, admitted that precisely the opposite is true, saying: "The finger imaging process is not intended, necessarily, to prevent quality control errors, which are really about how the caseworker and client work out what the appropriate budget is."

Even more incredibly (see transcript page 27, lines 1-17), responding to a question about the link between duplication prevented by finger imaging and the error rate, Commissioner Doar rectifies: "They're really two different measurements, they're unrelated in many respects. ... So I don't really feel, I never felt that the two were as directly related as some other have thought."

In other words, after claiming for years that finger imaging reduced the error rate and thus reduced fraud, HRA was forced to admit that error rates have nothing to do with either fraud or finger imaging.

That's a bait and switch. Merits of City policies aside, I do think the citizens of New York City deserve a more candid discussion of true facts than they are being provided in this instance by the Bloomberg Administration.

I do hope the Mayor and his appointees commit to ensuring better customer service for low-income families (most of which pay income and sales taxes) who are in need of government assistance. Every family that is turned away from benefits to which they are eligible is a family at greater risk of hunger. The City can – and should – do better.

Thank you.

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MET COUNCIL

ACTS OF CHARITY · DEEDS OF KINDNESS דְּקָה וּגְמִילוּת חַסְדִּים

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**Tuesday, January 31, 2012
New York City Council
Committee on General Welfare
Overcrowding at HRA Food Stamp Centers & Job Centers**

**Testimony of Sarah Felsenthal
Metropolitan Council on Jewish Poverty**

Since its inception in 1972, Metropolitan Council on Jewish Poverty (Met Council) has been a defender and advocate for New Yorkers in need. We provide a wide array of social services designed to stabilize crisis situations, while giving New Yorkers adequate tools for continued self-sufficiency.

Together with our network of 25 local Jewish Community Councils, Met Council is able to reach and strengthen over 100,000 people in every ZIP code in the city with culturally sensitive services and programs for all ethnicities. These services are especially targeted to communities whose unmet needs are not fully addressed by government and other social service agencies. In calendar year 2011, Met Council and its network assisted enrollment of 15,079 applications for food stamps and Medicaid.

A large part of our success is built on the Paperless Office System (POS), a pioneering program operated in collaboration with the Human Resources Administration (HRA) and Single Stop USA. POS has broadly increased eligible households' access to public benefits by reducing the need to go to the HRA offices, and, if expanded, could help diminish overcrowding at HRA offices. Furthermore, by providing this service in an environment that is culturally sensitive, welcoming, and supportive, we are able to reach vulnerable populations who would have never entered a government office due to fear.

The POS program is composed of four main components:

- 1. On-site Enrollment at CBOs**
- 2. A Dual Application for Foods Stamps and Medicaid**
- 3. Collaboration between Single Stop Locations and HRA**
- 4. Electronic Enrollment**

1. On-Site Enrollment: New Yorkers are able to enroll for public benefits at 41 Single Stop USA sites and JCC locations that operate year-round throughout all five boroughs. These sites are easily accessible to underserved New Yorkers precisely because they are located in familiar neighborhood locations, such as community-based organizations and food pantries. At these sites clients are able to meet one-on-one with a multi-lingual and culturally sensitive staff to determine their eligibility and apply for government benefits. Staff is also able to refer clients to

other on-site resources, including financial and legal assistance, all the while reducing hassle and wait time.

2. Dual Application: As a result of POS, New York's poor now have the option of applying for food stamps, Medicaid, or both simultaneously, by submitting only one application. An enroller sees clients through the entire process from start to finish. Redundant questions and information requests from both applications are eliminated, and the client's documentation needs to be presented only once.

3. Single Stop Collaboration with HRA: At each location, case workers and benefits enrollers representing HRA collaborate to ensure that clients get the best help possible. A client is first screened for eligibility and is assisted in gathering and preparing necessary documentation by a case worker, who then schedules an appointment with the benefits enroller. Meeting with the client, the benefits enroller fills out and submits the online POS application, as well as schedules additional appointments for telephone interviews and finger- imaging with local Medicaid and food stamp offices.

4. Electronic Enrollment: The use of an electronic application allows for quick, easy, and accurate enrollment. POS can be accessed from any computer with an Internet connection and prompts the enroller if any errors, such as unanswered questions, arise. The necessary client documentation is scanned and indexed with an application, then sent to HRA. After submission the application divides with appropriate information being sent to their local Medicaid and or home food stamp center. Clients can begin receiving their benefits as early as two weeks after their applications have been submitted.

The POS program is instrumental in advancing Met Council's poverty alleviation efforts by enrolling eligible people on government benefits with speed and ease. **With more funding, this groundbreaking program could help to significantly diminish overcrowding at HRA offices.**

We deeply value your leadership and partnership and look forward to working together to help the needy throughout the New York area.

Thank you.

Sarah Felsenthal
Metropolitan Council on Jewish Poverty
80 Maiden Lane, 21st Floor
New York, New York 10024
Phone: 347-839-0106
Email: sfelsenthal@metcouncil.org

EDDIE RODRIGUEZ, *PRESIDENT*
ALMA ROPER, *EXECUTIVE V.P.*
RALPH PALLADINO, *2ND V.P.*
ALVIN WILLIAMS, *3RD V.P.*
GERALD JOHNSON, *SECRETARY-TREASURER*
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Sergeant-At-Arms
DERRICK DAVIS EFRAIN PEREZ
NELLY RODRIGUEZ EUGENE WILLIAMS
Officer-At-Large
LINDA A. BULLOCK JANICE HALEY
NATASHA ISMA GENE JOHNSON
LISA JOHNSON

NYC Clerical-Administrative Employees Local 1549, District Council 37, AFSCME, AFL-CIO

**Testimony of Eddie Rodriguez
President of Local 1549, DC 37 and President of DC 37
Before the General Welfare Committee
January 31, 2012**

*Read
Into
Records*

Good morning Chairperson Palma and fellow members of the City Council General Welfare Committee. My name is Eddie Rodriguez and I am President of Local 1549 of DC 37, as well as President of DC 37. Local 1549 represents employees in the title of Eligibility Specialist in the Human Resources Administration (HRA) who determine eligibility for recipients in the Supplemental Nutrition Assistance (Food Stamp) Program. I am here today to express my concern about what has been written in the newspapers about the long lines at the food stamp offices throughout the five boroughs.

In these tough economic times, we have seen a dramatic increase in the number of people who are applying and recertifying for food stamps. With the increase in applications, the lines have grown longer and clients are waiting an average of 4-6 hours a day. In some instances, clients have been told to come back the following day, which only adds to the following days wait time. The problem stems from staff shortages. Due to budget cuts and the city's unwillingness to backfill vacant positions, the wait times have dramatically increased over the years. As a result of the newspaper articles about the backlog at food stamp centers, the city has started to offer workers overtime to handle the workload. Just recently, I heard the city was offering workers overtime to work the Martin Luther King, Jr. holiday. To ask staff to work overtime on a holiday is not the answer. This is just a band aid fix for a much larger problem. The staff is also stressed out from dealing with angry clients who have been waiting long hours and sometimes have to deal with workplace violence issues due to tempers flaring in the wait rooms. The city needs to acknowledge that staffing must increase in order to deal with the current situation.

I can give you some examples of situations at food stamp offices:

- Some food stamp offices in the Bronx have had to use controlled entrances to comply with occupancy codes, avoid fire hazards and security problems. In some instances, there is a line of 100 plus people by 10:00 am daily, regardless of weather conditions.

- Clients not receiving benefits for at least a month due to the backlog of paperwork at the food stamp offices.
- Telephone appointments are also backlogged due to management's insistence of stacking of cases (i.e. arranging three to four appointments for the same time and not taking into consideration each interview lasting at least 45 minutes).

These are just some of the scenarios that are occurring at food stamp offices throughout the five boroughs. For more detailed information, I have attached a sheet that lists, by location/borough, some of the problems that workers are experiencing at the food stamp offices.

The agency has 88 funded vacancies, of which they held a hiring pool for 44 of the positions. Since there are 19 centers, this averages to be an additional 2 workers per center. This is not an adequate amount of workers to handle the number of clients walking into these centers. The city needs to hire at least 200 more Eligibility Specialists system-wide in order to process clients in a timely fashion, which would allow families to get food on the table.

Thank you for the opportunity to testify before you today and to be able to give the union's perspective on what is going on in the food stamp offices. I am now going to turn the microphone over to Ralph Palladino, 2nd Vice President of Local 1549, to provide you with some more details.

Food Stamp 26

500 DeKaib Avenue has several backlog problems. The center needs more ESII's to serve the volume of clients from the neighborhood. Sometimes they receive overtime to try work just on backlog. 200 clients on average come to the building every day. Management wants the workers to do 15 cases a day. Clients remain in the center between one and six hours depending on their needs.

BRONX

As per our conversation regarding (backlog, participant wait times to be seen and participants not serviced), I canvassed all of my locations and the numbers reflect the averages in Food Stamps in the Bronx:

Applications per day = 110 plus 50 walk-ins

Recertification's per day = 140 – 160

Inquiries (late and cancelled benefits included) 350 – 400 these numbers equal potential backlogs

Food Stamp Centers (F. S. #46, 45 and 40) in the Bronx have to use controlled entrances to comply with occupancy codes, avoid fire hazards and security problems. In Addition most centers have at least 100 plus people on line outside of the building by 10:00am rain or shine and none of the lines are screened for the elderly, pregnancies or people with medical issues, etc.

These averages are on a daily basis and when multiplied by 4.3 will give you a realistic look at the number of people receiving and applying for public assistance.

F14

Wait times are at least one hour.

Because of the backlogs that they took away paper days from the members also at this site you have consumers that come at 5pm which creates management to ask our members to stay and do overtime sometimes up until 8:30 to 9pm ,

Because of the increase in the number of consumers it is taken them at least one month or more before they see their benefits

I visited all my food stamp locations and found that there is a backlog at all locations together with long lines and wait time for consumers because of the increase of consumers. Here is a list of the food stamp locations: F14 – 132 W. 125th Street, F20 – 88 Third Avenue, F02 – 165 E. 126th Street, F15 – 250 Livingston Street

F21 – 30 Thornton Street

Back log yes – each worker anywhere between 25-40 cases a month. The agency will assign a Clerical Associate to collect documents and let clients leave. Other clients are in centers from 10:00 a.m. to 7:00 p.m. in the evening being interviewed. Overtime in the past was completing paperwork, now it's interviewing. This is going on at all my food stamp centers. Staff completes overdue cases in between interviews.

F22

Back log yes – each worker anywhere from 50-60 at this time more. Clients also waiting all day in this center to be interviewed. Overtime also so client can be interviewed. They cannot send client home once there in center. Clients are not getting benefits timely at this center.

Example: 7/11 and 8/11 stamps processed 10/11. Clients do not get service until they file complaints.

F79 – 42 Far Rockaway

This location also has a high volume of clients. Staff have backlog about 50-60 cases monthly. They are also staying and interviewing clients past 6:00 p.m. Clients are not receiving benefits timely. I cannot reach staff on phone because they are interviewing all day. Clients cannot reach staff so they have to go into center just to ask question causes more of a crowd.

F28 – 404 Pine Street

High volume of clients also at this location. Clients stand on reception waiting line at least 30-35 minutes. Clients waiting to turn in documents are there most days seven hours.

Interviewed clients are in center past 6:00 p.m. Overtime is used to address long wait times in all food stamp centers.

F24

Telephone appointments are also a problem. Clients waiting for a call to be interviewed are not made on time also due to the volume of cases. Example: 9:00 a.m. client waiting managements gives staff three and four 9:00 a.m. appointments. Each interview could last over 45 minutes so the ES's cannot make second or third 9:00 a.m. call to a client that's waiting. Management will not take Union advise on stop stacking the cases. Clients not being service timely which affects their benefits.

Case closed not client error agency failing to provide service timely.

Center 54

This center has continuous backlog of cases needed to be processed. There are long waits for the clients up to two hours (or more) center remains open some days up to 10:00 p.m. at night.

As per the shop steward some members worked up to 12:00 a.m. processing cases (not paid overtime and/or request overtime).

Center 53

Clients have from two to three hours wait. Currently backlog is from July to September. Overtime is only offered to interviewed clients.

FS- 45.

Client average wait 4-5 hours daily. Long lines average 2 days a week. . Backlog is 12-15 cases a day. Clients not being serviced the end of the day. Documents taken only average 50 or more daily.

Testimony
DC 37 Clerical-Administrative Employees Local 1549
to the New York City Council General Welfare Committee
Special Session on Food Stamp Services
Tuesday, January 31, 2012
by Ralph Palladino, 2nd Vice President Local 1549

Local 1549 represents over 16,000 tax paying employees of the City of New York. We represent the Eligibility Specialists (ES) responsible for determining eligibility for the Supplemental Nutrition Assistance Program (SNAP or Food Stamps). Many of our members are eligible for and receive this assistance and some are homeless.

I first want to direct your attention to written testimony submitted earlier today by Local 1549 President Eddie Rodriguez. This testimony documents the problems that have now become the "norm" at the centers, as reported by our front line members.

The biggest problem with long lines is not finger imaging. It is the serious lack of staffing and closing of at least two centers. We currently have 972 ES's who work in Food Stamps. The City's Human Resources Administration (HRA) is budgeted for 1060. Demand has gone up by 65% statewide since 2006, mostly in the city, and at an accelerated rate the past four years. Yet the city has *cut* staffing.

HRA plans to hire 44 people from the hiring pools. But even filling the 88 budgeted vacancies will not be enough. **The number of personnel lines should increase by the same percentage as the people applying for SNAP.**

Staff shortages have led to the serious problems of long waits, health violations and even workplace violence. Meanwhile, 47% of those eligible for food stamps in New York City have not applied. The public would rather do without this badly needed benefit than face the hassle of applying.

In one typical center, F45 in the Bronx, there are ten vacancies. At this center people can wait up to five hours for servicing. If you come in the morning you may wait an hour, which would be the ideal wait for processing. However as the day wears on and more people come, there could be hundreds of people still waiting by closing time. Very often these applicants are not interviewed and only written documentation is submitted. This makes it harder to process the paperwork and also detect potential fraud. This also has led to clients waiting long for their benefits. The interview process is important. But there are too few ES's to do the work. This leads to delays and staff burn out. Clients get mad and they verbally and at times even physically abuse our members since they wrongfully blame the ES's for the waits.

SOME RECOMMENDATIONS

- Increase eligibility staff by a modest 200 or roughly 10 employees per center. This modest increase will help alleviate shortages.
- Expand the number of centers, thereby increasing access. For instance centers can be expanded into public hospitals where many patients will be eligible for SNAP.
- Utilize the HHC title Client Navigator in HRA to help people on line make sure their paper work is in order. This title also is used for interpreters who can help break down language barriers and streamline service delivery.

THANK YOU

benefits, such as cash benefits and medical assistance. When I first asked Sebastian Addamo, the head of the fair hearings operation in New York City, why we had separate calendars for those persons who were receiving or seeking to receive only Food Stamp benefits, even though there was no provision for such a separation of operations in the OTDA Regulations, he stated that such an arrangement was for the benefit of and most expedient for HRA. However, there seems to have been no consideration whether such an arrangement is most helpful to the applicants/recipients of Food Stamp benefits. During my approximately 17 years of holding fair hearings, it was not unusual when someone who was already receiving Food Stamp benefits applied for all the benefits to which one may be eligible, that HRA would deny the application for Food Stamp benefits on the grounds that the applicant is already receiving Food Stamp benefits under a different case number. Rather, the Agency had the obligation to combine the active Food Stamp case with the application for other benefits, such as Cash Assistance and Medical Assistance, as was explained to hearing officers in their occasional training sessions. Also, in the past it was not unusual for HRA to fail to make a separate determination of one's eligibility for Food Stamp benefits when a discontinuance or denial occurred regarding the Cash Assistance case which resulted in a Federal lawsuit, Reynolds v. Guiliani, the decision of which was unfavorable to HRA and which HRA is still complying with, see Policy Bulletin #11-33-OPE.

This leads me to HRA Commissioner Doar's recent statement on November 4, 2011, to the Huffington Post that finger imaging is a simple and effective way to save taxpayers millions of dollars. He states that at the present time HRA identifies "nearly two thousand duplications through finger imaging." I would like to know how many of those cases were referred to the appropriate civil or criminal authorities for further prosecution or were the basis for a request for an administrative disqualification hearing pursuant to Part 359 of the Regulations regarding "Disqualification for Intentional Program Violations." Only those kinds of successful cases would represent attempts of fraudulent behavior. Almost all of the finger imaging issues regarding Cash Assistance benefits that I reviewed while holding fair hearings were either reversed by a Decision After Fair Hearing or were withdrawn by HRA during the fair hearing process due to inadequate documentation in support of HRA's contention that the recipient had not completed the finger imaging process.

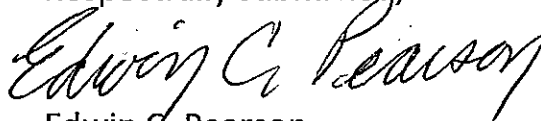
Would not Commissioner Doar be better advised to monitor more closely the potential fraudulent acts of his own employees rather than spend unnecessary monies on finger imaging? Recently, a former employee of HRA, Vaneé Sykes, pled guilty for her role in a \$7 million food stamp fraud conspiracy with three other persons "churning out more than 1,000 fake food stamp cases," in the words of the news release by Commissioner Rose Gill Hearn of the Department of Investigation.

Back to the media reports of the extensive lines which have occurred at various Food Stamp centers where persons are seeking to apply for benefits, while there is a six page application form, LDSS-4826, an application must be accepted if one merely signs her or his name to the application and identifies one's address and phone number in order for HRA to obtain further information to complete the application and determine eligibility of the applicant. The burden is on the Agency (HRA) to assist any applicant in the determination of eligibility. Section 387.2 of the Regulations, a copy of which is attached, specifies all the responsibilities of a local social services district, such as HRA, regarding Food Stamp benefits.

Finally, it should be noted that HRA's present Food Stamp only application, LDSS-4826, lists the options of the applicant receiving notices in either English or Spanish, rather than the seven languages listed in HRA's Policy Directive #11-33-OPE. That deficiency needs to be corrected immediately.

In summary, while the criminal justice standard of "innocent until proven guilty" might not be applicable to the field of poverty law, HRA would be better serving its clients if it took a more humanitarian attitude towards the low income persons of the City of New York, rather than assume that all such persons are intent on "defrauding the system," which is the climate that presently exists at most Food Stamp Centers and Job Centers.

Respectfully submitted,



Edwin C. Pearson

373 West Mountain Road

Ridgefield, Connecticut 06877

edcloris@aol.com

§ 387.2 Responsibilities of local department.

In order to assist needy families and individuals to obtain food stamps, each local social services department shall:

- (a) certify eligible families and individuals; receive, store and issue food stamp coupons, either directly, or with the approval of the department, through a banking institution or other issuing agency;
- (b) continue ongoing efforts to inform low-income individuals and family households, with due regard to ethnic and disadvantaged groups, of the availability and benefits of the program; encourage the participation of all eligible households through services provided by federally funded organizations as well as other organizations;
- (c) insure that food stamps provided to any eligible household shall not be considered as income or resources for any purpose under any Federal, State or local laws, including but not limited to laws relating to taxation, welfare and public assistance programs;
- (d) not terminate or reduce a public assistance grant, or deny application for public assistance or care or otherwise adversely affect a family's or an individual's eligibility for public assistance

or care, on the grounds that the recipient or applicant is receiving or is eligible to receive food stamp coupons, or fails to apply for or to utilize food stamp coupons;

(e) have applications readily available for potentially eligible households and provide an application to anyone requesting one;

(f) undertake the certification of applicant households in accordance with the standards used by the department in the certification of applicants for benefits under the federally aided public assistance programs;

(g) identify households eligible for expedited service;

(h) provide each applicant for public assistance, medical assistance or family and children's services with the pamphlet(s) explaining the food stamp program and provide them with the opportunity to apply for food stamps;

(i) provide each nonpublic assistance applicant for the food stamp program (excluding recipients of supplemental security income) with a pamphlet explaining the program and provide them with opportunity to apply for food stamps;

(j) restrict the use or disclosure of information obtained from applicant households to persons directly connected with the administration and enforcement of the food stamp program, other Federal assistance programs, and federally assisted State programs providing assistance on a means-tested basis to low-income households. Notwithstanding any other provision of law, the address, social security number, and if available, photograph of any member of a household must be made available, on request, to any Federal, State, or local law enforcement officer if the officer furnishes the social services district with the name of the member and notifies the social services district that:

(1) the member:

(i) is fleeing to avoid prosecution, or custody or confinement after conviction, for a crime or an attempt to commit a crime, that, under the law of the place the member is fleeing, is a felony or, in the case of the State of New Jersey, a high misdemeanor;

(ii) is violating a condition or probation or parole imposed under Federal or State law; or

(iii) has information that is necessary for the officer to conduct an official duty related to subparagraph (i) of this paragraph;

(2) locating or apprehending the member is an official duty; and

(3) the request is being made in the proper exercise of an official duty;

(k) keep such records and other information as may be required by the department, and insure that records will be available for review or audit by the United States Department of Agriculture or the department for a period of six years from the month of origin of each such record;

(l) maintain certification folders on applicants and/or recipients of food stamps. Certification folders shall contain:

(1) applications for certification or recertification;

(2) worksheets used in the computation of income for eligibility;

(3) documentation of eligibility. Such documentation shall include the method of verification used in determining eligibility;

(4) copies of forms sent to the issuance unit to authorize or change participation and/or which serve as the basis of issuance;

(5) copies of notices sent to the household and any responses to those notices; and

(6) copies of documents reflecting actions related to the fair hearing process;

(m) establish an organizational structure which divides the responsibility for eligibility determination, food stamp benefit registration, registration for a personal identification number (PIN) and registration of a common benefit identification card (CBIC) among the certification unit, data management unit, data entry unit and issuance monitoring unit so as to prevent the unauthorized creation or modification of case records. The registration of a CBIC and a PIN for the same case cannot be performed by the same individual;

(n) submit statistics, reports and other information (including information pertaining to the work registration program) as may be required by the department. Such reports shall be submitted within the time frames established by the department;

(o) approve and issue benefits or deny applications for public assistance (PA) and non-public assistance (NPA) applicants within 30 days of receipt of an identifiable application. For residents of public institutions who apply jointly for Supplemental Security Income and food stamps as part of the Federal Social Security Administration's Pre-release Program for the Institutionalized, social services districts must approve and issue food stamp benefits or deny applications for food

stamps within 30 days from the date of release of the applicant from the institution. An identifiable application is one which contains a legible name and address of the applicant or authorized representative;

(p) undertake the timely and accurate issuance of benefits to certified households. Households comprised of elderly or disabled members who have difficulty reaching an issuance office to obtain their benefits, and households which do not reside in a permanent dwelling or at a fixed mailing address, will be given assistance in obtaining their benefits;

(q) afford every applicant and participating household an opportunity for a fair hearing in accordance with the policies and procedures of the department as set forth in Part 358 of this Title;

(r) insure that the food stamp program shall in all respects be administered without discrimination because of race, religious creed, political beliefs, national origin, age or sex;

(s) prominently display in all local food stamp and public assistance certification sites posters and pamphlets provided by the department regarding:

(1) foods with substantial nutritional values and menus making use of these foods;

(2) the relationship between health and diet;

(3) an explanation of the Special Supplemental Food Program for Women, Infants and Children (WIC) and, where applicable, the Commodity Supplemental Food Program; and

(4) application processing standards and the right to file an application on the day of initial contact with a local department concerning food stamp benefits;

(t) inform all food stamp applicants and recipients of their program rights and responsibilities. Where appropriate, such information shall be provided in languages other than English;

(u) provide the household, at the time of each certification and recertification, with a toll-free or local telephone number, or a telephone number at which collect calls will be accepted, so that the household may reach an appropriate representative of the social services district.

(v) process cases in accordance with the policies and procedures of the department when a participating household received an overissuance of coupons;

(w) issue restored benefits in cases where a household has not received its coupon allotment because of an administrative error on the part of operating personnel, in accordance with policies and procedures of the department; and

(x) during an emergency or disaster and when authorized by the Secretary of Agriculture, certify households in accordance with instructions issued by the Food and Nutrition Service of the United States Department of Agriculture (FNS);

(y) provide eligible households with:

(1) a food stamp identification card and all authorizing materials necessary to obtain food stamp benefits;

(2) a personal identification number (PIN) when it is necessary to have such a code to access benefits;

(3) information regarding benefit issuance locations;

(4) information, which must include, but is not limited to, materials specifically designated by the department explaining how to use the social services district's benefit issuance system;

(5) client education and training that instructs participant households how to obtain benefits through the social services district's benefit issuance system; and

(6) information about the time period during which the household's benefits will be available on the benefit issuance system and the consequences of failing to access the benefit within that timeframe.

Historical Note

Sec. filed Aug. 26, 1964; amd. filed Sept. 17, 1965; renum. 460.2, new added by renum. 435.2, filed April 26, 1978; amd. filed July 22, 1981; repealed, new filed May 19, 1986; amds. filed: Aug. 4, 1987 as emergency measure; Oct. 2, 1987 as emergency measure, expired 60 days after filing; Dec. 10, 1987 as emergency measure; Dec. 10, 1987; Nov. 13, 1990 as emergency measure; Feb. 11, 1991 as emergency measure; Feb. 11, 1991; June 24, 1991; Jan. 16, 1992; Aug. 23, 1993; April 11, 1996; Sept. 20, 1996 as emergency measure; Dec. 18, 1996 as emergency measure; Feb. 14, 1997 as emergency measure eff. Feb. 14, 1997; Feb. 14, 1997 eff. March 5, 1997. Amended (j).

§ 387.3 Indemnification.

Except for loss resulting from honoring counterfeit coupons, the local department shall be responsible to the department either directly or through its agent, to the same extent the department is responsible to FNS for loss or shortage of coupons. Any payment to the department under



FEDERATION OF PROTESTANT WELFARE AGENCIES

**TESTIMONY
Of
The Federation of Protestant Welfare Agencies
Before the
New York City Council General Welfare Committee**

Oversight: Overcrowding at HRA Food Stamp Centers & Job Centers

January 31, 2012

Prepared by:

**Liz Accles – Senior Policy Analyst for Income Security and
Early Childhood Education**

Federation of Protestant Welfare Agencies, Inc.

281 Park Avenue South
New York, New York 10010
Phone: (212) 777-4800
Fax: (212) 533-8792

**Fatima Goldman
Executive Director/CEO**

My name is Liz Accles and I am the Senior Policy Analyst for Income Security and Early Childhood Education at the Federation of Protestant Welfare Agencies (FPWA). I would like to thank Chairwoman Palma and members of the General Welfare Committee for the opportunity to testify today and for your continued leadership on behalf of low-income New Yorkers in need of public assistance seeking to access New York City's cash assistance program.

FPWA is a membership organization with a network of human service organizations and churches that operate over 1,200 programs throughout the New York City metro area. Together we serve over 1.5 million low-income New Yorkers of all ages, ethnicities and denominations each year.

Since 1989, FPWA has led the Economic Justice and Social Welfare Network (EJSWN, formerly called the Welfare Reform Network), which was founded to provide a forum for welfare recipients and advocates to promote and advocate for an adequate and accessible public assistance system. EJSWN is a coalition of over 300 organizations and individuals representing communities across New York City, including social service providers; welfare, hunger, child care and housing advocates; grassroots organizations; legal advocacy groups; and current and former welfare recipients. EJSWN's Policy Advocacy Committee launched the Access to Assistance Campaign, to work to dismantle barriers and increase access to public assistance benefits for eligible New Yorkers.

A survey conducted by the Economic Justice and Economic Security Network to gather information about barriers faced in the welfare application process are stark, but not surprising. 46% of respondents reported long wait times were a reason for not receiving assistance. Survey respondents indicated the following impacts for applicants who could not access assistance: 36.9% faced eviction/homelessness, 73.8% experienced food insecurity – either did not know how they would feed their families presently or in the immediate future, 32% were unable to maintain or pursue employment, and 27% experience health problems or were unable to receive care.

Members of the Access Campaign also monitored the Northern Boulevard Center and Melrose Center in June and July 2011 and found lines that stretched out the door throughout

the day. A reflection of the inefficiency and counterproductive processes, many of the people waited in line for hours to correct a wrong mailing address or to submit paystubs.

HRA Can Control Overcrowding

HRA faces an overcrowding emergency that is a result of high level of need resulting from a lagging economy in the wake of the Great Recession, the high numbers of required appointments, numerous administrative errors, labor intensive processes for submitting and receiving documentation, inadequate communication systems and the lack of investment in automation and technology.

In several meetings with high level HRA administrators regarding problems applicants and recipients face when trying to get and retain welfare benefits, the response we received was a claim that HRA does not control the front door.

We disagree wholeheartedly. While there are state and federal program requirements there is a great deal left to the discretion of the agency as to how it administers the welfare program. FPWA calls on HRA to use technology more efficiently, eliminate unnecessary call-in appointments, and reduce case churning by minimizing administrative errors. Before initiating a negative case action, HRA should more adequately determine whether good cause exists when an applicant or recipient does not meet a program requirement.

Reducing the Extraordinary Numbers of Eligibility Appointments

A core barrier to assistance and a major cause of overcrowding at welfare centers is the sheer numbers of mandatory eligibility appointments applicants need to attend before receiving an eligibility determination. There are roughly 26 required appointments for applicants with children (20 of which require reporting for seven hour days to a vendor to fulfill application stage work requirements) and 36 for households without children (with 30 that require a full seven hour day). Despite an applicant's best efforts there is the very real fear of missing an appointment and having the application rejected. Many applicants are in crisis with no income for food, face housing crises and health problems, compounding the challenge of meeting onerous requirements.

Numerous follow up appointments are usually required to comply with a variety of additional application requirements such as mandated fingerprinting, reporting to the Bureau of Eligibility Review, and fraud investigations. HRA caseworkers can be disrespectful, intrusive, insulting, but hold a great deal of discretion when determining if an applicant is deemed compliant with requirements. To this point, failure to meet any appointment and not provide “good cause,” where a heavy, sometimes unattainable burden of proof lies on the applicant, results in a case denial.

Over the past decade, the welfare caseload has declined dramatically despite an increase in applications – there was a 35% increase in applications comparing 1997 and 2007. For those same years denials jumped from 26% in 1997 up to 42% in 2007.

Use of Technology

The Bloomberg Administration should invest in more effective uses of technology. Overcrowding could be minimized through the effective use of widely accessible technological advancements.

HRA should create a facilitated enrollment program, online and telephonic application submission, and recertifications for the cash assistance program by duplicating and expanding the successful efforts in the Food Stamp and Medicaid programs, and using the New York States Unemployment Insurance program as a model. This can be achieved through an extended version of Access NYC which would not only screen for benefits eligibility but also allow individuals to actually complete and submit the applications online for a broad range of benefits. An example of an existing model is the Benefits Bank, which is an online facilitated enrollment service that helps people prepare and file applications for public benefits, such as food stamps, child care subsidies, home energy assistance, children’s health insurance, and public assistance. The Benefit Bank has sites in Arkansas, Florida, Kansas, Mississippi, Ohio, North Carolina, South Carolina, and Pennsylvania.

HRA has successfully implemented an automated system for obtaining budget letters. We strongly urge HRA to expand these types of efforts.

Eliminating Discretionary appointments

There are several actions HRA can take to ease overcrowding by eliminating call-in appointments that not required by state and federal law.

- **Bureau of Eligibility Verification** - Although the state law requires fraud detection the city can use other option to meet that requirement rather than requiring multiple in-person meetings.
- **Recertifications** - HRA can also choose to require recertifications no more than one per year. If income or household composition changes recipients are already required to report this information.
- **Call-in of sanctioned households** -HRA can also eliminate non-mandatory eligibility call in appointments for sanctioned households which often result in case closing.

Case Churning

Since welfare is an income source of last resort, burdensome program requirements lead to case denials or case closures for households that remain in need of assistance and leads to unnecessary cycles of reapplications.

One component of HRA's overcrowding plan called for expanding Center 71 call-ins to include non-durational sanctions on the first day of an employment related sanction. Center 71 has proven to be a case closing mill. Between January 2008 and June 2009, 11,236 of the 11,616 cases transferred to Center 71 were closed. We are concerned that increasing the number of households sent to Center 71 will merely lead to high rates of case closing and therefore churning.

From 2003 through 2008, between 21 percent to 30 percent of New York States' public assistance cases were individuals who had closed public assistance cases for greater than one month and then returned to full public assistance status.ⁱ New York City's rate was between 25 percent to 33 percent for that same time period. Thus a sizable portion of the

welfare caseload is “churning” likely as a result of deliberate administrative hurdles mentioned earlier or the instability of low-wage employment.

FPWA calls on HRA to take immediate action to address the overcrowding emergency at New York City welfare centers. Failure to act in a timely manner reflects a complete disregard for the households the agency is charged to serve. Thank you again for the opportunity to testify today. FPWA looks forward to working with you to bring about these necessary changes.

ⁱOTDA.

Bronx

Legal
Services NYC

Testimony of Legal Services NYC-Bronx

on

Overcrowding at HRA Food Stamp Centers & Job Centers

Presented before:

The New York City Council
Committee on General Welfare

Presented by:

Sienna Fontaine
Staff Attorney

January 31, 2012

Good morning council members and thank you for the opportunity to testify today. My name is Sienna Fontaine, and I am an attorney at Legal Services NYC-Bronx. Since 2009, I have been working solely on Public Benefits issues. All of my clients are receiving Public Assistance, Food Stamps or Medicaid or are in the process of trying to receive that assistance. Mr. Camacho is one of my clients. Unfortunately, his experience is typical of the experiences of many of my clients. They are also similar to the experiences I have had when I have on occasion accompanied clients to their Job Centers.

I'd like to bring to your attention today to some of the most frequent complaints that I hear from my clients. All of them are either a consequence of or a cause of overcrowding at HRA's Job Centers or both. I also want to highlight a few ideas that may alleviate some of these problems, which do not appear to be part of the plan that HRA has already proposed to deal with overcrowding.

First, clients experience multiple problems in what I call the transfer of required information. Many of the experiences Tanya Wong described fit into this category: information is reported to a caseworker regarding something essential, but the reported change never gets applied, resulting in more days at the Center trying to get it fixed. I've represented many clients whose Public Assistance cases have been closed because required documents that they have either brought personally to the Center or have sent in the mail have disappeared. Most clients report almost never being able to reach their caseworker on the phone, or getting a return call back when they do leave a message, which prompts them to go in person to the Centers.

The inability to connect with caseworkers and the frequent loss of important information by HRA often leads to disastrous outcomes for my clients. They may lose child care, Food Stamps, or even lose their housing because of a lost piece of information or document, or because they were never able to reach someone on the phone. Usually the only way a client can resolve this is at a State Fair Hearing. I am often advising clients on how to document their actions in case they are faced with the need to prove at a hearing that they provided required information to the Center. Just recently, I helped a client avoid imminent eviction after her application for emergency rental assistance disappeared and was never processed. We represented her at an emergency Fair Hearing, in which the Administrative Law Judge directed the Agency to re-process an application immediately. She was just approved for assistance last Friday, only days before a warrant for her eviction could have been executed.

Second, clients are given mis-information that either brings them to the Center for multiple, unnecessary appointments, or keeps them at the Center waiting for longer than necessary. Each of these scenarios add to the back-log of people waiting to be served, which I believe results in staff making mistakes because of the pressure to see as many clients as quickly as possible. I can't even count the number of times I have listened to a client describe a day at a Center during which she has been mis-directed to a particular

floor, waited hours before being told she is in the wrong place, and then directed again only to wait another few hours to be seen. A client I met just last week told me she had been sent downtown to an eligibility appointment, only to be told to go back to her Center in the Bronx, where she was told to wait for her caseworker. After 2.5 hours of waiting, the same person who told her to wait then informed her that her caseworker had actually called in sick that day. You listened to Mr. Camacho's testimony regarding the failure to be informed of services for Veterans. It's these kinds of mistakes that lead to a back-log of people waiting to be seen, and waste hours upon hours of time for HRA staff and those vulnerable people trying to access and maintain benefits that they need to provide for themselves and their families.

Lastly, clients are not often given a meaningful opportunity to correct problems when they arise. We usually see this play out at conciliation meetings or fair hearing conferences, when HRA is proposing to take a negative action on a case and the client wants to discuss why they feel it is wrong or not warranted. Although the Social Services Law requires that Public Assistance recipients be afforded opportunities to resolve issues without having to go to a Fair Hearing, many times they are literally just told to take their issue to a hearing, without any opportunity to be heard. I often draft letters for clients to bring with them to these meetings, and on a number of occasions my clients have told me that the caseworker would not read my letter, despite their protest, and despite a possible resolution which would prevent a subsequent Fair Hearing. This causes delays in holding hearings at the Office of Hearings and Appeals of the State Office of Temporary and Disability Assistance, which means that clients have to wait months before a case is resolved while they go without food and fall behind on their rent.

Based on those prevalent issues, here are some recommendations:

The Agency must make better use of technology and devise a plan where clients are able to electronically drop off documents into their case file, which will allow more time for caseworkers to work on other issues, and will create a record of compliance for the client.

The front line staff at the Centers must be better trained and more familiar with the processes at the Agency, so that they are able to efficiently direct people where they need to be.

Lastly, HRA staff must be trained and re-trained so that they don't give people misinformation that brings them back to the Centers more than necessary, and caseworkers must be encouraged to resolve problems at Center-level conferences and conciliation meetings rather than pushing clients towards always requesting Fair Hearings.

I'd like to thank the committee again for allowing us to be here today, and for listening to our concerns. I'd also specifically like to thank councilmember Palma for asking for our input today. We look forward to a sustained and committed relationship, working in conjunction with both the Council and HRA to improve the lives of hundreds of thousands of New Yorkers that need us the most.

Testimony of Legal Services NYC Before The New York City Council General Welfare Committee

Oversight Hearing on Overcrowding at HRA Food Stamp and Job Centers



The Human Resources Administration's policies create barriers to important work supports for many low income New Yorkers; increase the risk of homelessness for clients facing eviction; and endanger the safety of Domestic Violence survivors

January 31, 2012

Testimony prepared by Tanya E.M. Wong, Esq., Government Benefits Coordinator

Legal Support Unit, LS-NYC, 40 Worth Street, Suite #606, New York, NY 10013

Cover Photo taken by Rosana Rodriguez, Parent Advocate, Brooklyn Family Defense Project, at HRA Job Center #54 – Jamaica, Queens (October, 2011)

Executive Summary

Poverty has increased in New York City as a result of the economic recession.¹ New York City's Human Resources Administration's ("HRA") response to the increased need for Public Assistance in New York City has been to make it more difficult to access benefits and increase case closures. HRA's regressive policies and bureaucratic inefficiencies *create* overcrowding situations at local Job Centers. These policies make it particularly difficult for working New Yorkers, clients facing eviction and victims of domestic violence to access and maintain benefits.

Key Recommendations

Legal Services NYC recommends that the HRA implement the following measures to ease overcrowding at local Job Centers and increase access to benefits for working clients, clients facing eviction and victims of domestic violence.

- Eliminate unnecessary in person appointments at the Job Center by implementing technological initiatives proven successful in the Food Stamp and Medicaid contexts, such as permitting clients to apply and recertify on-line or through facilitated enrollers and allowing them to fax or mail in required documentation. HRA should implement a mail in recertification initiative for its Cash Assistance program.

¹ Over 8% of NYC residents were unemployed in April 2011. *See* NYC Unemployment Rates vs CA Persons January 1999-April 2011 available at http://www.nyc.gov/html/hra/downloads/pdf/unemployment_rates.pdf. In 2010, over 16% of New Yorkers (more than 3 million people) lived below the federal poverty level and 21% of children in New York lived in poverty. Economic Justice and Social Welfare Network Policy and Advocacy Committee, *Access to Assistance Campaign 2012 Fact Sheet*, citing Carmen DeNavas, Bernadette Proctor, and Jessica Smith, *Income, Poverty and Health Insurance Coverage in the United States: 2010*, U.S. Bureau of the Census, September 2011; and Suzanne Macartney, *Child Poverty in the United States 2009 and 2010; Selected Race Groups and Hispanic Origin, American Community Survey Briefs*, U.S. Bureau of the Census, November 2011.

- Expand the Interactive Voice Response System (“IVRS”) to permit clients to request additional forms and notices by telephone and via the HRA website.
- Eliminate all unnecessary in person appointments and do not require participants to resubmit documentation not subject to change that is already in their case records.
- Initiate applications for “one-shot” rent arrears grants at all Housing Court Rental Assistance Unit (“RAU”) satellite offices and add additional staff at the centralized RAU to process benefits issuance simultaneous with approvals. Mandate all Housing Court offices to issue pre-approvals for immediate use in Housing Court.
- Assign additional staff at Job Centers to process Family Eviction Prevention Supplement (“FEPS”) and “one shot” rent arrears check issuance.
- HRA must screen all applicants for domestic violence (“DV”) and should evaluate all applicants’ eligibility to receive immediate needs grants.
- HRA should train all front line eligibility workers, in addition to the Domestic Violence Liaisons (“DVL”), on protections for domestic violence victims under the Family Violence Option.
- Clarify and reinforce protocols on removing abusive partners from DV clients’ cases and allowing the DV victim to open up her own case more easily once she flees the batterer.
- Open up an ADVENT² office in each Borough. Staten Island and Queens have no ADVENT office.
- Reduce erroneous sanctions and case closures by discontinuing “auto-posting” procedures. OTDA should impose financial penalties on HRA for erroneous case closures that are reversed at fair hearings.
- Suspend transfers to the so-called “Intensive Services Center” (Center 71) and eliminate the demonstrated compliance period for Center 71 re-applicants.
- Conduct an audit of cases closed at Center 71 to determine what barriers participants faced in complying with agency requirements; and what happens to these households after their cases are closed at Center 71, 6-12 months later.
- Investigate the impact of the 10 day demonstrated compliance on re-applicants’ ability to access benefits (including the length of time and number of re-applications it takes to get back on benefits after a sanction expires; the underlying causes of repeated denials; as well as the social/economic consequences).

² Anti-Domestic Violence Eligibility Needs Teams. ADVENT Units provide specialized services to clients in domestic violence shelters.

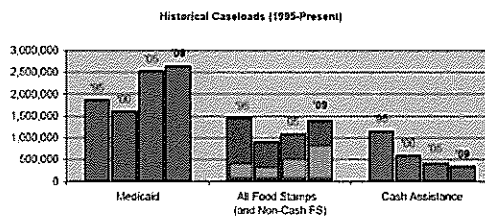
I. INTRODUCTION

This testimony is submitted on behalf of Legal Services NYC. Legal Services NYC is the largest organization exclusively devoted to the provision of free civil legal services to the poor in the nation. For nearly 45 years, Legal Services NYC has provided quality legal representation to low-income New Yorkers through our twelve neighborhood offices located in diverse communities throughout each borough. Each year, our staff assists thousands of clients in negotiating the New York City Human Resources Administration's ("HRA") onerous application process to access critical public benefits needed to maintain housing, utilities, childcare, employment, basic health and well-being. Legal Services NYC commends the City Council for conducting this oversight hearing to investigate overcrowding at HRA's local Food Stamp and Cash Assistance Centers and HRA's failure to meet the increased needs of low income and indigent New Yorkers.

In 2010, LS-NYC testified before this Committee on how barriers in the application process disparately impact applicants with disabilities and applicants with limited English proficiency.³ Our testimony today will focus primarily on how HRA's regressive policies and bureaucratic inefficiencies *create* overcrowding conditions at Job Centers and make it particularly difficult for working New Yorkers, clients facing eviction and victims of domestic violence to access and maintain benefits.

II. BARRIERS IN THE PUBLIC ASSISTANCE APPLICATION PROCESS LEAD TO OVER CROWDING CONDITIONS AT HRA JOB CENTERS

HRA's response to the increased need for Public Assistance in New York City has been to make it more difficult to access cash assistance benefits and to close existing cases. As you know, Cash Assistance rolls in NYC have actually decreased since the onset of the economic downturn; while there has been a dramatic increase in Food Stamp cases (see Table 1)⁴. In October 2011, there were a total of 185,284 Family Assistance and Safety Net Assistance cases in New York City compared to 1,004,188 Food Stamp cases.⁵ There have also been significant gains in access to public health insurance. These disparate outcomes reflect a deliberate policy to reduce access to New York's Cash Assistance program by creating systemic obstacles in the application process and making it difficult to maintain benefits. Not only is this approach short-sighted when considering the collateral social consequences such as increased homeless and food insecurity, but it also callously disregards the safety and well-being of the most vulnerable New Yorkers.



Human Resources Administration (HRA) Testimony before the City Council General Welfare and Finance Committees, "The 2010 Preliminary Budget and Mayor's Management Report", March 23, 2009

³ See Appendix A, attached hereto.

⁴ See Historical Caseloads (1995-Present), Human Resources Administration (HRA) Testimony before the City Council General Welfare and Finance Committees, "The 2010 Preliminary Budget and Mayor's Management Report", March 23, 2009 available at

http://www.nyc.gov/html/hra/downloads/pdf/testimonies/2009/tm_march_2009/HRABudgetTestimony2010.pdf

⁵ See Temporary and Disability Assistance Statistics, October 2011, Appendix B.

(a) Application Barriers for Working Clients

HRA's steadfast and open resistance to facilitating access to cash assistance denies many eligible New Yorkers access to important work supports needed to maintain employment, including housing subsidies such as the Family Eviction Prevention Supplement⁶ ("FEPS") and child care assistance. For example, Legal Services NYC-Bronx represented a Public Assistance recipient who was sanctioned for not complying with the work requirements because she missed a mandatory in person appointment at the Job Center *while she was at work*.⁷ As a result, the client's FEPS subsidy was discontinued and the client's landlord brought an action for eviction against her for non-payment of rent.

HRA could easily apply existing technologies proven effective in increasing access to Food Stamp and Medicaid benefits to its Cash Assistance program. For example, clients may now commence Food Stamp applications and Medicaid renewals on line at Access NYC and through Facilitated Enrollers. In April 2010, HRA eliminated the requirement for in person interview for determining initial Medicaid eligibility.⁸ Such measures are particularly effective in increasing access for working applicants, applicants with disabilities and limited English proficiency, and would immediately reduce traffic at local Job Centers. HRA should permit on-line application and recertification for cash assistance benefits and should reduce mandatory in person appointments at the Job Center.

In addition, HRA should expand the Interactive Voice Response System⁹ ("IVRS") to permit clients to request additional forms and notices by telephone and via its website. This would eliminate the need for working recipients to take time from work (possibly putting their employment in jeopardy) to visit the Job Centers. In May 2009, HRA initiated a fax-in program for clients to fax in their medical bills to establish eligibility for the Medicaid "Spend-Down" program. HRA should take immediate steps to accommodate Cash assistance applicants and recipients by allowing them to fax and/or mail in required documentation, thereby reducing the number of mandatory and return appointments and reducing overcrowding at Centers. HRA should implement a mail in recertification initiative and eliminate the in person face-to-face interview. Finally, HRA should stop requiring applicants and recipients to constantly resubmit documents which are not subject to change and are already in case records.

(b) HRA delays in processing applications/reapplications (including lifting sanctions) and "one shot" rent arrears grants place clients at increased risk of eviction and homelessness.

HRA delays in processing applications and reapplications (including lifting sanctions) place clients at increased risk of eviction. For example, our Legal Services NYC- Bronx (Courtroom Office) advocates report waiting over two months for the Senior Works Center (#84), a specialized center servicing clients over the age 60, to add a shelter allowance to a client's public assistance budget. Further, over the past year, our offices have witnessed an unacceptable rise in time HRA takes to process applications for rent arrears grants. Although the agency is required to make a decision on applications "one-shot" emergency benefits to pay back rent within 30 days,¹⁰ there appears to a three month backlog is getting one shot applications approved by the Rental Assistance Unit ("RAU"), a centralized unit which reviews all applications for "one shot" rent arrears grants.

Moreover, after a "one shot" application has been approved by the RAU and communicated to the local Job Center, it can then take several months for the Center to issue the benefits. Our advocates at Manhattan Legal Services currently report 3 month delays in check issuance on "one shot" approvals

⁶ See Policy Directive 10-10-ELI.

⁷ See Maldonado v. Hansell et. al, Index # 400618/09 (Sup. Ct., New York Co. filed March 18, 2009).

⁸ See Administrative Directive 10 OHIP/ADM -1.

⁹ See Item #14, Page 8, Overcrowding Plan (rev. 1/10/12), attached hereto as Appendix D.

¹⁰ See Administrative Directive 02 ADM 02.

at the Dyckman Job Center, a so-called “Model Job Center” servicing northern Manhattan. Likewise, it takes several weeks for Job Centers to issue checks after clients have been approved for the Family Eviction Prevention Supplement (“FEPS”), an ongoing housing subsidy which also covers several months of back rent.

Almost all applicants for emergency “one shot” rent arrears grants and FEPS have been sued in Housing Court for non-payment of rent and are currently facing eviction. The vast majority of Housing Court litigants do not have counsel to assist them in obtaining the repeated extensions of time needed to allow for HRA delays. Nor do they have advocates to follow-up on their applications for one shot rent arrears grants and relentlessly pursue HRA to issue checks once the application has been approved. HRA’s bureaucratic inefficiencies compromise low income New Yorkers’ housing stability and place them at increased risk of homelessness.

The HRA Housing Court satellite offices exist to provide information to clients in eviction proceedings. However, in our experience, some of these offices (e.g. in Queens) only refer clients to local Job Centers, thereby contributing to over-crowding conditions. These offices should assist clients in applying for rent arrears grants and should issue “one-shot” pre-approvals. These services are not being uniformly provided throughout the city. Relevant documentation available in the housing court files should be accepted and scanned at the Court house offices. Applications and supporting documents from HRA housing court offices should be transmitted directly to the Rental Assistance Unit (“RAU”). The RAU should process check issuance simultaneous with approvals. Additional staff should be assigned to process rent arrears check issuance, including FEPS housing subsidies, at the RAU and local Job Centers. Finally, HRA’s current practice requires, on average, at least three, in-person mandatory appointments at the Job Center as well as a home visit to process a one-shot application. HRA should eliminate these unnecessary appointments and permit applicants to fax in required documentation.

(c) Barriers facing Victims of Domestic Violence

The Family Violence Option under the Welfare Reform Act of 1997 requires HRA to universally screen for domestic violence, assess eligibility for programmatic waivers and provide referrals to specialized services through Domestic Violence Liaisons (“DVL”).¹¹ Although HRA has designated domestic violence liaisons at local Job Centers, many of our domestic violence clients are not informed about the benefits that they are entitled to (such as immediate needs grants or emergency health care kits); are frequently not screened for domestic violence or referred to the DVLs; are routinely given instructions which compromise their safety; and experience delays in accessing benefits due to pervasive disregard of the law.

For example, victims of domestic violence frequently face delays in the application process due to HRA’s erroneous budgeting of marital assets although the regulations clearly state that if access to these marital assets would cause a safety issue, they should not be budgeted in making eligibility determinations.¹² Queens Legal Services recently represented a client who was denied benefits due to a “joint” bank account that was opened by the client's abusive husband. The client had not previously been aware of this account (because she was financially abused by her spouse), and she could not safely access the money. The client is a DV victim and had self-identified to HRA as such. Even though the client and her daughter had fled the marital home due to the abuse, HRA instructed the client to go to the local bank branch and bring back documentation about the account, which would have put the client at risk.

¹¹ See Social Services Law 349-a; 18 NYCRR 351.2; Administrative Directive 98 ADM 3; and Policy Directive PD 10-08 ELI.

¹² See Administrative Directive 98-ADM-3, page 4 (“Income and resources which belong to a victim’s spouse or are jointly owned are not considered to be available to the victim unless she has access to them without putting herself in danger.”).

Similarly, despite existing policy to the contrary governing so-called “reconstituted households”,¹³ victims of domestic violence are frequently told that they must first get themselves (and often their children) off the abuser’s existing Public Assistance and Food Stamp budget before they will be allowed apply for benefits on their own, clearly putting their safety at risk. Staten Island Legal Services recently assisted a DV applicant at Center 99, who was told by application workers that she needed to submit a letter from her abusive husband, who is serving a three year prison sentence for violating an order of protection and beating her. Queens Legal Services also represented another DV client who was sanctioned for not ‘complying’ with HRA’s child support enforcement requirement—despite the fact that the father in question was incarcerated for raping the client’s daughter and would not be paying child support from prison anyway. The client, who is Spanish-speaking, was not referred to a DV liaison or evaluated for a waiver of the child support requirements as required by law.¹⁴ Moreover, the client was at the time simultaneously facing eviction from her apartment. As a result of the child support sanction, her application for the FEPS housing subsidy was delayed for 3 months, causing an enormous amount of added stress to family.

The stakes are too high to permit HRA to continue to flout the protections afforded to victims of domestic violence under the Family Violence Option. HRA must screen all applicants for DV and should evaluate all applicants’ eligibility to receive immediate needs grants. HRA should train all front line eligibility workers, in addition to the DVLs, on protections for domestic violence victims under the Family Violence Option. HRA should also clarify and reinforce protocols on removing abusive partners from DV client’s cases and allowing the DV victim to open up her own case more easily once she flees the batterer. In addition, HRA should open up an “ADVENT”¹⁵ office in every borough. ADVENT offices offer specialized services to clients in domestic violence shelters. There is no ADVENT office in Staten Island or Queens.

III. ERRONEOUS CASE CLOSURES, BACK DOOR FULL FAMILY SANCTIONS AND DELAYS IN LIFTING SANCTIONS CONTRIBUTE TO OVER-CROWDING CONDITIONS AT CENTERS

(a) Increased Erroneous Case Closures due to “Auto-Posting”

While making it difficult for needy New Yorkers to apply for benefits, HRA has become increasingly efficient at discontinuing the benefits of current recipients. As you know, HRA utilizes a process, known as “auto-posting,” in which its computer system automatically begins the sanctioning process once a client misses an appointment unless a worker or vendor affirmatively and timely inputs the client’s attendance or good cause reason for missing the appointment. This practice is a clear violation of Social Services Law 341 in that it initiates the sanction process without an actual assessment of whether the alleged infraction was willful and without good cause. Predictably, auto-posting results in an astronomical rate of erroneous sanctions and increased case closures.¹⁶ Even when auto-posting does not result in complete case closure, it disrupts critical benefits including work supports such as

¹³ See for example Policy Bulletin 11-04-ELI.

¹⁴ See 18 NYCRR 347.5; Administrative Directive 98 ADM 3.

¹⁵ Anti-Domestic Violence Eligibility Needs Teams.

¹⁶ In New York State, a failure to comply with work requirements does not automatically result in complete case closure when there are other household members besides the allegedly non-compliant individual; but, rather, results in a pro-rata reduction of the public assistance and food stamp grants of increasing duration (up to 6 months) with each subsequent infraction. Sanctions can result in complete case closure if there is no one else on the Public Assistance budget besides the allegedly non-compliant individual. Sanctioned households are ineligible to receive ongoing or retroactive FEPS supplements; as well as, other work supports such as childcare assistance.

child care assistance and housing subsidies requiring clients to make repeated, all day, in person visits to centers trying to resolve these problems.

OTDA's fair hearing statistics demonstrate how astronomical HRA's rates of erroneous case closure and sanctions imposition are compared to the rest of the State due to the practice of "auto-posting". Of the estimated 255,551 fair hearing requests in 2010, 217,892 emanated from New York City.¹⁷ Of the 111,885 hearings held in 2010, 98,657 of them were held in NYC.¹⁸ 146,479 of NYC fair hearing requests were about Public Assistance matters.¹⁹ 62,739 NYC hearings were about alleged failure to comply with employment requirements.²⁰ The agency was upheld in 9.78% of those cases (3,003).²¹ However, the point in discussing these abysmal fair hearing statistics is not to highlight the financial cost of practice of auto-posting. The point is that poor vulnerable New Yorkers cannot afford these erroneous sanctions.

HRA should discontinue the practice of "auto-posting" immediately. HRA should review its own records to determine if the applicant/recipient may have had a good cause reason for not complying with the employment requirements in accordance with Social Services law. A check of its own records, for example, can easily reveal whether a notice was sent to an incorrect address, was previously exempted from an employment requirement, or may be in need of child care assistance. Eliminating auto-posting would also reduce erroneous case closure by allowing time for data entry delays. OTDA should also impose financial penalties for erroneous sanctions reversed in fair hearings.

(b) Back Door "Full Family Sanctions" at Center 71

One step that HRA has taken ostensibly to ease over-crowding at local Job Centers is to increase the number of cases transferred to Center 71, the so-called "Intensive Services Center" for sanctioned participants.²² Rather than re-engaging participants, Center 71 functions primarily to effectuate back door full family sanctions.²³ Between January 2008 and June 2009, HRA transferred 11,616 cases to Center 71. In the same period, Center 71 closed 11,236 of those cases.²⁴ HRA alleges that this high rate of case closure reflects Center 71's success at engaging these households in work. Given the economic climate, not only is this claim incredulous on its face, but it is unsubstantiated by the data. From January 2008 to June 2009, Center 71 issued over 62,000 mandatory call in appointments (the most common appointments were coded as Sanction Appointment -11,953; Call-In for Employment Appointment - 10,312; 10,941 Face to Face Appointments; and 7,680 Child Care Return Appointment - Documentation Needed).²⁵ During the same period, there were over 16,000 instances of failure to report to these mandatory call-in appointments. HRA makes no attempt to track what actually happens to these households after their cases are closed by Center 71 for failing to show up at these mandatory eligibility requirements. However, we do know that from January 2008 to June 2009, there were more than 16,862 new Fair Hearing requests involving Center 71. In that same period, the agency was

¹⁷ See Charts 1 and 2, Appendix C.

¹⁸ See Chart 19, *Id.*

¹⁹ See Chart 4, *Id.*

²⁰ See Chart 8, *Id.*

²¹ See 2010 Outcomes for the Top Ten Requested Fair Hearing Issues-Public Assistance (NYC), *Id.*

²² See Item #8, Page 5, Overcrowding Action Plan (rev. 1/10/12), attached hereto as Appendix D.

²³ In NYS, employment related sanctions do not result in full case closure in cases with other household members besides the allegedly non-compliant individual. However, full case closure can occur if the household does not respond to a mandatory eligibility appointment.

²⁴ See ISC Transfer-In/Transfer-Out and ISC Closings (C-1,2,3), HRA 8-11-09 response to FOIL request at Appendix E.

²⁵ See ISC Mandatory Appointments (C-8), HRA 9-10-09 response to FOIL request at Appendix E.

affirmed in only 1,556 cases. Unfortunately, more than 15,000 appellants defaulted on their hearing requests during that period.²⁶

Further, recipients whose cases have been transferred to Center 71, face an additional burden when reapplying for benefits. Center 71 re-applicants, even those whose sanctions have been reversed by an administrative fair hearing decision, must complete an onerous 10-day demonstrated compliance period before their sanction is lifted.²⁷ Clients surveyed at Center 71 by members of the Welfare Law Taskforce, a city-wide coalition of Public Assistance advocates chaired by LS-NYC, in the summer of 2009, consistently complained of delays in applications for rent arrears grants and lack of childcare assistance during the demonstrated compliance period. Participants reported that minor and/or good cause infractions (such as lateness due to train delay or absence due to illness or lack of childcare), leads to restarting of the 10 day demonstrated compliance period.

We recommend that HRA suspend transfers to the so-called “Intensive Services Center” (Center 71) and eliminate the demonstrated compliance period for Center 71 re-applicants. OTDA should conduct an audit of cases closed at Center 71 to determine what barriers participants faced in complying with agency requirements; and what happens to these households after their cases are closed at Center 71. The Council should investigate the impact of the 10 day demonstrated compliance on re-applicants’ ability to access benefits (including the length of time and number of re-applications required to get back on benefits after a sanction expires; the underlying causes of repeated denials; as well as the social/economic consequences).

IV. East River (Center #37) in Queens

The over-crowding issues at the East River (Center 37) site in Queens, as evidenced by the December 5, 2011 video taken by the students at Columbia Law School’s “*Lawyering for the Digital Age*” clinic, available at <http://media.law.columbia.edu/clinics/LDA/Overcrowding.html>, warrant special consideration. Center 37 primarily services current shelter residents. However, we frequently assist clients whose cases remain at Center 37 long after they are re-domiciled. We also recently learned from FIA Deputy Director of Operations, Ms. Lisa Fitzpatrick, that one of the reasons for over-crowding at Center 37 is the practice of giving same day appointments with the Bureau of Eligibility Verification unit (“BEV”), which is located in the Center. Ms. Fitzpatrick discovered that the BEV unit at Center 37 does not have the capacity to see all these clients on the same day. Thus, clients end up staying all day at the Center waiting for their BEV appointment, only not to be seen and to be given another return appointment at the end of the day.

HRA should eliminate/immediately suspend same day BEV appointments at Center 37 and process transfers out of Center 37 to local Job Centers as soon as clients are re-domiciled. While having a centralized office, like Center 37, theoretically offers such benefits as increased expertise in handling special populations, centralization creates significant hardships on clients, many of whom have to travel long distances to get to their welfare appointments. Some parents have to travel from one borough where their current shelter is located, to another borough (where they formerly resided) to drop their children off at school, all before going to Queens for a 9:00 am welfare appointment. HRA should investigate other ways to provide competent services to shelter residents either in or near their current shelter.

²⁶ See Fair Hearing Activity (C-10), HRA 7-20-09 response to FOIL request at Appendix E. .

²⁷ See HRA Policy Directive 10-21-OPE, page 1 (“For cases at Center 71, the Family Independence Administration (FIA) policy requires nonexempt participants with nondurational or expired durational sanctions who are willing to comply with employment requirements to complete a 10-business-day Demonstrated Compliance activity”).

V. CONCLUSION

Legal Services NYC thanks the City Council for holding this oversight hearing and urges the State and City agencies to take affirmative steps now to reduce overcrowding at Job Centers and facilitate access to its cash assistance benefits programs. HRA should take immediate action to minimize application barriers faced by low income New Yorkers, particularly those who are working, facing eviction and fleeing domestic violence. HRA should immediately reduce erroneous case closures by discontinuing auto-posting. Finally, we call upon the Council for an immediate investigation of “back door” full family sanctions taking place at Center 71.

Respectfully submitted,

Tanya E.M. Wong, Esq.
Government Benefits Coordinator
Legal Services NYC
The Legal Support Unit
40 Worth Street, Suite #606
New York, NY 10013
Phone/Fax: 646-442-3625
TWONG@LS-NYC.ORG

APPENDIX A

**Testimony of Legal Services NYC Before
The New York City Council General Welfare Committee
Oversight Hearing on the Effects of the Recession on the
Public Assistance Caseload and the Barriers Public
Assistance Applicants Face**



**The Human Resources Administration's Failure to Respond Adequately
to the Recession or to Provide Accessible Services for People with
Disabilities and People with Limited English Proficiency**

September 13, 2010

Legal
Support
Unit

Legal
Services NYC

Executive Summary

The current recession has increased unemployment and deepened poverty in New York City. In 2006, there were over 3.1 million New Yorkers living below 200% of the Federal Poverty Level. Twenty-two percent of New York City's low income residents have disabilities and twenty-five percent of New Yorkers over the age of five do not speak English. Individuals with disabilities and limited English proficient ("LEP") individuals are particularly disadvantaged in NYC's onerous public assistance application process. For these New Yorkers, the protections afforded them under federal, state and local laws have been rendered meaningless because of the Human Resources Administration ("HRA")'s failure to comply with its legal obligations and failure to inform applicants of their rights. For example, HRA does not utilize a disability screen tool to identify an individual's need for assistance or a reasonable accommodation to complete the application process. In addition, translated forms and interpretation services are often not available in HRA Job Centers. These deficiencies are worsened by the fact that applicants with disabilities and LEP applicants are frequently not informed of their rights. As a result, individuals with disabilities and limited English proficiency do not have equal access to benefits. HRA must make systemic changes in its Public Assistance application process in order to comply with disability and language access rights law, prevent discrimination against individuals with disabilities and limited English proficiency and become more responsive to the increased needs of low income New Yorkers due to the recession.

Legal Support Unit
350 Broadway, 6th Floor, New York, NY 10013
Phone: 646-442-3610 Fax: 212-966-9571 www.LSU.LegalServicesNYC.org
Raun J. Rasmussen, Chief of Litigation & Advocacy

 LSC

Key Recommendations

Legal Services NYC recommends that the HRA implement the following measures to comply with federal disability rights law and stop unlawful discrimination against Public Assistance applicants with disabilities:

- Offer alternatives to onsite benefits applications (for example, online applications and facilitated enrollers) and onsite appointments (for example, telephone interviews and home visits);
- Make application forms, notices and other vital information easier to understand and available in alternative formats;
- Develop websites and automated phone systems that are accessible to people with disabilities;
- Utilize other modes of communication (such as telephone calls, home visits and contacts with a designated representative, if so desired) when an individual is unable to understand a notice due to a mental impairment or learning disability;
- Inform individuals with disabilities of their right to reasonable accommodations and how to file a grievance in clear, simple language in notices and conspicuous signs in all Job Centers;
- Adopt an effective, proactive screening process to identify applicants who need assistance and/or a reasonable accommodation to complete the application process;
- Train frontline workers to properly screen applicants for disabilities who may require a reasonable accommodation and to inform applicants of their rights;
- Implement systems to memorialize clients' disabilities and permit reasonable accommodations on an ongoing basis; and,
- Improve internal ADA grievance-handling procedures to address systemic problems.

Legal Services NYC recommends that the HRA implement the following measures to comply with language access rights law and stop unlawful national origin discrimination against limited English proficient Public Assistance applicants:

- Simplify the application process and permit enrollment in non-welfare settings with increased language supports to facilitate LEP clients' access to benefits;
- Make translated forms uniformly available in all HRA Job Centers;
- Post clear and conspicuous notices in all Job Centers informing clients of the availability of free language interpretation;
- Provide comprehensive training for all frontline workers on HRA's language access responsibilities (including informing clients of their right to translation services), as well as regular training on cultural sensitivity and language diversity issues;
- Provide onsite telephonic translation services at all points of contact and better matching of LEP applicants to bilingual staff; and,
- Designate specialized workers to determine non-citizen eligibility to minimize erroneous eligibility determinations based on immigration status.

I. INTRODUCTION

This testimony is submitted on behalf of Legal Services NYC. Legal Services NYC is the largest organization exclusively devoted to the provision of free civil legal services to the poor in the nation. For 43+ years, Legal Services NYC has provided quality legal representation to low-income New Yorkers through our nineteen neighborhood offices located in diverse communities throughout the city. Each year, our staff assists hundreds of clients in negotiating the New York City Human Resources Administration's ("HRA") onerous application process¹ to access critical public benefits needed to maintain housing, utilities, childcare, employment, basic health and well-being. Legal Services NYC commends the City Council for conducting this oversight hearing to investigate this most pressing issue affecting thousands of low-income families throughout New York City—namely, barriers in the welfare application process. Our testimony will focus primarily on how these barriers impact applicants with disabilities and applicants who do not speak English (or who do not speak English well).

In February 2010, the Government Accountability Office ("GAO") reported that the rate of *eligible* families participating in cash assistance programs declined from 84% in 1995 (4.8 million) to

¹ In a 2003 study of the application processes for Public Benefits entitlement programs including Temporary Assistance for Needy Families ("TANF") in New York City (NY), Dallas (TX), Seattle (WA), Raleigh (NC), Arlington (VA) and Sedalia (MO), Urban Institute scholars found NYC's TANF application to be the most complicated. Available at <http://www.urban.org/publications/410640.html>. Temporary Assistance to Needy Families ("TANF") refers to the federal block grant provided to states for income assistance programs for poor families with children.

In 2008, the Public Advocate for the City of New York, issued a report, *Barriers to Benefits: A Survey of Clients at New York City Human Resources Administration Job Centers*, documenting long waiting times, workflow problems such as frequently lost documents and computer problems, miscommunication about program rules and client rights, erroneous computer generated notices and language barriers as common barriers faced by Public Assistance applicants at NYC HRA Job Centers. Available at http://www.publicadvocatescorner.com/files/fairhearingreport_october2009.pdf

In addition, the Brennan Center Strategic Fund, Inc. likewise cited a range of obstacles encountered by PA applicants at HRA Job Centers in its 2008 report, *Improving New York City's Public Benefits System: A Key Role for Help Desks*, in support of the New York City Council's bill (the Ready Access to Assistance Act introduced in 2006) advocating for help desks run by non-profit advocates in NYC public benefits office. Available at http://brennan.3cdn.net/d137943d47eefb3a13_1xm6bhzy2.pdf

40% in 2005 (2.13 million).² Many eligible families do not participate in TANF³ programs because of the burdensome application process, mandatory work activities, sanctions, time limits as well as state diversionary practices such as upfront job search. States employ applicant work requirements as a strategy to divert applicants from the TANF program. However, states do not maintain sufficient data to determine whether applicants who fail to complete the applicant work requirements go on to find employment or if this practice denies access to applicants genuinely in need of TANF benefits.⁴ However, families eligible to receive TANF assistance frequently have poor mental or physical health, *disabilities*, low education, limited English proficiency and other characteristics which make employment difficult.⁵ Given these factors and the current economic downturn, it is unreasonable to conclude that many New York City Public Assistance applicants, who are unable to complete the application process, are actually finding jobs.

Due to the recession, the numbers of people needing assistance has increased dramatically.⁶ Yet, HRA's cash assistance programs have not been adequately responsive to the increased need. Indeed, from January 2009 to June 2010, the number of Public Assistance cases in New York City has remained relatively stagnant. The total number of Public Assistance Cases in NYC barely increased from 179,645 (Family Assistance--67,528; Safety Net Assistance—112,117) in January 2009⁷ to 182,600 (Family

² Government Accountability Office, GAO-10-164, *Fewer Eligible Families Have Received Cash Assistance Since the 1990's and the Recession's Impact on Caseloads Varies by State*, pp. 21-23, Feb 2010, available at <http://www.gao.gov/new.items/d10164.pdf>

³ Temporary Assistance to Needy Families ("TANF") refers to the federal block grant provided to states for income assistance programs for poor families with children.

⁴ Mathematica Policy Research, Inc., *Study of State's TANF Diversion Programs* (2008), available at http://www.acf.hhs.gov/programs/opre/welfare_employ/identify_promise_tanf/reports/tanf_diversion/tanf_diversion.pdf

⁵ Government Accountability Office, GAO-01-368, *Welfare Reform: Moving Hard to Employ Recipients Into the Workforce* (March 2001).

⁶ For general information regarding increased needs of low-income families during the recession and TANF program's failure to respond to the economic downturn, see The Network Connection, *TANF Tested: Lives of Families in Poverty during the Recession*, available at http://www.networklobby.org/files/TANF_Report-Quarter3_2.pdf

⁷ January 2009 statistics are available at <http://www.otda.state.ny.us/main/resources/caseload/2009/2009-01-stats.pdf>

Assistance—66,326; Safety Net—116,274) in June 2010.⁸ In contrast, the number of NYC Food Stamp cases soared from 747,594 in January 2009 to 950,080 in June 2010.⁹ HRA is doing poorly even compared to the rest of New York State: the total number of cash assistance cases outside of New York City increased from 88,798 in January 2009 (Family Assistance—41,194; Safety Net Assistance--47,604) to 104,103 in June 2010 (Family Assistance—46,006; Safety Net—58,097).

TABLE 1.

	JANUARY 2009	JUNE 2010
Total Cash Assistance Cases— NYC	179,645	182,600
Family Assistance (NYC)	67,528	66,326
Safety Net Assistance (NYC)	112,117	116,274
Total Cash Assistance Cases— New York State outside of NYC	88,798	104,103
Family Assistance (non-NYC)	41,194	46,006
Safety Net Assistance (non- NYC)	47,604	58,097
Food Stamps (NYC)	747,594	950,080

The system is failing low income New Yorkers and urgently needs to be fixed.

⁸ June 2010 statistics are available at <http://www.otda.state.ny.us/main/resources/caseload/2010/2010-06-stats.pdf>

⁹ For an excellent analysis of the contrast between the Food Stamp and TANF programs' response to the recession, see Center on Budget and Policy Priorities' report entitled *Creating a Safety Net That Works When the Economy Doesn't: The Role of the Food Stamp and TANF Programs* (2010), available at <http://www.cbpp.org/cms/index.cfm?fa=view&id=3096>

II. BARRIERS TO PUBLIC ASSISTANCE FOR APPLICANTS WITH DISABILITIES

Last year, our Bronx office represented a client with an obvious psychiatric impairment (and her disabled child) in an eviction proceeding. Although Ms. G. had applied at her local welfare center for an emergency grant to pay her rent arrears as well as for ongoing benefits in June, her case was not opened until December after a housing paralegal accompanied her to the welfare center and spent an entire day there with her until they were seen. Our paralegal learned that Ms. G. had visited the welfare center more than once a week for several months and had supposedly “caused a scene” on two of those occasions because she was unable to get any answers about her application. She was well known in the Center, “from the security guard to every worker” and application workers had been “fighting” among themselves as to who would see her. Ultimately, they simply ignored her whenever she visited the center. For five months.¹⁰

In 2006, there were over 3.1 million New Yorkers living below 200% of the Federal Poverty Level and 22% of New York City’s low income residents had disabilities.¹¹ It is well established that a significant number of Public Assistance households have either a parent or child who is disabled. In August, 2010, Legal Momentum (formerly known as NOW Legal Defense and Education Fund), reported that a third of TANF parent recipients have a disability; and ¼ of TANF recipient families has a child with a chronic health problem or disability.¹² In 2002, the GAO found that 44% of TANF recipients report that either they or their children had impairments.¹³

The Americans with Disabilities Act of 1990 (“ADA”) and Section 504 of the Rehabilitation Act of 1973 (“Rehabilitation Act”) protect qualified individuals with disabilities¹⁴ from being excluded from participation in or denied the benefits, programs and services of a public entity or being subject to

¹⁰ Case Summary reported by E. Dume, Housing Paralegal, Legal Services, NYC-Bronx.

¹¹ *New Yorkers in Crisis, A Report by Legal Services NYC* (2009), available at http://www.legalservicesnyc.org/storage/lsny/PDFs/new_yorkers_in_crisis.pdf

¹² Legal Momentum, *The Sanction Epidemic in Temporary Assistance* (2010), pp.2-3, citing Committee on Ways & Means US House of Representatives (2008), at 7-38—7-39, available at <http://waysandmeans.house.gov/media/pdf/110/tanf.pdf>

¹³ Government Accountability Office, GAO-02-884, *Welfare Reform: Outcomes for TANF Recipients with Impairments* (2002), available at www.gao.gov. See also Eileen P. Sweeney, Center on Budget and Policy Priorities, *Recent Studies Indicate that Many Parents Who Are Current or Former Welfare Recipients Have Disabilities or Other Medical Conditions* (2000), available at www.cbpp.org

¹⁴ Qualified individuals must have a physical or mental impairment that substantially limits one or more major life activities or have a record of a physical or mental impairment that substantially limits one or more major life activities or be regarded as having such an impairment.

discrimination by a public entity. These laws require that HRA provide reasonable accommodations to applicants with disabilities, including modifications in its policies and practices, to ensure that they have meaningful access to its programs and services.

Identifying those applicants who need assistance to complete the application process and/or a reasonable accommodation to participate in the program is the most basic component to providing applicants with disabilities with equal access to services. In 2001, the U.S. Department of Health and Human Services' ("HHS") Office of Civil Rights issued guidance on the legal requirements under the Rehabilitation Act and Title II of the ADA to ensure equal access to TANF programs.¹⁵ HHS identified "Promising Practices" for states to implement in order to ensure equal access to TANF programs. The first of these recommendations was to utilize screening and assessment tools to determine whether an applicant has a physical, emotional, learning and/or behavioral disability. Another recommendation was to give workers special training to properly administer such tools. Once the disability has been identified, the individual can then be offered the opportunity to receive a more comprehensive assessment. Notwithstanding years of advocacy by the National Center for Law and Economic Justice on this issue, New York State Office of Temporary and Disability Assistance ("OTDA") has failed to implement an appropriate screening tool for disabilities during the application process and HRA staff is inadequately trained to identify and assist clients with disabilities.¹⁶

While New York State OTDA and HRA have issued sub-regulatory policy directives¹⁷ ostensibly implementing the ADA, HRA has fallen far short of its obligation to ensure equal access to

¹⁵ Office for Civil Rights, U.S. Department of Health and Human Services, Policy Guidance: Prohibition Against Discrimination on the Basis of Disability in the Administration of TANF (Temporary Assistance for Needy Families) (2001), available at www.hhs.gov/ocr/prohibition.html, <http://www.hhs.gov/ocr/prohibition.html#legrec>

¹⁶ Federation of Protestant Welfare Agencies, *The State of New York's Social Safety Net for Today's Hard Times*, p. 24 (May, 2009), available at http://www.fpwa.org/binary-data/FPWA_BINARY/file/000/000/127-3.pdf

¹⁷ OTDA Administrative Directive 06-ADM-05 (Issued 3/31/06), available at <http://www.otda.state.ny.us/main/policy/directives/2006/ADM/06-ADM-05.pdf>; FIA Policy Directive 06-25-ELI (Issued 8/18/06) available at <http://onlineresources.wnyc.net/nychra/docs/doccontent.pdf>

individuals with disabilities. For example, HRA has created an internal Grievance Procedure to address alleged ADA violations/noncompliance. However, it has proven woefully limited in providing ongoing accommodations to clients with disabilities. Typically, the grievance procedure, as it is presently being implemented, will (at best) result in a single accommodation being offered to the client, resolving an immediate issue. However, our experience has been that clients are rarely given ongoing accommodations prospectively through this process.

For example, we often see clients with physical and psychiatric impairments (such as depression and agoraphobia) which make it difficult for them to make appointments and/or travel alone. While procedures exist for such clients to be identified as homebound and for eligibility requirements to be completed by mail, home visits or telephone interviews, it is notoriously difficult for clients to obtain this type of accommodation on an ongoing basis.¹⁸ Thus, clients will typically come to Legal Services NYC because their case is being or was closed due to a missed appointment. Our advocates are usually successful in establishing that the client had good cause for failing to attend the appointment because of the disability. However, during the course of resolving one notice to discontinue or reduce the client's benefits for not attending a scheduled appointment, it is not uncommon for the client to receive several other call-in notices and subsequent discontinuance notices. This often happens after our advocate has won an administrative hearing on the first issue and the agency is fully aware of the client's disability and need for an ongoing accommodation.

Legal Services NYC consistently encounters clients with disabilities, who, like Ms.G., the applicant described in the opening to this section, are unable to complete the Public Assistance application process because they were *never screened* for the presence of disability that might require a reasonable accommodation and were never apprised in any way (by a trained caseworker, HRA pamphlet or signage) of their right to reasonable accommodations or their right to file a grievance for

¹⁸ Cary LaCheen, National Center for Law and Economic Justice, *Home Alone: The Urgent Need for Home Visits for People with Disabilities in New York City's Welfare System* (2004), available at www.nclej.org

possible ADA violation. Sadly, our housing advocates usually encounter such clients further along in the process when they are facing eviction due to the loss of benefits or inability to access benefits.

Recommendations

Legal Services NYC endorses the following recommendations made in a recent publication by the National Center for Law and Economic Justice and Maximus for steps public benefits agencies should take to comply with the ADA and Rehabilitation Act:¹⁹ HRA should (1) make agency websites accessible to people with disabilities; (2) offer alternatives to onsite benefits applications, such as online applications and the use of facilitated enrollers; (3) make any online application forms and process available in alternative formats for individuals with impaired sensory disabilities; (4) ensure that telephone communication with individuals with disabilities is effective; and (5) implement automated phone systems that are accessible to and usable by people with disabilities.

In accordance with the HHS Guidance, HRA should also utilize other modes of communication (such as telephone calls and home visits) when an individual is unable to understand a notice due to a mental impairment or learning disability, and use collateral contacts with a third party representative if the individual so desires. HRA should adopt HHS' suggested language to ensure that its notices and other written materials are easy to understand and also include a clear notice that individuals with disabilities have a right to reasonable accommodations. Further, HRA *must* adopt and implement an effective, proactive screening process to identify applicants with low literacy levels as well as physical or mental disabilities, as they may require assistance and/or a reasonable accommodation to complete the application process. Clearly, HRA worker training in administering such a tool is an integral aspect of compliance with federal disability rights law. HRA workers should inform applicants of their right to reasonable accommodations and HRA should post conspicuous signs telling people with disabilities

¹⁹ *Modernizing Public Benefits Programs: What the Law Says State Agencies Must Do to Serve People with Disabilities* (2010), available at http://ncej.org/documents/ModernizingPublicBenefits_20Jul10.pdf

how to obtain assistance in accordance with HHS Guidance. HRA should implement systems to memorialize clients' disabilities and permit reasonable accommodations on an ongoing basis. Finally, HRA should improve its internal ADA grievance handling procedures to address systemic problems in order to prevent unlawful discrimination against individuals with disabilities.

III. BARRIERS TO PUBLIC ASSISTANCE FOR APPLICANTS WITH LIMITED ENGLISH PROFICIENCY

Mercedes Cruz, an immigrant from Honduras who lives with her three children in Brooklyn, first applied for food stamps and cash assistance in 2007 at an agency office in Coney Island. In her 20 or more visits to this office over a two period, she was never offered an interpreter — not even after her lawyer wrote a letter saying that the agency was required to provide one. She ultimately received benefits, but only after a wait of several months and absences from school by her oldest son, a sophomore at Brooklyn College who had to serve as her interpreter.²⁰

Almost half of all New York City residents speak a language other than English at home and one out of four New Yorkers over the age of five does not speak English.²¹ Federal, state and local laws prohibit HRA from discriminating against Public Assistance applicants and recipients based on national origin.²² Under Mayor Bloomberg's Executive Order No. 120, § 2 c (July 22, 2008) as well as, Local Law 73, the Equal Access to Human Services Act of 2003, HRA is also required to provide

²⁰ Unfortunately, this was not an isolated problem: On August 11, 2009, Legal Services NYC filed a landmark civil rights lawsuit, *Boureima et. al. v. NYCHRA et. al.*, Index no. 402014/09, against New York City's Human Resources Administration (HRA) on behalf of Ms. Cruz, several other limited English proficient (LEP) individuals who experienced discriminatory treatment while attempting to access vital public benefits, and the MinKwon Center for Community Action, a not-for-profit organization whose staff is routinely called upon to interpret between their limited English proficient clients and HRA workers.

²¹ *Translation Woes: Language Barriers at New York City's Human Resources Administration* (2007), available at <http://www.legalservicesnyc.org/storage/lsny/PDFs/translation%20woes.pdf>, citing U.S. Census Bureau data, 2000, compiled by the New York City Department of City Planning, *The Newest New Yorkers*, 2005, <http://www.nyc.gov/html/dcp/html/census/nny.shtml>

²² Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d (1964)); Presidential Executive Order 13166: "Improving Access to Services for Persons with Limited English Proficiency" (2000); NY State Social Services Regulations: 18 NYCRR §303.1(b); NYC Human Rights Law (NYC Code §8-107 (4)).

comprehensive language services to Public Assistance applicants and recipients who do not speak English or who do not speak it well (“limited English proficient” or “LEP” individuals). Unfortunately despite HRA’s acknowledgements of its obligations to provide meaningful language services,²³ the rights accorded LEP individuals applying for Public Assistance remain a promise unfulfilled, due to HRA’s substantial lack of compliance with these laws.

Thanks to the New York City Council, under Local Law 73, HRA is required to determine the primary language of LEP applicants, inform them of their right to free language assistance services, post conspicuous signs regarding the availability of free interpreter services, and to provide “prompt language assistance services” in any language at all points of contact. Local Law 73 further requires that HRA provide LEP individuals with translated vital documents in the six most common languages (Arabic, Chinese, Haitian-Creole, Korean, Russian, and Spanish) and orally translate any form to be submitted to a state or federal authority if it is not already translated. HRA’s own Policy Directive states that LEP applicants are not required to bring their own interpreters but if they do no one under the age of 18 should be used to translate. HRA staff is also supposed to use a published “Language Card” to have the applicant identify his/her preferred language and, if possible, assign LEP individuals to a caseworker bilingual in the applicant’s preferred language. If a bilingual caseworker is not available, HRA staff is required to utilize telephonic interpretation services or arrange other on-site interpretation services at a later date, while preserving the applicant’s initial application date.²⁴

However, HRA fails to comply with these requirements. Legal Services NYC’s LEP clients are consistently told to bring their own interpreters with them to the welfare center and are frequently forced

²³ HRA Language Access Implementation Plan (Issued in 2009), available at: http://www.nyc.gov/html/hra/downloads/pdf/lap_hra_final.pdf; HRA Policy Directive 9-14-OPE (Issued on 3/9/09): “Servicing Individuals with Limited English Speaking Ability (LESA).”

²⁴ HRA Policy Directive 9-14-OPE (Issued on 3/9/09): “Servicing Individuals with Limited English Speaking Ability (LESA).” Available at http://onlineresources.wnyc.net/nychra/docs/pd_09-14-ope_servicing_individuals_with_limited_english-speaking_ability__lesa_.pdf

to rely on their children to interpret for them. HRA workers sometimes use other unrelated clients in Job Center waiting rooms to communicate with LEP individuals and never inform clients of their right to free translation services. A far-too-common scenario reported by many of our LEP clients (including *Spanish-speaking* clients) is their having to wait an entire day at HRA Job Centers, *repeatedly*, only to be sent away at the end of the day without being interviewed by an application worker, without receiving an application in any language or receiving assistance in completing an application.

In addition, a Language Access survey conducted by Legal Services NYC in 2007,²⁵ found that 66% of the 69 HRA Offices surveyed did not provide translated applications in the six mandated languages and less than two-thirds of the surveyed offices reported the availability of bilingual staff or interpreter services. Thirteen percent of the Centers did not have any of the required signage regarding the availability of language services and in 20% of the offices where there were signs posted, the signs were either in bad condition or difficult to see because of their location or size.

Legal Services NYC's LEP clients frequently encounter incorrect denial of benefits based on immigration status, and delays in the processing of applications for appropriate benefits due to miscommunication or misapplication of non-citizen eligibility rules.²⁶ For example, Staten Island Legal Services recently represented a monolingual Spanish speaking client, who had been *granted* a U-visa.²⁷ The client attempted to apply for Public Assistance and Medicaid benefits for herself; as well as Public Assistance, Food Stamp and Medicaid benefits for her child, who was born in the U.S and is eligible for all three benefits. The Center erroneously rejected the Public Assistance application for both the client

²⁵ *Translation Woes: Language Barriers at New York City's Human Resources Administration* (2007), available at <http://www.legalservicesnyc.org/storage/lsny/PDFs/translation%20woes.pdf>

²⁶ Indeed, in 2005, The Legal Aid Society, the New York Legal Assistance Group (NYLAG), Hughes Hubbard and Reed LLP, filed a class action lawsuit, *M.K.B. v. Eggleston*, against HRA, OTDA and the State Department of Health on behalf of certain categories of immigrants whose applications for public benefits were erroneously denied due to their misapplication of the non-citizen eligibility rules.

²⁷ In NYC, Immigrants granted U-visas are eligible to receive Safety Net Assistance and Medicaid but not Food Stamp benefits.

and her child and only processed the client's Medicaid application and her child's Food Stamp application. It required two visits to the welfare center, accompanied by a Legal Services Social Worker, to get HRA workers to process the client and her child's application for Public Assistance. At one of these visits, the client had to wait over six hours.²⁸

Recommendations

In light of these systemic deficiencies, Legal Services NYC recommends (1) increased oversight by the Mayor and the Governor's offices of HRA's compliance with its legal obligations to provide meaningful language services to LEP applicants and recipients; (2) comprehensive training for all frontline workers on HRA's language access responsibilities, including informing clients of their right to translation services, providing on-site telephonic translation services at all points of contact, appropriate assignment of LEP applicants to bilingual staff, as well as regular training on cultural sensitivity and language diversity issues; (3) clear and conspicuous notice to clients of the availability of free language interpretation in all HRA Job Centers; and (4) uniform availability of all vital forms, including applications, translated in the six most common languages, in all HRA Job Centers.²⁹ In addition, we endorse the Urban Institute's call for (5) a simplified application process, in non-welfare settings, with increased language accommodations to facilitate LEP clients' access to benefits; as well as, (6) the implementation of multiple strategies such as the development of specialized units or the designation of

²⁸ Case Summary reported by **Shelly Agarwala**, Family Law Supervisor, Staten Island Legal Services.

²⁹ *Translation Woes: Language Barriers at New York City's Human Resources Administration* (2007), available at <http://www.legalservicesnyc.org/storage/lсны/PDFs/translation%20woes.pdf>

specialized workers to determine non-citizen eligibility to minimize erroneous eligibility determinations based on immigration status.³⁰

IV. CONCLUSION

Legal Services NYC thanks the City Council for holding this oversight hearing and urges the State and City agencies to take immediate action to minimize the barriers faced by low income New Yorkers in applying for much needed benefits at HRA Job Centers. HRA must take affirmative steps now to ensure equal access to individuals with physical and mental disabilities in its administration of the State's cash assistance programs and to prevent impermissible discrimination based on national origin.

Respectfully submitted,

Tanya E.M.Wong, Esq.
Government Benefits Coordinator
Legal Services NYC
The Legal Support Unit
350 Broadway, 6th Floor
New York, NY 10013
Phone/Fax: 646-442-3625
TWONG@LS-NYC.ORG

³⁰ Urban Institute, *The Application Process for TANF, Food Stamps, Medicaid and SCHIP: Issues for Agencies and Applicants, Including Immigrants and Limited English Speakers* (2003), available at <http://www.urban.org/publications/410640.html>.

APPENDIX B



NEW YORK STATE
OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE
40 North Pearl Street, Albany, New York 12243-0001

Andrew M. Cuomo

Governor

Temporary and Disability Assistance Statistics OCTOBER 2011

Temporary Assistance

Temporary Assistance: Temporary Assistance recipients totaled 566,050 in October 2011, increasing by 4,484 (+0.8%) from the previous month. Related expenditures totaled \$175,379,897 in October 2011, increasing by approximately \$3.3 million (+1.9%) over September 2011.

Food Stamps

Food Stamps: Food Stamp recipients totaled 3,060,107 in October 2011, increasing by 2,340 (+0.1%) from the previous month. Food Stamp expenditures totaled \$467,409,620 in October 2011, increasing by approximately 7.3 million (+1.6%) over September 2011.

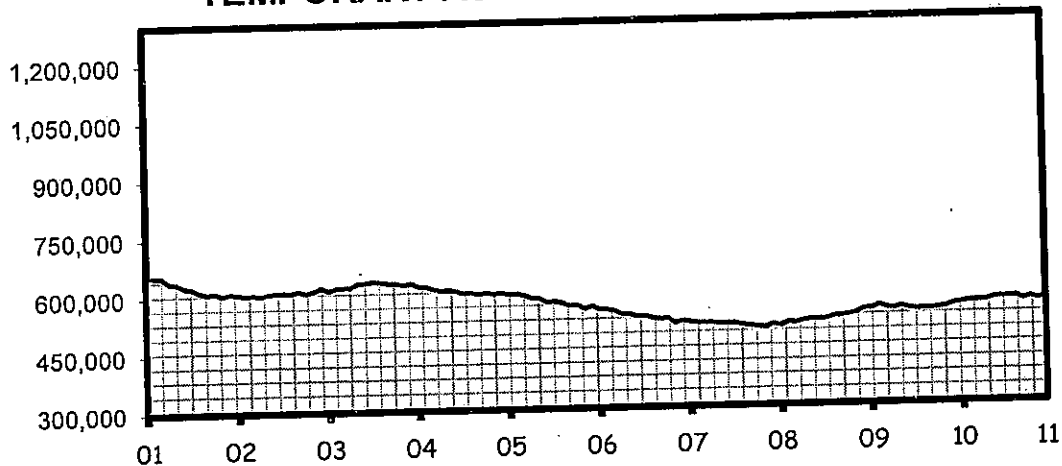
Supplemental Security Income

Supplemental Security Income: For October 2011, SSI recipients (including Mental Hygiene) totaled 691,561 increasing by 6,506 (+0.95%) from the previous month. SSI expenditures in October 2011 totaled \$385,783,310 increasing by approximately \$5.5 million (+1.4%) over September 2011.

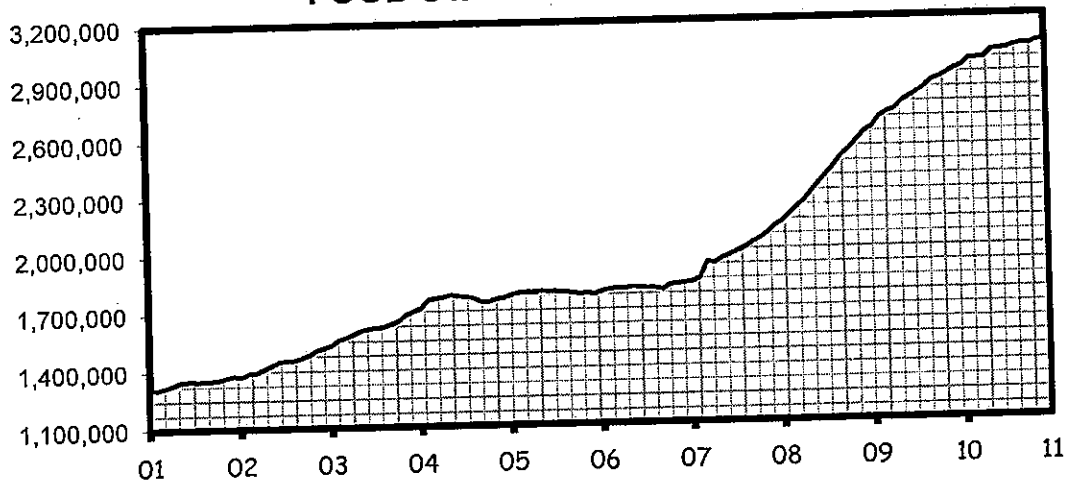
Due to unforeseen difficulties in implementing changes to the Automated Claiming System, some districts were unable to enter claiming data previous to the due date for this publication. Therefore, October claims in the Aggregate Claims Tables 21 through 24 will have incomplete data. These data will be updated as they become available.

Date Issued December 30, 2011

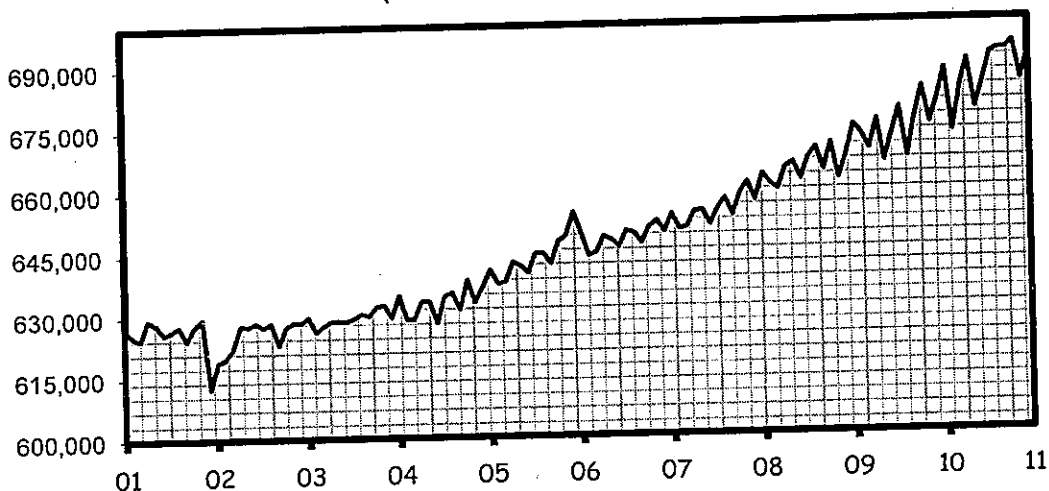
**NEW YORK STATE
November 2001 - October 2011
TEN YEAR TREND
TEMPORARY ASSISTANCE RECIPIENTS**



FOOD STAMPS RECIPIENTS



**SSI RECIPIENTS
(INCLUDING MENTAL HYGIENE)**



APPENDIX C

UTILIZATION OF FAIR HEARING OUTCOME DATA

February 2011

NYPWA Conference

Albany, NY

Agenda
Utilization of Fair Hearing Outcome Data
2011 Winter NYPWA Conference
February 2, 2011
Albany, NY

Introduction (Maria Vidal) (5 minutes)

Brief History and Legal Foundation of OAH (Mark Lahey) (10 minutes)

- Establishment of OAH
- Goldberg v. Kelly* and Due Process as foundation of modern OAH/fair hearing process
- Social Services Law §22 (basis of jurisdiction for OAH)

Agency's Role in the Fair Hearing Process (Jim Ryan) (25 minutes)

Brief Discussion of Relevant provisions in 18 NYCRR 358 relating to Agency

Notices

- CNS v. Manual
- 18 NYCRR 358-3.3 (adequate v. timely and adequate)

Aid-to-Continue

- 18 NYCRR 358-3.6

Pre-Hearing Responsibilities of Agency

- 18 NYCRR 358-3.7 (Access to Case Record/Request for Documents)
- 18 NYCRR 358-4.2 (Request for Evidence Packet, Conferences)

Responsibilities and Rights in Fair Hearing Process

- 18 NYCRR 358-4.3

Statistical Data Discussion and Analysis (Mark Lahey) (35 minutes)

- What is available to the Districts from OAH
- How Can Be Used as a Performance Based Tool
- Presentation of Data
 - Statewide Requests and Heard cases 2006-2010
 - Compare NYC v. Upstate
 - Top 10 Issues in TA, FS and MA 2006-2010
 - Compare Upstate v. NYC
 - A Look at Outcomes (2006-2010) NYC v. Upstate
 - All Issues
 - Top 10 Issues
 - A Random Sample of a large County Upstate
- Questions and Answers

Note: For Attorney attending this presentation 1.5 hours of CLE in Areas of Professional Practice will be awarded by OTDA as an Accredited Provider.

Dan Bloodstein is an attorney who has been employed by OTDA since 1980. During that time, he has served as a hearing officer and supervising hearing officer. Since 1987, he has worked in Central Office with primary responsibility for the computer systems required to create and issue fair hearing decisions and to track fair hearings data.

Mark Lahey is an attorney who has been with the Office of Administrative Hearings (OTDA) since 1980. During his tenure with OTDA he has held numerous positions, including: attorney with the compliance unit; attorney in the hearings litigation unit; Hearing Officer; and Supervising Hearing Officer. Currently, as an Acting Principal Hearing Officer he has managerial responsibility for the scheduling, conduct and issuance of fair hearings for the fifty seven local social services districts outside of New York City. Mark received his B.A. from Marist College and a J.D. from Albany Law School.

Philip Nostramo is Acting Deputy General Counsel for the Office of Administrative Hearings. He is a graduate of Hofstra Law School and has been employed in the Office of Administrative Hearings since 1976.

James Ryan is an attorney who has been employed by OTDA Office of Administrative Hearings since 1996. During that time he has served as a Hearing Officer and a Supervising Hearing Officer. He is responsible for the issuance of all fair hearing decisions forwarded to him for review by Hearing Officers he supervises. He is also responsible for advising Hearing Officers and staff of the Office of Administrative Hearings concerning current law and policy relating to the Medicaid Program. He received a B.A. from Siena College and a J.D. from Albany Law School of Union University. He is a member of the New York and District of Columbia Bar.

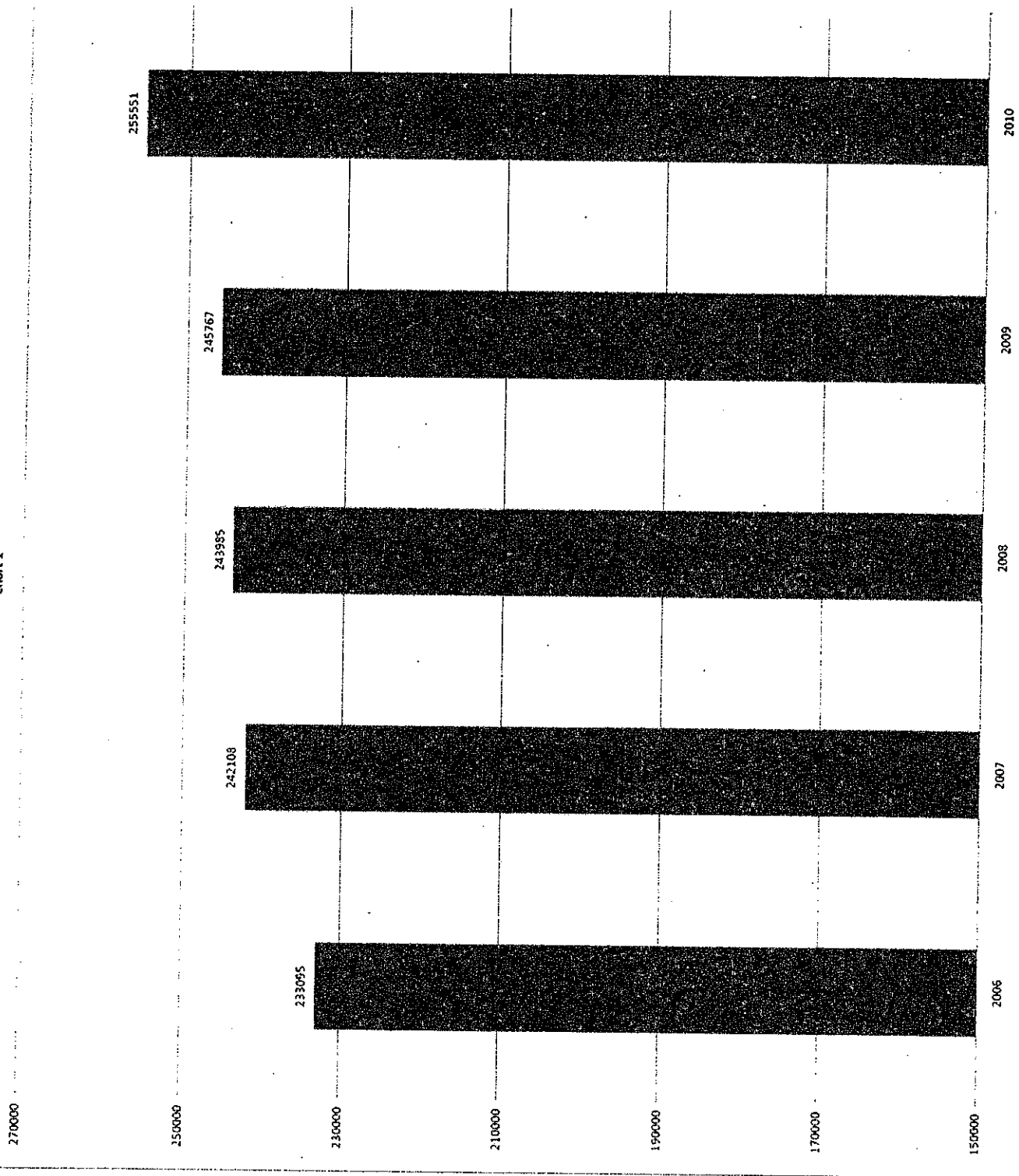
Maria T. Vidal is General Counsel for the New York Office of Temporary and Disability Assistance. She has been employed with NYSOTDA (NYSOSS) since August of 1986 when she accepted a position in the Compliance Unit of the Office of Administrative Hearings. In 1989 she was promoted to Administrative Law Judge and then to Supervising Administrative Law Judge until her promotion in August, 2010 to her current position as General Counsel. She received her Juris Doctor from Catholic University of Puerto Rico in 1976 and a Master in Arts from Florida State University in 1977. From 1982 to 1984 Ms. Vidal attended SUNY Albany where she enrolled in doctoral courses in the areas of Political Theory, Comparative Government, Public Administration and American Government. In 1985 Ms. Vidal was selected as a NYS Senate Fellow. Ms. Vidal has been admitted to the practice of law in Puerto Rico and New York.

ATTACHMENTS

1. Utilization of Fair Hearing Outcome Data PowerPoint
2. Statistical Data 2006-2010 PowerPoint
3. 2010 Top 10 Outcome Codes Upstate, NYC and Model Large and Medium Upstate District
4. Goldberg v. Kelly, 397 US 254 (1970)
5. Almenares v. Wyman, 453 F.2d 1075 (2d Cir. 1971), cert. denied, 405 US 944 (1972)
6. Social Services Law §22
7. 18 NYCRR Part 358
8. Executive Order 131 (Administrative Adjudication)

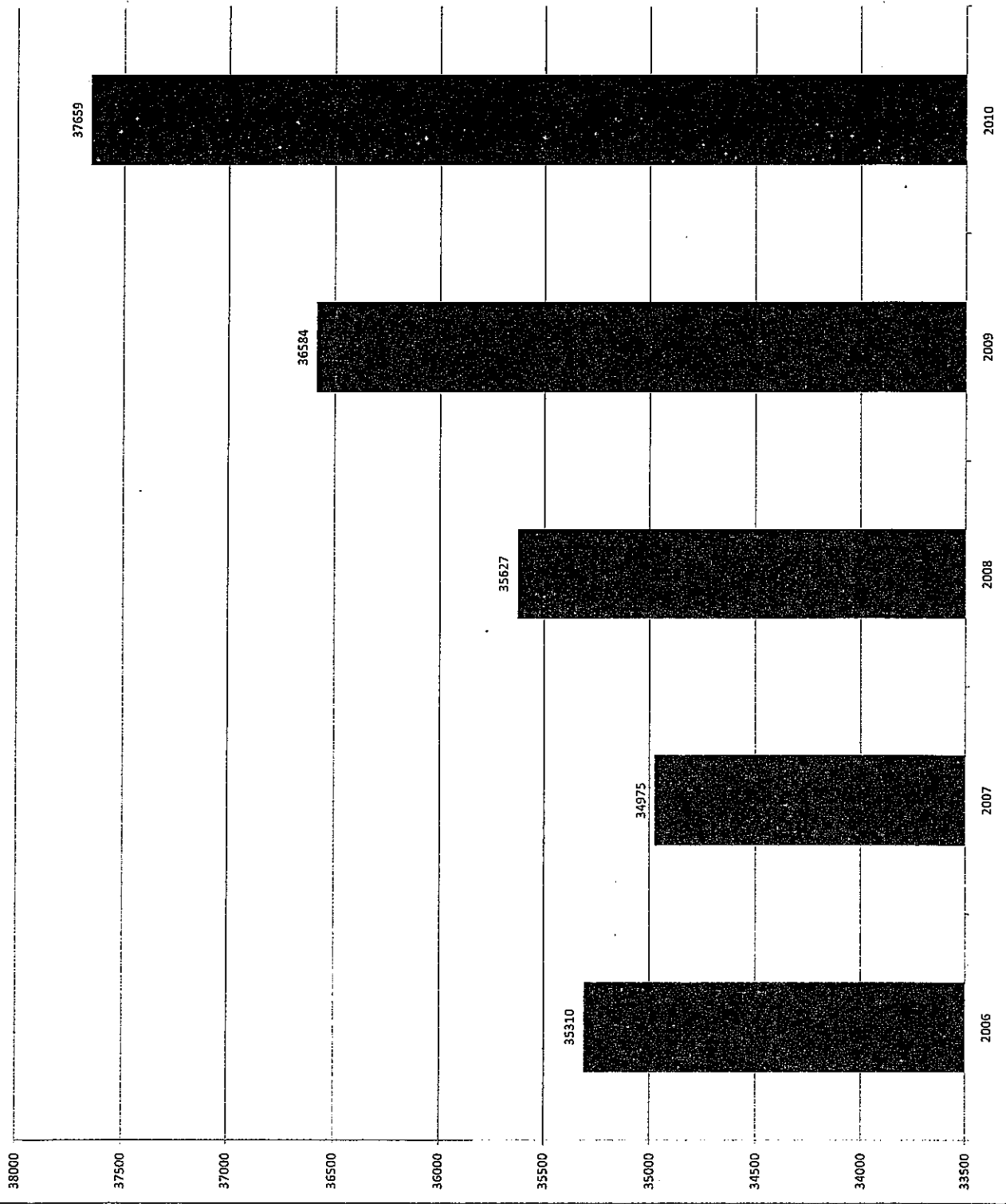
Statewide Fair Hearing Requests

Chart 1



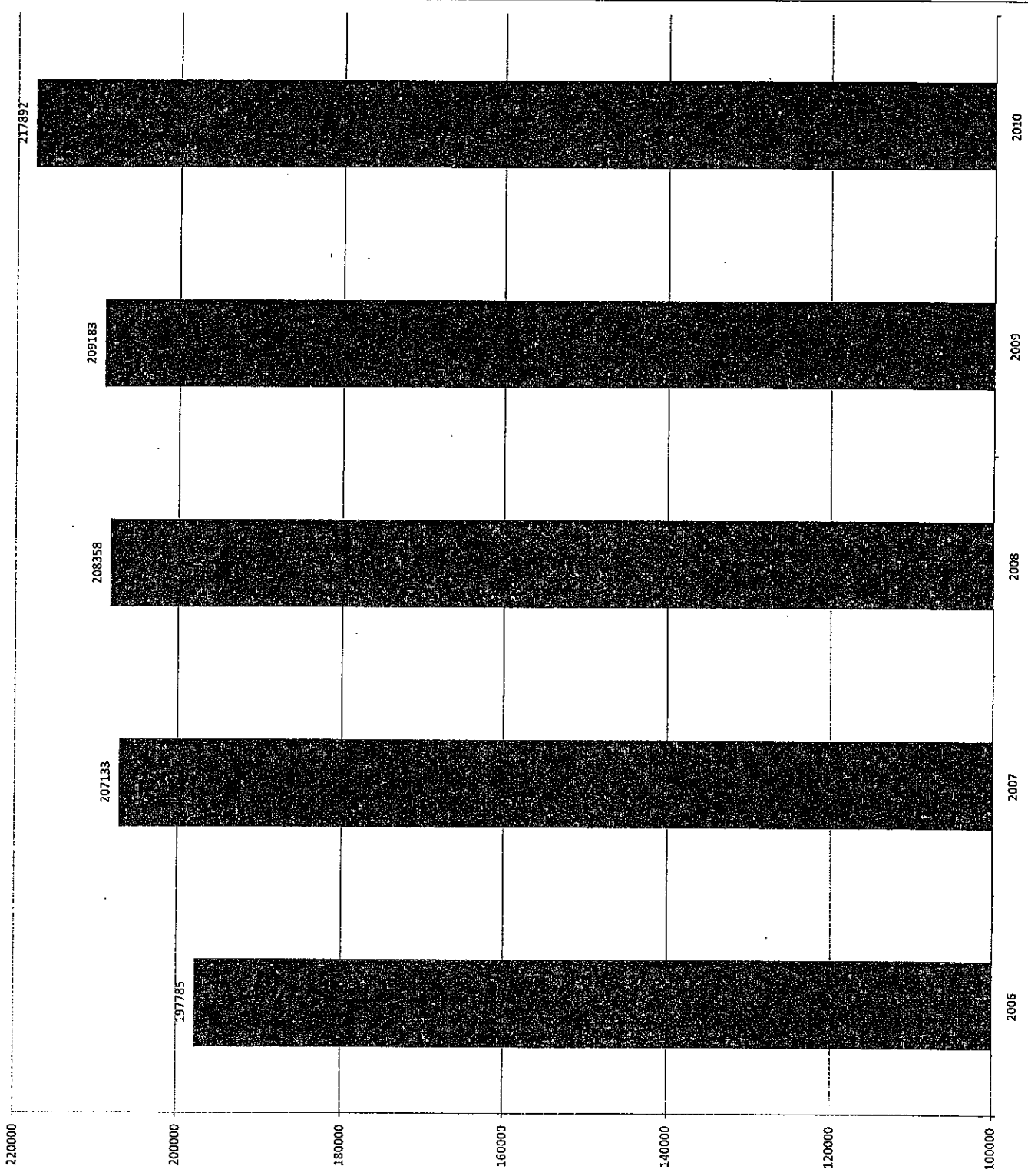
Upstate Fair Hearing Requests

Chart 3



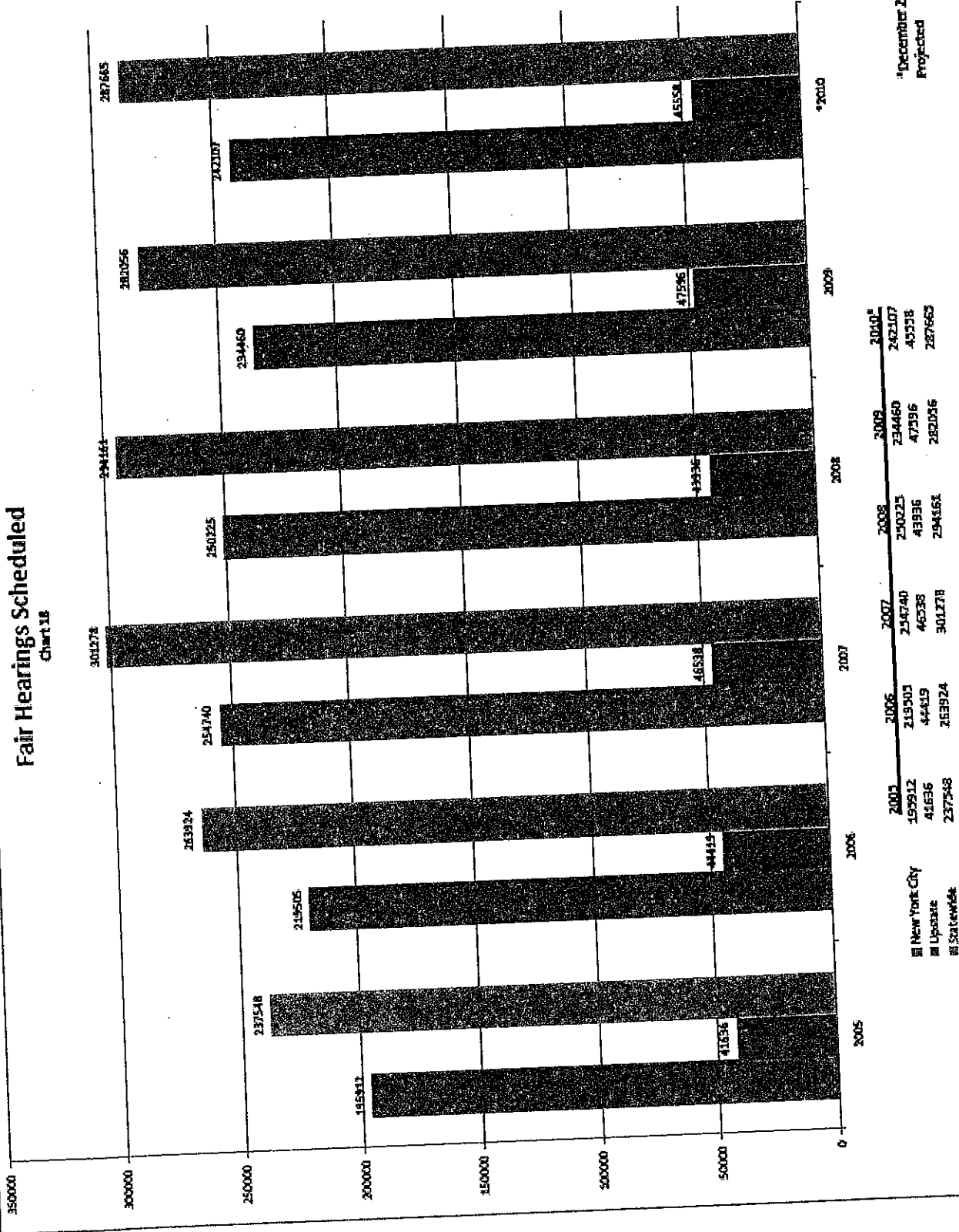
New York City Fair Hearing Requests

Chart 2



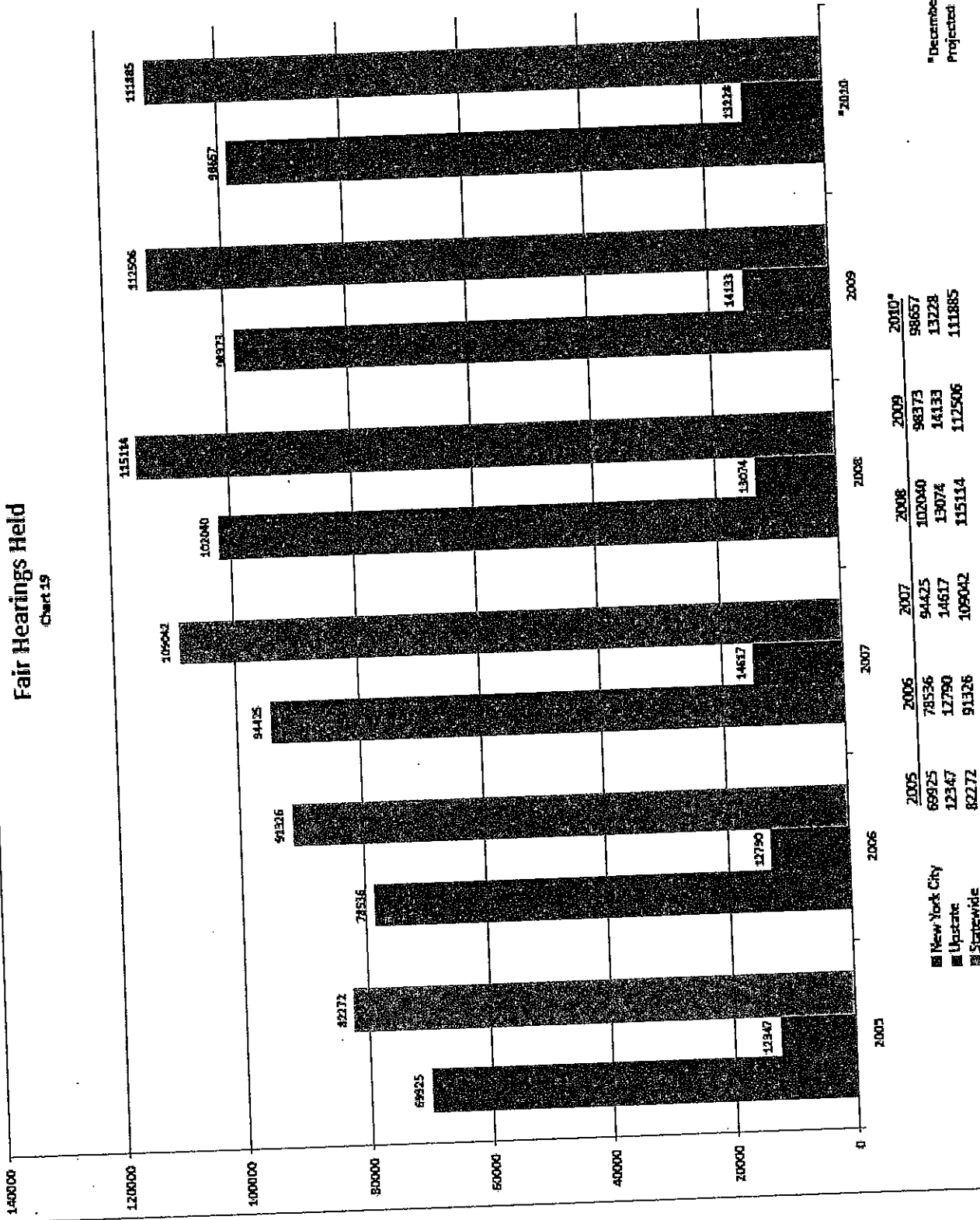
Fair Hearings Scheduled

Chart 11



* December 2010
Projected

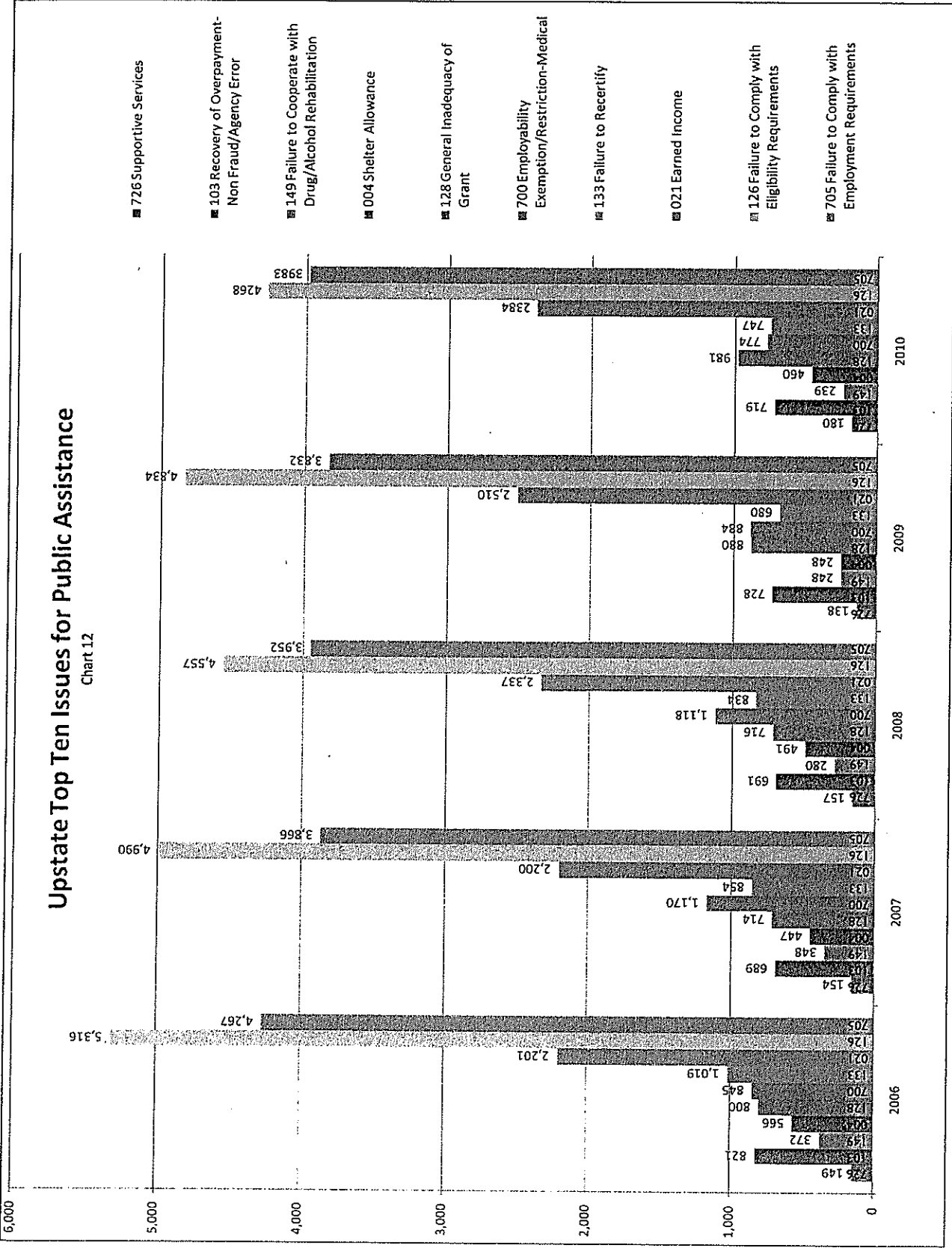
Fair Hearings Held
Chart 19



*December 2010
Projected

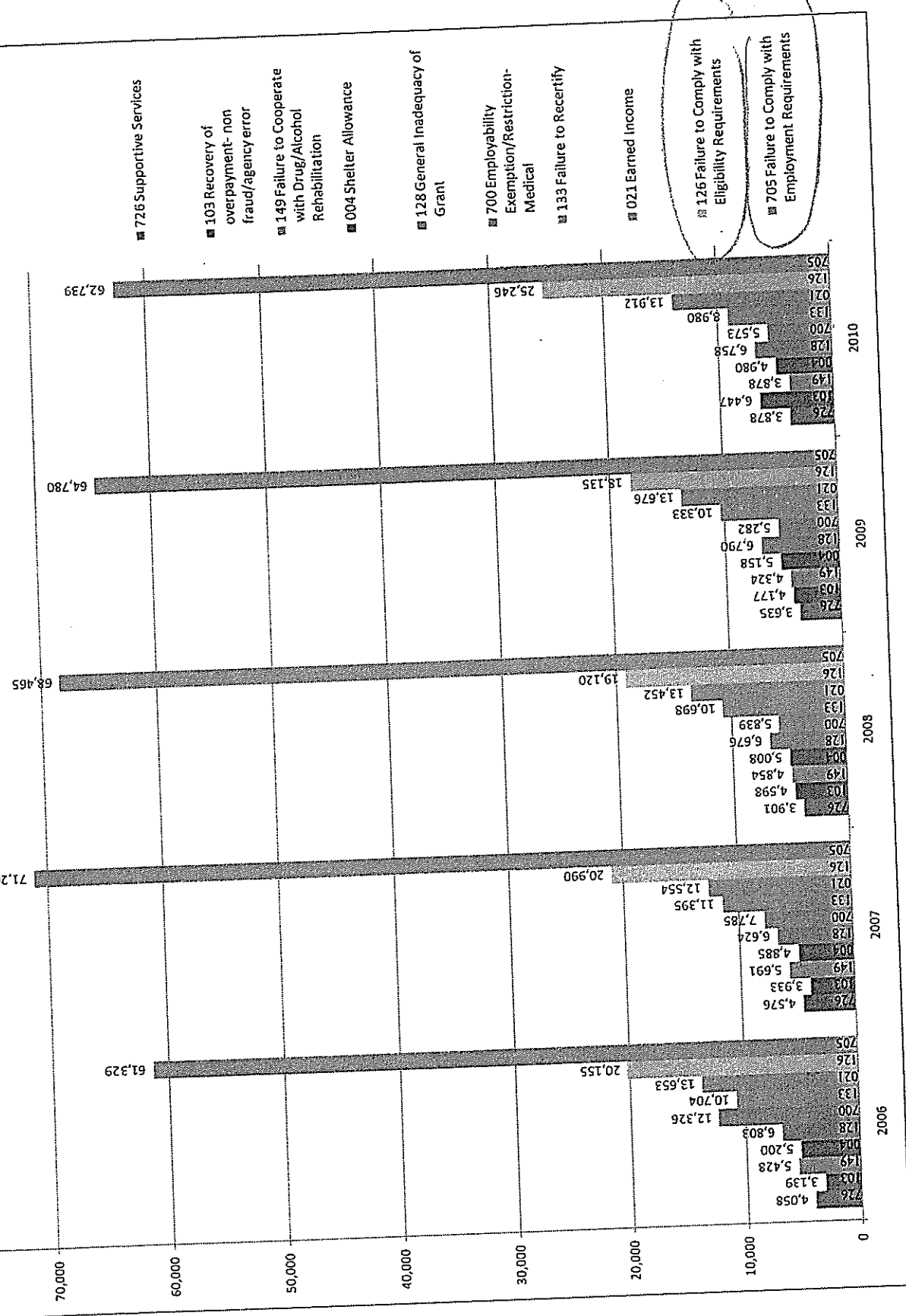
Upstate Top Ten Issues for Public Assistance

Chart 12



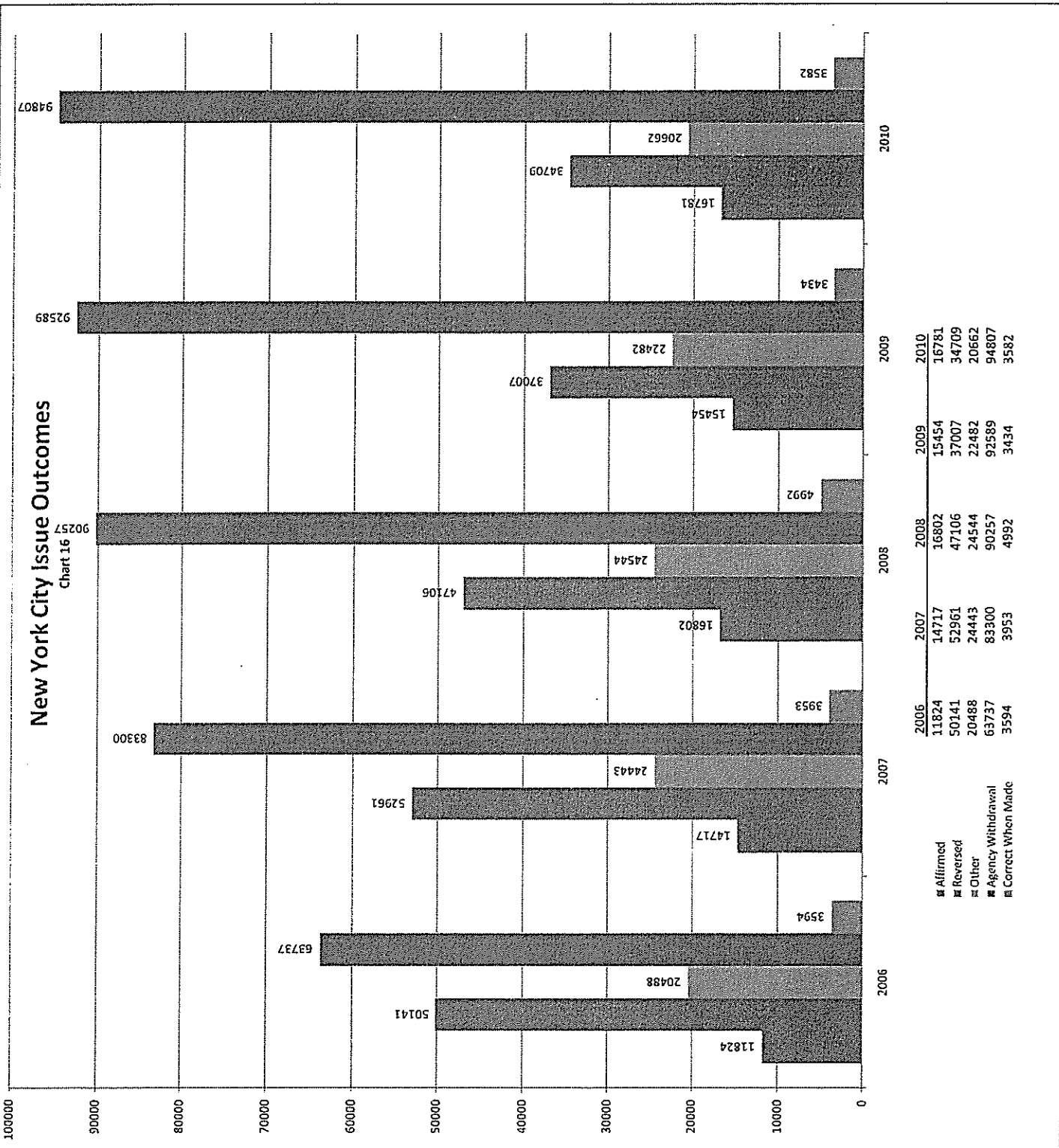
New York City Top Ten Issues for Public Assistance

Chart 8



New York City Issue Outcomes

Chart 16



■ Affirmed
 ■ Reversed
 ■ Other
 ■ Agency Withdrawal
 ■ Correct When Made

2010 OUTCOMES FOR THE TOP TEN REQUESTED FAIR HEARING ISSUES*
PUBLIC ASSISTANCE
NEW YORK CITY

	705		126		021		133		149		700		103		128		004		726	
	Number	Percentage for Issue Code	Number	Percentage for Issue Code	Number	Percentage for Issue Code	Number	Percentage for Issue Code	Number	Percentage for Issue Code	Number	Percentage for Issue Code	Number	Percentage for Issue Code	Number	Percentage for Issue Code	Number	Percentage for Issue Code	Number	Percentage for Issue Code
01	23	0.07%	28	0.25%	7	0.12%	3	0.10%	5	0.27%	5	0.28%	20	1.16%	2	0.18%	1	0.09%	1	0.19%
02	41	0.13%	19	0.17%	15	0.26%	6	0.20%	4	0.22%	10	0.55%	1	0.06%	1	0.09%	1	0.15%	1	0.19%
03	1,009	3.29%	313	2.82%	615	10.57%	94	3.07%	99	5.36%	36	2.00%	119	6.93%	54	4.78%	22	1.93%	22	4.11%
04	170	0.55%	58	0.52%	54	0.93%	31	1.01%	16	0.87%	5	0.28%	9	0.52%	14	1.24%	8	0.71%	8	1.50%
05	305	0.98%	73	0.68%	120	2.06%	29	0.95%	16	0.87%	3	0.17%	60	3.49%	1	0.06%	1	0.06%	15	2.80%
06	2,835	9.24%	852	7.66%	94	1.62%	294	9.59%	203	10.99%	62	3.44%	9	0.52%	8	0.69%	25	2.21%	11	2.06%
07	11	0.04%	3	0.03%	1	0.02%			1	0.05%					1	0.09%				
10	3,003	9.78%	843	7.59%	533	9.36%	194	6.33%	251	13.59%	342	18.96%	10	0.58%	73	6.43%	45	3.95%	37	6.92%
20	34	0.11%	12	0.11%	14	0.24%	3	0.10%					4	0.23%	2	0.18%				
21	3,943	12.94%	1,484	13.36%	725	12.47%	677	22.09%	213	11.55%	92	5.17%	296	17.24%	55	4.96%	16	1.46%	16	2.99%
22	5	0.02%	1	0.01%	1	0.02%									1	0.06%				
23	6	0.02%	1	0.01%			1	0.03%												
24	15,693	51.11%	5,545	49.91%	2,876	49.45%	1,504	49.07%	773	41.85%	74	4.10%	1,076	62.67%	43	2.61%	248	21.97%	64	11.96%
25	456	1.52%	801	7.21%	280	4.81%	21	0.69%	59	3.19%	528	29.27%	45	2.67%	744	65.12%	313	27.77%	171	31.96%
30	5	0.02%							4	0.22%										
31	1,492	4.86%	281	2.53%	156	2.68%	76	2.48%	59	3.19%	178	9.87%	19	1.11%	4	0.35%	16	1.42%	1	0.19%
32	1	0.00%	2	0.02%	1	0.02%	2	0.07%			1	0.06%	2	0.12%	3	0.18%	2	0.18%	1	0.19%
33	27	0.09%	6	0.05%	4	0.07%	2	0.07%	1	0.05%	14	0.78%	1	0.06%	10	0.81%	8	0.71%	4	0.75%
34	155	0.50%	40	0.36%	103	1.77%	22	0.72%	6	0.32%	67	3.71%	25	1.46%	129	7.82%	78	6.91%	33	6.17%
35	60	0.20%	40	0.36%	20	0.34%	8	0.26%	3	0.16%	33	1.83%	2	0.12%	61	3.70%	39	3.45%	18	3.36%
41	1	0.00%	1	0.01%																
42	5	0.02%	12	0.11%	6	0.10%			2	0.11%	13	0.72%			13	0.73%	6	0.53%	9	1.68%
43	54	0.18%	54	0.49%	71	1.22%	5	0.16%	3	0.16%	142	7.87%	5	0.29%	241	14.61%	62	5.49%	44	8.22%
44	20	0.07%	37	0.33%	25	0.43%	1	0.03%	6	0.32%	67	3.71%	4	0.23%	75	4.55%	51	4.52%	31	5.79%
45	27	0.09%	40	0.36%	39	0.67%			5	0.27%	74	4.10%	10	0.58%	114	6.91%	41	3.63%	23	4.30%
46	97	0.32%	82	0.74%	26	0.45%	5	0.16%	10	0.54%	58	3.22%			55	3.94%	32	2.83%	21	3.93%
47	1	0.00%	5	0.05%	4	0.07%					16	0.89%			21	1.27%	5	0.44%	4	0.75%
50	1,173	3.82%	447	4.02%	22	0.38%	84	2.74%	111	6.01%	36	2.00%								
51	14	0.05%	20	0.18%	4	0.07%	2	0.07%	1	0.05%	4	0.22%								
TOTAL	30,707		11,110		5,816		3,065		1,847		1,804		3,717		1,649		1,129		535	

*Top ten issues New York City Issues for 2005-2009

APPENDIX D

OVERCROWDING ACTION PLAN

Target Centers:

East River #37/ Queens Food Stamp Center F53, Melrose Job Center #40/ Melrose Food Stamp Center F40, Fordham Job Center #44/ Fordham Food Stamp Center F44, Crotona Job Center #46/ Crotona Food Stamp Center F46, Jamaica Job Center #54/ Jamaica Food Stamp Center F54, Dekalb Job Center #64/ North Brooklyn Food Stamp Center F26, Bushwick Job Center #66/ Williamsburg Food Stamp Center F21

#	INITIATIVE	RESPONSIBLE PARTY	ACTION(S) REQUIRED	TENTATIVE IMPLEMENTATION TIME
1.	Remove on-site Back to Work (BTW) employment vendor orientations at six additional Job Centers: Melrose JC #40, Fordham JC #44, Crotona JC #46, Jamaica #54, Dekalb #64, and Bushwick JC #66 (On-site BTW orientation has already been removed at #37)	L. Fitzpatrick/ K.Gaul/ OPIC	Follow-up with Employment Services; determine how to continue the "Work First" promotion in absence of vendor. After the BTW vendor vacates: <ul style="list-style-type: none"> ▪ Fordham JC #44- space will be utilized to increase queuing area at FDR ▪ Jamaica JC #54- space will be utilized for activities such as document drop off and CBIC card issuances for both CA and NCA FS ▪ Re-stack the Melrose building and implement Model Office systems 	November 30, 2010 (completed) <ul style="list-style-type: none"> ▪ November 26, 2010 – Crotona JC #46 and Jamaica JC #54 vendors vacated. ▪ November 29, 2010 – Dekalb JC #64 and Bushwick JC #66 vendors vacated. ▪ November 30, 2010 – Melrose JC #40 and Fordham JC #44 vendors vacated ▪ The #44 Main Reception queuing space was increased and the compliment of receptionists was increased from four to six.

First drafted November 2010

OVERCROWDING ACTION PLAN

Target Centers:
 East River #37/ Queens Food Stamp Center F53, Melrose Job Center #40/ Melrose Food Stamp Center F40, Fordham Job Center #44/ Fordham Food Stamp Center F44, Crotona Job Center #46/ Crotona Food Stamp Center F46, Jamaica Job Center #54/ Jamaica Food Stamp Center F54, Dekalb Job Center #64/ North Brooklyn Food Stamp Center F26, Bushwick Job Center #66/ Williamsburg Food Stamp Center F21

#	INITIATIVE	RESPONSIBLE PARTY	ACTION(S) REQUIRED	TENTATIVE IMPLEMENTATION TIME
2.	Continued from page 1 Route all applicant/ participant BTW referrals made after 4:00pm directly to the vendor location	Continued from page 1 K. Gaul/ MIS	Continued from page 1 N/A	<ul style="list-style-type: none"> ▪ Melrose re-stacking was completed on March 7, 2011. Model Center system implementation began on March 9, 2011. November 24, 2010 (completed)
3.	Expansion of Fordham #44/ F44 Front Door Reception (FDR) to decrease congestion	J. Flaum/ G. Jenkins (J. Coyle)/ R. Garcia/ MIS/ GSS	Two additional FDR counters were added to the existing FDR.	February 3, 2011 (completed)

First drafted November 2010

OVERCROWDING ACTION PLAN

Target Centers:

East River #37/ Queens Food Stamp Center F53, Melrose Job Center #40/ Melrose Food Stamp Center F40, Fordham Job Center #44/ Fordham Food Stamp Center F44, Crotona Job Center #46/ Crotona Food Stamp Center F46, Jamaica Job Center #54/ Jamaica Food Stamp Center F54, Dekalb Job Center #64/ North Brooklyn Food Stamp Center F26, Bushwick Job Center #66/ Williamsburg Food Stamp Center F21

#	INITIATIVE	RESPONSIBLE PARTY	ACTION(S) REQUIRED	TENTATIVE IMPLEMENTATION TIME
First drafted November 2010				
4.	Realign Zip codes-Bronx Job Centers	J. Flaum/ P. Garcia/ R. Hannah	Transfers need to be coordinated with the DFSS.	<p>December 20, 2010 (completed)</p> <ul style="list-style-type: none"> ▪ 1,619 Rider JC #38 Safety Net cases will be transferred to Melrose JC #40 ▪ 1,460 Rider JC #38 Safety Net cases will be transferred to Crotona JC #46 ▪ 5,012 FA cases will be transferred from Melrose JC #40 to Rider JC #38 ▪ 3,338 FA cases will be transferred from Crotona JC #46 to Rider JC #38
5.	Realign Zip codes -Bronx Food Stamp Centers	J. Coyle (G. Jenkins)/ MIS	<p>Transfer cases out of Fordham Food Stamp Center F44 to Concourse Food Stamp Center F45.</p> <p>Transfer cases out of Fordham Food Stamp Center F44 to Crotona Food Stamp Center F46.</p>	<p>November 9, 2010 (completed)</p> <p>December 9, 2010 (completed- 5,142 cases were transferred)</p>

OVERCROWDING ACTION PLAN

Target Centers:
 East River #37/ Queens Food Stamp Center F53, Melrose Job Center #40/ Melrose Food Stamp Center F40, Fordham Job Center #44/ Fordham Food Stamp Center F44, Crotona Job Center #46/ Crotona Food Stamp Center F46, Jamaica Job Center #54/ Jamaica Food Stamp Center F54, Dekalb Job Center #64/ North Brooklyn Food Stamp Center F26, Bushwick Job Center #66/ Williamsburg Food Stamp Center F21

#	INITIATIVE	RESPONSIBLE PARTY	ACTION(S) REQUIRED	TENTATIVE IMPLEMENTATION TIME
6.	Realign Zip codes -Brooklyn Food Stamp Centers	G. Jenkins (J. Coyle)/ C. Maloney/ MIS	<p>Transfer cases out of North Brooklyn Food Stamp Center F26 to Coney Island Food Stamp Center F20.</p> <p>As of March 3, 2011, it was determined that the Refugee Center #47 would move to 275 Bergen Street and co-locate with F20 and the Family Services Call Center's Center #17 Brooklyn Satellite office.</p>	<p>Implementation Canceled (March 3, 2011)</p> <p>Moving cases from North Brooklyn F26 to Coney Island F20 would be problematic as we would not be able to provide the staff needed to accommodate the increased client traffic. Another issue is that F20 is on Queens's database and this database can only handle 3,000 additional cases. The database will be filled to capacity by the addition of the Refugee cases. We will not be able to move cases from F26 to F20 as the database will not be able to handle it.</p> <p>Implementation canceled (relative to above)</p>
			<p>Transfer cases out of North Brooklyn Food Stamp Center F26 to Fort Greene Food Stamp Center F22.</p>	

First drafted November 2010

OVERCROWDING ACTION PLAN

Target Centers:

East River #37/ Queens Food Stamp Center F53, Melrose Job Center #40/ Melrose Food Stamp Center F40, Fordham Job Center #44/ Fordham Food Stamp Center F44, Crotona Job Center #46/ Crotona Food Stamp Center F46, Jamaica Job Center #54/ Jamaica Food Stamp Center F54, Dekalb Job Center #64/ North Brooklyn Food Stamp Center F26, Bushwick Job Center #66/ Williamsburg Food Stamp Center F21

#	INITIATIVE	RESPONSIBLE PARTY	ACTION(S) REQUIRED	TENTATIVE IMPLEMENTATION TIME
7.	Conduct automated zip code realignments at all Centers.	J. Flaum/ J. Coyle (G. Jenkins)/ MIS	Ensure that MIS conducts clean ups continually occur for FS on a monthly basis. [Currently, approximately 10,000 Food Stamp realignment case transfers occur monthly] Ensure that clean ups for CA cases are conducted on a bi-monthly basis.	November 2010 (Ongoing)
8.	Transfer non-duration sanction cases to the Intensive Services Center #71 within one (1) day after an employment sanction is initiated	G. Gomez/ MIS	Current transfer criterion required a transfer after 60 days.	November 2010 (completed) The transfer criterion was changed to meet the one day request. It is now part of the standard logic for the monthly case transfers.
9.	Transfer all refugee status cases to the Refugee Center #47	P. Garcia/ MIS		January 2011 (ongoing)
10.	Transfer of qualifying cases to the SeniorWorks Job Center #84	G. Gomez/ MIS	Approximately 3,000 cases citywide will be transferred to #84	December 27, 2010 (completed)

First drafted November 2010

OVERCROWDING ACTION PLAN

Target Centers:
 East River #37/ Queens Food Stamp Center F53, Melrose Job Center #40/ Melrose Food Stamp Center F40, Fordham Job Center #44/ Fordham Food Stamp Center F44, Crotona Job Center #46/ Crotona Food Stamp Center F46, Jamaica Job Center #54/ Jamaica Food Stamp Center F54, Dekalb Job Center #64/ North Brooklyn Food Stamp Center F26, Bushwick Job Center #66/ Williamsburg Food Stamp Center F21

#	INITIATIVE	RESPONSIBLE PARTY	ACTION(S) REQUIRED	TENTATIVE IMPLEMENTATION TIME
11.	Conduct sanction call-ins for #40, #44, #46, #54, #64 and #66 at ISC #71	G. Gomez/ MIS	35 call-ins per day would be moved to Center #71.	Week of January 10, 2011 (completed)
12.	Centralize the conciliation call-ins for #40, #44, #54, #64, and #66	G. Gomez/ K. Parker/ MIS	Up to 290 scheduled conciliations per day will be held outside of the assigned Job Centers. <ul style="list-style-type: none"> ▪ #40 and #54 will be handled by the Union Square Job Center. ▪ #44 handled by the Special Project Center ▪ #64 and #66 by the Veterans' Job Center 	January 1, 2011 (completed)
13.	Revised: January 2012 Unable to eliminate all mandatory appointments due to scheduling constraints. Reduce the scheduling of mandatory appointments at job centers on Mondays and Tuesdays (busiest days of the week)	L. Fitzpatrick/ J. Flaum/ P. Garcia/ MIS	Some appointments may be able to be blocked to prevent scheduling on Mondays and Tuesdays. MIS will have to assist with the scheduling of Recertification and certain other appointments.	In progress <ul style="list-style-type: none"> ▪ Jamaica JC #54 implemented a new appointment scheduling process. Initially, the number of Employment call-in appointment slots was reduced to zero.

First drafted November 2010

OVERCROWDING ACTION PLAN

Target Centers:
 East River #37/ Queens Food Stamp Center F53, Melrose Job Center #40/ Melrose Food Stamp Center F40, Fordham Job Center #44/ Fordham Food Stamp Center F44, Crotona Job Center #46/ Crotona Food Stamp Center F46, Jamaica Job Center #54/ Jamaica Food Stamp Center F54, Dekalb Job Center #64/ North Brooklyn Food Stamp Center F26, Bushwick Job Center #66/ Williamsburg Food Stamp Center F21

#	INITIATIVE	RESPONSIBLE PARTY	ACTION(S) REQUIRED	TENTATIVE IMPLEMENTATION TIME
	Continued from page 6	Continued from page 6	Continued from page 6	<ul style="list-style-type: none"> ▪ This resulted in a large number clients sitting in call-in pools. The reduction was adjusted to 30 daily call-in slots. ▪ Dekalb JC #64 and Bushwick JC #66 have reduced their daily call-in slots from 80 to 20 (effective mid- January 2011). ▪ Melrose JC # 40 and Crotona JC #46 have reduced their daily call-in slots from 80 to 30. ▪ #37: Initiative not applicable ▪ overcrowding issue identified at #37 only and their Employment call-ins were moved off-site to 109 East 16th Street over 6 months ago.

First drafted November 2010

OVERCROWDING ACTION PLAN

Target Centers:
 East River #37/ Queens Food Stamp Center F53, Melrose Job Center #40/ Melrose Food Stamp Center F40, Fordham Job Center #44/ Fordham Food Stamp Center F44, Crotona Job Center #46/ Crotona Food Stamp Center F46, Jamaica Job Center #54/ Jamaica Food Stamp Center F54, Dekalb Job Center #64/ North Brooklyn Food Stamp Center F26, Bushwick Job Center #66/ Williamsburg Food Stamp Center F21

#	INITIATIVE	RESPONSIBLE PARTY	ACTION(S) REQUIRED	TENTATIVE IMPLEMENTATION TIME
14.	Implement a self-service initiative for clients to request budget letters through an Interactive Voice Response System (IVRS)	L Fitzpatrick/ MIS (M. Elbaz)/ R. Garcia	IVRS script drafted. 1 st phase will require staff to print and mail letters (budget calculation and case composition screens). The Office of Program Monitoring (OPM) and the Special Project Center will process budget letters in 1 st phase. 2 nd phase will allow letters to be mailed directly from MIS.	Stage One: completed April 2011 for Bronx Locations only. Stage Two: Automated IVRS was implemented citywide on October 26, 2011.
15.	Index documents by staff at Central Office by the Office of Program Monitoring	J. Flaum/ R. Garcia/ C. Vail/ MIS/ OPPT	9 Staff will assist the targeted centers with indexing. Remote set up required. Training required.	December 27, 2010 (completed)
16.	Establishment of a D&C Document Intake window at #46 (non-model office) for applicants/ participants who only need to drop off documents. D&C is located on the first floor.	J. Flaum/ P. Garcia	Relocate staff to cover D&C intake window.	November 2010 (completed)

First drafted November 2010

OVERCROWDING ACTION PLAN

Target Centers:
 East River #37/ Queens Food Stamp Center F53, Melrose Job Center #40/ Melrose Food Stamp Center F40, Fordham Job Center #44/ Fordham Food Stamp Center F44, Crotona Job Center #46/ Crotona Food Stamp Center F46, Jamaica Job Center #54/ Jamaica Food Stamp Center F54, Dekalb Job Center #64/ North Brooklyn Food Stamp Center F26, Bushwick Job Center #66/ Williamsburg Food Stamp Center F21

#	INITIATIVE	RESPONSIBLE PARTY	ACTION(S) REQUIRED	TENTATIVE IMPLEMENTATION TIME
First drafted November 2010				
17.	Implement back office project for the FSCC #17 to complete CSIC special grant requests for #54	A. Johnson	Four (4) staff from #17 are assisting #54	In progress (completed)
18.	Assign 39 JOS New Hires to overcrowded job centers	J. Flaum/ P. Garcia/ M. Blaizes	Address/ transit study has been completed.	December 13, 2010 (completed)
19.	Assign four (4) Floaters to Jamaica Job Center #54	J. Flaum/ A. Johnson	Floaters are assisting with interviewing and recertifications. They will be rotated approximately every 6 weeks to assist other targeted job centers.	Ongoing Floaters moved to Melrose JC #40 and Rider JC #38; one remained to assist at Jamaica JC #54. They are reassigned as needed to provide assistance at overcrowded locations.
20.	Assign two (2) Queens Regional AA staff to JC #54	A. Johnson	Staff are assisting in servicing clients.	Ongoing (AA staff rotate coverage of the locations)

OVERCROWDING ACTION PLAN

Target Centers:
 East River #37/ Queens Food Stamp Center F53, Melrose Job Center #40/ Melrose Food Stamp Center F40, Fordham Job Center #44/ Fordham Food Stamp Center F44, Crotona Job Center #46/ Crotona Food Stamp Center F46, Jamaica Job Center #54/ Jamaica Food Stamp Center F54, Dekalb Job Center #64/ North Brooklyn Food Stamp Center F26, Bushwick Job Center #66/ Williamsburg Food Stamp Center F21

#	INITIATIVE	RESPONSIBLE PARTY	ACTION(S) REQUIRED	TENTATIVE IMPLEMENTATION TIME
21.	Assign Central Office staff (PAA, JOS, AJOS I-III) 2 days per week to assist at targeted centers	J. Flaum/ G. Jenkins (J.Coyle)/ P. Garcia/ R. Russ	Identify staff, assess qualifications, and determine the appropriate training to optimize their use at centers.	Completed November 22, 2010, Central Office staff have been redeployed to the targeted Job and Food Stamp centers on a full-time basis.
22.	Assign new JTPs to targeted centers	L. Fitzpatrick/ J. Flaum/ J. Coyle (G. Jenkins)/ M. Blaizes	Conduct address and transit study once hiring begins.	January 2011 CANCELED DUE TO HIRING FREEZE.
23.	Convert CA II to CA III (34 vacancies)	L. Fitzpatrick/ M. Blaizes/ FIA Personnel	Flyer CA III positions for Front Door Reception (FDR) agency wide. Staff may be placed in work areas other than FDR as needed.	Completed ▪ #38: flyer closed on 12/25/10. Three (3) candidates were selected and processed and started on 1/18/11.

First drafted November 2010

OVERCROWDING ACTION PLAN

Target Centers:
 East River #37/ Queens Food Stamp Center F53, Melrose Job Center #40/ Melrose Food Stamp Center F40, Fordham Job Center #44/ Fordham Food Stamp Center F44, Crotona Job Center #46/ Crotona Food Stamp Center F46, Jamaica Job Center #54/ Jamaica Food Stamp Center F54, Dekalb Job Center #64/ North Brooklyn Food Stamp Center F26, Bushwick Job Center #66/ Williamsburg Food Stamp Center F21

#	INITIATIVE	RESPONSIBLE PARTY	ACTION(S) REQUIRED	TENTATIVE IMPLEMENTATION TIME
First drafted November 2010	Continued from page 10	Continued from page 10	Continued from page 10	<ul style="list-style-type: none"> ▪ #64: flyer closed on 12/25/10. 3 candidates were selected, however 1 declined the position. The 2 remaining candidates will start on 2/14/11. ▪ #54: flyer closed on 12/10/10. 2 candidates selected. All onboard effective 2/7/11. ▪ #66: flyer closed on 11/17/10. 5 positions. Only 1 candidate selected. Onboard 2/7/11. Remaining tickets used at Clerical pool. <p>FIA held 3 new hire Clerical pools on 1/24/11, 2/1/11, and 2/9/11.</p>

OVERCROWDING ACTION PLAN

Target Centers:

East River #37/ Queens Food Stamp Center F53, Melrose Job Center #40/ Melrose Food Stamp Center F40, Fordham Job Center #44/ Fordham Food Stamp Center F44, Crotona Job Center #46/ Crotona Food Stamp Center F46, Jamaica Job Center #54/ Jamaica Food Stamp Center F54, Dekalb Job Center #64/ North Brooklyn Food Stamp Center F26, Bushwick Job Center #66/ Williamsburg Food Stamp Center F21

#	INITIATIVE	RESPONSIBLE PARTY	ACTION(S) REQUIRED	TENTATIVE IMPLEMENTATION TIME
	Continued from page 10	Continued from page 10	Continued from page 10	<ul style="list-style-type: none"> ▪ #64 received 3 CAIIs on 2/22/11 ▪ #38 received 2 CAIIs (1) 2/22/11 and (1) on 2/28/11. ▪ #54: received 2 CAIIs on 2/22/11. ▪ #66 received 3 CAIIs, (1) on 2/22/11 and (2) on 2/28/11. ▪ #44 received 2 CAIIs (1) on 2/14/11 and (1) on 2/28/11.
24.	Assign alternate work schedules at Food Stamp Change Centers to allow for at least two late groups.	J. Coyle (G. Jenkins)	Increase the number of telephone interviews scheduled, particularly late in the day to reduce the walk-in activities at food stamp centers.	All new hire CAIIs received FDR training as of 3/3/11. November 15, 2010 (completed)

First drafted November 2010

OVERCROWDING ACTION PLAN

Target Centers:
 East River #37/ Queens Food Stamp Center F53, Melrose Job Center #40/ Melrose Food Stamp Center F40, Fordham Job Center #44/ Fordham Food Stamp Center F44, Crotona Job Center #46/ Crotona Food Stamp Center F46, Jamaica Job Center #54/ Jamaica Food Stamp Center F54, Dekalb Job Center #64/ North Brooklyn Food Stamp Center F26, Bushwick Job Center #66/ Williamsburg Food Stamp Center F21

#	INITIATIVE	RESPONSIBLE PARTY	ACTION(S) REQUIRED	TENTATIVE IMPLEMENTATION TIME
	First drafted November 2010			
25.	Create additional waiting area space on the 4 th floor and new waiting area space on the 6 th Floor of the Jamaica Job Center #54.	A. Johnson/ GSS	Relocate the HDU, FH&C, and HEAP staff from the 4 th floor to the 6 th floor.	November 21, 2011 (In Progress)
26.	Conduct survey to determine the reasons why participants are requesting CBIC replacements cards at centers.	J. Flaum/ P. Garcia/ G. Gomez/ A. Johnson/ P. Bosco	Based on the results of the study, determine what changes are required to reduce center traffic.	The survey was completed and analyzed. As a result, a referral site was established at the Linden JC to serve Brooklyn and Queens JCs and FS Centers. A centralized CBIC Referral site to serve Manhattan, Bronx and Richmond centers is under development.
27.	Distribution of a NCA Food Stamp palm slip (titled "Food Stamp Faster Than Ever") promotes alternatives to visiting a NCA FS center to apply or recertify for Food Stamp benefits.	L. Fitzpatrick/ G. Jenkins/ OCM/ OPPT	Material will be distributed to the public waiting on line at the target NCA Food Stamp centers.	April 13, 2011 (Ongoing)

OVERCROWDING ACTION PLAN

Target Centers:

East River #37/ Queens Food Stamp Center F53, Melrose Job Center #40/ Melrose Food Stamp Center F40, Fordham Job Center #44/ Fordham Food Stamp Center F44, Crotona Job Center #46/ Crotona Food Stamp Center F46, Jamaica Job Center #54/ Jamaica Food Stamp Center F54, Dekalb Job Center #64/ North Brooklyn Food Stamp Center F26, Bushwick Job Center #66/ Williamsburg Food Stamp Center F21

#	INITIATIVE	RESPONSIBLE PARTY	ACTION(S) REQUIRED	TENTATIVE IMPLEMENTATION TIME
28.	Create a centralized CBIC replacement unit to serve the Brooklyn and Queens Job Center and FS Center populations and reduce traffic in those centers.	L. Fitzpatrick/ R. Garcia/ GSS/MIS	Move the current Main Reception in the Linden Job center to the area vacated by FS (F23) CSIC. Create a CBIC replacement unit in the counter space vacated by CSIC	A centralized CBIC referral site was established at the Linden Center to serve Brooklyn and Queens JCs and FS Centers.
29	Create a centralized CBIC replacement unit to serve the Bronx, SI, and Manhattan Job Center and FS Center populations and reduce traffic in those centers.	P. Garcia/ R. Garcia M. Blaizes GSS/MIS	Configure 109 E. 16th St to create a Centralized Bronx/Manhattan/SI CBIC replacement unit. Transfer CA2 headcount from FIA Operations staff to the unit.	Stage two: February 2012 Discussions currently underway with General Support Services (GSS) Stage one: The centralized CBIC at 109 E. 16th street is currently available to participants with cases at the Melrose, Crotona, Union Square, Intensive Services, and Senior Works Job and Food Stamp Centers

First drafted November 2010

OVERCROWDING ACTION PLAN

Target Centers:
 East River #37/ Queens Food Stamp Center F53, Melrose Job Center #40/ Melrose Food Stamp Center F40, Fordham Job Center #44/ Fordham Food Stamp Center F44, Crotona Job Center #46/ Crotona Food Stamp Center F46, Jamaica Job Center #54/ Jamaica Food Stamp Center F54, Dekalb Job Center #64/ North Brooklyn Food Stamp Center F26, Bushwick Job Center #66/ Williamsburg Food Stamp Center F21

#	INITIATIVE	RESPONSIBLE PARTY	ACTION(S) REQUIRED	TENTATIVE IMPLEMENTATION TIME
30	Add additional queuing space at the East River Job Center and the Queens Family Services Call Center	R. Garcia/ A. Babayeva	Survey the area to determine the amount of space that can be allocated and requisition tensa barriers and signage from GSS.	December 28, 2011 (Completed)
31	Expansion of the client waiting areas on the 5th floor of Crotona FS Center and expansion of the queuing area on the first floor of Crotona JC located at 1910 Monterey Avenue, 5th Floor Bronx, NY	J. Santino/GSS	GSS to order additional chairs and computers needed to accommodate the additional clients and staff.	January 9, 2012 (Completed)
32	Construction of new client service area on the 6th floor of Crotona for FS clients and Finger Imaging	J. Santino/GSS	GSS to order additional chairs and computers needed to accommodate the additional clients and staff.	March 2012

First drafted November 2010

OVERCROWDING ACTION PLAN

Target Centers:
 East River #37/ Queens Food Stamp Center F53, Melrose Job Center #40/ Melrose Food Stamp Center F40, Fordham Job Center #44/ Fordham Food Stamp Center F44, Crotona Job Center #46/ Crotona Food Stamp Center F46, Jamaica Job Center #54/ Jamaica Food Stamp Center F54, Dekalb Job Center #64/ North Brooklyn Food Stamp Center F26, Bushwick Job Center #66/ Williamsburg Food Stamp Center F21

#	INITIATIVE	RESPONSIBLE PARTY	ACTION(S) REQUIRED	TENTATIVE IMPLEMENTATION TIME
33	Expansion of the client waiting areas in the DeKalb Job Center (500 Dekalb Avenue)	J. Santino/GSS	GSS to survey the space and order chairs to accommodate the additional clients.	January 9, 2012 (Completed)
34	Expansion of the first floor queuing area for Front Door Reception (FDR) at the Dekalb Job Center located at 500 Dekalb Avenue	J. Santino/GSS	GSS to order additional chairs and computers needed to accommodate the additional clients and staff.	In progress (scheduled for completion by February 2012)
35	Fast-tracking of application tickets to reduce delays at Front Door Reception	G. Jenkins/J. Flaum	Canvass clients waiting on line to determine who is applying for benefits and immediately provide them with tickets routing them to the proper floor.	In progress (Ongoing)

First drafted November 2010

APPENDIX E

C-1,2,3
C-4,5,6 not available

ISC Transfer-In / Transfer-Out	
Cases Transferred in 01/08 - 06/09	11616
Cases Transferred Out 01/08 - 06/09	7732

ISC Closings	
Cases Closed 01/08 - 06/09	11236

C-9

FTRs to Mandatory Appointments	
FTRs 01/08 - 06/09	16,668

ISC Mandatory Appointments 01/08 - 06/09

9-10-09

Action Code	Description	Total
100T	Sanction Time Limit Appt.	228
103A	Time Limit Appt. Employed / Engaged	213
103M	Manual TL Call-In Appt. Employed / Engaged	1
103R	Time Limit Call-In SNA Appt. Return Appt.	2
105	Eligibility Call-In	4052
105E	Referred for Employment Appt.-Employable	2696
105G	Referred for Employment Appt.-Contesting	18
105M	Participant Online Special Assessment Return Appt. to JOS	334
105R	Generic Center Return Appt.	472
105U	Referred for Employment Appt.-Unemployable	23
105W	Referred for JOP/Wage Subsidy	8
108A	Call-In Letter - Incomplete Information	40
108B	Call-In Letter - Incomplete Information	96
109G	Call-In Letter - Mandatory Appt.	2957
109J	Call-In Letter - Temp. Unemployable Notice	81
109K	Call-In Letter - Eligibility Determination Appt.	592
10NM	New Hire Match Call In Appt.	606
10SN	Sanction Appt.	11953
10SR	Sanction Call-In Employment Return Appt.	2601
10SY	Sanction Call-In: Non-Payee	2509
110A	Call-In for Employment Interview	10312
110J	Call-In Letter - HRPGEmployable	281
110Y	Call-In Letter - Unemployable Payee	27
133D	Child Care Return Appt. - Documentation Needed	7680
133S	Child Care Return Appt. - Provider Needed	240
148F	Referral To Finger Imaging Appt.	142
148G	Referral To Finger Imaging Appt. (18 Yr. Old)	1315
168J	WeCARE Referral to the Job Center	125
16NM	New Hire Match Appt. WeCARE	48
187R	Return Appt. - Needed at Home	949
908H	FFR Homebound	1
908P	FFR Appt.	10941
908Q	FFR Re-Schedule	1240
910S	Job Center Return Appt. - SACC Results	2
Grand Total		62485

C-10

CENTER #71 FOIL REQUEST
FAIR HEARING ACTIVITY
JAN 08 THRU JUNE 09

Month	SITE INFORMATION		FH REQUESTS				DISPOSITIONS						OUTCOMES					
	Location #	Location Name	Or-New Requests	FH Requests Rate	03-Adjudged	04-Heard	10-Appellate Withdrawal	11-Default (Cases)	12-Total Dispositions	13-Affirmations	13A-Reversals	13B-Dismissed (Issues)	16-Correct When Made	13B-Remands	14-Other	Agency Withdrawals	TOTAL OUTCOMES	
Jun-09	71	Intensive Ctr	765	70	116	344	112	362	1,034	40	335	2	22	125	494	857		
May-09	71	Intensive Ctr	733	70	112	409	96	306	923	85	154	25	50	189	593	1,076		
Apr-09	71	Intensive Ctr	766	70	133	488	100	396	1,115	53	115	18	38	162	614	900		
Mar-09	71	Intensive Ctr	859	70	133	480	103	406	1,122	66	150	32	41	144	540	973		
Feb-09	71	Intensive Ctr	753	70	113	419	72	327	931	95	207	14	64	140	404	944		
Jan-09	71	Intensive Ctr	896	70	136	545	99	409	1,189	81	164	34	22	173	519	1,063		
Dec-08	71	Intensive Ctr	1,087	70	170	586	77	454	1,321	96	177	32	67	214	541	1,116		
Nov-08	71	Intensive Ctr	861	70	124	443	121	372	1,062	86	152	4	97	182	531	1,081		
Oct-08	71	Intensive Ctr	1,105	70	177	593	121	504	1,393	127	227	30	39	237	509	1,225		
Sep-08	71	Intensive Ctr	1,074	70	158	595	127	433	1,363	85	188	53	75	202	510	1,113		
Aug-08	71	Intensive Ctr	1,034	70	109	542	112	461	1,227	82	173	42	92	177	561	1,127		
Jul-08	71	Intensive Ctr	1,019	70	146	440	91	446	1,193	155	286	31	96	197	583	1,132		
Jun-08	71	Intensive Ctr	1,104	70	140	391	98	535	1,264	75	173	23	67	140	430	908		
May-08	71	Intensive Ctr	1,030	70	131	371	81	475	1,153	96	228	24	74	156	532	1,123		
Apr-08	71	Intensive Ctr	1,032	70	130	363	79	466	1,100	112	284	46	88	199	521	1,252		
Mar-08	71	Intensive Ctr	1,026	70	131	312	130	545	1,316	63	266	25	70	181	405	1,019		
Feb-08	71	Intensive Ctr	880	70	125	486	106	517	1,233	78	215	57	66	215	460	1,112		
Jan-08	71	Intensive Ctr	936	70	119	524	122	557	1,312	80	189	28	88	164	552	1,101		
			2,404	9,022	1,919	8,244	21,589	1,556	3,477	15,911	593	1,281	3,210	9,219	19,336			

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Luis P. Camacho

Address: 1306 Ft. Lee Ave 4H Bklyn NY 10452

I represent: self

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: ^{PROF.} GONRAO JOHNSON

Address: 609 W. 114th St.

I represent: Lawyer in the Digital Age Link

Address: 435 W. 116th St NY NY 10027

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 27 1/31/12

(PLEASE PRINT)

Name: Judith Goldiner

Address: 199 Water

I represent: Legal Aid

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 1/31/12

(PLEASE PRINT)

Name: MR Carmacho

Address: _____

I represent: Legal Services NYC - Bronx

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 1/31/12

(PLEASE PRINT)

Name: Ralph Palledino

Address: 25 Bondley Street NY 10007

I represent: 2nd Vice President, Local 1549, DC37

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 1/31/12

(PLEASE PRINT)

Name: Susan Baker

Address: _____

I represent: The Legal Aid Society

Address: 111 Livingston St, 7th floor
Brooklyn NY 11201

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 1/3/2012

(PLEASE PRINT)

Name: Joel Berg

Address: 1 Plaza street west, Brooklyn, NY

I represent: NYC Coalition Against Hunger

Address: 50 Broad street, NY, NY

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Liz Ades

Address: 281 Park Ave South NYC

I represent: Federation of Protestant Welfare Agencies

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 1/31/12

(PLEASE PRINT)

Name: Stenna Fontaine, Esq.

Address: 579 Courtlandt Avenue, NY 10451

I represent: Legal Services NYC-Bronx

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

*with
Kathleen
Palladino
DC37*

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 1/31/12

(PLEASE PRINT)

Name: Kathleen Newello

Address: 125 Bowley Street NY 10007

I represent: Staff, Clerical Division, DC37

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 1/31/12

(PLEASE PRINT)

Name: Tanya Wong

Address: 70 Worth

I represent: Legal Services NYC.

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 1/31/12

(PLEASE PRINT)

Name: Sianna Fontaine

Address: 579 Courtlandt

I represent: Legal Services NYC - Bronx

Address: _____

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**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 1/31/12

(PLEASE PRINT)

Name: Edwin C. Pearson

Address: 37 1/2 West Main St, Ridge Hts, CT 06877

I represent: Self - No Bond

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Patricia Smith

Address: Human Resources Administration

I represent: _____

Address: 180 Water St. NY, NY

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 1/31/12

(PLEASE PRINT)

Name: LISA FITZPATRICK

Address: 180 Water St NY NY

I represent: NYC Human Resources Admin

Address: 180 Water St NY NY

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 1-31-12

(PLEASE PRINT)

Name: GARY Jenkins

Address: 180 Water Street

I represent: AKA

Address: 180 Water Street

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 1/31/2012

(PLEASE PRINT)

Name: Rose Lovaglio Miller

Address: 3001 Tiedeman Ave. Bx. NY 10469

I represent: Social Services Employees Union Local 371

Address: 817 Broadway, 14th Fl. NY NY 10003

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Gary Jenkins

Address: _____

I represent: Human Resources Administration

Address: 180 Water St. NY, NY

Please complete this card and return to the Sergeant-at-Arms