



**MOVING TO MORE COMPASSIONATE AND
EFFECTIVE ASSISTANCE**

**Evaluating Challenges and Barriers
In New York State's Welfare System**

A Report by the Hunger Action Network of New York State

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I. Introduction

Low-income New Yorkers (generally people with income under 200% of the poverty level) are entitled to receive various benefits and services from local Departments of Social Services (DSS). In NYC, DSS is called the Human Resources Administration (HRA), which assists about two thirds of the public assistance participants in the entire state. Public assistance benefits include: Temporary Assistance to Needy Families (TANF); safety net assistance; food stamps; Medicaid; and various forms of emergency assistance.

New York State is unusual in that it allows the counties (and NYC) to administer these various programs rather than doing so directly as a statewide agency. This arrangement developed for a variety of historical reasons, the main one being that state law requires local districts to pay a share (generally 50%) of any state financial contribution to most of the public assistance programs. The counties have insisted that if they have to pay part of the cost, they want to be able to control the determinations as to which individuals and households meet the various eligibility requirements. This system contains two built-in factors, beyond the general negative attitudes toward welfare participants, that have often created problems for people seeking assistance. First of all, local districts may feel pressure, as a matter of budgetary prudence and local taxpayer protection, to keep the public assistance rolls as low as possible. Second, the localized system invites wide variation in culture and practices from county-to-county, depending on how much staff training the county seeks out, the politics and attitudes of the local executive or legislature, and the experience and typical caseload of caseworkers.

This report examines the challenges and barriers for people who are trying to

receive public assistance under any of the various benefit programs administered by the fifty-eight local service districts in New York State. Having local districts administer the programs, rather than a single state agency, makes it more challenging to ensure uniformity of procedures and practices—and the costs of this fragmented approach go far beyond bureaucratic inefficiencies. People applying for welfare assistance are generally in a very vulnerable situation and so delays and unnecessary barriers often have dire impacts, including hunger and family hardships. Historically, regardless of the political affiliation of the Governor, the state has been reluctant aggressively to enforce local district compliance with the rules and regulations meant to guarantee fair and timely treatment of individuals applying for public assistance. The state's Office of Temporary and Disability Assistance (OTDA), the umbrella agency overseeing the social service system, has tended instead to rely on positive incentives including education and training to improve local district performance.

A year ago Hunger Action Network examined the performance of local districts in their welfare to work programs, making recommendations as to how to improve efforts to help people find living wage jobs. We decided this year to examine a more fundamental aspect of the welfare system: i.e. what greets public assistance applicants when they walk in the door at their local social service district. We asked advocates who assist large numbers of low-income clients to identify potential barriers at the district level to individuals getting the assistance they need in a timely and compassionate manner. Certainly one concern animating our focus on this area is that the increasingly severe recession combined with budget deficits at the state and district level would place additional burdens on the system. More people have been seeking assistance at just the

time when local governments are facing new budgetary challenges maintaining or even increasing the number of local social services staff.

In addition, the 1996 repeal of the former *Aid to Families with Dependent Children* (AFDC) and the enactment of the new welfare system, *Temporary Assistance for Needy Families* (TANF), provided states—and in NY, local districts—with more flexibility in how they administer the programs. In this context, the state and many districts have promoted a “work first” approach to welfare. Basically, this phrase means that having any kind of job is considered better than not having a job, regardless whether or not the job leads to any advancement, feeds the family, or enhances the individual’s self-respect and life prospects. With this priority on work assignment as the first thing that needs to happen, districts may also seek to “divert” households from ever receiving cash assistance, trying instead to resolve any “short-term” emergencies that might be preventing the household from obtaining employment (e.g., paying rent to prevent an eviction, or providing help with childcare). Such a focus on short-term crises, however, may prevent the caseworker from really looking into challenges and problems that may run deeper.

A major concern raised by the “work first” approach of trying to procure jobs for individuals above other goals is that it can prevent the social service system from effectively assessing skills, disabilities, training needs, and long-term educational goals. Are districts truly meeting the income needs of households facing genuine hardships? At the outset of welfare reform, the New York State welfare population was 1.5 million. By June of 2010, that number fell by almost two thirds to about 540,000.¹ The population that is still applying for and receiving public assistance is arguably the group with the

¹ OTDA website.

most formidable barriers to employability, and therefore also the group that requires the most careful and compassionate assessment of needs and abilities. It is also the group that likely requires more rather than less education to become employable. This is precisely the group that may be ill served by “work first” priorities.

Many individuals have used up their five years of eligibility for federal assistance, and have been transitioned onto the state and locally funded Safety Net Assistance program. In fact, the gross costs for Safety Net cash assistance now considerably outstrip the cost of federally supported TANF assistance, increasing the pressures on state and local budgets still further. In State Fiscal Year 2009 (SFY2009), the costs were about \$1.1 billion for TANF (paid mostly by federal funds) and \$1.5 billion for Safety Net, which is paid exclusively by state and local dollars. This large and growing burden on New York State’s taxpayers makes it especially urgent that the state do a better job of finding ways to create genuine and lasting economic uplift for welfare participants, especially its growing Safety Net population, and this study intends to provide some recommendations to achieving that end.

II. Prior Hunger Action Network Surveys of Local DSS Districts

Hunger Action Network has examined local district performance in New York State for more than 20 years. The Hunger Action Network of New York State, started in 1982, is a statewide membership organization of emergency food programs, advocates, faith groups and low-income individuals whose goal is to end hunger and its root causes, including poverty, in New York State. Hunger Action Network represents the 3,000 food pantries and soup kitchens that help feed three million New Yorkers annually. Many of

these feeding program guests are eligible for some form of public assistance, particularly food stamps, but also cash benefits or SSI (Supplemental Security Income). Increasing the number of individuals receiving public assistance from DSS would reduce the demand for emergency food programs (EFPs). Over two decades, consistently only about half of the guests of EFPs receive food stamp benefits, even though income data show that almost all are eligible. Hunger Action Network has made improving and monitoring the performance of local social service districts part of its anti-hunger and anti-poverty mission. If local districts provide needed food stamps and public assistance to those who are eligible, and improve the employability of welfare participants, poverty can be significantly reduced.

Since 1987, Hunger Action Network has issued a report every few years documenting particular problems with state and local district performance and making recommendations for improvements. In recent years, Hunger Action Network has focused on improving access to education and training for welfare participants. There have also been a series of reports on workfare and welfare to work. The last report, in June 2009, conducted by Mark Dunlea, our executive director, was entitled *Evaluating a Decade of Welfare Reform in New York State*.

Hunger Action Network's first survey of local district performance was done shortly after a 1988 report on fair hearings by the New York State Bar Association (NYSBA). This report revealed widespread and significant problems. A fair hearing is a procedure invoked when a welfare participant feels they have been denied, penalized, or sanctioned unfairly. The NYSBA's careful review of the content and results of fair hearings taken by clients against determinations by local DSS offices and HRA identified

major problems and inadequate performance in virtually every local district. Local agencies, the report concluded, are “abusing the system and causing serious harm to the needy and the system itself.”² Their report found:

Local agencies are simply not following the governing law in a substantial percentage of the cases. In large numbers, clients have their benefits erroneously denied, reduced or terminated. The same errors occur repeatedly...Some local agencies, particularly NYC, appear to have made a cynical, cruel choice: decisions are allowed to be made wrongfully to deny, reduce or terminate benefits, knowing that many decisions will not be challenged, and therefore, money will be saved.³

In 1990, Hunger Action Network released *Asleep at the Wheel: a Study of How New York State Supervises Local Departments of Social Services*. The report contained very similar findings to those in the bar association’s study:

NYS is failing to operate public assistance as a single state agency, as required by federal law. Local districts are following a wide range of practices and policies in meeting immediate needs, practices which often fail to conform to state and federal policy. An individual’s or family’s ability to have their immediate needs met should not depend on the county in which they happen to reside... Even when NYSDSS’ [the state agency predecessor to OTDA] limited monitoring system uncovers program violations or poor performance by a local district, it does not use its regulatory or disciplinary powers to mandate corrective actions.

Instead, NYSDSS will attempt to persuade the district to improve its performance

² NYS Bar Association, Report of the Task Force on Administrative Adjudications, July 14, 1988, p. 177

³ NYS Bar Association, *ibid*, p. 176-178.

by talking to them about the situation and explaining what the correct state and federal policy is.⁴

A significant problem with having 58 districts is that advocates must attempt to monitor a huge number of operations and then seek corrective action. Advocates have always lacked the resources to do this effectively. The main groups doing county-by-county monitoring outside of NYC are the various legal aid offices. Their funding has however been sharply curtailed over the last two decades while their legal responsibilities have shifted away from the public assistance system.

Hunger Action Network also recognizes that local districts face significant challenges in trying to assist needy families. Departments of Social Services routinely lack the funding and resources to staff their operation in the manner they would like. They are seeking to help individuals who are often in difficult, emergency situations, when tensions are high and consequences stark. Especially in a recessionary economy, administrators are forced to make difficult choices in establishing service priorities. Furthermore, New York's exceptionally diverse population, especially in New York City, produces many cases where language and cultural barriers pose additional challenges for communication and service. Also, the local DSS's provide a wide range of services beyond the ones described in this report, and often decide to direct their limited resources to assisting children and adults who need immediate protective services in cases involving violence, neglect, or abuse. Finally, providing assistance in today's recession means that local districts are forced to try to provide assistance in a bad economy that is largely beyond their ability to control.

⁴ *Asleep at the Wheel*, pp. 1 & 5.

But none of these valid considerations should justify unprofessional or unfair treatment of people seeking help in times of distress. In fact, these concerns highlight why it is so important for the state to provide the leadership and direction to help local districts succeed and to protect the rights of our society's most vulnerable members. This study, conducted by Hunger Action Network and Ashley Simses, a sociology student at Union College, is an attempt to provide an updated snapshot of local district performance in the provision of public assistance to needy households, and to suggest steps towards more compassionate and effective assistance in the system. The goal of this research is to identify those local social services districts that have policies or practices that create barriers for people who are trying to receive assistance under any of the various benefit programs administered by the districts. The survey respondents are all people with a multitude of contacts with customers of social services, and hence constitute a very broad and encompassing view of how those services are being delivered and not just isolated cases. (*See methodology section for more info.*) Hunger Action Network decided to examine issues of access to benefits in the area of cash assistance (TANF and Safety Net), food stamp benefits, emergency assistance, domestic violence assistance and fair hearing assistance. We did not examine access to Medicaid, HEAP (Home Energy Assistance Program), or other programs.

III. An Overview of DSS Programs Surveyed in this Report

A. Temporary Assistance – TANF and Safety Net

In New York State there are two types of temporary cash assistance. The first is Family Assistance, which replaced AFDC, the *Aid to Families with Dependent Children*

program. The second, Safety Net, is for individuals who have exceeded their five year time limit for federal benefits or who are not eligible for federal benefits (typically individuals without dependents).

Temporary Assistance for Needy Families (TANF) provides monthly cash benefits to very low-income families based on eligibility standards set by the states. Unlike its predecessor, Aid to Families with Dependent Children (AFDC), TANF is not an entitlement program, meaning eligible families are not guaranteed benefits. Recipient families must fulfill ongoing work requirements, with a five-year time limit on benefits. The federal government sets basic rules for administering TANF cash assistance, but states have responsibility for developing their programs. Rather than being an entitlement program, with funding rising and falling in response to the caseload, states now receive a fixed block grant.⁵ Family Assistance provides assistance to needy families who have a minor child living with one or both parents. There is a sixty-month time limit on the receipt of Family Assistance benefits received under the program. The months do not have to be consecutive but each individual month in which TANF-funded benefits are received is counted toward the 60-month total. A family that has reached that time limit may be eligible for the second program in New York, Safety Net Assistance.

Safety Net Assistance (SNA) aims to serve the following populations: “single adults; childless couples; children living apart from any adult relative; families who have exceeded the sixty-month limit on assistance; families with certain immigration statuses;

⁵ Since the number of participants has dropped shortly since 1996, the state now has more than a billion dollar annual surplus to help fund support programs for participants to help them become economically eligible. The converse side is that if the number of participants were to increase, the state would have to either cut the amount of services provided, cut benefits or reduce eligibility. Advocates also contend that much of the present surplus is used to provide fiscal relief to the counties. Close to one billion dollars is distributed as the Flexible Family Fund to local district. Much of these funds are used to support child welfare programs; the funds that used to pay for such programs out of the general fund are now free to be spent elsewhere.

families who would be eligible for Family Assistance but where the adult has been determined unable to work because of a substance abuse problem.”⁶ Unlike other states, New York has a constitutional requirement that the government must care for the needy; thus aid cannot be terminated once federal time limits have been reached. After one has received the SNA for two years, one can receive non-cash benefits. Non-cash benefits provide the same level of assistance, but in a different form: the state provides in place of cash a set of vouchers for covering approved vendors and amounts of basic expenses.⁷

In order to receive Temporary Assistance, an interview between the applicant and local Department of Social Services should be held within seven working days of filing an application. The applicant should be told within 30 days of the date he or she filed the application for Family Assistance, or after 45 days for Safety Net Assistance, whether he or she is approved or denied assistance. In general, applicants for Family Assistance may receive cash assistance before the 30 days is up depending on how quickly their paperwork is processed; cash benefits for Safety Net Assistance, however, may not be provided until after the 45 days is up, although individuals or families may be eligible for food stamps or Medicaid or other emergency assistance in that time. During the application period, individuals are often required to conduct a job search and to participate in other work orientation programs.

B. Food Stamp Program – Supplemental Nutrition Assistance Program (SNAP)

The Food Stamp Program (now called SNAP) is a federally-funded nutrition

⁶ “Cash Assistance.” New York State Community Action Association, 2009. 1 Nov. 2009. <http://www.nyscaonline.org/HelpingHands2008/pdfs/Cash_Assistance.pdf>.

⁷ Ibid.

program administered by the United States Department of Agriculture.⁸ Recipients receive a monthly food stamp amount that can be used like cash at authorized retail food stores to purchase food. This allows households with very limited income to use that income on other necessities. In fact, the NY Times recently published a news story on people with no other income supports other than food stamps, a remarkable circumstance that has become more common during the economic recession. In New York State, one in every five people is eligible for food stamps. Any U.S. citizen and certain categories of legal immigrants may receive SNAP/Food Stamps. For households without an elderly or disabled member, the gross income allowable is up to 130% of the poverty level; for households with an elderly or disabled member, the gross income limit is set at 200% of poverty. Seniors (people sixty years or older) or disabled households with gross income above 200% of poverty may still qualify for food stamps but are subject to a resource/asset test. In these cases, the household's *net* income would need to fall at or below 100% of poverty and their resources must be \$3,000 or less per month. New York State also provides 5 months of transitional Food Stamp benefits for families with children leaving welfare for work.

The food stamp application process begins by filling out an application either at the local Department of Social Services, the local food stamp office, with non-profit organizations, or online at myBenefits.ny.gov.⁹ The state is seeking to expand online application statewide. According to state rules, one must be given an application the first time one asks for it and one should be screened by the eligibility worker right away to see if one is eligible for “expedited food stamps,” which are meant to provide food money to

⁸ “Programs and Services.” *Office of Temporary and Disability Assistance*. Oct. 2009. Web. 30 Oct. 2009. <<http://www.otda.state.ny.us/main/>>.

⁹ Ibid.

hungry people within one to five days. People seeking food stamps can file an application on the first day, but will probably be asked to come back for a full eligibility interview. Even if they don't fill out the entire application form right away, they can file an application as long as the form has a name, address, and signature. (Those without an address are still entitled to apply.) At the eligibility interview, applicants are asked to provide proof of identity for all household members; housing and childcare expenses; income sources and amounts; citizenship status; and information about any child support payments received.

Food stamp applicants have a number of important rights:

- to apply as many times as they need to
- to receive an application on the same day it is requested
- to a fair hearing in the case of denial or dispute
- to receive food stamps within thirty days of filing their application &
- to receive expedited food stamps if they meet certain requirements.¹⁰

In 2001, New York became the first state to issue transitional food stamp benefits, a crucial form of temporary income and social support for those who have just entered the workforce. This transitional benefit substantially lessens the household pressure of paying for food on what is often a minimum wage or poverty level income.

C. Emergency Assistance

There are five types of emergency assistance offered in New York. A few examples of emergencies defined by the New York Office of Temporary and Disability Assistance are: homelessness, having little or no food, eviction, lack of fuel for heating,

¹⁰ Dunlea, Mark A. *Evaluating a Decade of Welfare Reform in New York State*. Albany/New York City: Hunger Action Network NY State, 2009.

having utilities shut off or a 72-hour disconnect warning, and having someone in the family who has been abused, beaten or threatened by violence. There are three primary emergency assistance programs: EAF, EAA, and ESN, defined below. Emergency Assistance to Needy Families (EAF) helps families with at least one child under age 19 who regularly attends a secondary school. EAF must be provided immediately to eligible families with children, if required “to avoid destitution of the child and give him/her a means to live in his/her home.”¹¹ Emergency Assistance for Adults (EAA) is available for aged, blind, or disabled individuals and couples eligible for SSI benefits that require assistance to meet emergency needs. Emergency Safety Net (ESN) assistance is authorized for families and individuals who have identified immediate needs without available income or resources to meet the emergency. ESN provides assistance to persons not eligible for recurring public assistance, EAA or EAF. The income standard for ESN is 125% of the federal income poverty line, which is updated every year by the federal Department of Health and Human Services. However, the income standard does not apply if the emergency is the result of a fire, flood, or other similar catastrophe.¹²

Home Energy Assistance Program (HEAP) is available for utility-related emergencies. HEAP provides benefits to supplement a household’s annual energy expenditures. This program is intended to help those who cannot afford to pay for basic utility needs such as heat, electricity, gas and water. Depending on the need of the individual or family, the program will supplement part or all of the monthly utility costs.

¹¹ Ibid.

¹² “Safety Net Assistance.” *The Office of Temporary Financial Services*. 10 Feb. 2010<<http://www.westchestergov.com/social/otfs/safety.htm>>.

HEAP also offers furnace repair and/or replacement of inoperable heating equipment.¹³

There are regular HEAP benefits as well as emergency HEAP assistance.

Temporary housing assistance is available for homeless persons. The Bureau of Housing and Support Services (BHSS) administers different programs to provide services for the homeless and low-income households in New York in order to address the problems of homelessness. BHSS designs and administers programs such as the Homeless Housing and Assistance Program (HHAP), to provide shelter, prevent homelessness, and offer essential services to stabilize housing and increase self-sufficiency. HHAP provides grants and loans to non-profit corporations, as well as religious and charitable organizations, to construct or rehabilitate housing for persons who are homeless and are unable to secure adequate housing without special assistance.¹⁴ BHSS also offers other programs for the homeless and at-risk individuals and families such as the Supplemental Homelessness Intervention Program, Single Room Occupancy Support Services Program, Emergency Shelter Grants Program, the Homelessness Intervention Program, and Supported Housing for Families and Young Adults Program. The Bureau is also responsible for New York State's regulation and inspection of family and single shelters for the homeless.¹⁵

C. Disabilities

There are a variety of disability benefits and services available to New York State residents, most of them largely beyond the scope of this report. However, one of the most critical functions of local districts is to properly identify applicants and participants

¹³ "Programs and Services." *Office of Temporary and Disability Assistance*. Oct. 2009. Web. 30 Oct. 2009. <<http://www.otda.state.ny.us/main/>>.

¹⁴ "Programs and Services." *Office of Temporary and Disability Assistance*. Oct. 2009. Web. 30 Oct. 2009. <<http://www.otda.state.ny.us/main/>>.

¹⁵ *Ibid.*

who have a disability. Those with severe disabilities may qualify for the federal SSI (Supplemental Security Income) benefits. Those with less severe disabilities should still be properly identified, especially as this factor is so crucial for determining work readiness. For instance, people are entitled to have their disability accommodated with respect to any welfare work assignment. Case workers are supposed to make assessments about whether people with disabilities or those affected by domestic violence are able to work or can be reasonably expected to make routine appointments. The sensitivity and judgment exercised in these cases has a major effect on the success or failure of public assistance to meet the genuine needs of applicants. As the data in our survey below reveals, this area of effectively and fairly identifying and working with individuals with physical and mental disabilities is a major area of concern in the system.¹⁶

SSI, or Supplemental Security Income, is a federal program that provides monthly cash payments to people in need. SSI is for people who are 65 or older, as well as for blind or disabled people of any age, including children. The Americans with Disabilities Act and Section 504 of the Rehabilitation Act state that individuals with disabilities have a right to access DSS programs and services. The Americans with Disabilities Act defines an individual with a disability as “a person who has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such an impairment, or a person who is perceived by others as having such an impairment.”¹⁷ Some examples of these impairments “which may substantially limit major life activities, even with the help of medication or aids/devices, are: AIDS, alcoholism, blindness or visual impairment, cancer, deafness or hearing impairment,

¹⁶ Kriefall, Andreas. “What I do With DSS.” Ashley Simses. 12 Feb. 2010, email correspondence.

¹⁷ “A Guide to Disability Rights Laws.” United States Department of Justice. Sept. 2005. Web. 15 Feb. 2010. <<http://www.ada.gov/cguide.pdf>>.

diabetes, drug addiction, heart disease, and mental illness.”¹⁸ Departments of Social Services must assess and accommodate persons with disabilities. They may need to special arrangements for appointments or exemption from work activities if they are not able physically to participate, and they should not be penalized for their condition.

D. Domestic Violence

Domestic violence treatment or therapy is not a benefit or program under welfare. However, special consideration needs to be given to domestic violence victims who apply for public assistance. Domestic violence is “any pattern of coercive tactics, which can include physical, psychological, sexual, economic and emotional abuse, perpetrated by an intimate or family member, with the goal of establishing or maintaining power and control over the victim.”¹⁹ Some examples of emotional abuse might include constant criticizing of abilities, behavior that is over protective or extremely jealous, prevention of seeing family or friends or denial of access to medication or health care. Some examples of physical abuse are throwing objects, shoving, pushing, attacking with weapons, and not reporting medical conditions and destruction of property.²⁰ Those who have been affected by domestic violence should be thoroughly screened by DSS caseworkers to determine if special circumstances, such as disregarding the work requirement or providing emergency food or shelter, should be made for that individual. Thus, it is important to know whether the local districts of New York State are evaluating situations and cases properly in terms of providing exemptions and adjustments to welfare procedure in these exceptionally difficult circumstances.

¹⁸ “Your Rights Under Section 504 of the Rehabilitation Act.” United States Department of Health and Human Services. June 2006. Web. 15 Feb 2010. <<http://www.hhs.gov/ocr/civilrights/resources/factsheets/504.pdf>>.

¹⁹ Domestic Violence. Office of the Attorney General, 2008. Web. 1 Nov.2009 <http://www.oag.state.ny.us/bureaus/criminal_prosecutions/domestic_violence.html>.

²⁰ “What is Domestic Violence.” New York State Coalition Against Domestic Violence. 2008. 22 Jan. 2010.<<http://www.nyscadv.org/domesticviolence.htm>>.

E. Fair Hearings

Fair hearings provide the opportunity for an individual to appeal a determination that she or he is not eligible for benefits.

A Fair Hearing is a chance for a welfare recipient to tell an Administrative Law Judge (from the New York State Office of Temporary and Disability Assistance, Office of Administrative Hearings) why he or she thinks a decision about his/her case made by a local social services agency is wrong. The Office of Temporary and Disability Assistance will then issue a written decision which will state whether the local agency's decision was right or wrong.²¹

There are a variety of reasons one might need a fair hearing. A welfare recipient would need a hearing if an application for Public Assistance, Medical Assistance, Food Stamps or Services is denied, if it has taken more than 30 days to receive these services, if a case is being closed or if one receives notice of decreased cash or food stamp benefits.²² In all of these cases, there are often disputes, which may need to be solved through a fair hearing. At a fair hearing, a New York State Department of Social Services Hearing Officer will hear the positions of the county DSS and the recipient. They will decide the case based on state law and regulations. It takes approximately one month to get a hearing scheduled and two to four weeks after the hearing to get a decision.²³ At a fair hearing, a recipient of assistance benefits is able to explain why he or she thinks a decision regarding his/her case is incorrect.²⁴

²¹ "Programs and Services." *Office of Temporary and Disability Assistance*. Oct. 2009. Web. 30 Oct. 2009. <<http://www.otda.state.ny.us/main/>>.

²² Ibid.

²³ Dunlea, Mark A. *Evaluating a Decade of Welfare Reform in New York State*. Albany/New York City: Hunger Action Network NY State, 2009.

²⁴ "Programs and Services." *Office of Temporary and Disability Assistance*. Oct. 2009. Web. 30 Oct. 2009. <<http://www.otda.state.ny.us/main/>>.

IV. Methodology

The questions for the survey were developed through consultation with legal aid offices, domestic violence and disability rights groups, and community groups. The respondents to the survey were individuals in various community-based organizations who routinely assist individuals seeking assistance from local Departments of Social Services (DSS). The Hunger Action Network mailed approximately three hundred questionnaires to these types of organizations based on our past experience with them, including their participation in our prior “SNAPSHOT” surveys of welfare administration around the state. These organizations tend to be community groups of considerable capacity and experience, with a large number of staff interacting with clients receiving assistance. Completed surveys were returned from a variety of these types of organizations: two Salvation Armies, three Catholic Charities, three churches, three food pantries, three Community Action Programs, three Providence Houses, a family organization, a welfare rights initiative group, two anti-hunger organizations, an educational opportunity center, a rural ministry, and a coalition for the homeless.

There were a total of forty-nine participants from twenty-eight of the fifty-eight local service districts across New York State (57 counties plus the Human Resources Administration of New York City). Forty questionnaires were returned through the mail and nine were completed on the Internet. Below is a table showing which counties are represented in the results and how many questionnaires were completed in that county.

Table 1

County or Borough	No. of Surveys Rec'd	County or Borough	No. of Surveys Rec'd
Albany	3	Bronx	2
Cayuga	1	Chautauqua	1
Delaware	1	Dutchess	5
Erie	1	Jefferson	1
Kings	3	Lewis	1
Monroe	3	Nassau	1
Niagara	1	New York	4
Oneida	1	Onondaga	3
Orange	2	Putnam	1
Queens	1	Rensselaer	1
Schenectady	2	Suffolk	1
Sullivan	1	Steuben	1
Tioga	2	Tioga	2
Tompkins	1	Ulster	1
Westchester	4		

Each participant received a cover letter explaining the nature and purpose of the questionnaire. This cover letter and the standard questionnaire are attached in the appendix of this report. The cover letter stated that the questionnaire was designed to gather information in order to help provide remedies to the barriers that persons encounter in their application for, and receipt of, public assistance and other benefits. It was completely optional for the recipient to fill out the questionnaire. They were told to answer the questions honestly and to the best of their ability about their experiences with individuals and families who apply for the various benefit programs run by the local social services district. The participants filled out either the entire questionnaire or only the parts pertaining to them or their organization. Each of the twenty questions had the multiple-choice options of yes, no, or not applicable/no basis for judgment. At the end of

the questionnaire the participant was asked if there were any additional barriers to public assistance not included in this survey. Space was provided for additional barriers to be described.

The questionnaire had a total of twenty multi-part questions, divided into categories. These categories are: cash assistance, food stamp benefits, emergency assistance, domestic violence assistance and fair hearing assistance. The forty-nine survey respondents each represent people with a multitude of contacts with customers of social services. We were asking for their assessment of their local district overall performance, not what happened to any one particular client. The results below are divided into the sections that appeared on the questionnaire. We asked respondents to answer questions only for topics with which they were familiar. Thus the numbers checked as “not applicable” are not counted in the percentages calculated in the survey result tables given in the next section.

V. Survey Results

A. General Questions

The first section included broad questions about program information, rights and responsibilities, applicant diversion, referrals, and the treatment of applicants and clients.

Table 2A

General Questions	Yes	No
Are applicants routinely provided information about eligibility requirements for assistance programs?	68%	32%
Are applicants routinely provided information about the various programs available?	61%	39%
Does the local social services district routinely make application forms readily accessible?	24%	76%
Are applicants routinely provided information about the applicant's rights and responsibilities?	69%	31%
Have applicants been screened out before they even file their paper application?	43%	57%
Does the department of social services contact you prior to referring a client to make sure you can help them?	20%	80%
Does the department of social services treat clients with respect and dignity?	34%	66%

** Two percent of respondents answered yes and no for some questions but since this is such a small percentage, the yes/no column is not included in the results*

These general questions point to some grave concerns right from the outset. There are significant problems with applicants receiving routine information from the districts about services and benefits. As the table shows, a third of the respondents said that clients are not provided information about eligibility requirements, 39% are not given information about available programs, and 31% are not provided information about rights and responsibilities. In a system as daunting and complex as social services, the failure to provide such basic and essential information makes it considerably more

difficult for applicants to know about and to access programs and benefits for which they may be eligible.

Remarkably, the survey found that 76% of respondents find their districts do not make application forms readily accessible. This withholding of documents represents a significant barrier. Individuals have a right to submit an application and have a determination made as to their eligibility in a timely manner. Difficulty in accessing applications is an indication that districts may be discouraging individuals from applying for assistance. Also, time limits for receiving benefits are triggered by the date the application is filed. Delaying the submission of an application form to a later day, say after a first interview, likely delays the provisions of benefits. On a related note, over 43% of the respondents stated that applicants are screened out before they have even submitted an application. Such diversion efforts may be appropriate or not, but if an application has never been filed, there is no way to determine that.

80% of the respondents indicated that local district did not contact their agency prior to referring a client to make sure the client can be helped. This is a regular complaint by food pantries, which often do not have enough food to feed all their guests. Clients may spend considerable time and effort traveling to a given site only to find that the community program does not have the resources to assist them. Especially in an emergency situation, say where a household lacks food, this kind of hardship is unjustifiable. The district has a responsibility to meet those needs, and should make considerably more of an effort to ascertain whether and where help is available.

66% of respondents, fully two thirds of the people answering, report that local districts fail to treat applicants and clients with respect and dignity. This is a major factor

in why only half of the guests at Emergency Food Programs are currently receiving food stamps or other public assistance. Guests often say they would rather starve than apply for benefits at their local DSS office. Related issues include extremely long waiting periods to be seen, hostile or contemptuous or neglectful attitudes from caseworkers, a lack of privacy, and inadequate accommodations. This matter of respect goes to the heart of the ongoing and longstanding problems with social service delivery in New York State.

B. Temporary Assistance and Cash Benefits

There are two types of assistance in this category: Family Assistance (for households with children) and Safety Net Assistance (for adults without children and families with children who have exhausted the five year limit on Family Assistance).

Table 3B

Temporary and Cash Assistance	Yes	No
Does the district routinely allow applicant to file application on the same day office is contacted?	71%	29%
Does the district regularly interview applicants for either type of cash assistance within 7 days?	68%	32%
Does the district process Family Assistance applications within 30 days?	53%	47%
Does the district process Safety Net Assistance applications within 45 days?	55%	45%

Over a quarter of the respondents indicated that districts restrict the ability of applicants to file an application on the same day the office is contacted. As stated above, this is a major barrier, delaying the provision of benefits. Almost a third of the districts appear to be failing to interview applicants to review their cases within seven days. Half are said not to process Family Assistance applications routinely within 30 days, and even

the lengthy wait of 45 days to which Safety Net applicants are subjected does not seem to be enough time for almost half of the local districts to process applications. Such lags constitute a major hardship for people in already difficult circumstances, and appear to violate both state and federal rules and deadlines. These numbers may also reflect the problem noted in Table 2A of failing to allow applications to be submitted upon first contact.

C. Food Stamps

The next section of the survey questionnaire focused on the process for applying for and receiving food stamps.

Table 4C

Food Stamp Questions	Yes	No
Are there only specific times when client can hand in application?	28%	72%
Does the district provide expedited food stamp benefits to eligible applicants within 5 days?	64%	36%
Is there a time gap for recipients who receive expedited benefits before they continue to get benefits under their ongoing Food Stamp case?	66%	34%
Does the district routinely interview applicants within 7 days?	65%	35%
Does the district routinely make a decision on the application within 30 days?	50%	50%
If the application is approved, are benefits provided within 30 days?	52%	48%
Does the district advise applicants of right to ask for a waiver of the face-to-face interview?	72%	28%

More than a quarter of the respondents (28%) indicate that local districts improperly limit the times when applications for food stamps can be submitted. This kind of illegal time restriction is a problem that the State has taken efforts to correct in past years and the present, including the development of internet-based systems that have begun to come online. The survey results indicate, however, that time restrictions are a re-emerging problem in some districts, perhaps due to strains in a system that is now dealing with a massive recession-induced 50% increase of food stamp assistance over a short two-year

timeframe. Again, we must re-emphasize that though the problem may be understandable as demand increases so dramatically, the provision of timely and efficient food assistance for people, especially for children and families, cannot be compromised and must continue to be improved.

As noted above, regulations for receiving Food Stamps require that a person has the right to apply for food stamps as many times as he/she needs to, must be granted an interview to review the case within seven days and must receive the stamps within thirty days. More than 30% of respondents indicated that applicants are not receiving an interview and more than 40% are not receiving their benefits within the specified time period. According to Food Stamp regulations, all Food Stamp applicants must be screened to determine whether they are eligible for expedited Food Stamp service on the day the applicant first applies for the benefits. Expedited Food Stamp benefits must be provided to eligible households no later than 5 days after the application is filed, according to state regulations. More than 30% of respondents indicate recipients are not receiving expedited stamps within the allotted time period.

A huge proportion of service providers, two-thirds of our respondents, indicated that there continues to be a time gap in Food Stamp benefits for recipients who receive expedited benefits before their regular benefits resume. This means these recipients are receiving no benefits during this time and might not be able to purchase the food they need. Finally, almost thirty percent of participants answered that the district does not routinely advise applicants of their right to ask for a waiver of the face-to-face interview. Legally, applicants should be informed that they are allowed to bypass the face-to-face interview. Taken together, these results show that our premier national anti-hunger

initiative, the food stamp program, continues to fall short of meeting even the minimum legal requirements for efficient and timely administration in New York State.

D. Emergency Assistance

As outlined and defined in the program definitions in Section III, there are five types of Emergency Assistance available in New York State: Emergency Assistance to Needy Families (EAF), Emergency Assistance for Adults (EAA), Emergency Safety Net (ESN), Home Energy Assistance Program (HEAP), and temporary housing assistance. According to regulation, upon application for benefits to meet urgent needs (e.g., no food, no shelter, no utilities), applicants *must* be granted an interview the same day AND given notice of their application’s acceptance or denial in the same day.

Table 5D

Emergency Assistance Questions	Yes	No
Does the district routinely grant same-day interviews?	52%	48%
Does the district routinely give applicants same-day notice of acceptance/denial?	43%	57%
Does the district routinely inform eligible applicants about Emergency Assistance availability?	27%	73%
Does the district routinely inform applicants of their right to appeal a denial of benefits through an expedited fair hearing?	55%	45%

The survey results indicate a very significant, even systemic, problem with the provision of emergency assistance statewide. Nearly three-quarters of the respondents (73%) answered that districts do not inform applicants about Emergency Assistance that they might need. This withholding of crucial information indicates that districts may be depriving many New York residents in very severe hardship of vital assistance. These applicants are in emergency situations. They are homeless, have little or no food, are facing eviction, have no fuel for heating, or their utilities have been shut off.

Requirements and regulations for speedy assistance should be followed and applicants

must be informed about availability of emergency assistance in order to deal adequately with life crises.

E. Domestic Violence

By adopting the Family Violence Option, a state agrees to screen domestic violence victims while maintaining their confidentiality, to refer those victims to supportive services, and to waive program requirements such as time limits on the receipt of benefits, work requirements, or cooperation with child support enforcement if those requirements make it more difficult to escape the violence or would unfairly penalize the victim. Some studies have found that over half of the women receiving public assistance have reported being battered. Eligibility determinations for domestic violence exemptions and accommodations may be made using contacts such as friends or neighbors because of the special problems surrounding applicants subjected to domestic violence. Under no circumstances should the alleged batterer be contacted.

Table 6E

Domestic Violence Questions	Yes	No
Does the district contact the batterer?	18%	82%
Does the district provide information about domestic violence protections and services?	47%	53%
Does the district tell victims the screening form is voluntary and confidential unless child abuse is disclosed?	52%	48%
Does the district routinely refer domestic violence victim to specially trained domestic victim liaison?	61%	39%

Most respondents did not answer these questions, as they were not applicable to their organization and they had no basis for answering. The few respondents who did answer appear to indicate that dealing with domestic violence victims was not a high priority for the local districts with whom they work. Three respondents (18%) indicated that the district has contacted the batterer even though under no circumstances should

there be such contact in order to protect and ensure the safety of the victim. A little more than half (53%) of respondents said that the district did not provide information about domestic violence protections and services to applicants, repeating a pattern of insufficient information we have observed repeatedly in our survey data. The victims should be given this information as a tool for help. 39% of respondents said that their local district did not routinely refer domestic violence victims to a specially trained domestic victim liaison. These shortfalls and deficiencies in dealing with domestic violence, when that problem has shown to affect such a large portion of the welfare population, are unacceptable and require urgent attention.

F. Fair Hearings

An applicant has the right to a fair hearing if he or she thinks a decision about their case made by a local social services agency is wrong. At a fair hearing, a New York State DSS Hearing Officer will hear the positions of the local district and the recipient and decide the case based on state law and regulations. Statewide, participants have generally won a majority of these hearings, so it is important that they be made aware of this avenue to secure their legal rights.

Table 7F

Fair Hearing Question	Yes	No
Are applicants able to schedule a fair hearing within a month of submission?	79%	21%

Over three-quarters of the respondents indicated that an applicant is able to schedule a fair hearing within a month of submission. However, 21% of respondents answered that applicants are not able to schedule a fair hearing within this time frame. This figure is still too high to assure due process for all New Yorkers.

G. Disabilities

The Americans with Disabilities Act and Section 504 of the Rehabilitation Act mandate that individuals with disabilities have a right to access DSS programs and services. DSS must also do what it can to accommodate those disabilities, for example, finding appropriate work requirements, or exempting a disabled person from work when such a course is justified.

Table 8G

Accommodations for Disabilities	Yes	No
Are individuals routinely provided with information about accommodations for disabled persons?	45%	55%
Does DSS screen cash assistance applicants and recipients to determine whether they have disabilities that could limit their ability to engage in work activities?	59%	41%
Do cash assistance recipients' employability plans contain the accommodations needed by client?	52%	48%
Do applicants and recipients who are disabled have their needs accommodated by district?	39%	61%

Respondents indicate that local districts have a poor track record in accommodating individuals with disabilities, a finding consistent with anecdotal evidence as well as past studies of this issue. A majority (55%) answered that disabled applicants were not provided information about accommodation, again raising the issue of insufficient transparency and accessibility in many of our local districts. Forty-one percent of respondents answered that DSS does not screen participants adequately to determine whether they have a disability that limits their ability to engage in work activities. Almost half of the respondents (48%) indicated that districts do not provide disabled individuals with employability plans that contain needed accommodations. More than a majority of respondents (61%) claim that their districts are not providing appropriate accommodations for disabled applicants and recipients. Survey results on

this order of magnitude, citing such grave problems in dealing with disabilities, are surely cause for swift and sweeping remediation on the part of the state umbrella agency, OTDA.

H. Open Ended Written Response Questions

There were three optional open-ended written response questions on the questionnaire. One question was under the general question section and asked whether applicants or recipients faced language challenges or barriers. The second question was in the domestic violence section and asked if the respondent knew of any other barriers imposed on domestic violence applicants. At the end of the survey, the respondent was able to describe any additional barriers to public assistance not included in the survey.

The table below summarizes the most common responses to the three questions.

Table 9H

Written Response	Number of Respondents
Those with limited English proficiency must provide their own interpreter	3
Domestic abuse applicants are denied and not given timely responses	1
There is a lack of DSS caseworkers/screeners	4
There are extremely long waits and not sufficient information provided to applicants	4

Three respondents indicated that applicants with limited English are expected to bring their own interpreters when applying for assistance. A few survey responses indicated that official notices are only available in English, while a few said they were available in Spanish and that Spanish interpreters are provided as well. Four respondents agreed that there is an insufficient number of DSS caseworkers/screeners and, consequently, applicants and recipients experience frequent delayed assistance. As we have noted repeatedly above, the steps of the processes are not clearly defined for welfare

applicants. Respondents suggested that there be a help desk in local district office to help individuals navigate the system. This kind of assistance would especially be useful for first-time applicants and others who are new or unfamiliar with the huge and complex system of public assistance. Respondents noted that local districts have become short staffed in comparison to the number of people that need to be accommodated. There are extremely long waits, with some applicants and recipients are told to come back the next day.

VI. Conclusions and Recommendations

The report finds a number of system-wide problems with local district performance. Such performance acts as a major barrier to households accessing the benefits to which they are entitled. This problem is particularly acute with cash assistance, less so with food stamps. The principal areas of concern include:

- **BARRIERS TO APPLICATION & LACK OF CLEAR INFORMATION.** A high number of respondents indicated that local districts do not adequately inform applicants about the entire range of services and programs meant to address the critical needs of New Yorkers in trouble. Individuals are often discouraged from applying for cash assistance in a timely fashion. The delivery of benefits is often delayed significantly beyond the legal time frames.
- **EMERGENCY ASSISTANCE.** Nearly three-quarters of the respondents (73%) answered that districts do not inform applicants about Emergency Assistance that they might need.
- **DISABILITIES.** Local districts were not adequately screening applicants for disabilities or providing accommodations for such disabilities. This poor performance occurs despite the state's repeated acknowledgement that it needs to be fixed and the promise that a pre-screening tool for disabilities would “soon” be implemented.
- **RESPECT.** Many applicants and participants are not treated with the necessary and requisite respect.

In recent years the state has made a concerted effort to make it easier for households to apply for food stamps, especially for the working poor and seniors. The report indicates that more progress is still needed, especially among the broader population beyond those targeted so far, people who may not be seniors or working. The state however has not promoted increased access to public assistance benefits, even in the midst of the worst economic recession of the last seventy years, with more than 800,000 New Yorkers unemployed, and homelessness in places like NYC at record levels. Public assistance caseloads have risen only modestly despite the major economic downturn. This disconnect between the economic context and social services indicates that either the state's safety net is inadequate or that there are too many barriers to the safety net, or both. In addition, the continued support in New York for a "Work First" approach to welfare to work, despite the state's documented failures and shortfalls in such efforts, creates barriers to individuals receiving the assistance they need, including pressures to divert eligible individuals and households away from public assistance.

The findings of this report, like those of similar studies by other community and legal support organizations, will likely be disputed by the state and local districts, who will produce statistics showing that applications are being processed in a timely fashion and that the error rate is within acceptable federal guidelines. The problem is that the data and statistics provided by OTDA at great expense are inaccurate. The biggest problem is that the districts do not begin tracking their response when an applicant first contacts the district but only after the application is submitted. Thus, if the individual is discouraged from applying or is not even allowed to apply, this diversion or delay is not reflected in the data being collected. In addition, due to the lack of state administration,

each district—and at times even individual workers within districts—often codes data for particular events in different ways. OTDA has informed HANNYS in prior studies that workers often enter data not in the manner that is most accurate but in the manner that the computer system will most quickly accept.

Hunger Action Network has long advocated for establishing some form of case record at the moment that an individual has her or his first contact with the district. Such a step would enable the state better to monitor what happens to such individuals, not only after applications have been filed but also in the process leading up to the filing of the application. It is that pre-application period which can be crucial, especially as concerns the timeliness and efficiency of service and the district's overall fairness in determining eligibility. Our survey respondents indicated that applicants were often discouraged from applying in these early stages or were unable to apply at point of first contact, delaying the provision of services while also failing to trigger the timelines as to when services are to be provided.

Recent studies of HRA performance by groups such as the Federation of Protestant Welfare Agencies have identified problems such as high denial rates due to burdensome application requirements, long wait lines at application centers with little and incorrect information provided, presumptive fraud investigations, agency mishandling of client cases, failed communication systems, and the rampant and arbitrary sanctioning of clients. Individuals who are in emergency situations, unable to support themselves or their households, can be required to participate in dozens of meetings, finger-imaging, interviews, job search and other activities for weeks if not months before they receive any assistance. The application process and eligibility requirements are cumbersome and

complex, bewildering even for legal advocates. The clients are treated as guilty until they can prove they are telling the truth, forced to navigate a bewildering bureaucracy while trying to manage their individual crisis without assistance from the agency supposed to help them. And if the district determines, often incorrectly, that they have made a mistake (missed a meeting), they have to start all over again.

In a 2009 report by the New York City Public Advocate, *Hearing Problem: An Analysis of the Human Resource Administration's Fair Hearing Outcomes in New York City*, there were 130,086 Fair Hearing requests related to the Cash Assistance program in 2009, and the agency was affirmed only 3.6%, or found lacking 96% of the time of the time. Fair Hearings are on the rise. Between 2000 and 2008 HRA spent \$58.6 million on Fair Hearings. (In the rest of the state, clients appear to win around 45 to 50% of their cases, local districts are affirmed around 42% of the time.)

While we have always argued that the Work First philosophy ignores the reality of the job market that many low-income households face, as well as ignoring the many multiple barriers that particular individuals face in becoming employable, this philosophical approach is especially dangerous and counterproductive at a time when unemployment among low-income Americans is in the 30% range.

A September 2010 national study by the Institute for Women's Policy Research found that in 2008, 88 percent of impoverished women with dependent children were going without support from the Temporary Assistance to Needy Family Program; NYS had a slightly better track record at 83.1% and presumably would do better if figures from the state's constitutionally mandated Safety Net Program were added. However, it is very clear that the welfare system no longer helps most people in need.

Data compiled last year by SCAA found that the percentage of eligible poor children receiving public assistance has dropped in half since welfare reform was enacted, from about 2/3 of eligible children to less than 1/3. This figure becomes even more troubling when we recognize that the number reflects only the drop in the percentage of eligible children receiving help, rather than the even more dramatic drop in the number of children who are even considered eligible for assistance due to stricter rules. Taken together, these figures show clearly what our survey has also shown, i.e. that the administration of the welfare system in NYS continues to create significant barriers to receiving assistance. The economic downturn and diminished government revenues prevent local districts from ramping up staffing to meet the increased need for help. These factors also increase incentives for the districts to reduce the size of their public assistance caseloads. The existence of 58 different local districts with their own practices, training and staffing pattern has made it largely impossible for effective monitoring by outside agencies (e.g., legal aid or nonprofits). The state continues to be reluctant to aggressively enforce state and federal regulations with local districts. As a result, Hunger Action Network has long advocated for the state takeover of the local districts, as most states already do. This would lower administrative costs, promote consistency of practices and procedures among local welfare offices, and make it easier to more effectively monitor and improve services.

RECOMMENDATIONS

1. **STATE ADMINISTRATION.** Hunger Action Network continues to support the state takeover of the administration of cash assistance and food stamps from the local districts in order to reduce costs, improve uniformity of services and practices, strengthen training, and standardize data collection.
2. **END DIVERSION.** The State and local districts, especially during this great recession, must stop trying to prevent people from enrolling in cash assistance. The Cash Assistance application process should be brought more into line with the Food Stamp and Medicaid processes. This includes implementing online benefits screening and application, facilitated enrollment, phone interviews or home appointments.
3. **SPECIAL ASSISTANCE.** Districts should do proactive screening and assistance for applicants who need help getting through the application due to disability, low literacy levels, domestic violence.
4. **INFORMATION, ORIENTATION, “KNOW YOUR RIGHTS” DOCUMENT.** Access to information for applicants and clients must be improved. Ensure that notices are written at the appropriate reading level. Local district should maintain in every service location a friendly and well-staffed help desk, with clear, written and illustrated information and flow charts about the application processes, programs,

rights and responsibilities. OTDA should develop a "Know your Rights" document to be included in the client orientation materials and to be posted on the walls at local districts.

5. **EXEMPTION.** District should do adequate screening of applicants for exemption from job search requirements due to food or housing crises, disability, domestic violence, child care needs, etc.

6. **TRANSLATION.** There should be increased resources to meet the need for translation and interpretation services.

7. **SAME-DAY APPLICATIONS.** OTDA must ensure that that clients get applications as soon as they walk in the door (e.g. provide a bin at the doorway, assign an staff greeter to hand out the applications and direct applicants to the appropriate place).

8. **OMBUDSMAN.** The state should require the institution of an ombudsman, or ombudsman staff for larger districts, who could assist individuals with urgent needs and grave problems in navigating the system and contacting and perhaps negotiating with appropriate staff.

9. **REFORM SANCTIONING POLICIES.** The state must take action to reduce its excessive sanctioning rate. Since many of the sanctions, especially in NYC, are due to

mistakes by the district, OTDA needs to implement stronger protections to prevent wrongly applied sanctions. An agency and worker accountability system needs to be put in place. NY should also end durational sanctions, allowing individuals to stop the sanctions if they correct the action they were sanctioned for.

10. REMOVE THE DISTINCTION BETWEEN SAFETY NET & FAMILY

ASSISTANCE APPLICANTS. The distinction between Family Assistance deadlines and Safety Net application wait periods should be removed by law. 45 days is too long a period for needy persons and families to await public assistance, and as we have shown above, even that long period of time is not being met by local districts in every case.

11. TRACK CASE RECORDS FROM FIRST CONTACT. Establish some form of case record at the moment that an individual has her or his first contact with the district, enabling the state better to monitor what happens to every applicant.