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April 3, 2014

Steven Banks, Esq. Commissioner NYC Human Resources Administration 180 Water Street New York, NY 10038

Dear Steve:

Congratulations on your appointment as Commissioner of the Human Resources Administration. The City Bar looks forward to working with you on the social welfare issues that we know are so important to you. In May 2013, the City Bar issued the enclosed report, *Policy Recommendations for New York City's Next Mayor*.<sup>1</sup> Our Committees on Domestic Violence, Lesbian Gay Bisexual and Transgender Rights, New York City Affairs, and Social Welfare all contributed to the report and stand ready to provide whatever further insight might be helpful.

In particular, I invite you to review the recommendations contained in Section VII of the report and to please reach out to us if we can be of any assistance going forward. While we recognize that you are already well aware of these issues, we take this opportunity to highlight the concerns of the City Bar in these critical areas. Below is an outline of recommendations that I thought you might find particularly useful; the report elaborates on each point.

# Ensure Access to Subsistence Benefits for the Neediest New Yorkers:

- Give benefit applicants the ability to communicate with Human Resources Administration (HRA) by phone, fax or mail or via an online interface, for appointments that are not mandated by the State to be conducted in person.
- Eliminate any appointments that are not required by State law, such as HRA's "Bureau of Eligibility and Verification" (fraud detection) appointments, the purpose of which can be realized in other ways.

<sup>&</sup>lt;sup>1</sup> Available online at http://www.nycbar.org/images/stories/pdfs/mayoralreport04302013.pdf.

- Either reduce the number of hours applicants are required to participate in structured "job search activities" so as not to exceed the minimum required of recipients of cash assistance, permit satisfaction of the job search requirement in unstructured settings or dispense with the pre-acceptance mandated job search requirements entirely.
- Require increased transparency and access to vendor attendance reporting policies, which often result in applicants' cases being erroneously rejected, including for allegedly missing just one day of job search.
- Re-program autoposting to assume attendance unless a worker indicates non-attendance and eliminate autoposting for disabled clients.
- Come into compliance with State law by also re-programming autoposting with respect to conciliation appointments by requiring HRA to investigate whether an alleged infraction was willful and without good cause even if the client fails to attend conciliation.
- Eliminate appointments not required by law such as mandatory eligibility appointments (e.g., Bureau of Eligibility Verification appointments) at regular Job Centers and at Center 71.
- Cease the "demonstrated compliance program," and stop transferring persons with sanctions to Center 71.
- Convert Center 71 into a regular Job Center.

# Improve the Relationship Between HRA and Vulnerable New Yorkers:

# Individuals with Disabilities

- HRA should institute a disability screening tool that is used early in the application process to identify disabilities and offer appropriate accommodations and exemptions from application and work requirements. Where a disability is indicated, HRA should offer a more in-depth evaluation of physical, mental health, and learning disabilities.
- HRA should establish a receipt system to enable clients to communicate with HRA reliably via phone, mail, fax, email or in person.
- Many appointments now required to be done in person by HRA, including conciliation, dispute-resolution and other conferences, could be handled via telephone.

# Survivors of Domestic Violence

• Ensure that HRA caseworkers correctly interview the welfare applicants to ensure that domestic violence screening is not overlooked.

- Make greater efforts to inform welfare applicants/recipients about the Family Violence Option and the Domestic Violence Liasons (DVL). There should be at least one DVL for each Job Center, and the City should ensure that every applicant/recipient who selfidentifies as a victim of domestic violence is referred to a DVL, without exception. The DVLs should have the power to grant waivers the same day, especially full waivers, while a domestic violence victim is in their office.
- DVLs should not demand extensive, and only recent, domestic violence documentation at the waiver screening.

### **Sponsored Immigrants**

• Suspend the policy – unique to New York City - pursuant to which HRA has started to seek reimbursement for the Cash Assistance benefits used by immigrants from those immigrants' sponsors.

### LGBTQ Individuals

• The City should take steps to train HRA staff on providing services for transgender individuals, and should also adopt a clear procedure consistent with contemporary medical standards for transgender individuals to correct the gender markers on their benefit documents.

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Thank you very much for your consideration. We look forward to working with you and your office on these and related issues critical to New York's social welfare. Please feel free to contact me or the City Bar's Legislative Director, Maria Cilenti, with any questions.

Sincerely,

Cc: Maria Cilenti <u>mcilenti@nycbar.org</u> (212) 382-6655