

**Welfare to Work Commission
Of the Suffolk County Legislature
Minutes of the November 14, 2014 Meeting**

Present: Richard Koubek, Chair; Kathy Liguori, Vice Chair; Lisa Pinkard for Leg. Monica Martinez, John Nieves; James Andrews; Marjorie Acevedo; Jacky Horsley-Guillot for Ray O'Rourke; Ayesha Alleyne; Charles Fox; Luis Valenzuela; Nina Leonhardt; Barbara Egloff; Michael Stoltz; Kimberly Gierasch; Don Friedman; Rob Greenberger

Excused: Sr. Lisa Bergeron; Joan Travan; Ellen Krakow; Peggy Boyd; Gwen O'Shea;

Absent: Steve Chassman, Michael Haynes

Guests: Commissioner John O'Neill, DSS; Tom Grecco, DSS; Jane Smith, DSS; Linda Hassberg, Empire Justice Center

1. **Child Support Presentation:** Chair Richard Koubek asked James Andrews from DOL to introduce this presentation who explained that federal and state child-support regulations sometimes are disincentives for his clients to work, or even serve as parents. Mr. Koubek welcomed DSS Commissioner John O'Neill and Jane Smith, who oversees DSS child-support policies and procedures. Mr. Koubek then introduced Linda Hassberg, an attorney with the Empire Justice Center who has expertise in child-support policies. Ms. Hassberg distributed several handouts describing child-support regulations.
 - a. Ms. Hassberg explained that child-support payments are set by Family Court, often to protect the interests of the custodial parent and the child. She noted that child-support is a very complex area of law and that clients are not entitled to legal representation when they navigate the Family Court system where child-support decisions are made. She said that clients who have attorneys tend to be much more successful in securing court actions such as a reduction monthly child-support payments.
 - b. Ms. Hassberg stated that child-support payments can be modified through Family Court action when there is a legitimate change in the economic status of the non-custodial parent, such as the loss of employment or reduction in income. In such situations, the court can order a change in monthly payments if those payments are no longer based on the actual income of the non-custodial parent. Ms. Hassberg pointed out that when the custodial parent is a recipient of public assistance, the parent assigns her right to child support to DSS. Non-public assistance custodial parents can request that their child support be collected by DSS from the non-custodial parent which then distributes it to the custodial parent. In either case, DSS cannot change the child-support payments; only the Family Court is empowered to make this decision.
 - c. Ms. Hassberg, Ms. Smith and Commissioner O'Neill all acknowledged that a major problem with the current child-support system is the 9% interest charges levied when a non-custodial parent is in arrears. These arrears, plus interest, can become an enormous burden which causes many non-custodial parents – especially low-wage or unskilled fathers – to walk away from both their parental

responsibilities and work. Mr. Andrews noted that sometimes the bulk of a father's income can be garnished for child-support arrears payments.

- d. Ms. Hassberg pointed out that under certain circumstances, such as arrears accruing when the non-custodial parent was earning under the Federal Poverty Level, a petition can be filed in Family Court to place a cap on accumulated child-support debt. But, again, parents without attorneys are at a severe disadvantage in attempting to secure an arrears cap. Ms. Hassberg provided Commission members with a handout from New York City describing several programs that were available to noncustodial parents to help them manage their child support obligations and suggested that Suffolk should look at these programs to see whether any of them could be adopted in this county.
 - e. Commissioner O'Neill reminded the Commission that child-support payments are critical to the well-being of custodial parents and children and that there are some instances in which a non-custodial parent chooses not to pay child support because it is inconvenient. For this reason, DSS has a Child Support Enforcement Bureau (CSEB) to ensure payment of child support by non-custodial parents who themselves, the custodial parent or the children are receiving Public Assistance. He said that Suffolk County leads the State in CSEB collections.
 - f. Commissioner O'Neill stated that the Commission should define the problem and delineate a narrow action that the State might take to create a more flexible child-support system. He again noted that the 9% interest requirement on arrears payments is especially onerous and should be lowered. Mr. Koubek stated that the Welfare to Work Commission has been quite successful at researching such incremental policy changes, such as in its sober homes research and recommendations, and that the State hears of these proposals, even though it does not always act on them. Such reports and recommendations also help members of the Suffolk Legislature to understand obscure and complex policy issues such as child support. He asked James Andrews to chair an Ad Hoc Child Support Committee to research this issue and make specific recommendations. Also serving on this committee will be Linda Hassberg, Don Friedman and Jane Smith. Mr. Andrews agreed to serve as chair.
2. **Ad Hoc SCCC Committee:** Chair Nina Leonhardt reported that the committee had an excellent meeting on October 9th that was well attended by DSS and DOL staff as well as other Commission members. Mr. Koubek noted that the meeting was preceded by an excellent recommendation from James Andrews that Suffolk replicate an Erie County plan in which hubs have been created to provide multiple services to clients such as child care, education and work.
- a. Ms. Leonhardt pointed out that DSS and Suffolk County Community College (SCCC) already have a program in place, which originated from a Welfare to Work Commission recommendation, to place SWEP clients at SCCC where they can attend college as well as fulfill their work responsibility. She said that the Committee concluded that one barrier to placing more SWEP clients in this program has been the lack of child care slots at SCCC. She reported that, while the Committee thought that the Selden campus had a shortage of slots, it turned out that the Brentwood campus now has the shortage. She is working with the

SCCC Vice President for Student Affairs to reserve five slots at each campus child-care center for SWEP clients. Mr. Andrews noted that nearby child care providers might also be used if there is bus transportation from the center to the SCCC campus.

- b. Barbara Egloff, also a member of the Ad Hoc Committee, reported on her research of the Erie County hub-site program. She stated that Erie County began their hub program much as Suffolk is now doing through the SCCC program. She noted that each Erie hub site already had child care and was receiving TANF clients. Not every hub site, however, has a TANF client. She will report to the Ad Hoc Committee with more details.
 - c. Ms. Leonhardt stated that she will be re-convening the Ad Hoc Committee in the coming weeks to continue its work.
3. **Report to the Legislature on Federal Work Rules:** Mr. Koubek stated that, as the SCCC Ad Hoc Committee has begun its work, it became obvious to him that many legislators may not understand the degree to which federal work rules shape and in some cases impede efforts to move people from welfare to lives of self-sufficiency. For example, the complex work rules have strict limitations on educational activities, even though the Presiding Officer indicated in his first meeting with the Commission that he thought education is critical to helping transition welfare clients into the workforce. He therefore suggested to Commissioners O'Neill and Chu that Welfare to Work, along with DSS and DOL, make a presentation to the Human Services Committee explaining the work rules. Desk copies of the work rules, provided by Tom Grecco, which were distributed to each Commission member, would form the basis for the Human Services Committee presentation. Both Commissioners agreed to this presentation, as did Human Services Chair Monica Martinez. It was agreed that the presentation should be preceded by a meeting of the presenters, which Legislator Martinez will convene early in 2015. Commissioner O'Neill suggested that the presentation be framed by the work of the Ad Hoc SCCC Committee. Mr. Koubek thought this to be an excellent idea.
4. **Child Care Health Committee Presentation and New Commission Resolution:** Mr. Koubek reported that he and Ms. Liguori presented the child care report to the Human Services Committee of the Legislature on November 13th. The focus of the presentation was the section of the report dealing with preschool children who have developmental disabilities. Mr. Koubek noted that George Heinz and Ellen Ellis from the Suffolk County Department of Health's Division of Services for Children with Special Needs, who had originally accepted an invitation to join the presentation, had decided not to participate. A good part of the Health Committee presentation dealt with the report's recommendation to create a Child Care and Early Learning Commission. Legislator Kate Browning expressed concern about creating yet another commission or task force, a position that had earlier been articulated by Legislators Lou D'Amato and Presiding Officer DuWayne Gregory, each of whom believes that there are too many such bodies, many of which do not function properly. Ms. Liguori said that she and Mr. Koubek made a good case for creating a new commission, as reported in today's *Newsday* story about the testimony that was distributed to Commission members. Mr. Koubek reported that Legislator Martinez is aware of the concerns of her colleagues about creating a new commission and that she is moving slowly and deliberately to build support for this commission. Legislator Martinez, having heard the concerns of Welfare to

Work Commission members, is revamping her original idea which was to legislatively create a child-care committee of the Commission.

5. **2015 Recommended Budget and DSS Staffing:** Mr. Koubek reported that this year the legislative Budget Review Office's (BRO) analysis of the SCDSS budget and staffing indicated that the staffing requests in the County Executive's Recommended Budget were "reasonable," which coincided with the DSS and the AME union's assessments on staffing reported at the Commission's October meeting. Commission O'Neill stated that the BRO analysis also commended DSS for cost-saving efforts, particularly new uses of technology that have improved efficiencies and decreased the workloads of some staff.
6. **Employment Assessment Committee and ADA Policy Proposal:** Mr. Koubek reported that Legislator Martinez has taken steps to move the discussion of the Commission's proposed DSS/ADA policy to a county-level discussion of ADA policies involving Assistant Deputy County Executive Luis Montes and County ADA director Frank Krotschinsky, Director of the Suffolk County office of Persons with Disabilities. Commission members Ellen Krakow and Don Friedman, who serve on the Commission's Employment Assessment Committee, are participating in these discussions. Mr. Koubek welcomed this action by Legislator Martinez. Commissioner O'Neill reminded the Commission that he has proposed for over a year that there be a county-wide resolution of the ADA issue, rather than a policy which applies only to DSS. Mr. Koubek noted that Mr. Montes stated at the first meeting that the County Executive would like to see a "gold standard" ADA policy that would apply to all county departments. Mr. Friedman reported that there have been two very productive meetings already. The second meeting was attended by two lawyers from the County Attorney's office who, it appears, will play a significant role throughout the process. Mr. Friedman and Mr. Koubek noted that any county-wide ADA policy template would need to be adapted to the specific needs of each department. DSS, for example, has work rules that require ADA accommodations that might not apply to other county departments. Mr. Koubek concluded that, given these county wide discussions, plans to meet with DSS regarding the Commission's ADA policy proposal have been tabled.
7. **Extended Bus Service:** Mr. Koubek thanked Commission members for participating in an electronic discussion and vote on a proposal by Legislator Jay Schneiderman to increase the County bus fare by 25 cents in order to expand both Sunday and evening bus service. This proposal was made after the October Commission meeting and required action before the November 14th meeting. He reported that an October 20th Commission e-mail vote on this resolution made by Rob Greenberger, seconded by Peggy Boyd, passed on a vote of: 14 Yes; 0 No; 2 Abstentions (John Nieves, James Andrews) "To authorize the Welfare to Work Commission Chairperson to speak before the Suffolk Legislature's Public Works, Transportation and Energy budget hearing, Wednesday, October 22, 2014, to support a proposal by Deputy Presiding Officer Jay Schneiderman calling for a 25 cent Suffolk bus fare increase raising the basic bus fare to \$2.25 (except for the East End riders who already pay \$2.25) and a DPW study on how best to utilize funds from this fare increase to expand Sunday and evening service." Mr. Koubek noted that his October 22nd testimony was well received and that the proposal was adopted by the Legislature and will likely be signed by the County Executive. He extended Legislator Schneiderman's gratitude to the Commission for their support of his proposal.

8. **Minutes:** The minutes of the October Commission meeting were adopted on a motion by Kathy Liguori, seconded by Barbara Egloff, on a vote of: 13 Yes; 0 No; 1 Abstention (John Nieves)

Announcements: Tom Grecco reported that DSS has received a \$175 thousand dollar federal grant to place kiosks in each DSS center to expedite SNAP recertifications. These kiosks will reduce the wait time and work load of DSS clients and staff. DSS has also begun robo-calling HEAP recipients who were part of the auto-pay (i.e. automatically entitled to a regular HEAP benefit) that their benefit will be available after 11/17/14 and to contact their heating vendor to arrange a delivery. In addition, The Office of for the Aging and DSS did outreach to HEAP recipients who were not in receipt of SNAP benefits. The purpose was to see whether these individuals were in need of SNAP since the guidelines are similar which in turn would make them automatically eligible for HEAP and become part of the auto-pay process. Twenty percent of these HEAP recipients from last year were found to be eligible for and thereby enrolled in SNAP.

9. **Next Meeting:** The next meeting will be on Friday, December 12th, 9:30 AM in Conference Room A of the SCDOL One Stop Center.