

**Welfare to Work Commission
Of the Suffolk County Legislature**

Minutes of the December 10th, 2010 Meeting

Present: Richard Koubek, Chair; Kathy Liguori, Vice Chair; Ellen Krakow; Don Friedman; Barbara Stoothoff for Eric Lopez; Roland Hampson; Vinny Cassidy for Pam Killoran; Mike Stoltz; Peter Barnett; Bridget DePasquale; Michael Haynes; Gwen Branch; Rob Greenberger; Frank Casiglia; Peggy Boyd; Fred Combs for Joan Grant.

Excused: Jack Caffey; Nina Leonhardt; Judy Cahn; Idania Aponte; Jane Devine.

Guest: Legislator Jay Schneiderman

1. **Minutes:** Minutes of the November 12th Commission meeting were accepted unanimously with minor changes, on a motion by Kathy Liguori, seconded by Don Friedman.
2. **Legislator Jay Schneiderman's Bus Fare Resolution:** Chair Richard Koubek introduced Legislator Jay Schneiderman who agreed to address some of the concerns raised at the November Commission meeting regarding his resolution for "Increasing County Bus Fare for the Implementation of Sunday Service." Mr. Koubek reminded the Commission that Legislator Schneiderman and Presiding Officer Lindsay have each said that the Commission's opinions on this issue would be given careful consideration by legislators. Legislator Schneiderman is Chair of the Public Works Committee. He noted that the basic (or full) bus fare of \$1.50 has not been increased for 16 years. He stated that his proposed resolution would only increase the basic fare, not SCAT, not the student fare, nor the Medicare fare. By raising the basic fare to \$2.00, he believes that the County would raise about \$1.5 million to provide Sunday service on half the existing bus routes. He stated that currently there is no Sunday service which places an enormous burden on poor and disabled people, especially low-wage workers such as home health care providers who must take expensive taxis to get to their jobs on Sundays. He has asked the Department of Public Works (DPW) Commissioner to provide him with sample routes for a Sunday pilot project. He noted that the bus riders who testified at his public hearings overwhelmingly favored an increase in the basic fare in order to secure Sunday bus service. He stated that preliminary studies by the DPW favor heavily-used routes, typically along commercial corridors. Mike Stoltz stated that the County should explain the economic benefits of Sunday service including added revenue from people able to work and shop due to the service.
 - a. A number of Commission members indicated their concern that the Sunday service would by-pass communities with low-income residents if heavily-used commercial routes were given priority. There was also concern about the suspension of bus service in the evenings, a problem that Legislator Schneiderman said was due to the lack of revenue to support evening service.

- b. Legislator Schneiderman acknowledged these concerns and suggested that the Commission provide input as to which bus lines would be most useful for low-income people. DPW is preparing a final report on suggested Sunday routes that could benefit from the Commission's input.
 - c. Kathy Liguori moved, and Mike Stoltz seconded a resolution "for the Commission to form an Ad Hoc Sunday Bus Service Committee to consider proposed routes." The motion passed Yes: 14; No 0, Abstentions: 1 (Vinny Cassidy.) It was agreed that the Ad Hoc Committee would meet by telephone conference call the week of December 13th and that their recommendations will be shared with the full Commission. Mike Stoltz, Peter Barnett and Richard Koubek will serve on the Ad Hoc Committee. Legislator Schneiderman will provide Mr. Koubek with the DPW draft route recommendations by Monday, December 13th.
 - d. Several Commission members thanked Legislator Schneiderman for making the effort to expand Sunday service which is desperately needed by low-income people.
 - e. **Addendum:** On December 14, Chair Richard Koubek learned from Legislator Schneiderman that he had amended his Sunday bus fare resolution, now numbered IR 2092-2101 and that it was reported out of committee and would be voted on by the full Legislature at their December 21st meeting. Mr. Koubek therefore contacted the Commission by e-mail, to vote on this resolution he introduced that was seconded by Vice Chair Kathy Liguori: "The Welfare to Work Commission supports IR 2092-2101 increasing county bus fare for the implementation of county bus service." The resolution passed: 17 Yes; 0 No; 3 Abstentions (Roland Hampson, Pam Killoran, Michale Haynes.) Mr. Koubek then drafted a letter to the Legislature supporting IR 2092-2101 that was adopted by e-mail consensus of the Commission on December 15 (11 members supporting the letter; no one opposing or abstaining.) The letter is appended below.
3. **TANF Reform:** Don Friedman from the Empire Justice Center has been working with a coalition of advocates as well as several national experts, to revisit the federal Temporary Assistance to Needy Families (TANF) "welfare-reform" law in general and particularly the TANF regulations that were released by the US Department of Health and Human Services (HHS) following adoption of the 2005 Deficit Reduction Act. He noted that the TANF reauthorization contained in the 2005 law expired in December but that Congress has extended it for one year. There followed an extended discussion about the changes in Congress following the 2010 elections that would make significant reform of the TANF statute quite difficult. However, there was some hope expressed by Mr. Friedman and other Commission members that the HHS regulations, adopted under the administration of President George W. Bush, could potentially be made less punitive and restrictive by HHS under the Obama administration. However, regulatory change is a very slow process that could extend into 2012, and thereby be affected by the presidential election cycle in that candidates might want to avoid appearing "soft" on welfare by supporting less punitive

regulations. Mr. Friedman made these additional points regarding most-needed changes in TANF:

- a. **Funding:** He noted that the coalition sees no realistic chance of getting additional TANF funding, so they are seeking revisions of TANF fund rules in terms of permissible uses. One possibility is to use the TANF ARRA stimulus money (ECF) model to meet the demands of increasing caseloads or to provide for emergency needs or to provide job subsidies. Currently, State discretion is too broad and often includes perverse incentives, such as for caseload reduction.
 - b. **Performance measures:** The coalition advocates for the TANF law to focus less on participation rates and more on outcomes. Their preferable goals: (1) reduce child poverty, (2) help people get decent jobs, (3) recognize/assist people with disabilities
 - c. **Participation rates:** The coalition supports changes in the TANF law that would drop/waive participation rates, or at least, offer participation rate credit for partial participation and that will remove the disabled from the denominator. They believe, under the current TANF law and regulations, that there is too much focus on just getting people assigned to some acceptable work activity to meet the participation rate, rather than dealing with the needs of the clients such as underlying barriers to self sufficiency such as lack of education or drug or alcohol dependence or mental health issues. The coalition is particularly concerned about so-called “zero hour people” who have been given no assignment (usually due to a disability) and will possibly be the focus of a new drive to place them in a work activity.
 - d. **Sanctions:** The coalition is also looking at less punitive sanctions when there is a perceived violation of a rule or regulation by a client. They especially want to eliminate Full-Family Sanctions.
4. **The Self-Sufficiency Standard:** Mr. Friedman provided each Commission member with a copy of the 2010 New York State *Self-Sufficiency Standard* report. Released in July, the report uses empirical, local costs to assess the actual amount of money required in each New York county to provide for basic needs. Those needs, calculated from actual county costs, include: housing, child care, food, transportation, health care and miscellaneous expenses. In addition, the costs are assessed in 10 family situations, based on the number of people in the household and the ages of the children (e.g., adult + preschooler + school-age child.) Initially, government supports such as the Earned Income Tax Credit (EITC) or Child Tax Credit are not included. Using the example of an adult with a preschool and school age child in Suffolk County, the report found that this family requires an annual income of \$78,916 to be self sufficient, and to support a modest life style, an amount about four times higher than the Federal Poverty Level for a family of three which is only \$18,310. The authors then looked at the same household taking into account available governmental supports such as housing, child care, SNAP/WIC, Child Health Plus and Family Health Plus. With these supports, family self-sufficiency, though not easily attained, is clearly much more achievable. However, many families are excluded from receiving these supports because eligibility is set at or slightly above

the unrealistically-low Federal Poverty Level. Richard Koubek asked each Commission member to review pages 32-34 of the report, "How the Self-Sufficiency Standard Has Been Used" prior to the next meeting. There was consensus that the Standard should be used to shape the Commission's 2011 goals as well as how the Commission frames its policy positions.

5. **Sober Homes:** Mr. Koubek reported that the sober homes Request for Qualifications (RFQ) was undergoing final legal evaluation and would be made available to Legislator Kate Browning for possible review by Commission members in a few weeks.
6. **Child Care Committee:** Chair Kathy Liguori reported on a very successful November 30th meeting with SCDSS Child Protective Services (CPS) staff at which it was agreed that most of the concerns raised by the Committee could be resolved without seeking the advice of legal counsel. She distributed minutes of the meeting which made these points regarding the five difficult CPS questions raised at previous meetings:
 - a. In order to protect all involved, how can the parameters and notification processes to the child-care employer be expanded if a current child-care employee is named in a CPS allegation/investigation or restraining order? It was determined that the State Central Registry (SCR), which is responsible for both recording "indicated" cases and providing responses for employment background checks, does not pro-actively alert employers if employees previously cleared through this system are "indicated" in any subsequent case. Currently, a child-care employer would need to periodically inquire with SCR to alleviate the concern providers might have about their employees' status regarding CPS issues. It was agreed that it would be beneficial if the SCR and Criminal Background Check systems shared information. Dennis Nowak from SCDSS CPS will inquire with his counterparts within the State to see what their thoughts are about this.
 - b. Can the child-care providers be proactively informed of any restraining orders and/or orders of protection when actively caring for a protected child? After much discussion about the various reasons for Orders of Protection (OP), Rob Greenberger was able to inquire if there is such a mechanism in place today and what the legal parameters were with regard to Orders of Protection. While there seems to be no administrative function within the family or criminal courts to inform interested parties that an OP has been granted, there is no provision that prevents this from happening. A state-wide OP registry exists but it is believed that access is limited, usually to the police. Legislative action would probably be needed to authorize or require that certain entities are notified (i.e. child-care providers, schools, etc) when OPs are granted.
 - c. To reduce the likelihood of maltreatment, when a family has been released from CPS jurisdiction it would be beneficial to the child and family to have continuity of care. Could transitional care be provided that is not limited to income eligibility and if not, should there be a policy to fast track their application for childcare services to insure continuity of care?

Dennis Nowak informed the Committee that in the past there was a policy put into place by former Commissioner Janet DeMarzo that would follow the application process for a family transitioning from preventive services. He would follow up on this policy to see what the status of it is at this time.

- d. Can SCDSS pay a special needs enhanced rate for all CPS children so that a lower teacher/child ratio can be provided? Discussions revealed the considerations of proper placement, early intervention and doing an analysis of cost of care. Mr. Nowak also suggested that considering an enhanced rate for all CPS children would deny other children child-care opportunities due to limited funding. It was agreed not to pursue this question any further at this time.
 - e. To reduce the likelihood of maltreatment and that there is no wrong door for the child, how can the caseworker and center directors collaborate about child/family interactions, behaviors, etc. (while protecting privacy), and any other services the child/family might need? Mr. Nowak suggested that obtaining a release could help in this matter. There currently are one-way party releases and two-way party releases. They would need to be carefully considered on a case-by-case basis, for a limited time and need to know basis. He also provided the Committee for consideration the section of the Social Services Law which defines the restrictive parameters for releasing information on CPS cases. The Committee agreed that the PCAN training will also help in this content area.
7. **SCDSS Budget and Staffing:** Roland Hampson released a comprehensive report on CPS staffing, trends and outcomes. It was agreed to take this report up at the next meeting.
 8. **Next Meeting: Friday, January 14th , 9:30 AM** in Conference Room A of the SCDOL One Stop Center

Commission Letter to the Legislature Supporting IR 2019-2101

December 16, 2010

To: Members of the Suffolk County Legislature

The Welfare to Work Commission has voted to endorse IR 2092-2010 “Increasing County Bus Fare for the Implementation of Sunday Bus Service” and, charged with advising the Legislature on welfare policies, we urge you to vote for this resolution on December 21st. The plight of working poor people, especially those who have left welfare for work, is one of the highest public-policy priorities of our Commission. The lack of public transportation is among the chief barriers to self-sufficiency, and a major reason that former welfare recipients return to public assistance. Many of these former clients work in the home-health care industry that requires Sunday hours. The complete lack of Sunday bus service forces these workers to pay high taxi rates to get to and from work, a cost that likely eats up most or all of what they earn on a Sunday.

The Commission believes that changing the full Suffolk bus fare rate from \$1.50 to \$2.00, the first increase in 16 years, is not unreasonable given the impact that inflation has had over this time period. We also welcome the call in IR 2092-2010 for a Department of Public Works (DPW)

pilot project, and public hearings on that pilot project, before March 31st. One important concern that the Commission has is that the pilot project include routes that serve communities with concentrations of working poor people. We formed an Ad Hoc Sunday Bus Service Committee that examined the 24 routes proposed in the consultant's report and found that, of 24 low-income communities we identified, the proposed 24 routes served all but Gordon Heights and North Bellmore.

We understand that due to fiscal constraints, all 24 routes proposed by the consultant cannot be funded in the pilot project. However, the Commission anticipates that at least 12 of these routes will be selected and the Commission's Ad Hoc Committee will be prioritizing routes for DPW in the hope that those selected for the pilot project serve the largest number of low-income communities. We look forward to working with the Department of Public Works to create what we trust will be a successful pilot project to provide Sunday bus service to the largest number of Suffolk County's most vulnerable residents.

Yours truly for the Commission,

Richard Koubek

Richard Koubek, PhD, Chair

Kathy Liguori

Kathy Liguori, Vice Chair