

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

Minutes of the February 4, 2009 Meeting

Present: Richard Koubek, Chair; Kathy Liguori, Vice Chair; Linda O'Donohoe; Fred Combs for Joan Grant; Ellen Krakow; Gina Corporaso for Idania Aponte; Pam Killoran; Mike Stoltz; Peter Barnett; Ken Zone; Eric Lopez; Peggy Boyd; Don Friedman; Jack Caffey; Frank Casiglia for Kathy Malloy; Rob Greenberger

Excused: Nina Leonhardt; Gwen Branch; Judy Cahn; Jane Devine; Bridget DePasquale

1. **Minutes:** The minutes of the January 5th, 2009 meeting were approved unanimously, with minor changes, on a motion by Kathy Liguori seconded by Jack Caffey.
2. **SCDSS Request for Excusal:** Chair Richard Koubek welcomed Linda O'Donohoe back to the Commission. He distributed a January 29th, 2009 letter from SCDSS Chief Deputy Commissioner Gregory Blass, responding to the Commission's request that SCDSS return to the Commission during the course of the current lawsuit filed by the Empire Justice Center. In the letter, Mr. Blass, on advice of counsel, agreed that SCDSS would return to the Commission, on a trial basis, so long as the Department had "the opportunity to decline from participation in Commission discussions in the event that the subject matter relates to issues connected to this litigation." Mr. Koubek thanked the Department for this prompt response to the Commission's January 13th, 2009 letter, and indicated that he as Chair would respect the Department's wishes. He urged all members of the Commission to also be sensitive to the Department's request.
3. **SCDSS Evening Hours:** Richard Koubek reported on IR 1019 introduced by Legislator John Kennedy on January 5th, 2009, which would direct the Commissioner of Social Services to rescind the Department's plan for evening hours, as announced by County Executive Steve Levy, and further direct her to submit a report on rotating evening hours without closing centers in the mornings they are open for evening hours. This report had been called for in a resolution adopted by the Legislature in November, but the report was never provided to the Legislature. Instead, the County Executive issued a directive opening four centers one evening a week once a month, while closing those same centers in the mornings that they remain open. Mr. Koubek pointed out that IR 1019 was laid on the table on the day of the Commission's January meeting and was passed, by a vote of 14-4, on February 3rd, the day before the current Commission meeting and two days before the County Executive's evening hours plan was to take effect. Therefore, the Commission never had an opportunity to assess IR 1019 or take a position on the resolution. There ensued an extensive discussion of what position the Commission should take regarding IR 1019 which County Executive Levy has said he will veto.
 - a. One option discussed was that the Commission should ask the Legislature to sustain the County Executive's veto so that the evening hours plan could move forward. There was concern that many agencies had helped to publicize the evening hours, and that the legislative directive rescinding them would

cause harm to clients. Further, it was argued that the County Executive's plan is a version of the evening hours concept that was recommended by the Commission and therefore should be supported by the Commission.

- b. Others were concerned that the County Executive's decision to by-pass the Legislature's resolution calling for a report, and his unilateral decision to order evening hours without consulting the Association of Municipal Employees (AME) union created political tensions that undermined the goal of establishing a workable plan for evening hours. AME claims that 44 workers have been harmed by the County Executive's unilateral decision to alter the workday for SCDSS employees. AME unsuccessfully sought a court restraining order to prevent implementation of the County Executive's plan.
- c. A number of Commission members noted that the Commission never recommended – or even considered – an evening-hours plan that would close SCDSS centers in the mornings. There were also concerns that the County Executive's plan would harm clients who need public transportation to reach SCDSS centers, since many County buses stop running after 6PM. Additionally, there was concern that closing SCDSS centers one morning a week could further impede clients' access to centers as well as the ability of other government and private agencies to conduct business with SCDSS personnel during the mornings that the centers are closed. Further, some questioned the need to maintain a full center staff in the evenings since the state computers, required to process cases, are shut down at around 6PM.
- d. For the reasons cited in #3,c above, the Commission, agreed by consensus, not to recommend that the Legislature sustain the County Executive's veto.
- e. A number of Commission members expressed their frustration at the apparent political stalemate between the Legislature and County Executive and there was consensus that the Commission should call upon both branches to demonstrate leadership so that a workable evening hours plan could be designed and implemented.
- f. There was also interest in the Commission seeing the report on rotating evening hours called for in IR 1019 to determine if there is a workable plan that would not close SCDSS centers in the mornings, and possibly use flex time to minimize the cost of the evening hours..
- g. The Commission discussed the timetable for the Legislature to address the County Executive's anticipated veto of IR 1019. The earliest that the Legislature could override the veto would be the next general meeting of the Legislature, on March 3rd, 2009. A number of Commission members supported the idea that these four weeks, February 5th to March 3rd, 2009, be used as a pilot test of evening hours.
- h. Kathy Liguori moved, and Don Friedman seconded, a motion in which the Commission would write to the Legislature and the County Executive:
 - i. Expressing the Commission's continuing support for the concept of evening (extended) hours;
 - ii. Calling upon both branches to demonstrate responsible leadership so that evening hours can be implemented;

- iii. Recommending that the 30 day period that evening hours would remain in operation be used as a pilot and that data collected during this period be included in the Commissioner's report on rotating evening hours, called for in IR 1019, that is due by April 1st, 2009.
 - iv. The motion passed: 12 Yes; 0 No; 2 Abstentions (Pam Killoran, Linda O'Donohoe) 7 Absent for the vote (Eric Lopez, Jack Caffey, Nina Leonhardt; Gwen Branch; Judy Cahn; Jane Devine; Bridget DePasquale)
 - v. Commission Chair Richard Koubek agreed to draft a letter that would be voted on by e-mail in a two-step process: (1) a draft letter would be circulated for comment, no later than Friday, February 6th; (2) a vote on the final draft would be conducted by e-mail on February 9th.
 - vi. Note: the letter which can be found below was adopted on February 9th by an e-mail vote of 14 Yes; 1 No (Kathy Malloy) ; 4 Abstentions (Nina Leonhardt; Linda O'Donohoe, Pam Killoran, Eric Lopez;) 2 Not Voting (Bridget DePasquale; Joan Grant)
 - vii. It was agreed that Health and Human Services Committee Chair and Vice Chair, Legislators Kate Browning and John Kennedy, be invited to the next Commission meeting to discuss options for implementing evening hours at SCDSS
4. **SCDSS Staffing:** Richard Koubek reported that Legislator Browning had asked SCDSS for a monthly staffing report, as per the Commission's November, 2008 report on understaffing at SCDSS, but she was informed that the most updated staffing data should be obtained from the legislative Budget Review Office (BRO). An e-mail request for this data was submitted to Gail Vizzini, Director of the BRO, on February 2nd. The Commission is also seeking a response from SCDSS, through Legislator Browning, as to why the Department had a \$700,000 surplus in its 2008 Personnel Line at a time when there was a 5%-9% staff vacancy rate.
5. **Commission Priorities for 2009:** The Commission's discussion of the 2009 priorities was tabled until the next meeting due to a lack of time.
6. **Next Meeting: Monday, February 23rd, 2009, 9:30 AM at the SCDOL One Stop Center.**

Commission Letter on NSCDSS Evening Hours to County executive Steve levy and Members of the Suffolk County Legislature

February 10, 2009

Dear County Executive Levy and Members of the Suffolk County Legislature:

When the Welfare to Work Commission first wrote to the County Legislature on November 7th, 2007 to support the concept of evening hours at SCDSS, we noted that "SCDSS will have to work out a number of technical issues in order to implement evening hours," including unfilled staff positions at SCDSS. The Commission is gratified that both the Legislature and County Executive are now supporting the concept of evening hours. However, we are disappointed that

tensions have arisen between the two branches in the course of addressing these technical issues that could compromise evening hours.

The Commission discussed the current status of SCDSS evening hours at our February 4th meeting and we wish to again reiterate our support for this concept. Given the differences that have arisen between the Legislature and the County Executive on this issue, we ask both branches to demonstrate the kind of leadership that will lead to the adoption of a workable plan for evening hours at SCDSS. We look forward to receiving the SCDSS report, as called for in IR 1019, “to implement evening hours at DSS centers on a rotating basis” while maintaining “daytime operating hours at service centers.”

We understand that implementation of the County Executive’s plan will go forward, at least until March 3rd when the Legislature next meets. We therefore call upon the Commissioner of Social Services in consultation with SCDO and AME, as well as the Legislature’s Health and Human Services Committee, to use this time as a limited pilot to collect available data, which should be incorporated into the SCDSS report, on questions such as, but not limited to:

1. Were evening hours properly announced to the public and to what extent did the public utilize these hours?
2. Did the morning closings negatively affect the ability of clients to access services as well as the ability of other public and private agencies to conduct business with SCDSS?
3. Did the lack of public transportation create hardships for clients who sought to use evening hours?
4. What kinds of services did clients seek and receive during the evening hours?
5. What impacts did the new evening hours and concomitant morning closings have on staff?

The Commission is willing to help in any way we can with this limited pilot. Given the fact that the people of Suffolk are now caught up in the worst economic downturn since the Great Depression, the Commission calls on you to act swiftly and responsibly so that people in need can access SCDSS services in the evenings in a cost effective, humane and timely manner.

For the Commission,

Richard Koubek, Ph.D., Chair

Kathy Liguori, Vice Chair