

Building the Workforce: The Implementation of a Statewide Transitional Jobs Program in NY



Introduction

The successful implementation of a 2-year, \$25 million Transitional Jobs (TJ) program that employed close to 3,000 participants¹ across New York State lends itself to a call for ongoing funding of this program in Fiscal Year 2012 (FY12) and beyond. Transitional jobs are time-limited, publicly subsidized jobs that combine real work, skill development, and supportive services to aid welfare recipients in their path to unsubsidized employment. Workers in such programs earn wages, like other workers, and often have access to additional supportive services, job mentors, job search assistance, concrete education, training, and job retention services.

On its website, the NY State Office of Temporary and Disability Assistance (OTDA), holds that: “The combination of the subsidized employment with the education/ training [of the TJ Program] will permit participants to develop workplace skills while also enhancing education attainment and/or job skills to support permanent job placement at or before the end of the transitional job.”² In other words, the primary goal of the TJ program is:

- To provide welfare recipients with an opportunity to gain training and work experience needed to obtain unsubsidized employment before or after the program is complete.

However, depending on the time, place, and economic conditions in which the program is implemented Transitional Jobs may also achieve the following:

- improve the quality of life for a large number of people who have been unemployed for long periods of time; and/or,
- augment the capacity of the labor force to address the economic recession by linking unemployed individuals to job sectors in need of newly trained workers.

Community Voices Heard (CVH) views paid Transitional Jobs as an important alternative to mandating that welfare recipients perform unpaid work assignments and an important step in the long-term fight for the progressive realization of a human right to work³ - or more specifically, for full employment and a guaranteed income for all. Unlike the unpaid workfare program, Transitional Job programs pay workers real wages and help them gain marketable skills that will afford them the opportunity to transition into full-time unsubsidized work.

Transitional Job programs have been proven to offer a number of key benefits that go beyond those realized by the individual participants in the program, namely:

- A reduction in the number of people needing welfare;
- A rise in economic productivity at a time when it is difficult for organizations to employ people;
- An increase in the quality of life for participants who can make between \$8 to \$15 an hour as opposed to welfare-to-work programs in which participants do not receive a wage; and

- An overall stimulation of the economy as participants use their wages to pay for living expenses (i.e. wages tend to be spent rather than saved).

With the passage of the American Recovery and Reinvestment Act (ARRA) Congress allocated five billion dollars towards the creation of an Emergency Contingency Fund (ECF) to supplement states' annual Temporary Assistance for Needy Families (TANF) welfare block grants.⁴ The ARRA allowed each state to access additional aid up to one half of its annual TANF welfare block grant amount over the course of the 2009 and 2010 federal fiscal years, from a combination of the ECF and a pre-existing TANF Contingency Fund. Federal ECF regulations allowed for eighty percent reimbursement for increased spending in basic assistance, non-recurrent short term benefits and subsidized jobs.⁵

NYS has an annual TANF block grant allocation of 2.4 billion. As of July 22, 2010, New York State (NYS) had accessed one hundred percent of available contingency funds, 1.22 billion dollars. Of this money, twenty-five million dollars – five million dollars from TANF funds and twenty million dollars from the ECF - was set aside for the creation of a statewide Transitional Job (TJ) program. Although certain elements of the TJ program were left to the discretion of each county, statewide regulations insisted on:

- a maximum of twenty eight hours per week of paid employment,
- at least seven hours per week of paid education and/ or training activities,
- a minimum hourly wage of eight dollars per hour, and
- a subsidy length of no more than twelve months.⁶

As CVH enters our next round of advocacy efforts for continued funding of the TJ program, we wanted to hear the lived experiences of county officials involved in the implementation of TJ program, learn about different program models, and analyze whether the current requirements are meeting the needs of counties across New York State. The goal of this research project was primarily to gain insight into the successes and challenges of a county's TJ Program as perceived by the individual(s) running the program.

Methodology

In order to qualify for funding, each county was required to submit a program proposal to NY State's Office of Temporary and Disability Assistance (OTDA), which CVH accessed through a Freedom of Information Act (FOIA) request.⁷ In order to gain context and insight into each county's initial vision, each county's program proposal was read and summarized.⁸ A series of survey questions - designed to capture how different counties structured their programs and the corresponding successes and challenges they encountered – was developed. This survey served as the basic framework to guide interviews with individuals who are implementing TJ programs across New York State.⁹

Phone calls were made to officials listed on the county program proposals as well as those found on a list of contacts obtained from each county employment unit. Attempts were also made to contact individuals from each county's contracted agency if the county was contracting aspects of TJ program implementation out to other organizations. A total of 49 program proposals were submitted to OTDA in New York State.¹⁰ Forty individuals across thirty-one counties¹¹ were interviewed. This pool of interviewees included county officials who varied in positions and levels of

Background: Organizing for Transitional Jobs in New York State

In 1996, President Bill Clinton's intent to "end welfare as we know it" was realized in the passing of the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA). PRWORA shifted welfare policy priorities toward work activities over education and training. The result was the proliferation of workfare programs throughout the country. While these programs may have been new in many parts of New York State at this time, welfare recipients of the five boroughs of NYC were quite familiar with workfare since NYC already had its Work Experience Program (WEP) in place. WEP workers were made to "work off" their benefits through mandated unpaid labor in various city agencies and non-profit organizations. WEP workers found themselves working alongside well-paid union members in a program that offered them little or no opportunity to gain the education, training and experience they needed to obtain a living wage job.

With a peak workforce of 40,000 strong participating in the WEP program, organizing groups like Community Voices Heard (CVH) sprang to action. In 1999, CVH initiated a research project that highlighted the NYC's exploitation of WEP workers and its displacement of unionized positions. CVH pushed for an alternative to WEP – a paid transitional job (TJ). With a TJ, welfare recipients would obtain publicly subsidized jobs and receive the education and training needed to transition to non-subsidized positions in the labor force. In 2000, CVH worked with District Council 37 and the Ad Hoc Coalition for Real Jobs to get the NYC Council to pass the Transitional Jobs Program (Local Law Number 14), which was to create 7,500 paid transitional jobs in the public and non-profit sectors over a period of three years. After ongoing organizing efforts, in March 2001, the Human Resources Administration (HRA) created the Parks Opportunity Program (POP) a paid transitional jobs program that is still in existence today with an average of 2,500 people participating each year.

Paid transitional job programs, like other welfare programs, are funded each year with federal money from the Temporary Assistance to Needy Families (TANF) grant via the Department of Health and Human Services (HHS). The HHS budget for Fiscal Year (FY) 2010 contained over \$16 billion in TANF grant funds. Additionally, the 2009 American Recovery and Reinvestment Act (ARRA) created a TANF emergency contingency fund (ECF) of \$5 billion. In FY 2009-2010, New York State received over \$2 billion in TANF funds - \$5 million of which was allocated for transitional jobs. The bulk of the TJ funding, however, has come from the ECF with NYS receiving a total of \$1.2 billion from this fund since 2009 - \$20 million of which was allocated for transitional jobs.

The U.S. Congress was considering legislation that would extend the TANF ECF for an additional year. This legislation was passed in the House of Representatives, but not in the Senate. Despite the extension legislation not passing, the NY Office of Temporary and Disability Assistance (OTDA) – the state agency responsible for handling TANF and ECF funds – was able to draw down an additional \$11 million from ECF grant funds for FY 2010-2011. The state has been using \$5 million of these additional funds to continue funding TJ beyond the September 30, 2010 deadline set by the federal government.

In sum, what began as an initiative won in a campaign to end WEP in New York City has transformed into a statewide program bolstered by an infusion of federal dollars and further supported by state efforts to extend it. It is crucial to have a continued investment in the TJ program so that we can build on the successes of this developing alternative to welfare-to-work programs.

involvement with the TJ program in their respective counties. Data was largely collected via phone interviews, however some was collected electronically via email. Lastly, a review of OTDA’s website was made to obtain pertinent statistics on TJ Program implementation.

Program Summary

Impact

New York certainly has served as a trailblazer for the rest of the country in the area subsidized employment. For instance, it exists as only one of five states that recorded subsidized jobs as a work activity for at least 100 or more TANF recipients prior to the 2009

ARRA establishing the TANF Emergency Contingency Fund.¹² Nonetheless, it is important to note that the 2009 ARRA provided New York with a great opportunity to expand its capacity to employ TANF recipients with such programs. With an influx of over \$70 million in federal funds for subsidized employment programs,¹³ New York increased its funding for existing subsidized employment programs (Wage Subsidy, Career Pathways, and Transitional Jobs) and created two new programs (Green Jobs Corps and Health Care Jobs).

The following charts present a snapshot of the cost, impact and structure of the TJ program in NYS.

Transitional Jobs in New York State – SFY 2009-2010

Total Funds	Total Proposed Jobs	Total Actual Jobs	Job Sectors	Operating Agencies	Wages	Length	Contract Period	Spending as of 01/01/11
\$24,371,802 [State funds: \$5 million Federal ARRA ECF Funds: \$20 million]	2,644	2,948	Clerical/ Administration; Retail; Health Care; Janitorial; Construction; Human Services; Transportation; Hospitality; Food Service; Child Care	Dept. of Social Services (DSS); County Offices; Workforce Investment Board (WIB); Dept. of Labor (DOL); Various non-profit orgs.	\$8.00 to \$12.50/hour	3 to 12 months	08/15/09-12/31/10	\$15,689,200

Data available at <http://www.otda.state.ny.us/main/resources/accountability/2009-2010-TJP-Matrix.pdf>

The allocations to each county were developed as follows:

- 1) 95% of the total \$25 million in available program funds available (\$23,750,000) was divided by:
 - a) Each participating local service district automatically receiving a base amount of \$40,000;
 - b) The amount of funds (out of \$23,750,000) remaining after the initial \$40,000 base was allocated to each local social service district was then divided up based on the number of non-work-exempted TANF and Safety Net individuals present in a district;
- 2) 5% (the remaining \$1,250,000 of the \$25 million) of program funds were allocated to districts with a higher than state average unemployment rate during December 2008 to May 2009.

The chart on the following pages shows the allocations to each NYS County and the amount spent as of January 1, 2011. It also lists the proposed and actual jobs created by the program in each participating county as well as the unemployment rate and population of each county.

Transitional Jobs by NYS County – SFY 2009-2010¹⁴

County	Population 2009 Estimate	Unemp. Rate 2011	Pub. Assist Cases Dec 2010	Total Funds Allocated	Total Proposed # of People of People Served	# of Actual Jobs	% of Goal Reached	Total Spent as of 01/01/11	% of Funds Spent
Albany	298,284	7.9	2,974	\$286,869	40	37	93%	\$216,186	75%
Allegany	49,157	10.7	551	\$76,365	10	19	190%	\$69,932	92%
Broome	194,630	9.7	3,855	\$230,954	60	46	77%	\$176,126	76%
Cattaraugus	79,689	10.0	488	\$63,201	12	13	108%	\$63,201	100%
Cayuga	79,526	9.2	574	\$73,988	20	5	25%	\$19,829	27%
Chautauqua	133,503	9.5	2,769	\$205,598	35	0	0%	\$8,910	4%
Chemung	88,331	8.8	968	\$119,196	30	11	37%	\$83,777	70%
Columbia	61,618	8.6	496	\$58,252	4	2	50%	\$9,614	17%
Delaware	45,514	9.8	237	\$53,566	6	5	83%	\$37,316	70%
Dutchess	293,562	8.5	1,663	\$111,462	12	16	133%	\$38,625	35%
Erie	909,247	8.9	12,693	\$920,058	95	109	115%	\$701,894	76%
Franklin	50,274	10.4	395	\$67,925	10	11	110%	\$67,925	100%
Genesee	57,868	9.0	325	\$58,983	9	0	0%	\$10,949	19%
Greene	48,947	9.2	567	\$77,871	8	8	100%	\$34,743	47%
Hamilton	4,923	10.9	12	\$43,220	4	0	0%	\$1,200	3%
Herkimer	62,236	10.3	482	\$66,674	5	0	0%	\$0	0%
Jefferson	118,719	11.7	739	\$66,273	11	0	0%	\$0	0%
Lewis	26,157	11.4	85	\$47,216	5	0	0%	\$0	0%
Livingston	62,871	10.4	601	\$62,030	8	12	150%	\$33,447	54%
Madison	69,954	10.3	374	\$65,515	6	3	50%	\$20,072	31%
Monroe	733,703	8.2	15,592	\$1,163,906	150	272	181%	\$1,124,842	97%
Nassau	1,357,429	7.5	8,168	\$470,629	80	56	70%	\$119,914	25%
Niagara	214,557	10.1	2,762	\$217,301	60	5	8%	\$0	0%
NYC-HRA	1,629,054	9.4	185,825	\$16,420,130	1,485	1,991	134%	\$11,220,993	68%

Transitional Jobs by NYS County – SFY 2009-2010

County	Population 2009 Estimate	Unemp. Rate	Public Assistance Cases	Total Funds Allocated	Total Proposed # of People Served	# of Actual Jobs	% of Goal Reached	Total Spent as of 01/01/11	% of Funds Spent
Oneida	231,044	9.0	2,785	\$216,335	15	6	40%	\$126,419	58%
Onondaga	454,753	8.2	7,092	\$370,087	90	74	82%	\$262,461	71%
Ontario	105,650	8.9	789	\$76,814	12	1	8%	\$20,347	26%
Orange	383,532	8.7	3,377	\$214,170	25	34	136%	\$149,224	70%
Orleans	42,051	11.6	626	\$73,674	5	7	140%	\$35,209	48%
Oswego	121,377	12.6	1,050	\$106,586	8	8	100%	\$76,113	71%
Otsego	61,602	9.5	193	\$50,192	7	1	14%	\$1,096	2%
Rensselaer	155,541	8.8	1,558	\$190,968	25	6	24%	\$37,956	20%
Rockland	300,173	7.4	1,550	\$91,044	8	7	88%	\$41,580	46%
St. Lawrence	109,715	12.1	1,189	\$125,307	29	26	90%	\$67,231	54%
Schenectady	152,169	8.2	1,599	\$120,743	20	3	15%	\$4,499	4%
Schoharie	31,529	11.6	147	\$49,729	5	9	180%	\$11,328	23%
Schuyler	18,720	10.2	211	\$52,927	3	0	0%	\$0	0%
Seneca	34,049	9.2	147	\$49,866	15	9	60%	\$32,722	66%
Steuben	96,552	11.2	863	\$103,531	5	5	100%	\$23,058	22%
Suffolk	1,518,475	8.4	10,187	\$433,506	41	60	146%	\$406,188	94%
Sullivan	75,828	10.6	1,048	\$97,199	20	4	20%	\$9,597	10%
Tioga	50,064	9.3	350	\$60,366	5	5	100%	\$24,374	40%
Tompkins	101,779	6.6	846	\$85,167	9	15	167%	\$51,872	61%
Warren	66,021	10.4	263	\$57,160	5	0	0%	\$18,439	32%
Washington	62,753	9.2	306	\$59,430	14	8	57%	\$35,921	60%
Wayne	91,291	9.8	590	\$67,697	10	0	0%	\$10,822	16%
Westchester	955,962	7.6	7545	\$493,522	85	31	36%	\$127,601	26%
Wyoming	41,398	10.9	194	\$54,888	11	2	18%	\$14,207	26%
Yates	24,482	8.1	88	\$43,712	7	6	86%	\$41,441	95%

National Scope of TJ Program

State	Total TJ Placements	Amount of TJ Funding in FY 2009-2010
California	45,000	\$408,475,824
Georgia	16,358	\$129,415,634
Illinois	31,293	\$194,274,376
New York	2,948*	\$24,371,802*
Pennsylvania	20,718	\$60,968,938

In some ways New York has a cutting edge TJ program when compared to other state programs. Our counterparts in Illinois, for instance, sought support and guidance from New York to create their program and when faced with the non-extension of the ECF, NYS was able to keep the program going. However, in other ways, New York State needs to strengthen the reach of its TJ program. Greater investments in TJ stand to increase the impact of the program. For example, the state of Pennsylvania made an investment that was a little more than double that of New York (\$61 million vs. \$25 million) and was able to create 5 times as many transitional jobs (20,718 vs. 2,948).

Data available at <http://www.cbpp.org/files/9-2-10tanf.pdf> (2nd and 4th columns) and <http://www.clasp.org/admin/site/publications/files/TANF-ECF-Use-Sept-30.pdf> (3rd column).

**These figures are the most up-to-date statistics from NY State's OTDA website. Go to the following link: <http://www.otda.state.ny.us/main/resources/accountability/2009-2010-TJP-Matrix.pdf> The data for New York State found at the data sources for which this table was created (See links directly above) had a figure for the 2nd column (4,217) that included job placements in the Green Jobs Corps and Health Care Jobs programs, but with a figure for the 3rd column (\$25+ million) that only included funding for the TJ Program.*

Structure

The following findings (See Appendix A) indicate aspects of the general structure of TJ programs across New York State:

FINDING 1: The vast majority of counties adopted a “referral only” approach.

Twenty-four¹⁵ out of the thirty-one counties surveyed did not have any system in place for individuals to independently apply to a subsidized placement. Instead, potential participants were identified by county case managers, job developers, and Department of Social Services (DSS) partner agencies.

When asked what subsection of the eligible participant pool counties chose to target for subsidized positions, responses varied. Only two counties responded that they were looking to place people with the most barriers to work. A number of counties mentioned that they were seeking people with a history of compliance in other work programs. Although some counties gave priority to people with open cash assistance cases, this depended on each county's employable population and what other services the county had in place. Finally, two counties were only able to accommodate people without GEDs or high school diplomas in order to fulfill the educational requirements linked to TJ.

FINDING 2: The majority of counties ran TJ placements for 4 to 6 months.

Fourteen counties¹⁶ ran subsidized positions between four and six months. Nine counties ran the program for three months or less while two counties ran programs between seven to twelve months.

FINDING 3: Participants were placed on employer, county, and contracted agency's payrolls.

Four counties¹⁷ placed participants on the county payroll. In seven counties¹⁸ clients were on the contracted agency's payroll. Sometimes the contracted agency also served as the employers for the TJ program. Fourteen counties¹⁹ placed people directly on the employers' payroll. Two counties had some participants on the employer's payroll and some on the county payroll.

FINDING 4: Education models varied across the State both in terms of provider and content.

In seven counties²⁰ the employers provided in-house training to their TJ employees. In ten counties²¹ the education was either provided for or coordinated by DSS and/or a contracted agency running the TJ program. Seven counties²² had a mix of educational options with some participants receiving training from their worksites, and some receiving training provided by, or coordinated by, DSS and/or a contracted agency.

Counties offered a spectrum of educational opportunities including GED classes, computer skills, Advanced Technology Training and Information Networking (ATTAIN) labs, Certified Nurse's Aid (CNA) classes, and a variety of certificate programs in different job sectors. Two counties, Broome and Nassau, provided a block of time for education prior to

subsidized placement. Broome County offered a two week job readiness course to serve as a supplement to the educational hours during the subsidized work, while Nassau County offered an eighty-four hour job readiness and soft skills training course that replaced the seven hour a week training requirement.

Successes

The following are the main findings (*See Appendix A*) that indicate the success of the TJ program:

FINDING 5: Fourteen of the twenty-three counties with the most successful programs met or exceeded their proposed job creation goals.

Twenty-three counties met at least 82% of their proposed transitional job creation goals, with four counties meeting their goal and ten counties exceeding their goal.²³

FINDING 6: Counties from across NYS agree that with more funding for the program they would be able to increase the number of participants.

Out of the thirty-one counties that we spoke to who ran a Transitional Job (TJ) Program, twenty-four counties,²⁴ responded that they would be interested in future funding. Almost every county, when asked, responded that with appropriate funding they would be able to increase the number of participants placed in subsidized positions.

Individuals involved in running transitional job programs consistently mentioned that subsidized positions allow them to place people who would have a very difficult time securing a job otherwise.

Challenges

Some challenges in implementing the program emerged from several counties that point to areas for potential improvement:

FINDING 7: Implementing the program can be labor intensive.

Twelve participating counties²⁵ mentioned that TJ was far more staff and time intensive than they had anticipated. Two counties (Rensselaer and Schoharie) tried to run TJ through their social services unit and were unsuccessful until they contracted the program out to an agency with a larger staff capacity, or staff that could devote themselves more intensely to running the program. Most counties cited intensive case management and staff support as critical to running a successful program. Three counties²⁶ cited this challenge as a reason that they were unable to run the TJ program.

FINDING 8: The educational requirement of TJ proved challenging with some employers.

Eight counties²⁷ who ran TJ encountered resistance from potential employers due to the seven hour a week educational requirements. Employers wanted full time workers and were concerned about how this requirement would impact staff cohesion as some workers would be leaving for seven hours on a weekly basis. Furthermore, these counties had logistical difficulties coordinating the educational component. They cited geographic obstacles as well as difficulties in coordinating meaningful education that would provide participants with relevant, marketable skills.

Three counties²⁸ who were unable to implement TJ identified this issue as one of the principle impediments that they encountered. Two counties mentioned that this issue was compounded by the fact that the state set a twenty-eight hour max on subsidized work hours so they were unable to offer additional

work hours to offset the hours spent in education.

FINDING 9: Other challenges included transportation, employer concerns regarding payroll-related issues, and day care hours.

Three participating counties²⁹ encountered difficulties due to transportation issues. One county³⁰ identified a lack of public transportation for workers as one of the obstacles to running the TJ program. One county³¹ mentioned that the work hours offered by local employers did not match up with daycare provider hours.

Conclusion

NY State received approximately \$25 million to implement the TJ Program in 49 counties, creating nearly 3,000 positions for welfare recipients. Statewide regulations for the TJ Program insisted that participants receive: a maximum of twenty eight hours per week of paid employment, at least seven hours per week of paid education and/ or training activities, a minimum hourly wage of eight dollars per hour, and a subsidy length of no more than twelve months. Although the counties faced a few challenges implementing the program, TJ has been quite successful and stands to have an even more far-reaching impact with more funding – something that the vast majority county officials interviewed for this report support. The TJ Program can: 1) address the failures of unpaid workfare programs by offering welfare recipients much needed paid job experience and training, and 2) provide organizations with an opportunity to increase productivity at a time when it is difficult to hire anyone. The following recommendations provide ways to address the key challenges the counties face while building on the main successes of the TJ Program.

Recommendations

Investment in Long-Term Program Success

RECOMMENDATION #1: The New York State Legislature and Governor Cuomo should allocate \$50 million to the Transitional Jobs Program.

The Statewide TJ Program has seen much success with \$25 million. However, in order to build upon these successes and address the challenges identified above, the State needs to join states like Georgia and Pennsylvania in making a much larger investment in the program. This larger investment will allow county administrators to increase staff capacity which can make all program implementation processes (application, placement, oversight, etc.) more efficient. Furthermore, a larger investment will provide the necessary resources to both increase the number of participants and ensure that these participants receive adequate work supports (e.g. transportation and child care) while in the program. It is recommended that funds for the TJ program come from the portion of New York State's TANF Block Grant that is allocated to the Flexible Fund for Family Services (FFFS).

RECOMMENDATION #2: The New York State Office of Budget and Management should do a cost-benefit analysis of workfare versus wage subsidy/ transitional jobs programs.

As the 2004 CVH report *Wages Work!* found, wage subsidy/ transitional jobs programs implemented in New York City - where welfare recipients are paid for their work - are not only more successful than any unpaid workfare program, but they are also more cost-effective in the long-run. A 2008 study by the Fiscal Policy Institute (FPI) compared the costs of providing paid transitional jobs to the costs associated with incarceration as well as public assistance and found that a statewide TJ program in NY "could clearly pay for itself in

just three years in primary public cost savings."³² Similar studies have led to the elimination of workfare programs altogether. For example, workfare programs were eliminated in the state of Washington when they found that workfare "only resulted in a \$45 increase in quarterly earnings of participants, while jobs skills training raised quarterly earnings by \$456 and publicly funded jobs raised such earnings by \$792."³³

More research is needed to establish the cost-effectiveness of the transitional jobs/ wage subsidy programs over workfare programs in NY State. The NYS Office of Budget and Management should do this analysis in order to better inform other state agencies (e.g. OTDA and DOL) that are in a good position to improve upon the current successes of the TJ program.

RECOMMENDATION #3: OTDA should work with the NYS Department of Labor (DOL) to identify sectors of the state economy that are in a good position to hire workers for unsubsidized positions once the TJ program ends.

As this report indicated, very few NY counties required (or made an attempt to require) employers participating in the TJ program to hire these workers once their subsidy ended.³⁴ Certainly, it is understood that having no mandate for placement is beneficial particularly if an employer cannot hire the TJ worker after the subsidy ends, but due to the subsidy is able to provide the worker with experience and training that makes them more employable for unsubsidized work with another employer after program completion.

Nonetheless, program participants stand to be in a much better position to obtain unsubsidized employment if the program's orientation is informed by research and strategic thinking around linking TJ workers to

the specific sectors of the economy that are growing and in need of newly trained workers.

OTDA and DOL are the two state agencies best positioned to identify these sectors as well as develop creative incentives to both counties and private employers to place transitional job workers into unsubsidized work and should consider working together to meet these ends.

Program Design and Implementation

OTDA should work with county officials to make the following changes to TJ program design and implementation:

RECOMMENDATION #4: Establish a process whereby eligible participants can apply for Transitional Job openings.

There are many welfare recipients who are eager to work and would benefit from participating in the TJ program. It would improve the program to ensure that outreach is done in each county to publicize the existence of the TJ program and provide New Yorkers with the opportunity to apply for openings in the program. This gives welfare recipients a level of agency to decide whether the TJ program is a good fit for them as opposed to the lack of choice in a referral system where candidates are identified by county officials. Choice can avert the creation of candidates who are not aligned with or interested in the overall goals of the program.³⁵

RECOMMENDATION #5: Encourage that TJ placements last for at least one year.

TJ workers need enough time to gain the much-needed work experience, to obtain necessary transferable job skills to stabilize their personal finances, and to develop important relationships with colleagues in a field in order to have a real opportunity to transition to unsubsidized work. Of course, should someone find an unsubsidized job

before the program year is complete, they should be allowed to transition out of the program to secure such employment. For all other participants, a one year program should be the objective.

Transitioning from welfare to a successful career is a process and thus, a commitment to continuing the program for at least one year significantly increases the chances that participants will be able to find unsubsidized work at the end of the program.

RECOMMENDATION #6: Ensure that TJ workers are paid equal wages for equal work.

In order to prevent the displacement of members of the traditional workforce it is imperative to pay TJ workers comparable wages, especially when they are trained and are doing the same work as their labor counterparts. Displacement of current workers must be avoided at all costs, especially if we are to strengthen the economy.

RECOMMENDATION #7: Ensure that TJ participants exit the program with transferable jobs skills and a way to show that they are more prepared than before to enter the workforce.

As previously mentioned in this report, counties used a variety of models to meet the educational requirement of the program. The flexibility to decide how to meet this requirement should continue, however, there needs to be a strong commitment to ensuring that this education and training lead to participants acquiring job skills that will significantly increase their chances of getting unsubsidized work. Furthermore, it would be extremely helpful to participants if they had a way to show what they have gained from this education whether it is a certificate or a good recommendation from a supervisor.

RECOMMENDATION #8: Connect counties that are having challenges with implementation to the best practices of other counties.

OTDA is in a good position to monitor the program throughout the state and connect different counties to the best practices of other counties as a way to maximize program success. OTDA should consider convening county representatives at least once, if not twice, during a program year in order to create space for reflection, adjustment, and evaluation of the strengths and weaknesses of program implementation in each of the counties.

RECOMMENDATION #9: Guarantee that TJ workers have access to benefits during the program.

To maximize worker productivity, TJ program participants need the same work supports as their labor counterparts. Access to child care, good transportation, food stamps, Medicaid and the Earned Income Tax Credit is vital to the successful stabilization of people struggling to maintain a job. If participants are already receiving one or more of these benefits before the program has started then their level of

access to or benefit from such benefits should be maintained at its current level. Special attention should be paid to facilitating TJ program participants' maintenance of access to supportive services while in the program. Furthermore, participants should be able to place their public assistance cases on hold, so that the status is open enough to prevent having to reapply for these benefits at the close of the program in the event that unsubsidized employment is not obtained.

RECOMMENDATION #10: Guarantee that TJ workers who do not obtain unsubsidized employment at the end of the program have access to unemployment insurance benefits.

In the event that TJ workers are not hired as unsubsidized employees at the end of the program, they should automatically qualify for unemployment insurance. DSS should have the responsibility of informing program participants - both at the start and end of the TJ program – about their right to unemployment insurance, how to apply for it, and how to appeal a denied claim for this benefit. *(See Appendix B for a 2-pager created by CVH that can be used by DSS to educate TJ workers on unemployment insurance).*

Appendix A

Chart of Findings*

COUNTY	REFERRAL-BASED SYSTEM?	SUBSIDY LENGTH	REQUIREMENT TO HIRE?	WHOSE PAYROLL?	EDUCATION PROVIDER	MAJOR CHALLENGE	INTERESTED IN FUTURE FUNDING?
Albany	Yes	4-6 months	No	Peter Young	In-House with Employer	No Data	Yes
Allegany	Yes	3 months	No	2 Employers 13 County	Contracted w/ BOCES	Staff intensive	Yes
Broome	Yes	3.5-6 months	No	Sheltered Workshop	Contracted w/ BOCES	Staff intensive	No
Cattaraugus	No Data	4 months	No	No Data	In-House with Employer	None	Yes
Chautauqua	No Program	N/A	N/A	N/A	N/A	Educational Requirement	Yes
Chemung	Yes	3 months	No	Employers	Capabilities Inc. & some Employers	Difficulty w/ Placement	Yes
Delaware	Yes	6 months	No	Employers	In-House with Employer	Staff intensive	Yes
Franklin	Yes	6 months		County	Contracted w/ 1 Worksource	Staff intensive	Yes
Genesee	No Program	N/A	N/A	N/A	N/A	Staff intensive	Yes
Greene	Yes	3-4 months	No	Employers	Contracted w/ One Stop	Staff intensive	Yes
Hamilton	No Program	N/A	N/A	N/A	N/A	Staff intensive & Educational Requirement	No Data
Herkimer	No Program	N/A	N/A	N/A	N/A	Educational requirements	No Data
Jefferson	Yes	5 months	No	No Data	Contracted w/ ATTAIN Lab	Wages & Daycare	Yes
Livingston	Yes	6 months and more	No	Employers	In-House with Employer	Staff intensive Transportation	Yes
Madison	Yes	6 months	No	County	No Data	Educational Requirement	Maybe
Monroe	Yes	6 months	No	Diamond Manufacturing, Career Start Employment Store, Some on Employers	Diamond Manufacturing, Inc., Hospitals & Nursing Homes	Educational Requirement	Yes
Nassau	Yes	3 months	No	Manpower, Inc..	DSS	Bureaucracy & Difficulty w/ Placement	Yes
Niagara	Yes	1-3 months	Yes	Employers	BOCES, Hospitals & Nursing Homes	Educational Requirement	Not sure
Onondaga	Yes	3-6 months	No	Employers	DSS	Education Requirement	Yes
Ontario	Yes	6 months	Yes	Employers	DSS	Education Requirement	Yes
Oswego	Yes	6 months	Yes	Employers	In-House with Employer	Participants Viewed Program as Punitive	Yes

Chart of Findings Continued

COUNTY	REFERRAL-BASED SYSTEM?	SUBSIDY LENGTH	REQUIREMENT TO HIRE?	WHOSE PAYROLL?	EDUCATION PROVIDER	MAJOR CHALLENGE	INTERESTED IN FUTURE FUNDING?
Otsego	Yes	3 months	No	Employers	Contracted w/ Utica School of Commerce	Staff intensive Educational Requirement Transportation	Yes
Rensselaer	Yes	5 months	No	Northeast Career Planning	In-House with Employer (Northeast)	Staff Intensive & Ed/ Wage Requirements	Yes
Rockland	Yes	4-5 months	Attempt Made	No Data	FEGS & Employers	Difficulty w/ Placement	No Data
Schoharie	Yes	3 months	No	Private Industry Council	DSS & Metrics Online at Workforce Center	Not Enough Money to Run	Yes
Schuyler	No Program	N/A	N/A	N/A	N/A	Staff Intensive	Not without more money
St. Lawrence	Yes	4 months	No	County	No Data	Nothing to Change	Yes
Steuben		6 months	No	Employers	In-House with Employer	Difficulty w/ Placement	Yes
Tompkins	Yes	2-11 months	No	Tompkins Community Action	Tompkins County Action & some Employers	Difficulty w/ Placement	Yes
Washington	Yes	3 months	No	Employers	Northeast, Inc. & Employers	Educational requirement & Need More Time to Make Placements	Yes
Wyoming	Yes	3 months	No	Employers	Contracted w/ ATTAIN Lab	Staff Intensive, Transportation, & Difficulty w/ Placement	Yes

*Data for this chart was collected from interviews conducted by Shlomit Cohen from July to September 2010.

Appendix B

You May Be Eligible For Unemployment Insurance Benefits

What Is Unemployment Insurance?

The Unemployment Insurance program provides temporary income to eligible workers who lose their job and cannot find enough work. Unemployment Insurance Benefits are paid for up to 26 weeks (six months) and can be as much as \$405 a week depending on your prior earnings. Additional weeks of benefits and higher weekly benefit rates may be available due to the high rate of unemployment.

Have I Earned Enough To Qualify For Benefits?

Your eligibility for benefits depends on how much you earned during your “base period,” which is made up of four of the last five completed calendar quarters. (There are four calendar quarters in a year: January 1 through March 31; April 1 through June 30; July 1 through September 30; and October 1 through December 31.) To qualify for benefits, you must meet the following three earnings requirements:

- You must have earned at least \$1,600 in one of the calendar quarters in your base period. Your base period is either (1) the first four of the five most recently completed calendar quarters, or (2) the four most recently completed calendar quarters.
- You must have earned some wages in at least two calendar quarters in your base period.
- Your total wages in the base period must equal at least one and one-half times the wages you earned in the calendar quarter in which you earned the most—if you earned \$2,000 in your high calendar quarter, you must have earned \$3,000 in your whole base period. *Exception:* If your high quarter wages equal \$8,910 or more, you must have earned at least one-half of \$8,910, or \$4,455, in your whole base period.

It does not matter whether your earnings came from a single job or from different jobs. If you are

unsure whether you have enough earnings, you should go ahead and apply.

Am I Eligible For Benefits?

In addition to the earnings requirements, you must meet certain general requirements to be eligible for benefits.

- You must have lost your most recent job through no fault of your own;
- You must currently be unemployed, or partially unemployed; and
- You must currently be able to work and be looking for work.

If you were laid off from your last job, or if it was a time-limited Transitional Job, you will be eligible for benefits if the job ended because of something that had nothing to do with you personally.

If you quit your last job, you must have had “good cause” (a good reason). Examples of “good cause” are health problems caused by working conditions, physical illness, or disability; and sexual harassment.

If you were fired from your last job, you must not have been fired for “misconduct.” For unemployment purposes, “misconduct” is doing something that is seriously harmful to your employer’s interests and that violates reasonable standards of behavior. Making a mistake at work should not be misconduct.

If you meet the eligibility requirements, you have a legal right to Unemployment Insurance Benefits.

How Do I File A Claim?

To file a claim by phone, call the Telephone Claims Center at 1-888-209-8124, from 8am to 5pm, Monday to Friday. If you use TTY/TDD equipment, call a relay operator at 1-800-662-1220, and ask the operator to call 1-888-783-1370. You can also apply on-line at www.labor.ny.gov.

The earliest you can file a claim is the week after you lost your job, but there is no requirement that you file immediately.

When filing your claim, be ready with the following information: your Social Security number; your New York State driver’s license or Motor Vehicle ID

card number, if you have one; your alien registration number, if you are not a U.S. citizen; and the names and addresses of every employer you've worked for in the past 18 months.

If you do not speak or read English well, ask for an interpreter. If no interpreter is available, get a friend or family member to help you. It is important to understand what is going on so that you can provide correct information.

Give honest and accurate answers to the questions. Do not say you were laid off if you quit or were fired. There are penalties if the Department of Labor decides that you gave false information to obtain benefits.

If there is a question about your eligibility, a Claims Examiner will interview you by telephone about your last job and how it ended. The Claims Examiner may also request information from your employer before making a decision on your application.

After you've filed your claim, you will need to inform the Department of Labor after every week that you want to claim benefits. If you think you should be getting benefits, call in your claim even if you haven't started receiving benefits or your claim was denied and you want to fight it. Claim your weekly benefits by calling 1-888-581-5812 or visiting www.labor.ny.gov.

If My Claim Is Approved, When Will I Receive Benefits And How Much Will I Get?

If your claim is approved, the first check should arrive in three to four weeks and weekly thereafter as long as you continue to show you are making reasonable efforts to find a job. To keep receiving benefits, you must claim your benefits every week by calling 1-888-581-5812 or visiting www.labor.ny.gov.

Your weekly benefit will be the higher of:

- 1/26 of the wages you earned in the base period quarter in which you earned the most. If you earned \$3,575 or less in your highest quarter, your benefit will be 1/25 of the wages you earned in that quarter; or
- 1/2 of your average weekly wage during your base period. For example, if you were paid \$8.00 per hour and worked 35 hours per week for 12 months, you would be

eligible for approximately \$140 per week in Unemployment Insurance benefits.

What Can I Do If My Claim Is Denied Because Of Insufficient Earnings?

Approximately two weeks after you file your claim, you may receive a "Monetary Benefit Determination" notice that says: "Our records indicate that you do not meet the earnings required to qualify for Unemployment Insurance Benefits using the Basic or Alternate Base Periods."

- If the wages shown on the Monetary Benefit Determination are incorrect or incomplete, complete the Request for Reconsideration form and provide corrected wage information for all four Basic Base Period Quarters and the Alternate Quarter. Return the form and copies of your proof of employment and wages to the address shown on the form. The information you provide will be reviewed and you will receive a revised Monetary Benefit Determination.
- Even if the wages shown on the Monetary Benefit Determination are correct, you may be eligible for benefits at a later date. If you have earnings in the calendar quarter in which you filed your claim, you are still unemployed after that calendar quarter ends, and you think that you may qualify using these most recent earnings, you should apply again for benefits after the current calendar quarter ends.

What Can I Do If My Claim Is Denied Because Of How My Job Ended?

You may receive a "Notice of Determination of Ineligibility or Disqualification." If you disagree with what it says under "Reason," you may still be able to get benefits by requesting a hearing and presenting your side of the story to a judge. Follow the instructions on the notice to request a hearing within 30 days from the date on the notice.

How Do I Get More Information?

You can find answers to your questions on the Department of Labor's website, www.labor.ny.gov. For general information about unemployment insurance, call the Tel-Service line at 1-888-581-5812 or the Telephone Claims Center at 1-888-209-8124.

Endnotes

¹ This figure does not include the transitional jobs that were also created in the Green Economy and Health Care sectors. For more information on the total number of TANF-funded jobs created in NYS see the National Scope of TJ Program Chart on page 9.

² NYS Office of Temporary and Disability Assistance (OTDA), “News and Public Information,” <http://www.otda.state.ny.us/main/resources/accountability/2010-2011-TJP.asp>

³ The right to work was first conceived in international law in Article 23 of the Universal Declaration of Human Rights (UDHR) of 1946 <http://www.un.org/en/documents/udhr/index.shtml> and was made binding by Article 6 of the International Covenant of Economic, Social, and Cultural Rights of 1966 <http://www2.ohchr.org/english/law/cescr.htm> The ICESCR was signed by President Carter in 1977, but the U.S. has never ratified this treaty. Nonetheless, the right to work is referenced here for the purposes of indicating the overall vision of an economy that maintains full employment. CVH is in support of any workforce development (or other) policy, like Transitional Jobs programs, that brings us closer to realizing that vision.

⁴ This is in addition to a Regular Contingency Fund created in 1996 as part of PRWORA.

⁵ In addition, ECF funding can supplement increased spending in basic assistance and non-recurrent short term benefits. Background on ECF funding and how it impacts New York available at:

http://www.fiscalpolicy.org/FPI_TANF_WhyNewYorkNeedsAnExtensionOfTheECF.pdf

⁶ Local Commissioners Memorandum, “OTDA Transitional Jobs Program” (09-LCM-11), available at:

<http://www.otda.state.ny.us/main/policy/directives/2009/LCM/09-LCM-11.pdf>

⁷ Request was submitted on November 19, 2009. We did not receive program proposals for Albany or Orleans.

⁸ We did not have every single program proposal - in one case a county representative informed us that they had submitted a more recent proposal with changes.

⁹ County staff members were questioned about the number of placements, length of subsidy, and the hours and wages of participants as well as who was targeted and how program participants were identified. The survey also included questions about the nature of the jobs, the education components and the challenges and successes counties experienced with the implementation of TJ programs. To understand the TJ Program within a larger context, inquiries were also made about other county programs that fulfill work requirements for all cash assistance (C.A.) recipients. Finally, the survey asked for general feedback about the TJ program and whether the county was interested in continuing the program if additional funding was provided.

¹⁰ Six counties that submitted proposals did not end up operating a Transitional Job Program

¹¹ The thirty-one counties interviewed for this report are: Albany, Allegany, Broome, Cattaraugus, Chautauqua, Chemung, Delaware, Franklin, Genesee, Greene, Hamilton, Herkimer, Jefferson, Livingston, Madison, Monroe, Nassau, Niagara, Onondaga, Ontario, Oswego, Otsego, Rensselaer, Rockland, Schoharie, Schuyler, St. Lawrence, Steuben, Tompkins, Washington, and Wyoming.

¹² “Creating Subsidized Employment Opportunities for Low-Income Parents: The Legacy of the TANF Emergency Fund,” by Ladonna Pavetti, Liz Schott, and Elizabeth Lower—Basch – Center on Budget and Policy Priorities & CLASP (Jan 2011), p.4.

¹³ Transitional Jobs: \$25,000,000, Career Pathways: \$17,500,000, Green Jobs Corps: \$7,000,000, Health Care Jobs: \$7,000,000, Wage Subsidy Program: \$14,000,000 = Total Investment \$70,500,000. See “Making New Road from Welfare to Work: Ramping Up Subsidized Employment and Community Jobs Programs in New York State” by Andreas Kriefall and Mark Dunlea, Hunger Action Network of NYS, (Sep 2010), p.3, available at:

<http://www.hungeractionnys.org/Making%20New%20Roads.pdf>

¹⁴ Data available at <http://labor.state.ny.us/stats/pressreleases/prtbur.txt> and

<http://quickfacts.census.gov/qfd/states/36000.html> as well as <http://otda.ny.gov/main/resources/caseload/2010/2010-12-stats.pdf> and <http://www.otda.state.ny.us/main/resources/accountability/2009-2010-TJP-Matrix.pdf>

¹⁵ Albany, Allegany, Broome, Chemung, Delaware, Franklin, Greene, Jefferson, Livingston, Madison, Monroe, Nassau, Niagara, Onondaga, Ontario, Oswego, Otsego, Rensselaer, Rockland, Schoharie, St. Lawrence, Tompkins, Washington, and Wyoming.

¹⁶ Albany, Cattaraugus, Delaware, Franklin, Jefferson, Livingston, Madison, Monroe, Ontario, Oswego, Rensselaer, Rockland, St. Lawrence, and Steuben.

¹⁷ Allegany, Franklin, Madison, and St. Lawrence

¹⁸ Albany, Broome, Monroe, Nassau, Rensselaer, Schoharie, and Tompkins

¹⁹ Allegany, Chemung, Delaware, Greene, Livingston, Monroe, Niagara, Onondaga, Ontario, Oswego, Otsego, Steuben, Washington, and Wyoming

²⁰ Albany, Cattaraugus, Delaware, Livingston Oswego, Rensselaer, and Steuben

²¹ Allegany, Broome, Franklin, Greene, Jefferson, Nassau, Onondaga, Ontario, Otsego, and Wyoming

²² Chemung, Monroe, Niagara, Rockland, Schoharie, Tompkins, and Washington

²³ These counties in order of highest to lowest percentage completed are listed below. Counties that exceeded their goals are: Allegany (190%), Monroe (181%), Schoharie (180%), Tompkins (167%), Livingston (150%), Suffolk (146%), Orleans (140%), Orange (136%), NYC-HRA (134%), Dutchess (133%), Erie (115%), Franklin (110%), and Cattaraugus (108%). Counties that met 100% of their goals are: Greene, Oswego, Steuben, and Tioga Counties that made at least 82% of their goals are: Albany (93%), St. Lawrence (90%), Rockland (88%), Yates (86%), Delaware (83%), and Onondaga (82%).

²⁴ Albany, Allegany, Cattaraugus, Chautauqua, Chemung, Delaware, Franklin, Genesee, Greene, Jefferson, Livingston, Monroe, Nassau, Onondaga, Ontario, Oswego, Otsego, Rensselaer, Schoharie, St. Lawrence, Steuben, Tompkins, Washington, and Wyoming

²⁵ Allegany, Broome, Delaware, Franklin, Genesee, Greene, Hamilton, Livingston, Otsego, Rensselaer, Schuyler, and Wyoming.

²⁶ Genesee, Hamilton and Schuyler

²⁷ Madison, Monroe, Niagara, Onondaga, Ontario, Otsego, Rensselaer, and Washington

²⁸ Chautauqua, Hamilton, and Herkimer

²⁹ Livingston, Otsego, and Wyoming

³⁰ Livingston

³¹ Jefferson

³² Trudi Renwick, "Transitional Jobs Return on Investment Study," Fiscal Policy Institute (August 2008), available at: <http://www.heartlandalliance.org/ntjn/what-are-transitional-jobs-/transitional-jobs-return-on-investment-study.pdf>

³³ The Leadership Conference, "Making TANF Work for Families in Need," (Fact Sheet - June 4, 2002), available at <http://www.civilrights.org/poverty/welfare/making-tanf-work.html>

³⁴ Niagara, Ontario, and Oswego required employers to hire transitional job workers after their subsidy ended and Rockland made an attempt to do so by signing contracts with employers saying that they would do their best to create positions for subsidized employees,

³⁵ In the case of Oswego, county, the lack of agency present in a referral system led to some program participants actually viewing the TJ program as punitive – a culture which is quite common in workfare programs.



Community Voices Heard (CVH) is an organization of low-income people, predominantly women with experience on welfare, working to build power in New York City and State to improve the lives of our families and communities. We are working to accomplish this through a multi-pronged strategy, including public education, grassroots organizing, leadership development, training low-income people about their rights, political education, civic engagement and direct-action issue campaigns. We are currently working on welfare reform, job creation, public housing and other economic justice issues that affect low-income people, particularly low-income women of color. While we focus on welfare reform, we broadly define welfare activism to be multi-issue, and thus must include issues such as education, training, jobs, housing, economic development and other community issues. We fill a crucial gap in that our organization connects public policy with grassroots organizing and leadership development.

This policy memo was prepared by Vincent Villano with Sondra Youdelman for the CVH Building the Workforce Campaign. Shlomit Cohen provided extensive research support for the memo by conducting interviews with counties during the summer of 2010.