

## **Cash Assistance Work Rules and Sanctions Have Returned**

Beginning April 28, 2025, HRA has re-started the “conciliation/re-engagement” and sanction process for cash assistance (CA) or public assistance (PA) recipients and applicants. As a result, almost everyone receiving cash welfare or applying for cash welfare has to do work activities. Sanctions had stopped in 2015 due to changes in the law and COVID-19.

We wrote this guide in April 2025 with a focus on NYC rules. This guide is not legal advice. Please contact a legal provider for help, including LSNYC’s Access Line at 917-661-4500 (Monday – Friday, 9:30 am to 4:00 pm).

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## **General Information about Sanctions, the Employability Process, and Work Rules**

### *What are the work rules?*

If you apply for or get cash assistance, the government requires you to prove “work activity.” Work activity might mean getting a job, proving that you’ve tried to get a job, going to school or training, and/or showing that you’re exempt from the work rules.

### *What is a sanction?*

A sanction is a *punishment* from HRA when it claims that someone who applies for or gets cash assistance hasn’t followed a work rule or activity. HRA often calls this an “infraction.”

### *What happens when there is a sanction on my case?*

A sanction reduces or stops your cash assistance. If you are a household of one person, your cash case will close if you get a sanction. If you are in a household with more than one person, then your cash assistance benefits will be reduced based on the number of household members. For example, if you are the head of household and have two minor children on your case, you are a household of three. Only one of you has a sanction on your case. You would have your benefits reduced by 33% (1/3<sup>rd</sup>).

### *What happens to my ability to receive FHEPS or CityFHEPS when I have been sanctioned?*

You are not eligible for FHEPS and CityFHEPS while you are sanctioned. Your FHEPS or CityFHEPS payments will stop when the sanction starts. Once a sanction is “lifted,” meaning that HRA decides you are following the rules, you may need to apply for FHEPS or CityFHEPS again. If you need back rent paid by FHEPS, CityFHEPS, or other help from HRA such as a “one shot deal,” you will not get benefits for the sanction period unless the sanction is “deleted.” To get a sanction deleted, you have to prove that you never should have been sanctioned in the first place.

### *How do I do “work activities”?*

HRA will call you to a center or to one of its vendors, which are outside companies that HRA hires, to do an assessment. HRA’s vendors are CareerCompass (CC), YouthPathways (YP), CareerAdvance, and the Education/Training Assessment Group (TAG). You will answer questions about your work and education and give information to HRA (or HRA’s vendor). The worker will create something for you that is called an “Employability Plan” or “EP.”

### *What is an employability plan (EP)?*

HRA or one of its vendors (such as CareerCompass) will create a written employability plan (EP) after an assessment process. Unless HRA has decided that you are “homebound” and/or unless you get HASA benefits, HRA screens everyone from ages 18 through 59 for employability. This screening can include figuring out things that are keeping you from working (for example, not having a high school diploma or GED) and, if you’re working now, deciding whether your job satisfies HRA’s work rules. This “employability plan” is supposed to guide your next steps – meaning whether you need to find work, get training, go to school, or other steps. You can ask your worker for a copy of your EP.

*What are acceptable work activities?*

HRA decides which work activities are acceptable based on your employability plan (EP). In general, acceptable work activities include working, education/training, job search, work programs, assessment for disabilities, or treatment for health issues. Work activities may end up being a combination of one or more of these activities.

*Do I have to attend these appointments if I'm already working?*

Yes. You can still be sanctioned even if you are working. HRA has to create your employability plan *and* approve your current work even if you already have a job. HRA has to decide that your current job meets the work requirements.

*Why wouldn't or doesn't my job meet the work activity requirements?*

HRA will usually approve a job that you already have, but you need to get it approved as an allowable activity and it needs to be part of the employability plan that HRA creates for you. HRA also has a minimum number of hours per week that people must meet. If you are not currently working the minimum number of hours, HRA will require you to participate in other work activities.

*How many hours of work activity must I have each week?*

Remember that work activities include more than just working and depend on your EP. The default rule is that you must have work activities of 35 hours per week. However, some families with children under the age of 18 may be eligible for a lower weekly maximum. If you have a child under the age of 18:

- You may have a maximum of 30 hours of work activities per week if:
  - you live in a shelter and are actively looking for housing;
  - you are going to mandated ACS parenting classes;
  - you are caring for a child with disabilities and can't get child care;
  - you are doing educational services through HRA;
  - you are taking a parent to dialysis or other continuing medical treatment; or
  - you have children over the age of 4 who are in pre-K that includes childcare after 3pm.
- You may have a maximum of 25 hours of work activities per week if:
  - your youngest child is under age 4; or
  - your youngest child is under age 5 and ineligible for universal pre-K.

*What if I can't work because of health issues?*

You must prove you need a medical exemption through a vendor called "WeCARE" (Wellness, Comprehensive Assessment, Rehabilitation, & Employment). Your worker should refer you to WeCARE if you say that you need a medical exemption. See the section below called "[Medical Exemptions from Work Activities & WeCARE](#)."

## **Missing an Appointment, Re-Engagement, Conciliation, and “Good Cause”**

*What notice(s) should I be looking out for?*

You should get different notices from HRA/DSS asking you to “engage” or participate in their work program. If HRA claims that you have not done the employability process and/or that your assigned work activity, HRA should send you a notice called a “Re-engagement and Conciliation Notice” (Form LDSS-5087).

*This is what the re-engagement and conciliation notice looks like:*

### **RE-ENGAGEMENT AND CONCILIATION NOTICE**

**IMPORTANT:** Not responding to this notice may cause your Cash Assistance (CA) (also known as Public Assistance (PA)) and/or Supplemental Nutrition Assistance Program (SNAP) benefits to be reduced or stopped.

*What does the Re-Engagement and Conciliation Notice mean?*

This notice is a warning that your benefits *will stop* unless you do something. You must either prove that you should be exempt from the work rules and/or explain why you had good cause to miss your work activity or appointment. The notice explains how and by when to contact HRA.

*What is good cause?*

“Good cause” is something outside of your control that kept you from going to a work activity or appointment.

*How do I show good cause?*

Good cause is both an explanation and, most of the time, some piece of paper to support your reason. For example, you could not make your appointment because your child was sick. You go to your center and tell the HRA worker that your child was sick. You show a doctor’s note for your child that is dated on or right around the date of the appointment.

*How do I know if HRA approves my good cause?*

HRA must give you a notice if your good cause is granted. Even if HRA denies you good cause, you may still be able to avoid a sanction on your case by showing that you have complied with the work rules.

*This is what the good cause approved notice looks like:*

### **Good Cause Notice**

When you do not meet an HRA requirement, it is called an infraction. An infraction can sometimes reduce or end your benefits. This notice is about the infraction that happened on

*How do I show that I have complied? What is five days of demonstrated compliance?*

If the worker does not grant you good cause and/or you go to your center after the deadline in your notice, you might still avoid a sanction *if* you comply for *five business days in a row* with whatever program/rule HRA claimed you violated. So, for example, if you showed up at your CareerCompass site for five business days in a row, then you would likely not get sanctioned (assuming those five days are in the same month).

## **Medical Exemptions from Work Activities & WeCARE**

*I am sick, have a disability, or have other health issues that keeps me from work. What do I do?*

You must prove to HRA that you have a disability or other health issue that prevents you from working *unless*:

- ⇒ you get SSI,
- ⇒ you get HASA,
- ⇒ you are age 60 or over, and/or
- ⇒ you are “homebound” according to HRA.

Whether you are called into a vendor (e.g., “Career Compass”) or HRA, you should tell your worker that you have a medical barrier to employment. The worker should then refer you for a process that’s often called “WeCARE.”

*What is WeCARE?*

WeCARE is an acronym that is short for “Wellness, Comprehensive Assessment, Rehabilitation, & Employment.” It is the name HRA has given its vendors that do the assessment process for people asking for medical exemptions from the work rules. WeCARE has medical professionals who conduct their own medical assessments and such. WeCARE is not part of HRA, but it is funded by HRA.

*What happens at WeCARE?*

WeCARE does an assessment that begins with a bio-psycho-social assessment. A bio-psycho-social assessment is an evaluation of your medical conditions, including mental health, as well as your social supports (such as family and friends), work and educational history, and more.

*How should I prepare for my WeCARE appointment?*

You should get full copies of your medical records from your current medical providers. Bring those records with you to your WeCARE appointment and/or send them to HRA or WeCARE before the appointment. HRA is required to consider your own medical documentation, though the WeCARE medical professionals make their own assessment of you in the end. You should have the names, addresses, and contact information for all your current providers when you go to your WeCARE appointment.

*What happens after I go to WeCARE?*

WeCARE creates a service plan based on its assessment of you. The service plan will include a “functional capacity outcome” (FCO) for you. The types of FCOs are:

- Employable without limitations: you must start work activities
- Employable with limitations: you need vocational rehabilitation services, which are services meant to help you be able to work
- Temporarily unemployable: you need a wellness rehabilitation plan, which usually means some kind of medical or mental-health treatment
- Unable to work: you can’t work because of a disability and may be eligible for SSI/SSDI (sometimes called “SSI track”)

*How will I know HRA's and WeCARE's decision about my medical exemption?*

HRA must give you a written notice of its decision. HRA will decide that you are “exempt” from work activities for some period of time or that you are “nonexempt” from work activities. The notice tells you at the top of the page whether you are exempt or nonexempt (see below). You may be given this notice by hand at your last WeCARE appointment.

*This is what the notice looks like when HRA has exempted you from work activity temporarily:*

LDSS-4005 (Rev. 5/16)

**NOTIFICATION OF TEMPORARY ASSISTANCE WORK REQUIREMENTS DETERMINATION  
(EXEMPT)**

NOTICE DATE:	NAME AND ADDRESS OF AGENCY/CENTER OR DISTRICT OFFICE
CASE NUMBER	CN NUMBER

*This is what the notice looks like when HRA has determined that you are not exempt from work activities and that you need to begin some work activity:*

LDSS-4005(a) (Rev. 5/16)

**NOTIFICATION OF TEMPORARY ASSISTANCE WORK REQUIREMENTS DETERMINATION  
(NONEXEMPT)**

NOTICE DATE:	NAME AND ADDRESS OF AGENCY/CENTER OR DISTRICT OFFICE
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*What if I disagree with the WeCARE decision?*

You only have **10 calendar days** from the date on the notice to appeal HRA's decision about your work exemption. If you wait longer than 10 days, you might not be able to win at a Fair Hearing. You can ask for a Fair Hearing by calling 1-800-342-3334, or online at <https://otda.ny.gov/hearings/request/>.

### **Other Exemptions & Exceptions to 35-hours-per-week Work Activity Rules**

*What are other reasons or circumstances when I may be exempted from the work rules?*

You may be temporarily exempt from work activity for other reasons, which you will need to prove to HRA. HRA will ask you for documentation, which you must give them as long as it's reasonable.

You may be exempt from some or all of the 35-hour-per-week work activity rules if:

- ✓ You have a “domestic violence waiver” from HRA (sometimes called a “special assessment”)
  - You will need to speak with someone called a “domestic violence liaison” (or DVL) at HRA to show that you are eligible for the waiver. *See the section below called “[Domestic Violence Waiver & Domestic Violence Liaison](#).”*
- ✓ You are in the assessment process for or you are getting HRA-approved treatment for substance abuse (sometimes called a “special assessment”)
- ✓ You have a child under age 1 in your household
  - Usually, you can only take 3 months per child up to a maximum of 12 months per lifetime. You can ask to take more time per child if you haven't used up your 12-month maximum.
- ✓ You have child(ren) under age 13 and do not have childcare
  - HRA will give you up to 3 different childcare options if you do not have any. If you don't use one of their choices, HRA will usually sanction you for refusing childcare.
- ✓ You are needed at home to care for family member
  - A doctor must fill out a form called the “W-582A” before you can get this exemption. You can get the form from your worker or ask for it at your center. You can only get this exemption for a lifetime total of 12 months.

*This is what the form to prove you are needed at home to care for another household member looks*

Form W-582A (page 1)  
Rev. 01/27/12



Date: \_\_\_\_\_  
Case Number: \_\_\_\_\_  
Case Name: \_\_\_\_\_  
Center: \_\_\_\_\_

#### **Family Care Assessment**

Dear Physician/Treatment Facilitator:

Mr./Ms. \_\_\_\_\_ claims that he/she is not able to participate in an employment program activity because of the need to care for a disabled/sick household member. The disabled/sick individual is your patient.

- ✓ You are injured or sick and cannot work for 3 or more months
  - You will need medical records to prove that you cannot work for 3 or more months.
- ✓ You are under age 19 and still in high school or a full-time high school equivalency (GED) program
  - You will need to provide proof (usually a verification letter from the school) that you are in high school or a full-time equivalent program.
- ✓ You are pregnant, and your due date is in 30 or fewer days
  - You will need to give HRA a letter from your provider with your due date.



## **Domestic Violence Waiver & Domestic Violence Liaison (DVL)**

*What is the “domestic violence waiver”?*

Survivors of domestic violence may be able to get a waiver of public assistance rules – including work activity rules and child support cooperation rules. Waivers are given for six months at a time. Every six months, HRA will reassess for the waiver.

*How do I get the waiver?*

HRA asks everyone who applies for or gets cash public assistance if there is domestic violence and, if so, whether you would like to talk to a domestic violence liaison (or “DVL”). To meet with a DVL, you need to say on your application form or tell the worker that there has been domestic violence. If you’re applying on AccessHRA or a paper application, select the answer “Yes, and I want to talk with a DVL” in the forms shown below.

*This is what the domestic violence screening form looks like in Access HRA:*

*This is what the domestic violence screening form looks like in the paper application:*

**LDSS-4583 (Rev. 9/07) (FRONT)**

**NYSOTDA**

CIN NUMBER/APP REG LINE #	CASE NUMBER	OFFICE/UNIT #	WORKER NAME/#
CLIENT NAME		CLIENT REFERRED TO DVL?	<input type="checkbox"/> YES <input type="checkbox"/> NO
		CRED DETERMINATION ONLY?	<input type="checkbox"/> YES <input type="checkbox"/> NO

### **DOMESTIC VIOLENCE SCREENING FORM**

**Under the Family Violence Option**

**Completing this form is voluntary.** You do not have to fill out this form to receive public assistance. It will not impact your eligibility for assistance<sup>1</sup>, the amount of assistance you receive or the length of time it takes to process your application.

If you are a victim of domestic violence and you think that meeting certain program requirement(s) will put you or your children at risk or make it harder for you to escape an abusive situation, you may ask for a temporary delay (waiver) of that requirement by filling out this form and meeting with a Domestic Violence Liaison (DVL). You may decide not to fill out this form right now but you are free to do so at any time. You may ask to see the DVL at any time.

*Who are domestic violence liaisons (DVLs)?*

DVLs are licensed social workers who work for HRA and handle the domestic violence waiver process. Like all HRA workers, DVLs are mandated reporters and must report any suspected child abuse, neglect, or mistreatment to ACS.

*What do domestic violence liaisons (DVLs) do?*

The domestic violence liaison (DVL) is the main person at HRA who handles the domestic violence waiver process. The DVL decides whether they believe what you are saying about the domestic violence, whether your domestic violence meets the definition that HRA uses, and whether you are eligible for the waiver. Most of the time, you will only talk to the DVL by phone.

*How do I “prove” domestic violence?*

Sometimes, you will have paper evidence of domestic violence (DV) – such as a police report, an order of protection, or a DV shelter letter. If you do, you should give those documents to HRA. However, a lot of DV survivors don’t have any pieces of paper that “prove” domestic violence. *You can just tell the DVL that there has been domestic violence. HRA can’t require any specific kind of evidence. **Your statement should be enough.***

*What does HRA mean by “domestic violence”?*

HRA defines domestic violence as a pattern of coercive behavior by one family or household member (they do not have to be related) or partner/ex-partner on another, with the goal of getting and keeping power and control over the other person. The definition of domestic violence makes it clear that physical abuse is **not** required.

*What are the domestic violence liaisons (DVLs) looking for, anyway?*

For someone to get a “domestic violence waiver,” the answer to one of these questions must be “yes”:

1. Will public assistance rules put you at further risk of domestic violence?
2. Will public assistance rules put your child/ren at further risk of domestic violence?
3. Will public assistance rules make it more difficult for you to escape from domestic violence?
4. Will public assistance rules make it more difficult for your child/ren to escape from domestic violence?

The domestic violence liaison probably won’t ask you these questions directly. Instead, they usually decide for themselves whether the answer is yes based on the information you give them.

*What is a “partial waiver”?*

Years ago, NYC sometimes gave “partial waivers” to survivors of domestic violence (DV). The most common partial waiver was hiding your address when HRA sued the noncustodial parent for child support. However, NYC now should **only** give a full waiver or no waiver at all. We do not have partial waivers anymore.

*What is the “opt in” for work activities or child support?*

If you are granted a full waiver, you *may* opt into the work activities program and/or child support cooperation (including establishment of parentage). However, it is absolutely optional. You should **not** be pressured to participate in one or both of these programs.

*What happens if I opt into the work activity rules and then fail to attend appointments?*

You will have to meet with the domestic violence liaison (DVL) for reassessment. You can ask for the full waiver or explain why you couldn’t go to the appointment or work activity.

*How long do the waivers last?*

Waivers last for 6 months. You will be called in for a reassessment before the 6-month mark.

*What happens at the 6-month reassessment?*

You will meet again with a domestic violence liaison (DVL). The DVL should *only* be assessing whether the *need* for the waiver still exists – meaning whether the answer is still “yes” to one or more of the four questions listed on page 11. The reassessment is *not* about your credibility—meaning whether the DVL believes you—or the original domestic violence.

*How will I know if I received the waiver or if I was denied?*

HRA must give you a written notice of its decision on your waiver. The notice will be on Form LDSS-4594, shown below. If HRA denies your waiver, it must give a reason for the denial on the form.

*This is what the notice for approving or denying a domestic violence waiver looks like:*

LDSS-4594 (Rev. 5/16)

**NOTIFICATION OF DECISION ON A WAIVER TO ALLOW A TEMPORARY DELAY  
IN TEMPORARY ASSISTANCE REQUIREMENT(S) (ADEQUATE ONLY)**

NOTICE DATE:		NAME AND ADDRESS OF AGENCY/CENTER OR DISTRICT OFFICE		
CASE NUMBER	CIN NUMBER	GENERAL TELEPHONE NO. FOR QUESTIONS OR HELP _____ OR Agency Conference _____ Fair Hearing information and assistance _____ Record Access _____ Legal Assistance information _____		
CASE NAME (And C/O Name if Present) AND ADDRESS				
<div style="border: 1px solid black; height: 100px; width: 100%;"></div>				
		OFFICE NO.	UNIT NO.	WORKER NO.

This is to tell you our decision about a temporary waiver (delay) of certain temporary assistance program requirement(s).

**Waiver Approved:** You have been approved for a temporary waiver from the following program requirement(s). Your waiver will end and

## Other Frequently Asked Questions

### *Why is this happening now?*

These rules are coming back because the public health emergency (COVID-19) ended. The rules were supposed to re-start in 2023, but the state wasn't ready due to issues on their end.

### *How can I tell if I am sanctioned?*

You can tell if you're sanctioned a couple of ways. First, you should *always* get a written notice *before* your sanction starts. However, you can check whether you are sanctioned other ways, too. The fastest way is to create an account on Access HRA and/or go to your account on Access HRA. Click the "Benefits" tab. Once you've opened the benefits tab, you will see cash assistance (CA), SNAP (food stamps), and Medicaid (MA). Under each benefit, the "status" of the case will be listed. If you are sanctioned, you should see "sanction" or "closed." In addition, you can visit your Benefits Access Center or call HRA at 718-557-1399. Also, you can check to see if your benefits have been reduced, which might mean that you have a sanction. To do this, you can use the EBT Edge website, app, or phone number. To use the website or app, you will need to register your EBT card account at [www.EBTedge.com](http://www.EBTedge.com). You can also call the helpline number at 888-328-6399 to check your balance.

### *I have a job. Why am I getting sanctioned?*

You must show that you are doing HRA's work activities and assessment process. Even if you're already working when you apply for benefits, HRA must *approve* your job as a work activity. There are also minimum weekly hour requirements.

### *Can I count education or training towards my weekly work activities requirements?*

HRA must approve your education or training as a work activity, and it must be part of your overall employability plan (EP). Generally, a part of HRA called the Training Assessment Group, or "TAG," does training and education plans. You must verify your attendance in classes and get certain grades.

*This is what the notice/form to have your training or education count as a work activity looks like:*

Form W-700D (page 1 of 4) LLF  
Rev. 10/03/2014



Date: \_\_\_\_\_  
Case Number: \_\_\_\_\_  
Case Name: \_\_\_\_\_  
Center: \_\_\_\_\_

#### FIA School/Training Enrollment Letter

I. FOR COMPLETION BY STUDENT WITH HUMAN RESOURCES ADMINISTRATION (HRA) REPRESENTATIVE

*I am under the age of 25, and I do not have a high school diploma. Can I finish school as a work activity?*

Yes! HRA needs to approve your education as a work activity, but people under the age of 25 may count full-time enrollment in high school or a high-school equivalency program (GED) as your work activity. In some cases, you may be able to count full-time literacy programs as a work activity. You will need to prove attendance and progress towards a goal (for example, a diploma or GED).

*I am worried that I have a sanction or that my case is wrong. What should I do?*

You should try to resolve your sanction by working with the benefits center even if you think you are correct. In particular, you should emphasize issues such as not getting notices in the correct language or remind HRA of reasons you can't do work activities, such as a disability. You should request a Fair Hearing. The best way to request a Fair Hearing is [online](https://otda.ny.gov/hearings/request/#online) (<https://otda.ny.gov/hearings/request/#online>). Remember to print/save a copy of your request. You can also call 800-342-3334 and request a Fair Hearing by phone.