

STATE OF CONNECTICUT
 DEPARTMENT OF SOCIAL SERVICES
PROGRAM INFORMATION BULLETIN



 Janel Simpson, Deputy Commissioner

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INFORMATION BULLETIN NO: 15-07

PROGRAMS: Temporary Family Assistance (TFA), Jobs First Employment Services (JFES)

SUBJECT: Role of Conciliator in Conciliation, Individual Performance Contract, Safety Net & Department of Rehabilitation Services (DORS) Referral Process

<p>Overview</p>	<p>This Program Information Bulletin (PIB) replaces PIB # 09-03 and Policy Transmittal UP-11-05, which were issued on 05/01/09, and describes procedural changes developed to establish uniform tasks for the Conciliator(s) in all field offices. These changes are the result of recommendations made by the staff from the Economic Security Unit and Field Operations (central and field offices).</p> <p>It is intended to provide uniform tracking and outcomes specific to referrals made to/from partner entities concerning the following items:</p> <ul style="list-style-type: none"> • conciliations, sanctions, screenings for individuals with disabilities, barrier interventions for TFA recipients; and • safety net services for former TFA recipients.
<p>Definitions & Background</p>	<p>Conciliator – A staff person assigned to each field office by the respective field manager and/or TFA Supervisor to perform the following assignments as delineated in this PIB.</p> <p>Conciliation is the process that allows a TFA recipient to settle a dispute, disagreement or misunderstanding related to employment services requirements. Conciliation must be offered before taking an adverse action regarding employment services activities. See UPM 8530.50. Conciliations are used to determine whether a TFA recipient had good cause for not complying with an employment services requirement and are completed within 30 days. Conciliation conferences may be held in person or, if the TFA recipient agrees, over the telephone.</p>

<p>Definitions & Background (Continued)</p>	<p>The TFA recipient may have another person participate at the conciliation as his/her representative. A department supervisor may act as mediator.</p> <p>Except in situations involving a referral from a Jobs First Employment Services (JFES) worker, a TFA recipient is not entitled to conciliation when a proposed penalty is due to one of the following:</p> <ul style="list-style-type: none"> • Voluntarily quitting employment without good cause. • Voluntary reduction of earnings without good cause. • Termination of employment due to willful misconduct. <p>Note: Workers must still explore whether good cause exists in these circumstances.</p> <p>An Individual Performance Contract (IPC) is an agreement that must be developed when a TFA time-limited recipient becomes at risk of being ineligible for an extension in the first twenty months of their time limit due to non-cooperation with JFES mandatory work requirements, but wishes to reestablish eligibility for an extension by showing that he or she is making a good faith effort to comply with the work requirements. See UPM 8540.10. The IPC includes intense, short-term case management services provided by an external contractor.</p> <p>Safety Net Service is a voluntary service provided to a former TFA recipient who has exhausted his/her TFA benefits. Safety Net services include short-term case management and other services such as food, housing or utility vouchers provided by an external contractor.</p> <p>A CT Department of Rehabilitation Services (DORS) referral is offered as a voluntary option to a TFA applicant/recipient as an opportunity to be screened for a possible disability involving mental health conditions, substance abuse disorders or learning disabilities. See UPM 8530.50. DSS offers a DORS referral as part of the conciliation process under the May 1, 2009, <i>Raymond v. Rowland</i> settlement agreement.</p>
<p>Conciliation Process UPM 8530.50</p>	<ol style="list-style-type: none"> 1. Each office should identify a TFA Conciliator to keep track of all conciliations, from initial non-compliance referral received from Jobs First Employment Services (JFES) case manager, to closure. Other TFA staff may perform conciliations. 2. The TFA conciliator should perform an initial evaluation of the non-compliance referral and determine whether good cause appears to exist for the TFA recipient who has failed to comply.

Conciliation Process
UPM 8530.50
(Continued)

The goal is to resolve without a need for the conciliation. If resolved, notify JFES case manager. The TFA recipient should continue to receive the full amount of benefits as long as he/she is otherwise eligible.

3. If good cause does not appear to exist, the TFA conciliator should notify the TFA recipient that a conciliation conference is necessary. The following shall occur:
 - a. send a conciliation letter (L645 or the Spanish version, L646) to the TFA recipient or;
 - b. contact the TFA recipient by telephone and conduct the conciliation over the phone if he/she cannot be reached. If no phone contact occurs, send letter per 3a.
4. During the conciliation conference, inform the TFA recipient about:
 - the purpose of the conciliation;
 - the Employment Services requirement;
 - the opportunity to be screened for a possible disability involving mental health conditions, substance use disorders or learning disability. (See DORS Referral section).
 - the opportunity for a fair hearing and/or an accommodation;
 - the begin and end dates for the conciliation.
 - the date by which a decision will be issued;
5. The conciliation shall remain open as long as the TFA recipient is cooperating.
6. Upon completion of the conciliation, if good cause does not exist, apply a sanction as appropriate, unless a DORS Referral was made. See Sanction Policy – UPM 8530.55
7. Notify the TFA recipient of the decision via the conciliation results letter (L629 or the Spanish version, L630).
8. Complete the CTWBS Sanction screen.
9. Inform the JFES case manager of the determination.

<p>Individual Performance Contract (IPC)</p>	<p>Each office should identify a TFA Conciliator to keep track of all IPC referrals to the external contractor, from initial referral to closure. While the TFA Conciliator is the repository for all IPC referrals and outcomes for the respective field office, other TFA staff can complete the electronic IPC referral.</p> <p>The conciliator/designated TFA worker performs the following tasks:</p> <ol style="list-style-type: none"> 1. reviews the TFA recipient's participation and/or compliance with employment services activities; 2. informs the TFA recipient that she/he is being referred to an external contractor for an IPC by mail or phone and that failure to cooperate may result in loss of eligibility for an extension of cash benefits; 3. insures that an IPC referral is sent to the external vendor (CCFSA) via electronic procedures in order to allow tracking from referral to closure.
<p>Safety Net Services (SNS)</p>	<p>Each office should identify a TFA Conciliator to keep track of all SNS referrals to the external contractor. The TFA Conciliator is the repository for all SNS referrals and outcomes for the respective field office. Other TFA staff can complete the SNS electronic referral.</p>
<p>DORS Referrals</p>	<p>Each office should identify a TFA Eligibility Services Specialist (ESS) as the conciliator(s) to keep track of all DORS referrals, from initial referral to closure.</p> <p>The conciliator(s) will serve as the repository for all DORS referrals and or declinations for the respective field office.</p> <p>A TFA applicant/recipient must be offered a referral to DORS to be screened for a mental health condition, substance abuse disorder or learning disability at any time during the application or redetermination, and <i>must</i> be offered this option as part of conciliation.</p> <p>If the TFA applicant/recipient does not respond to the offer of conciliation, the TFA worker should not indicate that the client declined a DORS referral.</p> <p>If the TFA applicant/recipient declines the option for a DORS referral, the TFA worker must complete the DORS Referral Form W-369,</p>

<p>DORS Referrals (Continued)</p>	<p>indicating that client declined. The conciliator will retain the W-369 forms and submit a monthly report detailing the number of declinations to the Economic Security Unit.</p> <p>If the TFA applicant/recipient accepts the DORS referral during the conciliation, the TFA worker should complete DORS Referral Form W-369 and send it to a DORS worker in the DORS Waterbury office. The Conciliator will retain the W-369 forms and submit a monthly report detailing the number of referral made, to the Economic Security Unit.</p> <p>The DORS worker will:</p> <ol style="list-style-type: none"> 1. review the referral and schedule a time to interview the TFA applicant/recipient. 2. inform the respective DSS office conciliator regarding the outcome using the DORS Referral Form W-369. <p>The conciliator(s) will:</p> <ol style="list-style-type: none"> 1. If the DORS referral indicates that no disabling condition exists: <ul style="list-style-type: none"> • Complete conciliation. • Scan the DORS Referral Form W-369 to ConneCT and update the narrative. 2. If the DORS referral indicates that a disabling condition is likely, grant good cause using the CTWBS good cause reason code "DORS screened for disability" <ul style="list-style-type: none"> • Complete the conciliation and update narrative.
<p>Monthly Reporting</p>	<p>Within 15 days of the prior month end, the conciliator shall submit a monthly summary of the prior month's activities for conciliations, IPC, SNS and DORS referrals on a report form developed and issued by the Economic Security Unit in conjunction with Field Operation Central Office.</p>

DISPOSITION: Please retain this bulletin for future reference.

DISTRIBUTION: DSS TFA regional office staff

RESPONSIBLE UNIT: Economic Security Unit – Telephone (860) 424-5540

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