

OFFICE OF CHILDREN AND FAMILY SERVICES

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| LOCAL COMMISSIONERS MEMORANDUM |
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Transmittal No: 99 OCFS LCM-23

Date: August 13, 1999

Division: Administration

TO: Local District Commissioners

SUBJECT: Reallocation of funds for SFY 1998-99 Cost of Living Salary Adjustment for Foster Care and Preventive Direct Care Workers under the Family and Children's Services Block Grant

ATTACHMENTS:

- 1) SFY 1998-99 Recoupment Schedule
- 2) SFY 1998-99 Reallocation
- 3) Board of Directors Sample Resolution
(Attachments available on-line)

The purpose of this memorandum is to advise local social services districts of the recoupment and reallocation of funds for the 2.5 cost of living (COLA) salary adjustment for the lowest paid direct care workforce of voluntary not-for-profit foster care and preventive service agencies. In March 1999, 99-OCFS LCM-11 advised that excess funds would be recouped from local districts that did not expend their original State allocation. This LCM also stated that recouped funds would be reallocated to local districts.

Recoupment of Funds

Nineteen local districts submitted a separate Special Project Claims Form (DSS-3922) to report expenditures for the cost of living salary adjustment program. Claims submitted by participating local districts totaled \$1,924,365. For local districts that chose not to participate, claims will be adjusted to recoup unexpended State advances totaling \$575,635. Attachment 1 includes the amount that will be recouped from each applicable local district.

Reallocation of Unexpended Funds

Unexpended funds in the amount of \$575,635 will be reallocated to local districts that participated and expended funds from the original allocation. The method of distribution for the reallocation is based on the proportion

of each districts expense, as reported on the DSS-3922, to the total statewide expenditures of all participating local districts. Attachment 2 contains the amount of each district's allocation of the recouped funds. The amount contained in Attachment 2 will be advanced to the local districts during the month of August. Local districts are encouraged to gather required documents from not-for-profit providers prior to the receipt of the advance. By completing the verification requirements prior to the receipt of the State advance, localities will be able to complete the submission of required DSS-3922 in an expeditious manner.

These funds are in addition to the current Family and Children's Services Block Grant and may only be used to provide a 2.5 percent COLA to the lowest paid employees in the direct care workforce of voluntary not-for-profit foster care and preventive service agencies.

Chapter 637 of the Laws of 1998 does not require a local match; however, local districts may choose to add local funds to the State allocation in order to affect more employees of the direct care workforce.

Guidelines for Cost of Living Adjustment For Voluntary Not-for-Profit Agencies

Cost of living increases are effective for the period July 1, 1998 through June 30, 1999, exclusive of salary increases published in the 1998/99 Rate Package. Guidelines to assist local social services districts in implementing the salary enhancement program remain the same and are contained in 99 OCFS LCM-11.

Voluntary Agency Board of Director's Resolution

Each not-for-profit foster care and/or preventive services agency must certify, by resolution of the Board of Directors, that increases to the direct care workforce are consistent with the statute and that a 2.5 percent salary and fringe benefit salary enhancement has been approved by the Board of Directors for the lowest paid employees in the direct care workforce. Attachment 3 contains language that can be used by the not-for-profit providers.

Voluntary Agency Salary and Fringe Benefit Verification

The local district must secure documentation from each participating not-for-profit provider listing identifying information of the employee(s) who benefited from the COLA salary enhancement. This information must include the employee's name, social security number, job title, type of program, Foster Care or Preventive Services (FC or PS) initial salary and amount paid to the employee prior to and after the COLA.

Local District Expenditure Report

The local social services district must prepare a separate Special Project Claims Form, DSS-3922, to account for funds paid for the cost of living salary enhancement program. Since State funding will be advanced to districts to facilitate cash flow issues, the district will need to submit a DSS-3922 and the back-up documentation provided by the voluntary agency by October 29, 1999 regarding employees who benefited from the salary enhancement, as previously described. The DSS-3922 must be submitted to Richard Radzyminski, Chief Accountant, Bureau of Financial Services, Office of Temporary and Disability Assistance, 40 N. Pearl Street, 13th Floor, Albany, New York 12243. A copy of the DSS-3922 and the necessary back-up documentation should be submitted to Richard Lasky, Chief Rate Analyst, Rate Setting Unit, Office of Children and Family Services, 40 N. Pearl Street - Riverview Center, Albany, New York 12243.

After October 29, 1999, the amounts accumulated from the submissions of DSS-3922 will be compared to the State advance reallocation. If the local district expenditures are below the amount of the district's reallocation, excess advanced funds will be recouped.

There may be instances where the allocation of State funds exceeds the amount requested by not-for-profit providers choosing to participate in the program. If the locality chooses, they could contact those providers who were willing to participate in the program to expand the number of eligible employees. The eligible employee definition would remain the same, but the cutoff for "lowest paid" can change.

Information/Questions

Questions pertaining to the allocations may be directed to Deborah J. Hanor, Director, Office of Budget Management, (518) 474-1361.

Questions pertaining to the claiming instructions may be directed to Mr. Roland Levie (Regions I-IV) at 1-800-343-5589, extension 4-7549 (User ID # FMS001) or in Region V Mr. Marvin Gold at 212-383-1733 (User ID # OFM270).

Melvin I. Rosenblat
Deputy Commissioner
of Administration

SFY 1998-99 RECOUPMENT SCHEDULE

COUNTY	AMOUNT OF RECOUPMENT
Allegany	\$ 5,750
Broome	23,000
Cattaraugus	7,750
Cayuga	7,500
Chautauqua	8,000
Chenango	2,750
Clinton	6,250
Columbia	5,500
Cortland	5,250
Delaware	4,500
Franklin	2,250
Fulton	4,752
Genesee	2,750
Greene	3,750
Hamilton	500
Herkimer	3,250
Jefferson	9,500
Lewis	1,500
Livingston	3,250
Monroe	29,117
Montgomery	3,750
Nassau	52,750
Niagara	21,750
Oneida	33,250
Ontario	6,000
Orange	2,043
Orleans	2,000
Oswego	14,000
Otsego	5,250
Putnam	3,250
Rensselaer	5,172
Rockland	25,000
St. Lawrence	11,750
Saratoga	3,419
Schoharie	1,415
Schuyler	1,385
Seneca	3,500
Suffolk	58,750
Sullivan	11,000
Tioga	4,250
Warren	3,000
Wayne	5,000
Westchester	99,500
Wyoming	2,750
Yates	1,000
Upstate	\$517,803
New York City	\$ 57,832
State	\$575,635

SFY 1998-99 REALLOCATION

COUNTY	REALLOCATION AMOUNT
Albany	\$13,311
Chemung	3,066
Dutchess	5,010
Erie	25,052
Essex	673
Fulton	373
Madison	1,870
Monroe	20,156
Onondaga	19,369
Orange	9,933
Rensselaer	2,491
Saratoga	1,744
Schenectady	7,553
Schoharie	325
Schuyler	184
Steuben	2,543
Tompkins	2,019
Ulster	5,683
Washington	1,346
Upstate	\$122,702
NYC	\$452,933
State	\$575,635

RESOLVED, that all funds that the corporation receives from a social services district(s) specifically for cost of living adjustments for direct care positions funded through foster care and/or preventive services revenue sources will be used solely to apply a 2.5% cost of living increase to the salary and salary-related benefits of such direct care employees that can be allocated to the foster care and/or preventive services programs for the period July 1, 1998 through June 30, 1999, exclusive of salary increases published in the 1998/99 Rate Package, beginning with the lowest paid of such direct care employees, and that such funds will be spent in accordance with Chapter 637 of the Laws of 1998 and the guidelines issued by the Office of Children and Family Services as set forth in 99 OCFS LCM-11.

I hereby certify that the foregoing is a true and correct transcript of a resolution duly adopted on _____, 1999 by the board of directors of _____, a not-for-profit corporation organized and existing under the laws of the State of New York having its principal place of business at _____.

BY: _____

DATE: _____

STATE OF NEW YORK)
)ss:
COUNTY OF)

On this _____ day of _____, 1999, before me personally appeared _____, to me known, who being by me duly sworn, did depose and say that he/she resides in _____; that he/she is the _____ of the board of directors of _____, the corporation described in and which executed the foregoing instrument; and that he/she signed his/her name thereto by order of the board of directors of said corporation.

Notary Public

My Commission Expires:_____