

**NOTICE OF PROPOSED SETTLEMENT OF CLASS ACTION
CONCERNING SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP) ABAWD WORK RULES**

If you lost Supplemental Nutrition Assistance Program (SNAP) benefits between January 2016 and December 2018 because you did not follow or failed to satisfy federal work rules for Able-Bodied Adults Without Dependents (ABAWDs), you should read this notice.

A settlement in a federal court lawsuit, *Brooks et. al. v. Roberts*, No. 16-CV-1025 (DNH)(TWD), may affect your legal rights. The plaintiffs in *Brooks* claimed that the New York State Office of Temporary and Disability Assistance (OTDA) failed to provide adequate and timely written notice to persons who are subject to the ABAWD work rules. OTDA denies any wrongdoing, and the Court has not made any final decisions about the claims in the lawsuit. The parties have agreed to a settlement in the case, which must be approved by the Court.

PROPOSED SETTLEMENT

You can see the entire proposed settlement on the websites of the legal organizations that represent the plaintiff class: the National Center for Law and Economic Justice, whose web address is www.nclj.org; and, the Empire Justice Center, whose web address is www.empirejustice.org. The proposed settlement is also posted on the OTDA website at <http://otda.ny.gov/>.

The basic terms of the settlement are:

1. The plaintiff class will consist of all current or former New York State SNAP recipients who had their SNAP benefits reduced or terminated between January 1, 2016, and December 31, 2018, for failing to meet a work requirement applicable to able-bodied adults without dependents pursuant to 7 U.S.C. § 2015(o)(2) or 7 C.F.R. §§ 273.24(a)(1) and (b).
2. OTDA has created and will strongly encourage local social services districts (districts) to send a “Client Informational Letter” to SNAP households at application, and re-certification whenever a member of the household is, or is reasonably expected to be subject to the ABAWD rules as identified in the case record. The Client Informational Letter provides households in which an ABAWD resides with information regarding the person’s rights and responsibilities under the ABAWD rules.
3. OTDA will make edits to the “Notice of Adverse Action” template that creates a form sent to households whose benefits are being terminated or reduced due to a household member’s alleged failure to follow ABAWD work rules. These edits provide for enhanced readability and shall include a statement as to what action required by the ABAWD rules the person failed to complete.
4. OTDA has made changes to their “Interview Template” to provide guidance to eligibility workers to tell persons who are subject to the ABAWD work rules about their rights and responsibilities, and to better enable eligibility workers to identify those persons who are exempt from the federal ABAWD work rules. OTDA will strongly encourage districts to use the Interview Template during regular SNAP eligibility interviews.
5. OTDA has created a document called the “Work Activity Letter.” It includes information about the ABAWD rules, informs households which household member is subject to the ABAWD rules, and provides persons subject to the ABAWD rules with the opportunity to meet with local staff to engage in a work assignment which will satisfy federal SNAP ABAWD eligibility requirements. Districts that do not have an approved ABAWD waiver for all residents in the district shall provide the letter at application, recertification, and anytime during the certification period when the district becomes aware of an individual’s status change and the individual is subject to the ABAWD time limit.

RIGHT TO OBJECT

Any class member has the right to object to the proposed settlement as not fair, reasonable and adequate, by stating his/her objections in writing or by appearing at the hearing. The Court has set a hearing for this purpose on Tuesday, September 17, 2019, at 1:00 p.m. at the following address:

**Honorable David N. Hurd, U.S. District Court Judge
Alexander Pirnie Federal Bldg. and U.S. Courthouse
10 Broad Street
Utica, NY 13501**

You DO NOT need to attend the hearing. Instead, class members may also object to the settlement by sending a letter marked “Brooks Settlement” and postmarked by September 10, 2019, to the Court at the address listed above.