



New York Youth Works

Andrew M. Cuomo, Governor



Questions and Answers for Businesses and Youth

The following provides answers to questions received from parties who are interested in **Governor Cuomo's New York Youth Works Program**. Questions and answers are organized according to audience. This page will be updated periodically. To submit a question or suggestion for this page, please go to our website: youthworks.ny.gov

General

Q1. How much in tax credits and other funding is available under the New York Youth Works Program?

\$25 million in tax credits is available for business; \$8 million for youth job readiness training and stipends; and \$25 million for youth summer jobs. Additionally, as part of the program, \$29 million is available for other job training and supportive services.

Businesses

Q1. The promotional material for the New York Youth Works Program refers to certified businesses. Can businesses that are not certified hire youth and still qualify for the tax credit?

No. Only businesses certified by the New York State Department of Labor will be eligible for the tax credit.

Q2. How does a business qualify for certification to hire a certified youth?

To find out if your business qualifies for certification, file an application with the New York State Department of Labor. You can complete the application and submit it online. If you prefer, you can print this version of the application <http://www.labor.ny.gov/formsdocs/does/es325.pdf> and mail it to the following address:

New York Youth Works Program
Attn: Business Services Unit
New York State Department of Labor
W.Averell Harriman State Office Building Campus
Building #12 – Room 425
Albany, New York 12240

Q3. Is there a deadline for businesses to apply for certification?

Yes, there is a deadline. Businesses interested in finding out if they qualify for certification must file an application no later than November 30, 2012. Certification applications received after November 30, 2012 will not be eligible for consideration.

Q4. How long does the certification process take?

Businesses will be notified by the New York State Department of Labor by e-mail or mail (depending on the business' preferred method of communication) within 3 to 7 days.

Q5. What are the business eligibility criteria for this program?

To be eligible for certification, the business must be:

- In compliance with state and federal laws and regulations.
- Located within a reasonable commuting distance for eligible youth residing in the target areas (a reasonable commuting distance is normally considered one hour by private transportation and 1½ hours by public transportation).
- Filling job openings that meet one of the following conditions:
 - o Considered in-demand occupations.
 - o In regional growth sectors deemed a priority for the area's Regional Economic Development Council (e.g., clean energy, healthcare, advanced manufacturing and conservation).
 - o Other relevant factors determined by the Executive.

The NYS Department of Labor will give preference to employers that offer advancement and employee benefit packages.

Q6. Are seasonal and temporary job openings eligible?

Yes, as long as the job opening(s) meets one the following conditions: Considered an in-demand occupation; is in a regional growth sector; is deemed a priority for the area's REDC (e.g., clean energy, healthcare, advanced manufacturing and conservation).

Q7. Will the certification allow businesses to get a tax credit for eligible youth hired throughout calendar year 2012?

No. To qualify for the tax credit under this program, the certified youth must start work between January 1, 2012 and December 31, 2012. Certified youth hired after December 31, 2012 will not qualify a certified business for the tax credit.

Q8. Will certified businesses receive any type of documentation for their records after they apply for certification?

Yes. Certified businesses will receive a certificate from the New York State Department of Labor that will state the potential for filling qualified job openings and the tax credit amounts.

Q9. How will a business know if a youth is certified to participate in the program?

Youth receive a certificate of eligibility when they are approved to participate in the program. You may ask to see the certificate.

Q10. May I ask a certified youth why he or she is eligible for the program?

No. You may ask to see his or her certificate of eligibility, but the reasons youth may be eligible for this program are private. Youth need to include this information on the application to qualify for the program, but youth do not have to tell anyone they ask for a job, anyone who gives them a job, or anyone they work with why they are eligible to participate in this program.

Q11. If a business application for certification is denied, how will the business find out what went wrong and how they can earn certification?

The New York State Department of Labor will contact businesses that do not qualify for certification to discuss the basis for the denial. If the denial is based upon an issue that the business can change, New York State Department of Labor staff will explore steps or actions that the business can take in order to resolve the issue.

Q12. Are businesses required to hire applicants referred by training providers?

No. Businesses are not required to hire applicants referred by a training provider, but they must hire a certified youth in order to obtain the tax credit. Businesses make all hiring decisions based solely on their needs.

Q13. What is the Tax Credit?

A qualified business shall be allowed a credit against the tax imposed under NY Code Article 9-A: Franchise Tax on Business Corporations.

Q14. What if my business is not subject to NY Code Article 9-A: Franchise Tax on Business Corporations?

For-profit businesses not subject to the Corporate Franchise Tax, including partnerships and Limited Liability Corporations (LLCs), will receive the tax credit as part of their annual NYS tax filing. Not-for-profit business [501 (c)(3)] will not be eligible to receive a tax credit because they are exempt from paying taxes.

Q15. What is the process for claiming the New York Youth Works tax credit?

Businesses can use the Department of Taxation and Finance's website links below to locate the New York Youth Works tax forms. New York Youth Works business applications had to be submitted to the Department of Labor after 1-1-2012 but no later than 11-30-2012 (Labor Law Section 25-a (d)). Once certified by the Department of Labor, the New York Youth Works certified business can claim the credit at the end of the tax year when they file their New York State tax return. New York Youth Works certified businesses will complete the credit form (Form CT-635 for Article 9-A taxpayers or Form IT-635 for Article 22 taxpayers), attach a copy of their Certificate of Tax Credit issued by the Department of Labor and file that with their 2012 tax return. The New York Youth Works Tax Forms can be found on the New York State Taxation and Finance website or by clicking the following links:

- IT 635I Instructions - http://www.tax.ny.gov/pdf/2012/inc/it635i_2012.pdf
- IT 635 - http://www.tax.ny.gov/pdf/2012/fillin/inc/it635_2012_fill_in.pdf
- CT 635I - http://www.tax.ny.gov/pdf/2012/corp/ct635i_2012.pdf
- CT 635 - http://www.tax.ny.gov/pdf/2012/corp/ct635_2012.pdf

Q16. Who can I contact if I have questions regarding the filing of the NY Youth Works Tax forms?

Businesses can visit the New York State Taxation and Finance website for a listing of contacts at www.tax.ny.gov

Q17. How will I know what certified youth to claim?

Notification will be sent to all certified businesses. It will include their final certificate and a list of certified youth hired by the business during the year 2012.

Q18. What if the list of certified youth does not include all of the certified hires made by the business?

The business will need to send the names of the additional hires to labor.sm.dews.NYYWduediligence@labor.ny.gov in order for the youth's certification status to be verified. Once the youth's certification is verified a revised list and certificate will be sent back to the business.

Q19. What if a certified youth's employment expands over two separate tax years? (Example: John Doe hired on 11/15/2012 and still employed on 3/16/2013)

A business would only claim the tax credit on the individual for the tax year in which they earned the credit. (Example: Business would claim 11/15/2012 – 12/31/2012 on that year's tax filing.) Any further credit earned including the yearlong retention credit would be claimed in the following tax year.

Youth

Q1. Who is eligible for the program?

Youth applicants must be a resident of:

City of:

- New York
- New Rochelle
- Yonkers
- Mount Vernon
- Buffalo
- Albany
- Rochester
- Schenectady
- Syracuse
- Utica

Town of:

- Hempstead
- Brookhaven

To qualify for this program, youth must be unemployed, and between 16 to 24 years of age at the time of application. In addition, youth ages 16 and 17 must:

- Be in school
- Have a High School Diploma or GED
- Be enrolled in GED preparation classes
- Have permission from a parent or guardian

In addition, all applicants must meet at least one of the following criteria:

- Be 18 or older without a high school diploma or GED
- Be a veteran
- Be a member of a family receiving assistance from Temporary Assistance for Needy Families (TANF)
- Be a member of a family receiving SNAP benefits (food stamps)
- Be a member of a family receiving supplemental security income (SSI) benefits
- Be the recipient of a free or reduced school lunch
- Have been referred by a rehabilitation agency approved by the state, or an employment network under the Ticket to Work Program
- Have served in jail or prison, or be on probation or parole
- Be pregnant or parenting
- Be homeless
- Has been or is now in foster care or the custody of the New York State Office of Children and Family Services
- Be the child of a parent who is currently
 - o in jail or prison, or has been within the past two years
 - o collecting Unemployment Insurance benefits

- Live in public housing or receive housing assistance, such as Section 8 voucher
- Receive public assistance not listed above (reviewed on case-by-case basis)
- Other relevant factors determined by the Executive

Q2. How do youth apply?

Youth must file an application with the New York State Department of Labor. Youth can complete the application and submit it online. You can print the application at www.jobs.ny.gov/youthworks.

If you are already working with a training provider they can help you apply.

Q3. Do youth have to tell anyone why they are eligible?

No. The reasons youth may be eligible for this program are private. Youth need to include this information on the application to qualify for the program, but youth do not have to tell anyone they ask for a job, anyone who gives them a job, or anyone they work with why they are eligible to participate in this program.

Q4. Do youth require “Working Papers” to participate in New York Youth Works? If so how do youth obtain them?

In NYS, anyone under 18 (minors) must show an employment certificate, also called “working papers,” before they may begin work. For more information on “working papers” and how to obtain them, visit <https://labor.ny.gov/workerprotection/laborstandards/workprot/wphmpg.shtm>

Q5. If a youth does not have photo identification, how can they access photo-identification?

Youth can obtain a non-driver ID card from the New York State Department of Motor Vehicles (NYSDMV). The Department of Labor has arranged for expedited and free of charge processing of these identifications for participants enrolled in this program and working with a New York Youth Works Provider.

There are 2 kinds of non-driver IDs: A short-term ID valid for 4 to 5 years, and a long-term ID card valid for 8 to 9 years. More information on non-driver IDs can be obtained from NYSDMV at (518) 474-9981 and/or www.dmv.ny.gov/license.htm#nondriver.

Q6. Is training available for youth who are not ready for work? Are funds available to support these youth while they are in training and after placement with a business?

Yes. Youth participants may receive training from a New York Youth Works training provider and may be eligible to receive up to \$900 (maximum) in stipends to cover the costs associated with transitioning into the workplace (e.g., daycare, clothing, transportation, etc.).

- Participants engaging in work readiness/occupational skill training may receive up to \$600 in stipends during the training and job search period.
- Participants placed in employment may receive up to \$300 in stipends after placement to help with transition to employment.

Q7. Where can I apply to enroll in the training program available under New York Youth Works?

Training providers, chosen to participate are listed at: www.youthworks.ny.gov

Q8. How can youth find a job with a certified business?

Certified youth can find a job with a certified business by contacting a New York Youth Works Training Provider or a counselor at a local One-Stop Center. Lists of training providers and One-Stop Centers are available at www.labor.ny.gov

Youth can also independently use the New York Job Bank to search for job openings of interest.

- Go to the New York State Job Bank
- Type in NYW in the job title search
- Select location
- This search will result in a list of jobs available with certified businesses in local areas.

Youth who contact businesses that have not been certified for the New York Youth Works Program can alert businesses to the opportunity for a tax credit if they are hired. The business will need to apply for certification as a New York Youth Works business to claim the tax credit.

Q9. Some youth may qualify for this program because they are from families receiving public assistance. These youth will be placed in jobs with certified businesses and receive stipends. Will this affect their family's public assistance grant? What about youth in families collecting food stamps?

Public Assistance Eligibility

Wages – Wages earned by dependent children under age 21 are exempt as income for families receiving public assistance (PA), and do not affect the family's PA eligibility. However the wages earned by youth age 21 or older and living on their own will count as income and may affect the youth's PA eligibility.

Stipends are paid to reimburse the youth for the costs they incur to participate in the program, and are excluded from income determinations.

For more information contact the local Department of Social Services (by county) http://www.health.ny.gov/health_care/medicaid/ldss.htm

Food Stamp (Supplemental Nutrition Assistance Program – SNAP) Eligibility

Wages – Wages earned by a youth 16 to 17 years old who is in school or working

toward a GED are excluded as income and are not included in determining a household's SNAP eligibility or benefit amount. Wages of any household member age 18 or older will be included in determining a household's SNAP eligibility or benefit amount.

Stipends – Stipends to a youth 16 to 17 years old who is in school or working toward a GED would not affect SNAP eligibility. Stipends to out-of-school (not in HS or pursuing GED) youth 18 and older are included in the family income calculation used to determine SNAP eligibility, and therefore could affect the youth's SNAP eligibility. Out-of-school youth 18 and older receiving SNAP benefits should contact their Local Department of Social Services (by county) to determine if the stipend affects their eligibility. Go to: www.health.ny.gov/health_care/medicaid/ldss.htm

Q10. Do youth have to reimburse stipends they receive if they do not complete training?

No. Stipends to youth will likely be spent quickly, and the cost of collecting will likely be more than the stipend amount. Therefore, this potential liability is minimized by requiring that the stipend be paid to youth in increments attached to the youth achieving program milestones.

Q11. Can youth collect unemployment insurance benefits after their employment ends?

Eligibility for unemployment insurance (UI) benefits depend upon the type of employment (Full-time or Part-time) and the duration of employment, so the youth's eligibility for UI benefits will need to be determined on a case-by-case basis. Note that stipends paid to the youth under the New York Youth Works program are not considered wages for the purpose of UI eligibility.

Q12. Will the NY Youth Works stipends affect a youth's financial aid?

The NY Youth Works stipends may affect a youth's financial aid if they are enrolled in a college or university. This is reviewed on a per student basis. Youth participating in NY Youth Works and enrolled in a college or university should contact the financial aid office of their college or university to discuss the impact NY Youth Works stipends may have on their financial aid awards.

Call the Federal Student Aid Office at 1-800-433-3243 or visit <http://www.fafsa.ed.gov/contact.htm> for further assistance.

Q13. Will wages earned from employment related to NY Youth Works affect financial aid?

According to the Federal Student Aid Office the Free Application for Federal Student Aid application helps calculate the applicant's Expected Family Contribution (EFC). The EFC is a number used to determine financial need and measures the financial strength of a youth's family to pay for college. The EFC is not the amount that an

individual's family is expected to pay for college nor is it the amount of federal student aid that an individual will receive. It is the number that an individual's school will use to calculate their financial need and to determine the amount of financial aid they are eligible to receive. Therefore, any wages earned could affect a youth's EFC.

Call the Federal Student Aid Office at 1-800-433-3243 or visit <http://www.fafsa.ed.gov/contact.htm> for further assistance.

Q14. Can an individual use a tax identification number in lieu of a social security number for the NYYW application and purposes of this program?

The individual tax identification number (ITIN) would not be eligible for the New York Youth Works Program. The links and resources below describe the ITIN and additional information about how the youth can obtain the necessary tax identification to become eligible to work.

From Internal Revenue Service (IRS) website describing Employee Hiring Eligibility:

Do not accept an ITIN in place of an SSN for employee identification or for work. An ITIN is only available to resident and nonresident aliens who are not eligible for U.S. employment and need identification for other tax purposes. You can identify an ITIN because it is a 9-digit number, beginning with the number "9" and is formatted like an SSN (NNN-NN-NNN). <http://www.irs.gov/businesses/small/article/0,,id=98164,00.html>

If an individual is authorized to work in the United States he or she should obtain a Social Security Number (SSN) before certifying for NYYW, since the individual would be unable to obtain a job placement without one. Information on obtaining a SSN is available at <http://www.socialsecurity.gov/ssnumber/>