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State of Wisconsin
Governor Scott Walker



TO: **W-2 Agencies
Training Staff**

FROM: Ed Emmons, Acting Director
Bureau of Working Families
Division of Family and Economic Security
Department of Children and Families

BWF OPERATIONS MEMO

No: 18-12 (Amended)
DATE: 09/10/2018 10/24/2018

W-2 EA CF JAL
RAP TMJ TJ Other EP

SUBJECT: *Wisconsin Works Refusal to Participate and Notice before Taking Certain Actions*

CROSS REFERENCE: [W-2 Manual Sections 11.1, 11.3.1, 11.4, and 11.6](#)
[BWF Operations Memos 11-08, 18-13, and 18-14](#)
[2015 Wisconsin Act 55](#)
[Wis. Stat. ss. 49.151 and 49.153](#)
[Wis. Admin. Code Ch. DCF 101](#)

EFFECTIVE DATE: October 27, 2018

PURPOSE

The purpose of this memo is to:

1. Describe legislative changes to the criteria for demonstrating a refusal to participate in Wisconsin Works (W-2) and changes to the reasons for noncooperation with W-2 program requirements;
2. Announce administrative rule requirements for determining a refusal to participate and requirements for notifying participants of 20% payment reductions and case closures;
3. Highlight refusal to participate policies and procedures for taking action prior to closing a case for refusal to participate;
4. Provide policy guidance on behaviors and actions that demonstrate a refusal to participate; and

5. Communicate actions that W-2 agencies must take to prepare for implementation of refusal to participate policy and automation.

The Department of Children and Families (DCF) is releasing a series of memos describing recent administrative rule changes to W-2. This memo is one in a series of memos describing the policy and procedural changes to W-2 and the actions that W-2 agencies must take to prepare for the changes.

BACKGROUND

REFUSAL TO PARTICIPATE

2015 Wisconsin Act 55 (Act 55) amended the statutory language in §49.151 (1), Wis. Stats., that defines the criteria for demonstrating a refusal to participate in a W-2 employment position. A participant who refuses to participate is ineligible to participate in W-2 for three months. A participant is also ineligible if a second parent in the W-2 group refuses to participate. The amended statute states that a participant, or a second parent who is subject to the work requirement, refuses to participate if the individual, without good cause:

- Fails to appear for an interview with a prospective employer;
- Fails to appear for an assigned work activity;
- Voluntarily leaves appropriate employment or training; or
- Voluntarily leaves a work experience site.

The participant, or a second parent who is required to work, also refuses to participate if the individual:

- Is discharged from appropriate employment or training for cause;
- Is discharged from a work experience site for cause; or
- Demonstrates through other behavior or action, as specified by the department by rule, that the participant, or second parent, refuses to participate in a W-2 employment position.

Act 55 directed DCF to promulgate administrative rule and specify guidelines for determining when a participant, or second parent who is required to work, who engages in the criteria defined in statute is demonstrating a refusal to participate.

On August 1, 2018, Administrative Rule DCF 101.21 (1): Refusal to Participate went into effect. The rule requires the W-2 agency to provide a participant with a written description of the participant's obligation to participate in assigned activities, the behaviors and actions that demonstrate a refusal to participate, and the penalty for demonstrating a refusal to participate. The rule provides that a participant, or second parent who is subject to the work requirement, demonstrates a refusal to participate if the individual does any of the following:

1. *Is discharged from employment for misconduct or engages in misconduct on the premises of an employer.*
2. *Fails to appear or appears more than 15 minutes after the scheduled start time of an interview with a prospective employer, a job fair, or a meeting with a prospective employer that was arranged by the Wisconsin works agency.*
3. *Leaves an interview or a meeting with a prospective employer prior to the conclusion of the interview or meeting.*

4. *Appears for an interview or a meeting with a prospective employer wearing inappropriate attire or exhibiting inappropriate grooming after receiving written or oral directions or training on appropriate attire and grooming.*
5. *Fails to complete a job application required by a prospective employer.*
6. *Communicates to a prospective employer an unreasonable requirement for salary, hours of employment, or working conditions that disqualifies the individual from employment with that employer.*
7. *Provides incorrect or incomplete information regarding employment qualifications in an interview or job application that disqualifies the individual from employment with the prospective employer after receiving written or oral directions or training from the Wisconsin works agency regarding interviewing and filling out employment applications.*
8. *Voluntarily leaves appropriate employment or refuses a bona fide offer of appropriate employment.*
9. *Is a member of a Wisconsin works group whose benefit has been reduced by 20 percent or more under s. 49.148 (1) (b) or (c), Stats., for 2 consecutive participation periods or for 3 non-consecutive participation periods in a rolling 6-month period.*
10. *Refuses or fails to follow a verbal or written direction from Wisconsin works agency staff or staff at an employment site.*
11. *Uses vulgar or profane language or engages in abusive behavior directed toward staff or others in the Wisconsin works agency or employment site.*
12. *Violates written work rules developed by the employer, if the work rules were provided to the individual and there is a signed acknowledgement of receipt of the work rules in the individual's case record (DCF 101.21 (1) (c) 1. to 12.).*

The rule further provides that a participant, or a second parent who is subject to the work requirement, does not demonstrate a refusal to participate if the W-2 agency determines that the individual has good cause.

NOTICE BEFORE TAKING CERTAIN ACTIONS

Act 55 modified the notice requirements for a 20% or more payment reduction or termination of eligibility such that the notice is not required for termination of eligibility when a participant does not meet W-2 financial and nonfinancial eligibility criteria. The existing statutory language in §49.153 (2), Wis. Stats., requires DCF to promulgate administrative rule that establish procedures for the notice and that define “reasonable time” to rectify the deficiency, failure, or other behavior to avoid the proposed action.

On August 1, 2018, Administrative Rule DCF 101.195: Notice before Taking Certain Actions went into effect. The rule describes the timeframe for the W-2 agency to issue written notice to a participant of a proposed 20% or more reduction in benefits or termination of eligibility, and it describes information that the W-2 agency must include in the notice of proposed action. The rule also defines the period to rectify as seven business days after the date of the written notice issued by the W-2 agency.

DCF will release separate memos for describing the policy and automation changes for providing notice to a participant prior to taking action to reduce benefits by 20% or more and to terminate eligibility to participate in the W-2 program.

The remainder of this memo provides guidance on implementing the refusal to participate policy.

NEW POLICY

Attached to this memo is [W-2 Manual, Section 11.6 Refusal to Participate](#) that is effective when automation is in place on October 27, 2018. W-2 agencies must not implement the refusal to participate policy prior to automation on October 27, 2018.

DCF is releasing policy prior to implementation to allow W-2 agencies to familiarize staff with the new policy, train staff, and prepare operationally for implementation (see Agency Actions). DCF will update the W-2 manual upon implementation of the policy.

Highlights of Section 11.6 Refusal to Participate:

- Applies to individuals in a W-2 employment position (TEMP, CSJ, or W-2 T) or a second parent in the W-2 Group who is required to participate in W-2.
- List of behaviors and actions that demonstrate a refusal to participate.
- Requirement to explore potential barriers prior to closing a case for refusal to participate.
- Providing written notice when a participant's case will close for refusal to participate.
- Determining the date of refusal to participate.
- Case closure and ineligibility to participate in W-2 for three months (90 calendar days).

See attached [W-2 Manual, Section 11.6](#).

POLICY INTENT

The intent of the refusal to participate policy is to require standards of behavior by participants who are able to engage in W-2 activities so that participants will become prepared for unsubsidized employment through their participation in W-2 employment positions.

The Financial Employment Planner (FEP) is required to provide individualized case management services and supportive services for participants, including working with participants to address barriers to participation and providing them with necessary services and accommodations to fully engage in W-2 activities. Refusal to participate is a last resort to address nonparticipation and noncompliance with the rules of the W-2 program.

The refusal to participate policy does not replace nonparticipation and noncooperation policies (see [W-2 Manual, Sections 11.1 and 11.4](#)); however, the FEP must follow the same policies and procedures for notifying participants of 20% payment reductions and case closures. The FEP must explore for potential underlying barriers and take steps to address the barriers that may have caused the refusal to participate. When a FEP determines that a participant is refusing to participate, the FEP must apply payment reductions if appropriate, provide the participant with notice of refusal to participate, and allow seven working days for the participant to provide good cause.

A participant does not demonstrate a refusal to participate if the FEP determines that the reason for refusing to participate meets any of the W-2 good cause reasons (See [W-2 Manual, Section](#)

[11.2.2](#)). When determining good cause for a refusal to participate, the FEP must consider what an unsubsidized employer would reasonably allow when standards of conduct are not met by an employee. The FEP must also consider cultural sensitivities of participants such as dress, religious practices, gender expression, and food preparations so that participants are not engaged in activities where they will be unable to succeed for cultural reasons.

POLICY GUIDANCE

This section provides policy guidance on behaviors and actions that demonstrate a refusal to participate in W-2 so that W-2 agencies are consistent in the application of the refusal to participate policy.

For the purposes of the refusal to participate policy in the [W-2 Manual, Section 11.6.1.1](#), 'employment' means work, work experience, or training assigned to an individual. 'Employer' means a person, entity, or W-2 agency that provides employment for an individual.

W-2 MANUAL SECTION 11.6.1.1 DEMONSTRATING A REFUSAL TO PARTICIPATE

A participant, or second parent in the W-2 Group who is required to participate in W-2, is refusing to participate when the individual:

1. Is terminated from employment for misconduct or engages in misconduct on the premises of an employer.

'Misconduct' means an act by the individual that shows an intentional and substantial disregard of the employer's interests or of the individual's job duties and obligations. It does not mean an act of an isolated instance of carelessness and ordinary negligence or good faith errors in judgement.

'Misconduct' includes:

- **A violation by an individual of an employer's reasonable written policies concerning the use of alcohol or controlled substances.**
- **Theft of an employer's property or services with intent to deprive the employer of the property or services permanently, theft of currency of any value, felonious conduct connected with an individual's employment with an employer, or intentional or negligent conduct by an individual that causes substantial damage to an employer's property.**
- **Conviction of an individual of a crime that was committed on or off duty, if the individual is unable to perform the duties that the individual performs for an employer due to the conviction.**
- **One or more threats or acts of harassment, assault, or other physical violence by an individual at an employment site.**
- **Use of profane or abusive language directed towards staff or others at an employment site.**

Policy Guidance

W-2 agencies are required to enter into an agreement with work training providers that assures work training providers will follow rules consistent with what they provide to unsubsidized employees. The agreement requires that training positions replicate actual conditions of work. A work training provider must provide the W-2 agency and individual with written responsibilities and expectations of training positions that are similar to the responsibilities and expectations of unsubsidized employees. An individual who engages in misconduct must have had knowledge of his or her job responsibilities and expectations. The FEP must review the job responsibilities and expectations with the individual to ensure that the individual fully understands the requirements of the training position and that the individual has the necessary supports in place to be successful in the training position.

If an individual engages in misconduct, the FEP must review the case to determine if there may be previously undiscovered or undisclosed limitations, disabilities, or changes in the individual's circumstances that caused the misconduct. The FEP must also review the employability plan, appropriateness of assigned activities, and identify and provide resources to assist the individual to meet the job responsibilities and expectations of the training position.

2. Fails to appear or appears more than 15 minutes after the scheduled start time of an interview with a prospective employer, a job fair or a meeting with a prospective employer that was arranged by the W-2 agency.

Failing to appear or appearing more than 15 minutes late does not include instances where there was a mistake, inadvertence, misunderstanding on the part of the individual, or other good cause.

Policy Guidance

When an interview with a prospective employer is arranged by the W-2 agency, the agency must provide the individual with detailed information about the scheduled interview. The FEP must discuss with the individual any arrangements needed in order for the individual to appear prior to or at the scheduled start time of the interview. For example, the FEP may review the date, time, and location of the interview and any reasonable accommodations that are needed in order for the individual to appear prior to or at the scheduled start time of the interview.

When a job fair or employer recruitment event is arranged by the W-2 agency where an individual may meet with prospective employers, the agency must provide the individual with detailed information. The FEP must review with the individual any expectations for appearing for the job fair or recruitment event. For example, the FEP may provide expectations to the individual for when to attend the job fair or recruitment event, length of time to attend, and who to meet (a specific employer or specific types of employers).

3. Leaves an interview or a meeting with a prospective employer prior to the conclusion of the interview or meeting.

Policy Guidance

The FEP is responsible for assessing an individual's progress in his or her assigned activities, including the individual's ability to follow through on assigned activities and to perform job search. When an individual leaves an interview or meeting with a prospective employer prior to the conclusion, there may be underlying barriers to employment. The FEP must discuss with the individual the reason for leaving the interview or a meeting prior to the conclusion. The individual may have misunderstood, or there may have been miscommunication between the prospective employer and the individual about the conclusion of the interview or meeting. In addition, potential barriers may exist that caused the individual to leave prior to the conclusion of the interview or meeting.

4. Appears for an interview with a prospective employer wearing inappropriate attire or exhibiting inappropriate grooming after receiving written or oral directions or training on appropriate attire and grooming.

'Attire' means clothing and excludes jewelry and accessories. Examples of inappropriate attire include: clothing with profane language, offensive references to a specific gender, ethnic, racial or religious group, vulgar messages, and references to alcohol and controlled substances.

'Grooming' means unclean, unkempt, or inappropriate dress or grooming which adversely affects proper performance of duties or the image of the employer.

Policy Guidance

The FEP is responsible for providing case management, which includes the discussion of appropriate attire for job interviews and assistance with obtaining necessary attire for interviews. Case management also includes the discussion of personal and family health and the provision of services, referrals for services, and access to services. Services may range from referrals to clothing centers, access to food banks, to providing basic needs such as personal care items. Inappropriate attire or grooming following discussion of appropriate attire and grooming for an interview with a prospective employer may be an indication of underlying barriers. The FEP must review the case to ensure that appropriate direction or training was provided to the individual and to determine if there may be previously undiscovered limitations, disabilities, or changes in the individual's circumstances. The FEP must also discuss with the individual the need for additional supportive services and identify resources that will address any unmet needs.

5. Fails to complete a job application required by a prospective employer.

A job application is "complete" when an individual submits the job application required by the prospective employer using the method specified by that employer.

Failing to complete a job application does not include instances where there was a mistake, inadvertence, or misunderstanding on the part of the individual.

Policy Guidance

The FEP is responsible for assessing an individual's progress in his or her assigned activities, including the individual's ability to follow through on assigned activities and to perform job search. When an individual is having difficulty completing a job application, the FEP must discuss with the individual any assistance needed to follow through on completing a job application and submitting the application using the method specified by the prospective employer. The FEP must also review the employability plan, appropriateness of assigned activities, and identify and provide resources to assist the individual to follow through on assigned activities and to perform job search.

6. Communicates to a prospective employer an unreasonable requirement for salary, hours of employment, or working conditions that disqualifies the individual from employment with that employer.

Policy Guidance

The W-2 agency is required to provide employment services that include reviewing labor market information, assisting individuals with completing job applications, and preparing individuals for job interviews. An individual who communicates an unreasonable requirement for salary, hours of employment, or working conditions that disqualifies the individual from employment may lack knowledge and training on the appropriate level of employee requirements to communicate to the employer. In addition, there may be barriers to employment that the FEP is unaware of and reasonable accommodations that are needed to assist the individual in obtaining employment. The FEP must review the employability plan to determine if employment goals are in line with the local labor market, the individual's skills and educational attainment, and if the assigned activities will assist the individual in achieving the individual's employment goals.

7. Provides incorrect or incomplete information regarding employment qualifications in an interview or job application that disqualifies the individual from employment with the prospective employer after receiving written or oral directions or training from the W-2 agency regarding interviewing and filling out employment applications.

Examples of employment qualifications include criminal convictions, work history, educational attainment, credentials and certificates, driving record or possession of a valid driver's license, and salary history and expectations.

Providing incorrect or incomplete information regarding employment qualifications does not include instances where there was a mistake, inadvertence, or misunderstanding on the part of the individual.

Policy Guidance

The FEP is responsible for assessing an individual's progress in his or her assigned activities, including the individual's ability to follow through on assigned activities and to perform job search. When an individual provides incorrect or incomplete information regarding employment

qualifications in an interview or job application after receiving oral or written directions or training from the W-2 agency, underlying barriers to employment may exist. For example, the individual may need assistance with interpreting questions or following directions on an employment application to provide correct information. The individual may also need assistance with obtaining complete information to provide during interviews or on employment applications.

The FEP must review the case to ensure that appropriate direction or training was provided to the individual and to determine if there may be previously undiscovered or undisclosed limitations, disabilities, or changes in the individual's circumstances.

- **Note:** Providing incorrect or incomplete information in an interview or job application for the purposes of disqualifying the individual from employment with the prospective employer is not a W-2 intentional program violation (See [W-2 Manual, Section 13.4.1](#)).

8. Quits appropriate employment or refuses a bona fide offer of appropriate employment.

'Appropriate' means consistent with an individual's employability plan.

Policy Guidance

The W-2 agency is required to provide employment services that include developing job opportunities appropriate for individuals and matching individuals to the jobs identified. The FEP is required to use information gathered through the assessment process to develop employment goals that are based on an individual's skills, interests, educational attainment, and job opportunities in the local labor market. Quitting appropriate employment or refusing a bona fide offer of appropriate employment may reveal a mismatch in assessment and employment goals or changes in circumstances of the individual. The FEP must review the employability plan and determine if adjustments are needed to reflect those changes.

Quitting appropriate employment does not include instances where the individual quits employment to avoid a layoff or because the employer expected the individual to relocate and the individual's transportation issue cannot be addressed by supportive services.

In determining a 'bona fide offer' of appropriate employment, the FEP must consider if it pays the equivalent or more of the state minimum wage and conforms to applicable federal and state laws. The FEP must also consider the wages, hours, and other conditions of the job and how these compare to similar employment available.

9. Fails to participate in assigned activities and W-2 payments are reduced by 20% or more for two consecutive participation periods, or for three non-consecutive participation periods in a rolling 6-month period.

Policy Guidance

[W-2 Manual, Section 11.3.1](#) requires the FEP to work with an individual to identify potential barriers to participation if an individual's payment is going to be reduced by 20% or more. In

addition, the FEP must provide written notice to the individual of the proposed 20% or more payment reduction and allow the individual seven working days to provide verification of good cause for nonparticipation.

When an individual fails to participate in assigned activities and W-2 payments are reduced by 20% or more for two consecutive months, the FEP must follow the procedures described in Section 11.3.1 to identify potential barriers to participation and provide notice of the proposed 20% payment reduction. Figure 1 illustrates participants with 20% or more payment reduction for two consecutive months. If the individual provides good cause for nonparticipation that would bring the payment reduction under 20%, or the FEP determines that there are barriers to participation, the individual is not refusing to participate.

Figure 1*: 20% or more payment reduction for two consecutive months

Primary Participant PIN	Sanction % 2018-03	Sanction % 2018-04
9	55 %	37 %
7		67 %
2	74 %	100 %
6	18 %	22 %

When an individual fails to participate in assigned activities and W-2 payments are reduced by 20% or more for three non-consecutive months in a six-month rolling period, the FEP must follow the procedures described in Section 11.3.1 to identify potential barriers to participation and provide notice of the proposed 20% payment reduction. Figure 2 illustrates participants with 20% or more payment reduction for three non-consecutive months in a six-month rolling period. If the individual provides good cause for nonparticipation that would bring the payment reduction under 20%, or the FEP determines that there are barriers to participation, the individual is not refusing to participate.

Figure 2*: 20% or more payment reduction for three non-consecutive months in a six-month rolling period

Primary Participant PIN	Sanction % 2018-03	Sanction % 2018-04	Sanction % 2018-05	Sanction % 2018-06	Sanction % 2018-07	Sanction % 2018-08
5	11%				19%	86 %
1		51%		39%		49%
8	42%		49%	12%	8%	100 %

Nonparticipation may be the result of previously undiscovered or undisclosed barriers to participation or inappropriate activity assignment based on the individual’s skills and abilities. The FEP must assess the individual to determine his or her ability to engage in activities, review

the employability plan to determine if activities assigned are appropriate, and provide the necessary services, reasonable modifications, and accommodations to successfully engage the individual in assigned activities.

*Figures 1 and 2 are provided for illustrative purposes only. See the *Reports* section for details on Web Intelligence (WebI) reports.

10. Refuses or fails to follow a verbal or written direction from W-2 agency staff or staff at an employment site.

Refusing or failing to follow a verbal or written direction does not include instances where there was a mistake, inadvertence, or misunderstanding on the part of the individual.

Policy Guidance

The FEP is responsible for assessing an individual's progress in his or her assigned activities, including the individual's ability to follow through on assigned activities and to perform job search. When an individual refuses or fails to follow a verbal or written direction, underlying barriers to employment may exist. The FEP must review the case for any barriers that may impact the individual's ability to follow directions and take action to provide needed accommodations. The FEP must also consider if the direction was appropriate or reasonable for the individual to follow through.

11. Uses vulgar or profane language or engages in abusive behavior directed towards staff or others in the W-2 agency or employment site.

Policy Guidance

The W-2 agency is required to provide individuals with job readiness services, including instruction on workplace expectations and training on soft skills such as punctuality, attendance, following directions, teamwork, getting along with others in the workplace, etc. An individual who uses vulgar or profane language or engages in abusive behavior towards others may be experiencing barriers to employment. The FEP must discuss with the individual any underlying barriers to employment and provide reasonable accommodations needed to assist the individual in obtaining employment.

12. Violates written work rules developed by the employer, if the work rules were provided to the individual and there is a signed acknowledgement of receipt of the work rules in the individual's case record.

Examples of work rules are dress codes, attendance policies, health and safety standards, use of company property, and appropriate workplace behaviors.

A violation of written work rules does not include instances where there was a mistake, inadvertence, or misunderstanding on the part of the individual.

Policy Guidance

W-2 agencies are required to enter into an agreement with work training providers that assures work training providers will follow rules consistent with what they provide to unsubsidized employees. The agreement requires that training positions replicate actual conditions of work. The responsibilities and expectations of training positions must be similar to the responsibilities and expectations of unsubsidized employees.

The W-2 agency may co-locate with partner agencies that provide employment-related services to individuals, such as Job Center of Wisconsin (JCW). The W-2 agency must provide individuals with the written work rules for any partner agency co-located at the W-2 agency. For example, the FEP provides an individual with written work rules concerning the use of computers in the JCW.

W-2 agencies must ensure that an individual has knowledge of written policies on work rules for a work training site, the W-2 agency, and any partner agency co-located at the W-2 agency. The FEP must review the case to determine if there may be previously undiscovered limitations, disabilities, or changes in the individual's circumstances. The FEP must also discuss with the individual the need for additional supportive services and identify resources that will address any unmet needs.

CARES and CARES WORKER WEB (CWW)

Automation to support the refusal to participate policy will be available October 27, 2018. DCF will issue a separate memo to announce CARES and CWW changes.

REPORTS

W-2 agencies are required to establish efficient and timely reporting procedures for verifying and tracking of participation in W-2 (see 2017 Wisconsin Works and Related Programs Contract, Appendix C: Scope of Work, Section V: Standard Operating Procedures). W-2 agencies must use informal and formal communication strategies to obtain information on current participation, including receiving reports from staff at the W-2 agency or an employment site on the individual's participation or conduct in W-2 activities.

In addition to receiving reports from staff, W-2 agencies may find the following existing WebI reports useful for tracking participation:

- RP740TANF – W2 TANF Activities Detail Report (CS1, CS2, CS3, CSJ and W2T)
- WPR Report 03: Individual Participation Detail by Contract Agency
- WWP Report 07: W2 Cases with 20% or More Benefit Reduction - 1st of the Month
- WWP Report 08: W2 Cases with 20% or More Benefit Reduction - 16th of the Month
- WWP Report 09: W2 Cases with 20% or More Benefit Reduction - At W-2 Pulldown
- Caseload Report 10: Average Weekly Hours Worked

DCF will develop a new Webl report that will assist W-2 agencies with identifying individuals who are at risk for refusing to participate due to a 20% or more payment reduction for two consecutive months or for three non-consecutive months in a rolling six-month period. DCF will inform W-2 agencies when the new Webl report is available in early 2019.

FORMS AND PUBLICATIONS

DCF will update the following forms and publications and publish these to the DCF Forms and Publications repository on October 29, 2018:

Form or Publication	Description of Updates
Wisconsin Works (W-2) Participation Agreement (DCF-F-DWSP10755)	Includes language describing a W-2 participant's obligation to participate in assigned activities, the behaviors and actions that demonstrate a refusal to participate, and the penalty for demonstrating a refusal to participate.
W-2 Rights and Responsibilities (DCF-P-DWSP398)	Includes language describing a W-2 participant's obligation to participate in assigned activities, the behaviors and actions that demonstrate a refusal to participate, and the penalty for demonstrating a refusal to participate.
Wisconsin Works (W-2) Work Training Site Agreement (DCF-F-DWSP10792)	Modifies general work training provider assurance #9 to specify that work training providers develop and provide written expectations for training positions to be filled by W-2 participants that may include workplace rules.
W-2 Payment Reduction Notify Letter (DCF-F-DWSP15075)	Obsolete. CARES letter NWSN moved to CWW, eliminating the need for a paper form. The CWW Notice of Potential Wisconsin Works (W-2) Payment Reduction will include a statement that notifies a participant that nonparticipation in activities may result in ineligibility to participate in W-2 for refusal to participate.

TRAINING

Training on W-2 Refusal to Participate will be available as a Coach's Corner on the [Partner Training Team \(PTT\) Learning Center](#) by September 14, 2018.

AGENCY ACTION

To prepare for implementation of the refusal to participate policy, W-2 agencies must have plans in place by October 27, 2018 to complete the following actions within the specified timeframes:

1. Schedule existing FEPs and FEP supervisors for internal W-2 Refusal to Participate training within 30 days from the date the Coach's Corner is available on PTT. Schedule new staff for internal W-2 Refusal to Participate training within 30 calendar days of hire.
2. Familiarize staff with refusal to participate policies and update any relevant standard operating procedures (SOPs) within 30 calendar days of implementation. Specifically, update SOP 3 Case Management, SOP 4 Provide Employment Services, and SOP 8 Verify and Track Attendance.
3. Meet with all W-2 participants to review and sign the updated W-2 Participation Agreement within 30 calendar days of policy implementation.
4. Meet with all work training providers to review and sign the updated W-2 Work Training Site Agreement within 30 calendar days of policy implementation.
5. Obtain written work rules for all work training providers and meet with all W-2 participants assigned to a work training site to review and acknowledge the written work rules within 30 calendar days of policy implementation.
6. Obtain written work rules for any partner agency co-located at the W-2 agency that provides employment-related services and meet with all W-2 participants to review and acknowledge the written work rules within 30 calendar days of policy implementation.
7. Develop written work rules for the W-2 agency and meet with all W-2 participants to review and acknowledge the written work rules within 30 calendar days of policy implementation.

W-2 agencies must notify their respective Bureau of Regional Operations, W-2 Regional Coordinators or Milwaukee Operations Section, Regional Administrators when action items are complete.

ATTACHMENTS

[W-2 Manual, Section 11.6 Refusal to Participate](#)

CONTACTS

For W-2 Policy Questions in the Balance of State: Bureau of Regional Operations, W-2 Regional Coordinators

For W-2 Policy Questions in Milwaukee: Milwaukee Operations Section Regional Administrators

For W-2 CARES Processing Questions: W-2 Help Desk

DCF/DFES/BWF/BY