

## 12.2.1 Request For Fact Finding Review

All JAL applicants and W-2 applicants and participants have the right to request a Fact Finding Review. The Fact Finding Review is completed by the W-2 agency's Fact Finder. It is the first level of the dispute resolution if an applicant or participant believes:

1. The denial of an application for JAL or W-2 services was incorrect;
2. The W-2 or JAL application was not acted upon with reasonable promptness;
3. The W-2 placement was inappropriate;
4. The W-2 placement begin date was wrong;
5. The W-2 payment was incorrectly ended, reduced, or subject to an overpayment;
6. The extension to a W-2 24-month placement time limit or 48-month state lifetime limit was incorrectly denied; and/or
7. The denial of a good cause request for noncooperation with child support was incorrect.
8. The W-2 case was incorrectly closed.
9. A Learnfare penalty was incorrectly imposed.
10. The agency's determination of an IPV was incorrect.

If an applicant or participant requests a Fact Finding Review for a complaint not related to any of the above reasons, the W-2 agency must provide the Petitioner with a completed [Fact Finding Review Denial Notice \(2686\)](#) form.

An applicant or participant who requests a Fact Finding Review should be encouraged to use the form [Request for Wisconsin Works \(W-2\) Fact Finding Review \(10783\)](#). However, the petitioner may use other documentation containing the same information found in the form. A W-2 agency must also accept phone requests for Fact Finding Reviews and must document the phone request using the form [Request for Wisconsin Works \(W-2\) Fact Finding Review \(10783\)](#).

With the exception of a Learnfare Fact Finding Review request made within 10 calendar days after the date of the Learnfare Penalty Notification, the agency decision stands until it is overturned by a Fact Finding Review or a Departmental Review.

### 12.2.3 Fact Finding Reasons

A JAL applicant may request a Fact Finding Review if he or she believes:

1. The denial of an application for a JAL was incorrect;
2. A JAL application was not acted upon within 12 working days; or
3. The agency's determination of a JAL IPV was incorrect.

A W-2 applicant or participant may request a Fact Finding Review if he or she believes:

1. The denial of an application for W-2 was incorrect;
2. The application was not acted upon within 12 working days;
3. The W-2 placement was inappropriate;
4. The placement begin date was wrong;
5. The W-2 payment was incorrectly ended, reduced, or subject to an overpayment;
6. The extension to a W-2 24-month placement time limit or 48-month state lifetime limit was incorrectly denied;
7. The denial of a good cause request for noncooperation with child support was incorrect; or
8. The agency's determination of an IPV was incorrect.
9. The W-2 case was incorrectly closed.
10. A Learnfare penalty was incorrectly imposed.

### 12.2.12 Reporting Fact Finding Information in CARES

#### WWP

W-2 agencies are required to enter Fact Finding information such as the Fact Finding request date, the Review date, the reason for the Fact Finding request, pre-Fact Finding resolutions, Fact Finding attendance and the results of Fact Finding Reviews into the Fact Finding application in

~~WWP CARES~~ screen ~~WPF~~ by the 10th day of each month for the prior month.

## 12.2.13 Summary of Fact Finding Timelines

Below is a summary of the timeframes that must be adhered to throughout the Fact Finding process by the applicant, the participant, the W-2 agency or the Fact Finder:

- An applicant or participant must request a Fact Finding Review within 45 calendar days from the mailing date of the Notice of Eligibility for JALs or W-2 services, or within 45 calendar days from the effective date of the decision announced in the notice, whichever is later.
- The W-2 agency must notify the *Petitioner* of the scheduled Fact Finding Review appointment within 3 working days after the date the request for Review is received by the agency.
- The W-2 agency must schedule the Fact Finding Review within 8 working days from the date the request for Review is received by the agency.
- The Fact Finder must issue a decision within 5 working days after the Review date.
- The Fact Finder must mail a copy of the decision by 1st class mail to the last known address of the petitioner on the same day a final decision is reached.
- The W-2 agency must comply with the Fact Finding decision within 10 calendar days after the decision date.
- The W-2 agency is required to enter Fact Finding information into the Fact Finding application in WWP ~~CARES screen WPF~~ by the 10th day of each month for the prior month.

If the Fact Finding Review is rescheduled (see [12.2.5](#)), then the dates that the decision must be issued, mailed to the petitioner, acted upon and entered into WWP ~~WPF~~ are moved back accordingly.