



**Division of Family and Economic Security**

**Transitional Jobs Program**

**Transform Milwaukee Jobs Program**

**Policy Manual**

**Release 21-02**

Published 06/28/2021

Effective 06/28/2021

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## DEFINITIONS

The following definitions are used for the Transitional Jobs and Transform Milwaukee Jobs programs.

**Annual.** A period of twelve months prior to the date of eligibility determination.

**Applicant.** An individual applying for services in TJ or TMJ.

**BadgerCare Plus.** A health care coverage program for low-income Wisconsin residents including children, pregnant women, and adults.

**Bureau of Child Support (BCS).** The bureau under DFES that oversees local county child support agencies and the distribution of child support payments through the state distribution unit. Local child support agencies provide case management (child support) services to families in W-2, Wisconsin Shares, SSI Caretaker Supplement, and Kinship Care. Families in federally-financed foster care programs may automatically be referred for child support services.

**Bureau of Working Families (BWF).** The bureau under DFES that provides employment preparation services, case management, and cash assistance to eligible families through the W-2 program. Related programs include Emergency Assistance, Job Access Loan, Refugee Cash Assistance and Refugee Medical Assistance, TJ, TMJ, and Community Services Block Grant.

**Calendar days.** All days in a month, including weekends and holidays.

**Children First.** The program that provides case management and employment services for eligible noncustodial parents.

**CARES.** The eligibility determination system used to track activities and case management in TJ and TMJ.

**Contractor.** The entities under contract with DCF to administer the TJ and TMJ contracts.

**Department.** The Wisconsin Department of Children and Families.

**Department of Children and Families (DCF).** The state agency which oversees the TJ and TMJ programs.

**Department of Health Services (DHS).** The state agency that oversees Wisconsin's income maintenance programs including Medicaid, BadgerCare Plus, and FoodShare.

**Dependent Child.** A biological, adoptive, or relative child under the age of 18 who resides with a parent or a relative and primary caregiver.

**Division of Family and Economic Security (DFES).** The division under DCF consisting of BCS and BWF.

**Division of Vocational Rehabilitation (DVR).** The program that assists eligible individuals with a disability or who need an accommodation to find or keep a job.

**Electronic Case File (ECF).** A paperless case file system used by DCF and DHS contract agencies in Wisconsin to store case file materials in an electronic format.

**Emergency Assistance (EA).** Provides funding to families with child(ren) who experience an emergency due to impending homelessness, homelessness, energy crisis, fire, flood, or natural disaster and meets eligibility requirements.

**Employability Plan (EP).** A written agreement developed jointly by the Contractor and individual that provides an outline of how the individual will achieve a specific employment goal and how the Contractor will assist.

**Ex-Offender.** An individual with a prior felony or misdemeanor conviction who served their sentence in a federal or state prison or a county or local jail.

**Federal Poverty Level (FPL).** The federal government's statistical poverty threshold used in the gross income test to determine financial eligibility for public assistance programs.

**FoodShare.** The food and nutrition program for eligible Wisconsin residents (formerly the Food Stamp program), sometimes referred to as the Supplemental Nutrition Assistance Program (SNAP).

**FoodShare Employment and Training (FSET).** The employment and training program for Wisconsin FoodShare recipients.

**Household.** A cohabiting group that includes applicants, their biological, adoptive, or relative children and any children of the biological, adoptive, or relative children; the household also includes any non-marital co-parent or any spouse of the individual who resides in the same household as the individual and any biological, adoptive, or relative children with respect to whom the spouse or non-marital co-parent is a parent or a relative and primary caregiver.

**Income.** Money, wages or salary, adjusted income from self-employment, Social Security, dividends, interest on savings or bonds, income from estates or trusts, net rental income or royalties, public assistance, SSI, pensions and annuities, unemployment insurance, worker's compensation, alimony and other maintenance payments, and veteran pensions.

**Independent living.** Services designed to meet the needs of individuals in out-of-home care who are aging out of care at age 18 or older and up to age 21.

**Intermediary.** A third party that facilitates a contract between two other parties.

**Job Access Loan (JAL).** A short-term interest-free loan that is intended to meet immediate and discrete expenses that are related to obtaining or maintaining employment.

**Minimum wage.** The State or Federal minimum hourly wage.

**Older youth.** Young adults at least 18 years of age and less than 25 years of age.

**Out-of-home care.** Any out-of-home placement (e.g., foster care, kinship care, independent living facilities, residential care centers, group homes) under a Chapter 48 or Chapter 938 court order (Child in Need of Protection or Services orders (CHIPS) , Juvenile in need of Protection or Services orders (JIPS), or Juvenile Delinquency orders).

**Parent.** The biological parent, a person who has consented to the artificial insemination of his wife under s. 891.40, a parent by adoption, a man adjudged in a judicial proceeding to be the biological father of a child if the child is a non-marital child who is not adopted or whose parents do not subsequently intermarry under s. 767.803, or a man who has signed and filed with the state registrar under s. 6915(3)(b)3. a statement acknowledging paternity.

**Payroll taxes and insurance.** Federal Social Security and Medicare taxes, and worker's compensation premiums that employers are required to withhold from employees' paychecks.

**Personal Identification Number (PIN).** The unique personal identification number assigned to individuals in **WWP**.

**Primary caregiver.** A person who is responsible for the direct care, protection, and supervision of a child when the parent's parental rights have been terminated.

**Relative.** Immediate family is defined as and limited to the child's parents, step-parents, foster parents, kinship care caretaker, appointed guardian, first cousins, or grandparents; the parents' children, step-children, grandchildren, foster children, adopted children, grandchildren, brothers, sisters, nephews, nieces, uncles, and aunts.

**State.** The State of Wisconsin.

**Stipend.** A fixed, regular payment made to an individual enrolled in TJ or TMJ to encourage him or her to participate in certain activities.

**System for Payments and Reports of Contracts (SPARC).** The DCF system for monitoring and paying grant contracts to DCF sub-recipients.

**Subsidized job (SJ).** A job under TJ or TMJ in which the wages are subsidized.

**Subsidized Worker (SW).** An individual enrolled in TJ or TMJ and working in an SJ.

**Supplemental Security Income (SSI).** A payment program administered by the Social Security Administration and available to low-income disabled individuals who may not have earned enough coverage through work, but have limited income and resources.

**Temporary Assistance for Needy Families (TANF).** A federal assistance program that provides cash assistance and other services to low-income families with dependent children through the United States Department of Health and Human Services.

**TJ.** The Transitional Jobs program in Adams, Ashland, Barron, Bayfield, Brown, Burnett, Chippewa, Clark, Douglas, Dunn, Florence, Forest, Iron, Jackson, Juneau, Kenosha, Langlade, Marinette, Menominee, Oconto, Outagamie, Pierce, Polk, Price, Racine, Rock, Rusk, Sawyer, St. Croix, Taylor, Walworth, Washburn, and Winnebago counties.

**TMJ.** The Transform Milwaukee Jobs program in Milwaukee County.

**Unsubsidized employment.** Employment for which an agency provides no subsidy to the employer.

**Wisconsin Housing and Economic Development Authority (WHEDA).** An independent authority providing low-cost mortgage loans to low- to moderate-income individuals and families and offering a number of programs and services in support of business development within the State of Wisconsin.

**Wisconsin Shares.** Wisconsin's child care subsidy program that helps eligible families pay for child care.

**Wisconsin Work Programs (WWP).** A modern web application that supports applicant processing, enrollment, and disenrollment in work programs.

**Wisconsin Works.** Wisconsin's TANF program that provides employment preparation services, case management, and cash assistance to eligible families.

**Workforce Innovation and Opportunity Act (WIOA).** 2014 federal legislation that establishes the role of the job center systems in the delivery of employment and training programs, including the TANF and FSET programs.

**Working day.** Any day of the week except Saturday, Sunday, and state holidays.

**Worksite.** The entity providing an SJ and day-to-day supervision of SWs.



# 1.0 INTRODUCTION

This document provides policy guidelines for implementing the TJ and TMJ programs. In this policy manual, 'Program' means the TJ and TMJ programs unless otherwise specified.

The Program goals are:

**Goal 1:** To transition individuals into stable unsubsidized employment.

**Goal 2:** To ensure that both parents support their children through stable unsubsidized employment.

**Goal 3:** To enhance parental capacities and long-term child safety through stable unsubsidized employment.

**Goal 4:** To transition individuals in out-of-home care into independent living through stable unsubsidized employment.

The Program has four phases and each phase leads to the next:

**Eligibility Determination Phase:** Determine if the applicant meets all program eligibility requirements.

**Orientation Phase:** Prepare individuals for their subsidized jobs.

**Subsidized Employment Phase:** Provide subsidized workers with the skills needed for unsubsidized employment, and a recent, positive work reference.

**Post-Subsidized Employment Phase:** Support individuals to find and secure unsubsidized employment and provide job retention and advancement services.

## **2.0 ELIGIBILITY PHASE**

Contractors must verify all eligibility requirements during the eligibility phase. Once the Contractor determines eligibility, individuals enrolled in the Program are responsible for notifying the Contractor of changes affecting eligibility (see 2.2.1).

### **2.1 PROGRAM ELIGIBILITY CRITERIA**

In order to be eligible for the Program, an applicant must meet the following criteria:

1. Be at least eighteen (18) years of age. If 25 years of age or older, be the biological or adoptive parent of a child under the age of 18; or the relative and primary caregiver of a child under the age of 18 whose parental rights have not been terminated. The relationship may be established by blood, marriage, or legal adoption even if the marriage is terminated by death or divorce;
2. Have an annual household income that falls below 150% FPL for the household size (see 2.3.1);
3. Be unemployed for at least four (4) consecutive calendar weeks preceding the date of eligibility determination. An applicant must not have worked for more than 16 hours within a week beginning on Sunday and ending on Saturday;
4. Be ineligible to receive unemployment insurance benefits;
5. Not be receiving W-2 benefits or services;
6. Not have previously worked a total of 1,040 hours in the Program;
7. Be a citizen of the United States or a qualified non-citizen;
8. Be able to obtain and benefit from a subsidized job; and
9. Provide a Social Security Number (SSN) or provide proof of application for an SSN (see 2.3.2).

#### **2.1.1 TMJ GENERAL POPULATION**

For the TMJ general population, individuals who meet the eligibility criteria in 2.1 must be a current resident of Milwaukee County.

In addition, individuals must be at least 18 years of age and:

1. A parent with a child support order and required to pay child support;
2. A parent under a reunification plan;
3. A parent who is an ex- offender; or
4. An older youth less than 25 years of age with no children.

#### **2.1.2 TMJ FOSTER POPULATION**

For the foster population, individuals who meet the eligibility criteria in 2.1 must be a current resident of Milwaukee County.

In addition, individuals must be older youth at least 18 years of age and less than 25 years of age who were in out-of-home care at or after age 16. Contractors must disregard the individual's permanency status following their exit from out-of-home care.

### 2.1.3 TJ TARGET POPULATIONS

For the TJ target populations described below, individuals who meet the eligibility criteria in 2.1 must be a resident of Adams, Ashland, Barron, Bayfield, Brown, Burnett, Chippewa, Clark, Douglas, Dunn, Florence, Forest, Iron, Jackson, Juneau, Kenosha, Langlade, Marinette, Menominee, Oconto, Outagamie, Pierce, Polk, Price, Racine, Rock, Rusk, Sawyer, St. Croix, Taylor, Walworth, Washburn, or Winnebago counties.

In addition, individuals must:

1. General Population: Be at least 18 years of age and:
  - a. A parent with a child support order and required to pay child support;
  - b. A parent under a reunification plan;
  - c. A parent who is an ex-offender; or
  - d. An older youth less than 25 years of age with no children.
2. Foster Population: Be older youth at least 18 years of age and less than 25 years of age who were in out-of-home care at or after age 16. Contractors must disregard the individual's permanency status following their exit from out-of-home care.

## 2.2 CHANGES IN ELIGIBILITY

Contractors should evaluate whether an applicant would lose eligibility during the Subsidized Work Phase due to the age requirements to be a parent or older youth. Applicants who lose eligibility during the Subsidized Work Phase may not be appropriate for the Program if they are unable to complete up to 1,040 hours in the Program.

**Example 1:** A parent of a dependent child who will turn eighteen before the parent would be able to complete the Subsidized Work Phase would not be appropriate for the Program.

**Example 2:** An older youth age 24 and one month with no child, and who will turn 25 before he or she would be able to complete the Subsidized Work Phase, would not be appropriate for the Program.

Applicants who have previously worked in a subsidized job in the Program should have enough hours remaining of the 1,040-hour limit to achieve the Program goals (see 1.0).

## 2.2.1 REPORTING CHANGES

In order to remain eligible for the Program, individuals must notify the Contractor of any change in circumstance that may affect eligibility within ten (10) calendar days of its occurrence. Failure to report eligibility changes timely may result in termination from the Program.

### 2.2.1.1 CHANGE OF RESIDENCE

An individual who meets the residency criteria at the time of application and moves out of the Program's geographical area during enrollment may continue in the Program provided the individual can meet the demands of the subsidized job (SJ), and the Contractor has the capacity to support the individual throughout all phases of the Program.

### 2.2.1.2 RELOCATION BETWEEN TMJ CONTRACTORS

In Milwaukee County, the TMJ geographical area for an individual is based on the individual's household address.

Individuals who relocate between TMJ contractors must reapply at the Contractor that serves the geographical area into which the individual has relocated.

### 2.2.1.3 RELOCATION BETWEEN TJ CONTRACTORS

In the balance of state, there are eight (8) TJ geographical areas. A TJ geographical area may consist of more than one county. The TJ geographical area for an individual is based on the individual's county of residence.

Individuals who relocate to a different county in the same TJ geographical area do not have to reapply for TJ. These individuals may continue to receive services at any of the Contractor's office locations. However, the Contractor must transfer the case to the W-2 WP office for the county in which the individual now resides.

Individuals who relocate to a different county in a different TJ geographical area must reapply at the Contractor that serves the geographical area into which the individual has relocated.

## 2.3 ELIGIBILITY VERIFICATION

Contractors must verify eligibility information provided by an applicant to determine whether the applicant qualifies for, or remains eligible for, the Program. The chart below provides a list of suggested sources of verification. Contractors must seek further verification if there is other information that casts doubt on verbal or written, signed statements provided for verification.

Eligibility Criteria	Suggested Sources of Verification
Birth date	Certified copy of Birth Certificate (must be marked "For Administrative

(verify birth date only once)	Use") Hospital Birth Record Driver's License State-Issued ID Card US Passport Certificate of Naturalization (must be marked "For Administrative Use") Certificate of Citizenship (must be marked "For Administrative Use") Native American ID Card or other tribal membership documentation issued by a Federally recognized tribe CARES birth query (Wisconsin Births only) Any unexpired immigration document Any official form of identification containing a date of birth
Relative and primary caregiver	Adoption records Court order CARES relationships query Any official record indicating the caregiver relationship including indicating that a minor child is both a relative of and living with the applicant
Child	Certified copy of Birth Certificate (must be marked "For Administrative Use") Adoption records Child Support documents CARES relationships query Hospital Birth Record Any official record indicating parental relationships including indicating that a minor child is both a relative of and living with the applicant
Household size	Lease School enrollment document Court order KIDS child support disbursement query
Low income (see 2.3.1)	Tax documents Verified income records from other income maintenance programs Check stubs from all sources of household income Written statement signed by the applicant provides acceptable verification when there is no annual household income to count
Unemployed for four weeks	Employment Verification Form (EVFE) Written statement signed by the most recent employer indicating the last day of employment Data Exchange unemployment query Written statement signed by the applicant indicating the last day of employment
Ineligible for unemployment insurance	Data Exchange unemployment query Unemployment Insurance verbal or written verification of ineligibility to receive UI benefits Written statement signed by the applicant indicating their lack of recent work history
Not receiving W-2	CARES Participation History query
Not worked in the Program for 1,040 hours	CARES Supportive Services query (WPSS)

Subject to child support	Child support documents Child support case number (or KIDS PIN if in Wisconsin) Verbal or written verification by the local child support agency
Under a reunification plan	Child welfare documents with family reunification plan and dates Verbal or written verification by the local child welfare agency
Ex-offender status	Circuit court records Criminal Information Bureau records Incarceration release documents Statement from probation officer Statement by the applicant indicating ex-offender status
Foster care status	eWiSACWIS query Verbal or written verification by the local child welfare agency or independent living agency
U.S. Citizenship ( <i>verify citizenship only once</i> )	Follow verification instructions on I-9 form which can be accessed by the following link: <a href="http://www.uscis.gov/files/form/i-9.pdf">http://www.uscis.gov/files/form/i-9.pdf</a>
Qualifying Non-citizen status	Any document found in the <a href="#">Non-Citizen Eligibility Desk Guide</a>
Residency	Lease Utility bill Any official mail containing the applicant's name and address Written statement indicating the address and signed by the individual whom the applicant resides with
Social Security Number (SSN) ( <i>verify SSN only once</i> )	Data Exchange verifying verbal statement of individual's SSN Social Security Card Pay stub displaying the Social Security number W-2 Tax Form displaying the Social Security number Other reliable documents displaying both the name and SSN
Application for SSN ( <i>verify only if individual does not have SSN</i> )	Form SS-5, Application for Social Security number SSA Document (e.g. receipt for SSN Application) Other Written Statement or Agency Form stating that the individual has applied for an SSN Oral statement from representatives of other state agencies, hospital staff, or other third parties verifying that a record exists of the individual's application for an SSN
Identity ( <i>verify identify only once</i> )	Driver's License State Issued ID Card Student ID Card US Government ID Card Military ID Card Native American ID Card or other tribal membership documentation issued by a Federally recognized tribe Any photo ID document issued by USCIS US Passport Any unexpired immigration document Any other reliable document that verifies identity

### 2.3.1 LOW INCOME REQUIREMENT

To be eligible for the Program, an applicant must be low-income. Low-income is defined as having an annual household income that falls below 150% of the federal poverty level (FPL) for the household size.

Household size includes:

- The applicant;
- All dependent minor children for whom the applicant is a legal custodial parent;
- All minor children for whom the adult applicant's dependent child is a custodial parent;
- A co-parent when the applicant and co-parent are not married to each other;
- A spouse of the applicant who resides in the same household as the applicant;
- Any minor children for whom the spouse or co-parent is a custodial parent; and
- All minor children who are not the children of the applicant but for whom the relationship is established by blood, marriage, or legal adoption even if the marriage is terminated by death or divorce.

**Example:** Andre is 26 years old and cares for his two-year old nephew, Julius. The Contractor verifies that the mother's parental rights to Julius were terminated and that Andre is the primary caregiver. Andre's household size is two.

Contractors must collect information verifying the household size. The individual's statement of household size and any available supporting documentation provides sufficient verification of household size.

Household income is determined by adding all the counted annual income for every adult included in the household, as defined by household size.

#### 2.3.1.1 COUNTING ANNUAL INCOME

Contractors must count all earned and unearned income of all adult household members when determining the 150% FPL test unless specifically disregarded (see 2.3.1.2).

- Farm and Self-Employment Income:
  - Count the gross receipts from farm and self-employment businesses. Gross receipts must not be adjusted based on expenses.
  - Calculate using IRS tax forms completed for the previous year or, if tax forms were not completed for the previous year, use average monthly anticipated earnings.
- Supplemental Security Income, Caretaker Supplement, and Kinship Care Income.

Contractors have the discretion to determine what constitutes acceptable verification of each income type.

### 2.3.1.2 DISREGARDING ANNUAL INCOME

Contractors must disregard the following income:

- Income from any subsidized employment program;
- Job Access Loan (JAL);
- Child support, maintenance and family support (combination of child support and maintenance) including child support arrears payments;
- Earned Income Tax Credit;
- Rehabilitation Act of 1973 (PL 93-112): Disregard wages, allowances or reimbursements for transportation or personal assistance services costs paid to reasonably accommodate a transitional worker, such as a vehicle modification made to accommodate a disability or a payment by the Division of Vocational Rehabilitation to support a rehabilitation plan;
- Income of a dependent child;
- Reverse mortgage loan proceeds: (1993 Wisconsin Act 88);
- In-kind income: Any gain or benefit that is not in the form of money paid directly to the household such as, meals, clothing, housing and garden produce;
- Vendor Payments: Payments made on behalf of the household by a third party to another source, such as rent paid by a community organization on the household's behalf;
- Foster care payments;
- Federally funded benefits: Any income or resources distributed under the federal laws listed in W-2 Manual, Chapter 3;
- AmeriCorps VISTA Volunteers In Service to America income unless the VISTA contractor director verifies that volunteers are receiving the equivalent of minimum wage;
- Indian Tribal Judgment Funds Use or Distribution Act (PL 93-134): Count per capita shares in excess of \$2,000 and income above \$2,000 per year; and
- Loans.

### 2.3.2 PROVIDING A SOCIAL SECURITY NUMBER

Every applicant for the Program must provide a Social Security Number (SSN) as a condition of eligibility. If the applicant does not have an SSN, the applicant must provide proof that he or she has applied for an SSN.

An individual is initially exempt from providing an SSN or proof of application for an SSN if the individual meets each of the following characteristics: (1) Does not have an SSN, (2) Does not have work authorization, and (3) Is a member of one of the following qualified non-citizen groups:

1. Cuban/Haitian entrants, as defined in section 501(e) of the Refugee Education Assistance Act of 1980; or
2. Certified, foreign-born victims of trafficking; or
3. Parolees (alien paroled into the U.S. for at least one year under section 212(d)(5) of the Immigration and Nationality Act); or



4. Certain battered aliens who meet the requirements of 8 USC 1641(c); or
5. Any qualified non-citizen who cannot apply for an SSN until their immigration status paperwork has been revised.

An individual who is initially exempt must continue to complete the necessary steps for obtaining an SSN in order to remain eligible for the Program.

## **2.4 APPLYING FOR SERVICES**

To determine eligibility, an individual must apply for the Program. Contractors shall not prohibit any individual from applying for services.

Contractors must develop an application for the Program. At a minimum, the application must include:

1. Date application is received;
2. Contractor's name, address, and telephone number;
3. Applicant's name, address, and telephone number;
4. Household information including the name of all persons living in the household, social security number, dates of birth, gender, marital status, citizenship or qualified alien status, and relationship to the applicant;
5. Applicant nonfinancial eligibility information:
  - a. Child support status (e.g., payer and KIDS case number);
  - b. Child welfare reunification status (e.g., children placed out-of-home and expected date of reunification);
  - c. Offender status (e.g., convicted of a misdemeanor or felony);
  - d. In or out of out-of-home placement (e.g., foster care, kinship care, independent living facilities, residential care centers, group homes) under a Chapter 48 or Chapter 938 court order (Child in Need of Protection or Services orders (CHIPS), Juvenile in Need of Protection or Services orders (JIPS), or Juvenile Delinquency orders);
  - e. Receiving W-2 benefits or services;
  - f. Receiving unemployment insurance benefits;
  - g. Last date of employment and hours worked within the work of the last day of employment;
  - h. Previous enrollment in the Program and hours worked;
  - i. Questions that assess the applicant's ability to obtain and benefit from a subsidized job;
6. Household financial eligibility information:
  - a. Gross earned income of household members in the last twelve calendar months;
  - b. Unearned income of household members in the last twelve calendar months and types of unearned income; and
  - c. Household members' assets and types of assets;
7. A description of the types of documentation an applicant may need to provide in order to verify information needed to determine eligibility for the Program; and

8. Signatures and date signed by the applicant and the authorized staff receiving the application.

Contractors may develop acknowledgements to provide information to applicants on the terms of the application including:

- A statement that the applicant understands and agrees to provide documentation to prove the information provided by the applicant.
- A statement authorizing the Contractor to request and receive any information that is appropriate and necessary for the proper administration of the Program.
- An acknowledgement that the applicant understands the questions in the application and the answers provided are correct and complete to the best of the applicant's knowledge.
- A statement that the applicant must notify the Contractor of a change in circumstance that may affect eligibility within ten (10) calendar days of its occurrence.
- Penalties for providing false information or failing to report eligibility changes timely.
- A complaint resolution process (see 2.7).
- Basic participation requirements for an individual enrolled in the Program.
- A statement that the SJ may either affect benefits applicants receive from other programs, or income from the SJ may be affected by other programs.

## 2.4.1 RELEASE OF INFORMATION

When an applicant has made a reasonable effort and cannot obtain required verification, does not have the power to produce the verification, or requires assistance to do so, the Contractor must assist the applicant.

Contractors must develop a form authorizing a third party to release information for the purposes of the administration of the Program. At minimum, the form must include:

1. The individual who is the subject of record and any applicable identifying information.
2. The person or organization to whom the information may be released.
3. The person or organization being authorized to release information.
4. A description of records authorized for release.
5. The purpose or need for release of information.
6. A statement that authorizes the disclosure of records to the person or organization to whom the information may be released.
7. An authorization expiration date.
8. A signature for the individual who is the subject of record.
9. A signature for the other person legally authorized to consent to disclosure.

## **2.5 DETERMINING ELIGIBILITY**

Contractors must explain to applicants that the application process cannot begin and the application date cannot be set until the Contractor receives a signed application.

Contractors must determine eligibility no later than ten (10) working days after the date the Contractor receives a signed application.

## **2.6 NOTIFICATION OF ELIGIBILITY**

Contractors must provide a written notice of the eligibility decision for all applications received and processed. The notice may mirror a letter that would be provided to any person who interviewed for a job, but was not selected. At minimum, the notice must include:

1. An eligibility decision.
2. An explanation of the action.
3. A dispute resolution process (see 2.7).

## **2.7 COMPLAINT RESOLUTION**

Contractors must establish a complaint resolution process and identify at least two different contacts to whom complaints should be directed. Contractors must provide the written process, including the names and contact information of designated contact staff, to all applicants.

The complaint resolution process applies not only to applicants, but also to individuals who are enrolled in the Program.

### **2.7.1 GRIEVANCE PROCEDURE**

A regular employee of a worksite may file a complaint with the designated contact staff if the employee believes that s/he or another employee was unlawfully terminated to create a vacancy for a subsidized worker in a subsidized job, or if the employee believes that a subsidized worker has been unlawfully placed in a vacancy created by a labor dispute.

Complaints of displacement must follow the procedure outlined in the Workforce Investment Act (WIA) Policy Manual, Chapter 9: Complaints, Grievances, and Appeals.

In addition:

- Employees may initiate a group complaint. In such a case, the complainants shall choose one individual to represent the interests of the group. A group complaint shall be so designated at the first step of the grievance procedure and signed by all employees who are parties to the complaint.

- A worksite against whom multiple complaints have been lodged may ask that the designated staff consolidate complaints. The designated staff may consolidate complaints where a reasonable basis for consolidation exists.
- No worksite may retaliate against an employee, their representative, or any witness who participates in the grievance procedure, for initiating or participating in the grievance procedure.

## **2.8 ELECTRONIC CASE FILE**

Contractors must scan a signed copy of the application, documents verifying eligibility, and decision notice into the Electronic Case File (ECF) system within 30 calendar days of eligibility determination.

Contractors must follow the scanning requirements as established in the ECF Handbook and scan required Program documents into the Miscellaneous/Agency Specific subfolder.

Contractors must store confidential documents in a sealed envelope in a paper file. Contractors are prohibited from scanning confidential information into ECF.

## **2.9 MISREPRESENTATION OF ELIGIBILITY INFORMATION**

Any misrepresentation of information pertaining to the eligibility determination for the Program will result in the applicant's disqualification from the selection process or immediate termination from the Program.

## **2.10 PROTECTING AND REQUESTING INFORMATION**

Information concerning individuals in the Program generally must not be disclosed for any reason except when it is necessary for the administration of the Program or, under certain circumstances, unless requested by law enforcement officers. (See 2.10.2) If the information requested is not directly related to program administration, it must not be provided.

### **2.10.1 CONFIDENTIAL INFORMATION**

Information related to the following list of items is considered confidential for purposes of the Program:

1. AODA treatment;
2. Mental health treatment;
3. Domestic violence counseling;
4. HIV/AIDS; and
5. Medical conditions.

Information related to the above list of items may include, but is not limited to:

1. Details of assessments;
2. Medical test results;
3. Treatment notes; and
4. Medical diagnosis.

See 2.8 for information on storing confidential information about individuals in the Program.

The laws governing protection of confidential information are stricter than general information about individuals in the Program. In general, the laws narrowly restrict the disclosure and use of this information to a “bona fide need to know”. An individual or program in possession of such information (for example, a federally-assisted substance abuse program) may not release it except as authorized by the individual in writing. Anyone who receives such information from a substance abuse program (for example, a Contractor) may not again disclose it without the individual’s written consent and cannot retain this information unless confidentiality can be maintained.

Contractors may disclose confidential information in the following circumstances without a release of information:

1. To other Contractor staff who have a bona fide need to know;
2. To another Contractor if the individual re-applies with a different Contractor; and
3. To staff from the Department of Children and Families (DCF), which has direct administrative control over the Program.

**Example:** Carlos is accepted into the Program and begins orientation the following week. Carlos discloses to the case manager that he is attending physical therapy appointments for an injury that resulted from a car accident. He provides the case manager with the doctor’s medical assessment results. The case manager shares with the orientation facilitator Carlos’s medical assessment and the necessary accommodations he would need to successfully participate in orientation. The sharing of this information was based on the orientation facilitator’s “bona fide need to know” because with this information the facilitator would be able to provide the accommodations Carlos needs in order to complete orientation.

## 2.10.2 RELEASING INFORMATION TO LAW ENFORCEMENT

If a law enforcement officer believes, on reasonable grounds, that a warrant has been issued and is outstanding for the arrest of an individual in the Program, the Contractor staff, at the request of the law enforcement office, may notify a law enforcement officer when the individual appears to report to the Contractor.

A Contractor may release the current address of individuals in the Program to a law enforcement officer who meets all of the following conditions:

1. The officer provides, in writing the name of the individual in the Program; and
2. The officer demonstrates, in writing the following:
  - a. The individual in the Program:
    - 1) Is a fugitive felon under 42 USC 608(a)(9);
    - 2) Is violating probation or parole imposed under state or federal law; or
    - 3) Has information that is necessary for the officer to conduct their official duties;
  - b. That the location or apprehension of the individual in the Program is within the official duties of the officer; and
  - c. The officer is making the request in the proper exercise of their duties.

The Contractor is not required to report an individual in the Program to police simply because it knows that the person has an outstanding warrant. If there is any concern that an individual in the Program may cause harm to him or herself or others, whether there is a warrant involved, the Contractor should take the initiative to contact the police.

### **2.10.3 ACCESS TO PUBLIC RECORDS**

DCF administers the TJ and TMJ programs. All persons may obtain information and access to DCF's public records, or obtain a copy of those reports. Certain information and records are not subject to disclosure. The public may request records orally, electronically, or in writing by visiting <https://dcf.wisconsin.gov/public-records>.

### **2.10.4 ACCESS TO CONFIDENTIAL CASES**

If an individual participating in the Program has a CARES Worker Web (CWW) case that is marked confidential, the assigned TJ or TMJ worker will automatically have access to both the Work Programs (WP) screens in CARES and PIN information in Wisconsin Work programs (WWP) for the individual. A worker who is not the assigned TJ or TMJ worker and who needs access to confidential information in WWP must request elevated access. Elevated access allows time-limited access to confidential PINs in WWP for contractors to perform necessary case management functions.

### **2.10.5 DISCUSSING CONFIDENTIALITY SITUATIONS**

Contractors should discuss an individual's confidentiality situation when necessary for the protection and well-being of the individual; however, at a minimum, contractors must discuss the situation that makes the case confidential during client registration if the individual has a confidential CWW case before requesting the Program.

### 2.10.5.1 MAKING A PIN CONFIDENTIAL

An individual participating in the Program may request the contractor to make their PIN confidential to restrict access to information for the protection and well-being of the individual.

Contractors must make an individual's PIN in WWP confidential in the following situations:

1. When the individual requests the information to be made confidential;
2. When the individual is enrolled in the Safe at Home program;
3. When the individual is a victim of or is under the threat of domestic violence or other physical harm;
4. When the individual is an employee of the Contractor;
5. When the individual is enrolled in another program and information was made confidential (e.g., WIOA, DVR, etc.); or
6. Any situation in which the contractor believes restricting access to an individual's case information is necessary for the individual's protection and well-being.

## **3.0 CONTRACTOR RESPONSIBILITIES**

Contractors must inform and provide basic information to applicants about other programs. The Contractor is not responsible for determining or estimating eligibility for, or the level of assistance provided by other programs. The Contractor may refer applicants to ACCESS WI to apply for assistance programs <https://access.wisconsin.gov/>.

### **3.1 CHILD SUPPORT**

Subsidized employment is reported to the child support agency, and the earnings are subject to any and all child support collections efforts.

Subsidized workers who are custodial parents receiving child support do not have to assign a portion of their child support payments to the State of Wisconsin as a result of their participation in the Program.

### **3.2 FOODSHARE**

Subsidized employment earnings count as earned income when determining FoodShare eligibility.

### **3.3 WISCONSIN SHARES**

Unless explicitly disregarded, income counts towards the child care budget when determining Wisconsin Shares eligibility.

### **3.4 BADGERCARE PLUS**

Subsidized employment earnings count as earned income when determining BadgerCare Plus eligibility.

### **3.5 EMERGENCY ASSISTANCE**

Subsidized employment earnings count as earned income when determining eligibility for emergency assistance payments.

### **3.6 WISCONSIN WORKS (W-2)**

Individuals enrolled in the Program cannot be co-enrolled with W-2 (see 2.1).



### **3.7 FOODSHARE EMPLOYMENT AND TRAINING (FSET)**

Individuals enrolled in the Program may access FSET as a resource for training and job search assistance. When co-enrollment occurs, Contractors must work with the FSET case manager to coordinate employability planning to ensure assigned activities do not conflict.

### **3.8 CHILDREN FIRST (CF)**

Individuals enrolled in the Program may access CF for case management, job search, and job retention services. CF is available in 20 counties and 1 tribe (see [2019 Children First Program Guide](#)). Contractors providing services in a CF county must coordinate with the CF agency, local child support agency, and human services department to ensure assigned activities do not conflict and that there is no overlap in activities. Contractors are encouraged to work with their local community partners to increase the level of services and supports available to noncustodial parents.

Contractors must notify the CF case manager, child support case manager, or human services worker when an individual begins and ends an SJ.

### **3.9 WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA)**

Individuals enrolled in the Program may access WIOA as a resource for training and other services that are not available through the Program or that extend beyond the Program duration. When co-enrollment occurs, Contractors must work with the WIOA case manager to coordinate employability planning to ensure assigned activities do not conflict.

### **3.10 DIVISION OF VOCATIONAL REHABILITATION (DVR)**

Individuals enrolled in the Program may access DVR as a resource for vocational training, job search and job placement assistance. When co-enrollment occurs, Contractors must work with the DVR case manager to coordinate employability planning to ensure assigned activities do not conflict.

### **3.11 CHILD WELFARE**

Individuals enrolled in the Program may receive case management services from child welfare programs. When the individual is involved in a child welfare family case plan, the Contractor must work with the child welfare case manager to coordinate employability planning to ensure assigned activities do not conflict.

### **3.12 TAX CREDITS**

Subsidized employment earnings qualify as earned income for state and federal tax credits. Contractors must inform and provide basic information to subsidized workers about the following tax credits:

- Earned Income Tax Credit (state and federal)
- Federal Child Tax Credit
- Wisconsin Homestead Tax Credit

### **3.13 JOB ACCESS LOAN (JAL)**

Subsidized employment earnings count as earned income when determining JAL eligibility. Contractors must inform and provide basic information to subsidized workers about JALs.

### **3.14 EDUCATION SERVICES**

Individuals enrolled in the Program may receive adult education services from local literacy programs. The Contractor must work with the service provider to coordinate employability planning to ensure assigned activities do not conflict.

### **3.15 WISCONSIN SHARES**

Daily activities for individuals enrolled in or applying to Wisconsin Shares should be assigned less than 2 hours apart when possible. Additionally, workers must indicate whether travel time is included in the schedule.

## 4.0 EMPLOYABILITY PLAN

Contractors must create an Employability Plan (EP) for all individuals enrolled in the Program. Participants must have an EP at all times. Contractors must record EPs in WWP except in cases where the Contractor is unable to access WWP (e.g., lack of internet access, no laptops permitted in a correctional facility). In such cases, Contractors may develop a paper EP and must enter the EP in WWP within 30 days. Contractors must review the EP with the individual, give the individual the opportunity to sign the EP, and provide them with a copy of the completed EP. Individuals must cooperate with and follow their EPs throughout the Program duration. Contractors must scan all EPs into ECF (see 2.8).

### 4.1 DEVELOPING THE EMPLOYABILITY PLAN

Contractors must collaborate with the individual to create an EP based on an assessment of the individual's employment goals in the Program. The EP must address the individual's goals and activities. Contractors may backdate the EP begin date by up to 30 days when necessary (e.g., delayed verification, entering data from a paper EP). When developing the EP, the Contractor must consider other programs to which the individual is connected (see 3.2).

The activity portion of the EP must include the following detail for each assigned activity:

1. Activity to be completed;
2. A description of the activity;
3. Planned begin and end date;
4. Provider of service;
5. the specific days of the week and the specific number of hours on each day that the activity is assigned;
6. Address of the site where the activity is located;
7. Supportive services required to complete the activity; and
8. Any additional remarks to assist the individual.

#### 4.1.1 EMPLOYABILITY PLAN REVIEW

Contractors must ensure that the EP reflects the activities the individual is in during each phase of the Program and must update the EP as circumstances change throughout the Program duration.

## 4.2 INFORMAL ASSESSMENT

Contractors must conduct informal assessments when creating and updating the EP. The purpose of the informal assessment under the Program is to gather information about the individual to determine the:

- Individual's ability to become employed and remain employed.

- Services and activities necessary for the individual to become employed and remain employed.
- Appropriate match for the SJ (see 6.0).

Individuals being assessed should be asked if they have any limitations on the type of work they can perform or the hours they are available. Unless they voluntarily identify limitations (such as limits on the weight they can lift, visual limitations, hearing loss or other disabilities the individual may feel are relevant to the type of work s/he can perform), all individuals being assessed should be presumed to be physically and mentally able to work (with or without accommodations the employer may be legally obligated to provide) in any job available through the program. Contractors should be provided with enough information about job requirements to make a personal decision whether the Contractor believes the individual can perform the activities that will be required.

Work sites that have established selection criteria for job applicants such as minimum visual acuity, ability to distinguish colors, ability to hear sounds, lifting requirements, etc. may, in their sole discretion, apply those same criteria to any individual in the Program referred to the work site. The Contractor may engage in assessment activities to determine whether an individual meets the minimum skills and experience the work site requires of unsubsidized workers, such as minimum reading or math comprehension, experience using equipment or a license or certificate. The Contractor may not use any disability screening or assessment tool to identify an individual's disabilities, and the Contractor may not make any decision that an individual has an actual or perceived disability that disqualifies the individual from any employment with any work site.

It is critical to recognize that unlike W-2 the Program does not provide services, therapies and treatments to address physical or mental disabilities or Alcohol and Other Drug Abuse (AODA). The Contractor may engage in assessment activities to identify barriers for the purpose of assuring services are appropriate to become employed and remain employed (see 4.2.1). Using disability assessment tools to restrict employment opportunities or referrals on the basis of disability, however, is expressly prohibited.

#### 4.2.1 INFORMAL ASSESSMENT INVENTORY

Contractors must use the TJ and TMJ Informal Assessment Driver Flow to gather information about individuals' personal strengths, work styles, interests, and skills that may help them in their search for employment or that may be developed further through activities assigned in the EP. In addition, contractors must work with individuals to identify resources that will address any unmet needs identified during the informal assessment process that may affect their ability to become employed or stay employed.

In addition to the information gathered through completion of the TJ and TMJ Informal Assessment Driver Flow, the following inventory must be covered as part of the informal

assessment process and reviewed with each individual when developing the initial EP and as part of ongoing case management.

- Personal strengths, interests and goals;
- Job skills (including transferable skills);
- Recent job search efforts;
- Results from career assessments that evaluate work styles, skills, and interests;
- Access to social supports (e.g., family members, church, friends); and
- Other needs identified by the individual that may affect their ability to become employed or stay employed.

Informal assessment must also include observations by contractors about an individual's ability to follow through on assigned activities and perform job search. When an individual is having difficulty completing assigned activities, this may be an indication of underlying barriers to employment and should result in further conversations with the individual about the appropriateness of the activity assignments and the need for additional supportive services.

## 4.3 PROGRAM GOALS

This section of the EP lists goals developed jointly between the worker and the applicant or participant using assessment results. For each goal added to the EP, goal steps document smaller, specific actions the applicant or participant can take to reach the goal.

There are three different types of goals available in the EP:

1. Primary and Secondary Employment Goals:  
Shorter term employment goals that can be achieved through participation in the program. The Primary and Secondary employment goals should be based on:
  - a. The applicant's or participant's strengths, skills, work styles, interests, and needs. Consideration should be given to the individuals' prior work experience, prior education and training, and assessments (e.g., *educational needs assessment*, *career assessments*, *vocational evaluation/assessments*, or other formal assessments).
  - b. The likelihood of the participant realistically achieving the goal through participation in the Program. Consideration must be given to all types of activities that may enable the applicant or participant to achieve his or her goal including, but not limited to, job search/job readiness activities, work experience, educational activities, job skills training and technical college participation. (See [TMJ and TJ Manual Appendix - Activity Codes](#))
  - c. Industry and employment opportunities in the local labor market. The worker must review relevant labor market data to determine if employment goals are in line with the local labor market. Wisconsin's WisConomy and the Job Centers of Wisconsin are excellent resources for labor market information. Skill Explorer may be used to align participants' skills, interests, and needs with occupations.
  - d. Length of time remaining in the Program. Immediate engagement in meaningful activities positions participants to achieve the best outcomes

possible within the time limits of the Program. If the applicant or participant is nearing a time limit, types of activities must reflect an increased focus on transitioning from the Program.

If the applicant or participant is not ready to identify a specific occupation when the goals are initially developed, the focus of the goal may be broadened to a field of interest or an industry sector. Career assessments and career exploration tools should be used to help identify sectors, career pathways, training needs, and family-sustaining employment goals that may match the results of the assessed work styles, skills, and interests.

2. Other Program Goal:

Concrete short-term goals or outcomes the applicant or participant should achieve through participation in order to move in the direction of his or her employment goal. This may involve completing education or training courses or acquiring work experience in his or her field of interest. It may also involve overcoming a barrier to employment through assigned activities such as physical rehabilitation, treatment or counseling.

## 5.0 PARTICIPATION STATUSES

Participation Statuses indicate which phases of the program a participant is transitioning between. A Participant Status cannot exist concurrently with an activity. When there is a Participation Status, the Contractor must enter an EP with goals (see 4.3).

Following are the participation statuses for TMJ and TJ:

### **TA – Transform Milwaukee Jobs/Transitional Jobs Assignment**

*Valid for the following program: TJ/TMJ*

Report this status for individuals who complete orientation activities and are eligible for a subsidized job assignment.

### **TE – Transform Milwaukee Jobs/Transitional Jobs Reassignment**

*Valid for the following program: TJ/TMJ*

Report this status for individuals who end subsidized employment or unsubsidized employment and are eligible for a subsidized job reassignment.

Participation Statuses indicate which phases of the program a participant is transitioning between. A Participant Status cannot exist concurrently with an activity. When there is a Participation Status, the Contractor must enter an EP with goals (see 4.3).

## 6.0 ORIENTATION

All individuals enrolled in the Program must participate in orientation activities. The duration of the Orientation Phase may vary in accordance with each Contractor's approved standard operating procedures. Contractors must evaluate each individual's required outcomes with respect to actual achievements to determine if the individual successfully completed either the entire Orientation Phase or any portion thereof. Contractors must develop and scan completed attendance timesheets into ECF (see 2.8).

### 6.1 ORIENTATION ACTIVITIES

Orientation prepares individuals for employment in an SJ. Below are examples of orientation activities. Contractors may provide some or all of these activities.

- Resume writing, completing employment applications, and interviewing;
- Job readiness and soft skills;
- Workplace skills (business etiquette, anger management, appropriate behavior);
- Workplace expectations (punctuality, attendance, following directions);
- Communication skills and teamwork; and
- Balancing life and work.

Contractors must make reasonable accommodations requested by individuals in the Program to assist each individual to successfully complete the Orientation Phase.

### **6.1.1 STIPENDS**

Contractors may pay a stipend to individuals for participating in orientation activities. An individual may participate in the Orientation Phase for up to forty (40) hours, and the stipend may not exceed the minimum wage for every hour the individual participates in orientation activities.

Hours in orientation do not count towards the maximum of 1,040 hours worked.

#### **6.1.1.1 STIPEND AUTHORIZATION**

Contractors that pay a stipend must create a written process establishing consistent procedures for issuing the stipend which must be available to the department upon request. The Contractor must create and use a stipend authorization form containing the following information:

1. A statement that a stipend has been authorized to be paid to the individual by the Contractor;
2. The individual's name, complete mailing address, and PIN;
3. A detailed description of the specific outcomes that must be achieved to receive a stipend;
4. The amount of the stipend and other applicable payment terms determined by the Contractor; and
5. The individual and Contractor authorized signatures with dates.

The Contractor must accurately record on CARES screen WPSS hours the individual actually participated in orientation and the stipend amount paid.

### **6.2 POST-ORIENTATION ACTIVITIES**

Individuals that complete orientation activities and are waiting for a subsidized job assignment may participate in employment search as a post-orientation activity.

Contractors must work with eligible individuals to attach them to subsidized employment within 60 days of completing the last scheduled orientation activity.



## **7.0 SUBSIDIZED EMPLOYMENT PHASE**

Subsidized employment helps each subsidized worker (SW) acquire the skills and experience needed to obtain unsubsidized employment. SWs may work for a maximum of 1,040 hours in the Subsidized Employment Phase.

### **7.1 ON-THE-JOB TRAINING**

Worksites may provide on-the-job training during the Subsidized Employment Phase. Hours in on-the-job training count towards the maximum of 1,040 hours actually worked.

### **7.2 EMPLOYER OF RECORD**

The Contractor, intermediary, or work site may act as the employer of record. The employer of record is legally responsible for paying SJ wages, the employer of record's share of federal Social Security and Medicare taxes, and worker's compensation insurance, if any. Private sector employers of record, such as a private sector intermediary or work site, may be required to pay unemployment insurance (UI) premiums. If the employer of record is legally required to pay UI premiums, those premiums are reimbursable under the TMJ contract (see 6.5.2).

### **7.3 EMPLOYER AGREEMENTS**

An SJ requires at least twenty (20) and not more than forty (40) hours a week of work. Contractors must develop and complete an employer agreement for every SJ. At minimum, the employer agreement must include:

1. Subsidized worker's full name;
2. Subsidized worker's PIN;
3. Official name of worksite;
4. Worksite Federal Employer Identification Number (FEIN);
5. Worksite mailing address;
6. Subsidized worker's work address;
7. Supervisor's name;
8. Supervisor's title;
9. Supervisor's phone number;
10. General scope of work to be done by the subsidized worker;
11. Expected duration of subsidized employment (begin date and end date);
12. Hours per week;
13. Hourly wage;
14. Wage subsidy (up to \$7.25 per hour);
15. Hourly wage in excess of wage subsidy;
16. Responsible party for hourly wage in excess of wage subsidy;
17. Estimated payroll taxes and insurance;

18. Responsible party for payroll taxes and insurance (if applicable);
19. Total planned subsidized employment hours (not to exceed 1,040 hours actually worked);
20. Training and education requirements (if applicable);
21. Statement ensuring that the subsidized employment is in compliance with the employer guidelines in 6.7.;
22. Statement ensuring that the employer will retain the subsidized worker as an unsubsidized worker at the end of the subsidized job or serve as an employment reference;
23. Statement ensuring that the employer will conduct regular performance evaluations;
24. Statement ensuring that the employer understands that when the subsidized worker loses eligibility for the Program, the wage subsidy ends. In this circumstance, the employer and the Contractor agree that the loss of the subsidized worker's eligibility obligates the Contractor to terminate its contractual relationship with the employer; and
25. Signatures with dates of the Contractor, worksite supervisor, and the subsidized worker assigned to that site.

Contractors must scan internal employer agreements into ECF.

### 7.3.1 WAGE SUBSIDY

Contractors must negotiate an agreement with an employer to pay a wage subsidy that is no more than the state or federal minimum wage (\$7.25) for each hour worked, up to a maximum of 40 hours per week. The Contractor may negotiate with an employer to pay a wage subsidy that is less than \$7.25 per hour, if the employer is willing to accept a wage subsidy that is less than \$7.25 per hour.

An employer may pay an SW an amount that exceeds the negotiated wage subsidy; however, the employer must pay the SW at least minimum wage. SJ wages in excess of the negotiated wage subsidy are not reimbursable costs under the TJ or TMJ contracts.

**Example:** A SJ pays \$9.00 per hour. The contractor and employer negotiate a wage subsidy of \$5.00 per hour. Subsidized wages in excess that are not eligible for reimbursement = \$4.00 (\$9.00 - \$5.00).

### 7.3.2 PAYROLL TAXES AND INSURANCE

In addition to negotiating the wage subsidy, Contractors may agree to reimburse an employer for payroll taxes and insurance attributable to the employment of the SW.

### **7.3.3 OVERTIME**

An SW may work more than forty (40) hours per week and must be paid overtime if required by law. Overtime wages in subsidized employment are not reimbursable. Overtime hours do not count towards the maximum of 1,040 hours worked. Payroll taxes and insurance attributable to overtime hours are not reimbursable.

## **7.4 TRACKING HOURS WORKED**

Contractors must collect and verify attendance records for hours actually worked in the Subsidized Employment Phase and must accurately record in WWP hours actually worked and the subsidy amount paid per week. Contractors must also record in CARES payments made to the employer of record to cover the payroll taxes and insurance associated with employing a SW, if applicable (see 8.0).

Contractors must collect and verify timesheets for hours actually worked prior to making any payments to the employer of record. Contractors must scan verification of hours actually worked into ECF (see 2.8).

## **7.5 EMPLOYER GUIDELINES**

Contractors must maintain a supply of work sites sufficient to provide SJs to individuals who begin subsidized employment. The following requirements apply to all forms of subsidized employment under the Program:

1. The employment must not have the effect of filling a vacancy created by an employer terminating a regular employee or otherwise reducing its workforce for the purpose of hiring a SW.
2. The employment must not have the effect of filling a position when any other person is on layoff or strike for the same or a substantially equivalent job within the same organizational unit.
3. The employment must not fill a position when any other person is engaged in a labor dispute regarding the same or a substantially similar job within the same organizational unit.
4. The regular compensation for the job must not be calculated in any manner other than hourly wages.
5. The job can be temporary, but must not be work primarily available in the local labor market as intermittent or seasonal employment, for which there is no possibility for the SW to be retained beyond the subsidy period.
6. The job itself or the organization where the job takes place must not be known to be in violation of any law.

A regular employee of a worksite may file a complaint with the designated contact staff if the employee believes that any of the above requirements are in violation (see 2.7.1).

## **7.6 CREDITS FOR EMPLOYERS**

Contractors must inform employers of the following tax credits:

1. Work Opportunity Tax Credit (WOTC); and
2. Tax credits under the Hiring Incentives to Restore Employment (HIRE) Act.

## **7.7 WISCONSIN HOUSING AND ECONOMIC DEVELOPMENT AUTHORITY**

TMJ Contractors must partner with the Wisconsin Housing and Economic Development Authority (WHEDA) to develop SJs created by small businesses that access its resources and other investments.

## **7.8 WORKSITE CHANGES**

In circumstances where the SJ was not a successful match, the Contractor must re-assess the SW and attempt to make another match to a SJ.

Worksite changes are appropriate under the following circumstances:

1. The worksite change is necessary for the SW to retain employment;
2. The worksite change is necessary for the SW to work towards new employment goals reflected on an updated employability plan; or
3. The worksite change is an expected part of the Contractor's plan such as in the case of a work crew model where the SW performs work at several worksites.

## **7.9 SUBSIDIZED EMPLOYMENT RETENTION SERVICES**

Contractors must make every effort to assist the SW to retain the SJ and successfully complete the Subsidized Employment Phase. Contractors should provide assistance to the SW in addressing the following issues that may arise:

- Performance on the job;
- Behavior and workplace etiquette;
- Attendance and punctuality;
- Following directions and workplace rules; and
- Communication with co-workers and supervisors.

## **7.9.1 INDIVIDUALIZED SERVICES BY PROGRAM AREA**

Contractors must work with representatives from other program areas to assist SWs with achieving their individualized goals. Contractors must adhere to the guidelines below:

1. Child Support – Provide information on: how to request a review to determine whether a modification of a child support monthly order is appropriate (This includes a review to determine whether child support arrears may be forgiven); the possible consequences of nonpayment of child support; consideration of low-income payer guidelines; and financial literacy services to assist in managing child support debt.

Contractors must establish a written process for referral to child support services and identify, at minimum, one point of contact with whom the Contractor will work with within the local CSA.

2. Child Welfare Reunification – Provide information to address barriers to family reunification, coordinate with the Child Welfare system, and support individualized plans for achieving permanency goals.
3. Ex-Offender – Provide information on criminal background checks, the Wisconsin Fair Employment law, bonding and expungement, and provide resources for reintegration.
4. Foster Care – Through assessment, identify individual needs and develop short- and long-term goals, provide services to assist individuals with building an effective network of resources, and provide resources for addressing barriers to independent living.

## **7.10 EXITING OR INTERRUPTING SUBSIDIZED EMPLOYMENT**

Under the following circumstances of exiting or interrupting subsidized employment, an SW is not eligible to continue in the Post-Subsidized Employment Phase:

- Quitting Subsidized Employment – SWs who quit their SJ without good cause are not eligible to reapply for the Program. Examples of good cause include harassment in the workplace, unsafe work conditions, and loss of transportation.
- Termination of Subsidized Employment – SWs who are terminated from the SJ without good cause are not eligible to reapply for the Program. Examples include termination for misconduct, chronic unexcused tardiness or chronic unexcused absences.
- Move – SWs who move out of the geographical area are not eligible for the Program when the Contractor does not have the capacity to continue to support the SW during subsidized employment (see 2.2.1.1).
- Misrepresentation of Eligibility – SWs who misrepresent information provided for the purposes of establishing eligibility for the Program, or fail to timely report a change in

circumstance affecting eligibility, are immediately terminated from the Program (see 2.2.1).

## **7.11 REENGAGEMENT AND REASSIGNMENT WHEN SUBSIDIZED EMPLOYMENT ENDS**

When a subsidized job ends and the individual is eligible for reassignment to a new subsidized job worksite (see 6.12), Contractors must re-assess the individual and determine if reengagement in orientation activities will prepare the individual for a new worksite. For example, the individual may need additional instruction on workplace expectations.

Individuals that reengage in orientation activities after a subsidized job ends are not eligible for an additional stipend payment.

Individuals who are not eligible for reassignment to a new subsidized job worksite or to reengage in orientation activities, are eligible to continue in the Post-Subsidized Employment Phase for job search assistance.

Contractors must work with eligible individuals to attach them to a new subsidized job worksite within 60 days of the end of a subsidized job if the individual is not reengaged in orientation activities or if the individual does not continue in the Post-Subsidized Employment Phase for job search assistance.

## **8.0 POST-SUBSIDIZED EMPLOYMENT PHASE**

Contractors must offer up to sixty (60) days of job search assistance and/or retention services to individuals who are in the Program and have ended their SJ by completing the 1040 hours of subsidized employment. Contractors must also offer up to (60) days of job search assistance and/or retention services to individuals who are in the Program and are eligible to continue, as defined in section 6.12.

### **8.1 JOB SEARCH ASSISTANCE**

Contractors provide job search assistance to individuals who have completed subsidized employment and do not secure unsubsidized employment.

Job Search Assistance includes:

- Assistance with resume writing and interviewing skills;
- Referrals to job leads developed by the Contractor through relationships with employers;
- Referrals to other resources that effectively attach individuals to employment;
- Providing realistic job leads related to the individuals' skills and interests; and
- Job counseling.

Job Search Assistance activities must be reflected on the individual's EP during the Post-Subsidized Employment Phase.

### **8.2 UNSUBSIDIZED EMPLOYMENT RETENTION SERVICES**

The goal of the Post-Subsidized Employment Phase is to support job retention and advancement following the transition from subsidized employment to unsubsidized employment. Retention services can help individuals make the necessary adjustments to be successful in unsubsidized employment. Contractors shall provide support according to each individual's needs, circumstances, and employer characteristics.

Contractors provide unsubsidized employment retention services to individuals who have secured unsubsidized employment. The following list provides examples of additional supports that the Contractor may provide:

- Job counseling and support;
- Career and educational development;
- Transportation assistance;
- Assistance obtaining or recovering a driver's license;
- Connection to other financial supports (e.g. FoodShare, Job Access Loans);
- Information on tax credits;
- Uniform vouchers;
- Work materials (e.g. boots, tools, etc.); and

- Retention bonuses.

### **8.3 REENGAGEMENT AND REASSIGNMENT WHEN UNSUBSIDIZED EMPLOYMENT ENDS**

When an unsubsidized job ends and the individual is eligible for reassignment to a subsidized job worksite (see 7.4), Contractors must re-assess the individual and determine if reengagement in orientation activities will prepare the individual for a new worksite.

Individuals who are not eligible for reassignment to a subsidized job worksite or to reengage in orientation activities are eligible to continue in the Post-Subsidized Employment Phase for job search assistance.

Contractors must work with eligible individuals to attach them to a new subsidized job worksite within 60 days of the end of an unsubsidized job if the individual is not reengaged in orientation activities or if the individual does not continue in the Post-Subsidized Employment Phase for job search assistance.

### **8.4 EXTENDING POST-SUBSIDIZED EMPLOYMENT SERVICES**

Contractors may extend job search assistance and retention services up to an additional 60 days under the following circumstances:

- Loss of Unsubsidized Employment – Individuals who previously gained unsubsidized employment and lose their unsubsidized employment may receive an extension for job search assistance.
- Obtains Unsubsidized Employment – Individuals who previously ended subsidized employment that gain unsubsidized employment may receive an extension for retention services.
- As Determined by the Contractor – Individuals that the Contractors determine need services to continue to develop or strengthen specific workplace competencies may receive an extension for job search assistance or retention services.

The 60-day extension period begins effective the date of a change in circumstance. Contractors must document the reason(s) for extending post-subsidized employment services and update the employability plan with new employment goals. Contractors may place individuals who receive an extension for job search assistance in subsidized employment if the individual has hours of TJ or TMJ remaining.

Contractors must not extend job search assistance or retention services in the following circumstances:



- Quitting unsubsidized employment without good cause. Examples of good cause include harassment in the workplace, unsafe work conditions, or loss of transportation.
- Termination from unsubsidized employment without good cause. Examples include termination for misconduct, chronic unexcused tardiness, or chronic unexcused absences.
- Residential move out of the geographical area and the Contractor does not have the capacity to continue to support the individual during an extension.
- Misrepresentation of eligibility for the purposes of establishing eligibility for the program, or failure to timely report a change in circumstance affecting eligibility.

## **9.0 FINANCIAL MANAGEMENT OF SUBSIDIES AND STIPENDS**

Contractors are responsible for comprehensive expense reporting to DCF.

### **9.1 PROCEDURE**

Contractors must establish an accounts receivable system to assure that all charges are billed promptly and recorded accurately and that adequate collection efforts are made.

Contractors must collect and verify timesheets for hours actually worked in the Program prior to making subsidy payments and enter the subsidy payments and other payroll taxes and insurance in CARES.

Contractors must manually issue payments to the employer of record (see 6.4) to cover the cost of wage subsidies and payroll taxes and insurance (if applicable) and DCF will reimburse the Contractor. When the Contractor is the employer of record, the Contractor need only report the wage subsidies and payroll taxes and insurance (if applicable) in CARES and SPARC for reimbursement.

Contractors that pay stipends must manually issue stipend payments to individuals who participated in orientation activities. Contractors must report the stipends in CARES and SPARC for reimbursement.

Contractors must enter information on payment amounts into CARES prior to seeking reimbursement for payments through SPARC.

### **9.2 RECONCILING REPORTS**

Contractors are responsible for timely, monthly reconciliation of various accounting records. Reconciliation of records must include, but are not limited to:

- Tying out and totaling subsidiary ledgers to the general ledger;
- Reconciling the Contractor's bank statements to the Contractor's accounting records; and
- Reconciling expenditures reported in SPARC for reimbursement with the Contractor's accounting records.

Contractors shall reconcile CARES data and SPARC data by the last day of the month following the end of the quarter.

# APPENDIX – ACTIVITY CODES

Definitions for Codes for Work Program Activities in **WWP**

## **BE – Adult Basic Education (ABE)**

*Valid for the following programs: W-2, CF, TJ/TMJ*

Report this activity for individuals who are engaged in an Adult Basic Education (ABE) course that is not tied to participation in a job skills training. ABE is instruction designed to focus on the areas of reading, mathematics, communication skills, social studies, physical sciences, health, and career education. ABE consists of 3 levels:

1. Level 1, or Beginning ABE:  
Instruction designed for adults whose academic functioning level is comparable to grades 0 – 5.9.
2. Level 2, or Intermediate ABE:  
Instruction designed for adults whose academic functioning level is comparable to grades 6.0 – 8.9.
3. Level 3, or Adult Secondary Education (ASE):  
Instruction which delivers competencies, academic or occupational, comparable to that offered in secondary schools (grades 9.0 – 12.9).

Up to one hour of unsupervised study time for each hour of class time plus supervised study time may also be assigned under this activity and tracked for attendance purposes. A statement from the educational program indicating the amount of study time required must be used to determine the assignment of hours.

## **CE – Career Planning & Counseling**

*Valid for the following programs: W-2, LF, CF, TJ/TMJ*

Report this activity for individuals receiving services geared towards assessment of an individual's career interests and guidance in the career planning process. Examples of activities include:

- Career assessments, including work styles, skills and interests;
- Educational needs assessments, (e.g. TABE Testing) to determine education and training needs for increased employability;
- Career exploration/job shadowing;
- Reviewing labor market information and training opportunities; and
- Career guidance and counseling.

## **CR – Career Advancement Services**

*Valid for the following programs: W-2, CF, TJ/TMJ*

Report this activity for employed individuals exploring and pursuing career advancement opportunities. An actual career advancement plan should be developed, describing the steps and actions required to meet career advancement goals. Other acceptable activities include:

- Assisting the individual in accessing career advancement services, such as undergoing further occupational assessment, and/or
- Enrolling in appropriate education/training programs, or
- Accessing career advancement opportunities offered through the employer, like career ladders program.

The length of time in this activity should reflect the time spent developing the career plan and doing career exploration.

### **EM- Employment Search for TMJ/TJ**

*Valid for the following programs: TJ/TMJ*

Report this activity for individuals who are engaged in employment search tailored to the needs of the individual. This includes, but is not limited to, the following activities:

- Researching prospective employers
- Meeting with a job developer
- Attending a structured job search workshop;
- Making contact with prospective employers whether by phone, in person or via the internet to learn of job openings;
- Completing applications for vacancies;
- Preparing for job interviews; and
- Interviewing for jobs.

This activity should be marked as a “Self Directed” when conducted independently by the participant (e.g. participant spends 1 hour a week researching prospective employers from home).

### **JR – Job Retention Services**

*Valid for the following programs: W-2, CF, TJ/TMJ*

Report this activity when services are provided directly to individuals to assist them with maintaining unsubsidized employment. The types of services that can be provided include:

- Reviewing workplace demands and employer expectations;
- Mediation of conflicts on the job;
- Strategies to help the individual stay employed;
- Job specific problem solving; and
- Crisis resolution.

### **JS – Job Skills Training**

*Valid for the following programs: W-2, CF, TJ/TMJ*

Report this activity for individuals who are enrolled in training that provides skills to help individuals obtain employment or to advance or adapt to the changing demands of the workplace. Training may include customized skills training to meet the needs of a specific employer or it can be general training that prepares an individual for a specific occupation within a particular employment sector. The training activity must be specific to the individual's immediate employment goal.

Up to one hour of unsupervised study time for each hour of class time plus supervised study time may be assigned under this activity and tracked for attendance purposes. A statement from the educational program indicating the amount of study time required will be used to determine the assignment of hours.

Examples of job skills training include:

- Welding
- Hospitality
- Data Entry
- Medical Assistant

Total assigned hours must never exceed 40 hours per week.

### **MO – Job Readiness/Motivation**

*Valid for the following programs: W-2, CF, TJ/TMJ*

Report this activity for individuals who are engaged in classes and activities specifically designed to prepare them for work. Activities are geared at learning general workplace expectations, work behavior and job retention skills necessary to successfully compete in the labor market.

A high-quality job readiness program uses various techniques and approaches to build self-esteem and increase self-confidence. Examples of job readiness/motivation sessions include:

- Workshops on effective job seeking and interviewing skills;
- Resume creation, preparation, development and updating;
- Developing networking skills;
- Communication skills, personality types, and ability to relate to others;
- Instruction in workplace expectations (including instruction on appropriate attire);
- Workshops on self-esteem, goal setting, etc.;
- Courses on basic computer skills and use of the internet; and
- Workshops on soft skills like punctuality, attendance, following directions, teamwork, getting along with others in the workplace, etc.

Activity may be completed independently or in a group setting.

### **OC – Occupational Testing**

*Valid for the following programs: W-2, LF, CF, TJ/TMJ*

Report this activity for participants engaged in testing related to employment. Testing may include:

- Exploration,
- Aptitude,
- Skills, and
- Interest testing and interpretation.

### **OE – Transform Milwaukee Jobs/Transitional Jobs Post-Orientation Employment Search**

*Valid for the following program: TJ/TMJ*

Report this activity for individuals who completed TJ/TMJ orientation activities and are engaged in post-orientation employment search.

### **OJ – On-The-Job Training (OJT)**

*Valid for the following programs: W-2, LF, CF, TJ/TMJ*

Report this activity when an individual engages in training on the job or offsite while working in a job that is subsidized by a program other than W-2. This includes, but is not limited to:

- Workforce Innovation and Opportunity Act (WIOA) OJT,
- Division of Vocational Rehabilitation (DVR) Work Experience,
- Trade Adjustment Assistance (TAA) Act OJT,
- Youth Apprenticeship,
- Adult Apprenticeship,
- Employment subsidized by:
  - Senior Community Services Program, and
  - Volunteers in Service to America (VISTA) workers,
- Transitional Jobs, and
- Transform Milwaukee Jobs.

### **OR – Program Orientation**

*Valid for the following programs: W-2, LF, CF, TJ/TMJ*

Report this activity when an individual participates in a set of activities designed to orient the individual to the employment and/or training program.

It may be used to indicate that orientation has occurred for an individual currently open (enrolled) in a different work program.