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~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

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1

AN ACT; relating to: miscellaneous changes to Wisconsin Works.

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

WISCONSIN WORKS

The Wisconsin Works (W-2) program under current law provides work experience and monetary benefits for low-income custodial parents who are at least 18 years old, monetary benefits for certain unmarried pregnant women and low-income custodial parents of infants eight weeks of age or less, and job search assistance to noncustodial parents who are required to pay child support, to minor custodial parents, and to certain pregnant women who are not eligible for monetary benefits under the program. W-2 is administered, generally, by W-2 agencies under contracts with DCF. W-2 provides work experience to a participant through placement in one of a number of different employment positions, depending on the participant's skills, training, and experience. This bill makes a few changes to the trial jobs employment position.

Under current law, a W-2 agency pays an employer a wage subsidy of not more than \$300 per month for full-time employment of a participant in a trial job. Under the bill, the W-2 agency and employer will negotiate the wage subsidy, which will be paid for every hour that the participant actually works, up to 40 hours per week, and which may not be less than the applicable minimum wage. In addition, the W-2 agency may, as negotiated between the W-2 agency and the employer, reimburse the employer for all or a portion of certain costs associated with employment of the participant, such as federal social security taxes and worker's compensation

insurance premiums. Currently, a participant may work in a trial job for up to three months, with a possible three-month extension. The bill changes the time in a trial job to up to six months, with a possible three-month extension. Currently, an employer that employs a participant in a trial job must agree to make a good faith effort to retain the participant as a permanent unsubsidized employee after the wage subsidy under the trial job ends. The bill adds that, if the employer does not retain the participant, the employer must serve as an employment reference for the participant or must provide the W-2 agency with a written performance evaluation with recommendations for improvement.

In addition to the changes to the trial job employment position, the bill repeals the real work, real pay employment position in W-2, which was a pilot project that ended on December 31, 2009. The bill also eliminates the subsidized private sector employment program, under which participants were to be paid minimum wage for work in certain projects. The program's operation was dependent on certain conditions and it was never implemented.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 SECTION 1. 49.147 (3) (a) of the statutes is amended to read:

2 49.147 (3) (a) *Administration.* A Wisconsin Works agency shall administer a
3 trial job program as part of its administration of the Wisconsin Works program to
4 improve the employability of individuals who ~~are not~~ otherwise are not able to obtain
5 unsubsidized employment, as determined by the Wisconsin Works agency, by
6 providing work experience and training to assist them to move promptly into
7 unsubsidized employment. In determining an appropriate placement for a
8 participant, a Wisconsin Works agency shall give priority to placement under this
9 subsection over placements under subs. (4) and (5).

10 (ac) Employer subsidies and reimbursements. The Wisconsin Works agency
11 shall pay ~~a wage subsidy~~ to an employer that employs a participant under this
12 subsection and ~~that agrees to make a good faith effort to retain the participant as a~~
13 ~~permanent unsubsidized employee after the wage subsidy is terminated.~~ The wage

1 ~~subsidy may not exceed \$300 per month for full-time employment of a participant.~~
2 ~~For less than full-time employment of a participant during a month, the wage~~
3 ~~subsidy may not exceed a dollar amount determined by multiplying \$300 by a~~
4 ~~fraction, the numerator of which is the number of hours worked by the participant~~
5 ~~in the month and the denominator of which is the number of hours that would be~~
6 ~~required for full-time employment in that month. a wage subsidy in an amount that~~
7 ~~is negotiated between the Wisconsin Works agency and the employer but that is not~~
8 ~~less than the state or federal minimum wage that applies to the participant. The~~
9 ~~wage subsidy shall be paid for each hour that the participant actually works, up to~~
10 ~~a maximum of 40 hours per week. In addition to paying the wage subsidy, the~~
11 ~~Wisconsin Works agency may, as negotiated between the Wisconsin Works agency~~
12 ~~and the employer, reimburse the employer for all or a portion of the following costs~~
13 ~~that are attributable to the employment of the participant:~~

14 **SECTION 2.** 49.147 (3) (ac) 1. of the statutes is created to read:

15 49.147 (3) (ac) 1. Federal social security taxes.

16 **SECTION 3.** 49.147 (3) (ac) 2. of the statutes is created to read:

17 49.147 (3) (ac) 2. State and federal unemployment contributions or taxes.

18 **SECTION 4.** 49.147 (3) (ac) 3. of the statutes is created to read:

19 49.147 (3) (ac) 3. Worker's compensation insurance premiums. ✓ e

***NOTE: Is it correct that the amounts above are what the instructions referred to as "fringe benefits," or is reimbursement for the cost of fringe benefits in addition to reimbursement for the costs above? In accordance with the language of the instructions, the W-2 agency is authorized, as opposed to required, to reimburse the employer for these costs. Is that what you want?

20 **SECTION 5.** 49.147 (3) (c) of the statutes is amended to read:

21 49.147 (3) (c) *Time-limited participation.* A participant under this subsection
22 may participate in a trial job for a maximum of 3 6 months, with an opportunity for

1 a 3-month extension under circumstances determined by the Wisconsin Works
2 agency. A participant may participate in more than one trial job, but may not exceed
3 a total of 24 months of participation under this subsection. The months need not be
4 consecutive. The department or, with the approval of the department, the Wisconsin
5 Works agency may grant an extension of the 24-month limit on a case-by-case basis
6 if the participant has made all appropriate efforts to find unsubsidized employment
7 and has been unable to find unsubsidized employment because local labor market
8 conditions preclude a reasonable job opportunity for that participant, as determined
9 by a Wisconsin Works agency and approved by the department.

10 **SECTION 6.** 49.147 (3) (d) of the statutes is created to read:

11 49.147 (3) (d) *Employer effort to retain, refer, or evaluate participant.* An
12 employer that employs a participant under this subsection and receives a wage
13 subsidy shall agree to make a good faith effort to retain the participant as a
14 permanent unsubsidized employee after the wage subsidy ends, although nothing in
15 this subsection requires an employer to retain a participant as a permanent
16 unsubsidized employee after the wage subsidy ends. An employer shall also agree
17 that, if the employer does not retain a participant as a permanent unsubsidized
18 employee, the employer will serve as an employment reference for the participant or
19 provide to the Wisconsin Works agency a written performance evaluation of the
20 participant, including recommendations for improvements.

21 **SECTION 7.** 49.147 (3m) of the statutes is repealed.

22 **SECTION 8.** 49.147 (4m) of the statutes is repealed.

23 **SECTION 9.** 49.148 (1) (d) of the statutes is repealed.

24 **SECTION 10.** 49.26 (1) (g) (intro.) of the statutes is amended to read:

1 49.26 (1) (g) (intro.) An individual who is a dependent child in a Wisconsin
2 Works group that includes a participant under s. 49.147 (3), ~~(3m)~~, (4), or (5) or who
3 is a recipient of aid under s. 49.19 is subject to the school attendance requirement
4 under par. (ge) if all of the following apply:

5 **SECTION 11.** 49.26 (1) (h) 1s. b. of the statutes is amended to read:

6 49.26 (1) (h) 1s. b. An individual who is a dependent child in a Wisconsin Works
7 group that includes a participant under s. 49.147 (3), ~~(3m)~~, (4), or (5) and who fails
8 to meet the school attendance requirement under par. (ge) is subject to a monthly
9 sanction.

10 **SECTION 12.** 49.36 (2) of the statutes is amended to read:

11 49.36 (2) The department may contract with any county, tribal governing body,
12 or Wisconsin Works agency to administer a work experience and job training
13 program for parents who are not custodial parents and who fail to pay child support
14 or to meet their children's needs for support as a result of unemployment or
15 underemployment. The program may provide the kinds of work experience and job
16 training services available from the program under s. 49.193, 1997 stats., or s. 49.147
17 (3), ~~(3m)~~, or (4). The program may also include job search and job orientation
18 activities. The department shall fund the program from the appropriations under
19 s. 20.437 (2) (dz) and (k).

20 **SECTION 13.** 71.07 (2dx) (a) 5. of the statutes is amended to read:

21 71.07 (2dx) (a) 5. "Member of a targeted group" means a person who resides
22 in an area designated by the federal government as an economic revitalization area,
23 a person who is employed in an unsubsidized job but meets the eligibility
24 requirements under s. 49.145 (2) and (3) for a Wisconsin Works employment position,
25 a person who is employed in a trial job, as defined in s. 49.141 (1) (n), ~~or in a real work,~~

1 ~~real pay project position under s. 49.147 (3m)~~, a person who is eligible for child care
2 assistance under s. 49.155, a person who is a vocational rehabilitation referral, an
3 economically disadvantaged youth, an economically disadvantaged veteran, a
4 supplemental security income recipient, a general assistance recipient, an
5 economically disadvantaged ex-convict, a qualified summer youth employee, as
6 defined in 26 USC 51 (d) (7), a dislocated worker, as defined in 29 USC 2801 (9), or
7 a food stamp recipient, if the person has been certified in the manner under sub. (2dj)
8 (am) 3. by a designated local agency, as defined in sub. (2dj) (am) 2.

9 **SECTION 14.** 71.07 (2dx) (b) 2. of the statutes is amended to read:

10 71.07 (2dx) (b) 2. The amount determined by multiplying the amount
11 determined under s. 238.385 (1) (b) or s. 560.785 (1) (b), 2009 stats., by the number
12 of full-time jobs created in a development zone and filled by a member of a targeted
13 group and by then subtracting the subsidies paid under s. 49.147 (3) (a) ~~or the~~
14 ~~subsidies and reimbursements paid under s. 49.147 (3m) (e)~~ for those jobs.

15 **SECTION 15.** 71.07 (2dx) (b) 3. of the statutes is amended to read:

16 71.07 (2dx) (b) 3. The amount determined by multiplying the amount
17 determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number
18 of full-time jobs created in a development zone and not filled by a member of a
19 targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) ~~or~~
20 ~~the subsidies and reimbursements paid under s. 49.147 (3m) (e)~~ for those jobs.

21 **SECTION 16.** 71.07 (2dx) (b) 4. of the statutes is amended to read:

22 71.07 (2dx) (b) 4. The amount determined by multiplying the amount
23 determined under s. 238.385 (1) (bm) or s. 560.785 (1) (bm), 2009 stats., by the
24 number of full-time jobs retained, as provided in the rules under s. 238.385 or s.
25 560.785, 2009 stats., excluding jobs for which a credit has been claimed under sub.

1 (2dj), in an enterprise development zone under s. 238.397 or s. 560.797, 2009 stats.,
2 and for which significant capital investment was made and by then subtracting the
3 subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and reimbursements paid~~
4 ~~under s. 49.147 (3m) (e)~~ for those jobs.

5 **SECTION 17.** 71.07 (2dx) (b) 5. of the statutes is amended to read:

6 71.07 (2dx) (b) 5. The amount determined by multiplying the amount
7 determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number
8 of full-time jobs retained, as provided in the rules under s. 238.385 or s. 560.785,
9 2009 stats., excluding jobs for which a credit has been claimed under sub. (2dj), in
10 a development zone and not filled by a member of a targeted group and by then
11 subtracting the subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and~~
12 ~~reimbursements paid under s. 49.147 (3m) (e)~~ for those jobs.

13 **SECTION 18.** 71.28 (1dx) (a) 5. of the statutes is amended to read:

14 71.28 (1dx) (a) 5. "Member of a targeted group" means a person who resides
15 in an area designated by the federal government as an economic revitalization area,
16 a person who is employed in an unsubsidized job but meets the eligibility
17 requirements under s. 49.145 (2) and (3) for a Wisconsin Works employment position,
18 a person who is employed in a trial job, as defined in s. 49.141 (1) (n), ~~or in a real work,~~
19 ~~real pay project position under s. 49.147 (3m)~~, a person who is eligible for child care
20 assistance under s. 49.155, a person who is a vocational rehabilitation referral, an
21 economically disadvantaged youth, an economically disadvantaged veteran, a
22 supplemental security income recipient, a general assistance recipient, an
23 economically disadvantaged ex-convict, a qualified summer youth employee, as
24 defined in 26 USC 51 (d) (7), a dislocated worker, as defined in 29 USC 2801 (9), or

1 a food stamp recipient, if the person has been certified in the manner under sub. (1dj)
2 (am) 3. by a designated local agency, as defined in sub. (1dj) (am) 2.

3 **SECTION 19.** 71.28 (1dx) (b) 2. of the statutes is amended to read:

4 71.28 (1dx) (b) 2. The amount determined by multiplying the amount
5 determined under s. 238.385 (1) (b) or s. 560.785 (1) (b), 2009 stats., by the number
6 of full-time jobs created in a development zone and filled by a member of a targeted
7 group and by then subtracting the subsidies paid under s. 49.147 (3) (a) ~~or the~~
8 ~~subsidies and reimbursements paid under s. 49.147 (3m) (e)~~ for those jobs.

9 **SECTION 20.** 71.28 (1dx) (b) 3. of the statutes is amended to read:

10 71.28 (1dx) (b) 3. The amount determined by multiplying the amount
11 determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number
12 of full-time jobs created in a development zone and not filled by a member of a
13 targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) ~~or~~
14 ~~the subsidies and reimbursements paid under s. 49.147 (3m) (e)~~ for those jobs.

15 **SECTION 21.** 71.28 (1dx) (b) 4. of the statutes is amended to read:

16 71.28 (1dx) (b) 4. The amount determined by multiplying the amount
17 determined under s. 238.385 (1) (bm) or s. 560.785 (1) (bm), 2009 stats., by the
18 number of full-time jobs retained, as provided in the rules under s. 238.385 or s.
19 560.785, 2009 stats., excluding jobs for which a credit has been claimed under sub.
20 (1dj), in an enterprise development zone under s. 238.397 or s. 560.797, 2009 stats.,
21 and for which significant capital investment was made and by then subtracting the
22 subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and reimbursements paid~~
23 ~~under s. 49.147 (3m) (e)~~ for those jobs.

24 **SECTION 22.** 71.28 (1dx) (b) 5. of the statutes is amended to read:

1 71.28 (1dx) (b) 5. The amount determined by multiplying the amount
2 determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number
3 of full-time jobs retained, as provided in the rules under s. 238.385 or s. 560.785,
4 2009 stats., excluding jobs for which a credit has been claimed under sub. (1dj), in
5 a development zone and not filled by a member of a targeted group and by then
6 subtracting the subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and~~
7 ~~reimbursements paid under s. 49.147 (3m) (c)~~ for those jobs.

8 **SECTION 23.** 71.47 (1dx) (a) 5. of the statutes is amended to read:

9 71.47 (1dx) (a) 5. “Member of a targeted group” means a person who resides
10 in an area designated by the federal government as an economic revitalization area,
11 a person who is employed in an unsubsidized job but meets the eligibility
12 requirements under s. 49.145 (2) and (3) for a Wisconsin Works employment position,
13 a person who is employed in a trial job, as defined in s. 49.141 (1) (n), ~~or in a real work,~~
14 ~~real pay project position under s. 49.147 (3m)~~, a person who is eligible for child care
15 assistance under s. 49.155, a person who is a vocational rehabilitation referral, an
16 economically disadvantaged youth, an economically disadvantaged veteran, a
17 supplemental security income recipient, a general assistance recipient, an
18 economically disadvantaged ex-convict, a qualified summer youth employee, as
19 defined in 26 USC 51 (d) (7), a dislocated worker, as defined in 29 USC 2801 (9), or
20 a food stamp recipient, if the person has been certified in the manner under sub. (1dj)
21 (am) 3. by a designated local agency, as defined in sub. (1dj) (am) 2.

22 **SECTION 24.** 71.47 (1dx) (b) 2. of the statutes is amended to read:

23 71.47 (1dx) (b) 2. The amount determined by multiplying the amount
24 determined under s. 238.385 (1) (b) or s. 560.785 (1) (b), 2009 stats., by the number
25 of full-time jobs created in a development zone and filled by a member of a targeted

1 group and by then subtracting the subsidies paid under s. 49.147 (3) (a) ~~or the~~
2 ~~subsidies and reimbursements paid under s. 49.147 (3m) (e)~~ for those jobs.

3 **SECTION 25.** 71.47 (1dx) (b) 3. of the statutes is amended to read:

4 71.47 (1dx) (b) 3. The amount determined by multiplying the amount
5 determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number
6 of full-time jobs created in a development zone and not filled by a member of a
7 targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) ~~or~~
8 ~~the subsidies and reimbursements paid under s. 49.147 (3m) (e)~~ for those jobs.

9 **SECTION 26.** 71.47 (1dx) (b) 4. of the statutes is amended to read:

10 71.47 (1dx) (b) 4. The amount determined by multiplying the amount
11 determined under s. 238.385 (1) (bm) or s. 560.785 (1) (bm), 2009 stats., by the
12 number of full-time jobs retained, as provided in the rules under s. 238.385 or s.
13 560.785, 2009 stats., excluding jobs for which a credit has been claimed under sub.
14 (1dj), in an enterprise development zone under s. 238.397 or s. 560.797, 2009 stats.,
15 and for which significant capital investment was made and by then subtracting the
16 subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and reimbursements paid~~
17 ~~under s. 49.147 (3m) (e)~~ for those jobs.

18 **SECTION 27.** 71.47 (1dx) (b) 5. of the statutes is amended to read:

19 71.47 (1dx) (b) 5. The amount determined by multiplying the amount
20 determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number
21 of full-time jobs retained, as provided in the rules under s. 238.385 or s. 560.785,
22 2009 stats., excluding jobs for which a credit has been claimed under sub. (1dj), in
23 a development zone and not filled by a member of a targeted group and by then
24 subtracting the subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and~~
25 ~~reimbursements paid under s. 49.147 (3m) (e)~~ for those jobs.

1 **SECTION 28.** 76.636 (1) (e) 3. of the statutes is amended to read:

2 76.636 (1) (e) 3. A person who is employed in a trial job, as defined in s. 49.141
3 (1) (n), ~~or in a real work, real pay project position under s. 49.147 (3m).~~

4 **SECTION 29.** 76.636 (2) (b) of the statutes is amended to read:

5 76.636 (2) (b) The amount determined by multiplying the amount determined
6 under s. 238.385 (1) (b) or s. 560.785 (1) (b), 2009 stats., by the number of full-time
7 jobs created in a development zone and filled by a member of a targeted group and
8 by then subtracting the subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and~~
9 ~~reimbursements paid under s. 49.147 (3m) (e)~~ for those jobs.

10 **SECTION 30.** 76.636 (2) (c) of the statutes is amended to read:

11 76.636 (2) (c) The amount determined by multiplying the amount determined
12 under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number of full-time
13 jobs created in a development zone and not filled by a member of a targeted group
14 and by then subtracting the subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and~~
15 ~~reimbursements paid under s. 49.147 (3m) (e)~~ for those jobs.

16 **SECTION 31.** 76.636 (2) (d) of the statutes is amended to read:

17 76.636 (2) (d) The amount determined by multiplying the amount determined
18 under s. 238.385 (1) (bm) or s. 560.785 (1) (bm), 2009 stats., by the number of
19 full-time jobs retained, as provided in the rules under s. 238.385 or s. 560.785, 2009
20 stats., excluding jobs for which a credit has been claimed under s. 71.47 (1dj), in an
21 enterprise development zone under s. 238.397 or s. 560.797, 2009 stats., and for
22 which significant capital investment was made and by then subtracting the
23 subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and reimbursements paid~~
24 ~~under s. 49.147 (3m) (e)~~ for those jobs.

25 **SECTION 32.** 76.636 (2) (e) of the statutes is amended to read:

1 76.636 (2) (e) The amount determined by multiplying the amount determined
2 under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number of full-time
3 jobs retained, as provided in the rules under s. 238.385 or s. 560.785, 2009 stats.,
4 excluding jobs for which a credit has been claimed under s. 71.47 (1dj), in a
5 development zone and not filled by a member of a targeted group and by then
6 subtracting the subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and~~
7 ~~reimbursements paid under s. 49.147 (3m) (e)~~ for those jobs.

8 **SECTION 33.** 227.01 (13) (im) of the statutes is repealed.

9 **SECTION 34.** 238.30 (4m) of the statutes is amended to read:

10 238.30 (4m) "Member of a targeted group" means a person who resides in an
11 area designated by the federal government as an economic revitalization area, a
12 person who is employed in an unsubsidized job but meets the eligibility requirements
13 under s. 49.145 (2) and (3) for a Wisconsin Works employment position, a person who
14 is employed in a trial job, as defined in s. 49.141 (1) (n), ~~or in a real-work, real-pay~~
15 ~~project position under s. 49.147 (3m)~~, a person who is eligible for child care assistance
16 under s. 49.155, a person who is a vocational rehabilitation referral, an economically
17 disadvantaged youth, an economically disadvantaged veteran, a supplemental
18 security income recipient, a general assistance recipient, an economically
19 disadvantaged ex-convict, a dislocated worker, as defined in 29 USC 2801 (9), or a
20 food stamp recipient, if the person has been certified in the manner under 26 USC
21 51 (d) (13) (A) by a designated local agency, as defined in 26 USC 51 (d) (12).

22 **SECTION 9306. Initial applicability; Children and Families.**

23 (1) CHANGES TO TRIAL JOBS EMPLOYMENT POSITION. The treatment of section
24 49.147 (3) (a), (ac) 1., 2., and 3., (c), and (d) of the statutes first applies to Wisconsin

1 Works participants who are placed in the trial jobs employment position on the
2 effective date of this subsection.

3 **SECTION 9406. Effective dates; Children and Families.**

4 (1) CHANGES TO TRIAL JOBS EMPLOYMENT POSITION. The treatment of section
5 49.147 (3) (a), (ac) 1., 2., and 3., (c), and (d) of the statutes and SECTION 9306 (1) of this
6 act take effect on October 1, 2013, or on the effective date of this subsection,
7 whichever is later.

8 (END)

Kahler, Pam

From: Major, Katrina L - DOA <Katrina.Major@wisconsin.gov>
Sent: Thursday, November 15, 2012 2:28 PM
To: Kahler, Pam
Subject: RE: 0063/1

No preference, whichever works better from a statutory perspective

From: Kahler, Pam [<mailto:Pam.Kahler@legis.wisconsin.gov>]
Sent: Thursday, November 15, 2012 2:16 PM
To: Major, Katrina L - DOA
Subject: RE: 0063/1

Sure, and I had a stylistic question for you. Would you prefer that individuals be eligible for or participating in "the trial employment match program" or "a trial employment match program job"? Thanks!

From: Major, Katrina L - DOA [<mailto:Katrina.Major@wisconsin.gov>]
Sent: Thursday, November 15, 2012 1:49 PM
To: Kahler, Pam
Cc: Kraus, Jennifer - DOA
Subject: RE: 0063/1

Hi Pam, can you make one more change that DCF requests:

The end of Section 1, starting about line 12, could be revised to read, "In addition to paying the wage subsidy, the Wisconsin Works agency may, as negotiated between the Wisconsin Works agency and the employer, reimburse the employer for all or a portion of other costs that are attributable to the employment of the participant, including."

Thanks,
k

From: Kahler, Pam [<mailto:Pam.Kahler@legis.wisconsin.gov>]
Sent: Thursday, November 15, 2012 12:35 PM
To: Major, Katrina L - DOA
Subject: RE: 0063/1

Got it. I'll give you a call if I have any questions.

From: Major, Katrina L - DOA [<mailto:Katrina.Major@wisconsin.gov>]
Sent: Thursday, November 15, 2012 12:23 PM
To: Kahler, Pam
Cc: Kraus, Jennifer - DOA
Subject: FW: 0063/1

Hi Pam,
Here's the email I was trying to send you.
Thanks,
Katie

From: Major, Katrina L - DOA
Sent: Thursday, November 15, 2012 12:17 PM

To: 'pamela.kahler@legis.wisconsin.gov'

Cc: Kraus, Jennifer - DOA

Subject: 0063/1

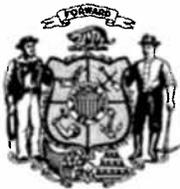
Hi Pamela,

Can you please make a couple changes to the trial jobs draft?

- 1) Can you delete s.49.173, the Workforce Attachment and Advancement program, in this draft instead of in the Transform Milwaukee draft (0090/1).
- 2) Instead of modifying trial jobs and deleting the other three programs, can you also delete trial jobs.
- 3) Then can you create a new program called the Trial Employment Match Program (TEMP) that incorporates DCF's requested modifications to trial jobs (as they were in the draft).
- 4) Can you make all of these changes effective October 1, 2013.

Feel free to give me a call if you want to talk through this- 266-2288.

Thanks,
Katie



r m is run

DOA:.....Major, BB0193 - Changes to Trial Jobs and eliminating Real Work
Real Pay and Subsidized Private Sector Employment program

FOR 2013-2015 BUDGET - NOT READY FOR INTRODUCTION

(2-11-19)

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out

1 AN ACT relating to: miscellaneous changes to Wisconsin Works.

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

WISCONSIN WORKS

The Wisconsin Works (W-2) program under current law provides work experience and monetary benefits for low-income custodial parents who are at least 18 years old, monetary benefits for certain unmarried pregnant women and low-income custodial parents of infants eight weeks of age or less, and job search assistance to noncustodial parents who are required to pay child support, to minor custodial parents, and to certain pregnant women who are not eligible for monetary benefits under the program. W-2 is administered, generally, by W-2 agencies under contracts with DCF. W-2 provides work experience to a participant through placement in one of a number of different employment positions, depending on the participant's skills, training, and experience. This bill makes a few changes to the trial jobs employment position → insert A-1

Under current law, a W-2 agency pays an employer a wage subsidy of not more than \$300 per month for full-time employment of a participant in a trial job. Under the bill, the W-2 agency and employer will negotiate the wage subsidy, which will be paid for every hour that the participant actually works, up to 40 hours per week, and which may not be less than the applicable minimum wage. In addition, the W-2

→ in TEMP

agency may, as negotiated between the W-2 agency and the employer, reimburse the employer for all or a portion of other ~~certain~~ costs associated with employment of the participant, such as federal social security taxes and worker's compensation insurance premiums. Currently, a participant may work in a trial job for up to maximum ~~three~~ months, with a possible three-month extension. The bill changes the time in a trial job to up to six months, with a possible three-month extension. Currently, an employer that employs a participant in a trial job must agree to make a good faith effort to retain the participant as a permanent unsubsidized employee after the wage subsidy under the trial job ends. For TEMP The bill adds that, if the employer does not retain the participant, the employer must serve as an employment reference for the participant or must provide the W-2 agency with a written performance evaluation with recommendations for improvement.

In addition to the changes to the trial job employment position Insert A-2, the bill repeals the real work, real pay employment position in W-2, which was a pilot project that ended on December 31, 2009. The bill also eliminates the subsidized private sector employment program, under which participants were to be paid minimum wage for work in certain projects. The program's operation was dependent on certain conditions and it was never implemented. Insert A-3

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Insert 2-1

- 1 SECTION 1. 49.147 (3) (a) of the statutes is amended to read:
- 2 49.147 (3) (a) *Administration*. A Wisconsin Works agency shall administer a
- 3 trial job employment match program as part of its administration of the Wisconsin Works program to
- 4 improve the employability of individuals who ~~are not~~ otherwise are not able to obtain
- 5 unsubsidized employment, as determined by the Wisconsin Works agency, by
- 6 providing work experience and training to assist them to move promptly into
- 7 unsubsidized employment. In determining an appropriate placement for a
- 8 participant, a Wisconsin Works agency shall give priority to placement under this
- 9 subsection over placements under subs. (4) and (5).
- 10 (ac) *Employer subsidies and reimbursements*. The Wisconsin Works agency
- 11 shall pay ~~a wage subsidy~~ to an employer that employs a participant under this

TEMP

For TEMP

1 subsection and that agrees to make a good faith effort to retain the participant as a
 2 permanent unsubsidized employee after the wage subsidy is terminated. The wage
 3 subsidy may not exceed \$300 per month for full-time employment of a participant.
 4 For less than full-time employment of a participant during a month, the wage
 5 subsidy may not exceed a dollar amount determined by multiplying \$300 by a
 6 fraction, the numerator of which is the number of hours worked by the participant
 7 in the month and the denominator of which is the number of hours that would be
 8 required for full-time employment in that month. a wage subsidy in an amount that
 9 is negotiated between the Wisconsin Works agency and the employer but that is not
 10 less than the state or federal minimum wage that applies to the participant. The
 11 wage subsidy shall be paid for each hour that the participant actually works, up to
 12 a maximum of 40 hours per week. In addition to paying the wage subsidy, the
 13 Wisconsin Works agency may, as negotiated between the Wisconsin Works agency
 14 and the employer, reimburse the employer for all or a portion of the following costs
 15 that are attributable to the employment of the participant

other

including any
of the
following

Insert 3-24

16 SECTION 2. 49.147 (3) (ac) 1. of the statutes is created to read:
 17 49.147 (3) (ac) 1. Federal social security taxes.
 18 SECTION 3. 49.147 (3) (ac) 2. of the statutes is created to read:
 19 49.147 (3) (ac) 2. State and federal unemployment contributions or taxes.
 20 SECTION 4. 49.147 (3) (ac) 3. of the statutes is created to read:
 21 49.147 (3) (ac) 3. Worker's compensation insurance premiums.
 22 SECTION 5. 49.147 (3) (c) of the statutes is amended to read:

23 49.147 (3) (c) *Time-limited participation.* A participant under this subsection
 24 may participate in a trial job for a maximum of 3 6 months, with an opportunity for
 25 a 3-month extension under circumstances determined by the Wisconsin Works

employment match program

1 agency. A participant may participate in more than one trial job, but may not exceed
 2 a total of 24 months of participation under this subsection. The months need not be
 3 consecutive. The department or, with the approval of the department, the Wisconsin
 4 Works agency may grant an extension of the 24-month limit on a case-by-case basis
 5 if the participant has made all appropriate efforts to find unsubsidized employment
 6 and has been unable to find unsubsidized employment because local labor market
 7 conditions preclude a reasonable job opportunity for that participant, as determined
 8 by a Wisconsin Works agency and approved by the department.

employment match program

9 SECTION 6. 49.147 (3) (d) of the statutes is created to read:

10 49.147 (3) (d) *Employer effort to retain, refer, or evaluate participant.* An
 11 employer that employs a participant under this subsection and receives a wage
 12 subsidy shall agree to make a good faith effort to retain the participant as a
 13 permanent unsubsidized employee after the wage subsidy ends, although nothing in
 14 this subsection requires an employer to retain a participant as a permanent
 15 unsubsidized employee after the wage subsidy ends. An employer shall also agree
 16 that, if the employer does not retain a participant as a permanent unsubsidized
 17 employee, the employer will serve as an employment reference for the participant or
 18 provide to the Wisconsin Works agency a written performance evaluation of the
 19 participant, including recommendations for improvements.

20 SECTION 7. 49.147 (3m) of the statutes is repealed.

21 SECTION 8. 49.147 (4m) of the statutes is repealed.

22 SECTION 9. 49.148 (1) (d) of the statutes is repealed.

23 SECTION 10. 49.26 (1) (g) (intro.) of the statutes is amended to read:

24 49.26 (1) (g) (intro.) An individual who is a dependent child in a Wisconsin
 25 Works group that includes a participant under s. 49.147 (3), (3m), (4), or (5) or who

Insert 4-20

Insert 4-21

Insert 4-22

1 is a recipient of aid under s. 49.19 is subject to the school attendance requirement
2 under par. (ge) if all of the following apply:

3 SECTION 11. 49.26 (1) (h) 1s. b. of the statutes is amended to read:

4 49.26 (1) (h) 1s. b. An individual who is a dependent child in a Wisconsin Works
5 group that includes a participant under s. 49.147 (3), ~~(3m)~~, (4), or (5) and who fails
6 to meet the school attendance requirement under par. (ge) is subject to a monthly
7 sanction.

8 SECTION 12. 49.36 (2) of the statutes is amended to read:

9 49.36 (2) The department may contract with any county, tribal governing body,
10 or Wisconsin Works agency to administer a work experience and job training
11 program for parents who are not custodial parents and who fail to pay child support
12 or to meet their children's needs for support as a result of unemployment or
13 underemployment. The program may provide the kinds of work experience and job
14 training services available from the program under s. 49.193, 1997 stats., or s. 49.147
15 (3), ~~(3m)~~, or (4). The program may also include job search and job orientation
16 activities. The department shall fund the program from the appropriations under
17 s. 20.437 (2) (dz) and (k).

Insert 5-17

18 SECTION 13. 71.07 (2dx) (a) 5. of the statutes is amended to read:

19 71.07 (2dx) (a) 5. "Member of a targeted group" means a person who resides
20 in an area designated by the federal government as an economic revitalization area,
21 a person who is employed in an unsubsidized job but meets the eligibility
22 requirements under s. 49.145 (2) and (3) for a Wisconsin Works employment position,
23 a person who is employed in a trial job, as defined in s. 49.141 (1) (n), or in a real work,
24 real pay project position under s. 49.147 (3m) a person who is eligible for child care
25 assistance under s. 49.155, a person who is a vocational rehabilitation referral, an

2011 Stats.

trial employment match program job, as defined in s. 49.141(1)(n)

1 economically disadvantaged youth, an economically disadvantaged veteran, a
2 supplemental security income recipient, a general assistance recipient, an
3 economically disadvantaged ex-convict, a qualified summer youth employee, as
4 defined in 26 USC 51 (d) (7), a dislocated worker, as defined in 29 USC 2801 (9), or
5 a food stamp recipient, if the person has been certified in the manner under sub. (2dj)
6 (am) 3. by a designated local agency, as defined in sub. (2dj) (am) 2.

7 **SECTION 14.** 71.07 (2dx) (b) 2. of the statutes is amended to read:

8 71.07 **(2dx)** (b) 2. The amount determined by multiplying the amount
9 determined under s. 238.385 (1) (b) or s. 560.785 (1) (b), 2009 stats., by the number
10 of full-time jobs created in a development zone and filled by a member of a targeted
11 group and by then subtracting the subsidies paid under s. 49.147 (3) (a) ~~or the~~
12 ~~subsidies and reimbursements paid under s. 49.147 (3m) (c)~~ for those jobs.

13 **SECTION 15.** 71.07 (2dx) (b) 3. of the statutes is amended to read:

14 71.07 **(2dx)** (b) 3. The amount determined by multiplying the amount
15 determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number
16 of full-time jobs created in a development zone and not filled by a member of a
17 targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) ~~or~~
18 ~~the subsidies and reimbursements paid under s. 49.147 (3m) (c)~~ for those jobs.

19 **SECTION 16.** 71.07 (2dx) (b) 4. of the statutes is amended to read:

20 71.07 **(2dx)** (b) 4. The amount determined by multiplying the amount
21 determined under s. 238.385 (1) (bm) or s. 560.785 (1) (bm), 2009 stats., by the
22 number of full-time jobs retained, as provided in the rules under s. 238.385 or s.
23 560.785, 2009 stats., excluding jobs for which a credit has been claimed under sub.
24 (2dj), in an enterprise development zone under s. 238.397 or s. 560.797, 2009 stats.,
25 and for which significant capital investment was made and by then subtracting the

1 subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and reimbursements paid~~
2 ~~under s. 49.147 (3m) (e)~~ for those jobs.

3 SECTION 17. 71.07 (2dx) (b) 5. of the statutes is amended to read:

4 71.07 (2dx) (b) 5. The amount determined by multiplying the amount
5 determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number
6 of full-time jobs retained, as provided in the rules under s. 238.385 or s. 560.785,
7 2009 stats., excluding jobs for which a credit has been claimed under sub. (2dj), in
8 a development zone and not filled by a member of a targeted group and by then
9 subtracting the subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and~~
10 ~~reimbursements paid under s. 49.147 (3m) (e)~~ for those jobs.

11 SECTION 18. 71.28 (1dx) (a) 5. of the statutes is amended to read:

12 71.28 (1dx) (a) 5. "Member of a targeted group" means a person who resides
13 in an area designated by the federal government as an economic revitalization area,
14 a person who is employed in an unsubsidized job but meets the eligibility
15 requirements under s. 49.145 (2) and (3) for a Wisconsin Works employment position,

16 a person who is employed in a trial job, as defined in s. 49.141 (1) (n), ~~or in a real work,~~
17 ~~real pay project position under s. 49.147 (3m)~~ ^{plain} a person who is eligible for child care

18 assistance under s. 49.155, a person who is a vocational rehabilitation referral, an
19 economically disadvantaged youth, an economically disadvantaged veteran, a
20 supplemental security income recipient, a general assistance recipient, an
21 economically disadvantaged ex-convict, a qualified summer youth employee, as
22 defined in 26 USC 51 (d) (7), a dislocated worker, as defined in 29 USC 2801 (9), or
23 a food stamp recipient, if the person has been certified in the manner under sub. (1dj)
24 (am) 3. by a designated local agency, as defined in sub. (1dj) (am) 2.

25 SECTION 19. 71.28 (1dx) (b) 2. of the statutes is amended to read:

trial employment match program job, as defined
in s. 49.141 (1) (n)

Insert 7-10

2011 Statutes

1 71.28 (1dx) (b) 2. The amount determined by multiplying the amount
2 determined under s. 238.385 (1) (b) or s. 560.785 (1) (b), 2009 stats., by the number
3 of full-time jobs created in a development zone and filled by a member of a targeted
4 group and by then subtracting the subsidies paid under s. 49.147 (3) (a) ~~or the~~
5 ~~subsidies and reimbursements paid under s. 49.147 (3m) (e)~~ for those jobs.

6 **SECTION 20.** 71.28 (1dx) (b) 3. of the statutes is amended to read:

7 71.28 (1dx) (b) 3. The amount determined by multiplying the amount
8 determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number
9 of full-time jobs created in a development zone and not filled by a member of a
10 targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) ~~or~~
11 ~~the subsidies and reimbursements paid under s. 49.147 (3m) (e)~~ for those jobs.

12 **SECTION 21.** 71.28 (1dx) (b) 4. of the statutes is amended to read:

13 71.28 (1dx) (b) 4. The amount determined by multiplying the amount
14 determined under s. 238.385 (1) (bm) or s. 560.785 (1) (bm), 2009 stats., by the
15 number of full-time jobs retained, as provided in the rules under s. 238.385 or s.
16 560.785, 2009 stats., excluding jobs for which a credit has been claimed under sub.
17 (1dj), in an enterprise development zone under s. 238.397 or s. 560.797, 2009 stats.,
18 and for which significant capital investment was made and by then subtracting the
19 subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and reimbursements paid~~
20 ~~under s. 49.147 (3m) (e)~~ for those jobs.

21 **SECTION 22.** 71.28 (1dx) (b) 5. of the statutes is amended to read:

22 71.28 (1dx) (b) 5. The amount determined by multiplying the amount
23 determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number
24 of full-time jobs retained, as provided in the rules under s. 238.385 or s. 560.785,
25 2009 stats., excluding jobs for which a credit has been claimed under sub. (1dj), in

Insert 9-3

1 a development zone and not filled by a member of a targeted group and by then
2 subtracting the subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and~~
3 ~~reimbursements paid under s. 49.147 (3m) (e)~~ for those jobs.

4 **SECTION 23.** 71.47 (1dx) (a) 5. of the statutes is amended to read:

5 71.47 (1dx) (a) 5. "Member of a targeted group" means a person who resides
6 in an area designated by the federal government as an economic revitalization area,
7 a person who is employed in an unsubsidized job but meets the eligibility
8 requirements under s. 49.145 (2) and (3) for a Wisconsin Works employment position,
9 a person who is employed in a trial job, as defined in s. 49.141 (1) (n), ^{2011 stats.} ~~or in a real work,~~
10 ~~real pay project position under s. 49.147 (3m),~~ ^{plain} a person who is eligible for child care
11 assistance under s. 49.155, a person who is a vocational rehabilitation referral, an
12 economically disadvantaged youth, an economically disadvantaged veteran, a
13 supplemental security income recipient, a general assistance recipient, an
14 economically disadvantaged ex-convict, a qualified summer youth employee, as
15 defined in 26 USC 51 (d) (7), a dislocated worker, as defined in 29 USC 2801 (9), or
16 a food stamp recipient, if the person has been certified in the manner under sub. (1dj)
17 (am) 3. by a designated local agency, as defined in sub. (1dj) (am) 2.

18 **SECTION 24.** 71.47 (1dx) (b) 2. of the statutes is amended to read:

19 71.47 (1dx) (b) 2. The amount determined by multiplying the amount
20 determined under s. 238.385 (1) (b) or s. 560.785 (1) (b), 2009 stats., by the number
21 of full-time jobs created in a development zone and filled by a member of a targeted
22 group and by then subtracting the subsidies paid under s. 49.147 (3) (a) ~~or the~~
23 ~~subsidies and reimbursements paid under s. 49.147 (3m) (e)~~ for those jobs.

24 **SECTION 25.** 71.47 (1dx) (b) 3. of the statutes is amended to read:

trial employment match program job, as defined in 49.141 (1)(n)

1 71.47 (1dx) (b) 3. The amount determined by multiplying the amount
2 determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number
3 of full-time jobs created in a development zone and not filled by a member of a
4 targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) ~~or~~
5 ~~the subsidies and reimbursements paid under s. 49.147 (3m) (e) for those jobs.~~

6 SECTION 26. 71.47 (1dx) (b) 4. of the statutes is amended to read:

7 71.47 (1dx) (b) 4. The amount determined by multiplying the amount
8 determined under s. 238.385 (1) (bm) or s. 560.785 (1) (bm), 2009 stats., by the
9 number of full-time jobs retained, as provided in the rules under s. 238.385 or s.
10 560.785, 2009 stats., excluding jobs for which a credit has been claimed under sub.
11 (1dj), in an enterprise development zone under s. 238.397 or s. 560.797, 2009 stats.,
12 and for which significant capital investment was made and by then subtracting the
13 subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and reimbursements paid~~
14 ~~under s. 49.147 (3m) (e) for those jobs.~~

15 SECTION 27. 71.47 (1dx) (b) 5. of the statutes is amended to read:

16 71.47 (1dx) (b) 5. The amount determined by multiplying the amount
17 determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number
18 of full-time jobs retained, as provided in the rules under s. 238.385 or s. 560.785,
19 2009 stats., excluding jobs for which a credit has been claimed under sub. (1dj), in
20 a development zone and not filled by a member of a targeted group and by then
21 subtracting the subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and~~
22 ~~reimbursements paid under s. 49.147 (3m) (e) for those jobs.~~

23 SECTION 28. 76.636 (1) (e) 3. of the statutes is amended to read:

24 76.636 (1) (e) 3. A person who is employed in a trial job, as defined in s. 49.141

25 (1) (n) ~~for in a real work, real pay project position under s. 49.147 (3m).~~

2011 stats.

trial employment match program
job, as defined in s. 49.141 (1) (n)

1 **SECTION 29.** 76.636 (2) (b) of the statutes is amended to read:

2 76.636 (2) (b) The amount determined by multiplying the amount determined
3 under s. 238.385 (1) (b) or s. 560.785 (1) (b), 2009 stats., by the number of full-time
4 jobs created in a development zone and filled by a member of a targeted group and
5 by then subtracting the subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and~~
6 ~~reimbursements paid under s. 49.147 (3m) (e)~~ for those jobs.

7 **SECTION 30.** 76.636 (2) (c) of the statutes is amended to read:

8 76.636 (2) (c) The amount determined by multiplying the amount determined
9 under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number of full-time
10 jobs created in a development zone and not filled by a member of a targeted group
11 and by then subtracting the subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and~~
12 ~~reimbursements paid under s. 49.147 (3m) (e)~~ for those jobs.

13 **SECTION 31.** 76.636 (2) (d) of the statutes is amended to read:

14 76.636 (2) (d) The amount determined by multiplying the amount determined
15 under s. 238.385 (1) (bm) or s. 560.785 (1) (bm), 2009 stats., by the number of
16 full-time jobs retained, as provided in the rules under s. 238.385 or s. 560.785, 2009
17 stats., excluding jobs for which a credit has been claimed under s. 71.47 (1dj), in an
18 enterprise development zone under s. 238.397 or s. 560.797, 2009 stats., and for
19 which significant capital investment was made and by then subtracting the
20 subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and reimbursements paid~~
21 ~~under s. 49.147 (3m) (e)~~ for those jobs.

22 **SECTION 32.** 76.636 (2) (e) of the statutes is amended to read:

23 76.636 (2) (e) The amount determined by multiplying the amount determined
24 under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number of full-time
25 jobs retained, as provided in the rules under s. 238.385 or s. 560.785, 2009 stats.,

Insert 12-4

1 excluding jobs for which a credit has been claimed under s. 71.47 (1dj), in a
2 development zone and not filled by a member of a targeted group and by then
3 subtracting the subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and~~
4 ~~reimbursements paid under s. 49.147 (3m) (e)~~ for those jobs.

5 SECTION 33. 227.01 (13) (im) of the statutes is repealed.

6 SECTION 34. 238.30 (4m) of the statutes is amended to read:

7 238.30 (4m) "Member of a targeted group" means a person who resides in an
8 area designated by the federal government as an economic revitalization area, a
9 person who is employed in an unsubsidized job but meets the eligibility requirements
10 under s. 49.145 (2) and (3) for a Wisconsin Works employment position, a person who
11 is employed in a trial job, as defined in s. 49.141 (1) (n), ^{2011 stats.} or in a real work, real pay
12 project position under s. 49.147 (3m), ^{plain} a person who is eligible for child care assistance
13 under s. 49.155, a person who is a vocational rehabilitation referral, an economically
14 disadvantaged youth, an economically disadvantaged veteran, a supplemental
15 security income recipient, a general assistance recipient, an economically
16 disadvantaged ex-convict, a dislocated worker, as defined in 29 USC 2801 (9), or a
17 food stamp recipient, if the person has been certified in the manner under 26 USC
18 51 (d) (13) (A) by a designated local agency, as defined in 26 USC 51 (d) (12).

19 SECTION 9306. Initial applicability; Children and Families.

20 (1) ~~CHANGES TO TRIAL JOBS EMPLOYMENT POSITION~~ The treatment of section
21 49.147(3) (a), (ac) 1., 2., and 3., (c), and (d) of the statutes first applies to Wisconsin
22 Works participants who are placed in the trial ^{job} employment ^{position} on the
23 effective date of this subsection. ^{match program}

24 SECTION 9406. Effective dates; Children and Families.

^{CS}
MATCH PROGRAM

trial employment match program jobs, as defined in s. 49.141 (1)(n)

2013-2014 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0063/2ins
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INSERT A-1

no 4

For one of the employment positions, called trial jobs, a W-2 agency pays a wage subsidy to a private employer that employs a W-2 participant and that agrees to retain the participant as a permanent employee when the subsidy ends. This bill terminates the trial job employment position and replaces it with a trial employment match program (TEMP) that has the same features as the trial job employment position, except for a few changes to current law

(END OF INSERT A-1)

INSERT A-2

no 4

replacement of trial jobs with TEMP

(END OF INSERT A-2)

INSERT A-3

no 4

The bill also eliminates the workforce attachment and advancement program, which provided funding to W-2 agencies and local workforce development boards for providing certain job-related services to individuals eligible for federal Temporary Assistance for Needy Families (TANF) block grant program funds. The workforce attachment and advancement program has not received TANF funding or operated since 2003.

(END OF INSERT A-3)

INSERT 2-1

1004

1 SECTION 1. 49.141 (1) (n) of the statutes is amended to read:
2 49.141 (1) (n) "Trial employment match program job" means a work component
3 of Wisconsin ~~works~~ Works administered under s. 49.147 (3).

History: 1995 a. 289; 1997 a. 27, 41, 283; 1999 a. 9; 2001 a. 105, 109; 2003 a. 173; 2005 a. 443 s. 265; 2009 a. 28.

4 SECTION 2. 49.143 (2) (a) 2. of the statutes is amended to read:
5 49.143 (2) (a) 2. Identify and encourage employers to provide permanent jobs
6 for persons who are eligible for trial employment match program jobs or community
7 service jobs.

History: 1995 a. 216, 289; 1997 a. 27, 36, 236, 318; 1999 a. 9, 32; 2001 a. 16; 2005 a. 25; 2007 a. 20; 2009 a. 28, 333; 2011 a. 32, 257.

8 SECTION 3. 49.143 (2) (a) 3. of the statutes is amended to read:



Bus 2-1 cont'd 2004

1 49.143 (2) (a) 3. Create, and encourage others to create, subsidized jobs for
2 persons who are eligible for trial employment match program jobs or community
3 service jobs.

4 **History:** 1995 a. 216, 289; 1997 a. 27, 36, 236, 318; 1999 a. 9, 32; 2001 a. 16; 2005 a. 25; 2007 a. 20; 2009 a. 28, 333; 2011 a. 32, 257.

SECTION 4. 49.143 (2) (a) 4. of the statutes is amended to read:

5 49.143 (2) (a) 4. Create, and encourage others to create, on-the-job training
6 sites for persons who are eligible for trial employment match program jobs or
7 community service jobs.

8 **History:** 1995 a. 216, 289; 1997 a. 27, 36, 236, 318; 1999 a. 9, 32; 2001 a. 16; 2005 a. 25; 2007 a. 20; 2009 a. 28, 333; 2011 a. 32, 257.

SECTION 5. 49.143 (2) (a) 5. of the statutes is amended to read:

9 49.143 (2) (a) 5. Foster and guide the entrepreneurial efforts of participants
10 who are eligible for trial employment match program jobs or community service jobs.

11 **History:** 1995 a. 216, 289; 1997 a. 27, 36, 236, 318; 1999 a. 9, 32; 2001 a. 16; 2005 a. 25; 2007 a. 20; 2009 a. 28, 333; 2011 a. 32, 257.

SECTION 6. 49.143 (2) (a) 6. of the statutes is amended to read:

12 49.143 (2) (a) 6. Provide mentors, both from its membership and from
13 recruitment of members of the community, to provide job-related guidance,
14 including assistance in resolving job-related issues and the provision of job leads or
15 references, to persons who are eligible for trial employment match program jobs or
16 community service jobs.

17 **History:** 1995 a. 216, 289; 1997 a. 27, 36, 236, 318; 1999 a. 9, 32; 2001 a. 16; 2005 a. 25; 2007 a. 20; 2009 a. 28, 333; 2011 a. 32, 257.

SECTION 7. 49.143 (2r) of the statutes, as affected by 2011 Wisconsin Act 32, is
18 amended to read:

19 **49.143 (2r) JOB PROGRAMS.** A Wisconsin Works agency shall collaborate with
20 the local workforce development board to connect individuals seeking employment
21 with employment opportunities, including the trial job employment match program
22 under s. 49.147 (3) and, if operating in the geographical area in which the Wisconsin



bus 2-1 contd 3074

1 Works agency administers Wisconsin Works, the transitional jobs demonstration
2 project under s. 49.162.

NOTE: NOTE: Sub. (2r) is amended eff. 7-1-13 by 2011 Wis. Act 32 to read:NOTE:

49.143

3 (2r) JOB PROGRAMS. A Wisconsin Works agency shall collaborate with the local
4 workforce development board to connect individuals seeking employment with
5 employment opportunities, including the trial job employment match program under s.
6 49.147 (3).

History: 1995 a. 216, 289; 1997 a. 27, 36, 236, 318; 1999 a. 9, 32; 2001 a. 16; 2005 a. 25; 2007 a. 20; 2009 a. 28, 333; 2011 a. 32, 257.

7 SECTION 8. 49.147 (1m) (b) of the statutes is amended to read:

8 49.147 (1m) (b) If the Wisconsin Works agency determines that the appropriate
9 placement for an individual is in unsubsidized employment or a trial employment
10 match program job and that the individual needs and wishes to pursue basic
11 education, including a course of study meeting the standards established under s.
12 115.29 (4) (a) for the granting of a declaration of equivalency of high school
13 graduation, the Wisconsin Works agency shall pay for the basic education services
14 identified in the employability plan developed for the individual.

History: 1995 a. 289; 1997 a. 27; 1999 a. 9; 2001 a. 16; 2003 a. 33; 2005 a. 25; 2007 a. 20; 2009 a. 28, 333; 2011 a. 32, 257.

15 SECTION 9. 49.147 (2) (am) 2. of the statutes is amended to read:

16 49.147 (2) (am) 2. A Wisconsin Works agency shall, every 30 days, review the
17 provision of case management services to an individual under this paragraph, if the
18 individual is not successful in obtaining unsubsidized employment after legitimate
19 efforts to secure employment, to determine whether the individual should be placed
20 in a trial employment match program job, community service job, or transitional
21 placement. The department shall promulgate rules that specify the criteria for the
22 review process under this subdivision.

History: 1995 a. 289; 1997 a. 27; 1999 a. 9; 2001 a. 16; 2003 a. 33; 2005 a. 25; 2007 a. 20; 2009 a. 28, 333; 2011 a. 32, 257.

23 SECTION 10. 49.147 (3) (title) of the statutes is amended to read:



Ins 2-1 cont'd 484

1 **49.147 (3) (title) TRIAL JOBS EMPLOYMENT MATCH PROGRAM.**

History: 1995 a. 289; 1997 a. 27; 1999 a. 9; 2001 a. 16; 2003 a. 33; 2005 a. 25; 2007 a. 20; 2009 a. 28, 333; 2011 a. 32, 257.
(END OF INSERT 2-1)

INSERT 3-21

2 **SECTION 11. 49.147 (3) (am) of the statutes is amended to read:**

3 **49.147 (3) (am) *Education or training activities.* A trial employment match**
4 **program job includes education and training activities, as prescribed by the**
5 **employer as an integral part of work performed in ~~the~~ trial job employment match**
6 **program employment.**

History: 1995 a. 289; 1997 a. 27; 1999 a. 9; 2001 a. 16; 2003 a. 33; 2005 a. 25; 2007 a. 20; 2009 a. 28, 333; 2011 a. 32, 257.
(END OF INSERT 3-21)

INSERT 4-20

7 **SECTION 12. 49.147 (4) (a) of the statutes is amended to read:**

8 **49.147 (4) (a) *Administration.* A Wisconsin ~~works~~ Works agency shall**
9 **administer a community service job program as part of its administration of**
10 **Wisconsin ~~works~~ Works to improve the employability of an individual who is not**
11 **otherwise able to obtain employment, as determined by the Wisconsin ~~works~~ Works**
12 **agency, by providing work experience and training, if necessary, to assist the**
13 **individual to move promptly into unsubsidized public or private employment or a**
14 **trial employment match program job. In determining an appropriate placement for**
15 **a participant, a Wisconsin ~~works~~ Works agency shall give placement under this**
16 **subsection priority over placements under sub. (5). Community service jobs shall be**
17 **limited to projects that the department determines would serve a useful public**
18 **purpose or projects the cost of which is partially or wholly offset by revenue generated**
19 **from such projects. After each 6 months of an individual's participation under this**

↓

Ins 4-20 cont'd

1 subsection and at the conclusion of each assignment under this subsection, a
2 Wisconsin ~~works~~ Works agency shall reassess the individual's employability.

3 History: 1995 a. 289; 1997 a. 27; 1999 a. 9; 2001 a. 16; 2003 a. 33; 2005 a. 25; 2007 a. 20; 2009 a. 28, 333; 2011 a. 32, 257.

3 **SECTION 13. 49.147 (4) (b) of the statutes is amended to read:**

4 49.147 (4) (b) *Time-limited participation.* An individual may participate in a
5 community service job for a maximum of 6 months, with an opportunity for a
6 3-month extension under circumstances approved by the department. An
7 individual may participate in more than one community service job, but may not
8 exceed a total of 24 months of participation under this subsection. The months need
9 not be consecutive. The department or, with the approval of the department, the
10 Wisconsin Works agency may grant an extension to the 24-month limit on a
11 case-by-case basis if the Wisconsin Works agency determines that the individual
12 has made all appropriate efforts to find unsubsidized employment and has been
13 unable to find unsubsidized employment because local labor market conditions
14 preclude a reasonable employment opportunity in unsubsidized employment for that
15 participant, as determined by a Wisconsin Works agency and approved by the
16 department, and if the Wisconsin Works agency determines, and the department
17 agrees, that no trial employment match program job opportunities are available in
18 the specified local labor market.

History: 1995 a. 289; 1997 a. 27; 1999 a. 9; 2001 a. 16; 2003 a. 33; 2005 a. 25; 2007 a. 20; 2009 a. 28, 333; 2011 a. 32, 257.

(END OF INSERT 4-20)

INSERT 4-21

19 **SECTION 14. 49.147 (5) (a) 3. of the statutes is amended to read:**



Ins 4-21 contd

1 49.147 (5) (a) 3. The Wisconsin ~~works~~ Works agency determines that the
2 individual is incapable of performing a trial employment match program job or
3 community service job.

4 **History:** 1995 a. 289; 1997 a. 27; 1999 a. 9; 2001 a. 16; 2003 a. 33; 2005 a. 25; 2007 a. 20; 2009 a. 28, 333; 2011 a. 32, 257.

SECTION 15. 49.148 (1) (a) of the statutes is amended to read:

5 49.148 (1) (a) *Trial employment match program jobs.* For a participant in a trial
6 employment match program job, the amount established in the contract between the
7 Wisconsin ~~works~~ Works agency and the trial employment match program job
8 employer, but not less than minimum wage for every hour actually worked in the
9 trial employment match program job, not to exceed 40 hours per week paid by the
10 employer. Hours spent participating in education and training activities under s.
11 49.147 (3) (am) shall be included in determining the number of hours actually
12 worked.

History: 1995 a. 289; 1997 a. 27; 1999 a. 9; 2009 a. 28; 2011 a. 32, 257; s. 13.92 (2) (i).

(END OF INSERT 4-21)

INSERT 4-22

13 **SECTION 16.** 49.161 (1) of the statutes is amended to read:

14 49.161 (1) **TRIAL EMPLOYMENT MATCH PROGRAM JOBS OVERPAYMENTS.**
15 Notwithstanding s. 49.96, the department shall recover an overpayment of benefits
16 paid under s. 49.148 (1) (a) from an individual who receives benefits paid under s.
17 49.148 (1) (a). The value of the benefit liable for recovery under this subsection may
18 not exceed the amount that the department paid in wage subsidies with respect to
19 that participant while the participant was ineligible to participate. The department
20 shall promulgate rules establishing policies and procedures for administrating this
21 subsection.

History: 1995 a. 289; 1997 a. 27; 1999 a. 9.



Ins 4-22 contd

1 SECTION 17. 49.173 of the statutes is repealed.

(END OF INSERT 4-22)

INSERT 5-17

2 SECTION 18. 71.07 (2dj) (am) 4h. of the statutes is amended to read:

3 71.07 (2dj) (am) 4h. Modify section 51 (a) of the ~~internal revenue code~~ Internal
4 Revenue Code so that the amount of the credit is ~~25%~~ 25 percent of the qualified
5 first-year wages if the wages are paid to an applicant for a Wisconsin works Works
6 employment position for service either in an unsubsidized position or in a trial
7 employment match program job under s. 49.147 (3) and so that the amount of the
8 credit is ~~20%~~ 20 percent of the qualified first-year wages if the wages are not paid
9 to such an applicant.

History: 1987 a. 312; 1987 a. 411 ss. 63, 79 to 82, 85, 86; 1987 a. 419, 422; 1989 a. 31, 44, 56, 100, 359; 1991 a. 39, 269, 292; 1993 a. 16, 112, 204, 471, 491; 1995 a. 27 ss. 3377m to 3393m, 9116 (5); 1995 a. 209, 227, 400, 453; 1997 a. 27, 41, 237, 299; 1999 a. 5, 9, 10, 32; 1999 a. 150 s. 672; 1999 a. 198; 2001 a. 16, 109; 2003 a. 72, 99, 135, 183, 255, 267, 326; 2005 a. 25, 49, 72, 74, 97, 177, 254, 361, 387, 479, 483, 487; 2007 a. 11, 20, 96, 97, 100; 2009 a. 2, 11, 28, 180, 185, 265, 267, 269, 276, 294, 295, 332, 401; 2011 a. 15, 32, 67, 212, 213, 232, 237; 2011 a. 260 s. 80; s. 35.17 correction in (2dr) (a), (5n) (a) (intro.).

(END OF INSERT 5-17)

INSERT 7-10

10 SECTION 19. 71.28 (1dj) (am) 4h. of the statutes is amended to read:

11 71.28 (1dj) (am) 4h. Modify section 51 (a) of the ~~internal revenue code~~ Internal
12 Revenue Code so that the amount of the credit is ~~25%~~ 25 percent of the qualified
13 first-year wages if the wages are paid to an applicant for a Wisconsin works Works
14 employment position for service either in an unsubsidized position or in a trial
15 employment match program job under s. 49.147 (3) and so that the amount of the
16 credit is ~~20%~~ 20 percent of the qualified first-year wages if the wages are not paid
17 to such an applicant.

History: 1987 a. 312; 1987 a. 411 ss. 88, 130 to 139; 1987 a. 422; 1989 a. 31, 44, 56, 100, 336, 359; 1991 a. 39, 292; 1993 a. 16, 112, 232, 491; 1995 a. 2; 1995 a. 27 ss. 3399r to 3404c, 9116 (5); 1995 a. 209, 227; 1997 a. 27, 41, 237, 299; 1999 a. 5, 9; 2001 a. 16; 2003 a. 72, 99, 135, 255, 267, 326; 2005 a. 25, 74, 97, 361, 387, 452, 479, 483, 487;

2011 statute



Ins 7-10 contd

2007 a. 20, 96, 97, 100; 2009 a. 2, 11, 28, 180, 185, 265, 267, 269, 276, 294, 295, 332, 401; 2011 a. 3, 15, 32, 67, 212, 213, 232, 237; 2011 a. 260 s. 80; s. 35.17 correction in (ldm) (a) 1.

(END OF INSERT 7-10)

INSERT 9-3

1 **SECTION 20.** 71.47 (1dj) (am) 4h. of the statutes is amended to read:

2 71.47 (1dj) (am) 4h. Modify section 51 (a) of the ~~internal revenue code~~ Internal

3 Revenue Code so that the amount of the credit is ~~25%~~ 25 percent of the qualified

4 first-year wages if the wages are paid to an applicant for a Wisconsin ~~works~~ Works

5 employment position for service either in an unsubsidized position or in a trial

6 employment match program job under s. 49.147 (3) and so that the amount of the

7 credit is ~~20%~~ 20 percent of the qualified first-year wages if the wages are not paid

8 to such an applicant.

2011 Stat. 1

History: 1987 a. 312, 411, 422; 1989 a. 31, 44, 56, 100, 336, 359; 1991 a. 39, 292, 315; 1993 a. 16, 112; 1995 a. 27 ss. 3407m to 3412m, 9116 (5); 1995 a. 209, 227, 417; 1997 a. 27, 41, 237, 299; 1999 a. 5, 9; 2001 a. 16; 2003 a. 72, 99, 135, 255, 267, 326; 2005 a. 25, 74, 97, 361, 387, 452, 479, 483, 487; 2007 a. 20, 96, 97, 100; 2009 a. 2, 11, 28, 180, 185, 265, 267, 269, 276, 294, 295, 332, 401; 2011 a. 3, 15, 32, 67, 212, 213, 232, 237; 2011 a. 260 ss. 80, 81.

(END OF INSERT 9-3)

INSERT 12-4

9 **SECTION 21.** 102.07 (17m) of the statutes is amended to read:

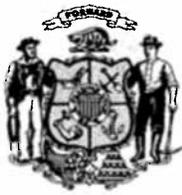
10 102.07 (17m) A participant in a trial employment match program job under s.

11 49.147 (3) is an employee of any employer under this chapter for whom the

12 participant is performing service at the time of the injury.

History: 1975 c. 147 s. 54; 1975 c. 224; 1977 c. 29; 1979 c. 278; 1981 c. 325; 1983 a. 27, 98; 1985 a. 29, 83, 135; 1985 a. 150 s. 4; 1985 a. 176, 332; 1987 a. 63; 1989 a. 31, 64, 359; 1993 a. 16, 81, 112, 399; 1995 a. 24, 77, 96, 117, 225, 281, 289, 417; 1997 a. 35, 38, 118; 1999 a. 14, 162; 2001 a. 37; 2005 a. 96; 2007 a. 130; 2009 a. 28, 42, 288; 2011 a. 123.

(END OF INSERT 12-4)



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-0063/2

PJK:jld:jm

stays

DOA:.....Major, BB0193 – Creating the Trial Employment Match Program and eliminating Trial Jobs, Real Work Real Pay, Subsidized Private Sector Employment, and Workforce Attachment and Advancement

FOR 2013-2015 BUDGET – NOT READY FOR INTRODUCTION

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Do not gen

AN ACT ...; relating to: miscellaneous changes to Wisconsin Works. ✓

Analysis by the Legislative Reference Bureau
HEALTH AND HUMAN SERVICES

WISCONSIN WORKS

The Wisconsin Works (W-2) program under current law provides work experience and monetary benefits for low-income custodial parents who are at least 18 years old; ✓ monetary benefits for certain unmarried pregnant women and low-income custodial parents of infants eight weeks of age or less; ✓ and job search assistance to noncustodial parents who are required to pay child support, to minor custodial parents, and to certain pregnant women who are not eligible for monetary benefits under the program. ✓ W-2 is administered, generally, by W-2 agencies under contracts with DCF. ✓ W-2 provides work experience to a participant through placement in one of a number of different employment positions, depending on the participant's skills, training, and experience. ✓ For one of the employment positions, called trial jobs, ✓ a W-2 agency pays a wage subsidy to a private employer that employs a W-2 participant and that agrees to retain the participant as a permanent employee when the subsidy ends. ✓ This bill terminates the trial job employment position and replaces it with a trial employment match program (TEMP) ✓ that has the

same features as the trial job employment position, except for a few changes to current law.

Under current law, a W-2 agency pays an employer a wage subsidy of not more than \$300 per month for full-time employment of a participant in a trial job. Under the bill, in TEMP the W-2 agency and employer will negotiate the wage subsidy, which will be paid for every hour that the participant actually works, up to 40 hours per week, and which may not be less than the applicable minimum wage. In addition, the W-2 agency may, as negotiated between the W-2 agency and the employer, reimburse the employer for all or a portion of other costs associated with employment of the participant, such as federal social security taxes and worker's compensation insurance premiums. Currently, a participant may work in a trial job for up to three months, with a possible three-month extension. The bill changes the maximum time in a TEMP job to up to six months, with a possible three-month extension. Currently, an employer that employs a participant in a trial job must agree to make a good faith effort to retain the participant as a permanent unsubsidized employee after the wage subsidy under the trial job ends. For TEMP the bill adds that, if the employer does not retain the participant, the employer must serve as an employment reference for the participant or must provide the W-2 agency with a written performance evaluation with recommendations for improvement.

In addition to the replacement of trial jobs with TEMP, the bill repeals the real work, real pay employment position in W-2, which was a pilot project that ended on December 31, 2009. The bill eliminates the subsidized private sector employment program, under which participants were to be paid minimum wage for work in certain projects. The program's operation was dependent on certain conditions and it was never implemented. The bill also eliminates the workforce attachment and advancement program, which provided funding to W-2 agencies and local workforce development boards for providing certain job-related services to individuals eligible for federal Temporary Assistance for Needy Families (TANF) block grant program funds. The workforce attachment and advancement program has not received TANF funding or operated since 2003.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

- 1 SECTION 1. 49.141 (1) (n) of the statutes is amended to read:
- 2 49.141 (1) (n) "Trial employment match program job" means a work component
- 3 of Wisconsin works Works administered under s. 49.147 (3).
- 4 SECTION 2. 49.143 (2) (a) 2. of the statutes is amended to read:

1 49.143 (2) (a) 2. Identify and encourage employers to provide permanent jobs
2 for persons who are eligible for trial employment match program jobs or community
3 service jobs.

4 **SECTION 3.** 49.143 (2) (a) 3. of the statutes is amended to read:

5 49.143 (2) (a) 3. Create, and encourage others to create, subsidized jobs for
6 persons who are eligible for trial employment match program jobs or community
7 service jobs.

8 **SECTION 4.** 49.143 (2) (a) 4. of the statutes is amended to read:

9 49.143 (2) (a) 4. Create, and encourage others to create, on-the-job training
10 sites for persons who are eligible for trial employment match program jobs or
11 community service jobs.

12 **SECTION 5.** 49.143 (2) (a) 5. of the statutes is amended to read:

13 49.143 (2) (a) 5. Foster and guide the entrepreneurial efforts of participants
14 who are eligible for trial employment match program jobs or community service jobs.

15 **SECTION 6.** 49.143 (2) (a) 6. of the statutes is amended to read:

16 49.143 (2) (a) 6. Provide mentors, both from its membership and from
17 recruitment of members of the community, to provide job-related guidance,
18 including assistance in resolving job-related issues and the provision of job leads or
19 references, to persons who are eligible for trial employment match program jobs or
20 community service jobs.

21 **SECTION 7.** 49.143 (2r) of the statutes, as affected by 2011 Wisconsin Act 32, is
22 amended to read:

23 49.143 (2r) JOB PROGRAMS. A Wisconsin Works agency shall collaborate with
24 the local workforce development board to connect individuals seeking employment

1 with employment opportunities, including the trial job employment match program[✓]
2 under s. 49.147 (3).

3 **SECTION 8.** 49.147 (1m) (b) of the statutes is amended to read:[✓]

4 49.147 (1m) (b) If the Wisconsin Works agency determines that the appropriate
5 placement for an individual is in unsubsidized employment or a trial employment
6 match program job and that the individual needs and wishes to pursue basic
7 education, including a course of study meeting the standards established under s.
8 115.29 (4) (a) for the granting of a declaration of equivalency of high school
9 graduation, the Wisconsin Works agency shall pay for the basic education services
10 identified in the employability plan developed for the individual.

11 **SECTION 9.** 49.147 (2) (am) 2. of the statutes is amended to read:[✓]

12 49.147 (2) (am) 2. A Wisconsin Works agency shall, every 30 days, review the
13 provision of case management services to an individual under this paragraph, if the
14 individual is not successful in obtaining unsubsidized employment after legitimate
15 efforts to secure employment, to determine whether the individual should be placed
16 in a trial employment match program job[✓], community service job, or transitional
17 placement. The department shall promulgate rules that specify the criteria for the
18 review process under this subdivision.

19 **SECTION 10.** 49.147 (3) (title) of the statutes is amended to read:[✓]

20 49.147 (3) (title) TRIAL JOBS EMPLOYMENT MATCH PROGRAM.[✓]

21 **SECTION 11.** 49.147 (3) (a) of the statutes is amended to read:

22 49.147 (3) (a) *Administration.* A Wisconsin Works agency shall administer a
23 trial job employment match program[✓] as part of its administration of the Wisconsin
24 Works program to improve the employability of individuals who are not otherwise
25 are not able to obtain unsubsidized employment, as determined by the Wisconsin

1 Works agency, by providing work experience and training to assist them to move
2 promptly into unsubsidized employment. In determining an appropriate placement
3 for a participant, a Wisconsin Works agency shall give priority to placement under
4 this subsection over placements under subs. (4) and (5).

5 (ac) Employer subsidies and reimbursements. The Wisconsin Works agency
6 shall pay ~~a wage subsidy~~ to an employer that employs a participant under this
7 subsection ~~and that agrees to make a good faith effort to retain the participant as a~~
8 ~~permanent unsubsidized employee after the wage subsidy is terminated. The wage~~
9 ~~subsidy may not exceed \$300 per month for full-time employment of a participant.~~
10 ~~For less than full-time employment of a participant during a month, the wage~~
11 ~~subsidy may not exceed a dollar amount determined by multiplying \$300 by a~~
12 ~~fraction, the numerator of which is the number of hours worked by the participant~~
13 ~~in the month and the denominator of which is the number of hours that would be~~
14 ~~required for full-time employment in that month. a wage subsidy in an amount that~~
15 ~~is negotiated between the Wisconsin Works agency and the employer but that is not~~
16 ~~less than the state or federal minimum wage that applies to the participant. The~~
17 ~~wage subsidy shall be paid for each hour that the participant actually works, up to~~
18 ~~a maximum of 40 hours per week. In addition to paying the wage subsidy, the~~
19 ~~Wisconsin Works agency may, as negotiated between the Wisconsin Works agency~~
20 ~~and the employer, reimburse the employer for all or a portion of other [✓] costs that are~~
21 ~~attributable to the employment of the participant, including any of the following: [✓]~~

22 **SECTION 12.** 49.147 (3) (ac) 1. of the statutes is created to read:

23 49.147 (3) (ac) 1. Federal social security taxes.

24 **SECTION 13.** 49.147 (3) (ac) 2. of the statutes is created to read:

25 49.147 (3) (ac) 2. State and federal unemployment contributions or taxes.

1 **SECTION 14.** 49.147 (3) (ac) 3. ^X of the statutes is created to read:

2 49.147 (3) (ac) 3. Worker's compensation insurance premiums.

3 **SECTION 15.** 49.147 (3) (am) ^X of the statutes is amended to read:

4 49.147 (3) (am) *Education or training activities.* A trial employment match
5 program job includes education and training activities, as prescribed by the
6 employer as an integral part of work performed in ~~the~~ [✓] trial job employment match
7 program employment. [✓]

8 **SECTION 16.** 49.147 (3) (c) of the statutes is amended to read:

9 49.147 (3) (c) *Time-limited participation.* A participant under this subsection
10 may participate in a trial employment match program [✓] job for a maximum of 3 6
11 months, with an opportunity for a 3-month extension under circumstances
12 determined by the Wisconsin Works agency. A participant may participate in more
13 than one trial employment match program [✓] job, but may not exceed a total of 24
14 months of participation under this subsection. The months need not be consecutive.
15 The department or, with the approval of the department, the Wisconsin Works
16 agency may grant an extension of the 24-month limit on a case-by-case basis if the
17 participant has made all appropriate efforts to find unsubsidized employment and
18 has been unable to find unsubsidized employment because local labor market
19 conditions preclude a reasonable job opportunity for that participant, as determined
20 by a Wisconsin Works agency and approved by the department.

21 **SECTION 17.** 49.147 (3) (d) of the statutes is created to read:

22 49.147 (3) (d) *Employer effort to retain, refer, or evaluate participant.* An
23 employer that employs a participant under this subsection and receives a wage
24 subsidy shall agree to make a good faith effort to retain the participant as a
25 permanent unsubsidized employee after the wage subsidy ends, although nothing in

1 this subsection requires an employer to retain a participant as a permanent
2 unsubsidized employee after the wage subsidy ends. An employer shall also agree
3 that, if the employer does not retain a participant as a permanent unsubsidized
4 employee, the employer will serve as an employment reference for the participant or
5 provide to the Wisconsin Works agency a written performance evaluation of the
6 participant, including recommendations for improvements.

7 **SECTION 18.** 49.147 (3m) of the statutes is repealed.

8 **SECTION 19.** 49.147 (4) (a) [✓] of the statutes is amended to read:

9 49.147 (4) (a) *Administration.* A Wisconsin ~~works~~ Works agency shall
10 administer a community service job program as part of its administration of
11 Wisconsin ~~works~~ Works [✓] to improve the employability of an individual who is not
12 otherwise able to obtain employment, as determined by the Wisconsin ~~works~~ Works [✓]
13 agency, by providing work experience and training, if necessary, to assist the
14 individual to move promptly into unsubsidized public or private employment or a
15 trial employment match program [✓] job. In determining an appropriate placement for
16 a participant, a Wisconsin ~~works~~ Works [✓] agency shall give placement under this
17 subsection priority over placements under sub. (5). Community service jobs shall be
18 limited to projects that the department determines would serve a useful public
19 purpose or projects the cost of which is partially or wholly offset by revenue generated
20 from such projects. After each 6 months of an individual's participation under this
21 subsection and at the conclusion of each assignment under this subsection, a
22 Wisconsin ~~works~~ Works [✓] agency shall reassess the individual's employability.

23 **SECTION 20.** 49.147 (4) (b) [✓] of the statutes is amended to read:

24 49.147 (4) (b) *Time-limited participation.* An individual may participate in a
25 community service job for a maximum of 6 months, with an opportunity for a

1 3-month extension under circumstances approved by the department. An
2 individual may participate in more than one community service job, but may not
3 exceed a total of 24 months of participation under this subsection. The months need
4 not be consecutive. The department or, with the approval of the department, the
5 Wisconsin Works agency may grant an extension to the 24-month limit on a
6 case-by-case basis if the Wisconsin Works agency determines that the individual
7 has made all appropriate efforts to find unsubsidized employment and has been
8 unable to find unsubsidized employment because local labor market conditions
9 preclude a reasonable employment opportunity in unsubsidized employment for that
10 participant, as determined by a Wisconsin Works agency and approved by the
11 department, and if the Wisconsin Works agency determines, and the department
12 agrees, that no trial employment match program job opportunities are available in
13 the specified local labor market.

14 **SECTION 21.** 49.147 (4m)^x of the statutes is repealed.

15 **SECTION 22.** 49.147 (5) (a) 3. of the statutes is amended to read:

16 49.147 (5) (a) 3. The Wisconsin ~~works~~ Works[✓] agency determines that the
17 individual is incapable of performing a trial employment match program[✓] job or
18 community service job.

19 **SECTION 23.** 49.148 (1) (a) of the statutes is amended to read:

20 49.148 (1) (a) *Trial employment match program*[✓]*jobs.* For a participant in a trial
21 employment match program[✓] job, the amount established in the contract between the
22 Wisconsin ~~works~~ Works[✓] agency and the trial employment match program job
23 employer, but not less than minimum wage for every hour actually worked in the
24 trial employment match program[✓] job, not to exceed 40 hours per week paid by the
25 employer. Hours spent participating in education and training activities under s.

1 49.147 (3) (am) shall be included in determining the number of hours actually
2 worked.

3 SECTION 24. 49.148 (1) (d) of the statutes is repealed.

4 SECTION 25. 49.161 (1) ^(title) of the statutes is amended to read:

4
5

49.161 (1) ^(+title) TRIAL EMPLOYMENT MATCH PROGRAM[✓] JOBS OVERPAYMENTS. ^g

6 Notwithstanding s. 49.96, the department shall recover an overpayment of benefits
7 paid under s. 49.148 (1) (a) from an individual who receives benefits paid under s.
8 49.148 (1) (a). The value of the benefit liable for recovery under this subsection may
9 not exceed the amount that the department paid in wage subsidies with respect to
10 that participant while the participant was ineligible to participate. The department
11 shall promulgate rules establishing policies and procedures for administrating this
12 subsection.

13 SECTION 26. 49.173[✓] of the statutes is repealed.

14 SECTION 27. 49.26 (1) (g) (intro.) of the statutes is amended to read:

15 49.26 (1) (g) (intro.) An individual who is a dependent child in a Wisconsin
16 Works group that includes a participant under s. 49.147 (3), (~~3m~~), (4), or (5) or who
17 is a recipient of aid under s. 49.19 is subject to the school attendance requirement
18 under par. (ge) if all of the following apply:

19 SECTION 28. 49.26 (1) (h) 1s. b. of the statutes is amended to read:

20 49.26 (1) (h) 1s. b. An individual who is a dependent child in a Wisconsin Works
21 group that includes a participant under s. 49.147 (3), (~~3m~~), (4), or (5) and who fails
22 to meet the school attendance requirement under par. (ge) is subject to a monthly
23 sanction.

24 SECTION 29. 49.36 (2) of the statutes is amended to read:

1 49.36 (2) The department may contract with any county, tribal governing body,
2 or Wisconsin Works agency to administer a work experience and job training
3 program for parents who are not custodial parents and who fail to pay child support
4 or to meet their children's needs for support as a result of unemployment or
5 underemployment. The program may provide the kinds of work experience and job
6 training services available from the program under s. 49.193, 1997 stats., or s. 49.147
7 (3), ~~(3m)~~, or (4). The program may also include job search and job orientation
8 activities. The department shall fund the program from the appropriations under
9 s. 20.437 (2) (dz) and (k).

10 **SECTION 30.** 71.07 (2dj) (am) 4h. of the statutes is amended to read:

11 71.07 (2dj) (am) 4h. Modify section 51 (a) of the ~~internal revenue code~~ [✓] Internal
12 Revenue Code so that the amount of the credit is ~~25%~~ [✓] 25 percent of the qualified
13 first-year wages if the wages are paid to an applicant for a Wisconsin ~~works~~ [✓] Works
14 employment position for service either in an unsubsidized position or in a trial job
15 under s. 49.147 (3), 2011 stats. [✓] and so that the amount of the credit is ~~20%~~ [✓] 20 percent
16 of the qualified first-year wages if the wages are not paid to such an applicant.

17 **SECTION 31.** 71.07 (2dx) (a) 5. of the statutes is amended to read:

18 71.07 (2dx) (a) 5. "Member of a targeted group" means a person who resides
19 in an area designated by the federal government as an economic revitalization area,
20 a person who is employed in an unsubsidized job but meets the eligibility
21 requirements under s. 49.145 (2) and (3) for a Wisconsin Works employment position,
22 a person who is employed in a trial job, as defined in s. 49.141 (1) (n), 2011 stats., or
23 in a ~~real work, real pay project position under s. 49.147 (3m)~~ [✓] trial employment match
24 program job, as defined in s. 49.141 (1) (n), [✓] a person who is eligible for child care
25 assistance under s. 49.155, a person who is a vocational rehabilitation referral, an

1 economically disadvantaged youth, an economically disadvantaged veteran, a
2 supplemental security income recipient, a general assistance recipient, an
3 economically disadvantaged ex-convict, a qualified summer youth employee, as
4 defined in 26 USC 51 (d) (7), a dislocated worker, as defined in 29 USC 2801 (9), or
5 a food stamp recipient, if the person has been certified in the manner under sub. (2dj)
6 (am) 3. by a designated local agency, as defined in sub. (2dj) (am) 2.

7 **SECTION 32.** 71.07 (2dx) (b) 2.[✓] of the statutes is amended to read:

8 71.07 (2dx) (b) 2. The amount determined by multiplying the amount
9 determined under s. 238.385 (1) (b) or s. 560.785 (1) (b), 2009 stats., by the number
10 of full-time jobs created in a development zone and filled by a member of a targeted
11 group and by then subtracting the subsidies paid under s. 49.147 (3) (a) ~~or the~~
12 ~~subsidies and reimbursements paid under s. 49.147 (3m) (e)~~ for those jobs. ✓

13 **SECTION 33.** 71.07 (2dx) (b) 3.[✓] of the statutes is amended to read:

14 71.07 (2dx) (b) 3. The amount determined by multiplying the amount
15 determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number
16 of full-time jobs created in a development zone and not filled by a member of a
17 targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) ~~or~~
18 ~~the subsidies and reimbursements paid under s. 49.147 (3m) (e)~~ for those jobs.

19 **SECTION 34.** 71.07 (2dx) (b) 4.[✓] of the statutes is amended to read:

20 71.07 (2dx) (b) 4. The amount determined by multiplying the amount
21 determined under s. 238.385 (1) (bm) or s. 560.785 (1) (bm), 2009 stats., by the
22 number of full-time jobs retained, as provided in the rules under s. 238.385 or s.
23 560.785, 2009 stats., excluding jobs for which a credit has been claimed under sub.
24 (2dj), in an enterprise development zone under s. 238.397 or s. 560.797, 2009 stats.,
25 and for which significant capital investment was made and by then subtracting the

1 subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and reimbursements paid~~
2 ~~under s. 49.147 (3m) (e)~~ for those jobs.

3 **SECTION 35.** 71.07 (2dx) (b) 5. of the statutes is amended to read:

4 71.07 (2dx) (b) 5. The amount determined by multiplying the amount
5 determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number
6 of full-time jobs retained, as provided in the rules under s. 238.385 or s. 560.785,
7 2009 stats., excluding jobs for which a credit has been claimed under sub. (2dj), in
8 a development zone and not filled by a member of a targeted group and by then
9 subtracting the subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and~~
10 ~~reimbursements paid under s. 49.147 (3m) (e)~~ for those jobs.

11 **SECTION 36.** 71.28 (1dj) (am) 4h. [✓] of the statutes is amended to read:

12 71.28 (1dj) (am) 4h. Modify section 51 (a) of the ~~internal revenue code~~ [✓] Internal
13 Revenue Code so that the amount of the credit is ~~25%~~ [✓] 25 percent of the qualified
14 first-year wages if the wages are paid to an applicant for a Wisconsin ~~works~~ Works
15 employment position for service either in an unsubsidized position or in a trial job
16 under s. 49.147 (3), 2011 stats. [✓] and so that the amount of the credit is ~~20%~~ [✓] 20 percent
17 of the qualified first-year wages if the wages are not paid to such an applicant.

18 **SECTION 37.** 71.28 (1dx) (a) 5. [✓] of the statutes is amended to read:

19 71.28 (1dx) (a) 5. “Member of a targeted group” means a person who resides
20 in an area designated by the federal government as an economic revitalization area,
21 a person who is employed in an unsubsidized job but meets the eligibility
22 requirements under s. 49.145 (2) and (3) for a Wisconsin Works employment position,
23 a person who is employed in a trial job, as defined in s. 49.141 (1) (n), 2011 stats. [✓] or
24 in a ~~real work, real pay project position under s. 49.147 (3m)~~ trial employment match
25 program job, as defined in s. 49.141 (1) (n), [✓] a person who is eligible for child care

1 assistance under s. 49.155, a person who is a vocational rehabilitation referral, an
2 economically disadvantaged youth, an economically disadvantaged veteran, a
3 supplemental security income recipient, a general assistance recipient, an
4 economically disadvantaged ex-convict, a qualified summer youth employee, as
5 defined in 26 USC 51 (d) (7), a dislocated worker, as defined in 29 USC 2801 (9), or
6 a food stamp recipient, if the person has been certified in the manner under sub. (1dj)
7 (am) 3. by a designated local agency, as defined in sub. (1dj) (am) 2. ✓

8 **SECTION 38.** 71.28 (1dx) (b) 2. ✓^x of the statutes is amended to read:

9 71.28 (1dx) (b) 2. The amount determined by multiplying the amount
10 determined under s. 238.385 (1) (b) or s. 560.785 (1) (b), 2009 stats., by the number
11 of full-time jobs created in a development zone and filled by a member of a targeted
12 group and by then subtracting the subsidies paid under s. 49.147 (3) (a) ~~or the~~
13 ~~subsidies and reimbursements paid under s. 49.147 (3m) (e)~~ for those jobs.

14 **SECTION 39.** 71.28 (1dx) (b) 3. of the statutes is amended to read:

15 71.28 (1dx) (b) 3. The amount determined by multiplying the amount
16 determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number
17 of full-time jobs created in a development zone and not filled by a member of a
18 targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) ~~or~~
19 ~~the subsidies and reimbursements paid under s. 49.147 (3m) (e)~~ for those jobs.

20 **SECTION 40.** 71.28 (1dx) (b) 4. of the statutes is amended to read:

21 71.28 (1dx) (b) 4. The amount determined by multiplying the amount
22 determined under s. 238.385 (1) (bm) or s. 560.785 (1) (bm), 2009 stats., by the
23 number of full-time jobs retained, as provided in the rules under s. 238.385 or s.
24 560.785, 2009 stats., excluding jobs for which a credit has been claimed under sub.
25 (1dj), in an enterprise development zone under s. 238.397 or s. 560.797, 2009 stats.,

1 and for which significant capital investment was made and by then subtracting the
2 subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and reimbursements paid~~
3 ~~under s. 49.147 (3m) (e)~~ for those jobs. ✓

4 **SECTION 41.** 71.28 (1dx) (b) 5. of the statutes is amended to read:

5 71.28 (1dx) (b) 5. The amount determined by multiplying the amount
6 determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number
7 of full-time jobs retained, as provided in the rules under s. 238.385 or s. 560.785,
8 2009 stats., excluding jobs for which a credit has been claimed under sub. (1dj), in
9 a development zone and not filled by a member of a targeted group and by then
10 subtracting the subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and~~
11 ~~reimbursements paid under s. 49.147 (3m) (e)~~ for those jobs. ✓

12 **SECTION 42.** 71.47 (1dj) (am) 4h. ✓ of the statutes is amended to read:

13 71.47 (1dj) (am) 4h. Modify section 51 (a) of the ~~internal revenue code~~ ✓ Internal
14 Revenue Code so that the amount of the credit is ~~25%~~ 25 percent ✓ of the qualified
15 first-year wages if the wages are paid to an applicant for a Wisconsin ~~works~~ ✓ Works
16 employment position for service either in an unsubsidized position or in a trial job
17 under s. 49.147 (3), 2011 stats., ✓ and so that the amount of the credit is ~~20%~~ ✓ 20 percent
18 of the qualified first-year wages if the wages are not paid to such an applicant.

19 **SECTION 43.** 71.47 (1dx) (a) 5. of the statutes is amended to read:

20 71.47 (1dx) (a) 5. “Member of a targeted group” means a person who resides
21 in an area designated by the federal government as an economic revitalization area,
22 a person who is employed in an unsubsidized job but meets the eligibility
23 requirements under s. 49.145 (2) and (3) for a Wisconsin Works employment position,
24 a person who is employed in a trial job, as defined in s. 49.141 (1) (n), 2011 stats., or
25 in a ~~real work, real pay project position under s. 49.147 (3m)~~ trial employment match

1 program job, as defined in s. 49.141 (1) (n), a person who is eligible for child care
2 assistance under s. 49.155, a person who is a vocational rehabilitation referral, an
3 economically disadvantaged youth, an economically disadvantaged veteran, a
4 supplemental security income recipient, a general assistance recipient, an
5 economically disadvantaged ex-convict, a qualified summer youth employee, as
6 defined in 26 USC 51 (d) (7), a dislocated worker, as defined in 29 USC 2801 (9), or
7 a food stamp recipient, if the person has been certified in the manner under sub. (1dj)
8 (am) 3. by a designated local agency, as defined in sub. (1dj) (am) 2.

9 **SECTION 44.** 71.47 (1dx) (b) 2. of the statutes is amended to read:

10 71.47 (1dx) (b) 2. The amount determined by multiplying the amount
11 determined under s. 238.385 (1) (b) or s. 560.785 (1) (b), 2009 stats., by the number
12 of full-time jobs created in a development zone and filled by a member of a targeted
13 group and by then subtracting the subsidies paid under s. 49.147 (3) (a) ~~or the~~
14 ~~subsidies and reimbursements paid under s. 49.147 (3m) (e)~~ for those jobs.

15 **SECTION 45.** 71.47 (1dx) (b) 3. of the statutes is amended to read:

16 71.47 (1dx) (b) 3. The amount determined by multiplying the amount
17 determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number
18 of full-time jobs created in a development zone and not filled by a member of a
19 targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) ~~or~~
20 ~~the subsidies and reimbursements paid under s. 49.147 (3m) (e)~~ for those jobs.

21 **SECTION 46.** 71.47 (1dx) (b) 4. of the statutes is amended to read:

22 71.47 (1dx) (b) 4. The amount determined by multiplying the amount
23 determined under s. 238.385 (1) (bm) or s. 560.785 (1) (bm), 2009 stats., by the
24 number of full-time jobs retained, as provided in the rules under s. 238.385 or s.
25 560.785, 2009 stats., excluding jobs for which a credit has been claimed under sub.

1 (1dj), in an enterprise development zone under s. 238.397 or s. 560.797, 2009 stats.,
2 and for which significant capital investment was made and by then subtracting the
3 subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and reimbursements paid~~
4 ~~under s. 49.147 (3m) (e)~~ for those jobs.

5 **SECTION 47.** 71.47 (1dx) (b) 5. of the statutes is amended to read:

6 71.47 (1dx) (b) 5. The amount determined by multiplying the amount
7 determined under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number
8 of full-time jobs retained, as provided in the rules under s. 238.385 or s. 560.785,
9 2009 stats., excluding jobs for which a credit has been claimed under sub. (1dj), in
10 a development zone and not filled by a member of a targeted group and by then
11 subtracting the subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and~~
12 ~~reimbursements paid under s. 49.147 (3m) (e)~~ for those jobs.

13 **SECTION 48.** 76.636 (1) (e) 3. of the statutes is amended to read:

14 76.636 (1) (e) 3. A person who is employed in a trial job, as defined in s. 49.141
15 (1) (n), 2011 stats.[✓], or in a ~~real-work, real-pay project position under s. 49.147 (3m)~~
16 trial employment match program job, as defined in s. 49.141 (1) (n).[✓]

17 **SECTION 49.** 76.636 (2) (b) of the statutes is amended to read:

18 76.636 (2) (b) The amount determined by multiplying the amount determined
19 under s. 238.385 (1) (b) or s. 560.785 (1) (b), 2009 stats., by the number of full-time
20 jobs created in a development zone and filled by a member of a targeted group and
21 by then subtracting the subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and~~
22 ~~reimbursements paid under s. 49.147 (3m) (e)~~ for those jobs.

23 **SECTION 50.** 76.636 (2) (c) of the statutes is amended to read:

24 76.636 (2) (c) The amount determined by multiplying the amount determined
25 under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number of full-time

1 jobs created in a development zone and not filled by a member of a targeted group
2 and by then subtracting the subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and~~
3 ~~reimbursements paid under s. 49.147 (3m) (e)~~ for those jobs.

4 **SECTION 51.** 76.636 (2) (d) of the statutes is amended to read:

5 76.636 (2) (d) The amount determined by multiplying the amount determined
6 under s. 238.385 (1) (bm) or s. 560.785 (1) (bm), 2009 stats., by the number of
7 full-time jobs retained, as provided in the rules under s. 238.385 or s. 560.785, 2009
8 stats., excluding jobs for which a credit has been claimed under s. 71.47 (1dj), in an
9 enterprise development zone under s. 238.397 or s. 560.797, 2009 stats., and for
10 which significant capital investment was made and by then subtracting the
11 subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and reimbursements paid~~
12 ~~under s. 49.147 (3m) (e)~~ for those jobs.

13 **SECTION 52.** 76.636 (2) (e) of the statutes is amended to read:

14 76.636 (2) (e) The amount determined by multiplying the amount determined
15 under s. 238.385 (1) (c) or s. 560.785 (1) (c), 2009 stats., by the number of full-time
16 jobs retained, as provided in the rules under s. 238.385 or s. 560.785, 2009 stats.,
17 excluding jobs for which a credit has been claimed under s. 71.47 (1dj), in a
18 development zone and not filled by a member of a targeted group and by then
19 subtracting the subsidies paid under s. 49.147 (3) (a) ~~or the subsidies and~~
20 ~~reimbursements paid under s. 49.147 (3m) (e)~~ for those jobs.

21 **SECTION 53.** 102.07 (17m)^X of the statutes is amended to read:

22 102.07 (17m) A participant in a trial employment match program[✓] job under s.
23 49.147 (3) is an employee of any employer under this chapter for whom the
24 participant is performing service at the time of the injury.

25 **SECTION 54.** 227.01 (13) (im) of the statutes is repealed.

1 **SECTION 55.** 238.30 (4m) of the statutes is amended to read:

2 238.30 (4m) "Member of a targeted group" means a person who resides in an
3 area designated by the federal government as an economic revitalization area, a
4 person who is employed in an unsubsidized job but meets the eligibility requirements
5 under s. 49.145 (2) and (3) for a Wisconsin Works employment position, a person who
6 is employed in a trial job, as defined in s. 49.141 (1) (n), 2011 stats., or in a ~~real work,~~
7 ~~real pay project position under s. 49.147 (3m)~~ trial employment match program job,
8 as defined in s. 49.141 (1) (n), a person who is eligible for child care assistance under
9 s. 49.155, a person who is a vocational rehabilitation referral, an economically
10 disadvantaged youth, an economically disadvantaged veteran, a supplemental
11 security income recipient, a general assistance recipient, an economically
12 disadvantaged ex-convict, a dislocated worker, as defined in 29 USC 2801 (9), or a
13 food stamp recipient, if the person has been certified in the manner under 26 USC
14 51 (d) (13) (A) by a designated local agency, as defined in 26 USC 51 (d) (12).

15 **SECTION 9306. Initial applicability; Children and Families.**

16 (1) TRIAL EMPLOYMENT MATCH PROGRAM. The treatment of section 49.147 (3) (a),
17 (ac) 1., 2., and 3., (c), and (d) of the statutes first applies to Wisconsin Works
18 participants who are placed in the trial employment match program on the effective
19 date of this subsection.

20 **SECTION 9406. Effective dates; Children and Families.**

21 (1) CHANGES TO WISCONSIN WORKS PROGRAMS. The treatment of sections 49.141
22 (1) (n), 49.143 (2) (a) 2., 3., 4., 5., and 6. and (2r), 49.147 (1m) (b), (2) (am) 2., (3) (title),
23 (a), (ac) 1., 2., and 3., (am), (c), and (d), (3m), (4) (a) and (b), (4m), and (5) (a) 3. 49.148
24 (1) (a) and (d), 49.161 (1), 49.173, 49.26 (1) (g) (intro.) and (h) 1s. b., 49.36 (2), 71.07
25 (2dj) (am) 4h. and (2dx) (a) 5. and (b) 2., 3., 4., and 5., 71.28 (1dj) (am) 4h. and (1dx)

1 (a) 5. and (b) 2., 3., 4., and 5., 71.47 (1dj) (am) 4h. and (1dx) (a) 5. and (b) 2., 3., 4., and
2 5., 76.636 (1) (e) 3. and (2) (b), (c), (d), and (e), 102.07 (17m), 227.01 (13) (im), and
3 238.30 (4m) of the statutes and SECTION 9306 (1) of this act take effect on October 1,
4 2013, or on the effective date of this subsection, whichever is later.

5

(END)

Kahler, Pam

From: Major, Katrina L - DOA <Katrina.Major@wisconsin.gov>
Sent: Friday, January 25, 2013 9:08 AM
To: Kahler, Pam
Cc: Kraus, Jennifer - DOA
Subject: 0063

Hi Pam, in the TEMP draft, can you add Medicare taxes, so the included costs in this draft and the Transform Milwaukee draft are the same. Thanks