

2019 DRAFTING REQUEST**Bill**

For: **Administration-Budget 266-5468** Drafter: **ewheeler**
 By: **Rice** Secondary Drafters:
 Date: **10/29/2018** May Contact:

Same as LRB:

Submit via email: **YES**
 Requester's email:
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Pre Topic:

DOA:.....Rice, BB0042 -

Topic:

W-2 TEMP changes

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	ewheeler 11/2/2018	kfollett 11/5/2018			
/P1	ewheeler 2/21/2019	csicilia 2/21/2019	dwalker 11/5/2018		
/P2		kfollett 2/25/2019	lparisi 2/21/2019		
/P3			mbarman 2/25/2019		

FE Sent For:

<END>

Wheeler, Elizabeth

-0654

From: Hanaman, Cathlene
Sent: Monday, October 29, 2018 2:56 PM
To: Wheeler, Elizabeth; Shea, Elisabeth
Subject: FW: Statutory Language Drafting Request - 2019-21

Follow Up Flag: Follow up
Flag Status: Flagged

From: Rice, Olivia A - DOA
Sent: Monday, October 29, 2018 2:35 PM
To: Hanaman, Cathlene <Cathlene.Hanaman@legis.wisconsin.gov>
Cc: Kraus, Jennifer - DOA <Jennifer.Kraus@wisconsin.gov>; Kraus, Jennifer - DOA <Jennifer.Kraus@wisconsin.gov>
Subject: Statutory Language Drafting Request - 2019-21

Biennial Budget: 2019-21

Topic: W-2 TEMP changes

Tracking Code: BB0042

SBO Team: GGCF

SBO Analyst: Rice, Olivia
Phone: 608-266-5468
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Agency Acronym: 437

Agency Number: 437

Priority: Medium

Intent:

Include provisions of LRB=5887/P1 Plus the following changes:

1. Strike 'program' and 'program job' after 'subsidized employment placement'. References to SEP should be made like how W-2 T is referenced (transitional placement).
2. Insert 'per week' after 'not to exceed the maximum number of hours'.
3. Strike out outdated references to the old Trial Jobs program.

Attachments: False

Please send completed drafts to SBOSatlanguage@spmail.enterprise.wistate.us



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-5887/P1
EAW:cde&ahe

06541P1
5f

in: 11/02
aw: 11/05

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 **AN ACT ...; relating to:** the budget.

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

PUBLIC ASSISTANCE

Under current law, the Wisconsin Works (W-2) program provides, among other things, work experience and benefits for low-income custodial parents who are at least 18 years old. One W-2 work experience program is known under current law as the "Trial Employment Match Program," or "TEMP."

Under current law, participants in TEMP are placed in a job and the agency administering the W-2 program subsidizes the participants' employment for up to 40 hours per week.

This bill changes the name of TEMP to the "Subsidized Employment Placement Program." This bill also removes the 40-hour per week maximum subsidy and allows a W-2 agency to negotiate with the employer a maximum number of hours for which the participant is eligible to receive a subsidy.

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

2 **SECTION 1.** 49.141 (1) (n) of the statutes is renumbered 49.141 (1) (Lm) and
3 amended to read:

1 49.141 (1) (Lm) ~~“Trial employment match”~~ “Subsidized employment placement
2 program job” means a work component of Wisconsin Works administered under s.
3 49.147 (3).

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

5 49.143 (2r) JOB PROGRAMS. A Wisconsin Works agency shall collaborate with
6 the local workforce development board to connect individuals seeking employment
7 with employment opportunities, including ~~the trial employment match~~ subsidized
8 employment placement program under s. 49.147 (3).

9 **SECTION 3.** 49.147 (1m) (b) of the statutes is amended to read:

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

18 **SECTION 4.** 49.147 (2) (am) 2. of the statutes is amended to read:

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

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

2 49.147 (3) (title) ~~TRIAL~~ [✓] SUBSIDIZED EMPLOYMENT MATCH PROGRAM PLACEMENT

3 **SECTION 6.** 49.147 (3) (a) of the statutes is amended to read:

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

13 **SECTION 7.** 49.147 (3) (ac) (intro.) of the statutes is amended to read:

14 49.147 (3) (ac) *Employer subsidies and reimbursements.* (intro.) The
15 Wisconsin Works agency shall pay to an employer that employs a participant under
16 this subsection a wage subsidy in an amount that is negotiated between the
17 Wisconsin Works agency and the employer but that is not more than the state or
18 federal minimum wage that applies to the participant. The wage subsidy shall be
19 paid for each hour that the participant actually works, up to a maximum of 40 hours
20 ^{plain} per week number of hours, as negotiated between the Wisconsin Works agency and
21 the employer. The employer shall pay the participant any difference between the
22 wage subsidy amount and the participant's wage and must pay the participant at
23 least minimum wage. In addition to paying the wage subsidy, the Wisconsin Works
24 agency may, as negotiated between the Wisconsin Works agency and the employer,

1 reimburse the employer for all or a portion of other costs that are attributable to the
2 employment of the participant, including any of the following:

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

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

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

22 **SECTION 10.** 49.147 (4) (a) of the statutes is amended to read:

23 49.147 (4) (a) *Administration.* A Wisconsin Works agency shall administer a
24 community service job program as part of its administration of Wisconsin Works to
25 improve the employability of an individual who is not otherwise able to obtain

1 employment, as determined by the Wisconsin Works agency, by providing work
2 experience and training, if necessary, to assist the individual to move promptly into
3 unsubsidized public or private employment or a ~~trial employment match~~ subsidized
4 employment placement ~~program job~~. In determining an appropriate placement for
5 a participant, a Wisconsin Works agency shall give placement under this subsection
6 priority over placements under sub. (5). Community service jobs shall be limited to
7 projects that the department determines would serve a useful public purpose or
8 projects the cost of which is partially or wholly offset by revenue generated from such
9 projects. After each 6 months of an individual's participation under this subsection
10 and at the conclusion of each assignment under this subsection, a Wisconsin Works
11 agency shall reassess the individual's employability.

12 **SECTION 11.** 49.147 (4) (b) of the statutes is amended to read:

13 49.147 (4) (b) *Time-limited participation.* An individual may participate in a
14 community service job for a maximum of 6 months, with an opportunity for a
15 3-month extension under circumstances approved by the department. An
16 individual may participate in more than one community service job, but may not
17 exceed a total of 24 months of participation under this subsection. The months need
18 not be consecutive. The department or, with the approval of the department, the
19 Wisconsin Works agency may grant an extension to the 24-month limit on a
20 case-by-case basis if the Wisconsin Works agency determines that the individual
21 has made all appropriate efforts to find unsubsidized employment and has been
22 unable to find unsubsidized employment because local labor market conditions
23 preclude a reasonable employment opportunity in unsubsidized employment for that
24 participant, as determined by a Wisconsin Works agency and approved by the
25 department, and if the Wisconsin Works agency determines, and the department

1 agrees, that no ~~trial employment match~~ subsidized employment placement program
2 job opportunities are available in the specified local labor market.

3 **SECTION 12.** 49.147 (5) (a) 3. of the statutes is amended to read:

4 49.147 (5) (a) 3. The Wisconsin Works agency determines that the individual
5 is incapable of performing a ~~trial employment match~~ subsidized employment
6 placement program job or community service job.

7 **SECTION 13.** 49.148 (1) (a) of the statutes is amended to read:

8 49.148 (1) (a) ~~Trial employment match~~ Subsidized employment placement
9 program jobs. For a participant in a ~~trial employment match~~ subsidized employment
10 placement program job, the amount established in the contract between the
11 Wisconsin Works agency and the ~~trial employment match~~ subsidized employment
12 placement program job employer, but not less than minimum wage for every hour
13 actually worked in the ~~trial employment match~~ subsidized employment placement
14 program job, not to exceed 40 hours per week the maximum number of allowable
15 hours, as negotiated between the Wisconsin Works agency and the employer, paid by
16 the employer. Hours spent participating in education and training activities under
17 s. 49.147 (3) (am) shall be included in determining the number of hours actually
18 worked.

19 **SECTION 14.** 49.161 (1) (title) of the statutes is amended to read:

20 49.161 (1) (title) ~~TRIAL EMPLOYMENT MATCH~~ SUBSIDIZED EMPLOYMENT PLACEMENT
21 PROGRAM JOBS OVERPAYMENTS.

22 **SECTION 15.** 71.07 (2dx) (a) 5. of the statutes is amended to read:

23 71.07 (2dx) (a) 5. "Member of a targeted group" means a person who resides
24 in an area designated by the federal government as an economic revitalization area,
25 a person who is employed in an unsubsidized job but meets the eligibility

1 requirements under s. 49.145 (2) and (3) for a Wisconsin Works employment position ^(or)
 2 a person who is employed in a trial job, as defined in s. 49.141 (1) (n), 2011 stats., or
 3 in a trial employment match subsidized employment placement program job, as
 4 defined in s. 49.141 (1) (n) (Lm), a person who is eligible for child care assistance
 5 under s. 49.155, a person who is a vocational rehabilitation referral, an economically
 6 disadvantaged youth, an economically disadvantaged veteran, a supplemental
 7 security income recipient, a general assistance recipient, an economically
 8 disadvantaged ex-convict, a qualified summer youth employee, as defined in 26 USC
 9 51 (d) (7), a dislocated worker, as defined in 29 USC 2801 (9), or a food stamp
 10 recipient, if the person has been certified in the manner under s. 71.07 (2dj) (am) 3.,
 11 2013 stats., by a designated local agency, as defined in s. 71.07 (2dj) (am) 2., 2013
 12 stats.

13 **SECTION 16.** 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), 2011 stats., or
 19 in a trial employment match subsidized employment placement program job, as
 20 defined in s. 49.141 (1) (n) (Lm), a person who is eligible for child care assistance
 21 under s. 49.155, a person who is a vocational rehabilitation referral, an economically
 22 disadvantaged youth, an economically disadvantaged veteran, a supplemental
 23 security income recipient, a general assistance recipient, an economically
 24 disadvantaged ex-convict, a qualified summer youth employee, as defined in 26 USC
 25 51 (d) (7), a dislocated worker, as defined in 29 USC 2801 (9), or a food stamp

1 recipient, if the person has been certified in the manner under s. 71.28 (1dj) (am) 3.,
2 2013 stats., by a designated local agency, as defined in s. 71.28 (1dj) (am) 2., 2013
3 stats.

4 **SECTION 17.** 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
10 in a trial employment match subsidized employment placement program job, as
11 defined in s. 49.141 (1) (n) (Lm), a person who is eligible for child care assistance
12 under s. 49.155, a person who is a vocational rehabilitation referral, an economically
13 disadvantaged youth, an economically disadvantaged veteran, a supplemental
14 security income recipient, a general assistance recipient, an economically
15 disadvantaged ex-convict, a qualified summer youth employee, as defined in 26 USC
16 51 (d) (7), a dislocated worker, as defined in 29 USC 2801 (9), or a food stamp
17 recipient, if the person has been certified in the manner under s. 71.47 (1dj) (am) 3.,
18 2013 stats., by a designated local agency, as defined in s. 71.47 (1dj) (am) 2., 2013
19 stats.

20 **SECTION 18.** 76.636 (1) (e) 3. of the statutes is amended to read:

21 76.636 (1) (e) 3. A person who is employed in a trial job, as defined in s. 49.141
22 (1) (n), 2011 stats., or in a trial employment match subsidized employment placement
23 program job, as defined in s. 49.141 (1) (n) (Lm).

24 **SECTION 19.** 102.07 (17m) of the statutes is amended to read:



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-0654/P1 PZ
EAW:kjf /

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DOA:.....Rice, BB0042 - W-2 TEMP changes

FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION

INS
D-note

This bill also removes the current 24-month participation limit for TEMP and community service and transitional placement jobs which are under W-2.

1 AN ACT ...; relating to: the budget.

**Analysis by the Legislative Reference Bureau
HEALTH AND HUMAN SERVICES**

PUBLIC ASSISTANCE - Wisconsin Works

1. **Trial Employment Match Program** - W-2 work experience programs

Under current law, the Wisconsin Works (W-2) program provides, among other things, work experience and benefits for low-income custodial parents who are at least 18 years old. One W-2 work experience program is known under current law as the "Trial Employment Match Program," or "TEMP." Under current law, participants in TEMP are placed in a job and the agency administering the W-2 program subsidizes the participants' employment for up to 40 hours per week. This bill changes the name of TEMP to "Subsidized Employment Placement." This bill also removes the 40-hour per week maximum subsidy and allows a W-2 agency to negotiate with the employer a maximum number of hours per week for which the participant is eligible to receive a subsidy.

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

2 SECTION 1. 49.141 (1) (n) of the statutes is renumbered 49.141 (1) (Lm) and
3 amended to read:

2
↑

1 49.141 (1) (Lm) ~~“Trial employment match program job~~ “Subsidized
2 employment placement” means a work component of Wisconsin Works administered
3 under s. 49.147 (3).

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

5 49.143 (2r) JOB PROGRAMS. A Wisconsin Works agency shall collaborate with
6 the local workforce development board to connect individuals seeking employment
7 with employment opportunities, including ~~the trial employment match program~~
8 subsidized employment placement under s. 49.147 (3).

9 **SECTION 3.** 49.147 (1m) (b) of the statutes is amended to read:

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

18 **SECTION 4.** 49.147 (2) (am) 2. of the statutes is amended to read:

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

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

2 49.147 (3) (title) ~~TRIAL~~ SUBSIDIZED EMPLOYMENT MATCH PROGRAM PLACEMENT.

3 **SECTION 6.** 49.147 (3) (a) of the statutes is amended to read:

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

13 **SECTION 7.** 49.147 (3) (ac) (intro.) of the statutes is amended to read:

14 49.147 (3) (ac) *Employer subsidies and reimbursements.* (intro.) The
15 Wisconsin Works agency shall pay to an employer that employs a participant under
16 this subsection a wage subsidy in an amount that is negotiated between the
17 Wisconsin Works agency and the employer but that is not more than the state or
18 federal minimum wage that applies to the participant. The wage subsidy shall be
19 paid for each hour that the participant actually works, up to a maximum of 40 hours
20 number of hours per week, as negotiated between the Wisconsin Works agency and
21 the employer. The employer shall pay the participant any difference between the
22 wage subsidy amount and the participant's wage and must pay the participant at
23 least minimum wage. In addition to paying the wage subsidy, the Wisconsin Works
24 agency may, as negotiated between the Wisconsin Works agency and the employer,

1 reimburse the employer for all or a portion of other costs that are attributable to the
2 employment of the participant, including any of the following:

3 SECTION 8. 49.147 (3) (am) of the statutes is amended to read:

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

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

XXXX NOTE: This is reconciled s. 49.147(3)(c)
This section has been affected by drafts with the
following LRB #s: -0654/P1 and -1935/P1.

22 SECTION 10. 49.147 (4) (a) of the statutes is amended to read:

23 49.147 (4) (a) *Administration.* A Wisconsin Works agency shall administer a
24 community service job program as part of its administration of Wisconsin Works to
25 improve the employability of an individual who is not otherwise able to obtain

1 employment, as determined by the Wisconsin Works agency, by providing work
 2 experience and training, if necessary, to assist the individual to move promptly into
 3 unsubsidized public or private employment or a ~~trial employment match program job~~
 4 subsidized employment placement. In determining an appropriate placement for a
 5 participant, a Wisconsin Works agency shall give placement under this subsection
 6 priority over placements under sub. (5). Community service jobs shall be limited to
 7 projects that the department determines would serve a useful public purpose or
 8 projects the cost of which is partially or wholly offset by revenue generated from such
 9 projects. After each 6 months of an individual's participation under this subsection
 10 and at the conclusion of each assignment under this subsection, a Wisconsin Works
 11 agency shall reassess the individual's employability.

12 **SECTION 11.** 49.147 (4) (b) of the statutes is amended to read:

13 49.147 (4) (b) *Time-limited participation.* An individual may participate in a
 14 community service job for a maximum of 6 months, with an opportunity for a
 15 3-month extension under circumstances approved by the department. An
 → 16 individual may participate in more than one community service job, ~~but may not~~
 → 17 ~~exceed a total of 24 months of participation under this subsection. The months need~~
 → 18 ~~not be consecutive. The department or, with the approval of the department, the~~
 → 19 ~~Wisconsin Works agency may grant an extension to the 24-month limit on a~~
 → 20 ~~case-by-case basis if the Wisconsin Works agency determines that the individual~~
 → 21 ~~has made all appropriate efforts to find unsubsidized employment and has been~~
 → 22 ~~unable to find unsubsidized employment because local labor market conditions~~
 → 23 ~~preclude a reasonable employment opportunity in unsubsidized employment for that~~
 → 24 ~~participant, as determined by a Wisconsin Works agency and approved by the~~
 → 25 ~~department, and if the Wisconsin Works agency determines, and the department~~

NOTE reword

1 agrees, that no trial employment match program job subsidized employment
2 placement opportunities are available in the specified local labor market.

3 SECTION 12. 49.147 (5) (a) 3. of the statutes is amended to read:

4 49.147 (5) (a) 3. The Wisconsin Works agency determines that the individual
5 is incapable of performing a trial employment match program job subsidized
6 employment placement or community service job.

7 SECTION 13. 49.148 (1) (a) of the statutes is amended to read:

8 49.148 (1) (a) ~~Trial employment match program jobs~~ Subsidized employment
9 placement. For a participant in a trial employment match program job subsidized
10 employment placement, the amount established in the contract between the
11 Wisconsin Works agency and the trial employment match program job subsidized
12 employment placement employer, but not less than minimum wage for every hour
13 actually worked in the trial employment match program job subsidized employment
14 placement, not to exceed 40 hours the maximum number of allowable hours per
15 week, as negotiated between the Wisconsin Works agency and the employer, paid by
16 the employer. Hours spent participating in education and training activities under
17 s. 49.147 (3) (am) shall be included in determining the number of hours actually
18 worked.

19 SECTION 14. 49.161 (1) (title) of the statutes is amended to read:

20 49.161 (1) (title) ~~TRIAL EMPLOYMENT MATCH PROGRAM JOBS~~ SUBSIDIZED
21 EMPLOYMENT PLACEMENT OVERPAYMENTS.

22 SECTION 15. 71.07 (2dx) (a) 5. of the statutes is amended to read:

23 71.07 (2dx) (a) 5. "Member of a targeted group" means a person who resides
24 in an area designated by the federal government as an economic revitalization area,
25 a person who is employed in an unsubsidized job but meets the eligibility

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1 requirements under s. 49.145 (2) and (3) for a Wisconsin Works employment position,
2 or a person who is employed in a trial job, as defined in s. 49.141 (1) (n), 2011 stats.,
3 or in a trial employment match program job subsidized employment placement, as
4 defined in s. 49.141 (1) ~~(n)~~ (Lm), a person who is eligible for child care assistance
5 under s. 49.155, a person who is a vocational rehabilitation referral, an economically
6 disadvantaged youth, an economically disadvantaged veteran, a supplemental
7 security income recipient, a general assistance recipient, an economically
8 disadvantaged ex-convict, a qualified summer youth employee, as defined in 26 USC
9 51 (d) (7), a dislocated worker, as defined in 29 USC 2801 (9), or a food stamp
10 recipient, if the person has been certified in the manner under s. 71.07 (2dj) (am) 3.,
11 2013 stats., by a designated local agency, as defined in s. 71.07 (2dj) (am) 2., 2013
12 stats.

13 **SECTION 16.** 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), 2011 stats., or
19 in a trial employment match program job subsidized employment placement, as
20 defined in s. 49.141 (1) ~~(n)~~ (Lm), a person who is eligible for child care assistance
21 under s. 49.155, a person who is a vocational rehabilitation referral, an economically
22 disadvantaged youth, an economically disadvantaged veteran, a supplemental
23 security income recipient, a general assistance recipient, an economically
24 disadvantaged ex-convict, a qualified summer youth employee, as defined in 26 USC
25 51 (d) (7), a dislocated worker, as defined in 29 USC 2801 (9), or a food stamp

1 recipient, if the person has been certified in the manner under s. 71.28 (1dj) (am) 3.,
2 2013 stats., by a designated local agency, as defined in s. 71.28 (1dj) (am) 2., 2013
3 stats.

4 **SECTION 17.** 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
10 in a trial employment match program job subsidized employment placement, as
11 defined in s. 49.141 (1) (n) (Lm), a person who is eligible for child care assistance
12 under s. 49.155, a person who is a vocational rehabilitation referral, an economically
13 disadvantaged youth, an economically disadvantaged veteran, a supplemental
14 security income recipient, a general assistance recipient, an economically
15 disadvantaged ex-convict, a qualified summer youth employee, as defined in 26 USC
16 51 (d) (7), a dislocated worker, as defined in 29 USC 2801 (9), or a food stamp
17 recipient, if the person has been certified in the manner under s. 71.47 (1dj) (am) 3.,
18 2013 stats., by a designated local agency, as defined in s. 71.47 (1dj) (am) 2., 2013
19 stats.

20 **SECTION 18.** 76.636 (1) (e) 3. of the statutes is amended to read:

21 76.636 (1) (e) 3. A person who is employed in a trial job, as defined in s. 49.141
22 (1) (n), 2011 stats., or in a trial employment match program job subsidized
23 employment placement, as defined in s. 49.141 (1) (n) (Lm).

24 **SECTION 19.** 102.07 (17m) of the statutes is amended to read:

**2019-2020 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0654/P1ins
EAW:kjf

INS - 6-7

SECTION 1. 49.147 (5) (b) 2. of the statutes is repealed. ✓

INS - 6-19

SECTION 2. 49.148 (1m) (c) (intro.) of the statutes is amended to read:

49.148 **(1m)** (c) (intro.) For purposes of the time limits under ss. 49.145 (2) (n) and 49.147 (3) (c), and (4) (b), ~~and (5) (b) 2.~~, all of the following apply:

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0654/P2dn
EAW:kgf

gjs

Date

✓ *l* *✓*

This draft reconciles LRB-0654/P1 and LRB-1935/P1. It replaces LRB-1935 in the compiled bill.

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0654/P2dn
EAW:cjs

February 21, 2019

This draft reconciles LRB-0654/P1 and LRB-1935/P1. It replaces LRB-1935 in the compiled bill.

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State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-0654/P2
EAW:kjf&cjs

DOA:.....Rice, BB0042 - W-2 TEMP changes

FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION

1 **AN ACT ...; relating to:** the budget.

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

WISCONSIN WORKS

1. W-2 work experience programs

Under current law, the Wisconsin Works (W-2) program provides, among other things, work experience and benefits for low-income custodial parents who are at least 18 years old. One W-2 work experience program is known under current law as the "Trial Employment Match Program," or "TEMP." Under current law, participants in TEMP are placed in a job and the agency administering the W-2 program subsidizes the participants' employment for up to 40 hours per week. This bill changes the name of TEMP to "Subsidized Employment Placement," removes the 40-hour per week maximum subsidy, and allows a W-2 agency to negotiate with the employer a maximum number of hours per week for which the participant is eligible to receive a subsidy. This bill also removes the current 24-month participation limit for TEMP and community service and transitional placement jobs, which are also under W-2.

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 renumbered 49.141 (1) (Lm) and
2 amended to read:

3 49.141 (1) (Lm) ~~“Trial employment match program job~~ “Subsidized
4 employment placement” means a work component of Wisconsin Works administered
5 under s. 49.147 (3).

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

7 49.143 (2r) JOB PROGRAMS. A Wisconsin Works agency shall collaborate with
8 the local workforce development board to connect individuals seeking employment
9 with employment opportunities, including ~~the trial employment match program~~
10 subsidized employment placement under s. 49.147 (3).

11 **SECTION 3.** 49.147 (1m) (b) of the statutes is amended to read:

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

20 **SECTION 4.** 49.147 (2) (am) 2. of the statutes is amended to read:

21 49.147 (2) (am) 2. A Wisconsin Works agency shall, every 30 days, review the
22 provision of case management services to an individual under this paragraph, if the
23 individual is not successful in obtaining unsubsidized employment after legitimate
24 efforts to secure employment, to determine whether the individual should be placed
25 in a ~~trial employment match program job~~ subsidized employment placement,

1 community service job, or transitional placement. The department shall promulgate
2 rules that specify the criteria for the review process under this subdivision.

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

4 49.147 (3) (title) ~~TRIAL~~ SUBSIDIZED EMPLOYMENT MATCH PROGRAM PLACEMENT

5 **SECTION 6.** 49.147 (3) (a) of the statutes is amended to read:

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

15 **SECTION 7.** 49.147 (3) (ac) (intro.) of the statutes is amended to read:

16 49.147 (3) (ac) *Employer subsidies and reimbursements.* (intro.) The
17 Wisconsin Works agency shall pay to an employer that employs a participant under
18 this subsection a wage subsidy in an amount that is negotiated between the
19 Wisconsin Works agency and the employer but that is not more than the state or
20 federal minimum wage that applies to the participant. The wage subsidy shall be
21 paid for each hour that the participant actually works, up to a maximum of 40 hours
22 number of hours per week, as negotiated between the Wisconsin Works agency and
23 the employer. The employer shall pay the participant any difference between the
24 wage subsidy amount and the participant's wage and must pay the participant at
25 least minimum wage. In addition to paying the wage subsidy, the Wisconsin Works

1 agency may, as negotiated between the Wisconsin Works agency and the employer,
2 reimburse the employer for all or a portion of other costs that are attributable to the
3 employment of the participant, including any of the following:

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

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

9 **SECTION 9.** 49.147 (3) (c) of the statutes is amended to read:

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

****NOTE: This is reconciled s. 49.147 (3) (c). This SECTION has been affected by
drafts with the following LRB numbers: -0654/P1 and -1935/P1.

23 **SECTION 10.** 49.147 (4) (a) of the statutes is amended to read:

1 49.147 (4) (a) *Administration.* A Wisconsin Works agency shall administer a
2 community service job program as part of its administration of Wisconsin Works to
3 improve the employability of an individual who is not otherwise able to obtain
4 employment, as determined by the Wisconsin Works agency, by providing work
5 experience and training, if necessary, to assist the individual to move promptly into
6 unsubsidized public or private employment or a ~~trial employment match program job~~
7 subsidized employment placement. In determining an appropriate placement for a
8 participant, a Wisconsin Works agency shall give placement under this subsection
9 priority over placements under sub. (5). Community service jobs shall be limited to
10 projects that the department determines would serve a useful public purpose or
11 projects the cost of which is partially or wholly offset by revenue generated from such
12 projects. After each 6 months of an individual's participation under this subsection
13 and at the conclusion of each assignment under this subsection, a Wisconsin Works
14 agency shall reassess the individual's employability.

15 **SECTION 11.** 49.147 (4) (b) of the statutes is amended to read:

16 49.147 (4) (b) *Time-limited participation.* An individual may participate in a
17 community service job for a maximum of 6 months, with an opportunity for a
18 3-month extension under circumstances approved by the department. An
19 individual may participate in more than one community service job, but may not
20 exceed a total of 24 months of participation under this subsection. The months need
21 not be consecutive. ~~The department or, with the approval of the department, the~~
22 ~~Wisconsin Works agency may grant an extension to the 24-month limit on a~~
23 ~~case-by-case basis if the Wisconsin Works agency determines that the individual~~
24 ~~has made all appropriate efforts to find unsubsidized employment and has been~~
25 ~~unable to find unsubsidized employment because local labor market conditions~~

1 preclude a reasonable employment opportunity in unsubsidized employment for that
 2 participant, as determined by a Wisconsin Works agency and approved by the
 3 department, and if the Wisconsin Works agency determines, and the department
 4 agrees, that no trial employment match program job opportunities are available in
 5 the specified local labor market.

****NOTE: This is reconciled s. 49.147 (4) (b). This SECTION has been affected by
 drafts with the following LRB numbers: -0654/P1 and -1935/P1.

6 SECTION 12. 49.147 (5) (a) 3. of the statutes is amended to read:

7 49.147 (5) (a) 3. The Wisconsin Works agency determines that the individual
 8 is incapable of performing a trial employment match program job subsidized
 9 employment placement or community service job.

INS
6-10

10 SECTION 13. 49.147 (5) (b) 2. of the statutes is repealed.

*** NOTE: This is reconciled s. 49.147 (5) (b) 2. It is connected to 19-1935/P2.

LRB

11 SECTION 14. 49.148 (1) (a) of the statutes is amended to read:

12 49.148 (1) (a) ~~Trial employment match program jobs~~ Subsidized employment
 13 placement. For a participant in a trial employment match program job subsidized
 14 employment placement, the amount established in the contract between the
 15 Wisconsin Works agency and the trial employment match program job subsidized
 16 employment placement employer, but not less than minimum wage for every hour
 17 actually worked in the trial employment match program job subsidized employment
 18 placement, not to exceed 40 hours the maximum number of allowable hours per
 19 week, as negotiated between the Wisconsin Works agency and the employer, paid by
 20 the employer. Hours spent participating in education and training activities under
 21 s. 49.147 (3) (am) shall be included in determining the number of hours actually
 22 worked.

23 SECTION 15. 49.148 (1m) (c) (intro.) of the statutes is amended to read:

INSC-23

1 49.148 (1m) (c) (intro.) For purposes of the time limits under ss. 49.145 (2) (n)
2 and 49.147 (3) (c), and (4) (b), and (5) (b) 2., all of the following apply:

3 ~~***~~ NOTE: This is recorded s. 49.148 (1m) (c) (intro.), it is only connected to
SECTION 16. 49.161 (1) (title) of the statutes is amended to read: *89-1935/112*

4 49.161 (1) (title) ~~TRIAL EMPLOYMENT MATCH PROGRAM JOBS~~ SUBSIDIZED
5 EMPLOYMENT PLACEMENT OVERPAYMENTS.

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

7 71.07 (2dx) (a) 5. "Member of a targeted group" means a person who resides
8 in an area designated by the federal government as an economic revitalization area,
9 a person who is employed in an unsubsidized job but meets the eligibility
10 requirements under s. 49.145 (2) and (3) for a Wisconsin Works employment position,
11 or a person who is employed in a trial job, as defined in s. 49.141 (1) (n), 2011 stats.,
12 or in a trial employment match program job subsidized employment placement, as
13 defined in s. 49.141 (1) (n) (Lm), a person who is eligible for child care assistance
14 under s. 49.155, a person who is a vocational rehabilitation referral, an economically
15 disadvantaged youth, an economically disadvantaged veteran, a supplemental
16 security income recipient, a general assistance recipient, an economically
17 disadvantaged ex-convict, a qualified summer youth employee, as defined in 26 USC
18 51 (d) (7), a dislocated worker, as defined in 29 USC 2801 (9), or a food stamp
19 recipient, if the person has been certified in the manner under s. 71.07 (2dj) (am) 3.,
20 2013 stats., by a designated local agency, as defined in s. 71.07 (2dj) (am) 2., 2013
21 stats.

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

23 71.28 (1dx) (a) 5. "Member of a targeted group" means a person who resides
24 in an area designated by the federal government as an economic revitalization area,
25 a person who is employed in an unsubsidized job but meets the eligibility

1 requirements under s. 49.145 (2) and (3) for a Wisconsin Works employment position,
2 a person who is employed in a trial job, as defined in s. 49.141 (1) (n), 2011 stats., or
3 in a trial employment match program job subsidized employment placement, as
4 defined in s. 49.141 (1) (n) (Lm), a person who is eligible for child care assistance
5 under s. 49.155, a person who is a vocational rehabilitation referral, an economically
6 disadvantaged youth, an economically disadvantaged veteran, a supplemental
7 security income recipient, a general assistance recipient, an economically
8 disadvantaged ex-convict, a qualified summer youth employee, as defined in 26 USC
9 51 (d) (7), a dislocated worker, as defined in 29 USC 2801 (9), or a food stamp
10 recipient, if the person has been certified in the manner under s. 71.28 (1dj) (am) 3.,
11 2013 stats., by a designated local agency, as defined in s. 71.28 (1dj) (am) 2., 2013
12 stats.

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

14 71.47 (**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), 2011 stats., or
19 in a trial employment match program job subsidized employment placement, as
20 defined in s. 49.141 (1) (n) (Lm), a person who is eligible for child care assistance
21 under s. 49.155, a person who is a vocational rehabilitation referral, an economically
22 disadvantaged youth, an economically disadvantaged veteran, a supplemental
23 security income recipient, a general assistance recipient, an economically
24 disadvantaged ex-convict, a qualified summer youth employee, as defined in 26 USC
25 51 (d) (7), a dislocated worker, as defined in 29 USC 2801 (9), or a food stamp

1 recipient, if the person has been certified in the manner under s. 71.47 (1dj) (am) 3.,
2 2013 stats., by a designated local agency, as defined in s. 71.47 (1dj) (am) 2., 2013
3 stats.

4 **SECTION 20.** 76.636 (1) (e) 3. of the statutes is amended to read:

5 76.636 (1) (e) 3. A person who is employed in a trial job, as defined in s. 49.141
6 (1) (n), 2011 stats., or in a trial employment match program job subsidized
7 employment placement, as defined in s. 49.141 (1) (n) (Lm).

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

9 102.07 (17m) A participant in a trial employment match program job
10 subsidized employment placement under s. 49.147 (3) is an employee of any
11 employer under this chapter for whom the participant is performing service at the
12 time of the injury.

13 **SECTION 22.** 238.30 (4m) of the statutes is amended to read:

14 238.30 (4m) "Member of a targeted group" means a person who resides in an
15 area designated by the federal government as an economic revitalization area, a
16 person who is employed in an unsubsidized job but meets the eligibility requirements
17 under s. 49.145 (2) and (3) for a Wisconsin Works employment position, a person who
18 is employed in a trial job, as defined in s. 49.141 (1) (n), 2011 stats., or in a trial
19 employment match program job subsidized employment placement, as defined in s.
20 49.141 (1) (n) (Lm), a person who is eligible for child care assistance under s. 49.155,
21 a person who is a vocational rehabilitation referral, an economically disadvantaged
22 youth, an economically disadvantaged veteran, a supplemental security income
23 recipient, a general assistance recipient, an economically disadvantaged ex-convict,
24 a dislocated worker, as defined in 29 USC 2801 (9), or a food stamp recipient, if the

1 person has been certified in the manner under 26 USC 51 (d) (13) (A) by a designated
2 local agency, as defined in 26 USC 51 (d) (12).

3 (END)

2019-2020 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0654/P2ins
EAW:kjf&cjs

INS 6-10

SECTION 1. 49.147 (5) (b) 1. (intro.) of the statutes is renumbered 49.147 (5) (b) (intro.). ***** NOTE:** This is reconciled s. 49.147 (5) (b) 1. (intro.) + only relates to changes made in ^{LCB#} 19-1935. IP2

SECTION 2. 49.147 (5) (b) 1. a. to d. of the statutes are renumbered 49.147 (5) (b) 1m. to 4m. ***** NOTE:** This is reconciled 49.147 (5) (b) 1, a. to d. + only relates to changes made in ^{LCB#} 19-1935. IP2

History: 1989 a. 31 ss. 340, 361 to 380, 382 to 392; 1989 a. 107, 122, 359; 1991 a. 39; 1993 a. 16, 98, 377, 437, 490; 1995 a. 27, 77, 416, 440; 1997 a. 4, 27, 35, 237, 252, 275, 283, 284; 1999 a. 9, 89; 2001 a. 16; 2003 a. 33; 2005 a. 25 ss. 287 to 295m, 414, 415wr; 2005 a. 234 s. 4; 2005 a. 344, 433; 2007 a. 20, 97; 2009 a. 28, 71, 100, 182, 233; 2011 a. 32, 38, 266; 2013 a. 20 ss. 335 to 342, 444; 2013 a. 334; 2015 a. 55, 164; 2017 a. 59, 89, 185.

SECTION 3. 49.147 (5) (bs) of the statutes is amended to read:

49.147 (5) (bs) *Required hours.* Except as provided in par. (bt) and sub. (5m), a Wisconsin Works agency may require a participant placed in a transitional placement to participate in education or training activities for not more than 12 hours per week and to engage in activities under par. (b) 1., but may not require a participant under this subsection to spend more than 40 hours per week in combined activities under this subsection. ~~***~~

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; 2013 a. 20; 2015 a. 55; 2017 a. 80.

Cross-reference: See also ss. DCF 101.16 and 101.17, Wis. adm. code.

SECTION 4. 49.148 (1) (c) of the statutes is amended to read:

49.148 (1) (c) *Transitional placements.* For a participant in a transitional placement under s. 49.147 (5) or in a transitional placement and in technical college education under s. 49.147 (5m), a monthly grant of \$608. For every hour that the participant fails to participate in any required activity without good cause, including any activity under s. 49.147 (5) (b) 1. a. to d. 1m. to 4m., the grant amount shall be reduced by \$5. Good cause shall be determined by the financial and employment planner in

INS
6-23

accordance with rules promulgated by the department. Good cause shall include required court appearances for a victim of domestic abuse.

*** NOTE: THIS IS RECONCILED S. 49.148 (1)(c). It only relates to LRB # 19-1935T, P2
changes made
in



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-0654/P3
EAW:kjf&cjs

DOA:.....Rice, BB0042 - W-2 TEMP changes

FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION

1 **AN ACT ...; relating to:** the budget.

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

WISCONSIN WORKS

1. W-2 work experience programs

Under current law, the Wisconsin Works (W-2) program provides, among other things, work experience and benefits for low-income custodial parents who are at least 18 years old. One W-2 work experience program is known under current law as the "Trial Employment Match Program," or "TEMP." Under current law, participants in TEMP are placed in a job and the agency administering the W-2 program subsidizes the participants' employment for up to 40 hours per week. This bill changes the name of TEMP to "Subsidized Employment Placement," removes the 40-hour per week maximum subsidy, and allows a W-2 agency to negotiate with the employer a maximum number of hours per week for which the participant is eligible to receive a subsidy. This bill also removes the current 24-month participation limit for TEMP and community service and transitional placement jobs, which are also under W-2.

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 renumbered 49.141 (1) (Lm) and
2 amended to read:

3 49.141 (1) (Lm) ~~“Trial employment match program job~~ “Subsidized
4 employment placement” means a work component of Wisconsin Works administered
5 under s. 49.147 (3).

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

7 49.143 (2r) JOB PROGRAMS. A Wisconsin Works agency shall collaborate with
8 the local workforce development board to connect individuals seeking employment
9 with employment opportunities, including ~~the trial employment match program~~
10 subsidized employment placement under s. 49.147 (3).

11 **SECTION 3.** 49.147 (1m) (b) of the statutes is amended to read:

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

20 **SECTION 4.** 49.147 (2) (am) 2. of the statutes is amended to read:

21 49.147 (2) (am) 2. A Wisconsin Works agency shall, every 30 days, review the
22 provision of case management services to an individual under this paragraph, if the
23 individual is not successful in obtaining unsubsidized employment after legitimate
24 efforts to secure employment, to determine whether the individual should be placed
25 in a ~~trial employment match program job~~ subsidized employment placement,

1 community service job, or transitional placement. The department shall promulgate
2 rules that specify the criteria for the review process under this subdivision.

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

4 49.147 (3) (title) ~~TRIAL~~ SUBSIDIZED EMPLOYMENT MATCH PROGRAM PLACEMENT.

5 **SECTION 6.** 49.147 (3) (a) of the statutes is amended to read:

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

15 **SECTION 7.** 49.147 (3) (ac) (intro.) of the statutes is amended to read:

16 49.147 (3) (ac) *Employer subsidies and reimbursements.* (intro.) The
17 Wisconsin Works agency shall pay to an employer that employs a participant under
18 this subsection a wage subsidy in an amount that is negotiated between the
19 Wisconsin Works agency and the employer but that is not more than the state or
20 federal minimum wage that applies to the participant. The wage subsidy shall be
21 paid for each hour that the participant actually works, up to a maximum of ~~40 hours~~
22 number of hours per week, as negotiated between the Wisconsin Works agency and
23 the employer. The employer shall pay the participant any difference between the
24 wage subsidy amount and the participant's wage and must pay the participant at
25 least minimum wage. In addition to paying the wage subsidy, the Wisconsin Works

1 agency may, as negotiated between the Wisconsin Works agency and the employer,
2 reimburse the employer for all or a portion of other costs that are attributable to the
3 employment of the participant, including any of the following:

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

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

9 **SECTION 9.** 49.147 (3) (c) of the statutes is amended to read:

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

***NOTE: This is reconciled s. 49.147 (3) (c). This SECTION has been affected by
drafts with the following LRB numbers: -0654/P1 and -1935/P1.

23 **SECTION 10.** 49.147 (4) (a) of the statutes is amended to read:

1 49.147 (4) (a) *Administration.* A Wisconsin Works agency shall administer a
2 community service job program as part of its administration of Wisconsin Works to
3 improve the employability of an individual who is not otherwise able to obtain
4 employment, as determined by the Wisconsin Works agency, by providing work
5 experience and training, if necessary, to assist the individual to move promptly into
6 unsubsidized public or private employment or a ~~trial employment match program job~~
7 subsidized employment placement. In determining an appropriate placement for a
8 participant, a Wisconsin Works agency shall give placement under this subsection
9 priority over placements under sub. (5). Community service jobs shall be limited to
10 projects that the department determines would serve a useful public purpose or
11 projects the cost of which is partially or wholly offset by revenue generated from such
12 projects. After each 6 months of an individual's participation under this subsection
13 and at the conclusion of each assignment under this subsection, a Wisconsin Works
14 agency shall reassess the individual's employability.

15 **SECTION 11.** 49.147 (4) (b) of the statutes is amended to read:

16 49.147 (4) (b) *Time-limited participation.* An individual may participate in a
17 community service job for a maximum of 6 months, with an opportunity for a
18 3-month extension under circumstances approved by the department. An
19 individual may participate in more than one community service job, ~~but may not~~
20 ~~exceed a total of 24 months of participation under this subsection. The months need~~
21 ~~not be consecutive. The department or, with the approval of the department, the~~
22 ~~Wisconsin Works agency may grant an extension to the 24-month limit on a~~
23 ~~case-by-case basis if the Wisconsin Works agency determines that the individual~~
24 ~~has made all appropriate efforts to find unsubsidized employment and has been~~
25 ~~unable to find unsubsidized employment because local labor market conditions~~

1 preclude a reasonable employment opportunity in unsubsidized employment for that
2 participant, as determined by a Wisconsin Works agency and approved by the
3 department, and if the Wisconsin Works agency determines, and the department
4 agrees, that no trial employment match program job opportunities are available in
5 the specified local labor market.

***NOTE: This is reconciled s. 49.147 (4) (b). This SECTION has been affected by
drafts with the following LRB numbers: -0654/P1 and -1935/P1.

6 **SECTION 12.** 49.147 (5) (a) 3. of the statutes is amended to read:

7 49.147 (5) (a) 3. The Wisconsin Works agency determines that the individual
8 is incapable of performing a ~~trial employment match program job~~ subsidized
9 employment placement or community service job.

10 **SECTION 13.** 49.147 (5) (b) 1. (intro.) of the statutes is renumbered 49.147 (5)
11 (b) (intro.).

***NOTE: This is reconciled s. 49.147 (5) (b) 1 (intro.). It only relates to changes
made in LRB-1935/P2.

12 **SECTION 14.** 49.147 (5) (b) 1. a. to d. of the statutes are renumbered 49.147 (5)
13 (b) 1m. to 4m.

***NOTE: This is reconciled s. 49.147 (5) (b) 1. a. to d. It only relates to changes
made in LRB-1935/P2.

14 **SECTION 15.** 49.147 (5) (b) 2. of the statutes is repealed.

***NOTE: This is reconciled s. 49.147 (5) (b) 2. It is only connected to LRB-1935/P2.

15 **SECTION 16.** 49.148 (1) (a) of the statutes is amended to read:

16 49.148 (1) (a) ~~Trial employment match program jobs~~ Subsidized employment
17 placement. For a participant in a ~~trial employment match program job~~ subsidized
18 employment placement, the amount established in the contract between the
19 Wisconsin Works agency and the ~~trial employment match program job~~ subsidized
20 employment placement employer, but not less than minimum wage for every hour

1 actually worked in the ~~trial employment match program job~~ subsidized employment
2 placement, not to exceed 40 hours the maximum number of allowable hours per
3 week, as negotiated between the Wisconsin Works agency and the employer, paid by
4 the employer. Hours spent participating in education and training activities under
5 s. 49.147 (3) (am) shall be included in determining the number of hours actually
6 worked.

7 **SECTION 17.** 49.148 (1) (c) of the statutes is amended to read:

8 49.148 (1) (c) *Transitional placements.* For a participant in a transitional
9 placement under s. 49.147 (5) or in a transitional placement and in technical college
10 education under s. 49.147 (5m), a monthly grant of \$608. For every hour that the
11 participant fails to participate in any required activity without good cause, including
12 any activity under s. 49.147 (5) (b) ~~1. a. to d.~~ 1m. to 4m., the grant amount shall be
13 reduced by \$5. Good cause shall be determined by the financial and employment
14 planner in accordance with rules promulgated by the department. Good cause shall
15 include required court appearances for a victim of domestic abuse.

****NOTE: This is reconciled s. 49.148 (1) (c). It only relates to changes made in
LRB-1935/P2.

16 **SECTION 18.** 49.148 (1m) (c) (intro.) of the statutes is amended to read:

17 49.148 (**1m**) (c) (intro.) For purposes of the time limits under ss. 49.145 (2) (n)
18 and 49.147 (3) (c), and (4) (b), ~~and (5) (b) 2.~~, all of the following apply:

****NOTE: This is reconciled s. 49.148 (1m) (c) (intro.). It is only connected to
LRB-1935/P2.

19 **SECTION 19.** 49.161 (1) (title) of the statutes is amended to read:

20 49.161 (1) (title) ~~TRIAL EMPLOYMENT MATCH PROGRAM JOBS~~ SUBSIDIZED
21 EMPLOYMENT PLACEMENT OVERPAYMENTS.

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

1 71.07 (2dx) (a) 5. "Member of a targeted group" means a person who resides
2 in an area designated by the federal government as an economic revitalization area,
3 a person who is employed in an unsubsidized job but meets the eligibility
4 requirements under s. 49.145 (2) and (3) for a Wisconsin Works employment position,
5 ~~or a person who is employed in a trial job, as defined in s. 49.141 (1) (n), 2011 stats.,~~
6 ~~or in a trial employment match program job~~ subsidized employment placement, as
7 defined in s. 49.141 (1) ~~(n)~~ (Lm), a person who is eligible for child care assistance
8 under s. 49.155, a person who is a vocational rehabilitation referral, an economically
9 disadvantaged youth, an economically disadvantaged veteran, a supplemental
10 security income recipient, a general assistance recipient, an economically
11 disadvantaged ex-convict, a qualified summer youth employee, as defined in 26 USC
12 51 (d) (7), a dislocated worker, as defined in 29 USC 2801 (9), or a food stamp
13 recipient, if the person has been certified in the manner under s. 71.07 (2dj) (am) 3.,
14 2013 stats., by a designated local agency, as defined in s. 71.07 (2dj) (am) 2., 2013
15 stats.

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

17 71.28 (1dx) (a) 5. "Member of a targeted group" means a person who resides
18 in an area designated by the federal government as an economic revitalization area,
19 a person who is employed in an unsubsidized job but meets the eligibility
20 requirements under s. 49.145 (2) and (3) for a Wisconsin Works employment position,
21 a person who is employed in a trial job, as defined in s. 49.141 (1) (n), 2011 stats., or
22 in a trial employment match program job subsidized employment placement, as
23 defined in s. 49.141 (1) ~~(n)~~ (Lm), a person who is eligible for child care assistance
24 under s. 49.155, a person who is a vocational rehabilitation referral, an economically
25 disadvantaged youth, an economically disadvantaged veteran, a supplemental

1 security income recipient, a general assistance recipient, an economically
2 disadvantaged ex-convict, a qualified summer youth employee, as defined in 26 USC
3 51 (d) (7), a dislocated worker, as defined in 29 USC 2801 (9), or a food stamp
4 recipient, if the person has been certified in the manner under s. 71.28 (1dj) (am) 3.,
5 2013 stats., by a designated local agency, as defined in s. 71.28 (1dj) (am) 2., 2013
6 stats.

7 **SECTION 22.** 71.47 (1dx) (a) 5. of the statutes is amended to read:

8 71.47 (**1dx**) (a) 5. "Member of a targeted group" means a person who resides
9 in an area designated by the federal government as an economic revitalization area,
10 a person who is employed in an unsubsidized job but meets the eligibility
11 requirements under s. 49.145 (2) and (3) for a Wisconsin Works employment position,
12 a person who is employed in a trial job, as defined in s. 49.141 (1) (n), 2011 stats., or
13 in a ~~trial employment match program job~~ subsidized employment placement, as
14 defined in s. 49.141 (1) (n) (Lm), a person who is eligible for child care assistance
15 under s. 49.155, a person who is a vocational rehabilitation referral, an economically
16 disadvantaged youth, an economically disadvantaged veteran, a supplemental
17 security income recipient, a general assistance recipient, an economically
18 disadvantaged ex-convict, a qualified summer youth employee, as defined in 26 USC
19 51 (d) (7), a dislocated worker, as defined in 29 USC 2801 (9), or a food stamp
20 recipient, if the person has been certified in the manner under s. 71.47 (1dj) (am) 3.,
21 2013 stats., by a designated local agency, as defined in s. 71.47 (1dj) (am) 2., 2013
22 stats.

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

1 76.636 (1) (e) 3. A person who is employed in a trial job, as defined in s. 49.141
 2 ~~(1) (n), 2011 stats., or in a trial employment match program job subsidized~~
 3 employment placement, as defined in s. 49.141 (1) ~~(n)~~ (Lm).

4 **SECTION 24.** 102.07 (17m) of the statutes is amended to read:

5 102.07 (17m) A participant in a ~~trial employment match program job~~
 6 subsidized employment placement under s. 49.147 (3) is an employee of any
 7 employer under this chapter for whom the participant is performing service at the
 8 time of the injury.

9 **SECTION 25.** 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), 2011 stats., or in a trial~~
 15 ~~employment match program job~~ subsidized employment placement, as defined in s.
 16 49.141 (1) ~~(n)~~ (Lm), a person who is eligible for child care assistance under s. 49.155,
 17 a person who is a vocational rehabilitation referral, an economically disadvantaged
 18 youth, an economically disadvantaged veteran, a supplemental security income
 19 recipient, a general assistance recipient, an economically disadvantaged ex-convict,
 20 a dislocated worker, as defined in 29 USC 2801 (9), or a food stamp recipient, if the
 21 person has been certified in the manner under 26 USC 51 (d) (13) (A) by a designated
 22 local agency, as defined in 26 USC 51 (d) (12).

23 **(END)**