

Chapter DCF 110

TRANSITIONAL JOBS FOR LOW-INCOME ADULTS

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DCF 110.01 Authority and purpose. This chapter is promulgated under the authority of s. 49.162, Stats., to allow the department to conduct a demonstration project that provides subsidized, wage-paying transitional jobs and supportive services to low-income adults. The purpose of the transitional jobs demonstration project is to provide low-income adults with immediate income and the opportunity for the development of basic skills, appropriate work habits, a positive work history, and longer-term career preparation with the goal that they will be more likely to obtain and maintain unsubsidized employment.

History: EmR1024: emerg. cr. eff. 7-1-10; CR 10-078: cr. Register November 2010 No. 659, eff. 12-1-10.

DCF 110.02 Definitions. In this chapter:

(1) “Contractor” means an entity that has been awarded a contract for the operation of a transitional jobs program.

(2) “Department” means the Wisconsin department of children and families.

(3) “Host” means an entity providing a transitional job work site and day-to-day supervision of a transitional worker.

(4) “Minimum wage” means the higher of the federal minimum hourly wage under 29 USC 206 (a) (1) or the state minimum wage under s. DWD 272.03.

(5) “Poverty line” means the poverty guidelines updated periodically in the Federal Register by the federal department of health and human services under the authority of 42 USC 9902(2).

(6) “Relative” means a parent, stepparent, brother, sister, stepbrother, stepsister, half brother, half sister, brother-in-law, sister-in-law, first cousin, 2nd cousin, nephew, niece, uncle, aunt, step-uncle, steppaunt, or any person of a preceding generation as denoted by the prefix of grand, great, or great-great, whether by blood, marriage, or legal adoption, or the spouse of any person named in this subsection, even if the marriage is terminated by death or divorce.

(7) “Transitional job” means a subsidized wage-paying employment position under s. 49.162, Stats., that is focused on the development of appropriate work habits, basic skills, and a performance record to increase the likelihood of obtaining and maintaining unsubsidized employment.

(8) “Transitional worker” means an individual who is employed in a transitional job.

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DCF 110.03 Eligibility. (1) An individual may be eligible to participate in the transitional jobs demonstration project only if all of the following criteria are met:

(a) The individual is at least 21 but not more than 64 years of age.

(b) The individual is not eligible to receive Wisconsin Works under ss. 49.141 to 49.161, Stats.

(c) The individual has been unemployed for at least the 4 prior calendar weeks.

(d) The individual is not eligible to receive unemployment insurance benefits under ch. 108, Stats.

(e) The individual’s annual household income is below 150 percent of the federal poverty line.

(f) If the employment of an individual as a transitional worker is expected to be subsidized by the Temporary Assistance for Needy Families program under 42 USC 601 to 619, the individual shall be one or more of the following at the time of eligibility determination:

1. Less than 25 years of age.

2. A biological parent, adoptive parent, or primary relative caregiver of a child under the age of 18.

(2) An individual may participate in the transitional jobs demonstration project for a maximum of 1,040 hours of subsidized work under s. DCF 110.05 and training under s. DCF 110.06.

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DCF 110.04 Orientation. (1) A contractor shall conduct periodic orientations for individuals that the contractor has determined are eligible to participate in the transitional jobs demonstration project. During the orientation, the contractor shall encourage and assist eligible individuals to do all of the following:

(a) Recognize their strengths, assets, aspirations, resilience, and potential to achieve economic stability.

(b) Identify and address barriers to employment.

(c) Develop an individualized plan for obtaining unsubsidized employment.

(2) A contractor shall pay an individual that participates in the orientation at the minimum wage rate for time spent participating.

(3) The orientation shall be at least 20 hours per week for no more than 4 weeks.

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DCF 110.05 Subsidized work. (1) CONTRACTOR IS EMPLOYER. (a) Except as provided in par. (b), a contractor is the employer of a transitional worker and shall pay the transitional worker’s wages; the employer’s share of federal social security and medicare taxes; unemployment insurance contributions or taxes, if any; and worker’s compensation insurance premiums, if any.

(b) A contractor may subcontract responsibilities under par. (a) with prior approval by the department.

(2) HOURS PER WEEK. A contractor shall employ a transitional worker for a minimum of 20 hours per week and a maximum of 40 hours per week.

(3) WAGES. A contractor that employs a transitional worker shall pay the transitional worker for hours working at a work site under sub. (4) at not less than the minimum wage.

(4) WORK SITES. A transitional worker’s work site may be any of the following:

(a) An individual placement with a host.

(b) As part of a work crew that goes to different work sites under the supervision of a contractor.

(5) HOSTS. (a) A host shall develop and maintain an accurate description of any transitional job position at the host’s work site.

(b) If a transitional worker is placed with a host, the host shall assign a supervisor to perform all of the following duties:

1. Oversee the transitional worker's daily responsibilities.
2. Assist the transitional worker with the proper completion of time sheets.
3. Communicate with the contractor regarding issues arising in the workplace and the progress of the transitional worker in developing basic skills, appropriate work habits, a positive work history, and longer-term career preparation.

(c) A host may hire a transitional worker as a regular employee at any time during or after the term of the transitional job.

(6) NONDISPLACEMENT. The contractor and host of a transitional worker shall ensure that the employment of a transitional worker does not do any of the following:

(a) Have the effect of filling a vacancy created by an employer terminating a regular employee or otherwise reducing its work force for the purpose of hiring a transitional worker.

(b) Fill a position when any other person is on layoff or strike from the same or a substantially equivalent job within the same organizational unit.

(c) Fill a position when any other person is engaged in a labor dispute regarding the same or a substantially equivalent job within the same organizational unit.

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DCF 110.06 Training. (1) A contractor may provide education and training to a transitional worker directly or by subcontract with local training providers.

(2) The education and training provided shall be consistent with the transitional worker's plan for obtaining unsubsidized employment under s. DCF 110.04 (1) (c) and complementary to the transitional worker's transitional job.

(3) A contractor may pay a transitional worker at the minimum wage for hours of participation in education and training if the transitional worker is working at least 20 hours per week in a transitional job and the combined hours of the transitional job and participation in education and training do not exceed 40 hours per week.

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DCF 110.07 Job supports. A contractor may provide to a current or former transitional worker economic and non-economic incentives and supports, including training stipends, uniform allowances, assistance in obtaining a driver's license, parenting support groups, earnings supplements, and retention bonuses. An economic incentive or support shall assist a current or former transitional worker obtain or maintain unsubsidized employment.

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DCF 110.08 Unsubsidized employment. (1) A contractor shall provide a transitional worker with activities and resources that assist the transitional worker's search for unsubsidized employment.

(2) A contractor shall monitor a former transitional worker during his or her first 6 months of unsubsidized employment to assist with job retention and advancement, unless the contractor's contract to operate a transitional jobs program has ended.

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DCF 110.09 Department reimbursement. (1) The department shall reimburse a contractor for all of the following costs incurred by the contractor that are attributable to employment of transitional workers:

(a) Wages paid to transitional workers at the minimum wage rate for each hour actually worked.

(b) Employer's share of federal social security and medicare taxes; state and federal unemployment contributions or taxes, if any; and worker's compensation insurance premiums, if any.

(2) The department may reimburse a contractor for expenditures incurred by the contractor related to operating a transitional jobs program, including the costs of orientation under s. DCF 110.04, supervision under s. DCF 110.05 (5) (b), training under s. DCF 110.06, and providing job supports to current and former transitional workers under s. DCF 110.07.

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