



State of Wisconsin  
2015 - 2016 LEGISLATURE

LRB-0131/2  
PJK:wlj&jld:jm

DOA:.....Major, BB0060 - Modifications to W-2 sanctions for refusal to participate

**FOR 2015-2017 BUDGET -- NOT READY FOR INTRODUCTION**

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

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*Analysis by the Legislative Reference Bureau*

**HEALTH AND HUMAN SERVICES**

**WISCONSIN WORKS**

The Wisconsin Works (W-2) program under current law provides, among other things, work experience and monetary benefits for low-income custodial parents who are at least 18 years old. W-2 provides work experience to participants through placement, depending on a participant's skills, training, and experience, in one of a number of different employment positions, including Trial Employment Match Program jobs, community service jobs, and transitional placements. Current law provides that a participant who refuses to participate in any employment position is ineligible to participate in W-2 for three months. This bill makes the following changes to the behaviors that constitute refusal to participate:

1. Currently, it is a refusal to participate if a participant expresses verbally or in writing that he or she refuses to participate. The bill removes this behavior as an option for demonstrating a refusal to participate.

2. Currently, it is a refusal to participate if a participant fails, without good cause, to appear for an interview with a prospective employer or if a participant in a transitional placement fails, without good cause, to appear for an assigned activity. The bill broadens the definition of "employer" to include a subsidized or unsubsidized

employer or a work experience provider and makes it a refusal to participate to fail, without good cause, to appear for an interview with a prospective employer, including a work experience provider, for an assigned work activity, as defined under applicable federal law, or for an activity assigned by a W-2 agency.

3. Currently, it is a refusal to participate if a participant voluntarily leaves appropriate employment or training without good cause. The bill broadens the definition of “employment” to include subsidized or unsubsidized employment or an assigned work experience activity and makes a refusal to participate if a participant leaves, without good cause, appropriate employment or training or an appropriate assigned work experience activity or a work experience site.

4. Currently, it is a refusal to participate if a participant loses employment as a result of being discharged for cause. The bill makes it a refusal to participate if a participant is discharged from appropriate employment or training for cause or from a work experience site for cause.

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

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

**SECTION 1.** 49.151 (1) (intro.) of the statutes is renumbered 49.151 (1m) (intro.).

**SECTION 2.** 49.151 (1) (a) of the statutes is repealed.

**SECTION 3.** 49.151 (1) (b) of the statutes is renumbered 49.151 (1m) (a) (intro.)

and amended to read:

49.151 (1m) (a) (intro.) The participant, or an individual who is in the participant’s Wisconsin Works group and who is subject to the work requirement under s. 49.15 (2), fails, without good cause, as determined by the Wisconsin Works agency, to ~~appear~~ do any of the following:

1. Appear for an interview with a prospective employer ~~or, if the participant is in a Wisconsin Works transitional placement, the participant fails to appear.~~

2. Appear for an assigned work activity, including an activity under s. 49.147 (5) (b) 1. a. to d., without good cause, as determined as defined in 42 USC 607 (d), or for an activity assigned by the Wisconsin Works agency.

**SECTION 4.** 49.151 (1) (c) of the statutes is renumbered 49.151 (1m) (b) and amended to read:

49.151 **(1m)** (b) The participant, or an individual who is in the participant's Wisconsin ~~works~~ Works group and who is subject to the work requirement under s. 49.15 (2), voluntarily leaves appropriate employment or training without good cause, as determined by the Wisconsin ~~works~~ Works agency.

**SECTION 5.** 49.151 (1) (d) of the statutes is renumbered 49.151 (1m) (d) and amended to read:

49.151 **(1m)** (d) The participant, or an individual who is in the participant's Wisconsin ~~works~~ Works group and who is subject to the work requirement under s. 49.15 (2), ~~loses is discharged from appropriate~~ employment as a result of being ~~discharged or training~~ for cause.

**SECTION 6.** 49.151 (1) (e) of the statutes is renumbered 49.151 (1m) (f) and amended to read:

49.151 **(1m)** (f) The participant, or an individual who is in the participant's Wisconsin ~~works~~ Works group and who is subject to the work requirement under s. 49.15 (2), demonstrates through other behavior or action, as specified by the department by rule, that he or she refuses to participate in a Wisconsin ~~works~~ Works employment position.

**SECTION 7.** 49.151 (1c) of the statutes is created to read:

49.151 **(1c)** DEFINITIONS. In this section:

(a) "Employer" means a subsidized or unsubsidized employer or a work experience provider.

(b) "Employment" means subsidized or unsubsidized employment or an assigned work experience activity.

**SECTION 8.** 49.151 (1m) (c) of the statutes is created to read:

49.151 **(1m)** (c) The participant, or an individual who is in the participant's Wisconsin Works group and who is subject to the work requirement under s. 49.15 (2), voluntarily leaves a work experience site without good cause, as determined by the Wisconsin Works agency.

**SECTION 9.** 49.151 (1m) (e) of the statutes is created to read:

49.151 **(1m)** (e) The participant, or an individual who is in the participant's Wisconsin Works group and who is subject to the work requirement under s. 49.15 (2), is discharged from a work experience site for cause.

**SECTION 10.** 49.1515 (1) of the statutes is amended to read:

49.1515 **(1)** GUIDELINES BY RULE. The department shall by rule specify guidelines for determining when a participant, or individual in the participant's Wisconsin Works group, who engages in a behavior specified in s. 49.151 ~~(1)~~ (1m) (a), (b), (c), (d), ~~or (e)~~, or (f) is demonstrating a refusal to participate.

**(END)**