



1997 SENATE BILL 532

March 26, 1998 - Introduced by Senator GEORGE, cosponsored by Representatives L. YOUNG, MORRIS-TATUM and RILEY. Referred to Committee on Labor, Transportation and Financial Institutions.

1 **AN ACT to repeal** 49.147 (4) (as); **to renumber and amend** 49.147 (2) (a) 1. and
2 49.147 (2) (b); **to amend** 49.145 (3) (b) (intro.), 49.147 (4) (as) and 49.147 (4) (b)
3 1. b.; and **to create** 49.147 (2) (b) 1. and 2. and 49.155 (1m) (a) 3g. of the statutes;
4 **relating to:** eligibility for Wisconsin works and cash grants and child care for
5 certain participants under Wisconsin works.

Analysis by the Legislative Reference Bureau

Under current law, a person applying for a Wisconsin works (W-2) employment position, which is a subsidized job or other activity, must meet certain financial and nonfinancial eligibility criteria. For example, the gross income of the W-2 group of which an applicant is a member may not exceed 115% of the federal poverty level. This bill increases the income level to 125% of the federal poverty level.

Currently, in determining an appropriate job placement for an applicant a W-2 agency must give priority to placing the individual in unsubsidized employment over placement in a W-2 employment position. This bill creates 2 exceptions to that mandate. The W-2 agency may not give priority placement of the individual unsubsidized employment if either of the following is true:

1. The only available unsubsidized employment is unsuitable for the individual either because the individual lacks the skills necessary to maintain the employment or lacks the transportation to get to the employment site.

2. The only appropriate unsubsidized employment is a part-time position. If the only appropriate unsubsidized employment available to the individual is

SENATE BILL 532

part-time, the W-2 agency may place the individual in that position, but must also place the individual in an appropriate W-2 employment position if the individual wishes to be placed in a W-2 employment position.

Finally, this bill requires that an applicant for a W-2 employment position who was receiving aid to families with dependent children (AFDC) on the day before applying for W-2 be allowed to continue to receive the AFDC grant pending the approval or denial of the application. The bill also provides that a person who is required to search for employment pending the application process is eligible for subsidized child care under W-2.

For further information see the *state and local* 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.** 49.145 (3) (b) (intro.) of the statutes is amended to read:

2 49.145 (3) (b) *Income limitations.* (intro.) The individual is a member of a
3 Wisconsin works group whose gross income is at or below ~~115%~~ 125% of the poverty
4 line. In calculating gross income under this paragraph, the Wisconsin works agency
5 shall include all of the following:

6 **SECTION 2.** 49.147 (2) (a) 1. of the statutes is renumbered 49.147 (2) (a) 1. a. and
7 amended to read:

8 49.147 (2) (a) 1. a. An individual who applies for a Wisconsin works
9 employment position may be required by the Wisconsin works agency to search for
10 unsubsidized employment during the period that his or her application is being
11 processed as a condition of eligibility. An individual who applies for a Wisconsin
12 works employment position on or before March 1, 1998, and who, as of the day before
13 applying, was receiving aid to families with dependent children under s. 49.19, shall,
14 pending approval or denial of the application, continue to receive a grant equal to the
15 amount of aid that the individual received as of the day before applying.

SENATE BILL 532

1 **b.** A participant in a Wisconsin works employment position shall search for
2 unsubsidized employment throughout his or her participation. The department
3 shall define by rule satisfactory search efforts for unsubsidized employment.

4 **SECTION 3.** 49.147 (2) (b) of the statutes is renumbered 49.147 (2) (b) (intro.)
5 and amended to read:

6 49.147 (2) (b) (intro.) *Job search assistance.* A Wisconsin works agency shall
7 assist a participant in his or her search for unsubsidized employment. In
8 determining an appropriate placement for a participant, a Wisconsin works agency
9 shall give priority to placement in unsubsidized employment over placements under
10 subs. (3) to (5). except to the extent that any of the following is true:

11 **SECTION 4.** 49.147 (2) (b) 1. and 2. of the statutes are created to read:

12 49.147 (2) (b) 1. The only available unsubsidized employment is unsuitable for
13 the participant either because the participant lacks the skills necessary to maintain
14 the employment or lacks the transportation to get to the employment site.

15 2. The only appropriate unsubsidized employment is a part-time position. If
16 the only appropriate unsubsidized employment available to the participant is
17 part-time, the Wisconsin works agency may place the participant in that position,
18 but shall, in addition, place the participant in an appropriate Wisconsin works
19 employment position if the participant wishes to be placed in a Wisconsin works
20 employment position.

21 **SECTION 5.** 49.147 (4) (as) of the statutes, as affected by 1997 Wisconsin Act 27,
22 section 1812g, is amended to read:

23 49.147 (4) (as) *Required hours.* Except as provided in pars. (at) and (av), a
24 Wisconsin works agency may require a participant placed in a community service job
25 program to work not more than 30 hours per week in a community service job, except

SENATE BILL 532**SECTION 5**

1 that if the participant has been placed in part-time unsubsidized employment under
2 sub. (2) (b) 2. the Wisconsin works agency may not require the participant to
3 participate in a community service job for more than the difference between 30 hours
4 and the number of hours that the participant works in the unsubsidized employment
5 position. A Wisconsin works agency may require a participant placed in the
6 community service job program to participate in education or training activities for
7 not more than 10 hours per week.

8 **SECTION 6.** 49.147 (4) (as) of the statutes, as affected by 1997 Wisconsin Act
9 (this act), is repealed.

10 **SECTION 7.** 49.147 (4) (b) 1. b. of the statutes, as affected by 1997 Wisconsin Act
11 27, is amended to read:

12 49.147 (4) (b) 1. b. A community service job for not more than 30 hours per week.
13 A participant placed in part-time unsubsidized employment under sub. (2) (b) 2. may
14 be required to participate in a community service job for not more than the difference
15 between 30 hours and the number of hours that the participant works in the
16 unsubsidized employment position.

17 **SECTION 8.** 49.155 (1m) (a) 3g. of the statutes is created to read:

18 49.155 (1m) (a) 3g. Participate, as an applicant for a Wisconsin works
19 employment position, in any job search or job orientation activities that may be
20 required under s. 49.147 (2) (a) as a condition of eligibility for a Wisconsin works
21 employment position.

22 **SECTION 9. Initial applicability.**

23 (1) The treatment of section 49.145 (3) (b) (intro.) of the statutes first applies
24 to a person applying for Wisconsin works on the effective date of this subsection.

