

WISCONSIN DEPARTMENT OF HEALTH SERVICES
Division of Health Care Access and Accountability
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To: FoodShare Wisconsin Employment and Training (FSET)
Handbook Users

From: Shawn Smith, Bureau Director
Bureau of Enrollment Policy and Systems

Re: **FSET Handbook Release 15-02**

Release Date: 04/01/15
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EFFECTIVE DATE

The following policy additions or changes are **effective 04/01/2015**, unless otherwise noted. **Grey highlighted text denotes new text. Text with a strike through it in the old policy section denotes deleted text.**

POLICY UPDATES

1.4.3 Workfare

Workfare is intended to be used as a qualifying activity for non-exempt ABAWDs who need to develop the basic skills and/or work history necessary to enter the job market successfully. Workfare provides participants the opportunity to learn new job skills and establish work references. The primary goal of workfare is to improve employability and encourage individuals to move into regular employment while returning something of value to the community. Workfare assignments cannot replace or prevent regular employment and must provide the same benefits and working conditions provided to regular employees performing comparable work for comparable hours.

Required hours of participation are determined by dividing the household's monthly FS allotment by state or federal minimum wage, whichever is higher. ~~Federal law prohibits FSET agencies from requiring an ABAWD to work beyond the maximum number of hours calculated.~~ See [section 6.3.2.4 of this handbook](#) for more information on determining required hour of participation for workfare.

NOTE: Non-exempt ABAWDs are allowed to voluntarily participate beyond the maximum number of required workfare hours, if they so choose. It is not allowable to require additional hours of participation beyond the maximum requirement calculated as described above.

Workfare positions may be established with public or private non-profit employers, including:

- Placements with easily expandable work crews. These types of positions typically require little training, are not greatly disrupted by unplanned absences, and have easily expanded or contracted functions depending upon the need for positions. Examples include: housing authorities, parks and recreation, and sanitation departments.
- Placements available through non-profit community organizations in the human services field. Examples include: community non-profits, religious organizations, hospitals, schools, and government agencies.

Subsidizing participant wages with FSET funds is not allowable under any circumstances.

1.4.4 Work Experience

Work experience or on-the-job training offers the opportunity for job shadowing or a short-term placement in an actual work or training setting. The benefits of work experience include exposing volunteers to a variety of work options, improving employability, and helping ease the participant's transition into regular employment.

Work experience or on-the-job training is a qualifying activity for ABAWDs if the service enables the ABAWD to move promptly into regular public or private employment. Similar to workfare, the required hours of participation are determined by dividing the household's monthly FS allotment by state or federal minimum wage, whichever is higher. Federal law prohibits FSET agencies from requiring an ABAWD to work beyond the maximum number of hours calculated. However, it is allowable for individuals voluntarily participating in FSET, including non-exempt ABAWDs, to participate in work experience. ~~Volunteering to work beyond the maximum number of hours is also prohibited under federal law.~~

In contrast to workfare, work experience placements can include placement with private, for-profit companies or public and private non-profit employers. Work experience assignments may not replace an individual's regular employment and must provide the same benefits and working conditions provided to regularly employed persons performing similar work for equal hours. FSET agencies must monitor the quality of work experience sites to ensure they provide participants with the experience and skills necessary to advance employment opportunities.

The calculation used to determine workfare participation hours for non-exempt ABAWDs cannot be used for work experience. Non-exempt ABAWDs participating in work experience must still meet the 80-hour work requirement.

6.2.1 Non-ABAWD

A FS member is a non-ABAWD if s/he meets any one of the following criteria, as determined by the IM agency:

- Under age 18* or age 50** and older;
- Unable to work;
- Residing in a FoodShare household with a child under age 18***; or
- Pregnant.

*Age 18: ABAWD status applies the month following the month the FS recipient or applicant turns age 18.

**Age 50: ABAWD status is lost the first day of the month an ABAWD turns age 50.

***An individual may be determined a Non-ABAWD if s/he resides in a FoodShare household where a household member is under age 18, even if the household member who is under age 18 is ineligible for FoodShare.

All other FS members are ABAWDs.

Non-ABAWDs are not subject to time-limited FS benefits (TLBs). They may participate voluntarily in FSET and are referred to FSET only upon their request. They do not need to participate in FSET in order to meet the ABAWD work requirement, see Appendix G – FSET Participant Statuses for more information.

For more information about ABAWD status and exemptions, see [FoodShare Handbook 3.17.1](#).

6.2.2 Exempt ABAWD

A FS member is an exempt ABAWD if s/he is an ABAWD who meets at least one of the following criteria, as determined by the IM agency:

- Determined unfit for employment, which includes someone who is:
 - Receiving temporary or permanent disability benefits from the government or a private source;
 - Mentally or physically unable to work, as determined by the IM agency;
 - Verified as unable to work by a statement from a health care

professional or a social worker.

- Receiving Unemployment Compensation (UC) or has applied for UC and is complying with UC work requirements;
- Regularly participating in an alcohol or other drug addiction (AODA) treatment or rehabilitation program;
- A student of higher education and is otherwise eligible for FS, see the FoodShare Handbook section 3.15.1;
- Is a high school student 18 years of age or over-older, attending high school at least half-time;
- ~~Is responsible for the care~~ Primary caregiver of a dependent child under age 6 or caring for an incapacitated person;
- Receiving transitional FS benefits; or
- Meeting the ABAWD work requirement outside of FSET through work and/or other allowable work program participation.

Exempt ABAWDs are not subject to TLBs during months in which they have a verified exemption. Individuals that have a pending exemption may be referred as non-exempt ABAWDs. ABAWDs may gain or lose exemptions for a variety of reasons.

Exempt ABAWDs may participate voluntarily in FSET and are referred to FSET only upon their request. They do not need to participate in FSET in order to meet the ABAWD work requirement.

Note: Although IM workers have primary responsibility for determining ABAWD exemptions, FSET workers may also identify that an individual qualifies for one of the above listed ABAWD exemptions once they begin working with a participant. When an ABAWD exemption is identified, the FSET worker must contact the IM agency to notify them of the exemption and work with the participant to initiate the process of verifying the exemption.

For more information about ABAWD status and exemptions, see [FoodShare Handbook 3.17.1.](#)

6.2.3 Non-Exempt ABAWD

A FS member is a non-exempt ABAWD if s/he is an ABAWD and is not currently meeting an exemption from the ABAWD work requirement as determined by the IM agency. Non-exempt ABAWDs are subject to TLBs and need to meet the ABAWD work requirement to remain eligible for FS. One of the ways these individuals can meet the work requirement is through FSET participation.

All non-exempt ABAWDs receive a referral to FSET. Non-exempt ABAWDs are not required to participate in FSET as a condition of FS eligibility. However they may lose eligibility for FS due to failing to meet the work requirement after exhausting three months of TLBs in a 36-month period.

For more information about ABAWD status and exemptions, see [FoodShare Handbook 3.17.1.](#)

10.3 Appendix C: FSET Fundable Component Activities

Code	Description	Details
DR	Driver's Education	This activity may be assigned when a participant is enrolled in a course of study which includes both classroom and behind-the-wheel instruction designed to prepare the student to pass the Wisconsin Driver's License Examination. Paying for a regular driver's license to

		get to and from work is not allowable. The use of FSET funds to pay for a driver's license is only allowable if driving is a job requirement (i.e. taxi driver, pizza delivery, ect.) Paying for a Wisconsin ID is an allowable expense, and FSET funds can be used to pay for this activity if driving is a required job duty.
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10.5 Appendix E: Qualifying Work Program for ABAWDS

Qualifying Work Program	Qualifying ABAWD Activities	Hours Required	Funding
FSET	Basic education, vocational or technical training, on the job training, self-employment planning, work experience and workfare. Job search activities are allowable if job search accounts for less than half of required hours.	20 hours per week, except workfare and work experience ; Monthly hours for workfare are equal calculated by dividing a household's monthly FoodShare allotment by the higher of the applicable federal or state minimum wage.	Federal Supplemental Nutrition Assistance Program
Temporary Assistance to Needy Families (TANF) Work Programs	Work programs must be approved by the state. Example: W-2	Work hours are negotiated with the state and household. Hours cannot exceed hourly requirements of mandatory workfare programs. 20 hours per week	U.S. Department of Labor Health and Human Services
Workfare programs operated by other city, county or town government divisions	Work programs must be approved by the state. Example: Refugee Cash Assistance	Monthly hours vary from three (3) to 25 hours per month.	Federal, state or local government