

**WISCONSIN DEPARTMENT OF HEALTH SERVICES**  
**Division of Health Care Access and Accountability**  
**1 W. Wilson St.**  
**Madison WI 53703**

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To: FoodShare Wisconsin Employment and Training (FSET)  
Handbook Users

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

Re: **FSET Handbook Release 15-04**

Release Date: 11/06/2015  
Effective Date: 11/06/2015

**EFFECTIVE DATE** The following policy additions or changes are **effective 11/06/2015**, 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**

**1.4.6 Job Retention**

FSET agencies must offer supportive services for ~~up to 90 days for jobs obtained as a result of FSET participation~~ participants who have secured employment. Only individuals who have received other employment and employment/training services through the FSET program are eligible for job retention services. Individuals who receive job retention services are usually not participating in other components and in some cases these services are provided after the individual has lost FoodShare eligibility. This component typically includes participant reimbursement for reasonable and necessary expenses to assist individuals in retaining employment, such as required clothing, equipment, or tools, relocation expenses, child care, and transportation. Job retention may also include case management services that address workplace demands and employer expectations.

**3.5.1 Initial Contact, Appointment Scheduling, and Notification**

The FSET worker is expected to contact the referred FS member by letter or by telephone within five business days of the ~~FS eligibility effective date~~ referral. As part of the initial contact, the FSET worker will schedule an initial appointment. If the FSET worker attempts, but is unsuccessful in making initial contact via telephone, the worker is responsible for sending an appointment letter within five business days of the ~~FS eligibility effective date~~ FSET referral. The five business days start the day after the referral is received.

The FSET worker is expected to schedule an initial appointment for FSET enrollment and orientation. This appointment should be scheduled to occur within 12 calendar days of the date the referral is received or the effective date of FS eligibility, if the referral is sent prior to the FS eligibility start date. ~~The 12 day time period starts the day after the referral is received.~~

For referrals in which the effective date of FS eligibility is on or before the date the referral was received:

- The worker is responsible for contacting the individual as soon as possible but no later than five business days from the date the referral was received.
- If the worker is unable to reach the individual within the five business day time frame, an initial enrollment appointment must be scheduled.
- The initial appointment must be scheduled to occur within 12 calendar days of the date the referral was received.

**Note:** For appointments scheduled to occur within 12 calendar days of the current date, CARES Worker Web (CWW) will automatically send the appointment letter the day after the worker schedules the appointment.

**Example 1:** On 7/10/15 a referral is received for a non-exempt ABAWD with a FS effective date of 7/1/15. The FSET worker calls the individual on 7/11/15 and schedules an enrollment appointment for 7/15/15. CWW will automatically send an appointment letter on 7/12/15 for appointment on 7/15/2015. The worker contacted the individual within the five business day time frame, which expires on 7/17/2015. The worker also scheduled the appointment within the 12 calendar days' time frame, which expires on 7/22/2015. The letter is automatically sent on 7/12/15, which is the day after the worker scheduled the appointment on 07/11/2015.

**Example 2:** On 7/10/15 a referral is received for a non-exempt ABAWD with a FS effective date of 7/1/15. The FSET worker is unable to reach the individual by phone on 7/11/15 and 7/15/15. On 7/15/15 the worker schedules the initial enrollment appointment for 7/21/15 so that the individual receives the appointment letter prior to the date of the appointment. The worker contacted the individual within the five business day time frame, which expires on 7/17/15. The worker also scheduled the appointment within the 12 calendar days time frame, which expires on 7/22/15. The appointment letter will automatically be sent by CWW on 7/16/15.

For referrals in which the 'Effective Date' of FS eligibility is after the date the referral was received:

- The worker is responsible for ~~sending an appointment letter~~ contacting the individual no more than five business days from the date the referral was received.
- The initial appointment must be scheduled to occur within 12 calendar days after the effective date of FS eligibility.

**Note:** CWW will automatically send an appointment letter 12 days prior to the appointment.

**Example 3:** On 7/10/15 a referral is received for a non-exempt ABAWD with a FS effective date of 8/1/15. The FSET worker calls the individual on 7/12/15 and schedules an enrollment appointment for 8/2/15 (the individual is ineligible for FS in July and so cannot begin participating in FSET until August 1). The worker complied with the five business day requirement, which expires on 7/17/15. The worker also complied with the 12 calendar days, which expires on 8/13/15. CWW will automatically send an appointment letter 12 days prior to the date of the enrollment appointment.

If the individual misses their initial appointment, the FSET worker is expected to schedule a second appointment, which must be scheduled to occur within 12 calendar days of the missed appointment. ~~The Department of Health Services (DHS) strongly encourages FSET agencies to continue scheduling additional appointments beyond the required two appointments for non-exempt ABAWDs who fail to attend these scheduled appointments. Additionally, it is advisable to schedule the subsequent appointment sooner than 12 days if the FSET agency is able to accommodate such a scheduling. The FSET agencies should follow the same 12-day time frame for scheduling these additional appointments.~~

For more information about appointment correspondence, see Process Help 1.8.9.

### 3.5.2 Number of Contacts

At a minimum, a second appointment letter must be sent to individuals who miss their initial appointment.

~~The Department of Health Services strongly encourages FSET agencies to continue scheduling additional appointments beyond the required two appointments for non-~~

exempt ABAWDs who fail to attend these scheduled appointments.

The FSET worker should contact and schedule an appointment for each non-exempt ABAWD who is not participating in FSET but has reached the end of the second time-limited benefit (TLB) month, to try and engage them in FSET one more time. In order for a non-exempt ABAWD to meet the work requirement through FSET participation and maintain ongoing FS benefits after the TLB month, s/he must be enrolled and fully participating in FSET by the 10th day of the third TLB month. The FSET worker should document in PIN comments information relating to each contact that is attempted.

### 6.2.3 Non-Exempt ABAWD

A FS member is a non-exempt ABAWD if he or she 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.

**Note:** An individual may request a fair hearing if he or she disagrees with the IM agency's determination of ABAWD status. (see section 6.4.1 of the FoodShare Handbook.)

### 7.1.2 Entered Employment

Before the FSET worker records an Entered Employment, the FSET participant should sign the agency's job information detail form, and the FSET worker must confirm that the employment began, and that Entered Employment conditions have been met in accordance with procedures established by the FSET agency.

### 7.2 Job Retention

The Food and Nutrition Act of 2008 introduced job retention services as an allowable employment and training component. The job retention component is meant to provide support services for up to 90 days to individuals participants who have secured employment. Only individuals who have received other employment and employment/training services under through the employment and training FSET program are eligible for job retention services.

FSET agencies must offer supportive services for up to 90 days for jobs obtained participants who obtained employment as a result of FSET participation. The job retention component is meant for individuals who have obtained employment but will not continue to participate in other employment and training components, in some cases this will include people who have become FoodShare ineligible. If an individual obtains employment but continues to participate in other allowable employment and training components, he or she is eligible to receive supportive services. For more information on supportive services, see FSET Chapter 5.0. This The job retention component typically includes participant reimbursement for reasonable and necessary expenses to assist individuals in retaining employment, such as required clothing, equipment, or tools, relocation expenses, child care, and transportation. Job retention may also include case management services that address workplace demands and employer expectations.

### 9.5 Fair Hearings

An FSET participant has the right to file a fair hearing if he or she disagrees with an action taken by an FSET agency. The fair hearing is heard before an Administrative Law Judge (ALJ), administered by the Division of Hearing and Appeals (DHA). The ALJ determines whether or not the actions taken by the agency were correct, per federal regulations, state statutes and program specific policies. The burden of proof

is on the agency that took adverse action against the member.

Fair hearing requests may be made in the following ways:

- Received by the IM and/or FSET agency in writing,
- Received by the IM and/or FSET agency orally verbally, or
- Received by DHA verbally or in writing.

All hearing requests made must be forwarded to DHA. DHA schedules the hearings upon receiving the request. The FSET agency may assist the participant with submitting the Request for Fair Hearing form to DHA. The FSET worker must provide the participant with the Request for Fair Hearing form upon request, direct the participant to his or her personal FoodShare Notice of Decision, and/or direct the participant to contact his or her IM worker for further clarification. The FSET agency must also attempt to reach the IM agency to request that the FoodShare Notice of Decision be explained to the participant.

DHA contacts the income maintenance (IM) agency when a fair hearing has been scheduled. The IM agency will then notify the FSET agency that the FSET participant has requested a fair hearing. Communication and coordination between the IM agency and the FSET agency is important to facilitate this process. The FSET and IM agencies should work together to determine internal processes for sending and receiving information related to fair hearings, in particular the designated individuals responsible for receiving fair hearings communications within both the FSET and IM agencies. FSET agencies must attend and provide applicable documentation at fair hearings and in advance of the hearing. FSET agencies must comply with requests to attend fair hearings made by IM agencies in cases where FoodShare eligibility was impacted by FSET agency action or inaction. It is recommended that the FSET agency representative and IM agency representative who will be attending the hearing have a pre-hearing preparation meeting together to review the relevant case information.

### 10.3 Appendix C: FSET Fundable Component Activities

JR	Job Retention Services	<p>Job retention services can be provided for up to 90 days to an individual who has secured employment and in most cases is not participating in other FSET components or assigned activities. Services may include: 1) supportive services; 2) reviewing workplace demands and employer expectations; 3) strategies to help the individual stay employed; 4) job-specific problem solving; and 5) crisis resolution. Only individuals who have received other employment/training services under FSET are eligible for job retention services.</p> <p>Supportive services can include:</p> <ul style="list-style-type: none"><li>• Clothing required for the job</li><li>• Equipment or tools required for a job</li><li>• Relocation expenses</li><li>• Transportation</li><li>• Childcare</li></ul>
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**10.5 Appendix E: Qualifying Work Program for ABAWDS**

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Temporary Assistance to Needy Families (TANF) Work Programs	Work programs must be approved by the state. Example: W-2, Tribal TANF, Children First, Transform Milwaukee Jobs Program	20 hours per week	U.S. Department of Health and Human Services
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