

September 26, 2016

Dear 14c Employers:

The Workforce Innovation and Opportunity Act (WIOA) requires state vocational rehabilitation agencies to reach out to individuals working under subminimum wage certificates and offer them the opportunity to pursue competitive integrated employment. The Division of Vocational Rehabilitation (DVR) has begun an effort to engage approximately 8,200 individuals in Wisconsin working for subminimum wages. As part of the new requirements found in Section 397, DVR has contracted with UW Whitewater (UWW) to fulfill the duties of the designated state agency under WIOA. We hope that we can expect your cooperation in meeting these new requirements.

- UWW will contact all of the 14 c employers published on the Department of Labor website in the coming months to let them know the process for the annual outreach and review service.
- Contact will be made with each employer approximately 8 weeks prior to individually scheduled meetings.
- The employer will provide the worker name and contact information as well as guardian contact information if available.
- The meetings will take place at the place of employment or another community location. The decision on the meeting location will be made on a case-by-case basis depending on the logistics for the meeting and the consumer's need.
- The employer will work with the contractor to find available space for meetings and information about local transportation providers for meetings that will take place off-site.
- There will be an individual meeting with each worker every year.
- For workers in their first year of employment, there will be two meetings approximately six months apart.
- UWW will provide documentation, with signatures, to the worker once the meeting takes place to demonstrate that the service has been completed.
- It will be the responsibility of the worker to share this documentation with their employer. Neither DVR nor UWW is able to provide a copy directly to the employer.

There are other services that each employer is obligated to provide. Those services include information about local self-advocacy, self-determination, and peer-mentoring opportunities. Those services must be provided by an agency that does not hold a 14 c certificate. It is suggested that each employer begin research on how to provide those requirements as soon as possible. Beginning in July of 2017, DVR will be reviewing documentation at each worksite to make sure the employer requirements are met.

There is a fact sheet for employers that the Department of Labor has developed (WHD Fact Sheet 39) that you may find helpful. It can be found at: <https://www.dol.gov/whd/regs/compliance/whdfs39.pdf>

DVR has established a website for more information related to the annual outreach and review services. This webpage includes a link to UWW and to other helpful information. That website can be found here: http://dwd.wisconsin.gov/dvr/subminimum_wage.htm

As of July 22, 2016, a series of steps must be taken by anyone under age 25 that is interested in working in a job that pays subminimum wages.

These steps include:

1. The individual has received Pre-ETS or transition services under IDEA and has documentation of those services.
2. The individual has applied for VR services (and has documentation of those services) with the result that;
 - a. The individual has been found ineligible for such services...or,
 - b. The individual has been determined to be eligible for VR services;
 - c. The individual has an IPE;
 - d. The individual has been working toward an employment outcome specified in the IPE with appropriate supports for a reasonable period of time without success.

DVR is hopeful that these new requirements will help to strengthen our existing partnerships and create new opportunities for collaboration.

Sincerely,

A handwritten signature in blue ink, appearing to read "Delora Newton", with a long horizontal flourish extending to the right.

Delora Newton
Division Administrator
WI Department of Workforce Development, Division of Vocational Rehabilitation