

Frequently Asked Questions - Internship/Temporary Work (I/TW) Service

(Revised: July 2022)

Process

1. When do I give the I/TW Handout to the DVR Consumer/employee?

As soon as the service is identified in an IPE and the service will begin in the next few months or if it has been identified as an assessment. This will allow the consumer to have questions answered, address needs and obtain the required documentation for the I-9 and establish a reliable mailing address.

(10/2013)

2. Who will be processing the payroll and identification paperwork and sending the packet of information to the EOR?

The Internship/Temporary Work provider will be completing and submitting the paperwork to the Employer of Record (EOR) provider. They will be assisting the consumer in completing the agreement, the W-4(s), I-9 (including completion of identity documentation as an "agent" of the employer of record) and direct deposit/debit card application. They will obtain the completed agreement and EOR PO from DVR. These documents will be submitted via the Employer Portal at least 1 week prior to the consumer's start date. DVR staff, consumer, worksite, and service provider must all agree with start date. NO IDENTITY DOCUMENTS SHALL BE COPIED OR RETAINED BY THE SERVICE PROVIDER.

(05/2018)

3. If there is not a service provider involved in the development of the I/TW who is responsible for getting the completed documents to the EOR?

In these cases, a I/TW service provider should be selected and authorized the I/TW fee. The I/TW service provider will then be responsible for completing the process from that point (ensuring agreement is completed and signed, obtaining needed paperwork, get EOR PO from DVR, submitting completed packet of documents to EOR, monitoring site, completing reports, etc.). If a consumer does not want a service provider involved consult with your WDA Director/Supervisor on how best to proceed.

(1/2015)

4. We have been told to use the W-4 and I-9 forms on the website and not to use other versions- Why?

The W-4 and I-9 forms are processed through the Employer Portal. The forms change often based on state and federal rules. The versions made available through the Employer Portal and DVR sites are the most current and safe versions of the forms. Be aware that forms obtained from an internet search can also contain viruses and may damage computer systems if downloaded, opened or printed.

(05/2018)

5. What if the site employer/site business does not want to provide the workers compensation codes? Why is this necessary?

Please provide a copy of the DVR Internship/Temporary Work Site Business Information hand out. It explains the role of the coding and the role of the site employer. The site employer workers compensation code is needed because the employer of record must carry the appropriate workers compensation liability insurance coverage for each consumer. The code is used to protect the site business from liability. The site employer/business must use the same codes when it processes payroll for its own employees so that they carry the right level of liability insurance for their own employees.

It might happen that the individual that is negotiating the I/TW does not know or understand what the codes are used for. Please ask them to talk with someone in their human resources or accounting department to get the codes to enter on the agreement form. Your contact may be able to obtain their code by looking at their Worker's Comp policy or bill or by asking their insurance representative. If the site employer/business refuses to provide the codes and you have given them the site employer/business handout and agreement, please send in the I/TW paperwork along with a **detailed job description** to the Employer of Record provider. We should explain why it is needed but also keep in mind we are working to create opportunities with business and do not want to jeopardize that work opportunity.

DO NOT ATTEMPT TO DETERMINE THE CODE. Codes are assigned by NCCI, or a State Rating Bureau. The classification system contains over 700 unique codes and is the basis for pricing and underwriting a worker's compensation insurance policy. The Employer of Record service can assist in getting the correct code if it cannot be obtained from the site employer/business.

A certificate of liability insurance is available for the employer of record provider if a site employer needs to verify coverage. (10/2013)

6. How do I create the PO's?

Internship/Temporary Work Provider:

There will be a purchase order created to the Internship/Temporary Work (I/TW) Provider for the site set-up and monitoring fee. Services require prior authorization by DVR, unless a PO is provided the I/TW should not be set up. This fee is paid at the end of the I/TW arrangement and not prior to the last day. Reports will be sent monthly as usual.

Employer of Record Provider:

There will be a separate purchase order created for the Employer of Record provider.

- Line 1 will include the total hours X (wages X insurance multiplier) with the start/end dates listed- 5700 (non-taxable/reportable)-Same for each consumer
- Line 2 will include the per person fee- 5711 (reportable)-Same for each consumer

Indicate on the PO who should be the alert recipient. This is the point of contact designated to complete receiving and the name provided to the EOR provider. This is most often the WDA fiscal expert but this can be someone else identified by the WDA. This will help the Employer of Record sort the PO's by WDA and help facilitate receiving. If a PO is canceled and the EOR has already completed the set-up, DVR is to pay the EOR set-up fee.

(10/2017)

7. If a consumer does a second I/TW does the Employer of Record get paid an additional set up fee?

Yes.

(1/2015)

8. Are there jobs that Opportunities will not support?

Yes, there are some construction and farm jobs that may be included in categories considered "high" risk that Opportunities may not be able to support. The Employer of Record provider may not allow certain placements of this type and will not support any Internships/Temporary Work involving driving positions or any paid time spent in a vehicle, including travel between job sites. See the I/TW Guidance (<https://dwd.wisconsin.gov/dvr/policy-guidance/services/itw-guidance.htm>) for further information.

Opportunities can be consulted with specific questions on the occupations.

(01/2020)

9. Can an I/TW be set up in another state?

Yes. However, Opportunities should be consulted with first regarding employer of record.

10. Who will notify DVR if a work permit is needed and how should this be paid?

The I/TW provider should notify DVR at the time the I/TW agreement is sent over if a work permit is needed. If needed, the cost of the work permit is to be added to the PO to the Employer of Record as Line 3: \$10.00 Work Permit Fee. The consumer will pay for the work permit and the Employer of Record will reimburse the cost on the first paycheck. The Employer of Record will be listed as the employer on the work permit. For information on work permits please visit:

<https://dwd.wisconsin.gov/er/laborstandards/workpermit/appinstructions.htm>

(01/2020)

11. Does the Employer of Record conduct background checks?

No. DVR would need to complete that step if it is required by a site employer/business. (10/2013)

12. How is the verification of hours done?

The I/TW Service Provider and employer should work to determine who will be verifying the hours. The I/TW Service Provider and Employer will get an email from the Employer of Record provider prior to the start date with an introduction and instructions on how to record and verify the wages. If the I/TW Service Provider is solely taking responsibility for verifying the hours, they should omit the employer's email from the portal so the employer does not receive the email. The verification is done weekly via the Employer Portal. The deadline is Mondays by 5pm. Hour tracking and wage verification are tasks that any employer does for employees and the I/TW Service Provider may assist.

Please encourage employees to login to the Employee Portal and enter their own hours if possible. The I/TW Service Provider should provide the employee with the username and password needed to login to the portal (this is also used to access paycheck stubs, etc.). The I/TW Service Provider or Employer will then receive an email with the employee's hours. From the email the hours can be approved or rejected. If the employee cannot enter their own hours, the I/TW Service Provider or Site Employer should login to the Employer Portal to enter and approve the hours worked each week. If they do not already have a username and password for the Employer portal, please email dvrpayroll@oppinc.com to request the information.

If the service provider is assisting the employer with this task, they should determine how they will verify the consumer worked those hours with the employer (e.g. phone call to employer, if they stop and check in with employer, etc.) If the I/TW provider was present for job coaching while the consumer worked and know they worked the hours, they can approve.

See the Employer of Record (<https://dwd.wisconsin.gov/dvr/service-providers/itor/eor/eor-opp-inc.htm>) for contact information. (01/2020)

13. How do I know how many hours my consumer is working?

There is a weekly verification process and a list of wages paid sent to each WDA for receiving that will include this information. (10/2013)

14. What is the turnaround time to be paid once someone starts?

It will take about 2 weeks from the start date for the consumer/employee to get their first paycheck via the payment card/direct deposit. (10/2013)

15. How long does it take before someone can start once their information has been sent into the Employer of record?

At least a 1-week timeframe is required for an I/TW to begin. DVR staff, consumer, worksite, and service provider must all agree with start date. At least a one-week timeframe is required for set-up with the Employer of Record as well. (05/2018)

16. Will this service provide payroll for on the job assessments?

Yes, but the expectation is that all salary payments are to be handled through the site employer's payroll. (A separate Purchase Order must be issued to the employer for the wages and a 25% administration fee.) If the employer cannot or will not handle the salary payments, the service provider

should act as the employer of record. (A separate Purchase Order line must be added to for the wages and include a 25% administration fee.) If the service provider cannot act as the employer of record, wages can go through the DVR Employer of Record provider. The Employer of Record needs all paperwork at least one week prior to start date. All other processes requirements apply. (05/2018)

17. What if my consumer needs instructions in another language?

Please access the DWD contracted providers to translate information as needed for consumers. The payment card company also can provide information in other languages. (10/2013)

18. What information do we keep in the case file?

Please scan and attach the agreement and job description in the consumer case file. It is recommended that once the EOR verifies that everything is set up to then scan the final agreement in the file. (6/2014)

19. How will receiving be done?

Each WDA will have a designated individual complete the weekly receiving. This person will be identified in all purchase orders to the Employer of Record provider as the alert recipient for the WDA. The Employer of Record will send to the designated person a copy of the banking records of wages paid to the consumer. The receiving can be completed using this document and there is no required contact with the individual consumer. The designated person will be the WDA point of contact for billing issues. (6/2014)

20. Where can I find all of these helpful handouts?

The forms and other related documents can be found on the internal DVR website in forms as well as in the external link called: Internship/Temporary Work Information.

<https://dwd.wisconsin.gov/dvr/service-providers/itw-eor/>

(01/2020)

21. How often will the DVR consumers/employees get paid?

The payroll will be provided weekly. There will be a delay of 2 weeks for the first paycheck to be received due to necessary processing time. (10/2013)

22. Who is responsible for completing the I-9 and W4's?

The providers are acting as an agent of DVR in this role. They will be completing the form, reviewing the identification documentation and sign the form. These forms will be sent as part of the packet to the EOR. No copies of these documents should be retained by the provider. (1/2015)

23. How do I know what will be needed for the I-9 and W-4 form?

A list is provided on page 2 of the I/TW Consumer Handout. (10/2013)

24. If a consumer has an expired ID in Wisconsin but an ID from another state that is current, can this ID be used to process paperwork?

Yes.

25. What if I have questions about the documentation for I-9?

DVR can ask specific questions of the Employer of Record regarding documentation. Please forward those questions to DVR or the Employer of Record contact. (6/2014)

26. For SS Consumers-Who should report wages to the Social Security Administration?

There should be discussion with the consumer (or guardian/payee) to complete this task. The individual receiving the wages is legally obligated to report earnings. The consumer will have "pay stubs" available to them via secure online portal provided by EOR and can use that information to report wages to Social Security. When reporting a I/TW the consumer should report to the local Social Security Office and list Opportunities Incorporated as the EOR for the duration of the I/TW. (11/2016)

27. If the consumer is under the age of 18 or has a legal guardian who needs to sign the documents or work permits.

If the consumer is under the age of 18 or has a legal guardian the guardian's signature is required on the DVR I/TW agreement. The I9 is the only form that the employee (consumer) must sign. All other forms can be signed by a parent or legal guardian. The parent's permission is needed for a work permit.

For more information on work permits please visit:

<https://dwd.wisconsin.gov/er/laborstandards/workpermit/appinstructions.htm>

(01/2020)

28. How should the consumer get wage verification of other public benefit programs like food stamps or housing?

Consumers will get paystubs verifying wages paid and W-2's at the end of the year for tax purposes. They are available to them via secure online portal provided by EOR. Forms that might need to be completed can be done by the DVR service provider or DVR staff as the designee of the Employer of Record. (10/2013)

Payments to the Consumer

29. How will the consumer receive payment?

Payroll will be paid using direct deposit (preferred) or via a payment debit card. Direct Deposit- Consumers will be able to complete a direct deposit application form when they complete the agreement paperwork. The application can be sent along with the other I/TW forms to Opportunities Incorporated and speed up the process for consumers. A "starter" debit card will be mailed to the consumer. They must activate the card upon receipt so that the card can be loaded with their pay. A regular card will be issued to the consumer within a few weeks with their name on it. Consumers should retain the starter card as it can be used a replacement for their regular card if they lose their regular card.

Direct deposit and debit card applications are processed via the Employer Portal. (05/2018)

30. How will the consumer know they have been paid?

There are many ways to set-up notification of payment. These can include a text or email message for debit card payments. Consumers should be aware that they may be charged for text messages. Payroll will be processed weekly. The paychecks can also be viewed via the secure online portal (no matter the payment type) provided by the EOR. Information explaining the portal and access information is sent to the consumer with the first payroll from the EOR. (1/2015)

31. How will consumers know what to do with the payment card?

Instructions will be mailed with the card. If the consumer needs assistance, there is assistance by phone available 24/7 including requests for accommodations or materials in alternate formats. (Large Print or Braille) (10/2013)

32. What should happen if the consumer loses the payment card?

Instructions will be provided with the card for the consumer to follow to get a replacement card. The starter (without consumer name on it) can also be reactivated and used as a replacement card if the permanent card is lost. (10/2013)

33. What should happen if the Consumer forgets their PIN number?

Instructions will be provided with the card for the consumer to get a new PIN. (10/2013)

34. What do we do if the direct deposit or payment card needs to go to a guardian or payee?

The address listed for the consumer on the agreement will be used to mail the card and information to the DVR consumer. If the card or direct deposit needs to be directed to a different person or address, please indicate that address on the agreement form in the consumer mailing address section. (12/2013)

35. What if my consumer doesn't have a reliable or safe address to receive the card?

The consumer should be counseled to identify a reliable mailing address to receive the payment card and other important employment related mail. They may want to consider a friend or relative for this purpose. If the consumer cannot identify a safe location to receive mail, the WDA Director needs to be consulted. (10/2013)

36. What if the consumer wishes to receive payment via a direct deposit instead of a payment card?

Direct deposit forms can be submitted with the rest of the paperwork for the I/TW via the Employer Portal. Please also make sure the consumer includes a voided check or check photocopy with the application. (05/2018)

37. What should I do if my consumer says they didn't get paid?

If the consumer says they didn't get paid, please contact the Employer of Record provider to identify the reason. They will work with the consumer, service provider and site employer to resolve the issues. It can happen if hours were not reported, if the payment information was incomplete or not submitted properly or if there was incorrect routing information provided with the direct deposit application. (6/2014)

Problems/Variations

38. What do I do if the consumer is not going to start on the start date expected?

The I/TW provider needs to notify DVR and the Employer of Record immediately. (1/2015)

39. Does the I/TW provider get paid if the consumer only works one day?

Yes. A report should be provided to DVR to obtain payment and describe what happened. (10/2013)

40. Does the Employer of Record get paid if the consumer works only one day?

The Employer of record will get paid the individual fee in full and the wages used by the consumer for any work performed. (10/2013)

41. Does this service include the state internship program?

No. The state internship has not changed please follow the current procedure to pay wages for a consumer participating in the state internship program. (10/2013)

42. When can the I/TW go beyond 90 days?

I/TW is intended to be purposeful temporary activity. The primary purpose cannot be income or maintenance. In most cases it is expected that the goals of I/TW will be reached in 90 days. There are liability and benefits issues that occur when anyone works beyond 90 days. An individual may be eligible for UI benefits or may have issues related to working beyond 90 days if they are receiving economic benefits. The contract with the employer of record provider was established based on a maximum of 90 days duration. If you have a consumer who due to the nature of the job they are pursuing or their disability requires additional time, please complete an exception and route it to the WDA Director. (6/2014)

43. How do I handle a situation if I know my consumer will take part in a post-secondary internship, federal internship or other professional internship that will go beyond 90 days?

In these circumstances it is recommended to go through the site employer. If this is not possible an alternate employer of record provider should be identified and approved by the WDA Director and a Bureau Director.

44. What happens if the consumer quits?

The DVR Consumer/Employee should submit in writing a resignation notice at least 5 days in advance to the site employer, DVR and the I/TW provider. This notification should be provided to all parties as soon as possible. The last day of work should be identified by the I/TW provider and provided to DVR to modify the authorization to the Employer of Record service. If the resignation occurs outside of these established rules all parties should be notified immediately, (Site Employer, I/TW Provider, DVR and Employer of Record provider).

45. What happens if the consumer gets hurt at work?

The first concern should be to assist the DVR consumer to the extent possible. Once the consumer is cared for, all parties (Site Employer/Business, I/TW Provider, DVR and Employer of Record provider) should be notified as soon as possible to insure the proper documentation and process is followed. The Incident/Accident Reporting form (<https://dwd.wisconsin.gov/dvr/service-providers/itw-eor/opp-inc-accident-report.pdf>) must be completed by the consumer and the employer the same day as the injury and submitted to the Employer of Record within 24 hours of accident/injury.

46. What if the site employer doesn't verify the hours?

The Employer of record will notify the I/TW provider and copy DVR on this communication. The I/TW provider will have to work to resolve the discrepancy with the site employer/business and DVR consumer/employee.

47. What if there is a dispute about the hours worked or the consumer doesn't remember?

The Employer of Record provider is having hours verified by the site employer. Any question about hours can be resolved by a review of the submitted verification and discussion with the consumer. The consumer agreed the hours were accurate as part of the verification process. The Employer of Record provider can assist on a case by case basis where there may be a dispute.

48. What if the site employer/business or consumer wants to adjust the hours, dates, or schedule?

The weekly hours, total hours, and the dates agreed to apply. If there is a schedule change, date change or change in number of hours authorized the I/TW provider should notify DVR for prior approval. If the change will require a purchase order adjustment DVR should make an adjustment to the purchase order and provide to the Employer of record. These require prior approval. If hours are worked above those authorized or before or after the dates authorized, consult with your supervisor how best to proceed.

Overtime is not allowed as part of an I/TW. If a situation like this arises consult with your supervisor on how best to address.

49. What if the DVR consumer is in a paid training situation outside the Internship/Temporary Work service?

In most WDA's there are locally available, disability or occupational skills training programs. These programs vary in length and purpose. When an occupational or disability related skills training provider incorporates work into a training course, wages must be paid to the DVR consumer. It is up to the WDA and training provider to determine if the Employer of Record provider will be used in these situations. If the training provider has the ability and wishes to serve as the employer of record, they may provide that service. No fee will be paid to the training provider to complete the necessary paperwork. In all cases where wages are paid to a DVR consumer while in a training program hours and wages must be reported to DVR.

50. Is overtime allowed during a I/TW.

No. Overtime is not allowed as part of an I/TW. The maximum number of hours a consumer can work per week while participating in an Internship/Temporary Work is 40 hours. Any time worked over 40 hours in one week is considered overtime. If overtime occurs who ever first identifies that this has happened should notify DVR. Management should be consulted on how best to proceed.
(01/2016)

51. How are hours verified for a participant in REDI Walgreens?

Because of the intensive onsite training of participants in the REDI Walgreens program, the job coach may serve to verify the hours of participants for the Employer of Record. The job coach should list their name and contact information in lieu of the site employer in the Internship/Temporary Work agreement form to facilitate the hour's verification. ONLY REDI PARTICIPANTS CAN HAVE THEIR HOURS VERIFIED USING THIS METHOD.

52. What if the consumer works more or less hours than agreed?

The I/TW provider should verify the hours with around 2 weeks left in the original timeframe and notify DVR if adjustments will need to be made to the final PO and if those will be approved. The final date worked should be reported to DVR. See question #48.

53. What if the ITW ends earlier than expected?

The I/TW provider should notify DVR and the Employer of Record immediately.

54. This seems like a lot of work-Can I use the previous provider instead?

No. The Employer of Record service is an agreement to provide this specific service to DVR consumers as described. Use of another provider would violate that agreement and place DVR consumers and the DVR program at risk.

55. What if my consumer doesn't have the proper identification for the I-9 from?

The start date will be delayed. A Consumer Handout has been created for DVR staff to share with consumers that include required identification lists. Please provide and review this handout to any consumer that plans to participate in an Internship/Temporary Work service. They should be able to gather the necessary documentation with plenty of lead time prior to the start of a site.

56. Who needs to carry vehicle insurance if the DVR consumer is asked to drive during an I/TW?

The Employer of Record will not support any Internships/Temporary Work involving driving positions or any paid time spent in a vehicle, including travel between job sites. If a consumer wishes to complete an Internship/Temporary Work which involves the use of a vehicle, all safety concerns must be fully addressed by the WDA in consultation with the Bureau Director of Consumer Services. If a consumer has an employment goal of this type, use of an OJT is encouraged so that the site business can review and be responsible for any associated safety risk. Vehicle insurance is the site employer's responsibility for the company vehicle and everyone inside of it.

(09/2016)

57. What if the site employer has an additional agreement they want signed from their corporate office?

Make sure they have seen the existing agreement. It has been designed to alleviate any legal issues and identifies responsibilities for an I/TW situation. Please contact the DVR Contract Specialist if you are asked by a site employer to sign something other than the existing agreement.

58. How do DVR consumers access W-2's in the year following their I/TW?

W-2's can be obtained by logging into the Employer of Record Portal that was used for entering time worked and other information needed to participate in the Internship/Temporary Work (I/TW):

<https://opp.aviontego.com/portals/login.aspx?CompanyID=Opportunities>

Instructions on how to access the portal are available at: <https://dwd.wisconsin.gov/dvr/service-providers/itw-eor/application-portal-guide.pdf>

If a DVR consumer does not have their login and password information, but have accessed the portal previously, they should email: dvrpayroll@oppinc.com to reset their login and password.

A consumer may also contact the DVR Service Provider who may have assisted during the I/TW or their DVR Counselor.

If a consumer is unable to access the portal, they should contact the Employer of Record-Opportunities Incorporated for assistance by calling 920-563-2437 ext. 4066.

(02/2021)

59. Will the Employer of Record (EOR) support an I/TW that involves a DVR consumer working at an at home business?

The EOR may support an I/TW at an at home business; however, the following must take place before the I/TW begins:

- i. Confirmation that the consumer is an adult.
- ii. DVR or the DVR Service Provider discusses with the DVR consumer and I/TW worksite that the Employer of Record maintains only these responsibilities (this is also included on the I/TW

Agreement): Distribute funds to the DVR Consumer/Employee in accordance with the payroll schedule, maintain Worker's Compensation Insurance for the DVR Consumer/Employee, withhold all applicable taxes and deposit all taxes withheld to the appropriate taxing authority and will resolve paycheck issues that may arise with the DVR Consumer/Employee.

- iii. The I/TW worksite provides proof of General liability coverage for commercial liability, bodily injury and property damage insurance against any claim(s) which might occur.
- iv. DVR or the DVR Service Provider verifies with the DVR consumer and I/TW worksite the safety protocols, instructions, and monitoring that will be in place for "high risk" situations e.g., use of sharp utensils, mixing equipment, exposure to high heat, etc.
- v. Throughout the I/TW, DVR or the DVR Service Provider must also provide regular/documented check-ins with the consumer and worksite supervisor, ideally weekly, but at least every 10 days to ensure that the arrangement is going appropriately for all involved parties and that all safety measures are in place and being followed.

(07/2022)