

# Partners with Business Agreement FAQs

## Frequently Asked Questions about the Agreements Between Supported Employment Agencies and Employers to Provide Co-worker Paid Supports

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### 1. What kind of supports are businesses reimbursed for in a Partners with Business agreement?

Reimbursement to the employer is only for supports that would otherwise be provided by a supported employment job coach. This does not include natural supports that have already been negotiated with the employer that are provided through co-workers and supervisors or supervisory/co-worker supports rendered as a normal part of the business setting that would otherwise be provided to an employee without a disability.

Support that a supported employment job coach typically provides can include:

- Teaching specific job tasks and skills
- Supervision or direct assistance to complete specific job tasks
- Quality checks
- Redirection and reminders
- Social or emotional support
- Problem solving
- Monitoring health and safety

### 2. How should potential co-workers/supervisors be chosen?

Choosing potential supporters is a collaborative process between the Employer, its employees and the Supported Employment Agency. Potential supporters should be chosen based on their willingness to provide the support to the individual, willingness to let the Supported Employment Agency conduct a background check, and other workplace considerations such as their proximity to the individual, role with the individual, shift availability, etc. More than one supervisor/co-worker should be designated to provide support so a supported employee's schedule and ability to work productively is not impacted by the vacations, schedule changes, and absences of his/her supporters.

### 3. Why is a background check needed?

State and federal law requires background checks for anyone providing direct supports to individuals with disabilities in long-term care programs. The Supported Employment Agency uses the same background check standards for determining appropriate Partners with Business supports as it does when hiring job coaches for its agency.

### 4. Who incurs the cost of the background check?

The SE agency covers the cost of the background check(s), similar to covering the costs of background checks for its own new hires.

## **5. Who will the results of the background check be shared with?**

The Supported Employment Agency Human Resources representative conducts the background check and notifies the Supported Employment Agency Job Developer of the results. The Job Developer does not share the details of the background check with the Employer. The Job Developer will only inform the business if the candidate(s) have passed or failed the background check.

Employers should consider the pros and cons of having employees go through background checks and they should provide employees with a no-questions-asked right of refusal to be selected as a paid co-worker support.

Before agreeing to Partners with Business with a Supported Employment Agency, co-workers/supervisors who could be considered as paid supports should be informed of the need for a background check. Employees should have the right to refuse to be selected for Partners with Business supports, and, should they not pass background checks, their employment should not be jeopardized as a result.

## **6. What if the SE Agency is concerned about asking to conduct background checks on the employer's employees?**

Most employers already conduct background checks or, at the very, least check public court records. The service provider should ask the employer for a copy of the background check if they have it. Background checks are a necessary part of the Partners with Business agreement. The results of the background check are not shared with the employer. The SE agency only informs the business if the candidate(s) have passed or failed the background check.

Before agreeing to Partners with Business with a Supported Employment Agency, co-workers/supervisors who could be considered as paid supports should be informed of the need for a background check. Employees should have the right to refuse to be selected for Partners with Business supports, and, should they not pass background checks, their employment should not be jeopardized as a result. Employers should consider the pros and cons of having employees go through background checks and they should provide employees with a no-questions-asked right of refusal to be selected as a paid co-worker support.

## **7. How is the reimbursement amount to the employer determined?**

The amount of reimbursement to the Employer for supports is reflective of the specific needs the supported employee has for co-worker supports above and beyond negotiated natural supports and supervisory/co-worker supports otherwise available to employees without disabilities. This determination is made based on a collaborative assessment conducted by the Supported Employment Agency and Employer of the job duties, level of independence, and job supports needed. The reimbursement amount is based on the amount of time support is needed (in 15-minute increments) during a supported employee's shift multiplied by the Employer's gross costs to provide the support (i.e. the wages and overhead costs of the co-worker(s) providing the support).

For example:

A supported employee works 6-hour shifts, 4 days per week. Over the course of his 6-hour shift, he needs 1 hour of formal, intermittent support throughout his shift to ensure he finishes work tasks,

provide redirection, and prompting to move onto his next responsibility. The Employer determines that it would cost him \$22 (wages, taxes, benefits) for a co-worker to provide this needed support to the supported employee. Therefore, the Employer is reimbursed \$22 for every shift the supported employee works. 18 shifts worked x \$22 per shift = \$396 monthly reimbursement to the Employer.

The reimbursement should reflect the actual hours worked of Supported Employee. The reimbursement rate is increased or decreased based on the actual work hours reported by the Employer to the Supported Employment agency each month.

**8. What if, after identifying support needs and negotiating a reimbursement to the employer for co-worker paid supports, the costs for the employer to provide the support is more than the agency cost to provide job coaching support?**

Partners with Business shouldn't cost more than traditional job coaching supports. If the co-worker paid supports would cost more than keeping a job coach in place, then a job coach should be used.

**9. What does the admin fee for the SE agency cover?**

The admin fee is applied for every hour the employer is paid to provide supports based on the expectations of the provider and funding source. It is intended to cover the costs of the SE agency to administer the Partners with Business model with the employer (e.g. checking in with the employer, collecting reports from the employer, dispersing reimbursements). If it is decided the agency will provide some degree of follow-up or follow-along supports to the supported employee, the provider will negotiate an additional rate for this services with the long-term care funding source.

**10. In what increments are Partners with Business billed?**

Wisconsin's encounter system has increments of 15 minutes, day, or each. There is no code for one hour and there is no specific modifier for Partners with Business. The "each" code could be used for Partners with Business arrangements (which would be a combination of employer reimbursement and admin fee).

**11. What kind of training and guidance is provided to supervisors/co-workers who provide support?**

The Supported Employment Agency will provide training to the designated supervisors/co-workers who are providing the support, including:

- Overview of supported employment, including values and best practices
- Overview of Partners with Business, including what is covered and not covered for co-worker paid supports and expected outcomes
- Overview of best practices for workplace support/coaching for maximum independence
- Supported Employee specifics – communication and learning style, support needs
- Role and availability of Supported Employment agency for follow along and back up supports
- How to get in touch with Supported Employment agency when needed
- Required documentation (supported employee hours worked and progress reporting)

The Supported Employment Agency will check in with the employer on a regular basis to assess progress and address any issues that may arise. The Supported Employment Agency is also available for additional or back-up supports should the need arise.

**12. Who assumes liability for the supervisors/co-workers who are providing supports?**

The Employer assumes liability for supervisor/co-worker actions and will not hold the Supported Employment Agency responsible for accidents or negligence resulting from the actions of supervisors/co-workers providing supports to the supported employee.

**13. What are the Employer's reporting requirements?**

The Employer and Supported Employment Agency complete a Partners with Business Agreement. This agreement lays out the terms of the agreement, reimbursement rate, and responsibilities. It is reviewed every six months and renewed annually. The Supported Employment Agency provides the Employer with an invoice template to complete each month for reimbursement from the Supported Employment Agency. There is a section on the invoice template that asks the employer to provide a short update for the month about the supported employee. This update can include information about the supported employee's work performance and support needs.

**14. Is the Supported Employment Agency required to issue a 1099 tax form each year to the Partners with Business employer?**

Per the IRS, a 1099 form is required if the SE agency pays more than \$600 per year to a person or business for "other income payments" *unless* the payee is a corporation (including a limited liability company (LLC) that is treated as a C or S corporation). [www.irs.gov/pub/irs-pdf/i1099msc.pdf](http://www.irs.gov/pub/irs-pdf/i1099msc.pdf)