Final Guidance
Wagner-Peyser (W-P) Job Seeker Registration and Employer Services Procedures

OF INTEREST TO:

Workforce Florida, Inc. and Regional Workforce Boards

SUBJECT:

Wagner-Peyser (W-P) Job Seeker Registration and Employer Services Procedures

PURPOSE:

To provide guidance and clarification to Regional Workforce Boards (RWBs), One-Stop Center employees and other workforce system partners in the proper procedures relating to the provision of job seeker registration and employer services in the W-P reporting system.

BACKGROUND AND UNDERLYING FEDERAL/STATE POLICY:

The Federal Regulations at 20 CFR 652.2 states that the basic purpose of the employment service system is to improve the functioning of the nation's labor markets by bringing together individuals who are seeking employment and employers who are seeking workers. Additionally, 20 CFR 652.3 requires that, at a minimum, each State shall administer a labor exchange system that has the capacity:

a. To assist job seekers in finding employment;
b. To assist employers in filling jobs;
c. To facilitate the match between job seekers and employers;
d. To participate in a system for clearing labor between the States, including the use of standardized classification systems issued by the Secretary, under section 15 of the Act; and,
e. To meet the work test requirements of the State unemployment compensation system.

GENERAL PROCEDURES:

The Wagner-Peyser Act, as amended by the Workforce Investment Act of 1998, stipulates specific guidelines regarding the registration of job seekers and the provision of services to employers. Federal regulations at 20 CFR 652.207 require that labor exchange services must be available to all employers and job seekers, including unemployment insurance (UI) claimants, veterans, migrant and seasonal farm workers, and individuals with disabilities. The State must have the capacity to deliver labor exchange services to employers and job seekers, as described in the Act, on a statewide basis through self-service, facilitated self-help service and staff-assisted services.

Underlying principles that drive the operational integrity of the nationwide labor exchange system include the following concepts:

1. The acquisition of accurate statistical data which "enumerate, estimate, and project employment opportunities and conditions at the national, state, and local levels in a timely manner . . . "

2. Data provided through the state's employment service further provides critical information for:
   - Employment and unemployment statistics for many groups of workers;
   - Industrial distribution of occupations;
   - Current and projected employment opportunities, wages and skill trends by occupation and industry; incidence of and geographical and industrial location of displaced workers; and,
   - Employment and earnings information

JOB SEEKER REGISTRATION REQUIREMENTS

Job seekers receiving staff-assisted-services funded under the Wagner-Peyser Act must be registered. Job seekers who use self-services or facilitated self-help services also may be registered, but this is not required. This would involve activities such as accessing EFM as a guest or using One Stop Career Center resources, such as LMI pamphlets, without registering.

REPORTING OF JOB SEEKER SERVICES

The job seeker's activity service plan is used to report all services received to include job referrals and placements. The basic purpose of providing services is to enhance the job seeker's ability to become employed. Services should be entered as they are offered and should not be backdated.

EMPLOYER SERVICES PROCEDURES

Minimal Services to Employers

A job opening is a job vacancy that an employer intends to fill. In addition to listing an employer's job opening, and referral of job seekers to available job openings, the following services should be provided to employers:

- Assistance in the development of job order requirements;
- Matching job seeker experience with job requirements, skills and other attributes;
- Assisting with special recruitment needs;
- Arranging for Job Fairs;
- Assisting employers analyze hard-to-fill job orders;
- Assisting with job restructuring; and,
- Helping employers deal with layoffs.

It is inconsistent with the purpose of the One-Stop Career Center to refer job seekers to an employer who only wishes to build applicant files for possible future openings. Such requests are not considered to be bona fide job orders. It is permissible to refer an applicant for an interview with an employer who may be able to create an opening that will be available on a definite future date. Such orders are often necessary when a new business is staffing up. The expected hiring date should be clearly shown on the order so that the job seeker will be aware of the situation prior to accepting a referral to the employer.

Job Order Entry

ETA Handbook No. 406 requires that job openings listed through staff funded under the Wagner-Peyser Act **must be** included in the count of job openings reported to the United States Department of Labor (USDOL). Although this handbook indicates that job openings listed through staff of other partner programs *may be included* in the count of job openings in accordance with State policy, by this guidance paper, it is hereby established that all job orders and openings be listed in the Wagner-Peyser reporting system (EFM) and reported to USDOL.

In order to ensure that employer job orders receive maximum exposure, job listings will be entered into the W-P reporting system (EFM) immediately upon being received and reviewed by One-Stop Center staff. All job orders entered should comply with Federal and State laws and the Employ Florida Terms of Use policy.

Timely Submission of Job Orders into the Wagner Peyser Reporting System

Generally, it is incumbent upon staff who perform marketing activities, receive requests for assistance from employers for qualified job seekers, manage job orders, and others involved in the job order taking process, to immediately enter these job orders directly

into the existing W-P reporting system. The concept behind this practice is that the employer's needs are best served when they are served on a timely and current basis. The W-P reporting system is a statewide system which immediately exposes job orders to job seekers throughout the state, nation, and for that matter, throughout the world, via the various web-based applications on which these jobs orders reside.

There are certain situations where employers receive exclusive or tailored "servicing" of their job orders, usually at the specific request of the employer. These include such accepted practices as the "account executive" concept or Employer Recruiting Agreements. Recruiting Agreements are agreements between a particular One-Stop Center and an employer where the One-Stop Center operates as an "extension" of that employer's personnel office, providing a range of services to that employer. The "account executive" concept traditionally provided for a way for employers to develop a working relationship with designated One-Stop Center staff in the ongoing servicing of job orders and other employer services.

Whatever the specific relationship between the employer community and the One-Stop Center, it is state policy that all job orders received by DEO One-Stop Center staff and other partners, including service providers be entered into the W-P reporting system so that employers' hiring needs can be satisfied as efficiently and as effectively as possible. The practice of withholding job orders from timely entry into the W-P reporting system, or otherwise preventing the sharing of job order information throughout the system is prohibited.

Wages on Job Orders

Compensation information is required to be listed on all job orders entered into EFM. Employers who choose not to enter actual wage information must enter some value on the job order form. In all other cases, the actual wage or wage range as expressed by the employer should be listed on the job order. If, during follow-up or job order verification, it is determined that the job seeker was hired and went to work at a higher wage, the higher wage should be entered on the job order.

Recording Job Placements

Federal regulations at 20 CFR 651.10 defines a placement as the hiring by a public or private employer of an individual referred by the employment office for a job or an interview, provided that the employment office completed all of the following steps:

a) Prepared a job order form prior to referral, except in the case of a job development contact on behalf of a specific applicant;
b) Made prior arrangements with the employer for the referral of an individual or individual(s);
c) Referred an individual who has not been specifically designated by the employer, except for referrals on agricultural job orders for a specific crew leader or worker;

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d) Verified from a reliable source, preferably the employer, that the individual had entered on a job; and

e) Appropriately recorded the placement.

It is very important that each job on the job order form includes an accurate number of open positions so that an accurate count of job placements on that job order is properly reflected. Placement credits that are recorded as a result of a job referral should be identified by using service codes 750 – 850 in the Employ Florida Marketplace (EFM). Staff must verify that the customer has started working prior to recording the appropriate placement code. Verification information should include a case note identifying the customer's name, name of the employer, source of verification and the date the customer started working. Notification of a hire date will not suffice for securing placement credit.

Taking Credit for Job Development Hires

The Code of Federal Regulations at Title 20 Part 651.10 specifies that a job development means the process of securing a job interview with a public or private employer for a specific applicant for whom the local office has no suitable opening on file.

If there is no suitable opening on file in the One-Stop Center, staff should make job development attempts (contacts) on behalf of the customer. The job development attempt should be recorded on the job seeker's activity service plan in the MIS. Job development attempts (contacts) should be documented on the job seeker's case notes screen listing the employer's name.

If staff later learns that the customer was hired on the job to which a job development attempt was made, then the staff person should write a job order and take credit for the placement. Once the job order is written to reflect the hire, it must be matched against the job development referral that was previously entered on the job seeker's services screen.

Documenting and Taking Credit for Obtained Employment

Obtained employment refers to those individuals who secure employment within 180 calendar days of receiving one or more services which are wholly or partially funded by the state employment service agency but the placement does not meet the federal definition for a "job placement". Credit for an Obtained Employment may be claimed for any participant who has received any Wagner-Peyser reportable service(s), and has a job start date, where both service and start date fall within 180 days from the date the obtained employment is recorded. Staff must verify that the customer has started working prior to taking credit for an obtained employment. Notification of a hire date will not suffice for securing obtained employment credit.

Manual Obtained Employment Credit (employment must be verified)

Verification of the obtained employment must be received from a reliable source, preferably the employer, that the customer has obtained employment. Sources of documentation may also include hire data obtained from the bh10 and the bd01 screens on the UC management information system where a start date may be derived. Information obtained from sources where quarterly data is reported may be used as a starting point in which to gather a start date. However, quarters in which wages were reported will not suffice as documentation of a start date.

It is not allowable to take a placement when an obtained employment has already been recorded or to take an obtained employment where a placement has already been recorded in the system for the same customer with the same employer. This would constitute a duplicate placement in the system and would be subject to review.

More than one obtained employment credit per customer is possible in the same program year. Credit for obtained employment can be taken as long as a prerequisite service is still on the customer's computer record and the case has not exited.

Obtained employment must be documented on the activity service plan using code 880. The following information **must** be recorded when taking obtained employment credit:
- Employer's name (must be longer than three characters)
- Source of verification
- Certification that the service is not a duplicate of a previously documented placement
- Job title and occupational code
- Actual start date, and
- Region/office information.

Please see attachment 'A' for instructions and images of obtained employment documentation in EFM. If one or more required field of documentation is not available, obtained employment credit may not be recorded.

Post Exit Manual Obtained Employment Credit (employment must be verified)

Post Exit Manual Obtained employment refers to those individuals who meet the definition of an obtained employment <u>and</u> have gone at least 90 days without a reportable service and exited the system. Credit for a post exit manual obtained employment may be claimed for any participant who has received any Wagner-Peyser reportable service(s), and has a job start date, where both service and start date fall within 180 days from the date the post exit manual obtained employment is recorded. Staff must verify that the customer has started working prior to taking credit for a post exit manual obtained employment. Notification of a hire date will not suffice for securing obtained employment credit.

Documenting Post Exit Manual Obtained Employment Credit

The post exit manual obtained employment must be created as a WP follow-up service to the last WP application. To record a post exit manual obtained employment, staff must have the appropriate administrative privileges to create a WP follow up. See attachment 'a' for images of the correct administrative settings and instructions on recording the required information. Upon creation of the WP follow-up, service code 882 must be selected from the activity service code dropdown menu.

Post exit manual obtained employment requires entry and verification of the following:
- Employer's name (must be longer than three characters)
- Source of verification
- Certification that the service is not a duplicate of a previously documented placement
- Job title and occupational code,
- Actual start date, and
- Region/office information.

Please see attachment 'B' for instructions and images of post exit manual obtained employment documentation in EFM. If one or more required field of documentation is not available, post exit manual obtained employment credit may not be recorded.

Entered Employment

Entered employment refers to a participant who has gone 90 days without receiving a reportable service in W-P or other partner programs (e.g. WIA or TAA) and no longer is considered a participant (exits from the system). If the participant receives wages in the first quarter after the exit quarter, the region who provided the first reportable service will receive an automated entered employment credit. Entered employment is recorded automatically and cannot be entered manually into the state MIS. This category is recorded only for purposes of federal reporting.

DEO will monitor against all Wagner-Peyser guidance.

AUTHORITY

ETA 9002 and VETS 200 Data Preparation handbook ET Handbook No. 406; Wagner-Peyser Act of 1933, as amended by the Workforce Investment Act of 1998; Code of Federal Regulations at Title 20 Part 651.10; Code of Federal Regulations at Title 20 Part 652.2; Code of Federal Regulations at Title 20 Part 652.3; Code of Federal Regulations at Title 20 Part 652.207
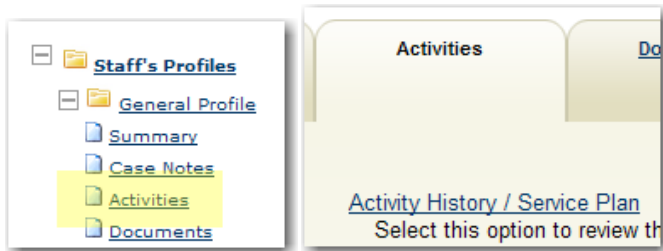
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Attachment A – Recording Obtained

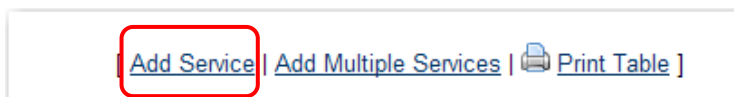To record an obtained employment, code 880, complete the following steps:

Step 1: Manage Individuals > Assist an Individual. Enter information to search for candidate.
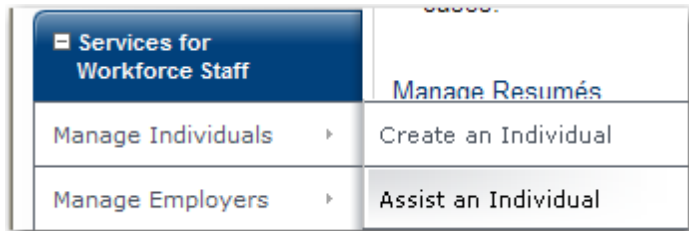
Step 2: Select Activities from the Staff Profiles Menu > Click Activity History/Service Plan

Step 3: Click Add Service

Step 4: Complete all fields required by policy

Service Plan

* Service/Activity Code:	880 - Obtained Employment Manual
Program Application Association:	23546748 Associate to different WP Application
Scheduled Date:	[ ] day
Scheduled Time:	[ ] : [ ] AM
Actual Service Date:	[ ] day
Completion Code:	None Selected
RR Event:	[ ] [RR Search]
* Employer Name:	[ ]
Employer Address 1:	[ ]
Employer Address 2:	[ ]
Employer Country:	United States
Employer City:	[ ]
Employer State:	Florida
Employer Zip Code:	[ ]
Verification of Employment:	[Verify]
Employer Phone:	[ ] - [ ] [ ]

Hourly Wage:	[ ]
Job Title:	[ ]
Occupation and Title:	Select Occupation
Actual Hire Date:	[ ] day
Type of Job:	None Selected
Comments:	[ ]
* LWIA / Region:	None Selected
* Office Location:	None Selected
* Position:	Staff
Staff User ID - Created:	
Staff User ID - Last Edited:	

[Add a new Case Note | Show Filter Criteria]

Case Note:	ID	Create Date	Subject	Actions
	No data found.			

Step 1: Manage Individuals > Assist an Individual. Enter information to search for candidate.

Step 2: Click Programs:

Step 3: Click Do Not Enroll

Step 4: From the Programs tab, expand the last WP Application. Click Create Follow-up Activities.

Step 5: Complete all fields required by policy.

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