**Employer Service Division**

**Policies and Procedures Manual**

**Purpose**

The purpose of this manual is to provide information about Employer Service Division (ESD) policies and procedures and how ESD supports the primary mission of Workforce Solutions. The objectives of the manual are to:

* Establish a comprehensive resource for ESD information and operational guidance and oversight of service delivery
* Communicate expectations for service delivery
* Ensure a consistent level of service

**ESD Overview**

The mission of Workforce Solutions is to help employers solve their workforce problems and residents build careers so that both can compete in the global economy.

The Employer Service Division (ESD) is a branch of Workforce Solutions that exists to provide quality workforce services to Gulf Coast businesses and actively seek to fulfill the mission by striving to:

* Make Workforce Solutions the first choice for employers
* Provide services to employers on their terms
* Bring new talent to the Workforce Solutions system
* Support emerging markets

ESD’s scope of service includes efforts to:

* Market and sell human resource solutions to area employers, including employers in the Workforce Board’s growth industries
* Work cooperatively with the career offices and follow through to make sure Workforce Solutions delvers the service it sells and satisfies our customers
* Operate the Employer Service Central Office
* Work with employers and other Workforce Solutions partners to support job fair marketing efforts
* Support state and regional efforts in special projects involving Texas employers

Accomplishing the Mission

We achieve success by listening to what the customer wants and needs, responding appropriately, and following through and following up to ensure customer satisfaction. In addition, we measure our success by creating satisfied and loyal customers – those who are pleased with our service, satisfied with the outcome, return to use our service, and refer us to others.

Customer Service Strategy

Our first and primary efforts are to focus on customer satisfaction by emphasizing service, not our process or our targeted numbers. When we give employers what they want, it puts people to work!

Using the basic principles from I AM Workforce Solutions campaign, Employer Service Division endeavors to demonstrate those behaviors by:

* Being Workforce Solutions to our customers
* Using the customer’s perspective to guide our work
* Understanding the resources available in our system
* Always helping the customer, even we have to say “no”, and
* Learning from our mistakes in order to gain a better understanding of how to help our customers

**Integrity and Accountability**

Employer Service Division is responsible for data integrity of the WorkInTexas system for the Gulf Coast region. Staff members should only record true and accurate information in WorkInTexas. Staff should immediately report any discrepancy, inaccuracy or abuse of the system to his or her supervisor.

The primary objective is to provide and promote what is best for the customer. Misrepresentation of information for dishonest and/or personal gain hurts credibility and compromises the mission and vision of Workforce Solutions.

*Standards of Conduct*

All staff members are expected to conduct the business of Workforce Solutions in full compliance with the law, policies and regulations, and in an honest, fair and courteous manner, avoiding the appearance of undue influence, impropriety or favoritism.

Employees are expected to project a professional image: competent, effective and efficient, treating all customers with respect and dignity.

Any staff action contributing to violations of the established office policies, rules, and regulatory compliance will be subject to the appropriate disciplinary and/or corrective action up to and including termination.

**ESD Units**

There are four major areas of the Employer Service Division: ***Consulting, Talent Development, Order Writing & Sales, and Special Projects***. These units work together to provide maximum benefit to customers, including businesses and community partners as well as other partners in the system, such as the Board, HGAC, Career Offices, Financial Payment Office, Call Center, and other Workforce Solutions contractors.

*Consulting*

The Consulting arm of Employer Service Division, operated by D. B. Grant and Associates, introduces services to new and existing customer and assist employers in finding solutions to their workforce problems. This unit is comprised mainly of Business Consultants and administrative personnel. Their area of focus is Employer Education, Targeted Industries, and New Job Creation.

*Talent Development*

The remaining three areas of Employer Service Division, operated by Employment & Training Centers, Inc., manages those units responsible training, sales, order writing, and special projects as directed by Board staff.

The Talent Development unit is comprised of several staff, including Recruiters, Coaches, Talent Development Consultants, Training Plan Specialists, Occupational Training Specialists, Compliance Specialists, Screeners, and a Work-ready Facilitator.

These staff help eligible customers enter into Workforce Solutions programs, such as On-the-Job-Training (OJT) or other Work-based learning programs or occupational training, such as Current Worker Training or the Oil & Gas Initiative.

The OJT program provides incentives for employers who agree to hire targeted groups that are also lacking or inefficient in certain skills. OJT reimburses the employer for a portion of the employee’s wages during the training period. Occupational Training, such as OGI allows eligible customers to upscale their skills to become more employable.

*Order Writing & Sales*

The Order Writing & Sales unit is comprised of Employer Service Representatives and Business Service Representatives. The ESRs outreach to existing business customers to for new and repeat Workforce Solutions services. The BSRs enter high quality fillable job postings in WorkInTexas.

*Special Projects*

The Special Projects units is comprised of Talent Sourcing Specialists and UTMB Screeners. The TSS provide department support to assist with data mining of for special reporting, including generating lead lists outreach. The UTMB Screeners are a recruiting support team to assist in filling UTMB’s job vacancies.

*Quality Assurance*

The role of Quality Assurance is to develop and implement strategies to monitor and ensure quality of services and documentation, including compliance, data integrity, and accuracy. The Quality Assurance Manager manages this area and also serves as the EO officer for ETC.

**ESD Staff (Managers)**

*ESD Managers and Team Managers*

An ESD Manager and/or Team Manager, with regards to his/her respective unit, oversee the quality and delivery of service to business customers, jobseekers, other staff, and partners in the Workforce System. There are seven Managers that comprise the ESD management team:

*Operations Manager*

* Lead and manage Employer Service Division activities
* Monitor and evaluate overall ESD performance and implement action for improvement
* Provide leadership to managers and ensure that they have the adequate resources to manage their respective teams effectively in order to produce the desired performance results.
* Design and implement data-driven strategies to serve new and existing customers
* Maintain an understanding of employment and business related activities in Gulf Coast
* Understand customers’ human resource-based needs and suggest appropriate products, provide advice, or otherwise addresses the issue
* Serve in leadership role regarding serving customers through best practices
* Implement work plans aligned with company and contract goals and mission
* Participate in the development of policies, standards, procedures and protocols for ESD operations
* Ensure compliance with company and contract policies and procedures
* Identify internal staffing needs and personnel issues; conduct interviews, make hiring and termination decisions; make compensation recommendations
* Facilitate communication between Employer Services and Resident Services and other relevant parties
* Represent Workforce Solutions at meetings, conferences, and seminars or on boards, panels, and committees
* Attend task force and management meetings in an effort to maintain communication, consistency and to continuously improve the quality of service provided to Workforce Solutions customers
* Build networks, develop positive internal and external relationships with the Workforce Solutions system, including contractors, business/trade organizations, Chambers of Commerce, and other relevant parties
* Effectively communicate and implement contract and managerment directives to team
* Understand and communicate clearly the company’s mission, vision and core values both to the company’s employees and clients
* Identify opportunities for training and coordinate with appropriate parties to ensure training is delivered

*Consulting Service Manager*

* Coordinate a team dedicated to providing human resource consulting services to employers
* Maintain an understanding of employment and business related activities in the Gulf Coast.
* Maintain an understanding of current trends in Workforce Development, Texas Workforce Commission and also the Workforce Innovation and Opportunity Act and related fields.
* Understand customers’ human resource-based needs and suggest appropriate products, provide advice, or otherwise address the issue
* Use real-time data to develop strategies to serve new and existing customers
* Create work plans aligned with company and contract goals and mission
* Serve in leadership role regarding serving customers through best practices
* Supervise and manage team activities
* Effectively communicate and implement contract and managerment directives to team
* Be accountable for all team activities
* Supervise and document employee performance and activities
* Identify opportunities for training and coordinate with appropriate parties to ensure training is delivered
* Carry out and document disciplinary action
* Communicate with team and managers to report any concerns, events or issues
* Build networks and relationships both within and outside of ETC by attending networking events

*Business Consultant Team Manager*

* Coordinate a cross-functional team dedicated to providing human resource consulting services to employers in an assigned area
* Implement data-driven strategies to serve new and existing customers
* Maintain an understanding of employment and business related activities in assigned region
* Maintain and build relationships with new and existing customers by providing services, maintaining contact, organizing and attending networking events and being actively involved with employers and in business related activities in the Gulf Coast region
* Respond to issues assigned by H-GAC and ensure customer satisfaction
* Travel across the 13 counties of the Gulf Coast region to the different business offices to manage the work of the team and to ensure the smooth and effective delivery of services to clients
* Travel to attend events and meetings at locations outside of ETC when required
* Understand customers’ human resource-based needs and suggest appropriate products, provide advice, or otherwise addresses the issue
* Supervise and manage team activities
* Serve in leadership role regarding serving customers through best practices
* Implement work plans aligned with company and contract goals and mission
* Effectively communicate and implement contract and managerment directives to team
* Be accountable for all team activities
* Supervise and document employee performance and activities
* Identify opportunities for training and coordinate with appropriate parties to ensure training is delivered
* Carry out and document disciplinary action
* Communicate with team and managers to report any concerns, events or issues

*Talent Acquisition Team Manager*

* Supervise and manage the activities of a team of Recruiters
* Manages the workload and progress of all recruiting activities of the team
* Ensure when recruiting that the candidates’ qualifications, skills and experiences are quality matches for employer’s job requirements
* Remotely supervise the activities of the UTMB team, checking reports and timekeeping
* Ensure that customer service is provided to employers seeking assistance in recruiting employees for open positions
* Develop and implement strategies to monitor and ensure quality of services and documentation
* Serve in leadership role regarding serving customers through best practices
* Implement work plans aligned with company and contract goals and mission
* Effectively communicate and implement contract and managerment directives to team
* Be accountable for all team activities
* Supervise and document employee performance and activities
* Identify opportunities for training and coordinate with appropriate parties to ensure training is delivered
* Carry out and document disciplinary action
* Organizing, coordinating and attending Job Fairs and other networking events to build networks and connect with employers and prospective candidates
* Communicate with team and managers to report any concerns, events or issues

*Employer Initiatives Manager*

* Coordinate a cross-functional team dedicated to carrying out specialized services and projects
* Implement data-driven strategies to serve new and existing customers, as required
* Maintain an understanding of employment and business related activities in assigned region
* Understand customers’ human resource-based needs and suggest appropriate products, provide advice, or otherwise addresses the issue
* Maintain and build relationships with new and existing customers by providing services, maintaining contact, attending networking events, and being actively involved with targeted organizations
* Process and review candidate files to evaluate qualifications for eligibility
* Supervise and manage team activities
* Serve in leadership role regarding serving customers through best practices
* Implement work plans aligned with company and contract goals and mission
* Effectively communicate and implement contract and managerment directives to team
* Be accountable for all team activities
* Supervise and document employee performance and activities
* Identify opportunities for training and coordinate with appropriate parties to ensure training is delivered
* Carry out and document disciplinary action
* Communicate with team and managers to report any concerns, events or issues

*Oil & Gas Initiative Manager*

* Coordinate a cross-functional team dedicated to providing human resource consulting services to job seekers transitioning out of the Oil & Gas industry
* Implement data-driven strategies to serve customers, when required
* Maintain an understanding of employment and business related activities with transitioning Oil & Gas workforce
* Oversee team activities and performance
* Understand and also ensure that the team understands human resource-based needs and makes appropriate suggestions regarding services, training and advice, or ensure that issues are otherwise addressed
* Serve in leadership role regarding serving customers through best practices
* Implement work plans aligned with company and contract goals and mission
* Effectively communicate and implement contract and managerment directives to team
* Be accountable for all team activities
* Observe, coach, and document employee activities and performance
* Identify opportunities for training and coordinate with appropriate parties to ensure training is delivered
* Carry out and document disciplinary action
* Communicate with team and managers to report any concerns, events or issues
* Build networks and relationships both within and outside of ETC by attending networking events and meetings, as required
* Reaching out to employers, job seekers and the community to provide information about the services offered by the team, by means of planning and organizing events and making presentations

*Quality Assurance Manager*

* Develop and implement strategies to monitor and ensure quality of services and documentation
* Ensure quality and accuracy of job postings
* Ensure accuracy and legitimacy of employer accounts on the Work In Texas Website to maintain quality of services
* Communicate with management and team members regarding quality or compliance issues
* Identify quality or compliance patterns and develop resolutions
* Supervise and manage team activities
* Serve in leadership role regarding serving customers through best practices
* Address concerns and queries for employers, job seekers and staff
* Effectively communicate and implement contract and managerment directives to team, when required
* Be accountable for all team activities
* Supervise and document employee performance and activities
* Identify opportunities for training and coordinate with appropriate parties to ensure training is delivered, when required
* Carry out and document disciplinary action
* Communicate with team and managers to report any concerns, events or issues
* Prepare reports for management regarding job postings and team activities
* Document activities

**ESD Staff (Line Staff)**

*Business Consultant*

* Provide human resource consulting services to employers in assigned areas
* Maintain and build relationships with new and existing customers by providing services, maintaining contact, attending networking events, making presentations regarding services and being actively involved with targeted organizations
* Maintain and build relationships with career office management and staff by identifying employers with immediate needs, providing feedback from employers utilizing WFS, presenting real-time labor market information to use with job seeker customers, and inviting career office staff to employer meetings & networking events as appropriate.
* Maintain and build relationships with community colleges, technical schools, and 4-yr public universities to bring new talent into the system, present workforce training opportunities to employers, and bridge the gap between the educational and business sectors.
* Provide information to customers regarding services and products and/or an orientation on *WorkInTexas.com* or the Workforce Solutions system
* Provide information and service to employers regarding Work Experience and On-the-Job Training programs, coordinating with appropriate third parties to ensure effective service is delivered to employers interested in the program and remaining involved until the process is complete
* Follow up to ensure effective delivery of services/products

*Recruiter*

* Provides quality customer service to employers seeking assistance in recruiting employees for their positions
* Manages full life cycle of recruitment activities, including forwarding resumes to employers and performing interviews with prospective candidates as needed
* Spends significant time recruiting, screening, and referring qualified candidates to job postings in *WorkInTexas.com*
* Assesses candidate’s skills and experience to ensure quality matches to employer’s job requirements
* Identifies a number of alternate candidate sources and explores creative methods to filling job postings
* Actively participates in networking opportunities with outside sources (business associations, educational institutions, industry organizations, etc.) to increase candidate pool
* Communicates with employers to discuss their needs. Document information in *WorkInTexas.com*
* Continues to provide services and follow up to employers with job postings in *WorkInTexas.com*, ensuring adequate referral activity. Document progress, changes, new information, and contact results for job postings in *WorkInTexas.com*
* Performs job matching using WorkInTexas.com
* May arrange and monitor the scheduling and logistics of employer interviews as well as onsite and jobsite hiring events

*Marketing Analyst*

* Collect, analyze, and report market data regarding workforce trends and needs and economic activity in the Gulf Coast region routinely
* Generate multi-source reports regarding relevant trends
* Suggest strategic plans to respond to market trends
* Coordinate with team to ensure data is used to drive activities
* Provide information to customers regarding services and products
* Follow up to ensure effective delivery of services/products
* Communicate with team and managers to report any concerns, events or issues
* Document all customer interactions, as required
* Participate in projects as assigned
* Research and identify targeted employer groups for outreach
* Collect, compile, and report staff performance statistics daily
* Work with H-GAC to address discrepancies in performance measure data
* Work directly with chambers, economic development groups, and community organizations to develop and present customized labor market information as requested
* Preparing marketing and advertising materials for the market, as required
* Procurement of required softwares which used for the purpose of analyzing market trends
* Build networks by attending job fairs and other networking events, as required

*Training Consultant*

* Ensure the effective delivery of on-the-job training to the employees by the employers for the specified period of time, making sure realistic expectations of both parties are met under the On-the-Job Training Project, part of the Employer Initiatives Program
* Follow up and maintain the employee training progress report
* Follow up and ensure that the employer is fairly and timely reimbursed
* Maintain and update documentation regarding activities and progress of the employees and employers
* Partner with teammates to ensure business customers are being served
* Communicate with team and managers to report any concerns, events or issues
* Document all customer interactions
* Document all customer interactions, including college/school, chamber, economic development group, and industry association activities within 48 hours
* Participate in projects as assigned

*Talent Sourcing Specialist*

* Fill open jobs as assigned
* Maintain job postings based on activity levels and employer needs
* Screen candidates for eligibility
* Organize, lead, and document post-interview debrief/feedback with interviewers and candidates
* Maintain an understanding of employment and business related activities in assigned area
* Partner with teammates to ensure business customers are being served
* Provide information to customers regarding services
* Follow up to ensure effective delivery of services/products
* Communicate with team and managers to report any concerns, events or issues
* Maintain and build relationships with new and existing customers by providing services, maintaining contact, attending networking events, and being actively involved with targeted organizations

*OGI Social Media Content Specialist*

* Develop and maintain web-based services for the Oil & Gas Initiative
* Manage content and design related to website development, social media, and web-based communication
* Seek out innovative methods of using technology to meet the needs of customers
* Review virtual services, website statistics, traffic flow, information integrity, and content
* Analyze data and suggest potential courses of action
* Troubleshoot software and system issues, when required
* Provide or coordinate end user training, when required
* Respond to requests from management or other stakeholders
* Guide job seekers to suitable employment opportunities based on their resume, by sending them job leads
* Follow up with job seekers to ensure that their needs are being met
* Communicate with team and managers to report any concerns, events or issues
* Ensure that the team is on schedule, processes are being followed and that preparing reports on team progress, for management
* Document activities

*OGI Facilitator*

* Develop, implement, and monitor external and internal training programs for job seekers transitioning out of Oil & Gas Initiative
* Provide technical training for job seekers and staff
* Conduct orientation sessions for customers
* Create brochures and training materials
* Develop multimedia visual aids and presentations
* Create testing and evaluation processes to validate training success
* Evaluate customer needs and plan training programs and seminars accordingly
* Provide classroom training, demonstrations, on-the-job training, meetings, conferences, and workshops
* Conduct continuing education training, including applying for and managing CE credits
* Support leadership development education
* Build networks and relationships both within and outside of ETC by attending networking events and meetings
* Develop and make presentations about the services and assistance offered by the Oil & Gas Initiative at various locations
* Build solid cross-functional relationships
* Assist with the development of strategic plans
* Partner with teammates to ensure business customers are being served
* Provide information to customers regarding services and products
* Follow up to ensure effective delivery of services/products
* Communicate with team and managers to report any concerns, events or issues
* Travel to attend events and meetings at locations outside of ETC when required
* Document all customer interactions

*Business Service Representative*

* Posts jobs in WorkInTexas.com
* Consults with employers about the posting if necessary
* Monitors job postings, determining if additional or alternative services are required to enter into WorkInTexas
* Consults with employer, Business Consultant or Recruiter to make decisions
* Conducts quality assurance audits of documentation and data submitted by ESD staff
* Provides other services for an employer such as:
	+ Labor market information
	+ Technical assistance in using WorkInTexas.com
	+ Information on additional services from Workforce Solutions
	+ Information on federal and state employment law and regulations (Fair Labor Standards Act, payday/wage & hour laws, unemployment insurance, equal opportunity, etc.)

*Program Assistant/Receptionist*

* Receive direction from management and follow through on tasks to completion
* Support program activities
* Schedule office space for special programs and coordinate program requirements and activities, as required
* Organize and coordinate events at ESD Central and other locations
* Handle multi-line phone system
* Greet and direct visitors
* Provide information about establishments, such as location of departments or offices, employees within the organization, or services provided
* Perform general administrative and clerical duties
* Maintain and organize files and reports with a high degree of accuracy
* Ensure confidentiality of documents
* Coordinate activities, reports and special projects
* Order merchandise, materials and office supplies as needed and send them to the proper department
* Provide program information and referrals
* Timely open and close office daily during regular business hours

**Departmental Processes**

This section contains the processess and procedures relevant to the function and purpose of each department.

Consulting Service

*Service to Employers in Targeted Industries*

An employer reporting unit is an employer site undupicated by zip code.

The primary source of information for this measure is TWIST Web Report 242 – Employer Workforce Assistance. We count the number of employers in Targeted Industries that have received a qualifying service in the performance period as documented in WIT. Service to employers in any industry that are interested in displaced Oil & Gas workers will also fall into this category.

*HR Consulting Service*

The primary source of information for this measure is SharePoint’s Consulting Service Report. We count the number of employers that receive consultation on:

1. Hiring, firing, and employee discipline
2. Compensation and benefits
3. Basic Americas with Disabiity Act compliance
4. Equal Opportunity compliance
5. Workforce Innovation and Opportunity Act
6. Workforce Opportunity Tax Credit
7. Job task anaysis and job redesign
8. Layoff aversion or Workforce expansion
9. Understanding Unemployment
10. Immigration, Labor, or Payday Law
11. Current Worker Training, including Skills Development Fund, Skills for Small Business, and Skills for Veterans.

*Employer Workforce Education*

The primary source of information for this measure is SharePoint’s Employer Education Report. We count the number of employers receiving an orientation on WorkInTexas.com, the Workforce Solutions system, or customized labor market information.

WorkInTexas.com orientations sinclude directions on accessing the system, creating a job posting, browsing candidates, viewing candidate contact information, closing job postings, and updating job seeker referrals.

Workforce Solutions orientations include a thorough review of the WFS mission, vision, services provided, discussion of staff roles, and may include a tour of the career office.

Labor Market Information is substantive and customized information that responds to an employer's specific need/request for information regarding occupational staffing or hiring patterns, working conditions, salary, local employment history and trends, available job seeker pool, etc. Employers should receive a thorough explanation of the data they receive in order to be considered “educated”.

*Work-based Learning*

The primary source of information for this measure is SharePoint’s Work-Based Learning Activity Report. Work Experience is captured when the Business Consultant turns their lead over to Career Office Contractor staff for follow up and a Worksite Agreement is signed. The Business Consultant must document their activity in the WIT Service Panel for the employer account.

On-the-Job Training is captured when the Business Consultant turns her signed OJT Agreement and related TWC Mainframe printout over to the Business Consulting Manager for approval. Once the Business Consulting Manager approves the agreement, it is sent to the Employer Initiatives Manager for final approval. The Business Consultant must document her activity in the WIT Service Panel for the employer account. Business Consultant remains directly involved until employer has made hire selections.

*Economic Development*

The primary source of information for this measure is SharePoint’s Economic Development Report. The Business Consultant must participate in meaningful conversation with community stakeholders about talent shortages/surpluses, new businesses with potential human resource needs, or existing businesses who will soon expand, relocate, or downsize in the area. Activities must be related to the BC’s assigned area/industries, high-skill-high-growth occupations, or targeted industries.

Employer Initiatives

On-the-Job Training (OJT) is one strategy for individuals to receive training funded through the Workforce Innovation and Opportunity Act (WIOA). The term on-the-job training is training by an employer that is provided to a paid participant while engaged in productive work in a job that:

* Provides knowledge or skills to the essential to the full and adequate performance of the job;
* Provides reimbusrement to the employer for the costs associate with training the OJT trainee, which are usually calculated at half the pay rate for the agreed-upon training period; and
* Is limited in duration as appropriate to the occupation for which the participant is being trained, taking into account the content of the training, the prior work experience of the participant, and the service strategy of the participant, as appropriate.

*OJT Outreach*

OJT training can be marketed to both employers and job seekers through the daily Employer Services and Career Office functions.

*Employer Pre-Screening for OJT*

OJT is provided under an agreement with an employer. Prior to entering into an OJT agreement, eligibility should be conducted to ensure that the employer meets the minimum standards and can provide both training and long-term employment to an OJT trainee. Employer Eligibility Questionnaire includes:

* The company must be in good standing with the Texas Workforce Commission. Employers’ unemployment tax account in the TWC mainframe database must be in liable, active status upon entering an agreement.
* Employer must have a history of taxable wages for at least 3 current W-2 employees as recorded in the TWC Employer Tax System database or by proof of most recently quarterly report submitted by the employer to TWC.
	+ Employers who employ a Professional Employment Organization (PEO) for their HR and Tax responsibilities, employer must provide a letter of service or copy of the agreement that confirms PEO has a TWC Tax ID.
* The company has not exhibited a pattern of failing to provide OJT trainees with continued long-term employment.
* Company verifies WIOA funds will **not** be used to relocate operations in whole or in part.
* Company commits to providing long-term employment for successful OJT participants.
* If the company has a collective bargaining agreement, the OJT contract does not impair existing contracts for services or collective bargaining agreements. If, as a program authorized under title I of WIOA, the OJT would be inconsistent with a collective bargaining agreement, the program obtains written concurrence from the appropriate labor organization and employer before the OJT activity begins.
* OJT funds will not be used to directly or indirectly assist, promote or deter union organizing.
* The OJT will not result in the full or partial displacement of employed workers.
* Trainee wages to be paid are at least equal to:
	+ Other employees in the same occupation with similar experience.
	+ Trainees will be provided the same workers’ compensation or equivalent liability coverage, health insurance, unemployment insurance, retirement benefits, etc. as regular, non-OJT employees.
* The employer will comply with the non-discrimination and equal opportunity provisions of WIOA and its regulations.
* The employer is willing to pay at least $10.00 per hour
* The employer is hiring regular, full-time (30 hours or more) for the OJT position.
* The employer is willing to post open positions in WorkinTexas.com.
* The employer is willing to provide hiring decision information prior to hiring.
* The employer is willing to provide appropriate payroll information for the OJT reimbursement.

*OJT Participant (Trainee) Requirements*

Individuals who meet the eligibility requirements for intensive services and receive an Individual Employment Plan (IEP) may be considered for OJT. An individual referred to a Workforce Solutions career office by an employer may be considered for OJT with that employer after the individual has met eligibility requirements for intensive services, and staff has developed the IEP (Job search Map) and indicates OJT is appropriate.

*Eligibility Guidelines – Job Candidate*

To be eligible to work in an OJT position funded through Workforce Solutions, WFS staff must ensure that the individual:

* Is immediately attached to the workforce system via unemployment insurance, temporary assistance benefits;
* Has a completed financial aid application submmited to Customer Support Center (CSC);

Once CSC determines eligibility, OJT staff should develop an IEP and determine suitability for OJT:

The following considerations should be addressed:

* Does the participant need to learn skills for the desired position, or have those skills already been acquired?
* Does the participant have a need for training?
* What is the best way for the individual to obtain the skills needed (i.e., OJT or occupational skills training)?
	+ Can the position be obtained at this company without OJT training? If a need for OJT cannot be documented, a direct placement or referral to other services should be considered. If a need for OJT has been determined and recorded on the IEP, a referral may be made to appropriate employers.
	+ Is the participant likely to succeed in training?

*Eligibility Guidelines – Employer*

Staff should complete the eligibility questionnaire prior to entering an OJT training plan agreement. Staff can determine whether the employer meets the miniumum standards as well as can provide training & long-term employment to the OJT trainee. An employer does not have to complete a new questionnaire more than once within a twelve (12) month period, as long as the eligibility and tax status requirements have not changed since completing the initial questionnaire.

*OJT Training Plan Agreement Requirements*

An employer orientation must be completed with each employer and/or employer representative to discuss the agreement and training plans. The purpose of the agreement is to define the terms and conditions that the employer and OJT provider agree to provide for an OJT experience.

The OJT Training Plan Agreement must comply with the requirements of WIOA rules and regulations including identifying the occupation, skills and competencies to be learned, and the length of time the training will be provided. The OJT Training Plan Agreement should indicate that changes to the OJT Agreement can be made at any time per the Workforce Development Board or Texas Workforce Commission or the Department of Labor.

After determination of the occupation in which the participant will be trained, the OJT staff must develop a training plan. This plan will be a formal and written outline of the structured job training that will provide both parties with an orderly combination of instruction in work maturity skills, general employment competencies and occupationally specific skills that will enable the trainee to work toward self-sufficiency. The Employer Services Division will work with employers and use resources including O\*NET and/or a company job description, including the placements skills or lack thereof as a basis to begin listing skills or tasks. Each skill description is concise and comprehensive and make sure the individual tasks are measurable and observable.

*The Training Plan Agreement must include:*

* Trainee information - name and contact information of participant;
* Employer information – name and contact information;
* OJT information – start and end dates, wage rate, and reimbursement rates
* Occupational information – job title and description, O\*NET code, and number of hours per week
* Job skills – skills necessary to perform the job and the trainee’s skill level for each of these skills
* Training information - list of specific skills or tasks the employer agrees to provide to the participant, estimated training hours for each skill, and acknowledgement of skill obtained
* Signatures - of trainee and date, of employer and date, and of OJT provider and date.

In determining the appropriate length of the training plan, consideration should be given to the skill requirements of the occupation, the academic and occupational skill level of the participant, prior work experience, level of difficulty, and the participant’s IEP.

The training plan is followed as a guide when delivering training. The training plan is also useful for determining whether the services agreed for are delivered. Once skills have been identified and a method for measuring them has been established, trainee progress can be determined.

*Reimbursement*

Payments to employers for OJT shall be in compliance with WIOA program guidelines. Payments to employers are in compensation for the “extraordinary costs” associated with training participants. Reimbursements will be accompanied by a progress report which will include an evaluation of the Trainee. Reimbursement schedule is as follows:

* Workforce Solutions ESD will begin to request payroll documentation from participating employers after thirty (30) days or four (4) weeks of employment, and every thirty (30) days thereafter, until training completion as outlined in the OJT agreement unless requested otherwise by the employer. If training is less than four (4) weeks, supporting payroll documentation will be requested at training completion. Employer may request to be reimbursed in one lump sum at the end of training period.
* Employer must provide check stubs or equivalent that clearly document the amount of hours worked and the salary the employee was paid. Payment to employers is managed by the Financial Aid Management System that documents the number of hours worked by the participant and rate of pay for the time period. Invoices must be signed by both the trainee and the employer or only by the employer if employee resigns or is terminated. Also, payments to employers must be based on scheduled raises and regular pay increases, if they occur. Payments to employers may be made in one lump sum at the successful completion of the training

*Monitoring*

Employer Services will be responsible for monitoring oversight of the participant training and corresponding employer payroll records. To ensure validity and propriety of the reimbursement amounts claimed and that the training for which the contract is written is actually delivered, on-site monitoring of OJT employers is required. The on-site monitoring must include:

* Documenting information received directly from the trainees
* Capturing the trainee supervisor’s perspective about how the training is progressing, and
* Reviewing the employer payroll records. Monitoring will be conducted at intermittent times throughout the training period.

*TWIST Documentation*

Counselor Notes are data entered according to services provided and regular contact made with candidates and participants and is coordinated with Program Detail, Service Tracking and Assessments and Training Plan Agreement.

Oil and Gas Initiative

*Process Outline*

1. Contact customer:
	* Perform a pre-screening to identify if the individual lost their job from an oil and gas industry employer or from a related industry (see NAICS chart below) as a direct result of the downturn in the oil and gas industry.
	* Enter counseling note in Twist identifying the industry and how it relates to a direct result of the downturn.
		+ Enter the NAICS code and the NAICS description in the notes.
2. Collect eligibility supporting documentation and send to Call Center.
* Call Center will notify ETC’s Oil & Gas staff when customer eligibility is complete.
* Call Center will create a Program Detail in Twist using office 3 code – 490 ETC, office 5 code – 2039 DW Oil

& Gas.

1. Enroll **all** customers into the following:
	* Service Category – 2 Assessment & Planning; Service - 8 Objective Assessment
	* Service Category – 2 Assessment & Planning; Service – 68 Employ Dev Plan
	* Fund 20 – WIOA Dislocated Worker **AND** Fund 206 – Oil & Gas NDWG
	* Office 5 –2039 DW Oil & Gas

**Scenario 1:** If customer is only interested in job search enter the following in Twist:

# Service Information

* + - Service Category – 3 Job Search Service
		- Service – 12 Job Search Assistance
		- Start Date
		- County

# Fund Detail

o Fund (20 & 206)

* + - Office 3 - 490
		- Office 5 - 2039
		- Staff

# Completion Information

* + - Completion Reason

# Counselor Notes

* + - Update notes as contact is made with customer

# Program Detail Exit - If customer no longer needs our assistance, enter the following in Twist:

* + - Exit Date
		- Exit Reason
		- Labor Force

# Performance Date

* + - If Labor Force is 1 – Employed, right click under Performance Outcomes and fill out data entry fields

**Scenario 2:** If customer is interested in OJT:

Follow procedures in place for OJT customers with the following inclusions:

* + FICE - 999999
	+ Enroll in Fund 20 – WIOA Dislocated Worker **AND** Fund 206 – Oil & Gas NDWG
	+ Office 5 – 2039 Oil & Gas

**Scenario 3:** If customer is interested in Classroom Training:

* Customer will select office of their choice.
* Oil & Gas staff will contact office and transfer the responsibility to the selected office and document in counseling notes.
* Office will follow procedures in place for Classroom Training customers with the following inclusions:
	+ Enroll in Fund 20 – WIOA Dislocated Worker **AND** Fund 206 – Oil & Gas NDWG
	+ Office 5 – 2039 Oil & Gas

|  |  |
| --- | --- |
| **NAICS** | **NAICS Description** |
| 425120 | Wholesale trade agents and brokers |
| 3331 | Agriculture, Construction, and Mining Machinery |
| 333912 | Air and Gas Compressor Manufacturing |
| 325998 | All Other Miscellaneous Chemical Product and Preparation |
| 326199 | All Other Plastics Product Manufacturing |
| 2382 | Building Equipment Contractors |
| 811310 | Commercial and Industrial Machinery and Equipment (except Automotive, Electronic Repair & Maintenance) |
| 800310 | Commercial and Industrial Machinery and Equipment (except Automotive, Electronic Repair & Maintenance) |
| 541512 | Computer Systems Design Services |
| 333515 | Cutting Tool and Machine Tool Accessory Manufacturing |
| 213111 | Drilling Oil and Gas Wells |
| 4236 | Electrical and Electronic Goods Merchant Wholesalers |
| 541330 | Engineering Services |
| 332996 | Fabricated Pipe and Pipe Fitting Manufacturing |
| 332312 | Fabricated Structural Metal Manufacturing |
| 221112 | Fossil Fuel Electric Power Generation |
| 339991 | Gasket, Packing, and Sealing Device Manufacturing |
| 4841 | General Freight Trucking |
| 541360 | Geophysical Surveying and Mapping Services |
| 327992 | Ground or Treated Mineral and Earth Manufacturing |
| 236210 | Industrial Building Construction |
| 423830 | Industrial Machinery and Equipment Merchant |
| 3332 | Industrial Machinery Manufacturing |
| 331111 | Iron and Steel Mills |
| 33111 | Iron and Steel Mills and Ferroalloy Manufacturing |
| 332710 | Machine Shops |
| 4238 | Machinery, Equipment, and Supplies Merchant Wholesalers |
| 423510 | Metal Service Centers |
| 3335 | Metalworking Machinery Manufacturing |
| 33313 | Mining and Oil and Gas Field Machinery Manufacturing |
| 21111 | Oil and Gas Extraction |
| 333132 | Oil and Gas Field Machinery and Equipment |
| 237120 | Oil and Gas Pipeline and Related Structures |
| 532490 | Other Commercial and Industrial Machinery and Equipment Rental and Leasing |
| 541690 | Other Scientific and Technical Consulting Services |
| 2389 | Other Specialty Trade Contractors |
| 424720 | Petroleum and Petroleum Products Merchant Wholesalers |
| 4247 | Petroleum and Petroleum Products Wholesalers |
| 326122 | Plastics Pipe and Pipe Fitting Manufacturing |
| 3261 | Plastics Product Manufacturing |
| 332313 | Plate Work Manufacturing |
| 333911 | Pump and Pumping Equipment Manufacturing |
| 5417 | Scientific Research and Development Services |
| 23891 | Site Preparation Contractors |
| 21311 | Support Activities for Mining |
| 333611 | Turbine and Turbine Generator Set Units Manufacturing |

Order Writing

The intent of this section is to outline the major compents of the Order Writing team and describe how each area contributes to the ESD vision: making WFS the first choice for employers, attracting talent to the system, suporting emerging markets, and serving employers on the their terms.

*Order Writing*

The Business Service Representative (BSR) receives assigned job posting request to enter in WorkInTexas the same day received. Those requests received after hours will be entered the next business day morning. The BSR will ensure the posting meets subscribed standards in order to attract qualified candidates.

*Entity Research & Approval and Hire Verification*

Staff conducts entity researches on staff requests to locate state tax identification and/or approve WIT accounts for job posting creation. These efforts help make the right connection for hire posting during system delayed verification runs.

*Entity Authentication*

ESD staff must verify and document the authenticity of employers who request to use WorkInTexas.com and Workforce Solutions facilities and services to ensure fair labor exchange.

Check any of the following to verify the authenticity of an employer’s identity:

* The web address of the company web site matches the web address provided by the employer.
* The email address includes the company name.
* Ask the following questions:
	+ Are you the point of contact for your business?
	+ What is your job title?
	+ What is your telephone number?
	+ What is your fax number?
	+ Is your job opening in Texas (or specifically within the region)?
	+ Wht are the principal activities or products manufactured by your company?
* Check the TWC mainframe to search for a tax ID, using the name, telephone number, or address of the company
* In an existing employer account is located in WorkInTexas.com, check the Customer Management notes tab to determine current standing in the system and note any problems previously reported regarding this employer.
* Check the New Employer List available in the TWIST reference tables.
* Look for company listings in the local telephone book or online yellow pages such as:
	+ [www.yellowpages.com](http://www.yellowpages.com)
	+ [www.superpages.com](http://www.superpages.com)
	+ [www.onlineyellowpages.com](http://www.onlineyellowpages.com)
* Check with the Better Business Bureau ([www.bbb.org](http://www.bbb.org)) to see if there are any reports on the company.
* Refer to the online version of the *Especially for Texas Employers Handbook (*[*www.twc.state.tx.us/news/efte/tocmain.html*](http://www.twc.state.tx.us/news/efte/tocmain.html)*)* and consult the index to find the ABC test for ascertaining whether an entity is an independent contractor or contract labor employer ([www.twc.state.tx.us/nes/efte/ics\_contract\_labor.html](http://www.twc.state.tx.us/nes/efte/ics_contract_labor.html))

If an employer or entity is determined to be ineligible to use WorkInTexas.com, staff must:

* Clearly communicate the reasons for ineligibility
* Document the conversation and outcome using the Customer Management notes in WorkInTexas.com
* Provide the employer or entity an alternative solution or
* Refer to TWC Fraud department to have the account removed from WorkInTexas, if staff determines that the account is fraudulent

*Special Job Posting Maintenance and Monitoring*

Designated staff will maintain and monitor job postings designated as either Foreign Labor Certification (FLC) Perms or Federal Contract Job Listing (FCJL). Staff will self-assign these postings and enter appropriate documentation and/or updates until posting closes.

*Featured Jobs and Hiring Events on Workforce Solutions*

* Every week Staff pulls 8-10 “Hot Jobs” from WorkInTexas.com to be featured onto Workforce Solutions website. Staff provides captions for each posting to attract potential qualified candidates.
* Daily staff checks WorkInTexas.com Employer Services Calendar for newly posted hiring events to upload onto Workforce Solutions website.

**Quality Assurance**

The Quality Assurance (QA) Manager will provide information resulting from departmental reviews so that management can make decisions to adjust or make improvements to their operations to ensure quality and contractual obligations are met in accordance with various Workforce Solutions Standards and Guidelines.

*Reports*

QA will produce several reports periodically to test the quality of service delivery and ensure operations are functioning in compliance:

* Job Posting Quality – review quality of job postings that ETC contracted staff enters
* NWI Certification Status – track and maintain certification levels
* Customer Evaluation – calculate and complile customer evaluation of services from events
* Compliance – maintain compliance logs for Complaint Resolution, PII, and EO
* Documentation – review quality of services and written communicatin in WorkInTexas and TWIST
* Field Service Delivery – conduct quarterly reviews of staff engagement when visiting employers or job candidates (trainees)

*LISO*

The Quality Assurance (QA) Manager also serves as the Local Information Security Officer (LISO) along with the BSR Supervisor, who will serve as the LISO backup when the LISO is out of the office. Both persons will follow the process to request add/remove/update MIS access and/or staff profile accounts in the seceurity database as outlined in the Information Security Standards and Guidelines (WS 17-14) and the Desk Aid for Local Informaton Security Officers:

[17-14 Information Security Standards and Guidelines - HTML](http://www.wrksolutions.com/staff-resources/issuances/issuances-17/17-14-information-security-standards-and-guidelinesstandards-and-guidelines) ([DOC](http://www.wrksolutions.com/Documents/Staff/Issuances/WS-17-14.docx)) 09/28/17

[desk\_aid\_for\_liso](http://www.wrksolutions.com/documents/staff/is/desk_aid_for_liso.pdf)

*ESD Manual*

QA ensures that the ESD manual is kept abreast with the most current revisions and updates. Manual is edited and submited to the Operations Manager for approval before sending to Board staff.

*Training*

QA will provide training to ESD staff on various topics related to quality assurance and compliance. Trainings may include:

* Information Security and Compliance
* Quality Documentation
* Vetting Employers
* Quality Job Order Taking
* Quality Assurance Review
* ESD Overview at NWI Academy

*Employment Service Complaints*

According to the U.S. Department of Labor, Code of Federal Regulations (CFR), no individual should be excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in the administration of or in connection with any services or activities authorized under the [Wagner-Peyser] Act because of race, sex, color, religion, national origin, disability, political affiliation or belief.

Furthermore, the CFR requires, in part, that discriminatory job postings must not be accepted, except where the stated requirement is a bona fide occupational qualification (BFOQ).

Staff will ensure those job postings they submit must comply with all applicable federal and state laws, such as the Fair Labor Standards Act, the Texas Child Labor Law, and Texas Payday Law.

*Complaint Procedures*

ESD maintains an Employment Service (ES) complaint system, which includes maintaining a log of all complaints received and displaying approved ES complaint system posters. The complaint record includes the following:

• Date of complaint

• Name of complainant

• Address of complainant

• Type of complainant (employee, job seeker, etc.)

• Description of the complaint

• Outcome/resolution

• Date of Outcome

The following are suggested practices for the complaint-handling process:

• If a situation can be addressed immediately and without formality, that is recommended.

 However, it is the customer’s choice.

• Do not attempt to provide legal advice or interpret the law.

• Inform customers that they have rights to file a complaint directly with the proper

 enforcement agency, as that may lead to a quicker resolution.

*ES Complaints related to Discrimination*

Any person who believes that Workforce Solutions or entity that receives federal funding from or through TWC has subjected him or her or any particular class of individuals to unlawful discrimination can file a charge of discrimination. To be processed, a complaint must:

• Be in writing

• Contain the following information:

* Complainant’s name and address (or another means of contacting the complainant)
	+ Identity of the respondent (the individual or entity that the complainant alleges is responsible for the

 discrimination)

* The description of the complainant’s allegations. The description must include enough detail to determine whether:

 Responsible party, respondent or DOL’s Civil Rights Center (CRC) has

 jurisdiction over the complaint

 The complaint was filed timely

 The complaint has apparent merit, in other words, whether the complainant's

 allegations, if true, would violate any nondiscrimination and equal opportunity

 provisions of WIOA

 The complainant’s signature or the signature of the complainant’s authorized

 representative

Complaints can be filed personally or through an authorized representative, in one of the following ways:

• At the local or state level by completing and submitting a Discrimination Complaint Form (EO-13/EC-13S), available from:

* TWC’s Subrecipient and Equal Opportunity Monitoring Department
* The Board’s EO officer

• With DOL’s Civil Rights Center (CRC) by completing and submitting a CRC Complaint

 Information and Privacy Act Consent Form, available from:

* + - The state-level EO Officer
		- CRC

• Via a written and signed complaint narrative containing the following:

* A description of the complainant's allegations
* The complainant’s contact information
* Any other pertinent information

A charge of discrimination must be filed within 180 days of the alleged act of discrimination.

*ES Complaints Not Related to Discrimination*

There are two types of ES complaints:

• Those involving an employer where potentially illegal hiring activities or practices are taking

 place; these complaints are regarding a particular job to which the job seeker self-referred or

 was referred by Workforce Solutions office staff and include:

o Violations of the terms and conditions of the job posting

o Violations of the employment-related law (employer-related)

• Those related to the type of quality of services provided by a Workforce Solutions office,

 including complaints submitted to TWC regarding staff actions or omissions under ES

 regulations

Once ESD receives a complaint, the appropriate staff must ensure an attempt to resolve the complaint at the Workforce Solutions office level. If the attempt is unsuccessful, the complaint can be referred to the Board for resolution. If the complaints are not resolved satisfactorily at the office or Board level, the next step is to submit an appeal with TWC’s Appeals Department:

**Mail:**

Appeal Tribunal

Texas Workforce Commission

101 E. 15th St., Rm 410

Austin, TX 78778-0001

Email: appeals@twc.state.tx.us

*Non-ES-Related Complaints*

Staff will refer the customer to the appropriate entity for complaints not related to ES:

• DOL’s Wage and Hour Division: complaints alleging violations of employment-related laws,

 such as the Fair Labor Standards Act and wage and hour issues

• DOL’s Occupational Safety and Health Administration (OSHA): complaints alleging unsafe

 working conditions

• TWC’s Civil Rights Division: complaints alleging discrimination by an employer that did not

 have a job posting in WorkInTexas.com

*Personally Identifiable Information (PII)*

ESD must ensure the security and confidentiality of customers’ personal identity data by adhering to the following guidelines:

• Physical Security

* Limit access to sensitive printed materials
* Use proper storage for materials that include personal identity data
* When possible, after use, shred documents that include PII
* Secure laptop computers when not in use
* Do not leave documents that include PII in plain view

• Electronic Security

* Do not share passwords, personal identification numbers, security tokens (for example, smart cards) or any data or equipment used for authentication and identification purposes.
* Log off of computers when leaving them unattended, no matter for how short of a time
* Do not send any personal identity data in the subject or body of an email; instead, save the data to a secure document using the password protection option, email the password to the recipient and send the document as an attachment in a separate email.
* Use password protection when saving PII in a document that will be transported on a laptop computer or portable storage device.

Additionally, ESD must ensure that customer’s confidential PII is not provided to anyone other than the customer, and then only after the customer provides enough information to establish his or her identity.

*PII Review*

The management team will use a PII Checklist form to make periodic PII checks of staffs’ workstations to ensure compliance of the following:

* Computers
* Printers and Faxes
* Furniture and related
	+ Desks
	+ Filing cabinets
	+ Overhead bins
	+ Office chairs
	+ Waste bins

**Service Delivery**

*Employer*

According to the **U.S. Department of Labor**, an Employer is defined as a person, firm, corporation, or other association or organization (1) which currently has a location within the United States to which U.S. workers may be referred for employment, and which proposes to employ a worker at a place within the United States and (2) which has an employer relationship with respect to employees under this subpart as indicated by the fact that it hires, pays, fires, supervises, and otherwise controls the work of such employees. An association of employers is considered an employer if it has all of the indications of an employer set forth in this definition. Such an association, however, is considered as a joint employer with the employer member if either shares in exercising one or more of the definitional indications.

*WorkInTexas.com*

WorkInTexas.com is a comprehensive online job search resource and matching system developed and maintained by the Texas Workforce Commission. It provides recruiting assistance to Texas employers of all types and sizes, and job search assistance to any individual seeking work in Texas. WorkInTexas.com helps employers and job seekers connect through the Internet. Employers and job seekers can register online, browse job seekers or jobs and request matches against job postings and resumes.

It includes everyone from skilled professionals to temporary laborers. The system allows for quick viewing of a list of skills and qualifications for each job seeker. Interested employers can also access job seeker contact information.

Employers can post their own jobs or provide job postings and job posting information to Workforce Solutions staff for matching and referral of qualified job seekers.

**Request for Service**

The Employer Service Division maintains an active working relationship with the local business community and is a critical link between workforce services and an employers’ needs by:

* Promoting the use of the full range of Workforce Solutions services and facilities
* Identifying the specific employment needs of individual companies, and providing appropriate solutions
* Providing recruitment and placement assistance
* Obtaining and maintaining current information from local employers concerning their:
	+ Labor needs
	+ Employment and training opportunities
	+ Other information to use in providing services to employers and job seekers

Services to businesses provided at Workforce Solutions offices include:

* Outreach to promote the use of Workforce Solutions office facilities and services
* Entry, review, and maintenance of job postings in WorkInTexas.com
* Job fairs and hiring events
* Specilized testing
* WorkInTexas.com technical assistance
* Recruitment assistance
* Consulting
* Training services for employers, including initiatives
* Rapid response to layoffs and business closures
* Work Opportunity Tax Credit (WOTC)
* Fidelity Bond Assistance

*Job Postings*

The WorkInTexas.com job posting includes the following information:

* General Details – includes, but is not limited to, employer name, job title, service level and number of openings
* Job Details –jobsite address, job description, and applicable driver’s license requirements. The job description must be nondiscriminatory and realistic and include, where appropriate, physical requirements such as poundage and frequency of lifting (to avoid discrimination by sex or disability), age [if a bona fide occupational qualification (BFOQ)]. The job posting must not contain subjective remarks and personal judgments unrelated to job performance
* Occupational, Experience, and Education – required occupation, experience, minimum education and license or certification requirements, in addition to optional skills and license or certification type
* Job Requirements –match requirements (for example, veterans only, keywords and computer or language skills
* Pay, Workweek, and Benefits Details – providing the compensation and benefits details makes the posting more attractive to jobseekers for them to apply
* Contact Information – contact, contact method, additional contact instructions and website address, if applicable
* Job Status and Employer Questions – optional employer questions for further prescreening and the status of the job, i.e., hold, open, closed-pending, etc.

Staff should check the job posting for illegal or discriminatory questions or statements and direct concerns to the Equal Opportunity Officer for review and determination. Also, staff must ensure postings do not contain:

* + Violations of state of federal laws, including equal employment opportunity, child labor and minimum wage laws
	+ Union or nonunion specifications
	+ Openings for jobs vacated as a result of a strike or lockout
	+ Openings for business opportunities or contract bids (Requests for Proposals)
	+ Recruitments for training
	+ Discriminatory remarks or improper conditions
	+ Inappropriate language
	+ Requirements that the job seeker provide credit card or bank account information to apply
	+ Fees charged to the job seeker to apply for or fill the job

**Customer Loyalty (Performance Period: 10/2017-9/2018)**

**Data Source**: The primary source of information for this measure is TWIST. Workforce Solutions services to employers are reported through TWIST Web reports. Data is available any time.

**Definition:** Percentage of the region’s employers using Workforce Solutions as repeat customers

**Methodology:**

1. Denominator

 The denominator for this measure is an unduplicated count of employer reporting units- (Work in Texas Employer ID) that:

* + 1. received services from Workforce Solutions’ in the prior performance year

1. Numerator

The numerator includes an unduplicated count of employer reporting units- (WorkInTexas Employer ID) that:

1. received a Workforce Solutions’ service in the prior performance year and also received a Workforce Solutions’ service in the current performance year or
2. an employer reporting unit that did not receive services from Workforce Solutions in the prior performance year but did receive multiple services at least 90 days apart in the current performance year

We include all employer reporting units- (Work in Texas Employer ID) that receive one of the following services in the reporting period:

* taking job postings
* providing specialized testing to job seekers on behalf of an employer
* performing employer site recruitment
* job fairs
* providing employer meeting or interview space
* providing customized or incumbent worker training
* entering into a subsidized/unpaid employer agreement
* providing rapid response
* job development, or
* other service provided to employers for a fee

**Market Share (Performance Period: 10/2017-9/2018)**

**Data Source:** The primary source of information for this measure is TWIST. Workforce Solutions service to employers are reported through TWIST Web reports. Data is available any time.

**Definition:** The ratio of the employer reporting units- (Work in Texas Employer ID) served to employer reporting unit- (Work in Texas Employer ID) in the Local Workforce Development Area

**Methodology:** We count the number of employer reporting units- (Work in Texas Employer ID) that received one or more of the following services from Workforce Solutions in the reporting period. An employer reporting unit- (Work in Texas Employer ID) is an employer site unduplicated by zip code. For example, each Wal-Mart is one employer reporting unit or (Employer ID) unless there are more than one Wal-Mart in the same zip code.

Employer Services:

* taking job postings
* providing specialized testing to job seekers on behalf of an employer
* performing employer site recruitment
* job fairs
* providing employer meeting or interview space
* providing customized or incumbent worker training
* entering into a subsidized/unpaid employer agreement
* providing rapid response
* job development, or
* other service provided to employers for a fee

*Service Levels*

Staff can determine, when engaging with the employer, the level of access the company wants to give its job postings

* Level 1 – All employer-entered job postings have the *Service Level I* designation. Interested job seekers will contact the business directly without Workforce Solutions staff intervention. Employers can choose what information to display to job seekers and what information to suppress from job seekers. This level is appropriate for regular job postings with no particular or unique qualifications or requirements.
* Level 2 – Job postings are staff-created. The postings are visible to job seekers but require them to contact a Workforce Solutions office before viewing an employer’s contact information. This level is appropriate for job postings for which staff must conduct additional screening before the job seeker contacts the employer.
* Level 3 – Only Workforce Solutions staff can create and view level 3 job postings, and initiate the matching and contacting process. Service level 3 postings will not appear in a job seeker’s search or match results in WorkInTexas.com. This level is appropriate for confidential job postings or job postings with unique or specific qualifications or requirements that job seekers must have to be considered by the employer.

*Special Types of Job Postings*

* Federal Contractor Job Listings – The affirmative action provision of the Vietnam Era Veterans’ Readjustment Act of 1972(VEVRAA) requires employers and their subcontactors with government contracts of $100,000 or more to list their job openings with the state labor exchange system (WIT). Thes Federal Contractor Job Listings (FCJL) job postings provided protected veterans with priority referrals to such jobs. The Office of Federal Contract Compliance Programs is responsible for ensuring compliance.
* On-the-Job-Training – The eligible individual will participate in training as an employee and will receive wages and benefits as a current employee. The posting is designated as OJT and placed on service level 3.
* Foreign Labor Certification - The Foreign Labor Certification program establishes a means for an employer who anticipates a shortage of domestic workers to bring nonimmigrant foreign workers to the U.S. on a temporary or seasonal basis. TWC assists employers with temporary H-2A agricultural and H-2B nonagricultural job postings for recruitment of U.S. workers, conducts agricultural surveys, and reviews and processes temporary employment certification forms according to U.S. Department of Labor (DOL) regulations.
* Bonafide Occupational Qualification – A BFOQ is a qualification based on age, sex, national origin or religion that is necessary to the individual’s ability to perform the job in question.

*Recruitment Assistance*

Staff should refer only qualified jobseekers for job listings from employers. Referring an unqualified job seeker to a company is a disservice to both the employer and the job seeker. Failure to screen job seekers according to the company’s specification results in loss of the employer’s confidence and eventually compels the employer to seek assistance elsewhere.

* Do not actively recruit for employment if the wages, hours or other conditions of work offered are substantially less favorable to the individual.
* Refer job seekers to job postings that use their highest skills.
* Discuss the opening with the job seeker before entering the referral in WIT.

Success in filling an employer’s job posting depends on the ability of staff to locate qualified job seekers who acceptable to the employer and to whom the job is acceptable.

*Job Development*

A job development occurs when staff contact an employer and secure a referral to that employer on behalf of a particular job seeker who possesses skills sought by the employer, and for whom there is no suitable job posted from that employer in WorkInTexas.com.

*Interview Rooms*

Upon request and availability, staff provides employers with appropriate accommodations at Workforce Solutions offices for conducting interviews and testing job seekers.

*Job Fair Assistance*

A job fair is a gathering of multiple employers for the purpose of taking applications, interviewing, and making contact with potential job seekers to fill current job openings. Conversely, a hiring event takes place for one employer with multiple opportunities.

*Specialized Testing and Administration*

Many tools and techniques are available to assess a job seeker’s skills, aptitudes, achievements, and interests. Testing is a valuable service available to employers as needed (for example, when making employment decisions such as hiring, promotion, referral, and retention).

Only use test instruments, for job selection and referral purposes, that meet EEOC’s Uniform Guidelines on Employee Selection Procedures:

• Review the manufacturer’s most current validation study

• Include language in purchasing contracts requiring the vendor to provide copies of current validation studies

• Coordinate with the employer to properly document the skill sets needed to perform the responsibilities

 specified in the job description

• Administer only to applicants for jobs requiring the use of corresponding skills on the job, as specified in the

 job description

• Consult with the employer to set appropriate and reasonable benchmarks

• Provide a suitable testing environment

*Labor Market Information*

Labor Market Information is the provision of substantive and customized information for a particular employer regarding staffing or hiring patterns, working conditions, salary, local employment history and trends, available talent pool, etc. in response to the organization’s specific needs or request.

 Employer Training Services

Other services that benefit and support companies by a variety of funding sources, many of which focus on training services for organizations, such as:

• On-the-JobTraining (OJT)

• Customized Training

• Skills Development Fund

• Self-Sufficiency Fund

• Work Experience

• Internships

*On-the-Job Training*

Employers benefit from OJT by receiving a sliding scale reimbursement percentage of the job seeker’s wages during the training period, while having the services of a full-time employee.

OJT provides unique opportunities for job seekers who already have some job-related skills, including the opportunity to “learn as they earn.” OJT focuses on:

• Jobs that use new technologies, production or service procedures

• Upgrading to new jobs that require additional skills or workplace literacy

• Other appropriate purposes identified by the Board

Additionally, the employer can be in the public, private nonprofit or private sectors. It is limited in duration as determined by the Board.

*Customized Training*

Customized training benefits an employer by tailoring training programs to the specific needs of the employer, especially by introducing new technologies or procedures. Current employers may participate in customized training to upgrade their skills and knowledge.

It is designed to meet the special requirements of an employer or a group of employers and is conducted with a commitment to employ the individual upon successful completion of the training.

*Skills Development Fund*

The Skills Development Fund (SDF) assists companies and trade unions by financing the design and implementation of customized job training projects for new and existing employees in local businesses.

Organizations interested in participating in SDF grant projects must partner with one of the following eligible applicants:

• A public community college

• A public technical college

• The Texas Engineering Extension Service (TEEX)

• A private, nonprofit community-based organization (CBO) in partnership with one of the institutions listed

 above

Trainee Eligibility is open to current employees and new hires. There are no income or occupation eligibility requirements for trainees.

*Self-Sufficiency Fund*

The Self-Sufficiency Fund (SSF) assists businesses and trade unions by financing the development and implementation of customized job training projects for new and current workers. SSF grants provide businesses with customized training solutions that support workforce hiring efforts and skills upgrading for current employees.

The purpose of SSF is to provide training for targeted employment opportunities, primarily for adult Temporary Assistance for Need Families (TANF) customers, as well as those individuals at risk of becoming dependent on public assistance.

Businesses interested in participating in an SSF project must partner with one of the following eligible applicants:

• A public community college

• A public technical college

• The Texas Engineering Extension Service (TEEX)

• A private, nonprofit CBO

*Work Experience*

Work Experience is structured learning that occurs in a workplace for a limited period. It can be paid (in which case payment is made directly to the participant) or unpaid, and can be in one of the following sectors:

• Private, for profit

• Nonprofit

• Public

Work Experience benefits employers by providing job seeker screening, training assistance, and qualified and productive workers with a strong career interest in the workplace.

Work Experience helps participants by providing them with opportunities for career exploration and skills development.

*Rapid Response*

For employers facing significant layoffs, Rapid Response is an on-site intervention program that provides transition and reemployment services to affected workers. The goal of Rapid Response services is to help affected workers find new employment before they become eligible to receive unemployment insurance (UI) benefits.

Rapid Response services include:

• Job search assistance

• Labor market information

• Group stress management seminars

• Information about mass filing of UI claims

• Group orientation to Workforce Solutions services

• Seminars on change management

*Work Opportunity Tax Credit (WOTC)*

WOTC is a Federal tax credit available to private and for-profit employers who hire individuals from specified target populations. Certain tax-exempt organizations may qualify by hiring from the veteran target group.

These tax credits:

• Reduce an employer’s cost of doing business

• Decrease an employer’s federal income tax liability

• Have no limit on the number of qualifying new hires eligible for the tax credit

• Aid targeted populations in gaining employment

*Fidelity Bond Assistance*

Some employers view ex-offenders and other individuals who have questionable backgrounds as high-risk and possibly untrustworthy workers. The Fidelity Bonding Program was created to assist certain at-risk, but qualified job seekers who have bonafide offers of employment.

A Fidelity Bond is a business insurance policy for employers that hire and employ certain at-risk job seekers. It is purchased to protect employers against loss due to employee dishonesty, including theft, forgery, larceny, and embezzlement.

• Bonds are issued up to $5000 for at-risk applicants and is at no cost to the employer, with no

 deductible.

• They serve as an incentive for employers to hire job seekers who might otherwise be denied

 employment.

• Fidelity bonding is free for a six-month period; after that, the employer can renew coverage

 through the regular commercial network. Renewals depend on a claim free bond during the

 initial six months.

At-risk applicants eligible for fidelity bonding services include the following:

• Ex-offenders, including individuals with records of arrest, probation, or any police record

• Individuals with poor credit histories, including bankruptcy

• Veterans dishonorably discharged from the military

• Individuals receiving public assistance

• Disadvantaged youth who lack a work history

• Anyone who cannot secure bonding through the regular commercial system

Applicants must be regularly employed working full time of 30 or more hours per week in a traditional ‘employer-employee’ relationship (not contract or self-employment).

**Documentation**

Quality documentation in WorkInTexas.com is critical to assess the status of a job posting. There should be a progression of information and services from the entering to the closing of a job posting. The job posting note is a universal form of communication for staff to use. Any staff member may post notes on a job posting.

Staff must have clear communication when documenting service in WIT. The information must be clear, concise and substantive to give the reader enough knowledge about service to the customer:

• Provide information on what you did and why. Avoid canned statements and phrases where

 the meaning is vague, such as “working the job posting” or “need status.”

• Avoid using abbreviations (e.g., IMVM or LM E/E to CBBCOB 100507) that may be unfamiliar

 to another person, including Board and other staff members from other local workforce

 boards.

• Keep the tone and language professional and avoid using notes as a means to criticize

 others. Remember, this is a public document and can is visible to anyone, including personnel

 from TWC or U.S. Department of Labor.

Also, the documentation should clearly:

• Describe who the staff spoke to about Workforce Solutions services

• Explain what the employer wants and needs

• Describe the action taken by staff to produce what the business wants and needs

• Reflect frequent, routine and timely contact with the customer

• Indicate either the next steps or the outcome/results/conclusion

**Hire Verification**

We will use any of two sources to verify hire information: first-hand testimony from the employer, which is the primary source of contact, or first-hand testimony from the job candidate. Referrals in WIT must be prior to the employment start date.

*Posting of Hires*

We give hire credit to the referral that resulted in the hire. When there are multiple referrals to the same employer for the same opening, we give hire credit to the most recent referral unless the staff knows the situation and is able to determine where credit is due.

* Post hires on all verified referrals, regardless if the referral is from your assigned career office(s) or not. The exceptions are:
	+ Hires resulting from your own referrals
	+ Hires on friends and/or relatives. *See your supervisor for instructions regarding these exceptions.*
* You cannot give hire credit on a job candidate when another staff has posted the hire from different job posting for the same employer.
* You can post the hire, if the job candidate has returned to work for the same employer **if** the job candidate has had intervening employment elsewhere **and** there is documented proof of intervening employment.

*Automatic Verification*

Some hire verifications do not require a contact to the employer when other information is known such as:

* Unemployment Insurance wage record information
* Direct correspondence from employer via email, fax or mail
* Online verification resource such as [www.theworknumber.com](http://www.theworknumber.com/)
* Texas Department of Public Safety’s website for security guard positions – [www.dps.state.tx.us](http://www.dps.state.tx.us/), if applicable

*UI Wage Record Information*

The following instructions explain how to view wage record information to determine if you can post a hire. Note -- **Referral in WIT must be prior to reported quarterly wages.**

* Log in to the TWC Mainframe (TPTX1)
* Tab down to the fourth selection in the left column, Wage Record Inquiry, and enter
* Type in the SSN and enter
* View wages from employer
	+ - **1**-16: first number indicates first quarter (January, February, March)
			* 2: second quarter (April, May, June)
			* 3: third quarter (July, August, September)
			* 4: fourth quarter (October, November, December)
		- 1-**16**: second number indicates the year (2016)
		- TWC Mainframe is DOS-based; hit the f8 key to page forward to the next page

*Delayed Verification*

Usually every quarter, the system will capture hires by connecting referrals in WIT (job candidates’ social security numbers) with employers (valid tax ID numbers) where employers have reported wages to TWC via their State tax account. The process is called **delayed verification** or *sweep.* The system may go back as far as 12 months to post hires on referrals. Occasionally, staff may find hires that were not picked up by the sweep.

***If the referral is more than 12 months old, WIT will not allow staff to post the hire.***

*Disallowing Hires*

It is the staff’s responsibility to obtain accurate hire information from either the employer or job candidate before posting hires in WorkInTexas. We must maintain the highest integrity with respect to information we place in our management information systems. When every attempt to contact both the employer and the job candidate at various times over a period of three days is unsuccessful, the hire credit must wait until the delayed verification sweep. Staff should not post hires if the following situation occurs:

* The referral is after the employment started date, and Staff backdated the referral to capture the hire
* The job candidate found the job on her own
* The job candidate has not started the job yet
* Staff did not post the referral in WIT and/or staff received hire information
* Hire credit belongs to another referral for the same employer and opening

Knowingly posting hires under these circumstances is unethical and violates the Code of Conduct. These discrepancies obscure pertinent data used by other public entities to determine fund allocation for program services. The staff’s supervisor will follow the appropriate disciplinary procedures when staff compromises these standards.

**Service to Multi-Location Employers**

Staff should use appropriate judgement when creating WIT accounts and documenting services to employers with multiple locations:

**Social Media Policy**

Intention

The intent of this policy is to describe how we use the text messaging service as a resource in efforts to achieve our ESD Vision to serve employers on their terms and to attract new talent to the Workforce Solutions system.

Purpose

The steps in this procedure will help staff increase the supply of available, qualified talent to help fill the demand from employers for open positions. When we refer the qualified candidates that employers need, more jobs get filled, and the local economy improves.

Policy

New talent, to help fill job openings, is recruited during hiring events, job fairs, career office visits or other activities when job seekers are invited to opt-in to the text messaging service which authorizes us to communicate with them via their smartphones. Opting into the text messaging service increases the speed of communication with qualified candidates and enables us to respond more swiftly to employers with open positions. Workforce Solutions branded posters are used at the events listed and in the career offices to invite job seekers to opt-in.

Procedures

• The Business Consultant Manager directs and manages the assignment of signs, activates

 campaigns, approves keywords and manages the list of job seekers who have opted in

• Business Consultants identify the service need and request a keyword for a new campaign.

 Keywords and campaigns help determine the results from specific events or career office

 locations

• Business Consultants ask for keywords using the Supply Requisition Order Form via

 SharePoint

• Requests are made with three days advanced notice of the event so that keywords for the

 posters can be prepared. Handwritten, non-laminated keyword labels are not permitted

• Business Consultants are responsible for the posters assigned to career offices they support,

 keyword labels they request, and their application and removal when the campaign or event

 is over or becomes inactive.

• Business Consultants maintain the posters issued to them for the offices they support and

 ensure that we adhere to the Workforce Solutions Marketing Standards and Guidelines

• The ESD Program Assistant manages the inventory of posters, tracks poster assignments,

 creates and distributes keyword labels and maintains the database of customers who have

 opted-in

• In some cases, staff other than Business Consultants are issued posters and keywords for

 specific events. All of these posters and keywords are to be returned to the ESD Program

 Assistant after the event

Glossary of Terms

• Keyword – a unique alpha/numeric code used to invite jobseekers to opt-in to the text

 messaging service by texting the code from their smartphone. The keyword is created by the

 ESD Program Assistant after approval from the Business Consultant Manager, and is printed

 on a label that is laminated and affixed to the text messaging poster for a specific event or

 campaign; example, ‘ready4work.'

Social Media Formats

• LinkedIn

• Twitter

• Facebook

• Pinterest

• Tap Tap Direct

• Other Online Tools

* SmartRecruiters
* Bullhorn