

Subject:	A Comprehensive Approach to Business Services
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Distribution:	Arapahoe/Douglas Works! Workforce Center Leadership and Employees

ALL MAY 2020 PGL REVISIONS ARE HIGHLIGHTED IN YELLOW

The Arapahoe/Douglas Workforce Board (ADWB) has designated Arapahoe/Douglas Works! as the provider of Career Services for WIOA Title I: Adult, Dislocated Worker and Young Adult programs, Title III: Wagner-Peyser, and Temporary Assistance for Needy Families (TANF).

CITATIONS/REFERENCES

- Title I of the Workforce Innovation and Opportunity Act (WIOA) of 2014, Section 134.
- WIOA Department of Labor-Only Final Rule (81 FR 56072, Aug. 19, 2016).
- Wagner-Peyser Act of 1933 as amended by Title III of WIOA.
- Policy Guidance Letter (PGL) #VET-2014-02, Priority of Services for Veterans and Eligible Spouses.
- PGL #WIOA-2016-02, WIOA One-Stop Partner Requirements and Access to Services.
- PGL# ADM-2002-03, Universal Access.
- PGL# ADM-2017-01, Employment Service Complaint System
- PGL# WP-2016-04, **Change 4**, A Comprehensive Approach to Business Services

PURPOSE

To establish guidance, processes and procedures in regards to service delivery to businesses, specifically:

- To institutionalize the mission and structure of the Colorado Business Services Team;
- To identify the 11 core services for employers statewide and establish tracking and reporting procedures for those core services;
- To provide procedures regarding the verification of employers who request access to Connecting Colorado;
- To provide procedures regarding job orders; and
- To delineate partner responsibilities;

BACKGROUND

In June 2011, business development services teams from local workforce areas across the state began a dialogue that evolved into the Statewide Business Services Alignment Initiative. This strategic effort sought to address gaps in serving businesses across all workforce programs. The vision of the initiative is "to provide seamless access to business development for all employers and produce positive economic return for business/industry and our communities."

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The Workforce Innovation and Opportunity Act of 2014 (WIOA) emphasizes business as a primary customer accessing services through one-stop centers. One-stop centers are responsible for identifying industry skill needs, identifying and implementing effective strategies to assist businesses, coordinating business services activities across one-stop partner programs, and delivering quality business services that assist businesses to recruit, retain, and develop talent. This policy recognizes the demand to align mandatory partnerships under WIOA, as well as the need to promote further alignment across local areas for the effective delivery of business services in Colorado.

The policy also outlines the key requirements that all business services staff will adhere to in order to deliver excellent customer service and achieve the vision of the Statewide Business Services Alignment Initiative. The first step in implementation of the Initiative is the creation of the Colorado Business Services Team.

POLICY/ACTION

A. Structure of Colorado Business Services Team

1. Mission and Objective

The mission of the Colorado Business Services Team is to provide seamless, rapid access to business services for all Colorado businesses resulting in positive economic returns for businesses, industries and our communities. The team is a “bottom-up” collaboration that relies on ideas and input from Business Services Staff across Colorado in developing processes and procedures to successfully serve employers.

2. Organizational Structure

The Colorado Business Services Team consists of an Executive Team and an advisory committee to support and advocate the work of local Business Development Representatives (BDRs) and WIOA required partners engaged in business services delivery.

The Executive Team is comprised of the Colorado Department of Labor and Employment (CDLE) Workforce Services Coordinator, the Director of the Colorado Urban Workforce Alliance (CUWA), a representative appointed by the Director of the Colorado Rural Workforce Consortium (CRWC), the Manager of **Business Relations** in the Division of Vocational Rehabilitation, and other WIOA-required partner representatives as appropriate. This team will serve as liaison between the **Business Leadership Team**, the Workforce Directors, CDLE Workforce Development Programs, and the Colorado Workforce Development Council. The Executive Team will convene on a regular basis.

A Business **Leadership Team (BLT)** serves to create and coordinate the implementation of an annual work plan for the Colorado Business Services Team. The annual plan will include **strategic objectives for business services** and must be submitted to the Workforce Directors and CDLE Workforce Development Programs for approval. Revisions to the annual plan will require approval of these two bodies. The **BLT** is comprised of the Executive Team, **business services managers**, and one Business Outreach Specialist from the Division of Vocational Rehabilitation. **As appropriate, the co-chairs of workgroups will be included.** The **BLT** will convene on a regular basis.

B. Core Business Services

There are eleven (11) core staff-assisted services offered to employers. **Attachment 1 of the corresponding PGL, Core Business Services Guide**, provides a detailed definition of the services, Connecting Colorado service codes, and the required service metrics.

1. Use of Facilities
2. Assessments
3. Business Education
4. Business Information
5. Hiring Events
6. Job Fairs
7. Job Orders/Postings
8. Labor Market Information
9. Rapid Response
10. Screening
11. Training and Retraining

C. Approval of Employers in Connecting Colorado

Data security, integrity, and accuracy of information in Connecting Colorado are a priority for the entire Workforce System. Foremost is the protection of personal information of Colorado job seekers. **Attachment 2 of the corresponding PGL, Employer Verification in Connecting Colorado Guide**, contains specific procedures on approval of employer accounts in Connecting Colorado.

1. Definitions

- a. **US Jobs Employers:** Employers that enter Connecting Colorado through third-party sources such as US.Jobs. Also referred to as Job Central employers, National Labor Exchange (NLX) employers, or Direct employers.
 - b. **Web-Entered Employers:** Employers that enter Connecting Colorado through independent self-registration on Connecting Colorado.
 - c. **Staff-Entered Employers:** Employers that enter Connecting Colorado through workforce center staff data entry.
2. As of February 1, 2017, new web-entered and staff-entered employer accounts must contain a Federal Employer Identification Number (FEIN), or a Social Security Number (SSN) for employers that do not have an FEIN.
 3. All pending web-entered employers must be verified prior to activation, and approved or refused following the process in **Attachment 2 of the corresponding PGL, Employer Verification in Connecting Colorado Guide**.
 - a. If the account is a duplicate, notify the employer and consolidate the accounts.
 - b. If unable to obtain or verify, note the reason in the Employer notes section.
 4. Employers are required to state if they pay Worker Compensation and Unemployment Insurance. Payment into Workers Compensation and Unemployment Insurance is required to help validate the legitimacy of an employer or job posting. Employers who do not pay Workers Compensation and Unemployment Insurance cannot post unsubsidized jobs in Connecting Colorado.

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5. **Provisional Employer Accounts (Inactive):** For employers who do not currently have job orders that can be posted in Connecting Colorado, but are currently receiving services from the Workforce System, staff will create an inactive employer account for the business. This account will not allow jobs to be posted, but will allow storing services. Staff may decide to activate the provisional account for job postings at a later date. Services provided to an employer without a FEIN in the account will not count in federal performance reporting.

D. Approval of Job Orders

See **Attachment 3 of the corresponding PGL, Job Orders Guide**, for a comprehensive resource on job orders.

E. Partner Responsibilities

1. Connecting Colorado Access

- a. All required one-stop partners that engage with businesses may be granted staff access to Connecting Colorado, to facilitate business partnerships and information-sharing. The list of one-stop partners is located in PGL WIOA-2016-02, WIOA One-Stop Partner Requirements and Access to Services.
- b. Local areas are responsible for granting access to the one-stop partners in their area and providing training as needed, including providing this policy and requiring partners to follow it.

2. Memorandums of Understanding (MOUs)

- a. All local areas and partners should act in accordance with local MOUs required under WIOA.
- b. Connecting Colorado access may be addressed in local MOUs or in separate data sharing agreements. If access is addressed, it must include the level of access to Connecting Colorado, procedures for requesting access, procedures for notifying the local area when staff access should be terminated, and data confidentiality.

F. Business Services in WIOA

WIOA emphasizes business as a primary customer accessing services through one-stop centers. There are a number of career services in WIOA that may be delivered by business services staff (see **Attachment 4 of the corresponding PGL** for a complete list of allowable activities). Sector partnerships are one key strategy for engaging business at one table with other WIOA core partners, as well as other education and economic development partners.

G. Local Policy Requirements

1. Trusting and “Un-trusting” Employer Accounts into Connecting Colorado

An employer account in Connecting Colorado can be Trusted if:

- An employer enters into Connecting Colorado through an outside entity, i.e. US Jobs and meets the minimum job requirements listed in this policy; or
- A web employer that meets the minimum job requirements and has also established a relationship with the Business Services team. The employer should have a clear understanding of job posting requirements and expectations, and also has a pattern of posting frequently and in high volume.

The minimum job requirements include:

- a. Job orders that do not guarantee minimum wage will not be posted. If a wage is not identified in the job order, it is encouraged that workforce centers attempt to verify the wage. If verification of minimum wage is not attainable, the job may still be posted.
- b. Job orders that identify a fee for placement will not be posted.
- c. Job orders that do not identify an employer-employee relationship will not be posted.
- d. Jobs that are not bona fide will not be posted.
- e. Jobs that pre-designate applicants, with the exception of a job requiring a bona fide occupational qualification (BFOQ), will not be posted. (Wagner-Peyser regulations define a BFOQ to mean that an employment decision or request relating to age, sex, national origin, or religion is based on a finding that such a characteristic is necessary to the individual's ability to perform the job in question.)
- f. Jobs that are discriminatory or are in violation of the law will not be posted.
- g. Jobs that are attached to a labor dispute will not be posted.
- h. Jobs that identify a requirement to be a member of or a non-member of a labor union will not be posted.

2. Untrusting an Employer

If a trusted employer's job orders become compromised, Arapahoe/Douglas Works! will untrust the employer's account and notify Supervisor and/or Manager to discuss account, job order issue and decide if further actions are needed.

If a trusted account shows patterns of inappropriate postings or misuse of the system, Arapahoe/Douglas Works! will first attempt to resolve the issue with the employer and notify the employer if it has been decided to untrust the account. Notes should be made in the employer's record describing outcomes.

ATTACHMENTS:

Corresponding PGL attachments cover procedures and do not require board approval to update:

1. Core Business Services Guide
2. Employer Verification in Connecting Colorado Guide (REVISED)
3. Job Orders Guide (REVISED)
4. Allowable Career Services for Employers under WIOA Final Rule
5. Fraudulent Employer Intrusion in Connecting Colorado Procedure (revised in January 2019)

Only the Arapahoe/Douglas Works! Division Manager and/or the Workforce Center Administrator may grant exceptions to provisions within this policy.

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