# Employment Services Manual

SC Department of Employment and Workforce

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# Overview of Manual

**PURPOSE**

The purpose of this manual is to:
- Provide information about Employment Services (ES) policies and procedures; and
- Highlight how ES supports the primary mission of the Department of Employment and Workforce (DEW) and the local workforce system.

**OBJECTIVES**

The objectives of this manual are to:
- Establish a comprehensive resource for ES information and operational guidance for service delivery;
- Communicate expectations for program design and service delivery; and
- Ensure a consistent level of service.

**OVERVIEW**

The Wagner-Peyser (WP) program administered by DEW is governed by the Wagner-Peyser Act of 1933, which was amended by the Workforce Innovation and Opportunity Act (WIOA) in July 2014. WIOA represents the first legislative reform of the public workforce system in more than 15 years, replacing the Workforce Investment Act of 1998. In addition to the WP Act, it retains and amends the Adult Education and Family Literacy Act and the Rehabilitation Act of 1973. WIOA coordinates the four core programs of Federal investment in skill development, which includes employment and training services for adults, dislocated workers, and youth and WP employment services, administered by the Department of Labor (DOL), as well as adult education and literacy programs and Vocational Rehabilitation state grant programs that assist individuals with disabilities in obtaining employment, both administered by the Department of Education (ED).

WIOA identifies the following entities as required partners in the workforce system:

1. WIOA Title I. B: Adults, Dislocated Workers ,and Youth programs
2. Adult Education and Family Literacy Act (AEFLA) program
3. Wagner-Peyser Employment Service program
4. Vocational Rehabilitation and other Rehabilitation Programs for Individuals with Disabilities
5. Senior Community Service Employment Program (SCSEP)
6. Job Corps
7. Native American programs
8. Migrant Seasonal Farmworker (MSFW) programs

9.  Jobs for Veterans State Grants (JVSG) programs
10. Youth Build
11. Trade Adjustment Assistance (TAA)
12. Community Services Block Grant (CSBG) employment and training activities
13. Housing and Urban Development (HUD) employment and training activities
14. Unemployment Compensation
15. Second Chance programs
16. Perkins Career & Technical Education programs at the postsecondary level
17. Temporary Assistance for Needy Families (TANF)

The basic purpose of employment service programs is to improve the functioning of the labor market by bringing together individuals who are seeking employment and employers who are seeking workers. DEW, in partnership with SC Works, provides jobseekers with career guidance, job referrals, assessments, and resume assistance. Free tools to assist employers include posting job openings, recruiting and screening candidates, and reviewing job market trends. South Carolina's 12 Workforce Development Boards administer the SC Works centers throughout the state. The twelve areas are:
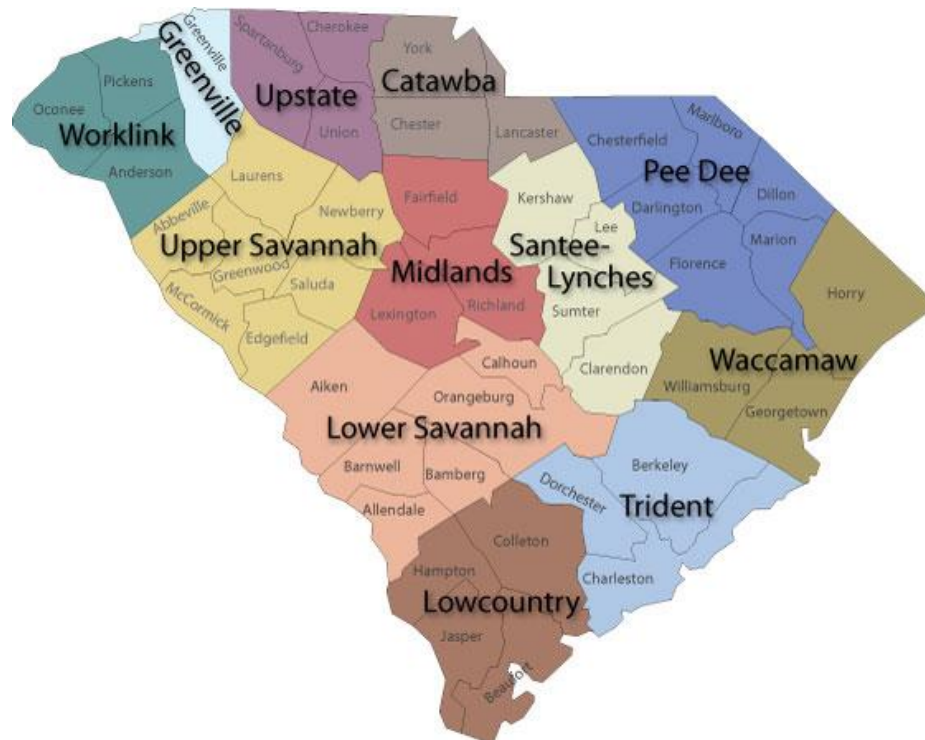


With centers located throughout the state, employment representatives are available to help both employers and jobseekers find the best resources and services to meet their needs.

**Workforce System Organization**
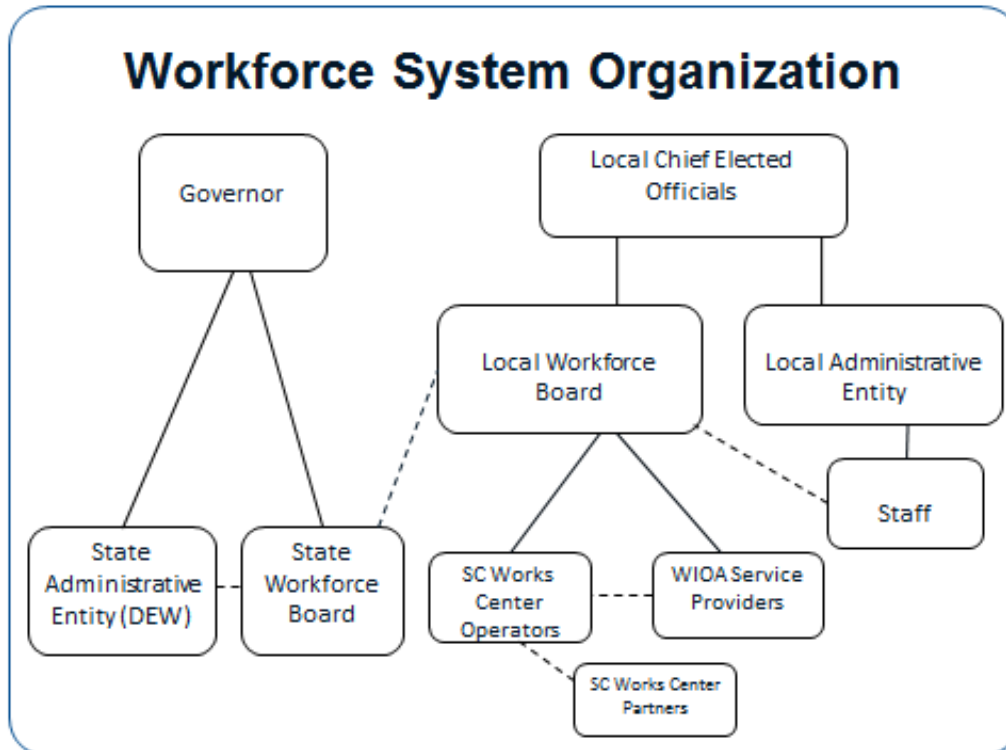
The Workforce and Economic Development (WED) Division at DEW is responsible for the administration and operation of the WP, TAA, JVSG, and MSFW programs and focuses on providing a variety of employment-related services, including:

- Job search assistance, job referral, and placement assistance for job seekers;
- Reemployment services for Unemployment Insurance (UI) claimants;
- Recruitment services for employers with job openings;
- Assist employers in filling jobs by recruiting, screening, and referring qualified job seekers that meet job requirements;
- Assist job seekers in finding employment for which they are qualified, in order to provide them long-term employment stability and earnings potential;
- Facilitate job matching between employers and job seekers;
- Ensure UI claimants meet the work test requirement by registering with the state ES system;
- Provide information regarding labor market conditions; and
- Address, or assist in addressing, labor issues in regard to state and federal laws.

Depending on the needs of the job seekers, other services may also be available, such as:

- Assessment of skill levels, abilities, and aptitudes;
- Career guidance;
- Job search workshops;
- Referral to training; and
- Referral to other partner programs and services, as appropriate.

Business services include:
- referring job seekers to available job openings;
- Assisting in the development of job postings;
- Matching job seekers with job requirements, skills, and other attributes;
- Assisting employers with special recruitment needs;
- Arranging job fairs;
- Assisting employers with analyzing hard-to-fill jobs; and
- Helping employers with layoffs.

**DEW Staff Descriptions**

Comprehensive SC Works centers, along with satellite centers, house much of the WED staff directly providing services to the public. High-quality SC Works centers should always reflect a welcoming environment to all customer groups served by the workforce system. All SC Works center staff should be courteous, polite, responsive, and helpful to job seekers, businesses, and others who have contact with the centers, whether in person, by telephone or electronically. Moreover, SC Works center staff is sensitive to the unique needs of individuals with disabilities and are prepared to provide the necessary accommodations. All frontline staff should be highly familiar with the functions and basic eligibility requirements of each program, and should assist customers and make knowledgeable referrals to partner programs, as appropriate. The WED local area staff generally consists of the following positions:
- **Regional Manager**: Responsible for managing the DEW staff in all comprehensive and satellite centers in their assigned region. The twelve managers report directly to the two Area Directors.
- **Workforce Consultant:** Provides intensive case management and career planning activities to identify barriers to employment and develop solutions for TAA and WP participants. Educates individuals regarding SC Works programs, policies, and services.
- **Business Consultant:** Provides consistent and effective services to businesses that demonstrate clear connections between workforce development activities and employer needs. Markets and promotes the services offered through the SC Works center.
- **Workforce Specialist:** Delivers a broad range of frontline services to assist individuals in resolving barriers to employment and increasing skills in order to obtain or maintain employment. Educates individuals regarding SC Works programs, policies, and services and makes referrals as appropriate.
- **Veterans Business Consultant-Local Veterans' Employment Representative (LVER):** Provides consistent and effective services to businesses on behalf of veterans that demonstrate clear connections between workforce development activities and employer's needs. Markets and promotes the services offered through the SC Works center.
- **Veterans Workforce Consultant-Disabled Veterans' Outreach Program (DVOP):** Conducts case management and career planning activities for disabled veterans

to identify barriers to employment and develop solutions for customers. Educates individuals regarding SC Works programs, policies, and services.
- **Rural Manpower Coordinator:** Provides extensive outreach to and maintains contact with agricultural employers to assist with any hiring needs, including guidance for compliance with federal and state laws and procedures.
- **Migrant and Seasonal Farmworker (MSFW) Workforce Specialist:** Identifies and contacts farmworkers who are not being reached through everyday services at local SC Works centers to provide quality employment services and referrals.

**Local Board Staff Responsibilities**

Local Workforce Development Boards (LWDBs) are responsible for the SC Works centers and are represented in the areas by Workforce Administrators and in the centers by SC Works Operators. DEW is represented in the centers by Area Directors and Regional Managers. Many of the programs and activities in a center are administered, managed, and staffed by partner agencies, the majority of which are through DEW. Local area and DEW leadership must collaborate at the local level to provide a seamless delivery of programs and services to all stakeholders as unified partners. Workforce Administrators, center Operators and DEW Regional Managers must work together on operational issues within their local area to ensure efficient and effective delivery of services. Workforce Administrators should contact State Workforce staff for all programmatic issues. Operators should communicate directly with DEW Regional Managers concerning center coordination of DEW Staff.

**Communication and collaboration among all members of the leadership team is imperative to the successful operation of the SC Works centers. It is recommended that there be regularly scheduled meetings between the local area and DEW leadership, as well as regular briefings for all center staff.**

The responsibilities of the SC Works center Operator include, but are not limited to, the following activities:
- Schedule partner and other meetings and maintain minutes;
- In collaboration with the DEW Regional manager, organize and maintain a schedule for staffing for the SC Works center;
- Receive and respond to internal and external center-related inquiries;
- Facilitate center operations training for all staff as needed;
- Monitor and track services provided in the center;
- Identify and facilitate timely resolution of problems, customer complaints, and other issues regarding staff;
- Coordinate and facilitate implementation of the SC Works certification standards;
- Work closely with the DEW Regional Manager to increase communication in order to facilitate efficient and effective operations; and
- Collaborate with the DEW Regional Manager on approval and submittal of center reports and addendums, as required.

The responsibilities of the DEW Regional Manager include, but are not limited to, the following activities:

- Make recommendations for hires, disciplinary actions, and/or terminations of DEW staff;
- Conduct performance appraisals for DEW staff;
- Approve DEW staff schedules, time accounting, vacation, and other leave requests;
- Approve DEW staff travel requests and reimbursements;
- Receive and respond to internal and external center-related inquiries regarding DEW programs;
- Facilitate staff training for DEW programs, as needed;
- Report all incidents (e.g. security, injury, etc.) to the SC Works Operator;
- Assist the Operator with implementation of the SC Works center certification standards;
- Work closely with the SC Works Operator to increase communication  in order to facilitate efficient and effective operations; and
- Collaborate with the Operator on approval and submittal of center reports and addendums, as required.

**SC Works Online Services (SCWOS)**

SCWOS is South Carolina's comprehensive job search tool that helps employers and job seekers connect through the Internet. Employers and job seekers can register online, browse applicants or job openings, and request matches against job postings and work registrations. SCWOS is also the case management system for the Adult, DW, and Youth programs, as well as the TAA and WP programs. All SCWOS features are free and include the following:

- Online self-registration;
- Resume creation;
- Online job posting and matching;
- Ability to browse jobs or applicants and contact matches for both;
- Access to current labor market information;
- Access to career tools and training resources; and
- Access to job openings spidered from other websites.

**CHANGES TO CONTENT**

DEW maintains the ES Manual in [SCWOS](#) under Staff Resources and in the [DEW Policy Center](#) for DEW employees. Updates to the manual will be issued through memos, which will indicate that the guide has been revised to incorporate new information. Part V of the manual will contain the revisions, section and date revised, and a brief explanation of each. Additionally, state policy and technical guidance is available on the [State Policy and Technical Guidance](#) page in scworks.org.

# Relevant State Instruction(s) to Overview:

State Instruction Number 11-11, Change 1: SC Works Center Leadership Team Roles, Responsibilities, and Functional Supervision

State Instruction Number 16-03: Changes to SCWOS Terms and Conditions

# PART I:
# Employer Services

# 1   Services to Employers

WIOA requires that employer services be an integral component of the local workforce system.  Employer services provided through the SC Works system include:

- Outreach to promote the use of SC Works facilities and services;
- Entry, review, and maintenance of job postings in SCWOS;
- Referrals of qualified candidates for job openings;
- Specialized testing;
- SCWOS technical assistance;
- Recruitment assistance, including job fairs;
- Information on employment-related issues;
- Training services for new and incumbent workers;
- Job profiling;
- Layoff aversion services;
- Rapid response to layoffs and business closures;
- Labor market data;
- Federal bonding; and
- Work Opportunity Tax Credit (WOTC).

The role of the SC Works system is to deliver high quality services to job seeker and business customers that improve the employment outcomes for both groups.  Employer registration in SCWOS is a key step in meeting the hiring needs of businesses and finding authentic employment opportunities for job seekers.

An _employer_ is recognized as a person, firm, corporation, or other association or organization that is located in the United States and;

- Proposes to employ a worker within the United States;
- Hires, pays, fires, supervises and otherwise controls the employee's work, and when applicable thresholds are met, withholds and submits quarterly payroll taxes; and
- Issues (or intends to issue) IRS form W-2 showing the employee's wages, tips and other compensation earned, and taxes withheld while the employee is employed by the employer.

***Note: Independent contractors who issue IRS form 1099 rather than IRS form W-2 do not meet the definition of an employer as stated above and therefore, should not have job postings in SCWOS.***

DEW and other partners of the SC Works system have an obligation to the job seekers who use the system to ensure that promoted employment opportunities represent legitimate job openings.  The employer validation process is one of the safeguards that helps assure the integrity of the system.  SC Works is also responsible for tracking Employer Services Metrics, as required by the SWDB and DOL. Employers who wish to

receive any services, including but not limited to, WP, WIOA, job profiling, participation in job fairs and other hiring events, and other business services provided through the SC Works system, must be registered and approved in SCWOS. Failure to do so could expose customers to fraudulent data and result in liability for SC Works system partners. Allowing businesses to participate in and receive SC Works services without being fully registered in SCWOS also prevents reporting tools from accurately reflecting staff efforts in serving the business community.

The employer registration requirement in SCWOS may be waived for job fairs and other hiring events in response to mass layoffs and closure actions. Waivers must be authorized at the state level and will be communicated to the local workforce area(s). Any local requests for a waiver must be submitted to DEW Workforce Support. Noncompliance with this policy may be cause for corrective action, up to and including revocation of SCWOS privileges.

## 1.1    Employer Services and the CRM Module

Employer engagement is defined as an in-person consultation with a business not fully registered in SCWOS to promote the range of services available through SC Works. To accurately capture performance data on the effectiveness of services delivered to the business community, all employer outreach and support must be recorded in the Customer Relationship Management (CRM) module in SCWOS. The module permits spidered or unregistered employers to be converted to marketing leads using a mini-registration that collects only enough data to log and record services. This allows all employer engagement efforts to be tracked unilaterally, regardless of registration status in SCWOS.

An in-person consultation is a face-to-face meeting with a new business (i.e. does not have an existing account in SCWOS) to promote and discuss the range of services available through the SC Works system. Consultations must be with a company representative that has hiring authority. Large group meetings, such as Chamber events where employer services are presented to qualified representatives, are included in this definition.

All phone call, site visit (leaving informational packets and/or business cards with a company to initiate engagement), webinar/demo, research, email, and mail work items do not meet the definition of an in-person consultation as described above and are excluded from metrics on the effectiveness of serving employers.

To ensure that the employer does not already have an account in SCWOS, staff must search for employers by using proper keyword terms, including the name of the company, different abbreviations of the company's name, or a Federal Employer Identification Number (FEIN). Staff may also search using contact names, phone

numbers or email addresses. It is imperative to conduct a thorough search in order to prevent the establishment of an unnecessary new account. Requests to merge duplicate accounts should be sent to the Business Intelligence staff at scwosadmin@dew.sc.gov.

The CRM module allows employers to be added to the system directly by designated staff while maintaining the security and integrity of the system. There are two types of employer accounts in the CRM module:

- Marketing Lead
  - ➢ A Marketing Lead is an account type that identifies potential recruiting employers that are not yet ready to utilize SC Works services. This account type is used to capture basic company information for marketing purposes, but the employer cannot access recruitment tools.
- Recruiting
  - ➢ Recruiting accounts provide full access to labor exchange functions such as managing job orders, reviewing candidate resumes, and managing virtual recruiter alerts. However, recruiting accounts must be verified at the state level prior to becoming an enabled employer account.

Staff is encouraged to provide a high level of customer service by entering Recruiting accounts on behalf of employers when possible. Once a Marketing Lead employer is ready to utilize SC Works services and complete a full registration, staff must convert the Marketing Lead to a Recruiting account in SCWOS to initiate the verification process as described in section 1.2.

Work items are used to monitor outreach efforts and ensure accountability among staff. Therefore, it is imperative that staff document all recruitment tasks accurately as a work item in the CRM module. Relevant and specific details of each contact should be included in the description section of the work item to reduce duplication of effort by business services staff.

## 1.2 Employer Access and Verification Process

Employers may establish an account in SCWOS without staff assistance for the purpose of posting employment opportunities and receiving applicant self-referrals and staff-assisted referrals of qualified applicants. When a SCWOS employer registration is received, DEW will review the registration information and take reasonable steps to determine if the registrant is a verified employer. These steps may include, but are not limited to:

- Corresponding with the registrant by telephone or e-mail;
- Reviewing the registrant company's website, using various Internet search systems to corroborate the information given in the registration; and

- Cross-referencing the Federal Employer Identification Number (FEIN) and/or South Carolina UI tax account information provided in the registration with existing DEW records or similar state system for out-of-state employers.

Registrant information to be verified will include:
- FEIN or Social Security Number (SSN);
- SC UI tax account number;
- company telephone number, address, corporate address if applicable; and
- Human Resources contact name, telephone number, and email address.

This review is conducted at the State level and will usually be accomplished within three (3) to five (5) business days of receiving the registration. The employer will be notified via email or postal mail. Staff can view a list of newly verified employer accounts in SCWOS under employer reports.

### 1.2.1 Federal Employer Identification Number versus Social Security Number

Generally, an employer account requires entry of the FEIN; however, there are two exceptions to this rule:
- If an employer operates a business as a sole proprietor or is employing individuals to work in his/her household, the SSN can be used; or
- If a new business is in the process of obtaining a FEIN, the employer's SSN may be used temporarily, with the expectation that the employer will update the account to provide the FEIN when it is obtained.

### 1.2.2 Third Parties acting on the Employer's Behalf

Third parties acting on the employer's behalf should register the account in the employer's name and:
- use the employer's FEIN, South Carolina UI account number, and mailing address;
- show the third-party as the primary contact; and
- include the employer's contact name, address, phone number, and email address as an additional contact.

An account created by a third party will not be established without the employer's written consent. Use of a third party does not relieve the employer from its responsibility of ensuring the account will be used appropriately.

### 1.2.3 Verification of Employer Contacts

With the enabling of an employer account, authorized contacts are established with at

least one primary contact. If an employer contacts staff for assistance with an existing employer account, staff must first verify that the individual is a designated contact with authority to act on behalf of the employer. A case note must be entered detailing the verification process and employer contact.
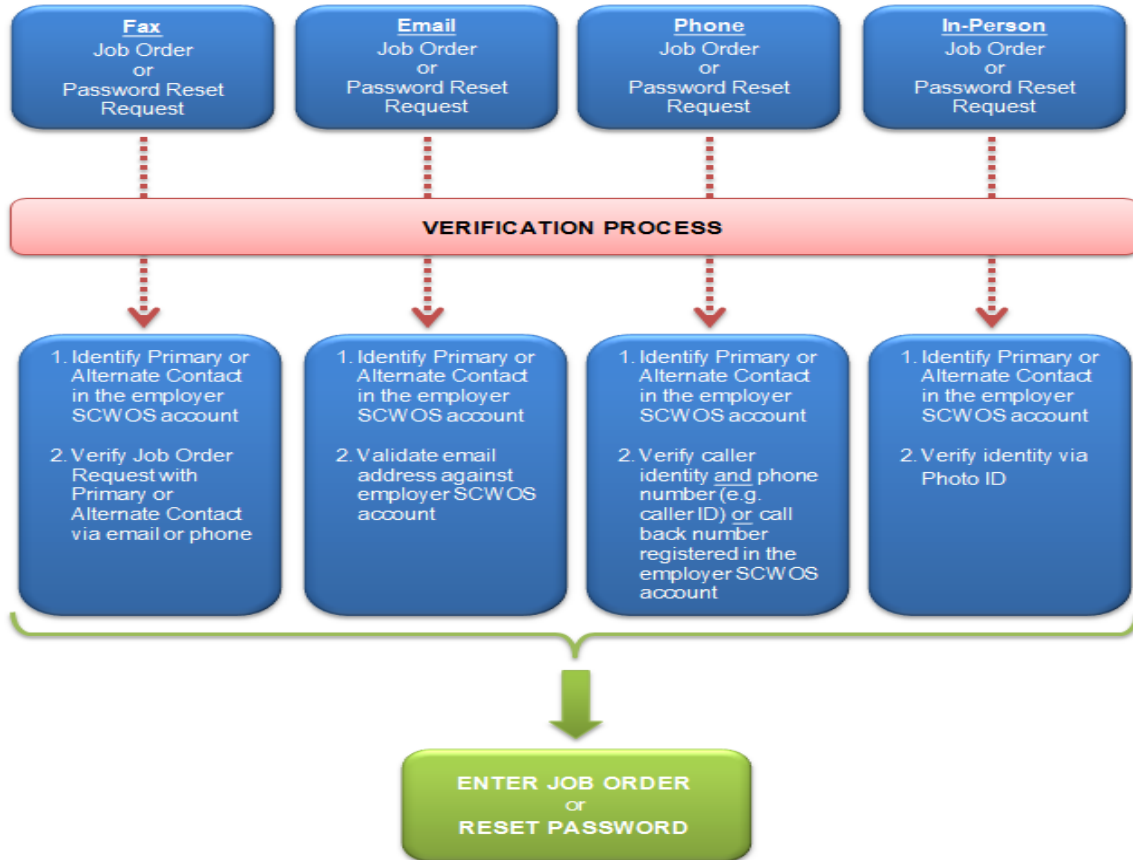


### 1.2.4  Changing Employer Contacts

Prior to providing employers with assistance in adding or removing contacts to their account, SC Works staff must first verify that the new contact is a representative of the employer, authorized to act on their behalf. When employers seek staff assistance in modifying the contact(s) in their account by adding an Additional Contact, SC Works staff must verify with the Primary Contact on record prior to making any additions. If the employer is asking that a new Primary Contact be listed in the account, SC Works staff must change the status of the account to pending and forward the request to Employerassist@dew.sc.gov for state staff to verify the contact.  Upon approval, state staff will email local staff when they may proceed with providing additional assistance to the new primary contact.

### 1.2.5 Locking Employer Accounts

SC Works center staff will provide employment services to all employers, consistent with federal and state laws, regulations, and policies. Employers may be denied use of SCWOS for illegal or prohibited activities. All business services will be discontinued to employers who misuse them until such time as the prohibited activity is corrected or has ended. Employers are notified through SCWOS of pending discontinuance of services. Employer accounts should be placed in "Locked Out" status if:

- an account can no longer be positively identified as a legitimate business during a Pending Verification for continuance of staff assistance;
- the account is believed to have been hacked or compromised; or
- it is determined that an employer has violated the SCWOS Terms and Conditions or EEOC guidelines.

## 1.3 Job Orders

A job order is an online record of an employer's requirement for filling a vacant position. It must contain the qualifications a worker must have to successfully perform a job, any specific hiring requirements, pay and benefit information for the job, and referral instructions. A job order must not contain:

- any wording that is sexually explicit, obscene, libelous, defamatory, threatening, harassing, abusive, or hateful; or that is embarrassing or offensive to another person or entity;
- requests for personal services implying or requiring sexual or any other illegal activity; or
- any discriminatory language.

Additionally, staff must remove any job listing that:

- seeks to fill a position involved in a labor dispute, including filling a vacancy caused by a worker on strike, or for the purpose of picketing an employer involved in a labor dispute;
- would require a job seeker to pay a fee to be referred to an employer;
- would require a monetary investment by the job seeker;
- is posted when there is no immediate vacancy;
- requires the job seeker to perform an illegal activity;
- contains explicit sexual or vulgar language;
- indicates that the job seeker will not be paid according to the state's minimum wage laws;
- indicates the job seeker will not receive overtime pay for working over 40 hours in any week, unless the position is considered exempt;
- contains discriminatory specifications that would exclude applicants based on race, color, religion, national origin, sex, or age;

- asks job seekers to report to an address that is not a normal place of business, such as a hotel or motel room; or
- requires the applicant to attend unpaid training.

Employers must provide equal employment opportunities without regard to race, color, religion, gender, age, national origin or disabilities in compliance with federal and state laws and amendments including the Civil Rights Act of 1964 (as amended by the Equal Employment Opportunity Act of 1972), the Age Discrimination Act of 1967, the Rehabilitation Act of 1973, the Vietnam Era Veterans Readjustment Act of 1974 (as amended), the Americans with Disabilities Act of 1990, and the Wagner-Peyser Act.

During a labor dispute, such as a strike or employee lockout, no job posting should be accepted and no job referral will be made directly or indirectly to fill a job opening that is at issue in the labor dispute. Staff must not accept or work existing job postings from temporary staffing companies or staff leasing companies for positions at issue in a labor dispute. SCWOS may not be used as a service to recruit replacement workers in a labor dispute.

### 1.3.1 Posting and Reviewing a New Job Order

Employers may enter a job order at any time after submitting the account registration; however, the account must be verified and approved at the state level before job orders display to the general public. Employers may also request staff to enter job orders on their behalf; however staff must first verify that the individual is a representative of the employer with the authority to recruit on behalf of the company. Upon receipt of a job order, designated SC Works staff must:
- review the posting for clarity and completeness;
- make minor technical adjustments or edits as needed for the job order to display properly;
- contact the employer to review the recruitment plan and/or changes to the job order to ensure compliance with all federal and state laws, regulations, and policies;
- match the job order against qualified Veterans in SCWOS and notify Veterans about the opportunity, as required by the Veteran's Priority of Service policy;
- match the job order against qualified general public individuals in SCWOS and notify them about the opportunity upon expiration of the Veteran holding period as described in section 2.5.1; and
- refer qualified candidates per the employer's instructions in the job order.

*Note: Several options are available for employers who want to prevent the primary and additional contact names and phone numbers from displaying to the job seeker.*
*Staff will assist in helping the employer determine which option(s) will best meet the employer's needs.*

The review of an employer-posted job order in SCWOS is conducted by Business Consultants to identify deficiencies and ensure the employer and jobseeker can be matched appropriately. It is the responsibility of the Business Consultants to correct orders that do not follow the SCWOS standards for job postings. Requirements for the job must be clearly stated and the process of applying must be clearly defined. State level staff closely monitor job orders marked as "reviewed" by local staff for consistency in ensuring guidelines are followed as directed.

### 1.3.2 Job Order Timeline

New job orders display only to veterans for a period of 24 to 36 hours, depending on the time of day the job order is entered. During this time, the job order will be displayed as "On Vet Hold" in order for staff to refer qualified veterans to the position on a priority basis. The job order will be opened to the general public after the holding period has expired.

The default setting for displaying job orders is 90 days, including the 24 to 36 hour Vet Hold. Employers may adjust the dates for less than 90 days of display, if desired.

Employers posting jobs for Foreign Labor Certification (FLC) visas are required to recruit for the specified time outlined by DOL. Program requirements, summarized below, are subject to change and exemptions may apply in certain cases.

| Permanent and H1B Specialty Workers | H-2A Agricultural Guest Worker Program | H-2B Non-agricultural Guest Worker Program |
|---|---|---|
| Post/recruit for 30 consecutive days | Post/recruit for 50% of the contract period | Post/recruit for 10 consecutive days |

### 1.3.3 SCWOS Employer Services Alerts

In order to better manage employer services, business services staff has access to alerts in SCWOS that can be set as reminders for required actions on employer and job order profiles, including:

- **Employer Profile**
  - Employer changed General Profile Information;
  - Employer changed Worksite Profile Information;
  - Employer changed Contact Information;
  - Employer Created Job Order by Assigned Case Manager; and
  - Employer Referral to Job Order by Assigned Case Manager.

- **Job Order**
    - Job Orders about to Expire; and
    - Employer Posted/Modified a Job Order.

### 1.3.4   Special Types of Job Postings

Hidden Jobs

Rather than going through the process of listing a job and interviewing numerous applicants before choosing one candidate, many managers prefer to either hire someone from within the company or to hire someone through their personal network of contacts. Unlisted jobs like this are called "hidden" jobs, because a person looking for work may never even know they exist. This seems unfair to many people, but most employers are legally within their rights to hire without listing the position.

Phantom Jobs

Even though most companies are not required to list a job if they already know who they want to hire, many companies are cautious about taking this approach. A policy of hiring  internally or through personal contacts can be used to cover up a pattern of discrimination, and the company would have a hard time proving it didn't discriminate when it made no attempt to reach out to qualified minority candidates. To protect against this risk, some companies have a policy of listing every job opening even when they've already decided on a certain candidate. These jobs are called "phantom" jobs, because even though the job opening is listed publicly the job is actually not available.

Federal Regulations

Federal requirements to post job listings only apply to contractors who do at least $100,000 of business per year with the federal government. Contractors covered by the regulations are required to post their job openings with state and local job banks so those organizations can let qualified veterans and individuals with disabilities know about the job opening. The regulation exempts any executive or high-level managerial positions, any temporary jobs lasting three days or less and any internal hires. Its purpose is to ensure that qualified veterans receive access to more job opportunities. However, since it doesn't apply to internal hires it only prevents contractors from hiring personal contacts without listing the position.

Covered Entities

In some cases, a particular workplace may be required to post a job listing even though it doesn't do any business with the federal government. If another division of the same company is covered by the regulations, all divisions must comply even if they don't have any operations in common. The same is true if another company with overlapping directors, officers or owners does enough business with the federal government to come under the regulations.

Private/Temporary Employment Agencies

Staff may refer job seekers to private employment agencies. However, staff must advise job seekers who are referred to these job postings, including UI claimants, that the positions are being filled through a staffing company. DEW must ensure that job postings from staffing companies are accepted only if the staffing company:

- is a valid employer;
- has a current and available job vacancy with the client/employer; and
- does not charge the job seeker a fee to secure or keep the job.

## 1.4 Job Order Referrals

After an employer enters a job order in SCWOS, the process of referring qualified candidates to the employer should begin immediately. Job seekers registered in SCWOS are the primary source for qualified candidates. SC Works staff must adhere to the following guidelines for the referral and placement process:

- Give eligible Veterans priority over all other equally qualified individuals in the receipt of services funded in whole or in part by DOL. This process is also automated in SCWOS during the 24-36 hour Vet Hold;
- Do not extend referral preference to any job seeker or group of job seekers, except in accordance with legal requirements, such as the veterans' priority of service provision;
- Ensure that only job seekers suitably qualified for job openings are referred to employers. Referring an unqualified job seeker to an employer is a disservice to both the employer and the job seeker. Failure to screen job seekers according to the employer's specifications results in the loss of the employer's confidence and will eventually compel the employer to seek assistance elsewhere;
- Do not recruit for a position where the services to be performed or the terms or conditions of employment violate federal or state law. Such postings should be removed and the account put on hold while the employer is contacted by local staff to ensure a similar job order is not posted in the future;
- Search for job seekers with occupational experience similar to that of the job posting. If this approach fails, extend the search to include related occupations;
- When possible, refer job seekers to job postings that use their highest skills; and
- Discuss the job opening with the job seeker to ensure the terms and conditions of the job are acceptable prior to making the referral. Enter all job posting contacts and referrals in SCWOS at the time the referral is made.

### 1.4.1 Self-Referral Process

A job seeker can submit a self-referral without the direct aid of SC Works staff by selecting the "Apply" button at the bottom of the job posting.  The referral then enters

the SCWOS "Queue" for staff to review within 24 hours and verify that the job seeker is qualified for the job as outlined by the employer. If qualified, staff approves the referral and the job seeker receives a referral notice explaining the remaining steps to apply for the position. The job seeker receives a generic message if he or she is not qualified for the position. To access to the self-referral Queue, select the following in SCWOS:

- Manage Labor Exchange
- Referrals Pending Review
- Select LWDA
- Select SC Works location
- Search

## 1.5   Rapid Response

Rapid Response represents the immediate effort by federal, state, and local officials to help workers return to work as quickly as possible after an employer downsizing or closing event. Staff makes employees aware of the different services available to workers upon a layoff, including information on the process of petitioning for certification under the TAA program. These information sessions are often held onsite at the business facing layoffs.

Rapid Response activities begin by having an initial meeting with the company management staff. If the company is unionized, it is very important and beneficial that the employee representative also attend the initial meeting. Information such as the anticipated layoff schedule and employee demographic data, as well as reemployment services, unemployment benefits, and retraining programs are shared during this meeting. Upon conclusion of this meeting, a schedule is agreed upon whereby the Rapid Response Team can share the same information with the affected workers on site before the first layoff is expected to occur. This meeting is referred to as the "Employee Group Orientation Session."

Early intervention helps affected workers make informed decisions concerning their future. Providing workers information and adjustment/re-employment services before layoffs also generates a more positive attitude toward employers. It better maintains production levels as well. Pre-layoff meetings benefit employers, employees, the workforce system, and community at large, ensuring a smoother transition and better re-employment success for layoff-affected employees and families.

## 1.6    Foreign Labor Certifications

Hiring foreign workers for employment in the U.S. normally requires approval from several government agencies. For WED purposes, all foreign labor issues are handled at the State level, not local SC Works centers. The employer's request for labor

certification is processed by DOL. Currently the only program DEW is directly involved with is the H-2A, temporary agricultural program. The H-2A program allows agricultural employers who anticipate a shortage of domestic workers to bring nonimmigrant foreign workers to the U.S. to perform agricultural labor or services of a temporary or seasonal nature. Employment is of a seasonal nature when it is tied to a certain time of year by an event or pattern, such as a short annual growing cycle, and requires labor levels above what is necessary for ongoing operations. Employment is of a temporary nature when the employer's need to fill the position with a temporary worker will, except in extraordinary circumstances, last no longer than one year. DOL must determine that:

- There are not a sufficient number of able, willing, and qualified U.S. workers available to perform the temporary and seasonal agricultural employment for which nonimmigrant foreign workers are being requested; and
- The employment of H-2A workers will not adversely affect the wages and working conditions of similarly employed U.S. workers. The DOL Wage and Hour Division is responsible for enforcing provisions of worker contracts.

The foreign labor certification process is the responsibility of the employer, not the employee; however, the employee can benefit from understanding these programs. Hiring foreign workers for employment in the U.S. normally requires approval from several government agencies. First, employers must seek labor certification through the DOL. Once the application is certified, the employer must petition the U.S. Citizenship and Immigration Services (CIS) for a visa. Approval by DOL does not guarantee a visa issuance. The Department of State (DOS) will issue an immigrant visa number to the foreign worker for U.S. entry. Applicants must also establish that they are admissible to the U.S. under provisions of the Immigration and Nationality Act.

Although each foreign labor certification program is unique, there are similar requirements that the employer must complete prior to the issuance of a labor certification. In general, the employer will be required to complete these basic steps to obtain a labor certification:

- The employer must ensure that the position meets the qualifying criteria for the requested program;
- The employer must complete the ETA form designated for the requested program. This may include the form and any supporting documentation (e.g., job description, resume of the applicant, etc.);
- The employer must ensure that the wage offered equals or exceeds the prevailing wage for the occupation in the area of intended employment;
- The employer must ensure that the compliance issues affected upon receipt of a foreign labor certification are completely understood;
- The completed ETA form is submitted to the designated DOL office for the requested program; and
- The employer is notified of the determination by DOL.

The **H-1B Labor Condition Application Certification** allows employers to bring foreign workers, who have a Bachelor Degree or higher, into the U.S. on a temporary basis. The initial review is conducted by the DOL Regional Office and requires that form ETA 9035 be submitted in duplicate. Foreign Labor Certification (FLC) provides prevailing wages upon request. The review must be completed and mailed within seven calendar days. The approval is good for three years and can be renewed once.

**H-2A Temporary Agricultural Certification** refers to the process of obtaining one or more foreign workers during a specific activity period. For temporary agricultural work status, employers must file form ETA 9142 and ETA 790, the Food Processing Clearance Form with the DOL Regional Office.  The Regional Office contacts FLC to place a job clearance order and obtain a prevailing wage survey for the particular job in the area.

**H-2B Temporary Certification** refers to the process of bringing one or more foreign workers into the U.S. to work on a temporary non-agricultural basis. Employers must file form ETA 9142 in duplicate with FLC for initial review. The FLC transmits the application to the DOL Regional Office for final review and determination. Form I-129 INS must accompany the application when it is submitted to the Immigration and Naturalization Service (INS) for temporary work status. Temporary Labor Certification is good for one year. Seasonal applications must be filed at least 60, but not more than 120 days, prior to the start date of the job.

**Permanent Labor Certification** refers to the process of bringing a foreign worker into the U.S. to work on a full time permanent basis. Employers must obtain a Labor Certification form from the DOL prior to filing for permanent residency with the   United States Citizenship and Immigration Services (USCIS). The Labor Certification process requires an employer to file Form ETA 9089 by mail (DOL, ETA, 844 N. Rush Street 12th Floor, Chicago, IL 60611) or online.

## 1.7    Work Opportunity Tax Credits

The Work Opportunity Tax Credit (WOTC) is a Federal tax credit incentive provided to private-sector businesses that hire individuals from the following nine target groups that have historically faced significant barriers to employment:
- Unemployed Veterans (including disabled veterans);
- Temporary Assistance for Needy Families (TANF) Recipients;
- Food Stamp (SNAP) Recipients;
- Designated Community Residents (in Empowerment Zones or Rural Renewal Counties);
- Vocational Rehabilitation Referred Individuals;
- Ex-Felons;
- Supplemental Security Income (SSI) Recipients; and
- Summer Youth Employees (living in Empowerment Zones)

The tax credit incentives are for limited time periods, so the goal is to enable these targeted employees to move to self-sufficiency and become employees whose value to employers is sufficient enough to retain the individuals once the tax credit has ended.

## 1.8 Labor Market Information (LMI) for Employers

The Business Intelligence Department (BID) is responsible for a wide variety of statistical and analytical programs and data, including Labor Market Information (LMI). BID's primary mission is to provide accurate and timely workforce data to public and private decision makers involved in workforce and economic development. BID provides this information through publications, electronic dissemination, mail and telephone. BID conducts special studies upon request and makes presentations to a wide variety of customer groups across the state.

Employment statistics, job forecasts, prevailing wages, demographics, and other LMI data help public and private organizations, researchers, and others better understand today's complex workforce. The information helps monitor and forecast national, state and local economic trends, enabling employers and job seekers to make informed career and education decisions. Better understanding of employment trends and statistical trends helps promote stable employment and economic growth. For example, if a company was considering South Carolina as a location for possible expansion of its business, LMI  would be a valuable tool in surveying the area's demographic, economic, and educational statistics.

A Community Profile Report is a comprehensive report with economic, demographic, industry, occupation, and education statistics for counties, metropolitan statistical areas, workforce development areas and regions. Business services staff should rely heavily on the reports, especially when assisting local employers with:
- Job openings information (reviewing potential candidates, assessing the local labor supply)
- Occupation  details (typical work experience and education requirements, education training programs)
- Statistical information (employment wage statistics, occupational outlook, projected annual openings)

The Community Profile Desk Reference is available to assist staff with understanding, utilizing, and effectively communicating information found in the report. Staff is strongly encouraged to keep the document readily available for use when working with employers and job seekers.

## 1.9  WorkKeys® Services

WorkKeys® is a valuable job skills assessment system that helps employers select, hire, train, develop, promote, and retain a high-performance workforce. WorkKeys® measures real world skills and gives employers and job seekers a common metric or language. WorkKeys® includes twelve workplace skill assessments:

- Applied Math – applying mathematical reasoning to work-related problems;
- Applied Technology – understanding technical principles as they apply to the workplace;
- Business Writing – composing clear, well-developed messages relating to on-the-job situations;
- Graphic Literacy – using information from sources such as diagrams, floor plans, tables, forms, graphs, and charts;
- Workplace Observation–paying attention to details in instructions and demonstrations;
- Workplace Documents –comprehending work-related reading materials such as memos, bulletins, policy manuals, and governmental regulations;
- Talent – includes dependability, assertiveness, and emotional stability; and
- Fit – how interests and values correspond to a particular career.

Applied Math, Workplace Documents, and Graphic Literacy are the three foundational skill assessments that are the basis for earning a National Career Readiness Certificate. Talent and Fit are soft skills assessments.

In the **job profiling** process, licensed profilers visit with the employer or organization to determine background information on the job to be profiled and how specifically the job relates to the company. The profiler tours the business and collects materials, such as training manuals, annual reports, company newsletters, etc. that define the business or organization. The profiler then compiles an initial list of the tasks most relevant to the job being profiled. Subject matter experts refine the list and rate each task based on two factors: importance of the task to the job and relative time spent on it. The subject matter experts then decide what minimum level of each skill is required to perform the job successfully, which determines benchmarks that correspond with WorkKeys® scores, giving the examinee a target score to hit in order to qualify for a job. When taking a WorkKeys® assessment, the skill level at which an employee scores corresponds to how prepared he or she is for the job, or how much remedial training an incumbent employee needs.

# Relevant State Instructions to Part I: Employer Services

State Instruction Number 12-07: Business Class Size

State Instruction Number 13-01- Change I: Employer Accounts and Job Posting Policy

State Instruction Number 15-02: Employer Engagement

State Instruction Number 15-06: Managing Employer Accounts in the CRM Module

State Instruction Number 17-01: Required Employer Registration in SCWOS

# PART II:
# Job Seeker Services

# 2    Services to Job Seekers

Any job candidate authorized to work in the United States may register for ES labor exchange services in SCWOS without regard to place of residence, current employment status, or occupational qualification. Services to job seekers are provided in all SC Works centers for individuals who prefer in-person services. Computer savvy job seekers may choose to conduct business from a remote site rather than visit an SC Works center while others will prefer on-site services. Customers with little or no computer experience will be the candidates most in need of direct staff assistance. Public access computer areas, such as a SC Works center resource room, should be monitored closely by staff to watch for job seekers wanting or needing staff-assisted services.

## 2.1    Career Services

WIOA merges core and intensive services into a new category of career services, including basic and individualized. Basic career services must be made available to all job seekers and include:

- Determinations of whether the individual is eligible to receive assistance from the adult, dislocated worker, or youth programs;
- Outreach, intake (including identification through the Worker Profiling and Reemployment Services system of UI claimants likely to exhaust benefits), and orientation to information and other services available through the SC Works delivery system;
- Initial assessment of skill levels including literacy, numeracy, and English language proficiency, as well as aptitudes, abilities (including skills gaps), and supportive service needs;
- Labor exchange services, including—
  - Job search and placement assistance, and, when needed by an individual, career counseling, including,
    - Provision of information on in-demand industry sectors and occupations (as defined in sec. 3(23) of WIOA); and,
    - Provision of information on nontraditional employment (as defined in sec. 3(37) of WIOA);
- Provision of referrals to and coordination of activities with other programs and services, including those within the SC Works delivery system and, when appropriate, other workforce development programs;
- Provision of workforce and labor market employment statistics information, including the provision of accurate information relating to local, regional, and national labor market areas, including,
  - Job vacancy listings in labor market areas;
  - Information on job skills necessary to obtain the vacant jobs listed; and

- o Information relating to local occupations in demand and the earnings, skill requirements, and opportunities for advancement for those jobs;
- Provision of performance information and program cost information on eligible providers of training services by program and type of providers;
- Provision of information about how the local area is performing on local performance accountability measures, as well as any additional performance information relating to the area's one-stop delivery system;
- Provision of information relating to the availability of supportive services or assistance, and appropriate referrals to those services and assistance, including: child care; child support; medical or child health assistance available through the Medicaid program and Children's Health Insurance Program; benefits under the Supplemental Nutrition Assistance Program (SNAP); assistance through the earned income tax credit; housing counseling and assistance services sponsored through HUD; and assistance under TANF, and other supportive services and transportation provided through that program;
- Assistance in establishing eligibility for programs of financial aid assistance for training and education programs not provided under WIOA; and
- Provision of information and assistance regarding filing claims under UI programs, including meaningful assistance to individuals seeking assistance in filing a claim.

WP staff may also provide individualized career services as needed, particularly for those individuals with barriers to employment. Individualized career services are to be provided as appropriate to assist individuals in obtaining or retaining employment and include services such as comprehensive and specialized assessments, development of an Individual Employment Plan (IEP), group and/or individual counseling, and other workforce preparation activities. Career services can be provided in any order as there is no sequence requirement under WIOA. Staff may use recent previous assessments by partner programs to determine if individualized career services would be appropriate. Individualized services include:

- Comprehensive and specialized assessments of the skill levels and service needs of adults and dislocated workers, which may include diagnostic testing and use of other assessment tools;
- In-depth interviewing and evaluation to identify employment barriers and appropriate employment goals;
- Development of an individual employment plan, to identify the employment goals, appropriate achievement objectives, and appropriate combination of services for the participant to achieve his or her employment goals, including the list of, and information about, eligible training providers;
- Group and/or individual counseling;
- Short-term pre-vocational services, including development of learning skills,

communication skills, interviewing skills, punctuality, personal maintenance skills, and professional conduct to prepare individuals for unsubsidized employment or training;

- Internships and work experiences that are linked to careers;
- Workforce preparation activities that help an individual acquire a combination of basic academic skills, critical thinking skills, digital literacy skills, and self-management skills, including competencies in utilizing resources, using information, working with others, understanding systems, and obtaining skills necessary for successful transition into and completion of postsecondary education, training, or employment;
- Financial literacy services;
- Out-of-area job search assistance and relocation assistance; and
- English language acquisition and integrated education and training programs.

WP customers in a comprehensive SC Works center referred to a Workforce Consultant are to receive an initial assessment prior to the referral by DEW staff. The purpose of the assessment is to understand the customer's occupational goals, existing skills and work search readiness, and to determine if any barriers to employment exist. This assessment is conducted within the context of local labor market conditions and also considers services that may be articulated by the customer, such as a desire to pursue training or education. The initial assessment is intended to quickly decide which level of services a customer requires. It is a preliminary indication of the customer's needs derived from the baseline information gathered during the initial provision of staff assisted services. All subsequent services should be driven by reassessment of the customer's needs.

### 2.1.1   Basic Career Services

Customers who possess the following are considered job search ready and are to be provided basic career services:

- An occupational goal with a favorable labor market outlook;
- The knowledge, skills, aptitudes and abilities required for the occupational goal; and
- No barriers that prevent obtaining and retaining employment.

These individuals would not require a referral to a Workforce Consultant, but should be provided job search and placement assistance, including referrals to other SC Works center activities, such as résumé preparation and/or interviewing preparation.

### 2.1.2 Individualized Career Services

Individualized career services, such as career planning and the development of an IEP, are to be provided by a Workforce Consultant to customers who:

- Do not possess an occupational goal; and/or
- Do not possess the requisite occupational knowledge, skills and abilities to readily find work related to their occupational goal; and/or
- Have barriers that potentially prevent obtaining and retaining employment; and/or
- Require further training.

Individuals initially considered job search ready may subsequently be determined to need individualized career services. Individuals initially determined to need individualized career services will likely benefit from basic career services as well. If WP staff determines that the individual is not job ready and needs occupational or remedial training, the individual should be referred to the appropriate SC Works partner for further assistance in accordance with local partner referral procedures. Referral to an SC Works Center workshop, such as resume writing or interviewing skills, may be necessary, especially for job seekers who have not conducted a job search in recent years.

### 2.1.3 Initial Assessment Procedures (Comprehensive Centers Only)

The Initial Assessment Form is for *staff use only* and can assist staff with the interview process when gathering the information necessary to conduct a thorough initial assessment. The Initial Assessment Form must be completed to evaluate the following:

1. Occupational Goal:

Evaluate the customer's occupational goal as favorable or not favorable in the labor market.

> If the customer does not have a clear occupational goal or the outlook for the occupational goal is not favorable, then the customer is identified for individualized career services and should be referred to a Workforce Consultant.

2. Knowledge, Skills, Aptitudes and Abilities:

If the goal is for an occupation or occupational cluster that has a favorable outlook in the labor market, review the customer's skills to determine if the customer has the necessary educational proficiency, experience, training and aptitude to compete in the current job market.

➢ If knowledge, skills and abilities are deficient, then the customer should be referred to a Workforce Consultant.

3. Barriers to Employment:

If the customer has the necessary knowledge, skills and abilities, then any barriers or obstacles that may prevent the customer from finding and retaining employment should be identified (examples: health and physical considerations, poor work history, lack of references, child care or elder care issues, criminal record, transportation issues, limited English skills, homelessness or other personal issues).

➢ If no barriers exist, or the barriers can be addressed during the initial assessment or a subsequent appointment, the customer is considered job search ready.

4. Job Search Skills:

The customer's job search planning, preparation and job seeking skills should also be evaluated. These skills include interviewing and communication skills, knowledge of where to look for work and how to research companies, knowledge of how to appropriately update a résumé, basic computer skills to apply for work online, ability to conduct internet-based job searches, social networking and self-marketing skills, motivation to find work, and possessing a work search plan.

➢ If job search skills are deficient, but can be addressed during the initial assessment or a subsequent appointment, the customer is identified as job search ready and should not be referred to a Workforce Consultant.

A WP Initial Assessment must be recorded upon the completion of the WP Initial Assessment Form used to quickly identify the customer's occupational goals, existing skills, and work search readiness, and to determine if barriers to employment exist. The initial assessment will result in a determination of next steps for the customer, which may include a referral to a Workforce Consultant for individualized career services and development of an Individualized Employment Plan (IEP). Activity code 137: WP Initial Assessment must be entered and a corresponding case note indicating the outcome of the assessment (i.e. referral to a Workforce Consultant or job search ready) must be entered with the completed Initial Assessment Form attached as a PDF to prevent a viewing rights issue.

If the completed Initial Assessment Form indicates a referral to a Workforce Consultant is required, staff should enter activity code 188 (Interagency Referral) in SCWOS. A corresponding case note detailing the nature of the referral must be sent to the Workforce Consultant with the completed Initial Assessment Form attached. The Workforce Consultant will then schedule an appointment with the customer to provide

the appropriate individualized career services as determined by the form. DEW Regional Managers are responsible for the equitable distribution of referrals within their offices. The Initial Assessment Form must be attached as a PDF due to viewing rights issues.

## 2.2 Recording Job Seeker Services in SCWOS

WP services are available to any person who wishes to access them without regard to eligibility, employment, or income status. Previously, any engagement with the labor exchange system and/or WP staff (e.g. using SCWOS to look for work, receipt of basic information from staff, or referrals to partners or services) would make an individual a WP recipient. WIOA now requires states to collect information and report individuals based on their level of engagement with the workforce system. The category of reportable individual allows DOL to identify the individuals who engaged with the workforce development system on an initial level, but who do not receive a significant staff-assisted service that would make them participants. Outcomes of reportable individuals are not included in performance. Only individuals who meet the definition of "participant" are included in performance indicators.

WIOA now defines two categories of individuals accessing the workforce system:
- Reportable Individual; and
- Participant.

A *reportable individual* is one who only uses the self-service system or receives information-only services or activities. Reportable Individuals are **not** included in WP performance. Self-service occurs when individuals independently access any workforce program's information and activities in either a physical location, such as an SC Works Center, or remotely via the use of electronic technologies. For example, virtually accessed services that provide a level of support beyond independent job or information seeking on the   part of an individual would not qualify as self-service. Information-only services or activities   are   those   that   provide   readily   available information that does not require an assessment by a staff member of the individual's skills, education or career objectives.

A *participant* is a reportable individual who receives an individualized career service or a basic career service that is neither self-service nor information-only. Participants are included in WP performance. When a reportable individual becomes a participant by receiving a significant staff-  assisted   service,   the   WP   application   must   be   fully completed   in   order   to   accurately   record   activities. Under   new   Federal   reporting requirements, staff must complete additional demographic data screens in SCWOS to fully enroll an individual in the WP program as a participant. The following activities require significant staff involvement and   therefore   trigger   participation   and   the additional data collection elements:

| 105: Job Finding Club | 140: Provision of Financial Aid Eligibility Assistance |
|---|---|
| 115: Resume Preparation Assistance | 141: Provision of Financial Literacy Services |
| 123: Job Development Attempt/Contact | 202: Career Guidance/Planning/Counseling |
| 124: Federal Bonding Assistance (State-Level) | 203: Comprehensive Specialized Assessment |
| 126: Tax Credit Certification (State-Level) | 204: Testing |
| 137: WP Initial Assessment | 205: Development of Individual Employment Plan |
| 139: Staff-Assisted UI Claim Assistance | 500-502,505: Job Referrals (System Set) |

The list of current WP activity codes can be found in SCWOS under Staff Resources.

### 2.2.1   In & Out Job Orders:

Staff receives hire lists and notices periodically from employers and other organizations that use SC Works employment services. This information should be reviewed to determine if a previously made referral or job development attempt/contact resulted in a positive outcome for a SC Works customer.  An In & Out job order is the process of reopening or creating a non-existing job order for the purpose of capturing a positive outcome for a legitimate referral or job development attempt/contact for which the outcome was unknown at the time the job order closed or the job development attempt/contact occurred.

An In & Out Job Order should not be displayed to the public and should clearly indicate it was reopened or created solely for the purpose of capturing a positive outcome.  The In & Out job order must include the original job order number (if applicable) and the original date of the referral or job development attempt/contact.

New Hire Notice Review Process:

1. Look up each newly-hired individual in SCWOS using their state ID;
2. Review the referrals and job development attempt/contacts listed in the individual's SCWOS account to see if a referral or job development attempt/contact was made to the hiring business; and
3. A.) If the individual received a job referral to the listed business and opening, the closed job order should be reopened to record the positive outcome and then immediately closed; or B.) If the individual received a job development attempt/contact to the hiring business, a job order should be created to record the positive outcome and then immediately closed.

*Note: The overall goal of DEW-administered workforce programs is providing services to promote long-term, stable employment rather than obtaining a temporary placement credit.*

A **Job Referral** is the record of referring a qualified applicant or group of applicants who are available for specific job openings to an active job order in SCWOS.

A **Job Development Attempt/Contact** occurs when a staff member contacts a registered employer on behalf of an individual or group of individuals to develop a possible employment opportunity where no known job opening or active job order currently exists. Staff should enter a job development attempt/contact activity in SCWOS with a corresponding case note to include the employer's name, the result of the job development attempt/contact, and the job title(s), if available.

A **Placement** is the hiring by a registered employer of an individual referred by WP staff for a job or an interview, provided the staff completed all of the following steps:

- Prepared a job order prior to referral, except in the case of a job development attempt/contact on behalf of a specific applicant;
- Made prior arrangements with the employer for the referral of an individual or individuals;
- Referred an individual who had not been specifically designated by the employer, except for referrals on agricultural job orders for a specific crew leader or worker;
- Verified from a reliable source, preferably the employer, that the individual had started a job; and
- Appropriately recorded the placement. Staff must ensure all contacts and hires are accurately recorded and job postings are closed in a timely manner.

## 2.3    WorkKeys®

Individuals may be referred to WorkKeys® testing to assess their employability, often at the request of potential area employers. WorkKeys® is a job skills assessment system that helps employers select, hire, train, develop, and retain a high-performance workforce. WorkKeys® assessments measure "real world" skills employers believe are critical to job success. These skills are valuable for any occupation—skilled or professional—and at any level of education. Individuals can use WorkKeys® software (Career Ready 101 or KeyTrain) as a preparation or remediation tool for WorkKeys® assessments.

Successful completion of WorkKeys® assessments in Applied Math, Workplace Documents, and Graphic Literacy can lead to earning the National Career Readiness Certificate™ (NCRC®), a portable credential earned by more than 3 million people across the United States.

## 2.4    Migrant and Seasonal Farmworker (MSFW) Outreach

Federal regulations require that each state WP agency operate an outreach program to locate and contact Migrant Seasonal Farmworkers (MSFW) who are not being reached by normal intake activities conducted at local SC Works centers. The program exists to ensure that MSFW customers receive services that are equivalent and proportionate to the services provided to non-MSFW customers. MSFW customers include the following:

- *Migrant farmworker* means a seasonal farmworker who travels to the job site so that the farmworker is not reasonably able to return to his/her permanent residence within the same day. Full-time students traveling in organized groups rather than with their families are excluded from this definition; and
- *Seasonal farmworker* means an individual who is employed, or was employed in the past 12 months, in farm work of a seasonal or other temporary nature and is not required to be absent overnight from his/her permanent place of residence. Non-migrant individuals who are full-time students are excluded from this definition.

Rural Manpower provides extensive outreach to employers in an effort to match agricultural job openings with qualified MSFWs throughout the state and to inform agricultural employers of services available through the SC Works system, including:

- Agricultural labor needs assessments;
- Recruitment of labor;
- Compliance guidance for federal and state laws;
- Assistance with Farm Labor Contractor Registrations and Renewals; and
- Coordination of services and assistance to the employer's current farmworkers.

The DEW State Monitor Advocate is a member of the SC Primary Health Care Association Advisory Council, which assists in coordinating services to MSFWs. Rural Manpower has representation on the SC Migrant Farm Workers Committee. Additionally, both groups serve on the Farm Labor Coordinating Committee to share information with other farm labor groups.

## 2.5    Priority of Service for Veterans and Other Covered Persons

DOL and the state of South Carolina are committed to serving transitioning service members, veterans, and their families by providing resources to assist and prepare them in obtaining meaningful careers and maximizing employment opportunities. Veterans and covered persons receive priority of service for all DOL-funded employment and training programs. Priority of service means that veterans and eligible spouses are given priority over non-covered persons for the receipt of employment, training, and placement services. This means that a veteran or an eligible spouse either receives

access to a service earlier in time than a non-covered person, or, if the veteran or eligible spouse receives access to the services instead of or before the non-covered person. A "veteran" is defined as a person who served in the active military, naval, or air service, and who was discharged or released therefrom under conditions other than dishonorable. Active service includes full-time duty in the National Guard or a Reserve component, other than full-time duty for training purposes. Federal law defines "other covered person" to mean the spouse of any of the following:

- Any veteran who died of a service-connected disability;
- Any member of the Armed Forces serving on active duty who, at the time of application for priority, is listed in one or more of the following categories and has been so listed for a total of more than 90 days:
  o Missing in action;
  o Captured in the line of duty by a hostile force; or
  o Forcibly detained or interned in the line of duty by a foreign government or power; or
- Any veteran who has a total disability resulting from a service-connected disability, as evaluated by the Department of Veterans Affairs or any veteran who died while such a disability was in existence.

### 2.5.1  "Vet Hold" in SCWOS

All job orders are placed in a "Vet Hold" status the day of the job order posting to allow qualified veterans and other covered persons the exclusive opportunity to view and receive a referral prior to non-veterans for a 24 hour period or one full business day. For example, if a job order is entered Monday at 1:00 pm, the "Vet Hold" will not be lifted at 1:00 pm Tuesday, but rather at 12:01 am Wednesday during overnight processing. SC Works center staff does not have the capability of manually lifting the "Vet Hold" status. Qualified job candidates must be referred in the following order:

1. Special disabled veterans;
2. Other disabled veterans;
3. Other eligible veterans in accordance with priorities determined by the DOL;
4. Certain spouses and other covered persons; and
5. Non-veterans.

### 2.5.2  Jobs for Veterans' State Grants (JSVG)

One of the strategies used by DOL to serve veterans is the Jobs for Veterans' State Grants (JSVG) program, which provides funds to states to exclusively serve veterans and other eligible spouses and to perform outreach to employers. JVSG funds are provided to states to fund the following types of positions:

- Disabled Veterans' Outreach Program (DVOP) Specialist – provides intensive services and facilitates placements to meet the employment needs of veterans, prioritizing service to special disabled veterans, other disabled veterans, and other categories of veterans in accordance with priorities determined by the Secretary of Labor; and
- Local Veterans' Employment Representative (LVER) – principal duties are to:
  - Conduct outreach to employers in the area to assist veterans in gaining employment, including conducting seminars for employers and, in conjunction with employers, conducting job search workshops and establishing job search groups; and
  - Facilitate employment, training, and placement services furnished to veterans.

DOL developed guidance to identify the veterans prioritized and emphasized by DVOP statute. As a result, DVOP specialists must limit their activities to providing services to eligible veterans and eligible spouses who:

➢ Meet the definition of an individual with a Significant Barrier to Employment (SBE), or
➢ are members of a veteran population identified by the Secretary of Labor as eligible for DVOP services.

DOL has further defined the two groups as follows:

A. **Individual with a Significant Barrier to Employment** (SBE)

1. A special disabled or disabled veteran, as those terms are defined in 38 U.S.C. § 4211(1) and (3); Special disabled and disabled veterans are those:
   - who are entitled to compensation (or who but for the receipt of military retired pay would be entitled to compensation) under laws administered by the Secretary of Veterans Affairs; or
   - were discharged or released from active duty because of a service-connected disability.

The determination of disability under this SBE definition must be made solely on the basis of self-identification. Any individual who separated from active duty because of a service-connected disability qualifies as a disabled veteran regardless of the number of days of active duty served, as does any veteran with a disability rating provided by the Department of Veterans Affairs (VA) (or a military service issued disability determination) as described in 38 U.S.C. § 4211(1). An individual who attests to having a disability claim pending with the VA should be considered to have an approved claim for the purposes of determining SBE.

*In requesting this information, all of the following requirements must be met: (1) any written questionnaire used for this purpose must make clear that the information requested is intended for use solely in connection with effort to give priority to persons with disabilities (if no written questionnaire is used, this information must be made clear orally); and (2) the staff member or person seeking the information must state clearly that the information is being requested on a voluntary basis, that it will be kept confidential, that refusal to provide it will not subject the applicant or participant to any adverse treatment, and that it will be used only in accordance with law.*

2. A homeless person, as defined in Sections 103(a) and (b) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302(a) and (b)), as amended (which considers homeless to be any individual or family who is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions in the individual's or family's current housing situation, including where the health and safety of children are jeopardized, and who have no other residence and lack the resources or support networks to obtain other permanent housing);

3. A recently-separated service member, as defined in 38 U.S.C. § 4211(6), who has been unemployed for 27 or more weeks in the previous 12 months;

4. An offender, as defined by the Workforce Innovation and Opportunity Act (WIOA) Section 3 (38), who is currently incarcerated or who has been released from incarceration;

5. Lacking a high school diploma or equivalent certificate; or

6. Low-income individual as defined by WIOA Section 3(36).


B. **Additional Veteran Population Identified by the Secretary of Labor as Eligible for DVOP Services**

1. DOL identified veterans ages 18 to 24 as a priority category to receive career services from DVOP staff.

In recent years, veterans ages 18 to 24 have experienced a higher rate of unemployment than other veterans, as well as nonveterans of the same age. DOL is anticipating an increase in the number of veterans 18 to 24 transitioning from active military service.  This group of veterans may also possess limited civilian  work  history, which can make transitioning to the civilian labor force more difficult. Based on these facts, the Secretary of Labor determined veterans   between the ages of 18 and 24 may need and benefit from the career services provided by DVOP specialists.

Staff must ensure all veterans complete the Veterans' Services Intake Form to determine eligibility for priority of services provided by the DVOP. An eligible veteran or eligible spouse who is identified as having a SBE must be immediately referred to a DVOP specialist. Veterans ages 18 to 24 must also be referred to DVOP specialists. In instances where a DVOP specialist is not available, referrals to a DEW Workforce Specialist or Consultant will be made. Veterans with a SBE or in a specified category must have access to all appropriate SC Works services and are not limited to receiving services only from DVOP specialists. Veterans and eligible spouses who do not meet the SBE definition, or are not within a specified category identified by the Secretary of Labor, are to be referred to appropriate non-JVSG SC Works staff member(s) to receive basic, career, and/or training services, on a priority basis.

### 2.5.3  Homeless Veterans' Reintegration Program

Together with partners nationwide, The Department of Veterans Affairs launched the End Veterans Homelessness Initiative, an unprecedented effort to make sure veterans are able to obtain permanent housing and that veterans at risk of homelessness remain housed. One effort related to this partnership is to connect homeless veterans to the workforce programs available through American Job Centers (AJC) to ensure they receive appropriate workforce services. Being connected to the labor market is one step towards self-sufficiency, including the attainment of affordable housing. The following Homeless Veterans' Reintegration Program (HVRP) grantees are now operating in South Carolina:

- Fast Forward- Received additional award to continue serving Fairfield, Lexington, and Richland counties;
- Telamon- Received approval to expand service area to Greenville and Spartanburg counties, in addition to Calhoun, Fairfield, Kershaw, Lexington, and Richland counties; and
- Military Community Connection of SC- Received a grant award to provide services to incarcerated veterans at MacDougall Correctional Institution and previously incarcerated veterans in surrounding counties where many of the veterans will return (Allendale, Beaufort, Berkeley, Charleston, Colleton, Dorchester, Georgetown, Hampton, Horry, and Jasper Counties).

HVRP grantees are required to enroll all participants through local SC Works Centers. This is to create a sustainable partnership in which grantees understand each other's services and to ensure that participants' employment needs are met. Enrollment occurs when the homeless veterans' program recipient receives a WP-funded employment service, a JVSG-funded DVOP service or a WIOA Title 1-funded service, such as services for adults or dislocated workers. Fast Forward, Telamon, and Military Community Connection of SC are responsible for working with appropriate ES, JVSG, and WIOA Title-1 staff in the SC Works Centers to facilitate the enrollment of homeless veterans' program recipients.

**Point of entry and tracking in SCWOS**

The Veterans' Services Intake Form should be used at the initial point of entry in the SC Works Center to identify homeless veterans. Homeless veterans meet the criterion of having a "significant barrier to employment" and must be referred to a Disabled Veterans Outreach Program (DVOP) Workforce Consultant, or in instances where a DVOP is not available, to another DEW Workforce Consultant for the provision of individualized services. After an initial assessment, the DEW Workforce Consultant will determine if the veteran would benefit from a referral to one of the available HVRP programs. The DEW Workforce Consultant will schedule an appointment with the selected program and make sure that the participant, HVRP grantee, and DEW Workforce Consultant will all be in attendance. If the initial point of entry for the homeless veteran is the HVRP's office, the grantee will set up an appointment with a DVOP/DEW Workforce Consultant, participant, and grantee. The HVRP grantees will make referrals for enrollment in other workforce programs, including WIOA Title 1, as appropriate.

To ensure that HVRP participants are uniquely identified in SCWOS, the correct grantee (Telamon, Fast Forward, or Military Community Connection of SC) must be selected by DEW staff in the WP application under the Participant Individual Record Layout (PIRL) tab.

## 2.6    WED and UI Coordination

Workers who lose their jobs through no fault of their own may be eligible for unemployment benefits, which are funded by a state employer tax. UI programs play a vital role in the integrated workforce system by providing income support benefits to eligible individuals. These benefits allow unemployed workers to engage in work search activities for suitable work and the workforce system is a key source of services to support the reemployment of those workers. The integrated workforce system established by WIOA is intended to provide participants with a seamless experience that includes a knowledgeable and professional level of service. As such, DEW staff is required to be well-trained in UI claims filing and claimant rights and responsibilities. In an effort to provide meaningful assistance to SC Works center customers seeking to file a UI claim, local office DEW staff must complete the UI FAQ training located in the Learning Module System. The training will assist frontline staff in correctly answering common claimant questions with ease and consistency. WP Activity Code #139 has been added to document "Staff Assisted UI Claim Assistance."

### 2.6.1    Workforce Information Portal (WIP)

The WIP provides a secure method for partner staff to obtain the necessary UI data that is used to determine an individual's potential eligibility for training and employment services programs under WIOA. The WIP also allows all staff to communicate potential

UI fraud and availability issues to UI personnel in an efficient and streamlined manner. Sharing such information with UI staff helps to accelerate the claimants' return to suitable employment and ensure their continued eligibility to receive UI benefits. SC Works staff must be able to identify potential eligibility issues for referral to UI staff, as well as properly document information for use by UI staff in adjudicating those issues, as appropriate.

Designated SC Works staff will enter potential eligibility issue codes in the WIP, which are then directly communicated to UI staff for determination. The issue code category includes the following selections:

- Refusal of Referral- 06
  - A customer receiving UI benefits refuses a referral to a job for which s/he has experience or training and at a wage that meets the definition of suitable work.
- Refused Job Offer- 08
  - A customer receiving UI benefits refuses an offer of a job for which s/he has experience or training and at a wage that meets the definition of suitable work.
- Approved Training- 27
  - A customer who is receiving UI benefits, but not enrolled in training through other partner programs, requests that a training program be approved by UI to waive the UI work search requirement.
- Other Non-Separation- 31
  - A customer receiving UI benefits indicates a potential availability issue because s/he is not:
    - able (physically capable),
    - available (without restrictions), and
    - actively seeking employment (qualified job searches without barriers); and

  - Use this code for all other potential issues not included in the issue code selections.
- Fraudulent Misrepresentation- 59
  - A customer receiving UI benefits withholds or misrepresents information in order to obtain UI benefits s/he would otherwise not have been eligible to receive.

UI claimants are required by law to report to a SC Works center when instructed. Failure to report could indicate an availability issue and may result in a disqualification of benefits. If a customer receiving UI benefits does not report for a scheduled appointment, staff should contact the individual to determine the cause and report any potential availability issues through the WIP, as appropriate. Missed profiling workshops are excluded as those are reported to UI staff through SCWOS.

If a customer receiving UI benefits presents any of the issues described above, the following reporting procedures are required:

1. Enter a case note in SCWOS detailing all specifics of the issue being reported;
2. Send the case note electronically in SCWOS to the DEW Regional Manager or local office designee with access to the WIP; and
3. The Regional Manager or designee will enter the code and case note details in the WIP. This could result in the claimant's UI benefits being stopped.

### 2.6.2   Suitable Work

In order to receive UI benefits, a claimant must be able, available, and actively seeking suitable work for which s/he is qualified. South Carolina Regulation 47-23 requires that a claimant must look for and accept employment that pays at least 90% of the wage earned from the most recent bona fide employer. Once a claimant has been paid eight weeks of unemployment benefits, suitable work is then defined as employment which pays 75% of the wage earned during the most recent bona fide employment for any subsequent weeks. The suitable work wage cannot be reduced below the minimum wage. Claimants are required to accept suitable work referrals and offers in order to continue receiving UI benefits. If it is determined a claimant has refused a suitable work

referral or job offer, s/he will be disqualified from benefits until returning to work and earning eight times the weekly UI benefit amount. ***The S.C. legislature currently requires claimants to make at least two (2) job search contacts weekly through SCWOS.***

Claimants whose wage demand exceeds the suitable work amount must be advised of the potential for denial of benefits and given the opportunity to adjust their minimum acceptable wage. If a customer receiving UI benefits refuses a job referral or job offer for which he or she has experience or training at a wage that meets the definition of suitable work, the following reporting procedures are required:

1. Enter a case note in SCWOS detailing the following information:
   - Specifics of the job referred or offered including:
     - Employer name
     - Job title
     - Job duties
     - Rate of pay offered
     - Full-time, part-time, or temporary work status
     - Hours of work offered
     - Distance to the job
     - Previous qualifying experience and/or training
     - Equipment/licenses required to perform the job

   - Specifics of the most recent bona fide employment including:
     - Job title
     - Job duties
     - Rate of pay
     - Customary hours of work
     - Distance to the job
     - Required experience and/or training
     - Equipment/licenses required to perform the job

2. Send the case note electronically in SCWOS to the DEW Regional Manager or local office designee with access to the Workforce Information Portal (WIP);

3. The Regional Manager or local office designee will enter the Refusal of Referral or Refused Job Offer code in the WIP. This could result in the claimant's UI benefits being stopped.

The S.C. legislature currently requires claimants to conduct at least two (2) job searches weekly through SCWOS. ***Job searches must be performed in SCWOS using the individuals' registered username and password to be recorded and considered a verifiable job search.***

### 2.6.3 Reemployment Services and Eligibility Assessment (RESEA)

As a matter of regulation, all UI claimants receiving benefits and not attached to employment must register in SCWOS. If a claimant fails to complete the SCWOS registration process, an 07 (failure to register) issue is automatically sent to UI, which could result in the claimant's UI benefits being stopped. UI claimants who are identified through profiling methods as likely to exhaust benefits and who are in need of reemployment services to transition to new employment must participate in the Reemployment Services and Eligibility Assessment (RESEA) program. Data elements needed for profiling purposes are collected from claimants during the initial claims and registration process and entered into a computer database that will be used to rank claimants. Claimants identified as needing reemployment services are notified as to why the services are being offered, as well as when and where to report. The claimant then participates in an assessment interview to determine what services will benefit the individual's efforts to re-enter the workforce. The primary goal of this meeting with RESEA staff is to connect unemployed individuals looking for work to the many job search resources available at the SC Works centers.

Claimants selected to participate in the RESEA program can receive up to three one-on-one assessments during the benefit year. The initial appointment is scheduled when the claimant files the first weekly certification for benefits. Subsequent assessments generally occur in the $6^{th}$ and $10^{th}$ weeks of the benefit year. RESEA appointments may be rescheduled within the same week of the original appointment for just cause, such as a conflicting job interview, work schedule, or certain compelling family circumstances. However, WP staff must inform the claimant that eligibility for benefits may be adversely affected if the claimant does not complete the RESEA appointment by the close of business of the scheduled appointment date. If the claimant still wishes to reschedule the appointment, the following procedure is required:

1. WP staff must instruct the claimant to contact the RESEA staff in the comprehensive SC Works center where the appointment is scheduled;
2. WP staff must send an email to all RESEA staff at the applicable comprehensive SC Works center, copying the supervising HUB manager, informing UI staff of the rescheduling request. An updated RESEA staff and HUB manager list is maintained on iconnect under Unemployment Insurance Re-employment Services and Eligibility Assessment (RESEA).
   a) The email subject should be titled: "RESEA Reschedule" and include the claimant's last name and last four of the SSN; and
   b) The email body should include the following claimant information:
      i. full name;
      ii. SSN;
      iii. Current phone number;

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     iv.     Original RESEA appointment date and time;

     v.     The preferred rescheduled RESEA appointment date and time; and

     vi.     The reason for needing the appointment to be rescheduled.

Upon receiving the email, RESEA staff will contact the claimant to discuss the possibility of rescheduling the appointment. All further correspondence to the claimant regarding the RESEA appointment will be handled by UI staff.

## 2.7    Federal Bonding

The Federal Bonding Program exists to act as an incentive for employers to hire high-risk/hard-to-place job applicants by issuing Fidelity Bond insurance free of charge to employers through federal government financing. Bond coverage of $5,000 takes effect on the applicant's first day of work and self-terminates in six months. For longer bonding, employers purchase bonds through the contracted insurance company. High-risk workers are defined as:

- ex-offenders with a record of arrest, conviction, or imprisonment and anyone who has ever been on parole or probation, or has any police records;
- ex-addicts who have been rehabilitated through treatment for alcohol and drug abuse;
- persons with poor personal credit records or those who have declared bankruptcy;
- persons lacking a work history and/or who are in low income families;
- persons dishonorably discharged from the military;
- workers who need bonding in order to prevent being laid off or to secure a promotion; and
- anyone else who needs the bond in order to get a job.

Local staff should distribute the program brochure and informational letter to interested jobseekers. However, because the Federal bonding process at the local level does not require significant staff involvement, WP activity code 124: *Federal Bonding Assistance* will be entered by state level staff only. No further action is required by local level staff.

## 2.8    Trade

The Trade Adjustment Assistance (TAA) Program is a federal program that assists US workers who have lost their jobs as a result of increased imports or shifts in operations due to foreign trade agreements. The TAA program seeks to provide these trade-affected workers with opportunities to obtain the skills, resources, and support they need to become reemployed. Trade benefits and services include:

- Training
- Income Support – Trade Readjustment Allowances (TRA)
- Job Search Allowances
- Relocation Allowances
- Older Worker Wage Subsidy

TRA is available to provide income support while participants are enrolled in full-time training. The amount of each weekly TRA payment is based on the weekly UI benefit amount received. To receive TRA benefits, participants must have exhausted all UI benefits.

## 2.9    Jobs for America's Graduates (JAG)

JAG is a dropout prevention program focused on academic success, career readiness, and life skills development. A dedicated career specialist in each of the 25 school-affiliated sites functions as a teacher, coach, counselor and advocate for students with documented barriers to success. Over the course of their enrollment, students master 81 competencies identified by employers as essential to successful employment. The program has experienced post-graduation success in both employment and post-secondary education enrollment.

## 2.10   LMI for Jobseekers

LMI is a key ingredient to understanding the workplace and the dynamics which influence job search and career choices. LMI data forms the foundation of an effective job search by providing a wealth of  information to help formulate an actionable plan. Jobseekers can use Labor Market Profiles as a guide to locate wages, benefits, training, and other information to explore career opportunities.

## 2.11   Employment Network: Ticket to Work

DEW also operates an Employment Network (EN) for the Social Security Administration's Ticket to Work program. The Ticket to Work Program provides individuals receiving  Supplemental Security Income (SSI) and Social Security Disability Insurance (SSDI) more choices for receiving employment services. Under this program, eligible beneficiaries may choose to assign tickets to an EN of their choice to obtain employment services, vocational rehabilitation services, or other support services necessary to achieve their employment goal. As an EN, DEW coordinates and provides appropriate services through the SC Works system to help the beneficiary find and maintain employment.

# Relevant State Instructions to Part II: Job Seeker Services

State Instruction Number 13-05: Refocused Roles and Responsibilities of JVSG Staff

State Instruction Number 13-05, Change 1: Expansion and Clarification of Definitions for the Disabled Veterans' Outreach Program (DVOP)

State Instruction Number 13-05, Change 2: Expansion and Clarification of Homeless Definition for the Disabled Veterans' Outreach Program (DVOP)

State Instruction Number 14-11: Legislative Changes to the Definition of Suitable Work

State Instruction Number 15-07: Effective Use of Initial Assessment for Wagner-Peyser Customers

State Instruction Number 16-06, Change 1: Homeless Veterans' Reintegration Program

State Instruction Number 17-02: Wagner-Peyser Reporting Requirements and Activity Codes

# PART III:
# Work Ready Initiatives

# 3  South Carolina Work Ready Communities (SCWRC)

SCWRC is an ACT program that empowers regions and counties with data, processes and tools that drive economic growth. Counties use the National Career Readiness Certificate (NCRC) to measure and close the skills gap and align workforce and economic development efforts across regions. Employers may use the NCRC as a key tool in finding individuals with essential, verifiable workplace skills.

The NCRC, issued by ACT, is a credential that certifies essential skills needed for workplace success. This credential is used across all sectors of the economy and verifies the following cognitive skills:

- Problem solving
- Critical thinking
- Reading and using work-related text
- Applying information from workplace documents to solve problems
- Applying mathematical reasoning to work-related problems
- Setting up and performing work-related mathematical calculations
- Locating, synthesizing, and applying information that is presented graphically
- Comparing, summarizing, and analyzing information presented in multiple related graphics

Individuals can earn an <u>ACT National Career Readiness Certificate</u> by taking three ACT WorkKeys® exams:

- <u>Applied Math</u>
- <u>Graphic Literacy</u>
- <u>Workplace Documents</u>

They are awarded certificates of Platinum, Gold, Silver, and Bronze levels, depending on their test scores. Through this initiative, South Carolina is utilizing ACT's comprehensive Work Readiness System to measure and close the skills gap. The components of the system include:

1. WorkKeys® Assessments- measure a range of essential work skills;
2. Career Ready 101- a comprehensive program that prepares and/or remediates users for WorkKeys® assessments. The program offers an integrated approach to exploring careers and their skill requirements and builds life-literacy through lessons about financial awareness, job searching, and more;
3. NCRC- a mobile credential that documents an individual's performance and skill levels in the areas of Applied Math, Graphic Literacy, Workplace Documents; and
4. Job Profiling- a job analysis tool used to define the skill levels required for a job and links them to the skills measured by WorkKeys® assessments.

# PART IV:
# Operations and Oversight

# 4 Operations and Oversight

## 4.1 Performance Measures

### 4.1.1 Wagner-Peyser Program

As required by WIOA, DEW negotiates the expected levels of performance on the following four WP indicators each Program Year (PY):

- Employment in the second quarter after exit;
- Employment in the fourth quarter after exit;
- Median earnings in the second quarter after exit; and
- Effectiveness in serving employers.

Effectiveness in serving employers is a new performance measure under WIOA and considered a baseline indicator. Although baseline indicators will not be included in performance calculations for PY 2016 and PY 2017, DEW is expected to collect data and report on this indicator in preparation for PY 2018 performance negotiations. The following data elements will be included in determining effectiveness in serving employers:

**Employer Penetration:** The total number of businesses that received a service or are continuing to receive a service or other assistance during the reporting period out of the total number of businesses located within the state during the final month or quarter of the reporting period.

**Repeat Business Customers:** The total number of businesses that received a service or are continuing to receive a service or other assistance during the reporting period AND who utilized a service anytime within the previous three (3) years in comparison to the total number of unique businesses who have received a service previously in the last (3) years.

Final negotiated performance levels will be added to this manual as available. Actual performance will be evaluated and reported to DOL quarterly and shared with staff for continuous improvement opportunities.

### 4.1.2 Trade and Veterans' Programs

Unlike the WP program, the TAA program does not negotiate expected levels of performance, as goals are automatically set at the national level for the following measures:

**TAA**

| |
|---|
| Entered Employment Rate |
| Employment Retention Rate |
| Six-Month Average Earnings |

The Veterans' programs negotiate the following 12 performance measures with the exception of the *DVOP Intensive Services Provided Rate*, which is set at the national level:

**VETS**

| | |
|---|---|
| Veterans Entered Employment Rate | DVOP Disabled Vets Six-Month Average Earnings |
| Veterans Employment Retention Rate | DVOP Vets Entered Employment Rate |
| Veterans Six-Month Average Earnings | DVOP Vets Employment Retention Rate |
| Disabled Vets Entered Employment Rate | DVOP Vets Six-Month Average Earnings |
| Disabled Vets Employment Retention Rate | DVOP Disabled Vets Entered Employment Rate |
| Disabled Vets Six-Month Average Earnings | DVOP Disabled Vets Employment Retention Rate |

## 4.2   Complaints

The Office of Equal Opportunity (EO) exists to promote a positive climate for diversity and to ensure that the Agency has adequate policies and procedures in place to guard against and prohibit discrimination and/or harassment. EO staff provides support for staff and works with DEW Executive Leadership to ensure that Agency policies and programs comply with applicable nondiscrimination requirements. The department also provides an avenue whereby employees and other stakeholders may address concerns regarding discrimination and/or harassment.

A complaint can be from or about a DEW employee, or an employee, customer, or partner in the SC Works center. If a complaint is an allegation of discrimination, it must be immediately referred to the EO Officer. If a complaint of sexual harassment is reported to the supervisor or HR, it must immediately be referred to the EO Officer. The supervisor must not investigate the complaint. If a complaint is an allegation of harassment, it can be reported to the supervisor, HR or the EO Officer. However, the supervisor must not investigate the complaint. The supervisor must immediately elevate the complaint to the EO Officer or HR.

A complaint of discrimination must be filed within 180 days of the alleged violation and must be in writing, as identified within the Equal Opportunity is the Law notice in each SC Works Center. For additional information on DEW policies, please refer to the DEW Policy Center.

WIOA prohibits the exclusion of an individual from participation in, denial of benefits of, discrimination, or denial of employment in the administration of or in connection with

any programs and activities funded or otherwise financially assisted in whole or in part under Title I of WIOA because of race, color, religion, sex (including sexual orientation, gender identity, and gender expression), national origin, age, disability, political affiliation or belief. SC Works center Operators and Managers must use the WIOA Rights Handout for Registrants, Applicants, and Participants when a complaint is filed. The form can be found at: SI 16-14 Rights to file a Grievance or Complaint under WIOA - Change 1.

If a complaint is not based on discrimination, but on customer service or program issues, the SC Works centers must ensure that the complaint is processed in accordance with local policies and procedures.

## 4.3    Services to Persons with Disabilities

The Americans with Disabilities Act of 1990 (ADA), and ADA Amendments Act of 2008 (ADAAA), give protections to qualified individuals with disabilities. Individuals with disabilities may also have protections under Title VI and Title VII. These protections guarantee equal opportunity in employment, public accommodations, transportation, state/local government services, and telecommunication. The ADA prohibits discrimination in all employment practices, including job application procedures, hiring, firing, advancement, compensation, training, and other terms, conditions, and privileges of employment. It applies to recruitment, advertising, tenure, layoff, leave, fringe benefits, and all other employment-related activities. ADA requires that reasonable accommodations be provided upon request to qualified customers with disabilities availing themselves of SC Works services. Staff must not disclose information to other staff (without a need to know), potential employers, or training providers, about a customer's disability without a documented request from the customer.

## 4.4    Security of Personally Identifiable Information (PII)

Staff must ensure the security and confidentiality of customers' personal identity data by adhering to the following guidelines regarding physical and electronic security:

**Physical Security:**
- Limit access to sensitive printed materials;
- Use locked cabinets for materials that include PII;
- Shred documents no longer used that include PII;
- Use a cover sheet when printing or transmitting PII via fax;
- Seal hard copies of files containing PII in envelopes when sending via mail or courier;
- Secure laptop computers when not in use; and
- Do not leave documents that include personal identity data in plain view.

**Electronic Security:**
- Do not share passwords, personal identification numbers, security tokens (e.g., smartcards), or any data or equipment used for authentication and identification purposes;
- Lock computers when leaving them unattended, no matter for how short a time;
- Do not send any PII in the subject or body of an e-mail; and
- Use password protection when saving PII in a document that will be transported on a laptop computer or portable storage device.

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

Staff users of SCWOS must protect the security and integrity of their SCWOS credentials by safeguarding their usernames and passwords. They must never be shared with another staff member, stored in the internet browser, or written down and left in plain view. If there is a suspicion that the credentials have been compromised, staff should change the password and immediately notify the SCWOS State Administrator at scwosadmin@dew.sc.gov.

## 4.5    Requests for Information

The Office of Communications and Marketing serves as the official contact point for all news media in dealing with DEW and the SC Works centers. Any media representatives seeking information concerning the programs and services of the agency should be referred to Communications and Marketing. The office is also responsible for the agency's employee newsletter, blog, social media presence, marketing, and many other special events and communications activities. To include information in the Dewsletter please contact Communications and Marketing at communications@dew.sc.gov.

South Carolina's Freedom of Information Act (FOIA) makes records and meetings of public bodies open and available to citizens and their representatives in the press. Requests of this nature should be sent to the legal department at FOIA@dew.sc.gov.

## 4.6    Professional Standards

Serving the public as an employee of South Carolina State government requires an appreciation for and dedication to the basic principles of integrity, honesty, respect for others, fairness, and accountability. These principles are fundamental in providing good government and advancing the public interest and are central to and implicit in any personal, professional, or agency code of conduct.

To avoid any appearance of impropriety, WED staff is prohibited from accomplishing any of the following tasks without first obtaining management permission:

- completing, updating, or keying a job seeker account for themselves, a coworker, a relative, or a friend using their staff logon; or
- referring themselves, a coworker, a relative, or a friend to a job posting using their staff logon.

If a conflict occurs or the appearance of impropriety emerges, WED staff must immediately report the incident to their supervisor. WED supervisors must ensure that staff:

- does not access or monitor any records except those that are absolutely necessary to complete assigned job duties; and
- is aware that certain information is of a personal nature, is sensitive and confidential under law, and is only to be disclosed in compliance with federal and state laws and agency guidelines.

## 4.7   Civility

Regardless of role or position, all staff within the SC Works system is expected to behave in a manner that maintains a civil workplace environment, free of harassment and intimidation. Management bears a responsibility that respectful behaviors are exhibited at all times, and to address those which are not. Indeed, management should exemplify the behavior expected of all staff in maintaining a positive and  productive work culture.

Respectful workplace behaviors are those that promote positivity and professionalism including, but not limited to:

- Using respectful and courteous language in all interactions;
- Questioning an individual's position on an issue politely and seeking to understand his/her position;
- Giving an individual direct, non-personal feedback, and where appropriate, in a private setting;
- Not displaying a negative attitude and understanding how one's attitude can affect the work environment;
- Approaching conflict with maturity and a true desire for resolution rather than an opportunity to disagree;
- Respecting the chain of command and raising concerns to management at the appropriate time/place and with the appropriate tone; and
- Using discretion when communicating when communicating about issues that are considered personal.

Inappropriate or unacceptable workplace behaviors are statements or acts that may negatively impact the work environment including, but not limited to:

- Using profane, abusive, vulgar, or harassing language;
- Berating or unnecessarily criticizing people in public;
- Gossiping;
- Deliberately embarrassing people;
- Using e-mail or text messages as a shield for rudeness or to further any other inappropriate or unacceptable workplace behaviors; and
- Addressing people in a rude or unprofessional manner or tone.

All SC Works system staff and management have a responsibility to act in good faith towards maintaining a culture of inclusion, dignity, and understanding for all stakeholders in the workforce system. Disputes should be addressed using approaches that facilitate clear communication and respectful interactions that lead to mutually acceptable solutions. For disputes that cannot be resolved informally, the following mediation/resolution process shall be followed.

1. Should informal efforts fail, the authorized signatory official of the WIOA local grant recipient, or designee, and the executive director of the partner (s), or designee (s) shall meet to mediate and resolve the situation.
2. Should these efforts fail, the situation shall be referred to the chair of the Local Workforce Development Board who shall designate an ad hoc committee to mediate with the parties involved to resolve the situation.
3. Should local efforts fail, and /or situations reoccur, either party may send a written request to the State Workforce Development Board (SWDB) regarding mediation.
4. The Chair will designate the Executive Committee or an ad hoc committee of at least five SWDB board members to mediate with the parties involved to resolve the situation.
5. The SWDB will hear that dispute and provide a recommendation within 60 days.
6. The parties will be notified in writing of the SWDB recommendation within 20 days.

# Relevant State Instructions to Part IV: Operations and Oversight

State Instruction Number 11-10: SC Works Online Services Staff Credentials and System Integrity

State Instruction Number 16-04: Workplace Civility

State Instruction Number 16-11: Confidentiality of Equal Opportunity Records

State Instruction Number 16-14, Change 1: Right to File a Grievance or Complaint Under WIOA

# PART V:
# List of Revisions
## *(as needed)*

# 5 REVISIONS

## 5.1 Revision 1: JANUARY 2018

**Part 1- Services to Employers**

The employer registration requirement in SCWOS may be waived for job fairs and other hiring events in response to mass layoffs and closure actions. Waivers must be authorized at the state level and will be communicated to the local workforce area(s). Any local requests for a waiver must be submitted to DEW Workforce Support.

**Section 1.9 Workkeys Services**

Assessment names updated.

**Section 2.1.3 Initial Assessment Procedures (Comprehensive Centers Only)**

A WP Initial Assessment must be recorded upon the completion of the WP Initial Assessment Form used to quickly identify the customer's occupational goals, existing skills, and work search readiness, and to determine if barriers to employment exist. Activity code 137: WP Initial Assessment must be entered and a corresponding case note indicating the outcome of the assessment (i.e. referral to a Workforce Consultant or job search ready) must be entered with the completed Initial Assessment Form attached as a PDF to prevent a viewing rights issue.

If the completed Initial Assessment Form indicates a referral to a Workforce Consultant is required, staff should enter activity code 188 (Interagency Referral) in SCWOS and send the case note along with the completed assessment (as a PDF).

**Section 2.2 Recording Job Seeker Services in SCWOS**

Defined the difference between the two categories of individuals accessing the workforce system (*Reportable Individual* and *Participant*) and revised the WP activity codes for recording services.

**Section 2.3 Workkeys**

Assessment names updated.

**Section 2.5.3 Homeless Veterans' Reintegration Program**

HVRP grantees are required to enroll all participants through local SC Works Centers. This is to create a sustainable partnership in which grantees understand each other's services and to ensure that participants' employment needs are met. Enrollment occurs when the homeless veterans' program recipient receives a Wagner-Peyser Act-funded employment service, a JVSG-funded DVOP service or a WIOA Title I-funded service,

such as services for adults or dislocated workers. Fast Forward, Telamon, and Military Community Connection of SC are responsible for working with appropriate WP, JVSG, and WIOA Title-I staff in the SC Works Centers to facilitate the enrollment of homeless veterans' program recipients.

**Section 2.6.2 Suitable Work**

The S.C. legislature now requires claimants to conduct at least two (2) job searches each week through SCWOS. Job searches must be performed in SCWOS using the individuals' registered username and password to be recorded and considered a verifiable job search.

**Section 2.7 Federal Bonding**

Local staff should distribute the brochure and informational letter to interested jobseekers. However, because the Federal bonding process at the local level does not require significant staff involvement, WP activity code 124*: Federal Bonding Assistance* will be entered by state level staff only.

**Section 3   Work Ready Communities (SWRC)**

Assessment names updated.

**Section 4.2 Complaints**

A link to State Instruction 16-14, Change 1 was added. The guidance contains the most recently updated 2017 WIOA Rights Handout for Registrants, Applicants, and Participants.

**Section 4.7 Civility**

Defined both positive and inappropriate behaviors in the workplace and outlined the dispute mediation process needed when complaints cannot be informally resolved.

# PART VI:
## Acronyms and Partner Programs

# ACRONYMS

**ADA:** Americans with Disabilities Act

**AEFLA:** Adult Education and Family Literacy Act

**AJC:** American Job Center

**BFOQ:** Bona Fide Occupational Qualification

**BLS:** Bureau of Labor Statistics (DOL)

**CBO:** Community-Based Organization

**CFR:** Code of Federal Regulations

**CRM:** Customer Relationship Management Module (part of SCWOS dedicated to employer services)

**CSBG:** Community Services Block Grant

**CWRC:** Certified Work Ready Communities

**DINAP:** Division of Indian and Native American Programs

**DOL:** Department of Labor

**DUA:** Disaster Unemployment Assistance

**DVOP:** Disabled Veterans Outreach Program

**ED:** Department of Education (US)

**EER:**  Entered Employment Rate

**EN:** Employer Network (Ticket to Work)

**ESL:** English as a Second Language

**ETA:** Employment and Training Administration (DOL)

**ETP:** Eligible Training Provider

**FEIN:** Federal Employer Identification Number

**FOIA:** Freedom of Information Act

**HHS:** Health and Human Services

**HVRP:** Homeless Veterans' Reintegration Programs

**IEP:** Individual Employment Plan

**ION:** Innovation and Opportunity Network (WIOA)

**JAG:** Jobs for America's Graduates

**JVSG**: Jobs for Veterans State Grants

**LMI**: Labor Market Information

**LVER:** Local Veterans Employment Representative

**LWDA:** Local Workforce Development Area

**MSFW:** Migrant and Seasonal Farmworkers

**MOU:** Memorandum of Understanding

**NPRM:** Notice of Proposed Rulemaking

**OJT:** On-the-Job Training

**O*NET:** Occupational Information Network

**PII:** Personally Identifiable Information

**PIRL:** Participant Individual Record Layout

**PTL:** Procedure Transmittal Letter (UI)

**RESEA:** Re-employment Services and Eligibility Assessment

**SBA:** Small Business Administration

**SBE:** Significant Barriers to Employment (JVSG)

**SCOIS:** South Carolina Career Information System

**SCWOS:** SC Works Online Services

**SNAP:** Supplemental Nutrition Assistance Program (formerly Food Stamps)

**SWDB:** State Workforce Development Board

**SSA:** Social Security Administration

**TAA:** Trade Adjustment Assistance

**TANF:** Temporary Assistance for Needy Families (DSS)

**TEGL:** Training & Employment Guidance Letter (issued by DOL)

**TRA:** Trade Readjustment Allowance

**TTW:** Ticket to Work

**UC:**  Unemployment compensation

**UI:** Unemployment Insurance

**VETS:** Veterans' Employment and Training Service (DOL)

**VCN:** Virtual Career Network

**VR:** Vocational Rehabilitation

**WARN:** Worker Adjustment and Retraining Notification Act

**WED:** Workforce & Economic Development

**WIA:** Workforce Investment Act (1998)

**WIP:** Workforce Information Portal

**WIOA:** Workforce Innovation and Opportunity Act (2014)

**WOTC:** Work Opportunity Tax Credit

# WIOA Required Partner Programs

**Adult, Dislocated Worker and Youth** programs are designed to help job seekers access employment and training services to succeed in the labor market and to match employers with the skilled workers they need to compete in the global economy.

**Adult Education and Family Literacy** programs provide English language, math, reading, and writing instruction to help students acquire the skills needed to succeed in the workforce, earn a high school equivalency, or enter college or career training. Family literacy programs address the literacy strengths and needs of the family/community while promoting adults' involvement in children's education and their own education.

**Wagner-Peyser (WP)** services provide all jobseekers with assessments, career counseling, job referrals, and resume assistance. Free tools to assist employers include posting job openings, recruiting and screening candidates, and reviewing job market trends.

**Vocational Rehabilitation (VR)** is a federal and state program that helps people who have physical or mental disabilities get and/or keep a job. VR is committed to helping people with disabilities find meaningful careers. In South Carolina, the VR program is administered by the Vocational Rehabilitation Department and the Commission for the Blind.

**Senior Community Service Employment Program** (SCSEP) provides training and job opportunities for low income persons age 55 and older.

**Job Corps** is a free education and training program that helps young people learn a career, earn a high school diploma or GED, and find employment. The program is administered by the Department of Labor's Office of the Secretary.

**Indian and Native American Program (INAP)** supports employment and training activities for Indian, Alaska Native, and Native Hawaiian individuals. INAP funds grant programs that provide training opportunities at the local level for this target population.

**Migrant and Seasonal Farmworker (MSFW**) program provides training and employment services to assist MSFWs in attaining greater economic stability. The Monitor Advocate system, with responsibilities at the national, regional, and state levels, helps ensure that farmworkers are served equitably in workforce programs.

**Jobs for Veterans' State Grant (JVSG)** programs serve America's veterans and other covered persons by preparing them for meaningful careers, providing employment resources and expertise, and protecting their employment rights.

**YouthBuild** is a community-based, non-profit alternative education program that provides job training and educational opportunities for at-risk youth ages 16-24. Youth learn construction skills while constructing or rehabilitating affordable housing for low-income or homeless families in their own neighborhoods. Youth split their time between the construction site and the classroom, where they earn a high school diploma or GED, learn to be community leaders, and prepare for college and other postsecondary training opportunities.

**Trade Adjustment Assistance (TAA)** is a federal program that assists U.S. workers who have lost or may lose their jobs as a result of increased imports or shifts in operations due to foreign trade agreements. This program seeks to provide adversely affected workers with opportunities to obtain the skills, credentials, resources, and support necessary to become reemployed.

**Community Services Block Grants (CSBG**) provide funds to alleviate the causes and conditions of poverty in communities, including services and activities that address employment, education, financial management, housing, nutrition, emergency services, and health needs.

**Department of Housing and Urban Development (HUD**) has a strong commitment to providing employment opportunities, training, and supportive services to assist low-income persons in becoming self-sufficient. Additionally, many of HUD's economic development programs generate large numbers of new jobs. These workforce development and job creation efforts are a part of HUD's welfare-to work strategy and benefit welfare recipients who reside in public and assisted housing, as well as others living in low-income communities.

**Unemployment Insurance (UI)** programs provide unemployment benefits to eligible workers who become unemployed through no fault of their own and meet certain other eligibility requirements.

**Second Chance Act (SCA)** supports state, local, and tribal governments and nonprofit organizations in reducing recidivism and improving outcomes for people returning from state and federal prisons, local jails, and juvenile facilities. SCA legislation authorizes federal grants for vital programs and systems reform aimed at improving the reentry process into society and the workforce.

**Postsecondary Career and Technical Education** focuses on academic achievement of career and technical education students, strengthens the connections between secondary and postsecondary education, and improves state and local accountability and coordination of education programs.

**Temporary Assistance for Needy Families (TANF**) is the monthly cash assistance program with an Employment Services component for low-income families with children under age 18 or children age 18 and attending school full-time. It is administered by the Department of Social Services.