Connecting Job Seekers with Disabilities and Federal Contractors through the Workforce Development System

April 23, 2014
3:00PM EST
TODAY’S SPEAKERS

Elizabeth Jennings (Facilitator)
Assistant Project Director
LEAD Center

Lisa Stern
NLX Veterans Services Manager
National Association of State Workforce Agencies
TODAY’S SPEAKERS, CONTINUED

Candee Chambers
VP – Compliance & Partnerships
DirectEmployers

Michael Morris
Public Policy Team Lead
LEAD Center
The National Center on Leadership for the Employment and Economic Advancement of People with Disabilities (LEAD) is a collaborative of disability, workforce and economic empowerment organizations led by National Disability Institute with funding from the U.S. Department of Labor’s Office of Disability Employment Policy, Grant No. #OD-23863-12-75-4-11.

This document does not necessarily reflect the views or policies of the U.S. Department of Labor’s Office of Disability Employment Policy, nor does the mention of trade names, commercial products, or organizations imply endorsement by the U.S. Government.
WELCOME

Christopher Button, Ph.D.
Supervisory Policy Advisor, Workforce System Policy
US Department of Labor
Office of Disability Employment Policy
LISTENING TO THE WEBINAR

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SUBMITTING QUESTIONS

**For Q&A:** Please use the chat box or Q&A box to send any questions you have during the webinar to Nakia Matthews or Elizabeth Jennings and we will direct the questions accordingly during the Q&A portion.

- If you are listening by phone and not logged in to the webinar, you may also ask questions by emailing questions to ejennings@ndi-inc.org.

TECHNICAL ASSISTANCE

If you experience any technical difficulties during the webinar, please use the chat box to send a message to the host Nakia Matthews, or you may also email nmatthews@ndi-inc.org.
LEAD CENTER MISSION

To advance sustainable individual and systems level change that results in improved, competitive integrated employment and economic self-sufficiency outcomes for individuals across the spectrum of disability.
THANK YOU
AGENDA

- Provide an overview of the National Labor Exchange
- Summarize recent regulations and guidance issued by OFCCP
- Review new expectations for employer engagement
- Generate action items for State Workforce Agencies
- Hear what employers are looking for in their partnerships with State Workforce Agencies
WEBINAR OUTCOMES

As a result of today’s webinar, participants will have a better understanding of:

- Federal level partnerships advancing employment.
- Section 503 and VEVRAA rules and regulations.
- Proactive action items State Workforce Agencies and other entities can take.
- The employers’ perspective.
- Resources to support you along the way.
AN INTRODUCTION TO THE NATIONAL LABOR EXCHANGE (NLX)
NATIONAL LABOR EXCHANGE (NLX)

- A unique public/private partnership leveraging private (non-profit-owned) technology and existing state workforce development agency resources.
FACTORS LEADING TO DEVELOPMENT OF THE NLX

Public Sector

- US DOL’s discontinuation of America’s Job Bank
- Continued need for workforce development system
- Formal process to endorse a provider of services

Private Sector

- Rising cost/declining ROI of commercial job banks
- Emergence of applicant tracking systems
- Multi-state employer needs
THE PARTNERSHIP...AND SOME HISTORY

**NASWA**
Non-profit representing State Workforce Agencies
- Founded in the early years of the Great Depression
- Organization of State Agencies
- Information exchange, liaison and advocacy

**DirectEmployers**
Non-profit HR consortium with >700 members
- Founded in 2001 by employers...for employers
- Network to improve labor market efficiency
- Reach culturally diverse national and int’l workforce
Mission:

To provide the nation’s most efficient web-based labor exchange system – at no additional cost to state workforce agencies and their customers.
HERE’S HOW IT WORKS:

Non-member Career Sites
Indexed/Scraped EVERY 24 HOURS

Member Career Sites
Indexed/Scraped EVERY 24 HOURS

Employer’s Career Site /ATS
State Workforce Agency Job Bank

Job listings emailed to Wagner-Peyser funded One-Stop Career Centers in all 50 states, DC, Puerto Rico & Guam

For OFCCP VEVRAA Compliance

OFCCP VEVRAA COMPLIANCE REPORTING

Feed of job listings provided to/from participating state job banks

NOT for OFCCP VEVRAA Compliance

Feed of job listings provided to federal partners and other diversity/disability sites.

NOT for OFCCP VEVRAA Compliance
Add Your Jobs to US.jobs and Participating State Sites at No Cost

By this request, you are authorizing US.jobs to index jobs from your corporate website and provide links from The National Labor Exchange search results page back to your jobs. You will be notified of any reason. US.jobs is unable to index the jobs from your website.

NOTE: Only federal contractor job postings (FCP/1) from DirectEmployers Association member companies and FCP's entered as single postings are tracked and recorded for Vietnam Era Veterans Readjustment Assistance Act (VEVRAA) and Jobs for Veterans Act compliance as required by the Office of Federal Contract Compliance Programs (OFCCP). Learn more about membership in DirectEmployers Association and the National Labor Exchange.

*Required Fields, *Required Field for US Companies

- **Company Name**
- **Company URL**
- **Career Site URL**
- **ATS (Provider)**
- **Company Size**
- **Number of Jobs**
- **Company Contact**
- **Email Address**
- **Phone Number**
- **Federal Contractor?** YES NO

- **Company Country** United States
- **Company State**
- **Company City**
- **Company Zip/Postal Code**
- **Company Address**

- FEIN
- Referring State

*Terms and Conditions: I accept the US.jobs Terms and Conditions

Submit
MORE THAN JOB OPENINGS

In addition to job openings, the NLX offers state workforce agencies other valuable technology services such as indexing, analytics, .JOBS microsites and job bank hosting… all at no cost.

For more information:

Charlie Terrell, NLX Operations Manager
cterrell@naswa.org, 202.434.8045
OFCCP’S RECENT VEVRAA & SECTION 503 REGULATIONS
APRIL, 2014
OFCCP Published Two Sets of Final Regulations in September 2013

Effective 3/24/14

Section 503 of the Rehabilitation Act (41 C.F.R. section 60-741)

Vietnam Era Veterans' Readjustment Assistance Act (41 C.F.R. section 60-300)
WHY THIS INFORMATION IS IMPORTANT

- 175,000++ federal contractors
- Workforce system front and center
- Policy review, development, dissemination
WHY THE RULE CHANGES?

Recruit • Hire • Improve Opportunities

• Individuals with Disabilities
• Protected Veterans
FINAL RULES – HIGHLIGHTS

**VEVRAA**
- Hiring Benchmarks
- Job Listings

**Section 503**
- 7% Utilization Goal
- Definition of disability = ADAAA

7.2% or national average

Individualized Approach
BENCHMARK & UTILIZATION GOAL

According to OFCCP:

- Designed as a tool to help federal contractors gauge progress
- Not a quota
- Not a hiring ceiling
FINAL RULES – HIGHLIGHTS

VEVRAA

1. Data Collection
2. Invitation to Self-Identify
3. E/O Language for Sub Contractors
4. On- and Off-Site Review

Section 503
VEVRAA LANGUAGE CHANGES

“Other Protected Veterans” removed

Active Duty Wartime or Campaign Badge Veteran

Protected Veteran

Catch-All Term

Disabled Veterans  |  Recently Separated Veterans  |  Active Duty Wartime or Campaign Badge Veterans  |  Armed Forces Service Medal Veterans
NOTABLE 503 CHANGES

- No job listing or linkage agreement requirement
- Appropriate outreach and recruitment activities
- “Individual with a disability”
  “Disability”
- “Qualified individual with a disability”
  “Qualified individual”
- Mandatory voluntary self-identification language (may not alter content)
- Encouraged to provide additional reasonable accommodation info with the form
INVITATION TO SELF-IDENTIFY

Voluntary Self-Identification of Disability

Why are you being asked to complete this form?

Because we do business with the government, we must reach out to hire, and provide equal opportunity to qualified people with disabilities.1 To help us measure how well we are doing, we are asking you to tell us if you have a disability or if you ever had a disability. Completing this form is voluntary, but we hope that you will choose to fill it out. If you are applying for a job, any answer you give will be kept private and will not be used against you in any way.

If you already work for us, your answer will not be used against you in any way. Because a person may become disabled at any time, we are required to ask all of our employees to update their information every five years. You may voluntarily self-identify as having a disability on this form without fear of any punishment because you did not identify as having a disability earlier.

How do I know if I have a disability?

You are considered to have a disability if you have a physical or mental impairment or medical condition that substantially limits a major life activity, or if you have a history or record of such an impairment or medical condition.

Disabilities include, but are not limited to:
- Blindness
- Deafness
- Cancer
- HIV/AIDS
- Diabetes
- Epilepsy
- Muscular dystrophy
- Autism
- Cerebral palsy
- Multiple sclerosis (MS)
- Schizophrenia
- Mental retardation
- Bipolar disorder
- Major depression
- Multiple sclerosis (MS)
- Missing limbs or partially missing limbs
- Post-traumatic stress disorder (PTSD)
- Obsessive compulsive disorder
- Impairments requiring the use of a wheelchair
- Intellectual disability (previously called mental retardation)

Please check one of the boxes below:

☐ YES, I HAVE A DISABILITY (or previously had a disability)
☐ NO, I DON’T HAVE A DISABILITY
☐ I DON’T WISH TO ANSWER

Your Name

Today’s Date

Reasonable Accommodation Notice

Federal law requires employers to provide reasonable accommodation to qualified individuals with disabilities. Please tell us if you require a reasonable accommodation to apply for a job or to perform your job. Examples of reasonable accommodation include making a change to the application process, or work procedures, providing documents in an alternate format, using a sign language interpreter, or using specialized equipment.

1 Section 503 of the Rehabilitation Act of 1973, as amended. For more information about this form or the equal employment obligations of Federal contractors, visit the U.S. Department of Labor’s Office of Federal Contract Compliance Programs (OFCCP) website at www.dol.gov/ofccp.

PUBLIC BURDEN STATEMENT: According to the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. This survey should take about 5 minutes to complete.
The Section 503 Final Rule

Improving Job Opportunities for Americans with Disabilities

OFCCP Seeks to Improve Job Opportunities for Americans with Disabilities
Learn About the Final Rule...

Select any of the following

- Annual National Percentage Census Population Survey Results
- Annual National Percentage of Veterans Years:
- All States, * Percentage of Veterans
- Percentage of Veterans in the Labor Force

Recruitment Directory

OFCCP conducted extensive outreach during and after the Section 503 of the Rehabilitation Act (Section 503) and the Veterans’ Readjustment Act (VEVRAA) rulemaking. During this outreach many contractors asked for a community and other resources for recruiting veterans and individuals with disabilities. To meet this need, OFCCP worked with other DOL and federal agencies, created a non-exhaustive directory of groups and organizations that provide assistance with training, recruiting, and hiring veterans and individuals with disabilities.

Search

This directory search provides two primary functions:
- The ability to search by state, and the ability to download your search results; and
- The ability to import the information into any word processor, spreadsheet, or database software package.

If you require further assistance in using this directory, contact the Policy Division at (202) 693-0104.
NEW AND/OR RENEWED EMPLOYER ENGAGEMENT WITH THE WORKFORCE SYSTEM
MANDATORY JOB LISTING REQUIREMENT

1

VEVRAA Mandatory Job Listing Requirement

Posting vs. Listing

List in a format permitted by the appropriate employment service delivery system

...in order to provide priority referrals of protected veterans

VEVRAA Federal Contractor Priority Referrals Contact Information for Hiring Locations

*FOR STATE USE ONLY*
PRIORITY REFERRALS

2

Priority Referrals

Access to protected classes of candidate pools

Impacts referral and traffic

Partner development
OUTREACH AND POSITIVE RECRUITMENT

3

Outreach and Positive Recruitment

Flexible – determined by the contractor

Develop criteria

Evaluate effectiveness
ACTION ITEMS FOR
STATE WORKFORCE AGENCIES
POTENTIAL CHALLENGES

- Job listings and listing requirements
- OFCCP audits and documentation requests
- Third party providers
- Customer confusion

Review, Refine or Create Policies and Procedures

Training & Education
MANDATORY JOB LISTINGS

1. How do you accept job listings for compliance?
2. Is this information posted on your website and easy to find for employers?
3. Does your virtual system have the data fields that contractors need to use?

Employers are not required to register separately in every state in order to fulfill the job listing requirement.
OFCCP AUDITS/PRIORITY REFERRAL

1. Priority referral policies and procedures
2. Central POC for job listing audits
3. Job listing archives
4. Web-accessible information
Review, revise or create state policy

Filter policies down to local levels

...however, the employment service delivery system must be prepared to provide OFCCP with information pertinent to whether the contractor is in compliance with the mandatory job listing requirements of the equal opportunity clause.

OFCCP compliance is employer’s responsibility…
PROACTIVE OUTREACH

• Outreach and positive recruitment
  • Resource mapping/environmental scan
  • Put yourself in an employer’s shoes

• Partner development
  • Expand jobseeker pool
  • Coordinate business outreach

• Jobseeker education
  • Invitation to self-identify
  • Reasonable accommodation
COOL TOOLS FROM THE NLX

National Labor Exchange
NASWA Home >> NLX Home

The National Labor Exchange (NLX) partnership collects and distributes job openings exclusively found on corporate career websites and state job banks. All job openings are unduplicated, currently available, and from vetted employers. Since 2007, the NLX has made available over 25 million job openings, from some 110,000 employers of all sizes found on this network.

About
What is the National Labor Exchange?
What is US Jobs?
Who is DirectEmployers Association?
NLX and Veterans' Compliance

For State Workforce Agencies
State Services
State Jobs
Microsites
State Marketplace

For Government Partners
Congressional Staff
Federal Staff
Commentation Notice of Proposed Rule Making (FNPRM)

State Job Counter

US.jobs NLX Statistics Report For MD At 4/15/2014 4:09:31 PM

US.jobs NLX Statistics For MD
These numbers do NOT include jobs in MD imported by neighboring states

Number of Jobs Currently in MD
All Companies - 27,279
Member Companies - 13,997
U.S. Federal Government - 311

Number of New MD Jobs In The Last Week
All Companies - 3,190
Member Companies - 1,824
U.S. Federal Government - 132

Number of Companies With Jobs Currently In MD
All Companies - 1,264
Member Companies - 378

Member Companies With Jobs Currently In MD
ABBTECH Professional Resources, Inc.
AbbVie
ABF Freight System, Inc
ABM Industries
Abt Associates
Accenture
Accountems
Acosta Sales & Marketing
ACT, Inc.
Actavis
Advantage Sales and Marketing
AECOM
Aegon Corporation
Aegis Therapies
Aetna
Align Science and Technology
**VETCENTRAL REPORTS**

### State of District of Columbia: Job Order Compliance Report

- **Company Name:** IBM
- **FEIN:** [redacted]
- **Report for jobs received between 6/1/2012 and 6/30/2012**
- **Included State(s):** DC

**Report Date:** 8/16/2012 11:18:32 AM

- **Delivery Confirmed:** 229
- **Awaiting Confirmation:** 0
- **Pending Delivery:** 0
- **Other:** 0

**Total Jobs:** 229

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NO-COST INDEXING
WHAT ARE EMPLOYERS LOOKING FOR?
THE DIRECTEMPLOYERS PERSPECTIVE
RESOURCES TO IMPLEMENT SECTION 503
BACKGROUND MATERIALS

► OFCCP Mission Statement
► OFCCP Section 503 Fact Sheet
► Section 503 PowerPoint (8-30-2013)
► Section 503 FAQs
► Section 503 Crosswalk: Existing vs. Final Rule
► OFCCP Employment Resource Referral Directory (ERRD)
► Disability and Veterans Community Resource Directory
► Employment and Disability 30-Second Training Series for Business
► OFCCP Contacts:
  ► Regional Office Directory
  ► Nationwide Office Directory
EMPLOYMENT AND DISABILITY 30-SECOND TRAINING SERIES FOR BUSINESS

Series Categories:

❖ Americans with Disabilities Act (ADA) Basics
❖ Compliance Benefits
❖ Employment Basics
❖ Recruitment and Hiring Strategies
❖ Section 503 Final Rule

https://disability.workforce3one.org/page/tag/1001325234816231319
ACTION STEPS- HOW TO HELP IMPLEMENT SECTION 503

- Establish a lead person at the state level and in each workforce investment area on Section 503.

- Establish communication with the regional office for OFCCP and identify the lead outreach individual (District Director) for OFCCP.
ACTION STEPS- HOW TO HELP IMPLEMENT SECTION 503 (CONT.)

Plan together opportunities for collaboration that support the needs of federal contractors and jobseekers with disabilities. Possibilities include:

- Special events (i.e., job fairs),
- Education and training,
- Annotated resource map of community and state resources, and
- Development and/or use of a talent acquisition portal (i.e., Our Ability).
ACTION STEPS- HOW TO HELP IMPLEMENT SECTION 503 (CONT.)

- At a state and community level, build a Section 503 resource map for federal contractors that streamlines access to helpful public and private resources. The resource map would include, but not be limited to:
  - Services offered by AJCs,
  - Services offered by CILs,
  - Prescreening of job applicants by AJCs,
  - Job accommodation policies and requests,
  - Employment Networks of Ticket to Work program,
  - Business service representatives of VR and AJCs,
  - Community employment service providers, and
  - Community college, college and university disability student service agencies.
ACTION STEPS- HOW TO HELP IMPLEMENT SECTION 503 (CONT.)

- Stay informed on data collection requirements for Federal contractors regarding Section 503 by communicating regularly with OFCCP regional and state contacts.

- Create talent pool of individuals with disabilities who have self-identified and streamline process to make it easier to connect job applicants with federal contractor needs.

- Document success stories of AJCs prescreening applicants and supporting successful hiring. Disseminate widely with media how the workforce investment system is helping identify talented individuals for federal contractors.
ACTION STEPS- HOW TO HELP IMPLEMENT SECTION 503 (CONT.)

- Add your organization to the OFCCP Employment Resource Referral Directory by submitting your organization’s name, address and brief description of its goals and activities to the OFCCP National Office.
  - Email: OFCCP-Public@dol.gov
  - Fax:(202) 693-1304
QUESTIONS?
LEAD CENTER FREE WEBINAR SERIES

- The LEAD Center will provide a new webinar on the last Wednesday of each month from 3:00p.m. EST - 4:30p.m. EST.
- Webinars will include three mini-series on:
  1. Economic Advancement
  2. Leadership
  3. Employment
- Next month continues the leadership/public policy mini-series, focused on improving outcomes for individuals with disabilities.

http://www.leadcenter.org/webinars
UPCOMING WEBINARS:
LEADERSHIP (PUBLIC POLICY) SERIES

May 28, 2014 from 3:00pm ET to 4:30pm ET

Medicaid Managed Care and Its Implications on Employment Services

As states continue to transition their Medicaid systems into managed care models, numerous opportunities and risks to Medicaid-financed employment services have emerged. This webinar will provide an overview of Medicaid Managed Care and its potential implications on employment services, both positive and negative, as well as discussing how stakeholders can influence the process.

Target Audience: Workforce Development Professionals, Policy Makers, Individuals with Disabilities and related stakeholders.
THANK YOU

Lisa Stern
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