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Chapter 1 – Regulatory Responsibility

Section 1:1 - Background

The Wagner-Peyser (W-P) Act of June 1933, as amended by the Workforce Innovation Opportunity Act (WIOA) of January 2014, established the Employment Service (ES) System. This One-Stop delivery system is the labor exchange process that matches employer job openings with qualified job seekers and provides labor market information, career development assistance, and the Unemployment Insurance’s (UI) work tests. Bringing together job seekers and employers is the goal of this system.

The Michigan Talent Investment Agency (TIA) administers the labor exchange through the local Michigan Works! Agencies (MWAs). The MWAs represent the Workforce Development Boards (WDB) throughout Michigan. If the MWA is a merit-staffed entity, they may self-deliver employment services or subcontract with one or more public, merit-staffed service providers.

The One-Stop operators collaborate with co-located partners to create a seamless system of service delivery that enhances access to program services and improve long-term employment outcomes for individuals receiving assistance. Per a Memorandum of Understanding (MOU), an agreement is developed and executed between the Local Board and the One-Stop partners that outline the operation of the One-Stop delivery system in the local area.

The WIOA requires each One-Stop delivery system to use a common identifier on all products, programs, activities, services, electronic resources, facilities, and related property and new materials. States and local areas are also permitted to use any state or locally-developed identifier.

The U.S. Department of Labor (USDOL), in coordination with the U.S. Department of Education established the “American Job Center” network, a unifying name, and brand that identify online and in-person workforce development services as part of a single network of publicly funded services.

In addition to the Michigan Works! brand, Michigan Works! Service Centers (MWSCs) must use either the “American Job Center” common identifier, or use the tagline phrase “a proud partner of the American Job Center network.” Either plan text or a logo may be used.

Section 1:2 – ES Regulations

The W-P services are available to citizens and nationals of the United States (U.S.), lawfully admitted permanent resident aliens, refugees, and other immigrants authorized to work in the U.S.

The W-P Act and related regulations require the ES labor exchange to provide the following minimum services:

- Assistance for job seekers in finding employment.
- Assistance for employers in filling positions.
- Facilitate the match between job seekers and employers.
- Participate in a system for clearing labor between the states.
- Meet the work test requirements of the state unemployment compensation system. Establish and maintain an ES complaint system.

The ES regulation states that the labor exchange system must meet the following requirements:
• Accept a job application from any job seeker without regard to their place of residence, current employment status, or occupational qualifications.

• Obtain information which is necessary to determine the job seeker's qualifications for employment and facilitate job placement; plus, any additional information that is needed to evaluate, plan, and improve programs.

• Implement priority of service for veterans and eligible spouses of veterans Training and Employment Notice No. 15-10), and the Training and Employment Guidance Letter 10-09.

• Services will not be provided directly or indirectly to fill a position that is vacant because the former occupant is on strike, is being locked out in the course of a labor dispute, or involves an issue in a labor dispute.

• Services will not be provided directly or indirectly to fill a position that involves picketing an employer's establishment.

• Services will not be provided to an employer who is known to unlawfully discriminate.

• Ensure delivery of ES to Migrant Seasonal Farm Workers (MSFW) are the same services that are provided to non-MSFWs.

Section 1:3 – Merit-Based Staff

The W-P ES must be delivered by merit-based staffed organizations.

Merit staffing is defined as follows:

• Recruiting, selecting, and advancing employees on the basis of their relative ability, knowledge, and skills, including open consideration of qualified applicants for initial appointment.

• Providing equitable and adequate compensation.

• Training employees to assure high-quality performance.

• Retaining employees on the basis of the adequacy of their performance, and separating employees whose inadequate performance cannot be corrected.

• Assuring that fair treatment of applicants and employees in all aspects of personnel administration without regard to political affiliation, race, color, national origin, sex (including pregnancy, gender identity, and sexual orientation), religious creed, age, or disability, and with proper regard for their privacy and constitutional rights as citizens. This “fair treatment” principle includes compliance with the federal Equal Employment Opportunity (EEO) and nondiscrimination laws.

• Assuring that employees are protected against coercion for partisan political purposes and prohibiting the use of their official authority for the purpose of interfering with or affecting the result of an election or a nomination for office.

All MWA ES providers must be a unit of the State of Michigan, a local unit of government, special purpose unit of government, school district, intermediate school district, public community college, public college, or public university. The MWAs shall not use a competitive selection process that excludes or penalizes bids or proposals submitted by, or contracts with, the TIA for ES.
The MWAs must have a Merit-Based Staffing Certification Form confirming that the organization, which delivers ES, is a merit-based entity. This documentation must be made available to the TIA and/or the USDOL if requested.

References

5 Code of Federal Regulation (CFR) 900.603 and 900.604

Sections 4728 and 4763 of the federal intergovernmental Personnel Act of 1970

Section 1:4 – Information Sharing

The TIA is mandated to comply with the Michigan Employment Security Act (MESA), which requires that information gathered about job seekers and employers be kept confidential. This includes ES information gathered by the TIA or the MWA and data contained within the Pure Michigan Talent Connect (PMTC). Information may be shared with appropriate agencies to facilitate labor-exchange activities and to assure compliance with federal and state regulations.

Information may be shared under the following circumstances with:

- A partner with whom there is a signed MOU that ensures the information will be utilized only for the purpose(s) intended.
- Michigan Rehabilitation Services and the Bureau of Services for Blind People regarding job seekers who have been referred for assistance. Information about other job seekers may be shared only with the job seeker’s written consent.
- The U.S. Department of Treasury/Internal Revenue Service.
- The Social Security Administration.
- State agencies responsible for providing public assistance to the unemployed.
- Governmental agencies that enforce fair employment practices, contract compliance, anti-discrimination laws, executive orders, and ordinances.
- Any state employment security agency, federal agency, or public employment office, which administers unemployment compensation.
- College and University research projects.

Inquiries by local Law Enforcement Agencies or a receipt of a Subpoena should be referred to the MWA Director.

Reference

MESA – Section 11(b) and 54

Section 1:5 – Freedom of Information Act (FOIA)

The FOIA regulates and establishes requirements for the disclosure of public records by all governmental entities and other programs supported by federal, state, and local funds. All records except those specifically cited as exceptions are covered under the FOIA. The TIA discloses information in accordance with the FOIA of 1976 and subsequent amendments. Each MWA or ES provider must respond to FOIA requests under their own established FOIA policies and procedures.
Reference

FOIA of 1976

Section 1:6 – ES Plan Guidance

Each program year, the MWAs are required to submit a Budget Information Summary, an authorized signature page, and a Merit-based Staffing Certification Form in response to a policy provided by the TIA.

Allocations and time limits for submission are provided.

Once the plan is approved, a Grant Action Notice is issued allowing the MWA to draw on their allocated funding.

Modifications to policies may occur during the program year by releasing policy issuances with change notifications.

Section 1:7 - MWA Closures

Planned Closures

The MWAs are allowed up to two days per calendar year to close the Michigan Works! Service Centers (MWSC) in their local area for the purposes of staff training. The MWAs will take into consideration days of the week with historically low customer flow when scheduling these closures. Notification to the general public will begin at least two weeks prior to the date of closure, and should include the address for the nearest operational MWSC. The MWAs will send an email to wdb@michigan.gov of a planned closure as soon as the closure is scheduled.

In the event a MWSC is permanently relocated or closed, the MWA must send an email to wdb@michigan.gov no less than 30 days prior to the relocation or the closure. The MWAs must also notify current participants and the general public of the closure or new location no less than 30 days.

Unforeseen Closure

In the event of an unforeseen closure (e.g., inclement weather, power outage, fire, flood, etc.) of a MWSC, the MWAs must send an email to wdb@michigan.gov as soon as possible. Notices to the general public should include an address for the nearest operational MWSC. The MWAs will utilize social media sources and local television stations to alert the general public.

Section 1:8 - Hours of Operation

The MWSCs are required to follow the State of Michigan’s workdays and holidays. The TIA will provide a list of state holidays for each calendar year by October 1st for the preceding year.

Hours of operation will be, at a minimum, 8:00 a.m. to 5:00 p.m. - Monday through Friday, without interruptions to service. Exceptions to required workdays and hours of operation must receive written authorization from the TIA. Requests may be submitted to wdb@michigan.gov and must include proposed workdays and hours, along with the justification to support the request.
Section 1:9 - ES Complaint System

Background
In 1972 the National Association for the Advancement of Colored People filed a formal complaint against U.S. Secretary of Labor, Peter J. Brennan, claiming various discriminatory actions by the USDOL Employment and Training Administration (ETA). In lieu of proceedings, Judge Charles R. Richey appointed a committee to handle an investigation into the USDOL-ETA procedures. In August of 1974, Judge Richey signed a consent order requiring that the USDOL-ETA take specific actions to provide equitable services, benefits, and protections for all customers, including MSFWs. One of the protections afforded to customers is the ES Complaint System.

The ES Complaint System has been codified into the CFR at Title 20, Chapter V, Part 658.400, which mandates that each state establish and maintain an ES Complaint System.

Each MWSC that provides W-P funded services must utilize the procedures described in this section to handle complaints. The State Monitor Advocate (SMA) will monitor the ES Complaint System and provide technical assistance.

ES Complaint System
The ES Complaint System is a formal mechanism for processing complaints from customers who believe their employment-related rights have been violated, denied, or that they have been unjustly treated in an employment-related situation. The ES Complaint System was established to serve all customers, including the general public, job seekers, employers, veterans, and MSFWs.

Each MWA is responsible for processing grievances, and must appoint a Complaint Coordinator and a substitute Complaint Coordinator for each MWSC location. Complaint Coordinators will be on duty when their local office is open, and must receive training delivered by the State Monitor Advocate or their appointed designee.

There are two types of complaints handled by the ES Complaint System at the local level:

1. Employment-Related Law Violations:
   - These complaints are made against any employer who did not use the PMTC to recruit workers. Employment-related laws deal with the employment relationship, such as those enforced by Wage and Hour, Occupational Safety and Health Administration, or by other federal and state agencies.
     - Essentially these complaints are related to the violation of a worker’s rights, under state or federal law, by his or her employer.
2. ES Regulation Violations:

   - The ES Regulations encompass all services administered at the local level by the Employment Service. An example of a violation of these regulations would be the misuse of the PMTC, denial of services, or the failure to provide the full range of employment services.

     o These violations can be committed by either:
       ▪ The MWA or SWA staff. It is important to understand and follow all policies and procedures of the One-Stop system in order to avoid a violation of ES or EO regulations.
       ▪ An employer who used PMTC to post open positions, and/or to whom the complainant was referred by the MWA.

     o These complaints must be made within two years of the alleged violation.

3. ES Regulation Violations:

   - The ES Regulations encompass all services administered at the local level by the Employment Service. An example of a violation of these regulations would be the misuse of the PMTC, denial of services, or the failure to provide the full range of employment services.

     o These violations can be committed by either:

       ▪ The MWA or SWA staff. It is important to understand and follow all policies and procedures of the One-Stop system in order to avoid a violation of ES or EO regulations.
       ▪ An employer who used PMTC to post open positions, and/or to whom the complainant was referred by the MWA.

     - These complaints must be made within two years of the alleged violation.

MWAs that receive complaints related to UI, Federal Contract Job Listing (FCJL) complaints filed by veterans, and WIOA Title I, will refer to the following:

   - Further information regarding UI complaints may be found on the [UI website](#).
   - Further information regarding FCJL complaints may be located on the [DOL website](#).
   - WIOA Title I complaints go through the local MWA grievance policy.

Rights of the Complainant

   - A complainant is allowed to designate an individual to act as his/her representative throughout the filing and processing of a complaint.
Confidentiality:
  o The identity of the complainant(s) and any persons who furnish information relating to, or assisting in, an investigation of a complaint must be kept confidential to the maximum extent possible.

General Rules in How to Handle the Two Types of Complaints

1. The **ES Service Center Manager** is responsible for the operation of the complaint system. Staff must be available during normal business hours to take a complaint. The following must occur:

   a. A complaint log (Form 301) is maintained for each One-Stop location, with a list of all complaints taken at that specific office (and by that office’s outreach worker, if applicable). This log will contain:
      o Name of the complainant (make a note if complainant would like to remain anonymous).
      o Name of the respondent (employer or state agency).
      o Date the complaint is filed.
      o Whether the complaint is by or on behalf of a Migrant or a MSFW.
      o Whether the complaint concerns an employment-related law or ES regulations.
      o For a MSFW complainant, the action taken and whether the complaint has been resolved.

   Staff will route all complaints to the service center’s trained Complaint Coordinator who handles the investigation if one is warranted.

   b. The complaint log is submitted to the SMA office by the 15th of the following month.
      o TIA
        Attn: State Monitor Advocate
        201 North Washington Square – 4th Floor
        Lansing, MI 48913
        Email to: SMAoffice@michigan.gov

   c. The following posters are required to be prominently displayed in all the MWA locations:
      o **English/Spanish Complaint Poster (Monitor Advocate)**
      o **Equal Employment Opportunity** (EEO is the Law)
      o **Fair Labor Standards Act Minimum Wage**
      o **Migrant and Seasonal Worker Protection Act**

2. **Staff receiving complaint** must ensure the following during their initial conversation with the complainant:

   a. Provide complainant with information about the full range of One-Stop services.

   b. Language assistance must be provided for complainants who are not fluent in English.
c. Offer to explain the operation of the complaint system, and offer to take the complaint in writing.

d. Make every effort to obtain all information that would be relevant to an investigation.

e. Request the complainant provide all of the physical addresses, email addresses, and telephone numbers through which he or she can be contacted during the investigation.

f. Request the complainant make staff aware before leaving the state if possible, and explain the need to maintain contact during the investigation.

g. Provide assistance filling out the Complaint/Referral form (ETA 8429) if necessary, and ensure that all complainants submit their complaints on this designated form. An exception is made for complaints that are submitted by mail or email and are signed (or e-signed) by the complainant or his/her representative. These will also be accepted as long as they contain enough information to initiate an investigation. These submissions must be acknowledged with a letter of receipt, sent either by mail or email.

h. If a complainant is representing several others, the names, permanent addresses, and contact information of each person represented must be included in the complaint.
   - When the complainant has designated another individual as his or her representative, this needs to be indicated in Section 8 of the ETA 8429.

i. Provide a copy of the completed ETA 8429 to complainant.

j. All complaints must be sent to the MWSC Complaint Coordinator.

k. These procedures also apply to outreach workers, who take complaints in the field and bring them back to the office to be processed by the Complaint Coordinator.

**Special Procedures for Complaints Regarding an Employment-Related Law**

**Step One:**

Determine if the complainant is a Migrant or a MSFW.
   - A migrant farmworker is someone who moves for seasonal agricultural work, making it impossible to return to his or her permanent residence during the period of employment.
   - A seasonal farmworker, on the other hand, stays in one area year-round and engages in temporary farm work.
Step Two:

If the complainant is **not a MSFW**: refer the complainant immediately to the appropriate agency. There is no requirement to follow up on the complaint, but it is still necessary to assure the ETA 8429 is completed and provide the complainant and the Complaint Coordinator with a copy.

- The following are some of the agencies that investigate common complaints:
  - **USDOL Wage and Hour**: Review complaints regarding: hours, wages, child labor, overtime, recordkeeping, Davis-Bacon, labor law enforcement, minimum wage, prevailing wages, construction, foreign labor, family leave, service contracts, government contracts, and farm labor.
  - **Licensing and Regulatory Affairs Wage and Hour**: Review complaints regarding: minimum wage, overtime, prevailing wage, payment of wages, and fringe benefits.
  - **Michigan Department of Agriculture and Rural Development**: Review complaints regarding migrant farmworker housing.

If the complainant is **a MSFW**:

- Take a written complaint ETA 8429
- Offer other employment services
- The Complaint Coordinator is allowed 5 business days to attempt to resolve the issue locally, except in cases where immediate action must be taken or when local resolution will be detrimental to the complainant(s)
- If not resolved in 5 business days, the complaint is referred to the appropriate state or federal agency. Send the ETA 8429 form to the SMA and provide the complainant with the SMA’s contact information

**Special Procedures Regarding ES Complaints**

1. Complaints filed against an in-state employer will be handled by the local MWA in the employer’s region.
   - If the complaint is filed at a MWA outside of the employer’s region, staff must take the complaint and assure that the ETA 8429 is completed and sent to the appropriate local MWA. Send a copy of the referral letter to the complainant.

2. Those filed against an out-of-state employer or another SWA must be submitted to the SMA:
   - TIA
     Attn: State Monitor Advocate
     201 North Washington Square – 4th Floor
     Lansing, MI 48913, or
     Email: SMAoffice@michigan.gov.
3. Those filed against a Michigan Works office:
   o The MWA in the county of the alleged violation will handle the complaint. If a complaint is filed against more than one MWA and alleges an agency-wide violation, it must be handled by the SWA.

4. Investigation Process:
   o The Complaint Coordinator must investigate and attempt to resolve all ES complaints immediately upon receipt.
   o If the complaint has not been resolved locally within 15 business days for non-MSFWs, or within 5 business days for MSFWs, the complaint must be sent to the SWA/State Complaint Specialist. The MWA must notify the complainant and respondent of either the results of its investigation, or of the referral to the SWA.

Special Procedures for Discrimination Complaints

There are two types of discrimination complaints:

1. Those made against employers in violation of Equal Employment Opportunity Commission (EEOC) regulations, which prohibit discrimination because of age, disability, genetic information, national origin, pregnancy, race/color, religion, or sex, to name a few. EEOC also takes complaints about equal compensation, harassment, and retaliation on their EEOC website, also providing contact information:
   - Procedure:
     o Fill out the ETA 8429 form
     o Log the complaint
     o Submit to the state EO Officer
     o Notify the complainant of referral in writing with a statement similar to “We are in receipt of your complaint. It was referred to the United States Equal Employment Opportunity Commission.”

2. Those made against a federally funded agency or program that violate either:
   - Title VI of the Civil Rights Act, which prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance; OR
   - Sec. 188 of the WIOA, which prohibits discrimination against those involved with programs/activities that receive financial assistance from DOL, or under certain circumstances, from other federal agencies, or are otherwise part of the American Job Center delivery system. Sec. 188 prohibits discrimination on the grounds of race, color, religion, sex, national origin, age, disability, or political affiliation or belief, among other basis. Sec. 188 also requires that reasonable accommodations be provided to individuals with disabilities.
Procedure:
- Fill out the ETA 8429 form
- Log complaint
- Refer to the state EO Officer and to the Michigan Department of Civil Rights:
  - Detroit Service Center
    3054 West Grand Boulevard, Suite 3-600
    Detroit, MI 48202, or
  - Capitol Tower Building
    110 West Michigan Avenue Suite 800
    Lansing, MI 48933, or
  - State Office Building, 4th Floor,
    350 Ottawa North West
    Grand Rapids, MI 49503

Resolution of Complaints
1. A complaint is considered resolved when one of the following applies:
   a. The complainant indicates satisfaction with the outcome in writing.
   b. The complainant chooses not to elevate the complaint to the next level of review.
   c. The complainant or his/her representative does not respond to a written request for information made by the MWA or state staff within 20 business days for non-MSFWs, or 40 business days for MSFWs.
   d. The complainant exhausts all available options for review.
   e. A final determination has been made by the enforcement agency to which the complaint was referred.

2. Reopening case after resolution:
   If a complaint is resolved due to the fact that the complainant or his/her representative did not respond to a written request from the MWA or state staff during the investigation, the complainant may reopen the case within one year after closure.

Apparent Violations for Migrant and Seasonal Farmworkers
1. If a SWA, Michigan Works! employee, or outreach worker observes, has reason to believe, or is in receipt of information regarding a suspected violation of employment-related laws or ES regulations by an employer, the suspected violation must be documented (TIA 301) and referred to the State Monitor Advocate office.

2. If the employer has filed a job order within the past 12 months, the MWA must attempt an informal resolution as long as this will not be detrimental to the complainant.
If the employer has not filed a job order within the past 12 months, the suspected violation must be referred to the appropriate enforcement agency in writing.

3. Log all apparent violations and submit by the 15th of the following month to:
   - TIA
     Attn: State Monitor Advocate
     201 North Washington Square – 4th Floor
     Lansing, MI 48913, or
     Email: SMAoffice@michigan.gov.

Section 1:10 – SMA

The SMA will perform the required yearly onsite review of all significant offices (unless the office was evaluated by a federal review team in that year).

The SMA is also responsible for:

- Monitoring plans
- Providing technical assistance
- Training in policy and procedures in the areas of:
  - The ES Complaint System
  - MSFW Outreach
  - Clearing Labor
  - Agricultural Job Orders
  - The Identification of Apparent Violations

References


20 CFR 658.411 – Action on complaints
Chapter 2 – Electronic Systems

Section 2:1 – Pure Michigan Talent Connect (PMTC)

The PMTC is the launch pad for new jobs, careers, and talent. It is an online marketplace connecting Michigan's job seekers and employers, and serves as a central hub linking all public and private stakeholders who support Michigan's workforce. The PMTC serves as the state’s labor exchange system.

Job seekers post a profile/resume on the PMTC in order for employers to match their skills and experience to one of their job openings. Employers post their job openings on the PMTC for job seekers to apply for their positions.

Tutorials are offered on this site to provide guidance on how to best use the PMTC for the job seekers to navigate through and provide valuable information about themselves.

Tutorials are also offered to employers in the same manner as the job seeker.

There is valuable information on this site for job seekers and employers to assist in the many facets of career development and placement.

The eLearning Soft Skills Program is accessible on this site, as well. There are 15 eLearning modules on Lifelong Soft Skills that provide a universally accessible Soft Skills training resource for the Michigan workforce on basic and foundational skills for the workplace. These modules focus on communication, critical thinking, collaboration, and creativity.

There are tabs on the PMTC website that provide information to job seekers, employers, and veterans. There are also tabs titled “Career Explorer” and “Skilled Trades.”

When the PMTC is not available

If the Michigan Works! Agencies (MWAs) notice the PMTC is unavailable, an email should be sent to talentconnect@michigan.gov, reporting the issue.

The MWA staff should have the customer complete the Michigan Talent Investment Agency (TIA) Form 900-01, “Talent Connect Worksheet.” The completion of pages one and two of the “Talent Connect Profile Worksheet,” are required for all Unemployment Insurance (UI) claimants when the PMTC is not available.

The supplemental worksheets: “Build a Resume,” “Veteran,” and “Spouse of Veteran” are optional. The TIA strongly encourages the completion and data entry of the entire Talent Connect Worksheet.

When the customer has completed the required portions of the TIA 900-01, the form should be stamped with the current date and set aside for data entry by the MWA staff when the system becomes available.

The MWA staff should provide customers with a “PMTC Password Card” to record their email address and password that are noted on the TIA 900-01 form. The MWAs must not maintain a local record of passwords, as they belong exclusively to the customer.

The MWAs may request additional PMTC Password Cards by emailing talentconnect@michigan.gov
**Note:** When both the PMTC and the One-Stop Management Information System (OSMIS) are unavailable, the MWAs must make sure all steps for both the PMTC and the OSMIS are completed.

**Section 2:2 - One-Stop Management Information System (OSMIS)**

The OSMIS is used by the MWAs intake workers, counselors, and staff of the TIA, to capture all required reporting and participant information. Information identified in the OSMIS is necessary for federal reports, eligibility determination, and for program management purposes.

**Confidential Information (CI) Page**

The information collected on the CI page is used by the OSMIS to create the Wagner-Peyser (W-P) registration and the Pre-Workforce Innovation and Opportunity Act (WIOA) registration. It is also the data that is collected quarterly and reported to the U.S. Department of Labor (USDOL).

Job seekers who are new to using the PMTC will be required to complete the CI page that will only be presented at an MWA, before moving forward into the PMTC. If job seekers choose to complete their PMTC outside of an MWA, then the CI page will not appear. However, these job seekers will be required to complete the CI page when they visit an MWA and log into their PMTC account.

The CI page is presented when there is not a current registration in the OSMIS, or the registration exists in the OSMIS, and it is 90 or more days after their last known Common Measures exit. (This is when the W-P registration is exited.)

When a job seeker logs into the PMTC there are three possible outcomes:

1. No CI Page is displayed – name, birthdate, and social security number matched an ACTIVE registration in W-P.
2. The CI Page is displayed – name, birthdate, and social security number match found that there is NO registration in W-P, so the CI Page is displayed and a WIOA pre-registration and W-P registration are created.
3. Record is placed in the holding file – when one or more of these fields are included and the name, birthdate, and social security number DID NOT exactly match an OSMIS record.

**The CI Page Compared to Contact Information in the OSMIS**

The screens in both the CI page and the OSMIS are alike. The labels in both systems are very similar, so it is easy to see what field in the OSMIS will receive the data from the CI page. For example, first name on the CI page equals first name in the OSMIS.

**Note:** When both the PMTC and the One-Stop Management Information System (OSMIS) are unavailable, the MWAs must make sure all steps for both the PMTC and the OSMIS are completed.
CONTACT INFORMATION in the CI Page

CONTACT INFORMATION in the OSMIS
Social Security Number (SSN), Date of Birth, and Personal Characteristics on the CI Page compared to OSMIS

Two other important fields are the SSN and the Date of Birth. The SSN is unique to one person, not a family.

**Note:** In accordance with the Privacy Act of 1974, the MWA may not deny to any individual their right, benefit, or privilege provided by law because of the individual’s refusal to disclose his/her SSN. However, the MWA can properly require disclosure of an individual’s SSN pursuant to the Internal Revenue Code where it is used as the identifying number for such individual for the purposes of a return, statement, or other document required under the code (i.e. for payment of wages for On-the-Job Training, Work Experience, etc.). The MWAs, therefore, should advise applicants at time of application of the uses made of the SSN. If an applicant refuses to provide an SSN, the MWA should create a number with the first two digits being the MWA number such as 170-00-0001, 170-00-00002, 170-00-0003, etc. The MWA must maintain a record of the numbers assigned for three (3) years from the date list is obtained. **UI claimants must provide their SSN in order to obtain unemployment benefits.**

#2 – Region 7B
#4 – Great Lakes Bay
#5 – Kinexus
#6 – UPWARD Talent Council
#7 – DESC
#13 – GST Michigan Works!
#14 – Southwest
#16 – West Central
#17 – Capital Area
#19 – Macomb/St. Clair
#21 – Northeast
#22 - Northwest
#23 – Oakland
#30 – Southeast
#31 – SEMCA
#33 - West Michigan Works!

Personal characteristics will need to be selected, such as gender, ethnicity, and race.

**SSN, Date of Birth and Personal Characteristics on the CI Page**

![Personal Characteristics](image)
SSN, Date of Birth and Personal Characteristics in the OSMIS

Veteran – I did not serve

There are a number of questions regarding Veterans on the CI page. According to the question selected, the job seeker will be required to enter different pieces of information. If the person is not a Veteran – “I did not serve” would be selected.

VETERAN – I DID NOT SERVE Information on the CI Page

Did you or your spouse serve in U.S. military?

- I did not serve
- I did serve
- I am nearing separation from U.S. Military
- I am nearing separation and have completed a previous enlistment
- I am the spouse of a veteran with a 100% service-connected disability, a POW or an MIA
VETERAN – I DID SERVE Information on the CI Page

If a Veteran did serve – there are a number of required questions presented to the job seeker.

CI Page

<table>
<thead>
<tr>
<th>Question</th>
<th>Options</th>
</tr>
</thead>
<tbody>
<tr>
<td>Did you or your spouse serve in U.S. military?</td>
<td>Yes, No</td>
</tr>
<tr>
<td>Date of military service</td>
<td>First entry date - MM/DD/YYYY, Last exit date - MM/DD/YYYY</td>
</tr>
<tr>
<td>Did you... Get Dishonorably Discharged?</td>
<td>Yes, No</td>
</tr>
<tr>
<td>Receive a campaign badge or ribbon while in the Reserves or National Guard?</td>
<td>Yes, No</td>
</tr>
<tr>
<td>Discharged or released from active duty because of a service-connected disability?</td>
<td>Yes, No</td>
</tr>
<tr>
<td>Are you a homeless veteran?</td>
<td>Yes, No</td>
</tr>
<tr>
<td>Do you wish to claim Disabled Veterans preference?</td>
<td>Yes, No</td>
</tr>
<tr>
<td>If Yes, what percentage disability?</td>
<td>[ ] %</td>
</tr>
<tr>
<td>If the percentage is less than 30% does the disability present a serious employment handicap as determined by the VA?</td>
<td>Yes, No</td>
</tr>
</tbody>
</table>
Veteran – Nearing Separation

Upon selecting “I am nearing separation from US Military,” specific questions will appear asking for information on the military separation.

### CI Page

#### Veteran Information

- **Did you or your spouse serve in U.S. military?**
  - [ ] I did not serve
  - [x] I did serve
  - [ ] I am nearing separation from U.S. Military
  - [ ] I am nearing separation and have completed a previous enlistment
  - [ ] I am the spouse of a veteran with a 100% service-connected disability, a POW or an MIA

**Provide the following information on your military separation.**

- **Branch of service:**
  - [Select Service]

- **Dates of military service**
  - [ ] First entry date - MM/DD/YYYY
  - [ ] Expected exit date - MM/DD/YYYY

- **Type of Military separation**
  - [ ] Anticipate leaving active military service within the next 12 months.
  - [ ] Anticipate retiring from military service within the next 24 months.
Veteran – Nearing Separation and Have Completed Previous Enlistment

This is what the job seeker will see when they select the answer “Nearing Separation and completed previous enlistment.” There are specific questions to be answered in regard to this answer.

(Screen shot continued on next page)
Are you a homeless veteran?
- Yes
- No

Do you wish to claim Disabled Veteran's preference?
- Yes
- No

If Yes, what percentage disability?  %

If the percentage is less than 30% does the disability present a serious employment handicap as defined?
- Yes
- No

Current Enlistment/Contract

Dates of military service

* Expected exit date - MM/DD/YYYY

Type of Military Separation

- Anticipate leaving active military service within the next 12 months.
- Anticipate retiring from military service within the next 24 months.

OSMIS (Corresponding Screen)

Veteran Status:

Veteran?:

Branch of Service:

Veteran Service Information

Not a Veteran

Dates of Military Service

First Entry Date:

Last Exit Date:

Did you receive a Dishonorable Discharge?:

Campaign Badge:

Discharge/Release - Service Connected Disability:

Homeless Veteran?:

Claim Veteran Preference:

Disability Percentage:

Serious employment handicap (% less than 30%):

Transitioning Service Member:

No

Branch of Service:

Transitioning Service Member:

First Entry Date:

Expected Exit Date:

Type of Military Separation:
Veteran – I am the Spouse of a Veteran

If the job seeker is a spouse of a veteran, they will be required to enter the branch of military and the dates of military service.

CI Page

Veteran Information
* Did you or your spouse serve in U.S. military?
  ○ I did not serve
  ○ I did serve
  ○ I am nearing separation from U.S. Military
  ○ I am nearing separation and have completed a previous enlistment
  ○ I am the spouse of a veteran with a 100% service-connected disability, a POW or an MIA

Provide the following information on your spouse's military separation.

Branch of service:
<Select Service>

Dates of military service
* First entry date - MM/DD/YYYY
* Last exit date - MM/DD/YYYY

OSMIS (Corresponding screen)

Education

The job seeker is required to answer these two questions in the Education section:

1) Highest level of education completed
2) Are they currently attending school

CI Page
Employment/Economic Status

Questions regarding employment and economic status are required to be answered by the job seeker.
OSMIS (Corresponding screen)

**Holding File in the OSMIS**

The holding file is a location where the CI page participant records are stored that did not exactly match a record in the OSMIS.

The participant record is held here when one or more of the following fields did not exactly match an active W-P registration in the OSMIS:

1. First Name.
2. Last Name.
3. Date of Birth.
4. Social Security Number.

Staff must manually intervene to remove records from the holding file. The goal is to remove all the holding files so one person only has one applicant record throughout all of the OSMIS.

There are three ways to remove a holding file:

1. Manually create a new W-P registration. This is completed when staff determines there is no matching W-P registration in the OSMIS.
2. Attach the holding file record to an existing registration. This will overwrite the existing registration data with the updated holding file data.
3. Delete the holding file record. This can be accomplished after three attempts to contact the applicant. Those dates must be recorded in the OSMIS.
How to Find the Holding File in the OSMIS

The holding file is found by selecting the W-P program in the OSMIS. Then on the “Special Functions” tab, click “Online Reports,” and “Holding File Report.”

Welcome to the One Stop MIS Development

Holding File Report Criteria

Click on submit to retrieve all records for your MWA. Or, choose one location and click on submit.

Select Location

Oakland County Employment and Training Division

When the holding file report link is opened, the system will offer MWAs by locations only.

Holding File Resolution - Associate Job Seeker to Applicant

The data highlighted in yellow is from the CI page. Compare this information to the records below. The blue print shows where the differences are in the record.

In the example below if the “TEST, SSN” matches Tom Jerry, click the radio button in front of “TEST, SSN” and then click “Associate Jobseeker to Select Applicant” button. When the “Associate Jobseeker to Selected Applicant” is selected, the CI record data will overwrite the OSMIS registration.

Be sure to verify the accuracy of the customer. If the selection is made in error, the Department of Technology, Management, and Budget will need to fix the issue.
Holding File Resolution – Clear the Form

The “Clear the form” button will reset or clear the form without submitting the information.

Holding File (Continued)

The yellow area contains data from the new Confidential Information page. Carefully compare this data to the information for each record shown below.
If one of these entries is your customer, select the radio button associated with that person's row and click on the "Associate Jobseeker to Selected Applicant" button at the end of the page.

To enter information about contact attempts for the Holding File record click here.

<table>
<thead>
<tr>
<th>Applicant Name</th>
<th>Birth Date</th>
<th>Address</th>
<th>Phone</th>
<th>Reason</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Confidential Information Record

Applicants with the same SSN, but different name and date of birth:

<table>
<thead>
<tr>
<th>Name</th>
<th>Date</th>
<th>Address</th>
<th>Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>XULIENGE</td>
<td>11/04/1982</td>
<td>1441 Lata Lane</td>
<td>(231) 374-8800</td>
</tr>
<tr>
<td>KIROS, CHRIS</td>
<td>01/09/1988</td>
<td>132 Dr. St</td>
<td>(517) 222-4046</td>
</tr>
<tr>
<td>POTTER, HARRY</td>
<td>01/07/1989</td>
<td>123 Magic Wizard Ln</td>
<td></td>
</tr>
<tr>
<td>TEST, SSN</td>
<td>04/17/1982</td>
<td>9400 Victor</td>
<td></td>
</tr>
</tbody>
</table>

Associate Jobseeker To Selected Applicant

Clear the form

Customer not Displayed

Applicants with the same last name and date of birth, but different first name:

<table>
<thead>
<tr>
<th>Name</th>
<th>Date</th>
<th>Address</th>
<th>Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>MATTHEWS, TAYLOR</td>
<td>05/28/1998</td>
<td>51982 Avon</td>
<td>(313) 478-1768</td>
</tr>
</tbody>
</table>

Valid SSNs but do not match. You will need proof of SSN if you attach to this applicant.
Holding File Resolution - Create a New W-P Registration

In this example, compare what is in yellow and see if the participants below are a match. If they are not, then select the “Customer Not Displayed” button. This will create a new “manual” W-P registration.

Holding File Resolution - Create a New W-P Registration

In this example, compare what is in yellow and see if the participants below are a match. If they are not, then select the “Customer Not Displayed” button. This will create a new “manual” W-P registration.

Holding File (Continued)

The yellow area contains data from the new Confidential Information page. Carefully compare this data to the information for each record shown below.

If one of these entries is your customer, select the radio button associated with that person’s row and click on the ‘Associate Jobseeker to Selected Applicant’ button at the end of the page.

To enter information about contact attempts for the Holding File record click here

To enter information about contact attempts for the Holding File record click here

<table>
<thead>
<tr>
<th>Applicant Name</th>
<th>Birth Date</th>
<th>Address</th>
<th>Phone</th>
<th>Reason</th>
</tr>
</thead>
<tbody>
<tr>
<td>CONFIDENTIAL INFORMATION RECORD</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>JERRY, TOM T.</td>
<td>03/20/1950</td>
<td>5447 Bryce St.</td>
<td>(510) 850-3200</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>APPLICANTS WITH THE SAME SSN, BUT DIFFERENT NAME AND DATE OF BIRTH</th>
</tr>
</thead>
<tbody>
<tr>
<td>○ TEST, JHN</td>
</tr>
</tbody>
</table>

Associate Jobseeker To Selected Applicant

Clear the form

Customer not Displayed

Holding File – Three Contact Attempts

A record can be removed from the holding file if contact has been attempted three times with the participant and documented.

This is completed by selecting the “click here” link after the “To enter information about contact attempts for the Holding File record” highlighted below in yellow. This will open a new window where dates of contact attempts are documented.

Holding File (Continued)

The yellow area contains data from the new Confidential Information page. Carefully compare this data to the information for each record shown below.

If one of these entries is your customer, select the radio button associated with that person’s row and click on the ‘Associate Jobseeker to Selected Applicant’ button at the end of the page.

To enter information about contact attempts for the Holding File record click here

To enter information about contact attempts for the Holding File record click here

<table>
<thead>
<tr>
<th>Applicant Name</th>
<th>Birth Date</th>
<th>Address</th>
<th>Phone</th>
<th>Reason</th>
</tr>
</thead>
<tbody>
<tr>
<td>CONFIDENTIAL INFORMATION RECORD</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
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</tr>
</thead>
<tbody>
<tr>
<td>○ TEST, JHN</td>
</tr>
</tbody>
</table>

Associate Jobseeker To Selected Applicant

Clear the form

Customer not Displayed
Screen that appears when “click here” is selected

**Record of Contact Attempts**

Enter information about contact attempts for the Holding File record here.

- Tried to contact the first time on: [ ] [ ] [ ]
- Tried to contact the second time on: [ ] [ ] [ ]
- Tried to contact the third time on: [ ] [ ] [ ]

Submit  Close

Holding File – Remove a Record

Once the three attempts have been entered, click submit. A message will display that states the record was successfully updated.

**Record of Contact Attempts**

- Alert Message
  - Successfully updated CI record.

Enter information about contact attempts for the Holding File record here.

- Tried to contact the first time on: 1 [ ] 3 [ ] 2016 [ ]
- Tried to contact the second time on: 1 [ ] 6 [ ] 2016 [ ]
- Tried to contact the third time on: 2 [ ] 3 [ ] 2016 [ ]

Submit  Close

Refresh the browser while on the holding file screen and the “Remove customer from Holding File” button will appear, as shown below. Click on this button and the applicant will be removed from the OSMIS.
When the OSMIS is Not Available

If the MWA notices the OSMIS is unavailable, an email should be sent to wda_mis@michigan.gov, reporting the issue.

The MWA staff should have the customer complete form TIA 900-01, “Talent Connect Worksheet – Confidential Information” on pages 3 and 4. When the PMTC is not available, the completions of the CI pages are mandatory for all UI Claimants.

The Supplemental Worksheets: “Build a Resume,” “Veteran,” and “Spouse of Veteran” are optional. The TIA strongly encourages the completion and data enter of the entire Talent Connect Worksheet.

When the customer has completed the required portions of the TIA 900-01, the form should be stamped with the current date and set aside for data entry by the Employment Service (ES) staff when the system becomes available.

The ES staff should provide customers with a “PMTC Password Card” to record their email address and password that are noted on the TIA 900-01 form. The MWAs must not maintain a local record of passwords, as they belong exclusively to the customer.

The ES staff must stamp form UI1222 “Notice to Register for Work” with the current date of registration verification and return it to the claimant for their records.
As soon as the OSMIS becomes functional, the MWA staff must complete the registration by entering the CI from TIA 900-01, pages 3 and 4 into the OSMIS.

**If the OSMIS Remains Unavailable for More than 24 Hours**

If the system is down for more than 24 hours, the MWA must create an electronic file of UI claimants who were registered for each day the OSMIS was not available. The list must contain the claimant’s name, registration date and the last 4 digits of their SSN.

This list must be emailed to OSMIShelp@michigan.gov at the end of each day.

The MWAs must maintain a hard copy of the lists for 12 months following the outage.

*Note: When both the PMTC and the OSMIS are unavailable, the MWAs must make sure all steps for both the PMTC and the OSMIS are completed.*
Chapter 3 – Employer Services (ES)

Section 3:1 - Levels of Service Delivery

ES consist of a variety of employment-related public labor exchange services to job seekers and employers. This system helps employers find qualified workers by making the Pure Michigan Talent Connect (PMTC) accessible and by providing employers with self, facilitated, and staff assisted levels of service as appropriate. These levels of services are:

1. **Self-Services:** Any service that is provided to employers through an electronic resource or at a physical location in which there is little to no staff involvement.

2. **Facilitated Services:** Assisting the employer in using any of the self-service tools. Services may include:
   - Assistance with Navigating the PMTC.
   - Distributing and Collecting Job Applications.

3. **Staff-Assisted Services:** A service that requires a significant amount of staff-time. Services may include:
   - Inputting job orders on the PMTC for employers.
   - Completing a search of resumes that match the criteria of job orders for employers.
   - Contacting jobseekers, on behalf of the employers, for initial screenings prior to interviewing with the employer.
   - Scheduling interviews for the employer.

Section 3:2 - Job Orders

**General Information**

All job orders must be entered in the PMTC. Job orders are structured records of an employer's requirement for filling vacant positions with qualified workers.

- **A job order MUST** contain the following:
  - Qualifications that a worker must have to perform the duties.
  - Specific hiring requirements.
  - Information about the job (i.e. benefits, hours, etc.).
  - Referral instructions.

- **A job order may NOT:**
  - Contain sexually explicit, obscene, libelous, defamatory, threatening, harassing, abusive or hateful content.
  - Provide content that is embarrassing, or offensive to another person or entity.
o Request personal services implying or requiring sexual or any other illegal activity.
  o Provide jobs that pay by commission only; unless minimum wage is guaranteed.
  o Present jobs that require the applicant to pay a fee to obtain the job.
  o Offer jobs that require the applicant or employee to make a capital investment.
  o Contain jobs that require the applicant or employee to attend unpaid training.
  o Include any discriminatory language.
  o Impersonate another person, living or dead.
  o Provide false, inaccurate or misleading information.
  o Advertise or solicit businesses.
  o Use a questionable employer address.
  o Involve chain letters or pyramid schemes.
  o Include opinions, political views or commercials.
  o Be used to collect applications for future use.
  o Represent third party jobs if the following conditions occur:
    ▪ A letter does not exist indicating the employer of record.
    ▪ A fee is charged to the job seeker.
    ▪ There is no immediate job opening.

Veterans’ Preference
  • The PMTC identifies Veterans by using the American Flag by their profile.

  • PMTC keeps all new job orders in a hold status for 24 hours. Only veterans have access
during this period. Non-veterans will not be able to access these job orders during this
24-hour period. The MWA administrative users will have access to the 24-hour hold to
assist veterans.

Job Development Job Orders
  • Job development refers to the process of obtaining an interview with an employer for a
job seeker when there is not a job posting in the PMTC.

  • When a job seeker obtains employment due to job development, staff must enter a job
development job order into the PMTC system. Staff should immediately refer the job
seeker to the job order and record the job seeker as hired on the day the job seeker
begins employment. ES staff must close the job order at once so that no other job
seekers can apply or be referred.

Federal Contractor Job Listings (FCJLs)
  • All FCJLs must be entered into the PMTC by ES staff. The only exceptions are job
development job orders. The employer’s address used in the job order must match the
address listed on the FCJL.

  • Contractors and sub-contractors with job openings, other than executive or top
management positions, are to be filled from within the contractor’s organization.
• This requirement applies to vacancies at all locations of a business not otherwise exempt under the company’s federal contract. Qualified targeted veterans receive priority for referral to federal contractor job openings listed at those locations.

• The following procedures must be observed when processing any job orders received from FCJL contractors and subcontractors:
  
  o The job order must be listed immediately.
  
  o The job order must be unsuppressed.
  
  o Veterans’ preference must be observed and qualified veterans must be referred for the job opening.

• Failure to follow this policy could result in compliance findings against the FCJL employers by the Office of Federal Contract Compliance Programs (OFCCP). The OFCCP monitors employers who are required to list their job openings with the local employment services agencies as part of their contractual obligation. When the Michigan Talent Investment Agency receives requests for job order information from the United States Veterans’ Employment and Training Services, the TIA administrative staff check the PMTC for the employer’s registration and for job orders entered under that employer’s name. If records are not found, the TIA notifies the OFCCP that the employer is not using the PMTC.

• If ES staff is made aware that a person is hired by a FCJL employer, it is important to enter their information in the One-Stop Management Information System.

**Discriminatory Job Orders**

• If the MWA has reasonable grounds for believing that an employer engages in discriminatory employment practices, all services to that employer must be suspended until the employer provides the TIA with reasonable assurances that such practices do not exist. The MWAs should contact the Equal Opportunity Officer (EOO) at the TIA Administrative Office. The EOO will investigate and take appropriate action.

• **Equal Employment Opportunity Commission** law protects against employment discrimination because of political affiliation, race, color, national origin, sex (including pregnancy, gender identity, and sexual orientation), religious creed, age, disability, marital status, height, weight, arrest record and physical and mental disabilities.

• Some job orders that appear discriminatory may contain bona fide occupational qualifications, preference for veterans, or specify that applicants be United States citizens when based on a legal requirement of citizenship for workers.

**Job Order Involving the Use of Polygraph Examinations**

The Employee Polygraph Protection Act prohibits most private employers from using lie detector tests for pre-employment screening or during the course of employment. Subject to restrictions, the Act permits polygraph tests to be administered to certain job applicants of security service firms (armored car, alarm, and guard) and of pharmaceutical manufacturers, distributors, and dispensers.
Bona-Fide Occupational Qualification (BFOQ)

A BFOQ means that an employment decision or request based on age, sex, national origin, or religion is based on a finding that such a characteristic is necessary to the individual’s ability to perform the job in question.

**Non Bona-Fide Job Orders**

The following types of employer requests constitute non bona-fide job orders. Services may not be provided to employers under any of these conditions:

- Job orders that pre-designate which applicants may be referred cannot be serviced. For example, if the names of certain individuals, such as all former employees, are specified, the job order is not a bona-fide job order. Only occupational specifications can be used as a basis for selection and referral.

- Job orders from a third party, which are not the actual employer, are non bona-fide job orders. These orders may not be serviced unless the third party presents a letter from the employer specifically delegating hiring authority to the third party.

- Job orders furnishing any organization, private or nonprofit, with the names of applicants for possible referral to another business firm when no specific job openings exist are contrary to the policy of the TIA.

**Affirmative Action Job Orders**

An Affirmative Action job order targets job seekers who are a member of a specific group that because of past customs or historical practice, have been discouraged from entering certain occupational fields.

- The MWA staff will accept a verbal agreement from the employer that the business is qualified as an affirmative action employer. The MWA reserves the right to request written documentation.

- The MWA staff will inform the employer that, while staff can conduct a special applicant search for an affirmative action job order, they may not accept a job order that requires exclusive referral of a specific group. The MWA staff may not deny a qualified applicant a referral because the applicant is not a member of the group identified on the affirmative action job order.

- The MWA staff must inform the employer that qualified veterans receive preference on all referrals.

- The MWA staff must ensure that the selection criteria have a direct relationship to the job duties an employee will perform and are no more than necessary. Unnecessary education or experience requirements may tend to eliminate certain people.
Job Orders for Labor Organizations

Labor Dispute Orders

No referrals will be made to a job order that will aid, directly or indirectly, in filling positions that are vacant because the former employee has been locked out in the course of labor dispute involving a work stoppage or strike.

When an employer submits a job order for a position not involved in the labor dispute, the job order must clearly state the following:

- The position is with a company involved in a labor dispute.
- The position is NOT part of the dispute.
- The person hired will not replace an employee who is part of the labor dispute.

When a job order is received from an employer involved in a labor dispute involving a work stoppage, state agencies shall:

- Verify the existence of the labor dispute and determine its significance with respect to positions the employer is requesting to fill in the job order.
- Notify all potentially affected staff concerning the labor dispute.

ES must resume full referral services when they have verified with the employer and workers' representative, that the labor dispute has been terminated.

Labor Organization Orders

The ES cannot accept job orders requiring membership in a union (labor organization) as a condition of employment because it is a violation of Michigan law. The ES staff must inform labor organization representatives that union membership must not be a requirement for a job.

- The ES cannot accept job orders when union membership is required. In this case the following is also required:
  - The labor organization has specific openings with the employer, which corresponds with the openings on the job order.
  - The specifications on the job order correspond to the employer’s requirements for filling the position(s).
  - The information on the job order is adequate for selection and referral of qualified applicants.

- Valid job orders must contain complete employer identifying information even though the applicants may have to apply at a Union Hall. The ES staff informs the labor organization representative that the employer, not the labor organization, completes verification of job order results.

Out-of-State Job Orders: Non-Agricultural

When out-of-state employers request recruitment assistance for an out-of-state job opening, the MWA staff will initiate the clearance process. The clearance process refers to out-of-state employers who work through their state’s public employment service agency to recruit workers from Michigan for jobs in their state.
• Out-of-state employers who have an existing business location in Michigan, are relocating, or are opening a new business in Michigan may register online to use the PMTC.

• Out-of-state employers who are recruiting Michigan workers for a job in another state may not register to use the PMTC unless the job is in a contiguous labor market area. Contiguous labor market areas include Michigan counties that border Indiana, Ohio, Wisconsin (within 100 miles of the Michigan border), and Ontario Canada. These out-of-state employers post their jobs using the nearest city in Michigan as the job location; however, in the first line of the job description it must state the actual out-of-state work location.

• Out-of-state employers whose positions are home-based, trucking, and Information Technology are allowed to register on the PMTC.

Section 3:3 - Distributing and Collecting Job Applications

The MWAs may distribute and collect employer application forms for all employers who have a job order posted on the PMTC. The MWA must ensure that no inappropriate information, such as political affiliation, race, color, national origin, sex (including pregnancy, gender identity, and sexual orientation), religious creed, age, disability, height, weight, or marital status is requested on the form by the employer. The MWAs must also accept responsibility for compliance with state and federal employment regulations.

When collecting applications for an employer, the MWA must sort and submit all of the known veterans’ applications first to ensure that veterans’ preference is observed.

All applications or resumes, collected and reviewed for an employer, must be returned to the employer. These are the property of the employer.

Any job applications or resumes collected by the MWA must be placed in a secured and locked location due to the confidential information provided on the application.

When collecting applications for an employer, the MWA must sort and submit all of the known veterans’ applications first to ensure that veterans’ preference is observed.

Screening Employer Applications/Resumes

The MWA is acting as the employer’s agent when they elect to screen applications or resumes for an employer. It is the responsibility of the MWA to ensure that state and federal employment related laws are not violated during the course of the screening process.

The MWAs are also responsible for ensuring that the selection criteria used in the screening process does not have an adverse impact on any group of job seekers. The MWAs are responsible for retaining a record of the applicants, the criteria used for referring them to the employer and for establishing referral criteria that are consistent with the following requirements:

• Criteria must be applied fairly and consistently.

• The established criteria must not discriminate against any applicant on the basis of political affiliation, race, color, national origin, sex (including pregnancy, gender identity, and sexual orientation), religious creed, age, disability, height, weight, or marital status.

• The criteria must be based only on qualifications needed to the job.
Criteria that are acceptable, but not limited to, are:

- Education
- Type of Degree
- Licenses
- Certifications
- Years of Experience

Section 3:4 - Fidelity Bonding Program (FBP)

**Introduction:**

The FBP of Michigan assists high-risk job seekers in obtaining employment. A fidelity bond is a business insurance policy of the Travelers Casualty and Surety Company of America that ensures an employer against employee theft, forgery, larceny, and embezzlement.

Fidelity bonding provides an incentive for employers to hire job seekers who are qualified, but who are considered high-risk because of a factor of their personal background. The FBP allows employers to obtain workers without taking a risk and allows high-risk job seekers to find work. The FBP diminishes the risk of employers and reduces the barriers to employment faced by job seekers.

**Features of the FBP**

- Free bonding for the first six months of employment
- Bonds available in the amounts of $5,000 - $25,000
- No deductible
- Easy application process
- Extended coverage available directly from the Travelers Casualty and Surety Company of America

**Who is Eligible?**

- People with poor credit records, including bankruptcies
- Economically disadvantaged youth and adults who lack a work history
- Welfare assistance recipients
- Recovering substance abusers
- Ex-offenders
- People dishonorably discharged from military service
- Youth in apprenticeships
- People who cannot be commercially bonded
Who is Not Eligible?

- Independent Contractors (1099s)
- Entrepreneurs
- Self-Employed
- High-risk job seekers who are under the legal age of 18 years old
- Recovering substance abusers who have not completed their rehabilitation program mandated either by legal or medical authorities
- Employers who only offer part-time employment
- High-risk job seekers that can be commercially bonded

FBP Does NOT Cover

- A bail bond or court bond for the legal system
- A contract bond, performance bond or license bond for the self-employed
- A business bond to start a business or enterprise
- Liability due to poor workmanship, job injuries or accidents
- Self-employed people, independent contractors or entrepreneurs

Requirements Employers Must Meet to Utilize the FBP

- Offer and guarantee full-time employment to high-risk job seekers, i.e., employment must be at least 30 hours or more per week for the first six months of employment.
- Pay wages to high risk employees with automatic deduction for federal taxes.
- Provide a “Letter of Employment” on business letterhead that addresses the nine prerequisites from “The Fidelity Bonding Program Checklist.”
  - The name, address, city, state, and zip code of the job seeker. The job seeker must be of legal age in Michigan, which is 18 years or older.
  - The date that employment was offered.
  - Job title, rate of pay, and conditions of work, (i.e., the job duties and responsibilities).
  - The statement “that employment is conditional upon the worker receiving a Fidelity Bond” must be verbatim in the letter.
  - Indicate the amount of bonding needed: $5,000, $10,000, $15,000, $20,000, or $25,000.
  - Justification stating the reason that bonding for amounts over $5,000 is required.
Must state that employment is full-time, (i.e., 30 or more hours every week for at least six months). No independent contracting or self-employment allowed. Federal Withholding Taxes are removed from the job seeker’s wages.

The starting date on which employment will begin.

At the end of the letter, the original signature who has the authority to hire the job seeker. Typed underneath the signature the name and position of the hiring authority.

**Administration of the FBP**

The State of Michigan’s administration of the FBP is a coordinated approach between the state and the MWAs. The responsibilities of the MWAs and those of the TIA are listed below.

**MWA responsibilities include:**

- Provide local administration of the FBP in their service centers.
- Designate a Wagner-Peyser (W-P) ES Fidelity Bonding Coordinator in their service center.
- Provide the location, dates and times that are available to conduct bonding services by the MWA’s Fidelity Bonding Coordinator to the State Fidelity Bonding Coordinator.

**MWA ES Fidelity Bonding Coordinator’s duties:**

- Inform and promote FBP to all customers.
- Assist high-risk job seekers to become bonded through FBP.
- Determine which job seekers are eligible for FBP and which ones are commercially bondable.
- Help employers understand the requirements that must be met to utilize the FBP.
- Make copies of the employer’s Letter of Employment and the completed Fidelity Bond Certification form. Place these documents in a secure and locked location.
- Send the original Letter of Employment and the original completed Fidelity Bond Certification form by mail to the State Fidelity Bonding Coordinator.
- Send the employer a “Letter to Employer Confirming Bonding.” Make a copy of this document for the participant’s file for future reference.
- Contact the State Fidelity Bonding Coordinator for assistance when needed.
- The State Fidelity Bonding Coordinator should be notified when there is a change of W-P ES Fidelity Bonding Coordinators.

**State Fidelity Bonding Coordinator’s Duties:**

- Inform and promote the FBP to all customers.
- Train the W-P ES Fidelity Bonding Coordinators in the processing of Fidelity Bonds.
- Maintain a database of all bonds issued.
- Update the federal FBP director and the federal FBP coordinator on any issues and/or other concerns with the administration of the program.
- Compile FBP reports.
- Account for the Fidelity Bonds that were purchased by the state versus the bonds that are available.
- Review the employer’s Letter of Employment and the completed Fidelity Bond Certification form sent by the MWA to confirm that the documents were correctly completed.
- Issue and paste the correct number of bonding stamps onto the Fidelity Bond Certification form.
- Record the bond information into the FBP database.
- Make Copies of the completed Fidelity Bond Certification form with the issued bonding stamps. Place these documents in a secure and locked location.
- Send the original completed Fidelity Bond Certification form by mail to the Union Insurance Group in Chicago, Illinois.
- Respond to the W-P ES Fidelity Bonding Coordinator requests.
- Conduct on-site visits to ensure policy compliance and proper program operation.

This information is current as of Policy Issuance 10-29, change 2. Please be advised TIA will be issuing PI 10-29, change 3 in the near future. Once PI 10-29, change 3 is official, this guidance will supersede PI 10-29, change 2.

**Section 3:5 - Discontinuance of Employer Services**

**Introduction**

The MWAs will provide ES to all employers, consistent with federal and state laws and regulations. Employers may be denied use of the PMTC for illegal or prohibited activities. All services will be discontinued to employers who misuse them until such time as the prohibited activity is corrected or ended. Employers are notified of pending discontinuance of services.

Services will be reinstated if the employer submits evidence demonstrating that the prohibited activities have ended and that policies to prevent their recurrence have been instituted.

Services may be discontinued immediately and without warning if, in the opinion of the TIA, MWAs, or its designees, immediate action is necessary to prevent substantial harm to a significant number of job seekers.

**Reasons for Discontinuance of Services**

- Denying to alter or withdraw a job listing that contains specifications contrary to employment-related laws.
- Refusing to provide guarantees that the job offered is in compliance with employment-related laws.
- Failure to comply with assurances made in a job listing.
- Misrepresenting the terms or conditions of employment in a job listing.
- Not willing to cooperate with the investigation of a complaint alleging misrepresentation of employment terms or conditions.
- Being in violation of employment-related rules.
- Not accepting qualified workers referred through the clearance process.
- Repeated violations that cause discontinuance actions to be initiated or violating the United States Department of Labor or the TIA regulations.

**Procedure**

1) MWAs will monitor job listings of employers in their respective areas for compliance with employment related laws and regulations and assist employers to modify illegal listings.

Listings that may be removed:
- Seek 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 significant monetary investment by the job seeker.
- Are posted when there is no immediate vacancy.
- Require the job seeker to perform an illegal activity.
- Contain explicit sexual or vulgar language.
- Indicate that the job seeker will not be paid according to Michigan's minimum wage laws.
- Indicate the job seeker will not receive overtime pay for working over 40 hours in any week, unless the position is considered exempt.
- Contain discriminatory specifications that would exclude applicants based on race, color, religion, national origin, sex, or age.
- Ask job seekers to report to an address that is not a normal place of business, such as a hotel or motel room.

2) If the employer is unable or unwilling to modify the job listing, the MWA or TIA staff will withdraw the listing from the PMTC.

3) If the employer does not respond in an affirmative manner, the TIA director, or designee, will terminate services to that employer as follows:
   - Revoke the employer's access to PMTC.
   - Inactivate all of the employer’s current job listings in PMTC.
- Notify other enforcement agencies, where appropriate, for further follow-up with the employer.

- The TIA director, or designee, will notify the Employment and Training Administration Regional Office immediately of discontinuance of service in the case of an employer subject to FCJL requirements.

4) To ensure due process and protection of the employer's rights in an action to discontinue services, all actions taken by the TIA are subject to the following appeal process:

   o The TIA director, or designee, will promptly schedule a hearing at which the parties may present their contentions on the issue.

   o The TIA director, or designee, may suspend or defer any notices or actions pending against the employer pending the outcome of a scheduled hearing.

   o If either party is unwilling to accept the results of the hearing, an action may be instituted by them in any Michigan court of competent jurisdiction.

The appeal process is intended to provide an administrative remedy for disagreements resulting from discontinuation of services to an employer. It is not intended to limit or otherwise constrain the parties from pursuing any other remedy they may have before the law.
Chapter 4 – Job seeker Services

Section 4:1 - Levels of Service Delivery

The Employment Services (ES) system is to improve the labor market’s function by bringing together individuals who are seeking work and employers who are seeking workers. This is accomplished by providing the following levels of service to the job seeker:

**Self-Service:** Any service that is provided to the job seeker through an electronic resource or at a physical location in which there is little to no staff involvement.

**Facilitated Service:** Assisting the job seeker in using any of the self-service tools. Services may include:

- Assistance with navigating the Pure Michigan Talent Connect (PMTC) and internet sites
- Inputting information on the PMTC for job seekers
- Printing and making copies of resumes
- Job search assistance – explaining different types of search criterion

**Staff-Assisted Service:** A service that requires a significant amount of staff time and can be reported under one of the Wagner-Peyser (W-P) service categories in the One-Stop Management Information System (OSMIS). Services may include:

- General Services/Assistance
  - Assistance establishing eligibility for Financial Aid
  - Initial assessment of skill levels and supportive service needs
  - Provision of information and meaningful assistance filing for Unemployment Insurance (UI)
- Job/Training Preparation
  - Career Counseling/Guidance (includes “Staff-assisted career guidance”)
  - Job search assistance (staff-assisted)
- Placement Assistance
  - Placement assistance (includes “Referred to Employment”)

Section 4:2 - Assessments

**General Information**

The Michigan Works! Agencies (MWAs) may use W-P funds to administer assessments to identify job seekers’ skill levels, competencies, and abilities. Such assessments may be used to assist employers in identifying appropriate candidates for jobs, as well as assisting in the development of an Individual's Service Strategy (ISS).

If an MWA chooses to use assessment scores to assist an employer with its candidate selection process, scores used are to be used in conjunction with other appropriate selection criteria, not as the sole criterion. If an MWA agrees to screen applicants on an employer's behalf, the MWA
is to retain records of assessment scores and all other selection criteria used, in order to provide documentation that a fair and reasonable selection process was conducted.

Assessing People with Disabilities

The Americans with Disabilities Act (ADA) of 1990 prohibits employers from discriminating against individuals on the basis of actual or perceived disabilities and requires employers to reasonably accommodate individuals with disabilities.

The ADA has major implications for testing practices:

- Job seekers with disabilities are responsible for informing the test administrator that an accommodation is needed. The MWAs may request documented proof that an accommodation is needed and the type of accommodation, but the MWA may not inquire about the nature of the disability.

- Reasonable accommodation may involve making the test site accessible or using an alternative test procedure. Under the terms of the ADA, it is prohibited to administer employment tests to individuals with disabilities that require those individuals to make use of their impaired abilities. This is true unless the tests in question are intended to measure one of these abilities. If a test serves to systematically screen out individuals with disabilities it must be shown that the test is job-related and is a business necessity.
Section 4:3 - Services for Unemployment Claimants

Register for Work

To register for work, at a minimum, the claimant must enter a profile onto the PMTC. Claimants should be encouraged to post their resume on the PMTC as well. The profile can be entered at an MWA office or from any Internet connection available to the claimant. The UI advises claimants to complete a profile and report to an MWA location within five business days of filing their claim.

Verification of Claimant Registration

Regardless of where the profile data is entered, all claimants must take their “Notice to Register for Work” form, UI-1222, and report in-person to an MWA location.

The UI-1222 form is located in the UI-1901 booklet “Unemployment Benefits in Michigan.”

The MWA staff will view the claimant’s online profile and then electronically transmit the claimant’s validated registration data into the OSMIS. This data is then downloaded into the UI mainframe, where the MWA registration date is posted to the claimant’s UI record.

It is the entry of registration data that allows benefit payments. If a claimant enters his or her profile into the PMTC but fails to report in-person to the MWA, the UI system will not allow benefit payment, even though the claimant is registered for work.

Process

The following steps are taken during the MWA visit:

After the claimant completes the profile in the PMTC, he or she must inform an MWA staff person that the profile is entered and that he or she is a claimant for unemployment benefits.

The MWA staff will verify that the profile is in the PMTC and enter the claimant’s Social Security Number (SSN) and registration date into the OSMIS.

In the OSMIS, go to the W-P section.

Please select the system you want to go to...

<table>
<thead>
<tr>
<th>Wagner-Peyser</th>
<th>Welfare Reform</th>
<th>WIOA</th>
<th>TAA</th>
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<tbody>
<tr>
<td>ISS</td>
<td>Case Notes</td>
<td>Reports</td>
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WDA POLICIES

Setup My Environment to test Library Upgrades

Restore My Environment to regular OSMIS
Click on the Special Functions tab to locate the drop down menu. Select “Online Reports” and then “UA/ES Registration.”

![Welcome to the One Stop MIS Development](image)

Enter the claimant’s SSN and the registration date. Click “submit.”

![Wagner-Peyser Registration Validation](image)

The MWA staff will date-stamp the claimant’s UI-1222 form and return it to the claimant. The MWA staff must tell the claimant to retain this document for proof they registered with an MWA.

**Work Test and Eligibility Assessment**

The work test helps to assure that UI claimants receive exposure to job opportunities and demonstrates that claimants are meeting the basic requirements for receiving UI benefits: “If they are able, available, seeking employment and did not refuse any suitable employment.” It is the responsibility of the ES provider to report to the UI any incident of claimant non-compliance.

Non-compliance includes:

- Not being able to work.
- Not being available to work.
- Not seeking work.
- Refusing offers of suitable work.

If it comes to the attention of the MWA that a UI claimant is in violation of work test requirements, the MWA must report the non-compliance to UI through the Michigan Integrated Data Automated System (MiDAS).
It is the sole responsibility of the UI to advise claimants regarding UI benefits eligibility. The MWAs are not to attempt to explain the work test requirements to claimants. Claimants are to be advised to address all inquiries about the work test and eligibility requirements to UI, by calling 866-500-0017, through their Michigan Web Account Manager (MiWAM) account, utilizing the UI Hotline phone located in the Michigan Works Service Centers, or going to a Problem Resolution Office (PRO).

**NOTE:** Employers have access on the PMTC to alert UI of refusal of work by claimants.

**Seeking Work Waiver**

**General**

Claimants must be available for and seeking full-time work in order to collect unemployment benefits. Claimants who are enrolled in training or school may be waived from this requirement, as long as the training meets certain criteria. Waivers of eligibility requirements exempt claimants from the requirement that they be available and seeking full-time work each week. The MWAs are responsible for verifying whether the training meets certain criteria and advises the UI as to whether or not a waiver has been granted. Once the UI receives all required eligibility waiver request forms from the MWA, final approval is established.

**Criteria for Waivers**

Waivers of eligibility are evaluated on a case-by-case basis. An individual may obtain a waiver of eligibility requirements to pursue training if all of the following conditions are met:

- Reasonable opportunities for employment in occupations for which the individual is suited by training and experience do not exist in the locality in which the individual is claiming benefits.
- The training course either:
  - Relates to an occupation or skill for which there are, or are expected to be in the immediate future, reasonable employment opportunities.
  - Provides general or broad education that will increase the likelihood of the claimant’s reemployment.
- The training has been approved by the Local Workforce Board,
- If the training is in-state, the training course has been approved by the State Board of Education and is maintained by a public or private school or by the State of Michigan, or if the training is out-of-state, verification of the training approval to operate in the respective state must be obtained.

**Approved Training**

The following training may be approved for UI waivers of eligibility:

1. **Vocational Training.**

   The term vocational means the acquiring of academic, technical, or occupational skills that grant industry-recognized credentials that prepare an individual for employment.

   Examples of vocational training include:
• A nursing program that may result in employment as a registered nurse or a position in the nursing field.
• A certification/licensing program in the health occupations, such as ultrasound technician, x-ray technician, or respiratory therapist.
• A teaching certificate that allows the individual to seek employment in the education field.
• A certification, credential, or licensing program that provides occupational skills, such as a trade program, information technology certifications, financial planning, commercial driving, barber or cosmetology school.
• A certification or licensing program that provides a skilled trade, such as lineman or electrician.

2) Remedial Education.

Courses that improve the claimant’s understanding of the fundamentals of English or mathematics, provide adult basic education, or prepare a student to obtain a General Equivalency Diploma (GED).

3) Post-Secondary Education.

Education following a high school diploma/GED is approved training. Examples: bachelor’s degree, master’s degree, doctoral degree (Ph.D., Doctor of Medicine, Juris Doctorate), or other courses leading to an advanced degree or certification.

4) Distance Learning.

Course taken via formal online programs or virtual classrooms.

5) Part-Time Training.

The UI claimants do not need to be enrolled full-time in approved training to receive a waiver. Part-time training is acceptable.

6) Out-of-State Training.

Claimants attending training outside the State of Michigan may be approved. To approve out-of-state training, verification of the training approval to operate in the respective state must be obtained. Verification may be accomplished by online searches of other states, Workforce Innovation Opportunity Act (WIOA)-eligible provider lists or through websites such as:

• The United States Department of Education Database of Accredited Post-Secondary Institutions and Programs.
• The Department of Education’s National Center for Education Statistics College Navigator.

If the training institution’s approval to operate in the respective state cannot be located, then approval must be obtained from the training institution directly.
If the UI claimants wish to request a waiver, but reside in another state, they must request the waiver through the MWA with which the claimant is associated. Occupational opportunities in the area in which the claimant resides must be verified by the MWA in the respective out-of-state local workforce agency or via labor market information specific to the claimant’s residence.

**Process**

When claimants request a training waiver, they are asking to waive their requirements to be available and seeking work in order to attend training while still receiving unemployment benefits.

There are two forms that need to be completed for this waiver:

1. **Request for Approval of Training Course for Waiver of Unemployment Insurance Eligibility Requirements (TIA 311-S).**
   - The claimant needs to complete Section A of the form.
   - The claimant is required to provide the following documentation for review:
     - Transcripts for any previously completed courses, or test results completed as part of the admission process to the training facility.
     - A description of the curriculum outline of required classes or program of study/degree requirements.
     - Proof of class registration.
   - The MWA will complete Section B. The MWA does not need to collect the documentation.
   - The MWA signature on the TIA 311-S form is verification all documentation has been reviewed.

2. **Verification of Training Criteria (TIA 311).**
   - This form must be completed by the MWA staff.
   - Staff is required to verify that the following conditions have been met:
     - Reasonable opportunities for employment in occupations for which the claimant is suited by training and experience do not exist in the locality in which the individual is claiming benefits.
     - The training course either:
       - Relates to an occupation or skill for which there are, or are expected to be in the immediate future, reasonable employment opportunities.
       - Provides general or broad education that will increase the likelihood of the claimant’s reemployment.
     - The training has been approved by the MWA Workforce Development Board.
The training is located in-state; the training has been approved by the State Board of Education and is maintained by a public or private school or by the State of Michigan.

- The training provider is located outside of the State of Michigan; and verification of the training approval to operate in the respective state has been obtained.

The MWA must provide a copy of the 311-S and the 311 form to the claimant.

There is a set time limit on the eligibility waivers. The waiver is only in effect for the period of the approved training while the claimant is eligible to receive UI benefits, meets UI requirements, and continues to participate in training.

Through the MWA, the claimant must submit a new request for an eligibility waiver for each course/semester on Form 311-S.

The MWA will inform the claimant that the UI will issue a written determination on the UI’s eligibility of benefit payment. The determination will indicate whether the MWA’s recommendation for waiver of availability and seeking work has been accepted for that period, or if it has been rejected.

The MWA must mail (UIA Work Distribution Center, PO Box 169, Grand Rapids, MI 49501-0169) and/or Fax (517-363-0427) the 311-S and 311 to UI. The MWAs do not have to collect/file documentation from the claimant. As long as the MWA has reviewed the documentation and signed the forms stating as such, just the 311-S and 311 forms need to be kept on file at the MWA for three years from the training completion date.
Section 4:4 - Services for Veterans

Veterans Employment Services

Background

The Jobs for Veterans State Grant (JVSG) for the State of Michigan is funded by a grant from the United States Department of Labor (USDOL) Veterans’ Employment and Training Services (VETS). The grant funds the Disabled Veterans’ Outreach Program (DVOP) and Local Veterans’ Employment Representative (LVER) positions to provide intensive career services for veterans with significant barriers to employment.

The JVSG program is administered by the Veterans Employment Services (VES) within the TIA, and within local MWA sites to develop and maintain strong relationships with various workforce development programs.

This partnership is important in the implementation and development of a “cross-agency” approach, to ensure veterans have full access to all resources offered at the One-Stop Career Centers.

Veterans Career Advisors (VCAs) serve only those veterans and eligible spouses most in need of individualized career services. VCAs work with veterans who have “significant barrier(s) to employment” and provide Individualized Career Services to overcome or mitigate those barriers so the veterans are “job ready.” As a result, VCA staff serve a narrower group of veterans and eligible spouses.

The LVERs work with Michigan Works! Business Solutions Teams and employers to place job-ready veterans into employment. The LVERs are also responsible for facilitating employment, training, and placement services for veterans within the local community.

Priority of Service

Veteran’s Priority of Service means the right of eligible covered persons to take precedence over eligible non-covered persons in obtaining services.

- Examples:
  - A covered person receives access to the service, resource or training earlier in time than the non-covered person, or
  - If the service, resource, or training is limited, the covered person receives access to the service or resource before the non-covered person.

The Jobs for Veterans Act affords priority of service to cover veterans and eligible spouses over non-covered persons for the receipt of employment, training, and placement services provided under new or existing job training programs funded in whole or in part by the USDOL.

It is the responsibility of all workforce staff to ensure that Priority of Service is carried out and all issues are reported to their management team.
Eligibility

To be eligible for priority of service, you must meet one of the following definitions as a Covered Person:

**Veteran**: A person who served in the active military, naval, or air service, and who was discharged or released under conditions other than dishonorable.

**Eligible Spouse**: The spouse of any of the following individuals:

- Any veteran who died of a service-connected disability.
- Any veteran who has a total disability resulting from a service-connected disability.
- Any veteran who died while a disability so evaluated was in existence.
- Any member of the Armed Forces serving on active duty who, at the time of application for assistance under this section, is listed, pursuant to 37 United States Code 556 and regulations issued by the Secretary concerned, in one or more of the following categories and has been so listed for a total of more than 90 days:
  - Missing in action.
  - Captured in the line of duty by a hostile force.
  - Forcibly detained or interned in line of duty by a foreign government or power.

Process

As part of implementing Priority of Service for veterans and eligible spouses, it is the responsibility of the MWA to identify veterans and eligible spouses at each point of entry in the workforce development system. At a minimum, this may be accomplished by encouraging veterans and eligible spouses to self-identify. The MWA staff may also ask customers if they are a veteran or an eligible spouse.

The MWA staff will formally refer veterans or eligible spouses to a VCA while continuing to provide them with the appropriate services and programs in accordance with the requirements of Priority of Service.

A. Identifying Veterans and Eligible Spouses.

All customers who self-identify as veterans or eligible spouses must immediately be notified by the MWA staff that they may be qualified to receive additional services from a VCA. This notification must include all of the following:

- As a veteran or eligible spouse, the customer is entitled to receive Priority of Service.
- As a veteran or eligible spouse, the customer may be eligible to receive additional personalized employment services from a VCA.
- VCA services are in addition to other One-Stop services.

If a veteran or eligible spouse customer is interested in pursuing VCA services, the MWA staff must immediately provide the customer with a copy of the Military Service Questionnaire. If not,
continue to provide the customer with all other appropriate services and programs as with any other customer, and in accordance with the requirements of Priority of Service.

B. Provide the Military Service Questionnaire.

If a veteran or eligible spouse customer is interested in pursuing veteran career services, in addition to ES services, the MWA staff must immediately provide that customer with a copy of the Military Service Questionnaire. It is intended that the Military Service Questionnaire be completed immediately by the customer, and promptly returned to MWA staff.

When the Military Service Questionnaire is provided to the customer, the MWA staff must notify the customer of all of the following:

- The information is being requested on a voluntary basis.
- Completing the form is a requirement for VCA staff services.
- The information will be kept confidential.
- Refusal to provide the information will not subject the customer to any adverse treatment, but they may not be eligible for VCA services.
- The information will be used only in accordance with the law.
- Where to return the completed form.

C. Review the Military Service Questionnaire.

The MWA staff must immediately review all completed Military Service Questionnaires received to determine qualification to receive VCA services. This determination will be made by reviewing the instructions provided on the form.

Once this determination is made, the MWA staff who reviewed the questionnaire must complete the “For Staff Use Only” section of the Military Service Questionnaire:

- Enter “Reviewing Staff Member” data.
- Enter “Customer OSMIS ID” data.
- Enter “Referred to:” name of VCA receiving the referral.

D. Data Entry

All customers referred to a VCA are required to have an active Wagner-Peyser registration in the OSMIS. If it is necessary to create a registration, this must be done by MWA staff since VCAs are statutorily prohibited from completing this activity. The MWA staff must enter the service “Referral to Veterans Career Advisor” in the OSMIS, in addition to any other services provided.

Under “Enter Wagner-Peyser Services” section of the OSMIS, select “Referred to Veterans Career Advisor” and click on the “Continue” button at the bottom of the screen.
Use the drop down menu to select the appropriate option. The most common selection will be “Referred due to significant barrier to employment.”

The referred date must reflect the same date the questionnaire was completed. Click on “Enter.”

The MWA staff will notify the VCA of the referral and provide the customer’s Military Service Questionnaire to the VCA. This will be accomplished in any manner mutually agreed upon between the MWA management and the VES Manager, however the following three requirements must be accomplished:

1. It must be prompt, no later than 2 business days.
2. It must be reliable.
3. It must satisfy the requirements of a qualifying veteran.

The VCA will keep the customer’s Military Service Questionnaire on file for a period of three years in accordance with all applicable privacy policies and laws.

E. Non-Qualifying Customers for VCA Services.

For customers who are determined not to be qualified to receive VCA services, MWA staff must immediately:
• Inform the customer they do not qualify to receive VCA services.
• Continue to provide the customer with all other appropriate services and programs as with any other customer, and in accordance with the requirements of Priority of Service.
• Keep all non-qualifying customers Military Service Questionnaires on file in accordance with all applicable privacy policies and laws for a period of three (3) years. Either a physical or electronic copy may be maintained.
• It is at the discretion of the MWA to retain copies of completed Military Service Questionnaire(s) that are forwarded to the VCA as part of the referral process.

Important Definitions

The following are important federal definitions that will be helpful in assisting veterans at the MWAs.

**Active Duty** is defined as full-time duty in the Armed Forces.

**Disabled Veteran** is defined as either:
- A veteran who is entitled to compensation or for the receipt of military retirement pay, would be entitled to compensation under the laws administered by the Department of Veterans Affairs, and who is not classified as a special disabled veteran.
- A veteran who was discharged or released from active duty because of a service-connected disability.

**Eligible Veteran** is defined as either:
- A person who served on active duty for a period of more than 180 days and was discharged or released from service with other than a dishonorable discharge.
- A person who was discharged or released from active duty because of a service-connected disability.

**Other Covered Veteran** is defined as any other veteran who served on active duty during a war or in a campaign or expedition for which a campaign badge was authorized. Examples include Afghanistan and Iraq.

**Other Eligible Person** is defined as the spouse of any person who has a total disability that is permanent in nature resulting from a service-connected disability.

**Recently Separated Veteran** is defined as a veteran whose date of discharge was within 12 months of the date when services were requested.

**Special Disabled Veteran** is defined as a veteran entitled to disability compensation, or as one who would be entitled to disability compensation, except for the receipt of military retirement pay, under the laws administered by the Department of Veterans Affairs, for a disability rated in one of the following ways:
- 30 percent or more.
- 10 percent or 20 percent in the case of a veteran who has been determined under Title 38 Code of Federal Regulation (CFR) to have a serious employment disability.

- A service-connected disability that resulted in a release or discharge from active duty.

**Veteran** is defined as any of the following:

- A person who served on active duty for a period of more than 180 days and was discharged or released from service with any discharge other than a dishonorable discharge.

  Discharge examples that are acceptable include:
  
  o Honorable Discharge.
  o General Discharge Under Honorable Conditions
  o Bad Conduct Discharge.
  o Entry-level Separation.
  o Other than Honorable.

  Discharge examples that are not acceptable include:
  
  o Dishonorable Discharge.

- A person who was discharged or released from active duty because of a service-connected disability. In this case, there is no duration of service requirement.

- A person who served on active duty during a period of war, or in a campaign for which a campaign badge was authorized, and was discharged or released from such duty with other than a dishonorable discharge.

**References**

- Veterans Opportunity to Work to Hire heroes Act of 2011 (VOW Act, Title II of Public Law 112-56)
- The USDOL, Training and Employment Guidance Letter (TEGL) No.10-09, Implementing Priority of Service for Veterans and eligible Spouses in all Qualified Job Training Programs funded in whole or in part by the USDOL, November 10, 2009
- The USDOL, TEGL No.19-13, Jobs for Veterans’ State Grants Program Reforms and Roles and Responsibilities of American Job Center Staff Serving Veterans, April 10, 2014
- The USDOL, Training and Employment Notice (TEN) No. 15-10, Protocol for Implementing Priority of Service for Veterans and Eligible Spouses in all Qualified Job Training Programs Funded in whole or in part by the USDOL, November 10, 2010
- Title 38 U.S.C. Sections 4101 and 4211
- WIOA of 2014, Public Law 1133-128, as amended
Section 4:5 - Services to Migrant Seasonal Farm Workers (MSFW)

Background

According to 20 CFR 652.207, labor exchange services must be available to all employers and job seekers, including UI claimants, veterans, migrant and seasonal farmworkers, and individuals with disabilities.

When farmworkers went into a local employment office prior to 1971, they might have encountered:

- Separate offices or separate applications.
- A separate line for farmworker services.
- Limited exposure to non-agricultural job referrals.
- Problems with substandard wages.
- Possible civil rights violations.
- No support services, such as counseling, assessment and testing.

In 1971, 16 organizations and 398 individuals petitioned the U.S. Secretary of Labor, Peter J. Brennan, with accusations of exploitation of farmworkers by state employment offices across the U.S. After the USDOL investigated and unsuccessfully attempted to correct the alleged abuses through internal changes to service delivery, the National Association for the Advancement of Colored People filed a formal complaint in the U.S. District Court in Washington, D.C., in October 1972. The suit alleged various discriminatory actions, including inequitable treatment and services to farmworkers.

In 1973, U.S. District Court Judge, Charles R. Richey, rendered a declaratory judgment that farmworkers’ Civil Rights had been violated by the U.S. Employment Services system. In August 1974, Judge Richey entered an extensive Consent Order, stipulated, and agreed to by both sides, requiring the DOL to undertake specified actions on providing farmworkers all employment services on a non-discriminating basis. The DOL responded by implementing federal regulations:

- 20 CFR 653 Subpart B – Services for Migrant and Seasonal Farmworkers (MSFWs).

The Michigan monitor advocate; including Migrant Service Workers (MSWs) outreach staff, local office managers, front-line staff, and partner staff, such as the National Farmworker Jobs Program grantees, all perform crucially important work to support opportunities and protections for MSFWs as the same provided to non-farmworkers.
Identifying and Defining MSFWs

Each local Michigan Works! Service Center (MWSC) location is required to determine whether an applicant is an MSFW at the time of service, as defined by 20 CFR 651.10. As subject matter experts, MSW staff is best equipped to train other front-line staff on the proper coding of MSFWs.

- An MSFW is a migrant farmworker, a seasonal farmworker, or a migrant food processing worker. The definition of each term is shown below:

  o Farm Work - the cultivation and tillage of the soil, dairying, the production, cultivation, growing, and harvesting of any agricultural or horticultural commodities. This includes the raising of livestock, bees, fur-bearing animals, poultry, the farming of fish, and any practices (including any forestry or lumbering operations) performed by a farmer or on a farm as in relation to or in conjunction with such farming operations, including preparation for market, delivery to storage or to market or to carriers for transportation to market. It also includes the handling, planting, drying, packing, packaging, processing, freezing, or grading prior to delivery for storage of any agricultural or horticulture commodity in its unmanufactured state. For the purposes of this definition, agricultural commodities mean all commodities produced on a farm including crude gum (oleoresin) from a living tree, products processed by the original producer of the crude gum (oleoresin) from which they are derived, including gum spirits of turpentine and gum rosin.

  o Farmworker - an individual employed in farm work.

  o Migrant Farmworker - a farmworker who must travel to do the farm work so that he or she is unable to return to his or her permanent place of residence within the same day.

    ▪ **Note:** Full-time students who are not traveling as members of a family group are excluded.

  o Migrant Food Processing Farmworker - See Migrant Farmworker.

  o Transient Farmworker - 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. Labor is performed on a seasonal basis where, ordinarily, the employment pertains to or is of the kind exclusively performed at certain seasons or periods of the year and which, from its nature, may not be continuous or carried on throughout the year. A worker who moves from one seasonal activity to another, while employed in farm work, is employed on a seasonal basis even though he/she may continue to be employed during a major portion of the year. A worker is employed on another temporary basis where he/she is employed for a limited time only, or his/her performance is contemplated for a particular piece of work, usually of short duration. Generally, employment which is contemplated to continue indefinitely is not temporary.
Role of the Michigan Works! Agency

According to 20 CFR 653 Subpart B, each state agency and each local office shall offer MSFWs the full range of employment services, benefits, and protections, including the full range of counseling, testing, and job training/referral services, as are provided to non-MSFWs. Furthermore, each MWA shall assure that, in a local area, the same local offices offer the same level of services to both non-MSFWs and MSFWs.

It is the responsibility of all front-line staff to provide all W-P funded services to customers entering the MWSC. Serving MSFWs is not the sole job of MSFW outreach workers. In fact, because outreach workers spend a lot of time outside the office conducting outreach, the responsibility to serve MSFWs who come to MWSC falls primarily to the One-Stop Service Center staff.

- All MWSC staff are required to provide to MSFWs include, but are not limited to:
  - Register for Work for UI benefits.
  - Register for services, as appropriate.
  - Employment and training referral services.
  - Full range of career and supportive services.
  - Taking complaints and apparent violations.
  - Provide MSFWs a list of available career and supportive services in their native language.
    - It is never appropriate for non-MSW staff to simply give MSFWs contact information for the MSFW outreach worker, rather than provide services directly.
    - MSFW significant offices should be adequately staffed with bilingual, Spanish speaking staff to handle the flow of mono-lingual, Spanish speaking customers.

- The MWSCs must make job order information conspicuous and available to MSFWs by all reasonable means. Such information must be, at minimum:
  - Available through the PMTC and the One-Stop Service Center.
  - Must provide adequate staff assistance to MSFWs to access job order information easily and efficiently.
  - In significant MSFW multilingual offices, such assistance must be provided to MSWs in their native language.
- Ensure that MSFWs who are English Language Learners receive, free of charge, the language assistance necessary to afford them meaningful access to the programs, services, and information offered by the MWSC.
Section 4:6 - Agricultural Recruitment System (ARS)

Background

The ARS was developed as a result of the WP Act of 1933. This Act requires that the U.S. Employment Service maintain a system to ensure the orderly movement of workers within and between states. The ARS connects agricultural employers who are recruiting temporary workers with job seekers outside of their local area. The system is valuable to both groups. Workers’ rights are protected by the assurance that work and licensed housing will be available prior to their movement across county or state lines. Employers with licensed housing are provided access to a broader workforce through the ARS, once it has been determined that the local labor market will not be sufficient.

Overview of the ARS

When an agricultural employer needs help finding workers, State Workforce Agency (SWA) and/or MWA staff should take the following steps.

- Facilitate the posting of the local job order on the PMTC.
  - The job postings must include the following information:
    - Wages (i.e., piece rate, hourly pay, bonuses, etc.).
    - Housing information, if applicable (i.e., deposit required, utility charges, licensed, etc.).
    - Directions from the local MWA office.
    - Duration of work (i.e., four weeks, June through October, etc.).
    - The statement “Local Recruitment Only.”

- Recruit locally
- If there are not enough local applicants for the position, advise the employer that the job order can be cleared for recruitment throughout the State of Michigan, as well as in certain supply states.
- If the employer is interested in pursuing recruitment outside of the local area, assist in the completion of the Agricultural and Food Processing Clearance Order Employment and Training Administration (ETA) 790.
  - The employer must be made aware that in order to use the ARS, he or she is required to provide workers with the following assurances:
    - Unless MWA or SWA staff is alerted 10 days before the cited start date, the employer is required to provide work or equivalent pay for the first week of employment cited in the ETA 790.
    - If the employer extends the period of employment, he or she is still obligated to pay each worker any wages that are owed.
- All working conditions must comply with applicable federal and state employment-related laws.
- The employer will notify the local MWA office or the SWA as soon as possible if there are any changes to the terms and conditions of the job.
- If the employer is acting as a Farm Labor Contractor (FLC), he or she must have a valid FLC registration certificate.
- Licensed housing must be provided to workers who were recruited from outside of the local area at no cost.
- Outreach workers will have reasonable access to farmworkers.

- Submit the ETA 790 to the Foreign Labor Certification Office at FLCOOffice@michigan.gov for review and acceptance as an Intrastate Clearance Order (ICO). If accepted, recruitment will be extended statewide.
- The ETA Regional Office reviews and approves or disapproves the ETA 790 for interstate recruitment. If approved, the SWA then determines to which other states the order shall be extended. This decision is based on where the majority of Michigan’s migrant population originates (Labor Supply States).
- If these states accept the ICO, they will actively recruit workers. Their responsibilities in doing so include the following:
  - Inform job seekers about the availability of out-of-state jobs.
  - Explain the terms and conditions of employment to job seekers interested in the position, and provide them with a checklist summarizing wages, working conditions and other conditions specified in the clearance order.
  - Arrange, through the Order Holding state, for interested applicants to be referred to the employer.

- The local MWA or Order Holding Office (OHO) is responsible for the placement process until workers recruited outside of the local area arrive at the job-site and commence employment. This includes the responsibility to:
  - Maintain contact with the employer and advise labor supply states of any changes in crop and recruitment conditions.
  - Inform the employer of any changes in the status of recruited workers.

- The OHO is also responsible for oversight after recruited workers arrive. This includes:
  - The requirement for the local MSW to visit the worksite upon the arrival of any interstate workers within three days of their arrival.

- The State Monitor Advocate/Foreign Labor Certification Office will conduct on-site field checks of job-sites where workers have been placed through the ARS.
Step-by-Step Guide to File an ICO

1. Complete a local job order:
   a. Complete items 1 – 25 of the ETA 790, but do not have the employer sign the form.
   b. Enter the job order information in the Pure Michigan Talent Connect.
   c. Recruit for local workers, to include posting the job in the local MW! office and using the OSMIS and PMTC administration accounts to search for and contact potential applicants.

2. If there are not a sufficient number of local workers found in seven days:
   a. Contact the employer and offer to aid them in completing an ARS ICO.
   b. If the employer would like to file an ICO:
      i. Complete the rest of the ETA 790 and have the employer sign this form as well as the Assurances form.
      ii. Provide the employer with a copy of the ETA 790 and the Assurances.
      iii. Ensure housing is licensed through the Michigan Department of Agriculture and Rural Development. If a license is pending, have the employer complete a Request for Conditional Access into the ARS.
      iv. Check the FLCO webpage for prevailing wage and practice results.
      v. Contact the FLCO if no results are posted for the commodity.
      vi. Email all required forms to FLCOffice@michigan.gov:
         1. Agricultural and Food Processing Clearance Order (ETA 790)
         2. Signed Assurances Form (Appendix C)
         3. If needed, the Request for Conditional Access into the ARS (Appendix F)
   c. If the employer is not interested in utilizing the ARS:
      i. Update any job order information necessary and keep the posting active
      ii. Continue local recruitment efforts
      iii. Maintain contact with the employer

OHO Responsibilities

The OHO is the Michigan Works! office where the job order originated. In other words, it is the employer’s local one-stop office. The OHO acts as the primary liaison between job seekers and the employer, and has the following responsibilities:

- In office:
  - Create a folder to maintain all information, including:
    - Signed ETA 790
    - Signed Assurances
    - Local Pure Michigan Talent Connect job posting
    - Applicant Referral Log
    - Referral Form and Checklist (TIA-2524) for all referrals
    - Full registration completed for any local applicants
  - Ensure that ICO language states all referrals must be coordinated with the OHO
  - Search job seekers on OSMIS and PMTC and call in appropriate applicants to review the job order and ETA 790

- With the employer:
  - Make all changes to material terms and conditions in the ICO requested by the employer, and forward to the FLCO at FLCOffice@michigan.gov.
Upon approval of changes, send amended ETA 790 to Applicant Holding Offices (AHOs).

With referrals:
- Follow up on all referrals to the job order (whether local, intrastate or interstate) within 48 hours.
- Confirm all actions concerning job seekers outside of the local area with the AHO (hires, refusals, no-shows, etc.).
- Track all referrals using the Referral Log.
- Contact referred workers who have been terminated or refused employment by the employer and inform them of the complaint system.

AHO Responsibilities

An MWSC becomes an AHO when a job seeker would like to apply to an ICO job order outside of the local area. AHO responsibilities include:

In the office:
- Create a folder to maintain all information:
  - Signed ETA 790
  - Signed Assurances
  - Pure Michigan Talent Connect job posting
  - Referral log
  - TIA-2524 form (Applicant Referral Form)
- Provide language services to the employer as needed

With interested applicants:
- Complete a registration for each applicant prior to referral
- Review the required qualifications of the job order, and verify that the applicant meets these requirements
- Advise the applicant of all terms and conditions of the job order to ensure that he or she is willing and able to complete the work

Once it is determined that an applicant is willing, able and qualified to do the work described on the job order, you are ready to make a referral by doing the following:
- Complete the Applicant Referral Form (TIA-2524), and provide the applicant with a copy of this form, as well as a copy of the ETA 790.
- Verify that each crew leader has a current federal Farm Labor Contractors Certificate.
- Contact the OHO to verify that the start date and all terms and conditions of the job order remain the same.
  - For a position that has not started yet, this must be done 5 – 9 days prior to the first day of work to guarantee workers’ employment or equivalent wages for the first week specified in the contract.
- Follow the instructions on item 15 of the ETA 790 to arrange a mutually satisfactory time for the employer and worker(s) to communicate.
Section 4:7 - Criteria Clearance Orders

(Employers that use the H-2A Temporary Agricultural Worker Program)

Background

If an agricultural employer anticipates that he or she will be unable to find a sufficient number of qualified candidates through the ARS, they can file an ICO in connection with a future application to hire seasonal foreign workers using the H-2A Temporary Agricultural Worker program. This ICO is referred to as a criteria clearance order.

If an employer would like to recruit foreign H-2A workers, their clearance order is still recruited for locally, statewide and in certain supply states through the ARS as described in the previous section. If, after these steps are completed, there have not been a sufficient number of workers referred to the job order, the employer can then apply for visas for foreign workers. There are additional assurances and processes that employers who use the H-2A program must follow, which are detailed below.

- Role of the MWA
  - The MWA office’s responsibilities as an AHO and OHO are the same as those detailed in the ARS section. When referring a job seeker, follow the same steps outlined in that section.
  - The only difference is that there are additional assurances to review with the job seeker, and specific recruitment periods that will affect whether a referral can be made.

- Assurances required of employers that use the H-2A program:
  - If an employer has filed a clearance order with the intention of applying for H-2A workers, he or she must guarantee the following to both U.S. and foreign workers in addition to the ARS assurances listed in the previous section:
    - **Transportation and Subsistence:**
      - Workers who are hired outside of what is considered a “normal commuting distance” (which will vary on a case-by-case basis) are referred to as “non-commuting workers.” These workers are entitled to receive reimbursement for their inbound transportation and subsistence costs to the job site. They must also be provided payment for return costs if they complete the entire work contract.
      - Check current subsistence rates.
      - Non-commuting workers must also be offered transportation to and from the worksite.
    - **3/4 Guarantee**
      - The employer must guarantee work for at least ¾ of the contract period, disregarding conditions outside of his or her control that are referred to as “Acts of Nature” (such as a flood or drought).
    - **Wage Rate**
      - Employers applying to use the H-2A program must guarantee all workers the Adverse Effect Wage Rate (AEWR).
      - The USDOL determines an AEWR for each state annually. The rate is based on the U.S. Department of Agriculture’s quarterly
wage survey, and is also approximated to the equilibrium wage that would result absent an influx of temporary foreign workers under normal conditions of an emerging labor shortage.

- **Check the current AEWR rate.**
- **Pay Records**
  - Employers must provide each worker with an hours and earnings statement that shows hours offered, hours actually worked, hourly rate and/or piece rate of pay and, if piece rates are used, the units produced daily.
- **Workers’ compensation** will be provided.
- **All tools and equipment** will be provided at no cost to the worker.

- **Recruitment Period**
  - Active recruitment lasts until three days before the listed start date. During this period, both the OHO and the AHO should be actively recruiting job seekers for the position.
  - The 50 percent period begins once active recruitment ends, and lasts until 50 percent of the contract is completed.
    - If a job seeker asks about a clearance order that is in the 50 percent period, let them know about similar positions that are still in active recruitment.
    - If the job seeker insists on applying to the job that is in the 50 percent period, a referral can be made.
    - An employer with a criteria clearance order is required to accept able, willing, and qualified U.S. workers during this period.
  - After 50 percent of the contract has been completed, the job order is closed and referrals are no longer accepted.

**Section 4:8 – H2B**

Employers who are not in the agricultural industry that anticipate a shortage of workers can also apply to bring foreign employees for seasonal or temporary work. Similar to agricultural employers using the H-2A program, an employer must demonstrate that there are not enough qualified U.S. workers available and willing to fill their job openings before being approved to bring foreign H-2B workers. Therefore, employers applying for H-2B workers must post their job on their state’s labor exchange website.

When one of these jobs is posted, the Foreign Labor Certification Officer will email the Business Service Representative from the local Michigan Works! staff office to alert them of the posting.

This email will also include a referral log to be filled out and sent back to FLCOOffice@michigan.gov if any job seekers are referred.

When referring a job seeker to an H-2B job, it is necessary to review all material terms and conditions of the position, which will all be included in the Pure Michigan Talent Connect job posting. These postings will contain the following information and assurances:

- **Employer Information**: The employer’s name and contact information.
- **Job Information**: Indication that the job opportunity is temporary and full time. The total number of openings must also be stated.
- **Job Duties and Requirements**: Description of the job opportunity that includes job duties, minimum education and experience requirements, work hours and days, and the anticipated start and end dates of work.
- **Worksit e Locations**: The geographic area of intended employment is indicated with enough specificity to apprise the applicants of any travel requirements and where they will likely have to reside to perform the job.
- **Wage Offer(s) and Availability of Overtime Pay**: Inclusion of the wage offer, or range of applicable wage offers, which must equal or exceed the highest of the prevailing wage or federal, state, or local minimum wage. Statement that overtime will be available and the overtime wage offer, if applicable.
- **Availability of On the Job Training**: If applicable, statement that on-the-job training will be provided.
- **Single Workweek for Pay**: Statement that a single workweek will be used in computing wages due.
- **Frequency of Pay**: Statement indicating the frequency of pay to workers, which will be at least every two weeks.
- **Provision of Board/Lodging or Other Facilities**: If an employer provides the worker with the option of board, lodging, or other facilities, including fringe benefits, or intends to assist workers to secure such lodging, this information must be included in the job order and the associated cost related to such provision of board, lodging, or other facilities must also be listed.
- **Deductions from the Worker’s Paycheck**: List of all deductions from the worker’s paycheck required by law. In addition, and where applicable, list any deductions not required by law the employer intends to make from the worker’s paycheck (e.g. cost of board, lodging, or other facilities).
- **Inbound/Outbound Transportation and Subsistence**:  
  - Description of how the worker will be provided with or reimbursed for inbound transportation/daily subsistence, if the worker completes 50 percent of the employment period.
  - Statement that the employer will provide or pay for return transportation and daily subsistence, if the worker completes the employment period or is dismissed for any reason before the employment period ends.
- **Daily Transportation**: If applicable, statement that daily transportation to and from the worksite will be provided.
- **Provision of Tools, Supplies, and Equipment**: Statement that the employer will provide all tools, supplies, and equipment at no cost to the worker.
- **3/4 Guarantee**: Statement that the employer will guarantee an offer of employment for a total number of work hours equal to at least three-fourths of the workdays in each 12-week period (or each six-week period if the period of employment is less than 120 days).
- **SWA Contact Information**: Instruction for applicants to contact the nearest office of the SWA with current phone number, website, or email address.
Section 4:9 - Services for People with Disabilities

General Information

In accordance with Section 8(b) of the W-P Act, as amended, the MWSCs promote employment opportunities for persons with disabilities and provide job counseling and placement of persons with disabilities.

The MWSC must be inclusive of all customers to be effective. Inclusion honors and accommodates diversity. A universally accessible system requires meeting the diverse customer needs that exist within the local delivery area, which includes the needs of individuals with disabilities, people of different cultures, and persons with barriers to employment. Where inclusion abounds, centers are welcoming, inviting, accommodating, and accessible to everyone.

As recipients of federal funds, the MWAs and all MWSC required partners, are obligated to comply with various regulations relating to non-discrimination, equal opportunity, and inclusion. The most critical of these regulations are:

- Section 188 of the WIOA
- Section 504 of the Rehabilitation Act of 1998, as amended
- Titles I and II of the ADA
- The Americans with Disability Act Accessibility Guidelines or the Uniform Federal Accessibility Standards
- Equal Employment Opportunity Commission regulations

In addition, priority will be given to assuring that throughout the system, persons with physical, mental, cognitive, and sensory disabilities will have programmatic and physical access to all MWSC services and activities. Such actions include, but are not limited to:

- Providing reasonable accommodations for individuals with disabilities
- Making reasonable modifications to policies, practices, and procedures, where necessary, to avoid discrimination against persons with disabilities
- Administering programs in the most integrated setting appropriate
- Communicating with persons with disabilities as effectively as with others
- Providing appropriate auxiliary aids and services, including assistive technology devices and services where necessary to afford individuals with disabilities an opportunity to participate in, and enjoy the benefits of the program or activity.
Section 4:10 - Services for English Language Learners

The MWAs should have bilingual staff available in Service Centers where a significant number of non-English speaking customers are present.

The MWAs must provide customers with appropriate services upon their visit. A customer should never be turned away or asked to return at a later date. Any breach of this guarantee should be reported to the SMA as soon as possible.

Service Centers should have a copy of the “Translators Resource List” in each of their centers. In emergency situations, the MSW can provide translation services in person or over the phone if they are out of the office at that time of need.

The MWAs should develop a strategy on how to transact business in the event a non-English speaking customer is seeking services. All staff should be aware of this plan.
Chapter 5: Performance and Accountability

Section 5:1: Common Exit for U.S. Department of Labor (USDOL) – Administered Programs

Multiple sets of performance measures have burdened states and grantees, as they are required to report performance outcomes based on varying definitions and methodologies. By minimizing the different reporting and performance requirements, common exits facilitate the integration of service delivery and break down barriers to cooperation among programs.

The implementation of common exits across Michigan’s job training and employment programs has enhanced the ability to assess the effectiveness and impact of the workforce investment system, including the performance of the system in serving individuals facing significant barriers to employment.

Key Benefits of Common Exits

- Focuses on the Core Purposes of the Workforce System.
- Breaks Down Barriers to Integration resulting from Different Definitions, Data and Reports for Each Workforce Program.
- Supports a Customer-Centric Design that allows programs to leverage co-enrollment for individuals who are Eligible for and Need Multiple Services that Cross Program Lines.
- Reduces Confusion among our Customers and Stakeholders who Want to Know about Results.

States are encouraged to utilize a “common exit” for the USDOL-administered programs and envision full implementation of a common exit across the USDOL-administered core programs. A “common exit” occurs when a participant enrolled in multiple USDOL-administered partner programs has not received services from any USDOL-administered programs to which the common exit applies for at least 90 days, and no future services are planned (with the exception of self-service, information only activities, or follow-up services).

States that retain or develop a common exit policy must require that a participant is only exited when all criteria for exit are met for the Workforce Innovation and Opportunity Act (WIOA) Titles I and III core programs, as well as any additional USDOL-administered required partner programs to which the state’s common exit policy applies in which the participant is enrolled.

The WIOA Titles I and III core programs are:

- WIOA Title I Adult Formula program
- WIOA Title I Dislocated Worker formula program
- WIOA Title I Youth Formula program
- WIOA Title III Wagner-Peyser (W-P) Act Employment Service program
Additionally, the USDOL encourages additional required partner programs that are under the authority of the USDOL to be included in the common exit policy. The partner programs which Michigan includes in its common exit policy are:

- **Trade Adjustment Assistance (TAA) program**, authorized under Chapter 2 of Title II of the Trade Act of 1974 (19 United States Code 2271 et seq.)

With common exits, the One-Stop Management Information System automatically creates registrations in other USDOL-funded programs as a result of participation in one USDOL-funded program. For example, when we put a new participant in W-P, the system will create a new pre-registration in the WIOA program (where the One-Stop Center is funded by W-P and the WIOA). The pre-WIOA is only a participant count; it does not count toward WIOA performance. Only when the WIOA pre-registration is replaced by a full WIOA registration and the customer is put into a specific WIOA program (with an appropriate funding source) does this become a WIOA performance participation.

The same occurs for WIOA programs and the TAA program. When you create a new participant in one of these programs, the system will create a new participant in W-P, again where the One-Stop Center is funded by W-P and the WIOA. Under common exits, the USDOL believes that customers should be served by the workforce system, not just by individual programs. If a location is funded by more than one program, the participant is registered in all of these programs so as to reflect the use of the workforce investment system. So, if the participant is active in one program, the USDOL wants the participant to be active in other programs as well.

It is important to note that only participants are included in common exits. If an individual is a reportable individual (i.e., an individual that is not included in performance, such as one enrolled in incumbent worker training activities), that individual will not be included in a common exit.

**Exits**

Under common exits, the OSMIS will now exit all participant records. The exit will occur 90 days after the last activity has ended in all the USDOL-funded programs the participant is registered in and where there are no gaps or future services planned.

**As a reminder, for concurrently enrolled participants, all records will have the same exit date.**

The Daily Anticipated Exit Report notifies the Michigan Works! Agencies (MWAs) of the participants who are expected to exit from the system if no action is taken to change the participant’s activities. The report will include the WIOA, TAA, and W-P participants who have no open activities and who are expected to exit in the next five days. This daily report will run at night and will be emailed overnight to users with the report activated in the OSMIS Staff Account Maintenance screen.
Section 5:2 – Performance Measures

Section 116 of the WIOA establishes performance accountability indicators and performance reporting requirements to assess the effectiveness of states and local areas in achieving positive outcomes for individuals served by the workforce development system’s six core programs. These six core programs are the Adult, Dislocated Worker, and Youth programs authorized under the WIOA Title I and administered by the USDOL, the Adult Education and Family Literacy Act (program, authorized under the WIOA Title II and administered by the Education Department), the Employment Service Program authorized under the Wagner-Peyser Act, as amended by the WIOA Title III and administered by the USDOL, and the Vocational Rehabilitation program authorized under Title I of the Rehabilitation Act of 1973 as amended by the WIOA Title IV and administered by the Education Department. The WIOA provides an opportunity to align performance-related definitions, streamline performance indicators, integrate reporting, and ensure comparable data collection and reporting across all six core programs, while also implementing program-specific requirements related to data collection and reporting.

Under Section 116(b)(2)(A) of the WIOA, there are six primary indicators of performance. The following four performance measures are the criteria used to evaluate attainment of the MWA (and state) performance for the Wagner-Peyser ES Title III program:

Entered Employment Rate During the 2nd Quarter after Exit:

The number of adult participants who are employed during the second quarter after the exit quarter, divided by the number of adult participants who exit during the quarter equals Entered Employment.

This measure provides an assessment of program impact on increasing employment for those who were unemployed. Individuals who are employed at the date of registration are excluded from this measure.

Retained Employment During the 4th Quarter after Exit:

The number of adult participants who are employed during the fourth quarter after the exit quarter, divided by the number of adult participants who exit during the quarter equals Retained Employment.

Median Earnings during the 2nd Quarter after Exit:

The median earnings of participants in unsubsidized employment during the second quarter after exit from the program.

“Median” is defined as the numerical value that separates the higher half from the lower half of earnings.

Effectiveness in Serving Employers:

The WIOA (Sec 116(b)(2)(A)(i)(VI)) requires the Departments of Labor and Education to establish a primary indicator of performance for effectiveness in serving employers.
The Departments are piloting three approaches designed to gauge three critical workforce needs of the business community.

- **Approach 1 – Retention with the same employer** – addresses the program’s efforts to provide employers with skilled workers.

- **Approach 2 – Repeat Business Customers** – addresses the program’s efforts to provide quality engagement and services to employers and sectors and establish productive relationships with employers and sectors over extended periods of time, and

- **Approach 3 – Employer Penetration Rate** – addresses the program’s efforts to provide quality engagement and services to all employers and sectors within a state and local economy.

Since this indicator is a new approach for measuring performance under the WIOA’s six core programs, the Departments have implemented a pilot program during which states must select two of three approaches to report data that the departments will use to assess a permanent indicator. They also may develop an additional state-specific approach. The Departments will evaluate state experiences with the various approaches and plan to identify a standardized indicator that the Departments anticipate will be implemented no later than the beginning of Program Year (PY) 2019.

**References**

The WIOA Section 116  
20 Code of Federal Regulation (CFR) Section 677  
TEGL 26-15 – Negotiating Performance Goals for the WIOA Title I Programs and the Wagner-Peyser Employment Service as amended by Title III, for PYs 2016 and 2017  
TEGL 10-16, Change 1 – Performance Accountability Guidance for Titles I, II, III, and IV Core Programs  
TEGL 19-16 – Guidance on Services provided through the Adult and Dislocated Worker Programs under the WIOA and the Wagner-Peyser Employment Service, as amended by Title III of the WIOA, and for the Implementation of the WIOA Final Rules

**Section 5:3 – Negotiating Levels of Performance**

**State and Local-Negotiated Performance Levels**

States are required to achieve negotiated levels of performance for each core program. The state must reach agreement on levels of performance with the Secretaries of Labor and Education for each indicator for each core program. These are the negotiated levels of performance. Since state performance is the sum of local area performance, the MWAs are required to achieve their performance levels for the state to meet its performance levels.

As a reference to understanding the local negotiation process, a summary of the state negotiation process is outlined below:

- Each state submits expected levels of performance in its Unified or Combined State Plan based on the state’s analysis of factors that may affect performance.

- After plan submission, the state is required to reach agreement with the Secretary of
Labor in conjunction with the Secretary of Education, on state negotiated levels of performance for each of the first two years of the Plan, for each of the core programs. In reaching agreement on the negotiated performance levels, the following factors are taken into account:

- How levels involved compare with the state adjusted levels of performance established for other states. States may use historical and previous performance information and Labor Market Information data. States may also use recent quarterly performance results to support projected performance and service populations.

- How levels involved have been proposed using an objective statistical adjustment model provided by the Department of Labor.

- The extent to which levels involved promote continuous improvement and ensure optimal return on the investment of federal funds.

- The extent to which levels involved will assist the state in meeting the performance goals established by the Secretaries of Education and Labor in accordance with the Government Performance Results Act of 1993.

During the negotiation process, the state is asked to provide rationale for the methodology behind its expected levels of performance. The USDOL Regional Office reviews the analysis provided by the state to develop the expected levels of performance and work with the state to set mutually agreed-upon levels of performance. These are the negotiated levels of performance. Once negotiated levels are agreed upon, the state must incorporate these as a modification into the Unified or Combined State Plan. Actual performance data reported by states serve to support negotiations and continue to build and refine the statistical adjustment model in future years.

For local areas, the negotiation process mirrors that of the state. The state, Local Workforce Boards, and Chief Elected Officials must reach agreement on local negotiated levels of performance based on the negotiation process before the start of a program year with the use of the objective statistical model. The negotiations will include a discussion of circumstances not accounted for in the model and will take into account the extent to which the levels promote continuous improvement. The objective statistical model will be applied at the end of the program year based on actual economic conditions and characteristics of the participants served.

Local areas may apply performance measures to service providers that differ from the performance indicators that apply to the local area. These performance measures must be established after considering:

- The established local negotiated levels.
- The services provided by each provider.
- The populations the service providers are intended to serve.
Use of the Statistical Adjustment Model in the Negotiation Process

Under the WIOA, the statistical adjustment model, established by the Secretaries of Labor and Education, will be used to ensure that the negotiated performance levels are based on the actual economic conditions and characteristics of participants. Actual economic conditions include differences in unemployment rates and job losses or gains in particular industries. Characteristics of participants include indicators of a poor work history, lack of work experience, lack of educational or occupational skills attainment, dislocation from high-wage and high-benefit employment, low levels of literacy or English proficiency, disability status, homelessness, ex-offender status, and welfare dependency.

The USDOL has developed an Excel spreadsheet to accompany the statistical model to facilitate the negotiations between the states and local areas. Please refer to the TEGL 26-15, Attachment III-B for the Excel spreadsheet, which provides additional information about characteristics and economic conditions.

State and Local – Renegotiated Performance Levels

If the state determines that its required performance levels warrant a request to renegotiate, the state may request to renegotiate its performance levels prior to the next PY. The USDOL will not renegotiate performance levels for a current PY. This also applies to local areas if circumstances warrant such a request. Requests will be evaluated on a case-by-case basis. All renegotiation requests will be reviewed and analyzed based on past, current, and future trends in factors affecting performance. The Michigan Talent Investment Agency (TIA) will also weigh the impact of requested local changes on state negotiated performance levels. If requests for revision in local performance levels result in a need for the state to submit a request to the USDOL for a revision to the state performance levels, the TIA will submit its request to the USDOL using the MWAs’ information to the extent possible to justify the state’s request. In this situation, the TIA will not take final action on an MWA’s request until it is notified and assesses implications of decisions on the state request by the USDOL.

When the TIA notifies the MWA of final action on their performance renegotiation request, it will also inform the MWA of process or timetable changes to the modification policy should they be needed to address approved performance level revisions. The MWAs must incorporate performance level revisions approved by the TIA into the local WIOA comprehensive plan.

As part of the request for a performance renegotiation, the MWA must state why adjustments to the performance goal(s) are necessary and how such adjustments will not negatively impact the ability of the MWA to effectively deliver workforce development services to individuals eligible for and in need of those services. Consistent with the provisions of TEGLs 10-16, Change 1 and 26-15, the renegotiations will take into account the specific economic, demographic, and other characteristics of the populations to be served in the local area.

The Employment and Training Administration (ETA) will consider setting performance targets to accommodate states serving a significant number of individuals with barriers to employment who need a higher level of service to achieve a positive outcome. In such circumstances, the performance levels would be agreed upon based on expectations to serve a significant population of individuals with barriers to employment, and subsequently adjusted to account for the actual characteristics of individuals served.
In order to renegotiate the local WIOA levels of performance, the MWAs must submit a written request with supporting documentation.

- Each local area seeking a revision must develop and submit a written request to renegotiate performance for the following PY prior to the end of the third quarter (March 31) of the current PY. This will allow time for the state to combine all requests and to negotiate with the USDOL.
- The request must articulate an unanticipated circumstance. Each local area must describe the nature of the problem or mitigating circumstance, including a description of when the unanticipated circumstance occurred and its duration or expected duration.
- The unanticipated circumstance must impact one or more factors. Evidence of an actual change is required. The performance measure(s) affected by the request must be modified.
- The stated variations from expected outcomes must be linked to the stated significant changes in factors. Sufficient and appropriate documentation to explain and justify the proposed revision is required. Local areas should include the following:
  - A description of the approach used to determine the need for revised levels of performance.
  - A description of the data sources used to demonstrate change in the economic conditions and characteristics of participants served in the local area.
  - The computations for the revised performance levels included in the request.

Requests for renegotiation, consistent with the aforementioned, should be submitted to the TIA to the attention of the Division Administrator of the Targeted Services Division.

**Methodology for Assessing Performance against Adjusted Levels**

At the end of the PY, the negotiated levels of performance for that year will be adjusted using the statistical adjustment model, which will factor in data on the economic conditions of the state and the populations served by the program(s) during that year. This will determine the adjusted levels of performance for the program year against which the state’s actual results will be compared.

**Sanctions for Failure to Meet Negotiated Performance Levels**

For the WIOA core programs, the threshold for performance failure is 90 percent of the adjusted level of performance for the overall state program score and the overall state indicator score. The threshold for performance failure on any individual indicator for any individual program is 50 percent of the adjusted level of performance. Performance on an individual measure will be determined based on the position of the outcome (the actual results achieved) relative to the adjusted levels of performance. An average of this result across all indicators for each program will establish the state’s overall program score. An average of this result across all of the core programs for each indicator will be used to establish the state’s overall indicator score.
The state must establish the threshold for failure to meet adjusted levels of performance before coming to agreement on the negotiated performance levels for the local area. The state must establish performance levels, using the statistical adjustment model.

At least two years of complete data on any indicator for any local core program are required in order to establish adjusted levels of performance for a local area. Technical assistance may include:

- Assistance in the development of a performance improvement plan
- The development of a modified local or regional plan
- Other actions designed to assist the local area in improving performance

The decision made by the governor regarding the reorganization plan will become effective at the time the governor issues the decision. The decision will remain effective unless the Secretary rescinds or revises the plan.

References
The WIOA Section 116
20 CFR Part 677.170
TEGL 26-15 – Negotiating Performance Goals for the WIOA Title I Programs and the Wagner-Peyser Employment Service as amended by Title III
TEGL 10-16, Change 1 - Performance Accountability Guidance for Titles I, II, III, and IV Core Programs
TEGL19-16 – Guidance on Services provided through the Adult and Dislocated Worker Programs under the WIOA and the Wagner-Peyser Employment Service, as amended by Title III of the WIOA, and for the Implementation of the WIOA Final Rules
Policy Issuance 15-11, Change 1 – Designation of Workforce Development Areas under the WIOA.

Section 5:4 – MWA Oversight

Ensuring compliance and driving performance excellence across the Michigan Works! system is a primary goal of the TIA’s Targeted Services Division. The strategy to achieving this goal relies upon effective grant monitoring and oversight activities. These activities may identify the need for corrective action as well as technical assistance and training. Such activities also provide the opportunity to learn about and share innovative strategies and practices. This vision aligns (although with fewer steps) with what the USDOL/ETA has referred to as “the grants management cycle.” Visually, it can be depicted as a circle where:

![Diagram](attachment:image.png)
On-Site Monitoring
The purpose of on-site monitoring is to verify and expand upon the knowledge of the MWA governance, operations, and performance that has already been established through initial, quarterly, and on-demand monitoring and oversight activities. Monitoring also attempts to assess the effectiveness of the MWA structure and operations, as well as alignment with the overall vision for the state workforce system as defined by the Governor's Talent Investment Board, as well as the USDOL's national goals for the system. On-site monitoring provides a window to the structure, staffing, and service design and delivery that results in the numbers and narrative included in quarterly and annual reports. On-site monitoring is critical to ensuring compliance with required provisions, determining effectiveness of program implementation, and capturing innovation that can drive continuous improvement across the system.

Section 5.5 - Performance Accountability

The MWA Operational Goals and Utilization of Available Funds
The implementation plan should be used as a tool to measure planned versus actual activity as a means of tracking progress toward goal achievement, planned performance outcomes, and to ensure that the MWA spending is occurring at a rate consistent with the amounts budgeted in order to fully utilize all grant funds by the end of the grant period.

Meeting Performance Outcome Goals
The WIOA Section 116 requires establishment of a performance accountability system to assess the effectiveness of states and local areas in achieving continuous improvement of workforce investment activities in order to optimize the return on investment of federal funds in statewide and local workforce investment activities. Local levels of performance are based on the state’s adjusted performance levels. In determination of local levels, specific economic, demographic, and other characteristics of the populations to be served should be taken into account. Additional indicators of performance (if any) may also be established at the state or local level.

Managing Sub-Recipient/Contractor Performance
The MWAs must hold sub-recipients and contractors accountable for achieving performance goals. Sub-recipient and contractor agreements must contain clear, specific, and measurable performance goals. Sub-recipients are to be held accountable for actual versus planned accomplishments related to performance goals. Agreements should contain provisions requiring corrective action when performance is not being met.

Regular monitoring should be conducted to ensure compliance with federal, state, and local requirements and policy. Monitoring tools and procedures should be developed and used to monitor all elements of the local plan against performance objectives and compliance with grant requirements. Procedures should be comprehensive enough to ensure compliance.

Performance Data for Continuous Improvement
The MWAs should use relevant and objective data to assess the quality of service delivery and to make adjustments to program operations. The MWAs should conduct a formal analysis to assess service delivery. A standard operation of the steps followed to conduct the analysis or a
written standard operating procedure is highly recommended. Information from the review should be utilized to make adjustments to program operations.

As a reminder, include a review of budgetary and service delivery goals in addition to reviewing performance reports each quarter.

References:
The WIOA Section 116
Glossary of Definitions

Active Duty – Full-time in the Armed Forces.

Adverse Impact – refers to employment practices that appear neutral but have a discriminatory effect on a protected group. This may occur in hiring, promotion, training and development, transfer, layoff and even performance appraisals.

Affirmative Action Job Orders – a job order that seeks qualified members of specified groups who have previously been discouraged from entering certain occupational fields for non-occupationally valid reasons.

Bona fide Occupational Qualification – an employment decision or request based on age, sex, national origin, or religion is based on a finding that such a characteristic is necessary to the individual's ability to perform the job in question.

Career Guidance – a comprehensive, developmental program design to assist individuals in making and implanting informed educational and occupational choices.

Clearance Process – refers to out-of-state employers who work through their state’s public employment service agency to recruit workers from Michigan for jobs in their state.

Complaint – a statement that a situation is unsatisfactory or unacceptable.

Customer – see Job Seeker and/or Employer.

Disabled Veteran – a veteran who is entitled to compensation or for the receipt of military retirement pay, would be entitled to compensation under the laws administered by the Department of Veterans Affairs, and who is not classified as a special disabled veteran, OR a veteran who was discharged or released from active duty because of a service-connected disability.

Eligible Veteran - a person who served on active duty for a period of more than 180 days and was discharged or released from service with other than a dishonorable discharge, OR a person who was discharged or released from active duty because of a service-connected disability.

Employer – a person or organization that employees people.

Farm Work - the cultivation and tillage of the soil, dairying, the production, cultivation, growing, and harvesting of any agricultural or horticultural commodities. This includes the raising of livestock, bees, fur-bearing animals, poultry, the farming of fish, and any practices (including any forestry or lumbering operations) performed by a farmer or on a farm as an incident to or in conjunction with such farming operations, including preparation for market, delivery to storage or to market, or to carriers for transportation to market. It also includes the handling, planting, drying, packing, packaging, processing, freezing, or grading prior to delivery for storage of any agricultural or horticulture commodity in its unmanufactured state. For the purposes of this definition, agricultural commodities means all commodities produced on a farm including crude gum (oleoresin) from a living tree products processed by the original producer of the crude gum (oleoresin) from which they are derived, including gum spirits of turpentine and gum rosin.

Farmworker - an individual employed in farm work.
Federal Contractor – any party entering into an agreement, or modification thereof, in the amount of $100,000 or more for the procurement of supplies or personal property and non-personnel services, including construction, with any department or agency of the United States.

Individual Service Strategy – an electronic or written document that specifies a planned series of actions leading to employment.

Job Seeker – a person who is unemployed and seeking work.

Labor Exchange – a variety of employment related services that include, but not limited to job search assistance, job referral, placement assistance for job seekers, re-employment services to UI claimants, and recruitment services to employers for job openings.

Labor Market Information (LMI) – the quantitative or qualitative data and analysis related to employment and the workforce. The goal of LMI is to help customers make informed plans, choices, and decisions for a variety of purposes, including business investment decision making, career planning and preparation, education and training offerings, job search opportunities, hiring and public or private workforce investments.

Merit-Based Staff - is defined as follows:

- Recruiting, selecting, and advancing employees on the basis of their relative ability, knowledge, and skills, including open consideration of qualified applicants for initial appointment.
- Providing equitable and adequate compensation.
- Training employees to assure high-quality performance.
- Retaining employees on the basis of the adequacy of their performance, and separating employees whose inadequate performance cannot be corrected.
- Assuring that fair treatment of applicants and employees in all aspects of personnel administration without regard to political affiliation, race, color, national origin, sex, religious creed, age, or handicap, and with proper regard for their privacy and constitutional rights as citizens. This “fair treatment” principle includes compliance with the federal Equal Employment Opportunity and non-discrimination laws.
- Assuring that employees are protected against coercion for partisan political purposes and prohibiting the use of their official authority for the purpose of interfering with or affecting the result of an election or a nomination for office.

Migrant Farmworker - a transient farmworker who must travel to do the farm work so that he or she is unable to return to his or her permanent place of residence within the same day. **Note:** Full-time students who are not traveling as members of a family group are excluded.

Migrant Food Processing Farmworker - See Migrant Farmworker

Other Covered Veteran - any other veteran who served on active duty during a war or in a campaign or expedition for which a campaign badge was authorized. Examples include Afghanistan and Iraq.

Other Eligible Person - The spouse of any person who has a total disability that is permanent in nature resulting from a service-connected disability.
Person with a Disability – any person who has a physical or mental impairment which substantially limits one or more major life activities.

Recently Separated Veteran - is defined as a veteran whose date of discharge was within 12 months of the date when services were requested.

Seasonal Farmworker - 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. Labor is performed on a seasonal basis where, ordinarily, the employment pertains to or is of the kind exclusively performed at certain seasons or periods of the year and which, from its nature, may not be continuous or carried on throughout the year. A worker who moves from one seasonal activity to another, while employed in farm work, is employed on a seasonal basis even though he/she may continue to be employed during a major portion of the year. A worker is employed on other temporary basis where he/she is employed for a limited time only or his/her performance is contemplated for a particular piece of work, usually of short duration. Generally, employment which is contemplated to continue indefinitely is not temporary.

Special Disabled Veteran - is defined as a veteran entitled to disability compensation, or as one who would be entitled to disability compensation, except for the receipt of military retirement pay, under the laws administered by the Department of Veterans Affairs, for a disability rated in one of the following ways:

- 30 percent or more
- 10 percent or 20 percent in the case of a veteran who has been determined under United States Code Title 38 Code of Federal Regulation to have a serious employment disability.
- A service-connected disability that resulted in a release or discharge from active duty.

Veteran: is defined as any of the following:

- A person who served on active duty for a period of more than 180 days and was discharged or released from service with any discharge other than a dishonorable discharge.

  Discharge examples that are acceptable include:

  - Honorable Discharge
  - General Discharge Under Honorable Conditions

  Discharge examples that are not acceptable include:

  - Other than Honorable
  - Bad Conduct Discharge
  - Dishonorable Discharge
  - Entry-level Separation

- A person who was discharged or released from active duty because of a service-connected disability. In this case, there is no duration of service requirement.
- A person who served on active duty during a period of war, or in a campaign for which a campaign badge was authorized, and was discharged or released from such duty with other than a dishonorable discharge.
ES FORMS

Chapter One: Regulatory Responsibility
Section 1:3 - Merit-Based Staff

The Michigan Talent Investment Agency (TIA) Merit Based Certification Form

Section 1:9 – Employment Service (ES) Complaint System

Form TIA 301: Employment Service Complaint System Log

United States Department of Labor (USDOL) Complaint Poster

Replace the words in the middle square of the poster with the information outlined below to make it applicable to the State of Michigan:

Job Service Complaint System ~ 20 CFR Part §658

Talent Investment Agency-Workforce Development

State Complaint Specialist
201 N. Washington Square
Lansing, MI 48913

800-533-5800 ext. 1254

Employment and Training Administration (ETA) 8429: One Stop Career Center (OSCC) Complaint/Referral Record

Chapter Two: Electronic Systems
Section 2:1 – Pure Michigan Talent Connect

TIA 900-01: Talent Connect Profile Worksheet - Attachment (Picture)

Chapter Three: Employer Services
Section 3:4 – Fidelity Bonding Program

TIA Local Michigan Works! Agency (MWA) Fidelity Bonding Coordinator Contacts

TIA Fidelity Bonding Program Checklist

TIA 100-150: Fidelity Bonding Certification Form

TIA Sample Letter to Employer Confirming Bonding

Chapter Four: Job Seekers
Section 4:3 – Services for Unemployment Claimants

Unemployment Insurance (UI) 1222: Notice to Register for Work Form

UI 1583: Record of Work Search

TIA 311-S: Request for Approval of Training Course for Waiver of UI Eligibility Requirements (claimant form)

TIA 311: Verification of Training Criteria (staff form)

Section 4:4 – Services to Veterans

Military Service Questionnaire – Current Active Duty
Military Service Questionnaire – Spouse
Military Service Questionnaire – Veteran

Section 4:5 – Services to Migrant Seasonal Farm Workers (MSFS)
  ETA 790: Agricultural and Food Processing Clearance Order
  TIA 2524: Agricultural Job Order Information/Checklist: Job Referral

Section 4:9 – Services for English Language Learners
  TIA Translators Resource List
**TALENT CONNECT**

**PROFILE WORK SHEET**

Please complete this form for registration with Talent Connect. Your name, contact, and other identifying information will be displayed to employers interested in contacting you for further information and a possible job interview. By completing this form you are agreeing to the Privacy and Terms of Use Statement and giving your full permission to have your profile listed in the Talent Connect System. Please read the full Privacy and Terms of Use Statement in Appendix I of form TIA 900-01. You must agree to the Privacy and Terms of Use Statement to create an account on Pure Michigan Talent Connect. Completion of the Talent Connect Profile and the Confidential Information Work Sheets are mandatory for Unemployment Insurance Claimants.

**PROFILES THAT HAVE NOT BEEN ACCESSED BY THE OWNER WITHIN A 90-DAY PERIOD WILL NO LONGER BE VIEWABLE IN EMPLOYER CANDIDATE SEARCHES.**

**TO REACTIVATE, JUST SIGN INTO YOUR ACCOUNT AT [WWW.MITALENT.ORG](http://WWW.MITALENT.ORG)**

**TIPS FOR COMPLETING THIS FORM**

- Please only PRINT or TYPE on this form.
- *Indicates required information field.
- Read the Instructions that accompany this form in the Appendices.

For assistance call:
Michigan Works! at 800-285-WORKS (9675)
Or
Pure Michigan Talent Connect
Customer Contact Center at 888-522-0103

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<td>*State/Province/Region:____________</td>
<td></td>
</tr>
<tr>
<td>*Zip Code/Postal Code:____________</td>
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</tbody>
</table>

*Email Address/USER ID:__________________
(NOTE: You must provide an email address. Your email address will become your USER ID. Please add webnoreply@michigan.gov to your address book to ensure that you will receive our messages.)

*PASSWORD:__________________
(NOTE: Password Requirements: Minimum of 8 characters – Maximum of 20 characters – At least 1 number – At least 1 upper case letter - At least 1 lower case letter – You cannot use any of your last three passwords. Keep a record of your email address and password to access and revise your profile to save any jobs or searches. Request a "Job Seeker Password Card" to keep a record of your USER ID and PASSWORD.)

*Primary Phone: (____) ____________

*Alternate Phone: (____) ____________
*Choose Your Security Question
This will help gain access to your account if you forget your email address or password. You must choose three different security questions. See Appendix 3 of form TIA 900-01, for a list of security questions.

Question 1: ________________________________
Answer 1: ________________________________

Question 2: ________________________________
Answer 2: ________________________________

Question 3: ________________________________
Answer 3: ________________________________

Career Information

*Career Status:
☐ Actively searching
☐ Open to Opportunities
☐ Career Explorer

*Desired Position Level: (select all that apply)
☐ Internship
☐ Entry Level
☐ Experienced (Non-Manager)
☐ Manager/Supervisor
☐ Executive
☐ Available Part-Time

*Highest Education Level Completed:
☐ None
☐ High School/GED
☐ Some College
☐ Associates Degree
☐ Bachelor’s Degree
☐ Master’s Degree or above

Veteran Status
(if you are a Veteran please complete the Veteran Supplemental Work Sheet)
☐ I am a veteran
☐ Allow employers to see my veteran status

*Location Preferences: (select all that apply)
(See Appendix 3 for a map)
☐ Any (Willing to Relocate)
☐ Upper Peninsula (1)
☐ Western UP (1a)
☐ Central UP (1b)
☐ Eastern UP (1c)
☐ Northwest (2)
☐ Northeast (3)
☐ West Michigan (4)
☐ West Central (4a)
☐ West Michigan (4b)
☐ East Central Michigan (5)
☐ East Michigan (6)
☐ South Central (7)
☐ Southwest (8)
☐ Southeast (9)
☐ Detroit Metro (10)
Talent Connect Profile Worksheet

☐ Recent/Future College Graduate?
College: _______________________________

☐ Major/Concentration:
☐ Business
☐ Information Technology
☐ Health Care
☐ Liberal Arts
☐ Engineering
☐ Skilled Trade
☐ Other

LinkedIn Account: _______________________________

☐ Graduation
Month/Year: _______________________________

Personal Website: _______________________________

☐ Add Certificates/Licenses/Credentials?
Certificates/Licenses/Credentials: _______________________________

Issuing Organization: _______________________________

State: _______________________________
**CONFIDENTIAL INFORMATION WORKSHEET**

**PURE MICHIGAN**

**Talent Connect**

### Career Categories and Types

Select Career Category / Career Types (use additional blank sheets if needed). Please consult Appendix 4 of form TIA 900-001, for a list of Career Categories and their associated Career Types. A Career Type should be indicated from within each Career Category selected.

<table>
<thead>
<tr>
<th>Career Category</th>
<th>Years of Experience</th>
</tr>
</thead>
<tbody>
<tr>
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<th>Career Category</th>
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</tbody>
</table>

### Top Skills

Use these fields to enter job skills and abilities not covered in Career Categories and Career Types, such as Adobe Photoshop, 3 years; Cost Accounting, 4 years.

<table>
<thead>
<tr>
<th>Skill</th>
<th>Years of Experience</th>
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<tbody>
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<tr>
<th>Skill</th>
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<th>Skill</th>
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<tr>
<th>Skill</th>
<th>Years of Experience</th>
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<table>
<thead>
<tr>
<th>Consent</th>
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</thead>
</table>

By checking the box below, you agree with the Privacy and Terms of Use Statement found in Appendix 1 of this form. Whenever you submit information, you consent to the collection, use, and disclosure of that information in accordance with that Statement.

- [ ] I agree with the terms of the Privacy and Terms of Use Statement.
CONFIDENTIAL INFORMATION
WORKSHEET

Contact Information
*First Name: ____________________ *Last Name: ____________________ Middle Initial: _______
*Address Line 1: ________________________________________________________________
(Street Address, P.O. Box, Complex Name, etc.)

Address Line 2: ________________________________________________________________
(Apartment, Suite, Unit, Building, Floor, etc.)

*City: ____________________ *State/Province/Region: ____________________
(Use postal abbreviations Only)

*Primary Phone Number: ____________________ Alternate Phone: ____________________
(111) 222-3333 or 1112233333
(111) 222-3333 or 1112233333

*Email Address: __________________________________________________________________

Personal Characteristics
*Social Security Number (Numbers 0 to 9 Only) – Enter Below


Your Social Security Number is required to enable the State of Michigan to evaluate the effectiveness of the Labor Exchange Program.

*Date of Birth (MM/DD/YYYY)

____ /____ /____

*Gender

☐ Male  ☐ Female

*Ethnicity

☐ Are you Hispanic or Latino?

YES  NO

☐ African American  ☐ Native Hawaiian

☐ Asian  ☐ White

☐ Native American

*Race (check all that apply)

Education
*Are you attending school?

☐ Student High School or Less  ☐ Not Attending School; High School Dropout

☐ Student Alternative School  ☐ Not Attending School; High School Graduate

(Please Check The Appropriate Answer)
## CONFIDENTIAL INFORMATION WORK SHEET

### Highest Education Level Completed
(Please Check the Appropriate Answer)

- No Formal Education
- First Grade
- Second Grade
- Third Grade
- Fourth Grade
- Fifth Grade
- Sixth Grade
- Seventh Grade
- Eighth Grade
- Ninth Grade
- Tenth Grade
- Eleventh Grade
- Twelfth Grade
- High School Graduate
- Certificate of Equivalency (GED)
- One Year Post High School
- Two Years Post High School
- Three Years Post High School
- Bachelor’s Degree
- Education Beyond Bachelor’s Degree
- Attained Certificate of Attendance/Completion
- Attained Other Post-Secondary Degree/Certificate
- Attained Associate’s Diploma or Degree

### Employment /Economic Status
*Are you currently employed?*

- Employed
- Employed but notified of Termination or Military Separation
- Not Employed

*Have you applied for unemployment benefits within the last 30-days?*

<table>
<thead>
<tr>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
</table>

*Are you currently collecting unemployment benefits?*
(Please Check the Most Appropriate Answer)

- I am collecting unemployment benefits
- My unemployment has run out
- Neither

### Are You A Migrant Worker?

- Seasonal Farmworker
- Seasonal Farmworker-Field Only
- Migrant Farmworker
- Migrant Farmworker-Field Only
- Migrant Food Processor
- Not A Migrant or Seasonal Farmworker

### Veteran Information
*Did you or your spouse serve in the U.S. military?*

- I did not serve
- I served
- I am nearing separation from U.S. military
- I am nearing separation and have completed a previous enlistment
- I am the spouse of a veteran with a 100% service-connected disability, POW or an MIA

### Disability Status

*Do you have a physical or mental impairment that substantially limits one or more of your major life activities?*

### Registered By: __________________________ Location: __________________________

### OFFICIAL USE ONLY

Date: __________________________
BUILD A RESUME
SUPPLEMENTAL WORKSHEET I

Use the Build a Resume Supplemental Worksheet I in conjunction with the information contained within the Talent Connect Profile Work Sheet.

Resume
Name: ____________________________________________

Resume Type

☐ Chronological Resume

☐ Functional Resume

☐ Combination Resume

A chronological resume is developed around your work history. Jobs are listed in reverse chronological order with your most recent position listed first. Chronological resumes work best for job seekers with a solid, unbroken history of employment.

A functional resume is arranged around your skills and experience, rather than your chronological work history. Functional resumes highlight relevant skills instead of position titles. They are often used by job seekers who are changing careers or who have gaps in their employment history.

Combination resumes work well for job seekers with varied employment histories or for those who are changing careers.

Employment Objective:
__________________________________________________________________________
__________________________________________________________________________
__________________________________________________________________________

Education
School Name: ___________________________   School Name: ___________________________
Diploma/Degree: ___________________________   Diploma/Degree: ___________________________
Course of Study/Major: ______________________   Course of Study/Major: ______________________
Years Attended: ___________________________   Years Attended: ___________________________
Location: _________________________________   Location: _________________________________

Certificate/License/Credentials
Certificate/License/Credentials: ______________________________________________________
Issuing Organization: _________________________________________________________________
State: __________________________________________   State: _________________________________

TIA 900-01 SI.BAR  (Rev 06-17)
Supplemental Worksheet 1

Work Experience

Employer Name: ____________________________  Employer Address: ____________________________

Job Title: ____________________________

Dates Employed: ____________________________ to ____________________________

(MONTH/YEAR)  (MONTH/YEAR)

Enter job duties, responsibilities and accomplishments:

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

Employer Name: ____________________________  Employer Address: ____________________________

Job Title: ____________________________

Dates Employed: ____________________________ to ____________________________

(MONTH/YEAR)  (MONTH/YEAR)

Enter job duties, responsibilities and accomplishments:

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

Employer Name: ____________________________  Employer Address: ____________________________

Job Title: ____________________________

Dates Employed: ____________________________ to ____________________________

(MONTH/YEAR)  (MONTH/YEAR)

Enter job duties, responsibilities and accomplishments:

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

Employer Name: ____________________________  Employer Address: ____________________________

Job Title: ____________________________

Dates Employed: ____________________________ to ____________________________

(MONTH/YEAR)  (MONTH/YEAR)

Enter job duties, responsibilities and accomplishments:

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________
Summary of Qualifications:

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

Skill/Qualification 1:

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

Skill/Qualification 2:

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

Skill/Qualification 3:

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

Honors, Awards, Professional Organizations:
Enter any honors or activities such as civic awards, commendations, clubs, organizations or volunteer work.

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________
VETERAN
SUPPLEMENTAL WORKSHEET 2
(If you are an eligible veteran please complete this page)

Note: If you served in either the National Guard or the Reserves, you are entitled to veteran status only if
you received a campaign badge or a ribbon as a result of service.

In order to receive the full range of priority services that will be provided to veterans, please complete the
page. This information will be used only to determine eligibility for special services and will not be made
available to prospective employers.

Branch: ____________________________
Service: ____________________________
of

Dates of Military Service:
Enter the month, date and year (mm/dd/yyyy) First Entry Date: __________ Last Exit Date: __________

Were you discharged under other than dishonorable
conditions? (Select ‘No’ only if your discharge was dishonorable)
Yes_________ No_________

Did you receive a campaign badge or ribbon while in
the Reserves or National Guard?
Yes_________ No_________

Were you discharged or released from active duty
because of a service-connected disability?
Yes_________ No_________

Are you a homeless veteran?
Yes_________ No_________

Do you wish to claim disabled veterans’ preference?
Yes_________ No_________

If you checked yes to the previous question, What is
your percentage disability? __________

If the percentage is less than 30%, does the disability
present a serious employment handicap as determined
by the Department of Veterans Affairs?
Yes_________ No_________

Are you nearing your separation from the United
States military?
Yes_________ No_________

Are you nearing your separation and have completed a
previous enlistment?
Yes_________ No_________

Current enlistment contract expected exit date?
Enter the month, date and year (mm/dd/yyyy)

Type of military separation; (Check one)
  Anticipate leaving active military service within the
  next 12 months.
  Anticipate retiring from military service within the
  next 24 months.
SPouse of Veteran
Supplemental Work Sheet 3

SPOUSE OF VETERAN
SUPPLEMENTAL
WORK SHEET 3

Please complete this Work Sheet along with the Veteran Supplemental Work Sheet II, if you are qualifying spouse of a veteran.

In order to receive the full range of priority services that will be provided to qualifying spouses of veterans, please supply the following information. All items are required for proper completion of this form.

Are you the spouse of a 100% disabled veteran (service-connected), a veteran who died of a service-connected disability, a POW or MIA?  
Yes____________ No____________

Spouse’s Branch of Service:

Spouse’s dates of Military Service:  
(Enter the month, date and year for each)

First Entry Date:________________________  
(mmm/dd/yyyy)

Last Exit Date:__________________________  
(mmm/dd/yyyy)
PRIVACY AND TERMS OF USE STATEMENT

This Privacy and Terms of Use Statement governs the way Pure Michigan Talent Connect collects, holds and uses data that you may submit. Please be sure to read this entire Statement before using or submitting any information. Pure Michigan Talent Connect takes every precaution to protect the information of the user. When a user submits sensitive information via the website, the information is protected both on-line and off-line.

**Job Seeker Safeguards**

- **Personal Contact Information**: Job seekers control the amount of personal contact information they want made available to employers who access their resume.

- **User ID and Password**: A job seeker's unique email address will be used as their User ID. The job seeker is then allowed to create a Password. This User ID and Password is required for all future access to their account and profile.

- **Privacy**: A job seeker's personal data is never transmitted with the Password to employers.

- **Fees**: Employers may not charge a fee to provide job seeker with access to a job referral or as a condition of accepting a job.

- **Labor Dispute**: Employers may not use the service to recruit replacement workers in a labor dispute, either through job postings or resume searches.

- **Profile Information/Resume Use**: Employers may not use job seeker profile information or resumes from this site (whether received by searching or from the job seeker responding to a job posting) for any purpose other than to fill an immediate job opening. Employers may not resell or repost profile information or resumes found on this site, whether in whole or in part.

- **Jobs Posted**: Jobs posted must be for an immediate opening. Business opportunities are not considered immediate openings.

- **Monetary Investment**: Employers may not require a significant monetary investment by the job seeker in order to obtain employment. Usual and customary licensing fees or certifications are acceptable. Application fees, purchasing kits, work-from-home plans where cost are incurred, etc. are not acceptable.
APPENDIX 1

Job Seeker Responsibilities

- **Posting of Material**: Job seekers are prohibited from posting or transmitting any material that is obscene, scandalous, inflammatory, pornographic, profane, unlawful, threatening, libelous, defamatory, or otherwise inappropriate language. The Workforce Development Agency, State of Michigan will cooperate fully with any law enforcement authorities or court order requesting or directing us to disclose the identity of anyone posting any such information or materials.

- **Job Seeker Status and Updates**: Job seekers are responsible for maintaining their own career status, visibility to employers, and profile updates. A ninety-day (90) period of inactivity will render a job seeker as unsearchable to employers, as the job seeker will be considered inactive after ninety (90) days of account inactivity. Active/searchable status due to inactivity will be reinstated upon log-in.

- **Reporting**: Job seekers are asked to assist us in maintaining the proper use of the system by reporting employers who do not follow the rules they have agreed to as stated above.

**Modifications**

Pure Michigan Talent Connect reserves the right to modify or amend this Statement at any time.

**Contact Us**

If you have any questions about this Privacy and Terms of Use Statement, please submit question through the Pure Michigan Talent Connect "Contact Us" feature. If you require additional assistance, call us toll free at 1-888-522-0103, Monday through Friday, 8:00AM to 5:00PM, or mail using the United States Postal Service to this address:

Talent Investment Agency, State of Michigan
Attn: Pure Michigan Talent Connect
201 N. Washington Square, 3rd Floor
Lansing, Michigan 48913
APPENDIX 2

SECURITY QUESTIONS

1. What was your childhood nickname?

2. In what city did you meet your spouse/significant other?

3. What is the name of your favorite childhood friend?

4. What street did you live on in the third grade?

5. What is your oldest sibling's birthday month and year? (e.g., January 1900).

6. What is the middle name of your oldest child?

7. What is your oldest sibling's middle name?

8. What school did you attend for the sixth grade?

9. What was your childhood phone number including area code? (e.g., 000-000-0000).

10. What is your oldest cousin’s first and last name?

11. What was the name of your first stuffed animal?

12. In what city or town did your mother and father meet?

13. In what city or town was your first job?

14. What is the name of the place your wedding reception was held?

15. What was the name of your third grade teacher?

16. In what city does your nearest sibling live?

17. What is your oldest brother's birthday month and year? (e.g., January 1900).

18. What is the name of a college you applied to but did not attend?
APPENDIX

PRESERVE MICHIGAN
Talent Connect

REGIONS

1. Upper Peninsula region
   1a. Western UP
   1b. Central UP
   1c. Eastern UP

2. Northwest region
   Traverse City

3. Northeast region
   Alpena

4. West Michigan region
   Grand Rapids
   4a. West Central
   4b. West Michigan

5. East Central Michigan region

6. East Michigan region
   Flint

7. South Central region
   Lansing

8. East Central region
   Kalamazoo

9. Southeast Michigan region
   Ann Arbor

10. Detroit Metro region
    Detroit
## CAREER CATEGORY / TYPE INDEX

### AGRICULTURE, FOOD & NATURAL RESOURCES (Career Category)
- Agricultural Mechanics & Machinery Operators
- Agricultural Services & Supplies
- Agricultural Food Sciences & Engineering
- Animal Breeding and Training
- Animal Caretaking - Nonfarm
- Farming
- Food Preparation & Service
- Food Processing Production
- Forestry And Conservation
- Hand Harvesting
- Meat Cutting And Butchering
- Natural Science Management
- Pest Control (No Crop)
- Petroleum Engineering
- Petroleum Technology
- Timber
- Veterinary Assisting/Technology
- Veterinary Medicine
- Water and Waste Treatment

### ARTS & ENTERTAINMENT (Career Category)
- Animation, Interactive Tech, Video Graphics, & Special Effects
- Archival Science
- Creative Writing
- Dance
- Dramatic Arts (Theater/Film)
- Entertainment Management
- Fashion Design
- Fine Arts
- Floral Design
- Industrial Design
- Interior Design
- Music
- Musical Instrument Repair
- Photography
- Set & Exhibit Design

### BUSINESS OPERATIONS & ADMINISTRATION (Career Category)
- Business Management & Administration
- Clerical & Administrative
- Computer Operations & Data Entry
- Cost Estimation
- Economics/Market Research
- Executive Administrative Assisting
- Executive Management
- Human Resources Management
- Purchasing
- Secretarial
- Technical And Business Writing
## APPENDIX

### CAREER CATEGORY: TYPE INDEX

#### GOVERNMENT & PUBLIC ADMINISTRATION

- Library Assisting
- Library Science
- Public Administration

#### HEALTH & WELLNESS

- Athletic Training
- Cardiology Technology
- Chiropractic
- Dental Assisting
- Dental Hygiene
- Dental Laboratory
- Dentistry
- Diagnostic Medical Sonography
- Dietetics/Nutrition
- Emergency Medical Attendants
- Health Diagnosis And Treatment
- Home Health Assisting
- Licensed Practical Nurse (LPN)
- Massage Therapy
- Medical Assisting
- Medical Equipment Preparation & Healthcare Support
- Medical Equipment Repair
- Medical Laboratory Technology
- Medical Office And Secretarial
- Medical Radiologic Technology
- Medical Records
- Medical Services Management
- Medical Transcription
- Nurse Assisting

- Nursing
- Occupational Safety And Health
- Occupational Therapy
- Occupational Therapy Assisting
- Optical Dispensing
- Optical Technology
- Optometry
- Orthotics/Prosthetics
- Pharmacy
- Pharmacy Support
- Phlebotomy
- Physical Therapy
- Physical Therapy Assisting
- Physician Assisting
- Pediatrics
- Psychiatric Assisting
- Psychology
- Public Health Education And Promotion
- Recreation & Fitness
- Recreational Therapy
- Respiratory Therapy
- Speech Pathology/Audiology
- Surgical Technology
## APPENDIX 4

### CAREER CATEGORY/TYP INDEX

<table>
<thead>
<tr>
<th>Category</th>
<th>Type Index 1</th>
<th>Type Index 2</th>
</tr>
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<tbody>
<tr>
<td>HOSPITALITY, TOURISM &amp; SERVICE</td>
<td>Amusement And Recreation Attendants</td>
<td>Hospitality Services</td>
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<tr>
<td></td>
<td>Bartending</td>
<td>Housekeeping/Dishroom</td>
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<tr>
<td></td>
<td>Culinary</td>
<td>Parking Lot Attendant/Security</td>
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<tr>
<td></td>
<td>Customer Service</td>
<td>Travel Services</td>
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<tr>
<td></td>
<td>Food Service And Lodging Management</td>
<td>Ushers, Lobby Attendants And Ticket Takers</td>
</tr>
<tr>
<td></td>
<td>Gaming</td>
<td>Wait Staff/Servers</td>
</tr>
<tr>
<td>HUMAN SERVICES</td>
<td>Child Care</td>
<td>Social &amp; Community Service Management</td>
</tr>
<tr>
<td></td>
<td>Counseling</td>
<td>Social Service Assisting</td>
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<tr>
<td></td>
<td>Religion</td>
<td>Social Work</td>
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<td>INFORMATION TECHNOLOGY</td>
<td>Computer Analysts</td>
<td>Information Systems &amp; Network Administration</td>
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<td>Computer And Information System Management</td>
<td>Mobile Application Development</td>
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<td>Computer Programming/Software Developer</td>
<td>Project Managers</td>
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<td>Computer Specialist &amp; Support</td>
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<td>LAW, PUBLIC SAFETY AND SECURITY</td>
<td>Crossing Guard</td>
<td>Legal Assisting</td>
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<td>Emergency Management</td>
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<td>Home Assisting</td>
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<td>Computer And Information System Management</td>
<td>Marketing/Marketing Management</td>
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<td>Construction Management</td>
<td>Medical Services Management</td>
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<td></td>
<td>Emergency Management</td>
<td>Natural Science Management</td>
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<td></td>
<td>Engineering Management</td>
<td>Production Management/Line Supervision</td>
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<td></td>
<td>Entertainment Management</td>
<td>Public Relations/Exhibition Management</td>
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<tr>
<td></td>
<td>Executive Management</td>
<td>Sales Management</td>
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<tr>
<td></td>
<td>Food Service And Lodging Management</td>
<td>Social &amp; Community Service Management</td>
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</tbody>
</table>
APPENDIX 4

MANUFACTURING & PRODUCTION (Career Category)
- Clothing Production
- CNC Operations
- CNC Programming
- Commercial & Industrial Design
- Electromechanical Equipment/Instrument Prod/Repair
- Helpers, Laborers & Material Movers
- Industrial Engineering
- Industrial/Manufacturing Technology
- Leather Work, Shoemaking And Repair
- Line Supervision

PERSONAL SERVICES (Career Category)
- Barbering/Cosmetology
- Home Assisting

SCIENCE, TECHNOLOGY, ENGINEERING & MATH (Career Category)
- Aeronautical/Astronautical Engineering
- Aerospace Technology
- Atmospheric/Space Science
- Bioengineering & Biomedical Engineering
- Biological/Life Sciences
- Chemical Engineering
- Chemical Technology
- Chemistry
- Civil Engineering
- Civil Engineering Technology
- Earth Science
- Electrical/Electronic Engineering
- Engineering Management

TRANSPORTATION, DISTRIBUTION & LOGISTICS (Career Category)
- Air Traffic Control
- Airplane Piloting
- Flight Attending
- Logistics

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