

# NATIONAL LABOR EXCHANGE (NLX) STEERING COMMITTEE MEETING

Liaison Capitol Hill  
Washington, D.C.

July 21, 2015

In attendance:

## State Workforce Agency Representatives:

**Lori Collins**, *Division Director, Kentucky Office of Employment and Training*  
**Mike Cooney**, *Deputy Commissioner, Montana Department of Labor and Industry*  
**William Dowling**, *Director, Colorado Department of Labor and Employment*  
**James Finch**, *Administrator, Florida Department of Economic Opportunity*  
**Robert Grimmie**, *Director, Center for Occupational Employment Information, New Jersey Department of Labor & Workforce Development*  
**Jaime Gutierrez**, *Deputy Chief, California Employment Development Department*  
**Sandy Miller**, *Director, Washington Employment Security Department*  
**Charlie Palumbo**, *Veterans Outreach Coordinator, Virginia Employment Commission*

## Employer Representatives:

**Jason Capili**, *IFS Ethics and Compliance, Pricewaterhouse Coopers*  
**Anne Chamberlain**, *Director, Talent Acquisition, Office of Human Resources Management, The City University of New York*  
**Dana Deason**, *Supervisor, Human Resources, ABF Freight System, Inc.*  
**Mark McKeen**, *Senior Manager, Talent Acquisition, General Motors Company*  
**Annette F. Rosta**, *Associate Director, Recruiting Diversity & Compliance, KPMG LLP*

## NASWA

**Lori Adams**, *NLx Subject Matter Expert, NASWA*  
**Pam Gerassimides**, *NLx Operations Committee Co-Chair & Assistant Executive Director, NASWA*  
**Josie Link**, *NLx Operations Manager, NASWA*  
**Bob Simoneau**, *Deputy Executive Director, NASWA*

## DirectEmployers Association

**Candee Chambers**, *NLx Operations Committee Co-Chair & VP Compliance and Partnerships, DirectEmployers Association*  
**Christy Merriman**, *NLx Operations Manager, DirectEmployers Association*  
**Bill Warren**, *Executive Director, DirectEmployers Association*

## Guests

**Debra Carr**, *Director, Division of Policy and Program Development, Office of Federal Contract Compliance Programs (OFCCP), USDOL*

**Elizabeth Carver**, *Program Manager, Workforce Development Division, Utah Department of Workforce Services (via phone)*

**Scott Eychner**, *Director, Workforce Automation, Texas Workforce Commission (via phone)*

**Kathy Mannes**, *Director, Center for Workforce and Industry Partnerships (CWIP), Employment and Training Administration (ETA), United States Department of Labor (USDOL)*

**Andrew Reamer**, *Research Professor, George Washington University*

**Neil Ridley**, *Director, State Initiative, Center on Education and the Workforce, Georgetown University*

**Randall “Smitty” Smith**, *National Veterans’ Employment Manager, Office of Strategic Outreach, Veterans’ Employment and Training Service (VETS), USDOL*

**David Stevens**, *Advisor, Center on Education and the Workforce, Georgetown University*

## **WELCOME/COMMITTEE INTRODUCTIONS**

### National Update

Ms. Pam Gerassimides, Assistant Executive Director, NASWA, and National Labor Exchange (NLx) Steering Committee Co-Chair, welcomed the group to Washington, D.C. She walked through the agenda, in addition to giving an update on national activities. She remarked on the implementation of the Workforce Innovation and Opportunity Act (WIOA) and said it would be an opportune time for the workforce system to leverage employer relationships. She discussed the Employment and Training Administration’s (ETA) 9002 reports, and the Veterans’ Employment and Training Service’s (VETS) 200 reports comment request, which gives the public a 60-day period to comment on the Labor Exchange Reporting System (LERS). Lori Adams, NLx Subject Matter Expert, NASWA, drafted some comments, which focused on making it easier for states to report their NLx job openings, as well as other broader employment services issues. Ms. Gerassimides asked the group to pass along any suggestions or recommendations to make the NLx more engaged in the reporting system. Josie Link, NLx Operations Manager, NASWA gave an update on the Hilton HHonors Military Program and encouraged states who are not involved to sign up. Christy Merriman, NLx Operations Manager, DirectEmployers, discussed the opportunity for states to organize a virtual career fair, hosted by Brazen, at no cost. Texas is taking advantage of this opportunity in the fall.

### NLx Operations Update

Ms. Link discussed the changes in state job bank system operations, and the progress of the return receipt tool implementation. Ms. Merriman updated the committee on new microsites and a presentation she gave in Illinois on indexing.

## **NEW ROLES FOR EMPLOYERS AS PARTNERS**

Ms. Kathy Mannes, Director, Center for Workforce and Industry Partnerships (CWIP), Employment and Training Administration (ETA), United States Department of Labor (USDOL), introduced herself to the committee by discussing her background on the Montgomery County Workforce Investment Board (WIB) and her involvement with national skills standards and certification. She discussed several of her current and upcoming projects. One of the projects include the Obama Administration's work with America's College Promise, a program designed to: (1) push legislation to support community colleges, (2) encourage states to work on standardizing statewide processes and a workforce economic strategy, and (3) focus more on how to connect people with jobs by making the talent pipeline more relevant for employers. Lori Collins, Division Director, Kentucky Office of Employment and Training, mentioned local workforce areas have expressed issues with this program due to the fact that the community college system is already the provider of occupational skills training and they are worried about how this will impact their funding allocation. Ms. Mannes responded her goal is to integrate the programs in a better way.

With the enactment of the Workforce Innovation and Opportunity Act (WIOA), the new focus is how to link diverse talent with business, and make the workforce system employer driven, while dealing with the challenge of tracking those relationships. She shared an example of how WIOA can function more effectively to engage employers, with Starbucks pledging to hire 100,000 disconnected youth. The idea for this program originated with the Chicago Cook County workforce board. She demonstrated how the public workforce system has a network across the country that can help employers grow and take projects to a larger scale. She also expressed the importance of sector partnerships in WIOA, which focused on having employers work together across an industry, while moving away from one on one customized training. She also wanted to draw attention to worker training programs within the workforce, including apprenticeships, work-based learning, internships, and summer jobs.

Ms. Mannes explained how she came to USDOL to launch the Center for Workforce and Industry Partnerships (CWIP), which highlights industry partnerships, economic development, pathways to middle-skill jobs, and the power of partnerships to address common goals. She highlighted some interesting partnerships she has been involved with, including the Clinton Global Initiative, SkillsUSA, apprenticeship initiatives, upskilling initiatives, and TechHire. She was happy to hear about the microsite service offered by DirectEmployers, and thought they aligned well with components of WIOA, including cutting vertically by sector during a job search and targeting special populations. Ms. Mannes wrapped up her discussion by providing the web link to her center's page, at [www.dol.gov/cwip](http://www.dol.gov/cwip). Ms. Gerassimides asked Ms. Mannes what specifics the NLx Steering Committee and NASWA can share with employers on engagement. Annette Rosta, Associate Director, Recruiting Diversity & Compliance, KPMG LLP, pointed to a successful apprenticeship program for veterans at KPMG and the incredible impact it has been having on her firm. She expressed a desire to have more such programs. Ms. Merriman offered to send CWIP initiatives to employer members, as well as posting things from the CWIP website.

## **OFCCP UPDATE AND DISCUSSION**

Ms. Debra Carr, Director, Division of Policy and Program Development, Office of Federal Contract Compliance Programs (OFCCP), USDOL, began the discussion by explaining why the OFCCP collects data in their most recent two rules. According to Ms. Carr, every employer is better off with data and can use that data to make more informed decisions. For example, if an employer is recruiting or outreaching with the same recruiting resources for a while and the candidates are not diverse, maybe it is time for the employer to reexamine their recruiting sources.

Ms. Carr is working towards quality control internally at the OFCCP, acknowledging some of the compliance officers are still struggling with citing violations under old regulations. The OFCCP has created a new internal policy where all proposed violations are required to come to the national office for quality check, before any contractor gets an audit letter.

The OFCCP is still working on a full regulatory agenda, including rulemaking in sex discrimination, and the pay transparency rule, which was the result of a 2014 executive order prohibiting employer action against employees if they sought out salary information. Ms. Carr stated they are also working on a compensation data collection proposed rule, which would create objective industry standards on job salary data and show how individual contractors compare to an industry norm. However, she pointed to challenges in reflecting difficulty or uniqueness of individual jobs, security of data, and how to roll out this program on a larger scale.

Ms. Carr expressed the OFCCP is trying focus on making sure all the rulemaking takes hold in the last 18 months of the Obama Administration. She hopes to build and develop capacity of the compliance officers to make sure they understand both the letter and intent of the rules. She indicated OFCCP staff should attempt to see themselves in federal contractors' shoes by asking them to have a conversation about their data and understand their processes, rather than purely act as a disciplinary body. She encouraged contractors to mentor their peers, building on real-life examples of compliance challenges, while also developing skills and capacity. Ms. Carr is also pushing for better ways to leverage technology within the OFCCP and go beyond webinars in their retraining program. In addition to reforming use of technology, she rewrote the compliance evaluation book two years ago, which was the first time it had been rewritten in 40 years, but she felt a lot has changed already in the past two years and wanted to make sure it is a living document.

Ms. Carr emphasized the OFCCP wants employers to know they are continuously listening and not only during the rulemaking. In the spirit of partnership beyond initial rulemaking, these regulations only make a difference if contractors continue to implement the spirit and letter of the rule. The OFCCP continues to reevaluate what they have done, by having conversations about areas that need more clarity. Regulations drive behavior in a big federal contractor universe of approximately 500,000 contracts, with 25,000 individual companies and 28 million employees of federal contractors. Ms. Carr ended her presentation with a few follow-up items,

including planning training in the fall, and figuring out how best to share contact names. She expects new rulemaking to be released at the end of the year or early next year.

## **VETS UPDATE**

Randall “Smitty” Smith, National Veterans’ Employment Manager, Office of Strategic Outreach, Veterans’ Employment and Training Service (VETS), USDOL, presented on how the entire USDOL, not just VETS, could serve veterans. He was first introduced to NASWA through the UCX program, which provides \$1 billion in unemployment insurance to transitioning service members. He highlighted post-9/11 era veterans’ statistics, demonstrating a younger, more ethnically diverse, more likely to be enrolled in college population group of veterans. Mr. Smith’s Office of Strategic Outreach, focuses on helping employers hire veterans through the four “p’s” – prepare, provide, protect, and promote. Through the USDOL employment workshop mandated in TAP, the goal is to promote employment opportunities and enhance a veteran’s confidence in transition planning. During the employment workshops, they also emphasize using the American Job Centers (AJC) system, and looking for jobs on the Veterans Employment Center (VEC) which uses the NLx job feed, and also gives a clear answer to employers when they ask where veterans are being sent to look for jobs.

Ms. Collins asked Mr. Smith what the role of new employer outreach staff in regional offices would be. She expressed concern VETS is setting up a parallel system to the already existing state system, which she did not see as helpful. Mr. Smith responded the regional staff is supposed to get to know the state staff, and their success will be gauged on how well they work with state workforce agencies. Their role is to help state workforce agencies as part of their team.

Mr. Smith also mentioned the JVSG refocusing, which was designed to bring attention to system demand.

Ms. Gerassimides thanked Mr. Smith for VETS continued support of the NLx and suggested that VETS might more formally communicate that support to the field through a Veterans Program Letter (VPL). She encouraged employers in the room to develop relationships with other Wagner-Peyser staff, not just Local Veterans Employment Representatives (LVER).

## **COMPLIANCE ACTIVITIES UPDATE**

Ms. Chambers updated the group on national compliance activities. She mentioned training for compliance officers could happen within 30-45 days, which will draw from the Federal Contractor Compliance Manual and provide boots on the ground guidance on how to do an audit. She also believes this period has been the busiest she has seen OFCCP. With the Vietnam Era Veterans’ Readjustment Assistance Act (VEVRAA) regulations more than a year old, the focus has shifted to ensuring regulations are well understood. Outreach and positive recruitment have been important terms for both states and employers, emphasizing that compliance goes beyond sending jobs to job banks, and is now shifted to building relationships. However, there is concern about the black listing rule on fair pay in safe workplaces, consisting of 14 different agency regulations on both the state and federal levels. DirectEmployers will be commenting on behalf

of their members. Ms. Chambers mentioned sometimes regulations have an adverse effect on reporting because contractors do not want to get punished.

## **NLX SURVEY RESULTS DISCUSSION & NEXT STEPS**

Ms. Link summarized the results of an NLx survey sent to state staff in March on state job bank practices. Ms. Gerassimides stated the overall theme of the analysis was certain states are making the NLx their own, while states that view the NLx as external feed, are missing opportunities to serve jobseekers better, underreport the number of jobs in their job bank, and continue to accrue more costs.

One of the specific services the survey focused on was indexing, which is a formal program to expand the number of jobs the NLx has in a clean, unduplicated way. Ms. Gerassimides emphasized this program needs to be owned by states and employers collectively, which empowers the no-cost product and challenges vendors to have products that are truly adding value. For example, Lori Adams, NLx Subject Matter Expert, NASWA, discussed how her former business services team in Iowa was required to report employers to index, submitting an average of 50 employers per month. She trained staff on how to look for employers that could be indexed. Indexing in Iowa saved staff time on working manual job orders, and grew the job bank overnight (4,000 to 51,000 jobs).

Mr. William Dowling, Director, Colorado Department of Labor and Employment, asked if indexing would take credit away from the state job bank. Ms. Adams replied that the program has many benefits for state staff, including they do not have to take down manually posted jobs since indexed jobs are connected to the employer's career site. Ms. Collins (KY) wanted to know how indexing differed from the Burning Glass spidered feed. Ms. Gerassimides responded Burning Glass unduplicates their jobs against the NLx as a master list. In addition, indexing gives states an opportunity to grow and own their feed beyond what the vendor is giving them. Mr. James Finch, Administrator, Florida Department of Economic Opportunity, stated he gets pushback from local staff on indexed jobs because they are concerned about duplicates and expectations to fill a duplicate job, which in reality, may only be one real job. Ms. Collins (KY) identified the difference between indexing and spidering as quality vs quantity and the challenge in getting a greater quantity of jobs while keeping good quality in the job feed.

## **GEORGETOWN**

Neil Ridley, Director, State Initiative, Center on Education and the Workforce (CEW), Georgetown University, and David Stevens, Advisor, CEW, spoke to the Committee on proof-of-concept pilot project called "Back Mapping Career Paths," with the goal of identifying actual employment and educational pathways based on jobseekers' work histories. This project has many practical applications for jobseekers, counselors, American Job Center staff and state workforce agencies. DirectEmployers will provide a Resume Data File that includes all resumes or work histories collected by DirectEmployers from US.jobs which is the national outlet of the National Labor Exchange (NLx) job openings. This data file will exclude those resumes US.jobs received through hosting state job banks, but may include resumes received through the various other .JOBS sites. The Resume Data will be accessible by secure Virtual Private Network (VPN)

Connection on a NASWA Server located in a cloud based server farm, where they will be made available to CEW.

The group was excited to hear this conversation, and encouraged NASWA and the NLx to proceed. In fact, several states wanted to know if they could also participate and would check upon return.

## **NLX EMPLOYER JOB BANK REGISTRATION**

Ms. Elizabeth Carver, Program Manager, Workforce Development Division, Utah Department of Workforce Services, highlighted recently updated features of the Utah job bank system. When their NLx job feed is downloaded into the Utah job bank, profiles for NLx employers not already in the job bank are created. With this new system, indexed employers can login to the state job bank with the same options and services as employers manually posting their jobs. She explained how the implementation of these new features took a lot of set up but are running smoothly. The funding for this new tool came from a Workforce Innovation Fund (WIF) grant. Mr. Mike Cooney, Deputy Commissioner, Montana Department of Labor and Industry, asked Ms. Carver if this tool could be easily used in the Montana job bank since Utah and Montana share the same job bank system program. Ms. Carver said she already talked to some Montana state staff on implementing this employer registration tool. Due to the federal funding source of this tool, this technology is available for other states to use, as well.

Mr. Scott Eychner, Director, Workforce Automation, Texas Workforce Commission, demonstrated an employer registration tool similar to the one used in Utah. He stated the goal was to take the NLx job feed and create job postings in their labor exchange system that looked similar to manually posted jobs in the state job bank. However, they had a problem incorporating NLx employers into their job bank. NLx employers could not see their job content, while state staff had no way to track the services they provided to those employers. While acknowledging NLx employer job postings would not have the same level of detail, Texas state staff changed the required fields for job postings to make it easier to incorporate all employers. While this change helps integrate the NLx employer profiles, the quality of the job matching feature is affected.

Once DirectEmployers started capturing Federal Employer Identification Numbers (FEIN) and the employer's state UI tax number, Texas state staff were able to create employer accounts for NLx employers. This feature allows state staff to track performance and business services more effectively. Similar to Utah, the rollout of this tool took more time on the front end, due to the large amount of employer accounts they had to create. However, Mr. Eychner expects the tool to run smoothly now that the majority of indexed employer accounts are in place. The question of where to assign credit and ownership for these jobs is still being discussed, but Mr. Eychner stated he does not care as much where the job came from, as long as a jobseeker and employer are connected. He still values small and medium sized employers who the state has a close relationship with and does not want their jobs to get lost in the state job bank.

## **NLX DATA: FUTURE DEMAND ANALYSIS ACTIVITIES**

Ms. Gerassimides discussed her vision of creating some type of labor demand center with the NLx data that NLx staff has been saving for almost 3 years. She has been exploring academic institutions to partner with, including George Washington University (GWU), and eventually take these proposals to foundations for more long-term funding.

Mr. Andrew Reamer, Research Professor, GWU, explained how his research in federal economic competitiveness aligns with the analysis of the NLx data. Human capital is the most important feature to economic competitiveness and the public needs labor market statistics to make informed decisions. Mr. Reamer is working on this research question in other capacities as well; He is on an advisory committee for the Bureau of Labor Statistics (BLS) and has been doing research for Lumina Foundation, whose aim is to see 60% of American adults have credentials by 2025. To delve deeper into the NLx data, Mr. Reamer hopes to subcontract with Center for Regional Economic Competitiveness, which focuses on competitiveness at state and local level, technical assistance, and strategic planning primarily in labor space.

Mr. Reamer is proposing a two stage process project to look at the NLx in the context of broader work. The first stage will focus on reconnaissance of the data, while thinking about bigger questions such as how to broaden NLx job openings, and create a real-time labor market product that can truly add value. He will begin the text analysis of the job openings, focusing on how occupations are defined, how required skills change over time, and what's possible in terms of standardizing job openings. Mr. Reamer wants to see if the NLx data can produce indicators that are useful in the public economy conversation. The larger project goals also include creating criteria for NASWA state members for state job bank RFPs, building relationships between NLx and other major data providers (BLS, Census, etc) and evaluating the NLx for possible improvements.

For the second stage of this project, Mr. Reamer will develop a work plan based on the findings of the first stage, with a focus on deliverables. He will set up a business model to go after additional funds from foundations, and eventually to make available for other organizations that would be interested.

Mr. Robert Grimmie, Director, Center for Occupational Employment Information, New Jersey Department of Labor & Workforce Development, asked if the project plan was available to share. Ms. Gerassimides indicated she would share something with the group when the plan was solidified.

Ms. Collins (KY) mentioned how frequently labor market information was mentioned in WIOA and how important it will be for states to make sound decisions. She serves as both a workforce administrator and an LMI director. She knows from experience that these two divisions of state agencies do not talk the same language. She also hoped the NLx would be included as a resource in the conversation of reclassifying O\*NET code. Ms. Sandy Miller, Director, Washington Employment Security Department, mentioned the problem of emerging technical agriculture industries in Washington that do not have designated SOC codes yet.

Mr. Grimmie (NJ) suggested looking at emerging credentials as an actionable next step to present information and as identifiers of emerging occupations. He mentioned creating focus groups around credentials.

Ms. Gerassimides underlined the immediate action items as reviewing project plans internally at NASWA, sharing with DirectEmployers staff, and pitch what we want to research to the NLx Steering Committee and possibly the Employment & Training and LMI Committees. She emphasized the compelling story aspect of analyzing this data; no other source brings together the three areas of recruiting, compliance, and labor market information in the way that the NLx does.

### **Action Items**

- Ms. Merriman offered to send CWIP initiatives to employer members, as well as posting things from CWIP website;
- OFCCP training in the fall, contact names and how to share them;
- Focus groups on studying credentials to identify emerging occupations;
- Send Committee finalized GWU research plan;
- The next NLx Steering Committee meeting is scheduled for December 1-2, 2015 in conjunction with the NASWA Board of Directors' meeting in either Tampa, FL or Houston, TX.