



September 18, 2017

Mr. Randall Smith
Veterans Employment and Training Service
US Department of Labor Room S-1325
200 Constitution Avenue, NW
Washington, DC 20210

Re: Public Comments on RIN 1293-AA21, HIRE Vets Medallion Program

Dear Mr. Smith:

The National Association of State Workforce Agencies (NASWA) appreciates the opportunity to provide comment on USDOL's proposed regulations implementing the Honoring Investments in Recruiting and Employing (HIRE) American Military Veterans Act of 2017 (HIRE Vets Act of 2017 or Act).

NASWA is a national organization of state administrators of the publicly-funded state workforce system, including the Workforce Innovation and Opportunity Act (WIOA), employment services, job training programs, unemployment insurance, employment statistics and labor market and workforce information. NASWA delivers policy expertise on workforce development, including unemployment insurance and other transitional support, as the voice of state workforce agencies.

NASWA and DirectEmployers Association¹ developed the National Labor Exchange (NLx), a sophisticated electronic labor-exchange network, in 2007. This unprecedented public-private partnership leverages private non-profit-owned technology with existing state workforce agency resources. The NLx's mission: to provide the most accurate and comprehensive collection of real online job openings in order to achieve the highest level of efficiency for the nation's labor exchange - at no additional cost to state workforce agencies, employers and job seekers.

¹ DirectEmployers Association (DE) is a nonprofit member-owned and managed association formed in 2001 by 14 leading Fortune 500 companies searching for a way to reduce recruiting costs, while regaining ownership of their recruitment brand. DE now has over 895 employer members varying in industry and size.

The NLx currently features 2.3 million jobs collected from corporate career sites, state workforce agency job banks, and USA.jobs, which are refreshed daily. All NLx services are offered at no cost to state workforce agencies and One-Stop Center customers – both jobseekers and employers – as well as over 40,000 .jobs domains, state workforce agencies, federal portals, and Veteran Service Organizations, such as USDOL VET's "Veterans.gov," the US Chamber of Commerce's "Hiring Our Heroes" and "StudentVeteransofAmerica.jobs." Today, all state workforce agencies, including the District of Columbia, Puerto Rico and Guam, have signed NLx participation agreements.

Upon review of the proposed NPRM and the HIRE Vets Act of 2017, and since the Department of Labor is allowed to create additional criteria for employers of all sizes (Section 3. Selection of Recipients, (E) Additional Criteria), we recommend that successful Medallion Award recipients should also:

1. **Use the publicly-funded workforce development system to list their job openings, either directly with state job banks or through the NLx.** If an employer was deemed worthy of Medallion Award recognition, but never listed job opportunities with a state job bank or the NLx, those high-quality jobs would not reach the very staff the department supports to serve Veterans, Transitioning Service Members (TSMs) and eligible spouses or those veterans and active service members browsing on USDOL's veterans.gov.
2. **Engage with state workforce agencies and demonstrate use of the one-stop center system funded in whole or in part by USDOL.**

In addition to listing job vacancies, employers can use AJCs to screen job applicants, participate in career and hiring events, use skill-based testing for prospective employees, Work Opportunity Tax Credit certifications, etc. These services are particularly critical for the small employer who may lack a dedicated Human Resources professional, and relies on the AJC staff for many hiring functions. Employers also have the opportunity to serve on state and local workforce boards, and participate in the design and operation of workforce services in their area.

We encourage the department to either make engagement with the publicly-funded workforce system a requirement (job listing and/or AJC services), or at the very least, provide additional consideration to nominations that reflect this collaboration.

Additionally, NASWA recommends that final regulations:

3. **Emphasize compliance with all VEVRAA requirements.** The NPRM states that "VETS proposes to disqualify from consideration those employers that have incurred violations under labor laws protecting Veterans as administered by, or in conjunction with, VETS and the Office of Federal Contractor Compliance." The NPRM does not provide reference to VEVRAA's requirement that covered federal government contractors and subcontractors follow mandatory job listing requirements.

Listing employment openings with the state workforce agency job bank or with the local employment service delivery system (ESDS) where the opening occurs satisfies the requirement to list jobs with the appropriate employment service delivery system. In order to satisfy the listing requirement described herein, contractors must provide information about the job vacancy in any manner and format permitted by the appropriate employment service delivery system. Source: 41 CFR §60-300.5(a)(2).

4. **Clarify who will be reviewing nominations for Medallion honors, and ensuring the defined processes will be adhered to in a transparent fashion.**

We would be happy to discuss our suggestions with you further, and thank you again for the opportunity to offer comments.

Sincerely,



Scott B. Sanders
Executive Director
NASWA