

# BUSINESS SERVICES

WIOA improves services to employers and promotes work-based training. Business services must be provided through the One-Stop System. These services include:

## CAREER SERVICES

Certain career services must be made available to local employers, specifically labor exchange activities and labor market information:

- Appropriate recruitment and other business services on behalf of employers, including information and referrals to specialized business services other than those traditionally offered through the One-Stop delivery system;
- Provision of workforce and labor market employment statistics information, including the provision of accurate information relating to local, regional, and national labor market areas, including:
  1. Job vacancy listing in labor market areas;
  2. Information on job skills necessary to obtain the vacant jobs listed; and
  3. Information relating to local occupations in demand and the earnings, skill requirements, and opportunities for advancement for those jobs.

Local areas must establish and develop relationships and networks with large and small employers and their intermediaries. Local areas also must develop, convene, or implement industry or sector partnerships.

## CUSTOMIZED BUSINESS SERVICES

Customized business services may be provided to employers, employer associations, or other such organizations. These services are tailored for specific employers and may include:

- Customized screening and referral of qualified participants in training services to employers;
- Customized services to employers, employer associations, or other such organizations, on employment-related issues;
- Customized recruitment events and related services for employers including targeted job fairs;
- Human resource consultation services, but not limited to assistance with:
  - Writing/reviewing job descriptions and employee handbooks.
  - Developing performance evaluation and personnel policies.\*
  - Creating orientation sessions for new workers.
  - Honing job interview techniques for efficiency and compliance.
  - Analyzing employee turnover.
  - Creating job accommodations and using assistive technologies.
  - Explaining labor and employment laws to help employers comply with discrimination, wage/hour, and safety/health regulations.
- Customized labor market information for specific employers, sectors, industries or clusters; and
- Other similar customized services.

*\*provide referrals to appropriate legal resources for the development of employee handbooks and personnel policies.*

## OTHER BUSINESS SERVICES

Local areas may also provide other business services and strategies to meet the workforce needs of area employers, in accordance with partner programs' statutory requirements and consistent with federal cost principles. These business services may be provided through effective business intermediaries working in conjunction with the local workforce development boards, or through the use of economic development, philanthropic, and other public and private resources in a manner determined appropriate by the local board and in cooperation with the State. Allowable activities, consistent with each partner's authorized activities, include, but are not limited to:

- Developing and implementing industry sector strategies involving industry partnerships, regional skills alliances, industry skill panels, and sectoral skills partnerships.
- Customized assistance or referral for assistance in the development of a registered apprenticeship program,
- Developing and delivering innovative workforce investment services and strategies for area employers, which may include career pathways, skills upgrading, skill standard development and certification for recognized postsecondary credential or other employer use, and other effective initiatives for meeting the workforce investment needs of area employers and workers,
- Assistance to area employers in managing reductions in force in coordination with rapid response activities and with strategies for the aversion of layoffs, which may include strategies such as early identification of firms at risk of layoffs, use of feasibility studies to assess the needs of and options for at-risk firms, and the delivery of employment and training activities to address risk factors.
- The marketing of business services to appropriate area employers, including small and mid-sized employers.
- Assisting employers with accessing local, state, and federal tax credits.

## FEE FOR BUSINESS SERVICES

There is no requirement that a fee-for-service be charged to employers. No fee may be charged for career services. Fees may be charged for customized or other business services. The local WDB may examine the services provided compared with the assets and resources available within the local One-Stop System and through its partners to determine an appropriate cost structure for services, if any.

## TESTING

DLR cannot administer employment tests for employers where staff is directly responsible for evaluating responses and assigning a pass/fail determination. The restrictions mentioned here apply to both employer-required skills and aptitude testing used specifically by that employer as a hiring tool (i.e. personality and Integrity tests). Employers may use spaces in the job service office to administer their own tests. This testing is not limited to employers who list a job order.

Job service office staff can administer tests such as typing and/or office skills tests, ACT® WorkKeys® Curriculum™ Placement Quiz, WorkKeys Assessment, and the National Career Readiness Certificate.

### ***Background Testing***

Background or criminal records checks are not performed by DLR staff. Employers who require a background or a criminal record check should be made aware of this information prior to posting a job order. An employer may list in the job order whether a background or criminal record check will be conducted.

### ***Drug Testing***

South Dakota law allows employers to conduct controlled substance examinations (drug test) within certain guidelines. While such examinations are not required by law, an employer can require an applicant or employee submit to a drug test as a condition of hiring or of continued employment. A prospective employer may remove a job applicant from employment consideration for refusal to take a drug test. The cost of drug testing is the employer's responsibility unless the applicant or employee is requesting a re-test of a previous positive test result. Employers may reimburse for drug testing, but it must be reimbursed regardless of a negative or positive result on the initial testing.

DLR staff do not administer any type of drug test. Only hair and breath drug testing can be conducted using job service office space, and must be administered by an employer or an authorized official, such as a Probation Officer. Testing of urine, saliva, or blood will not take place in any DLR building or job service office due to potential health and bodily fluid concerns. Employers should be using or sending the drug test samples to approved labs which are certified by either the U.S. Department of Health and Human Services or the College of American Pathologists.

**WIOA §678.435 & §678.440**