

## GUIDELINES FOR CONDUCTING LABOR EXCHANGE ACTIVITIES

### **Effective**

March 1, 2026

### **Purpose**

The purpose of this policy is to establish local standards, procedures, and decision-making criteria for conducting labor exchange activities related to employer services within the Stark Tuscarawas Workforce Area, in compliance with WIOAPL No. 24-03 – Guidelines for Conducting Labor Exchange Activities. This policy ensures that job orders and employer services are delivered consistently, legally, ethically, and in a manner that supports a high-quality labor exchange system.

### **Applies To**

1. Stark Tuscarawas Workforce Development Board (STWDB)
2. Workforce Initiative Association (WIA)
3. OhioMeansJobs Stark and Tuscarawas Counties Center Partners Delivering Labor Exchange Activities
4. All Area Subrecipients

### **References**

1. [ODJFS WIOAPL 24-03](#) Guidelines for Conducting Labor Exchange Activities
2. Workforce Innovation and Opportunity Act (WIOA)
3. 29 U.S.C. § 152(9), U.S. Code, Title 29, Chapter 7.

### **Related Documents**

Not applicable

### **Background**

Under WIOA, Ohio is required to deliver labor exchange activities as part of a comprehensive workforce system. Labor exchange services offered to employers include, but are not limited to, referral of job seekers to available job openings, assistance in the development of job order requirements, matching job seeker experience with job requirements, skills and attributes, assisting employers with special recruitment needs, arranging job fairs, assisting employers with analyzing hard-to-fill job orders, assisting with job restructuring, and helping employers manage layoffs.

As labor exchange activities are part of the comprehensive workforce system, these activities may be provided by a variety of partners. These partners include, but are not limited to, those providing Wagner-Peyser and veteran services and those working in the local workforce system, OhioMeansJobs Center, county department of job and family service, county children services agency, and county child support enforcement agency. It should be noted that any labor exchange activities funded through Wagner-Peyser must be provided by state merit staff.

Workforce Innovation and Opportunity Act Policy Letter No. 17-01 requires that OhioMeansJobs.com be used for labor exchange activities conducted on behalf of an employer, including job postings and resume searches. OhioMeansJobs.com replaces all previously existing labor exchange systems. The use of OhioMeansJobs.com illustrates the shift from a staff-assisted system to a self-service system. However, OhioMeansJobs Center staff will continue to be readily available to assist employers with their business needs.

## Definitions

- **Affirmative action job order:** a job order that seeks qualified applicants, particularly members of a specified group who, for non-occupationally valid purposes, have been discouraged from entering certain occupational fields.
- **Agricultural Recruitment System (ARS):** The Agricultural Recruitment System (ARS) provides agricultural employers a way to recruit United States (US) workers to perform farm work on a temporary, less than a year-round basis (20 CFR 653 Subpart F). The ARS is a free process intended to recruit only US domestic workers. In Ohio, ARS is set up as a job post type in the ARIES case management system.
- **Bona fide job order:** a current and valid job opening that exists prior to any referrals being made, and there is a reasonable basis for concluding that the employer is a legitimate employer.
- **Bona fide occupational qualification (BFOQ):** an employment decision or request relating to age, sex, national origin, or religion and is based on a finding that such a characteristic is necessary to the individual's ability to perform the job in question.
- **Casual labor:** work that does not further the business of the employer, typically on a one-time or very sporadic basis.
- **Domestic worker:** a person who works within the employer's household performing a variety of household services for an individual or a family.
- **Job order:** a request by an employer to have an OhioMeansJobs center/labor exchange staff post a job directly on OhioMeansJobs.com.
- **Job seeker:** an individual, including an unemployment insurance (UI) claimant, a veteran, a migrant and seasonal farm worker (MSFW), an individual with disabilities, or an individual who comes to the OhioMeansJobs center or utilizes OhioMeansJobs.com to conduct their search for employment.
- **Labor dispute:** as defined in 29 USC 152(9), any controversy concerning the terms or conditions of employment, or any controversy concerning the association or representation of individuals in negotiating, fixing, maintaining, changing, or seeking to arrange the terms or conditions of employment.
- **Labor exchange:** a variety of employment-related services, including but not limited to, job search assistance, job referral, and placement assistance for job seekers, re-employment services to unemployment insurance claimants, and recruitment services to employers with job openings.
- **Fee for placement:** a charge assessed to the applicant by the employer or its recruiting agency in exchange for the job opening being filled.
- **Staffing agency:** an agency that works on behalf of a business to place workers with employers with the potential for hire by the employer.
- **Temporary agency:** an agency that works on behalf of a business to place workers in temporary employment with no long-term commitment to hiring.

## **Policy & Procedure**

Services are provided to employers through Labor Exchange Activities, largely executed in Area 6 as "Employer Services." The types of services provided can be determined through direct employer requests, targeted employer outreach, or referrals from a partner agency or community partner. One of the most common services is staff-assisted job orders.

### **1. Acceptance and Rejection of Job Orders**

All job orders must follow a uniform method for determining when job orders are accepted or rejected. Employers requesting staff-assisted job orders with OhioMeansJobs Stark and Tuscarawas Counties business services must at a minimum, meet the following standards for a job order to be accepted:

- **Criteria used to verify a bona fide job order:**
  - The job order represents a current and valid job opening that exists prior to referrals being made.
  - The employer is a legitimate business, verified through required information including FEIN and contact details.
  - The employer and/or job must be located or have a physical presence in Stark and/or Tuscarawas Counties.
  - The job order must be legal and allowable under all applicable laws, regulations, and policies governing labor exchange activities.
- **Required elements for job order completeness and accuracy:**
  - Required form and/or copy of the job description?
  - Completely fill out the job posting form and be sure it includes FEIN number.
  - Have open position(s) located in Stark and/or Tuscarawas Counties.
  - Ensure the job order is legal and allowable under the law, regulations, or policies governing labor exchange activities.
  - Ensure the job order has complete and accurate data including location of the employer, how to contact the employer, O-Net code, hours, and duration of the job.
  - Ensure the job order contains sufficient information for job matching including job title, required skills, secondary skills, pay information, and a description of duties.
  - Ensure the job order contains a job description that can be viewed and understood by the job seeker.
- **Local quality control review steps prior to posting:**
  - A designated staff member must attest that the job order meets all required quality standards before it is posted. This attestation is documented through a required checkbox within the internal workflow, which must be completed prior to submission of any staff-assisted job order.

### **2. Job Order Quality Control Standards**

All job orders must meet established quality standards, including legality, accuracy, and sufficient detail for job matching.

- **Quality Review Responsibility:** Job order quality reviews are conducted by designated management personnel, including supervisory staff responsible for overseeing employer services. Management ensures that job orders meet required standards prior to posting and during ongoing monitoring.
- **Review and Correction Timeframes:** Job orders are reviewed within established internal timeframes to ensure timely posting and follow up. When corrections are required, staff complete them promptly in accordance with the agency's defined quality assurance workflow.
- **Documentation Requirements:** All quality review actions, corrections, and related communications are documented in OhioMeansJobs.com, ARIES, or other designated systems. Staff follow the

established documentation process to ensure consistency, traceability, and compliance with local and state requirements.

### 3. Unsuitable Job Orders

Although assistance in development of job order requirements is a labor exchange activity offered to employers, there are circumstances in which an OhioMeansJobs center is required by law, regulation, or policy to reject a job order. The following information describes specific circumstances surrounding job orders and the appropriate action when one must be rejected. Job orders must be refused if they violate law, regulation, or policy, including but not limited to:

- 1) **Fee for Placement:** The OhioMeansJobs center should not accept a job order if the employer or a staffing agency recruiting for an employer requires the applicant to pay a fee to apply for, be referred to, or be considered for employment. Universal access to basic labor exchange services will be at no cost to job seekers. The OhioMeansJobs center staff should help the employer understand why the order is rejected.
  - i) If the employer requires the applicant to pay for materials, equipment, and uniforms or for testing and licensing, the job order may be taken as long as the required expenses are listed on the job posting. These items are not considered to be fees for placement.
- 2) **Independent Contractors:** The purpose of labor exchange is to facilitate employment. Job orders will only be accepted that offer employment opportunities where an employer-employee relationship exists. Typically, an employer-employee relationship does not exist if the worker is an independent contractor. Independent contractor opportunities are self-employment, which represents business opportunities, rather than employment. The individual is responsible for paying his/her own quarterly income taxes, disability insurance in lieu of Workers' Compensation, Social Security taxes, and other such costs of doing business.

The determination as to whether a job opening will be for an employee or an independent contractor can be complex but is made by examining the right to control how, when, and where the person performs services. One test used to distinguish an independent contractor opportunity from a legal employment opportunity is:

- If the employee is issued an IRS Form W-2, it is employment.
  - If the individual is issued an IRS Form 1099, it is an independent contractor opportunity.
- i) Examples representing some occupations that are usually considered independent contractors are home-based businesses (e.g., Tupperware, Amway); independent insurance agents; real estate brokers; or truck drivers who are owner/operators.
- 3) **Non-Bona Fide Job Orders:** OhioMeansJobs center staff may process bona fide job orders. However, job orders that are received to build a list of applicants for future openings are not bona fide orders and must be refused and not posted to OhioMeansJobs.com.

The OhioMeansJobs center should also be alert to the possibility that a job opening or an employer may not be bona fide. Examples of questionable situations may be:

- 1) When an employer requires any unusual pre-employment action on the part of the applicant such as a deposit for some alleged service (e.g., transportation, purchase of equipment, dues, food, or lodging); or
- 2) When an unknown employer indicates that applicants will be interviewed at an address that is not a normal place of business, such as a hotel room.
  - i) If the OhioMeansJobs center cannot verify that the opening or employer is bona fide, the

job order must be refused and must not be posted on OhioMeansJobs.com.

- 4) **Pre-designation of Applicants:** When an employer requests that certain workers be referred on any basis other than an occupational qualification, the job order should be refused and not posted on OhioMeansJobs.com. For example, an employer might identify a specific individual to be referred and indicate that he or she is not willing to consider other applicants. Such requests for referrals are considered pre-designation of applicants and make a job order unacceptable.

An exception to the rule on pre-designation occurs when an employer lists an agricultural job order. In this instance, the employer may request a specific crew leader or worker. Another exception would be if the employer requests that a specific person be referred and is also willing to consider other referrals. With both exceptions, the job orders should be accepted.

- 5) **Discrimination and Restrictions:** There are various federal laws and regulations which prohibit discriminatory employment practices.
  - 1) Title VII of the Civil Rights Act of 1964, 42 USC § 2000d et seq., prohibits discrimination in hiring, promotion, discharge, pay, fringe benefits, and other aspects of employment, on the basis of race, color, religion, sex, or national origin.
  - 2) Title VI of the Civil Rights Act of 1964, 42 USC § 2000d et seq., prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance, which would include most workforce development programs and services administered by ODJFS. (Refer to WIOA Section 188.)
  - 3) The Age Discrimination in Employment Act of 1967 prohibits arbitrary age discrimination in employment against individuals 40 years of age or older by:
    - i) private employers having 20 or more employees and engaging in an industry affecting interstate commerce, or
    - ii) any governmental entity.
  - 4) d. The Americans with Disabilities Act of 1990 (ADA), 42 USC § 12101 et seq., prohibits employment discrimination against qualified individuals with disabilities.
    - (i) e. Section 504 of the Rehabilitation Act of 1973, 29 USC § 794, prohibits discrimination against qualified disabled applicants in federally funded programs and services, including WIOA and OhioMeansJobs center services (refer to WIOA Section 188).
    - (ii) f. Title II of the Genetic Information Nondiscrimination Act of 2008 (GINA) which prohibits employment discrimination based on genetic information about an applicant, employee, or former employee.
    - (iii) g. The Civil Rights Act of 1964 and the Wagner-Peyser Act require that the labor exchange system ensures that discriminatory job orders are not accepted. In addition, the Civil Rights Act of 1964 prohibits the labor exchange system from providing any service to an employer when there are reasonable grounds (i.e. documented evidence) to believe that the employer is engaged in discriminatory practices.

### **Exceptions**

An exception to the nondiscrimination laws is a situation involving bona fide occupational qualification (BFOQ). Examples of BFOQs would be a request for an actress to portray a female

role in a play or movie, or a male attendant to serve in a men's locker room. Certain jobs have bona fide age requirements based on agility (e.g. firefighter or police officer), legal requirements (e.g. bartender), or insurance requirements (e.g. commercial drivers). Orders with acceptable BFOQs may be written and serviced (refer to 42 U.S.C. § 2000).

Should an employer wish to list an opening containing discriminatory specifications, and a BFOQ does not exist, the OhioMeansJobs center should advise the employer that due to the discriminatory specifications, the job order cannot be posted. If the employer is willing to change the requirements, the order may be accepted. Otherwise, the order must be refused and not posted to OhioMeansJobs.com.

### **Restrictions**

While there are a limited number of instances where the law prohibits or restricts the hiring of an ex-offender, employers are generally not allowed to have blanket bars against the referral or hiring of individuals with criminal records. Employers are permitted to consider the relationship between the conviction record and the job position itself.

Hiring restrictions based on a criminal record must be "job-related" and consistent with "business necessity." Employers should consider the nature and gravity of the offense; the time that has passed; and the nature of the job before disqualifying an individual from employment based on his or her criminal record.

If an employer attempts to place a job order and includes a restriction such as "no felony convictions" or "no misdemeanors" or "clean background check," OhioMeansJobs center staff should discuss the reason for the restriction with the employer. If no clear "business necessity" or "job-related" basis can be documented, the OhioMeansJobs center must inform the employer that the requirement is restrictive and must be removed. If the employer will not agree to remove the restriction, the job order must be refused and not posted to OhioMeansJobs.com.

- 6) **Credit History:** Although individuals with negative credit histories are not a protected group under the applicable federal civil rights laws, and the Fair Credit Reporting Act (FCRA) permits the use of credit reports for employment decisions, antidiscrimination laws may be implicated when credit history is used to make employment decisions. For example, if an employer screens out all workers who have a negative credit history, this may have an unequal impact on certain protected groups whose members have an undesirable credit history at a disproportionately higher rate than other groups.

The OhioMeansJobs center should accept and process job orders using safeguards to prevent discrimination against individuals in protected groups based on their credit information by ensuring job orders are handled in the following manner:

- OhioMeansJobs center staff should advise employers not to automatically exclude job seekers based on their credit history or any other hiring criterion unless it is job-related and consistent with business necessity. Staff should also inform employers of their obligations under FCRA, which requires employers to obtain applicants' permission before asking a consumer reporting agency for a credit report and to provide applicants with a copy of the report and a summary of their rights before taking adverse action, such as denying employment.
- The OhioMeansJobs center should have a process, similar to the one used to identify

other discriminatory language, for identifying job orders that include hiring restrictions based on credit history.

- When a job posting excluding applicants based on credit history has been identified, the OhioMeansJobs center staff must provide employers the opportunity to remove or edit the job order.

Any job posting containing language that excludes candidates based on credit history should be posted only if there is an explanation that the exclusion in the job posting may be unlawful under certain circumstances and there is a notification to the job seeker informing him or her that the OhioMeansJobs center does not prohibit individuals with negative credit history from applying for the posted position. The notification should also include how the job seeker may obtain a free copy of their credit report. OhioMeansJobs center staff should forward all job seekers' applications to employers who otherwise meet the job qualifications, despite the language in the job order excluding candidates based on their credit history.

**7) Affirmative Action:** An affirmative action job order seeks qualified applicants, particularly members of a specified group who, for non-occupationally valid purposes, have been discouraged from entering certain occupational fields. In addition, it is an order that results from:

- (a) Executive Order No. 11246 and implementing instructions at 41 C.F.R. Chapter 60, requiring certain government contractors to take affirmative action to hire and promote qualified minorities and women; or
- (b) Section 503 of the Rehabilitation Act of 1973 and implementing regulations at 41 C.F.R. Part 60-741 requiring certain government contractors to take affirmative action to employ and advance in employment qualified disabled workers; or
- (c) Section 402 of the Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C § 4212 and implementation of regulations at 41 C.F.R. Parts 60-250 and 60-300, which requires government contractors and subcontractors to list most employment openings with an appropriate employment service delivery system. In part, requires affirmative action to employ and advance in employment qualified protected veterans; disabled veterans; recently separated veterans; active-duty war time or campaign badge veterans; and Armed Forces service medal veterans; or
- (d) A court order resulting from a decision in which there was a finding of employment discrimination; or
- (e) A conciliation agreement as authorized by Title VII of the Civil Rights Act; or
- (f) Provisions of federal, state, or local fair employment practice law; or
- (g) An affirmative action plan adopted pursuant to the Equal Employment Opportunity Commission's guidelines on Affirmative Action (29 C.F.R. Part 1608).

OhioMeansJobs centers should accept all legitimate affirmative action job orders and may assist the employer with special applicant searches and recruitment efforts. However, applicant resume searches must follow the standard job order processing procedures, including veteran preference requirements. Employers should be advised that an order that requires exclusive referral of a specific applicant group, or referral of a specific applicant group "quota," cannot be serviced if these restrictions are held.

An affirmative action order should be clearly marked as affirmative action and clearly reflect the employer's needs. An example of appropriate language to be included in the job order requirements section might be: "Affirmative Action: All qualified applicants will be considered."

Minorities and women encouraged to apply."

- 8) Violations of Law:** Job orders that contain job duties or terms or conditions of employment that are contrary to law must be refused. Examples of such orders would be those specifying pay below the legal minimum wage (without the provision of earning tips), requiring the worker to perform illegal activities, or specifying hours for a youth worker in violation of child labor laws.

OhioMeansJobs center staff must explain the legal basis for refusing the order to the employer and offer the opportunity for the order to be modified. If the employer agrees to an appropriate modification, the job order may be accepted. Otherwise, the order must be refused and not posted to OhioMeansJobs.com.

- 9) Labor Disputes:** When a labor dispute results in a work stoppage (such as a labor strike, walkout, or lockout), OhioMeansJobs centers are restricted from accepting or servicing job orders that will directly, or indirectly, aid in filling positions vacant because the former occupant is on strike, is being locked out in the course of a labor dispute, or the filling of which is otherwise an issue in the labor dispute (refer to 20 C.F.R. 652.9).

OhioMeansJobs centers may accept job orders from an employer involved in a labor dispute until a work stoppage occurs and may accept job orders during a work stoppage as long as the orders are for positions that are not impacted, either directly or indirectly, by the work stoppage. When job orders for positions not impacted are taken from an employer involved in a work stoppage, OhioMeansJobs center staff is responsible for notifying any applicants referred that the employer is involved in a labor dispute and that the position listed on the job order is not vacant because of the dispute. OhioMeansJobs centers are encouraged to include this information in the job description of the job order.

Once a labor dispute resulting in a work stoppage has been resolved, the OhioMeansJobs center may once again resume full service to the employer (refer to 20 C.F.R. 652.9).

OhioMeansJobs center staff should be alert to labor disputes that are developing in their areas and are encouraged to contact their ODJFS Program Delivery Manager with information on any such disputes. This will help facilitate timely notification of all impacted areas should a work stoppage occur.

- 10) Membership or Non-membership in a Labor Organization:** Orders specifying membership or non-membership in a labor organization as a condition of being hired may be in violation of law if the employer is subject to the Labor-Management Relations Act of 1947 (Taft-Hartley Act). (Refer to 29 U.S.C. § 158(a)). If the job order is in violation with this law, the job order must be refused and not posted on OhioMeansJobs.com.

However, if the employer requires an employee to join a labor organization on or after the 30th day of employment, and this requirement is pursuant to the employer's agreement with the labor organization, the job order would not be in violation of the Act, and should be accepted. In the case of the building and construction industries, the requirement to join a labor organization may be on or after the seventh (7th) day of employment (refer to 29 U.S.C. § 158(a)(3)).

- 11) Staffing and Temporary Agencies:** Both staffing and temporary agencies may use the self-

service functionality of OhioMeansJobs.com for job posting and resume searches, as well as other features such as the training center, workforce program locator, etc. Any posting by either a staffing or temporary agency must be for a current and valid job opening.

- (1) **Staffing Agencies:** Based upon their working relationship, staffing agencies and OhioMeansJobs centers may partner and coordinate their work efforts for job posting and resume searches. In doing so, the OhioMeansJobs center staff should be alert to whether job orders from staffing agencies are current and valid job openings and are not for the purpose of building lists of applicants for future openings by confirming an anticipated start date and confirmed employer of record upon initial hire. Furthermore, staff should also make certain that the job orders are not a duplicate order listed by an employer that the staffing agency may be representing.
- (2) **Temporary Agencies:** If a temporary agency working on behalf of an employer contacts the OhioMeansJobs center for assistance, staff can assist the temporary agency by demonstrating the self-service functionality of OhioMeansJobs.com. It is expected that the temporary agency will complete their own job postings, resume searches, and other services within OhioMeansJobs.com without the assistance of OhioMeansJobs center or partner staff.

**12) Casual Labor:** Workers performing casual labor are either independent contractors or employees. An example may be someone who was hired for one day to clean the windows of a business or a group that is hired for a few hours to unload new office furniture. The hiring company's legal obligations to workers performing causal labor are the same as for other workers. Therefore, OhioMeansJobs centers should be careful to verify an employee-employer relationship and not a posting for an independent contractor.

**13) Substandard Job Orders:** A job order should be considered substandard when an employer is offering wages or hours that are below the standard in a labor market for a particular type of work. OhioMeansJobs center staff should be aware of local labor market information (LMI), such as average wage by occupation, to establish local standards and policies regarding what job orders are to be considered substandard. Further information on LMI is located at <http://ohiolmi.com/>.

If a job order is considered substandard, the OhioMeansJobs center staff should provide the employer with appropriate labor market information and offer him or her opportunity to modify the job order. If the employer agrees to an appropriate modification, the order should be accepted and posted on OhioMeansJobs.com. If not, the OhioMeansJobs center must inform the employer that staff cannot post the job order, and that the employer will have to post the job order using self-service OhioMeansJobs.com.

#### **4. Substandard Job Orders**

A job order may be considered substandard when wages or hours fall below the standard for similar work in the local labor market.

- OhioMeansJobs Stark and Tuscarawas Counties will consider local labor market information, including average wages by occupation, when establishing local standards and policies for identifying substandard job orders. However, additional factors beyond wages and hours may also be taken into account.
- OhioMeansJobs Stark and Tuscarawas Counties reserve the discretion to direct employers to self-posting options when wages or available hours are significantly lower than comparable

positions in the local labor market that offer higher pay or more hours.

- Should a job order be considered substandard, OhioMeansJobs Stark and Tuscarawas Counties shall provide the employer with appropriate labor market information and offer him or her opportunity to modify the job order. If the employer agrees to an appropriate modification, the order will be accepted. If not, OhioMeansJobs Stark and Tuscarawas Counties inform the employer that the position should be posted using the OhioMeansjobs.com function.

## 5. Processing and Referral Procedures

All job orders and referrals must be processed through OhioMeansJobs.com. Resume searches should be conducted as soon as practicable, preferably within one business day. Veteran priority of service is applied in all referrals. For example, when resumes are forwarded to employers through job-matching services, veterans' resumes will be sent at least one business day prior to those of non-veterans.

## 6. Refusing or Discontinuing Services to Employers

Services may be refused or discontinued if an employer submits job orders that meet refusal criteria or fails to cooperate with verification requirements.

- **Lack of Employer Cooperation** is defined as a failure to engage in the collaborative exchange necessary for OhioMeansJobs Stark and Tuscarawas to provide effective recruitment and screening services. This occurs when an employer's inaction or lack of transparency prevents the agency from fulfilling its mission to connect qualified job seekers with viable employment opportunities. This includes:
  - **Misalignment of Intent:** The employer utilizes OMJ resources without an active intent to hire, or consistently bypasses the referral process, making it impossible to verify if the service was successful.
  - **Cancellations/No-Shows:** The repeated failure to attend scheduled recruitment events, interviews, or planning sessions without adequate notice.
  - **Deceptive Practices** including but not limited to:
    - **Operational Definition:** The intentional provision of false or misleading information regarding job duties, pay rates, employment status (e.g., 1099 vs. W-2), or company legitimacy.
    - **"Bait and Switch" Tactics:** Advertising a specific wage or role to OMJ staff but offering significantly lower pay or a different position to the candidate during the interview.
    - **Misrepresentation of Employment Type:** Claiming a position is a permanent "direct hire" when it is commission-only, a multi-level marketing (MLM) scheme, or an independent contractor role without prior disclosure.
    - **Credential Masking:** Operating under a different business name or failing to disclose a history of labor law violations when asked.
- Typically, three documented and reviewed instances of a violation would be cause for permanent stop of service unless the actions are deemed egregious, in which case no further job orders for that company would be accepted.
- Final approval authority to no longer work with a company rest with the WIA Executive Director.
- STWDB Executive Director will be informed of all employers banned from posting additional job orders with the center, including the explanation and documentation supporting the decision.

## 7. Limiting Services to Employers

OhioMeansJobs Stark and Tuscarawas Counties may require employers to use the self-service posting option in OhioMeansJobs.com rather than receiving staff-assisted job posting support when any of the following locally defined conditions apply:

- **Temporary Staffing Agencies:** Temporary staffing agencies will be directed to post all openings through the self-service portal. Staff may demonstrate system functionality but will not complete postings on behalf of the agency.
- **Standard Job Orders:** When an employer declines to adjust wages, hours, or working conditions that fall below local labor market standards, the job order will not be processed by staff and must be posted by the employer through the self-service system.
- **High-Volume, High-Turnover, or Ongoing Recruitment Needs:** Employers with continuous or recurring openings for the same role (e.g., perpetual recruitment pipelines) may be directed to self-service posting to streamline workflow and ensure rapid posting.

OhioMeansJobs Stark and Tuscarawas Counties may consolidate multiple openings into a single job order when it improves efficiency, reduces redundancy, and still supports accurate job matching. Consolidation may occur under the following circumstances so long as the job order clearly indicates the total number of available positions, any variation in shifts, schedules, or locations, and if referrals will be accepted until all openings are filled.

- **Multiple Identical Openings for the Same Job Title:** When an employer has several vacancies with identical job duties, qualifications, hours, pay, and worksite location, staff may create one job order and indicate the number of openings rather than entering multiple separate postings.
- **Seasonal or Project-Based Hiring for the Same Role:** When an employer is staffing a seasonal project or event that involves multiple identical roles, a single job order may be used to represent all openings.
- **Employer Requests Consolidation:** If an employer requests that openings be consolidated to simplify candidate management—as long as requirements for a bona fide job order are met—staff may accommodate the request.
- **Staff Discretion for Efficient Case Management:** When posting multiple separate job orders would create unnecessary duplication without improving service quality, staff may consolidate openings as long as doing so does not impede job seeker understanding or referrals.

## 8. Monitoring and Oversight

OhioMeansJobs centers are responsible for setting local standards for the quality of job orders obtained and processed and ensuring that these standards are met. Monitoring of labor exchange activities will follow the local monitoring guidelines of the workforce area. Monitoring is tracked in system case notes.

### **Responsible Party**

Assistant Director, Stark Tuscarawas Workforce Development Board

### **Approving Authority**

Executive Director, Stark Tuscarawas Workforce Development Board

### **Revision History**

07-01-2016 | 03-01-2026