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# COMMONWEALTH OF VIRGINIA



## OFFICE OF THE GOVERNOR

### NUMBER EIGHTY-FIVE (2009)

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#### **USE OF THE VIRGINIA WORKFORCE NETWORK FOR JOBS RESULTING FROM THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 AND THOSE BEING RECRUITED BY VIRGINIA STATE AGENCIES**

It is essential that a statewide system be used to facilitate the recruitment of jobs by state agencies and for those direct jobs that result from the American Recovery and Reinvestment Act of 2009 (ARRA). Direct jobs are those jobs which are solely funded by the ARRA or at least fifty per cent of the job is funded by ARRA project funds. Such a system facilitates the creation and identification of a ready workforce that fosters Virginia's economic prosperity in an efficient and effective manner.

The ARRA has several purposes including (1) to preserve and create jobs and promote economic recovery and (2) to assist those most impacted by the recession. Accordingly, it is incumbent on state government to connect workers to ARRA jobs and to be as efficient, effective and responsive as possible in making these connections.

Since 2006, the Commonwealth has focused resources on developing a comprehensive workforce development system including the establishment of the Virginia Workforce Network – the Commonwealth's transparent and comprehensive workforce center system designed to connect employers and jobseekers with the resources of the entire workforce investment system. Within the Virginia Workforce Network is Virginia Workforce Connection (VWC) - the official web site for employer vacancy listings.

By virtue of the authority vested in me as Governor under Article V of the Constitution of Virginia and Sections 2.2-103 and 2.2-435.7 of the Code of Virginia, and subject to my continuing and ultimate authority and responsibility to act in such matters, I hereby direct that Virginia Workforce Connection (VWC) be used by all state agencies, contractors and sub-recipients for the recruitment of direct jobs created by ARRA and for those in all state agencies, regardless of funding source. For state agency recruitment, vacancies shall be posted with the

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VWC via the State's Recruitment Management System. The jobs shall be posted at the maximum number of locations within the Virginia Workforce Network to ensure multiple access points for the ease of job seekers.

I further assign oversight to the Chief Workforce Development Officer or designated senior staff member in cooperation with the Workforce Sub Cabinet, to ensure implementation. The oversight process will be developed by the Workforce Sub Cabinet in cooperation with the Virginia Employment Commission (VEC), which is the administrative entity for the job exchange system.

### **Background**

The Commonwealth of Virginia will receive a certain amount of funds under the ARRA. Some of these funds will be provided to non-state entities, individuals and some of these funds will be administered directly by state agencies or through state agency contractors and sub-recipients. Additionally, as a part of management and administration, state agencies engage in recruitment to fill job openings and state agency operations are supported by public funds. Executive Order Number Sixty-One (2008) charges the Workforce Sub Cabinet with ensuring Cabinet collaboration regarding workforce development as required by state and federal statute. One of the duties of the Workforce Sub Cabinet is to support the development and implementation of a seamless and integrated One Stop workforce service delivery system.

### **Job Posting Requirements**

1. The VWC shall be used to post all jobs available.
2. Posting is not required where an employer, contractor or subcontractor of an ARRA-funded state contract intends to fill the job opening created by ARRA funding with a present employee, a laid-off former employee or a job candidate from a previous recruitment.
3. This Executive Order is not intended to prevent organizations and companies from also seeking needed employees by other means including industry specific employment programs.
4. The provisions of this Executive Order shall not apply to contracts advertised prior to the Order's effective date.
5. This posting requirement does not fulfill any ARRA reporting responsibility pertaining to jobs created or retained as otherwise required under the ARRA.
6. The VEC shall ensure that all ARRA jobs are identified as such on the VWC.
7. All state agencies shall post this Executive Order to their web site and communicate its requirements to contractors and sub-recipients.
8. This Executive Order shall also be posted on the Commonwealth official ARRA web site.

**Duties in Carrying Out This Executive Order**

1. The Senior Advisor shall work with the Workforce Sub Cabinet in directing a process to inform the general public of jobs opportunities funded by ARRA funds. This will be done in collaboration with the Virginia -Community College System, which is the state grant recipient for the Workforce Investment Act (WIA) and the oversight agency for the Virginia Workforce Network.
2. The VEC shall provide the administrative support for the process. Instructions have been developed and are attached for state agencies, contractors and sub-recipients to follow in meeting the centralized job posting requirements of this Executive Order. VEC contact information is included in the instructions.
3. This Executive Order is not intended to promote the widespread creation of new positions at state agencies for the purposes of ARRA implementation.
4. The VEC in cooperation with the Senior Advisor shall report to the Workforce Sub Cabinet on the number of jobs listed by state agencies, contractors and sub-recipients that were created to support projects funded with ARRA funds.
5. The Department of General Services, the Virginia Information Technologies Agency, and state higher education institutions shall include the requirements in this Executive Order in the new and existing contracts for ARRA procurement actions. These terms and conditions apply to non-professional and professional services; telecommunications services; non-IT and IT goods and services; and to institutions of higher education that have procurement authority.

This Executive Order shall be effective upon its signing and shall remain in full force and effect until September 30, 2011, unless sooner amended or rescinded by further executive order.

Given under my hand and under the Seal of the Commonwealth of Virginia this 30<sup>th</sup> day of July 2009.

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Timothy M. Kaine, Governor

Attest:

  
  

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Secretary of the Commonwealth