**TITLE: Veterans Programs: Federal Contractor Job Listing Program (FCJLP) Program Policy**

**REFERENCES**

The Workforce Investment Act (WIA) of 1998, Public Law 105-220 (WorkSource); the Wagner-Peyser Act as amended by WIA (Labor Exchange); Title 38, United States Code (USC), Chapters 41 and 42 (Veterans); and the Code of Federal Regulations (CFR), Title 20, Chapter V, Part 652, Subpart B, and Chapter IX, Parts 1001 and 1005 (Veterans).

**PURPOSE**

**Background**

Any contract in the amount of $100,000 or more entered into by any federal department or agency for the procurement of personal property and non-personal services, including construction for the United States government, contains a provision requiring that the party contracting with the United States take affirmative action to employ and advance in employment qualified Disabled Veterans, Veterans who served during an action for which a Campaign Badge was authorized, Veterans who received armed Force Service Medal and recently separated veterans. This also applies to any subcontract entered into by a prime contractor in carrying out any contract for the procurement of personal property and non-personal services, including construction for the United States government. Each contractor holding such federal contracts is required to list all of their suitable job openings with the appropriate local service delivery site (this does not apply to federal grants or other monies received not as the result of a federal contract). These requirements pertain to job openings that exist at the time of the execution of the contract and those that occur during the performance of the contract.

The Federal Contractor Job Listing Program (FCJLP) requires the listing of job openings with local service delivery sites and consideration of employment service referrals at least concurrently with the use of any other recruitment source, including the employer's own applicant files, and involves the normal obligations which attach to the placing of a bona fide job order, including the acceptance of referrals of Veterans and non-veterans. The listing of the opening does not require the hiring of any particular job applicant or any particular group of job applicants.

The provisions of this document do not apply to job openings which the contractors propose to fill from within their own organization or to fill pursuant to a customary and traditional employer/union hiring arrangement. This exclusion does not apply once the employer decides to consider applicants outside its own organization or employer/union arrangement for that opening.

**NOTE:**  As used in this communication, "all suitable job openings" includes, but is not limited to, openings which occur in production and non-production; plant and office; laborers and mechanics; supervisory and non- supervisory; and technical, executive, administrative, and professional openings that are compensated on a salary basis of less than $25,000 per year. This term includes all full-time and part-time employment. It does not include openings in an educational institution which are restricted to students of that institution.

**PERSONS AFFECTED**

This communication applies only to ESD staff, however, local Workforce Development Councils (WDCs) and partner agencies are welcome to use the information when developing their policies and procedures.

**DEFINITIONS**

Definitions relating to Veterans are found in Policies and Procedures communications number 4030, Services for Veterans.

**POLICY**

It is the policy of the Employment Security Department (ESD) to develop job opportunities for Veterans and Other Eligible Persons through the utilization of the Federal Contractor Job Listing Program (FCJLP).

**SUPERSEDES**

This communication cancels and supersedes Policies and Procedures #4034 dated April 16, 2000.

**CONTACT**

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