

## **CHAPTER 800- EMPLOYMENT SERVICES**

### **800.00 Mississippi First Initiative (Senate Bill 2662)**

The Mississippi Jobs First Bill (SB NO. 2622 of the 2012 Legislative Session and any future corresponding citation in the Mississippi Code of 1972) requires contractors that are awarded bids for public works projects that utilize funds received by State or Local governmental entities resulting from a federally declared disaster or a spill of national significance to register and list job opportunities with the Mississippi Department of Employment Security (MDES). This initiative will ensure that Mississippians have an opportunity to apply for jobs created by a disaster.

**NOTE: The following rules (800.01-800.04) concerning the Mississippi Jobs First Bill pertain only to contracts executed after the law went into effect on May 1, 2012. All contracts existing before the effective date are not subject to these provisions.**

### **800.01 Responsibility of State and Local Government**

- (A) It is the responsibility of state and local government entities soliciting bids for public works projects that utilize funding resulting from a federally declared disaster or spill of national significance to ensure that all contractors submit, with their bid, a completed employment plan which shall include the following information: the type of jobs involved in the project; the skill level of the jobs involved in the project; wage information on the jobs involved in the project; the number of vacant positions that the contractor needs to fill; how the contractor will recruit low wage and unemployed individuals for job vacancies; other information that may be required by MDES; and proof of registration with MDES for taxation in accordance with provisions of Title 71.
- (B) When a contractor's bid is accepted, the state or local government entity shall enter into an agreement with the contractor that requires the contractor to only hire personnel referred from MDES for a period of ten (10) days from when the contract is awarded.

### **800.02 Contractor Responsibilities**

- (A) Contractors that are awarded bids for public works projects that utilize funds received by State and Local Governmental entities resulting from a federally declared disaster or spill of national significance must submit an employment plan that includes the following information: the type of jobs involved in the project; the skill level of the jobs involved in the project; wage information on the jobs involved in the project; the number of vacant positions that the contractor needs to fill; how the contractor will recruit

low wage and unemployed individuals for job vacancies; other information that may be required by MDES; and proof of registration with MDES for taxation in accordance with provisions of Title 71 with their bid to the entity requesting the solicitation of services.

- (B) When a contractor's bid is accepted, the contractor shall enter into an agreement with the entity that accepted the bid that requires the contractor to only hire personnel referred from MDES for a period of ten (10) days from when the contract is awarded. Contractors must place a job order with MDES to receive a list of qualified individuals. The contractor is required to review the applicants submitted by MDES before hiring individuals who were not referred.

MDES shall define the ten (10) days as follows: The time period for the ten (10) days shall begin to run on the first day the job order is opened with MDES. The ten (10) days shall be considered working days and weekends and official state holidays shall not be counted. If the tenth (10th) day shall fall on a weekend or holiday, then the following Monday or the next day that MDES is open for business shall be deemed the tenth (10th) day.

The ten (10) day rule shall apply to any entity charged with hiring personnel under the awarded contract. For example, if the contractor enlists a temporary agency to hire employees for the project, the ten (10) day rule shall apply to the temporary agency, or any subcontractor the contractor may utilize for the project.

**NOTE: The contractor is not prohibited from hiring MDES referrals during the ten (10) day time period and may hire employees referred by MDES immediately.**

- (C) The contractor is required to register his/her business online in the Workforce Investment Network Global System (WINGS) by visiting [Wings.mdes.ms.gov](http://Wings.mdes.ms.gov). The following information is needed to register:

Register in the Workforce Investment Network Global Systems (WINGS) and create a username and password.

Employer Federal ID #

Company Name

Company (Corporate) Physical address if applicable

Company (Corporate) Mailing address for E-Verify notices (if applicable)

Company telephone number and fax number

Company contact name, title, phone number and email address

In order to create a job order the contractor must provide the WIN Job Center or Call Center Representative with the following information (Call Center information and a complete list of WIN Job Centers can be found on MDES's website: [www.mdes.ms.gov](http://www.mdes.ms.gov)):

- Job title
- Job physical location (Worksite)
- Number of openings
- Job description
- Job qualifications (level of education, months of experience, driver's license if required)
- Duration of the position (less than 3 days, 4 to 150 days, more than 150 days)
- Temporary, permanent position or seasonal position
- Full time or Part time
- Number of hours to work per week
- Days to work and shifts
- Referral instructions (how the applicant will apply)
- Job Order contact person if different from the Contractor registration contact.

**800.03 Role of the MDES WIN Job Center**

MDES will designate sites to assist contractors according to location of the federally declared disaster. After the job order(s) have been finalized and opened for recruitment, the MDES WIN Job Centers will begin the process of referring qualified applicants to the contractor to consider for the vacant positions.

**800.04 Reporting Requirement**

In accordance with the act, MDES will provide the Mississippi Legislature with an annual report ending June 30, 2013, and will follow each year thereafter. MDES will develop procedures to track and report relevant information received from contractors. The annual report will detail data received from contractors that were awarded contracts under this act throughout the year.