

**U.S. DEPARTMENT OF LABOR**  
**FY 2011 ANNUAL PERFORMANCE REPORT**



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This report, as well as the FY 2011 Agency Financial Report and the FY 2011 Summary of Performance and Financial Information, can be found on the Internet at <http://www.dol.gov/sec/media/reports/>.

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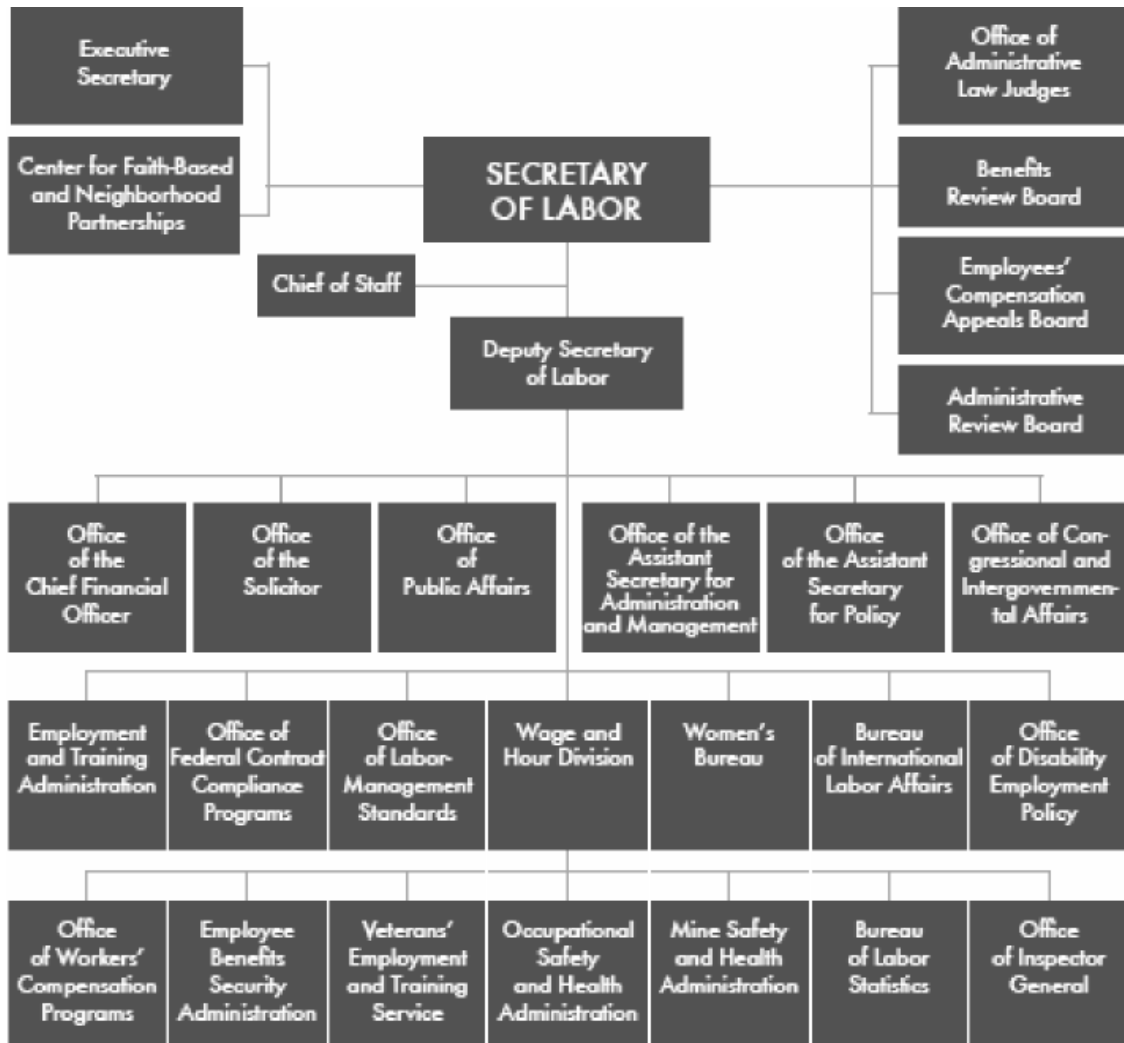
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## Overview

### Mission, Organization, Secretary’s Vision, and Goal Structure

*The Department of Labor fosters and promotes the welfare of job seekers, wage earners, and retirees of the U.S. by improving their working conditions, advancing their opportunities for profitable employment, protecting their retirement and health care benefits, helping employers find workers, strengthening collective bargaining, and tracking changes in employment, prices and other national economic measures.*

The Department accomplishes this mission through component agencies and offices that administer various statutes and programs. These programs are carried out through a network of regional offices and smaller field, district, and area offices, as well as through grantees and contractors.



## Performance Report Outline

This report satisfies the requirement of the GPRA Modernization Act of 2010 to provide information on actual performance and progress in achieving goals identified in the Annual Performance Plan (APP). Measures and targets for FY 2011 were updated in the FY 2010 Annual Performance Report (APR), which was the Department's FY 2012 Annual Performance Plan. The FY 2011 APR serves as the FY 2013 APP and likewise updates measures and targets for FY 2012 as well as establishing targets consistent with the FY 2013 Congressional Budget Justification.

Some measures are dropped or changed between reports. To present the most current information, the APR will provide complete information for the budget year measures only – in this case, those retained or added in FY 2013. Complete information for each measure includes actual performance for the five preceding years, if available, plus targets for the most recent year, the current year, and the budget year. Targets and results for measures dropped or changed are reported for the report year only in the Measures Discontinued section.

The Agencies, Programs and Strategies section of this report introduces each of DOL's agencies; they are grouped by program type (employment and training, worker protection, etc.). Each narrative describes agencies, their programs, the Departmental outcome goals they support, and the strategies they are using to reach performance goals. The Priority and Strategic Goals sections present results and plans organized under the five strategic goals and fourteen outcome goals established in the FY 2011-2016 Strategic Plan. Strategic goals are general outcomes clearly linked to the Department's mission. Outcome goals articulate more specific objectives associated with one or more programs and DOL agencies. Agency performance goals outline each agency's contribution to the Department's objectives. The Department will track progress toward achieving these goals by using quantifiable performance measures.

Tables and narratives present complete results including brief analyses and summaries of independent program evaluations. Results and analyses are organized by agency; however, evaluations are presented together at the end of each outcome goal section.

- Narratives explain data, summarize the analyses, and provide plans in the performance goal tables, providing important context and details as needed.
- Performance goal summary tables list each applicable agency goal, its key indicators, and applicable targets and results. Where "baseline" appears in the target cell for new indicators, no data were available for establishing a numerical target. If results improve over the prior year but do not reach the target, "I" appears in the target cell. The last three columns identify what worked, what didn't work, and what the agency plans for FY 2012 to improve results.<sup>1</sup>
- Where applicable, tables at the end of each outcome goal section summarize findings, recommendations, and actions for relevant evaluations completed during the fiscal year.

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<sup>1</sup> Forward-funded Workforce Investment Act (WIA) programs report performance for a Program Year (PY) that lags the Federal fiscal year by nine months. Hence, these programs are reporting on a different period (PY 2010 – July 1, 2010 to June 30, 2011).

## **Agencies, Programs, and Strategies**

<b>Employment and Training</b>
Employment and Training Administration (ETA) Veterans' Employment and Training Service (VETS)
<b>Worker Protection</b>
Office of Federal Contract Compliance Programs (OFCCP) Occupational Safety and Health Administration (OSHA) Wage and Hour Division (WHD) Employee Benefits Security Administration (EBSA) Mine Safety and Health Administration (MSHA) Office of Labor-Management Standards (OLMS)
<b>Policy</b>
Women's Bureau (WB) Office of Disability Employment Policy (ODEP) Bureau of International Labor Affairs (ILAB)
<b>Benefits</b>
Office of Workers' Compensation Programs (OWCP) Federal-State Unemployment Insurance (UI) System (administered by ETA)
<b>Statistics</b>
Bureau of Labor Statistics (BLS)

In addition to these agencies and programs, the Department's mission is supported by administrative, policy, legal, public affairs, and congressional liaison offices.

## Employment and Training

### Employment and Training Administration (ETA)

The Employment and Training Administration provides high quality employment assistance, labor market information, and job training through the administration of the following programs: programs authorized by the Workforce Investment Act of 1998 (WIA) for adults, dislocated workers, youth (including Job Corps), and targeted populations; Trade Adjustment Assistance (TAA) authorized by the Trade Act of 1974, as amended; Employment Services authorized under the Wagner-Peyser Act; Foreign Labor Certification activities authorized by the Immigration and Nationality Act; the Senior Community Service Employment Program authorized by the Older Americans Act; Apprenticeship programs authorized by the National Apprenticeship Act; and Competitive Grants for Worker Training and Placement in High Growth and Emerging Industry Sectors authorized under the American Recovery and Reinvestment Act of 2009 (Recovery Act).

The public workforce system has a vital role to play in our knowledge-based economy, contributing to our nation's global competitiveness and economic productivity by providing lifelong learning opportunities and a broad array of services. The economy's downturn posed substantial economic and workforce challenges to our nation, but the workforce system is responding to these challenges by becoming more flexible and innovative in order to get workers back to work quickly and support the workforce needs of employers in the recovering economy, particularly in high demand and emerging industry sectors. The workforce system provides critical services to a broad array of customers at all skill levels. These services include high-quality career counseling and case management and assessments that identify transferable skills. ETA and the workforce system are committed to continuous improvement and testing and rigorously evaluating new ideas and approaches.

ETA contributes to the following Departmental goals in support of the Secretary's vision of good jobs for everyone:

- Outcome Goal 1.1 – Increase workers' incomes and narrow wage and income inequality.
- Outcome Goal 1.2 – Assure skills and knowledge that prepare workers to succeed in a knowledge-based economy, including in high-growth and emerging industry sectors like "green" jobs.
- Outcome Goal 1.3 – Help workers who are in low-wage jobs or out of the labor market find a path into middle class jobs.
- Outcome Goal 1.4 – Help middle-class families remain in the middle class.
- Outcome Goal 1.5 – Secure wages and overtime.

Strategic Direction and Priorities:

- Provide an innovative public workforce system that helps enable future economic growth and advancing shared prosperity for Americans.
- Continue support of Green Jobs — supporting the creation and expansion of good green jobs by developing a skilled workforce for these industries.
- Increase services and training for workers in need.



- Provide workers with the resources necessary to increase their likelihood of obtaining middle class jobs.
- Enhance programs that provide opportunities to particularly vulnerable populations – WIA Youth, Job Corps, and YouthBuild for disadvantaged youth, Indian and Native American and Migrant and Seasonal Farmworkers programs, and One-Stop services for individuals with disabilities.
- Improve the effectiveness of services through innovative funding mechanisms and rigorous research and evaluation.
- Expand regional partnerships and collaboration.
- Promote sector strategies for high-demand industry sectors, including the nation’s investment in green jobs and health sector jobs as an effort to restart the economy.
- Forge meaningful partnerships with other Federal agencies.
- Continue to develop a workforce system that embodies a dual customer approach — meeting the needs of both workers and employers.

### Veterans’ Employment and Training Service (VETS)

The Veterans’ Employment and Training Service (VETS) provides veterans and transitioning service members the employment services and training to succeed in the civilian workforce quickly and smoothly by maximizing their employment opportunities, protecting their employment rights, and meeting labor market demands with qualified Veterans.

VETS helps veterans obtain positive employment outcomes through services provided at One-Stop Career Centers and other locations. Grants are provided to State Workforce Agencies (SWA) to support staff dedicated to serving Veterans, including those who require special assistance due to disabilities or other barriers to employment. VETS also provides funding, through the Homeless Veterans’ Reintegration Program (HVRP) and Veterans’ Workforce Investment Program (VWIP), to organizations that serve Veterans with employment barriers that warrant more comprehensive services.

VETS protects the employment and reemployment rights of Veterans and members of the National Guard and Reserve Forces under the provisions of the Uniformed Services Employment and Reemployment Rights Act (USERRA) so that they can serve on active duty without harm to their employment status and by assuring that Veterans who seek Federal employment obtain the preferences agencies are required to apply.

VETS contributes to the following Departmental goals in support of the Secretary’s vision of good jobs for everyone:

Outcome Goal 1.1 – Increase workers’ incomes and narrow wage and income inequality

Outcome Goal 1.3 – Help workers who are in low-wage jobs or out of the labor market find a path into middle class jobs

Outcome Goal 1.4 – Help middle class families remain in the middle class

Strategic Direction and Priorities:

- Support Disabled Veterans' Outreach Program specialists, Local Veterans' Employment Representatives, and Transition Assistance Program (TAP) Employment Workshops through the Jobs for Veterans State Grants.
- Improve the quality of service and the effectiveness of the Jobs for Veterans State Grants by emphasizing the delivery of intensive services by Disabled Veterans' Outreach Program specialists and the conduct of employer outreach by Local Veterans' Employment Representatives.
- Implement and evaluate the redesigned curriculum for the TAP Employment Workshop on a pilot basis prior to full-scale implementation of the curriculum and the transition to contract facilitation at all TAP locations.
- Enhance TAP Employment Workshops to make them more accessible to spouses of transitioning service members, so that the entire military family can successfully transition to new jobs in new locations quickly and smoothly.
- Provide Homeless Veterans' Reintegration Program competitive grants to operators of employment programs that specialize in outreach, supportive services and training for homeless veterans, including homeless female Veterans and incarcerated Veterans, to assist in their reintegration into the workforce.
- Provide training to Federal staff and Veterans' service providers through the National Veterans' Training Institute.
- Collaborate with the Departments of Defense and Veterans Affairs and with state partners and Veterans' service organizations to implement the Uniformed Services Employment and Reemployment Rights Act and Federal Veterans' Preference enforcement activities.

## Worker Protection

### Office of Federal Contractor Compliance Programs (OFCCP)

The Office of Federal Contract Compliance Programs ensures that employers doing business with the Federal Government comply with the laws and regulations requiring a fair and diverse workplace, free of discrimination and harassment. OFCCP also ensures that federal contractors meet contractual equal employment opportunity and affirmative action requirements mandated by the Code of Federal Regulations. OFCCP carries out its responsibilities by:

- Conducting compliance evaluations and complaint investigations of federal contractors' and subcontractors' personnel policies and procedures.
- Obtaining conciliation agreements from contractors and subcontractors who are found in violation of regulatory requirements.
- Monitoring the progress of those contractors and subcontractors found in violation through periodic compliance reports.
- Forming linkage agreements between contractors and community organizations and job training programs to help employers identify and recruit qualified workers.
- Recommending enforcement actions to the Solicitor of Labor.

- Offering compliance assistance to federal contractors and subcontractors to help them understand the statutory and regulatory requirements and review process.

OFCCP contributes to Outcome Goal 3.1 – Break down barriers to fair and diverse work places so that every worker’s contribution is respected.

Strategic Direction and Priorities:

- Strengthen and clarify requirements for federal contractors and subcontractors through regulatory reform.
- Revitalize enforcement capacity – a new enforcement strategy that focuses on enterprise-wide accountability.
- Develop and conduct programmatic initiatives and litigation focused on the most persistent and egregious violators.
- Implement a stakeholder strategy that reaffirms commitments to equal employment opportunity and affirmative action by building coalitions and collaborative partnerships among Federal and State agencies, federal contractor communities, community-based organizations, advocacy groups, and other public and private sector community resources.
- Strengthen compliance evaluations of federal contractors’ and subcontractors’ compensation practices.
- Conduct more thorough compliance evaluations and complaint investigations of federal contractors’ and subcontractors’ personnel policies and practices.
- Expand identification and resolution of systemic and individual discrimination.
- Partner with national and community-based advocacy groups to educate workers on their equal employment opportunity rights and employer responsibilities.
- Promote and quantify new job opportunities that stem from conciliation agreements with federal contractors.
- Expand construction reviews to include MEGA projects with a focus on improving employment opportunities for women and minorities.

## Occupational Safety and Health Administration (OSHA)

The Occupational Safety and Health Administration was established by the Occupational Safety and Health Act of 1970 with the mission to assure, so far as possible, that every working man and woman in the American workplace has safe and healthful working conditions. OSHA ensures the safety and health of America’s workers by setting and enforcing workplace safety and health standards; delivering effective enforcement; providing training, outreach, and education; and encouraging continual improvement in workplace safety and health. Through these efforts, OSHA aims to reduce the number of worker illnesses, injuries, and fatalities and contribute to the broader goals aimed at promoting economic recovery and the competitiveness of our nation’s workers.

OSHA contributes to Outcome Goal 2.1 – Secure safe and healthy workplaces, particularly in high-risk industries.

Strategic Direction and Priorities:

- Strengthen enforcement capabilities — target the most egregious and persistent violators.
- Increase OSHA's presence in the workplace.
- Protect workers in high-hazard occupations.
- Protect worker populations that are vulnerable due to impediments related to communication including Spanish-speaking/non-English speaking workers – and disabled workers.
- Review and restructure penalties to ensure that penalties imposed are consistent with the seriousness of the violation and act as effective deterrence to violators.
- Maintain a strong outreach, education and technical assistance program.

### Wage and Hour Division (WHD)

The Wage and Hour Division is responsible for administering and enforcing a number of laws that establish the minimum standards for wages and working conditions in the United States.

These labor statutes provide basic protections for all workers and while they differ in scope, all of the statutes enforced by WHD are intended to protect and to promote the welfare of the nation's workforce, to provide opportunities for advancement, and to ensure fair compensation for work performed. The Fair Labor Standards Act (FLSA) minimum wage provisions and the prevailing wage laws provide a floor for the payment of fair wages, while the FLSA overtime provisions are intended to broaden work opportunities and promote employment. The Migrant and Seasonal Agricultural Worker Protection Act and the immigration programs establish working conditions intended both to protect the wages and the safety and health of vulnerable workers and to ensure that the labor force is not displaced by lower-paid foreign or migrant labor. The prevailing wage programs provide protection to local middle class workers who may be disadvantaged by competition from outside labor who offer their services at wages lower than those in the locality. The Family and Medical Leave Act was enacted to help workers balance family and work responsibilities, and the child labor provisions of the FLSA ensure the safe employment of young workers, encourage their educational endeavors, and provide a path to future employment.

WHD contributes to the following Departmental goals in support of the Secretary's vision of good jobs for everyone:

Outcome Goal 1.1—Increase workers' incomes and narrow wage and income inequality

Outcome Goal 1.5—Secure wages and overtime

Outcome Goal 2.1—Secure safe and healthy workplaces, particularly in high-risk industries

Outcome Goal 3.2—Provide workplace flexibility for family and personal care-giving

Strategic Direction and Priorities:

- Protect the most vulnerable workers in the workplace — ensure that they are employed in compliance with wage and hour laws.
- Promote sustained and corporate-wide compliance among employers — make certain that employers, including the most persistent violators, are brought into and maintain compliance.
- Foster a customer-oriented, quality-driven culture within WHD and boost customer

satisfaction among workers seeking WHD services and other entities that share the goals of improving the lives of working men, women, and children.

- Issue prevailing wage determinations that are current and accurate.

### Employee Benefits Security Administration (EBSA)

In support of the Secretary's vision, *Good Jobs for Everyone*, Employee Benefits Security Administration (EBSA) has a single outcome goal of "improving health benefits and retirement security for all workers." EBSA is charged with protecting more than 140 million workers, retirees and their families which are covered by an estimated 707,000 private retirement plans, 2.5 million health plans, and similar numbers of other welfare benefit plans which together hold estimated assets of \$6 trillion.

The retirement and health care benefit security of workers, retirees, and their families continue to be significant factors in the public's perception of their overall financial security. EBSA's mission and programs are pivotal in providing benefit security to the public and increasing their confidence that their retirement, health and other benefits will be there when needed. EBSA's mission is carried out in a very complex and evolving economic and regulatory environment where the public's demands, needs, and perceptions are influenced by many factors. In order to enhance benefit security and maintain the public confidence in our private sector based benefits system, EBSA administers an integrated program of regulation; compliance assistance and education; civil and criminal enforcement; and, research and analysis.

EBSA contributes to the following Departmental goal in support of the Secretary's vision of good jobs for everyone: Outcome Goal 4.3—Improve health benefits and retirement security for all workers

#### Strategic Directions and Priorities:

- Continue a multi-faceted enforcement program that effectively targets the most egregious and persistent violators.
- Establish a strong regulatory framework supported by an aggressive regulatory agenda.
- Play a major role in the implementation of significant health reform legislation.
- Provide innovative outreach and education that assists workers to protect their pension and health benefits.
- Conduct a robust, well-integrated research program based on evidence and comprehensive analysis.

### Mine Safety and Health Administration (MSHA)

MSHA protects the safety and health of the nation's miners through enforcement of the Federal Mine Safety and Health Act of 1977 (Mine Act), as amended by the Mine Improvement and New Emergency Response Act of 2006 (MINER Act). The mission of MSHA is to prevent death, disease, and injury from mining and to promote safe and healthful workplaces for the nation's miners through the enactment and enforcement of mandatory safety and health standards, mandated inspections which require four complete inspections annually at active underground mines and two complete inspections annually at

active surface mines, and miner training and compliance assistance to operators.

MSHA supports the Secretary's vision of *Good Jobs for Everyone* through the following goals:

- Strategic Goal 2: Ensure workplaces are safe and healthy.
  - Outcome Goal 2.1: Secure safe and healthy workplaces, particularly in high-risk industries.
  - Performance Goal MSHA 2.1: Prevent death, disease, and injury from mining and promote safe and healthful workplaces for the Nation's miners.
- Strategic Goal 3: Assure fair and high quality work-life environments.
  - Outcome Goal 3.3: Ensure worker voice in the workplace.
  - Performance Goal MSHA 3.3: Improve the timeliness of discrimination complaint investigations.
- Department of Labor (DOL) Priority Goal: Reduce the mining fatality rate by 5 percent per year based on a rolling five-year average.

Strategic Direction and Priorities:

- Increase Inspection and Enforcement Effectiveness
- Strengthen and Modernize Training and Education
- Improve Mine Emergency Response Preparedness
- Strengthen Health and Safety Regulations
- Increase Efforts to Protect Miners from Discrimination
- Support Open Government

### Office of Labor-Management Standards (OLMS)

The Office of Labor-Management Standards (OLMS) administers the Labor-Management Reporting and Disclosure Act of 1959, as amended (LMRDA) and related laws. These laws primarily establish safeguards for union democracy and union financial integrity and require public disclosure reporting by unions, union officers, union employees, employers, labor consultants and surety companies.

OLMS also administers employee protections under various Federally-sponsored transportation programs that require fair, equitable protective arrangements for transit employees when Federal funds are used to acquire, improve, or operate a transit system. These arrangements must be approved by the Department of Labor before Federal funds may be released to grantees.

OLMS contributes to Outcome Goal 3.3 – Ensure worker voice in the workplace.

Strategic Direction and Priorities:

- Increase the number of reports filed by employers and consultants who make agreements to persuade employees with regard to their rights to organize and bargain collectively.
- Increase the percent of disclosure reports filed electronically.
- Improve timeliness in resolving complaints filed by labor union members that their union violated democratic standards for conducting union officer elections.
- Increase effectiveness of audits by focusing resources on labor unions most likely to be in violation of the law.

- Improve the Internet public disclosure service and public access to information reported by unions, union officers, union employees, employers, labor consultants, and surety companies under the Act.
- Reduce the number of chronically delinquent filers of Labor Organization Annual Financial Reports.
- Increase provision of compliance assistance to national and international labor organizations to increase their affiliates' LMRDA compliance by developing, implementing, and doubling the number of voluntary compliance agreements to establish goals, baselines, and measures for improving recordkeeping, reporting, and internal controls.

## Policy

### Women's Bureau

The Women's Bureau provides collaborative leadership on policies and activities that impact 72 million women in the labor force; women now comprising close to 50% of the workforce. The Women's Bureau is the only Federal office exclusively concerned with serving and promoting the interests of women in the workforce. The Bureau conducts research, projects, outreach, and evaluations on issues of importance to working women, and provides information about women in the labor force to stakeholders and customers.

The Women's Bureau supports the Secretary's vision of *Good Jobs for Everyone* by focusing on the economic and financial security of vulnerable working women through policies that improve services for women veterans, narrow the wage gap and ensure fair compensation, promote employment in the clean energy, green, STEM and other emerging, higher-paying, high-demand job sectors and quality work environments through workplace flexibility.

The Women's Bureau contributes to the following Departmental goals in support of the Secretary's vision of good jobs for everyone:

- Outcome Goal 1.1 – Increase workers' incomes and narrow wage and income inequality
- Outcome Goal 1.2 – Assure skills and knowledge that prepare workers to succeed in a knowledge-based economy, including in high-growth and emerging industry sectors like "green" jobs
- Outcome Goal 1.3 – Help workers who are in low-wage jobs or out of the labor market find a path into middle class jobs
- Outcome Goal 3.2 – Provide workplace flexibility for family and personal care-giving

Strategic Direction and Priorities:

- Conduct research and studies on issues concerning women in the workforce.
- Build collaborations with stakeholders, partners and colleagues that lead to implementation of policies and practices developed by the Bureau through its research and programs.
- Develop and share resources and information with other governmental agencies,

employers, unions, and working women on fair pay and negotiating for better wages and benefits.

- Collaborate with stakeholders and other agencies to decrease occupational segregation — one of the leading causes of income inequality.
- Provide collaborative leadership on data sharing and public awareness efforts related to gender based compensation practices.
- Collaborate with other Federal agencies, workforce professionals, non-profits, and women's organizations to increase awareness of training, employment, and entrepreneurship opportunities in emerging industries and markets including "green" and non-traditional sectors.
- Address critical issues associated with women veterans so they may gain economic security for themselves and their families.
- Promote flexible work schedules, family-friendly leave policies, and telework.
- Collaborate with BLS to explore ways to improve the collection of data on parental leave, child care responsibilities, family leave insurance program usage, and other data related to the intersection of work and family responsibilities.

### Office of Disability Employment Policy (ODEP)

The Office of Disability Employment Policy was established to bring a permanent focus within the U.S. Department of Labor and across the Federal government to develop, test, validate, and disseminate evidence-based policies and strategies, fostering their adoption and implementation through the provision of technical assistance and collaboration with its public and private partners. Although many American workers with disabilities are educated, trained, willing, and able to work, they remain out of the labor force at a much higher rate than their similarly qualified counterparts without disabilities.

ODEP will focus on collaborating with Federal agencies, private and public sector employers, labor organizations, and other stakeholders to develop policy solutions that will expand physical and programmatic access to One-Stop Career Centers and the workforce system in general; improve employer organizational practices and make workplaces more inclusive; and increase access to the employment supports that are crucial to every worker's success throughout the employment process, and especially to a job seeker or worker with a disability.

ODEP contributes to the following Departmental goals in support of the Secretary's vision of good jobs for everyone:

- Outcome Goal 1.2 – Assure skills and knowledge that prepare workers to succeed in a knowledge-based economy, including in high-growth and emerging industry sectors like "green" jobs
- Outcome Goal 3.1 – Break down barriers to fair and diverse work places so that every worker's contribution is respected

Strategic Direction and Priorities:

- Evaluation/Data Driven Strategies: Research  
Conduct research & analysis that identifies/validates effective disability employment policy/strategies.



- Base policy and strategies on sound evidence to ensure that results of implementation are successful;
- Validate and replicate evidence-based disability employment policy and effective practices.
- **Innovation: Partnerships and Stakeholder Collaboration**  
Build partnerships to develop policy/strategies and to promote the adoption and implementation of disability employment policy/practice.
  - Include under-represented populations in policy development and outreach
  - Collaborate broadly within DOL and with other Federal agencies and private sector organizations to comprehensively address issues and leverage limited resources
- **Improved Implementation: Technical Assistance**  
Provide technical assistance regarding the adoption and implementation of disability employment policy/practice.
  - Emphasize inclusive planning and universal usability to leverage limited resources and ensure access to more individuals.
  - Reach out to public and private sector organizations to provide information and technical assistance to dispel misperceptions/broaden understanding of disability and employment issues and to improve employment practices.

### Bureau of International Labor Affairs (ILAB)

The Bureau of International Labor Affairs (ILAB) supports the President's international agenda on labor matters, carries out international responsibilities for the Secretary of Labor, fulfills mandates from the Congress, and provides oversight and coordination of the Department's international activities.

ILAB works to improve working conditions and labor standards for workers around the world. Fostering fair working conditions in the global marketplace is an integral component of the Department of Labor's strategic goal "Good jobs for everyone". The Department recognizes the need to ensure that global markets are governed by fair market rules that protect vulnerable people, including women and children, and provide workers a fair share of their productivity and voice in their work lives. These objectives will contribute to achieving the Department's goals for U.S. workers, build the foundation for a sustained recovery of the global economy and contribute to a more balanced pattern of global trade in the future. Pursuing these objectives will once again position the U.S. as a leader and pace-setter on international labor issues and demonstrate our commitment to assist governments that have the political will to foster better livelihoods and rights for their workforces. Decent wages and working conditions in countries with which the US trades protect the wages and working conditions of US workers from being undercut by unfair competition. Increased purchasing power of workers overseas also creates enhanced markets for US exports and jobs.

In order to carry out these strategic objectives, responsibilities, and mandates, ILAB collaborates with other U.S. government agencies to formulate international economic, trade, and labor policies, including the formulation and implementation of the labor aspects of international trade and investment agreements; coordinates U.S. government participation in international organizations relative to labor issues; oversees and implements technical assistance programs; and conducts

research and analysis and publishes reports on international labor issues.

ILAB contributes to Outcome Goal 1.6: Foster acceptable work conditions and respect for workers' rights in the global economy to provide workers with a fair share of productivity and protect vulnerable people.

Strategic Direction and Priorities:

- Implement new approaches to counter the root causes of child labor.
- Improve the ability of workers in trading partner countries to work in good jobs, receive a fair share of their productivity, and enjoy a voice in their work lives.
- Improve worker rights and livelihoods for vulnerable populations.
- Improve monitoring and enforcement of trade agreements to protect workers' rights.
- Engage more extensively and substantively with other countries' labor ministries and with international and regional organizations.
- Strengthen and enhance the Department's participation in multilateral organizations
- Strengthen and enhance the Department's participation in US interagency trade and economic policy processes.

## Benefits

### Office of Workers' Compensation Programs (OWCP)

The Office of Workers' Compensation Programs (OWCP) is comprised of four separate compensation programs which provide wage replacement, medical treatment, and vocational rehabilitation benefits.

- The Division of Federal Employees' Compensation Act (DFEC) provides monetary wage-loss and medical compensation to civilian employees of the Federal Government injured at work, and to certain other designated groups.
- The Division of Longshore and Harbor Workers' Compensation (DLHWC) provides similar benefits to injured private sector workers engaged in certain maritime and related employment.
- The Division of Coal Mine Workers' Compensation provides monetary and medical benefits to totally disabled miners suffering from coal mine pneumoconiosis stemming from mine employment, and monetary benefits to their dependent survivors.
- The Division of Energy Employees Occupational Illness Compensation (DEEOIC) provides benefits to employees or survivors of employees of the Department of Energy (DOE), contractors or subcontractors with DOE, who have been diagnosed with cancer due to exposure to radiation or toxic substances.

Strategic planning, performance monitoring, medical policy, IT capital planning, and budget formulation and execution, accounting, and administrative services are provided through the Division of Planning, Policy and Standards (DPPS). OWCP also includes the Division of Information Technology Management and Services (DITMS) which provides information technology General Services Support (GSS) to OWCP as well as the Wage and Hour Division

(WHD), the Office of Federal Contract Compliance Programs (OFCCP), and the Office of Labor Management Standards (OLMS).

Major workload activities in OWCP include: claims adjudication, benefit payment, disability case management, assisting in the re-employment of people with disabilities, medical bill processing, information services delivery, benefit fund management, and technical assistance to employers to ensure proper compliance with OWCP procedures and requirements including insurance/self-insurance and payment of benefits.

OWCP outcomes include earlier recovery from injury, shorter time away from work, and reduced lost production days being supported by proactive disability claims management. OWCP uses early nurse intervention to coordinate medical treatment and provide reemployment assistance in new FECA cases. Permanently disabled FECA and Longshore claimants may receive vocational rehabilitation assistance. OWCP provides income support and medical care by ensuring proper claims adjudication and efficient case processing, effective mediation of disputed claims, and accurate and timely payment of benefits. Timely delivery of compensation payments also ensures that the economic position of workers with injuries will not be jeopardized by extended interruptions in income. Timely delivery of medical services is ensured through centralized coordination and processing of requests from providers for treatment authorizations. OWCP has improved customer access to program information through its communications systems to be more responsive to customer service needs.

OWCP contributes to the following Departmental goals in support of the Secretary's vision of good jobs for everyone:

- Outcome Goal 4.1 – Facilitate return to work for workers experiencing workplace injuries or illnesses who are able to work
- Outcome Goal 4.2 – Ensure income support when work is impossible or unavailable

Strategic Direction and Priorities:

- Advance the Administration's High Priority Performance Goal to make the Federal Government a model workplace for safety and return to work in the event of on-the-job injury or illness. Key strategies include:
  - Directing, in partnership with the Occupational Safety and Health Administration, the Presidential initiative, "*Protecting Our Workforce and Ensuring Re-employment (POWER)*", setting performance targets and providing technical assistance that will enhance Federal employers' focus and improve results for workplace safety and injured worker reemployment.
  - Supporting Executive Order 13548 to increase Federal agencies' reemployment of injured workers and employment of persons with disabilities.
  - Researching and testing better hiring, job placement and job accommodation strategies with Federal employers to improve the reemployment of injured workers and those with disabilities.
- Continue to implement improvements in FECA's disability claims management and return to work assistance activities as recommended in independent evaluations of the program.
- Continue proper claims adjudication, effective mediation in disputed claims, efficient

- case processing, and accurate and timely payment of benefits.
- Speed claims reporting and shorten the duration between injury and first payment of benefits by industry employers and insurance carriers in the Longshore program.
- Through outreach and other educational activities, improve Black Lung stakeholders' understanding of the program and improve the quality of claims and supporting documentation filed.
- Continue to assess OWCP customer services and improve the agency's efficiency and effectiveness.
- Continue to identify and pursue opportunities to evaluate OWCP program performance and results.
- Continue to enhance systems and develop integrated IT technology services that improve and support business processes.
- Continue to seek reform of the Federal Employees' Compensation Act.

### Federal-State Unemployment Insurance (UI) System (administered by ETA)

The federal-state UI program, authorized under the Federal Unemployment Tax act and Title III of the Social Security Act, provides temporary, partial wage replacement for unemployed workers, providing them with income support when suitable work is unavailable. To be eligible for benefits, unemployed workers must meet eligibility requirements established by state laws that conform to federal law, including that they have worked recently, be involuntarily unemployed, and be able and available for work.

UI contributes to Outcome Goal 4.2 – Ensure income support when work is impossible or unavailable.

#### Strategic Direction and Priorities:

- Partner with state agencies with a focus on bolstering broad program accountability and facilitating performance improvement nationally.
- Enact new strategies to prevent, detect, and recover improper payments.
- Develop a national vision on reemployment that will promote and support states' service delivery to all jobseekers, helping reconnect unemployed workers with jobs.
- Extend income support to more categories of unemployed—recent entrants to the workforce, low-wage workers, workers who are upgrading their skills, and workers with family care giving obligations.

## Statistics

### Bureau of Labor Statistics (BLS)

The Bureau of Labor Statistics (BLS) of the Department of Labor (DOL) is the principal Federal agency responsible for measuring labor market activity, working conditions, and price changes in the economy. Its mission is to collect, analyze, and disseminate essential economic information

to support public and private decision-making. As an independent statistical agency, BLS serves its diverse user communities by providing products and services that are objective, timely, accurate, and relevant.

BLS serves the general public, the U.S. Congress, other Federal agencies, State and local governments, business, and labor by providing up-to-date, high-quality statistical information to formulate policy, negotiate purchasing agreements, and plan for the future.

In line with the Interagency Council on Statistical Policy's (ICSP) Guidelines for Reporting Performance by Statistical Agencies, BLS measures timeliness, accuracy, relevance, dissemination, and mission achievement. BLS also reports the full cost to produce its data products. These criteria are common among statistical agencies because these are critical aspects of a statistical program's performance.

BLS supports Outcome Goal 5.1 – Provide sound and impartial information on labor market activity, working conditions, and price changes in the economy for decision making, including support for the formulation of economic and social policy affecting virtually all Americans.

**Strategic Direction and Priorities:**

1. Continue to produce objective data and analyses that are timely, accurate, and relevant;
2. Improve the timeliness, accuracy, and relevance of BLS products and develop new products that meet the needs of a broad customer base;
3. Inform current and potential customers about the availability and uses of BLS products and reach out to BLS customers to understand their needs for economic information;
4. Maintain high response rates in BLS surveys;
5. Make the data and other products and services available on bls.gov accessible, understandable, and usable;
6. Recruit, train, and retain a talented and diverse group of individuals who are experts at the production and continuous improvement of BLS products and services, including employees who will support those functions, and who are well prepared to represent the agency and become its future leaders; and
7. Continuously evaluate and improve the efficiency and effectiveness of BLS programs and processes.

In FY 2013, BLS will consolidate strategies two and seven above.

BLS performance measures that support Outcome Goal 5.1 are available in the 2013 Congressional Budget Justification in the Detailed Workload and Performance Tables.

## Priority Goals

The Department of Labor has identified four performance goals that will be a particular focus through FY 2013. These goals are a subset of those used to regularly monitor and report performance. Detailed information on measures and progress for these goals is available at [Performance.gov](http://Performance.gov).

- **Reduce worker fatalities.** By September 30, 2013, reduce worker fatalities resulting from common causes by two percent in Occupational Safety and Health Administration-covered workplaces, and worker fatality rates in mining by five percent per year based on a rolling five-year average.
- **Reduce time lost to injury or illness for federal workers.** By September 30, 2013, create a model return-to-work program to reduce lost production day rates by one percent per year and reduce total and lost time injury and illness rates by at least four percent per year.
- **Improve opportunities for America's workers to succeed in a knowledge-based economy through industry-recognized credentials.** By September 30, 2013, increase the percent of training program exiters who earn industry-recognized credentials by 10 percent.
- **Redesign the Transition Assistance Program (TAP) to better support veterans.** By the end of FY 2013, the Transition Assistance Program (TAP), with redesigned curriculum and facilitated solely by contract staff, will be fully implemented at all 188 domestic and 50 international sites.

The 2013 Cuts, Consolidations, and Savings (CCS) Volume of the President's Budget identifies the lower-priority program activities under the GPRA Modernization Act, 31 U.S.C. 1115(b)(10). The public can access the volume at: <http://www.whitehouse.gov/omb/budget>.

Per the GPRA Modernization Act, 31 U.S.C. 1115(b)(10), requirement to address Federal Goals in the agency Strategic Plan and Annual Performance Plan, please refer to [Performance.gov](http://Performance.gov) for information on Federal Priority Goals and the agency's contributions to those goals, where applicable.

In FY 2010-2011, DOL had a slightly different set of Priority Goals, which are listed below. Detailed information on measures and progress for these goals is also available at [Performance.gov](http://Performance.gov). This report includes measure data for these goals, as well, but the information is organized by contributing agencies' performance goals under the DOL Strategic Plan structure. At the end of each goal statement is an italicized reference to the relevant goal numbers in this document.

- Workplace Fatalities: Reduce fatalities resulting from common causes by two percent in Occupational Safety and Health Administration-covered workplaces, and all

fatalities in mining by five percent per year based on a rolling five-year average.  
*OSHA 2.1 and MSHA 2.1*

- **Wage Law Enforcement:** Increase the percent of prior violators who remain in compliance with the minimum wage and overtime provisions of the Fair Labor Standards Act (FLSA). *WHD 1.5*
- **International Labor Rights and Livelihoods:** By the end of 2011, improve worker rights and livelihoods for vulnerable populations in at least eight developing country trading partners. *ILAB 1.6*
- **Workers' Compensation:** Create a model return-to-work program to reduce lost production day rates by one percent per year and reduce injury and illness rates by at least four percent per year. *OSHA 2.1 and OWCP 4.1*
- **Worker Job Training:** Increase opportunities for America's workers to acquire the skills and knowledge to succeed in a knowledge-based economy.
  - By June 2012, increase by 10 percent (to 220,000) the number of people who received training and attain a degree or certificate through the following programs: Workforce Investment Act (WIA) adult, dislocated worker, and youth, National Emergency Grants (NEG), Trade Adjustment Assistance (TAA), and Career Pathways.
  - Train over 120,000 Americans for green jobs by June 2012. *ETA 1.2*

## **Strategic Goal 1: Prepare workers for good jobs and ensure fair compensation**

### **Outcome Goal 1.1—Increase workers' incomes and narrow wage and income inequality**

#### **Analysis and Future Plans**

##### Employment and Training Administration

Among the three employment measures utilized by ETA, the performance under six-months average earnings has been the least impacted by the economic downturn. Performance targets for average earnings were reached by all seven programs in this goal in PY 2010/FY 2011.

The workforce system continues to face significant challenges in helping workers get good jobs, earn good wages, and retain their jobs. As the economy recovers and job growth returns, the reintegration of millions of unemployed and underemployed workers into jobs that pay family-sustaining wages is essential for spreading the benefits of the recovery more broadly. ETA programs support training in emerging industry sectors (including green jobs) to help workers become more competitive and equip them with the credentials and skills needed to compete in the global labor market. In FY 2011, ETA provided technical assistance to the workforce system to improve credential attainment for its customers. In FY 2012, ETA will continue to emphasize credential attainment to increase individual earning potential.

FY 2012-2013 targets have been adjusted based on a regression model that accounts for the effect of unemployment rates on program performance outcomes and OMB's assumptions about future economic conditions. In the next few months, these targets will be updated based on more recent program results.

In FY 2012, the Office of Apprenticeship is planning to issue a Notice of Proposed Rulemaking (NPRM) to update regulations for equal employment opportunity (EEO) in apprenticeship and training, which have not been revised since 1978. This second phase of regulatory updates will ensure that the Registered Apprenticeship's EEO regulations are consistent and in alignment with both the current state of EEO law and the final rule governing labor standards for registration of apprenticeship programs published in October 2008. Through these regulatory updates, ETA will seek to address barriers to fair and diverse work places so that all qualified individuals participating in or seeking entrance to the nation's labor market have access to training and employment through Registered Apprenticeship.

At the beginning of FY 2011, the TAA Program operated under the requirements of the Trade Act of 1974 (the Trade Act), as amended by the Trade and Globalization Adjustment Assistance Act of 2009 (TGAAA) (2009 Program). The TGAAA provided that its amendments to the TAA Program would



## Strategic Goal 1

expire on December 31, 2010, and the program would revert to its more restrictive level of benefits, services, and eligibility authorized by the Trade Act as amended by the TAA Reform Act of 2002 (2002 Program). However, on December 29, 2010, the Omnibus Trade Act of 2010 extended the expiration date of the 2009 Program to February 12, 2011. After February 12, the states continued to provide benefits and services to workers covered under the 2009 Program, and following guidance issued by the Department, began to operate the 2002 Program for workers covered under certifications issued after the expiration of the 2009 Program. During FY 2011, the Office of Trade Adjustment Assistance focused on providing guidance and technical assistance to the states to ensure that trade-affected workers had access to the benefits and services available to them under the various TAA Programs.

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ETA - Increase the average earnings of individuals served through the Workforce Investment Act (WIA), Registered Apprenticeship, Community Service Employment for Older Americans (CSEOA), Job Corps, and Trade Adjustment Assistance (TAA) Programs

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2007	FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	What Worked	What Didn't Work	Program Performance Improvement Plan
Six Months Average Earnings (WIA Dislocated Worker)	Target	\$14,410.00	\$14,888.00	\$15,542.00	\$15,238.00	\$15,418.00	\$15,840.00	\$16,567.00	Wage increases suggest ETA efforts to improve the quality of placements were successful.	Research shows that individuals who begin their careers during economic downturns earn lower wages than similar workers who begin careers at other times (Wozniak 2010)	Among the program's most critical goals is to develop technical assistance to increase the rate of industry-recognized credential attainment among customers who receive training.
	Result	\$15,188.00	\$16,167.00	\$16,804.00	\$17,550.00	--	--	--			
	Status	Y	Y	Y	Y	--	--	--			
Average wage of placed graduates (Job Corps)	Target	--	--	\$9.02	\$9.10	\$9.25	\$9.30	\$9.35	Job Corps aligned its career tech training with industry-based standards and standards-based instruction, organized around industry clusters, and enhanced links with employers and industry.	Job Corps graduates earned competitive wages and met their target for the second straight year.	N/A
	Result	--	--	\$9.22	\$9.40	--	--	--			
	Status	--	--	Y	Y	--	--	--			
Six Months Average Earnings (CSEOA)	Target	\$6,775.00	\$6,360.00	\$6,374.00	\$6,919.00	\$6,984.00	\$7,039.50	TBD	SCSEP improved its average earnings' result for the third straight year.	SCSEP does not produce the same average earnings' results as other ETA programs, which is primarily due to Seniors seeking part-time employment to supplement retirement income.	SCSEP will continue to work on reconciling participant records with the unemployment insurance wage records to ensure the most accurate and complete picture of participant outcomes.
	Result	\$6,713.00	\$6,795.00	\$6,893.00	--	--	--	--			
	Status	I	Y	Y	--	--	--	--			
Six Months Average Earnings (TAA)	Target	Base	\$14,050.00	\$13,386.00	\$13,314.00	\$13,074.00	\$13,428.00	\$13,660.00	Positive outcomes suggest the availability of employment and case management services led to effective service strategies.	TAA continues to meet the target for this measure, and has achieved an all-time high in FY 2011.	No improvement plan necessary for this measure
	Result	\$13,914.00	\$14,281.00	\$15,087.00	\$14,214.00	\$18,184.00	--	--			
	Status	--	Y	Y	Y	Y	--	--			
Six Months Average Earnings (WIA Adult)	Target	\$12,045.00	\$12,862.00	\$13,741.00	\$12,721.00	\$12,865.00	\$13,178.00	\$13,701.00	ETA continued to provide technical assistance for improved credential attainment for job seekers. Credentials improve labor market outcomes, including higher earnings and enhanced job security.	More job placements in part-time employment are one of the reasons noted by states as a contributor to lower than expected earnings results.	ETA's technical assistance will continue to emphasize services that increase attainment of industry-recognized credentials among customers who receive training.
	Result	\$13,575.00	\$14,649.00	\$13,712.00	\$13,801.00	--	--	--			
	Status	Y	Y	N	Y	--	--	--			

Strategic Goal 1

ETA - Increase the average earnings of individuals served through the Workforce Investment Act (WIA), Registered Apprenticeship, Community Service Employment for Older Americans (CSEOA), Job Corps, and Trade Adjustment Assistance (TAA) Programs

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2007	FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	What Worked	What Didn't Work	Program Performance Improvement Plan
Six Months Average Earnings (WIA Indian and Native American Program)	Target	Base	\$9,157.00	\$9,174.00	\$9,261.00	\$9,363.00	\$9,575.00	\$9,921.00	WIA Indian and Native American grantees tailored training opportunities to the needs of low-skilled adults in order to improve quality job placements and career advancement.	Few jobs in high growth, high wage occupations are available in tribal territories.	DOL will continue to emphasize combined education and occupational skills training to maximize placing customers on a positive career path.
	Result	\$9,665.00	\$9,780.00	\$9,853.00	\$10,175.00	--	--	--			
	Status	--	Y	Y	Y	--	--	--			
Average earnings in the second and third quarters after exit (Apprenticeship)	Target	--	--	Base	\$19,324.00	\$19,077.00	\$19,352.00	\$19,999.00	In FY 2011, program completers earned a record-high \$22,200 over a six month span, exceeding the goal for the program year.	Employment cutbacks, reduced hours, high unemployment rates, and lack of work projects (particularly in building trades) negatively impacted results.	As the economy recovers, average earnings are likely to increase.
	Result	--	--	\$20,566.00	\$20,335.00	\$22,210.00	--	--			
	Status	--	--	--	Y	Y	--	--			

**Sources:** SCSEP – SCSEP Performance and Results Quarterly (SPARQ) reporting system. TAA – Trade Act Participant Report (TAPR), Quarterly Determinations, Allowance Activities and Employability Services. Job Corps – Job Corps Management Information System. WIA Adult and Dislocated Worker – Annual State WIA performance reports (ETA-9091) and quarterly reports (ETA-9090). INAP - grantee records. Apprenticeship – Registered Apprenticeship Partners Information Data System (RAPIDS).

**Notes:** Five measures of “Average earnings in the second and third quarters after exit” were changed to "Six months average earnings" since last year to clarify meaning; no targets or results were affected. In FY 2009, the Office of Apprenticeship converted to the Common Measures to track the outcomes of apprentices that either have completed or cancelled from the program. Currently 32 states enter data on registered programs and apprentices into the program’s case management system, RAPIDS.

Veterans’ Employment and Training Service

VETS assesses the performance of the One-Stop Career Center system on behalf of all veterans served by Wagner-Peyser and Jobs for Veterans State Grants by applying three common measures: the entered employment rate, the employment retention rate and the average earnings. In PY 2010, the annual targets for all veterans were reached for the entered employment rate, the employment retention rate and the average earnings.

To improve employment outcomes for Veterans in FY 2012, VETS has promoted its services to veteran jobseekers and committed to serving them as long as they continue to seek employment. Second, VETS has encouraged a refocusing of the responsibilities of both DVOP specialists and LVER staff. DVOP specialists are to place greater emphasis on the delivery of intensive services (e.g., counseling, assessment, career guidance and referral to training), which better prepare veteran jobseekers to compete for scarce job openings. LVER staff members are to place greater emphasis on employer outreach, which is intended to expand the number of job openings available with employers who are favorably inclined to hire veterans. This emphasis on refocusing has been reinforced by the Gold Card Initiative, which was announced early in FY 2012. The Gold Card emphasizes the delivery of intensive services to Post 9/11 Era veterans. The VOW to Hire Heroes Act, enacted early in FY 2012, is expected to have only a

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modest impact on service delivery during FY 2012. The only statutory requirement that will affect service delivery during FY 2012 is the initiation of the Section 211 training program for older veterans in July 2010. Other sections of the Act are to be implemented in FY 2013 but will require significant preparation during FY 2012 for their implementation. In addition to these service delivery emphases, VETS has projected the performance targets for this goal for PY 2011 by assuming a positive impact of the incrementally improving economic conditions on the performance outcomes.

VETS - Improve employment outcomes for Veterans who receive One-Stop Career Center services

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2007	FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	What Worked	What Didn't Work	Program Performance Improvement Plan
Percent of Veteran participants employed in the first quarter after exit	Target	61.00%	62.50%	55.60%	44.80%	46.60%	47.00%	47.50%	Improved economic conditions resulted in greater numbers of job openings, leading to steady increases in veterans' rate of entry in the second half of the year.	The improvement in economic conditions is marginal compared to the backlog of unemployed veterans.	VETS is emphasizing the delivery of intensive services by Disabled Veterans' Outreach Specialists to better prepare veterans for scarce job openings.
	Result	62.50%	58.70%	46.20%	45.60%	--	--	--			
	Status	Y	N	N	Y	--	--	--			
Percent of Veteran participants employed in the first quarter after exit still employed in the second and third quarters after exit	Target	80.00%	82.00%	77.80%	71.20%	78.80%	79.20%	79.60%	VETS' emphasis on preparing veterans for jobs with career potential paid off with a significant increase over the prior year in veterans' rate of retention.	The downward adjustment of the performance target sharply overestimated the impact of the recession on the retention rate.	VETS is emphasizing employer outreach by Local Veterans' Employment Representatives to increase the number and quality of the job openings available for veterans.
	Result	81.80%	80.60%	75.50%	77.60%	--	--	--			
	Status	Y	N	N	Y	--	--	--			
Average earnings of Veteran participants in the second and third quarters after exit	Target	--	\$15,300.00	\$14,356.00	\$16,535.00	\$16,662.00	\$16,884.00	\$17,219.00	Despite differences over time in the rates of entry to employment and retention in employment, veterans consistently qualified for and maintained jobs with relatively high average earnings.	Although earnings exceeded the pre-recession level by 2 percent, entry and retention were respectively 27 percent and 5 percent below their pre-recession levels.	VETS continues to emphasize the placement of veterans in jobs that match veterans' skill levels and have high earnings and long-term career potential.
	Result	--	\$16,583.00	\$15,922.00	\$16,710.00	--	--	--			
	Status	--	Y	Y	Y	--	--	--			

Sources:

Notes:

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Wage and Hour Division

In FY 2010, the Wage and Hour Division (WHD) reengineered its Davis-Bacon wage survey process to begin improving the timeliness of its wage determination rates. Through the use of this new methodology, WHD was able to increase the number of highway wage rates that were three years old or less to 90 percent by the end of FY 2011. In FY 2011, WHD published the results of 28 new wage surveys reducing the average age of building, heavy, and highway wage rates to less than 40 months.

WHD - Issue timely and accurate prevailing wage determinations

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2007	FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	What Worked	What Didn't Work	Program Performance Improvement Plan
Percent of Davis-Bacon wage rates that are three years old or less	Target	--	--	--	Base	75.00%	80.00%	TBD	WHD implemented a re-engineered survey process for DBRA surveys. For highway construction, this included considering State determined highway rates where the states have a supportable methodology.	WHD concentrated its reengineering efforts on building, heavy, and highway. Residential wage surveys continue to be out-of-date.	FY 2012 will focus on building and heavy rates with plans to initiate 15 surveys, with 7 to have a building component
	Result	--	--	--	72.00%	76.00%	--	--			
	Status	--	--	--	--	Y	--	--			

Sources: Wage Determination Generation System (WGDS)

Notes:

Office of Disability Employment Policy

ODEP will continue its work to increase integrated employment, at or above minimum wage, for people with disabilities through its Employment First initiative, using a toolkit produced in FY 2011 for community rehabilitation providers and states to assist in a transition to integrated employment models.

Women's Bureau

In FY 2011, the Bureau, as a member of the National Equal Pay Enforcement Task Force (Task Force), worked with the White House Council on Women and Girls, the Equal Employment Opportunity Commission (EEOC), the Department of Justice (DOJ), the Office of Personnel Management (OPM), and several DOL agencies to educate employees of their rights and employers of their obligations. The Bureau collaborated with the White House, EEOC, and a variety of other DOL agencies to compile an Equal Pay Tool Kit that was posted on the Bureau's Website. The Bureau worked with the Bureau of Labor Statistics (BLS) to create ten "Highlights of Women's Earnings" fact sheets. In addition, the Bureau, OFCCP, and EEOC

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hosted more than 30 educational equal pay events with employers, contractors, and advocates across the nation.

In FY 2012, the Bureau will continue its interagency collaboration with the Task Force. The Bureau is compiling and sharing promising practices in overcoming gender pay gaps for public and private sector employees at the state and local level; disseminating the Bureau’s publications to educate employees and employers of their rights and obligations related to equal pay; and submitting a report on the Equal Pay Research Summit hosted in FY 2011. The Bureau will collaborate with the Office of Federal Contract Compliance Programs (OFCCP) to produce an equal pay data collection report. The Bureau will also develop a report on the issue of pay secrecy. The Bureau will complete research on selected populations of women of color to identify systemic issues contributing to the pay gap and develop policy recommendations to address those findings.

**Program Evaluations**

Independent evaluations completed in FY 2011 are summarized below.

<b>ETA – “Evaluation of the Priority of Service Provision of the Jobs for Veterans Act by the Workforce Investment System in Providing Service to Veterans,” April 2011 (Capital Research Corporation and Johns Hopkins University Institute for Policy Studies)</b>	
<b>Relevance:</b> The purpose of this study was to provide the U.S. Department of Labor's (DOL) Employment and Training Administration (ETA) with an independent evaluation of the implementation of priority of service (POS) provision of the Jobs for Veterans Act (JVA). The evaluation is intended to provide a better understanding of how veterans (i.e., covered persons) are provided access to the full array of workforce services through One-Stop Career Centers. This evaluation effort was initiated in response to an action item ETA identified in response to the recommendations the Government Accountability Office (GAO) made in report number GAO-06-176 to improve accountability and help states integrate veteran services in One-Stop Career Centers.	
<b>Findings and Recommendations:</b> <ul style="list-style-type: none"><li>• Three states (Virginia, Florida, and Alaska) were ranked in the top third in terms of the percentage of veterans in the adult population; two states (Kansas and Ohio) in the middle third, and 2 states (California and New Jersey) in the lower third.</li><li>• When compared to WIA non-veteran exiters, veteran exiters in both the Adult and Dislocated Worker Programs were more likely to be the following:<ul style="list-style-type: none"><li>• male;</li><li>• in the two oldest age categories (45 to 54 years old and 55 years or older);</li><li>• white and non-Hispanic;</li><li>• have education beyond high school (though data were missing on education for about one-quarter of non-veterans and one-third of veterans);</li><li>• have a disability;</li><li>• not employed at registration</li><li>• An Unemployment Insurance (UI) claimant or exhaustee.</li></ul></li><li>• It is important to keep in mind that higher or lower levels of service receipt by veterans do not necessary indicate that veterans are or are not receiving priority of services</li></ul>	<b>Next Steps:</b> <ul style="list-style-type: none"><li>• Regression analysis of WIASRD data was used to determine if veterans were more or less likely to receive intensive services and training than comparable non-veterans.</li><li>• In the absence of regulations, states and local areas were not certain what activities constituted POS. Some states developed clear POS policies, but others simply passed on the ETA information from Training and Employment Guidance Letters (TEGLs) and the “Q and As” (from ETA’s website), which were not very specific and did not carry the weight of regulations. As the site visits under this study were nearing an end, VETS issued the Final Rule on POS and ETA began to provide training to state and local staff on POS through webinars. Continued guidance is necessary.</li></ul>

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<p>under the WIA Program. For example, differential levels of service receipt may reflect that veterans come from a culture where they are less likely to accept additional services beyond the assisted core services. Veterans also may be less likely to require additional services because they have higher levels of education, are older, have more work-related experience, or are less likely to be living in a low-income family.</p> <ul style="list-style-type: none"> <li>• It is impossible to know if we have included all the key variables in the analysis. Also because there are no data available on customers who receive unassisted core services, there is no way to analyze this first progression in the service process.</li> <li>• Because the final rule was not yet issued (or had just been issued) at the time the site visits were conducted under this study, state and local officials were concerned that they did not know precisely what was meant by POS and how to monitor compliance.</li> <li>• State and local agency staff were concerned that even after VETS issued regulations, other agencies, such as the U.S. Department of Health and Human Services, would not issue regulations, and other One-Stop partners would not view POS as important or required.</li> <li>• Several One-Stop staff suggested that veterans or eligible spouses are sometimes reluctant to identify themselves as veterans, thus making it hard to provide them with POS. The rules for a qualifying spouse are somewhat complicated, making it difficult to determine eligibility using a simple questionnaire or form.</li> <li>• Resources for workforce investment programs have declined in inflation-adjusted terms for many years, making it difficult to adequately serve all the potential customers in need of services.</li> </ul>	
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**Additional Information:** [http://wdr.doleta.gov/research/FullText\\_Documents/ETAOP2011-03.pdf](http://wdr.doleta.gov/research/FullText_Documents/ETAOP2011-03.pdf).

**WHD – “Recovery Act: Enforcement of Davis-Bacon Act Prevailing Wage Rate Determinations,” March 2011 (OIG)**

**Relevance:** Conducting timely and reliable wage determinations supports this outcome goal.

<p><b>Findings and Recommendations:</b></p> <ul style="list-style-type: none"> <li>• The Office of the Inspector General conducted an audit to answer the following: Did the Wage and Hour Division (WHD) provide adequate compliance assistance and outreach to ensure Recovery Act contractors and sub-contractors complied with the Davis-Bacon Act? Did WHD conduct timely prevailing wage complaint and directed investigations in accordance with applicable policies and regulations? Lastly, Did WHD issue timely and reliable prevailing wage determinations in response to the Recovery Act in accordance with applicable policies and regulations. The OIG concluded because WHD provided adequate outreach, implemented an improved prevailing wage investigations process, and issued timely prevailing wage determinations, no recommendations were suggested.</li> <li>• There were no recommendations for WHD.</li> </ul>	<p><b>Next Steps:</b></p> <ul style="list-style-type: none"> <li>• No action needed.</li> </ul>
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**Additional Information:** OIG Report Number: 18-11-009-04-420 <http://www.oig.dol.gov/public/reports/oa/2011/18-11-009-04-420.pdf>

## Outcome Goal 1.2—Assure skills and knowledge that prepare workers to succeed in a knowledge-based economy, including in high-growth and emerging industry sectors like “green” jobs

### **Analysis and Future Plans**

#### Employment and Training Administration

Through investments in youth education and training programs under the WIA Youth formula program, Job Corps, and YouthBuild grants, the Department worked to ensure that workers get the skills and knowledge needed to prepare them to succeed in a knowledge-based economy, including in high-growth and emerging industry sectors like “green” jobs. The Job Corps, WIA Youth, and YouthBuild programs exceeded their degree or certificate attainment targets, while the Job Corps and WIA Youth programs fell short of their target for the placement in employment, education, or training. The unprecedented high unemployment rates and low employment rates for youth likely contributed to DOL’s lower results on the placement measure. The placement result mirrors both trends in the national economy. The FY 2010-2012 targets are based on a methodology developed by DOL for setting national performance targets using regression analysis. This econometric model uses program results from the prior year, current labor market conditions and individual characteristics to correct for the effects of the business cycle and labor market conditions on the outcomes of employment and training programs, producing targets that objectively reflect the impact of the economic environment on program performance.

The first full cycle of the 2007 YouthBuild grantees was completed in PY 2009 and the YouthBuild program was able to achieve its goal of establishing a baseline for the degree or certificate measure. To continue the upward trend for this measure, the Department provided a “coach” (a youth development content expert) to each of over 200 YouthBuild grantees to provide grantees with phone and on-site coaching services and other targeted technical assistance. This intensive TA approach assisted the grantees to exceed the PY 2010 target for degree/certificate attainment by 1.5 percentage points. It is expected that the ongoing use of these TA coaches will continue to result in the meeting and exceeding of performance targets.

Job Corps achieved each of its three performance targets for PY 2010.



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ETA - Increasing skill attainment, certification and work preparedness of individuals served through a range of programs to prepare them to compete in a knowledge-based economy featuring emerging industries such as green jobs

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2007	FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	What Worked	What Didn't Work	Program Performance Improvement Plan
Percent of participants entering employment or enrolling in post-secondary education, the military or advanced training/ occupational skills training in the first quarter after exit (WIA Youth)	Target	61.00%	59.40%	58.00%	53.10%	53.30%	53.60%	54.00%	In response to GAO report 08-013, ETA provided guidance on serving the youth most in need and emphasizing summer employment opportunities and other work experiences.	Record high unemployment and low employment rates for youth made finding jobs hard for participants. In many areas of the country, the local economic situation made placement more difficult.	DOL will issue guidance to encourage grantees to focus programs on work experience and skills training leading to credentials and career pathways in high demand industries.
	Result	62.00%	60.60%	53.70%	59.00%	--	--	--			
	Status	Y	Y	N	Y	--	--	--			
Percent of participants who earn a diploma, GED, or certificate by the end of the third quarter after exit (WIA Youth)	Target	45.00%	50.90%	47.90%	55.40%	54.70%	53.40%	51.40%	In response to GAO report 08-013, ETA provided guidance on serving the youth most in need, emphasizing summer employment opportunities and other work experiences.	States indicate a need for additional guidance for credential attainment in high demand industries, such as health care.	DOL will continue to emphasize credential attainment to continue to meet the target.
	Result	57.00%	53.90%	52.90%	59.50%	--	--	--			
	Status	Y	Y	Y	Y	--	--	--			
Percent of Job Corps participants entering employment or enrolling in post-secondary education and/or advanced training/ occupational skills training in the first quarter after exit from the program	Target	82.00%	74.00%	75.00%	65.30%	66.30%	67.30%	69.30%	Job Corps students placed into employment, education, or the military rose from 65.8 percent in PY 2009 to 73.4 percent in PY 2010, an increase of 7.6 percent.	High unemployment rates for the program's target population made placement in jobs more challenging in many areas of the country	DOL will continue to align its standards-based instructional model and cultivate local/state/national employer and education partnerships.
	Result	73.00%	66.00%	65.80%	73.40%	--	--	--			
	Status	--	N	N	Y	--	--	--			
Percent of Job Corps participants who earn a diploma, GED, or certificate by the end of the third quarter after exit	Target	64.00%	54.00%	55.00%	56.00%	57.00%	58.00%	60.90%	Expanding options for High School Diploma and GED programs and strong alignment with industry skill requirements have led to increased credential attainment.	The recruitment and retention of qualified instructors continues to be a challenge, given competition with local school districts.	DOL will continue to refine its standards-based instructional model designed to strengthen academic and career technical outcomes.
	Result	53.00%	55.00%	60.60%	64.40%	--	--	--			
	Status	--	Y	Y	Y	--	--	--			
Percent of participants who earn a diploma, GED, or certificate by the end of third quarter after exit (YouthBuild)	Target	--	--	Base	60.70%	60.00%	58.50%	56.30%	Grantee training on improving GED preparation; trainer certification in industry-recognized construction curricula and training provided to integrate green building concepts into classroom curricula.	Numerous grantees have not yet been successful in integrating academic and occupational skills training.	Continue to focus technical assistance coaching model to build the capacity of programs to integrate classroom and occupational skills training.
	Result	--	41.00%	58.00%	62.16%	--	--	--			
	Status	--	--	--	Y	--	--	--			

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**Sources:** Job Corps – Job Corps Management Information System.

WIA Youth – Annual State WIA performance reports (ETA-9091) and quarterly reports (ETA-9090).

YouthBuild– grantees’ quarterly reports.

**Notes:** “Participants” in Job Corps’ first measure includes graduates and former enrollees, but not “uncommitted” – which are those students in the program for less than 60 days or who exit because of the zero tolerance policy. Due to the long-term nature of YouthBuild program, PY results are program-to-date (cumulative since PY 2008).

### Office of Disability Employment Policy

In FY 2010 and FY 2011, ODEP developed strategies designed to increase access to and use of WIA One-Stop Career Center services by all customers, including adults and youth with disabilities. These strategies include promoting the use of Ticket to Work program through their participation as Employment Networks. In FY 2012, ODEP and ETA, through continuation of the Disability Employment Initiative and other collaborative work, will develop and issue joint policy guidance for the public workforce system. ODEP, in partnership with ETA and the Office of the Assistant Secretary for Administration and Management (OASAM), plans to conduct a survey that provides a baseline assessment of the physical, programmatic and communications accessibility of the One-Stop Career Center system. This baseline information will be invaluable in guiding targeted efforts to enhance accessibility.

### Women’s Bureau

In FY 2011, the Bureau worked toward completion of a comprehensive resource manual, “*Why Green Is Your Color: A Woman’s Guide to a Sustainable Career (Guide)*.” The Guide provides an overview of the types of green jobs that are available, the skills needed to get them, how to identify training opportunities, and how to start a green business. In addition, it includes worksheets for women to use during various stages of their career paths. The Bureau will publish the guide in the beginning of FY 2012.

The Bureau gathered information from its nine green jobs training projects that took place in FY 2010. These projects were developed in conjunction with experts in green industries to serve as models for engaging and preparing women for a variety of high-growth and emerging green jobs over the next decade. The lessons learned will help inform training programs as they seek to attract female workers for green, non-traditional industries.

In FY 2012, the Bureau will disseminate its “*Why Green Is Your Color: A Woman’s Guide to a Sustainable Career*” publication to workforce development professionals and community colleges, and provide technical assistance to assist these targeted groups in implementing the practices outlined in the Guide. The Bureau will share and promote job readiness tools for women on topics such as training opportunities and changing careers. The Bureau will continue to partner with ETA’s Office of Apprenticeship (OA) on administering the Women in Apprenticeship and Nontraditional Occupations (WANTO) program. In addition, the Bureau will conduct research on gender equity in the U.S. patent process in order to understand barriers for women in innovation and high demand high tech job sectors.

### Program Evaluations

Independent evaluations completed in FY 2011 are summarized below.

**ETA – ETA/Community Colleges: First-Ever National Survey Reveals Many Community College Students Are Denied Access to Courses, February 9, 2011 (Pearson Foundation)**

**Relevance:** In this study, 32 percent of students – and 55 percent of Hispanic students – stated they were unable to enroll in a class of their choice because the class roster was full. The Pearson Foundation Community College Student Survey, conducted online by Harris Interactive, was commissioned specifically to better understand the keys to success for community college students.

**Findings and Recommendations:**

- The survey found that around one in six students was at immediate risk of discontinuing his or her studies within the first few weeks of enrollment: 15 percent reported that they had either dropped out or seriously considered dropping out within the first few weeks of the semester, generally because of their struggles with courses or because of their difficulty in balancing continued academic study with family and work obligations.
- The survey also states that, despite these difficulties, a significant number of community college students fail to seek or obtain the help they need to succeed in their studies.
- More than 70 percent of students surveyed believe high-speed Internet access is important for success in community college.
- Nearly three out of 10 students surveyed (28 percent) who took a math or English placement test were unable to enroll in all of the recommended courses.
- External factors, such as family and work obligations and financial concerns, were reported as the top reasons for dropping out or considering it.

**Next Steps:**

- No estimates of theoretical sampling error can be calculated; a full methodology is available upon request.

**Additional Information:** [http://www.pearsonfoundation.org/pr/20110209\\_Community\\_College\\_Survey\\_Results.html](http://www.pearsonfoundation.org/pr/20110209_Community_College_Survey_Results.html).

## Outcome Goal 1.3—Help workers who are in low-wage jobs or out of the labor market find a path into middle class jobs

### **Analysis and Future Plans**

#### Employment and Training Administration

Although news from the past program year showed that the economy began adding jobs, demand far outpaced supply. The inverse statistical correlation of local unemployment rates and entered employment rates for participants of publicly-funded workforce programs has long been established. While the recession was at its peak in PY 2009 and performance was at its lowest, ETA was able to help workers obtain jobs at a higher rate in PY 2010. In fact, through various ETA efforts and improving overall economic conditions, all seven programs were able to meet their respective entered employment goals in PY 2010/FY 2011.

While training cannot create jobs, the Department will continue to stress the need to train individuals for jobs and occupations in demand. For example, WIA Adults and Dislocated workers experienced a 20 percentage point difference when looking at program exiters who received training services and those who did not (73.3 percent versus 53.2 percent, respectively). Throughout the year, the program worked to accurately determine which sectors and career opportunities were gaining strength; the vast majority of trainings issued align with BLS high-growth occupations and/or O\*NET's "Bright Outlook" occupations list. Critical investments were made to further understand promising reemployment approaches such as on-the-job training and career pathways. Information on these and other effective strategies for reemployment will be shared with the workforce system in the coming year. Looking forward, determining how to invest precious training funds will remain a top priority for the program in the coming year and throughout the economic recovery.

In the coming program year, DOL will focus on assisting participants with entry to career pathways that lead to middle-class jobs and strengthening strategic partnerships with businesses and the education community. Workforce solutions will be developed within the context of state and regional economies. DOL will continue to target placement of workers in high-demand sectors and occupations, and to emphasize occupational training and adult education – especially in green and health care occupations.

Apprenticeships are tied to employment and therefore have declined in number with the nation's widespread job losses over the past few years – especially since a large majority of apprentices are in the construction and manufacturing industries, both of which have been severely affected by the recession. On a positive note, over 130,000 new apprentices nationwide participated in registered apprenticeship programs in FY 2011. This equates to over 130,000 individuals entering jobs or returning to work – a 30 percent increase over FY 2010 – since registered apprenticeship is an "earn while you learn" model that combines employment with on-the-job learning and related technical instruction.

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Reemployment (in suitable jobs) is one of the underlying purposes of the UI program. Although the UI program does not provide reemployment services directly, many of its payment eligibility provisions, such as work search and Employment Service registration requirements, are designed to promote reemployment.

In the year ending June 30, 2011--the latest data available--57.7 percent of UI claimants were reemployed in the calendar quarter following the quarter in which they received their first UI payment. This represents approximately 6 million of the 10.4 million individuals who received a first UI payment. This performance is on pace to exceed the FY 2011 target of 54.4 percent, and represents an increase of nearly 4 percentage points from the FY 2010 level.

Analysis of the state reemployment data indicates that performance is significantly influenced by factors outside the control of the state agencies administering the UI program, most notably economic conditions, measured by the Total Unemployment Rate (TUR). Regression analysis indicates that the reemployment rate rises by about 1.5 percentage points for every one point decline in the unemployment rate, and is negatively related to the percentage of UI claimants who have no expectation of recall to their previous employment (their reemployment rate is significantly below the rate for claimants on temporary lay-off.) Movements in these two factors explain only a fraction of the nearly 4-point rise in reemployment from FY 2010 to June 2011.

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ETA - Provide workers with the resources necessary to increase their likelihood of obtaining middle class jobs

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2007	FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	What Worked	What Didn't Work	Program Performance Improvement Plan
Percent of participants employed in the first quarter after exit (Apprenticeship)	Target	--	--	Base	66.50%	63.10%	63.60%	TBD	In FY 2010, over 50,000 program participants completed their apprenticeships and received a nationally recognized credential that is portable, stackable, and provides a pathway to the middle class.	Employment cutbacks, reduced hours, high unemployment rates, and lack of work projects (particularly in building trades) negatively impacted results.	ETA will continue technical assistance strategies to provide support to sponsors to increase the numbers of apprentices who complete their programs and then maintain employment.
	Result	--	--	70.20%	63.60%	67.80%	--	--			
	Status	--	--	--	N	Y	--	--			
Percent of participants employed in the first quarter after exit (Employment Service)	Target	61.00%	60.30%	56.50%	46.20%	46.60%	47.40%	48.70%	The program served over 22 million. Many participants were referred to more intensive interventions, including WIA and TAA training. Over 6.5 million participants found work.	Increased layoffs and general employment instability accounted for the decline in the proportion of participants entering employment.	DOL will share promising approaches; encourage practices that help workers back to work; and encourage states to connect systems to target reemployment services to UI claimants.
	Result	64.00%	59.70%	47.80%	48.00%	--	--	--			
	Status	Y	N	N	Y	--	--	--			
Percent of participants employed in the first quarter after exit (WIA Adult)	Target	71.00%	66.20%	65.50%	52.90%	53.10%	53.70%	54.60%	The results increased modestly from PY 2009. The increased numbers who received training services reflects the availability of ARRA funding to deliver such services to more workers.	Unemployment rose from 4.8 prior to the downturn to over 9% for much of the past year. Even as the economy began adding jobs at the end of the year, demand far outpaced supply.	Promote career pathway approaches that satisfy specific skill demands of local employers and the remedial education needs of the local population, and that make extensive use of wrap-around services.
	Result	70.00%	68.10%	54.00%	55.20%	--	--	--			
	Status	--	Y	N	Y	--	--	--			
Percent of participants employed in the first quarter after exit (WIA Dislocated Worker)	Target	79.00%	71.00%	66.30%	49.30%	49.70%	50.60%	51.90%	ARRA provided increased resources and staff capacity to One-Stop Career Centers. The numbers of dislocated workers who entered employment after receiving program services rose 30% from a year ago.	As described in the WIA Adult section, labor market conditions reduced the number of job options available to program participants.	The target was met in PY 2010. Employment strategies will focus on increased efficiencies and targeted services.
	Result	73.00%	67.60%	51.00%	57.30%	--	--	--			
	Status	--	N	N	Y	--	--	--			
Percent of participants employed in the first quarter after exit (WIA Indian and Native American Program)	Target	61.00%	64.30%	60.20%	53.40%	54.00%	55.30%	57.40%	Increasing the total number served and providing TA to help grantees tailor training opportunities to the realities of the local economy, enhance partnerships, and update info collection systems.	Limited employment opportunities and economic development on and/or near Indian reservations and in Native American communities significantly contributed to the decrease in the entered employment rate	Continue emphasizing occupational training and adult education.
	Result	68.00%	62.60%	56.00%	53.86%	--	--	--			
	Status	Y	N	N	Y	--	--	--			

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ETA - Provide workers with the resources necessary to increase their likelihood of obtaining middle class jobs

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2007	FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	What Worked	What Didn't Work	Program Performance Improvement Plan
Percent of participants employed in the first quarter after program exit (WIA National Farmworker Jobs Program)	Target	77.00%	73.80%	72.20%	79.40%	79.70%	80.40%	81.40%	Emphasized outreach and recruitment to farmworkers and employers in emerging industries to secure employment opportunities for farmworkers in emerging industry sectors		Focus on employment opportunities in emerging industries and occupations by emphasizing occupational training and adult education, especially in green and health care occupations.
	Result	78.00%	80.30%	80.70%	80.10%	--	--	--			
	Status	Y	Y	Y	Y	--	--	--			
Percent of UI claimants reemployed by the end of the first quarter after the quarter in which they received their first payment.	Target	65.00%	65.20%	59.00%	58.60%	54.40%	56.40%	58.50%	In CY 2009, 30 states met their Acceptable Level of Performance (ALP). ALPs are developed for each state based on their total unemployment rate and the percent of job-attached UI claimants.	Although the target was adjusted, continued adverse labor market conditions negatively affected performance.	
	Result	65.10%	62.50%	55.00%	53.00%	57.70%	--	--			
	Status	Y	N	N	N	Y	--	--			

**Sources:** ES - State Quarterly Labor Exchange Reporting System Reports. WIA Adult - Annual State WIA performance reports (ETA-9091) and quarterly reports (ETA-9090). Dislocated Worker - Annual State WIA performance reports (ETA-9091) and quarterly reports (ETA-9090). INAP - Grantee Records. MSF- WIA Standard Participant Record (WIASPR) and Program Status Summary Reports (ETA-9095). UI-- State ETA 9047 reports.

**Notes:** UI Data are for claimants who received their first payments between April 2010 and March 2011, who were reemployed between July 2010 and June 2011.

Veterans' Employment and Training Service

VETS assesses the performance of the One-Stop Career Center system on behalf of disabled veterans served by Wagner-Peyser and Jobs for Veterans State Grants by applying three common measures: the entered employment rate, the employment retention rate and the average earnings. Under Goal 1.1, VETS assesses the outcomes for all veterans by applying the same measures. For PY 2010, the annual targets for disabled veterans were reached for entered employment, employment retention and average earnings.

For disabled veterans, VETS has encouraged front-line service delivery staff to respond in a variety of ways to assist disabled veterans to counter the continuing constraints imposed by economic conditions. First, VETS has encouraged a refocusing of the responsibilities of both DVOP specialists and LVER staff. DVOP specialists have been encouraged to place greater emphasis on the delivery of intensive services (e.g., counseling, assessment, career guidance and referral to training), with a priority for disabled veterans. This is intended to help disabled veteran jobseekers to be better prepared to compete for the scarce job openings in the current labor market. LVER staff members have been encouraged to place greater emphasis on employer outreach, which is intended to expand the number of job openings available with employers who are favorably inclined toward veterans and disabled veterans. Second, the Gold Card Initiative, which was announced early in FY 2012, emphasizes the delivery of intensive

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services to Post 9/11 Era veterans. As indicated in conjunction with the discussion of results in response to Goal 1.1, the VOW to Hire Heroes Act, enacted early in FY 2012, is expected to have only a modest impact on service delivery during FY 2012. In addition to these service delivery emphases, VETS has projected the performance targets for this goal for PY 2011 by assuming a positive impact of the incrementally improving economic conditions on the performance outcomes.

VETS - Improve Veterans' access to training and employment opportunities

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2007	FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	What Worked	What Didn't Work	Program Performance Improvement Plan
Percent of disabled Veteran participants employed in the first quarter after exit	Target	56.00%	58.50%	51.40%	41.70%	44.20%	44.60%	45.00%	Improved economic conditions resulted in greater numbers of job openings, leading to steady increases in disabled veterans' rate of entry in the second half of the year.	The improvement in economic conditions is marginal compared to the backlog of unemployed disabled veterans.	VETS is emphasizing the delivery of intensive services by Disabled Veterans' Outreach Specialists to better prepare disabled veterans for scarce job openings.
	Result	58.40%	55.80%	43.90%	43.10%	--	--	--			
	Status	Y	N	N	Y	--	--	--			
Percent of disabled Veteran participants employed in the first quarter after exit still employed in the second and third quarters after exit	Target	79.00%	81.00%	76.90%	70.80%	78.30%	78.80%	79.30%	VETS' emphasis on preparing veterans for jobs with career potential paid off with a significant increase over the prior year in disabled veterans' rate of retention.	The downward adjustment of the performance target sharply overestimated the impact of the recession on the retention rate.	VETS' is emphasizing employer outreach by Local Veterans' Employment Representatives to increase the number and quality of the job openings available for disabled veterans.
	Result	81.10%	79.70%	75.80%	77.20%	--	--	--			
	Status	Y	N	N	Y	--	--	--			
Average earnings of disabled Veteran participants in the second and third quarters after exit	Target	--	\$15,500.00	\$14,743.00	\$16,969.00	\$17,096.00	\$17,318.00	\$17,653.00	Despite differences over time in the rates of entry to employment and retention in employment, disabled veterans' consistently qualified for and maintained jobs with high average earnings.	Although earnings exceeded the pre-recession level by 3 percent, entry and retention were respectively 26 percent and 5 percent below their pre-recession levels.	VETS continues to work with VA's VR&E program in seeking to place disabled veterans in positions that have the highest possible career potential, as well as the potential for high earnings.
	Result	--	\$16,873.00	\$16,449.00	\$17,357.00	--	--	--			
	Status	--	Y	Y	Y	--	--	--			
Percent of female HVRP participants employed in the first quarter after exit	Target	--	--	--	Base	52.00%	53.00%	54.00%			VETS implemented a new HVRP component dedicated to serving female veterans and veterans with families.
	Result	--	--	--	51.00%	--	--	--			
	Status	--	--	--	--	--	--	--			
Percent of TAP participants who indicate the workshop prepared them for gainful employment	Target	--	--	--	--	Base	TBD	TBD			VETS will be implementing and evaluating a pilot of the redesigned TAP curriculum during the current performance period.
	Result	--	--	--	--	--	--	--			
	Status	--	--	--	--	--	--	--			



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### Sources:

### Notes:

#### Office of Disability Employment Policy

With respect to youth employment, ODEP will build on its Guideposts for Success series, lessons learned from its Individual Learning Plan research on postsecondary career goal outcomes, and information gleaned from ODEP's demonstration apprenticeship grants. ODEP will finalize development of policy and strategies to increase staff expertise, including a youth-oriented, youth-centric soft skills curriculum to build capacity within youth-service organizations. In addition, ODEP will collaborate with OFCCP to develop technical assistance tailored to Federal contractors' affirmative action obligations with respect to hiring individuals with disabilities. ODEP will also launch a Federal Community of Practice to implement Executive Order 13548, to increase the representation of individuals with disabilities in the Federal workforce.

#### Women's Bureau

In FY 2011, the Women's Bureau continued its emphasis on helping women veterans who are homeless in support of the United States Interagency Council on Homelessness (USICH), the Interagency Council on Veterans Employment and the White House's Joining Forces Initiative. The Bureau launched "*Trauma-Informed Care for Women Veterans Experiencing Homelessness: A Guide for Service Providers (Guide)*," offering a comprehensive approach to help organizations create effective trauma-informed care environments. It is designed to equip service providers with a deeper understanding of the unique experiences and needs of women veterans and assist providers in recognizing military trauma that impacts reintegration. The Bureau collaborated with the Veterans Employment and Training Service (VETS) and the US Department of Veterans Affairs (VA) to launch the Guide at an event with Secretary Solis in July 2011.

The Bureau hosted the first, women-to-women veterans' Stand Down in Kansas City, Missouri. The Stand Down volunteers provided employment and training opportunities, clothing, job and housing assistance to women who served in the military. The volunteers were from the public and private sector as well as faith and community based organizations. The Bureau also hosted Stand Downs in Tampa, Florida; San Antonio, Texas; and Long Beach, California.

In FY 2012, the Bureau will place special emphasis on helping women veterans, including women veterans experiencing homelessness, reintegrate into the workforce and find jobs. The Bureau will conduct research to identify solutions to the most pressing challenges women veterans face in reintegrating into the civilian workforce and identify programs that are successful models for helping women veterans overcome these challenges. The Bureau will also provide technical assistance to service providers through the newly created *Guide* curriculum. In addition, the Bureau will continue to co-lead the Interagency Council on Veterans Employment's Military Sexual Trauma subcommittee, and collaborate with VETS and the Employment and Training Administration (ETA) to connect women veterans with jobs. The Bureau will disseminate a tool kit containing products

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and resources that can be used by social service providers, faith-based and neighborhood partnership organizations who want to better serve women veterans and military families.

Throughout the year, the Women’s Bureau along with our sister agencies, Office of Public Engagement and the Center for Faith-based and Neighborhood Partnerships will host a series of four webinars on the plight of vulnerable workers. In this four-part series, the Bureau will seek to shed light on the challenges faced by many of the most vulnerable workers – the most vulnerable being restaurant workers, Latinas, migrant and domestic workers.

**Program Evaluations**

Independent evaluations completed in FY 2011 are summarized below.

<b>ETA – “Findings from a Study of One-Stop Self-Services: A Case Study Approach,” May 2011 (Social Policy Research Associates)</b>	
<b>Relevance:</b> In an effort to expand its reach while containing costs, the public workforce investment system has increasingly come to rely on self-services—that is, those tools and resources that customers can use on their own or with minimal staff assistance. In an effort to learn more about self-services, the U.S. Department of Labor (DOL) funded Social Policy Research Associates (SPR) to conduct an implementation and outcomes study of self-services at selected One-Stop Career Centers nationwide. Specifically, the evaluation aimed to profile the characteristics of customers who use self-services, their motivation for using services, their patterns of usage, and the outcomes that follow. Additionally, the evaluation studied the ways that One-Stop Career Centers facilitate access to self-services, the staff assistance they provide to customers, and the resources and tools they make available.	
<b>Findings and Recommendations:</b> <ul style="list-style-type: none"><li>• The One-Stop Career Center self-service systems offer an extremely rich menu of service offerings and accommodate huge numbers of customers every day who find these services very useful.</li><li>• Simultaneously, the self-service system is under considerable strain.</li><li>• Nationwide, the infrastructure for One-Stop Career Center self-services is very well developed.</li><li>• Access to services via the Internet has been growing, and this is now the most common way in which self-services are made available.</li><li>• Most local areas express satisfaction with their self-service systems, but they note areas for improvement as well.</li><li>• Comprehensive systems for tracking self-service customers and resource room visits are not in place in the great majority of LWIAs.</li><li>• Referrals from partner agencies and word-of-mouth are the two most common means by which customers find their way to the resource rooms.</li><li>• LWIAs ensure the accessibility of their One-Stop Career Centers through strategically selecting locations, but some areas could do more.</li><li>• Resource rooms present a professional and inviting setting for self-service customers, but</li></ul>	<b>Next Steps:</b> <ul style="list-style-type: none"><li>• Resource room staffing might help customers get more out of self-services.</li><li>• Relying too heavily on staff assistance runs against the grain of what self-services are supposed to be about.</li><li>• One-Stop Career Centers need to do much more to enhance the computer literacy skills of their customers for the customers to be able to access electronic resources effectively on their own.</li></ul>

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centers' capacities during peak times are strained.

- Centers make special efforts to accommodate a broad range of customers with special needs; while very helpful, these efforts are not always able to overcome the barriers to access that customers encounter.
- In most LWIAs, the number of customers who only receive self-services is far greater than the number who go on to receive WIA staff-assisted services; the high volume of self-service customers can sometimes strain the capacity of the system to provide quality services.
- Nearly all services are rated as quite helpful or very helpful by at least half of the customers who access them, but the services used most often are the ones that receive the lowest ratings of helpfulness.
- The rich array of tools available electronically is both a strength and a challenge.
- The results demonstrate the considerable potential of the self-service delivery system to reach large numbers of customers and to facilitate their access to an array of resources and tools that can assist them in conducting a job search and exploring career options.

**Additional Information:** [http://wdr.doleta.gov/research/FullText\\_Documents/ETAOP\\_2011-16.pdf](http://wdr.doleta.gov/research/FullText_Documents/ETAOP_2011-16.pdf)

## Outcome Goal 1.4—Help middle-class families remain in the middle class

### **Analysis and Future Plans**

#### Employment and Training Administration

It is the Department's goal to help keep middle-class families in the middle-class. Over 80 percent of exiters were still employed nine months after completing program services and gaining employment through the WIA Dislocated Worker program, NEG's, and TAA. All three of the aforementioned programs attained their respective targets in PY 2010.

During the past year, the Department developed and disseminated career and workforce information to the workforce development system, partner agencies and the public through national electronic tools. ETA believes that improved workforce information and job assessment tools are critical in creating a match between jobseekers and those employers willing to hire. ETA developed and disseminated O\*NET occupational competency profiles, coordinated workforce information grants to states, and provided technical assistance on the analysis and strategic use of labor market information. To improve the Department's ability to provide information to the public, ETA launched the Veterans ReEmployment, the My Next Move and My Next Move for Veterans portals.

The Veterans ReEmployment portal is designed to assist veterans with employment, training, career planning, financial and emotional help after military service. The site links veterans to local resources as well as provides a military-to-civilian job search based on military job title or military occupation code. My Next Move gives individuals three main ways to explore careers, including an online O\*NET interest assessment, and then provides an easy-to-read, one-page profile of each occupation highlighting important knowledge, skills, abilities, technologies used, simplified salary and outlook information, and links to find specific training and employment opportunities. My Next Move for Veterans is designed for U.S. veterans who are current job seekers and includes tasks, skills, salary information, job listings, and more for over 900 different careers. Veterans can find careers through keyword search; by browsing industries that employ different types of workers; or by discovering civilian careers that are similar to their job in the military.

During FY 2011, there were several legislative changes to the TAA program. The 2009 Program was scheduled to expire on December 31, 2010. However, the Omnibus Trade Act of 2010 extended the expiration date of the 2009 Program to February 12, 2011, at which point the program reverted to the more restrictive level of benefits, services, and eligibility provided under the 2002 Program. After February 12, the Department began to investigate petitions under the eligibility criteria of the 2002 Program. States continued to provide benefits and services to workers covered under the 2009 Program, and following guidance issued by the Department, began to operate the 2002 Program for workers covered under certifications issued after the expiration of the 2009 Program. During FY 2011, the Office of Trade Adjustment Assistance focused on implementing the changes to the Trade Act, providing guidance and technical assistance to the states to ensure that trade-affected workers had access to the benefits and services available to them under the various TAA Programs, and maintaining progress in petition processing despite legislative changes, which required investigations under different laws and eligibility criteria.

Strategic Goal 1

ETA - Ensure that those workers adversely affected by foreign and domestic economic conditions can remain in the middle class

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2007	FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	What Worked	What Didn't Work	Program Performance Improvement Plan
Percent of participants employed in the first quarter after exit still employed in the second and third quarters after exit (WIA Dislocated Worker)	Target	89.00%	84.70%	84.00%	78.00%	78.00%	78.30%	78.70%	Worker re-training in the midst of substantial layoffs nationwide appears to have helped many individuals gain employment and, subsequently, retain employment.	The labor market mismatch between the number of workers looking for jobs and the number of job openings remained the single biggest challenge to placement.	DOL will help states improve their use of labor market information, skills assessment tools, and social media technologies to enhance the quality of job matching for employers and jobseekers.
	Result	87.00%	86.00%	79.70%	81.90%	--	--	--			
	Status	--	Y	N	Y	--	--	--			
Percent of TAA participants employed in the first quarter after exit still employed in the second and third quarters after exit	Target	85.00%	91.00%	87.50%	83.30%	82.90%	83.20%	83.60%	Positive outcomes suggest the availability of employment and case management services led to effective service strategies. TAA Extension Act of 2011 reauthorized case management services for future.	N/A; TAA continues to meet the target for this measure.	No improvement plan necessary for this measure.
	Result	88.00%	90.00%	88.00%	86.20%	89.90%	--	--			
	Status	Y	I	Y	Y	Y	--	--			
Average petition processing time in days (TAA)	Target	--	--	--	Base	75.0	58.0	TBD	DOL improved strategies for both timely and efficient investigations and was able to eliminate the extensive 2009 petition backlog created by program expansion under the 2009 amendments.	DOL processing times were impacted as a result of a change in legislation reverting the program back to 2002 Trade law. The transition from one program to another caused delays in investigations.	DOL trained staff on 2002 Trade Law and developed a management plan to address the changing legislation in order to minimize the impact on Trade investigations. SOPs were revised.
	Result	--	--	--	142.0	80.0	--	--			
	Status	--	--	--	--	I	--	--			
Percent of participants employed in the first quarter after exit still employed in the second and third quarters after exit (National Emergency Grants)	Target	--	--	Base	76.80%	77.10%	77.50%	78.10%	Reemployment services provided through National Emergency Grants helped individuals secure employment and gain the skills needed to retain employment at levels close to the target set for PY 2009.	Difficult economic conditions and associated layoffs contributed to participants being unable to retain employment even after they were initially hired.	Focus resources on proven activities, such as on-the-job training, that provide participants with the skills needed to obtain and retain middle-class jobs.
	Result	--	--	78.50%	85.50%	--	--	--			
	Status	--	--	--	Y	--	--	--			
Percent of TAA petition determinations processed in compliance with established review procedures	Target	--	--	--	--	Base	78.00%	TBD	DOL established a new measure whereby quality control indicators were developed to enhance efficiency and production outputs throughout MIS data entry and determination and notification procedures.	There were no issues in establishing the new Integrity measure. DOL met the timeline for developing a baseline for the measure in Q4 of FY11. DOL met the projected target for the measure in Q1 of FY12	Focus resources on standard procedures that are aligned with performance and production goals. Provide training to minimize errors and align performance plans to meet production and efficiency goals.
	Result	--	--	--	--	87.00%	--	--			
	Status	--	--	--	--	--	--	--			

**Sources:** TAA - Trade Act Participant (TAPR), Quarterly Determinations, Allowance Activities and Employability Services. WIA DW- Annual State WIA performance reports (ETA-9091) and quarterly reports (ETA-9091). NEG - WIA Standardized Record Data.

**Notes:** The FY 2011 target for "Average petition processing time in days (TAA)" changed from 40 since publication of last year's report as a result of DOL Quarterly Operating Plan Review discussions by senior management.

## Strategic Goal 1

### Veterans' Employment and Training Service

In FY 2011, VETS reached its target for the percent of USERRA investigations completed within 90 days. However, the percent of USERRA referrals completed within 60 days fell short of the target by three percentage points.

Compliance assistance efforts will continue to focus on National Guard and Reserve components, because they are the source of most USERRA claims. In FY 2011, for example, claims by National Guard and Reservists accounted for 83 percent of total claims. VETS expects this trend to continue due to continued active duty use of the National Guard and Reserve in America's ongoing military efforts.

VETS is committed to continuous improvement of its USERRA program, and toward that end conducted a rigorous independent process evaluation using the Lean Six Sigma method. The study was conducted to: help identify ways to meet the statutory requirement to complete investigations within 90 days of a signed complaint; prepare to handle the increased number and complexity of cases arising from the return of significant numbers of service members from Iraq and Afghanistan; and develop a measure of the quality of USERRA investigations.

The study recommended that VETS should make refinements to specific aspects of the USERRA investigation process; reorganize the allocation of workload; assign cases based on the level of complexity and the needs of the case; and, measure the quality of USERRA investigations by applying distinct criteria to cases referred for prosecution and cases not referred for prosecution. The results of this study led to VETS' development of a new outcome-oriented quality goal – the percent of USERRA cases resolved or referred in compliance with standard operating procedures. A baseline measure was established for this new goal during FY 2011, which will be used to set performance goals for future years.

Strategic Goal 1

VETS - Reduce employer-employee employment issues originating from service members' military obligations conflicting with their civilian employment

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2007	FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	What Worked	What Didn't Work	Program Performance Improvement Plan
Percent of USERRA investigations completed within 90 days	Target	--	--	--	87.00%	87.00%	90.00%	90.00%	VETS improved timeliness of USERRA investigations in FY 2011 and completed 99.9% percent of them in timeframes agreeable to claimants.	Some cases presented unanticipated difficulties that prevented VETS from reaching its timeliness target.	Continuing the quality assurance reviews of casework will improve case processing and increase performance results.
	Result	--	--	86.00%	84.00%	87.00%	--	--			
	Status	--	--	--	N	Y	--	--			
Percent of USERRA referrals completed within 60 days	Target	--	--	--	59.00%	60.00%	70.00%	70.00%	VETS' and the Office of the Solicitor's focus on expediting USERRA referrals resulted in DOL action being completed within timeframes agreeable to claimants in 98.4% percent of referrals in FY 2011.	The missed FY 2011 target reflects the high volume of referred complaints both within VETS and the Office of the Solicitor (SOL) which led us to review our referral processes.	VETS and SOL have developed and implemented alternate referral processes to streamline review of USERRA complaints while maintaining high standards.
	Result	--	--	56.00%	63.00%	57.00%	--	--			
	Status	--	--	--	Y	N	--	--			
Percent of USERRA cases resolved or referred in compliance with standard operating procedures	Target	--	--	--	--	Base	82.00%	83.00%	VETS established its baseline for this quality measure in FY 2011.		Balancing timeliness and quality effectively remains a key ongoing challenge.
	Result	--	--	--	--	81.00%	--	--			
	Status	--	--	--	--	--	--	--			

Sources: USERRA Information Management System (UIMS)

Notes:

Office of Disability Employment Policy

With respect to youth employment, ODEP will build on its Guideposts for Success series, lessons learned from its Individual Learning Plan research on postsecondary career goal outcomes, and information gleaned from ODEP's demonstration apprenticeship grants. ODEP will finalize development of policy and strategies to increase staff expertise, including a youth-oriented, youth-centric soft skills curriculum to build capacity within youth-service organizations. In addition, ODEP will collaborate with OFCCP to develop technical assistance tailored to Federal contractors' affirmative action obligations with respect to hiring individuals with disabilities. ODEP will also launch a Federal Community of Practice to implement Executive Order 13548, to increase the representation of individuals with disabilities in the Federal workforce.

**Program Evaluations**

Independent evaluations completed in FY 2011 are summarized below.

Strategic Goal 1

**ETA – “Opportunities Exist for Improving Efficiency,” April 2011 (Government Accountability Office, GAO-11-506T)**

**Relevance:** Congress passed WIA partly in response to concerns about fragmentation and inefficiencies in federal employment and training programs. WIA authorized several employment and training programs—including Job Corps and programs for Native Americans, migrant and seasonal farmworkers, and veterans—as well as the Adult Education and Literacy program. WIA replaced the Job Training Partnership Act (JTPA) programs for economically disadvantaged adults and youths and dislocated workers with three new programs—WIA Adult, WIA Dislocated Worker, and WIA Youth. The Adult and Dislocated Worker programs provide three tiers, or levels, of service: core, intensive, and training. Core services include basic services such as job search assistance and labor market information and they may be self-service in nature. Intensive services may include such activities as comprehensive assessment and case management—activities that require greater staff involvement. Training services may include occupational skills or on-the-job training.

**Findings and Recommendations:**

- WIA’s structure provides the opportunity to reduce overlap and duplication because it requires that several of these programs provide services through the one-stop system, but they need not be on-site.
- One-stop centers serve as the key access point for a range of services that help unemployed workers re-enter the workforce—such as job search assistance, skill assessment and case management, occupational skills and on-the-job training, basic education and literacy training, as well access to Unemployment Insurance (UI) benefits and other supportive services—and they also assist employers in finding workers. Any person visiting a one-stop center may look for a job, receive career development services, and gain access to a range of vocational education programs.

**Next Steps:**

- As part of this effort, Labor and HHS should examine the incentives for states and localities to undertake initiatives to strengthen cross-program coordination and, as warranted, identify options for increasing them.
- To the extent that collocating services and consolidating administrative structures reduce administrative costs, funds could potentially be available to serve more clients or for other purposes.

**Additional Information:** <http://www.gao.gov/new.items/d11506t.pdf>

**VETS – “Servicemember Reemployment: Agencies Are Generally Timely in Processing Redress Complaints, but Improvements Needed in Maintaining Data and Reporting,” October 2010 (Government Accountability Office, GAO-11-55)**

**Relevance:** Congress imposed timeliness requirements for the Department of Labor (DOL), Department of Justice (DOJ), and Office of Special Counsel (OSC) under the Veterans’ Benefits Improvement Act of 2008 (VBIA 2008) and required agencies to submit quarterly reports to Congress on the extent of their compliance with the requirements. As required by VBIA, this report assesses whether the agencies (1) met VBIA timeliness requirements for USERRA complaint processing, and (2) submitted reliable and timely quarterly reports. GAO analyzed data in each agency’s USERRA database, and the extent to which those data were consistent with the quarterly reports.

**Findings and Recommendations:**

- DOL, DOJ, and OSC should establish consistent criteria for case reporting in their quarterly USERRA reports to Congress.
- VETS should implement a system to monitor compliance with the five-day notification of rights requirements, and maintain data on such compliance.
- VETS should develop procedures to ensure that changes are entered into the USERRA database as the quarterly reporting data are updated.
- VETS should develop procedures to ensure that quarterly USERRA reports are submitted to Congress on time.

**Next Steps:**

- DOL and OSC have consistent, comprehensive criteria; DOJ’s less inclusive criteria should be expanded to match the DOL/OSC criteria.
- VETS has implemented a Regional Lead Center (RLC) system to ensure five-day notification, with real-time monitoring and data tracking.
- VETS will assure entry of related data changes into its database. VETS’ Quality Assurance Review of cases also review database validity.
- VETS will continue to explore faster clearance of its quarterly report to Congress through other DOL and Executive Branch levels.

**Additional Information:** Contact George Parker: [Parker.George@dol.gov](mailto:Parker.George@dol.gov) (202) 693-4750



Strategic Goal 1

**VETS – “Veterans’ Reemployment Rights: Steps Needed to Ensure Reliability of DOL and Special Counsel Demonstration Project’s Performance Information,”  
June, 2011 (Government Accountability Office, GAO-11-312R)**

**Relevance:** Congress has directed that DOL and the U.S. Office of Special Counsel (OSC) establish a three-year demonstration project designed to assess and compare the respective agencies’ performance, as each investigates and resolves roughly one-half of all claims filed against Federal executive agencies under the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA).

**Findings and Recommendations:**

- DOL and OSC should establish and agree upon comparable methods for administering a USERRA customer satisfaction survey.
- Both agencies should agree that they have established a comparable two-step process to document how long it takes to investigate a claim, and how long it takes to conduct a legal review.
- DOL and OSC should establish, document, and agree upon a time accounting process that distinguishes between the investigative and legal review phases and a method that assigns costs to claims processing activities, to track the costs and personnel time spent investigating and reviewing federal USERRA cases.
- DOL and OSC should identify and agree upon a common set of potential case outcomes and a crosswalk of common or comparable codes assigned to each of those outcomes.
- DOL and OSC should agree upon a controls plan and implementation strategy that will be used during the course of the demonstration project to help ensure data integrity, reliability, and accuracy.

**Next Steps:**

- DOL and OSC are finalizing the survey and DOL/VETS is finalizing a funds transfer to OPM for developing the survey. DOL/VETS anticipates seeking Office of Management and Budget clearance for the survey instrument.
- DOL understands that OSC has developed a claims handling process comparable to VETS’ in order to allow for the necessary timeliness comparisons. The DOL/VETS system will allow for calculation of the total cost and time spent for each case.
- DOL/VETS and OSC use different systems to account for time and costs, but have agreed on the components of those systems and which elements the respective agencies will capture.
- OSC and DOL have completed and implemented the common set of case outcomes and the crosswalk necessary to track the outcomes in both agencies.
- DOL and OSC have agreed to use an operations manual developed in an earlier demonstration project that includes a controls strategy to be used during the demonstration project to ensure data integrity, reliability, and accuracy.

**Additional Information:** Contact George Parker: [Parker.George@dol.gov](mailto:Parker.George@dol.gov) (202) 693-4750

## Outcome Goal 1.5—Secure wages and overtime

### Analysis and Future Plans

#### Wage and Hour Division

In FY 2011, WHD launched a nationwide directed enforcement initiative focused on the residential construction industry. A baseline level of compliance will be established in FY 2012. WHD will also evaluate the effectiveness of its enforcement strategies within this industry. In addition, WHD is launching a nationwide enforcement initiative in the hotel industry, which will also establish a baseline level of compliance and allow WHD to evaluate the effectiveness of its enforcement strategies within the industry.

WHD - Ensure that vulnerable workers are employed in compliance and secure sustained and verifiable employer compliance, particularly among the most persistent violators

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2007	FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	What Worked	What Didn't Work	Program Performance Improvement Plan
Percent of firms in the janitorial industry in compliance with applicable statutes	Target	--	--	--	Base	TBD	TBD	--	The analysis of franchises, joint employment, and independent contractor issues in this industry were discussed with all investigators to ensure these issues were addressed during the investigations.	The sample was randomly selected from the Dunn and Bradstreet database. WHD found many of the janitorial firms were out-of-business as a result of the recession or were employing relatives.	Upon completion of the final analysis, WHD will develop and implement industry specific strategies to promote compliance.
	Result	--	--	--	43.00%	--	--	--			
	Status	--	--	--	--	--	--	--			
Percent of firms in the hotel/motel industry in compliance with applicable statutes	Target	--	--	--	--	--	Base	TBD			The initiative is on schedule to be commenced in FY 2012
	Result	--	--	--	--	--	--	--			
	Status	--	--	--	--	--	--	--			
Percent of construction companies in compliance with applicable statutes	Target	--	--	--	--	--	Base	--			
	Result	--	--	--	--	--	--	--			
	Status	--	--	--	--	--	--	--			

**Sources:** Wage and Hour Investigator Support and Reporting Database (WHISARD).

**Notes:** The FY 2011 target to set a baseline for "Percent of construction companies in compliance with applicable statutes" moved to FY 2012 since publication of last year's report as a result of DOL Quarterly Operating Plan Review discussions by senior management.

## Strategic Goal 1

### Employment and Training Administration

Foreign labor certification programs have as a primary responsibility the review of employer-filed applications requesting the Secretary of Labor's certification in order to proceed with the employment-based immigration process. The fundamental determination, by statute, which must be made prior to the granting of labor certification concerns whether the hiring of a foreign worker will adversely impact the wages and working conditions of U.S. workers, and that no qualified U.S. workers are willing or available to fill a given vacancy. The Secretary has delegated the responsibilities for the administration of permanent and temporary labor certification programs to the Employment and Training Administration's (ETA) Office of Foreign Labor Certification (OFLC). Statutes, regulations, and administrative requirements establish mandatory timeframes within which the OFLC must issue a final determination or take certain actions on employer-filed applications for permanent or temporary labor certification.

In FY 2011, for the permanent labor certification program (PERM), 76 percent of permanent labor certification program applications were resolved within six months of the initial filing date. When compared to FY 2010, processing times improved substantially due, in large measure, to the continued implementation of a management plan that resulted in further reductions of the backlog of pending permanent cases by 33 percent from 29,500 in September 2010 to less than 19,800 in October 2011.

A key and long standing challenge within the foreign labor certification programs has been balancing program integrity activities and the impact of those efforts on overall case processing times and the generation of case backlogs. This balancing is affected by available staff resources for processing, the merits of the applications submitted, and the volume of applications filed within a given year. Eligible U.S. employers will continue to have access to foreign workers when qualified domestic workers are not available. However, the continued application of additional integrity screens and analytical rigor in the foreign labor certification programs helps ensure American jobs are truly open to U.S. workers, that they get those opportunities first as the Congress originally intended, and that job opportunities are made available to foreign workers only when employers can establish need based on a sound labor market test (H-1B Program excepted).

As part of its FY 2012 Operating Plan, OFLC has strategically positioned PERM staff resources to increase the number of new applications selected for audit examination or supervised recruitment (integrity measures) while properly balancing the need to maintain a consistent level of pending applications that provide timely decisions to its customers in line with established performance goals. Although conducting audit examinations and supervised recruitments increase the average length of time to resolve permanent applications, these two program activities also generate the highest number of denials and non-certifications; outcomes which enhance program integrity and contribute to jobs being available to U.S. workers.

The results of these integrity activities are now being reported for a second year and demonstrate that only 1 out of every 2 resolved permanent applications during FY 2011 selected for audit examination or supervised recruitment were found in compliance. Because the regulations require employers to attest to compliance with program requirements at the time of filing a permanent application, this indicator measures the likelihood that OFLC will certify an employer application following a more thorough investigation of the employer's compliance with program requirements or when U.S. workers may be available for certain requested positions. Greater application scrutiny also ensures, as the statute requires, that the hiring

Strategic Goal 1

of foreign workers occurs subject to all terms and conditions, including wages, which safeguard the employment and economic security of American workers and their families.

Finally, OFLC will develop and establish baseline data for a new measure designed to assess the quality of OFLC's decision-making and level of compliance with established operating protocols. This outcome measure will replace the current compliance measure starting in FY 2013. The current compliance measure is based on PERM applications selected for integrity review, provides limited management value since there is no mechanism to ensure employer compliance prior to issuing a final determination; and, most importantly, does not account for the quality of the case adjudication process. The new compliance measure will take the number of PERM determinations found in compliance with established OFLC standard operating procedures divided by the number of PERM determinations sampled for a process quality review and completed during the reporting period. A formal sampling methodology and pilot collection of data will begin in FY 2012 now that OFLC has put in place a performance-based task order contract for case adjudication services that includes both production and quality metrics.

ETA - Maintain oversight to ensure that employers are compliant with wage and overtime laws with respect to certified foreign laborers

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2007	FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	What Worked	What Didn't Work	Program Performance Improvement Plan
Percent of employer applications for permanent labor certification resolved within six months of filing	Target	65.00%	75.00%	92.00%	80.00%	81.00%	81.00%	68.00%	Increased resource allocation to rapidly reduce PERM backlog by 33% in one year significantly improved timeliness and average cycle time.	Enhanced integrity activities limited progress in achieving timeliness goal; audits and supervised recruitments take longer than six months to complete.	Continue PERM backlog reduction efforts in FY 2012 to improve timeliness results.
	Result	74.00%	92.00%	18.00%	37.00%	76.00%	--	--			
	Status	Y	Y	N	I	I	--	--			
Percent of resolved permanent applications selected for integrity review and found in compliance	Target	--	--	--	60.00%	61.00%	50.00%	TBD	Full implementation of enhanced supervised recruitment and increased audit examinations in low skilled positions demonstrated significant non-compliance.	Increases in the number of PERM cases subject to integrity activities negatively impact timeliness measure.	Continue to focus integrity activities for PERM on low skilled positions and disseminate Frequently Asked Questions, filing tips, to improve program compliance.
	Result	--	--	--	55.00%	50.00%	--	--			
	Status	--	--	--	I	N	--	--			
Percent of determinations issued by OFLC in compliance with standard operating procedures	Target	--	--	--	--	Base	TBD	--			
	Result	--	--	--	--	--	--	--			
	Status	--	--	--	--	--	--	--			

Sources: OFLC PERM Electronic Filing and Case Processing System.

Notes:

Strategic Goal 1

**Program Evaluations**

Independent evaluations completed in FY 2011 are summarized below.

<b>WHD – “American Samoa and Commonwealth of the Northern Mariana Islands; Employment Earnings, and Status of Key Industries since Minimum Wage Increases Began” September 2011 (Government Accountability Office, GAO-10-333)</b>	
<b>Relevance:</b> Enforcement of the minimum wage is a key component of this outcome goal.	
<p><b>Findings and Recommendations:</b></p> <ul style="list-style-type: none"> <li>In 2007, the United States enacted a law incrementally raising the minimum wages in American Samoa and the Commonwealth of the Northern Mariana Islands (CNMI) until they equal the U.S. minimum wage. The GAO is required to report in 2010, 2011, 2013 and biennially thereafter on the impact of the minimum wage increases in American Samoa and the Northern Mariana Islands. This report updates GAO’s 2010 report and describes, since the increases began (1) employment and earnings and (2) the status of key industries. During this audit, GAO reviewed federal and local information, collected data from employers through a questionnaire and from employers and workers through discussion groups; and conducted interviews to each area.</li> <li>There were no recommendations for WHD</li> </ul>	<p><b>Next Steps:</b></p> <ul style="list-style-type: none"> <li>No action needed.</li> </ul>
<b>Additional Information:</b> GAO Report Number: GAO-11-427 <a href="http://gao.gov/assets/590/585362.pdf">http://gao.gov/assets/590/585362.pdf</a> and <a href="http://www.gao.gov/products/GAO-10-333">GAO-10-333</a>	
<b>ETA – “The Economic Impact of H-2B Workers,” October 2010 (U.S. Chamber of Commerce)</b>	
<b>Relevance:</b> The H-2B program allows employers to bring low-skilled foreign workers into the United States to fill temporary and seasonal jobs in sectors other than agriculture. Large and small employers in every state and in a wide variety of industries turn to the program when they cannot hire enough U.S. workers. Despite the small size of the program, many employers who use it say their businesses would have to downsize or close if H-2B workers were not available. H-2B visas are essential to regional seasonal industries that sustain the economy in their states, e.g., seafood processing on Maryland’s Eastern Shore, restaurants and inns on Nantucket and ski resorts in Colorado, among other businesses.	
<p><b>Findings and Recommendations:</b></p> <ul style="list-style-type: none"> <li>In a survey of H-2B employers conducted for this report by ImmigrationWorks USA and the U.S. Chamber of Commerce, respondents indicated that they hire H-2B workers primarily because few U.S. workers are interested in temporary or seasonal work. According to employers, the physically demanding nature of many seasonal jobs also makes them unappealing to many U.S. workers.</li> <li>The H-2B program is subject to much criticism from labor unions and others who claim that it allows employers to exploit foreign workers and undermines American workers whose wages suffer as a result. Economic analysis conducted for this report finds no evidence to support these claims.</li> <li>The program could be significantly improved by streamlining its complex requirements and making it more responsive to market forces.</li> </ul>	<p><b>Findings and Recommendations:</b></p> <ul style="list-style-type: none"> <li>In a survey of H-2B employers conducted for this report by ImmigrationWorks USA and the U.S. Chamber of Commerce, respondents indicated that they hire H-2B workers primarily because few U.S. workers are interested in temporary or seasonal work. According to employers, the physically demanding nature of many seasonal jobs also makes them unappealing to many U.S. workers.</li> <li>The H-2B program is subject to much criticism from labor unions and others who claim that it allows employers to exploit foreign workers and undermines American workers whose wages suffer as a result. Economic analysis conducted for this report finds no evidence to support these claims.</li> <li>This study does, however, find that the program could be significantly improved by streamlining its complex requirements and making it more responsive to market forces.</li> </ul>
<b>Additional Information:</b> <a href="http://www.uschamber.com/sites/default/files/reports/16102_LABR%20H2BReport_LR.pdf">http://www.uschamber.com/sites/default/files/reports/16102_LABR%20H2BReport_LR.pdf</a>	

## Outcome Goal 1.6—Foster acceptable work conditions and respect for workers’ rights in the global economy to provide workers with a fair share of productivity and protect vulnerable people.

### **Analysis and Future Plans**

#### Bureau of International Labor Affairs (ILAB)

During FY 2011, ILAB collected baseline data for nine new outcome measures. It had previously had only two, both in the area of program implementation to reduce child labor; these were refined and modified, and in their modified form constitute two of the nine current ones. The larger number of measures allows ILAB to capture its substantial work in policy on child labor, workers’ rights, trade and labor, and international labor policy and standards, as well as to capture the impact of its substantial programs of technical assistance in the area of workers’ rights, and bilateral and multilateral technical cooperation. Because this was the first year of collecting data as a baseline, trends are not yet discernable. However, the outcomes for FY 2011 provide cause for satisfaction with ILAB’s accomplishment in fostering fair working conditions in the global economy that protect vulnerable people and provide workers with a fair share of productivity and voice in their work lives. ILAB’s outcome measures provide information on progress in two main areas of work: 1) the adoption of policies that reflect DOL priorities, and 2) tangible outcomes in countries where DOL is supporting technical assistance projects.

ILAB’s effectiveness in advancing policies to promote employment and protect workers’ rights is reflected in the adoption by the US Government as a whole of 24 policy positions that reflect ILAB and DOL priorities. For example, ILAB succeeded in securing agreement and funding from the foreign policy agencies of the USG to support a substantial program of factory inspection in Egypt, in order to engage with Egypt at a crucial stage in its development, to promote worker rights, and to strengthen the competitiveness of Egyptian exports. ILAB succeeded in its attempts to have the US position in preparation for the upcoming UN Conference on Sustainable Development incorporate an employment focus and an emphasis on green jobs. ILAB built inter-agency consensus in support of its decision to accept for review submissions received under the labor chapters of the free trade agreements with Bahrain and Peru. ILAB also succeeded in promoting USG consensus on a Labor Action Plan as part of the US-Colombia Free Trade Agreement, and on moving toward dispute settlement with Guatemala under the Dominican Republic – Central America – United States Free Trade Agreement (CAFTA-DR), the first time under a free trade agreement.

As a result of ILAB’s activities, 34 policy positions that reflect USG international labor interests and priorities were adopted by international fora and countries. ILAB’s engagement and research in the context of the Korean Free Trade Agreement resulted in the Korean government taking new measures to increase social protections for “irregular” workers and to tackle wage gaps between their regular and irregular workforce. With technical expertise provided by DOL grantees, there were 17 new instances of countries adopting policies to eliminate child labor in line with their international commitments in this area. ILAB also succeeded in promoting a strong position on social protection at the Paris G20 labor ministerial, as

## Strategic Goal 1

reflected in the official ministerial statement. ILAB provided substantial leadership and guidance to ILO's Better Work program to promote improvements in the methodology for assessment and advising on factory conditions, particularly on issues that are difficult to monitor and remediate, such as sexual harassment, forced labor and denial of freedom of association.

FY 2011 marked the first year of implementation of a new generation of child labor elimination projects that provide livelihood services to vulnerable households in addition to the education and training services that USDOL-funded projects have traditionally provided to children. During this baseline year, 1,057 households in Bolivia, Egypt, and Jordan received services to improve their livelihoods so that their children would be able to attend school rather than work. DOL expects significantly higher results under this measure in FY 2012 as new projects ramp up implementation. Grantees in 27 countries provided education or training services as an alternative to exploitative labor to more than 100,000 children engaged in or at high risk of entering child labor. Technical assistance from DOL-funded projects also enabled 22 countries to increase their capacity to address child labor or forced labor. This increased capacity was brought about through actions such as adopting new laws and policies on child labor, implementing new social programs to address the issue, and increasing inspection and enforcement capabilities. The FY2012 targets for these two measures are lower than FY 2011 results because: 1) DOL is funding larger, more comprehensive projects in fewer countries with its available resources, and 2) a greater emphasis is being placed on providing livelihood services to households as a mean to eliminate child labor, resulting in a lower number of children provided with education and training services. We expect a lag in realization of the fruits of the new strategic approach to project design, but anticipate that the synergies will significantly increase results in the medium term.

In FY2011 ILAB continued to fund and oversee model programs to address worker rights through technical assistance in 13 countries with which the United States has trade preference programs. This entailed working closely with governments, multilateral and regional organizations, and business and workers' organizations. The Verification Project in the six CAFTA-DR countries (Costa Rica, El Salvador, Honduras, Guatemala, Dominican Republic and Nicaragua) affected workers' rights in a positive way by providing them with more information; such as trade union plans for labor rights dissemination that are promoted in the countries by way of workshops, seminars, dissemination materials and radio programs. ILAB supported the Todos y Todas Trabajamos project in five Central American and Caribbean countries which enabled 21,998 workers to better exercise their rights and/or experience improved working conditions. Under this program these workers were able to bring 16,428 cases before the Ministries of Labor or labor courts. In all ILAB's efforts helped 59,860 workers worldwide better exercise their rights or experience better working conditions. ILAB provided support to improve business compliance and technical capacity of governments, and to protect worker rights, in 18 partner countries.

With FY11 funding, ILAB awarded almost \$60 million in competitive grants to address child labor. These included substantial projects in Peru, Ethiopia and the Philippines, as well as to monitor and evaluate the impact and effectiveness of child labor interventions including ILAB's. We also continued detailed oversight of the substantial portfolio of mid-stream ILAB funded child labor projects. ILAB also awarded grants of approximately \$6.5 million to promote workers' rights, in substantial part to support Better Work projects in Cambodia, Haiti, Lesotho, Nicaragua, and Indonesia. ILAB also continued its oversight of previously funded Better Work projects in Bangladesh and Vietnam. Better Work projects monitor conditions in export factories, publish the results in a transparent manner and assist suppliers to comply with labor standards that many buyers and customers

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demand. Under the ILAB-funded Haiti Better Work program, more than 4,000 workers have experienced improved livelihoods as a result of ILAB interventions.

In FY 2013 ILAB will continue to support Presidential and Department priorities of ensuring protection of worker's rights internationally through robust enforcement of labor commitments under U.S. free trade agreements (FTAs) and trade preference programs, through technical assistance programs that monitor and inspect factory conditions in trading partner countries, and through enforcement of international labor standards, with an emphasis on advocacy and technical assistance to address the problem of child labor.

In a global labor market, US workers' livelihoods and interests can too easily be undercut by unfair labor competition. For this reason, monitoring workers' rights and livelihoods globally, and enforcing international labor standards and labor provisions of US free trade agreements, is vital. The increase in funding requested by ILAB for FY 2013 will help provide the resources needed to allow ILAB to carry out these activities and substantially increase the number of countries monitored.

ILAB's key target countries in FY2013 will include as many as feasible of the following: the 13 developing countries with which the U.S. has existing free trade agreements (the six Central American countries, Peru, Chile, Mexico, Bahrain, Oman, Morocco and Jordan); potential new free trade partners such as South Korea, Colombia, and Panama; selected new negotiating partners such as Vietnam and Brunei; and high priority trade preference countries where labor rights and conditions are a significant concern, such as Bangladesh, Philippines, Uzbekistan, Sri Lanka, Niger, Pakistan and the Democratic Republic of the Congo.



Strategic Goal 1

ILAB - Improve worker rights and livelihoods for vulnerable populations

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2007	FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	What Worked	What Didn't Work	Program Performance Improvement Plan
Number of policy positions adopted by the U.S. government through the interagency process that reflect ILAB and DOL priorities	Target	--	--	--	--	Base	24.0	24.0			
	Result	--	--	--	--	24.0	--	--			
	Status	--	--	--	--	--	--	--			
Number of policy positions adopted by international fora and countries that reflect ILAB and DOL priorities	Target	--	--	--	--	Base	34.0	34.0			
	Result	--	--	--	--	34.0	--	--			
	Status	--	--	--	--	--	--	--			
Number of households receiving livelihood services	Target	--	--	--	--	Base	6,154.0	10,035.0			
	Result	--	--	--	--	1,057.0	--	--			
	Status	--	--	--	--	--	--	--			
Number of children engaged in or at high-risk of entering the worst forms of child labor provided education or vocational services	Target	--	--	--	--	Base	81,181.0	34,043.0			
	Result	--	--	--	--	100,006.0	--	--			
	Status	--	--	--	--	--	--	--			
Number of countries with increased capacity to address child labor or forced labor	Target	--	--	--	--	Base	21.0	14.0			
	Result	--	--	--	--	22.0	--	--			
	Status	--	--	--	--	--	--	--			

Strategic Goal 1

ILAB - Improve worker rights and livelihoods for vulnerable populations

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2007	FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	What Worked	What Didn't Work	Program Performance Improvement Plan
Number of countries in which worker rights and/or working conditions are improved	Target	--	--	--	--	Base	13.0	16.0			
	Result	--	--	--	--	13.0	--	--			
	Status	--	--	--	--	--	--	--			
Number of countries with improved capacity of the government and/or other social partners to protect worker rights and/or improve working conditions as a result of DOL interventions	Target	--	--	--	--	Base	18.0	24.0			
	Result	--	--	--	--	18.0	--	--			
	Status	--	--	--	--	--	--	--			
Number of workers better able to exercise their rights and/or that experience improved working conditions as a result of DOL interventions	Target	--	--	--	--	Base	184,802.0	184,802.0			
	Result	--	--	--	--	59,860.0	--	--			
	Status	--	--	--	--	--	--	--			
Number of workers with improved livelihoods as a result of DOL interventions	Target	--	--	--	--	Base	46,000.0	46,000.0			
	Result	--	--	--	--	4,783.0	--	--			
	Status	--	--	--	--	--	--	--			

Sources: Grantee Technical Progress Reports, Project Monitoring and Internal Records

Notes:

### Program Evaluations

Independent evaluations completed in FY 2011 are summarized below.

**ILAB – “Evaluation of the Office of Child Labor, Forced Labor, and Human Trafficking International Child Labor Technical Cooperation Program,” March 2011 (Westat)**

**Relevance:** The contractor visited five countries where ILAB was implementing projects to assess the effectiveness and impact of its international child labor technical assistance program.

**Findings and Recommendations:**

- On the basis of the evidence presented, one can reasonably conclude that the Office of Child Labor, Forced Labor, and Human Trafficking (OCFT) has advanced efforts to reduce child labor in targeted countries at both the policy and population level.
- The opportunities exist for achieving further reduction in child labor; however, the prospects for achieving sustainable results are limited by the relatively short timeframe (3-4 years) of most projects, and their limited coverage in relation to the need.
- OCFT’s shift to greater emphasis on strengthening livelihoods including micro-finance presents new opportunities for measuring the effectiveness of strategies to combat child labor and implementing those that are found to be most effective.
- Ensure that in-country project staff members understand how OCFT’s mission and strategic goals relate to their respective projects. This could be accomplished through initial project kickoff meetings and sessions for new staff members.
- OCFT has supported the conduct of many qualitative evaluations of projects and services it funds, including vocational training, as well as the development of best practices documents. We recommend that the most promising practices undergo formal mixed methods evaluations.
- OCFT has funded the development of a rich array of publications and the next step is to ensure that current and future grantees are acquainted with them.
- As the child labor technical cooperation projects develop, it is recommended that OCFT consider examining educational outcomes of its beneficiaries. This approach would need to include pre and post-assessments of student achievement in OCFT-funded programs in comparison to non OCFT-supported schools.

**Next Steps:**

- After funding new projects in FY 2011, OCFT held 2-day grantee orientation meetings in Washington to ensure project staff are well versed in OCFT’s strategic goals and mission and how their respective project activities fit within this framework. OCFT staff is participating in in-country project kick-off meetings when resources are available for travel. Finally, OCFT is requiring all new projects to work with an external evaluator to develop Comprehensive Monitoring and Evaluation Plans (CMEPs). The CMEPs clearly outline the projects’ theory of change, indicators for monitoring progress, and evaluation activities. They will serve as a tool for projects and for OCFT to assess whether they are moving towards their intended goals.
- Several child labor elimination projects that were implemented during FY 2011 have rigorous impact evaluations built into their design. These impact evaluations, which will test the impact in quantitative terms of select project interventions on beneficiary outcomes, will be combined with qualitative evaluation methods.
- ILAB is in the process of re-vamping its public website and plans to provide links to a wide variety of publications it has funded so that current and future grantees have access to them. In addition, OCFT will continue posting its project evaluations on the website and make them easier for browsers to locate.
- OCFT has begun integrating end-line surveys (in addition to its customary baseline surveys) into its projects to capture a variety of beneficiary outcomes, including educational outcomes.

**Additional Information:** This report is available upon request at 202-693-4843 and will soon be posted on ILAB’s website ([www.dol.gov/ilab](http://www.dol.gov/ilab)).

## **Strategic Goal 2: Ensure workplaces are safe and healthy**

### **Outcome Goal 2.1—Secure safe and healthy workplaces, particularly in high-risk industries**

#### **Analysis and Future Plans**

##### Occupational Safety and Health Administration

In FY 2011, OSHA reached seven of eight performance indicator targets. The target of one performance indicator, “number of hazards abated associated with hearing loss in construction and manufacturing,” was not reached. However, the result was above the original target of 600 that was raised halfway through the year to 625. In FY 2012, OSHA will review and discuss the valuable information gathered during the November 2011 Noise Stakeholder Meeting. This information includes: best practices for noise reduction in the workplace, personal protective equipment, hearing conservation programs and engineering controls. In FY 2012, half of OSHA’s National Emphasis Programs will target health hazards, and the Agency will continue to develop two additional health related National Emphasis Programs (NEPs) that focus on health hazards related to isocyanates and those most prevalent in nursing and residential care facilities.

In FY 2012, OSHA will continue to carry out actions to meet the agency’s priorities of reducing workplace injuries, illnesses, and fatalities through enforcement, regulation, compliance assistance and outreach. It is physically impossible for OSHA inspectors to be in every workplace every day of the year, so OSHA leverages its resources by strategically targeting those employers and industries where workers are in the most danger of getting hurt, sick or killed by occupational hazards. In the enforcement arena, the Agency will continue to implement inspection-emphasis programs that address the most significant injuries in the most high-hazard workplaces. For example, OSHA has implemented new construction-related NEPs and Local Emphasis Programs (LEPs) that address hazards or industries posing a significant occupational safety or health risk to workers in the construction industry. NEPs historically have been critical in supporting the Secretary’s goal of securing safe and healthy workplaces and in reducing fatalities associated with the leading causes of death. OSHA uses the Site Specific Targeting (SST) program to target high-hazard workplaces for unannounced inspections, and the Agency also focuses its enforcement efforts on significant hazards and violations through the Severe Violators Enforcement Program (SVEP). Under this program, OSHA is uncovering more systemic problems - sometimes in multiple worksites owned by the same employer, and sometimes across entire industries. Rooting out systemic problems can eventually make a huge difference in the lives of tens of thousands of workers.

Strategic Goal 2

OSHA - Improve workplace safety and health through the enforcement of occupational safety and health regulations and standards

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2007	FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	What Worked	What Didn't Work	Program Performance Improvement Plan
Percent of serious, willful, repeat violations in high-hazard manufacturing industry	Target	--	--	--	--	--	Base	TBD			
	Result	--	--	--	--	--	--	--			
	Status	--	--	--	--	--	--	--			
Recidivism rate for serious, willful, and repeat violations in manufacturing industry	Target	--	--	--	--	--	Base	TBD			
	Result	--	--	--	--	--	--	--			
	Status	--	--	--	--	--	--	--			
Percent of serious, willful, repeat violations in large construction projects	Target	--	--	--	--	--	Base	TBD			
	Result	--	--	--	--	--	--	--			
	Status	--	--	--	--	--	--	--			
Number of hazards abated associated with hearing loss in construction and manufacturing	Target	--	--	--	--	625.0	680.0	715.0	Increased use of National/ Local Emphasis Programs in high-hazard areas contributed to hazards abated associated with hearing loss in construction and manufacturing.	Although the annual target was 97% achieved, it must be noted that OSHA raised the annual target halfway through the year, from 600 to 625 hazards abated.	OSHA will focus its enforcement resources on severe violators of the OSH Act by continuing to implement the Severe Violator Enforcement Program (SVEP), which began in 2010.
	Result	--	--	595.0	640.0	606.0	--	--			
	Status	--	--	--	--	N	--	--			
Number of hazards abated associated with illnesses in general industry and construction	Target	--	--	--	11,600.0	11,750.0	12,000.0	13,600.0	Increased use of National/ Local Emphasis Programs in high-hazard areas contributed to hazards abated associated with illnesses in general industry and construction.		OSHA completed NEPs on primary metals, chemical facilities, shipbreaking, and microwave popcorn processing plants. OSHA will develop new NEPs and LEPs related to health hazards such as isocyanates.
	Result	--	--	11,428.0	12,115.0	11,802.0	--	--			
	Status	--	--	--	Y	Y	--	--			

Strategic Goal 2

OSHA - Improve workplace safety and health through the enforcement of occupational safety and health regulations and standards

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2007	FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	What Worked	What Didn't Work	Program Performance Improvement Plan
Number of hazards abated associated with workplace amputations	Target	--	--	--	7,305.0	7,200.0	8,000.0	8,400.0	Increased use of National/ Local Emphasis Programs in high-hazard areas contributed to hazards abated associated with workplace amputations.		OSHA is completing a review of the National Emphasis Program (NEP) on Amputations for FY 2006 - 2009 and may make updates to the NEP.
	Result	--	--	7,197.0	7,451.0	7,398.0	--	--			
	Status	--	--	--	Y	Y	--	--			
Total number of employees removed from workplace hazards through inspections	Target	--	--	--	455,093.0	475,000.0	650,000.0	675,000.0	Conducting inspections in workplaces identified as high-hazard under Site-Specific Targeting criteria, related to an SVEP employer under SVEP, or otherwise specified in an OSHA targeting program.		OSHA will continue to utilize targeting programs such as the SST program and the SVEP program to remove the largest number of employees from hazards as possible.
	Result	--	--	452,828.0	519,353.0	639,280.0	--	--			
	Status	--	--	--	Y	Y	--	--			
Federal Agency total case rate for injuries and illnesses	Target	3.70	3.66	3.49	3.10	3.09	2.97	2.85	In FY 2011, POWER was implemented, and agencies focused on achieving their targets. The government as a whole surpassed the FY 2011 target (3.09), which was a 4% reduction from the FY 2009 baseline.	Some agencies with relatively low rates had difficulty meeting their goals.	In FY 2012, OSHA will focus on working with those individual agencies that did not meet their FY 2011 goals..
	Result	3.32	3.37	3.22	3.08	2.78	--	--			
	Status	Y	Y	Y	Y	Y	--	--			
Federal Agency lost time case rate for injuries and illnesses	Target	1.71	1.66	1.61	1.42	1.42	1.36	1.31	In FY 2011, POWER was implemented, and agencies focused on achieving their targets. The government as a whole surpassed the FY 2011 target (1.42), which was a 4% reduction from the FY 2009 baseline.	Some agencies with relatively low rates had difficulty meeting their goals.	In FY 2012, OSHA will focus on working with those individual agencies that did not meet their FY 2011 goals.
	Result	1.61	1.57	1.48	1.44	1.33	--	--			
	Status	Y	Y	Y	I	Y	--	--			
Decrease the construction fatality rate, by focusing on the four leading causes of fatalities - Annual Goal (falls, struck-by, caught in/between, and electrocution).	Target	--	--	--	--	8.80	8.70	8.60	Enforcement Programs such as the Site Specific Targeting (SST) and National and Local (NEP/LEP) Emphasis Programs targeted high hazard industries associated with fatalities.		OSHA will develop new NEPs and LEPs that aim to reduce fatalities in high-hazard workplaces.
	Result	--	--	--	7.90	8.50	--	--			
	Status	--	--	--	--	Y	--	--			

## Strategic Goal 2

OSHA - Improve workplace safety and health through the enforcement of occupational safety and health regulations and standards

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2007	FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	What Worked	What Didn't Work	Program Performance Improvement Plan
Decrease the general industry fatality rate, by focusing on the four leading causes of fatalities - Annual Goal (falls, struck-by, caught in/between, and electrocution).	Target	--	--	--	--	1.00	1.00	0.90	Enforcement Programs such as the Site Specific Targeting (SST) and National and Local (NEP/LEP) Emphasis Programs targeted high hazard industries associated with fatalities.		OSHA will develop new NEPs and LEPs that aim to reduce fatalities in high-hazard workplaces.
	Result	--	--	--	1.00	1.00	--	--			
	Status	--	--	--	--	Y	--	--			

**Sources:** OSHA Information System (OIS), the OSHA Integrated Management Information System (IMIS), and OWCP/OPM data.

**Notes:** The FY 2011 targets for all four hazard abatement measures changed from 600 (hearing loss in construction and manufacturing), 11,500 (illnesses in general industry and construction), 7000 (workplace amputations), and 460,000 (employees removed from workplace hazards through inspections) since publication of last year's report as a result of DOL Quarterly Operating Plan Review discussions by senior management. Both fatality measures changed from counts to rates per 100,000 workers.

### Mine Safety and Health Administration

In FY 2011, MSHA achieved its DOL Priority Goal to reduce mining fatalities. The five-year rolling average of fatal injuries per 200,000 hours worked fell by 12 percent, exceeding the target of 5 percent. In the year following the explosion at the Upper Big Branch Mine which took the lives of 29 miners in the worst coal mine disaster in four decades, the mining community achieved a near record low number of mining deaths. In the years ahead, MSHA remains committed to encouraging the development of a health and safety culture throughout the mining industry in which mine operators take ownership and responsibility for the health and safety of their miners. MSHA will continue to develop and implement improvements to make enforcement more effective. In 2011, 37 miners died in work-related accidents at the nation's mines. There were 21 coal mining and 16 metal/nonmetal mining fatalities last year, compared with 48 and 23, respectively, in 2010, making 2011 the year with the second-lowest number of mining deaths since statistics were first recorded in 1910. Of the 37 fatalities reported, 12 occurred at surface coal mines, 11 at surface metal/nonmetal mines, nine at underground coal mines and five at underground metal/nonmetal mines.

Mining deaths are preventable. In order to prevent mine deaths, operators must have in place effective safety and health management programs that are constantly evaluated, find-and-fix programs to identify and eliminate mine hazards, and training for all mining personnel. MSHA has undertaken a number of measures to prevent mining deaths: increased monitoring and strategic enforcement through impact inspections at mines with troubling compliance histories; instituted a more robust Pattern of Violations (POV) program; special initiatives such as "Rules to Live By," which focuses attention on the most common causes of mining deaths; and outreach efforts such as "Safety Pro in a Box," which provides guidance to the metal/nonmetal mining industry on best practices and compliance responsibilities. These efforts will continue in FY 2012.

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In FY 2012, MSHA will expand the Rules to Live By initiatives by implementing the ‘Rules to Live By III – Common Mining Deaths,’ which highlights eight coal and six metal and nonmetal standards cited as a result of at least five mining accidents and resulting in at least five fatalities during the 10-year period from January 1, 2001, to December 31, 2010.

MSHA’s analysis of FY 2011 performance results led to several improvements in its FY 2012 metrics. New health goals allow for improved tracking of operators’ compliance with dust and noise standards in the coal and metal and nonmetal industries and are a better reflection of MSHA’s performance. MSHA exceeded its target for metal and nonmetal mines conducting their own silica dust surveys and noise evaluation for miners. Based on the quantitative analysis, MSHA determined that 26 percent of metal and nonmetal mines are conducting their own sampling, thereby exceeding the annual milestone goal by 53 percent.

MSHA met its FY 2011 target to reduce coal miner’s noise overexposures (2.72 percent above the citation level vs. the target of 2.99 percent). MSHA continued to work with National Institute for Occupation Safety and Health (NIOSH) to require the implementation of proven noise controls in areas where the Agency determined that miners were exposed to excessive noise concentrations. In FY 2012, this measure is changing to “Percent of coal mines surveyed for noise according to published inspection procedures.”

The FY 2011 respirable dust performance goal of 6.32 percent of Designated Occupation samples exceeding the applicable respirable dust standard was met with a result of 5.75 percent. MSHA continued its emphasis through the following: required mine operators to implement dust control parameters proven to be effective in controlling respirable dust; enhanced enforcement with emphasis on operator compliance with the approved dust control parameters at targeted mines by MSHA’s Special Dust Emphasis teams and by individual districts; trained enforcement personnel and meetings with mine operators on lessons learned from the special inspections conducted by the national Special Dust Emphasis Teams to stress the importance of maintaining dust control parameters on a daily basis, and worked with NIOSH to jointly evaluate the use of supplemental dust scrubbers as a means of respirable dust control in various mining systems. In FY 2012, this measure is changing to “Percent of coal mines surveyed for respirable dust in conjunction with regular mandated inspections.”

In FY 2011, MSHA completed inspections of all high-hazard potential impoundments and dams. MSHA believes that increased inspection activity of high-hazard potential impoundments and dams will reduce the risk to miners, the general public, and the environment as the result of an impoundment/dam failure. There were no significant releases in FY 2011. These efforts will continue in FY 2012.

MSHA’s regulatory agenda focuses on eliminating or reducing serious safety and health hazards. During FY 2011, MSHA published a Final Rule on ‘Maintenance of Incombustible Content of Rock Dust in Underground Coal Mines’. Under the Final Rule, mine operators must maintain the incombustible content of combined coal dust, rock dust, and other dust at 80 percent or higher in underground areas of bituminous coal mines. In FY 2012, MSHA will execute a regulatory strategy to reduce or eliminate safety and health hazards in mining and continue its aggressive regulatory agenda by working on two high-priority, comprehensive health standards to reduce miners’ exposure to coal mine dust and crystalline silica.



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MSHA engaged stakeholders to identify critical gaps in the mine emergency response capabilities in the industry and within MSHA. The experience at Upper Big Branch in FY 2010 indicated that much has been achieved since the passage of the Mine Improvement and New Emergency Response Act of 2006 (MINER Act), but much remains to be done. These efforts will continue in FY 2012.

MSHA's potential pattern of violations (PPOV) process focuses on chronic violators that have failed to improve compliance in response to increased inspections and other enforcement actions. In FY 2012, MSHA will publish a rule to revise the existing regulation for POV. MSHA determined that the existing regulation does not adequately achieve the intent of the Mine Act, and that the POV provision should be used to address operators who have demonstrated a disregard for the safety and health of miners. The new rule will simplify the existing POV criteria, improve consistency in applying the POV criteria, and more adequately achieve the statutory intent. It would also encourage chronic violators to comply with the Mine Act and MSHA's safety and health standards.

Strategic Goal 2

MSHA - Prevent death, disease, and injury from mining and promote safe and healthful workplaces for the Nation's miners

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2007	FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	What Worked	What Didn't Work	Program Performance Improvement Plan
Five-year rolling average of fatal injuries per 200,000 hours worked	Target	--	--	Base	0.0171	0.0178	0.0156	TBD	Rules to Live By initiatives, increased inspector presence, targeted enforcement activities, i.e. impact inspections.	Mine operators failed to comply with MSHA standards. Enforcement tools not adequate to address chronic violators.	Expand the Rules to Live By initiative, enhance the inspector training programs, and improve the Pattern of Violations process.
	Result	--	--	0.0180	0.0187	0.0164	--	--			
	Status	--	--	--	N	Y	--	--			
Percent of coal mines surveyed for noise according to published inspection procedures	Target	--	--	--	--	--	100.00%	100.00%			
	Result	--	--	--	--	--	--	--			
	Status	--	--	--	--	--	--	--			
Percent of coal mines surveyed for respirable dust in conjunction with regular mandated inspections	Target	--	--	--	--	--	100.00%	100.00%			
	Result	--	--	--	--	--	--	--			
	Status	--	--	--	--	--	--	--			
Percent of Metal and Nonmetal mines sampled for noise according to published inspection procedures	Target	--	--	--	--	--	20.00%	20.00%			
	Result	--	--	--	--	--	--	--			
	Status	--	--	--	--	--	--	--			
Percent of Metal and Nonmetal mines conducting their own noise, dust, gas, mist, and fume surveys	Target	--	--	--	--	17.00%	34.00%	51.00%	Developed clear policies and procedures for performance-based standards, i.e. 30 CFR Part 56/57.5002. Provided additional training for inspectors. Conducted outreach activities.	Some standards do not require operators to conduct sampling; therefore conducting sampling is a best practice and not a requirement.	Development of performance goals that allow MSHA to evaluate its performance instead of the industry.
	Result	--	--	--	--	26.00%	--	--			
	Status	--	--	--	--	Y	--	--			

**Sources:** Injury data - Mine operators' and non-exempt contractors' Mine Accident, Injury, and Employment reports and MSHA's Standardized Information System. Noise data - MSHA Form 2000-84 and MSHA's Standardized Information System.

**Notes:** MSHA's fatality rate target for FY 2013 requires the FY 2012 result because it is calculated using the five prior years. The measure "Percent of Metal and Nonmetal mines conducting their own noise, dust, gas, mist, and fume surveys" changed in FY 2011 from "Percent of Metal and Nonmetal Mines conducting their own silica dust surveys and noise evaluations for miners," but this did not change the target or result. Three new noise and dust survey measures replaced the two exposure measures.

Wage and Hour Division

During FY 2011, WHD investigators completed the field work in 157 investigations of employers utilizing the H-2A immigration program in order to establish a baseline. While the investigations were primarily conducted to determine the level of compliance with H-2A, compliance with the Fair Labor Standards Act (FLSA), the Migrant Seasonal Protection Act (MSPA) and the Field Sanitation standards of the Occupational Safety and Health

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Act (OSHA/FS) was also addressed. Preliminary analysis found that 40 out of 157 employers are in compliance, resulting in a compliance rate of 25.5 percent. WHD’s compliance strategies will center on identifying crops, geographic locations, and employer types, i.e., growers or contractors that are most likely to be in violation.

WHD - Ensure basic safety and health protections for young workers and farmworkers

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2007	FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	What Worked	What Didn't Work	Program Performance Improvement Plan
Percent H-2A employers in compliance with applicable statutes	Target	--	--	--	Base	--	30.00%	TBD	WHD undertook a concentrated effort to conduct non-complaint investigations of H-2A certified employers to determine the level of compliance with all provisions of applicable law.	Impact of investigations was reduced by prior year data (some employers no longer used H-2A workers) and the sample was skewed towards employers requesting a small number of workers.	Plans for FY 2012 are to provide a stratified sample earlier in the fiscal year to allow investigation to occur when workers will most likely be in the field.
	Result	--	--	--	21.00%	25.50%	--	--			
	Status	--	--	--	--	--	--	--			

Sources: Wage and Hour Investigator Support and Reporting Database (WHISARD)

Notes:

**Program Evaluations**

Independent evaluations completed in FY 2011 are summarized below.

<b>OSHA – “Evaluating the Impact of OSHA’s Enforcement Interventions, Evaluation Design Report,” December 20, 2010 (Impaq International)</b>	
<b>Relevance:</b> The evaluation will assess the impact of OSHA’s Site Specific Targeting (SST) Program on employer compliance with workplace safety and health standards.	
<b>Findings and Recommendations:</b>	<b>Next Steps:</b>
<ul style="list-style-type: none"> <li>The Evaluation Design Report provided OSHA with three options for implementing an evaluation of the SST program.</li> </ul>	<ul style="list-style-type: none"> <li>OSHA is continuing to work with the Department on this evaluation.</li> </ul>
<b>Additional Information:</b> The report is available at: <a href="http://www.dol.gov/asp/evaluation/AllStudies.htm">http://www.dol.gov/asp/evaluation/AllStudies.htm</a>	
<b>MSHA – “MSHA Must More Consistently Determine the Number of Required Inspections and More Transparently Report Inspection Results for Metal and Nonmetal Mines,” September 2011 (Office of Inspector General)</b>	
<b>Relevance:</b> More clear and complete reporting will help ensure that regular safety and health inspections are completed in a timely manner.	
<b>Findings and Recommendations:</b>	<b>Next Steps:</b>
<ul style="list-style-type: none"> <li>Metal and Nonmetal Safety and Health ( MNM) did not issue clear, objective criteria for determining a mine’s status. MNM business rules allowed an “attempted inspection” to</li> </ul>	<ul style="list-style-type: none"> <li>MNM will finalize a plan for determining mine status classification based on objective criteria as well as develop a report (Mine Status Review</li> </ul>

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eliminate the requirement to complete a regular safety and health inspection at 732 mines that reported mining activity. MNM often counted inspections in its computation of the inspection completion rate before they received supervisory review.

- MNM should design objective criteria for assigning a mine status; implement procedures to assure that information on all new mines is communicated to the responsible field office; examine and implement ways to increase the probability that inspectors will arrive for regular safety and health inspections on days that a mine is operational; more completely report the actual results of its efforts to conduct regular safety and health inspections; and require supervisors to document their review and acceptance of each regular safety and health inspection report before it is included in MNM computation of its inspection completion rate.

Report) that identifies mine status using these objective criteria.

- In the future, MNM will report the number of completed inspections and the number of attempted inspections to present more transparently the inspection completion rate.

**Additional Information:** The report (No. 05-11-004-06-001) is available at: <http://www.oig.dol.gov/public/reports/oa/2011/05-11-004-06-001.pdf>.

## **Strategic Goal 3: Assure fair and high quality work-life environments**

**Outcome Goal 3.1—Break down barriers to fair and diverse workplaces so that every worker’s contribution is respected.**

### **Analysis and Future Plans**

#### Office of Federal Contractor Compliance Programs (OFCCP)

FY 2011 was a period of transition for OFCCP, which included the development of new performance indicators to reflect the compliance rate and the impact OFCCP has on the contractor community. This is a challenging task given that the federal contractor community is dynamic, with employers entering and leaving daily. In addition, there is no one repository that lists all entities involved in federal contract work. However, OFCCP is undertaking the implementation of statistical techniques to build a foundation for measuring its performance.

OFCCP initiated a study in the first quarter of FY 2011 to measure compliance rates for the entire contractor population. This study will produce three compliance measures for federal contractors: (1) overall compliance rate, (2) discrimination rate and (3) technical violation rate. Given the time needed to complete compliance evaluations, OFCCP will complete the compliance evaluations associated with this study in FY 2013 and will set baseline targets for use in FY 2014.

To accomplish the goals and improve the compliance rate of contractors, OFCCP has engaged in several initiatives centered on regulatory reform, training, and outreach.

**Regulatory Reform:** An effective enforcement program begins with clear regulatory language that sets forth the requirements a federal contractor must take to ensure a diverse workforce free from discriminatory practices. In FY 2011, OFCCP continued to implement an aggressive regulatory program to evaluate, revise, and strengthen its regulations. In addition, OFCCP revised its Federal Contract Compliance Manual that provides guidance to both OFCCP staff and contractors on how to evaluate their affirmative action programs. Combined, both initiatives are helping OFCCP in detecting and reducing workplace discrimination.

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**Training:** In FY 2011, OFCCP continued its revitalization of the Training Academy and to improve the quality of its compliance audits and ensure consistent evaluations. In FY 2011, OFCCP developed and implemented the intermediate and advanced level curriculum. In FY 2012, OFCCP will also partner with EEOC and DOJ to provide joint training.

**Outreach:** The FY 2011 production measures included the reporting of compliance assistance hours and events. These measures reflect the enormous effort OFCCP will undertake to break down barriers to fair and diverse workplaces by educating workers about their rights.

In FY 2011, OFCCP continued to reach out to community groups, workers and their advocates. As a part of this outreach, OFCCP developed tools for employees of federal contractors so there is a better understanding of rights and responsibilities. In FY 2012, OFCCP will continue to report its outreach activities, with a greater proportion of events focused on community and worker groups.

Going forward in FY 2012, OFCCP will effectively support the Presidential and Department priorities of ensuring fair and high quality work life environments through its regulatory reform, outreach, and enhanced enforcement activities.

OFCCP - Ensure diversity and fairness in federal contractor workplaces

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2007	FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	What Worked	What Didn't Work	Program Performance Improvement Plan
Overall compliance rate of federal contractors	Target	--	--	--	--	--	--	Base			
	Result	--	--	--	--	--	--	--			
	Status	--	--	--	--	--	--	--			
Discrimination rate of federal contractors	Target	--	--	--	--	--	--	Base			
	Result	--	--	--	--	--	--	--			
	Status	--	--	--	--	--	--	--			
Technical violation rate of federal contractors	Target	--	--	--	--	--	--	Base			
	Result	--	--	--	--	--	--	--			
	Status	--	--	--	--	--	--	--			

**Sources:** OFCCP Case Management System

**Notes:** The FY 2011 targets to collect baseline data for compliance and discrimination rate measures were moved to FY 2013 since publication of the FY 2012 APR as a result of DOL Quarterly Operating Plan Review discussions by senior management. Wording also changed for all three measures but this did not change their definitions.

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#### Office of Disability Employment Policy (ODEP)

ODEP will continue its Add Us In initiative, designed to develop policy and strategies to increase employment of all individuals with disabilities by small businesses, particularly those owned or operated by African-Americans; Asian-Americans; Latino or Hispanic Americans; members of federally recognized tribes and Native Americans; lesbian, gay, bisexual and transgender individuals; women; and people with disabilities. In addition, ODEP will continue prior work with BLS and the Census Bureau to develop and implement a Current Population Survey disability supplement, which will provide relevant disability statistics.

#### **Program Evaluations**

There were no relevant independent evaluations completed in FY 2011.

## Outcome Goal 3.2—Provide workplace flexibility for family and personal care-giving.

### Analysis and Future Plans

#### Wage and Hour Division

In FY 2011, WHD conducted a customer satisfaction survey of FMLA complainants to determine their level of satisfactions with the services that the agency has provided to them in response to their concerns. Every individual who filed a FMLA complaint against their employer in FY 2010 was sent a survey form, and the survey received a response rate of 20.67 percent. WHD is analyzing the results of the survey. This survey will inform efforts to reinvigorate FMLA enforcement strategy.

WHD - Promote flexible workplace policies through enforcement of the Family Medical Leave Act (FMLA)

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2007	FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	What Worked	What Didn't Work	Program Performance Improvement Plan
Percent of FMLA complainants who are "satisfied" or "very satisfied" with WHD's services	Target	--	--	--	Base	--	--	--	WHD is undertaking an effort to analyze its customer service in FMLA enforcement	The results from the survey show a satisfaction rate that is low.	Plans for FY 2012 are to use the results of the survey to reengineer its enforcement approach to FMLA.
	Result	--	--	--	--	37.85%	--	--			
	Status	--	--	--	--	--	--	--			

**Sources:**

**Notes:**

#### Office of Disability Employment Policy (ODEP)

ODEP will partner with the Women's Bureau in FY 2012 to sponsor research on workplace flexibility practices across industries and geographic sectors regarding the issues, justification, and recommendations on the positive effects of workplace flexibility and telework on the environment, government efficiency, and work-family balance – that address the needs of all employers and workers, but especially those with complex needs.

#### Women's Bureau

In FY 2011, as part of the Department of Labor's ongoing efforts with the White House Council on Women and Girls, the Bureau hosted a total of thirteen National and regional Dialogues on Workplace Flexibility. Through these Dialogues, the Bureau forged collaborations with employees,



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employers, policy makers, unions, advocates, and researchers to expand work-life activities, promote promising practices, share stories of success, and gather information that will be used to inform policy and encourage implementation of workplace flexibility options. The Bureau also hosted a Workplace Flexibility Roundtable Forum in collaboration with ODEP entitled “Advancing Workplace Flexibility Policy and Practices.”

In FY 2012, the Bureau will build on the lessons learned from its National Dialogue on Workplace Flexibility. The Bureau will work with sister DOL agencies, employers, advocacy organizations, and other stakeholders to disseminate promising practices and provide education regarding policies that impact vulnerable workers. For example, the Bureau will collaborate with the Office of Disability Employment Policy (ODEP) to disseminate a tool kit for workers with complex employment needs. The Bureau will produce a report that will analyze research, key findings and challenges in implementing workplace flexibility policies and practices.

In FY 2011, the Bureau worked with the Bureau of Labor Statistics (BLS), the Chief Economist, and the Office of the Assistant Secretary for Policy to design and implement a supplemental module to the American Time Use Survey (ATUS). The supplement is designed to measure workers’ use and access to leave. Results will be available in FY 2012, contingent on the completion of a reimbursable agreement.

#### **Program Evaluations**

There were no relevant independent evaluations completed in FY 2011.

## Outcome Goal 3.3—Ensure worker voice in the workplace

### **Analysis and Future Plans**

#### Office of Labor-Management Standards

In FY 2011, OLMS exceeded five of its six performance goals. Although failing to meet or exceed one goal, OLMS did improve its performance for this goal. After setting baseline goals for three new measures in FY 2010, OLMS began developing strategies for meeting these new goals while continuing to fine-tune and improve strategies for exceeding the other three existing goals. The new goals endeavor to increase public disclosure reporting of employer-consultant agreements to persuade employees concerning their collective bargaining rights, decrease the number of chronically delinquent filers of labor organization financial reports, and improve customer satisfaction with the OLMS web site.

In FY 2008, OLMS established baselines and targets for its three prior three measures: the elapsed number of days to resolve union officer election complaints, the percent of electronically filed reports, and the percent of targeted audits that result in criminal cases. Each of these measures and goals were established to promote both OLMS effectiveness and efficiency and to increase union financial integrity and democracy and labor-management transparency. These are major tenets of the Secretary's goal to Ensure Worker Voice in the Workplace.

The increased complexity of union financial transactions continues to be a major challenge. By identifying anomalies in union financial reports and using other targeting measures, OLMS strives to more effectively identify unions where criminal activity may be present. As noted, OLMS has become more successful in this area, exceeding its related performance goal for three years straight – culminating with a “fallout” rate of 14.90 percent in FY 2011. Fallouts occur when OLMS performs compliance audits of unions that result in the finding that a criminal act may have taken place, and as a result, a criminal investigation is opened. By increasing the fallout rate, OLMS is able to use its resources more efficiently, thus freeing these resources for other priority tasks. One means of continuing this improvement is the establishment of a work group that will investigate whether there are identifiable “red flags” that may indicate where a criminal act has likely taken place. By instituting a system of identifying these red flags and then targeting audits at those unions with these red flags, fewer audits can be undertaken while maintaining a level number of criminal cases (and also increasing the percentage of audits that result in the opening of a criminal case).

OLMS has also invested in the use of new technology to facilitate the electronic filing of union financial reports. During FY 2010, OLMS implemented a new, web-based system for the electronic filing of LM-2 union annual reports, which ameliorates barriers to electronic filing that have been identified by OLMS stakeholders. In FY 2011, OLMS implemented a similar system for its LM-3 and LM-4 union filers. However, delays in rolling out phase II of the project meant that many unions could not take advantage of the new system, and as a result, OLMS did not meet its goal of 24.5 percent of forms filed electronically. However, 21.4 percent of forms were filed electronically, an improvement over FY 2010, when 18.5 percent of forms were electronic. With

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phase II in place, OLMS will concentrate on continued outreach to unions, especially through the OLMS Voluntary Compliance Program. By coupling training in electronic filing with an awareness program, OLMS believes that its goal of 30.5 percent of all files submitted electronically is reachable.

OLMS also established a goal in FY 2008 to decrease the number of elapsed days to resolve union officer election complaints. In passing the Labor-Management Reporting and Disclosure Act in 1959, Congress established a 60-day deadline for court filing of an election complaint. An analysis of data indicated that in these cases waivers of the 60-day limit were increasing, extending the average elapsed time to 92 days. Waivers of the 60-day filing deadline are sometimes necessary to accommodate settlement discussions between OLMS and the union and for other valid reasons. However, quicker resolution of election complaints ensures quicker restoration of democratic voice and a democratically operated union and, because of this, in FY 2008, OLMS created a performance measure tracking elapsed days, with 92 elapsed days as the baseline. In subsequent fiscal years (2009, 2010 and 2011), OLMS exceeded its goals for this measure and continues to examine new methods for reducing its elapsed days further. A new team-based approach for handling election cases has proven successful and will continue to be implemented throughout OLMS during FY 2012. OLMS had also successfully accelerated early Office of the Solicitor involvement in cases that may result in litigation and will continue to work with the Solicitor's Office to fine-tune this program.

For its three recently implemented goals, OLMS intends to reduce the number of chronically delinquent filers of labor organization financial reports, increase the number of LM-10 and LM-20 persuader reports, and increase its web site satisfaction index score. Baselines for these measures were established in FY 2010 and as such, FY 2011 is the first year comparative results are being reported. For all three measures, OLMS exceeded its goals.

In FY 2010, OLMS determined there were 2,070 chronically delinquent filers. A chronically delinquent filer is a union that has not filed a required financial report on time each of the past three years. Because timely filing is a basic tenet of financial transparency, OLMS determined that reducing the number of these chronically delinquent unions was important to this goal. For FY 2011, OLMS established a goal of 1,970 chronically delinquent filers – a five percent reduction. OLMS exceeded this goal, ending the year with 1,835 chronically delinquent filers. For FY 2012, OLMS will expand its efforts to reduce this number by identifying, in a more timely manner, those unions that were reported as chronically delinquent in FY 2011, and, in addition, those unions that have been delinquent the past two filings (this latter set of unions, while not chronically delinquent now, would be considered chronically delinquent if their next submission is not timely – as such, this group could be considered “at-risk”). These “at-risk” unions will be targeted in FY 2012 for offers of compliance assistance in an effort to avoid another untimely filing. Similar assistance will be offered to existing chronically delinquent filers in an effort to obtain a timely filing, thus reducing the number of these delinquent filers.

A second recent measure initiated is the attempt to increase the number of LM-10 and LM-20 persuader reports. Under the LMRDA, companies and outside agents/consultants are required to file an LM-10 or LM-20 when they arrange for services that are designed to influence or persuade employees in a union representation election. For FY 2011, OLMS established a goal of obtaining 545 persuader reports – efforts to obtain these reports generated 692 reports, many of which were submitted for prior years. For FY 2012, OLMS has a goal of 615 reports. One major effort under this initiative is to match reports – since both the company and the persuader are required to file a report for the same set of services, when only one entity files the report, OLMS

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contacts the other entity to request submission of the corresponding report. This effort has been successful and will continue into FY 2012 and beyond.

The final measure is the customer satisfaction with the OLMS web site. OLMS established an index baseline of 58 in FY 2010 and a goal to increase the index score of 59 in FY 2011. This goal was exceeded as the OLMS customer satisfaction index score in FY 2011 was 61. OLMS will continue to analyze the customer satisfaction surveys to identify areas where improvements to the web site can be implemented. These improvements would normally be expected to continue to increase the customer satisfaction score.

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OLMS - Ensure union financial integrity, democracy, and transparency

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2007	FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	What Worked	What Didn't Work	Program Performance Improvement Plan
Number of "persuader" LM-10 and LM-20 reports received	Target	--	--	--	Base	545.0	615.0	615.0	In 2011, OLMS was able to manually identify, through a cross-match program, a significant number of persuaders that had not filed required LM-10 or LM-20 reports and an outreach program established.	A planned upgrade to the OLMS e.LORS system was postponed. This upgrade would have automated the cross-match program, providing additional efficiency in identifying missing reports.	OLMS will continue to undertake its manual cross-match program and examine additional means of identifying persuaders who may not have filed required reports.
	Result	--	--	--	474.0	--	--	--			
	Status	--	--	--	--	--	--	--			
Percent of disclosure reports filed electronically	Target	--	--	Base	18.50%	24.50%	30.50%	34.50%	In April, 2011, OLMS rolled out Phase II of its Electronic Filing System. The system had an immediate impact - significantly increasing the percentage of electronically filed LM-3 and LM-4 reports.	The implementation of Phase II of the OLMS Electronic Filing System was delayed, resulting in fewer electronic filers among smaller unions than planned.	Phase II will be coupled with the outreach program existing in the Voluntary Compliance Program, together they are expected to increase the number and percentage of electronic filers.
	Result	--	--	17.40%	20.60%	21.40%	--	--			
	Status	--	--	--	Y	I	--	--			
Average number of days to resolve union officer election complaints	Target	--	Base	88.0	84.0	80.0	78.0	76.0	OLMS continued to coordinate with the Solicitor's office, allowing for earlier intervention. Where used, the team approach to election case was continued, resulting in more expeditious case handling.	The significantly increased number of election cases resulted in staff time pressures that reduced the use of teams.	District offices will increase the use of a team approach to investigate election cases and the national office will further accelerate Office of the Solicitor involvement to resolve cases sooner.
	Result	--	92.0	70.0	81.0	79.0	--	--			
	Status	--	--	Y	Y	Y	--	--			
Percent of targeted audits that result in a criminal case	Target	--	Base	12.00%	12.50%	13.00%	13.50%	14.00%	OLMS has implemented a program through which District Offices can share best practices for targeting. A new case predicate tracking system allows for more structured analysis of targeting data.	OLMS has not been able to fully measure how various target measures interact in terms of their ability to more fully identify cases where fraud or embezzlement have occurred.	OLMS will continue to share best practice targeting methods and has implemented a Working Group that will analyze data on fallouts to provide a more rigorous methodology for targeting audits.
	Result	--	11.50%	12.10%	14.60%	14.90%	--	--			
	Status	--	--	Y	Y	Y	--	--			
Customer satisfaction score for OLMS Web site users	Target	--	--	--	Base	59.0	60.0	61.0	OLMS continued to monitor satisfaction with its Union Reporting web site and intends to roll out the satisfaction survey to all sections of the web site. OLMS also implemented a new search tutorial.	Search and navigation continued to be areas of dissatisfaction.	OLMS has identified search and navigation issues as main aspects of customer dissatisfaction, and will continue to make changes to improve these areas of the web site, resources permitting.
	Result	--	--	--	58.0	61.0	--	--			
	Status	--	--	--	--	Y	--	--			

Strategic Goal 3

OLMS - Ensure union financial integrity, democracy, and transparency

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2007	FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	What Worked	What Didn't Work	Program Performance Improvement Plan
Number of chronically delinquent filers of labor organization financial reports	Target	--	--	--	Base	1,970.0	1,870.0	1,770.0	OLMS identified past chronically delinquent unions, targeting these unions for early intervention.		OLMS will continue its strong outreach program through its Voluntary Compliance Agreement program. OLMS has identified potentially delinquent unions to offer compliance assistance.
	Result	--	--	--	2,070.0	1,835.0	--	--			
	Status	--	--	--	--	Y	--	--			

**Sources:** Data for Performance Indicators measuring "Persuader" reports, electronically filed reports, days elapsed for election cases, targeted audits resulting in criminal cases, and chronically delinquent files are stored in and retrieved from the electronic Labor Organizations Reporting System (e.LORS).

Data for the OLMS Website Customer Satisfaction performance indicator is collected and reported under a contract with ForeSee, Inc.

**Notes:** The e.LORS database is a robust and mature database that provides data in a timely and verifiable manner, allowing OLMS to access data and information on an as-needed basis. ForeSee is a nationally recognized company providing website customer satisfaction data to a number of Federal agencies.

Mine Safety and Health Administration

MSHA’s Office of Assessments, Accountability, Special Enforcement and Investigations (OAASEI), formerly the Office of Assessments, oversees MSHA’s program to protect miners from discrimination when they exercise their right to report health and safety hazards without fear of retaliation. MSHA completed 147 discrimination case investigations in FY 2011, completing 119 cases (81 percent) within 60 days. MSHA resolved 59 temporary reinstatement requests in FY 2011, completing 43 reviews (73 percent) within 20 days. Both targets (80 percent and 70 percent, respectively) were reached.

Beginning in FY 2010, from October 2009 through June 2010, the Office of Assessments transmitted a weekly status report to MSHA’s field investigators and solicitors reporting on all active section 105(c) discrimination cases and provided alerts of cases approaching their scheduled completion due date. During the fourth quarter of the fiscal year, due to a shortage of staff, the weekly activity report was temporarily suspended. MSHA resumed the weekly reports during the second quarter of FY 2011. In addition, the Agency reviewed the Special Investigations program to determine if the current reporting structure, organizational location, and/or staffing levels of the Headquarters’ special investigations review functions should be changed. As a result of this review, in FY 2012 MSHA is implementing a reorganization that will centralize oversight of special enforcement and the development of key enforcement strategies within the new OAASEI. This establishes within a single program area the management of enhanced enforcement strategies, including discrimination complaint processing. With this level of support, MSHA expects the discrimination complaint investigations to be more timely and thorough.

Strategic Goal 3

In June 2011, MSHA released new web-based training tools to help miners better understand their rights and responsibilities under the Mine Act. Section 105(c) of the Mine Act prohibits discrimination against miners, applicants for employment and representatives of miners for exercising their statutory rights, especially those rights that concern safety or health activities, such as identifying hazards, requesting MSHA inspections or refusal to engage in unsafe work. The tools include: a compendium of online videos; the full text of ‘A Guide to Miners’ Rights and Responsibilities;’ links to additional information on miners’ rights; an electronic form for filing an anonymous hazard complaint; a discrimination complaint packet, and black lung benefits and resources.

MSHA is currently conducting an evaluation to develop a survey instrument to assess the degree to which miners are aware of their rights to identify hazardous conditions, request an inspection by MSHA without fear of retaliation, and to select a co-worker or other as a representative of miners to represent them in health and safety matters with MSHA and the mine operator.

MSHA - Improve the timeliness of discrimination complaint investigations

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2007	FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	What Worked	What Didn't Work	Program Performance Improvement Plan
Percent of 105(c) investigations of miner discrimination complaints that are completed within 60 days of receipt	Target	--	--	Base	75.00%	80.00%	85.00%	85.00%	Weekly status reports were distributed to the field investigators which provide alerts of cases approaching their scheduled completion due dates.	Failure to distribute status reports during the fourth quarter of FY 2010 and the first quarter of FY 2011.	Establish a process to automate, produce and distribute a weekly standardized report to applicable MSHA and SOL personnel.
	Result	--	--	68.00%	78.00%	81.00%	--	--			
	Status	--	--	--	Y	Y	--	--			
Percent of investigations of miner requests for temporary reinstatements that are completed within 20 days of receipt	Target	--	--	Base	50.00%	70.00%	70.00%	70.00%	Weekly status reports were distributed to the field investigators which provide alerts of cases approaching their scheduled completion due dates.	Failure to distribute status reports during the fourth quarter of FY 2010 and the first quarter of FY 2011.	Establish a process to automate, produce and distribute a weekly standardized report to applicable MSHA and SOL personnel.
	Result	--	--	39.00%	78.00%	73.00%	--	--			
	Status	--	--	--	Y	Y	--	--			

**Sources:** Discrimination Investigations are tracked in a stand-alone database (Privacy Act Systems of Records - DOL/MSHA-10) into which enforcement and Office of Assessments personnel record applicable discrimination investigation information (dates, milestones, outcomes etc). The system is located on a server on MSHA’s segment of the DOL network.

**Notes:** The reinstatement measure target for FY 2011 was revised (from 85.0% in the FY 2010 APR) based on a correction to the FY 2010 result.

**Program Evaluations**

There were no relevant independent evaluations completed in FY 2011.

## **Strategic Goal 4: Secure health benefits and, for those not working, provide income security**

**Outcome Goal 4.1—Facilitate return to work for workers experiencing workplace injuries or illnesses who are able to work.**

### **Analysis and Future Plans**

#### Office of Workers' Compensation Programs (OWCP)

OWCP supports the Secretary of Labor's vision of good jobs for everyone through the achievement of Strategic Outcome Goal 4.1 - Facilitate return to work for workers experiencing workplace injuries or illnesses who are able to work.

Return to work is most successful through early identification of work injury or illness, prompt development of case information, and efficient provision of assistance services that will support recovery and return to work. Achievement of this is measured by the Division of Federal Employees' Compensation (DFEC) using two key indicators: disability duration, measured as lost production days (LPD), and the percentage of injured workers successfully returned to employment.

DFEC uses contract nurses to initiate contact with claimants, employing agencies and medical providers during the Continuation of Pay (COP) period. The COP nurse advises injured workers and assesses their conditions; confirms return-to-work status; obtains a treatment plan from the treating physician; and then files a report with recommendations to DFEC claims staff. Often cases are referred on to a Field Nurse for additional services including securing authorization for medical treatment, coordination of physicians, and facilitation with employing agencies for return to work. DFEC uses its data and communications systems to improve information exchanges with employers and claimants. If claimants remain out of work for extended periods, DFEC continues regular monitoring to identify cases when medical conditions improve and provide vocational rehabilitation and job placement services as soon as it is feasible to do so.

DFEC return to work efforts especially support Administration initiatives such as Executive Order 13548 to increase Federal employment of injured workers and workers with disabilities, and the four-year (FY 2011 – FY 2014) Presidential "Protecting Our Workers and Ensuring Reemployment" (POWER) initiative, jointly directed by OWCP and the Occupational Safety and Health Administration. Of the seven government-wide performance goals established by POWER, DFEC is responsible for four. In FY 2011, the Government-wide target averages were:

- Reduce agency lost production day rates (per 100 employees) to 35.4 days;



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- Increase the percent of FECA Disability Management cases returned to work within two years to 86.7 percent;
- Increase the percent of Notices of Injury filed by Federal employers within 14 days to 81 percent; and
- Increase the percent of Wage-loss Claims filed by Federal employers within 7 days to 60 percent.

Achievement of these goals in FY 2011 was due to a combination of earlier identification and delivery of services to new injury cases, Disability Management process and coordination improvements, and effective use of the POWER initiative to focus Federal agencies on performance results.

**Reduce Government-wide Lost Production Day (LPD) rates** – Under POWER, individual Executive Branch agencies are directed to reduce LPD rates (per 100 employees) by 1 percent per year through FY 2014. In FY 2011, the Government-wide average LPD rate was reduced to 33.8 days. In FY 2010, the result had been 34.6 days. To support achievement of POWER’s four-year LPD goals, DFEC established the POWER Return-to-Work (RTW) Council with the 14 largest Federal agencies as a forum to review performance results, share best practices, and set individual agency goals that will improve results.

**Increase the share of Federal employees that return to work within two years of entering FECA’s Disability Management program** – POWER’s four-year target is to increase the overall share of cases that are returned to work by the 14 largest Executive Branch agencies to 92 percent within two years of the cases’ start of management by DFEC. In FY 2011, 91.6 percent of the injured workers had been returned to work within two years, an increase from the FY 2010 result of 89.7 percent. OWCP along with the Department of Labor’s Office of Disability Employment Policy (ODEP) is conducting a study in FY 2012 to identify disability hiring best practices used by Federal agencies and document the obstacles that restrict agency return to work efforts. Findings will be shared through the POWER RTW Council and more directly with agency workers’ compensation and human resources staff in a strengthened OWCP/ODEP technical assistance program. The feasibility of implementing best practice approaches or mitigating job placement obstacles will be tested as DFEC works with individual agencies on implementation.

**Timely submission of Notices of Injury and Wage-Loss Claims** – The ability of DFEC to promptly initiate intervention and return to work services is improved if Federal employers are timely in the submission of injury reports and wage-loss claims. Earlier receipt of these forms also enables DFEC to begin claims adjudication and payment processing sooner. For these reasons, POWER includes two additional goals to improve timely submission. In FY 2011, Federal agencies filed 83.4 percent of Notices of Injury within 14 days. Agencies also filed 68.5 percent of wage-loss claims within 7 days. Both results exceeded the established targets. Fourteen agencies are using Electronic Data Interchange (EDI) systems to report injuries electronically. Most of these agencies made immediate significant gains in timeliness subsequent to adoption of EDI. To expand electronic filing capability to all agencies, DFEC is developing a web-based capability (ECOMP) that will extend the electronic submission capability to all employing agencies and further cut the time of delivery.

Strategic Goal 4

OWCP - Assist in the recovery and re-employment of injured workers

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2007	FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	What Worked	What Didn't Work	Program Performance Improvement Plan
Government-wide LPD rate in non-Postal government agencies	Target	49.00	48.50	42.00	35.40	35.40	35.10	34.70	Successful early case intervention by OWCP and employers' dedicated focus on achieving Administration goals to assist and reemploy their injured workers.	Certain Federal agencies' missions tend to make work more hazardous and reemployment opportunities less readily available; organizational characteristics also restrict return to work opportunities.	Use the POWER Return-to-Work Council of the 14 largest Federal agencies to review performance results, share best practices, and set individual agency strategies and targets that will improve results.
	Result	46.30	41.30	35.80	34.60	33.80	--	--			
	Status	Y	Y	Y	Y	Y	--	--			
Percent of injured federal workers coming under FECA Disability Management that are reemployed by (non-Postal) federal agencies	Target	--	--	--	86.90%	86.70%	88.40%	90.20%	Early intervention and nurse return to work assistance and Federal employers' dedication to reemploying their injured workers.	Certain Federal agencies' missions tend to make work more hazardous and reemployment opportunities less readily available; organizational characteristics also restrict return to work opportunities.	Provide agencies with more precise case tracking reports; identify and mitigate obstacles preventing reemployment; and test new strategies for increasing return to work rates.
	Result	--	--	--	89.70%	91.60%	--	--			
	Status	--	--	--	Y	Y	--	--			

**Sources:** Integrated Federal Employees' Compensation System (iFECs), individual Federal agencies' payroll systems, and Office of Personnel Management Employment and Trends reports

**Notes:**

**Program Evaluations**

Independent evaluations completed in FY 2011 are summarized below.

**OWCP – “Federal Employees’ Compensation Act (FECA) Program Impact Evaluation,” March 2011 (SRA International, Inc.)**

**Relevance:** This was an evaluation of the effectiveness of the FECA program to achieve positive case management outcomes through its Disability Management (DM) activity using the Logic Model developed during a 2009 study performed by SRA, International Inc., and assessment of the impact of recommendations from prior studies that have already been implemented. Knowledge gained from the evaluation would:

- Better inform the disability management program overall, and lead to improvements in early case intervention and vocational rehabilitation strategies and expedited procedures;
- Assist the FECA program to improve the timeliness and quality of information sharing between FECA and Federal agency employers;
- Enable FECA to better assist in individual cases;
- Assist the FECA program to improve performance measurement, achieve program goals, and improve analysis and presentation of results;
- Better inform FECA program resource allocation decisions.

Strategic Goal 4

**Findings and Recommendations:**

The FECA program should:

- Have nurses intervene earlier in the Continuation-of-Pay period
- Have nurses intervene earlier in the Continuation-of-Pay period
- Standardize the Field Nurse role but allow more flexible timing
- Revise the Staff Nurse role
- Utilize earlier, task-based Vocational Rehabilitation (VR) services
- Revise Rehabilitation Specialist role
- Clarify impact of Privacy laws on FECA communication processes
- Establish a nationwide procurement for Second Opinion and Independent Medical examinations

**Next Steps:**

DFEC has updated four Procedure Manual (PM) chapters pertaining to Disability Management:

- PM Chapter 2-600, Disability Management, provides an overview of the entire process from beginning to end. It stresses early and recurring intervention, and also outlines the procedures for dual assignment of both an OWCP Field Nurse and Rehabilitation Counselor.
- PM Chapter 2-811, Nurse Case Management, now outlines DFEC's updated vision for nurse intervention as part of effective disability management and discusses the role of the Staff Nurse. Specifically, this chapter codifies DFEC's new focus on earlier intervention by both the COP Nurse and the Field Nurse, and it outlines the Program's shift from strict length of assignment guidelines for nurses and instead focuses on case specific decision making.
- PM Chapter 2-813, Vocational Rehabilitation Services, now provides a discussion of the Rehabilitation Specialist's role, a thorough discussion of the various phases and outcomes for rehabilitation, and procedures for earlier task-based vocational rehabilitation assignments.
- PM Chapter 2-601, Disability Management Tracking, now provides an overview of the goals and coding associated with the entire Disability Management process and stresses the importance of consistent and accurate coding for proper analysis and measurement of actions taken.

Future actions:

- Completion of a web-based application that will enable electronic submission of claims documents by employing agencies and injured workers making the claims data immediately available to DFEC claims staff; and refinement of the interactive voice response (IVR) communications system to provide claimants with greater access to OWCP claims staff to answer questions as well offer self-help features that provide timely case status information.
- Elevation of Vocational Rehabilitation through upgrade of the qualifications, skills, and capabilities of DFEC VR Specialists and establishment of a centralized national coordinator of the VR activity.

**Additional Information:** To request a copy of the report, contact U.S. Department of Labor, Center for Performance Planning and Review, Room S-3317, 200 Constitution Ave., N.W., Washington, D.C. 20210 or telephone 202-693-7120.

**OWCP – “Special Report Relating to the Federal Employees’ Compensation Act Special Benefit Fund,” October 2010 (OIG)**

**Relevance:** The OIG contracted with an independent certified public accounting firm to prepare the report on the Fund as of and for the year ended September 30, 2010.

Strategic Goal 4

**Findings and Recommendations:**

- OIG concluded that DOL's Schedule as of and for the year ended September 30, 2010, is presented fairly, in all material respects, in conformity with U.S. generally accepted accounting principles.
- In prior year audits, deficiencies were noted in the internal control over financial reporting related to the preparation of the FECA Schedule of Actuarial Liability, Net Intra-Governmental Accounts Receivable, and Benefit Expense (the Schedule) as prepared by the Employment Standards Administration, Office of Management, Administration and Planning (ESA/OMAP) that resulted in a number of errors in the draft Schedule that were later corrected by management.
- During the FY 2010 audit, it was noted that the Office of Workers' Compensation Programs (OWCP) management had not established formalized policies and procedures that would provide those responsible for preparing and reviewing the Schedule with detailed guidance to facilitate the timely preparation and review of the Schedule and mitigate the risk of misstatements in the future. It was also noted that OWCP had not established and implemented policies and procedures to prepare and review the Schedule quarterly instead of just at fiscal year end to help ensure that the Schedule is prepared accurately and timely at fiscal year end.

**Next Steps:**

- Management agreed to formalize written policies and procedures for preparation and review of the schedules, and completed this action during the second quarter of FY 2011. Management also prepared the quarterly trial schedules for each of the first three quarters of FY 2011 once the procedures were formally established.

**Additional Information:** The report is available at <http://www.oig.dol.gov/public/reports/oa/2011/22-11-001-04-431.pdf>

## Outcome Goal 4.2—Ensure income support when work is impossible or unavailable.

### **Analysis and Future Plans**

#### Office of Workers' Compensation Programs (OWCP)

OWCP effectively supports Strategic Outcome Goal 4.2 by promptly and accurately processing claims to determine entitlement and establish liability for payment, and timely delivering benefits, thereby shortening the duration of income interruptions.

**Increase the timeliness of First Reports of Injury and First Payment of Compensation** – The Division of Longshore and Harbor Workers' Compensation met three of its four FY 2011 targets for performance indicators which measure the timeliness of Defense Base Act (DBA) case actions by employers and insurance carriers. Injury report timeliness in FY 2011 for DBA cases was 79 percent within 30 days against a goal of 75 percent. First payment timeliness in FY 2011 for DBA cases was 56 percent within 30 days against a goal of 58 percent within 30 days. Injury report timeliness in FY 2011 for non-DBA cases was 79 percent within 30 days against a goal of 78 percent. First payment timeliness in FY 2011 for non-DBA cases was 85 percent within 30 days against a goal of 83 percent.

The complexity and growing number of DBA cases remain challenging for the Longshore program. Even with the drawdown of military operations in Iraq, the DBA caseload is expected to remain high as a result of increased contracting efforts to replace military operations. Because of overseas' communications, geographic, and other limitations, DBA claims typically entail lengthy and more resource-intensive development time on the part of employer/carriers. Longshore will leverage the influence gained with employers and carriers during FY 2011 to continue to improve performance. Program actions include communication of its expectations and employer/carrier responsibilities under the Law; and publication of employers/carrier performance against the key measures of timely injury notices and first payment of benefits.

In an effort to continue improvement in timely processing of compensation cases and quality case work, the program adopted two new performance goals aimed at facilitating the prompt delivery of benefits to injured workers and their families. The new measures will track performance for informal dispute resolution timeliness at the district office level for both non-DBA and DBA cases. These measures will more accurately reflect district office dispute resolution effectiveness and productivity and allow the program to use internal performance strategies to impact performance. Improved timeliness in district office resolution will result in more prompt benefit delivery with a direct and positive impact on the program's mission to provide income support.

**Timely Adjudication in EEOICPA Claims** – The Division of Energy Employees Occupational Illness Compensation (DEEOIC) continues to provide timely claims adjudication and benefit delivery. In FY 2011, the Energy program reached its initial processing performance targets for average days under Part B with a result of 91 days against a target of 110 days, and for Part E with an average of 99 days against a target of 145 days.

#### Strategic Goal 4

The goal for Final Decisions was achieved with a result of 94.6 percent against a target of 92 percent. In FY 2011, DEEOIC established baselines and targets for four new goals in FY 2012 to measure the overall time to make claims decisions, from intake to final decisions. The new goals combine Part B and Part E results and account for the various actions a case may require, including dose reconstruction or oral hearing. These measures will provide a more transparent view of the claims process, including time spent in case development outside of DEEOIC at NIOSH.

Several initiatives during FY 2012 are aimed at further reducing processing times in DEEOIC. The Energy Compensation System (ECS) is being deployed in the beginning of the year resulting in a major change in DEEOIC's systems and the way the program will manage cases technologically. A new District Medical Consultant/Second opinion contract will change the way case referrals are made from the district and Final Adjudication Branch (FAB) offices – a significant portion of the program's development process. Deployment of a new electronic method of sharing information with the Department of Energy (DOE) for verification of employment and other records will also improve program timeliness.

**Black Lung Claims Decision Timeliness** – The Black Lung Program met its claims processing goal of reducing the average time to render a Preliminary Decision and Order. Against a target of 250 days, results were 238 days. The target was established at the beginning of FY 2011 in anticipation of the increased workload associated with volumes of claims the program has received and is receiving due to provisions in the Patient Protection and Affordable Care Act (PPACA) that enhanced claimants' eligibility. The performance trend from the beginning to the end of the year supports the program's assertion that the average time to render proposed decisions and orders would increase during FY 2011 as evidenced by quarterly results increasing from 214 days in the first quarter to 257 days in the fourth quarter. New claims filings dropped by 17 percent between the third quarter of FY 2011 and the first quarter of FY 2012. Based on the program's experience with fluctuations in workloads caused by previous changes in law or regulations, the decrease in claims filings indicates that incoming workloads are following the historical trend and it is anticipated that filings will decline slowly during FY 2012 and into FY 2013 as claims filings gradually return to pre-PPACA levels. Consequently, the Black Lung program has adjusted the performance target to 240 days in FY 2012 and reduces it further to 228 days in FY 2013. In order to reach these targets and reduce the impact of income loss suffered by disabled coal miners, the program will employ strategies to reduce the time necessary for development of medical evidence associated with the claim. Program data shows that 61% of the overall average claims processing time involves the time required to complete the activities involved with the development of medical evidence for claims. These activities include: authorization of medical testing, medical examinations, evaluation of medical reports, follow-up work with physicians, and re-testing (if necessary). Reducing the amount of time necessary to complete these activities will contribute to shorter overall average claims processing time. To monitor the timeliness of these activities, in FY 2012, the program will establish a baseline to measure the average amount of time necessary to complete development of medical evidence involved with claims.

Strategic Goal 4

OWCP - Reduce the consequences of work-related injuries

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2007	FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	What Worked	What Didn't Work	Program Performance Improvement Plan
Average number of days to process Black Lung claims	Target	247	220	218	200	250	240	228	The target for average timeliness to render a decision on claims in 250 days or less was achieved with an YTD result of 238 days – representing a 5 percent decrease from target.	The average timeliness to render a decision on claims slowed from a quarterly result of 214 days in the first quarter to a quarterly result of 257 day in the first quarter due to increased workloads.	The program's focus will be to reduce the overall average timeliness to render a decision by reducing the time necessary for development of medical evidence associated with Black Lung claims.
	Result	224	205	201	210	238	--	--			
	Status	Y	Y	Y	N	Y	--	--			
Percent of Employer's First Report of Injury filed within 30 days for Defense Base Act (DBA) cases	Target	--	--	--	65%	75%	85%	87%	Increased interaction with stakeholders better positioned Longshore to influence employer behavior to address increasing DBA workload.		Program identified additional areas of focus to continue to improve benefit delivery and customer service.
	Result	--	--	55%	75%	79%	--	--			
	Status	--	--	--	Y	Y	--	--			
Percent of Employer's First Report of Injury filed within 30 days for non-DBA cases	Target	--	--	--	Base	78%	85%	87%	Performance measure helped to improve timely processing of compensation cases and quality case work for injured workers and their families.		New performance measure. This measure will improve timeliness of claims processing for non-DBA cases within 30 days.
	Result	--	--	--	72%	79%	--	--			
	Status	--	--	--	--	Y	--	--			
Percent of First Payment of Compensation issued within 30 days for DBA cases	Target	--	--	--	50%	58%	65%	67%	Efforts by the Longshore program to change employer/carrier performance. Poorer performing employers were contacted to resolve problems. Longshore's electronic reporting facilitates data sharing.		Staff continue to work with industry upper management and claims adjusters to decrease time for claims investigations and claims decisions
	Result	--	--	43%	56%	56%	--	--			
	Status	--	--	--	Y	N	--	--			
Percent of First Payment of Compensation issued within 30 days for non-DBA cases	Target	--	--	--	Base	83%	85%	87%	Performance measure helped to improve timely processing of compensation cases and quality case work for injured workers and their families.		New performance measure. This measure will improve timeliness of claims processing for non-DBA cases within 30 days.
	Result	--	--	--	81%	85%	--	--			
	Status	--	--	--	--	Y	--	--			

Sources: Black Lung Automated Support Package, Longshore Case Management System

Notes:

Strategic Goal 4

EEOICPA - Reduce the consequences of work-related injuries

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2007	FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	What Worked	What Didn't Work	Program Performance Improvement Plan
Average days between filing date and final decision for cases not sent to NIOSH when a hearing is not held	Target	--	--	--	--	Base	88	174			
	Result	--	--	--	--	182	--	--			
	Status	--	--	--	--	--	--	--			
Average days between filing date and final decision for cases not sent to NIOSH when a hearing is held	Target	--	--	--	--	Base	185	363			
	Result	--	--	--	--	381	--	--			
	Status	--	--	--	--	--	--	--			
Average days between filing date and final decision for cases sent to NIOSH when a hearing is not held	Target	--	--	--	--	Base	222	434			
	Result	--	--	--	--	457	--	--			
	Status	--	--	--	--	--	--	--			
Average days between filing date and final decision for cases sent to NIOSH when a hearing is held	Target	--	--	--	--	Base	301	589			
	Result	--	--	--	--	619	--	--			
	Status	--	--	--	--	--	--	--			

Sources: Energy Case Management System

Notes:

Employment and Training Administration

The FY 2011 performance targets were achieved.

- **First Payment Timeliness** – Making timely payments to unemployed workers is critical to fulfilling the UI system’s key statutory objective of making full payment of unemployment compensation "when due." Performance exceeded the FY 2011 target of 84.0 percent; 84.6 percent of first payments were made within 14/21 days, an increase from the FY 2010 level of 82.2 percent. The improvement in first payment timeliness was led by double-digit improvements in California, Rhode Island, and Virginia.

The increase in timeliness in 2011 coincided with a decrease in workload. New initial claims for the State UI and federal civilian and military unemployment compensation programs decreased from 18.6 million in FY 2010 to 16.6 million in FY 2011. First payments also decreased from



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11.4 million in FY 2010 to 9.9 million in FY 2011. The economic outlook for FY 2012 and FY 2013 indicates that economic conditions will provide only marginal help to timeliness as unemployment rates will decline only to 8.95 percent and 8.70 percent, respectively, from FY 2011's 9.2 percent. Despite the projected modest improvement in the labor market, FY 2012 and FY 2013 targets for first payment timeliness have been set above the FY 2011 performance level, reflecting ETA's special efforts to raise performance in a few chronically underperforming states.

**Detection of Overpayments** – Establish for recovery at least 51.40 percent of the amount of estimated overpayments that states can detect and recover. Ensuring that benefits are paid only to those who meet eligibility requirements and that erroneous payments are detected and recovered is critical to the integrity of any benefit payment program.

States detected and established for recovery 58.8 percent of the estimated overpayments, which exceeded the FY 2011 target of 51.4 percent. Overpayments established were unchanged while estimated overpayments fell by 16%, the result of a 28% drop in UI benefit payments.

Statistical analysis of this measure suggests that the gradual improvement in the economy should result in improved performance for this measure. The overpayment establishment component of the measure is quite sensitive to economic conditions. Improvement in the labor market should result in a decrease in benefit payments and a reduction in the total amount overpaid. Lower claims volumes should also result in less diversion of state Benefit Payment Control (BPC) staff from integrity to claims taking functions, which should improve overpayment detection. Additionally, states implementing the Treasury Offset program (TOP) to recover overpayments by offset against federal income tax refunds, can be expected to devote a larger share of BPC resources to establishment efforts.

Based on statistical model results, the gradual improvement in labor market conditions is far too slight to account for the 8-point increase in performance seen between FY 2010 and 2011. The Department believes it is due to the rise in Extended Benefits (EB) payments. EB payments rose from \$4 million in FY 2008 to \$4.4 billion in 2009, \$7.9 billion in 2010, and \$11.9 billion in 2011. It should be noted that whereas overpayment establishments reported on the ETA 227 report include Extended Benefits (EB) claims, the EB program is not included in the Benefit Accuracy Measurement survey, from which estimated recoverable overpayments are derived. This difference is thought to account for most of the measured rise in the Detection of Overpayments ratio. Pending revisions to the ETA 227 report will require EB overpayments to be reported separately and will eliminate any EB "measurement surge," although it may be seen in 2012 reporting until the ETA 227 revisions are fully implemented.

**Establish Tax Accounts Promptly** – 86.40 percent of the UI tax liability determinations for new employers will be made within 90 days of the end of the quarter in which employers become liable. Promptly enrolling new employers in the UI program is key to fulfilling major program objectives of supporting the timely payment of taxes – which fund UI benefits – and making timely and accurate eligibility determinations based on employer-reported wages.

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In FY 2011, 87.3 percent of new status determinations were made within the specified 90-day period. Performance improved in 34 states and exceeded the 86.4 percent target. This represents an increase of nearly one percentage point from the year before.

Statistical studies have indicated that new status timeliness is broadly countercyclical with a significant upward trend since 1997. As economic activity falls, status timeliness tends to rise because the status determinations workload falls. However, the broad historical relationship was broken temporarily by the recent recession, as it appears that many states reassigned staff from tax to UI claims functions in response to the sharply increased claims workloads. This caused status determinations timeliness to decline between FY 2008 and FY 2009 despite a fall in status determinations workloads. Staff diversion seems to have moderated between FY 2009 and FY 2010 as status performance improved, and performance resumed its upward trend in FY 2011. This trend, reflecting improvements in automation and adoption of best practices, is expected to continue through 2013.

ETA - Facilitate timely and accurate payments to unemployed workers

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2007	FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	What Worked	What Didn't Work	Program Performance Improvement Plan
Percent of all intrastate first payments that will be made within 21 days.	Target	90.00%	88.40%	85.70%	85.90%	84.00%	85.70%	87.00%	As of 9/30/11, 35 states improved performance compared with FY 2010. The increase in timeliness coincided with a decrease in workload.	Twenty-two states performed below the 84.0% target.	States failing to achieve the Acceptable Level of Performance standard must develop a Corrective Action Plan.
	Result	88.20%	86.80%	82.90%	82.20%	84.60%	--	--			
	Status	--	N	N	N	Y	--	--			
Percent of the amount of estimated overpayments that states detect established for recovery.	Target	60.00%	56.00%	51.80%	52.80%	51.40%	52.30%	51.80%	Overpayments established by State Benefit Payment Control (BPC) operations were unchanged while estimated overpayments fell by 16%, the result of a 28% drop in UI benefit payments.	Part of the increase is due to the rise in Extended Benefits (EB) payments, which increased from \$4 million in FY 2008 to \$4.4 billion in 2009, \$7.9 billion in 2010, and \$11.9 billion in 2011	States failing to achieve the 70 percent UI Performs Acceptable Level of Performance standard must develop a Corrective Action Plan as part of the State Quality Service Plan.
	Result	54.80%	56.20%	52.90%	49.80%	58.80%	--	--			
	Status	--	Y	Y	N	Y	--	--			
Percent of determinations about UI tax liability of new employers made within 90 days of the end of the first quarter they became liable	Target	82.80%	84.90%	88.70%	90.00%	86.40%	86.90%	87.50%	FY 2011 performance of 86.4 percent of new status determinations made within 90 days represented a 0.9 percentage point improvement from the year before; 34 states improved their performance.	Although States' diversions of tax staff to perform UI claims activities in response to increase in workloads moderated during the past fiscal year, 29 states performed below the performance target.	States failing to achieve the 70 percent UI Performs Acceptable Level of Performance standard must develop a Corrective Action Plan as part of the State Quality Service Plan.
	Result	85.60%	84.90%	84.10%	86.40%	87.30%	--	--			
	Status	Y	Y	N	I	Y	--	--			

**Sources:** Payment Timeliness: ETA 9050 and 9050p reports; Detect Overpayments: Benefit Accuracy Measurement (BAM) program and ETA 227 report.; Tax liability determinations: ETA 581 report.

**Notes:**

**Program Evaluations**

Independent evaluations completed in FY 2011 are summarized below.

OWCP – “OWCP Needs to Improve its Monitoring and Managing of Defense Base Act Claims,” March 2011 (OIG)	
<b>Relevance:</b> The OIG conducted this audit to discover to what extent OWCP ensures that employers and insurers are adhering to DBA claims processing requirements.	
<p><b>Findings and Recommendations:</b></p> <ul style="list-style-type: none"> <li>• OIG found that OWCP ensured to a limited extent that workers' DBA benefits were protected. Their testing disclosed (1) employers did not always report claimant injuries in a timely manner; (2) insurers did not always provide timely initial compensation payments and OWCP did not ensure claimants received the statutory assessment for late payments; (3) insurers did not always report the notice of final payment or suspension of payment in a timely manner; (4) OWCP did not always notify claimants within the required timeframe when their claims were controverted (objected by the employer); (5) employers or insurers did not always respond in a timely manner to OWCP requests for information; and (6) OWCP assessed penalties in less than one percent of the cases in which employers and insurers did not meet DBA reporting requirements.</li> <li>• OIG recommended OWCP seek changes to the DBA legislation to reflect the current environment and implement changes to its case management information system to assist management and claims examiners in identifying the problems identified in this audit.</li> </ul>	<p><b>Next Steps:</b></p> <ul style="list-style-type: none"> <li>• Management generally agreed with the recommendations to enhance the DBA data system and revise the DBA statute. While OWCP agreed that it did not always comply with existing regulations to enforce compliance with DBA requirements by using fines and penalties, OWCP believed that doing so would likely be counterproductive to the needs of the injured workers, the contractors, the insurance companies, and OWCP.</li> </ul>
<b>Additional Information:</b> The report is available at <a href="http://www.oig.dol.gov/public/reports/oa/2011/03-11-001-04-430.pdf">http://www.oig.dol.gov/public/reports/oa/2011/03-11-001-04-430.pdf</a>	
OWCP - “Longshore and Harbor Workers’ Compensation Act Special Fund Financial Statements and Independent Auditors’ Report,” June 2011 (OIG)	
<b>Relevance:</b> The OIG audited the financial statements of the Longshore and Harbor Workers’ Compensation Act Special Fund as of September 30, 2010, and for the year then ended.	
<p><b>Findings and Recommendations:</b></p> <ul style="list-style-type: none"> <li>• OIG concluded that the Fund’s financial statements as of and for the years ended September 30, 2010 and 2009, are presented fairly, in all material respects, in conformity with U.S. generally accepted accounting principles.</li> <li>• The results of the tests of compliance with certain provisions of laws and regulations disclosed no instances of noncompliance or other matters that are required to be reported.</li> <li>• OIG’s consideration of internal control over financial reporting resulted in identifying certain deficiencies they consider to be a material weakness.</li> <li>• OIG’s consideration of internal control over financial reporting resulted in identifying certain deficiencies that they consider to be a material weakness. OIG identified the following deficiencies in internal controls over financial reporting that need to be improved:             <ol style="list-style-type: none"> <li>1. Reconciliations between the Fund’s general ledger account balances and balances reflected in subsidiary ledgers are not being prepared and reviewed consistently throughout the year;</li> <li>2. Supervisory review controls, including those over journal entries, are not consistently performed;</li> <li>3. Controls over the preparation and submission of the SF-224, <i>Statement of Transactions</i> are not consistently completed;</li> <li>4. Controls need to be performed consistently to ensure that differences identified by Treasury are resolved on a timely basis.</li> </ol> </li> <li>• OIG recommends that DOL improve its internal controls over financial reporting to ensure that:</li> </ul>	<p><b>Next Steps:</b></p> <ul style="list-style-type: none"> <li>• DOL management concurs with the findings and corrective action will be taken and completed in the current fiscal year.</li> </ul>

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<ol style="list-style-type: none"> <li>1. Reconciliations between the Fund’s general ledger account balances and balances reflected in subsidiary ledgers are being prepared and reviewed consistently throughout the year;</li> <li>2. Supervisory review controls, including those over journal entries are being effectively performed;</li> <li>3. SF-224’s are being thoroughly reviewed prior to submission to Treasury;</li> </ol> <ul style="list-style-type: none"> <li>• Differences identified by Treasury are resolved on a timely basis.</li> </ul>	
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**Additional Information:** The report is available at <http://www.oig.dol.gov/public/reports/oa/2011/03-11-001-04-430.pdf>

**OWCP - “District of Columbia Workmen’s Compensation Act Special Fund Financial Statements and Independent Auditors’ Report,” June 2011 (OIG)**

**Relevance:** The OIG audited the financial statements of the District of Columbia Workmen’s Compensation Act Special Fund as of September 30, 2010, and for the year then ended.

<p><b>Findings and Recommendations:</b></p> <ul style="list-style-type: none"> <li>• OIG concluded that the Fund’s financial statements as of and for the years ended September 30, 2010 and 2009, are presented fairly, in all material respects, in conformity with U.S. generally accepted accounting principles.</li> <li>• The results of the tests of compliance with certain provisions of laws and regulations disclosed no instances of noncompliance or other matters that are required to be reported.</li> <li>• OIG’s consideration of internal control over financial reporting resulted in identifying certain deficiencies that they consider to be a material weakness. OIG identified the following deficiencies in internal controls over financial reporting that need to be improved:             <ol style="list-style-type: none"> <li>1. Reconciliations between the Fund’s general ledger account balances and balances reflected in subsidiary ledgers are not being prepared and reviewed consistently throughout the year;</li> <li>2. Supervisory review controls, including those over journal entries, are not consistently performed;</li> <li>3. Controls over the preparation and submission of the SF-224, <i>Statement of Transactions</i> are not consistently completed;</li> <li>4. Controls need to be performed consistently to ensure that differences identified by Treasury are resolved on a timely basis.</li> </ol> </li> <li>• OIG recommends that DOL improve its internal controls over financial reporting to ensure that:             <ol style="list-style-type: none"> <li>1. Reconciliations between the Fund’s general ledger account balances and balances reflected in subsidiary ledgers are being prepared and reviewed consistently throughout the year;</li> <li>2. Supervisory review controls, including those over journal entries are being effectively performed;</li> <li>3. SF-224’s are being thoroughly reviewed prior to submission to Treasury;</li> </ol> </li> <li>• Differences identified by Treasury are resolved on a timely basis.</li> </ul>	<p><b>Next Steps:</b></p> <ul style="list-style-type: none"> <li>• DOL management concurs with the findings and corrective action will be taken and completed in the current fiscal year.</li> </ul>
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**Additional Information:** The report is available at <http://www.oig.dol.gov/public/reports/oa/2011/03-11-001-04-430.pdf>

**ETA – “The Role of Unemployment Insurance as an Automatic Stabilizer During a Recession,” November 2010 (IMPAQ International, LLC)**

**Relevance:** A primary reason for establishing UI programs was to provide temporary partial replacement for the loss of earnings occasioned by unemployment. Since loss of income from a job is often accompanied by decline in household consumption, an increase in unemployment accompanies declining general economic activity. The UI program, by partially compensating for lost earnings, helps to break the negative cycle of increased unemployment leading to reduced consumption, which leads to a further reduction in economic activity. Combining all UI components, overall, the UI program closed 0.183 of the gap

#### Strategic Goal 4

**Findings and Recommendations:**

- The regular UI program closed about one-tenth (0.105) of the real gross domestic product (GDP) shortfall caused by the recession.
- Extended benefits closed about one-twelfth (.085) of the real GDP shortfall caused by the recession.
- Because of lags that reflect experience rating, the response of UI taxes was delayed with little increase in UI taxes occurring in 2009 and 2010. During 2008Q3-2010Q2, increased UI taxes had essentially no effect on real GDP (a gap closing proportion of -0.007).
- Nationally the highest volume of real regular UI benefit payouts occurs during 2009Q4, as it does for both the 10 high-recipient and the 10 low-recipient states.
- The presence of regular UI benefit payments measurably reduces the severity of the economic downturn.
- The increase in real benefits after 2007Q3 averages \$7.26 billion and \$5.91 billion for the two groups respectively.

**Next Steps:**

- The behavioral relations describing UI benefits and taxes yielded sensible findings about the response of benefits and taxes to the recession.
- Given the long lags in the tax response, measurable negative effects of increased UI taxes will extend from 2010 into several later years.

**Additional Information:** [http://wdr.doleta.gov/research/FullText\\_Documents/ETAOP2010-10.pdf](http://wdr.doleta.gov/research/FullText_Documents/ETAOP2010-10.pdf)

## Outcome Goal 4.3—Improve health benefits and retirement security for all workers.

### **Analysis and Future Plans**

#### Employee Benefits Security Administration (EBSA)

During FY 2011, EBSA's program was impacted by the Affordable Care Act (ACA) which impacted both the workload and regulatory priorities of the Agency. Notwithstanding this increased workload, EBSA achieved its performance goals. With respect to the enforcement program, the agency reached its performance target for the ratio of closed civil cases with corrected fiduciary violations to closed civil cases. With respect to criminal case work, EBSA achieved its target for cases accepted for prosecution. In FY 2011, EBSA began conducting randomly-sampled investigations as part of the new Sample Investigation Program (SIP). Additionally, EBSA continued to conduct Contributory Plan Criminal Project investigations.

The Office of Participant Assistance provided superior participant assistance by responding to 99 percent of all written inquiries within 30 days of receipt and responding to over 99 percent of telephone inquiries by the close of the next business day. Total inquiry volume for the FY 2011 exceeded 233,000. Benefit recoveries achieved by the participant assistance program contributed more than \$478 million to EBSA's overall monetary results of over \$1 billion<sup>2</sup>. This informal resolution of complaints without utilizing the more resource intensive investigative process enables EBSA to direct its investigative assets to more egregious and wide-spread violations of Employee Retirement Income Security Act (ERISA). An integral part of EBSA's enforcement program, leads referred by Benefits Advisors resulted in the opening of 900 investigations.

The Agency also conducted outreach and education programs designed to educate plan participants and officials regarding their rights and responsibilities under ERISA. In FY 2011, EBSA completed 681 ACA outreach activities reaching over 10,000 individuals. Seven Health Benefits Education Seminars were conducted; 675 Rapid Response Workshops were held for dislocated workers; over 570,000 educational publications were distributed and over 5.3 million visitors were hosted on the Agency's website. In addition to enforcement, these outreach education activities are a critical component of our efforts to enhance the benefit security of America's workers, retirees and their families. We believe that retirement, health and other benefits will be more secure if plan officials are more knowledgeable and therefore in a better position to be in compliance. Additionally, better informed plan participants are able to ensure they receive all the benefits to which they are entitled under their plan while also bringing potential violations to the attention of EBSA.

In 2012, EBSA, for the first time, will begin reporting the interim investigative results of the SIP that will lead to measuring overall compliance with ERISA and the impact of EBSA investigations on the compliance rate. These broad-based composite measures will provide information related to compliance in the plan community. In addition, with the assistance of the Gallup Organization, EBSA will continue to measure the level of customer satisfaction with our Participant Assistance Program. Finally, EBSA will continue to focus on health plan investigations.

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<sup>2</sup> Monetary results are a product of EBSA's investigative, compliance and participant assistance activities.

Strategic Goal 4

EBSA - Improve health benefits and retirement security for all workers

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2007	FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	What Worked	What Didn't Work	Program Performance Improvement Plan
Percent of employee benefit plans in compliance with the civil provisions of ERISA	Target	--	--	--	--	--	Base	TBD			
	Result	--	--	--	--	--	--	--			
	Status	--	--	--	--	--	--	--			
Participant assistance program customer satisfaction index	Target	--	--	--	--	Base	68	68			
	Result	--	--	--	--	66	--	--			
	Status	--	--	--	--	--	--	--			
Percentage point difference in compliance rate between employee benefit plans recently investigated and other employee benefit plans	Target	--	--	--	--	--	--	Base			
	Result	--	--	--	--	--	--	--			
	Status	--	--	--	--	--	--	--			

Sources: Enforcement Management System

Notes:

Office of Disability Employment Policy (ODEP)

ODEP will expand *ePolicyWorks Health Care*, an online, collaborative workspace and real-time information-sharing tool that focuses on assisting the disability health care community to more effectively develop national health policy that supports and improves the employment outcomes of people with disabilities. This unique online platform was created by ODEP in FY 2010 in response to the President's Open Government initiative and incorporates many Web 2.0 features such as RSS feeds, an announcements board, a discussion forum, and legislative and issue-specific updates, as well as social networking and online workgroup capabilities. Members of *ePolicyWorks Health Care* include Federal agency staff, national advocacy and provider associations, and employer organizations.

**Program Evaluations**

Independent evaluations completed in FY 2011 are summarized below.

**EBSA – "Office of Participant Assistance Program Evaluation Studies" December 2011 (The Gallup Organization)**

**Relevance:** To provide information enabling EBSA to address program performance issues to the greatest extent possible and thus improving the interaction customers have directly with EBSA representatives.

Strategic Goal 4

<p><b>Findings and Recommendations:</b></p> <ul style="list-style-type: none"><li>• The study indicates that 66% of EBSA’s customers rated EBSA a 4 or 5 on a 5-point scale for overall satisfaction with their interaction. As a point of reference, EBSA achieved final scores of 67% and 69% in 2005 and 2006, respectively, using this same methodology.</li><li>• The FY 2011 satisfaction rate (66%) did not sharply decline even though inquiry volume is 40% higher than the last time an evaluation was conducted and the past few years have seen significant staff turnover.</li><li>• Gallup made goal setting recommendations to ensure continuous improvement.</li></ul>	<p><b>Next Steps:</b></p> <ul style="list-style-type: none"><li>• Use study results to maintain achievements.</li><li>• Rely on best and brightest Benefit Advisors (BA) for Customer Satisfaction tips in training new BAs.</li><li>• Share the Agency's success publicly to create a sense of pride among the staff that achieved the success.</li></ul>
<p><b>Additional Information:</b> Contact Employee Benefits Security Administration, 200 Constitution Avenue, N.W., Room N5668; or by calling 202-693-8491</p>	



## **Strategic Goal 5: Produce timely and accurate data on the economic conditions of workers and their families**

Outcome Goal 5.1—Provide sound and impartial information on labor market activity, working conditions, and price changes in the economy for decision making, including support for the formulation of economic and social policy affecting virtually all Americans.

### **Analysis and Future Plans**

#### Bureau of Labor Statistics (BLS)

In 2011, BLS reached 100 percent of the underlying *timeliness*, *accuracy* and *relevance* targets for its Labor Force Statistics, Prices and Living Conditions, Compensation and Working Conditions, and Productivity and Technology Principal Federal Economic Indicators.

In addition, BLS measured Dissemination through the *Average number of Internet site user sessions* each month, and exceeded its target of 6.9 million in FY 2011 by reaching 7.2 million user sessions. Finally, in FY 2011, BLS met its target by achieving a score of 75 on the American Customer Satisfaction Index (ACSI) that measures customer satisfaction with its full Web site.

Strategic Goal 5

BLS - Improve the timeliness, accuracy, and relevance of information on labor market activity, working conditions, and price changes in the economy.

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2007	FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	What Worked	What Didn't Work	Program Performance Improvement Plan
Percent of timeliness targets achieved for the Labor Force Statistics Principal Federal Economic Indicators (PFEIs).	Target	--	--	--	Base	100%	100%	100%	Utilized a systematic and comprehensive management process to plan, budget, schedule, execute, review, and evaluate work, which helped ensure that targets were met.		Will continue to work towards reaching Outcome Goal 5.1 by focusing on BLS products, product improvement, customers, respondents, website, employees, and continuous evaluation.
	Result	--	--	--	100%	100%	--	--			
	Status	--	--	--	--	Y	--	--			
Percent of accuracy targets achieved for the Labor Force Statistics PFEIs.	Target	--	--	--	Base	100%	100%	100%	See above.		See above.
	Result	--	--	--	100%	100%	--	--			
	Status	--	--	--	--	Y	--	--			
Percent of relevance targets achieved for the Labor Force Statistics PFEIs.	Target	--	--	--	Base	100%	100%	100%	See above.		See above.
	Result	--	--	--	100%	100%	--	--			
	Status	--	--	--	--	Y	--	--			
Percent of timeliness targets achieved for the Prices and Living Conditions PFEIs.	Target	--	--	--	Base	100%	100%	100%	See above.		See above.
	Result	--	--	--	100%	100%	--	--			
	Status	--	--	--	--	Y	--	--			
Percent of accuracy targets achieved for the Prices and Living Conditions PFEIs.	Target	--	--	--	Base	100%	100%	100%	See above.		See above.
	Result	--	--	--	100%	100%	--	--			
	Status	--	--	--	--	Y	--	--			

Strategic Goal 5

BLS - Improve the timeliness, accuracy, and relevance of information on labor market activity, working conditions, and price changes in the economy.

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2007	FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	What Worked	What Didn't Work	Program Performance Improvement Plan
Percent of relevance targets achieved for the Prices and Living Conditions PFEIs.	Target	--	--	--	Base	100%	100%	100%	See above.		See above.
	Result	--	--	--	100%	100%	--	--			
	Status	--	--	--	--	Y	--	--			
Percent of timeliness targets achieved for the Compensation and Working Conditions PFEI.	Target	--	--	--	Base	100%	100%	100%	See above.		See above.
	Result	--	--	--	100%	100%	--	--			
	Status	--	--	--	--	Y	--	--			
Percent of accuracy targets achieved for the Compensation and Working Conditions PFEI.	Target	--	--	--	Base	100%	100%	100%	See above.		See above.
	Result	--	--	--	100%	100%	--	--			
	Status	--	--	--	--	Y	--	--			
Percent of relevance targets achieved for the Compensation and Working Conditions PFEI.	Target	--	--	--	Base	100%	100%	100%	See above.		See above.
	Result	--	--	--	0.0%	100%	--	--			
	Status	--	--	--	--	Y	--	--			
Percent of timeliness targets achieved for the Productivity and Technology PFEI.	Target	--	--	--	Base	100%	100%	100%	See above.		See above.
	Result	--	--	--	100%	100%	--	--			
	Status	--	--	--	--	Y	--	--			

Strategic Goal 5

BLS - Improve the timeliness, accuracy, and relevance of information on labor market activity, working conditions, and price changes in the economy.

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2007	FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	What Worked	What Didn't Work	Program Performance Improvement Plan
Percent of accuracy targets achieved for the Productivity and Technology PFEI.	Target	--	--	--	Base	100%	100%	100%	See above.		See above.
	Result	--	--	--	100%	100%	--	--			
	Status	--	--	--	--	Y	--	--			
Percent of relevance targets achieved for the Productivity and Technology PFEI.	Target	--	--	--	Base	100%	100%	100%	See above.		See above.
	Result	--	--	--	100%	100%	--	--			
	Status	--	--	--	--	Y	--	--			
Average number of Internet site user sessions each month (Dissemination).	Target	3,700,000	4,300,000	5,100,000	6,100,000	6,900,000	6,900,000	6,900,000	Made products and services on website more accessible and usable. Expanded capabilities for users seeking specific data sets from large series.		Will increase customer awareness of existing data, and will use feedback to determine how to improve the data or dissemination methods.
	Result	4,223,523	5,032,111	6,090,587	6,972,577	7,213,823	--	--			
	Status	Y	Y	Y	Y	Y	--	--			
Customer satisfaction with BLS products and services as measured by the American Customer Satisfaction Index (Mission Achievement).	Target	--	--	--	Base	75	75	75	Reviewed survey feedback, which included more detailed information on functionality, search, navigation, and other areas of site performance.		Will use these results to improve the website to better serve stakeholders.
	Result	--	--	--	75	75	--	--			
	Status	--	--	--	--	Y	--	--			

**Sources:** For most performance measures, internal BLS documents. For the Mission Achievement indicator, the American Customer Satisfaction Index 2011 E-Gov Scores Q3: [http://www.theacsi.org/images/stories/images/govsatscores/11q3\\_egov.xls](http://www.theacsi.org/images/stories/images/govsatscores/11q3_egov.xls)

**Notes:** BLS revised its performance framework in 2010. For most performance measures, 2010 is the baseline year.

**Program Evaluations**

Independent evaluations completed in FY 2011 are summarized below.

**BLS – Customer Satisfaction with the BLS Website, September 2011 (Federal Consulting Group)**

**Relevance:** In 2010, BLS expanded its use of the American Customer Satisfaction Index (ACSI) to measure customer satisfaction on its full Web site. BLS reaches most of its data users through its Web site, averaging over 7 million user sessions each month. The ACSI survey randomly prompts BLS data users while they are visiting the bls.gov Web site for feedback regarding the extent to which the Web site meets their needs. BLS uses these results to improve its Web site to better serve its stakeholders, and as a measure of mission achievement. As BLS continues to provide more information to customers on its Web site, it is important to know how satisfied customers are with the delivery of BLS products and services.

## Strategic Goal 5

**Findings and Recommendations:**

- The score for the survey running on the BLS full Web site was 75.

**Next Steps:**

- Improve support for Web site users seeking information.
- Improve the Web site's content, content understandability, use and delivery.
- Modernize the hardware and software platform underlying the BLS Web site to improve ability to deploy web content.

**Additional Information:** The American Customer Satisfaction Index 2011 E-Gov Scores Q3 [http://www.theacsi.org/images/stories/images/govsatscores/11q3\\_egov.xls](http://www.theacsi.org/images/stories/images/govsatscores/11q3_egov.xls)

## Measures Discontinued in FY 2013

Because this APR is primarily a planning document that uses historical information to inform future strategies and targets, it is organized around goals and measures selected to represent Departmental goals for the budget year (FY 2013). Under GPRA, performance goals, measures and targets are identified for reporting purposes in the Congressional Budget Justification (CBJ) issued during that fiscal year. Therefore, DOL is obliged to report PY 2010 and FY 2011 results for measures listed in its FY 2012 Performance Plan, which was published as part of the CBJ in February 2011 (see <http://www.dol.gov/dol/budget/>). Some measures have since been revised, replaced, or discontinued.

The table below lists these performance measures, their targets and results for PY 2010/FY 2011. Results are not provided for measures that were new this year, i.e., their target was to collect baseline data.

Agency – Measure (Program) FY or PY	Target FY 2011 PY 2010	Result FY 2011 PY 2010	Why not included?
<b>Outcome Goal 2.1</b>			
OSHA – Number of fatalities associated with the four leading causes of workplace death – falls, electrocutions, caught in or between, and struck by – in General Industry	716	743	Replaced with a measure of the fatality <i>rate</i>
OSHA – Number of fatalities associated with the four leading causes of workplace death – falls, electrocutions, caught in or between, and struck by – in Construction	551	394	Replaced with a measure of the fatality <i>rate</i>
MSHA – Percent of noise exposures in coal mines above the citation level	2.99%	2.72%	Measure changed to “Percent of coal mines surveyed for noise according to published inspection procedures”
MSHA – Percent of inspector Designated Occupation samples exceeding the applicable respirable coal mine dust standard	6.32%	5.75%	Measure changed to “Percent of coal mines surveyed for respirable dust in conjunction with regular mandated inspections”
MSHA – Ten-year rolling average of the number of high-hazard potential impoundment/dam failures with significant release per year	1.2	1.2	This measure appears as a milestone in MSHA’s FY 2012 Operating Plan: Ten-year rolling average of the number of high-hazard potential impoundment/dam failures with significant release <=1.2
MSHA – Compliance levels among mines that have received potential pattern of violation notices	Baseline	N/A	This measure appears as a milestone in MSHA’s FY 2012 Operating Plan: Number of Pattern of Violation screenings

Agency – Measure (Program) FY or PY	Target FY 2011 PY 2010	Result FY 2011 PY 2010	Why not included?
MSHA – Readiness of MSHA, mining industry, and mine rescue team emergency response	Baseline	N/A	This measure appears as a milestone in MSHA’s FY 2012 Operating Plan: Identify gaps in MSHA, mining industry and mine rescue team emergency response preparedness
<b>Outcome Goal 3.3</b>			
OLMS – Number of delinquent filers of labor organization financial reports	5,401	5,504	OLMS is placing emphasis on addressing unions that are deemed <i>chronically</i> delinquent.
<b>Outcome Goal 4.3</b>			
EBSA – Ratio of closed civil cases with corrected fiduciary violations to civil cases closed	67%	73%	Replaced with a measure developed through the Sample Investigation Program (SIP)
EBSA – Ratio of criminal cases accepted for prosecution to cases referred	67%	78%	Replaced with a measure developed through the Sample Investigation Program (SIP)

# Acronyms

<b>ACSI</b>	American Customer Satisfaction Index	<b>OASAM</b>	Office of the Assistant Secretary for Administration and Management
<b>BLS</b>	Bureau of Labor Statistics	<b>OASP</b>	Office of the Assistant Secretary for Policy
<b>CFO</b>	Chief Financial Officer	<b>OCFO</b>	Office of the Chief Financial Officer
<b>CY</b>	Calendar Year	<b>OCIA</b>	Office of Congressional and Intergovernmental Affairs
<b>DOL</b>	U.S. Department of Labor	<b>ODEP</b>	Office of Disability Employment Policy
<b>DVOP</b>	Disabled Veterans' Outreach Program	<b>OFCCP</b>	Office of Federal Contract Compliance Programs
<b>EBSA</b>	Employee Benefits Security Administration	<b>OFLC</b>	Office of Foreign Labor Certification
<b>EEO</b>	Equal Employment Opportunity	<b>OIG</b>	Office of Inspector General
<b>ERISA</b>	Employee Retirement Income Security Act	<b>OLMS</b>	Office of Labor-Management Standards
<b>ETA</b>	Employment and Training Administration	<b>OMB</b>	Office of Management and Budget
		<b>OPA</b>	Office of Public Affairs
<b>FECA</b>	Federal Employees' Compensation Act	<b>OSHA</b>	Occupational Safety and Health Administration
<b>FLSA</b>	Fair Labor Standards Act	<b>OWCP</b>	Office of Workers' Compensation Programs
<b>FMLA</b>	Family Medical Leave Act		
<b>FTE</b>	Full Time Equivalent	<b>PPI</b>	Producer Price Index
<b>FUTA</b>	Federal Unemployment Tax Act	<b>PY</b>	Program Year
<b>FY</b>	Fiscal Year		
<b>GAO</b>	U.S. Government Accountability Office	<b>SOL</b>	Office of the Solicitor
<b>GPR</b>	Government Performance and Results Act	<b>SSA</b>	Social Security Administration
		<b>SWA</b>	State Workforce Agencies
<b>HVRP</b>	Homeless Veterans' Reintegration Program	<b>TAA</b>	Trade Adjustment Assistance
		<b>UI</b>	Unemployment Insurance
<b>ILAB</b>	Bureau of International Labor Affairs	<b>USPS</b>	U.S. Postal Service
<b>IPIA</b>	Improper Payments Information Act	<b>UTF</b>	Unemployment Trust Fund
<b>IRS</b>	Internal Revenue Service	<b>VA</b>	U.S. Department of Veterans Affairs
<b>IT</b>	Information Technology	<b>VETS</b>	Veterans' Employment and Training Service
<b>LMRDA</b>	Labor-Management Reporting and Disclosure Act	<b>WB</b>	Women's Bureau
<b>LPD</b>	Lost Production Days	<b>WHD</b>	Wage and Hour Division
<b>LVER</b>	Local Veterans' Employment Representative	<b>WIA</b>	Workforce Investment Act
<b>MSHA</b>	Mine Safety and Health Administration		



## Internet Links

### Employment Information (For Workers and Employers)

America's Career InfoNet <http://www.acinet.org/acinet/>  
Occupational Outlook Handbook <http://www.bls.gov/oco/>  
Job Corps <http://jobcorps.dol.gov/>  
DOL Jobs <http://www.dol.gov/dol/jobs.htm>  
DisabilityInfo.gov <http://www.disabilityinfo.gov/>  
Job Accommodation Network (JAN) <http://www.jan.wvu.edu/>  
Employer Assistance & Recruiting Network (EARN) <http://www.earnworks.com/>

### Workplace Laws and Related Information

DOL Compliance Assistance <http://www.dol.gov/compliance>  
Employment Laws Assistance for Workers and Small Businesses <http://www.dol.gov/elaws/>  
State Labor Laws and Offices [http://www.dol.gov/esa/contacts/state\\_of.htm](http://www.dol.gov/esa/contacts/state_of.htm)  
Minimum Wage Q&A <http://www.dol.gov/esa/minwage/q-a.htm>  
Fair Labor Standards Act <http://www.dol.gov/compliance/laws/comp-flsa.htm>  
Family & Medical Leave Act <http://www.dol.gov/esa/whd/fmla/>  
Small Business Compliance Assistance <http://www.dol.gov/osbp/sbrefa/>  
Union Reporting and Public Disclosure <http://www.dol.gov/esa/regs/compliance/olms/rrlo/lmrda.htm>

### Statistical Information

Consumer Price Indexes <http://www.bls.gov/cpi/>  
Bureau of Labor Statistics Most Requested Data <http://www.bls.gov/data/>  
Current Population Survey <http://www.bls.gov/cps/>  
Workplace Injury, Illness & Fatality Statistics <http://www.osha.gov/oshstats/work.html>  
Employment Projections <http://www.bls.gov/emp/>  
International comparisons <http://www.bls.gov/fls/>  
Employment, Hours, and Earnings <http://www.bls.gov/ces/>

### Safety and Health Information

OSHA's Partnership Page <http://www.osha.gov/dcsp/partnerships/index.html>  
The Workers' Page <http://www.osha.gov/as/opa/worker/index.html>  
OSHA Regulations and Compliance Links <http://www.osha.gov/comp-links.html>  
OSHA Standard Industrial Classification (SIC) Search <http://www.osha.gov/oshstats/sicser.html>  
OSHA Reading Room <http://www.osha.gov/readingroom.html>  
MSHA's Accident Prevention Program [http://www.msha.gov/Accident\\_Prevention/appmain.htm](http://www.msha.gov/Accident_Prevention/appmain.htm)  
Health Hazard Information (MSHA) <http://www.msha.gov/hhici.htm>  
MSHA's National Hazard Reporting Page <http://www.msha.gov/codeaphone/codeaphonenew.htm>

### Labor Department History

History at the Dept of Labor <http://www.dol.gov/oasam/programs/history/main.htm>  
Annals of the Dept of Labor <http://www.dol.gov/oasam/programs/history/webannalspage.htm>

### Labor Agencies

Bureau of International Labor Affairs <http://www.dol.gov/ilab/>  
Bureau of Labor Statistics <http://www.bls.gov/>  
Employee Benefits Security Administration <http://www.dol.gov/ebsa/>  
Employment and Training Administration <http://www.doleta.gov/>  
Mine Safety and Health Administration <http://www.msha.gov/>  
Occupational Safety and Health Administration <http://www.osha.gov/index.html>  
Office of Disability Employment Policy (ODEP) <http://www.dol.gov/odep/>  
Veterans' Employment and Training Service <http://www.dol.gov/vets/>  
Women's Bureau – A Voice for Working Women <http://www.dol.gov/wb>