

*United States Department of Labor*

**EMPLOYMENT  
STANDARDS  
ADMINISTRATION**

**FY 2001  
Annual Performance Report  
Summary**

**February 27, 2002**

## INTRODUCTION

FY 2001 marks the third year that the Department of Labor (DOL) and the Employment Standards Administration (ESA) have reported program results against the goals in the annual performance plan as required by the Government Performance and Results Act (GPRA). The 26 performance goals included in this summary report have provided a basis for targeting and measuring the accomplishments of ESA programs. Of the 26 ESA performance goals, eight which are key to the accomplishment of the Department of Labor's Annual Performance Plan are discussed in detail in the DOL FY 2001 Annual Report on Performance and Accountability. That report can be found at <http://www.dol.gov/dol/aboutdol/main.htm>. This document reports on summary results for those eight and the remainder of the 26 ESA FY 2001 performance goals. This ESA report can be found on the ESA website at <http://www.dol.gov/DOL/esa/public/aboutesa/main.htm>.

## THE AGENCY

The Employment Standards Administration (ESA) is both a benefit delivery and enforcement agency. ESA administers programs to implement over 100 laws to protect the basic rights of workers, including: overseeing minimum wage, child labor, and overtime pay standards; ensuring equal employment opportunities for employees of Federal contractors; administering Federal workers' compensation benefits programs; and protecting workers' rights as union members. Nearly every worker in America is protected by laws and regulations administered by ESA programs. The more than 4,000 employees who carry out ESA's mission are located in offices throughout the country. We make every effort to make ESA programs as accessible to the American worker as possible, whether through one of our many field officers, toll-free telephone hotlines, the Internet, or some other means.

The work of ESA is carried out by four major program offices within the Agency: the Wage and Hour Division (WHD), the Office of Federal Contract Compliance Programs (OFCCP), the Office of Workers' Compensation Programs (OWCP), and the Office of Labor-Management Standards (OLMS).

The **Wage and Hour Division** enhances the welfare and protects the rights of the nation's workers through enforcement of several Acts: the Federal minimum wage, overtime pay, recordkeeping, and child labor requirements of the Fair Labor Standards Act; the Family and Medical Leave Act; the Migrant and Seasonal Agricultural Worker Protection Act; the Employee Polygraph Protection Act; field sanitation and housing standards in the Occupational Safety and Health Act; and, a number of employment standards and worker protections provided in the Immigration and Nationality Act. Additionally, the WHD administers and enforces the prevailing wage requirements of the Davis-Bacon Act and the McNamara-O'Hara Service Contract Act and other statutes applicable to Federal contracts for construction and for the provision of goods and services.

The **Office of Federal Contract Compliance Programs** increases equal employment opportunities (EEO) for employees of Federal contractors. Through Executive Order 11246, the Rehabilitation Act of 1973, the Vietnam Era Veterans Readjustment Assistance Act of 1974, the Immigration and Nationality Act, and the Americans with Disabilities Act, OFCCP enforces equal opportunity and non-discrimination standards for women, minorities, Vietnam era veterans, and persons with disabilities employed by the more than 200,000 contractors that participate in the Federal procurement process.

The **Office of Workers' Compensation Programs** mitigates the financial burden on certain workers, or their dependents or survivors, resulting from work-related injury, disease, or death, through the provision of wage replacement and cash benefits, medical treatment, vocational rehabilitation, and other benefits. The Federal Employees' Compensation Act (FECA) program provides income and medical cost protection and return-to-work services to civilian employees of the Federal Government injured at work, and to certain other designated groups. The Longshore and Harbor Workers' Compensation Act (LHWCA) program provides similar protection to private sector workers engaged in certain maritime and related employment. The Energy Employees Occupational Illness Compensation Program Act (EEOICPA) provides compensation and medical benefits to certain nuclear weapons employees or their survivors for illnesses resulting from exposure to beryllium and other hazardous substances in the performance of duty. The Black Lung Benefits program provides protection to the nation's coal miners totally disabled by pneumoconiosis or to their survivors.

The **Office of Labor-Management Standards** promotes internal union democracy and financial integrity and protects certain rights of union members in administering and enforcing provisions of the Labor-Management Reporting and Disclosure Act (LMRDA) and related laws. Under the LMRDA, OLMS resolves union member complaints concerning union officer elections, union trusteeships, and other matters pertaining to safeguards for union democracy; administers statutory safeguards for union funds and assets; and makes reports required of labor unions and others available for public disclosure. The Division of Statutory Programs assures that appropriate arrangements are in place to protect the rights of affected mass transit workers when federal funds are used to acquire, improve, or operate a transit system. These statutory requirements are set forth in section 5333(b) of Title 49 U.S. Code (formerly section 13(c) of the Federal Transit Act).

## **MISSION AND VISION**

The mission of ESA is to enhance the welfare and protect the rights of American workers. The vision of ESA is to achieve universally applied fair practices in the American workplace.

## SUMMARY PERFORMANCE OVERVIEW

ESA measured performance results on 26 performance goals in FY 2001 that represent key activities in all of the major program offices and administrative goals in the areas of financial management, information technology and human resources. Of the 26 performance goals, ESA exceeded or fully achieved 16 goals (61.5 percent); substantially achieved one goal (3.8 percent); and did not achieve nine goals (34.6 percent). See *Appendix A* for a summary listing and tally of the ESA FY 2001 performance goals. *Appendix B* contains detailed data matrices, including performance results for each ESA FY 2001 goal. Each matrix delineates the link to strategic and outcome goals to demonstrate how each performance goal supports overall achievement of the ESA and Departmental goals. Where applicable, these matrices also include summary performance for FY 1999 and FY 2000.

## STATEMENT OF DATA QUALITY IN ESA

ESA's Annual Performance Reports are based upon data derived from a variety of sources including standard reports and data collection processes, using automated data extraction programs or customer survey results. Data is reviewed by program managers in ESA regional and national offices who are directly responsible for the information. Final performance reports are reviewed by senior managers before being formally issued. Because much of the data used in the preparation of Annual Performance Reports is in electronic form, it is essential that the confidentiality, integrity and availability of the data be constantly maintained. Each of ESA's Program Offices maintains controls over its data to ensure quality. All ESA data currently meets the requirements established by the most recent OMB A-11 guidance dated July 2001. Each major program area in ESA collects and tracks data with the method that best serves the unique requirements of that program. The performance measurement systems in place provide reliable data used to: 1) establish baseline performance, 2) evaluate current performance, and 3) set goals for future performance. These include the following:

- Because there is no unbiased database on labor standards violations or compliance, the Wage and Hour Division faces a major challenge in determining industry-wide levels of compliance and measuring changes in that compliance. To meet this challenge, Wage and Hour's Investigative Support and Reporting Database (WHISARD) system records data about the results of investigations and provides information about levels of compliance. To determine the impact of its efforts, Wage and Hour has developed a statistically sound method for establishing baselines and measuring compliance that uses investigation-based compliance surveys of targeted industries and areas. WHISARD provides the capability to electronically (1) track these surveys or other strategic initiatives and (2) report their findings. Data on the outcomes of repeat investigations will also be used to evaluate the relative effectiveness, or return on investment, of the various types of interventions.

- The Office of Federal Contract Compliance Programs' performance reports are derived from data contained within the Case Management System (CMS) and extracted from CMS using automated programs. CMS data are input by front-line staff responsible for initial production, then administered and reviewed by program managers who oversee those employees or administrative units. Performance data within CMS is compiled via automated processes and is continuously accessible on a real time basis to field and national office management via the Executive Information System. OFCCP staff reviews results continuously. Through software and hardware enhancements, field managers are now able to access CMS data to track the accomplishments of individual organizational units.
- As it formulated new strategies for the FECA program, OWCP developed increasingly sophisticated databases detailing the case histories of injured federal workers. These systems allow tracking of the goal of reducing lost production days, but also permit precise evaluation of various program initiatives such as the impact of alternative return to work techniques on various groupings of employees or injury categories. The FEC automated system is undergoing a complete redesign covering every major OWCP/Division of Federal Employees' Compensation (DFEC) operation. The redesign will replace a patchwork of loosely linked programs, each with its own database and rules, and provide a single ADP system that will make data accessible to all users. This redesign will allow FEC claims staff to work more efficiently while providing improved customer service to injured workers, medical providers, and employing Federal agencies.
- In the Office of Labor Management Standards the reported data regarding timely report filing by labor organizations derives from the recently implemented labor organization report system (e.LORS) that supports agency administration of the LMRDA reporting program. e.LORS documents the receipt and processing of filed labor organization reports and other information required to administer the LMRDA program. The OLMS case data system documents case status activity and results. Data from both systems are closely monitored and reported on a regular basis for purposes of program administration and management, which ensures completeness and accuracy in reported performance results.

In addition to the above data reviews in each of the major program areas in ESA, the Assistant Secretary monitors performance against each performance goal on a quarterly basis. This provides another management review which includes the opportunity to regularly track performance and evaluate the effectiveness of the supporting strategies to maintain a focus on goal achievement.

The Office of Inspector General conducts audits under the Chief Financial Officer's Act and the Government Performance and Results Act (GPRA) to verify measured values of actual performance by all agencies of the Department. This strategy includes conducting, at various points during the course of the fiscal year, quality reviews of databases that capture performance data, and inspections of regional, area, and field offices to ensure the integrity and completeness of reported data.

ESA's Program Offices include the integration of customer service concerns into their day-to-day operations. ESA customers' feedback is instructive in measuring how well services are provided, identifying how services might be better delivered, and determining whether ESA's program goals effectively address customers' needs. ESA Program Offices, as part of their service delivery initiatives, conduct customer surveys, using appropriate sampling techniques, to obtain feedback at a reasonable cost. Thus, the quality of ESA employees' interaction with their customers is an important element in measuring program success. As a result, any assessment of ESA programs must focus not only on performance results data, but also address how well customers' needs are being met. The reliability, responsiveness, and the soundness of technical assistance provided will be measured, for example, as ESA employees process and pay claims for workers' compensation programs, respond to worker complaints, assist employers in meeting workplace standards, issue "plain English" regulations, or provide technical assistance. Customer surveys are used by ESA's programs to survey their customers' expectations and experiences and analyze the effectiveness of their programs.

## **LINKAGE TO THE DOL PLAN**

All of ESA's goals support two of the Department's strategic goals. They are the goals for *A Secure Workforce* to promote the economic security of workers and families; and *Quality Workplaces*, to foster quality workplaces that are safe, health, and fair. ESA supports two outcome goals for a Secure Workforce - increase compliance with worker protection laws and, protect worker benefits; and, one outcome goal for Quality Workplaces - foster equal opportunity workplaces. The direct alignment to the Department's goals is displayed in each of the performance goal matrices that appear in Appendix B.

ESA's goals reflect efforts toward accomplishing desired long-term outcomes. Based on FY 2001 performance, strategies and planned annual performance targets have been reevaluated, and has resulted in revisions to many FY 2002 and FY 2003 strategies, annual targets and performance goals.

## Appendix A

*Of the 26 performance goals in the ESA FY 2001 Annual Performance Plan, 16 were exceeded or fully achieved; 1 was substantially achieved; and 9 were not achieved.*

*Of the 8 ESA performance goals in the DOL FY 2001 Annual Performance Plan, 2 were achieved and 6 were not achieved.*

Goal	Summary of ESA FY 2001 Performance Results	Goal Achievement		
		Met	Not Met	Substantially Met
<b>1.1a</b> <i>(in DOL Plan)</i>	Increase compliance with labor standards laws and regulations including young workers in nationally targeted industries. In FY 2001, increase compliance in the garment industry to 85% in San Francisco and 42% in New York City; in agricultural commodities - to 47% in onion, 80% in tomato, and 70% in lettuce; and in the health care industry - to 62% in residential health care (assisted living facilities).		✓	
<b>1.1d</b>	Increase child labor compliance (by __ percentage points over established baselines) in the restaurant and grocery industries where data indicate that the risk of serious injury of young workers is greatest. (Activities ongoing in FY 2001 to support goal accomplishment in FY 2002.)	✓		
<b>1.1e</b>	Achieve child labor compliance by __% of the employers previously investigated in the restaurant and grocery industries where data indicate that the risk of serious injury to young workers is greatest. (Activities ongoing in FY 2001 to support goal accomplishment in FY 2002.)	✓		
<b>1.1f</b> <i>(in DOL Plan)</i>	Increase compliance by 15 percentage points (10-15 percentage points based on years surveys are conducted) among employers which were previous violators and the subject of repeat investigations in nationally targeted industries. In FY 2001, improve reinvestigation compliance rates in the garment industry to 90% in San Francisco and 57% in New York City; in agricultural commodities - to 64% in tomato, 47% in onion, and 48% in lettuce; and in the health care industry - to 60% in residential health care (assisted living facilities).		✓	
<b>1.2a</b>	Protect standards for democratic union officer elections for union members by resolving 100% of election complaints filed under the Labor-Management Reporting and Disclosure Act (LMRDA) and related laws within statutory timeframes.	✓		
<b>1.2b</b>	Protect union financial integrity through appropriate enforcement action.	✓		
<b>1.2c</b> <i>(in DOL Plan)</i>	Achieve timely union reporting compliance such that a minimum of 88% of unions with annual receipts greater than \$200,000 timely file union annual financial reports for public disclosure access.		✓	
<b>1.2d</b>	Increase to 68% the number of union annual financial reports filed for public disclosure access that meet standards of acceptability.		✓	

## Appendix A

Goal	Summary of ESA FY 2001 Performance Results	Goal Achievement		
		Met	Not Met	Substantially Met
<b>1.3a</b> <i>(in DOL Plan)</i>	Return Federal employees to work following an injury as early as appropriate indicated by a 2% reduction from the FY 2000 baseline in the average number of production days lost due to disability.		✓	
<b>1.3b</b>	Increase employing agency timeliness in submitting notices of injury to 55% within 14 days.	✓		
<b>1.4a</b>	Issue 100% of transit employee protection certifications within established timeframes.			✓
<b>1.5a</b> <i>(in DOL Plan)</i>	Federal contractors achieve equal opportunity workplaces as demonstrated by: <ul style="list-style-type: none"> <li>▪ Improving the equal employment opportunity performance of federal contractors and subcontractors within industries where data indicate the likelihood of equal employment opportunity problems is greatest. In FY 2001, identify those industries where data indicate the likelihood of equal employment opportunity problems is greatest and establish baselines;</li> <li>▪ Improving the equal employment opportunity performance of federal contractors and subcontractors that have had prior contact with OFCCP through evaluations, outreach, or technical assistance. In FY 2001, establish baselines; and,</li> <li>▪ Reducing compensation discrimination by federal contractors and subcontractors. In FY 2001, establish baselines.</li> </ul>		✓	
<b>2.1a</b> <i>(in DOL Plan)</i>	Each area of the country will be surveyed for all four types of construction at least every three years, and the resulting Davis-Bacon wage determinations validly reflect locally prevailing wages/benefits. In FY 2001, complete development of all aspects of a revised Davis-Bacon system.	✓		
<b>2.1b</b>	Revise automated systems to accommodate new SCA wage determination methodology and to integrate the revised DBA wage determination system.	✓		
<b>2.2a</b>	Improve customer satisfaction with FECA services by __ percentage points as measured by an index of customer survey scores and other measures. In FY 2001, reevaluate/revise goal and methodology; and establish baseline for a customer service index.		✓	
<b>2.2b</b>	Improve the quality of claims actions as measured by average accountability review Quality Index scores to 78.5.		✓	
<b>2.3a</b> <i>(in DOL Plan)</i>	Produce \$66 million in cumulative first-year savings (FY 1999 -2000) through Periodic Roll Management.	✓		

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Goal	Summary of ESA FY 2001 Performance Results	Goal Achievement		
		Met	Not Met	Substantially Met
<b>2.3b</b> <i>(in DOL Plan)</i>	In the FECA program, reduce the average annual cost for physical therapy and psychiatric services by 1% through focus reviews of services charged. (Note: This intermediate goal will assist the agency in developing strategies to reach the overall cost reduction goal. Reduction of overall average medical costs will be measured against a FY 2000 baseline.)		✓	
<b>2.4a</b>	Increase customer satisfaction among employers subject to Wage and Hour enforcement intervention. (Activities ongoing in FY 2001 to support goal accomplishment in FY 2002.)	✓		
<b>2.4b</b>	<i>Note: Goal 2.4b was completed in FY 1999.</i>			
<b>2.4c</b>	To reduce the average time required to resolve disputed issues in Longshore and Harbor Worker's Compensation Program contested cases, establish a performance baseline by the end of FY 2001 and begin data collection for performance tracking.	✓		
<b>2.4d</b>	To increase Black Lung benefit claims for which, following an eligibility decision by the district director, there are no requests for further action from any party pending one year after receipt of the claim, in FY 2001 train staff on the new regulations and finalize regulations-dependent language in the initial finding package. Establish a performance baseline by the end of the fiscal year.	✓		
<b>2.5a</b>	Assure that ESA financial systems substantially comply with applicable Federal law, regulation and accounting standards, and that all 5 of ESA's financial systems are free from material non-conformance.	✓		
<b>2.5b</b>	Provide hardware and software design and maintenance support to ESA's Information Technology (IT) infrastructure and support Program-related IT needs; define, design and begin implementation of modifications to ESA's IT architecture to support the development of external web-based Agency applications; expand the ESA WAN and deploy technologies to efficiently use telecommunications capabilities to provide increased performance and scalability of access to ESA	✓		
<b>2.5c</b>	Information Systems for ESA field staff; enhance the capabilities of the "warm/hot" site; and provide continuing support for ESA's mission critical IT systems through the negotiation, purchase and installation of a new Database Management System licensing agreement.	✓		

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Goal	Summary of ESA FY 2001 Performance Results	Goal Achievement		
		Met	Not Met	Substantially Met
2.5d	Equip training specialists with the skills/abilities to administer/monitor contracts for computer based training with third-party vendors. Update ESA Training Website with current course availability.	✓		
2.5e	Develop and deliver quality training for the Federal Employees' Compensation (FEC) program's "imaged" environment. In FY 2001, complete training of FEC Claims Examiners (CEs) in the use of imaging software.	✓		

## Appendix B

<b>1.1a</b>	<b>DOL Strategic Goal 2:</b>	A Secure Workforce – Promote the economic security of workers and families
	<b>DOL Outcome Goal 2.1:</b>	Increase Compliance with Worker Protection Laws
	<b>ESA Strategic Goal 1:</b>	Create better workplaces by increasing employer and employee awareness of, commitment to, and involvement in assuring fair wages and equal employment opportunity, minimizing the impact of work-related injuries, and safeguarding union democracy.
	<b>ESA Outcome Goal 1.1:</b>	Promote compliance with employment standards and worker protection laws.
	<b>FY 2001 ESA Performance Goal</b> <i>(DOL Strategic Plan PG 2.1A)</i>	<p><b>Increase compliance with labor standards laws and regulations including young workers in nationally targeted industries. In FY 2001, increase compliance in the garment industry to 85% in San Francisco and 42% in New York City; in agricultural commodities - to 47% in onion, 80% in tomato, and 70% in lettuce; and in the health care industry - to 62% in residential health care (assisted living facilities).</b></p> <p>FY 1999: <u>Garment</u>: 5% increase in San Francisco and New York City (Rev.) <u>Agricultural Commodities</u>: establish baseline for onions, lettuce and cucumbers <u>Health Care</u>: establish baseline for residential health care (assisted living facilities)</p> <p>FY 2000: <u>Garment</u>: 45% in Los Angeles (6% increase over FY 1998 performance) <u>Agricultural Commodities</u>: establish baseline for garlic <u>Poultry Processing</u>: 5% increase <u>Forestry</u>: establish baseline <u>Health Care</u>: 5% increase in nursing homes</p> <p><i>Supporting Budget Activity</i></p>
	<b>Performance Results</b>	<p><b>FY 2001:</b> This performance goal was not met, although two of the six performance goal targets were met, and a third goal fell short by only one percent.</p> <p><u>San Francisco Garment</u>.. The goal of increasing compliance to 85% was not met. The compliance survey found the level of compliance to be 75% - not a statistically significant change over the level of 74% in 1999.</p> <p><u>New York City Garment</u> – The goal of increasing compliance to 42% in New York City was met. The compliance survey found the level of compliance to be 52%.</p> <p><u>Agriculture (onions)</u> – The goal of increasing compliance to 47% was not met. The compliance survey found the level of compliance to be 35%.</p> <p><u>Agriculture (lettuce)</u> – The goal of increasing compliance to 70% was met. The compliance survey found the level of compliance to be 76%.</p> <p><u>Agriculture (tomatoes)</u> – The goal of increasing compliance to 80% was not met. The compliance survey found the level of compliance to be 45%.</p> <p><i>Wage and Hour Division : P&amp;F Schedule Activity #1</i> <i>Program Direction and Support: P&amp;F Schedule Activity #4</i></p>

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<p><b>1.1a Cont.</b></p>		<p><u>Residential Health Care (assisted living facilities)</u> – The goal of increasing compliance to 62% was not met. The compliance survey found the level of compliance to be 61%, only one percentage point short of the goal..</p> <p>FY 2001 performance results were very disappointing to ESA/Wage and Hour, as they do not accurately reflect the degree to which the program beneficially impacts the most vulnerable segment of the American workforce, low-wage workers.</p> <p>ESA/Wage and Hour is in the process of identifying performance goals and indicators that more comprehensively measure the impact of the employment standards programs, including interventions resulting from the complaints of workers in all industries as well as special initiatives aimed at improving conditions for low-wage workers. With these objectives in mind, ESA/Wage and Hour developed new performance goals for FY 2002:</p> <p style="text-align: center;"><i>Covered American workplaces legally, fairly, and safely employ and compensate their workers as indicated by:</i></p> <ul style="list-style-type: none"> <li>• <i>Reducing employer violation recidivism; and</i></li> <li>• <i>Increasing compliance in industries with chronic violations.</i></li> </ul> <p><b>FY 2000:</b> <u>The garment, poultry processing and healthcare (nursing homes) industry goals were not met.</u> The level of compliance in the Los Angeles garment industry was 33% -- not a statistically significant change over the FY 1998 level of 39%. The poultry processing compliance level was essentially zero – a decrease from the 40% level of compliance in 1998; the nursing home compliance level was 40% -- a drop from the 70 percent compliance level found in 1997. <u>The forestry and agriculture (garlic) goals were met.</u> Established baselines of 30% in forestry (planting and thinning) and 38% in garlic.</p> <p><b>FY 1999:</b> <u>The garment goal was not met.</u> The compliance rate in San Francisco is 74%. (The 1997 level was 79% up from 57% in 1995.) The compliance rate in New York City is 35%. (The first survey in 1997 was at 37%.) To assure goal will be met in the future, developed compliance education and strike forces. Also, cases will continue to be developed for criminal prosecution and a new office will be opened in Brooklyn. <u>The remaining goals were met.</u> Established compliance baselines of 65% for lettuce, 49% for cucumbers, and 42% for onions. A compliance baseline of 57% for residential health care (assisted living facilities) was also established during FY 1999.</p>
	<p><b>Indicator</b></p>	<p>Trends in compliance/violation rates by industry (NAIC Code); changes in results of compliance surveys in targeted industries.</p>
	<p><b>Data Source</b></p>	<p>Wage Hour Investigator Support and Reporting Database (WHISARD); results of compliance surveys</p>

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<b>1.1a Cont.</b>	<b>Baseline</b>	<p>79% compliance in the San Francisco garment industry (1997)            37% compliance in the New York City garment industry (1997)            22% compliance in the Los Angeles garment industry (1994)            75% compliance in tomato commodity (1996)            49% compliance in cucumber commodity (1999)            42% compliance in onion commodity (1999)            65% compliance in lettuce commodity (1999)            70% compliance in the nursing home industry (1998)            57% compliance in residential health care (assisted living facilities) (1999)            40% compliance in the poultry processing industry (1998)            38% compliance in garlic commodity (2000)            30% compliance in forestry (planting and thinning) (2000)</p>
	<b>Comment</b>	<p>Consistent with the Secretary’s goal to ensure that American workers receive a fair day’s wages for a fair day’s work, ESA has developed two distinct but related goals for FY 2002 to help ensure that workers are paid and employed in compliance with the minimum wage, overtime, and child labor requirements of the Fair Labor Standards Act and the wage and working conditions requirements of the Migrant and Seasonal Agricultural Worker Protection Act. The goals are (1) to reduce employer recidivism, and (2) to increase compliance in industries with chronic violations. Both goals recognize that the key to ensuring workers’ rights is to focus efforts on the industries and employers with the most persistent and serious violations. A brief discussion of each of the two goals follows.</p> <ol style="list-style-type: none"> <li>1. This new performance goal, which encompasses a previous industry-specific goal relating to compliance of prior violators, allows the agency to develop strategies and measure compliance among prior violators in a broader and more complete way. Unlike the earlier goal, the agency will be measuring recidivism rates across all industries, not just the identified low-wage industries, and in both complaint and directed cases. This goal also accounts for the agency’s core work (70% of the agency’s enforcement resources are used to respond to complaints of noncompliance). ESA is determining baselines in FY 2002. FY 2005 targets will be established after the baselines are known.</li> <li>2. This new performance goal revises a previous agency goal relating to identified low-wage industries, and incorporates indicators of the number of <u>employees</u> paid or employed in compliance as well as the number of employers in compliance. The previous binary employer-based compliance measure did not distinguish, for example, between an employer who had one employee or 100 employees employed in violation or between violations that occur in a single period versus those that were ongoing or pervasive. For each of the low-wage industries, the agency has developed, based on its experience over the last several years, shorter-term objectives (intermediate outcome indicators) or problems to work on that over time will improve compliance for the entire industry.</li> </ol> <p>It is anticipated that each year the shorter-term objectives will change so as to allow the agency to work on several different problems in the intervening years before the next industry-wide measurement is made. ESA’s long range goal is that by FY 2005, 70 percent of workers in</p>

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<b>1.1a Cont.</b>		<p>garment manufacturing will be paid in compliance with the minimum wage and overtime requirements, and by FY 2005, 90 percent of workers in the long-term health care industry will be paid in compliance with the minimum wage, overtime and child labor requirements. In agricultural commodities, ESA's long range goal is that by FY 2005, 85 percent of covered workers in agriculture will be employed and paid in compliance with the wage provisions of the applicable statutes and the child labor provisions of the Fair Labor Standards Act, and 75 percent of agricultural employers will be in compliance with the wage and non-wage provisions of the applicable statutes.</p> <p>These long-range goals address difficult and long-standing problems, and will not be resolved quickly or easily. ESA has established goals for FY 2002 that represent key steps to improving compliance. ESA's FY 2002 goals were developed based on empirical evidence and experience in these industries, but ESA recognizes that there are economic and other forces beyond its control that may impact its ability to meet its long-range goals. ESA will track progress with an eye towards these extrinsic factors and will make adjustments to its long and short-range targets and strategies as appropriate.</p>
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1.1d	<b>DOL Strategic Goal 2:</b>	A Secure Workforce – Promote the economic security of workers and families
	<b>DOL Outcome Goal 2.1:</b>	Increase Compliance with Worker Protection Laws
	<b>ESA Strategic Goal 1:</b>	Create better workplaces by increasing employer and employee awareness of, commitment to, and involvement in assuring fair wages and equal employment opportunity, minimizing the impact of work-related injuries, and safeguarding union democracy.
	<b>ESA Outcome Goal 1.1:</b>	Promote compliance with employment standards and worker protection laws.
	<b>FY 2001 ESA Performance Goal</b>  <i>Supporting Budget Activity</i>	<p><b>Increase child labor compliance (by __ percentage points over established baselines) in the restaurant and grocery industries where data indicate that the risk of serious injury of young workers is greatest. (Activities ongoing in FY 2001 to support goal accomplishment in FY 2002.)</b></p> <p>FY 1999: New Goal for FY 2000. FY 2000: Establish baselines.</p> <p><i>Wage and Hour Division : P&amp;F Schedule Activity #1 Program Direction and Support: P&amp;F Schedule Activity #4</i></p>
	<b>Performance Results</b>	<p><b>FY 2001:</b> The goal was met. Compliance surveys in FY 2000 established baselines of compliance of 79% in full service restaurants, 70% in fast food restaurants, and 82% in grocery stores. Relative to other targeted industries, these levels of compliance are high. In FY 2001, the agency carried out a number of local compliance education and enforcement initiatives targeted to these industries and others, such as amusement, in which a large number of minors are employed. Similarly, the agency will be conducting initiatives in FY 2002 to improve the levels of compliance in the named industries and others.</p> <p><b>FY 2000:</b> The goal was met. The compliance surveys established a baseline of 79% in full service restaurants, 70% in fast food restaurants, and 82% in grocery stores.</p> <p><b>FY 1999:</b> N/A</p>
<b>Indicator</b>	<p>Trends in compliance rates in those selected industries (NAIC code) where data indicate risk of serious injury to young workers is greatest.</p> <p>Specific program interventions to be completed during FY 2001 will be determined based on assessment of the results of the FY 2000 compliance survey.</p> <p>Targeted percentage of program improvement will be set following assessment of the results of the FY 2000 compliance survey. Accomplishment of targeted improvement will be measured by the FY 2002 compliance survey.</p>	

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<b>1.1d Cont.</b>	<b>Data Source</b>	Wage Hour Investigator Support and Reporting Database (WHISARD); results of compliance surveys; industry data indicating serious injuries of young workers.
	<b>Baseline</b>	79% compliance in full service restaurants (2000) 70% compliance in fast food restaurants (2000) 82% compliance in the grocery stores (2000)
	<b>Comment</b>	<p>Consistent with the Secretary’s goal to ensure that American workers receive a fair day’s wages for a fair day’s work, ESA has developed two distinct but related goals for FY 2002 to help ensure that workers are paid and employed in compliance with the minimum wage, overtime, and child labor requirements of the Fair Labor Standards Act and the wage and working conditions requirements of the Migrant and Seasonal Agricultural Worker Protection Act. The goals are (1) to reduce employer recidivism, and (2) to increase compliance in industries with chronic violations. Both goals recognize that the key to ensuring workers’ rights is to focus efforts on the industries and employers with the most persistent and serious violations. A brief discussion of each of the two goals follows.</p> <ol style="list-style-type: none"> <li>1. This new performance goal, which encompasses a previous industry-specific goal relating to compliance of prior violators, allows the agency to develop strategies and measure compliance among prior violators in a broader and more complete way. Unlike the earlier goal, the agency will be measuring recidivism rates across all industries, not just the identified low-wage industries, and in both complaint and directed cases. This goal also accounts for the agency’s core work (70% of the agency’s enforcement resources are used to respond to complaints of noncompliance). ESA is determining baselines in FY 2002. FY 2005 targets will be established after the baselines are known.</li> <li>2. This new performance goal revises a previous agency goal relating to identified low-wage industries, and incorporates indicators of the number of <u>employees</u> paid or employed in compliance as well as the number of employers in compliance. The previous binary employer-based compliance measure did not distinguish, for example, between an employer who had one employee or 100 employees employed in violation or between violations that occur in a single period versus those that were ongoing or pervasive. For each of the low-wage industries, the agency has developed, based on its experience over the last several years, shorter-term objectives (intermediate outcome indicators) or problems to work on that over time will improve compliance for the entire industry. It is anticipated that each year the shorter-term objectives will change so as to allow the agency to work on several different problems in the intervening years before the next industry-wide measurement is made. ESA’s long range goal is that by FY 2005, 70 percent of workers in garment manufacturing will be paid in compliance with the minimum wage and overtime requirements, and by FY 2005, 90 percent of workers in the long-term health care industry will be paid in compliance with the minimum wage, overtime and child labor requirements. In agricultural commodities, ESA’s long range goal is that by FY 2005, 85 percent of</li> </ol>

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<b>1.1d Cont.</b>		<p>covered workers in agriculture will be employed and paid in compliance with the wage provisions of the applicable statutes and the child labor provisions of the Fair Labor Standards Act, and 75 percent of agricultural employers will be in compliance with the wage and non-wage provisions of the applicable statutes.</p> <p>These long-range goals address difficult and long-standing problems, and will not be resolved quickly or easily. ESA has established goals for FY 2002 that represent key steps to improving compliance. ESA's FY 2002 goals were developed based on empirical evidence and experience in these industries, but ESA recognizes that there are economic and other forces beyond its control that may impact its ability to meet its long-range goals. ESA will track progress with an eye towards these extrinsic factors and will make adjustments to its long and short-range targets and strategies as appropriate.</p>
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<b>1.1e</b>	<b>DOL Strategic Goal 2:</b>	A Secure Workforce – Promote the economic security of workers and families
	<b>DOL Outcome Goal 2.1:</b>	Increase Compliance with Worker Protection Laws
	<b>ESA Strategic Goal 1:</b>	Create better workplaces by increasing employer and employee awareness of, commitment to, and involvement in assuring fair wages and equal employment opportunity, minimizing the impact of work-related injuries, and safeguarding union democracy.
	<b>ESA Outcome Goal 1.1:</b>	Promote compliance with employment standards and worker protection laws.
	<b>FY 2001 ESA Performance Goal</b>  <i>Supporting Budget Activity</i>	<b>Achieve child labor compliance by __% of the employers previously investigated in the restaurant and grocery industries where data indicate that the risk of serious injury to young workers is greatest. (Activities ongoing in FY 2001 to support goal accomplishment in FY 2002.)</b>  FY 1999: New Goal for FY 2000. FY 2000: Establish baselines.  <i>Wage and Hour Division : P&amp;F Schedule Activity #1</i> <i>Program Direction and Support: P&amp;F Schedule Activity #4</i>
	<b>Performance Results</b>	<b>FY 2001:</b> The goal was met. Compliance surveys in FY 2000 established baselines of compliance of 53% in full service restaurants, 73% in fast food restaurants, and 72% in grocery stores. Relative to other targeted industries, these levels of compliance are high. In FY 2001, the agency carried out a number of local compliance education and enforcement initiatives targeted to these industries and others, such as amusement, in which a large number of minors are employed. Similarly, the agency will be conducting initiatives in FY 2002 to improve the levels of compliance in the named industries and others, especially among prior violators.  <b>FY 2000:</b> The goal was met. The compliance surveys established baselines of 53% in full service restaurants, 73% in fast food restaurants 72% in grocery stores.  <b>FY 1999:</b> N/A
<b>Indicator</b>	Trends in compliance rates in those selected industries (NAIC code) where data indicate risk of serious injury to young workers is greatest.  Specific program interventions to be completed during FY 2001 will be determined based on assessment of the results of the FY 2000 compliance survey.  Targeted percentage of program improvement will be set following assessment of the results of the FY 2000 compliance survey. Accomplishment of targeted improvement will be measured by the FY 2002 compliance survey.	

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<b>1.1e Cont.</b>	<b>Data Source</b>	Wage Hour Investigator Support and Reporting Database (WHISARD); results of compliance surveys; industry data indicating serious injuries of young workers.
	<b>Baseline</b>	53% compliance in reinvestigated full service restaurants (2000) 73% compliance in reinvestigated fast food restaurants (2000) 72% compliance in reinvestigated grocery stores (2000)
	<b>Comment</b>	<p>Consistent with the Secretary's goal to ensure that American workers receive a fair day's wages for a fair day's work, ESA has developed two distinct but related goals for FY 2002 to help ensure that workers are paid and employed in compliance with the minimum wage, overtime, and child labor requirements of the Fair Labor Standards Act and the wage and working conditions requirements of the Migrant and Seasonal Agricultural Worker Protection Act. The goals are (1) to reduce employer recidivism, and (2) to increase compliance in industries with chronic violations. Both goals recognize that the key to ensuring workers' rights is to focus efforts on the industries and employers with the most persistent and serious violations. A brief discussion of each of the two goals follows.</p> <ol style="list-style-type: none"> <li>1. This new performance goal, which encompasses a previous industry-specific goal relating to compliance of prior violators, allows the agency to develop strategies and measure compliance among prior violators in a broader and more complete way. Unlike the earlier goal, the agency will be measuring recidivism rates across all industries, not just the identified low-wage industries, and in both complaint and directed cases. This goal also accounts for the agency's core work (70% of the agency's enforcement resources are used to respond to complaints of noncompliance). ESA is determining baselines in FY 2002. FY 2005 targets will be established after the baselines are known.</li> <li>2. This new performance goal revises a previous agency goal relating to identified low-wage industries, and incorporates indicators of the number of <u>employees</u> paid or employed in compliance as well as the number of employers in compliance. The previous binary employer-based compliance measure did not distinguish, for example, between an employer who had one employee or 100 employees employed in violation or between violations that occur in a single period versus those that were ongoing or pervasive. For each of the low-wage industries, the agency has developed, based on its experience over the last several years, shorter-term objectives (intermediate outcome indicators) or problems to work on that over time will improve compliance for the entire industry. It is anticipated that each year the shorter-term objectives will change so as to allow the agency to work on several different problems in the intervening years before the next industry-wide measurement is made. ESA's long range goal is that by FY 2005, 70 percent of workers in garment manufacturing will be paid in compliance with the minimum wage and overtime requirements, and by FY 2005, 90 percent of workers in the long-term health care industry will be paid in compliance with the minimum wage, overtime and child labor requirements. In agricultural commodities, ESA's long range goal is that by FY 2005, 85 percent of</li> </ol>

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<b>1.1e Cont.</b>		<p>covered workers in agriculture will be employed and paid in compliance with the wage provisions of the applicable statutes and the child labor provisions of the Fair Labor Standards Act, and 75 percent of agricultural employers will be in compliance with the wage and non-wage provisions of the applicable statutes.</p> <p>These long-range goals address difficult and long-standing problems, and will not be resolved quickly or easily. ESA has established goals for FY 2002 that represent key steps to improving compliance. ESA's FY 2002 goals were developed based on empirical evidence and experience in these industries, but ESA recognizes that there are economic and other forces beyond its control that may impact its ability to meet its long-range goals. ESA will track progress with an eye towards these extrinsic factors and will make adjustments to its long and short-range targets and strategies as appropriate.</p>
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<b>1.1f</b>	<b>DOL Strategic Goal 2:</b>	A Secure Workforce – Promote the economic security of workers and families
	<b>DOL Outcome Goal 2.1:</b>	Increase Compliance with Worker Protection Laws
	<b>ESA Strategic Goal 1:</b>	Create better workplaces by increasing employer and employee awareness of, commitment to, and involvement in assuring fair wages and equal employment opportunity, minimizing the impact of work-related injuries, and safeguarding union democracy.
	<b>ESA Outcome Goal 1.1:</b>	Promote compliance with employment standards and worker protection laws.
	<b>FY 2001 ESA Performance Goal</b>  <i>(DOL Strategic Plan PG 2.1D)</i>	<p><b>Increase compliance by 15 percentage points (10-15 percentage points based on years surveys are conducted) among employers which were previous violators and the subject of repeat investigations in nationally targeted industries. In FY 2001, improve reinvestigation compliance rates in the garment industry to 90% in San Francisco and 57% in New York City; in agricultural commodities - to 64% in tomato, 47% in onion, and 48% in lettuce; and in the health care industry - to 60% in residential health care (assisted living facilities).</b></p> <p>FY 1999: <u>Garment</u>: establish baseline for San Francisco and New York City (Rev.) <u>Agriculture Commodities</u>: establish baseline for lettuce, cucumbers, and onions <u>Health Care</u>: establish baseline for residential health care (assisted living facilities)</p> <p>FY 2000: <u>Garment</u>: 5% increase in Los Angeles <u>Agriculture Commodities</u>: establish baseline for garlic <u>Health Care</u>: 5% increase in nursing homes <u>Forestry</u>: establish baseline <u>Poultry</u>: 5% increase</p> <p><i>Supporting Budget Activity</i></p> <p><i>Wage and Hour Division : P&amp;F Schedule Activity #1 Program Direction and Support: P&amp;F Schedule Activity #4</i></p>
	<b>Performance Results</b>	<p><b>FY 2001:</b> This performance goal was not met, although one of the six performance goal targets was met.</p> <p><u>San Francisco Garment</u> - The goal was not met. The 2001 compliance survey determined a baseline level of 76%. The 74% baseline level of compliance reported in 1999 was not statistically valid.</p> <p><u>New York City Garment</u> – The goal of increasing compliance to 57% in New York City was not met. The compliance survey found the level of compliance to be 36%.</p> <p><u>Agriculture (onions)</u> – The goal of increasing compliance to 47% was not met. No determination was made regarding the level of compliance for previous violators because the number of employers investigated was insufficient to yield a statistically valid result.</p> <p><u>Agriculture (lettuce)</u> – The goal of increasing compliance to 48% was not met. No determination was made regarding the level of compliance for previous violators because the number of employers investigated was insufficient to yield a statistically valid result.</p>

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<p><b>1.1f Cont.</b></p>		<p><u>Agriculture (tomatoes)</u> – The goal of increasing compliance to 64% was not met. No determination was made regarding the level of compliance for previous violators because the number of employers investigated was insufficient to yield a statistically valid result.</p> <p><u>Residential Health Care(assisted living facilities)</u> – The goal of increasing compliance to 60% was met. The compliance survey found the level of compliance to be 70%.</p> <p>ESA/Wage and Hour is in the process of identifying performance goals and indicators that more comprehensively measure the impact of the employment standards programs, including interventions resulting from the complaints of workers in all industries as well as special initiatives aimed at improving conditions for low-wage workers. With these objectives in mind, ESA/Wage and Hour developed new performance goals for FY 2002:</p> <p style="text-align: center;"><i>Covered American workplaces legally, fairly, and safely employ and compensate their workers as indicated by:</i></p> <ul style="list-style-type: none"> <li>• <i>Reducing employer violation recidivism; and</i></li> <li>• <i>Increasing compliance in industries with chronic violations.</i></li> </ul> <p><b>FY 2000:</b> <u>The garment, poultry processing, healthcare (nursing home) and agriculture (garlic) goals were not met.</u> Goal accomplishment could not be measured for the Los Angeles garment industry. During FY 2000, it was determined that the FY 1998 baseline (25%) established for the Los Angeles garment industry did not include a large enough sample to be statistically reliable. Therefore, a statistically valid baseline (37%) was established in FY 2000 using a valid sample size. The compliance level in poultry processing was zero – a decrease from the 40% level of compliance in 1998.</p> <p>The nursing home compliance level was 41%. The goal to establish a baseline for garlic was not met because there was not a sufficient number of garlic producers previously found in violation (and thus in the survey) to develop a statistically valid baseline. A survey in FY 2002 will be used to determine a statistically valid baseline. <u>The forestry goal was met.</u> A compliance baseline of 15% was established in forestry (planting and thinning).</p> <p><b>FY 1999:</b> Goal was met. Compliance baselines of 86% and 52%, respectively, were established for the San Francisco and New York City garment industries. Established compliance baseline of 43% for lettuce, 42% for onions and 37% for cucumbers. Established baseline of 55% in residential health care (assisted living facilities).</p>
	<p><b>Indicator</b></p>	<p>Trends in compliance/violation rates by industry (NAIC code); changes in results in compliance surveys in targeted industries.</p>
	<p><b>Data Source</b></p>	<p>Wage Hour Investigator Support and Reporting Database (WHISARD); results of compliance surveys.</p>

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<p><b>1.1f Cont.</b></p>	<p><b>Baseline</b></p>	<p>Industry/sector-specific baseline data            37% compliance in reinvestigated Los Angeles garment industry (2000)            76% compliance in reinvestigated San Francisco garment industry (2001)            52% compliance in reinvestigated New York City garment industry (1999)            76% compliance in reinvestigated nursing home industry (1997)            55% compliance in reinvestigated residential health care (assisted living facilities) (1999)            40% compliance in reinvestigated poultry processing (1998)            43% compliance in reinvestigated lettuce commodity (1999)            42% compliance in reinvestigated onion commodity (1999)            37% compliance in reinvestigated cucumber commodity (1999)            59% compliance in reinvestigated tomato commodity (1998)            15% compliance in reinvestigated forestry (planting and thinning) (2000)            Baseline for garlic to be determined.</p>
	<p><b>Comment</b></p>	<p>Consistent with the Secretary’s goal to ensure that American workers receive a fair day’s wages for a fair day’s work, ESA has developed two distinct but related goals for FY 2002 to help ensure that workers are paid and employed in compliance with the minimum wage, overtime, and child labor requirements of the Fair Labor Standards Act and the wage and working conditions requirements of the Migrant and Seasonal Agricultural Worker Protection Act. The goals are (1) to reduce employer recidivism, and (2) to increase compliance in industries with chronic violations. Both goals recognize that the key to ensuring workers’ rights is to focus efforts on the industries and employers with the most persistent and serious violations. A brief discussion of each of the two goals follows.</p> <ol style="list-style-type: none"> <li>1. This new performance goal, which encompasses a previous industry-specific goal relating to compliance of prior violators, allows the agency to develop strategies and measure compliance among prior violators in a broader and more complete way. Unlike the earlier goal, the agency will be measuring recidivism rates across all industries, not just the identified low-wage industries, and in both complaint and directed cases. This goal also accounts for the agency’s core work (70% of the agency’s enforcement resources are used to respond to complaints of noncompliance). ESA is determining baselines in FY 2002. FY 2005 targets will be established after the baselines are known.</li> <li>2. This new performance goal revises a previous agency goal relating to identified low-wage industries, and incorporates indicators of the number of <u>employees</u> paid or employed in compliance as well as the number of employers in compliance. The previous binary employer-based compliance measure did not distinguish, for example, between an employer who had one employee or 100 employees employed in violation or between violations that occur in a single period versus those that were ongoing or pervasive. For each of the low-wage industries, the agency has developed, based on its experience over the last several years, shorter-term objectives (intermediate outcome indicators) or problems to work on that over time will improve compliance for the entire industry. It is anticipated that each year the shorter-term objectives will change so as to allow the agency to work on several different problems in the intervening years before the next industry-wide measurement is made.</li> </ol>

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<b>1.1f Cont.</b>		<p>ESA's long range goal is that by FY 2005, 70 percent of workers in garment manufacturing will be paid in compliance with the minimum wage and overtime requirements, and by FY 2005, 90 percent of workers in the long-term health care industry will be paid in compliance with the minimum wage, overtime and child labor requirements. In agricultural commodities, ESA's long range goal is that by FY 2005, 85 percent of covered workers in agriculture will be employed and paid in compliance with the wage provisions of the applicable statutes and the child labor provisions of the Fair Labor Standards Act, and 75 percent of agricultural employers will be in compliance with the wage and non-wage provisions of the applicable statutes.</p> <p>These long-range goals address difficult and long-standing problems, and will not be resolved quickly or easily. ESA has established goals for FY 2002 that represent key steps to improving compliance. ESA's FY 2002 goals were developed based on empirical evidence and experience in these industries, but</p> <p>ESA recognizes that there are economic and other forces beyond its control that may impact its ability to meet its long-range goals. ESA will track progress with an eye towards these extrinsic factors and will make adjustments to its long and short-range targets and strategies as appropriate.</p>
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## Appendix B

1.2a	<b>DOL Strategic Goal 2:</b>	A Secure Workforce – Promote the economic security of workers and families
	<b>DOL Outcome Goal 2.1:</b>	Increase Compliance with Worker Protection Laws
	<b>ESA Strategic Goal 1:</b>	Create better workplaces by increasing employer and employee awareness of, commitment to, and involvement in assuring fair wages and equal employment opportunity, minimizing the impact of work-related injuries, and safeguarding union democracy.
	<b>ESA Outcome Goal 1.2</b>	Safeguard union democracy and financial integrity.
	<b>FY 2001 ESA Performance Goal</b>  <i>Supporting Budget Activity</i>	<p><b>Protect standards for democratic union officer elections for union members by resolving 100% of election complaints filed under the Labor-Management Reporting and Disclosure Act (LMRDA) and related laws.</b></p> <p>FY 1999: New goal for FY 2000. FY 2000: 100%.</p> <p><i>Office of Labor-Management Standards: P&amp;F Schedule Activity #5 Program Direction and Support: P&amp;F Schedule Activity #4</i></p>
<b>Performance Results</b>	<p><b>FY 2001:</b> This goal was met. An indicator that standards for democratic union officer elections are being protected is that all (100%) election complaints filed under the LMRDA are timely investigated and resolved by appropriate dispositive action. Through the 4th quarter of FY 2001, standards for democratic union officer elections were protected through the final resolution of 150 union member complaints regarding union officer elections.</p> <p>Legal action was initiated with regard to 16 complaints; remedial supervised elections were certified in 31 cases; and determinations were made with regard to 103 complaints filed by union members that remedial action was not warranted because no violations affecting election outcome had occurred. All of these cases were resolved within the statutory timeframes.</p> <p>The goal to protect standards for democratic union officer elections continues to be met through agency resolution of union member complaints. Efforts to promote standards for democratic union officer elections through liaison and compliance assistance also will be continued.</p> <p>The reported data derives from the ESA/OLMS Case Data System and agency case records, which are used for program management and assessment and routinely monitored for completeness and accuracy.</p> <p><b>FY 2000:</b> The goal was met for FY 2000. An indicator that standards for democratic union officer elections are being protected is that all (100%) election complaints filed under the LMRDA are timely investigated and resolved by appropriate dispositive action. Standards for democratic union officer elections were protected through the final resolution of 163 union member complaints regarding union officer elections through the 4th quarter.</p>	

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<b>1.2a Cont.</b>		<p>Legal action was initiated with regard to 18 complaints; remedial supervised elections were certified in 26 cases; and determinations were made with regard to 119 complaints filed by union members that remedial action was not warranted because no violations affecting election outcome had occurred.</p> <p><b>FY 1999:</b> N/A</p>
	<b>Indicator</b>	<p>Percentage of union member complaints timely investigated and resolved by appropriate dispositive action.</p>
	<b>Data Source</b>	<p>OLMS Case Data System.</p>
	<b>Baseline</b>	<p>100%.</p>
	<b>Comment</b>	<p>The timely resolution of union officer election complaints is an important safeguard for union democracy of direct benefit to union members. All such complaints filed under the LMRDA must be investigated and enforcement action, when warranted, must be filed within-statutory time limits.</p> <p>The agency has a legal obligation to investigate all union officer election complaints filed by members in accordance with the LMRDA and to initiate enforcement action when warranted within statutory time limits. Therefore, the annual target is 100%.</p> <p>While ESA/OLMS will continue to resolve election complaints filed under LMRDA and related laws, the program has determined that as part of its ongoing strategic/performance plan restructuring and refocusing efforts, these efforts will not appear as a separate performance goal in the FY 2002 Annual Performance Plan.</p>

## Appendix B

<b>1.2b</b>	<b>DOL Strategic Goal 2:</b>	A Secure Workforce – Promote the economic security of workers and families
	<b>DOL Outcome Goal 2.1:</b>	Increase Compliance with Worker Protection Laws
	<b>ESA Strategic Goal 1:</b>	Create better workplaces by increasing employer and employee awareness of, commitment to, and involvement in assuring fair wages and equal employment opportunity, minimizing the impact of work-related injuries, and safeguarding union democracy.
	<b>ESA Outcome Goal 1.2</b>	Safeguard union democracy and financial integrity.
	<b>FY 2001 ESA Performance Goal</b>	<p><b>Protect union financial integrity through appropriate enforcement action.</b></p> <p>FY 1999: New goal for FY 2000  FY 2000: Protect union financial integrity through appropriate enforcement action.</p> <p><i>Supporting Budget Activity</i></p> <p><i>Office of Labor-Management Standards: P&amp;F Schedule Activity #5</i>  <i>Program Direction and Support: P&amp;F Schedule Activity #4</i></p>
	<b>Performance Results</b>	<p><b>FY 2001:</b> This goal was met. An indicator of union financial integrity protection is that individuals convicted of embezzlement and other crimes are barred from union office holding and employment. As a result of appropriate ESA/OLMS enforcement action, 87 convicted individuals were barred from union office holding and employment through the 4<sup>th</sup> quarter of FY 2001.</p> <p>The goal to protect union financial integrity will be met through continuing appropriate enforcement actions. Union financial integrity will be promoted also through the agency’s audit program and through liaison and compliance assistance efforts, notably a program of workshops for union trustees to promote use of the agency-developed union self-audit guide.</p> <p>The reported data derives from the ESA/OLMS Case Data System, which is used for program management and assessment and is routinely monitored for completeness and accuracy.</p> <p><b>FY 2000:</b> This goal was met. An indicator of union financial integrity protection is that individuals convicted of embezzlement and other crimes are barred from union office holding and employment. As a result of appropriate ESA/OLMS enforcement action, 165 convicted individuals were barred from union office holding and employment during FY 2000.</p> <p><b>FY 1999:</b> N/A</p>
	<b>Indicator</b>	Performance indicators demonstrating protection of union assets and financial integrity include the number of individuals barred from union office holding and employment due to convictions resulting from agency investigation.
<b>Data Source</b>	OLMS Case Data System.	

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<b>1.2b Cont.</b>	<b>Baseline</b>	No performance target is suitable for this goal; therefore, no baseline data is provided.
	<b>Comment</b>	<p>Union protections resulting from criminal enforcement action are important safeguards for union democracy and financial integrity.</p> <p>Significant indicators of program impact on union financial integrity include the number of individuals convicted of embezzlement and other crimes that are barred from union office and employment as a result of ESA/OLMS enforcement actions. These can only be determined at the end of a given fiscal year; therefore, targets have not been included for this goal.</p> <p>While ESA/OLMS will continue to resolve election complaints filed under LMRDA and related laws, the program has determined that as part of its ongoing strategic/performance plan restructuring and refocusing efforts, these efforts will not appear as a separate performance goal in the FY 2002 Annual Performance Plan.</p>

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1.2c	<b>DOL Strategic Goal 2:</b>	A Secure Workforce – Promote the economic security of workers and families
	<b>DOL Outcome Goal 2.1:</b>	Increase Compliance with Worker Protection Laws
	<b>ESA Strategic Goal 1:</b>	Create better workplaces by increasing employer and employee awareness of, commitment to, and involvement in assuring fair wages and equal employment opportunity, minimizing the impact of work-related injuries, and safeguarding union democracy.
	<b>ESA Outcome Goal 1.2:</b>	Safeguard union democracy and financial integrity.
	<b>FY 2001 ESA Performance Goal</b>  <i>(DOL Strategic Plan PG 2.1E)</i>  <i>Supporting Budget Activity</i>	<p><b>Achieve timely union reporting compliance such that a minimum of 88% of unions with annual receipts greater than \$200,000 timely file union annual financial reports for public disclosure access.</b></p> <p>FY 1999: Increase by 6% (to 85%).  FY 2000: Minimum of 87% of unions with annual receipts greater than \$200,000 timely file union annual financial reports for public disclosure.</p> <p><i>Office of Labor-Management Standards: P&amp;F Schedule Activity #5  Program Direction and Support: P&amp;F Schedule Activity #4</i></p>
<b>Performance Results</b>	<p><b>FY 2001:</b> This goal was not met. For FY 2001, 83.1% of unions with annual receipts greater than \$200,000 timely filed union annual financial reports for public disclosure access.</p> <p>The FY 2001 was not met for two reasons:</p> <ol style="list-style-type: none"> <li>1) There was a greater incidence of late filing by unions as they adjusted to redesigned reporting forms implemented in 2001. The agency implemented redesigned union reporting forms to facilitate scanning and data capture of reported information, a change required to develop a new Internet public disclosure system planned for implementation early in CY 2002.</li> <li>2) In FY 2001 the agency applied more stringent filing standards immediately upon receipt of reports, with the result that a much greater number of reports are being returned without being processed. This increased the number of report reports filed untimely.</li> </ol> <p>This trend will be reversed as union filers gain experience with the new reporting formats. The agency will continue efforts with liaison and compliance assistance to further that objective.</p> <p>The reported data derives from the new ESA/OLMS labor organization report system (e.LORS) that supports agency administration of the LMRDA reporting program and is routinely monitored for accuracy and completeness.</p> <p><b>FY 2000:</b> The goal was met for FY 2000, as 87.2% of unions with annual receipts greater than \$200,000 timely filed union annual financial reports for public disclosure access. Although a higher timely filing rate (89.8%) was achieved in FY 1999, overall performance against this goal has trended</p>	

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<b>1.2c Cont.</b>		<p>higher since the baseline was established in FY 1997. Agency compliance assistance efforts and delinquent reports programs and initiatives have had a positive influence on achieving the performance improvements, and these efforts will be continued.</p> <p><b>FY 1999:</b> 89.8% of unions with annual receipts greater than \$200,000 timely filed union annual financial reports for public disclosure access.</p>
	<b>Indicator</b>	Percentage of financial reports timely filed for public disclosure availability.
	<b>Data Source</b>	Labor Organization Reporting System.
	<b>Baseline</b>	Timely filing of annual financial reports required of unions with annual receipts over \$200,000: 79% in FY 1997.
	<b>Comment</b>	<p>The accuracy and completeness of statutorily required union financial reports is critical to objectives of the LMRDA to promote union democracy and financial integrity through the public disclosure of reported information.</p> <p>While ESA/OLMS will continue to seek more timely filing of union financial reports, the program has determined that as part of its ongoing strategic/performance plan restructuring and refocusing efforts, these efforts will not appear as a separate performance goal in the FY 2002 Annual Performance Plan.</p>

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1.2d	<b>DOL Strategic Goal 2:</b>	A Secure Workforce – Promote the economic security of workers and families
	<b>DOL Outcome Goal 2.1:</b>	Increase Compliance with Worker Protection Laws
	<b>ESA Strategic Goal 1:</b>	Create better workplaces by increasing employer and employee awareness of, commitment to, and involvement in assuring fair wages and equal employment opportunity, minimizing the impact of work-related injuries, and safeguarding union democracy.
	<b>ESA Outcome Goal 1.2:</b>	Safeguard union democracy and financial integrity.
	<b>FY 2001 ESA Performance Goal</b>	<b>Increase to 68% the number of union annual financial reports filed for public disclosure access that meet standards of acceptability.</b>  FY 1999: New goal for FY 2000. FY 2000: Baseline established.  <i>Supporting Budget Activity</i>
	<b>Performance Results</b>	<b>FY 2001:</b> This goal could not be reported for activity through the 4 <sup>th</sup> quarter because sufficient performance data was not available. The problem was due to unforeseen delay in contract work for the scanning/data conversion of union reports. The eventual conversion of information from union reports to electronic format will enable a computerized desk audit of each filed union report to determine compliance with standards of acceptability.  Scanning/data conversion is now operational. ESA/OLMS expects to be able to report results during FY 2002.  <b>FY 2000:</b> The goal was met. Baseline data was developed in FY 2000 by conducting computerized desk audits on a sample of filed LM-2, LM-3, and LM-4 reports. Projecting from that sample, 63% of LM-2/3/4 union annual financial reports filed for public disclosure access met standards of acceptability in FY 2000.  <b>FY 1999:</b> N/A
	<b>Indicator</b>	Percentage of filed union reports that meet established agency standards of acceptability.
	<b>Data Source</b>	Labor Organization Reporting System.
<b>Baseline</b>	FY 2000: 63%.	

## Appendix B

<b>1.2d Cont.</b>	<b>Comment</b>	
		<p>The accuracy and completeness of statutorily required union financial reports is critical to objectives of the LMRDA to promote union democracy and financial integrity through the public disclosure of reported information.</p> <p>For FY 2002 ESA/OLMS has determined that performance in this area will be reported as a performance indicators under ESA/OLMS's overarching goal:</p> <ul style="list-style-type: none"><li>• Union financial integrity and democracy and the transparency of union operations are safeguarded .</li></ul>

## Appendix B

1.3a	<b>DOL Strategic Goal 2:</b>	A Secure Workforce – Promote the economic security of workers and families
	<b>DOL Outcome Goal 2.2:</b>	Protect Worker Benefits
	<b>ESA Strategic Goal 1:</b>	Create better workplaces by increasing employer and employee awareness of, commitment to, and involvement in assuring fair wages and equal employment opportunity, minimizing the impact of work-related injuries, and safeguarding union democracy.
	<b>ESA Outcome Goal 1.3:</b>	Minimize the human, social, and financial impact of work-related injuries.
	<b>FY 2001 ESA Performance Goal</b>  <i>(DOL Strategic Plan PG 2.2D)</i>  <i>Supporting Budget Activity</i>	<p><b>Return Federal employees to work following an injury as early as appropriate indicated by a 2% reduction from the FY 2000 baseline in the average number of production days lost due to disability.</b></p> <p>FY 1999: Reduce to 178 days (QCM cases only).  FY 2000: Reduce to 173 days (QCM cases only); establish baseline for all cases.</p> <p><i>Office of Workers' Compensation Programs: P&amp;F Schedule Activity #3  Program Direction and Support: P&amp;F Schedule Activity #4</i></p>
<b>Performance Results</b>	<p><b>FY 2001:</b> The goal was not met. Complete 4<sup>th</sup> quarter results were not available, since the deadline for submission of continuation-of-pay period data from the Federal agencies was October 31. Results from three quarters of available data show that thus far in FY 2001 the goal was not being met. The FY 2000 baseline is 68.1 days, and the FY 2001 target was 66.7. The overall government-wide average LPD for the first three quarters was 75.2, a 10.4% increase.</p> <p>This new goal consists of time lost during the initial 45-day, or continuation-of-pay period, while the claim remains in the jurisdiction of the Federal agency employer, and LPD in FECA cases within the first year of the beginning of wage-loss benefits.</p> <ul style="list-style-type: none"> <li>• Roughly half of the FECA wage-loss LPD was attributable to Postal Service cases. That agency's average LPD rose by nearly 15% over FY 2000. By contrast, total government-wide LPD, without USPS, increased by 4.4%.</li> <li>• The number of USPS wage-loss cases also increased significantly in FY 2001.</li> <li>• It is likely that workforce downsizing underway by the Postal Service decreased the number of light-duty jobs available to injured workers, and that directly affected the LPD average.</li> <li>• A slight decline in overall Federal employment in FY 2001, coupled with the increase in total lost production days, also contributed to the increase in average LPD.</li> </ul>	

## Appendix B

<p><b>1.3a Cont.</b></p>	<ul style="list-style-type: none"> <li>• Total lost production days in the COP period remain even with COP days in FY 2000, but total days lost in FECA wage-loss cases increased by 12%.</li> <li>• OWCP began measuring LPD in late FY 1996 for cases included in its Quality Case Management program (those FECA cases which do not resolve in the first forty-five day Continuation-of-Pay period). Between FY 1997 and FY 2000, average LPD in QCM cases had been reduced from 189 days to 164 days. QCM LPD was 167 days in FY 2001, but still below the FECA program's internal target.</li> <li>• OWCP's inability to improve its QCM LPD record was affected in FY 2001 by disruptions on district operations of OASIS document imaging system installation and start-up of its new Energy Employees Compensation Program.</li> <li>• LPD is one of several goals within the joint, OSHA/OWCP Federal Employees Health and Safety Initiative to increase Federal workplace safety rates and increase successful recovery from injury and earlier return to work.</li> <li>• In FY 2002, OWCP will redouble its efforts to further decrease average LPD in Quality Case Management cases.</li> </ul> <p>In late FY 2001 OWCP began an OASAM-funded evaluation project to study the effectiveness of the Early Nurse Intervention Program in holding medical costs down and in facilitating earlier return to work. The information gathered from this project should help guide OWCP's efforts in these areas.</p> <p>While we have confidence that system application controls ensure data quality and reliability, we agree with recent Office of Inspector General findings that there is a need to establish improved management controls over the processes used for collecting and reporting performance data. OWCP has requested additional funding in FY 2003 to strengthen the reliability and accuracy of performance reporting by further automating and standardizing the data extraction and compilation processes and strengthening management controls to ensure the validity of reporting.</p> <p><b>FY 2000:</b> This goal was exceeded. Average lost production days (LPD) measured for Quality Case Management (QCM) cases in FY 2000 was 164 days. This represents a shortening of the average time away from work of 25 days when compared to the FY 1997 baseline year. The reduction also equates to a \$17.7 million savings in compensation costs.</p> <p>OWCP revised the LPD measure and established a new baseline. The new indicator will capture LPD in all time-loss cases, for both FECA wage-loss cases and during the first 45 days (continuation-of-pay period) while new cases are still with the employing agencies. A new LPD baseline representing <u>all</u> cases was established at 68.3 workdays.</p> <p><b>FY 1999:</b> This goal has been exceeded. Average LPD for cases measured in FY 1999 was 173 days against a target of 178 days. This is nearly a 9 % reduction compared to the FY 1997 baseline. The 16-day reduction compared to the FY 1997 baseline represents a savings in compensation benefits of \$9.6 million for the cases measured.</p>
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## Appendix B

<b>1.3a Cont.</b>	<b>Indicator</b>	Average number of days lost due to disability for all cases.
	<b>Data Source</b>	Federal Employees' Compensation Act (FECA) data systems; Federal agency payroll offices; Office of Personnel Management employment statistics.
	<b>Baseline</b>	Interim baseline for Quality Case Management (QCM) cases only is the FY 1997 actual - 189 workdays. FY 2000 baseline: 68.1 (revised by .2 workdays in 1 <sup>st</sup> quarter FY 2001 to reflect receipt of late data.
	<b>Comment</b>	<p>In FY 2000, ESA revised the LPD measure and established a new baseline covering all federal employee injuries. Data for this much larger cohort requires that federal agencies capture and report "Continuation of Pay" data. Because the inclusion of thousands of temporary Census 2000 workers employed by the Department of Commerce would disproportionately skew the national result, the Commerce Department is excluded from the baseline calculation.</p> <p>Note: While OWCP has confidence that system application controls ensure data quality and reliability, the program agrees with recent Office of Inspector General findings that there is a need to establish improved management controls over the processes used for collecting and reporting performance data.</p> <p>For FY 2002 OWCP has determined that performance in this area will be reported as one of several performance indicators under OWCP's overarching goal:</p> <ul style="list-style-type: none"> <li>• Minimize the human, social, and financial impact of work-related injuries for workers and their families.</li> </ul>

## Appendix B

<b>1.3b</b>	<b>DOL Strategic Goal 2:</b>	A Secure Workforce – Promote the economic security of workers and families
	<b>DOL Outcome Goal 2.2:</b>	Protect Worker Benefits
	<b>ESA Strategic Goal 1:</b>	Create better workplaces by increasing employer and employee awareness of, commitment to, and involvement in assuring fair wages and equal employment opportunity, minimizing the impact of work-related injuries, and safeguarding union democracy.
	<b>ESA Outcome Goal 1.3:</b>	Minimize the human, social, and financial impact of work-related injuries.
	<b>FY 2001 ESA Performance Goal</b>	<p><b>Increase employing agency timeliness in submitting notices of injury to 55% within 14 days.</b></p> <p>FY 1999: 51% FY 2000: 53%</p> <p><i>Supporting Budget Activity</i></p> <p><i>Office of Workers' Compensation Programs: P&amp;F Schedule Activity #3</i> <i>Program Direction and Support: P&amp;F Schedule Activity #4</i></p>
	<b>Performance Results</b>	<p><b>FY 2001:</b> This goal was exceeded. Timeliness increased in the third and fourth quarters to bring the average for FY 2001 to 56.6%.</p> <ul style="list-style-type: none"> <li>• While performance is mixed among 23 of the larger Federal agencies, the leading gainers compared to last year include the Departments of Education, Transportation, Justice, State, Energy, and Veterans, and SSA and TVA.</li> <li>• Postal Service timeliness was 69.1%; while well over target, this was a decrease of 2.3 percentage points from last year. USPS had 62% of the injuries measured for this goal.</li> <li>• This goal is also one of several goals within the joint, OSHA/OWCP Federal Employees Health and Safety Initiative to increase Federal workplace safety rates and increase successful recovery from injury and earlier return to work.</li> </ul> <p><b>FY 2000:</b> This goal was exceeded. Average time of submission of Notices of Injury from employing agencies was 56% within 14 days. This is a marked improvement over the FY 1997 average of 41%. The goal represents an average of low and high performing agencies, and a wide disparity exists among them in this regard. We continue to work with the agencies to implement fundamental and complex changes within their systems to improve performance.</p> <p><b>FY 1999:</b> The goal has been exceeded. Overall filing time of Notice of Injury reports improved again in FY 1999 to 52.7 percent within 14 days, or 11.7 percentage points above baseline.</p>

## Appendix B

<b>1.3b Cont.</b>	<b>Indicator</b>	Average time between agency supervisors' authorization and receipt of claim forms by FECA.
	<b>Data Source</b>	FECA data systems.
	<b>Baseline</b>	FY 1997 average: 41%.
	<b>Comment</b>	<p>This goal focuses on FECA's working relationship with Federal employers and their role in providing services to their injured employees. Agencies' prompt injury reporting supports FECA program goals to intervene earlier in new injury cases to speed recovery and return to work and, overall, to provide better services to injured workers</p> <p>Note: While OWCP has confidence that system application controls ensure data quality and reliability, the program agrees with recent Office of Inspector General findings that there is a need to establish improved management controls over the processes used for collecting and reporting performance data.</p> <p>While OWCP will continue efforts to improve the timely submission of notices of injury by employing agencies as part of the joint OSHA/OWCP Federal Employees Health and Safety Initiative, the program has determined that as part of its ongoing strategic/performance plan restructuring and refocusing efforts, these efforts will not appear as a separate performance goal in the FY 2002 Annual Performance Plan.</p>

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<b>1.4a</b>	<b>DOL Strategic Goal 2:</b>	A Secure Workforce – Promote the economic security of workers and families
	<b>DOL Outcome Goal 2.2:</b>	Protect Worker Benefits
	<b>ESA Strategic Goal 1:</b>	Create better workplaces by increasing employer and employee awareness of, commitment to, and involvement in assuring fair wages and equal employment opportunity, minimizing the impact of work-related injuries, and safeguarding union democracy.
	<b>ESA Outcome Goal 1.4:</b>	Protect the rights of affected mass transit workers when grant funds are used to acquire improve, or operate a transit system.
	<b>FY 2001 ESA Performance Goal</b>	<p><b>Issue 100% of transit employee protection certifications within established timeframes.</b></p> <p>FY 1999: 100% FY 2000: 100%</p> <p><i>Supporting Budget Activity</i></p> <p><i>Office of Labor-Management Standards: P&amp;F Schedule Activity #5</i> <i>Program Direction and Support: P&amp;F Schedule Activity #4</i></p>
	<b>Performance Report</b>	<p><b>FY 2001:</b> This goal was substantially met in FY 2001. Through the 4<sup>th</sup> quarter, 99% of 1,315 transit employee protection certifications were issued within established timeframes, that is, within 60 days of referral.</p> <p>The employee protections program data system is monitored to ensure continuing reliability.</p> <p><b>FY 2000:</b> The goal was substantially met. 98% of 1,311 transit employee protection certifications were issued within established timeframes, that is within 60 days of referral. A total of 27 certifications that presented complex issues or unusual circumstances were not certified within the 60-day period.</p> <p>In some instances delay can be attributed to the insufficiency in applications for certification and employer-employee disputes over terms and conditions of the employee protection provisions at issue.</p> <p><b>FY 1999:</b> In FY 1999, 98% of employee protection certifications were completed (950) within 60 days of referral, as provided for in the Guidelines. Ten certifications that presented complex issues or unusual circumstances were not certified within the established 60-day period. Delays in certification may be encountered when an application does not contain sufficient information for a referral/review and certification, when complex issues relating to the application must be resolved before an application can be processed, or when the parties are in dispute over terms and conditions and the dispute is not resolved in a timely way.</p>
	<b>Indicator</b>	Number of employee protection certifications completed within 60 days.
<b>Data Source</b>	Employee Certification Tracking System.	

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<b>1.4a Cont.</b>	<b>Baseline</b>	1997: 96%
	<b>Comment</b>	<p>The timely issuance of employee protection arrangement certifications is critical to protecting the rights of mass transit workers when Federal funds are used to acquire, improve or operate a system.</p> <p>For FY 2002 ESA/OLMS has determined that performance in this area will be reported as a performance indicators under ESA/OLMS's overarching goal:</p> <ul style="list-style-type: none"><li>• Union financial integrity and democracy and the transparency of union operations are safeguarded .</li></ul>

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<b>1.5a</b>	<b>DOL Strategic Goal 3:</b>	Quality Workplaces – Foster quality workplaces that are safe, healthy, and fair
	<b>DOL Outcome Goal 3.2:</b>	Foster Equal Opportunity Workplaces
	<b>ESA Strategic Goal 1:</b>	Create better workplaces by increasing employer and employee awareness of, commitment to, and involvement in assuring fair wages and equal employment opportunity, minimizing the impact of work-related injuries, and safeguarding union democracy.
	<b>ESA Outcome Goal 1.5:</b>	Federal contractors achieve equal opportunity workplaces.
	<b>FY 2001 ESA Performance Goal</b> <i>(DOL Strategic Plan PG 3.2A)</i>	<p><b>Federal contractors achieve equal opportunity workplaces as demonstrated by:</b></p> <ul style="list-style-type: none"> <li>▪ <b>Improving the equal employment opportunity performance of federal contractors and subcontractors within industries where data indicate the likelihood of equal employment opportunity problems is greatest. In FY 2001, identify those industries where data indicate the likelihood of equal employment opportunity problems is greatest and establish baselines;</b></li> <li>▪ <b>Improving the equal employment opportunity performance of federal contractors and subcontractors that have had prior contact with OFCCP through evaluations, outreach, or technical assistance. In FY 2001, establish baselines; and,</b></li> <li>▪ <b>Reducing compensation discrimination by federal contractors and subcontractors. In FY 2001, establish baselines.</b></li> </ul> <p>FY 1999 (Rev): Establish new baseline.</p> <p>FY 2000: Increase by 5% (over FY 1999 performance) the number of Federal contractors brought into compliance with the EEO provisions of federal contracts via ESA/OFCCP's compliance evaluation procedures. (Note: Goal and methodology were reevaluated/revised in FY 2000.)</p> <p><i>Supporting Budget Activity</i></p> <p><i>Office of Federal Contract Compliance Programs: P&amp;F Schedule Activity #2 Program Direction and Support: P&amp;F Schedule Activity #4</i></p>
	<b>Performance Results</b>	<p><b>FY 2001:</b> The goal was not achieved. For the first indicator, two industries were identified where the data indicate the likelihood of equal employment opportunity problems is greatest, and baselines indicating the extent of problems previously found were established. With regard to the second indicator, the Department established a baseline for Federal contractors and subcontractors that had failed previous compliance evaluations, but not for those contacted only through outreach or technical assistance. ESA did not develop a separate baseline for compensation discrimination, but included this issue in the baselines created for the preceding two indicators.</p>

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<p><b>1.5a Cont.</b></p>		<p><b>FY 2000:</b> This goal was fully achieved. ESA brought 3,353 contractors into compliance, exceeding its FY 2000 goal by 20% and FY 1999 performance by 27%. ESA met and surpassed its goal through a combination of proactive strategies. ESA's increased commitment of human resources to resolve compliance evaluations and complaint investigations containing major systemic discrimination and/or compensation issues.</p> <p><b>FY 1999:</b> Ninety-three percent of the goal was met. In FY 1999, OFCCP brought fewer Federal contractors into compliance because it was found that more Federal contractors were already in compliance for various reasons. OFCCP brought 2,648 contractors into compliance.</p> <p>The proportion of contractors found to be in compliance has increased by 66 percent since 1994. A number of factors have led to increased awareness among Federal contractors and contributed to this outcome, including, ESA's outreach programs, public education, voluntary compliance awards, industry best practices, and technical assistance efforts. In addition, work hours expended on technical assistance to Federal contractors increased by 30 percent over FY 1998, from 29,232 hours in FY 1998 to 37,966 hours in FY 1999.</p>
	<p><b>Indicator</b></p>	<p>Trends/changes in compliance and violation rates and EEO-1 data. Trends/Changes in compensation and other data gathered from evaluations and from federal contractor data. Trends/changes in data gathered from customer satisfaction surveys.</p>
	<p><b>Data Source</b></p>	<p>EEO-1 data file; Case Management System; federal contractor data; customer satisfaction survey; compliance reviews within industries.</p>
	<p><b>Baseline</b></p>	<p>FY 2001: Durable Goods (SIC code 50) - 49.1% rate of noncompliance findings. Engineering and Management Services (SIC code 87) - 50% rate of noncompliance findings.</p>
	<p><b>Comment</b></p>	<p>Through compliance assistance and other contacts, such as compliance evaluations, ESA/OFCCP plans to educate members of the two targeted industries on compliance techniques, reducing the proportion and severity of noncompliance determinations and raising performance to the average universe rate within a 3 to 4 year evaluation period. The compliance assistance effort will provide information and assistance to the contractor community on meeting equal employment opportunity requirements outside the formal evaluation process. The compliance assistance tools used to accomplish this objective include: Contractor Informational Packets distributed at the initiation of each compliance evaluation; contractor seminars held in each of the Regions; compliance assistance information posted on the DOL/OFCCP web site: <a href="http://www2.dol.gov/dol/esa/public/ofcp_org.htm">http://www2.dol.gov/dol/esa/public/ofcp_org.htm</a>; and assistance available to any contractor upon request, either within or outside the evaluation process. Should DOL's compliance assistance activities prove as effective as anticipated, DOL plans to expand this performance goal by selecting additional industries from its contractor universe in FY 2002 for measurement in FY 2003, following the same approach used to identify industries in FY 2001.</p>

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2.1a	<b>DOL Strategic Goal 2:</b>	A Secure Workforce – Promote the economic security of workers and families
	<b>DOL Outcome Goal 2.2:</b>	Protect Worker Benefits
	<b>ESA Strategic Goal 2:</b>	Secure public confidence through excellence in the management and delivery of ESA’s programs and services.
	<b>ESA Outcome Goal 2.1:</b>	Respond effectively to legal mandates.
	<b>FY 2001 ESA Performance Goal</b> <i>(DOL Strategic Plan PG 2.2G)</i>	<p><b>Each area of the country will be surveyed for all four types of construction at least every three years, and the resulting Davis-Bacon wage determinations validly reflect locally prevailing wages/benefits. In FY 2001, complete development of all aspects of a revised Davis-Bacon system.</b></p> <p>FY 1999: Implement new data collection form and automated printing and mailing process and test whether automation can increase the accuracy and timeliness of the survey process and wage determinations.</p> <p>FY 2000: Implement scanning technology and develop knowledge management technology; and complete analysis of BLS data and decide whether a reengineering or reinvention approach will be pursued in FY 2001.</p> <p><i>Supporting Budget Activity</i></p> <p><i>Wage and Hour Division: P&amp;F Schedule Activity #1</i> <i>Program Direction and Support: P&amp;F Schedule Activity #4</i></p>
	<b>Performance Results</b>	<p><b>FY 2001:</b> This performance goal was met. During FY 2001, Wage Hour made process improvements to all relevant components of the Davis-Bacon wage determination system, completed testing of those components, and Davis-Bacon wage surveys were commenced in sixteen states.</p> <ul style="list-style-type: none"> <li>• Several strategies and initiatives contributed to this successful outcome, most notably: <ul style="list-style-type: none"> <li>➤ Redesign of the data collection form to facilitate scanning and direct entry of data using optical and intelligent character recognition (OCR/ICR), bar codes and other electronic data entry technologies;</li> <li>➤ Development of a Web-based electronic data collection form;</li> <li>➤ Use of a public accounting firm to conduct on-site data verification for all Davis-Bacon surveys;</li> <li>➤ Based upon GAO recommendations, expanding the use of telephone verification and targeting on-site verification efforts to those submissions that would have the greatest impact on the resulting wage determination;</li> </ul> </li> </ul>

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<p><b>2.1a Cont.</b></p>		<ul style="list-style-type: none"> <li>➤ Agreement with the Census Bureau for automated printing and mailing of all survey data collection forms; and</li> <li>➤ Implementation of statewide surveys and additional data sources to identify all possible sources of relevant data.</li> </ul> <p><b>FY 2000:</b> Planned milestones to further the long term goal of issuing timely and accurate wage determinations were successfully completed in FY 2000. As part of the Davis-Bacon "reengineering" approach, development of an electronic version of the Report of Construction Contractors' Wage Rates (Form WD-10) was completed, and an imaging/scanning program was developed to facilitate electronic data entry using the new WD-10 form. As part of the Davis-Bacon "reinvention" approach, at ESA's request, the Bureau of Labor Statistics (BLS) completed the last of four National Compensation Survey fringe benefit pilot surveys; provided 1998 Occupational Employment Statistics (OES) construction industry survey data for selected metropolitan areas; and provided a report of BLS' OES pilot program testing the feasibility of collecting information on the union status of employees.</p> <p>Having considered both alternatives, at the end of FY 2000 a recommendation was made for a revised wage determination system. That recommendation is currently under review by the new Administration. Once a decision is made, implementation of that process will begin.</p> <p><b>FY 1999:</b> Target activities for FY 1999 were accomplished. ESA/Wage and Hour completed the following reinvention implementation objectives:</p> <ul style="list-style-type: none"> <li>• BLS completed two fringe benefit pilot surveys (Jacksonville, FL and Tucson, AZ) in FY 1998. Two additional fringe benefit pilots surveys (Salt Lake City, UT and Toledo, OH) were conducted in FY 1999. BLS published the results of the Salt Lake City survey in the third quarter, and they expect to publish the results of the Toledo survey in the first quarter of FY 2000.</li> <li>• During the second quarter, BLS calculated Occupational Employment Statistics (OES) survey results for the construction industry in selected Metropolitan Statistical Areas (MSA). These OES data are based on two-thirds of the full OES sample. Results from the full OES sample will not be available until the beginning of the third quarter of FY 2000.</li> <li>• A preliminary evaluation of the first three fringe benefit pilots and the two-thirds OES sample has been conducted. Although both surveys produced results by occupation for the construction industry as a whole, the surveys produced only a small amount of data broken down by type of construction. A more detailed final analysis of the BLS data will be conducted in FY 2000, after data from the full OES sample are available.</li> </ul> <p>Also, ESA/Wage and Hour completed Davis-Bacon reengineering implementation objectives to:</p> <ul style="list-style-type: none"> <li>• Implement the new WD-10 and have the electronic version prepared for clearance. OMB cleared the new paper WH-10 form during the fourth quarter, and the new form will be used for all future Davis-Bacon wage surveys. An electronic version of the WD-10 form has been drafted and will be submitted to OMB for clearance during FY 2000.</li> </ul>
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## Appendix B

<b>2.1a Cont.</b>	<ul style="list-style-type: none"> <li>• Test the efficiency and effectiveness of the new automated printing and mailing process using the Census Bureau. The new processes will be used for all future Davis-Bacon wage surveys.</li> <li>• Test a computer application which provides for the display of automated contractor information and associated WD-10s at the beginning of the business process to help analysts manage WD-10s during the entire cycle of collection, analysis and follow-up.</li> <li>• Implement a field test of the Computer Assisted Telephone Inquiry (CATI) system. A preliminary review of the hardware and telephony capabilities of the ESA/Wage and Hour regional offices has been conducted. A prototype CATI system, applying screen-based telephony technology utilizing the analyst's computer terminal to facilitate the processing of both incoming and outgoing calls, was successfully tested during the fourth quarter as part of the Colorado survey.</li> <li>• Test the imaging process. An imaging program has been developed to facilitate data entry from the imaged document. The program was tested with sample data and pilot tested with actual data during the fourth quarter as part of the Statewide survey of Colorado.</li> </ul>
<b>Indicator</b>	Survey Planning database maintained by Construction Resource Analysis (CRA) measures the length of time since the last survey in every county.
<b>Data Source</b>	Survey Planning database (CRA).
<b>Baseline</b>	Baseline to be determined and goal achieved in FY 2002.
<b>Comment</b>	While Wage Hour will continue to ensure that future surveys will be conducted accurately and timely, given the successful completion of the process improvements made during FY 2001 the program has determined that as part of its ongoing strategic/performance plan restructuring and refocusing efforts, this issue will not appear in the FY 2002 Annual Performance Plan.

## Appendix B

<b>2.1b</b>	<b>DOL Strategic Goal 2:</b>	A Secure Workforce – Promote the economic security of workers and families
	<b>DOL Outcome Goal 2.2:</b>	Protect Worker Benefits
	<b>ESA Strategic Goal 2:</b>	Secure public confidence through excellence in the management and delivery of ESA’s programs and services.
	<b>ESA Outcome Goal 2.1:</b>	Respond effectively to legal mandates.
	<b>FY 2001 ESA Performance Goal</b>	<p><b>Revise automated systems to accommodate new SCA wage determination methodology and to integrate the revised DBA wage determination system.</b></p> <p>FY 1999: Evaluate new BLS SCA survey data sources; and ensure that DBA wage determination issuance process keeps pace with wage survey process improvements.</p> <p>FY 2000: Implement new SCA wage determination methodology and ensure that DBA wage determination issuance process keeps pace with wage survey process improvements.</p> <p><i>Supporting Budget Activity</i></p> <p><i>Wage and Hour Division: P&amp;F Schedule Activity #1</i> <i>Program Direction and Support: P&amp;F Schedule Activity #4</i></p>
	<b>Performance Results</b>	<p><b>FY 2001:</b> This goal was met. With considerable input from SCA stakeholders – contracting agencies, contractors and contractor associations, and service contract employee unions – the agency finalized a methodology for utilizing two Bureau of Labor Statistics (BLS) wage survey programs to establish prevailing wage rates under SCA. All SCA cross-industry prevailing wage determinations – approximately 400 different wage determinations – were updated using the new BLS data sources. Where appropriate, the agency integrated the DBA process improvements.</p> <p><b>FY 2000:</b> This goal was substantially achieved. Utilizing feedback from stakeholders, possible approaches were evaluated based upon the needs of the SCA program and the SCA contracting environment. While these alternatives are further evaluated, most SCA wage determinations were updated based upon the annual increase in the Employment Cost Index (ECI).</p> <p>The Bureau of Labor Statistics (BLS) provided ESA/Wage and Hour 1998 Occupational Employment Statistics Survey (OES) construction industry data for selected metropolitan areas. The 1998 data are based upon the full OES sample, and they provide an accurate indication of the occupational detail that will be available under the OES program. BLS also provided a more detailed report of its OES pilot to test the feasibility of collecting data on union status.</p> <p>A preliminary analysis of the OES and National Compensation Survey (NCS) survey results was been prepared. The results of this analysis will be compared with the results of the reengineering initiative to facilitate a decision on a long-term approach to Davis-Bacon wage surveys and determinations.</p>

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<b>2.1b Cont.</b>		<b>FY 1999:</b> The evaluation of the new BLS SCA survey sources was completed. As improvements were made in the DB wage survey program, they were adopted for all new surveys (e.g., Census mailings and revised WD-10 form).
	<b>Indicator</b>	Length of time from receipt of survey data to issuance of wage determination.
	<b>Data Source</b>	Service Contract Act (SCA) and Davis-Bacon Act (DBA) Wage Determination Data Bases
	<b>Baseline</b>	Baseline to be determined and goal achieved in FY 2002.
	<b>Comment</b>	While Wage Hour will continue to ensure that future surveys will be conducted accurately and timely, given the successful completion of the process improvements made during FY 2001 the program has determined that as part of its ongoing strategic/performance plan restructuring and refocusing efforts, this issue will not appear in the FY 2002 Annual Performance Plan.

## Appendix B

2.2a	<b>DOL Strategic Goal 2:</b>	A Secure Workforce – Promote the economic security of workers and families
	<b>DOL Outcome Goal 2.2:</b>	Protect Worker Benefits
	<b>ESA Strategic Goal 2:</b>	Secure public confidence through excellence in the management and delivery of ESA’s programs and services.
	<b>ESA Outcome Goal 2.2:</b>	Improve performance in the delivery of services to injured workers and in the administration of FECA.
	<b>FY 2001 ESA Performance Goal</b>  <i>Supporting Budget Activity</i>	<p><b>Improve customer satisfaction with FECA services by __ percentage points as measured by an index of customer survey scores and other measures. In FY 2001, reevaluate/revise goal and methodology; and establish baseline for a customer service index.</b></p> <p>FY 1999: 4% over FY 1997. FY 2000: 6% over FY 1997. Establish new baseline.</p> <p><i>Office of Workers’ Compensation Programs: P&amp;F Schedule Activity #3 Program Direction and Support: P&amp;F Schedule Activity #4</i></p>
<b>Performance Results</b>	<p><b>FY 2001:</b> This goal was not met.</p> <ul style="list-style-type: none"> <li>• In FY 2001, FECA launched multiple broad-based strategies to improve customer services, gauge customer needs, and measure customer satisfaction. These included a multi-faceted Communications Redesign initiative, including upgrade of telecommunications hardware and the establishment of a central call center; focus groups held with Federal agency representatives; and a call-back survey of claimant callers to our district offices.</li> <li>• Because these multiple initiatives were in early stages of implementation, FECA deferred establishment of a performance measurement baseline in FY 2001.</li> <li>• The call-back survey established that callers were generally satisfied with the courtesy and helpfulness provided by FECA phone contact staff, but were generally dissatisfied with access to the program, particularly live operators, and with the time it took to receive a response to their inquiries.</li> <li>• The survey population was limited to only those callers that the FECA program is able to identify, and this capability varies by district office, so that the survey sample was not universally representative of all FECA callers and skewed by geographic location.</li> </ul>	

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<p><b>2.2a Cont.</b></p>	<ul style="list-style-type: none"> <li>• Some statistical findings included:             <ul style="list-style-type: none"> <li>– 77% got through to either a person or to voicemail on their first try;</li> <li>– Of the 29% reaching a person immediately, 64% got the assistance they needed, without additional calling;</li> <li>– Only 56% of callers promised a call-back reported receiving a call-back.</li> <li>– 63% of those received their call-backs either on the same day or within 3 days;</li> <li>– 41% were generally satisfied with how their call was handled;</li> <li>– 60% of callers found the person they spoke to be helpful;</li> <li>– 86% of callers found the person they spoke to be courteous.</li> </ul> </li> </ul> <p>FECA is continuing to develop a set of customer service and customer satisfaction measures consistent with the customer service changes now underway. These changes include:</p> <ul style="list-style-type: none"> <li>• Phased upgrade of telephone hardware and software and improvements in call handling capabilities and information tracking;</li> <li>• Establishment of a basic required level of service in every district office to support improvement of customer access and timeliness and the quality of written and telephone responses;</li> <li>• A toll-free Interactive Voice Response Service which provides up-to-date medical and compensation payment information to callers from a central database;</li> <li>• A toll-free Call Center with trained customer service representatives who answer frequently asked questions, assist with claim filing, refer callers for further information and provide other services. (Initial call intake began in June, 2001);</li> <li>• Expanded customer satisfaction data collection capacity, including better access to information on telephone callers which would support the development of valid and comprehensive populations for surveys;</li> <li>• Rerun the call-back surveys in FY 2002, conduct a biannual written survey, and hold additional focus groups of various customer segments;</li> <li>• Communications Specialists in each district office to oversee system and employee efforts to improve responsiveness, check systems to make sure they meet national performance standards, and solve local communications problems;</li> <li>• Centralized imaging and mail-handling (to be implemented in 2002) should reduce errors and delays in document handling and make case information immediately available at all times. In FY 2003, ESA/OWCP hopes to centralize and professionalize customer service to medical providers;</li> <li>• Consideration of new recommendations originating out of surveys and focus groups;</li> <li>• Further work to ensure that all critical aspects of service can be measured nationally and in each location; and to coordinate delivery of services (IVR, call center, district office phone banks, web site, medical bill processing) to maximize customer satisfaction; and cost efficiency.</li> </ul>
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<p><b>2.2a Cont.</b></p>	<p><b>FY 2000:</b> This goal was not met. The survey of claimants conducted in April 2000 measured a slight decline in the overall satisfaction level, from 56% claiming to be "very" or "somewhat satisfied" in 1998 to 52% in this year's survey. This latest survey incorporated changes recommended by the Office of Inspector General to improve the FY 1998 version. These changes resulted in a higher response rate of 54%, up from 44% for the 1998 survey.</p> <p>The FY 2000 survey results confirmed that DFEC claimants remain generally dissatisfied with telephone response timeliness, accessibility to program staff, and the claims filing process.</p> <p><b>FY 1999:</b> No measurement was taken in FY 1999. The customer survey scheduled for 1999 was deferred pending a report by the Office of Inspector General. The OIG found weaknesses in the survey instrument which ESA/OWCP had used in 1998 and issued several recommendations in May 1999, too late to measure customer satisfaction in FY 1999.</p> <p>One of the OIG recommendations was to not solely rely on customer surveys, but to use a combination of measures to gauge customer satisfaction. As a result, ESA/OWCP is studying several options and in FY 2000 will construct an index of customer satisfaction measurement in a revised performance goal. An improved survey will be tested in January 2000.</p>
<p><b>Indicator</b></p>	<p>Index of customer survey results (and other measures as developed) indicating satisfaction.</p>
<p><b>Data Source</b></p>	<p>Compilation of results from questionnaires (and other survey and measurement tools as developed).</p>
<p><b>Baseline</b></p>	<p>FY 1997 (54%); new baseline to be established in FY 2001.</p>
<p><b>Comment</b></p>	<p>An index comprised of several, rather than the previous single, indicators will increase the validity and reliability of findings and will sharpen the analysis, enabling ESA/OWCP to make specific improvements.</p> <p>In response to continuing customer service problems, ESA/OWCP has launched a broad initiative to completely rethink and retool its customer services approach, primarily in the area of communications. Dubbed "Communications Redesign," this is a major, multi-faceted effort to dramatically improve our performance in this area. Also, in conjunction with Communications Redesign, we plan to continue to pursue development of an index of customer service measures which will include survey results for other customer groups and other indicators selected as best reliable predictors of successfully meeting customer needs and producing high levels of customer satisfaction.</p>

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<b>2.2a Cont.</b>		<p>Note: While ESA/OWCP has confidence that system application controls ensure data quality and reliability, the program agrees with recent Office of Inspector General findings that there is a need to establish improved management controls over the processes used for collecting and reporting performance data.</p> <p>While ESA/OWCP will continue multiple broad-based strategies to improve customer services, gauge customer needs, and measure customer satisfaction, the program has determined that as part of its ongoing strategic/performance plan restructuring and refocusing efforts, these strategies will not appear as a separate performance goal in the FY 2002 Annual Performance Plan.</p>
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## Appendix B

2.2b	<b>DOL Strategic Goal 2:</b>	A Secure Workforce – Promote the economic security of workers and families
	<b>DOL Outcome Goal 2.2:</b>	Protect Worker Benefits
	<b>ESA Strategic Goal 2:</b>	Secure public confidence through excellence in the management and delivery of ESA’s programs and services.
	<b>ESA Outcome Goal 2.2:</b>	Improve performance in the delivery of services to injured workers and in the administration of FECA.
	<b>FY 2001 ESA Performance Goal</b>  <i>Supporting Budget Activity</i>	<p><b>Improve the quality of claims actions as measured by average accountability review Quality Index scores to 78.5.</b></p> <p>FY 1999: 74.5 FY 2000: 76.5</p> <p><i>Office of Workers’ Compensation Programs: P&amp;F Schedule Activity #3 Program Direction and Support: P&amp;F Schedule Activity #4</i></p>
<b>Performance Results</b>	<p><b>FY 2001:</b> This goal was not met. The average QI score of the 12 district offices for the FY 2000-2001 rating period was 76.8.</p> <ul style="list-style-type: none"> <li>• Individual district office scores ranged from a low of 66 to a high of 86. Five of the twelve offices exceeded the target.</li> <li>• Results show that quality levels remain strong in initial claims adjudication and entitlement decisions.</li> <li>• Lower quality levels exist in the more complicated and longer-term work of case management, especially medical management after the case is no longer assigned to nurses, and in developing, documenting and completing final determination of the extent and degree of disability.</li> <li>• FECA is revising its Quality Index in FY 2002.</li> <li>• Changes include combining Wage-Earning determination categories; adding a Communications category; adding an Initial Payment processing category; combining Periodic Roll Management to the Quality Case Management category; and revising scoring elements within the rating categories.</li> <li>• These changes will provide better balance among work process categories, and better focus on overall case processing rather than on procedural details.</li> </ul> <p><b>FY 2000:</b> This goal was not met. The average Quality Index score of the 12 individual district offices for the FY 1999-2000 rating period was 73.5, or 3 points below target. Individual scores varied widely from a low of 56 to a high of 87. Each office that scored below expectations in any performance area covered by the Index have been required to develop corrective action plans, the progress of which will be monitored by the National Office.</p> <p><b>FY 1999:</b> The goal was not met. The Quality Index average was 72.9, a slight increase over the baseline of 72.5, but below the FY 1999 target FECA program accountability reviews produce the QI scores. The process requires district offices to address quality performance deficiencies, which are identified by the review, with formal corrective action plans. This</p>	

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<b>2.2b Cont.</b>		<p>feature of the review process works directly to support performance improvement and achievement of program goals. FY 1999 performance is a reflection of first-year results using the QI scoring scheme. While the annual target was not reached, the program believes it can achieve the longer-range goal, particularly because of the corrective action feature built into the accountability review process.</p>
	<b>Indicator</b>	<p>Nationwide average of Quality Index scores, consisting of the average of twelve individual district office index scores from accountability reviews conducted over a two-year period.</p>
	<b>Data Source</b>	<p>Findings of accountability reviews of FECA district offices.</p>
	<b>Baseline</b>	<p>Quality Index results for FY 1997/1998: 72.5</p>
	<b>Comment</b>	<p>The indicator measures the accuracy of claims decisions affecting base entitlement to benefits. The goal strengthens program integrity and service delivery.</p> <p style="padding-left: 40px;">Note: While ESA/OWCP has confidence that system application controls ensure data quality and reliability, the program agrees with recent Office of Inspector General findings that there is a need to establish improved management controls over the processes used for collecting and reporting performance data.</p> <p>While ESA/OWCP will continue to improve the quality of its claims actions, the program has determined that as part of its ongoing strategic/performance plan restructuring and refocusing efforts, these efforts will not appear as a separate performance goal in the FY 2002 Annual Performance Plan.</p>

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2.3a	<b>DOL Strategic Goal 2:</b>	A Secure Workforce – Promote the economic security of workers and families
	<b>DOL Outcome Goal 2.2:</b>	Protect Worker Benefits
	<b>ESA Strategic Goal 2:</b>	Secure public confidence through excellence in the management and delivery of ESA’s programs and services.
	<b>ESA Outcome Goal 2.3:</b>	Enhance the fiscal integrity of managed public trust funds.
	<b>FY 2001 ESA Performance Goal</b>  <i>(DOL Strategic Plan PG 2.2E)</i>  <i>Supporting Budget Activity</i>	<b>Produce \$95 million in cumulative first-year savings (FY 1999 -2001) in the FECA program through Periodic Roll Management.</b>  FY 1999 (Rev): \$19 million in first-year savings. FY 2000: \$66 million in cumulative first-year savings.  <i>Office of Workers’ Compensation Programs: P&amp;F Schedule Activity #3</i> <i>Program Direction and Support: P&amp;F Schedule Activity #4</i>
<b>Performance Results</b>	<p><b>FY 2001:</b> This goal was exceeded. PRM produced an additional \$31 million in first-year savings in FY 2001, bringing cumulative total first-year savings to \$103 million.</p> <ul style="list-style-type: none"> <li>• PRM is aimed at quality management of the long-term disability roll, improving service to disabled beneficiaries, rehabilitating and reemploying the partially disabled and adjusting benefits to accurately reflect eligibility.</li> <li>• PRM teams completed over 7,700 reviews of cases in FY 2000, and over 6,018 reviews in FY 2001; one-half of the reviews result in either an adjustment to continuing benefit amounts or a termination of benefits.</li> <li>• Since becoming a permanent FECA program operation in FY 1999, PRM has produced over \$300 million in compensation benefit savings.</li> <li>• PRM case actions have contributed to a 6.1 % reduction in the periodic roll since the end of FY 1992.</li> <li>• No revisions to the goal are planned.</li> <li>• Through revisions to district office operational plan goals in FY 2002, the FECA program will sharpen the focus of PRM reviews on more the complicated disability cases and those with the greatest potential for vocational rehabilitation services.</li> </ul> <p><b>FY 2000:</b> This goal was exceeded. Cumulative first-year savings for FY 1999-2000 were \$72 million. PRM productivity remained higher than expected. One-half of all reviews in FY 2000 resulted in either an adjustment to continuing benefit amounts or a termination of benefits.</p> <p><b>FY 1999:</b> This goal was been exceeded. PRM case review actions produced an additional \$20.8 million in FECA compensation benefit savings.</p>	

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<b>2.3a Cont.</b>	<b>Indicator</b>	The fiscal year amount of total periodic payment (compensation benefit) reductions in PRM universe cases.
	<b>Data Source</b>	Periodic Roll Management System; Automated Compensation Payment System.
	<b>Baseline</b>	<p>For all cases with benefit actions in the measurement year, the periodic payment amount paid at time of their entry into the PRM universe, compared to the periodic payment amount after benefit reduction.</p> <p>The methodology for measuring savings from compensation benefit adjustments and terminations was revised to coincide with PRM's integration into permanent operations.</p> <p>PRM cases, in the measurement year, to total reductions produced in the baseline year <u>but not counting PRM case reductions.</u></p>
	<b>Comment</b>	<p>Periodic Roll Management has proven highly successful in identifying potential for return to work and resolving cases leading to greater savings in benefit compensation (an additional \$317 million between 1992 and 1998).</p> <p>In FY 1999, Congress appropriated resources to fully staff all offices and integrate PRM into FECA program operations. This is accelerating savings in Federal workers' compensation costs, and increasing the potential for returning workers to employment after recovery from an injury.</p> <p>Decisions on cases under PRM review often result in adjustment or termination of benefits. On a case-by-case basis, and beginning with the first payment cycle after the benefit action, savings are scored for the remainder of the measurement (fiscal) year, producing the "first-year" savings for the case. First-year savings for all cases acted on in the measurement year are then combined producing the total first-year savings. The cumulative sum of first-year savings is matched against the goal as stated for each measurement year.</p> <p>Note: While ESA/OWCP has confidence that system application controls ensure data quality and reliability, the program agrees with recent Office of Inspector General findings that there is a need to establish improved management controls over the processes used for collecting and reporting performance data.</p> <p>For FY 2002 ESA/OWCP has determined that performance in this area will be reported as one of several performance indicators under ESA/OWCP's overarching goal:</p> <ul style="list-style-type: none"> <li>• Minimize the human, social, and financial impact of work-related injuries for workers and their families.</li> </ul>

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2.3b	<b>DOL Strategic Goal 2:</b>	A Secure Workforce – Promote the economic security of workers and families
	<b>DOL Outcome Goal 2.2:</b>	Protect Worker Benefits
	<b>ESA Strategic Goal 2:</b>	Secure public confidence through excellence in the management and delivery of ESA’s programs and services.
	<b>ESA Outcome Goal 2.3:</b>	Enhance the fiscal integrity of managed public trust funds.
	<b>FY 2001 ESA Performance Goal</b>  <i>(DOL Strategic Plan PG 2.2F)</i>  <i>Supporting Budget Activity</i>	<p><b>In the FECA program, reduce the average annual cost for physical therapy and psychiatric services by 1% through focus reviews of services charged. (Note: This intermediate goal will assist the agency in developing strategies to reach the overall cost reduction goal. Reduction of overall average medical costs will be measured against a FY 2000 baseline.)</b></p> <p>FY 1999: Save 19% versus amounts billed for FECA medical services subject to fee schedules.</p> <p>FY 2000: In the FECA program, save an additional \$5 million over FY 1999 compared to amounts charged through full-year implementation of fee schedules for inpatient hospital and pharmacy services; save \$1.5 million compared to amounts charged for physician services through the Correct Coding Initiative.</p> <p><i>Office of Workers’ Compensation Programs: P&amp;F Schedule Activity #3 Program Direction and Support: P&amp;F Schedule Activity #4</i></p>
<b>Performance Results</b>	<p><b>FY 2001:</b> The goal was not met. Average cost per case for Psychiatric services were reduced by nearly 3% over FY 2000; for Physical Therapy services, however, average cost increased by 4.5% (adjusted for inflation).</p> <ul style="list-style-type: none"> <li>• For Psychiatric cases, the decline in average case costs was due, in part, to application of stricter guidelines over approval of services in the FECA district offices;</li> <li>• Despite an increase in average costs for Physical Therapy cases, Focus Reviews conducted in late FY 2001 demonstrated the potential for savings in this service category: 121 of 842 high-cost cases were identified for adjustment of service limits.</li> <li>• With more comprehensive medical policies for control of the utilization of Physical Therapy services under development, FECA will focus again on this service category in FY 2002;</li> <li>• Additional medical service categories will be targeted in FY 2003 and later, and therefore we are proposing to defer the goal for reduction of Total Average Medical Service Costs until FY 2003;</li> <li>• Because medical industry practices, expanding medical technology and pharmacology, and other external factors continue to jeopardize FECA’s ability to control medical costs in the future, ESA/OWCP has requested funding in FY 2003 to procure contract services for Utilization Review;</li> </ul>	

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<p><b>2.3b Cont.</b></p>		<ul style="list-style-type: none"> <li>• Under UR, ESA/OWCP will implement a more comprehensive program to identify and prevent inappropriate medical costs; improve medical services for injured Federal employees; improve the likelihood of successful early recovery from injury and early return to work, and reduce the rate of injury recurrences.</li> </ul> <p><b>FY 2000:</b> This goal was exceeded. The FECA program saved \$34.5 million (61% over target) using fee schedules for Inpatient and Pharmacy services. The result was due, in large part, to a 37% increase in charges for these services. This was consistent with the 32% overall increase in charges subject to fee schedules (including Outpatient Hospital and Physician charges) in FY 2000.</p> <p>The Correct Coding Initiative's review to identify duplicate and other improper billings added another \$7.6 million in savings for FY 2000, or \$6.1 million above the CCI annual goal.</p> <p>When combined with fee schedule savings on Outpatient Hospital and Physician charges, total medical savings from fee schedules and the CCI were \$154 million in FY 2000.</p> <p><b>FY 1999:</b> Both the original and revised goals have been exceeded. The original goal was to save \$10.67 million against amounts billed for inpatient hospital and pharmacy services subject to new fee schedules, and through specialized review for improper billings for physician/professional services.</p> <p>The new fee schedules (which became effective January 1999) alone exceeded the target by 54%, and produced \$16.5 million in savings. Implementation of medical bill review was delayed and the full complement of Medical Coding Specialists was not brought on board and trained until September 1999. No savings resulted from bill review.</p> <p>The revised goal was to reduce total amounts billed for medical services by 19%. Application of all fee schedules in FY 1999 reduced billings by \$122.9 million or 22%.</p> <p>As a result of its growing experience with cost control, ESA/OWCP revised the original savings goal by broadening it to include the results of physician/professional fee schedules which have been in effect for several years. This revision more fully reflects the impact of cost control on medical charges.</p>
	<p><b>Indicator</b></p>	<p>For Fee Schedules, Correct Coding Initiative, and Focus Reviews, savings are calculated by comparing amounts paid to amounts billed for drugs, hospital, and physician services in each performance year (e.g., paid versus billed in FY 2001).</p> <p>Average case costs for all cases receiving medical services after adjustment for inflation.</p> <p>Average case costs for services paid for selected medical conditions adjusted for inflation and changes in industry practices.</p>
	<p><b>Data Source</b></p>	<p>FECA Medical Bill Pay System</p>

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<b>2.3b Cont.</b>	<b>Baseline</b>	<p>Fee Schedule and Correct Coding Initiative Baselines: Amounts charged for medical services in each fiscal year that performance will be measured.</p> <p>Fee Schedule Baseline: Amounts billed for drugs, hospital and physician services in the measurement year.</p> <p>Overall Average Medical Cost Baseline: Average annual cost per case in FY 2000 for each medical condition selected for review.</p>
	<b>Comment</b>	<p>The FECA program uses Fee Schedules to set payment levels for standard categories of billed medical services. A special automated bill review, the Corrective Coding Initiative (CCI) identifies medical providers' duplicate and abusive billing practices, and facilitates evaluation and resolution of questionable bills before payment is authorized. Focus Reviews identify proper treatment or payments for selected medical conditions. These mechanisms, along with procedural changes and other quality controls, will result in overall reduction of program medical costs.</p> <p>In FY 2000, FECA piloted Focus Reviews of a selected few types of medical conditions. The pilot will enable FECA to perfect the review technique and determine individual performance year targets beginning in FY 2001.</p> <p>Note: While ESA/OWCP has confidence that system application controls ensure data quality and reliability, the program agrees with recent Office of Inspector General findings that there is a need to establish improved management controls over the processes used for collecting and reporting performance data.</p> <p>For FY 2002 ESA/OWCP has determined that performance in this area will be reported as one of several performance indicators under ESA/OWCP's overarching goal:</p> <ul style="list-style-type: none"> <li>• Minimize the human, social, and financial impact of work-related injuries for workers and their families.</li> </ul>

## Appendix B

2.4a	<b>DOL Strategic Goal 2:</b>	A Secure Workforce – Promote the economic security of workers and families
	<b>DOL Outcome Goal 2.1:</b>	Increase Compliance with Worker Protection Laws
	<b>ESA Strategic Goal 2:</b>	Secure public confidence through excellence in the management and delivery of ESA’s programs and services.
	<b>ESA Outcome Goal 2.4:</b>	Foster organizational excellence and increase collaboration.
	<b>FY 2001 ESA Performance Goal</b>  <i>Supporting Budget Activity</i>	<p><b>Increase customer satisfaction among employers subject to Wage and Hour enforcement intervention. (Activities ongoing in FY 2001 to support goal accomplishment in FY 2002.)</b></p> <p>FY 1999: No goal – baseline year is FY 2000. FY 2000: Baseline established.</p> <p><i>Wage and Hour Division: P&amp;F Schedule Activity #1</i> <i>Program Direction and Support: P&amp;F Schedule Activity #4</i></p>
<b>Performance Results</b>	<p><b>FY 2001:</b> The goal was met. The FY 2000 survey of employers found an overall satisfaction rating of 92%. (At the time the 2001 goal was finalized, the agency did not yet have the results of the 2000 survey). Given the high level of satisfaction, the agency is not resurveying and discontinuing this goal in FY 2002. Nonetheless, throughout FY 2001, the agency stepped up activities to increase compliance assistance for employers, including piloting new strategies to prevent repeat violations. The agency completed the development of the <i>FY 2002 Compliance Education Plan</i> to:</p> <ul style="list-style-type: none"> <li>• Catalogue existing compliance education materials and re-emphasize agency preparation and clearance processes for compliance education materials.</li> <li>• Identify outcome measures to test compliance education activities; gauge the clarity, availability and efficacy of compliance materials; and document the relationship between the provision of compliance education and employer behavior.</li> <li>• Develop national, regional and local compliance program pilots—including the translation of compliance education materials in non-English languages. Evaluate existing compliance education initiatives.</li> <li>• Analyze effectiveness of compliance education programs in relation to cost and compliance behavior. Revise or modify programs, processes, and materials as appropriate.</li> </ul> <p><b>FY 2000:</b> The goal to establish a baseline was met. Ninety-two percent of employers surveyed rated ESA/Wage and Hour in the combined “Fair-Good-Very Good” categories.</p> <p><b>FY 1999:</b> N/A</p>	

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<b>2.4a Cont.</b>	<b>Indicator</b>	Customer survey.
	<b>Data Source</b>	Customer survey responses.
	<b>Baseline</b>	FY 2000: 92%.
	<b>Comment</b>	<p>ESA/Wage and Hour is in the process of identifying performance goals and indicators that more comprehensively measure the impact of its employment standards, including interventions resulting from the complaints of workers in all industries as well as special initiatives aimed at improving conditions for low wage workers. With these objectives in mind WHD developed new performance goals for FY 2002:</p> <p style="text-align: center;"><i>Covered American workplaces legally, fairly, and safely employ and compensate their workers as indicated by</i></p> <ul style="list-style-type: none"> <li>• <i>reducing employer violation recidivism; and</i></li> <li>• <i>increasing compliance in industries with chronic violations.</i></li> </ul>

*Note: Goal 2.4b was completed in FY 1999.*

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2.4c	<b>DOL Strategic Goal 2:</b>	A Secure Workforce – Promote the economic security of workers and families
	<b>DOL Outcome Goal 2.2:</b>	Protect Worker Benefits
	<b>ESA Strategic Goal 2:</b>	Secure public confidence through excellence in the management and delivery of ESA’s programs and services.
	<b>ESA Outcome Goal 2.4:</b>	Foster organizational excellence and increase collaboration.
	<b>FY 2001 ESA Performance Goal</b>	<p><b>To reduce the average time required to resolve disputed issues in Longshore and Harbor Worker’s Compensation Program contested cases, establish a performance baseline by the end of FY 2001 and begin data collection for performance tracking.</b></p> <p>FY 1999: Complete the process of defining a case resolution.  FY 2000: Complete system programming for entering and generating goal-related data and establish a baseline against which to measure performance.</p> <p><i>Supporting Budget Activity</i></p> <p><i>Office of Workers’ Compensation Programs: P&amp;F Schedule Activity #3  Program Direction and Support: P&amp;F Schedule Activity #4</i></p>
	<b>Performance Results</b>	<p><b>FY 2001:</b> The goal was met. A performance baseline of 242 days was established and performance data tracking is underway.</p> <ul style="list-style-type: none"> <li>• A key strategy that contributed to successfully meeting this goal was the creation of a team, consisting of both Longshore and ESA/OWCP staff, which developed and refined a baseline construction methodology.</li> <li>• Because the program did not previously measure this performance element or collect the relevant data, the baseline relies in part on extrapolated historical data and may need revision as more actual data from the reporting system specifically developed for this performance goal is analyzed. This could result in goal revision at a later date.</li> </ul> <p><b>FY 2000:</b> This goal was substantially met. System programming was completed and data collection started. However, goal refinement at mid-year required extending the data collection period to a full year to ensure an inclusive baseline. The target for establishing a baseline is now May 2001.</p> <p><b>FY 1999:</b> By September 30, 1999, a definition of “case resolution” was developed and distributed to program district directors and ESA/OWCP regional directors.</p>
	<b>Indicator</b>	The average number of days elapsed between the date a dispute is received in a Longshore case from any party and the date that the dispute-is resolved.
	<b>Data Source</b>	Longshore Case Management System.
<b>Baseline</b>	An average of 242 days elapsed nationwide in FY 2001 between the dispute receipt date and the dispute resolution date.	

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<b>2.4c Cont.</b>	<b>Comment</b>	<p>Reducing the average time required to resolve disputed issues reflects increased cooperation among the parties and increased voluntary compliance with Longshore statutes and procedures.</p> <p>Note: While ESA/OWCP has confidence that system application controls ensure data quality and reliability, the program agrees with recent Office of Inspector General findings that there is a need to establish improved management controls over the processes used for collecting and reporting performance data.</p> <p>For FY 2002 ESA/OWCP has determined that performance in this area will be reported as one of several performance indicators under ESA/OWCP's overarching goal:</p> <ul style="list-style-type: none"><li>• Minimize the human, social, and financial impact of work-related injuries for workers and their families.</li></ul>
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## Appendix B

2.4d	<b>DOL Strategic Goal 2:</b>	A Secure Workforce – Promote the economic security of workers and families
	<b>DOL Outcome Goal 2.2:</b>	Protect Worker Benefits
	<b>ESA Strategic Goal 2:</b>	Secure public confidence through excellence in the management and delivery of ESA's programs and services.
	<b>ESA Outcome Goal 2.4:</b>	Foster organizational excellence and increase collaboration.
	<b>FY 2001 ESA Performance Goal</b>  <i>Supporting Budget Activity</i>	<p><b>To increase Black Lung benefit claims for which, following an eligibility decision by the district director, there are no requests for further action from any party pending one year after receipt of the claim, in FY 2001 train staff on the new regulations and finalize regulations-dependent language in the initial finding package. Establish a performance baseline by the end of the fiscal year.</b></p> <p>FY 1999: Implement initial findings package designed to more effectively provide all parties with information about decisions made on individual claims.</p> <p>FY 2000: Finalize and implement new regulations. Develop materials to provide all parties with information about the revised claims development and adjudication process.</p> <p><i>Office of Workers' Compensation Programs: P&amp;F Schedule Activity #3 Program Direction and Support: P&amp;F Schedule Activity #4</i></p>
<b>Performance Results</b>	<p><b>FY 2001:</b> The goal met. A performance baseline of 66.5% of claims filed was established. Staff training was completed and the new findings package has been in use since the August 9<sup>th</sup> Court ruling upholding the new regulations and lifting the stay on adjudication.</p> <p>We were finally able to proceed with this goal following a Court ruling on August 9<sup>th</sup> that upheld the new regulations.</p> <p>The Court ruling has been appealed, so far, without the effect of an additional processing stay. Any stay would again suspend pursuit of this goal, although we do not expect that to be the case. The baseline may require adjustment after further analysis, which could result in changes to the goal.</p> <p><b>FY 2000:</b> This goal was substantially met. The program has submitted its current revised regulatory proposal for publication as a final rule (pending OMB approval). The final rule remained unpublished at the end of the fiscal year. Informational materials concerning revised claims development and adjudication process were completed and are currently under review.</p> <p>Note: OMB cleared the revised regulatory proposal on December 1, 2000 (following the end of the FY 2000 fiscal year). A final rule was published in the <i>Federal Register</i> on December 20, 2000, with implementation effective January 19, 2001.</p>	

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<b>2.4d Cont.</b>		<p><b>FY 1999:</b> The program implemented part of its revised initial findings package in July, 1999. The remainder of the findings package is awaiting finalization of the new regulations, which may impact the language use in some of the form revisions.</p>
	<b>Indicator</b>	<p>Percentage of claims filed which are subject to the new Black Lung regulations on which no requests for further proceedings (reconsideration, modification, informal conference, formal hearing) are pending one year after receipt of the claim by the program.</p>
	<b>Data Source</b>	<p>Black Lung Automated Support Package.</p>
	<b>Baseline</b>	<p>66.5% of claims filed by 9/30/2000 for which there are no pending requests for further action one year after the date of filing.</p>
	<b>Comment</b>	<p>This performance target will capture the results of program efforts to minimize adversity and maximize cooperation among the parties to cases with disputed issues.</p> <p>Note: While ESA/OWCP has confidence that system application controls ensure data quality and reliability, the program agrees with recent Office of Inspector General findings that there is a need to establish improved management controls over the processes used for collecting and reporting performance data.</p> <p>For FY 2002 ESA/OWCP has determined that performance in this area will be reported as one of several performance indicators under ESA/OWCP's overarching goal:</p> <ul style="list-style-type: none"> <li>• Minimize the human, social, and financial impact of work-related injuries for workers and their families.</li> </ul>

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2.5a	<b>DOL Strategic Goal 2: 3:</b>	A Secure Workforce – Promote the economic security of workers and families Quality Workplaces – Foster quality workplaces that are safe, healthy, and fair
	<b>DOL Outcome Goal 2.1: 2.2: 3.2:</b>	<i>Increase Compliance with Worker Protection Laws</i> <i>Protect Worker Benefits</i> <i>Foster Equal Opportunity Workplaces</i>
	<b>ESA Strategic Goal 2:</b>	Secure public confidence through excellence in the management and delivery of ESA’s programs and services.
	<b>ESA Outcome Goal 2.5:</b>	Design and implement management systems and procedures to support ESA goals and objectives.
	<b>FY 2001 ESA Performance Goal</b>  <i>Supporting Budget Activity</i>	<p><b>Assure that ESA financial systems substantially comply with applicable Federal law, regulation and accounting standards, and that all 5 of ESA’s financial systems are free from material non-conformance.</b></p> <p>FY 1999: Establish baseline for ESA financial systems that are free from material non-conformance under FFMIA.  FY 2000: Assure that ESA systems substantially comply with applicable standards and that 4 of the 5 systems are free from material non-conformance.</p> <p><i>Wage and Hour Division: P&amp;F Schedule Activity #1</i>  <i>Office of Federal Contract Compliance Programs: P&amp;F Schedule #2</i>  <i>Office of Workers Compensation Programs: P&amp;F Schedule #3</i>  <i>Office of Labor Management Standards P&amp;F Schedule #5</i>  <i>Program Direction and Support: P&amp;F Schedule Activity #4</i></p>
	<b>Performance Results</b>	<p><b>FY 2001:</b> The goal was met. The Office of Inspector General (OIG) has issued findings that as of FY 2001 the Civil Money Penalty (CMP) system and the Back Wage Collection and Disbursement System (BCDS) were found to be in substantial compliance with the Federal Financial Management Improvement Act (FFMIA).</p> <p>The deficiencies described below had prevented the CMP and BCDS systems from being in substantial compliance with FFMIA requirements, which resulted in an OIG finding of “resolved but open”:</p> <p><u>CMP</u></p> <ul style="list-style-type: none"> <li>• A high percentage of cases were not timely recorded in the system through the use of accurate “Final Order” dates for processing assessed CMPs.</li> <li>• Some data in the system was incorrect or inadequately validated.</li> <li>• Interest and late fees for installment cases were not recorded on an accrual basis.</li> <li>• The CMP system did not have proper accounting “cut-off” processes.</li> </ul>

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<p><b>2.5a Cont.</b></p>		<p>ESA/Wage and Hour took the following corrective actions to resolve the FFMIA findings: (1) revised close-out procedures to ensure an accurate and reliable year-end cutoff; (2) wrote off all “front-loaded” interest due after September 30, 2001 to ensure that end-of-year balances do not reflect interest that has not accrued in a case; (3) revised system documentation; (4) updated training sessions for system users; and (5) reduced the Final Order date error rate to less than 15 percent. In addition, during the 4<sup>th</sup> Quarter of FY 2001, ESA/Wage and Hour conducted pre-audit reviews of its financial systems in a number of Regional Offices.</p> <p>A re-engineered CMP system was deployed by Wage and Hour in October 2001. This system (1) automatically calculates and posts Final Order dates, (2) generates an accounting cut-off process, and (3) provides for interest calculation on an accrual basis. However, since this system was put into effect after the end of FY 2001, it was not subject to audit as the system of record.</p> <p><u>BCDS:</u></p> <p>Past OIG audits found that the BCDS was not in substantial compliance with FFMIA requirements in two respects:</p> <ul style="list-style-type: none"> <li>• Case data in the system was not supported by documentation in case files.</li> <li>• Case data recorded in BCDS was incomplete.</li> </ul> <p>In response to these issues, Wage and Hour deployed a re-designed system on October 1, 2000 in order to improve the back wage process. The data in BCDS2000 has been successfully converted from its legacy system, and major components, such as a debt-collection module, have been added to the system during its first year of operation.</p> <p>As indicated earlier, the OIG issued findings that as of FY 2001 both the CMP and BCDS systems were found to be in substantial compliance with FFMIA.</p> <p><b>FY 2000:</b> The goal was met. All original workplan items agreed to with the OCFO and the OIG were accomplished.</p> <p><u>BCDS:</u> The BCDS 2000 system was implemented September 30<sup>th</sup> on schedule. Testing and confirmation of the data conversion process from the old system to the new BCDS 2000 system was completed on schedule. Training materials were developed and WHD regional and National Office staff, along with select OMAP, OCFO and OIG staff, were trained in the new BCDS 2000 system in September. System technical support staff were in each WHD regional office during the first week of system implementation to reinforce training skills learned and to ensure a smooth system start-up.</p> <p><u>CMP System:</u> This goal was met. Implementation occurred during September 2000 to coincide with year-end closing. CMP oversight is ongoing. Regional and National Office Ending Adjustment Report modifications and development of a system administration tool in</p>
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<b>2.5a Cont.</b>		<p>WHISARD were completed. These improvements along with the other system improvements made during the year complete the changes requested by OIG and bring the CMP system into compliance with FFMIA requirements.</p> <p><b>FY 1999:</b> Financial activities during FY 1999 resulted in three of the five ESA financial systems reported in the Annual DOL Financial Statement Audit being free from FFMIA material non-conformance. This result establishes the baseline for this performance goal.</p>
	<b>Indicator</b>	<p>Annual Department of Labor Financial Statement Audit reporting all ESA systems free from material non-conformance under FFMIA.</p>
	<b>Data Source</b>	<p>OIG audits, A-127 Reviews, JFMIP Financial Management Systems Compliance Reviews.</p>
	<b>Baseline</b>	<p>FY 1999: 3 of the 5 ESA financial systems reported in the Annual DOL Financial Statement Audit are free from FFMIA material non-conformance.</p>
	<b>Comment</b>	<p>ESA has revised its goals - financial management, information technology and human resources - for FY 2002 and beyond to more directly reflect our administrative priorities and to reflect the milestones in the agency's workforce restructuring plan.</p>



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<p><b>2.5b Cont.</b></p>	<p>Potential products were evaluated, vendors provided presentations on their products, and a new database licensing agreement was procured. Work on migration planning was also undertaken.</p> <p>In preparation for business re-engineered systems and operations, and to ensure that ESA is continually meeting the needs of its internal and external customers, ESA evaluated its existing infrastructure and identified new products and services, some of which were purchased and implemented, such as telecommunications upgrades and enhancements. Other new products/services/enhancements were planned for during FY 2001, but will be carried out in FYs 2002 and 2003. Because of the successful prototyping of one new technology, which minimizes bandwidth use for client-server applications, ESA was able to implement the Department's Automated Time and Attendance System nationwide.</p> <p>Work continued on preparation of ESA's alternative "warm/hot" site with the purchase, installation and operation of equipment, which allows for some redundancy of data processing. In addition, telecommunications capabilities were purchased to allow alternate remote access processing. ESA also hired personnel to modify and enhance its IT contingency and disaster recovery plans.</p> <p>Throughout the year, ESA continued to build on its FY 1999 goal of increasing access to public information via the Internet. Changes were made to all ESA Programmatic web sites to provide additional guidance, forms and proposed legislative requirements. In addition, a new series of web pages related to the Energy Employees Occupational Illness Compensation Program were added.</p> <p><b>FY 2000:</b> The goal was met. ESA completed both phases of its plan to increase the performance and scalability of its infrastructure, as well as the development of an alternative site which will ensure that IT support of critical business processes will continue in spite of an external or internal disruption. In addition, ESA developed, and successfully prototyped, a new technology which will minimize bandwidth use for client-server applications. This will allow ESA to rollout the Department's Automated Time and Attendance System to its field offices in FY 2001.</p> <p>Work continued on increasing and expanding ESA's web presence during the quarter. The Division of Statutory Services within the Office of Labor-Management Standards developed a web presence which provides ESA customers with documents related to Mass Transit Employee Protections. The Federal Employees' Compensation Program website was revised to include information on Federal Worker 2000 in response to the Presidential initiative, added an electronic version of a handbook on injury compensation for Federal employees, and began adding Volume 49 of the Employees' Compensation Appeals Board (ECAB) decisions to its Resource Library.</p>
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<p><b>2.5b Cont.</b></p>		<p><b>FY 1999:</b> This goal was met. Using <i>elaws</i>, an interactive Departmental Internet system that provides advice and information on specific laws or regulations based on a user's particular situation, added access to Fair Labor Standards Act information to help employers and employees understand FLSA requirements. Expanded ESA Internet site to include a section on the Freedom of Information Act, which includes information on how to make a FOIA request and Reading Room material. Created a series of web pages related to Labor Departments in the States, which include a listing of each State's main office, minimum wage rates, and State laws affecting the employment of minors.</p> <p>Deployed several major program-related critical application upgrades, including 100% field investigator access to WHISARD, ESA/Wage and Hour's client server investigation system. Completed initiative to provide network connectivity to all ESA offices (all ESA offices 100% connected to the ESA network) which will be the basis for increased Internet and Intranet access. Finalized plans for implementation of architecture necessary to support expanded web-based Agency applications and expansion of the ESA Wide Area Network. Increased Internet access in field offices and ensured Agency-wide access to DOL Lifelong Learning initiative.</p>
	<p><b>Indicator</b></p>	<p>An increase in the number of program Internet-based self-services provided to the public and other government agencies and the utilization of those services. An increase in the number of administrative and program-specific applications and services provided to the ESA field office employees and the utilization of those services.</p>
	<p><b>Data Source</b></p>	<p>Collection of applications and services housed on the ESA Internet which provide self-service capabilities to the public and other government agencies. If available, utilization statistics of those services will also be used. Collection of applications and services provided to the ESA field office employees. If available, utilization of those services will also be used.</p>
	<p><b>Baseline</b></p>	<p>The increased number of self-service applications available to ESA customers. Increased availability of program-specific applications and administrative applications.</p>
	<p><b>Comment</b></p>	<p>ESA has revised its goals - financial management, information technology and human resources - for FY 2002 and beyond to more directly reflect our administrative priorities and to reflect the milestones in the agency's workforce restructuring plan.</p>

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2.5c	<b>DOL Strategic Goal 2:</b> <b>3:</b>	A Secure Workforce – Promote the economic security of workers and families Quality Workplaces – Foster quality workplaces that are safe, healthy, and fair
	<b>DOL Outcome Goal 2.1:</b> <b>2.2:</b> <b>3.2:</b>	<i>Increase Compliance with Worker Protection Laws</i> <i>Protect Worker Benefits</i> <i>Foster Equal Opportunity Workplaces</i>
	<b>ESA Strategic Goal 2:</b>	Secure public confidence through excellence in the management and delivery of ESA’s programs and services.
	<b>ESA Outcome Goal 2.5:</b>	Design and implement management systems and procedures to support ESA goals and objectives.
	<b>FY 2001 ESA Performance Goal</b>  <i>Supporting Budget Activity</i>	<p><b>Develop and implement an action plan to mitigate vulnerabilities identified in risk assessments conducted in FY 2000. Update ESA's system security and contingency/disaster recovery plans as necessary; develop and begin implementation of a comprehensive agency-wide Computer Security Awareness and Training Program; and, review and enhance ESA's infrastructure and related tools to ensure ESA's Information Technology (IT) environment is secure.</b></p> <p>FY 1999: Complete ESA IT Security plan and begin implementation of additional controls and measures in accordance with OMB Circular A –130.</p> <p>FY 2000: Perform vulnerability assessment as required by PDD 63 Critical Infrastructure Plan and revise ESA’s IT Disaster Recovery Plan.</p> <p><i>Wage and Hour Division: P&amp;F Schedule Activity #1</i>  <i>Office of Federal Contract Compliance Programs: P&amp;F Schedule #2</i>  <i>Office of Workers Compensation Programs: P&amp;F Schedule #3</i>  <i>Office of Labor Management Standards P&amp;F Schedule #5</i>  <i>Program Direction and Support: P&amp;F Schedule Activity #4</i></p>
	<b>Performance Results</b>	<p><b>FY 2001:</b> This goal was met. This goal was to be measured by the number of Internet-based self-services provided to ESA’s customers as well as by the increase in the number of administrative and program-specific applications and services provided to ESA’s internal customers.</p> <p>In terms of Internet services, ESA made changes in every Program area’s web-presence as well as adding a whole new series of web pages related to the new Energy Program. Those pages included draft forms, links to other government agencies with information and resources needed by Energy Program customers, and a “Travel Resource Center” which informs customers where they can go during a particular period to file their claims. Elsewhere within the Office of Workers’ Compensation Programs, OWCP updated its main web pages to provide information on events surrounding the September 11, 2001 attacks, added forms, regulations and contact information for the Federal Employee Safety and Health Initiative, including statistical information on the Initiative; and added forms and the Longshore Procedure</p>

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<p><b>2.5c Cont.</b></p>	<p>Manual on the Longshore pages. For OFCCP and OLMS, both Programs added information on Executive Order 13201 as well as the Interim Procedural Notice. OFCCP also added extensive information on its EEO survey as well as the Complaint Discrimination Form, while OLMS added information on the Mass Transmit Law and the "Trustee Guide." Within the ESA/Wage and Hour Division, WHD increased customer access to Program information by adding such information as Fact Sheet 043 (Child Labor Provisions of the Fair Labor Standards Act for Nonagricultural Occupations) and the H-1B Non-immigration Information Form.</p> <p>For ESA's internal customers, new and revised Departmental applications, such as the Automated Time and Attendance System, DOLARS (revised) and several Life Long Learning services were made available to all employees, nationwide. In addition, ESA was able to deploy many new releases or modifications to its Program applications. This includes deployment of the Energy Case Management System, FECA's OASIS system, and WHD's BCDS2000 system. More than 16 new or revised applications were deployed in FY 2001.</p> <p>Major factors which helped ESA to achieve this Goal included careful strategic, tactical and project planning, coupled with the availability of the DOL IT Investment Cross Fund and close coordination among all ESA components.</p> <p>In FY 2002 and FY 2003, ESA will extend planning efforts begun in FY 1999 to expand and enhance its infrastructure, concentrating on efforts necessary to allow implementation of business process re-engineered and/or GPEA-related applications. Internal measures of tracking and ensuring the successful completion of the expanded efforts will be implemented. Other strategies similar to those used in FY 2001 also be will be used. ESA plans to implement a methodology to better measure changes in its web presence in FY 2002.</p> <p>Information used to measure performance was taken from an ESA tool that tracks modifications/additions to its applications as well as from evaluation of web page changes during a particular period of review. ESA will continue to use the tracking tool to measure what revisions/additions occur to its applications and databases; however, because information on web changes could be improved, ESA will implement a new methodology during FY 2002 that will allow better measurement of what information is available, and what information is revised or added to its web presence.</p> <p><b>FY 2000:</b> The goal was accomplished. Vulnerability assessments were completed (and submitted to the Office of the Chief Information Officer) for all major and general systems as well as system security plans. This included a vulnerability assessment and system security plan for the ESA general support system (LAN/WAN).</p> <p>In addition to system security, ESA began the first in a series of improvements to its computer rooms. Revised physical security controls were implemented in both the National Office and Philadelphia, and preparations were made for the installation of similar controls in the Chicago regional office. Additionally, ESA developed and implemented a</p>
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<b>2.5c Cont.</b>	<p>Computer Room Access Policy. Other ESA IT policies and procedures are also being reviewed and revised, as necessary, to ensure that security is appropriately addressed at all levels of ESA IT operations.</p> <p>ESA began to address disaster recovery and, as noted in Goal 2.5(b), developed an alternative site to ensure that IT support can be provided to critical mission functions in the event of an external or internal disruption.</p> <p>ESA's Disaster Recovery Plan was not revised, however. ESA is participating in Department-wide efforts to define a DOL-wide disaster recovery framework and has not revised its Plan pending the completion of this effort. The Plan will be revised in FY 2001, dependent on the completion of the DOL-wide effort.</p> <p><b>FY 1999:</b> Goal was met. Security Plan was submitted for review by Office of the Chief Information Officer and Office of the Inspector General staffs. Their recommendations are incorporated into the Plan. Additional safeguards were put into place during the year including: an update of the change management control process; development and implementation of procedures for authorizing user accounts; inventories of IT hardware, software, LANs and WANs, as well as Critical Physical Assets were completed; and, in-depth contingency plans were developed to ensure business continuity. Planning for ESA's vulnerability assessment was also completed.</p>
<b>Indicator</b>	The incorporation of vulnerabilities discovered during the vulnerability assessment into the ESA IT Security Plan and ESA IT Disaster Recovery Plan as well as the existence of mitigation and contingency plans resulting from the assessment.
<b>Data Source</b>	ESA IT Security Plan, ESA IT Disaster Recovery Plan, Vulnerability Assessment, contingency plans, mitigation plan.
<b>Baseline</b>	ESA IT System Security Plans and IT System Security Program Plan.
<b>Comment</b>	ESA has revised its goals - financial management, information technology and human resources - for FY 2002 and beyond to more directly reflect our administrative priorities and to reflect the milestones in the agency's workforce restructuring plan.

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2.5d	<b>DOL Strategic Goal 2: 3:</b>	A Secure Workforce – Promote the economic security of workers and families Quality Workplaces – Foster quality workplaces that are safe, healthy, and fair
	<b>DOL Outcome Goal 2.1: 2.2: 3.2:</b>	<i>Increase Compliance with Worker Protection Laws</i> <i>Protect Worker Benefits</i> <i>Foster Equal Opportunity Workplaces</i>
	<b>ESA Strategic Goal 2:</b>	Secure public confidence through excellence in the management and delivery of ESA’s programs and services.
	<b>ESA Outcome Goal 2.5:</b>	<i>Design and implement management systems and procedures to support ESA goals and objectives.</i>
	<b>FY 2001 ESA Performance Goal</b>  <i>Supporting Budget Activity</i>	<b>Equip training specialists with the skills/abilities to administer/monitor contracts for computer based training with third-party vendors. Update ESA Training Website with current course availability.</b>  FY 1999: Test/select software package and instruction manuals; equip one training specialist with the skills/abilities to produce computer-based training courses; and post training information via the ESA Intranet. FY 2000: Train 2 additional DHRM training specialists with the skills/abilities to produce computer-based training courses.  <i>Wage and Hour Division: P&amp;F Schedule Activity #1</i> <i>Office of Federal Contract Compliance Programs: P&amp;F Schedule #2</i> <i>Office of Workers Compensation Programs: P&amp;F Schedule #3</i> <i>Office of Labor Management Standards P&amp;F Schedule #5</i> <i>Program Direction and Support: P&amp;F Schedule Activity #4</i>
<b>Performance Results</b>	<b>FY 2001:</b> This goal was met. DHRM developed the staff capability needed to permit it to do quality control work on computer-based (CBT) instruction projects mounted by ESA programs, using contractors. DHRM also completed its planned development of internal CBT-production capabilities. The most recent actions included the hiring of an experienced instructional technologist who has some capabilities that can be utilized in this area. Planned job aid development planned was completed. BTD professional staff are capable of responding to ESA program needs that include the use of CBT.  <b>FY 2000:</b> This goal was achieved. Two additional staff members have been equipped to use major features of the Quest authoring program and have built simple computer-based sequences on a tutorial basis.  <b>FY 1999:</b> This objective was achieved. The authoring software package was selected and purchased. One DHRM training specialist was not only equipped with the basic skills needed to produce computer-based training (CBT), but is in fact quite fluent and has produced several CBT modules	

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<b>2.5d Cont.</b>		being used by ESA operating units. DHRM has also achieved the second part of this objective by creating an intra-net site "Getting Training in ESA," and by posting, on a continuing basis, a variety of training-related information on ESA's intranet.
	<b>Indicator</b>	All DHRM training specialists trained in the use of authoring software. Training courses are designed using computer-based technology.
	<b>Data Source</b>	Published CBT courses for use by ESA programs in training front-line employees. Intranet Link to "Getting Training in ESA" continuously updated with training course availability.
	<b>Baseline</b>	One training specialist trained in computed-based technology.
	<b>Comment</b>	ESA has revised its goals - financial management, information technology and human resources - for FY 2002 and beyond to more directly reflect our administrative priorities and to reflect the milestones in the agency's workforce restructuring plan.

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2.5e	<p><b>DOL Strategic Goal 2: 3:</b></p>	<p>A Secure Workforce – Promote the economic security of workers and families Quality Workplaces – Foster quality workplaces that are safe, healthy, and fair</p>
	<p><b>DOL Outcome Goal 2.1: 2.2: 3.2:</b></p>	<p><i>Increase Compliance with Worker Protection Laws</i> <i>Protect Worker Benefits</i> <i>Foster Equal Opportunity Workplaces</i></p>
	<p><b>ESA Strategic Goal 2:</b></p>	<p>Secure public confidence through excellence in the management and delivery of ESA's programs and services.</p>
	<p><b>ESA Outcome Goal 2.5:</b></p>	<p><i>Design and implement management systems and procedures to support ESA goals and objectives.</i></p>
	<p><b>FY 2001 ESA Performance Goal</b></p> <p><i>Supporting Budget Activity</i></p>	<p><b>Develop and deliver quality training for the Federal Employees' Compensation (FEC) program's "imaged" environment. In FY 2001, complete training of FEC Claims Examiners (CEs) in the use of imaging software.</b></p> <p>FY 1999: Complete training of FEC CEs in use of imaging applications that are available early. FY 2000: Begin training FEC CEs in the use of imaging software.</p> <p><i>Wage and Hour Division: P&amp;F Schedule Activity #1</i> <i>Office of Federal Contract Compliance Programs: P&amp;F Schedule #2</i> <i>Office of Workers Compensation Programs: P&amp;F Schedule #3</i> <i>Office of Labor Management Standards P&amp;F Schedule #5</i> <i>Program Direction and Support: P&amp;F Schedule Activity #4</i></p>
	<p><b>Performance Results</b></p>	<p><b>FY 2001:</b> This goal was met. Members of DHRM staff continued to revise, reproduce and assist in the delivery of (in some cases, on-site) the remaining deliveries of the FEC training sequence. Deliveries were completed in Boston, Seattle, Chicago, Philadelphia and in District 25. FEC district office staff nationwide have been successfully introduced to their new "imaged" environment.</p> <p><b>FY 2000:</b> This objective was achieved. DHRM and FECA delivered the OASIS training sequence to five FEC district offices, completing the OASIS deliveries that FEC scheduled for FY 2000. DHRM will continue work with FECA in making deliveries to the remaining FEC district offices as they are scheduled in FY 2001.</p> <p>Student performance on course-ending performance tests indicate that this sequence delivered its learning objectives in the range of 96 - 100% of the possible score.</p> <p><b>FY 1999:</b> Goal was not met due to delays in software development; no imaging applications were available early. DHRM completed building and pilot tested the computer-based training module introducing FEC CEs to the use of imaging applications. (Goals for FY 2000 and 2001 will be revised to incorporate training according to the OWCP/FEC implementation</p>

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<b>2.5e Cont.</b>		<p>schedule.) The training will be delivered in one district office in late January or early February 2000. The next migration by an FEC district office to an imaged environment is scheduled for May 2000. FEC plans to bring “up” a total of three more district offices in FY 2000.</p>
	<b>Indicator</b>	<p>Training modules developed and delivered. Participant performance on end of course test will average at least 75%.</p>
	<b>Data Source</b>	<p>Records of task analyses related to development of imaging applications, claims processing and computer-based training, the CD that contains the introductory courses, and end of course performance test scores.</p>
	<b>Baseline</b>	<p>Five FEC offices trained in the use of imaging software by the end of FY 2000. In FY 1999, no offices operated in an imaged environment.</p>
	<b>Comment</b>	<p>ESA has revised its goals - financial management, information technology and human resources - for FY 2002 and beyond to more directly reflect our administrative priorities and to reflect the milestones in the agency's workforce restructuring plan.</p>