

*United States Department of Labor*

EMPLOYMENT  
STANDARDS  
ADMINISTRATION

Revised and Final

FY 2001 Annual Performance Plan

*November 30, 2000*

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## **1. Introduction**

The Employment Standards Administration (ESA) is both an enforcement and a benefit delivery agency. ESA administers programs to implement over 100 laws to protect the basic rights of workers, including minimum wage, child labor, and overtime pay standards, equal employment opportunities for employees of Federal contractors, workers' compensation benefits, as well as workers' rights as union members. Nearly every worker in America is protected by laws and regulations administered by ESA programs. The more than 4000 employees who carry out ESA's mission are located in offices throughout the country to make ESA programs as accessible as possible to the American public.

## **2. Overview of the ESA Strategic Plan**

The Employment Standards Administration submitted a revised Strategic Plan, fiscal years 1997 through 2002, to the U.S. Congress in September 1998. A Strategic Plan covering fiscal years 1999 through 2004 was developed. Key elements of the ESA Strategic Plan are included here and provide the foundation and context for ESA's activities and the FY 2001 Annual Performance Plan.

ESA's Strategic Goals are to:

### **EMPLOYMENT STANDARDS ADMINISTRATION**

#### **Strategic Goals**

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**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.*

**Secure public confidence** *through excellence in the management and delivery of ESA's programs and services.*

ESA's strategic goals support the Departmental goals which integrate the objectives of all DOL agencies and programs to help America's workers meet the challenges they face today and in the future. ESA's work is integral to the Department's success in achieving the Departmental strategic goals for A Secure Workforce and Quality Workplaces. The performance and outcome goals in ESA's Annual Performance Plan support both the Departmental and ESA strategic goals. The Departmental Strategic and Outcome Goals are:

## U.S. DOL STRATEGIC AND OUTCOME GOALS

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### **Strategic Goal One: A Prepared Workforce** – *Enhance opportunities for America's workforce*

- Increase employment, earnings, and assistance
- Increase the number of youth making a successful transition to work
- Improve the effectiveness of information and analysis on the U.S. economy

### **Strategic Goal Two: A Secure Workforce** - *Promote the economic security of workers and families*

- Increase compliance with worker protection laws
- Protect worker benefits
- Increase employment and earnings for retrained workers

### **Strategic Goal Three: Quality Workplaces** - *Foster quality workplaces that are safe, healthy, and fair*

- Reduce workplace injuries, illnesses, and fatalities
- Foster equal opportunity workplaces
- Increase availability and effectiveness of programs that support a greater balance between work and family
- Reduce exploitation of child labor and address core international labor standards issues

## 2.1 Mission

*The mission of ESA is to enhance the welfare and protect the rights of American workers.*

As an enforcement and benefit delivery Agency, ESA is composed of four major programs: 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 standards and affirmative action 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 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).

## 2.2 Vision

*The vision of the ESA is to achieve universally applied fair practices in the American workplace.*

ESA will work to protect the rights of American workers and achieve compliance with the workplace laws it administers. We will work in partnership with leaders in business, industry, unions, city, State and local governments, public and non-profit interest groups, and other Federal agencies to increase the effectiveness of our enforcement and outreach efforts, to encourage voluntary compliance, and to assure equitable and fair workplaces. We will address customer and stakeholder interests and concerns by emphasizing quality in program administration and customer service, and will provide covered individuals who experience work-related injuries the best and most cost-effective assistance and services possible. ESA will also make effective, prudent use of available technology to accomplish program work and advance the statutory mandates of our programs.

## 2.3 ESA Strategic and Outcome Goals

To support the Secretary's Strategic and Outcome goals, ESA established two broad strategic goals that encompass all of ESA's program responsibilities. Each of the strategic goals is supported by five outcome goals to guide the development of programs and activities for the Agency. Through the Departmental and ESA strategic and outcome goals, ESA staff and the American public can see a direct link between ESA's mission and its activities.

ESA is focused on its vision of achieving universally applied fair practices in the American workplace. To that end, each of ESA's four major Program Offices, directed by legislative mandates, target resources to achieve the most effective results for the available resources. Through

the collective efforts of each of ESA's four major Program Offices, workers and employers are better informed of their rights and responsibilities. Better and more readily available information generally results in behavior changes which improve compliance with the Fair Labor Standards Act, Equal Opportunity laws, the safeguarding of union democracy and the minimization of the impact of work-related injuries. For employers who are not voluntarily complying, however, enforcement is the result. Either way, change occurs in workplaces as a result of these efforts. Whether this workplace change is driven by compliance assistance, partnership, education, recognition or enforcement activities, the ultimate result is to *create better workplaces*, ESA's first strategic goal.

ESA and its major Program Offices are responsible for the stewardship of resources, trust funds, and the management of programs and services. To support the Program Offices in achieving their goals, ESA's strategic planning establishes a management framework which links the program, administrative and management operations of the agency. This helps ensure that the Program Offices in ESA work together to achieve the Agency's overall goals and that they are supported by the administrative and management systems and operations necessary for their goal accomplishment. Through effective management and integrated delivery of its various programs and services, ESA will demonstrate a positive impact on the welfare and rights of American workers which will *secure public confidence*, ESA's second strategic goal.

The following strategic and outcome goals demonstrate a unified purpose and direction for all of the programs within ESA.

## EMPLOYMENT STANDARDS ADMINISTRATION STRATEGIC AND OUTCOME GOALS

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**Goal One: 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.*

- Promote compliance with employment standards and worker protection laws
- Safeguard union democracy and financial integrity
- Minimize the human, social, and financial impact of work-related injuries
- Protect the rights of affected mass transit workers when Federal grant funds are used to acquire, improve, or operate a transit system
- Reduce the incidence of federal contractors out of compliance with their contractual Equal Employment Opportunity obligations (FY 1999 - 2000)
- Federal contractors achieve equal opportunity workplaces (FY 2001 - FY 2004)

**Goal Two: Secure public confidence** *through excellence in the management and delivery of ESA's programs and services.*

- Respond effectively to legal mandates
- Improve performance in the delivery of services to injured workers and in the administration of FECA
- Enhance the fiscal integrity of managed public trust funds
- Foster organizational excellence and increase collaboration
- Design and implement management systems and procedures to support ESA goals and objectives

Associated with each of the above goals are specific programs designed to implement key Departmental and ESA priorities including: compliance with labor standards laws and regulations - with particular emphasis on young workers - and union integrity standards; the provision of timely benefits for covered miners, longshore workers and Federal employees; effective intervention for injured Federal employees to enable them to recover to the full extent possible and to ensure that benefit funding will be available as intended for eligible employees; and

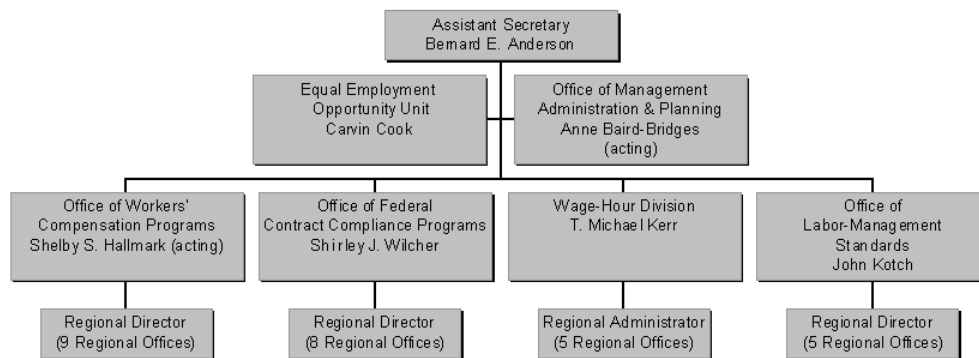


preventing wage disparities as well as increasing compliance of Federal contractors with equal employment opportunity and non-discrimination provisions of their Federal contracts.

## 2.4 ESA Organization

The Employment Standards Administration is the largest agency in the Department of Labor. ESA is organized into four major components: the Wage and Hour Division, the Office of Federal Contract Compliance Programs, the Office of Workers' Compensation Programs, and the Office of Labor-Management Standards. An Assistant Secretary heads ESA and each program is headed by a Deputy Assistant Secretary or, in the case of the Wage and Hour Division, an Administrator. ESA's program staff are located in regional, district, area, and field offices throughout the country to ensure that the enforcement and benefit delivery programs are accessible to the American public. The ESA organization chart follows:

# *Employment Standards Administration*



### **3. Strategic Goals and the FY 2001 Budget**

The FY 2001 budget of the Employment Standards Administration directly supports two of the Departmental strategic goals: A Secure Workforce and Quality Workplaces. The discussion which follows aligns ESA's budgeted resources with the Departmental strategic goals, describing the processes and resources to be used in Fiscal Year 2001 in advancing these goals and highlighting ESA's new initiatives.

Each DOL and ESA strategic goal consists of intermediate outcome goals that in turn contain specific ESA performance goals for the fiscal year. Each performance goal result is measured by an indicator, which is used to assess progress toward goal accomplishment.

While each ESA performance goal is presented with the alignment to both DOL and ESA strategic and outcome goals, the following narrative presentation of the FY 2001 budget is presented with its direct alignment to the DOL goals.

#### **3.1 DOL Strategic Goal -- A Secure Workforce**

In support of the Departmental Secure Workforce strategic goal, ESA promotes the economic security of workers and families. ESA is committed to protecting workers' hours, wages, and other conditions when on the job; ensuring the fiscal integrity of the workers' compensation benefit funds it administers; assisting injured Federal workers to expeditiously receive the care and assistance needed to return to work; and enforcing the standards for financial and democratic integrity of labor unions, which represent workers. Employer compliance with labor standards laws including young workers is both promoted and enforced by the Wage and Hour Division. The financial integrity of three benefit funds is the responsibility of the Office of Workers' Compensation Programs. The Office of Labor-Management Standards administers and enforces standards for union democracy and financial integrity and certifies protections for certain transportation workers.

\$353.9 million<sup>1</sup> is budgeted for administrative expenses for the promotion of the economic security of workers and families in FY 2001. That figure represents the total of \$317.2 million in S&E which includes \$13.1 million for new initiatives and \$36.7 million from Fair Share funds in the FECA Special Benefits Account. The major new FY 2001 initiatives associated with this goal are described below:

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<sup>1</sup> Includes Program Direction and Support overhead.

## ***New Initiatives to Increase Compliance with Worker Protection Laws***

### *FY 2001 Wage and Hour Division*

- For the Secretary's domestic child labor initiative:

Funding was provided to increase compliance with child labor safety standards through enhanced education/outreach efforts and through the development of partnerships with both public and private organizations, particularly those that represent employers and workers in the fast food, restaurant, and grocery industries. (\$500,000 and 0 FTE)

- Enhanced Enforcement:

Wage and Hour was provided funding to increase compliance with child labor standards through enhanced enforcement. Strike force teams will be used to focus efforts in industries where the employment of young workers is most prevalent, including rural and small towns throughout the nation, during peak employment periods. This initiative will allow Wage and Hour to increase surveillance, broaden enforcement coverage to rural and small town areas, expand litigation efforts including criminal prosecution, and provide investigators with the tools necessary to identify, document, and correct violations that affect the safety and well being of young workers. (\$2.2 million and 0 FTE)

- To maintain effective enforcement, litigation support, and compliance education in the Pacific territories, especially the Commonwealth of the Northern Mariana Islands (CNMI), funding was provided for Wage and Hour to begin to fully finance its enforcement program in the CNMI rather than continue to rely on the reimbursable funding which has been available from the Department of Interior (DOI). These resources will support continued Wage and Hour enforcement, compliance assistance, and litigation necessary to bring about lasting improvements in the pay, working and living conditions of the guestworkers brought to the CNMI to work in the islands' low-wage industries, and in our other Pacific territories including Guam and American Samoa. (\$512,000 and 0 FTE)
- Funding was provided for the Wage and Hour Division's (WHD) share of the ESA-wide information (IT) infrastructure costs and to begin the first-year of a three-year cycle to replace desktop and laptop computers. This increase assures adequate resources to maintain and operate the IT systems that provide the data needed to track the WHD's performance on its strategic and performance goals. (\$1.550 million and 0 FTE)

### ***Cross-Cut Initiatives Expansion***

- In FY 2000, DOL received partial funding for a Department-wide, Internet-based help desk system – Technology and Excellent Customer Service (TECS)– that could be reached through a nationwide toll-free number. Funds were included for the WHD to begin construction of a pilot

project that, when completed, could be expanded in scope to include other DOL regulatory agencies. The FY 2001 budget included a funding increase that builds on the FY 2000 initiative and will complete and effectively implement the WHD's TECS system. TECS will address several problems in DOL's compliance strategies by providing readily accessible information to workers and employers seeking information about their rights and responsibilities and how and where to obtain accurate information in a timely manner. DOL receives millions of telephone calls annually from workers and employers regarding the statutes enforced by the Department. The additional resources are fully committed to the operation and maintenance of TECS, which is considered as an ongoing IT system. (\$1.5 million and 0 FTE)

#### *FY 2001 Office of Labor-Management Standards*

- A staffing enhancement increase was included to address workload increases in employee protection certifications in a timely manner. TEA 21, the law that authorizes transit grant programs, established three additional transit grant programs when it was enacted in 1998. The additional resources will protect the ability of the agency to complete employee certifications within established time limits. (\$143,000 and 2 FTE)

#### *New Initiatives to Protect Worker Benefits*

##### *FY 2001 Office of Workers' Compensation Programs:*

##### *FY 2001 FECA Program*

- The FY 2001 budget included funding to complete installation of district office imaging hardware to convert older paper files to electronic form, continue ADP training, and reconfigure district offices for "paperless" operations. This funding supports goals to improve benefit delivery and customer service and reduce costs. Greater automation of routine workload tasks will speed claims adjudication, support earlier delivery of appropriate medical and rehabilitation services, and support earlier return to work. This increase is funded from Fair Share. (\$7.005 million and 0 FTE)
- Funding was provided for an overall communications redesign package for the FECA program supports goals to increase program effectiveness, provide service improvements, free claims examiners to do case management, train FECA staff as customer contact professionals, and assist Federal employers and union representatives to improve the workers' compensation delivery system. Improved communications systems, better directed services, and employer/union assistance will speed claims processing and the delivery of medical services, injured workers will be returned earlier to employment, and millions of dollars in benefit costs will be avoided. This request increase is funded from both FECA Salaries and Expenses (\$5,710 and 25 FTE) and Fair Share (\$750,000 and 0 FTE), totaling (\$6.460 million and 25 FTE).

### *FY 2001 Longshore Program*

- An increase was provided to fund a rehabilitation study to generate the empirical data needed to establish a baseline performance level and develop multi-year targets for improved performance. Acceptance of rehabilitation and placement services as part of the recovery process offers the potential for providing meaningful assistance to injured workers who are unable to continue in their previous line of work. The results of the study will be used to develop a more effective rehabilitation program by targeting efforts where they will do the most good. This study will represent the first step toward an invigorated and aggressive rehabilitation program that seeks to secure the best possible outcome for every injured worker it serves. (\$200,000 and 0 FTE)

### *FY 2001 Black Lung Program*

- Funding was provided to conduct a study of pulmonary rehabilitation programs to provide the information needed to focus program efforts and resources on those types of pulmonary rehabilitation that are most successful in reducing acute pulmonary episodes and on getting more beneficiaries to participate in those specific pulmonary rehabilitation programs. The Black Lung program will also benefit in the long run as participation in successful pulmonary rehabilitation programs increases and emergency treatment bills charged to the Black Lung Disability Trust Fund decrease. (\$123,000 and 0 FTE)

## **3.2 DOL Strategic Goal -- Quality Workplaces**

ESA is committed to fostering workplaces that allow equal opportunities for all employees paid with Federal contracting funds, including women, people of color, the disabled, and covered veterans. Nearly a quarter of the civilian workforce—about 26 million workers—is employed by Federal contractors or subcontractors.

The ESA Office of Federal Contract Compliance Programs enforces the laws that require Federal contractors to take affirmative action to promote an equal employment opportunity workplace, and not discriminate. The laws are designed to advance equal employment opportunities generated by Federal taxpayers' dollars so not to perpetuate employment discrimination on the basis of race, gender, national origin, religion, color, disability or status as a covered veteran. ESA's FY 2001 budget contains \$79.3 million<sup>2</sup>, including \$500,000 for the new initiative described below:

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<sup>2</sup> Includes Program Direction and Support.

## *New Initiatives to Foster Equal Opportunity Workplaces*

### *FY 2001 Office of Federal Contract Compliance Programs*

#### *Equal Pay - Industry Partnership Initiative*

- As part of the President's FY 2001 Equal Pay initiative, an increase (which builds on the FY 2000 funding) was provided to allow OFCCP to develop and implement an Industry Partnership Initiative. With the additional resources OFCCP will establish a partnership agenda and evaluate ways to identify and prevent pay disparity outside of the evaluation process. The program will also develop training guides for contractors and provide guidance on regulatory requirements and information on best practices that will serve as models of successful corporate strategies. In partnership with the National Industry Liaison Group, the initiative will consist of two major components. The first component involves identification and explanation of (1) best practices and successful strategies in "Silicon Valley," or high-tech industries and (2) best practices and successful strategies in the area of non-traditional employment in the manufacturing and construction industries. The second component involves the creation of a summary report on the results of OFCCP's Corporate Management Reviews, highlighting the main reasons why some government contractors fail in their equal employment opportunity/affirmative action (EEO/AA) efforts, and indicating trends for the future. (\$500,000 and 5 FTE)

***ESA IT CROSS-CUTS*** – These initiatives apply to both of the Secretary's Strategic Goals: A Secure Workforce and Quality Workplaces.

- ESA programs share an IT platform which enables efficiencies in the utilization of common IT capacities, cost effectiveness, and the full utilization of staff of both existing and future IT resources. Funding was provided to enable ESA to support a client-server environment, maintain up-to-date information for public electronic access, and support the many Departmental administrative systems such as Travel Manager Plus and automated time and attendance systems. A few of the Program initiatives supported by this funding include FECA's effort to process claims electronically; WHD's compliance assistance telephone and computer database systems; and OLMS' effort to implement a system for electronic filing of reports and public disclosure through the Internet. (Funding for this initiative (\$2.746 million and 0 FTE) is contained in the Departmental Management budget.)
- To mitigate vulnerabilities and provide enhanced security for ESA's mission critical IT systems and critical infrastructure assets, resources were provided for additional FTE, hardware and software required to perform vulnerability assessments, develop security measures and controls, and develop security awareness training and materials for all ESA staff. (\$198,000 Fair Share and 0 FTE; \$109,000 Black Lung Trust Fund and 0 FTE). The remaining funding (\$885,000 and 0 FTE) is included in the Departmental Management budget.)

- Funding was provided for a Microsoft Agreement to allow ESA to maintain compliance with Departmental standards, decrease costs associated with software upgrades and maintenance, and reduce administrative costs associated with managing standalone seating agreements for each piece of software. The Enterprise Agreement with Microsoft will provide seat licensing, software maintenance, and software support for all Microsoft products including licensing required to deploy Windows NT servers throughout the ESA enterprise. It will also include the ability to receive enterprise pricing discounts based on the 18,000 seats Department-wide versus the 4,000 ESA-wide. (\$336,000 Fair Share and 0 FTE; \$417,000 Black Lung Trust Fund and 0 FTE. The remaining funding (\$714,000) is included in the Departmental Management budget.)
- An increase was provided for the purchase of a Database Management System (DBMS) Enterprise Agreement to provide continuing support of ESA's mission-critical IT systems for its users and customers. This will lead to faster processing of information, quicker access to information, and the ability to intake information from and disseminate information to ESA's customers through the use of web-based applications that tie into the DBMS. This will result in ESA staff working more efficiently and effectively, and will provide the ability to deliver a higher level of service directly to ESA's customers and constituents. (\$2.408 million Fair Share and 0 FTE; \$158,000 Black Lung Trust Fund and 0 FTE.

## 4. FY 2001 Performance Goals and Indicators

This section presents several items of information focused on the FY 2001 Performance Goals:

A summary of budgeted resources for each of the Departmental goals supported by ESA.

A summary of ESA's Performance Goals arrayed by ESA's Strategic and Outcome Goals. This summary includes references to those Performance Goals in ESA's Strategic Plan that originate subsequent to FY 2001 and do not appear in this Performance Plan.

Each of the FY 2001 Performance Goals and indicators is presented in tables by ESA Strategic and Outcome Goal with the alignment to the DOL goals. Each cluster of Performance Goals supporting an Outcome Goal is followed by the *means and strategies* that will be used by ESA in achieving the goals. Means and strategies for both sustained (continuing) efforts and new initiatives are identified.

The Performance Goal tables highlight the following:

***DOL Strategic Goal*** – The Departmental goal which ESA's performance goal supports.

***DOL Outcome Goal*** – The Departmental outcome to be achieved relative to the Departmental Strategic Goal.

***ESA Strategic Goal*** – The ESA Strategic Goal which ESA's performance goal supports.

***ESA Outcome Goal*** – The ESA Outcome Goal to be achieved relative to ESA Strategic Goal.

***FY 2001 ESA Performance Goal*** – The specific targets relative to the DOL and ESA outcome goals, which will be accomplished in FY 2001. The FY 1999 and FY 2000 targets are included.

***Supporting Budget Activity*** – The program activity structure. Each budget activity supporting the Performance Goal is identified.

***FY 1999 and FY 2000 Performance Goal Results*** – A brief statement of the end of year performance accomplished.

***Indicator*** – The measures that will be used to assess progress towards performance goal accomplishment.

***Data Source*** – The measurement system(s) that will be used to collect performance indicator data.

***Baseline*** – The baseline year and baseline level against which progress will be evaluated.

***Comment*** – Issues related to goal accomplishment, measurement systems, and strategies that provide a context or description of the performance goal or indicator.



#### 4.1 ESA Budgeted Resources by DOL Strategic Goal:

##### **DOL STRATEGIC GOAL 2**

##### **A SECURE WORKFORCE**

*Promote the economic security of workers and families*

**Increase compliance with worker protection laws  
Protect worker benefits**

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##### **Total Budgeted Amount for this Goal in ESA<sup>3</sup>**

**FY 1999 - \$297.1 million**

**FY 2000 - \$314.1 million**

**FY 2001 - \$353.9million**

##### **DOL STRATEGIC GOAL 3:**

##### **QUALITY WORKPLACES**

*Foster quality workplaces that are safe, healthy, and fair*

**Foster equal opportunity workplaces**

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##### **Total Budgeted Amount for this Goal in ESA<sup>3</sup>**

**FY 1999 - \$67.9 million**

**FY 2000 - \$76.3 million**

**FY 2001 - \$79.3 million**

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<sup>3</sup> Includes Program Direction and Support overhead.

## 4.2 Summary of ESA Performance Goals

<b>A Summary of ESA Strategic Goal 1</b>	
<i>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.</i>	
<b>ESA Outcome Goal</b>	<b>ESA FY 2001 Performance Goals</b>
<p><b>1.1</b> Promote compliance with employment standards and worker protection laws (Page 20)</p>	<p><b>1.1a</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).</p> <p><b>1.1b</b> Goal number reserved.</p> <p><b>1.1c</b> Goal number reserved.</p> <p><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.)</p> <p><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 of young workers is greatest. (Activities ongoing in FY 2001 to support goal accomplishment in FY 2002.)</p> <p><b>1.1f</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% 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).</p>
<p><b>1.2</b> Safeguard union democracy and financial integrity. (Page 30)</p>	<p><b>1.2a</b> Protect standards for democratic union officer elections for union members by resolving 100% of election complaints filed under LMRDA and related laws.</p> <p><b>1.2b</b> Protect union financial integrity through appropriate enforcement action.</p> <p><b>1.2c</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.</p> <p><b>1.2d</b> Increase to 68% the number of union annual financial reports filed for public disclosure access that meet standards of acceptability.</p>

## A Summary of ESA Strategic Goal 1

**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

ESA Outcome Goal	ESA FY 2001 Performance Goals
<p><b>1.3</b> Minimize the human, social, and financial impact of work-related injuries. (Page 36)</p>	<p><b>1.3a</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.</p> <p><b>1.3b</b> Increase employing agency timeliness in submitting notices of injury to 55% within 14 days.</p>
<p><b>1.4</b> Protect the rights of affected mass transit workers when Federal grant funds are used to acquire, improve, or operate a transit system. (Page 41)</p>	<p><b>1.4a</b> Issue 100% of transit employee protection certifications within established timeframes.</p>
<p><b>Old Outcome Goal:</b></p> <p><b>1.5</b> Reduce the incidence of federal contractors out of compliance with their contractual Equal Employment Opportunity (EEO) obligations.</p> <p><b>New Outcome Goal:</b></p> <p><b>1.5</b> Federal contractors achieve equal opportunity workplaces. (Page 43)</p>	<p><b>Old Performance Goals:</b></p> <p><b>1.5a</b> Increase by 5% (over FY 2000 performance) the number of Federal contractors brought into compliance with the EEO provisions of federal contracts via OFCCP's compliance evaluation procedures. <i>(Note: Goal and methodology were reevaluated/revise in FY 2000.)</i></p> <p><b>1.5b</b> To increase compliance with the equal employment opportunity requirements among Federal contractors, establish a baseline by the end of FY 2001 to measure the effectiveness of OFCCP's education, technical assistance and outreach efforts. <i>(Note: Goal and methodology were reevaluated/revise in FY 2000.)</i></p> <p><b>1.5c</b> To narrow the wage gap for protected groups within the Federal contractor reporting community, establish a baseline by the end of FY 2001 to identify wage disparities. <i>(Goal and methodology were reevaluated/revise in FY 2000.)</i></p> <p><b>New Performance Goal:</b></p> <p><b>1.5a</b> Federal contractors achieve equal opportunity workplaces as demonstrated by:</p> <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>

## A Summary of ESA Strategic Goal 2

*Secure public confidence through excellence in the management and delivery of ESA's programs and services*

ESA Outcome Goal	ESA FY 2001 Performance Goals
<p><b>2.1</b> Respond effectively to legal mandates. (Page 47)</p>	<p><b>2.1a</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 represent locally prevailing wages/benefits. In FY 2001, complete development of all aspects of a reengineered system</p> <p><b>2.1b</b> Revise SCA automated systems to accommodate new wage determination methodology; and implement DBA wage determination issuance systems to integrate with the reengineering approach.</p>
<p><b>2.2</b> Improve performance in the delivery of services to injured workers and in the administration of FECA. (Page 53)</p>	<p><b>2.2a</b> Improve customer satisfaction with FECA services__ 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.</p> <p><b>2.2b</b> Improve the quality of claims actions as measured by average accountability review Quality Index scores to 78.5.</p>
<p><b>2.3</b> Enhance the fiscal integrity of managed public trust funds. (Page 58)</p>	<p><b>2.3a</b> Produce \$95 million in cumulative first-year savings (FY 1999-2001) in the FECA program through Periodic Roll Management.</p> <p><b>2.3b</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.)</p>
<p><b>2.4</b> Foster organizational excellence and increase collaboration. (Page 64)</p>	<p><b>2.4a</b> Increase customer satisfaction by employers subject to Wage and Hour enforcement intervention. (Activities ongoing in FY 2001 to support goal accomplishment in FY 2002.)</p> <p><b>2.4b</b> Goal completed in FY 1999.</p> <p><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.</p> <p><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, establish a baseline by the end of FY 2001.</p> <p><b>2.4e</b> Increase customer satisfaction with OFCCP services by 1% over FY 2000 performance. (Note: Goal revised and combined with Goal 1.5a).</p>

## A Summary of ESA Strategic Goal 2

*Secure public confidence through excellence in the management and delivery of ESA's programs and services*

ESA Outcome Goal	ESA FY 2001 Performance Goals
<p><b>2.5</b> Design and implement management systems and procedures to support ESA goals and objectives. (Page 70)</p>	<p><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.</p> <p><b>2.5b</b> Provide hardware and software design and maintenance support to ESA's 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 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.</p> <p><b>2.5c</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.</p> <p><b>2.5d</b> Equip training specialists with skills/abilities to administer/monitor contracts for computer based training with third-party vendors. Update ESA Training Website with current course availability.</p> <p><b>2.5e</b> Develop and deliver quality training for the Federal Employees' Compensation (FEC) program's "imaged" environment. In FY 2001, complete training FEC Claims Examiners (CEs) in the use of imaging software.</p>

### **4.3 Performance Goals with Alignments to DOL and ESA**

**ESA Strategic Goal I:** 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.

#### **ESA Outcome Goal 1.1**

Promote Compliance with Employment Standards and Worker Protection Laws

ESA seeks to impact or change the behavior and practices of whole industries, particularly those in which violations are most likely to occur – the low-wage industries – and those employing young workers. These industries are also most likely to employ vulnerable workers who often won't complain about violations or are less informed about their workplace rights. Domestic child labor is a priority of the Secretary and is included in this goal.

The FY 2001 performance goals and indicators for this Outcome Goal follow.

<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>  <i>Supporting Budget Activity</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>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 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</u></p>	

<b>1.1a Cont.</b>		<u>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.
	<b>Indicator</b>	Trends in compliance/violation rates by industry (NAIC Code); changes in results of compliance surveys in targeted industries.
	<b>Data Source</b>	Wage Hour Investigator Support and Reporting Database (WHISARD); results of compliance surveys
	<b>Baseline</b>	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)
	<b>Comment</b>	Because there is no unbiased industry-wide database on labor standards violations or compliance, Wage and Hour faces a challenge in determining industry-wide levels of compliance, measuring changes in compliance and attributing causality for any changes. To determine the impact of Wage and Hour efforts, a statistically sound method for establishing baselines and measuring compliance was developed using investigation-based compliance surveys of targeted industries and areas.  Based on results, specific industries and/or industry sectors will be resurveyed every 2 to 3 years.



<b>1.1d</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 2.1B)</i>  <i>Supporting Budget Activity</i>	<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>  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 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.  <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.
	<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)	

<p><b>1.1d Cont.</b></p>	<p><b>Comment</b></p>	<p>Because there is no unbiased industry-wide database on labor standards violations or compliance, Wage and Hour faces a challenge in determining industry-wide levels of compliance, measuring changes in compliance and attributing causality for any changes. To determine the impact of Wage and Hour efforts, a statistically sound method for establishing baselines and measuring compliance was developed using investigation-based compliance surveys of targeted industries and areas.</p> <p>Based on results, specific industries and/or industry sectors will be resurveyed every 2 to 3 years.</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>(DOL Strategic Plan PG 2.1C)</i>  <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 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.
	<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)	

<p><b>1.1e Cont.</b></p>	<p><b>Comment</b></p>	<p>This goal is to increase the level of compliance as a result of a Wage and Hour enforcement intervention. Data on entities covered in an investigation-based compliance survey that have previously been investigated by Wage and Hour, will be analyzed to compare those entities' compliance to the rest of the survey universe and to the entities prior compliance history. Data on the outcomes or repeat investigations will also be used to evaluate the relative effectiveness, or return on investment, of the various types of interventions.</p> <p>Based on results, specific industries and/or industry sectors will be resurveyed every 2 to 3 years.</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</i> <i>Program Direction and Support: P&amp;F Schedule Activity #4</i></p>
	<b>Performance Results</b>	<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. 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>

<b>1.1f Cont.</b>		<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).
	<b>Indicator</b>	Trends in compliance/violation rates by industry (NAIC code); changes in results in compliance surveys in targeted industries.
	<b>Data Source</b>	Wage Hour Investigator Support and Reporting Database (WHISARD); results of compliance surveys.
	<b>Baseline</b>	Industry/sector-specific baseline data 25% compliance in reinvestigated Los Angeles garment industry (1998) 86% compliance in reinvestigated San Francisco garment industry (1999) 52% compliance in reinvestigated New York City garment industry (1999) 76% compliance in reinvestigated nursing home industry (1997) 59% compliance in reinvestigated tomato commodity (1998) 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 (1999) 15% compliance in reinvestigated forestry (planting and thinning) (2000) Baseline for garlic to be determined.
	<b>Comment</b>	This goal is to increase the level of compliance as a result of a Wage and Hour enforcement intervention. Data on entities covered in an investigation-based compliance survey that have previously been investigated by Wage and Hour, will be analyzed to compare those entities' compliance to the rest of the survey universe and to the entities prior compliance history. Data on the outcomes or repeat investigations will also be used to evaluate the relative effectiveness, or return on investment, of the various types of interventions.  Based on results, specific industries and/or industry sectors will be resurveyed every 2 to 3 years.

## **ESA Means and Strategies:**

*Operating Program:* Wage and Hour Division

### *Sustained Efforts in FY 2001:*

- ESA will continue initiatives to increase compliance with labor standards by: targeting certain low-wage industries for focused education/outreach and enforcement interventions; targeting child labor compliance, particularly in agriculture and other selected industries where data indicate that the risk of serious injury to young workers is greatest; building partnerships with other governmental, non-governmental, and business organizations to promote compliance; and, enhancing the scope and effectiveness of education and enforcement interventions to obtain lasting future compliance. (1.1a, d, e, f)
- ESA will continue to measure compliance results achieved by establishing baselines of compliance in targeted industries through investigation-based compliance surveys, and conducting subsequent compliance surveys in those industries in which baselines have already been established. (1.1a, d, e, f)
- ESA will continue its initiative to rewrite the Child Labor Hazardous Orders to reflect current workplace technologies and hazards. (1.1a, d, e, f)

### *Significant New or Enhanced Efforts in FY 2001:*

- ESA will accelerate progress toward achieving labor law compliance for garment and farm workers by providing needed additional resources for enforcement staff – increased in FY 1999 and FY 2000 – to make more effective and sustained interventions, including better detection of violations, more timely litigation, developing appropriate cases for criminal prosecution, and enhancing education and outreach efforts. While the Department has been vigorously pursuing and elaborating its compliance strategy in these sectors, progress is slow, worker exploitation is still very common, and it has become increasingly clear that sustained efforts are required. (1.1a, d, e, f)
- ESA will enhance its ongoing child labor compliance initiative by expanding on its current focus on the garment industry and agriculture. ESA will seek to increase compliance with child labor safety standards and reduce on-the-job injuries and fatalities to young workers in those selected industries where data indicate the risk to young workers is greatest. ESA will increase its compliance activities, enhance its cooperative efforts with the States, and forge additional partnerships with national, multi-establishment firms which employ large numbers of young workers and with employer and employee organizations to improve youth safety in the workplace. (1.1a, d, e, f)

- ESA will continue the development and begin implementation of its Technology for Excellent Customer Service (TECS) system that will provide nationwide toll-free access to (1) promptly identify and refer calls unrelated to Wage and Hour activities to the appropriate agency; (2) answer commonly asked questions quickly and accurately; and (3) eventually accept complaints alleging violations and refer them electronically to the proper field office. (1.1a,d, e, f)
- ESA will assure an effective compliance program in the Pacific territories, especially in the Commonwealth of the Northern Mariana Islands (CNMI) where over 90 percent of the private sector jobs are held by guestworkers who are the subject of pervasive exploitation. Because of the serious pervasive violations, continued enforcement and litigation – which is both challenging and expensive given the location – is necessary to realize effective protection of workers in the CNMI. (1.1a, f)

**ESA Strategic Goal 1:** 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.

### **ESA Outcome Goal 1.2**

#### Safeguard Union Democracy and Financial Integrity

ESA safeguards union democracy and financial integrity in administering its responsibilities under the Labor-Management Reporting and Disclosure Act (LMRDA). The timely resolution of complaints brought by union members under the LMRDA regarding union officer elections is an important safeguard for union democracy and a critical ESA responsibility. Enforcement actions that result from agency investigation of union funds embezzlement and other criminal violations are of vital importance in protecting union assets and financial integrity for the membership. The timeliness, accuracy, and completeness of union financial reports filed with ESA are central to a key objective of the LMRDA to promote and assist union democracy and financial integrity through the public disclosure of reported information.

The FY 2001 performance goals and indicators for Outcome Goal 1.2 follow.



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>	<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>  FY 1999: New goal for FY 2000. FY 2000: 100%.  <i>Office of Labor-Management Standards: P&amp;F Schedule Activity #5 Program Direction and Support: P&amp;F Schedule Activity #4</i>
	<b>Performance Results</b>	<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.  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.  <b>FY 1999:</b> N/A
	<b>Indicator</b>	Percentage of union member complaints timely investigated and resolved by appropriate dispositive action.
	<b>Data Source</b>	OLMS Case Data System.
	<b>Baseline</b>	100%.
<b>Comment</b>	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.  Note: 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%.	

1.2b	<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>	<b>Protect union financial integrity through appropriate enforcement action.</b>  FY 1999: New goal for FY 2000 FY 2000: Protect union financial integrity through appropriate enforcement action.  <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>
	<b>Performance Results</b>	<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 OLMS enforcement action, 165 convicted individuals were barred from union office holding and employment during FY 2000.  <b>FY 1999:</b> N/A
	<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.
	<b>Baseline</b>	No performance target is suitable for this goal; therefore, no baseline data is provided.
<b>Comment</b>	Union protections resulting from criminal enforcement action are important safeguards for union democracy and financial integrity.  Note: 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 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.	

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>	<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>  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.  <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>
	<b>Performance Results</b>	<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 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.  <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.
	<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>	The indicators reflect union compliance with laws established to ensure democratic practices and financial integrity in unions in the American workforce.

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>  <i>Supporting Budget Activity</i>	<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>Office of Labor-Management Standards: P&amp;F Schedule Activity #5 Program Direction and Support: P&amp;F Schedule Activity #4</i>
	<b>Performance Results</b>	<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%.
<b>Comment</b>	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.  Beginning in 2001, all filed LM-2/3/4 reports will be automatically reviewed for compliance with standards of acceptability under a new reports processing system. Performance targets will be reviewed based on data developed under that new system.	

## **ESA Means and Strategies:**

*Operating Program:* Office of Labor-Management Standards

### *Sustained Efforts in FY 2001:*

ESA will investigate complaints concerning union officer elections, supervise remedial union officer elections, and conduct audits and civil and criminal investigations to enforce Labor-Management Reporting and Disclosure Act (LMRDA) standards for union democracy and financial integrity. ESA also will secure reports required from unions and others under the LMRDA and make them available for public disclosure. (1.2a, b, c, d)

ESA will foster partnerships with international unions to promote voluntary compliance with LMRDA standards by affiliates and will provide compliance assistance to union officials. A program of compliance assistance contacts will be continued that targets unions scheduled to elect officers in FY 2001 whose previous election was investigated by the agency. A program of contacts at the field office level to obtain timely reports by unions with receipts of more than \$200,000 that were delinquent in the prior year will be continued. A program of seminars for trustees of small unions will be continued to provide assistance and training in use of the agency-developed guide for trustees in conducting audits in small unions. ESA will provide outreach to union members to promote the objectives of the LMRDA. (1.2a, b, c, d)

### *Significant New or Enhanced Efforts in FY 2001:*

ESA will test and implement computer-based improvements to the LMRDA reporting and public disclosure program initiated in FY 1998. The improvements include a system for the electronic submission of LM-2, 3, and 4 union annual financial reports, an Internet-based public disclosure system, and a computerized desk audit system to detect reporting deficiencies and permit better targeting of reporting enforcement efforts. ESA will further develop the Internet-based public disclosure system to incorporate union trusteeship reports and reports filed by employers, consultants, union officers and employees, and surety companies under the LMRDA. (1.2c, d)

**ESA Strategic Goal 1:** 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.

**ESA Outcome Goal 1.3**

Minimize the Human, Social, and Financial Impact of Work-Related Injuries

ESA's Federal Employees' Compensation Act (FECA) program places its strategic emphasis on prompt adjudication and payment of benefits, early intervention in new injuries to reduce days lost from work, active disability management, and prompt and appropriate return to the workplace. FECA also promotes joint efforts with employers and claimant representatives in assisting workers, reporting disability promptly, and making work available early. As FECA provides better information to customers and stakeholders through improved technology, agencies and unions can play a role in relaying accurate, timely information between injured workers and FECA, making all employees aware of safety and compensation issues. FECA can also help agencies provide appropriate light duty job opportunities, and effectively manage compensation costs.

The FY 2001 performance goals and indicators for this Outcome Goal follow.

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>	<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>  FY 1999: Reduce to 178 days (QCM cases only). FY 2000: Reduce to 173 days (QCM cases only); establish baseline for all cases.  <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>	<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.  ESA/OWCP revised the LPD measure in connection with the Federal Worker 2000 Presidential Initiative, announced in 1999. Baseline for the new measure is FY 2000. 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.  <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.
	<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: 68.3 workdays.	

<p><b>1.3a Cont.</b></p>	<p><b>Comment</b></p>	<p>In FY 2000 DOL 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. The "Federal Worker 2000" Presidential Initiative, announced in 1999, sets a goal for agencies to reduce disability days, and will give impetus to data collection.</p> <p>Because the inclusion of thousands of temporary Census 2000 workers employed b the Department of Commerce would disproportionately skew the national result, the Commerce Department is excluded from the baseline calculation.</p>
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1.3b	<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 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>	<b>Increase employing agency timeliness in submitting notices of injury to 55% within 14 days.</b>  FY 1999: 51% FY 2000: 53%
	<i>Supporting Budget Activity</i>	<i>Office of Workers' Compensation Programs: P&amp;F Schedule Activity #3 Program Direction and Support: P&amp;F Schedule Activity #4</i>
	<b>Performance Results</b>	<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.  <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.
	<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>	This goal focuses on FECA's partnership relationship with the 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. The Presidential initiative Federal Worker 2000 will focus Federal employers on achieving this goal.	

## **ESA Means and Strategies:**

*Operating Program:* Office of Workers' Compensation Programs

### *Sustained Efforts in FY 2001:*

- ESA promotes a secure workforce by making its Federal Employees' Compensation Program a model for workers' compensation programs. FECA's non-adversarial structure allows ESA to work in partnership with employee unions and Federal agencies to achieve better outcomes. ESA will emphasize early return to work as a winning outcome for both workers and employers. (1.3a, b)
- ESA will continue building new and improved ADP tools to support the timeliness and quality of Federal employee compensation case handling, case management, and return to work. (1.3a, b)
- To support the Federal Worker 2000 Presidential initiative, ESA will continue to provide public recognition of Federal agency performance to reduce Lost Production Days and improve the timeliness of filing Notices of Injury. (1.3a, b)
- Using the FECA future benefit liability model developed in FY 1999, ESA will share forecasting information and work with Federal employing agencies to reduce benefit costs. (1.3a, b)
- ESA will continue the Quality Case Management Program in which new injury cases receive early intervention from nurses allowing case management to begin at a point when it can be much more effective. Telephone intervention in the continuation-of-pay (COP) period, initiated in FY 2000, will be used to further reduce disability days. (1.3a)
- ESA will take the lead in working in partnership with all Federal employing agencies to speed new injury reporting so that earlier case management can begin, improve the flow of information to improve the quality of case handling, and promote light duty and other new job opportunities for returning workers to work. (1.3a, b)

### *Significant New or Enhanced Efforts in FY 2001:*

- ESA will complete the final stages of the transition of FECA to a "paperless office" which includes completion of installation of district office imaging systems and converting older paper case files to an imaged format. Greater automation of routine workload tasks will speed claims filing and adjudication, support earlier delivery of services, and support earlier resolution of disability and return to work. Electronic access to claims information will

enable employing agencies to better assist their injured employees and manage their workers' compensation programs. (1.3a, b)

- ESA will redesign and improve communications with FECA "800" number customer access, centralized authorization of medical procedures, telephone system upgrades, development of best practices for FECA communications, and improvement of customer surveys. This initiative will strengthen communications and cooperative efforts between FECA and Federal employing agencies to improve program administration and service delivery. (1.3a, b)
- ESA's Office of Workers' Compensation Programs will work with OSHA to assist Federal agencies to reduce injuries, improve timely filing of injury reports, and assist injured workers to obtain benefits and return to work. Specific actions include conducting periodic conferences, technical assistance or informational meetings with the agencies, expanding electronic filing of claims documents, and widening access to OWCP case data and other program information through the Internet and other automated applications. ESA will also conduct periodic "focus group" meetings and survey to identify agency assistance requirements and improve its assistance program. (1.3a, b)

**ESA Strategic Goal 1:** 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.

#### **ESA Outcome Goal 1.4**

Protect the Rights of Affected Mass Transit Workers when Federal Grant Funds are used to Acquire, Improve, or Operate a Transit System

Under Federal transit law, the Agency certifies that fair and equitable protective arrangements are in place for transit employees when Federal grant funds are used to acquire, improve, or operate a transit system. The issuance of these certifications within established timeframes is critical to protecting the rights of mass transit workers affected by these projects.

The FY 2001 performance goal and indicator for Outcome Goal 1.4 follow.

<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>  <i>Supporting Budget Activity</i>	<b>Issue 100% of transit employee protection certifications within established timeframes.</b>  FY 1999: 100% FY 2000: 100%  <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>
	<b>Performance Report</b>	<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. 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.  <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.
	<b>Indicator</b>	Number of employee protection certifications completed within 60 days.
	<b>Data Source</b>	Employee Certification Tracking System.
	<b>Baseline</b>	1997: 96%
	<b>Comment</b>	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.

## **ESA Means and Strategies:**

*Operating Program:* Office of Labor-Management Standards

*Sustained Efforts in FY 2001:*

- ESA will issue employee benefit protection certifications in a streamlined manner to ensure the timely release of federal transit grant funds by the Department of Transportation (DOT). (1.4a)

*Significant or Enhanced Efforts in FY 2001:*

- ESA will address workload increases in employee certifications arising from three additional transit grant programs authorized under TEA 21. (1.4a)

**ESA Strategic Goal 1:** 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.

### **ESA Outcome Goal 1.5**

Federal contractors achieve equal opportunity workplaces.

Protection of civil rights and assurances of quality workplaces should not be solely dependent upon finding violations. Excellent quality and readily available public education, outreach, and technical assistance result in an increased number of contractors found in compliance. This helps prevent discrimination in the workplace. Interactive technical assistance web applications, successful town hall meetings, quality and relevant outreach and public education are deterrents to discrimination. A Secretarial priority and a special focus for ESA are issues involving equal pay.

The FY 2001 performance goal and indicators for this Outcome Goal follow.

<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 OFCCP's compliance evaluation procedures. (Note: Goal and methodology were reevaluated/ revised in FY 2000.)</p> <p><i>Office of Federal Contract Compliance Programs: P&amp;F Schedule Activity #2</i></p> <p><i>Program Direction and Support: P&amp;F Schedule Activity #4</i></p>
	<i>Supporting Budget Activity</i>	
<b>Performance Results</b>	<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. ESA focused intense attention and programmatic resources on accomplishment of the Equal Opportunity (EO) Survey, the agency's highest performance priority this fiscal year, achieving a response rate of approximately 90%.</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</p>	

<p><b>1.5a Cont.</b></p>		<p>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, workhours 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, EO Survey Data, and EEO-1 data. Trends/Changes in compensation and other data gathered from evaluations and from EO Surveys. Trends/changes in data gathered from customer satisfaction surveys.</p>
	<p><b>Data Source</b></p>	<p>EEO-1 data file; Case Management System; Equal Opportunity Survey; customer satisfaction survey; compliance reviews within industries.</p>
	<p><b>Baseline</b></p>	<p>Baselines will be established by the end of FY 2001.</p>
	<p><b>Comment</b></p>	<p>During the fourth quarter of FY 2000, ESA completed work on revising its strategic and performance goals for the OFCCP program, including the establishment of new performance indicators (outcome measures). The goal for contractors brought into compliance will be considered an outcome measure of ESA's strategic goal of <i>Federal contractors achieve equal opportunity workplaces</i>. We expect to successfully establish baseline methodology and performance measures for the new goal and establish baselines by the end of FY 2001.</p>

## **ESA Means and Strategies:**

*Operating Program:* Office of Federal Contract Compliance Programs

### *Sustained Efforts in FY 2001:*

- ESA will fully implement a tiered compliance evaluation strategy with respect to the Executive Order, disability and veterans programs to increase the number of contacts with Federal contractors and subcontractors and allow the flexibility to tailor reviews to focus on indicated possible problems without conducting a full investigation in every case. (1.5a)
- ESA will fully implement the 60-2 regulations and the Equal Opportunity Survey. The use of this Survey advances electronic submission of compliance related data by Federal contractors and electronic analysis of that data by OFCCP, thereby increasing OFCCP's compliance monitoring efficiency and effectiveness. (1.5a)
- ESA will continue technical assistance training for stakeholder organizations to disseminate publications, guidebooks, studies, and Internet communications on key issues. (1.5a)
- ESA will continue promotion of industry best practices in affirmative action and anti-discrimination programs by acknowledging employer efforts with the Exemplary Voluntary Efforts (EVE) Award, the Secretary's Opportunity Award, the Exemplary Public Interest Contribution (EPIC) Award, and the Industry Liaison Group Award. (1.5a)

### *Significant New or Enhanced Efforts in FY 2001:*

- ESA will develop and deliver 60-2 training courses for its compliance officers focusing on the assessment and evaluation of Federal contractors and subcontractors with respect to equal pay. (1.5 a)
- ESA will publish a summary report on the results of its Corporate Management Reviews conducted from FY 1998 – FY 2000, including a summary of best practices gathered from these Fortune 1000 firms. (1.5 a)
- ESA will identify and disseminate a model employer recruitment practice and will assist contractors in identifying resources for recruiting qualified individuals with disabilities, protected veterans, women, and minorities, including, but not limited to, America's Job Bank and the nationwide network of One-Stop Career Centers established by the Workforce Investment Act. (1.5a)



- ESA will increase outreach, education, and technical assistance to Federal contractors and subcontractors on equal pay issues by highlighting industry best practices. (1.5a)
- ESA will implement an industry partnership initiative designed as a collaborative effort between the OFCCP and Federal contractors/contractor organizations. The results will be used to help determine the industries and geographic locations where OFCCP's technical assistance efforts are most needed. The results will also be used to develop "best practices" guidelines. (1.5a)
- ESA will continue outreach efforts such as technical assistance and educational brochures which will be translated into different languages to inform the public regarding the EEO requirements of Federal contractors and subcontractors. (1.5a)
- ESA will develop indicators to enable it to focus compliance and technical assistance efforts. (1.5a)

**ESA Strategic Goal 2:** Secure public confidence through excellence in the management and delivery of ESA's programs and services.

**ESA Outcome Goal 2.1**

Respond effectively to legal mandates

Workers employed on Federally-funded and Federally-assisted contracts for construction and the provision of services are protected by the prevailing wage provisions of the Davis-Bacon Act and the McNamara O-Hara Service Contract Act, respectively. ESA's WHD develops and issues prevailing wage rate and fringe benefit determinations to contracting agencies for inclusion in their contract documents.

The FY 2001 performance goals and indicators for Outcome Goal 2.1 follow.

<b>2.1a</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>  <i>(DOL Strategic Plan PG 2.2G)</i>  <i>Supporting Budget Activity</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 reengineered 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>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 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>With the achievement of the above steps, both alternatives were developed to the point where an informed decision could be made, selecting the "reengineering" approach as the best method of achieving long-term improvement in the Davis-Bacon wage survey/wage determination program.</p>	

<p><b>2.1a Cont.</b></p>		<p><b>FY 1999:</b> Target activities for FY 1999 were accomplished. 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, 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> <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>• 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> <li>• Implement a field test of the Computer Assisted Telephone Inquiry (CATI) system. A preliminary review of the hardware and telephony capabilities of the 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> </ul>
	<p><b>Indicator</b></p>	<p>Survey Planning DataBase maintained by Construction Resource Analysis (CRA) measures the length of time since the last survey in every county.</p>
	<p><b>Data Source</b></p>	<p>Survey Planning DataBase (CRA).</p>
	<p><b>Baseline</b></p>	<p>Baseline to be determined and goal achieved in FY 2002.</p>

<b>2.1a Cont.</b>	<b>Comment</b>	Although some incremental improvements may be realized and conceptual changes validated, almost all of the improvement will be accomplished at the end of the process when the reengineered system is fully implemented.
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2.1b	<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 implement DBA wage determination issuance systems to integrate with the reengineering approach.</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 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 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. A preliminary analysis of the OES and National Compensation Survey (NCS) survey results has 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> <p><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).</p>
	<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>2.1b Cont.</b>	<b>Comment</b>	The goal is currently being met; however, as new survey data are phased in under SCA, and more surveys are completed under DBA, achieving this goal will be extremely challenging.
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**ESA's Means and Strategies:**

*Operating Program:* Wage and Hour Division

*Sustained Efforts in FY 2001:*

ESA will start implementing the Davis-Bacon reengineering approach selected as the best long-term avenue for improving the timeliness, accuracy, and reliability of Davis-Bacon wage determinations. The goal (for FY 2002) is to be able to survey every area of the country for all four types of construction at least every three years. (2.1a, b)

ESA will implement a new Service Contract Act wage determination methodology and revise automated systems to accommodate the new methodology to enable meeting the goal. (2.1b)

**ESA Strategic Goal 2:** Secure public confidence through excellence in the management and delivery of ESA's programs and services.

**ESA Outcome Goal 2.2**

Improve Performance in the Delivery of Services to Injured Workers and in the Administration of FECA

The service delivery focus of the ESA OWCP Federal Employees' Compensation (FEC) program continues to be on early case management and return to work, claims and benefit processing, and customer relations. Goals and strategies in this plan commit FEC to supporting newly injured workers with expert assistance, reducing time lost due to disability, increasing claims and benefit processing quality, and improving communications efficiency and responsiveness.

The FY 2001 performance goals and indicators for this Outcome Goal follow.

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>	<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>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 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 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, 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>
	<b>Indicator</b>	Index of customer survey results (and other measures as developed) indicating satisfaction.
<b>Data Source</b>	Compilation of results from questionnaires (and other survey and measurement tools as developed).	



<b>2.2a Cont.</b>	<b>Baseline</b>	FY 1997 (54%); new baseline to be established in FY 2001.
	<b>Comment</b>	<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 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>

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>	<b>Improve the quality of claims actions as measured by average accountability review Quality Index scores to 78.5.</b>  FY 1999: 74.5 FY 2000: 76.5  <i>Supporting Budget Activity</i>
	<b>Performance Results</b>	<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.  <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 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.
	<b>Indicator</b>	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.
	<b>Data Source</b>	Findings of accountability reviews of FECA district offices.
	<b>Baseline</b>	Quality Index results for FY 1997/1998: 72.5
<b>Comment</b>	The indicator measures the accuracy of claims decisions affecting base entitlement to benefits. The goal strengthens program integrity and service delivery.	

## **ESA's Means and Strategies:**

*Operating Program:* Office of Workers' Compensation Programs

*Sustained Efforts in FY 2001:*

- ESA will continue major Information Technology initiatives in FECA including completion of automated system redesign, automation of information exchange, imaging of new injury case files, and training for program staff on the redesigned system and "paperless" workers' compensation processing. (2.2a, b)
- ESA will improve the timeliness and quality of responses to inquiries, including increasing the proportion of customer inquiries receiving information in OWCP immediately via electronic means (Interactive Voice Response and FECA Agency Query System). (2.2a)
- ESA will use the results of customer surveys and other customer service indicators to identify and correct any timeliness and accuracy deficiencies, and make service improvements. (2.2a)
- ESA's Office of Workers' Compensation Programs will work with OSHA to assist Federal agencies to reduce injuries, improve timely filing of injury reports, and assist injured workers to obtain benefits and return to work. Specific actions include conducting periodic conferences, technical assistance or informational meetings with the agencies, expanding electronic filing of claims documents, and widening access to OWCP case data and other program information through the Internet and other automated applications. ESA will also conduct periodic "focus group" meetings and survey to identify agency assistance requirements and improve its assistance program. (2.2a)

*Significant New or Enhanced Efforts in FY 2001:*

- ESA will complete the final major stage of the transition of FECA to a "paperless office" by converting older paper case files to an imaged format. Greater automation will enable more timely and more accurate responses to customer requests and ensure more accurate and current claims information. (2.2a, b)
- ESA will redesign and improve communications with FECA "800" number customer access, centralized authorization of medical procedures, telephone system upgrades, development of best practices for FECA communications, and improvement of customer surveys. (2.2a)

**ESA Strategic Goal 2:** Secure public confidence through excellence in the management and delivery of ESA's programs and services.

**ESA Outcome Goal 2.3**

Enhance the Fiscal Integrity of Managed Public Trust Funds

In carrying out its fiduciary responsibilities, OWCP has extended its ability to contain costs and enhance the security and integrity of its benefit funds. The FECA program provides the most cost-effective non-adversarial services in the nation.

The FY 2001 performance goals and indicators for Outcome Goal 2.3 follow.

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>	<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.  <b>FY 1999:</b> This goal was been exceeded. PRM case review actions produced an additional \$20.8 million in FECA compensation benefit savings.
	<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>	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.  The methodology for measuring savings from compensation benefit adjustments and terminations was revised to coincide with PRM’s integration into permanent operations.  PRM savings for performance reporting were previously derived by comparing total FECA program benefit reductions in all cases, including PRM cases, in the measurement year, to total reductions produced in the baseline year <u>but not counting PRM case reductions</u> .
<b>Comment</b>	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><b>2.3a</b> <b>Cont.</b></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>Note: 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>
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<b>2.3b</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 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>	<p>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.)</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>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 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.</p>

<p><b>2.3b Cont.</b></p>		<p>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, 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>
	<p><b>Baseline</b></p>	<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>
	<p><b>Comment</b></p>	<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>Note: 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>



ESA's Means and Strategies:

*Operating Program:* Office of Workers' Compensation Programs

*Sustained Efforts in FY 2001:*

- ESA will improve overall management of its Federal Employees' Compensation Fund, and will implement technology upgrades to improve service and to reduce costs and customer burdens. (2.3a, b)
- The Periodic Roll Management system, expanded in FY 1999 and incorporated into FECA's overall case management process, will continue to review long term cases on the disability roll and reevaluate case status for change in medical condition and potential for return to work. (2.3a)
- ESA will continue to apply fee schedules to medical, pharmacy and hospital services under FECA. (2.3b)
- ESA's Office of Workers' Compensation Programs will work with OSHA to assist Federal agencies to reduce injuries, improve timely filing of injury reports, and assist injured workers to obtain benefits and return to work. Specific actions include conducting periodic conferences, technical assistance or informational meetings with the agencies, expanding electronic filing of claims documents, and widening access to OWCP case data and other program information through the Internet and other automated applications. ESA will also conduct periodic "focus group" meetings and survey to identify agency assistance requirements and improve its assistance program. (2.3b)
- ESA will continue to improve overall management of the Federal Employees' Compensation Fund through its ADP System Redesign project, further automation of document exchanges and medical billing, and through new information technology upgrades which will improve linkages to the DOLAR\$ system, develop a cost accounting capability, and improve debt management tracking and reporting. (2.3a, b)

*Significant New or Enhanced Efforts in FY 2001:*

- ESA will complete installation of district office imaging hardware, convert older paper files to electronic form, continue ADP training, and reconfigure district offices for "paperless" operations. Greater automation will lower administrative costs while contributing to stable or declining FECA benefit costs by improving error rates and the accuracy of information. The electronic file system will be more secure than a paper-based system. (2.3a, b)

- ESA will examine utilization of services through Focus Reviews of selected common medical conditions to ensure that billed services are reasonable and related to condition. (2.3b)
- ESA will establish a Medical Quality Index baseline to measure FECA medical bill processing and payment quality. (2.3b)

**ESA Strategic Goal 2:** Secure public confidence through excellence in the management and delivery of ESA's programs and services.

**ESA Outcome Goal 2.4**

Foster Organizational Excellence and Increase Collaboration

Customer surveys are used by ESA's programs to survey their customers' expectations and experiences and analyze the effectiveness of their programs. This information assists with efforts to more effectively target resources and program services.

The FY 2001 performance goals and indicators for Outcome Goal 2.4 follow.

<b>2.4a</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 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>	<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>  FY 1999: No goal – baseline year is FY 2000. FY 2000: Baseline established.  <i>Supporting Budget Activity</i>
	<b>Performance Results</b>	<b>FY 2000:</b> The goal to establish a baseline was met. Ninety-two percent of employers surveyed rated Wage and Hour in the combined “Fair-Good-Very Good” categories.  <b>FY 1999:</b> N/A
	<b>Indicator</b>	Customer survey.
	<b>Data Source</b>	Customer survey responses.
	<b>Baseline</b>	FY 2000: 92%.
	<b>Comment</b>	Customer feedback on the effectiveness and quality of Wage and Hour’s enforcement interventions is important data for enabling the agency to make informed decisions about how to modify interventions to further improve employers’ compliance.

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

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>	<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>  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.  <i>Supporting Budget Activity</i>
	<b>Performance Results</b>	<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.  <b>FY 1999:</b> By September 30, 1999, a definition of “case resolution” was developed and distributed to program district directors and OWCP regional directors.  <i>Office of Workers’ Compensation Programs: P&amp;F Schedule Activity #3 Program Direction and Support: P&amp;F Schedule Activity #4</i>
	<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 <u>  </u> days elapsed nationwide in FY 2001 between the dispute receipt date and the dispute resolution date.
<b>Comment</b>	Reducing the average time required to resolve disputed issues reflects increased cooperation among the parties and increased voluntary compliance with Longshore statutes and procedures.	

<b>2.4d</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 2.4:</b>	Foster organizational excellence and increase collaboration.
	<b>FY 2001 ESA Performance Goal</b>	<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>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 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> <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> <p>Note: The revised proposed regulations will be published for comment in the <i>Federal Register</i> in early FY 2000. The comments received will be evaluated, with implementation of the new regulations expected by the end of FY 2000.</p>
<b>Indicator</b>	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.	

<b>2.4d Cont.</b>	<b>Data Source</b>	Black Lung Automated Support Package.
	<b>Baseline</b>	To be determined.
	<b>Comment</b>	This performance target will capture the results of program efforts to minimize adversity and maximize cooperation among the parties to cases with disputed issues.

## **ESA's Means and Strategies:**

*Operating Programs:* Wage and Hour Division  
Office of Workers' Compensation Programs

### *Sustained Efforts in FY 2001:*

- ESA's intervention with employers will reflect the knowledge gained from WH's FY 2000 baseline survey of all employers who were the subject of an enforcement intervention. (2.4a)
- ESA's Longshore and Black Lung programs ensure the provision of accurate and timely compensation and appropriate medical care to persons affected by workplace injuries and occupational diseases. (2.4c, d)
- ESA's Longshore program will continue its migration toward the "paperless office" processing environment by beginning programming for electronic Notice of Injury Filing, LS Form-274 automation, and LS Form-513 automation in FY 2001. (2.4c)
- ESA's Longshore program will continue to emphasize quality customer service and will improve its satisfaction rating on the FY 2001 customer survey. (2.4c)
- ESA's Black Lung program will ensure that Part B beneficiaries receive the same level of prompt and reliable service provided to Part C beneficiaries. (2.4d)
- ESA's Black Lung program will build on its new client server platform by adding additional features compatible with the new operating environment to improve service to program customers. (2.4d)

### *Significant New or Enhanced Efforts in FY 2001:*

- ESA's Longshore and Black Lung programs will break new ground by conducting studies of vocational (Longshore) and pulmonary (Black Lung) rehabilitation outcomes. Both programs will encourage injured workers to participate in rehabilitation programs as a way of improving quality of life. (2.4c, d)

**ESA Strategic Goal 2:** Secure public confidence through excellence in the management and delivery of ESA's programs and services.

**ESA Outcome Goal 2.5**

Design and Implement Systems and Procedures to Support ESA Goals and Objectives

To align management systems and organizational initiatives with the Strategic Plan, to support ESA's four major Program Offices in the accomplishment of their goals, and to achieve organizational excellence, ESA has developed goals in three key administrative management areas: financial management, information technology, and human resources.

The FY 2001 performance goals and indicators for this Outcome Goal follow.



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>	<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>  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.  <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 2000:</b> The goal was met. All original workplan items agreed to with the Office of the Chief Financial Officer (OCFO) and the Office of Inspector General (OIG) were accomplished.  Backwage Collection and Disbursement System (BCDS) 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 on 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.  Civil Money Penalty (CMP) System 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 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.

<b>2.5a Cont.</b>		<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.
	<b>Indicator</b>	Annual Department of Labor Financial Statement Audit reporting all ESA systems free from material non-conformance under FFMIA.
	<b>Data Source</b>	OIG audits, A-127 Reviews, JFMIP Financial Management Systems Compliance Reviews.
	<b>Baseline</b>	FY 1999: 3 of the 5 ESA financial systems reported in the Annual DOL Financial Statement Audit are free from FFMIA material non-conformance.
	<b>Comment</b>	

2.5b	<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>	<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 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</b>  FY 1999: Expand web capabilities to support increased public information via Internet in support of Agency public awareness and outreach efforts. FY 2000: Expand WAN to provide increased performance and scalability of access to ESA Information Systems for Regional staff; upgrade remote access to provide more services to flexiplace workers; and develop a “warm/hot” site capability for ESA IT applications and service.  <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>
	<i>Supporting Budget Activity</i>	
<b>Performance Results</b>	<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.  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	

<p><b>2.5b Cont.</b></p>		<p>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> <p><b>FY 1999:</b> This goal was met. Using <b>elaws</b>, 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, 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>In FY 2001, ESA will build on existing efforts to extend capabilities and services to front-line workers. This will include deployment of more administrative and Program-specific applications. ESA will expand its wide area network and deploy technologies to efficiently use telecommunications capabilities to provide increased performance and scalability of access to field staff. ESA will also negotiate (and ultimately purchase) the purchase of a new database management system licensing agreement in order to provide continued support for ESA's mission critical IT systems.</p>

<b>2.5b Cont.</b>		<p>ESA will also continue its efforts to utilize the Internet and web-based technologies to increase services to its customers. For example, the Internet can be used to provide up-to-date information to all ESA customers that have access to the Internet. Services such as outreach and education, help desks, and customer self-service centers can be provided through this technology. This technology can also be used to collect data from ESA customers, reducing the burden of having customers fill out and mail in paper forms. During FY 2001, ESA will define, design and begin implementation of modification to its architecture in order to support the development of external web-based Agency applications.</p>
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2.5c	<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>	<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>  FY 1999: Complete ESA IT Security plan and begin implementation of additional controls and measures in accordance with OMB Circular A –130. FY 2000: Perform vulnerability assessment as required by PDD 63 Critical Infrastructure Plan and revise ESA’s IT Disaster Recovery Plan.  <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>
	<i>Supporting Budget Activity</i>	
<b>Performance Results</b>	<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).  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 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.  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><b>2.5c Cont.</b></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>
	<p><b>Indicator</b></p>	<p>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.</p>
	<p><b>Data Source</b></p>	<p>ESA IT Security Plan, ESA IT Disaster Recovery Plan, Vulnerability Assessment, contingency plans, mitigation plan.</p>
	<p><b>Baseline</b></p>	<p>ESA IT System Security Plans and IT System Security Program Plan.</p>
	<p><b>Comment</b></p>	<p>Because information technology plays a significant role in the efficient delivery of mission-critical services, it is critical to safeguard ESA information and information systems. Based on risk assessments performed in FY 2000, ESA will develop and implement an action plan to mitigate vulnerabilities identified in those assessments. In addition, ESA will continue to ensure that its system security plans and its contingency/disaster recovery plan are kept current. Because end-users often serve as the first line of security, ESA will implement a comprehensive, agency-wide Computer Security Awareness and Training Program to ensure that all ESA users understand their roles and responsibilities in ensuring the confidentiality, integrity and availability of ESA information and information resources.</p>

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>	Design and implement management systems and procedures to support ESA goals and objectives.
	<b>FY 2001 ESA Performance Goal</b>	<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>Supporting Budget Activity</i>
	<b>Performance Results</b>	<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 goal 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 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>2.5d Cont.</b>	<b>Comment</b>	The needs of the ESA programs for computer based training (CBT) far outweigh the available resources within DHRM. DHRM is working to develop skills in the oversight and administration of contracts to third-party developers of CBT with the ultimate objective of having all professional training staff processing the full array of creative and administrative skills required to respond to operating program needs for CBT and performance support systems.
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2.5e	<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>	<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>  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.  <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 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.  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.  <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 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.
	<b>Indicator</b>	Training modules developed and delivered. Participant performance on end of course test will average at least 75%.

<b>2.5e Cont.</b>	<b>Data Source</b>	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.
	<b>Baseline</b>	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.
	<b>Comment</b>	DHRM will work in conjunction with claims examiners and claims supervisors to build training modules and to keep abreast of claims processes being developed by OWCP. DHRM projects in this area are highly dependent on the program imaging software schedule established and revised, as necessary, by the FEC program.

## ESA's Means and Strategies:

*Operating Programs:* Wage and Hour Division  
Office of Federal Contract Compliance Programs  
Office of Workers' Compensation Programs  
Office of Labor-Management Standards  
Program Direction and Support

### *Sustained Efforts in FY 2001:*

- By FY 2001, ESA will correct the remaining financial system weaknesses in the Wage and Hour Backwage Collection and Disbursement System (BCDS) thereby bringing all five of ESA's financial systems into compliance with the Federal Financial Management Improvement Act. The enhanced BCDS will be fully operational in FY 2001 and electronically linked to the Department's central accounting system. (2.5a)
- ESA will continue to work with the Office of the Chief Financial Officer in maintaining a system to allocate program costs at the Secretary's Outcome Goal level. (2.5a)
- ESA will continue to maintain, build upon, and improve its IT operation which provides service to over 4,000 ESA employees and an ever growing user base of external customers. Sustained operations of the mission-critical and administrative systems are crucial in support of the Agency and Program-specific mission, goals and strategies. (2.5b)
- ESA will continue to build upon its IT security and operational policies, procedures, standards, and guidelines in an effort to improve customer service and to safeguard ESA's mission-critical data and operations. (2.5c)
- ESA will continue to develop the capability of DHRM staff to build computer-based training to support ESA program technical training needs. (2.5d)
- ESA will build experimental Computer Based Training (CBT) modules to achieve selected objectives in existing ESA program technical training courses and will simultaneously develop CBT-building skills and begin to apply them to needed program learning objectives. (2.5d)
- ESA will continue to develop and refine DHRM professionals' skills in the use of intra-nets and Internet (e.g., Getting Training in ESA site) as knowledge management and training delivery vehicles. (2.5d)
- ESA will continue to employ three professionals who are equipped in a basic way to use the authoring system to build CBT performance supports as the ESA computer-based environment (e.g., FEC imaged environment) expands and develops. (2.5e)

- ESA will build CBT modules in the area of Basic CE training as particular aspects of this job is modified in an imaged environment and for which custom program computer applications are available and sufficiently stable. (2.5e)
- ESA will develop an increased capability to distinguish between learning objectives where CBT is essential and those for which lower-tech responses are more appropriate. (2.5e)
- ESA will continue to explore the use of “knowledge management” devices such as “communities of practice” with ESA programs. (2.5e)

*Significant New or Enhanced Efforts in FY 2001:*

- ESA will complete improvement of the financial management system(s) review process within ESA. This will be accomplished by utilizing OMB, GAO, JFMIP and OIG financial guidance in the form of compliance review guides, checklists and specific audit recommendations. (2.5a)
- ESA will expand services and capabilities of its IT infrastructure to allow increasing demand and innovative approaches of the Programs to deliver services to its internal and external customers. Two efforts of focus will pave the way for this to occur. They are the enhancement of the ESA Wide Area Network (WAN) to provide increased service to internal customers and the enhancement of the ESA web-based architecture and services which will increase service to both internal and external customers. (2.5b)
- In an effort to enhance ESA’s safeguards of IT related data and services, ESA will begin development of risk mitigation plans for risks identified in the vulnerability assessment conducted in FY 2000. The risk mitigation plans will identify new policies and procedures to be developed as well as hardware and software controls that will need to be implemented, some of which will begin in FY 2001. (2.5c)
- ESA will use the capabilities of the CBT authoring system more fully to design and produce automated training evaluation and record keeping systems. (2.5d)
- ESA will develop and refine DHRM professionals' skills in preparing and administering contracts with third party vendors for CBT products. (2.5d)

## 5. Performance Measurement

The Employment Standards Administration recognizes the need for an Information Technology (IT) infrastructure that meets its daily operational requirements and satisfies the data collection, validation, analysis, and information dissemination that is central to GPRA.

We have made significant progress in improving our performance measurement and continue to refine those systems. For example, OWCP had to establish a new case tracking database to measure its reduction of lost production days for serious injuries and needed to greatly expand this database to support the goal of measuring lost days in all federal employee injuries.

### 5.1 Current Program Information Systems

ESA has several performance measurement systems in place that provide reliable data that are used to: 1) establish baseline performance, 2) evaluate current performance, and 3) set goals for future performance. These include the following:

- 1) Because there is no unbiased database on labor standards violations or compliance, Wage and Hour 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 newly implemented Wage and Hour 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 WHISARD system provides many advantages when compared to the former Wage Hour Management Information System (WHMIS). For example, data is entered into the system directly at the source (by Wage and Hour investigators) rather than manually batched and mailed to a central source for data entry later. As a result, data is much more current, which facilitates tracking the progress of investigative activity. Information on a complainant's case is readily available which enhances customer service and satisfaction. All users of the WHISARD system have direct access which was not possible with WHMIS which enhances efficiency and enforcement effectiveness. In addition, WHISARD can produce data on a much broader range of activities such as local enforcement initiatives which was not possible with WHMIS and assists in the agency's strategic planning activities.

- 2) OFCCP's Case Management System (CMS) is used to measure program performance. Through software and hardware enhancements, the OFCCP Executive Information System (OEIS) now allows field office managers to access CMS data to track the accomplishments of individual organizational units.

OFCCP completed cognitive testing and field testing of its Equal Opportunity Survey in FY 2000. Once the EO Survey is implemented, federal contractor response data will be input into a database and analyzed, with the results of data analysis to be used in making scheduling determinations for compliance evaluations. Development of the database structure, including refinement of the analytical model, will be implemented in FY 2001.

- 3) As it formulated new strategies for the FECA program, OWCP has 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 ADP system is undergoing a complete redesign covering every major DFEC staff function. 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.

- 4) The Labor Organization Reporting System documents report filing by labor organizations under the Labor-Management Reporting and Disclosure Act (LMRDA) and related laws. Data in the system is used in monitoring compliance with reporting requirements and administering public disclosure responsibilities. The OLMS Case Data System documents case status activity and results. Both systems are used for overall LMRDA program administration and enforcement.

## 5.2 Data Challenges

ESA has developed measurement systems to track performance against the goals and objectives in the Strategic and Annual Performance Plans, and will be responsible for ensuring that the measures meet appropriate statistical requirements (i.e., the measures are reliable and valid). By the beginning of FY 1999, ESA had developed measurement systems for strategic and performance planning purposes, including defining measures and establishing baselines. We have continued to refine these measures.

ESA's Assistant Secretary monitors performance against each of the performance goals on a quarterly basis. This provides the opportunity to regularly track performance data and to evaluate the effectiveness of the supporting strategies to maintain a focus on goal achievement.

The Office of Inspector General will conduct 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 will include 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.

### **5.3 Linking Costs to Performance**

GAO has reported to Congress on the need for Federal agencies to apply cost accounting standards to program measures. The Department of Labor has a reliable, established accounting system titled the Department of Labor Accounting and Related Systems (DOLAR\$). The system has the flexibility to capture, aggregate, and report costs within DOL agencies at the full range of cost accounting levels.

ESA participated with the Department's Office of the Chief Financial Officer (OCFO) in an internal work group effort to implement the accounting provisions of GPRA and the Federal Financial Management Improvement Act (FFMIA). A new DOLAR\$ cost accounting module was developed to allow aggregation of costs across agency lines and to allocate direct and indirect costs to the Strategic and Outcome Goals established in the Department's Strategic Plan. DOL plans to maintain cost accounting information for the ten outcome goals in the Department's Strategic Plan. In addition, DOL is developing the capability to consolidate data from a variety of program and financial system sources and link that data as needed to meet the performance reporting requirements of GPRA.



## 6. Cross-Cutting Programs and Issues

The accomplishment of the performance goals outlined in ESA's FY 2001 Annual Performance Plan requires coordination and integration of programs and activities not only within ESA but also among other DOL, Federal government, and State and local government agencies. ESA participates in DOL crosscutting budget initiatives. ESA's coordinated efforts are centered on the Departmental Strategic Goal 2: A Secure Workforce, and Strategic Goal 3: Quality Workplaces. In accomplishing these Departmental goals ESA will also accomplish its crosscutting strategic goals to:

<p style="text-align:center"><b>EMPLOYMENT STANDARDS ADMINISTRATION</b></p> <p style="text-align:center"><b>Strategic Goals</b></p> <hr/> <p><b>Create better workplaces</b> <i>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; and</i></p> <p><b>Secure public confidence</b> <i>through excellence in the management and delivery of ESA's programs and services.</i></p>
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ESA places a high priority on ensuring that the agency operates its programs in a coordinated, efficient, and effective way. ESA's efforts in this sphere are key to accomplishing the FY 1999 - 2004 strategic goals, the FY 2001 Performance Goals, and to supporting the complementary goals and strategies of its many partners.

An important ESA objective is to ensure that cross-cutting efforts lead to program goals that are complementary, not redundant. This is accomplished through collaboration with other DOL agencies and helps to identify issues and problems that must be addressed. The collaboration leads to the development of mutual strategies for attaining goals and other appropriate measures that can be used to gauge program success.

Because it is the Departmental Strategic and Outcome goals that all DOL Agencies have in common, this section is presented by the two DOL Strategic and three DOL Outcome goals supported by ESA's four major Program Offices.

## **DOL Strategic Goal 2 – A Secure Workforce**

### ***Outcome goal: Increase compliance with worker protection laws***

To carry out its several enforcement responsibilities, ESA cooperates with the DOJ, Immigration and Naturalization Service (INS), Department of Defense (DOD), General Services Administration (GSA), Health and Human Services (HHS), United States Department of Agriculture (USDA), and others, as well as coordinates with other internal DOL agencies such as the Employment and Training Administration (ETA) and the Solicitor of Labor. Cooperative efforts include coordinating between the Wage and Hour Division and ETA relating to migrant and seasonal labor issues, and programs designed to increase compliance in the “Salad Bowl” and poultry processing industries. ESA works with DOD and the GSA with respect to applicable wage determinations for government contracts. WHD works closely with ETA, USDA, and the states to explore the interaction of workplace laws and welfare reform. WHD is a key player on DOJ’s Worker Exploitation Task Force.

The Wage and Hour Division is the lead agency in the Department coordinating among virtually all agencies in the Department the Secretary’s domestic child labor initiative, “Safe Work/Safe Kids.” This is a multi-prong strategy of enforcement, education, and partnerships to ensure that young people have opportunities for legal, constructive early work experience which is safe and enhances, rather than competes with, their education. Two multi-year performance goals have been added to reflect this Secretarial priority.

To leverage its impact – both with respect to enforcement and the dissemination of information ultimately leading to increased compliance – Wage and Hour seeks to enter into partnerships with industry leaders, employers, employer associations, commercial consumers and the States. For example, the Department has supported the work of the Fair Labor Association, the organization established by the Apparel Industry Partnership to oversee implementation of its Workplace Code of Conduct and monitoring principles. Subsequent to the discovery in 1998 of very young children working illegally in the onion harvest, four producers in the Texas Rio Grande Valley signed a compliance monitoring agreement with Wage and Hour committing to check for child labor compliance at least twice a day when crews are planting or harvesting; prescreen farm labor contractors before entering into contractual agreements; notify Wage and Hour immediately upon finding a child labor violation, and cooperate or take appropriate steps to remedy the violation; train employees and farm labor contractors about the child labor requirements before each planting or harvesting season; and, report semiannually to Wage and Hour the results of their monitoring activities. Investigations during the area’s 1999 harvest found no children illegally employed. Now compliance agreements with producers, processors and packers are routinely encouraged. In 1999, Sears, Roebuck and Company entered into a corporate-wide program to help ensure compliance by conducting self-audits, enhancing training for store managers and young workers and providing informational material to the parents of all young workers under 18 years of age. At the end of the year, Toys R’ Us entered into a similar agreement. These agreements are being used as models for other corporations, especially in industries such as retail where youth are frequently employed. In

addition to partnering with K-Mart, the American Academy of Pediatrics, the National Consumers League and the National Institute for Occupational Safety and Health to promote its annual "Work Safe This Summer" educational campaign, in 1999 the Department added new partners – The National Association of Theater Owners, National Recreation and Parks Association, and the International Association of Amusement Parks and Recreation. Consistent with the "Safe Work/Safe Kids" initiative, the Secretary announced a partnership with the States, the Federal/State Child Labor Task Force, to improve coordination of child labor enforcement and outreach activities and enhance communication including the sharing of data about the employment of youth and strategies about their safe employment.

In accordance with the Small Business Regulatory Enforcement Fairness Act (SBREFA), the Office of Small Business Programs (OSBP) provides one-stop service as a clearinghouse for ESA WHD/OFCCP compliance assistance information, inquiries and comments on enforcement activity. OSBP serves a cross-cutting function by coordinating with ESA and other DOL enforcement agencies on customer/stakeholder feedback to resolve problems and improve agency operations.

ESA's enforcement programs maintain close ties and share information with other law enforcement agencies. In Labor-Management Reporting and Disclosure Act (LMRDA) criminal enforcement matters, cooperation may extend, as appropriate, to participation in joint investigations with other federal agencies, including the Federal Bureau of Investigation (FBI) and Internal Revenue Service (IRS) as well as other DOL agencies.

Each initiative to coordinate with other agencies is designed to increase compliance with worker protection laws leveraging resources, reducing overlapping activity, and utilizing the strengths of each entity.

***Outcome goal: Protect worker benefits***

ESA's Federal Employees' Compensation Act (FECA) program involves every federal agency in the filing and management of injury compensation claims. The FECA program coordinates with the Office of Personnel Management on matters of benefit elections, and in some specialized claims, with state and local police agencies on matters of entitlement and benefits. Federal agencies which undertake special initiatives work closely with FECA program offices at the national and regional levels to evaluate best practices. Other efforts also improve communication and cooperation. Through the Agency Query System (AQS), the Department provides secure, on-line information to enable agencies to provide better service to their injured employees and assist in FECA claims processing and case management. In new injury cases, the Department assigns nurses to coordinate among injured workers, agencies, and medical providers to resolve issues and facilitate recovery and return to work.

ESA's OWCP is working in partnership with all federal agencies in two key performance areas: the improvement in the timeliness of injury claims submissions – in part through expansion of electronic links for claims submission – and an increase in re-employment opportunities. ESA has been using, and plans to expand, its Internet site to post agency performance results related to these activities.

On July 2, 1999, the President signed the Federal Worker 2000 Initiative, which requires Federal agencies to reduce new workplace accident/illness rates, speed the timeliness of reporting new injuries to the Department of Labor, and reduce lost production days rates. ESA/OWCP will work with federal agencies to meet these goals by intervening in lost time cases, providing case management, and tracking disability time lost during the Continuation of Pay period immediately following an injury. OWCP will measure agencies' performance against the Lost Production Days goal, and will post agencies' quarterly performance on its Federal Worker 2000 website. OWCP will continue to track and post detailed agency (and sub-agency) performance in terms of timely injury notice submission, another of its Federal Worker 2000 goals. ESA/OWCP will work in tandem with OSHA to help agencies reduce accidents/illnesses as well as speed return to work.

The Part B and Part C Black Lung programs have undergone partial consolidation within ESA. Under a Memorandum of Agreement with the Social Security Administration (SSA), ESA administers a major part of the "Part B" program for the SSA as a means of reducing duplication and confusion for the clientele they serve.

### **DOL Strategic Goal 3 – Quality Workplaces**

#### **Outcome goal: Foster equal opportunity workplaces**

The Office of Federal Contract Compliance Programs (OFCCP) supports the departmental commitment to internal and external cooperative efforts. In FY 1999, OFCCP hosted a conference with the Solicitor of Labor to share information about issues affecting the program's enforcement posture. In addition, OFCCP is a key player on a team assembled by the Secretary to develop innovative, cooperative programs and policies to foster and implement the Administration and Secretary's Equal Pay initiative. The interagency team unites OFCCP with the Women's Bureau, ETA, MSHA, OSBP, PWBA, and other agencies in this effort. OFCCP's ongoing use of the Memorandum of Understanding (MOU) is another reflection of the Departmental commitment to formalize complementary efforts between Federal agencies. For example, an internal MOU with the ESA Wage and Hour Division provides for information exchange and effective enforcement of the Family and Medical Leave Act. An MOU with the DOL Veterans' Employment and Training Service allows for coordinated public outreach efforts and information sharing regarding covered veterans. Outside the Department, OFCCP's MOU with the Department of Justice's (DOJ) Office of Special Counsel provides for referral of complaints involving national origin discrimination, information sharing, and coordinated public outreach efforts. An MOU with DOJ's Immigration and Naturalization Service (INS) allows for prompt referral to INS of all suspected violations against employment of unauthorized workers. OFCCP's MOU with the Equal Employment Opportunity

Commission (EEOC) provides procedures for the coordinated collection, sharing, and analysis of data regarding individual or class complaints of discrimination on the basis of race, gender, national origin, or disability status. OFCCP coordinated and finalized another MOU with EEOC and initiated other MOUs with the Department of Transportation and the General Services Administration. Also, OFCCP participated in meetings convened by the White House and the Civil Rights Working Group to discuss implementation of OMB guidance on how race and ethnicity data are to be submitted for the 2000 Census. OFCCP has been tracking this issue and examining the impact on its enforcement efforts. In addition, OFCCP is an active member of the executive board of the President's Committee on the Employment of People with Disabilities.

The Department and ESA are proud to honor organizations for their exemplary affirmative action efforts to ensure that all individuals have an equal opportunity for employment. During the month of September each year, the Secretary presents awards at ceremonies specifically designed to honor the recipients of the Exemplary Voluntary Effort (EVE) awards, the Exemplary Public Interest Contribution (EPIC) awards, and the Secretary's Opportunity Awards. The ceremonies also provide the honorees an opportunity to showcase the activities for which these employers and interest groups are being honored.

Since 1982, local Industry Liaison Groups (ILGs) have emerged as an effective way of strengthening relationships between federal contractors and the OFCCP. Local ILGs offer a forum that encourages open communication between the two groups as they work together towards equality in the workplace.

## **7. Maintaining a Strategic Management Focus**

ESA's strategic planning includes a management framework for linking the program, administrative and management operations of the agency's four major programs. Performance goals in these areas appear in the ESA FY 1999 – FY 2004 Strategic Plan and in this Revised and Final FY 2001 Annual Performance Plan.

### **7.1 Information Technology**

Programmatic, as well as legislative requirements, will require ESA to continue enhancing and expanding its' Information Technology (IT) environment to ensure the efficient delivery of ESA mission-critical services. Whenever practical, ESA Programs will share IT resources to increase efficiency and minimize costs. Enhanced and expanded technology allows better delivery of services to the employers and employees served by ESA Programs. ESA employees, nationwide, will have the tools and technology to effectively carry out the goals of their Programs. For example, cooperative efforts are enhanced as investigators and compliance officers are able to access the

latest databases for information while on-site with an employer. This ready access enables staff to quickly access or provide other information while conducting an investigation or compliance visit. Such timely information will also help employers meet the requirements of the laws and regulations that ESA enforces.

In FY 2001, ESA will build on existing efforts to extend capabilities and services to front-line workers. This will include deployment of more administrative and Program-specific applications. ESA will expand its wide area network and deploy technologies to efficiently use telecommunications capabilities to provide increased performance and scalability of access to field staff.

ESA will also continue its efforts to utilize the Internet and web-based technologies to increase services to its customers. For example, the Internet can be used to provide up-to-date information to all ESA customers that have access to the Internet. Services such as outreach and education, help desks, and customer self-service centers can be provided through this technology. This technology can also be used to collect data from ESA customers, reducing the burden of having customers fill out and mail in paper forms. During FY 2001, ESA will define, design and begin implementation of modification to its architecture in order to support the development of external web-based Agency applications.

Because information technology plays a significant role in the efficient delivery of mission-critical services, it is critical to safeguard for ESA information and information systems. Based on risk assessments performed in FY 2000, ESA will develop and implement an action plan to mitigate vulnerabilities identified in those assessments. In addition, ESA will continue to ensure that its system security plans and its contingency/disaster recovery plan are kept current. Because end-users often serve as the first-line of security, ESA will implement a comprehensive, agency-wide Computer Security Awareness and Training Program to ensure that all ESA users understand their roles and responsibilities in ensuring the confidentiality, integrity and availability of ESA information and information resources.

## **7.2 Year 2000 Readiness**

In FY 1997, the Employment Standards Administration developed its strategy for ensuring ESA IT and non-IT readiness for the Year 2000. Comprehensive assessments of ESA's IT and non-IT infrastructures were made and action taken to ensure ESA's readiness for the turn of the century. GAO's program and project management model (awareness, assessment, renovation, validation, and implementation) was adopted for repairing and replacing the agency's mission critical systems.

All ESA mission critical systems were Year 2000 compliant within the timeframe specified by OMB. The Department's independent verification and validation vendor rated ESA systems low for experiencing potential Year 2000 related system failure based on their review of these systems. ESA successfully achieved Year 2000 compliance.

### **7.3 Management Controls and Systems**

The Department maintains a pro-active management system that is responsive to audit recommendations identified by the General Accounting Office (GAO) and the Department's Office of the Inspector General (OIG). The OFCO, DOL Agencies, the OIG and the GAO continue to jointly maintain a system for tracking audit recommendations to resolution and closure. This system provides source data from periodic reports to the Department's senior management on the status of corrective actions responsive to audit recommendations, and serves the Department well in maintaining a results-oriented approach to audit resolution. The Department's Management Control Policy Board, consisting of senior managers from each Agency of the Department, including the OIG, will continue to identify material weaknesses that need to be corrected and reported to the President and the Congress as prescribed in the Federal Managers' Financial Integrity Act.

None of the Department or ESA's programs are the subject of management weaknesses reported in the current GAO high risk audit series. This annual performance plan addresses ESA's handling of the Year 2000 Information Technology compliance issue, which was the subject of a government-wide GAO audit in its high risk series.

ESA ensures the adequacy of management controls by combining elements of internal systemic checks and centralized oversight. The Program offices conduct schedules of internal review which include systems of annual planning, management reports, case quality analyses, surveys, and formalized accountability reviews designed to ensure that programs are achieving planned results and to identify and rectify the causes of any failures. The focus of these activities also includes proper use of resources and prevention of waste, fraud and mismanagement. The results of the individual Program surveys and reviews are tracked by the Division of Financial Management with particular respect to the provisions of OMB Circular No. A-123, Management Accountability and Control. The objective is to ensure that the system of management controls is working effectively in each of the Programs to achieve the intended results – to protect resources from waste, fraud and mismanagement; to conform to laws and regulations; and to obtain information for decision-making.

### **7.4 Financial Management**

ESA will focus on obtaining a clean audit opinion in the Department's Annual Financial Statements Audit. This will ensure that ESA's financial systems are free from any material non-conformance with applicable laws, regulations or accounting policy and procedure standards. This will be accomplished by working collaboratively with the OCFO and the OIG to implement new standards and requirements, as well as a preventive strategy to correct both internal control problems and compliance issues with financial laws and regulations that may be identified in the audits. By correcting these problems as they are being identified in each annual audit, our financial management can be continually enhanced.

The Federal Financial Management Improvement Act (FFMIA) requires federal agencies to identify and report to Congress on weaknesses in their financial systems. In a prior Financial Statement audit, the OIG identified some compliance issues relating to ESA's financial systems. Two of ESA's systems (the Child Labor Civil Money Penalty System and the Backwage Collection and Disbursement System) were determined not to be in substantial compliance with FFMIA in that the systems did not process financial information effectively and efficiently and did not provide complete, timely, reliable and consistent information. ESA developed specific corrective action plans to bring these systems into compliance, and all specific actions were implemented in FY 2000. A management control process has been established within ESA to monitor internal control of corrective actions relating to the material and non-material weaknesses identified. In addition, ESA is enhancing the internal financial management system(s) review process within ESA by utilizing OMB, GAO, JFMIP and OIG financial guidance in the form of compliance review guides, checklists and specific audit recommendations. These steps will improve ESA's compliance with financial laws and regulations and enhance financial stewardship within ESA.

The Government Management Reform Act (GMRA) and the Government Performance and Results Act (GPRA) require the implementation of managerial cost accounting and performance reporting. ESA will work collaboratively with Departmental Offices to develop systems and management processes within ESA to more accurately track program costs against program activities.

## **7.5 Human Resources**

The Employment Standards Administration will continue to enhance the agency's enforcement and compliance assistance efforts by expanding initiatives in specified targeted industries, successfully implementing newly enacted legislation, and providing timely high quality services to the public. Efforts to consolidate regional and field offices, reduce levels of management, establish a better alignment of staff, and increase the proficiency and productivity of staff within available resources will continue.

In addition, the Division of Human Resources (DHRM) participates on the Departmental People Power Project in the development, design and implementation of further enhancements for a fully integrated on-line system in the budget, training and payroll functions. The system will incorporate the recruitment process, labor relations, health/safety, payroll, time and labor, benefits administrations, and succession and career planning. DHRM will participate in the planning and requirements sessions to provide input in the development of the future applications – how they should operate and how they can best serve the system's clients: the employees, and all the administrative communities that will utilize this Departmental system.

A key focus of ESA's human resource strategy is to support the major Program Offices as they work to achieve their Strategic, Outcome and Performance Goals. Technology and new systems enhance the capability of the Program Offices to more effectively serve American employers and



workers. DHRM has mounted a two-pronged effort to continually upgrade the skills of its Branch of Training and Development staff in the face of the movement of ESA's employees into a fast evolving, performance-centered, and often computer-based work world.

In the first instance, DHRM is equipping its staff with the skills and abilities to help meet the needs of ESA programs for computer based training (CBT), including CBT that can be delivered via the Intranet. The Division has already begun to equip staff with the substantial skills required in building computer-based learning sequences and had, in fact, delivered CBT products to both the Wage and Hour and OWCP to date. While the Division works to improve its knowledge of CBT programming and graphics design, it is recognized that the needs of the ESA program for this product far outweigh the available resources within DHRM. For this reason, DHRM is also working to develop skills in the oversight and administration of contracts to third part developers of CBT with the ultimate objective of having professional training staff possessing the full array of creative and administrative skills required to respond to operating program needs for CBT and performance support systems. These skills are formidable, will take several years to develop and continual effort to maintain.

In a second instance, DHRM is engaged in reorienting the general approach of the Training Division. The most frequent approach for an operating performance problem is training; however, DHRM staff is being trained to determine the source of operating problems and opportunities in client organizations and then to work in the job setting to select the best intervention(s). This may simply involve removing an obstacle or may be a matter of providing performance support that often does not include training. The professional skills associated with the sound application of performance technology to client operating problems require at least five years to develop to the desired levels.

## **8. Conclusion**

One of the primary aims of our strategic planning is to advance ESA's major program components toward achieving the Secretary of Labor's vision of an integrated Department, one in which DOL's agencies work together to achieve common goals that benefit and protect American workers and their families. With the development of new strategic and outcome goals and a review and evaluation of performance in FY 1999, ESA continues to improve program performance through a focus on the outcomes of our work. In addition, this plan describes ESA's role in several cross-cutting initiatives designed to capitalize on the commonalities and linkages between DOL's agencies.

ESA's Revised and Final FY 2001 Annual Performance Plan aligns budgeted resources with both the Department's and ESA's strategic and outcome goals and presents the programs, activities, and achievements that ESA will work to accomplish in FY 2001, the means by which its performance will be evaluated, and the standards to which it will be held accountable by the Department, the Congress and the American public.

## Appendix A Acronyms

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AA	Affirmative Action
AAP	Affirmative Action Plan
ACCESS	Architectural Barriers Compliance and Transportation Board
ADA	Americans with Disabilities Act
ADP	Automated Data Processing
ADR	Alternative Dispute Resolution
APP	Annual Performance Plan
AQS	Agency Query System
ASDS	Automated Survey Determination System
ASP	Assistant Secretary for Policy
BAT	Bureau of Apprenticeship and Training
BCDS	Backwage Collection and Disbursement System
BL	Black Lung
BLDTF	Black Lung Disability Trust Fund
BLS	Bureau of Labor Statistics
BTD	Branch of Training and Development
CARS	Computer Assisted Research System
CAS	Complaint Administration System
CBT	Computer Based Training
CCI	Correct Coding Initiative
CE	Claims Examiner
CFO	Chief Financial Officer
CFR	Code of Federal Regulations
CIPP	Critical Infrastructure Protection Plan
CMP	Civil Money Penalties
CMS	Case Management System
CNMI	Commonwealth of the Northern Mariana Islands
COBOL	Common Oriented Business Operating Language
COP	Continuation of Pay
CRA	Construction Resource Analysis
CRIS	Compliance Review Information System
CTIS	Case Tracking Information System
DBA	Davis-Bacon Act
DBMS	Database Management System
DFEC	Division of Federal Employees' Compensation
DHRM	Division of Human Resources Management
DLHWC	Division of Longshore and Harbor Workers' Compensation
DOD	Department of Defense
DOEd	Department of Education

## Acronyms

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DOI	Department of Interior
DOJ	Department of Justice
DOL	Department of Labor
DOLAR\$	Department of Labor Accounting and Related Systems
DOT	Department of Transportation
DSS	Decision Support Systems
ED	Education Department
EDI	Electronic Data Interchange
EEO	Equal Employment Opportunity
EEOC	Equal Employment Opportunity Commission
EFT	Electronic Fund Transfer
ELAWS	Employment Laws Assistance for Workers and Small Businesses
EO	Equal Opportunity
EPIC	Exemplary Public Interest Contribution
ES	Expert Systems
ESA	Employment Standards Administration
ETA	Employment and Training Administration
EVE	Exemplary Voluntary Effort
FASAB	Federal Accounting Standards Advisory Board
FBI	Federal Bureau of Investigation
FEC	Federal Employees' Compensation
FECA	Federal Employees' Compensation Act
FERS	Federal Employees Retirement System
FFMIA	Federal Financial Management Improvement Act
FLC	Foreign Labor Certification
FLSA	Fair Labor Standards Act
FMLA	Family and Medical Leave Act
FOIA	Freedom of Information Act
FTE	Full Time Equivalent
FY	Fiscal Year
GAO	General Accounting Office
GMRA	Government Management Reform Act
GPRA	Government Performance and Results Act
GSA	General Services Administration
GSS	General Support System
HCFA	Healthcare Financing Administration
HHS	Health and Human Services
HUD	Housing and Urban Development
IBT	International Brotherhood of Teamsters
I-CAP	International Compliance Audit Program
ILAB	Bureau of International Labor Affairs

## Acronyms

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ILGs	Industry Liaison Groups
INS	Immigration and Naturalization Service
IRS	Internal Revenue Service
IT	Information Technology
ITMRA	Information Technology Management Reform Act
IVR	Interactive Voice Response
JFMIP	Joint Financial Management Improvement Program
LAN	Local Area Network
LHWCA	Longshore and Harbor Workers' Compensation Act
LMRDA	Labor-Management Reporting and Disclosure Act
LS	Longshore
LULAC	League of United Latin American Citizens
MA	Major Application
MOU	Memorandum of Understanding
MQI	Medical Quality Index
MSAs	Metropolitan Statistical Areas
MSHA	Mine Safety and Health Administration
NAIC	Northern American Industry Classification
NCNW	National Council of Negro Women
NCS	National Compensation Survey
NO	National Office
NSOL	National Solicitor of Labor
OASAM	Office of the Assistant Secretary for Administration
OASIS	OWCP Automated System for Imaging Services
OCFO	Office of the Chief Financial Officer
OCIA	Office of Congressional and Intergovernmental Affairs
OEIS	Office of Executive Information Systems
OES	Occupational Employment Statistics
OFCCP	Office of Federal Contract Compliance Programs
OIG	Office of the Inspector General
OLMS	Office of Labor-Management Standards
OMB	Office of Management and Budget
OPA	Office of Public Affairs
OSBP	Office of Small Business Programs
OSC	Office of Special Counsel
OSEC	Office of the Secretary
OSHA	Occupational Safety and Health Administration
OWCP	Office of Workers' Compensation Programs
P&F	Program and Financing
PAR	Pre-award registry

## Acronyms

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PDD	Presidential Decision Directive
PKI	Private Key Infrastructure
PRM	Periodic Roll Management
PWBA	Pension and Welfare Benefits Administration
QCM	Quality Case Management
RAS	Remote Access Services
SBREFA	Small Business Regulatory Enforcement Fairness Act
S&E	Salaries and Expenses
SCA	Service Contract Acct
SIC	Standard Industrial Classification
SOL	Solicitor of Labor
SSA	Social Security Administration
TBD	To Be Determined
TEA 21	Transportation Equity Act for the 21 <sup>st</sup> Century
TECS	Technology for Excellent Customer Services
TEROs	Tribal Employment Rights Offices
USDA	United States Department of Agriculture
VETS	Veterans Employment and Training Service
VEVRAA	Vietnam Era Veterans Readjustment Assistance Act
WAN	Wide Area Network
WD-10	Report of Construction Contractors Wage Rates
WHD	Wage and Hour Division
WHISARD	Wage Hour Investigator Support and Reporting Database
WHMIS	Wage Hour Management Information System
Y2K	Year 2000