

United States Department of Labor

EMPLOYMENT
STANDARDS
ADMINISTRATION

Revised Final
FY 2002 Annual Performance Plan

December 31, 2001

Table of Contents

	Page
1. <u>Introduction.....</u>	<u>1</u>
2. <u>Overview of the ESA Strategic Plan.....</u>	<u>1</u>
<u>2.1 Mission.....</u>	<u>3</u>
<u>2.2 Vision.....</u>	<u>4</u>
<u>2.3 ESA Strategic and Performance Goals.....</u>	<u>4</u>
<u>2.4 ESA Organization.....</u>	<u>6</u>
3. <u>Strategic Goals and the FY 2002 Budget.....</u>	<u>7</u>
<u>3.1 DOL Strategic Goal – A Secure Workforce.....</u>	<u>7</u>
<u>3.2 DOL Strategic Goal – Quality Workplaces.....</u>	<u>7</u>
4. <u>FY 2002 Performance Goals and Indicators.....</u>	<u>8</u>
<u>4.1 ESA Budgeted Resources by DOL Strategic Goal.....</u>	<u>9</u>
<u>4.2 Summary of ESA Performance Goals.....</u>	<u>10</u>
<u>4.3 Performance Goals with Alignments to DOL and ESA.....</u>	<u>15</u>
5. <u>Performance Measurement.....</u>	<u>54</u>
<u>5.1 Current Program Information Systems.....</u>	<u>54</u>
<u>5.2 Data Challenges.....</u>	<u>55</u>
<u>5.3 Linking Costs to Performance.....</u>	<u>57</u>
6. <u>Cross-Cutting Programs and Issues.....</u>	<u>57</u>
7. <u>Maintaining a Strategic Management Focus.....</u>	<u>60</u>
<u>7.1 Information Technology.....</u>	<u>60</u>
<u>7.2 Management Control and Systems.....</u>	<u>61</u>
<u>7.3 Financial Management.....</u>	<u>62</u>
<u>7.4 Human Resources.....</u>	<u>63</u>
<u>7.5 E-Government Services.....</u>	<u>64</u>
8. <u>Conclusion.....</u>	<u>65</u>
<u>Appendix A: Acronyms.....</u>	<u>A-1</u>

1. Introduction

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

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 2002 Annual Performance Plan.

ESA's Strategic Goals are to:

EMPLOYMENT STANDARDS ADMINISTRATION

Strategic Goals

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 prepare and protect America's workers for the challenges of the 21st Century. 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 goals in ESA's Annual Performance Plan support both the Departmental strategic and outcome goals and ESA strategic goals. The Departmental Strategic and Outcome Goals are:

U.S. DOL STRATEGIC AND OUTCOME GOALS

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 and non-discrimination standards for women, minorities, Vietnam era veterans, and persons with disabilities employed by the more than 200,000 contractors that participate in the Federal procurement process.

The **Office of Workers' Compensation Programs** mitigates the financial burden on certain workers, or their dependents or survivors, resulting from work-related injury, disease, or death, through the provision of wage replacement and cash benefits, medical treatment, vocational rehabilitation, and other benefits. The Federal Employees' Compensation Act (FECA) program provides income and medical cost protection and return-to-work services to civilian employees of the Federal Government injured at work, and to certain other designated groups. The Longshore and Harbor Workers' Compensation Act (LHWCA) program provides similar protection to private sector workers engaged in certain maritime and related employment. The Energy Employees Occupational Illness Compensation Program Act (EEOICPA) provides compensation and medical benefits to disabled nuclear weapons employees or their survivors. 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 encourage voluntary compliance, to assure equitable and fair workplaces, and to increase the effectiveness of our enforcement and outreach efforts. 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 Performance Goals

To support the Department's Strategic and Outcome goals and the Secretary's priorities for the 21st Century workforce, ESA established two broad strategic goals that encompass all of ESA's program responsibilities. Each of the strategic goals is supported by performance goals to guide the development of programs and activities for the Agency. Through the Departmental strategic and outcome goals and ESA's strategic and performance 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 performance goals demonstrate a unified purpose and direction for all of the programs within ESA.

**EMPLOYMENT STANDARDS ADMINISTRATION
STRATEGIC GOALS**

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.*

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

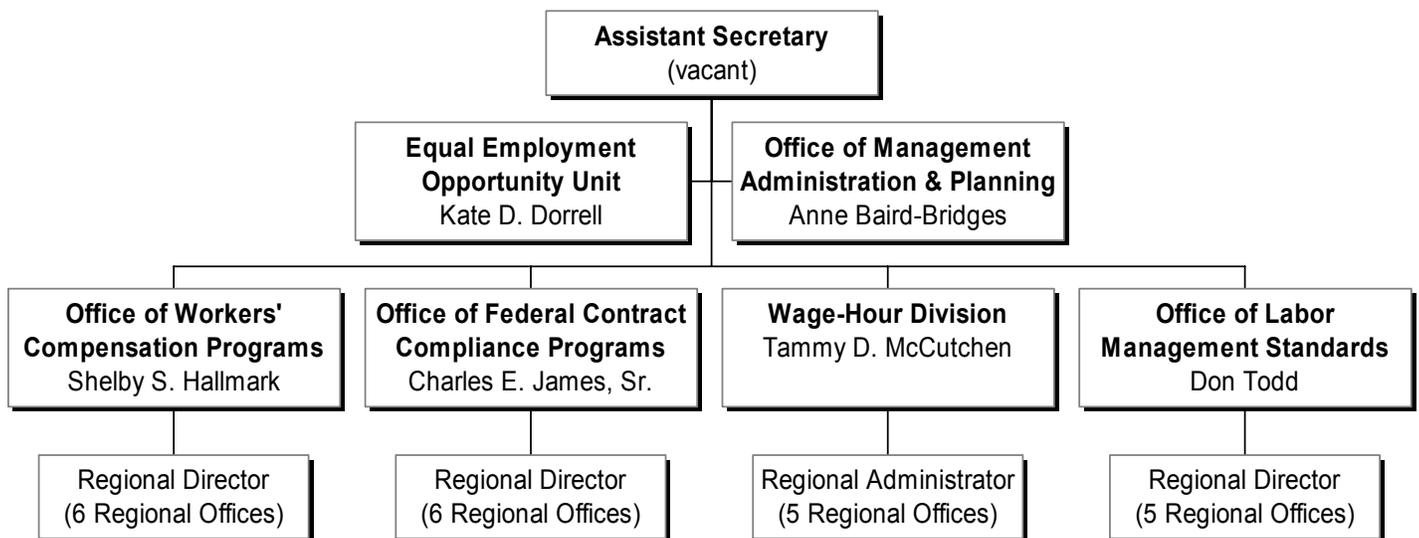
Associated with each of the above goals are specific programs designed to implement key Departmental and ESA priorities including: compliance with labor standards laws and regulations and union integrity standards; the provision of timely benefits for covered miners, longshore workers, employees at nuclear weapons production or testing facilities, 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 increasing compliance of Federal contractors and subcontractors with the 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, Director, 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 2002 Budget

The FY 2002 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 2002 in advancing these 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 is both promoted and enforced by the Wage and Hour Division. The financial integrity of four 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.

\$498.4 million¹ is budgeted for administrative expenses for the promotion of the economic security of workers and families in FY 2002. That figure represents the total of \$326.0 million in salaries and expenses, which includes \$36.7 million from Fair Share funds in the FECA Special Benefits Account and \$135.7 million in administrative expenses for the Energy Employees Occupational Illness Compensation Program.

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 2002 budget contains \$80.4 million this goal.

¹ Includes Program Direction and Support overhead.

4. FY 2002 Performance Goals and Indicators

This section presents several items of information focused on the FY 2002 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 Goals.

Each of the FY 2002 Performance Goals and indicators is presented in tables by ESA Strategic Goal with the alignment to the DOL goals. Each cluster of Performance Goals is followed by the *means and strategies* that will be used by ESA in achieving the goals. Means and strategies for sustained (continuing) efforts are identified; no new initiatives are included for FY 2002.

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 Performance Goal – The specific targets relative to the DOL and ESA outcome goals, which will be accomplished in FY 2002. The FY 1999 - FY 2001 targets are included.

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

FY 1999 - FY 2001 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**

Total Budgeted Amount for this Goal in ESA²

FY 1999 - \$297.1 million

FY 2000 - \$314.1 million

FY 2001 - \$318.4 million³

FY 2002 - \$326.0 million⁴

DOL STRATEGIC GOAL 3

QUALITY WORKPLACES

Foster quality workplaces that are safe, healthy, and fair

Foster equal opportunity workplaces

Total Budgeted Amount for this Goal in ESA²

FY 1999 - \$67.9 million

FY 2000 - \$76.3 million

FY 2001 - \$79.1 million

FY 2002 - \$80.4 million

² Includes Program Direction and Support overhead.

³ Includes \$50.3 million in administrative expenses for the Energy Employees Occupational Illness Program.

⁴ Includes \$136.0 million in administrative expenses for the Energy Employees Occupational Illness Program.

4.2 Summary of ESA Performance Goals

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 FY 2002 Performance Goals

1.1A
(p. 15)

Covered American workplaces legally, fairly, and safely employ and compensate their workers as indicated by:

1. Reducing employer violation recidivism. In FY 2002, establish baselines for:
 - a. Percentage of reinvestigations without violations.
 - b. Percentage of reinvestigations with any violation.
 - c. Percentage of reinvestigations with identical violations.
2. Increasing compliance in industries with chronic violations.
 - a. As indicated in the garment manufacturing industry by:

FY 2002 Indicators	Baseline	Target
Increase by 2 percentage points the number of manufacturers that monitor their contractor shops for compliance in Southern California.	41%	43%
Increase by 2 percent the average number of monitoring components used by manufacturers in monitoring their contractors for compliance in Southern California.	5.5 (of a total of 7)	5.6
Increase by 2 percentage points the percentage of contractors in Southern California that pay all employees on the payroll.	63%	65%
Increase by 4 percentage points the level of compliance of new contractors in New York City through compliance education.	51%	55%
Increase by 2 percentage points the percentage of contractors in New York City that pay all employees on the payroll.	52%	54%

A Summary of ESA Strategic Goal 1 Continued

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 FY 2002 Performance Goals

**1.1A
Cont.**

b. as indicated in the garment manufacturing industry by:

FY 2002 Indicators	Baseline	Target
Increase by 6,000 the number of employees of multi-establishment nursing home corporations impacted by corporate proactive steps such as training and self-audit.	48,000	54,000
Increase by 5 percent the number of employers (nursing homes) that were provided compliance assistance information through seminars and other outreach efforts.	2,437	2,559
Establish a baseline of the number of employers in compliance with the recordkeeping requirements of the Fair Labor Standards Act.	TBD	TBD

c. as indicated in agricultural commodities by:

In FY 2002, establish baselines of compliance with the Migrant and Season Agricultural Worker Protection Act (MSPA) provisions of disclosure, wages, housing and transportation and with the child labor provisions of the Fair Labor Standards Act relative to selected agricultural commodities in various locations in the U.S.

**1.1B
(p. 22)**

Union financial integrity and democracy and the transparency of union operations are safeguarded, as indicated by:

1. Improvement in the timely filing of union annual financial reports that contain information sufficient for public disclosure. In FY 2002, initiate a new electronic forms application and electronic submission process and establish a baseline for timely filing under the new process.
2. Extending Labor-Management Reporting and Disclosure Act (LMRDA) protections for union financial integrity to a greater number of labor organizations through the more effective use of investigative resources. In FY 2002, establish a baseline of the percentage of investigative resources applied to criminal investigations that result in convictions.

A Summary of ESA Strategic Goal 1 Continued

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 FY 2002 Performance Goals

<p>1.1C (p.26)</p>	<p>Minimize the human, social, and financial impact of work-related injuries for workers and their families. In FY 2002:</p> <ol style="list-style-type: none"> 1. Decrease by 2% from the FY 2001 baseline the average number of production days lost due to disability in the FECA program for <ul style="list-style-type: none"> ▪ United States Postal Service (USPS) cases ▪ All other Government cases. 2. Reduce by 2% over the baseline the average time required to resolve disputed issues in Longshore and Harbor Worker’s Compensation Program contested cases. 3. Increase by 2% over the FY 2001 established baseline the percentage of 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. 4. For Initial Processing of claims for benefits in the Energy Program: <ul style="list-style-type: none"> ▪ 75% of claims of Department of Energy (DOE) employees, or of contractors employed at DOE facilities, are processed within 120 days. ▪ 75% of claims of employees of Atomic Weapons Employers (AME) and Beryllium Vendors are processed within 180 days. 5. For processing of Requests for Hearings in the Energy Program: <ul style="list-style-type: none"> ▪ 75% of Final Decisions in Approved Claims or No-Contest Denials are issued within 75 days from issuance of the Recommended Decision. ▪ 75% of Final Decisions in Reviews of the Written Record are issued within 75 days of the Request for Review of Written Record. ▪ 75% of Final Decisions in Formal Hearings are issued within 250 days of the Request for Hearing. 6. Through use of Periodic Roll Management, produce \$122 million in cumulative first-year savings (FY 1999 -2002) in the FECA program. 7. Reduce the overall average medical service costs per case (adjusted for inflation) in the FECA program by .5% versus the FY 2000 baseline.
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A Summary of ESA Strategic Goal 1 Continued

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 FY 2002 Performance Goals

<p>1.1D (p.36)</p>	<p>Federal contractors achieve equal opportunity workplaces as indicated by:</p> <ol style="list-style-type: none"> 1. 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 2002, contractors in SIC Group 50 and SIC Group 87 that participate in specified ESA/OFCCP compliance assistance activities and are subsequently evaluated will have: <ul style="list-style-type: none"> • Better EEO performance in selection system evaluations as indicated by less severe Case Management Systems (CMS) closure types than contractors in SIC Groups 50 and 87 that did not participate in specified ESA/OFCCP compliance assistance activities. In FY 2002, ESA/OFCCP will improve by 1 percent the rate of compliance findings over the baseline for SIC 50 and SIC 87. • Better EEO performance in selection system evaluations as indicated by less severe violations or deficiencies than contractors in SIC Groups 50 and 87 that did not participate in specified DOL/OFCCP compliance assistance activities. In FY 2002, ESA/OFCCP will reduce by 1 percent the rate of findings of severe violations from the baseline for SIC 50 and SIC 87. • Better EEO performance in selection system evaluations as indicated by evaluation type than contractors in SIC Groups 50 and 87 that did not participate in specified DOL/OFCCP compliance assistance activities. In FY 2002, ESA/OFCCP will increase by 1 percent the rate of focused and offsite compliance evaluation types over the baseline for SIC 50 and SIC 87. 2. Improving the equal employment opportunity performance of federal contractors and subcontractors that have had prior contact with DOL/OFCCP through evaluations, outreach, or technical assistance. In FY 2002, contractors and subcontractors that are selected for evaluation, outreach, or compliance assistance activities will have: <ul style="list-style-type: none"> • Better EEO performance in selection system evaluations as indicated by less severe CMS closure types than contractors that did not have prior contact with DOL/OFCCP. In FY 2002 DOL/OFCCP will improve by 1 percent the rate of compliance findings over the baseline for all supply and service closures. • Better EEO performance in selection system evaluations as indicated by less severe violations or deficiencies than contractors that did not have prior contact with DOL/OFCCP. In FY 2002 DOL/OFCCP will reduce by 1 percent the rate of findings of severe violations from the baseline. • Better EEO performance in selection system evaluations as indicated by evaluation type than contractors that did not have prior contact with DOL/OFCCP. In FY 2002 DOL/OFCCP will increase by 1 percent the rate of focused and offsite compliance evaluation types over the baseline.
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A Summary of ESA Strategic Goal 2

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

ESA FY 2002 Performance Goals

2.1A (p. 41)	ESA will assure the integrity and responsible stewardship of its financial management systems, meeting all fund control requirements and using generally accepted internal control management practices, and will achieve the fullest utilization possible of authorized FTE.
2.1B (p. 44)	In FY 2002, ESA will obligate no less than 99% of FY 2002 budget authority for administrative expenses while not exceeding the amount allocated for any activity. FTE utilization for ESA will be at least 97% of FTE ceiling with no single ESA activity exceeding their FTE ceiling by more than 2%.
2.1C (p. 47)	Develop modifications to the ESA IT infrastructure/architecture in support of upcoming E-Government and mission-related applications and services; begin modernization of ESA's office automation capabilities leveraging commercial off-the-shelf (COTS) software in conformance with the Department's IT architecture; continue centralization, expansion and life-cycle replacement of ESA's IT infrastructure.
2.1D (p. 50)	Continue implementation of mitigation action plan and identify and put in place additional security controls as required by Federal laws, regulations and guidelines or identified during audits or reviews; continue implementation of ESA Computer Security Awareness and Training (CSAT) Program; review and enhance ESA's infrastructure and related tools to ensure ESA's IT environment is secure, including continued development of ESA's alternate ("warm/hot") site and revision of the ESA IT Contingency/Disaster Recovery Plan. Begin first phase of reviews/revisions of system security plans and risk-based assessments of Major Applications and the General Support System.
2.1D (p. 50)	ESA's Division of Human Resource Management (DHRM) provides effective personnel management systems support to all ESA programs, including direct support for the implementation of ESA's Workforce Planning and Restructuring Plan, as indicated by: In FY 2002, create and disseminate on a nationwide basis, prototype rating/evaluation factors and KSAs (knowledges, skills and abilities) for entry level up to the full performance level of the major occupational position of OFCCP, the GS-360 Equal Opportunity Specialist.

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 Performance Goal 1.1A

Covered American workplaces legally, fairly, and safely employ and compensate their workers

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. 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.

The FY 2002 indicators for Performance Goal 1.1A follow.

DOL Strategic Goal 2:	A Secure Workforce – Promote the economic security of workers and families																		
DOL Outcome Goal 2.1:	Increase Compliance with Worker Protection Laws																		
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 Performance Goal 1.1A <i>(DOL Strategic Plan PG 2.1A)</i>	<p>FY 2002: Covered American workplaces legally, fairly, and safely employ and compensate their workers as indicated by:</p> <ol style="list-style-type: none"> 1. Reducing employer violation recidivism. In FY 2002, establish baselines for: <ol style="list-style-type: none"> a. percentage of reinvestigations without violations. b. percentage of reinvestigations with any violation. c. percentage of reinvestigations with identical violations. 2. Increasing compliance in industries with chronic violations. <ol style="list-style-type: none"> a. as indicated in the garment manufacturing industry by: <table border="1" style="margin-left: 40px;"> <thead> <tr> <th style="text-align: center;">FY 2002 Indicators</th> <th style="text-align: center;">Baseline</th> <th style="text-align: center;">Target</th> </tr> </thead> <tbody> <tr> <td>Increase by 2 percentage points the number of manufacturers that monitor their contractor shops for compliance in Southern California.</td> <td style="text-align: center;">41%</td> <td style="text-align: center;">43%</td> </tr> <tr> <td>Increase by 2 percent the average number of monitoring components used by manufacturers in monitoring their contractors for compliance in Southern California.</td> <td style="text-align: center;">5.5 (of a total of 7)</td> <td style="text-align: center;">5.6</td> </tr> <tr> <td>Increase by 2 percentage points the percentage of contractors in Southern California that pay all employees on the payroll.</td> <td style="text-align: center;">63%</td> <td style="text-align: center;">65%</td> </tr> <tr> <td>Increase by 4 percentage points the level of compliance of new contractors in New York City through compliance education.</td> <td style="text-align: center;">51%</td> <td style="text-align: center;">55%</td> </tr> <tr> <td>Increase by 2 percentage points the percentage of contractors in New York City that pay all employees on the payroll.</td> <td style="text-align: center;">52%</td> <td style="text-align: center;">54%</td> </tr> </tbody> </table> 	FY 2002 Indicators	Baseline	Target	Increase by 2 percentage points the number of manufacturers that monitor their contractor shops for compliance in Southern California.	41%	43%	Increase by 2 percent the average number of monitoring components used by manufacturers in monitoring their contractors for compliance in Southern California.	5.5 (of a total of 7)	5.6	Increase by 2 percentage points the percentage of contractors in Southern California that pay all employees on the payroll.	63%	65%	Increase by 4 percentage points the level of compliance of new contractors in New York City through compliance education.	51%	55%	Increase by 2 percentage points the percentage of contractors in New York City that pay all employees on the payroll.	52%	54%
FY 2002 Indicators	Baseline	Target																	
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Increase by 4 percentage points the level of compliance of new contractors in New York City through compliance education.	51%	55%																	
Increase by 2 percentage points the percentage of contractors in New York City that pay all employees on the payroll.	52%	54%																	

	<p>b. as indicated in the long-term health care industry by:</p> <table border="1" data-bbox="581 237 1386 772"> <thead> <tr> <th data-bbox="581 237 1107 275">FY 2002 Indicators</th> <th data-bbox="1107 237 1240 275">Baseline</th> <th data-bbox="1240 237 1386 275">Target</th> </tr> </thead> <tbody> <tr> <td data-bbox="581 275 1107 478">Increase by 6,000 the number of employees of multi-establishment nursing home corporations impacted by corporate proactive steps such as training and self-audit.</td> <td data-bbox="1107 275 1240 478">8,000</td> <td data-bbox="1240 275 1386 478">54,000</td> </tr> <tr> <td data-bbox="581 478 1107 625">Increase by 5 percent the number of employers (nursing homes) that were provided compliance assistance information through seminars and other outreach efforts.</td> <td data-bbox="1107 478 1240 625">2,437</td> <td data-bbox="1240 478 1386 625">2,559</td> </tr> <tr> <td data-bbox="581 625 1107 772">Establish a baseline of the number of employers in compliance with the recordkeeping requirements of the Fair Labor Standards Act.</td> <td data-bbox="1107 625 1240 772">TBD</td> <td data-bbox="1240 625 1386 772">TBD</td> </tr> </tbody> </table> <p>c. as indicated in agricultural commodities by:</p> <p>In FY 2002, establish baselines of compliance with the Migrant and Season Agricultural Worker Protection Act (MSPA) provisions of disclosure, wages, housing and transportation and with the child labor provisions of the Fair Labor Standards Act relative to selected agricultural commodities in various locations in the U.S.</p> <p>FY 1999-2001: N/A</p> <p><i>Supporting Budget Activity</i></p> <p><i>Wage and Hour Division : P&F Schedule Activity #1</i> <i>Program Direction and Support: P&F Schedule Activity #4</i></p>	FY 2002 Indicators	Baseline	Target	Increase by 6,000 the number of employees of multi-establishment nursing home corporations impacted by corporate proactive steps such as training and self-audit.	8,000	54,000	Increase by 5 percent the number of employers (nursing homes) that were provided compliance assistance information through seminars and other outreach efforts.	2,437	2,559	Establish a baseline of the number of employers in compliance with the recordkeeping requirements of the Fair Labor Standards Act.	TBD	TBD
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Performance Results	FY 1999 – FY 2001: N/A.												
Indicator	<p>FY 2002:</p> <ol style="list-style-type: none"> 1. Percentage of investigations without violations; percentage of reinvestigations with repeat violations; and percentage of reinvestigations with recurring violations. 2a. Trends in the percent of garment manufacturers that monitor their contractor shops for compliance. 2b. Trends in the number of multi-establishment health care corporations that take proactive steps to promote and achieve corporate-wide compliance. 2c. Baseline of compliance with certain MSPA provisions (i.e., disclosure, wages, housing and transportation) and with the child labor provisions of the FLSA relative to selected agricultural commodities in various locations in the U.S. <p>FY 1999 – FY 2001: N/A.</p>												

Data Source	<p>FY 2002:</p> <ol style="list-style-type: none"> 1. Wage and Hour Investigator Support and Reporting Database (WHISARD) for FY 2002. 2. Wage and Hour Investigator Support and Reporting Database (WHISARD) data for garment manufacturer investigations; WHD significant activity reports on health care activities; WHISARD data and regional logs on agricultural activities; statistically-valid investigation-based compliance surveys in defined industries. <p>FY 1999 – FY 2001: N/A.</p>
Baseline	<p>FY 2002:</p> <ol style="list-style-type: none"> 1. Baselines to be determined by the end of FY 2002. 2a. 1. 41%. 2a. 2. 5.5 (of a total of 7). 2a. 3. 63%. 2a. 4. 51%. 2a. 5. 52%. 2b. 1. 48,000 employees. 2b. 2. 2,437 employers. 2b. 3. Baselines to be determined by the end of FY 2002. 2c. Baselines to be determined by the end of FY 2002. <p>FY 1999 – FY 2001: N/A.</p>
Comment	<p>Consistent with the Secretary’s goal to ensure that American workers receive a fair day’s wages for a fair day’s work, ESA has developed two distinct but related goals to help ensure that workers are paid and employed in compliance with the minimum wage, overtime, and child labor requirements of the Fair Labor Standards Act and the wage and working conditions requirements of the Migrant and Seasonal Agricultural Worker Protection Act. The goals are (1) to reduce employer recidivism, and (2) to increase compliance in industries with chronic violations. Both goals recognize that the key to ensuring workers’ rights is to focus efforts on the industries and employers with the most persistent and serious violations. A brief discussion of each of the two goals follows.</p> <ol style="list-style-type: none"> 1. This new performance goal, which encompasses a previous industry-specific goal relating to compliance of prior violators, allows the agency to develop strategies and measure compliance among prior violators in a broader and more complete way. Unlike the earlier goal, the agency will be measuring recidivism rates across all industries, not just the identified low-wage industries, and in both complaint and directed cases. This goal also accounts for the agency’s core work (70% of the agency’s enforcement resources are used to respond to complaints of noncompliance). ESA is determining baselines in FY 2002. FY 2005 targets will be established after the baselines are known.

2. This new performance goal revises a previous agency goal relating to identified low-wage industries, and incorporates indicators of the number of employees paid or employed in compliance as well as the number of employers in compliance. The previous binary employer-based compliance measure did not distinguish, for example, between an employer who had one employee or 100 employees employed in violation or between violations that occur in a single period versus those that were ongoing or pervasive. For each of the low-wage industries, the agency has developed, based on its experience over the last several years, shorter-term objectives (intermediate outcome indicators) or problems to work on that over time will improve compliance for the entire industry. It is anticipated that each year the shorter-term objectives will change so as to allow the agency to work on several different problems in the intervening years before the next industry-wide measurement is made. ESA's long range goal is that by FY 2005, 70 percent of workers in garment manufacturing will be paid in compliance with the minimum wage and overtime requirements, and by FY 2005, 90 percent of workers in the long-term health care industry will be paid in compliance with the minimum wage, overtime and child labor requirements. In agricultural commodities, ESA's long range goal is that by FY 2005, 85 percent of covered workers in agriculture will be employed and paid in compliance with the wage provisions of the applicable statutes and the child labor provisions of the Fair Labor Standards Act, and 75 percent of agricultural employers will be in compliance with the wage and non-wage provisions of the applicable statutes.

These long-range goals address difficult and long-standing problems, and will not be resolved quickly or easily. ESA has established goals for FY 2002 that represent key steps to improving compliance. ESA's FY 2002 goals were developed based on empirical evidence and experience in these industries, but ESA recognizes that there are economic and other forces beyond its control that may impact its ability to meet its long-range goals. ESA will track progress with an eye towards these extrinsic factors and will make adjustments to its long and short-range targets and strategies as appropriate.

ESA Means and Strategies:

Operating Program: Wage and Hour Division

Sustained Efforts in FY 2002:

- ESA/WHD will continue initiatives to promote compliance with labor standards by:
 - building partnerships with other governmental, non-governmental, faith-based and business organizations to promote compliance;
 - continuing to make more effective and sustained interventions, including education and outreach efforts, and better detection of violations; and,
 - pursuing more timely litigation and prosecution of the more egregious violators. (1.1A1, 1.1A2)
- ESA/WHD will continue the operational development of the Technology for Excellent Customer Service (TECS) systems that will provide nationwide toll-free access to:
 - promptly identify and refer calls unrelated to ESA/WHD activities to the appropriate agency;
 - answer commonly asked questions quickly and accurately; and ,
 - eventually accept employee complaints alleging violations and refer them electronically to the proper field office. (1.1A1, 1.1A2)

Significant New or Enhanced Efforts in FY 2002:

- ESA will implement a revised comprehensive compliance education program, including technology-based compliance assistance. (1.1A1, 1.1A2)
- ESA will provide compliance assistance on all applicable statutes administered by ESA/WHD during the conduct of an investigation; secure agreements for future compliance and specific commitments for future compliance following an ESA/WHD intervention; and obtain commitments for corporate-wide compliance by multi-establishment employers through formal and informal agreements following a history of ESA/WHD interventions. (1.1A1, 1.1A2)
- ESA will assess penalties, pursue litigation and prosecution, and publicize the consequences of non-compliant behavior as may be appropriate for willful and repeat violators. (1.1A1, 1.1A2)

- ESA will provide ongoing training to ESA/WHD investigative staff and conduct reviews according to established accountability measures to ensure that proper policies and procedures are followed during initial ESA/WHD interventions. (1.1A1, 1.1A2)
- ESA will communicate to ESA/WHD investigative staff the relative impact of the five intervention tools. (1.1A1)

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 Performance Goal 1.1B

Union financial integrity and democracy and the transparency of union operations are safeguarded.

ESA safeguards union financial integrity and democracy, and the transparency of union operations in administering its responsibilities under the Labor-Management Reporting and Disclosure Act (LMRDA). 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. 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 FY 2002 indicators for Performance Goal 1.1B follow.

DOL Strategic Goal 2:	A Secure Workforce – Promote the economic security of workers and families
DOL Outcome Goal 2.1:	Increase Compliance with Worker Protection Laws
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 Performance Goal 1.1B <i>(DOL Strategic Plan, PG 2.1B)</i> <i>Supporting Budget Activity</i>	FY 2002: Union financial integrity and democracy and the transparency of union operations are safeguarded, as indicated by: <ol style="list-style-type: none"> 1. Improvement in the timely filing of union annual financial reports that contain information sufficient for public disclosure. In FY 2002, initiate a new electronic forms application and electronic submission process and establish a baseline for timely filing under the new process. 2. Extending Labor-Management Reporting and Disclosure Act (LMRDA) protections for union financial integrity to a greater number of labor organizations through the more effective use of investigative resources. In FY 2002, establish a baseline of the percentage of investigative resources applied to criminal investigations that result in convictions. FY 1999 - FY 2001: N/A. <i>Office of Labor-Management Standards: P&F Schedule Activity #5</i> <i>Program Direction and Support: P&F Schedule Activity #4</i>
Performance Results	FY 1999 - FY 2001: N/A.
Indicator	<ol style="list-style-type: none"> 1. Percentage of financial reports timely filed for public disclosure availability. 2. Percentage of investigative resources applied to criminal investigations that result in convictions. FY 1999 - FY 2001: N/A.
Data Source	<ol style="list-style-type: none"> 1. Labor Organization Reporting System. 2. OLMS Case Data System. FY 1999 - FY 2001: N/A.
Baseline	<ol style="list-style-type: none"> 1. Timely filing of annual financial reports required of unions with annual receipts over \$200,000: 79% in FY 1997. 2. To be established.

<p>Comment</p>	<ol style="list-style-type: none"> 1. Union financial reports must meet certain standards of acceptability before they may be filed for public disclosure access. The new electronic forms and electronic submission system to be implemented in FY 2002 will improve the timeliness, sufficiency, and accuracy of filed reports that enable union members and the public to better monitor union financial activity. The new process, in combination with a continuing program of compliance assistance and liaison, is expected to raise the percent of timely and accurate filings to over 90% by FY 2005. 2. This indicator is a measure of the effectiveness of ESA's use of investigative resources. By allocating criminal investigative time to cases with the most prosecutive potential and, where appropriate, redirecting criminal investigative resources to union compliance audits, ESA seeks to maximize its impact in extending LMRDA financial safeguards for union financial integrity to the regulated community.
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ESA Means and Strategies:

Operating Program: Office of Labor-Management Standards

Sustained Efforts in FY 2002:

- ESA will investigate complaints concerning union officer elections, supervise remedial union officer elections, and conduct audits and civil and criminal investigations to enforce the LMRDA standards for union democracy and financial integrity. ESA will secure reports required from unions and others under the LMRDA and make them available for public disclosure, including public disclosure access via the Internet to a searchable database of information from union financial reports. ESA will continue to perform all statutory responsibilities to ensure union democracy and to strive for quality and efficiency in these mission-critical endeavors. (1.1B)
- ESA will focus case targeting and management to promote effective use of investigative resources. ESA will allocate criminal investigative time to cases with the most prosecutive potential and, where appropriate, redirect criminal investigative resources to union compliance audits. ESA will increase the number of compliance audits that are conducted to discover and correct violations of LMRDA fiduciary safeguards. Beginning in FY 2003, at least 1% of labor organizations subject to the LMRDA will be audited each fiscal year. (1.1B)
- ESA will continue to offer and conduct compliance assistance seminars throughout the country to explain the requirements of the Labor-Management Reporting and Disclosure Act (LMRDA). These seminars cover topics such as union reporting and recordkeeping, financial safeguards for union funds, elections of union officers, and training for union trustees on conducting audits in small unions. These seminars may be sponsored by labor unions, labor education programs, or other groups to provide training for their representatives or may be ESA-sponsored and attended by any interested union officers and members. ESA will continue to advertise upcoming compliance assistance seminars on its website and to extend to interested organizations the opportunity to sponsor seminars in the future. (1.1B)
- 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 2002 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. ESA will also continue distribution of a publication and program to advise new unions and new officers about their responsibilities under the LMRDA. (1.1B)

- ESA will modify its agency-developed union trustee guide and workshop materials for distribution to international unions and universities for their use in providing training for union officials in auditing techniques and sound financial practices. (1.1B)

Significant New or Enhanced Efforts in FY 2002:

- ESA will implement an electronic reporting format for labor organization annual report forms LM-2, LM-3, and LM-4 and will initiate a system for their public disclosure via the Internet. (1.1B)
- ESA will enhance a computerized desk audit system implemented in FY 1999 to review the completeness and accuracy of filed union annual financial reports. The enhancement will enable agency staff to readily identify the most seriously deficient reports for computerized desk audit and corrective action. (1.1B)
- ESA will initiate efforts to incorporate in the Internet-based public disclosure system, union trusteeship reports and reports filed by employers, consultants, union officers and employees, and surety companies under the LMRDA. (1.1B)
- ESA will modify its agency-developed union trustee guide and workshop materials for distribution to international unions and universities for their use in providing training for union officials in auditing techniques and sound financial practices. (1.1B)

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 Performance Goal 1.1C

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

ESA's Office of Workers' Compensation Programs (OWCP) administers four primary disability compensation programs that provide benefits to certain workers who experience work-related injury or disease, and survivors of employees who die from job-related injury or disease. OWCP places strategic emphasis on prompt adjudication and payment of benefits; improved customer service; active claims management aimed at reducing lost time due to disability and return to work as soon as practicable; and responsible stewardship of managed public trust funds.

OWCP is dedicated to maximizing these performance outcomes through a strengthened customer support and services program. This strategy includes upgrade of OWCP's telecommunications platform, central coordination of customer service policy and goals, establishment of a Customer Bill of Rights, and continuous measurement of access, responsiveness, courtesy, and customer service requirements.

The FY 2002 indicators for Performance Goal 1.1C follow.

DOL Strategic Goal 2:	A Secure Workforce – Promote the economic security of workers and families
DOL Outcome Goal 2.2:	Protect Worker Benefits
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 Performance Goal 1.1C <i>(DOL Strategic Plan PG 2.2D)</i>	<p>FY 2002: Minimize the human, social, and financial impact of work-related injuries for workers and their families. In FY 2002:</p> <ol style="list-style-type: none"> 1. Decrease by 2% from the FY 2001 baseline the average number of production days lost due to disability in the FECA program for <ul style="list-style-type: none"> ▪ United States Postal Service (USPS) cases ▪ All other Government cases. 2. Reduce by 2% over the baseline the average time required to resolve disputed issues in Longshore and Harbor Worker’s Compensation Program contested cases. 3. Increase by 2% over the FY 2001 established baseline the percentage of 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. 4. For Initial Processing of claims for benefits in the Energy Program: <ul style="list-style-type: none"> ▪ 75% of claims of Department of Energy (DOE) employees, or of contractors employed at DOE facilities, are processed within 120 days. ▪ 75% of claims of employees of Atomic Weapons Employers (AME) and Beryllium Vendors are processed within 180 days. 5. For processing of Requests for Hearings in the Energy Program: <ul style="list-style-type: none"> ▪ 75% of Final Decisions in Approved Claims or No-Contest Denials are issued within 75 days from issuance of the Recommended Decision. ▪ 75% of Final Decisions in Reviews of the Written Record are issued within 75 days of the Request for Review of Written Record. ▪ 75% of Final Decisions in Formal Hearings are issued within 250 days of the Request for Hearing. 6. Through use of Periodic Roll Management, produce \$122 million in cumulative first-year savings (FY 1999 -2002) in the FECA program. 7. Reduce the overall average medical service costs per case (adjusted for inflation) in the FECA program by .5% versus the FY 2000 baseline. <p>FY 1999:</p> <ol style="list-style-type: none"> 1. Reduce to 178 days (QCM cases only). 2. Complete the process of defining a case resolution. 3. Implement initial findings package designed to more effectively provide all parties with information about decisions made on individual claims. 4. -5. N/A 6. \$19 million in first-year savings. 7. Save 19% versus amounts billed for FECA medical service subject to fee schedules.

<p><i>Supporting Budget Activity</i></p>	<p>FY 2000:</p> <ol style="list-style-type: none"> 1. Reduce to 173 days (QCM cases only); establish baseline for all cases. 2. Complete system programming for entering and generating goal-related data and establish a baseline against which to measure performance. 3. Finalize and implement new regulations. Develop materials to provide all parties with information about the revised claims development and adjudication process. 4. - 5. N/A 6. Produce \$66 million in cumulative first-year savings. 7. 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. <p>FY 2001:</p> <ol style="list-style-type: none"> 1. 2% reduction from the FY 2000 baseline in the average number of production days lost due to disability. 2. Establish performance baseline and begin data collection for performance tracking. 3. Establish a baseline by the end of FY 2001. 4. - 5. N/A. 6. Produce \$95 million in cumulative first-year savings. 7. Reduction of overall average medical costs will be measured against a FY 2000 baseline. <p><i>Office of Workers' Compensation Programs: P&F Schedule Activity #3 Program Direction and Support: P&F Schedule Activity #4</i></p>
<p>Performance Results</p>	<p>FY 2001:</p> <ol style="list-style-type: none"> 1. The goal was not met. Complete 4th quarter results were not available, since the deadline for submission of continuation-of-pay period data from the Federal agencies was October 31. Results from three quarters of available data showed that thus far in FY 2001 the goal was not being met. The FY 2000 baseline is 68.1 days, and the FY 2001 target was 66.7. The overall government-wide average LPD for the first three quarters was 75.2, a 10.4% increase. This new goal consists of time lost during the initial 45-day, or continuation-of-pay period, while the claim remains in the jurisdiction of the Federal agency employer, and LPD in FECA cases within the first year of the beginning of wage-loss benefits. 2. The goal was met. A performance baseline of 242 days was established and performance data tracking is underway. 3. The goal was met. A performance baseline of 66.5% of claims filed was established. Staff training was completed and the new findings package has been in use since the August 9th Court ruling upholding the new regulations and lifting the stay on adjudication. 4. - 5. NA. 6. This goal was exceeded. PRM produced an additional \$31 million in first-year savings in FY 2001, bringing cumulative total first-year savings to \$103 million.

	<p>7. The goal was not met. Average cost per case for Psychiatric services were reduced by nearly 3% over FY 2000; for Physical Therapy services, however, average cost increased by 4.5% (adjusted for inflation).</p> <ul style="list-style-type: none"> ▪ For Psychiatric cases, the decline in average case costs was due, in part, to application of stricter guidelines over approval of services in the FECA district offices; ▪ Despite an increase in average costs for Physical Therapy cases, Focus Reviews conducted in late FY 2001 demonstrated the potential for savings in this service category: 121 of 842 high-cost cases were identified for adjustment of service limits. <p>FY 2000:</p> <ol style="list-style-type: none"> 1. This goal was exceeded. Average lost production days (LPD) measured for Quality Case Management cases in FY 2000 was 164 days. This represented a shortening of the average time away from work of 25 days when compared to the FY 1997 baseline year. The reduction also equated to a \$17.7 million savings in compensation costs. 2. This goal was substantially met. System programming was completed and data collected 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 was extended to May 2001. 3. This goal was substantially met. 4. - 5. N/A. 6. 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. 7. 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>FY 1999:</p> <ol style="list-style-type: none"> 1. This goal was exceeded. Average lost production days for cases measured in FY 1999 was 173 days against a target of 178 days. This was nearly a 9% reduction compared to the FY 1997 baseline. The 16-day reduction compared to the FY 1997 baseline represented a savings in compensation benefits of \$9.6 million for the cases measured. 2. By September 30, a definition of "case resolution" was developed and distributed to program district directors and OWCP regional directors. 3. The program implemented part of its revised initial findings package in July 1999. The remainder of the findings package was awaiting finalization of the new regulations. 4. - 5. N/A 6. The goal was exceeded. PRM case review actions produced an additional \$20.8 million in FECA compensation benefit savings.
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	<p>Both the original and revised goals were 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. The new fee (which became effective January 1999) alone exceeded the target by 54%, and produced \$16.5 million in savings. Implementation of medical bill review was delayed and the full complement of Medical Coding Specialists was not brought on board and trained until September 1999. No savings resulted from bill review.</p>
<p>Indicator</p>	<ol style="list-style-type: none"> 1. Average number of days lost due to workplace injuries per employed Federal civilian worker. The measurement consists of time lost during the initial 45-day, continuation-of-pay period while the claim remains in the jurisdiction of the Federal agency employer, plus LPD within the first year of the beginning of wage-loss benefits under the FECA following COP. 2. 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. 3. 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. 4. The percent of claims processed by the Energy Employees Compensation Program, which reach initial completion within the relevant timeframe measured in calendar days from the date of receipt of the claim by the program to the status date indicating completion of initial processing. Completion of initial processing includes: 1) Issuance of Recommended Acceptance in Radiation Exposure Compensation Act (RECA) claims; 2) Issuance of Recommended Denials; 3) Issuance of Form EE15 in non-RECA accepted claims; or 3) Referral of a claim to the National Institutes for Safety and Health. 5. The percent of all final Decisions issued within the relevant timeframe as measured in calendar days from the date of: <ul style="list-style-type: none"> ▪ The issuance of the Recommended Decision to the Final Decision in Approved Claims or no-Contests Denials; ▪ The receipt of the request for Review of the Written Record to the date of the Final Decision; or ▪ The receipt of Request for Hearing to the date of issuance of the Final Decision. 6. The fiscal year amount of total periodic payment (compensation benefit) reductions in PRM universe cases. 7. Overall average medical cost per case, after adjustment for inflation, for all cases receiving medical services.

Data Source	<ol style="list-style-type: none"> 1. Federal Employees' Compensation Act (FECA) data systems; Federal agency payroll offices; Office of Personnel Management employment statistics 2. Longshore Case Management System. 3. Black Lung Automated Support Package. 4. - 5. Energy Program Case Management System 6. Periodic Roll Management System; FECA Automated Compensation Payment System. 7. FECA Medical Bill Pay System.
Baseline	<ol style="list-style-type: none"> 1. Interim baseline for Quality Case Management (QCM) cases only: FY 1997 actual – 189 workdays. FY 2000 baseline: 68.1 workdays. FY 2001 actual results will serve as new baselines: preliminary results are 119 days for USPS, and 54.1 days for All Other Agencies. 2. An average of 232 days elapsed nationwide between the dispute receipt date and the dispute resolution date. 3. FY 2001: 66.5% of Black Lung benefit claims, following an eligibility decision by the district direct, had no requests for further action from any party pending one year after receipt of the claim; developed using data collected over the past decade from claims subject to the old regulations. 4. This is a new measure for FY 2002. While target levels have been established, the actual performance results in FY 2002 will serve as the baseline for this measure. 5. This is a new measure for FY 2002. While target levels have been established, the actual performance results in FY 2002 will serve as the baseline for this measure. 6. 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 in FY 2000 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 but not counting PRM case reductions. 7. Overall Average Medical Cost Baseline: Average annual cost per case in FY 2000 for all cases receiving medical services.

<p>Comment</p>	<p>1. LPD is one of several goals within the joint, OSHA/ESA Federal Employees Health and Safety Initiative to increase Federal workplace safety rates and speed recovery and return to work. In light of widespread public health incidents subsequent to the anthrax events involving postal workers, and because USPS is excluded from OSHA's Federal safety initiative since it is regulated as a private sector entity, this goal has been bifurcated to measure LPD for USPS cases for all other Federal agencies separately. Post September 11, 2001, impacts on the USPS, including overall reductions in mail volume, resulted in higher LPD during FY 2001, and that trend is expected to be difficult to reverse. Accordingly, we believe FY 2001 is a more appropriate baseline against which to measure future performance. <i>(FY 2001 actual results will serve as new baselines: preliminary results are 117.1 days for USPS and 56.4 days for All Other Agencies. Determination of final results is awaiting publication by the Office of Personnel Management of 4th Quarter FY 2001 Federal employment data.)</i></p>
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	<ol style="list-style-type: none"> 2. Reducing the average time required to resolve disputed issues reflects increased cooperation among the parties and increased voluntary compliance with Longshore statutes and procedures. 3. This performance target will capture the results of program efforts to reduce utilization of the extended hearings and appeals processes by raising the quality of medical evidence and clarity of decisions in the initial stages of the decision making process under the revised regulations. 4. OWCP transfers non-Special Exposure Cohort (SEC) cancer claims to the National Institute for Occupational Safety and Health NIOSH to document radiation exposure histories and dosage levels. Upon completion of the dose reconstruction, OWCP continues adjudication of the claim. "Completion of initial processing" indicates a point common to all claim categories at which the Energy program has made a determination of covered employment and covered illness. For claims other than non-SEC cancers, this determination results in a decision to award or deny claims. Beyond completion of initial processing, additional decision points reside with the claimant or NIOSH prerequisite to issuance of a formal Recommended Decision. 5. These performance indicators remain provisional while the recently implemented Energy program completes a process of understanding the volume and nature of potential workloads, assessing work flow and resource requirements, testing work processes, and determining optimal output performance standards. Timeframes include decision points/actions by the claimant (e.g., "no contest denials" cannot be completed until the claimant's 60-day response period has passed). 6. 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). 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>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 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> 7. 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 services provided and matched to medical condition. These mechanisms, along with procedural changes and other quality controls, will result in overall reduction of program medical costs.
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	<p>ESA will pursue its goal to reduce the average cost of Total Medical Services .5% in FY 2002, but has postponed its goal to reduce average costs for Physical Therapy, although review of those services will continue. Analysis of FY 2001 results how that until additional resources are available for Utilization Review, ESA will not be able to make significant progress to reduce average Physical Therapy service costs.</p>
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ESA Means and Strategies:

Operating Program: Office of Workers' Compensation Programs

Sustained Efforts in FY 2002:

- ESA's Quality Case Management strategy employs creative methods and services to assist recovery and return to work, including early case management by nurses who coordinate medical treatment and reemployment. Further, the non-adversarial nature of the FECA program allows ESA to work with Federal agencies and employee unions to facilitate the return to work process. (1.1C1, 1.1C7)
- ESA will facilitate returns to work through better oversight of medical treatment:
 - 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.
 - Actively manage disability cases in the early Continuation of Pay (COP) period.
 - Improve access to expert medical evaluation.
 - Communicate more effectively with medical providers, through better technology and interaction between treating physicians and nurse case managers.
 - Screen cases for appropriateness of medical and pharmacological treatment, identifying outliers for directed review. (1.C1, 1.1C7)
- ESA will conduct a formal evaluation for the effectiveness of FECA's Early Nurse Intervention program to support Quality Case Management objectives and support achievement of return-to-work goals. (1.1C1)
- Through OWCP's work with OSHA, ESA will 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. (1.1C1)
- 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. (1.1C1)
- Using the FECA future benefit liability model developed in FY 1999, ESA will share forecasting information in conjunction with its work with Federal employing agencies to reduce lost production days. (1.1C1)
- ESA will complete the transition to an efficient paperless office by imaging all incoming mail for new and old cases, and implementing ADP redesign. (1.1C1, 1.1C6, 1.1C7)

- ESA will continue multiple broad-based strategies to improve customer services, gauge customer needs, and measure customer satisfaction in the FECA program. These include:
 - A multi-faceted Communications Redesign initiative, including upgrade of telecommunications hardware and operation of a central call center, and improvement of national and district automated call intake systems;
 - Focus groups held with Federal agency representatives to assess agency assistance requirements and improve agency assistance programs;
 - A call-back survey of claimant callers to our district offices, and development of other surveys for various customer groups;
 - Development of performance standards to ensure a high level of caller access to telephone services, prompt and accurate responses, professional handling, and high quality.
 - Communications Specialists in each office as local change agents and an advisory group for National policy. (1.1C1, 1.1C6, 1.1C7)

- ESA will use mediation skills, outreach, and other communication tools to work closely with parties to contested cases under the Longshore program as a means for reaching quicker resolution of disputed issues in those cases. (1.1C2)

- ESA will continue to use outreach and technical assistance activities with all Black Lung program stakeholder communities to promote an atmosphere of understanding and constructive cooperation in support of fewer challenges to program adjudication decisions. ESA will also work with Black Lung's authorized diagnostic provider community to emphasize the need for complete and accurate medical reports that satisfy program requirements and further support fewer challenges to program adjudication decisions. (1.1C3)

- ESA will continue building new and improved automated data processing tools to support the timeliness and quality of Federal employee compensation case handling, case management, and return to work. (1.1C1, 1.1C6, 1.1C7)

- ESA will continue to improve overall management of the Federal Employees' Compensation Fund by expanding quality review of medical servicing and medical bill payment processes. This will include centralized prior authorization of requests for medical treatment, focus reviews to ensure that proper treatment regimens are followed, bill review to identify duplication or other improper practices, and reevaluation and development of new treatment guidelines. (1.1C7)

- ESA will continue to improve fiscal integrity by using fee schedules to reduce medical, pharmacy and hospital service costs under FECA. (1.1C7)

- The Periodic Roll Management system 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. (1.1C6, 1.1C7)

Significant New or Enhanced Efforts in FY 2002:

- ESA will continue to develop new and improved ADP tools to support the timeliness and quality of Energy Employees Illness Compensation Program Act (EEOICPA) decisions, benefit delivery, and case management. (1.1C4, 1.1C5)
- ESA will seek to improve financial performance and ensure proper medical care for injured workers by developing improved processing of Prior Authorizations before surgery and other medical procedure and pursuing the development of Medical Utilization Review (UR). Through UR, FECA will monitor the level and appropriateness of medical services as related to medical condition. (1.1C7)

ESA Performance Goal 1.1D:

Federal contractors achieve equal opportunity workplaces.

Federal contractors and subcontractors must not discriminate and must promote equal employment opportunity in the workplace. These requirements, which are a part of nearly all Federal contracts, are an integral part of the Federal procurement process. They are based on the principle that employment opportunities generated by Federal dollars should be available on an equitable and fair basis for all Americans. While ESA is responsible for enforcing these requirements, protection of civil rights and assurances of quality workplaces should not be solely dependent on finding violations. Creating and effectively delivering high quality compliance assistance is also a strong deterrent to discrimination. Interactive web applications, town hall meetings, and relevant outreach and public education on discrimination issues also help contractors achieve equal opportunity workplaces.

The 2002 indicators for Performance Goal 1.1D follow.

DOL Strategic Goal 3:	Quality Workplaces – Foster quality workplaces that are safe, healthy, and fair
DOL Outcome Goal 3.2:	Foster Equal Opportunity Workplaces
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 Performance Goal 1.1D <i>(DOL Strategic Plan PG 3.2A)</i>	<p>FY 2002: Federal contractors achieve equal opportunity workplaces as indicated by:</p> <ol style="list-style-type: none"> 1. 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 2002, contractors in SIC Group 50 and SIC Group 87 that participate in specified ESA/OFCCP compliance assistance activities and are subsequently evaluated will have: <ul style="list-style-type: none"> • Better EEO performance in selection system evaluations as indicated by less severe Case Management Systems (CMS) closure types than contractors in SIC Groups 50 and 87 that did not participate in specified ESA/OFCCP compliance assistance activities. In FY 2002, ESA/OFCCP will improve by 1 percent the rate of compliance findings over the baseline for SIC 50 and SIC 87. • Better EEO performance in selection system evaluations as indicated by less severe violations or deficiencies than contractors in SIC Groups 50 and 87 that did not participate in specified DOL/OFCCP compliance assistance activities. In FY 2002, ESA/OFCCP will reduce by 1 percent the rate of findings of severe violations from the baseline for SIC 50 and SIC 87. • Better EEO performance in selection system evaluations as indicated by evaluation type than contractors in SIC Groups 50 and 87 that did not participate in specified DOL/OFCCP compliance assistance activities. In FY 2002, ESA/OFCCP will increase by 1 percent the rate of focused and offsite compliance evaluation types over the baseline for SIC 50 and SIC 87. 2. Improving the equal employment opportunity performance of federal contractors and subcontractors that have had prior contact with DOL/OFCCP through evaluations, outreach, or technical assistance. In FY 2002, contractors and subcontractors that are selected for evaluation, outreach, or compliance assistance activities will have: <ul style="list-style-type: none"> • Better EEO performance in selection system evaluations as indicated by less severe CMS closure types than contractors that did not have prior contact with DOL/OFCCP. In FY 2002 DOL/OFCCP will improve by 1 percent the rate of compliance findings over the baseline for all supply and service closures. • Better EEO performance in selection system evaluations as indicated by less severe violations or deficiencies than contractors that did not have prior contact with DOL/OFCCP. In FY 2002 DOL/OFCCP will reduce by 1 percent the rate of findings of severe violations from the baseline.

<p><i>Supporting Budget Activity</i></p>	<ul style="list-style-type: none"> Better EEO performance in selection system evaluations as indicated by evaluation type than contractors that did not have prior contact with DOL/OFCCP. In FY 2002 DOL/OFCCP will increase by 1 percent the rate of focused and offsite compliance evaluation types over the baseline. <p>FY 1999 – FY 2000: N/A. FY 2001: Identify those industries where data indicate the likelihood of equal employment opportunity problems is greatest and establish baselines; establish baselines for improving the equal employment opportunity performance of federal contractors and subcontractors that have had prior contact with OFCCP through evaluations, outreach or technical assistance; and establish baselines for reducing compensation discrimination by federal contractors and subcontractors.</p> <p><i>Office of Federal Contract Compliance Programs: P&F Schedule Activity #2 Program Direction and Support: P&F Schedule Activity #4</i></p>
<p>Performance Results</p>	<p>FY 2001: The goal was not achieved. For the first indicator, two industries were identified where the data indicate the likelihood of equal employment opportunity problems is greatest, and baselines indicating the extent of problems previously found were established. With regard to the second indicator, OFCCP established a baseline for Federal contractors and subcontractors that had failed previous compliance evaluations, but not for those contacted only through outreach or technical assistance. OFCCP did not develop a separate baseline for compensation discrimination, but included this issue in the baselines created for the preceding two indicators.</p> <p>FY 1999 – FY 2000: N/A.</p>
<p>Indicator</p>	<p>Trends/changes in compliance and violation rates and EEO-1 data. Trends/changes in data gathered from evaluations and from Federal contractors. Trends/changes in data gathered from customer satisfaction surveys.</p>
<p>Data Source</p>	<p>EEO-1 data file; Case Management System; Federal contractors' data; customer satisfaction survey; compliance evaluations of scheduled contractors and of those within certain industries; Compliance Assistance Project reports.</p>

<p>Baseline</p>	<p>FY 2001: (1)</p> <ul style="list-style-type: none"> • The baseline for SIC 50 is a 50.9 percent rate of compliance findings and the baseline for SIC 87 is a 49.6 percent rate of compliance findings. • The baseline for violation severity is 7.69 percent for SIC 50 and 9.02 percent for SIC 87. • The baseline for focused and offsite evaluations is 36.5 percent for SIC 50 and 27.8 percent for SIC 87. <p>(2)</p> <ul style="list-style-type: none"> • The baseline for compliance for all supply and service closures is 52.9 percent. • The baseline for violation severity is 9.8 percent. • The baseline for focused and offsite evaluation types is 34.1 percent. <p>FY 1999 – FY 2001: N/A.</p>
<p>Comment</p>	<p>Through compliance assistance and other contacts, such as compliance evaluations, ESA plans to educate members of the two targeted industries on compliance techniques, reducing the proportion and severity of noncompliance determinations and raising performance to the average universe rate within a 3 to 4 year evaluation period. The compliance assistance effort will provide information and assistance to the contractor community on meeting equal employment opportunity requirements outside the formal evaluation process. The compliance assistance tools used to accomplish this objective include: Contractor Informational Packets distributed at the initiation of each compliance evaluation; contractor seminars held in each of the Regions; compliance assistance information posted on the ESA/OFCCP web site: http://www2.dol.gov/dol/esa/public/ofcp_org.htm; and assistance available to any contractor upon request, either within or outside the evaluation process. In late FY 2001, ESA initiated an evaluation project to study the relative effectiveness of various types of compliance assistance. The information gathered from this project should help guide future compliance assistance efforts. Should ESA/OFCCP's compliance assistance activities prove as effective as anticipated, ESA plans to expand this performance goal by selecting additional industries from its contractor universe in FY 2002 for measurement in FY 2003, following the same approach used to identify industries in FY 2001.</p>

Operating Program: Office of Federal Contract Compliance Programs

Sustained Efforts in FY 2002:

- ESA will expand its compliance assistance plan and efforts and continue its fair and balanced enforcement program with the tiered compliance evaluation strategy. Each contractor and subcontractor selected for evaluation will receive compliance assistance after the action is scheduled. In addition, targeted contractors and subcontractors will receive compliance assistance outside the evaluation process. (1.1D)
- ESA will continue to conduct compliance evaluations and complaint investigations under all DOL authorities, including Executive Order 11246, Section 503 of the Rehabilitation Act and 38 U.S.C. 4212 of the Vietnam Era Veterans Readjustment Assistance Act (VEVRAA). In this manner, ESA will enhance its compliance evaluations for supply and service contractors and subcontractors, individuals with disabilities, and special and disabled veterans. (1.1D)
- ESA will utilize performance measurements and indicators to enable it to focus compliance and technical assistance efforts to meet the goal established in FY 2002. ESA/OFCCP's Strategic Formulation Team and Executive staff will monitor program efforts. (1.1D)
- ESA will continue to utilize data submitted by Federal contractors on personnel activity and other required reports. Electronic submission of data is offered as a way to reduce contractor burden, and efforts will continue to facilitate this process. Preparation and submission of this data advances self-audits by Federal contractors. Additionally, electronic analysis of contractor-submitted data expedites the entire ESA/OFCCP evaluation process, thereby increasing the efficiency and effectiveness of the compliance assistance, outreach, and technical assistance programs. (1.1D)
- ESA will continue promotion of industry best practices in EEO and anti-discrimination programs by acknowledging employer efforts with the Exemplary Voluntary Efforts Award, the Secretary's Opportunity Award, the Exemplary Public Interest Contribution Award, and the Outstanding Partnership and Liaison Award. (1.1D)
- ESA will enhance customer service through interactive and personal public education and compliance assistance training for federal contractor and partnership groups. (1.1D)
- ESA will continue to disseminate model employer recruitment practices and will assist contractors in identifying resources for recruiting qualified individuals with disabilities, protected veterans, women, and minorities. Such resources may include, but not be limited to, the nationwide network of One-Stop Centers established by the Workforce Investment Act. (1.1D)

- ESA will continue regional outreach, education and compliance assistance to Federal contractors and subcontractors on nondiscrimination and equal employment opportunity. (1.1D)

Significant New or Enhanced Efforts in FY 2002:

- ESA will examine new methods for increased utilization of technology to enhance program quality, availability, and interaction with stakeholders, i.e., websites with sample contractor data for timely self-audits. (1.1D)

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

ESA Performance Goals 2.1A - 2.1D

Assure the integrity and responsible stewardship of ESA financial management, information technology and human resources

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 2002 indicators for performance Goals 2.1A – 2.1D follow.

	<p>Lung). It does not include any of the no-year accounts such as the FECA Fair Share funding in the Special Benefits account or the Energy Employees' Occupational Illness Compensation Program. It also does not include funding deriving from any of the non-trust fund offsetting collections such as the H-1B User Fees, Civil Money Penalties, or the reimbursable agreement with the Social Security Administration which transferred the administrative management of Part B claims from SSA to DOL/OWCP. The FTE utilization portion of this goal applies to all accounts.</p>
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Potential products were evaluated, vendors provided presentations on their products, and a new database licensing agreement was procured. Work on migration planning was also undertaken.

In preparation for business re-engineered systems and operations, and to ensure that ESA is continually meeting the needs of its internal and external customers, ESA evaluated its existing infrastructure and identified new products and services, some of which were purchased and implemented, such as telecommunications upgrades and enhancements. Other new products/services/enhancements were planned for during FY 2001, but will be carried out in FYs 2002 and 2003. Because of the successful prototyping of one new technology, which minimizes bandwidth use for client-server applications, ESA was able to implement the Department's Automated Time and Attendance System nationwide.

Work continued on preparation of ESA's alternative "warm/hot" site with the purchase, installation and operation of equipment, which allows for some redundancy of data processing. In addition, telecommunications capabilities were purchased to allow alternate remote access processing. ESA also hired personnel to modify and enhance its IT contingency and disaster recovery plans. Throughout the year, ESA continued to build on its FY 1999 goal of increasing access to public information via the Internet. Changes were made to all ESA Programmatic web sites to provide additional guidance, forms and proposed legislative requirements. In addition, a new series of web pages related to the Energy Employees Occupational Illness Compensation Program was added.

FY 2000:

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 customers with documents related to Mass Transit Employee Protections. The Federal Employees' Compensation Program website was revised to add an electronic version of a handbook on injury compensation for Federal employees and begin adding Volume 49 of the Employees' Compensation Appeals Board (ECAB) decisions to its Resource Library.

FY 1999:

This goal was met. Using *elaws*, 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

	<p>requirements. Expanded ESA Internet site to include a section on the Freedom of Information Act (FOIA), 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>
Indicator	<p>Successful implementation and operation of an increased number of E-Gov services provided to the public, businesses and other government agencies and the ongoing availability of those services. Increased functionality of E-Gov services and capabilities.</p> <p>Successful implementation and operation of an increased number of administrative and program-specific applications and services, operating at a centralized level, provided to the ESA field office employees and the ongoing availability of those applications and services. An increase in the amount of mission-related data housed on the ESA infrastructure. Migration of the Division of Coal Mine Workers' (DCMWC) General Support System into the primary ESA IT Infrastructure and modernized office automation environment</p>
Data Source	<p>Collection of applications and services housed on the ESA Internet, which provide E-Gov capabilities to the public, businesses and other government agencies.</p> <p>Collection of applications and services provided to the ESA employees and data server disk space utilization reports.</p> <p>Project management plans and related status documents.</p>
Baseline	<p>In FY 1999, ESA provided e-mail, limited Intranet and Internet services (informational only), approximately one (1) program-specific application per program (WH, OFCCP, OLMS), and no administrative applications to the ESA field office employees.</p> <p>ESA currently supports two General Support Systems.</p>
Comment	<p>ESA will continue to identify and expand opportunities, such as the increasing capabilities of the Internet, to improve delivery of program services to ESA internal and external customers. ESA will also continue to ensure that its' IT infrastructure operate in an efficient and effective manner and is capable of supporting service delivery through continued, planned renovation and expansion.</p>

	<p>and a “Travel Resource Center” which informs customers where they can go during a particular period to file their claims. Elsewhere within the Office of Workers’ Compensation Programs, OWCP updated its main web pages to provide information on events surrounding the September 11 attacks, added forms, regulations and contact information for the Federal Employee Safety and Health Initiative, including statistical information on the Initiative; and added forms and the Longshore Procedure.</p> <p>FY 2000:</p> <p>The goal was accomplished. Vulnerability assessments were completed (and submitted to the Office of the Chief Information Officer) for all major and general systems as well as system security plans. This included a vulnerability assessment and system security plan for the ESA general support system (LAN/WAN).</p> <p>In addition to system security, ESA began the first in a series of improvements to its computer rooms. Revised physical security controls were implemented in both the National Office and Philadelphia, and preparations were made for the installation of similar controls in the Chicago regional office. Additionally, ESA developed and implemented a Computer Room Access Policy. Other ESA IT policies and procedures are also being reviewed and revised, as necessary, to ensure that security is appropriately addressed at all levels of ESA IT operations.</p> <p>ESA began to address disaster recovery and, 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. 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>FY 1999:</p> <p>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: 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>
Indicator	<p>Increase in the number of vulnerabilities mitigated and decrease in the number of vulnerabilities identified in new audits or reviews.</p> <p>Completion of FY 2002 CSAT training activities by the scheduled deadline.</p> <p>Completion of two risk-based re-assessments and revision of two system security plans.</p> <p>Completion of initial revision of the ESA IT Contingency/Disaster Recovery Plan, including inventories.</p>

Data Source	<p>ESA IT Security Plans. ESA Risk-Based Assessments. ESA IT Security Program Plan. OIG and Independent Audit Review documentation. ESA Plans of Action and Mitigation. Training and Personnel Records. Project management plans and related status documents. ESA Incident Report Logs.</p>
Baseline	<p>FY 2000 ESA IT Security Plans and Risk Assessments. FY 2001 ESA IT Security Program Plan. FY 2001 Plans of Action and Mitigation</p>
Comment	<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, audits, and internal and independent reviews, ESA will continue to mitigate identified vulnerabilities. In addition, ESA will continue to ensure that its system security plans and its contingency/disaster recovery plan are kept current and that continues to prepare the alternate site for operation in the event of a disaster. 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>

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 2002:

- ESA will continue to strengthen and modernize its financial systems to keep pace with new and emerging financial requirements; and maintain a strong and positive working relationship among ESA's financial community and with the DOL Office of the Chief Financial Officer (OCFO) and the Office of the Assistant Secretary for Administration and Management, Office of Budget (OASAM-OB), to address any internal control and weaknesses identified. (2.1A)
- ESA will continue to work with the OCFO in maintaining a system to allocate program costs at the Departmental Outcome Goal level. (2.1A)
- ESA will continue to improve financial system compliance and overall financial management by working collaboratively with ESA Program Offices, the OCFO and the OIG in implementing new financial standards and requirements. Additionally, ESA will proactively maintain a system of accountability reviews throughout ESA both administratively and programmatically and also maintain a tracking and reporting system to correct both internal control problems and compliance issues with financial laws and regulations that may be identified in audits and management accountability reviews. (2.1A)
- ESA will provide analysis and work with the programs and OB upon enactment of an appropriation to ensure that the apportionment request and related exhibits reflect a realistic object class distribution of funds and a realistic and affordable FTE ceiling. (2.1A)
- In collaboration with ESA's five activities, ESA will prepare financial forecasts each month (following the first quarter of a new fiscal year) that will track each program's actual and anticipated obligations compared to the total availability per the apportionment request. The comparison of actual obligations will also apply to the object class distribution as portrayed in the apportionment request. (2.1A)
- ESA will, if necessary, prepare analysis and work with the programs and OB late in the third quarter or early fourth quarter of each fiscal year to determine if object class adjustments are needed to reflect revised estimates of obligations by object class. If necessary, an object class adjustment request will be prepared in DFM and forwarded to the Department for consideration. (2.1A)

- ESA will, through the People Power budget control/approval process, ensure that approvals for new positions are consistent with FTE and position ceilings by activity and by location (at the Regional/National Office level). ESA will coordinate with the ESA Programs and with DHRM to ensure that the number of available, approved positions is periodically updated and consistent with the FTE and position ceilings. (The number of available, approved positions will always be higher than the FTE or position ceiling, but should not be excessively higher (i.e. more than 10%)). (2.1A)
- ESA will utilize the staffing and FTE utilization report capabilities of People Power to provide the programs and the Assistant Secretary reports on staffing levels and FTE utilization. Severe under- or overstaffing issues will be brought to the attention of the Assistant Secretary through the budget forecast meetings or other means. (2.1A)
- ESA will continue efforts begun in FY 2001 to enhance and support its Information Technology Systems, which provide services to 5,000 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. (2.1B)
- ESA will continue to expand services and capabilities of its IT infrastructure/architecture to allow increasing demand and innovative approaches of the Programs to deliver services to its internal and external customers. This will include implementation of changes to the ESA IT Infrastructure/architecture to support E-GOV activities.(2.1B)
- ESA will continue to implement new, and enhance existing safeguards that protect ESA's information and information systems. Additional policies and procedures, risk mitigation plans and hardware, software and physical controls will be evaluated, and where feasible, implemented. (2.1C)
- ESA will continue efforts to revise its' contingency/disaster recovery plans and to prepare an alternate operations site. (2.1C)
- In support of the "recruitment and retention" initiatives of the ESA Workforce Planning and Restructuring Plan, beginning with OFCCP in FY 2002 and continuing with the Wage Hour Division in FY 2003, ESA will work with each of its four program offices to develop standardized "prototype" rating/evaluation factors and KSAs (knowledges, skills and abilities) for entry level up to the full performance level for each of the four major occupational positions within ESA. (2.1D)
- The creation and dissemination of these factors and KSAs will expedite the process of posting vacancy announcements and certifying eligible candidates, and will also promote nationwide consistency of the hiring process within ESA. Effective recruitment and placement of front-line personnel into ESA's key professional positions will contribute to an increase in overall productivity resulting in an increase in the number of beneficiaries served and in the number of compliance assistance activities completed. (2.1D)

- ESA will continue to participate in the Department's 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 ultimately incorporate the recruitment process, labor relations, health/safety, payroll, time and labor, benefits administrations, and succession and career planning. ESA 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 administrative communities that will utilize this Departmental system and their employees. (2.1D)

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, in FY 2000, OWCP established a new case tracking database to measure reduction of lost production days for serious injuries and greatly expanded 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:

- 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 Investigative Support and Reporting Database (WHISARD) system records data about the results of investigations and provides information about levels of compliance.

To determine the impact of its efforts, Wage and Hour has developed a statistically sound method for establishing baselines and measuring compliance that uses investigation-based compliance surveys of targeted industries and areas. WHISARD provides the capability to electronically (1) track these surveys or other strategic initiatives and (2) report their findings. Data on the outcomes of repeat investigations will also be used to evaluate the relative effectiveness, or return on investment, of the various types of interventions.

- The Office of Federal Contract Compliance Programs' performance reports are derived from data contained within the Case Management System (CMS) and extracted from CMS using automated programs. CMS data are input by front-line staff responsible for initial production, then administered and reviewed by program managers who oversee those employees or administrative units. Performance data within CMS is compiled via automated processes and is continuously accessible on a real time basis to field and national office management via the Executive Information System. OFCCP staff reviews results continuously. Through software and hardware enhancements, field managers are now able to access CMS data to track the accomplishments of individual organizational units.
- As it formulated new strategies for the FECA program, OWCP developed increasingly sophisticated databases detailing the case histories of injured federal workers. These systems allow tracking of the goal of reducing lost production days, but also permit precise evaluation of various program initiatives such as the impact of alternative return to work techniques on various groupings of employees or injury categories.

The FEC automated system is undergoing a complete redesign covering every major DFEC operation. The redesign will replace a patchwork of loosely-linked programs, each with its own database and rules, and provide a single ADP system that will make data accessible to all users. This redesign will allow FEC claims staff to work more efficiently while providing improved customer service to injured workers, medical providers, and employing Federal agencies.

- 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. As appropriate, we continue to refine those measures.

Each of ESA's Program Offices maintains controls over its data to ensure quality. All ESA data currently meets the requirements established by the most recent OMB A-11 guidance. Each major program area in ESA collects and tracks data with the method that best serves the unique program requirements.

The Wage and Hour Division (WHD) has an ongoing contract with the University of Tennessee to provide technical assistance in the design and conduct of compliance surveys. Extensive steps are routinely taken to ensure the integrity of Wage and Hour Division compliance estimates. This is achieved through the maintenance of high standards of data collection, editing, processing, and analysis. Procedures have been developed with the assistance and guidance of survey and statistical experts from the University of Tennessee and the Bureau of Labor Statistics. WHD utilizes a management consulting firm to assist in the assessment and identification of performance goals and indicators that more fully communicate WHD's mission and impact and acknowledge core compliance work, i.e., the complaint-based intervention, without abandoning performance indicators aimed at low-wage workers.

The Office of Workers' Compensation Programs' performance reports are based upon data derived from standard reports, data collections processes, or using automated data extraction programs (or a contractor's report of customer survey results). Program managers directly responsible for initial production review this data. The performance data is then compiled in a separate operation in the Division of Planning, Policy and Standards, and then distributed widely to field managers and national office reviewers. Performance results undergo continual scrutiny as they are reviewed and published numerous times during each fiscal year for various internal and external reporting purposes. Senior managers then review final performance reports for issuance in formal reporting.

In the Office of Labor Management Standards the reported data regarding timely report filing by labor organizations derives from the newly implemented labor organization report system (e.LORS) that supports agency administration of the LMRDA reporting program. e.LORS documents the receipt and processing of filed labor organization reports and other information required to administer the LMRDA program. The e.LORS data is closely monitored and reported on a regular basis for purposes of program administration and management, which ensures completeness and accuracy in reported performance results.

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

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

ESA's Program Offices include the integration of customer service concerns into their day-to-day operations. ESA customers' feedback is instructive in measuring how well services are provided, identifying how services might be better delivered, and determining whether ESA's

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

5.3 Linking Costs to Performance

GAO and the Congress have expressed a continuing interest in the need for Federal agencies to apply cost accounting standards to program performance. Early on, ESA participated in a Departmental work group effort to implement the accounting provisions of GPRA and the Federal Financial Management Improvement Act (FFMIA). The Department has had a cost accounting system in place that meets the Federal Accounting Standards Advisory Board's Managerial Cost Accounting standard and is phasing in expanded program agency use of the system. The Department and ESA have been reporting costs associated with the Departmental Strategic and Outcome Goals since FY 1999. Each year, ESA has reported the costs associated with the ESA performance goals that support the Departmental Strategic and Outcome goals.

6. Cross-Cutting Programs and Issues

The accomplishment of the performance goals outlined in ESA's FY 2002 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. In accomplishing these Departmental goals ESA will also accomplish its crosscutting strategic goals to:

EMPLOYMENT STANDARDS ADMINISTRATION
Strategic Goals

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; and*

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

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 2002 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: Protect worker benefits

The ESA/OWCP Federal Employees' Compensation Act (FECA) program involves every Federal agency in the filing and management of injury compensation claims, providing services to injured workers, and assisting in the effective administration of the FECA program. For example, 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 that undertake special initiatives related to management of their injured employees' claims work closely with FECA program offices at the national and regional levels to evaluate best practices. Other efforts improve communication and

cooperation to reduce lost productivity due to workplace injuries. Through FECA's 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/OWCP is working with all Federal agencies to improve timeliness of injury claims submissions – in part through expansion of electronic for claims submission – and to increase re-employment opportunities, and has established ongoing measures of agency performance, which are posted on the Internet.

ESA/OWCP and OSHA work with 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 continues to work with Federal agencies by intervening in lost time cases, providing case management, and tracking disability time lost during the Continuation of Pay period immediately following an injury. ESA/OWCP measures agencies' performance against the Lost Production Days goal on its website, <http://www.dol-esa.gov/fesii>. ESA/OWCP tracks and posts agency (and sub-agency) performance in terms of timely injury notice submission. ESA/OWCP works in tandem with OSHA and the Office of Disability Employment Policy to help agencies reduce accidents/illnesses and speed return to work.

ESA/OWCP has primary responsibility under the Energy Employees Occupational Illness Compensation Program Act (EEOICPA), issuing compensation and medical benefits to eligible applicants, but must also coordinate with three other Federal departments to ensure the successful administration of this program. The Department of Energy's Office of Worker Advocacy assists workers in filing state workers' compensation claims and providing exposure histories at Federal facilities where covered workers were employed; the Department of Health and Human Services is responsible for establishing guidelines and conducting reconstruction of radiation exposures which may be related to a worker's cancer; and the Justice Department is obligated to notify uranium workers eligible for benefits under the Radiation Exposure Compensation Act that they may also receive compensation under the energy workers' program.

Under a memorandum of understanding with the Social Security Administration (SSA), ESA/OWCP's Division of Coal Mine Workers' Compensation administers and monitors benefit payments and provides claims maintenance services for claims previously approved by SSA.

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 FY 2002 Annual Performance Plan.

7.1 Information Technology

During FY 1999, the Department developed a new, enhanced Strategic Information Technology Plan covering FY 2000 – FY 2004 as required by the Information Technology Management Reform Act (ITMRA). The Plan supports DOL business and performance planning needs and establishes a framework to align information technology resources with the Department's missions, goals, and objectives. In addition to defining IT strategic focus areas and implementation strategies, the Plan identifies the need for complete, accurate and timely management information at the Program level needed to support the Department's implementation of GPRA and related program measurement and evaluation activities. ESA participated in a Department-wide effort to develop the Department's IT Plan and used that participation to assure consistency with ESA's GPRA and IT planning.

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 2002, 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 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 2002, ESA will define, design and begin implementation of modification to its infrastructure/architecture in order to support the development of E-GOV. Finally, ESA will continue centralization efforts, which are aimed at decreasing costs and increasing the efficiency of the ESA IT Infrastructure.

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. ESA will continue to evaluate and enhance its' IT infrastructure/architecture to ensure the security of Agency information/information systems. Based on risk-based assessments, audits, and internal and independent reviews, ESA will continue to mitigate vulnerabilities and weaknesses. In addition, ESA will continue to ensure that its system security plans and its contingency/disaster recovery plan are kept current, and will continue develop of an alternate operations site to be used in the event of a disaster.

Because end-users often serve as the first-line of security, ESA will continue implementation of 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 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.

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.

7.3 Financial Management

ESA is committed to obtaining and maintaining a clean audit opinion in the Department's Annual Financial Statement Audit. Such an opinion will demonstrate that ESA's financial systems are free from any material non-conformance with applicable laws, regulations or accounting policy and procedure standards. ESA is also committed to maintaining a strong system of financial internal control to evaluate and identify policies and procedures that need to be strengthened to ensure financial system integrity and reliability. This will be accomplished by working collaboratively with the OCFO and the OIG to implement new financial standards and requirements; by proactively maintaining a system of accountability reviews throughout ESA both administratively and programmatically; and by maintaining a tracking and reporting system to correct both internal control problems and compliance issues with financial laws and regulations that may be identified in audits and management reviews. By correcting these problems as they are being identified, our financial management can be continually enhanced.

The Federal Financial Management Improvement Act (FFMIA) requires federal agencies to report to Congress whether financial management systems substantially comply with the Federal financial management systems requirements, applicable Federal accounting standards, and the United States Government Standard General Ledger (SGL) at the transaction level. Several years ago the OIG identified compliance issues relating to two ESA financial systems. The Civil Money Penalty (CMP) system and the Backwage Collection and Disbursement System (BCDS) 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 action plans to bring these systems into compliance and specific actions were implemented. The OIG has issued findings that as of FY 2001 these systems were found to be in substantial compliance. A management control process is in use within ESA to monitor internal controls to ensure that ESA systems will continue to meet all FFMIA requirements in the future.

ESA will ensure strong fund control by working with ESA programs and providing funding analysis to assist in program apportionment requests, related budget exhibits and object class distributions. In addition, ESA will prepare monthly financial forecasts showing the actual and anticipated obligations against apportioned funding levels and reviewing actual object class expenses against planned object class distribution. Additional analysis will be done during the third and fourth quarters of each fiscal year to ensure funding objectives are being met and if necessary appropriate adjustments can be made timely to reflect revised estimates.

ESA will ensure strong FTE ceiling management by working with ESA programs and providing analysis to assist programs in establishing realistic and affordable FTE ceilings. In addition, ESA will use, on a monthly basis, the control and approval processes provided by the People Power system to ensure that approval of new positions are consistent with ESA's FTE plan. In addition, ESA will use the staffing and FTE utilization reports afforded by People Power to work with the Programs to address severe under or overstaffing issues.

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

7.4 Human Resources

A key focus of ESA's human resource strategy is to support the major Program Offices as they work to achieve their Strategic and Performance Goals. Technology and new systems enhance the capability of the Program Offices to more effectively serve American employers and workers. ESA recognizes that process improvements, the increased use of information technology, and staff training all offer viable opportunities to improve service delivery and accomplish ESA's strategic goals and outcomes. But most importantly, ESA recognizes that the achievement of improved service is dependent on the presence of a highly skilled, motivated, and diverse workforce, deployed where the greatest public good can be achieved. With this in mind, ESA began its workforce planning and restructuring efforts several years ago. Initial efforts were concentrated on flattening the ESA hierarchy by reducing the number of ESA programs' regional offices, and great strides were made in this regard. Additionally, for the past several years ESA has sought to allocate as much of its workforce as possible into the "front line". Currently, approximately three-fourths (73%) of ESA's workforce is employed in one of four occupational series: GS-0249 Wage and Hour Compliance Specialists (W&H), GS-0991 Compensation Specialists (OWCP), GS-0360 Equal Employment Opportunity Specialists (OFCCP), and GS-1801 Investigators (OLMS). These four series represent the key positions that provide ESA's benefit delivery services and worker protections to America's working men and women. As of FY 2001, approximately 95% of ESA's employees within these four occupational series were employed in an ESA regional or local office, where the greatest opportunity for public interaction exists.

Having substantially achieved the efficient deployment of its resources, ESA is now directing its workforce planning and restructuring strategy towards developing succession plans, attracting, recruiting, and retaining talented job seekers, and retraining existing staff to fill in the skills gaps that will arise from attrition. ESA's workforce planning and restructuring plan includes multiple strategies to meet its objectives. For example, as ESA has developed its plan it has identified areas that lend themselves to shared approaches and cost efficiencies. One such effort is the development by the Division of Human Resources (DHRM) of standardized, "prototype" rating/evaluation factors and KSAs (knowledges, skills, and abilities) for the major occupational positions of all four ESA programs. The creation and dissemination of these factors and KSAs, which has never before been attempted, will expedite the process of posting vacancy announcements and certifying eligible candidates, and will also promote nationwide consistency of the hiring process within ESA. Effective recruitment and placement of front-line personnel into ESA's key professional positions will contribute to an increase in overall productivity resulting in an increase in the number of beneficiaries served and in the number of compliance assistance activities completed.

In addition, DHRM participates in the Department's 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 administrative communities that will utilize this Departmental system and their employees.

7.5 E-Government Services

With regard to E-Government services and information, all ESA programs have existing strategies that utilize the Internet and other information technology advancements in order to enhance the delivery of information and services to the public, and additional electronic applications are in the planning or early implementation stages. All ESA programs have regularly updated websites that provide general information about the mission and organization of the program, downloadable, printable versions of popular forms, and links to statutory, regulatory, and customer assistance material. Additionally, all ESA web pages can be accessed through FirstGov - the first-ever government website to provide the public with easy, one-stop access to all online U.S. Federal Government resources.

ESA contributes to the Department's elaws (Employment Laws Assistance for Workers and Small Businesses) system, an interactive, internet based system designed to help employers and employees understand and comply with numerous employment laws enforced by DOL. Some of the statutes and regulations enforced by programs within ESA require that notices be posted in the workplace. ESA provides electronic copies of the required posters from its website, some of which are available in languages other than English.

In accordance with the Electronic Freedom of Information Act Amendments of 1996, ESA provides documents and information to the public on its website making them readily accessible and downloadable via electronic format.

ESA will continue implementation of its Technology for Excellent Customer Service (TECS) system that will provide nationwide toll-free access to (1) promptly identify and refer calls to the appropriate agency; (2) answer commonly asked questions quickly and accurately; and (3) eventually accept complaints alleging overtime and minimum wage violations and refer them electronically to the proper field office. ESA recently began providing the public with links to a continually updated database containing the prevailing wage rates to be paid on federally funded or assisted construction projects in every US county and territory.

ESA has begun implementation of a computer-based labor union reporting and public disclosure program, including a system for the electronic submission of 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.

ESA is in the final stages of completion of installation of imaging systems which will allow for the conversion of paper case files on injury compensation claims to an imaged format. Greater automation of routine workload tasks will speed injury claims filing and adjudication, support earlier delivery of services, and support earlier resolution of disability and return to work. Additionally, electronic access to claims information will enable employing agencies to better assist their injured employees and manage their workers' compensation programs. ESA plans to expand the electronic filing of claims documents, and widening access to case data and other program information through the Internet and other automated applications. ESA is improving its existing Interactive Voice Response system to provide information on injury claims more rapidly.

ESA's recently developed Equal Opportunity Survey utilizes electronic submission methods to relay compliance related data by Federal contractors to ESA and to allow for electronic analysis of that data, thereby increasing compliance monitoring efficiency and effectiveness.

8. Conclusion

One of the primary aims of our strategic planning is to advance ESA's major program components toward achieving an integrated Department, one in which DOL's agencies work together to achieve common goals that benefit and protect American workers and their families and prepare them for the 21st Century Workforce. 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 commonalties and linkages between DOL and other Federal agencies.

ESA's FY 2002 Annual Performance Plan aligns budgeted resources with both the Department and strategic and outcome goals and ESA strategic and performance goals and presents the programs, activities, and achievements that ESA will work to accomplish in FY 2002, 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

ADP	Automated Data Processing
APP	Annual Performance Plan
AQS	Agency Query System
ASP	Assistant Secretary for Policy
AWE	Atomic Weapons Employers
BCDS	Backwage Collection and Disbursement System
BL	Black Lung
BLDTF	Black Lung Disability Trust Fund
BLS	Bureau of Labor Statistics
CCI	Correct Coding Initiative
CFO	Chief Financial Officer
CFR	Code of Federal Regulations
CMP	Civil Money Penalties
CMS	Case Management System
COP	Continuation of Pay
COTS	Commercial off the Shelf
DFEC	Division of Federal Employees' Compensation
DHRM	Division of Human Resources Management
DLHWC	Division of Longshore and Harbor Workers' Compensation
DOL	Department of Labor
DOLAR\$	Department of Labor Accounting and Related Systems
DOT	Department of Transportation
ECAB	Employees' Compensation Appeals Board
EEO	Equal Employment Opportunity
EEOICPA	Energy Employees Occupational Illness Compensation Program Act
<i>elaws</i>	Employment Laws Assistance for Workers and Small Businesses
ESA	Employment Standards Administration
ETA	Employment and Training Administration
FEC	Federal Employees' Compensation
FECA	Federal Employees' Compensation Act
FFMIA	Federal Financial Management Improvement Act
FLSA	Fair Labor Standards Act
FOIA	Freedom of Information Act
FTE	Full Time Equivalent
FY	Fiscal Year
GAO	General Accounting Office

Acronyms

GMRA	Government Management Reform Act
GPEA	Government Paperwork Elimination Act
GPRA	Government Performance and Results Act
GSS	General Support System
I-CAP	International Compliance Audit Program
IT	Information Technology
KSAs	Knowledge, Skills and Abilities
LAN	Local Area Network
LHWCA	Longshore and Harbor Workers' Compensation Act
LMRDA	Labor-Management Reporting and Disclosure Act
LS	Longshore
NAIC	Northern American Industry Classification
NCS	National Compensation Survey
NO	National Office
OASAM	Office of the Assistant Secretary for Administration
OASIS	OWCP Automated System for Imaging Services
OB	Office of Budget
OCFO	Office of the Chief Financial Officer
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
OSHA	Occupational Safety and Health Administration
OWCP	Office of Workers' Compensation Programs
P&F	Program and Financing
PDS	Program Direction and Support
PKI	Private Key Infrastructure
PRM	Periodic Roll Management
QCM	Quality Case Management
SEC	Special Exposure Cohort
SIC	Standard Industrial Classification
SGL	Standard General Ledger
SSA	Social Security Administration
TBD	To Be Determined
TECS	Technology for Excellent Customer Services
VEVRAA	Vietnam Era Veterans Readjustment Assistance Act
WAN	Wide Area Network

Acronyms

WHD Wage and Hour Division
WHISARD Wage Hour Investigator Support and Reporting Database
WHMIS Wage Hour Management Information System