

**U.S. DEPARTMENT OF LABOR**  
**FY 2012 ANNUAL PERFORMANCE REPORT**



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This report, as well as the FY 2012 Agency Financial Report and the FY 2012 Summary of Performance and Financial Information, can be found on the Internet at <http://www.dol.gov/dol/aboutdol/>.

If you have questions or comments regarding this report, contact:

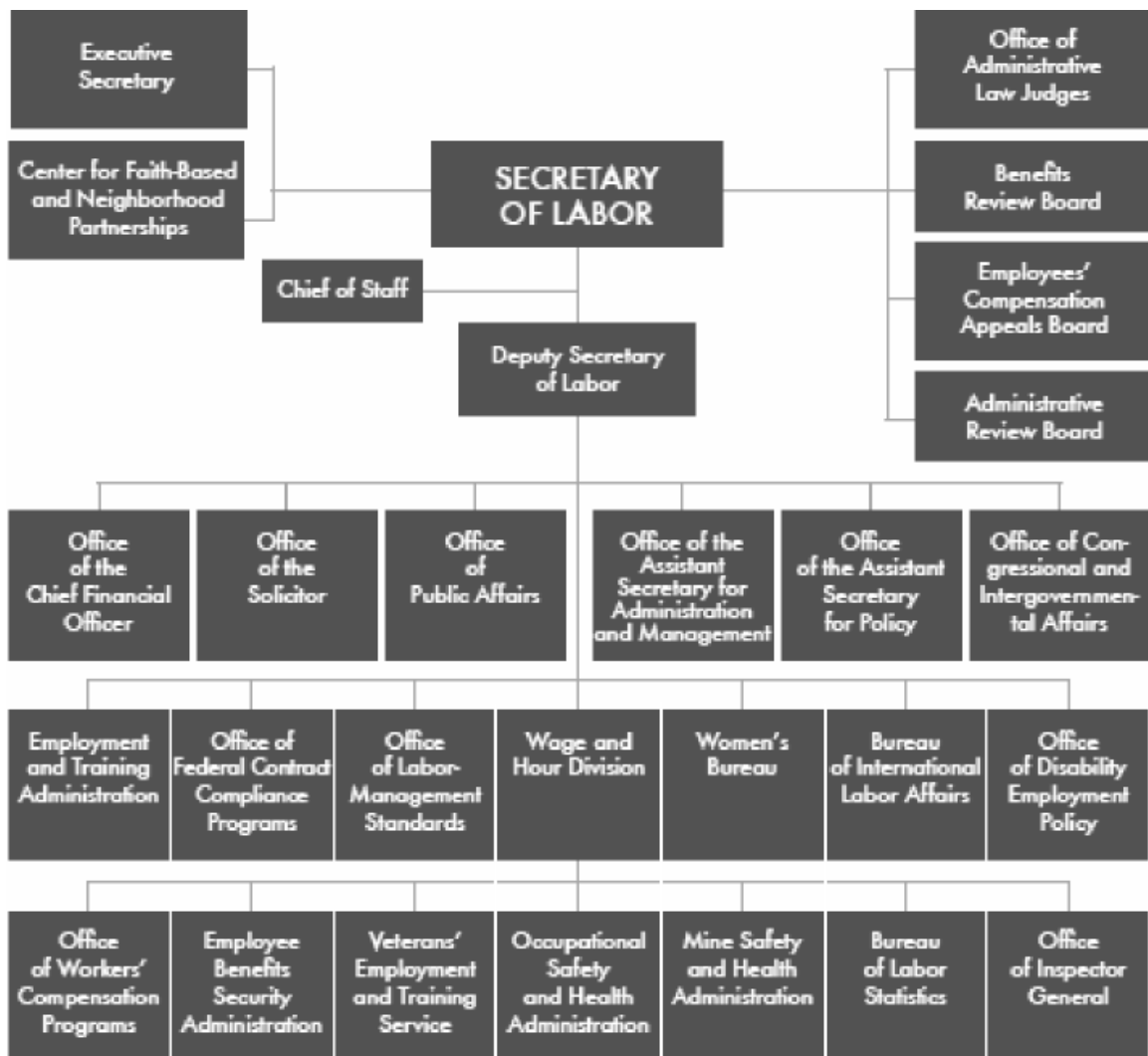
Performance Management Center  
U.S. Department of Labor  
200 Constitution Avenue, NW, Room S-3317  
Washington, DC 20210  
202-693-7120

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## Overview

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

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



## **Introduction**

The Department of Labor (DOL) has a strong role to play in helping ensure worker safety and voice, in training workers to achieve skills that will help them find a job, in accurately reporting labor statistics, and in setting policy to support working families.

DOL uses results-based management techniques to oversee and continually improve its programs. As described in the section below, each DOL agency prepares an annual Operating Plan that details the strategies and resources it will apply to reach goals and objectives at all levels of the organization. These operating plans seek to balance quantity with quality, establish ambitious targets for continuous improvement of program performance, demonstrate prioritization of resource allocation, and identify evidence supporting our strategies. Departmental leaders review progress against those operating plans each quarter to monitor progress and hold agencies accountable for implementing the plans, achieving milestones, and making adjustments as needed.

Budget uncertainties and cuts bring pressure to prioritize and to be more productive. Fortunately, the Department is establishing a culture of continuous improvement; we are constantly assessing whether our efforts are successful, and why – and seeking ways of doing better. The measures and strategies in this report explain how DOL programs are managed to improve the lives of American workers.

## **Management Issues**

### Quarterly Operating Plan Reviews

Since the first quarter of Fiscal Year 2010, the Deputy Secretary of Labor has held quarterly program performance meetings with the heads of over a dozen DOL agencies that administer Worker Protection, Employment and Training, Policy, Statistics, and Benefits programs. Beginning with FY 2011, all agencies have annual Operating Plans that identify output and outcome measures as well as milestones linked to their program performance goals, Agency priority goals and the Department's strategic goals. Quarterly reviews focus on analysis of progress against targets in these plans.

Each agency head and senior staff meet in the second month after each quarter with the Deputy Secretary and key DOL management officials such as the Performance Improvement Officer, performance and budget analysts, congressional liaison, and Solicitor's Office counsel. Agencies' narrative explanations and analysis of quarter, year-to-date, and five-year trend data (if available) – prepared with Department staff assistance – are shared with all attendees prior to the meeting. Discussions focus on implications of the data for strategies (what's working). Agencies usually leave the meeting with action items for the next quarter.

The review process has focused Departmental leadership on strategic management of core functions through the use of program performance and budget data. Identification and discussion of key measures, annual and seasonal targets, and how budgets, workload and strategies affect results have helped communicate priorities and improve performance against benchmarks.

## Management Challenges

For 2012, the Office of the Inspector General (OIG) identified the following as the most serious management and performance challenges facing the Department:

- Protecting the Safety and Health of Workers
- Protecting the Safety and Health of Miners
- Improving Performance Accountability of Workforce Investment Act Grants
- Ensuring the Effectiveness of the Job Corps Program
- Reducing Improper Payments
- Maintaining the Integrity of Foreign Labor Certification Programs
- Ensuring the Security of Employee Benefit Plan Assets
- Securing Information Technology Systems and Protecting Related Information Assets
- Ensuring the Effectiveness of Veterans' Employment and Training Service Programs
- Improving Procurement Integrity

Descriptions of each challenge, progress to date and what remains to be done are summarized in the FY 2012 Agency Financial Report ([www.dol.gov/dol/aboutdol/](http://www.dol.gov/dol/aboutdol/)).

## Evaluations

The Chief Evaluation Office (CEO) in the Office of the Assistant Secretary for Policy works closely with agency staff to design, fund, and implement program evaluations. The results from evaluations inform policy, advance DOL's mission, and improve its performance-based management initiatives in support of the Government Performance and Results Modernization Act of 2010 (GPRMA). For more information see <http://www.dol.gov/asp/evaluation/>.

## Data Completeness and Reliability

The *FY 2012 Summary of Performance and Financial Information* includes an assessment by the Secretary of the reliability and completeness of DOL performance data reported under the GPRMA. The Department satisfies this with Agency Head level attestations that the data do not contain significant limitations that can lead to inaccurate assessments of results – with exceptions noted. There were no exceptions in FY 2012.

## **Performance Report Outline**

This report satisfies the requirement of GPRMA to provide information on actual performance and progress in achieving goals identified in the Annual Performance Plan (APP). Measures and targets for FY 2012 were updated in the FY 2011 Annual Performance Report (APR), which was the Department's FY 2013 Annual Performance Plan. The FY 2012 APR serves as the FY 2014 APP, updates measures and targets for FY 2013, and establishes targets consistent with the FY 2014 Congressional Budget Justification.

Some measures are dropped or changed between reports. To present the most current information, the APR will provide complete information for the budget year measures only – in this case, those retained or added in FY 2014. Complete information for each measure includes

actual performance for the five preceding years, if available, plus targets for the most recent year, the current year, and the budget year. Targets and results for measures dropped or changed are reported for the report year only in the Measures Discontinued section.

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

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

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

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<sup>1</sup> Some measures are "contextual," i.e., they are important for management purposes but not for judging Agency performance. Contextual measures do not have targets, but they may have projections, which are marked in the target cell as [p]. Status (Y, N, or I) does not apply.



## Agencies, Programs, and Strategies

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

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

## Employment and Training

### Employment and Training Administration (ETA)

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

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

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

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

Strategic Direction and Priorities:

- Increase training program participants' acquisition of industry-recognized credentials (see Priority Goals section of this report).
- Provide an innovative public workforce system that helps enable future economic growth and advancing shared prosperity for Americans.
- Increase services and training for workers in need.
- Provide workers with the resources necessary to increase their likelihood of obtaining middle class jobs.
- Enhance programs that provide opportunities to particularly vulnerable populations – WIA Youth, Job Corps, and YouthBuild for disadvantaged youth, Indian and Native American and Migrant and Seasonal Farmworkers programs, and services for individuals with disabilities.
- Improve the effectiveness of services through innovative funding mechanisms and rigorous research and evaluation.

- Expand regional partnerships and collaboration.
- Promote sector strategies for high-demand industry sectors, including the nation's investment in green jobs and health sector jobs as an effort to restart the economy.
- Forge meaningful partnerships with other Federal agencies.
- Continue to develop a workforce system that embodies a dual customer approach – meeting the needs of both workers and employers.

## Veterans' Employment and Training Service (VETS)

The Veterans' Employment and Training Service (VETS) serves America's veterans and transitioning service members by preparing veterans for meaningful careers, providing employment resources and expertise, and protecting veterans' employment rights.

VETS helps veterans and transitioning service members obtain positive employment outcomes through services provided at American Job Centers and the Transition Assistance Program (TAP) DOL Employment Workshop at military installations. Grants are provided to State Workforce Agencies (SWA) to support staff dedicated to serving veterans, specifically those who require special assistance due to disabilities or other significant barriers to employment. VETS coordinates with the Department of Defense to provide workshops in over 240 locations worldwide to prepare service members for transition to meaningful civilian employment. VETS also provides funding, through the Homeless Veterans' Reintegration Program (HVRP), to organizations that serve veterans with employment barriers that warrant more comprehensive services.

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

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

- Outcome Goal 1.1 – Increase workers' incomes and narrow wage and income inequality
- Outcome Goal 1.4 – Help middle class families remain in the middle class

### Strategic Direction and Priorities:

- Implement the redesigned and improved TAP DOL Employment Workshops (see Priority Goals section of this report).
- Support Disabled Veterans' Outreach Program specialist and Local Veterans' Employment Representative positions through the Jobs for Veterans State Grants, and improve the quality and effectiveness of services provided.
- Evaluate the redesigned curriculum for the Transition Assistant Program (TAP) DOL Employment Workshop and the contract facilitation at all TAP locations.
- Provide Homeless Veterans' Reintegration Program competitive grants to operators of employment programs that specialize in outreach, supportive services and training for homeless veterans, including homeless female veterans and incarcerated veterans, to assist in their reintegration into the workforce.
- Provide training to Federal staff and veterans' service providers through the National Veterans' Training Institute.

- Collaborate with the Departments of Defense and Veterans Affairs and with state partners and Veterans' service organizations to implement the Uniformed Services Employment and Reemployment Rights Act and Federal Veterans' Preference enforcement activities.

## Worker Protection

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

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

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

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

#### Strategic Direction and Priorities:

- Increase focus on compensation discrimination cases through a new compensation directive and compliance officer training emphasizing finding complex systemic pay discrimination. These cases are more resource intensive than individual cases.
- Strengthen and clarify federal contractor and subcontractor requirements through regulation reform.
- Focus initiatives and litigation on the most persistent and egregious violators.
- Implement a stakeholder strategy that reaffirms commitments to equal employment opportunity and affirmative action by building coalitions and collaborative partnerships.
- Strengthen compliance evaluations of federal contractors' and subcontractors' compensation personnel policies and practices.
- Partner with national and community-based advocacy groups to educate workers on their equal employment opportunity rights and employer responsibilities.
- Promote and quantify new job opportunities that stem from conciliation agreements.
- Expand construction reviews to include long-term construction projects with a focus on improving employment opportunities for women and minorities.

## Occupational Safety and Health Administration (OSHA)

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

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

### Strategic Direction and Priorities:

- Reduce worker fatalities and lost time injuries and illnesses for federal workers (see Priority Goals section of this report).
- Increase OSHA's presence in the workplace.
- Protect workers in high-hazard occupations.
- Strengthen enforcement capabilities, targeting the most egregious and persistent violators.
- Protect worker populations that have communication-based vulnerabilities, including Spanish-speaking/non-English speaking workers and disabled workers.
- Review and restructure penalties to ensure that penalties imposed are consistent with the seriousness of the violation and act as effective deterrence to violators.
- Maintain a strong outreach, education, and technical assistance program.

## Wage and Hour Division (WHD)

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

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

those in the locality. The Family and Medical Leave Act (FMLA) was enacted to help workers balance family and work responsibilities, and the child labor provisions of the FLSA ensure the safe employment of young workers, encourage their educational endeavors, and provide a path to future employment.

WHD contributes to the following the Department's goals of good jobs for everyone:

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

Outcome Goal 1.5—Secure wages and overtime

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

Strategic Direction and Priorities:

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

### Employee Benefits Security Administration (EBSA)

In support of the DOL vision, *Good Jobs for Everyone*, Employee Benefits Security Administration (EBSA) has a single outcome goal of “improving health benefits and retirement security for all workers.” EBSA is charged with protecting more than 141 million workers, retirees and their families which are covered by nearly 701,000 private retirement plans, 2.3 million health plans, and similar numbers of other welfare benefit plans which together hold estimated assets of \$7.1 trillion.

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

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

Strategic Directions and Priorities:

- Continue a multi-faceted enforcement program that effectively targets the most egregious and persistent violators.

- Establish a strong regulatory framework supported by an aggressive regulatory agenda.
- Play a role in the implementation of health reform legislation.
- Provide innovative outreach and education that assists workers to protect their pension and health benefits.
- Conduct a well-integrated research program based on evidence and comprehensive analysis.

### Mine Safety and Health Administration (MSHA)

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

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

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

Strategic Direction and Priorities:

- Reduce worker fatalities (see Priority Goals section of this report).
- Increase Inspection and Enforcement Effectiveness by focusing on chronic violators
- Strengthen and Modernize Training and Education
- Improve Mine Emergency Response Preparedness
- Strengthen Health and Safety Regulations
- Increase Efforts to Protect Miners from Discrimination
- Support Open Government

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

The Office of Labor-Management Standards (OLMS) administers the Labor-Management Reporting and Disclosure Act of 1959, as amended (LMRDA), and related laws. These laws primarily establish safeguards for union democracy and union financial integrity and require

public disclosure reporting by unions, union officers, union employees, employers, labor consultants and surety companies.

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

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

Strategic Direction and Priorities:

- Increase the number of reports filed by employers and consultants who make agreements to persuade employees with regard to their rights to organize and bargain collectively.
- Increase the percent of disclosure reports filed electronically.
- Improve the timeliness in resolving complaints filed by labor union members that their union violated democratic standards for conducting union officer elections.
- Increase the effectiveness of audits by focusing resources on labor unions most likely to be in violation of the law.
- Improve the Internet public disclosure service and public access to information reported by unions, union officers, union employees, employers, labor consultants, and surety companies under the Act.
- Reduce the number of chronically delinquent filers of Labor Organization Annual Financial Reports.

## Policy

### Women’s Bureau

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

The Bureau also conducts strategic outreach to promote the implementation of policy, practice, and program changes that may lead to positive changes in women’s employment opportunities or conditions. Areas of focus are to improve services for female veterans; narrow the wage gap and ensure fair compensation; promote employment in the clean energy and “green” industries, Science, Technology, Engineering and Mathematics (STEM) fields and other emerging, higher-paying, high-demand job sectors; and implement quality work environments through workplace flexibility.



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

Outcome Goal 3.1 Break down barriers to fair and diverse workplaces and narrow wage and income inequality.

Strategic Direction and Priorities:

- Conduct research and studies on issues concerning women in the workforce.
- Provide technical assistance to targeted public and private sector entities and individuals to improve working women’s employment opportunities, economic security, and working conditions.
- Build collaborations and relationships with key stakeholders and provide collaborative leadership on data sharing and public awareness efforts related to gender based compensation practices to decrease occupational segregation — one of the leading causes of income inequality.
- Collaborate with other Federal agencies, workforce professionals, non-profits, and women’s organizations to increase awareness of training, employment, and entrepreneurship opportunities in emerging industries and markets including “green” and non-traditional sectors.
- Address critical issues associated with women veterans so they may gain economic security for themselves and their families.

### Office of Disability Employment Policy (ODEP)

Although many American workers with disabilities are educated, trained, willing, and able to work, they remain out of the labor force at a much higher rate than their similarly qualified counterparts without disabilities. The Office of Disability Employment Policy counters this disparity by working to increase the number and quality of employment opportunities for people with disabilities through the development, evaluation and dissemination of evidenced based policy strategies and effective practices as well as fostering their adoption and implementation within the public and private sectors. Ultimately, ODEP’s goal is to impact the systems that influence the employment outcomes of people with disabilities.

To realize its systems change goal ODEP: undertakes research to create and validate promising policy strategies and effective practices; collaborates with Federal agencies, private and public sector employers, labor organizations, and other stakeholders to expand physical and programmatic access to One-Stop Career Centers and the workforce system in general; improve employer organizational practices and make workplaces more inclusive; and increase access to the employment supports that are crucial to every worker’s success throughout the employment process, and especially to a job seeker or worker with a disability.

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

Strategic Direction and Priorities:

Conduct research & analysis that identifies/validates effective disability employment

policy/strategies.

- Base policy and strategies on sound evidence to ensure that results of implementation are successful;
- Validate and replicate evidence-based disability employment policy and effective practices.

Build partnerships to develop policy/strategies and to promote the adoption and implementation of disability employment policy/practice.

- Include under-represented populations in policy development and outreach
- Collaborate broadly within DOL and with other Federal agencies and private sector organizations to comprehensively address issues and leverage limited resources

Provide technical assistance regarding the adoption and implementation of disability employment policy/practice.

- Emphasize inclusive planning and universal usability to leverage limited resources and ensure access to more individuals.
- Reach out to public and private sector organizations to provide information and technical assistance to dispel misperceptions/broaden understanding of disability and employment issues and to improve employment practices.

### Bureau of International Labor Affairs (ILAB)

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

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

In order to carry out these strategic objectives, responsibilities, and mandates, ILAB collaborates with other U.S. government agencies to formulate international economic, trade, and labor policies, including the formulation and implementation of the labor aspects of international trade and investment agreements; represents the US government in dialog, cooperation and other relations with foreign governments on labor matters, coordinates U.S. government participation in international organizations relative to labor issues; oversees and implements technical

assistance programs; and conducts research and analysis and publishes reports on international labor issues.

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

Strategic Direction and Priorities:

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

## Benefits

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

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

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

Major workload activities in OWCP include: claims adjudication, benefit payment, disability case management, assisting in the re-employment of people with disabilities, medical bill processing, information services delivery, benefit fund management, and technical assistance to

employers to ensure proper compliance with OWCP procedures and requirements including insurance/self-insurance and payment of benefits.

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

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

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

Strategic Direction and Priorities:

- Reduce lost time injuries and illnesses for federal workers (see Priority Goals section of this report). Key strategies include:
  - Directing, in partnership with the Occupational Safety and Health Administration, the “*Protecting Our Workforce and Ensuring Re-employment (POWER)*” initiative, setting performance targets and providing technical assistance that will enhance Federal employers’ focus and improve results for workplace safety and injured worker reemployment.
  - Supporting Executive Order 13548 to increase Federal agencies’ reemployment of injured workers and employment of persons with disabilities.
  - Researching and testing better hiring, job placement and job accommodation strategies with Federal employers to improve the reemployment of injured workers and those with disabilities.
- Implement improvements in FECA’s disability claims management and return to work assistance activities as recommended in independent evaluations of the program.
- Continue proper claims adjudication, effective mediation in disputed claims, efficient case processing, and accurate and timely payment of benefits.
- Speed claims reporting and shorten the duration between injury and first payment of benefits by industry employers and insurance carriers in the Longshore program.
- Through outreach and other educational activities, improve OWCP stakeholders’ understanding of the program and improve the quality of claims and supporting documentation filed.
- Assess OWCP customer services and improve the agency’s efficiency and effectiveness.
- Identify and pursue opportunities to evaluate OWCP program performance and results.

- Enhance systems and develop integrated IT technology services that improve and support business processes.
- Seek reform of the Federal Employees' Compensation Act.

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

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

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

#### Strategic Direction and Priorities:

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

## Statistics

### Bureau of Labor Statistics (BLS)

The Bureau of Labor Statistics (BLS) of the Department of Labor (DOL) is the principal Federal agency responsible for measuring labor market activity, working conditions, and price changes in the economy. Its mission is to collect, analyze, and disseminate essential economic information to support public and private decision-making. As an independent statistical agency, BLS serves its diverse user communities by providing products and services that are accurate, objective, relevant, timely, and accessible.

BLS serves the general public, the U.S. Congress, other Federal agencies, State and local governments, business, and labor by providing up-to-date, high-quality statistical information. It produces some of the Nation's most sensitive and important economic data.

In line with the Interagency Council on Statistical Policy's (ICSP) Guidelines for Reporting Performance by Statistical Agencies, BLS measures timeliness, accuracy, relevance, dissemination, and mission achievement. BLS also reports the full cost to produce its data

products. These criteria are common among statistical agencies because these are critical aspects of a statistical program's performance.

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

Strategic Direction and Priorities:

- Continue to produce objective data and analyses that are timely, accurate, and relevant;
- Improve the timeliness, accuracy, and relevance of BLS products and processes, and develop new products that meet the needs of a broad customer base;
- Inform current and potential customers about the availability and uses of BLS information products; reach out to current and potential customers to understand their needs for economic information; and ensure that the content, presentation, and delivery of BLS information products are well-matched to customer needs;
- Improve its data collection processes, maintain high response rates, and optimize the balance between quality, cost, and respondent burden in BLS data collection programs;
- Make the data and other products and services on the BLS website easy to find, understand, and use; and
- Recruit, train, and retain a talented and diverse group of individuals who are experts at the production and continuous improvement of BLS products and services, including employees who will support those functions, and who are well prepared to represent the agency and become its future leaders.

## Priority Goals

The Department of Labor has identified four performance goals that will be a particular focus through FY 2013. These goals are a subset of those used to regularly monitor and report performance. Detailed information on measures and progress for these goals is available at [Performance.gov](http://www.Performance.gov). This report includes measure data for these goals, as well, but the information is organized by contributing agencies' performance goals under the DOL Strategic Plan structure. At the end of each goal statement is an italicized reference to the relevant goal numbers in this document.

- **Reduce worker fatalities.** By September 30, 2013, reduce worker fatalities resulting from common causes by two percent in Occupational Safety and Health Administration-covered workplaces, and worker fatality rates in mining by five percent per year based on a rolling five-year average. *OSHA 2.1 and MSHA 2.1*
- **Reduce time lost to injury or illness for federal workers.** Create a model safety and return-to-work program by reducing Federal agency injury rates by at least one percent per year and increasing the share of Federal employees who return to work by two percent per year after sustaining a workplace injury or illness by September 30, 2013. *OSHA 2.1 and OWCP 4.1*
- **Improve opportunities for America's workers to succeed in a knowledge-based economy through industry-recognized credentials.** By September 30, 2013, increase the percent of training program exiters who earn industry-recognized credentials by 10 percent. *ETA 1.2*
- **Redesign the Transition Assistance Program (TAP) to better support veterans.** By the end of FY 2013, the Transition Assistance Program (TAP), with redesigned and improved curriculum, will be fully implemented at all 188 domestic and 50 international sites. *VETS 1.1*

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

Per the GPRA Modernization Act requirement to address Cross-Agency Priority Goals in the agency strategic plan, the annual performance plan, and the annual performance report please refer to [www.Performance.gov](http://www.Performance.gov) for the agency's contributions to those goals and progress, where applicable. The Department of Labor currently contributes to the following CAP Goals: Job Training and Veteran Career Readiness.

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

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

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

##### Employment and Training Administration

Among the three employment measures utilized by ETA, the six-month average earnings measure has been the least impacted by the economic downturn. Although performance targets for average earnings were reached by all seven programs in FY 2012/PY 2011, the six month average earnings targets for Adult, DW, INAP, and CSEOA were lower than the previous year's results. These lower results for these programs could be partially explained by recent data from the National Employment Law Project (2012), which showed low wage jobs have seen the highest recovery rate (58 percent of the recovery growth) growing 2.7 times as fast as middle and higher wage occupations.

The workforce system continues to face significant challenges in helping workers get good jobs, earn good wages, and retain their jobs. As the economy recovers and job growth returns, the reintegration of millions of unemployed and underemployed workers into jobs that pay family-sustaining wages is essential for spreading the benefits of the recovery more broadly. ETA programs support training in emerging industry sectors (including green jobs) to help workers become more competitive and equip them with the credentials and skills needed to compete in the global labor market. In FY 2012, ETA provided technical assistance (TA) to the workforce system to improve credential attainment for its customers. In FY 2013, ETA will continue to emphasize credential attainment to increase individual earning potential.

The PY 2011-2014 targets are based on a methodology developed by DOL for setting national performance targets using regression analysis. This econometric model uses program results from the prior year, current labor market conditions and individual characteristics to correct for the effects of the business cycle and labor market conditions on the outcomes of employment and training programs, producing targets that objectively reflect the impact of the economic environment on program performance. ETA expects to update PY 2013 and PY 2014 targets based on more recent program results by April 30, 2013. For more detailed information on Regression Adjustment Model for Workforce System Program Performance Targets, see U.S. Department of Labor Strategic Plan Fiscal Years 2011-2016 pg. 111-112, available at: [http://www.dol.gov/\\_sec/stratplan/StrategicPlan.pdf](http://www.dol.gov/_sec/stratplan/StrategicPlan.pdf).

In FY 2013, the Office of Apprenticeship is planning to issue a Notice of Proposed Rulemaking (NPRM) to update regulations for equal employment opportunity (EEO) in apprenticeship and training, which have not been revised since 1978. This second phase of regulatory updates will ensure that the Registered Apprenticeship's EEO regulations are consistent and in alignment with both the current state of EEO law and the final rule governing labor



Strategic Goal 1

standards for registration of apprenticeship programs published in October 2008. Through these regulatory updates, ETA will seek to address barriers to fair and diverse work places so that all qualified individuals participating in or seeking entrance to the nation’s labor market have access to training and employment through Registered Apprenticeship.

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

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	FY/PY 2014	What Worked	What Didn't Work	Program Performance Improvement Plan
Six Months Average Earnings (Apprenticeship)	Target	--	Base	\$19,324	\$19,352	\$19,352	\$19,999	\$23,682	Six Months' Average Earnings has increased by \$3,074 since FY 2010. This corresponds to a drop in the construction industry's annual unemployment rate from 20.6% in 2010 to 13% in 2012.		ETA will continue technical assistance strategies that help sponsors increase the numbers of apprentices who complete their programs.
	Result	--	\$20,566	\$20,335	\$22,210	\$23,409	--	--			
	Status	--	--	Y	Y	Y	--	--			
Six Months Average Earnings (WIA Adult)	Target	\$12,862	\$13,741	\$12,721	\$12,865	\$14,450	\$14,765	\$15,086	WIA Adult met its goal for wage earnings in PY 2011. This is an indicator that participant earnings are beginning to return to pre-recession economic downturn rates.	WIA Adult prioritizes resources to be spent on low-income individuals, which may result in lower earnings data compared to other programs.	ETA will continue to promote credential attainment, which is shown to have a strong impact on entering employment, increasing wages, and providing employment security to jobseekers.
	Result	\$14,649	\$13,712	\$13,801	\$13,457[r]	--	--	--			
	Status	Y	N	Y	Y	--	--	--			
Six Month Average Earnings (Dislocated Worker)	Target	\$14,888	\$15,542	\$15,238	\$15,418	\$18,346	\$18,737	\$19,136	Wages for DW placements exceeded their target for PY 2011, indicating improved quality of employment placements.		ETA will use guidance to continue to promote credential attainment to the workforce system; credential attainment is shown to have a strong impact on increasing wages to jobseekers.
	Result	\$16,167	\$16,804	\$17,550	\$16,516	--	--	--			
	Status	Y	Y	Y	Y	--	--	--			
Six Months Average Earnings (TAA)	Target	\$14,050.00	\$13,386.00	\$12,214.00	\$13,074.00	\$13,248.00	\$13,660.00	\$19,381.00	Positive outcomes are a result of continued focus on employment and case management services which has led to effective service strategies.		
	Result	\$14,281.00	\$15,087.00	\$14,214.00	\$18,184.00	\$18,787.00	--	--			
	Status	Y	Y	Y	Y	Y	--	--			
Six Month Average Earnings (INAP)	Target	\$9,157.00	\$9,174.00	\$9,261.00	\$9,363.00	\$10,660.00	\$10,894.00	\$11,133.00	WIA Indian and Native American grantees tailored training opportunities to the needs of low-skilled adults in order to improve quality job placements and career advancement.	Although the target was met, there are still fewer jobs in high growth, high wage occupations available in tribal territories.	ETA will continue to emphasize combined education and occupational skills training to maximize placing customers on a positive career path.
	Result	\$9,780.00	\$9,853.00	\$10,175.00	\$9,858.00	--	--	--			
	Status	Y	Y	Y	Y	--	--	--			

Strategic Goal 1

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	FY/PY 2014	What Worked	What Didn't Work	Program Performance Improvement Plan
Six Months Average Earnings (CSEOA)	Target	\$6,360.00	\$6,374.00	\$6,432.00	\$6,984.00	\$7,975.00	\$8,151.00	--	CSEOA has exceeded its targeted six months average earnings rate for the third year in a row.	Although the PY 2011 target was exceeded, helping seniors find good paying unsubsidized full time jobs is an on-going challenge; for many, part-time employment is often the only option.	CSEOA will continue to provide TA to help grantees enhance the hard and soft skills participants need to successfully move into higher paying unsubsidized employment.
	Result	\$6,795.00	\$6,893.00	\$7,608.00	\$7,580.00	--	--	--			
	Status	Y	Y	Y	Y	--	--	--			
Average wage of graduates at initial placement (Job Corps)	Target	--	\$9.02	\$9.10	\$9.25	\$9.30	\$9.35	\$9.40	Job Corps aligned its career technical training with industry-based standards to ensure the marketability of Job Corps graduates and increased opportunities for higher earnings.		
	Result	--	\$9.22	\$9.40	\$9.60	--	--	--			
	Status	--	Y	Y	Y	--	--	--			

**Sources:** Apprenticeship – Registered Apprenticeship Partners Information Data System (RAPIDS). WIA Adult, DW -- Annual State WIA performance report (ETA-9091). NEG -- WIA Standardized Record Data.

**Notes:** Currently 32 states enter data on registered programs and apprentices into the program’s case management system, RAPIDS.

Veterans’ Employment and Training Service

VETS assesses the performance of the American Job Center system on behalf of veterans served by the Jobs for Veterans State Grants by applying three common measures: the entered employment rate, the employment retention rate, and the six month average earnings of participants. The annual targets for all veterans were reached for all three performance measures. The entered employment rate increased by three percentage points, to 51 percent, from the previous year’s result of 48 percent. The employment retention rate also showed continued improvement from the previous year, increasing from 77 percent to 79 percent. Finally, the six months average earnings levels improved by more than \$500 from the previous year, increasing from \$15,619 to \$16,129. Average earnings is the only measure to exceed pre-recession levels, with employment entry and retention still steadily recovering.

VETS has encouraged front-line service delivery staff to respond in a variety of ways to the continuing constraints imposed by economic conditions. First, veteran jobseekers are encouraged to maintain their active status in the workforce system for longer periods while they continue to seek employment. Second, VETS has encouraged a refocusing of the responsibilities of both Disabled Veteran Outreach Program (DVOP) specialists and Local Veterans’ Employment Representative (LVER) staff. DVOP specialists have been encouraged to place greater emphasis on the delivery of intensive services (e.g., counseling, assessment, career guidance and referral to training), which better prepare veteran jobseekers to compete for scarce job openings. LVER staff members have been encouraged to place greater emphasis on employer outreach, which is intended to expand the number of job openings available with employers who are favorably inclined to hire veterans. VETS increased the performance targets for this goal for PY 2012 by assuming a positive impact of these strategies and by incrementally improving economic conditions.

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VETS also administers the Transition Assistance Program (TAP) DOL Employment Workshop for members of the Armed Forces, and their spouses, who are within 21 months of separation or within 24 months of retirement. Section 221 of the VOW Act requires participation in the TAP DOL Employment Workshop mandatory for all transitioning service members, with specific exemptions. This includes, for the first time, mandatory participation of National Guard and Reserve Component members.

Throughout FY 2012, DOL implemented a new curriculum and transitioned to 100% contract facilitation of the TAP DOL Employment Workshop; both were completed by January 2013.

VETS coordinates with the Department of Defense (DoD) to project demand for TAP DOL Employment Workshop and has consistently met this demand. In FY 2013, DoD anticipates an increase in the demand given the drawdown of operations in Iraq and Afghanistan. DOL maintains close coordination with DoD to ensure demand will be met.

VETS – Improve employment outcomes for Veterans and Transitioning Service Members

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	FY/PY 2014	What Worked	What Didn't Work	Program Performance Improvement Plan
Entered Employment Rate for veterans served by JVSG	Target	--	--	--	--	50.0%	52.0%	54.0%	Improved economic conditions resulted in a greater number of job openings, leading to steady increases in veterans' rate of entering employment.		In FY 2013, guidance to Disabled Veterans' Outreach Program (DVOP) Specialists will emphasize an increase in intensive services, to assist veterans in overcoming significant barriers to employment.
	Result	64.0%	60.0%	48.0%	48.0%	51.0%	--	--			
	Status	--	--	--	--	Y	--	--			
Employment Retention Rate for veterans served by JVSG	Target	--	--	--	--	78.0%	81.0%	81.0%	VETS' emphasis on preparing veterans for jobs with career potential has resulted in steady increases in retention over the past two years.		VETS has set a more ambitious target for FY 2013, based on improving economic conditions, and increased guidance to DVOP specialists regarding services to program participants.
	Result	82.0%	81.0%	74.0%	77.0%	79.0%	--	--			
	Status	--	--	--	--	Y	--	--			
Average Earnings (Six Months) for veterans served by JVSG	Target	--	--	--	--	\$15,750	\$16,000	\$16,500	Average earnings have increased to surpass pre-recession levels. This outcome is a result of veterans qualifying for and maintaining jobs with relatively high average earnings.	Veterans served by DVOP specialists continue to receive low rates of intensive services. With increased intensive services, veterans will be better prepared to compete for jobs with higher wages.	VETS continues to emphasize the placement of veterans in jobs that match veterans' skill levels and have high earnings and long-term career potential.
	Result	\$15,052	\$15,359	\$14,751	\$15,619	\$16,129	--	--			
	Status	--	--	--	--	Y	--	--			

Strategic Goal 1

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	FY/PY 2014	What Worked	What Didn't Work	Program Performance Improvement Plan
Number of TAP DOL Employment Workshops delivered in response to DoD demand	Target	--	--	--	--	4,500[p]	5,400[p]	5,444[p]	The Agency continued to meet demand from the Department of Defense (DoD) for the Transition Assistance Program DOL Employment Workshop. This was a result of close interagency coordination.		VETS will continue to work closely with DoD, as an increase in demand is anticipated given the drawdown in operations abroad.
	Result	4,108	4,426	4,065	4,203	4,560	--	--			
	Status	--	--	--	--	--	--	--			
Percent of Veterans receiving intensive services (Rolling Data)	Target	--	--	--	--	32.0%	38.0%	47.0%	Following the release of VETS guidance in 2010, DVOP specialists have increased the rates of intensive services from 22% to 31%.	The intensive services rate remains low. VETS estimates that the majority of veterans with significant barriers to employment require intensive services to enter and retain employment.	Beginning of FY 2013, the intensive service's individual quarterly data will be reported.
	Result	20.0%	21.0%	22.0%	25.0%	31.0%	--	--			
	Status	--	--	--	--	I	--	--			

**Sources:** Labor Exchange Reporting System - VETS 200 C Report and WISPR data from Pennsylvania and Texas. The Veteran Employment and Training Services' Operations and Programs Activity Report (VOPAR).

**Notes:**

Wage and Hour Division

In FY 2010, the Wage and Hour Division (WHD) reengineered its Davis-Bacon wage survey process to begin improving the timeliness of its wage determination rates. Through the use of this new methodology, WHD was able to increase the number of highway industry wage rates that were three years old or less. The percentage of building and highway industry rates that are three years old or less were both above 80 percent at the end of FY 2012. Heavy industry rates lag behind at 67 percent. In FY 2012, WHD published the results of 18 new wage surveys reducing the average age of building, heavy, and highway industry wage rates to less than 40 months. Building and highway industry rates are both below 30 months, with heavy industry rates continuing to lag behind in this measure.

WHD – Issue timely and accurate prevailing wage determinations

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	FY/PY 2014	What Worked	What Didn't Work	Program Performance Improvement Plan
Percent of Davis-Bacon Non-Residential Wage Rates that are three years old or less	Target	--	--	--	75.00%	80.00%	83.00%	0.00%	WHD published 18 surveys, mostly for building, highway, and heavy industries, with many of the highway surveys in states where the determined highway rates have a supportable methodology.	WHD concentrated its reengineering efforts on building, heavy, and highway industries.	WHD will continue to use the highway industry survey methodology that keeps those rates current. In FY 2012, WHD published 7 heavy industry surveys to lower the age of those wage rates.
	Result	--	--	72.00%	76.00%	77.00%	--	--			
	Status	--	--	--	Y	I	--	--			

Strategic Goal 1

Sources: Wage Determinations Generation System

Notes:

**Program Evaluations**

Independent evaluations completed in FY 2012 are summarized below.

<b>ETA – “Unemployed Older Workers: Many Experience Challenges Regaining Employment and Face Reduced Retirement Security.” April 2012 (GAO)</b>	
<b>Relevance:</b> This GAO report examines the effect of unemployment on older workers, i.e. those over 55. It looks at the changes in employment older workers have experienced since the start of the recession; the financial risks older workers experience from long term unemployment and the challenges they face; how unemployment may affect their retirement income; and, what policies may help along with identifying the policies the Department of Labor has already taken to assist these older workers. The GAO conducted the performance audit from October 2012 through April 2012.	
<b>Findings and Recommendations:</b> <ul style="list-style-type: none"><li>• Only one-third of older workers displaced from 2007 – 2009 found work by 2010 and these workers experienced greater earning losses than younger workers.</li><li>• It takes older unemployed workers longer to find another job than younger unemployed workers. 55% of older workers had been actively seeking a job for 27 weeks or more.</li><li>• Long-term unemployment reduces an older worker's retirement income. They may stop saving; they may use retirement savings for living expenses while unemployed; or, they may claim Social Security retirement benefits earlier than they had planned.</li><li>• Long-term unemployment erodes workers' skills and the likelihood that they will ever become employed.</li><li>• Hispanic and black older workers had significantly higher rates of unemployment.</li><li>• Increased employment of older workers has not been associated with decreased employment of younger workers.</li></ul>	<b>Next Steps:</b> <p>Policy experts recommended incentives including wage and training subsidies.</p> <p>Workforce professionals recommended special services to address the unique needs of older workers including:</p> <ul style="list-style-type: none"><li>• Learning how to present their skills and experiences without calling attention to their age, past experience or high level positions;</li><li>• Learning how to diffuse employers' concerns and myths about hiring older workers;</li><li>• Learning how to adjust their physical appearance to make a better impression;</li><li>• Learning how to submit online applications;</li><li>• Developing up-to-date skills that employers need.</li></ul> <p>Recommendation to the Secretary of Labor: “Consider the strategies needed to address the unique needs of older job seekers, in light of recent economic and technological changes.”</p>
<b>Additional Information:</b> <a href="http://www.gao.gov/products/GAO-12-445">http://www.gao.gov/products/GAO-12-445</a>	

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

### Analysis and Future Plans

#### Employment and Training Administration

Through investments in youth education and training programs under the WIA Youth formula program, Job Corps, and YouthBuild grants, the Department worked to ensure that workers get the skills and knowledge needed to prepare them to succeed in a knowledge-based economy, including in high-growth and emerging industry sectors like “green” jobs. The Job Corps, WIA Youth, and YouthBuild programs exceeded their degree or certificate attainment targets; the Job Corps and WIA Youth programs also met the targets for the placement in employment, education, or training measure.

The PY 2011-2014 targets are based on a methodology developed by DOL for setting national performance targets using regression analysis. This econometric model uses program results from the prior year, current labor market conditions and individual characteristics to correct for the effects of the business cycle and labor market conditions on the outcomes of employment and training programs, producing targets that objectively reflect the impact of the economic environment on program performance. ETA expects to update PY 2013 and PY 2014 targets based on more recent program results by April 30, 2013. For more detailed information on Regression Adjustment Model for Workforce System Program Performance Targets, see U.S. Department of Labor Strategic Plan Fiscal Years 2011-2016 pg. 111-112, available at: [http://www.dol.gov/\\_sec/stratplan/StrategicPlan.pdf](http://www.dol.gov/_sec/stratplan/StrategicPlan.pdf).

ETA’s Agency Priority Goal also takes an integrated approach across several programs (WIA Adult, WIA Dislocated Workers, WIA Youth, NEG, TAA, Registered Apprenticeship, Job Corps, YouthBuild, High Growth JTI, ARRA High Growth and Emerging Industries, and Green Jobs Innovation Fund) to ensure that program participants have the opportunity to earn industry-recognized credentials that can lead to good jobs.

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

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	FY/PY 2014	What Worked	What Didn't Work	Program Performance Improvement Plan
Percent of participants who earn a diploma, GED, or certificate by the end of the third quarter after exit. (WIA Youth)	Target	50.90%	47.90%	55.40%	54.70%	59.60%	59.70%	59.70%	Percent of participants earning a diploma, degree, or certificate reached was at an all-time high of 62.6 percent in PY 2011. ETA provided	States continue to indicate a need for additional guidance and TA related to credential attainment in high demand industries, such as health care.	ETA will use guidance to the workforce system to emphasize credential attainment, particularly in the areas of health care and
	Result	53.90%	52.90%	59.50%	62.60%	--	--	--			
	Status	Y	Y	Y	Y	--	--	--			

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*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	FY/PY 2014	What Worked	What Didn't Work	Program Performance Improvement Plan
									guidance through the "Credentials for Youth" tool.		manufacturing, through the promotion of career pathways.
Percent of participants entering employment or enrolling in post-secondary education, the military or advanced training/occupational skills training in the first quarter after exit. (WIA Youth)	Target	59.40%	58.00%	53.10%	53.30%	59.70%	59.90%	60.20%	Placement in education increased from 14% in PY 2010 to 15.8 in PY 2011. ETA promoted partnerships with other federal agency programs and employers to provide summer and year-round employment.	States continue to indicate a need for additional TA related to credential attainment in high demand industries.	ETA will provide guidance on developing programs that offer youth career pathways and that combine occupational and basic educational skill attainment through postsecondary offerings.
	Result	60.60%	53.70%	59.00%	59.30%	--	--	--			
	Status	Y	N	Y	Y	--	--	--			
Percent of students who attain a GED, HSD, or certificate by the end of the third quarter after exit from the program (Job Corps)	Target	54.00%	55.00%	56.00%	57.00%	58.00%	65.00%	58.00%	Increased focus on graduate full-time placement has helped sustain prior year results.		
	Result	55.00%	60.60%	64.40%	64.90%	--	--	--			
	Status	Y	Y	Y	Y	--	--	--			
Percent of Job Corps Participants entering employment or enrolling in post-secondary education and/or advanced training/occupational skills training in the first quarter after exit from the program	Target	74.0%	75.0%	65.3%	66.3%	67.3%	65.0%	70.0%	Increased focus on graduate full-time placement has helped sustain prior year results.		
	Result	66.0%	65.8%	73.4%	73.3%	--	--	--			
	Status	N	N	Y	Y	--	--	--			
Percent of Training Program Exitters who Earn an Industry Recognized Credential	Target	--	--	--	--	59.00%	62.00%	--	ETA is taking an integrated approach across several programs to ensure that program participants have the opportunity to earn industry-recognized credentials that can lead to good jobs.	Apprenticeship estimates performance for its non-fed funded states based on its 25 federally funded states. This methodology may not accurately portray national performance.	ETA will stress, through directives and technical assistance, the benefits of training that leads to a credential. ETA will also promote credential attainment through the design of grant competitions.
	Result	--	--	--	--	57.20%	--	--			
	Status	--	--	--	--	--	--	--			
Percent of participants who earn a GED or certificate by the end of the third quarter after exit (YouthBuild)	Target	--	Base	60.7%	60.0%	62.9%	63.0%	63.0%	Technical assistance to grantees on improving education outcomes and opportunities provided for instructor training in industry-recognized construction curricula helped the program meet its target.	Although the target was met, grantees are continuing to explore how to best deliver industry-recognized training opportunities.	ETA will focus its technical assistance efforts on GED and occupational skills preparation.
	Result	41.0%	58.0%	62.2%	66.2%	--	--	--			
	Status	--	--	Y	Y	--	--	--			

**Sources:** Job Corps – Job Corps Management Information System. WIA Youth – Annual State WIA performance reports (ETA-9091). YouthBuild – grantees’ quarterly reports. APG: State/Grantee Quarterly Reports.

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

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

### Program Evaluations

Independent evaluations completed in FY 2012 are summarized below.

ETA – “Job Corps Oversight of Center Performance Needs Improvement,” September 2012 (OIG)	
<p><b>Relevance:</b> Job Corps uses a complex performance management system to assess program effectiveness across multiple components of services and programs offered to Job Corps students at 125 centers nation-wide and provide feedback to its centers on performance, while encouraging continuous program improvement. The Office of Inspector General (OIG) conducted this audit to address the following question: To what extent has the Office of Job Corps ensured its centers managed their academic and career technical training programs to meet performance goals and maximize student achievements?</p>	
<p><b>Findings and Recommendations:</b></p> <p>OIG Findings:</p> <ul style="list-style-type: none"><li>• Job Corps' oversight weaknesses undermine center performance</li><li>• Job Corps' oversight of centers did not address poor performing programs and maximize student achievements</li></ul> <p>OIG Recommendations:</p> <ul style="list-style-type: none"><li>• Develop processes and controls to ensure Job Corps issues PIPs to centers for each underperforming CTT program as required by WIA and Job Corps policy.</li><li>• Revise the grading system used to initiate PIPs to ensure it effectively identifies underperforming CTT programs.</li><li>• Develop processes and controls to ensure that underperforming HSD/GED programs receive appropriate oversight, including PIPs.</li><li>• Develop processes and controls to ensure Job Corps conducts ROCAs as required by Job Corps policy and that CTT and HSD/GED performance issues are identified and addressed.</li><li>• Develop processes and controls to ensure Job Corps documents and reviews for effectiveness all oversight activities conducted so that internal and external stakeholders can make informed decisions regarding the oversight's effectiveness.</li></ul>	<p><b>Next Steps:</b></p> <ul style="list-style-type: none"><li>• In the PY 2012 update to Job Corps Policy and Requirements Handbook (in Appendix 501d, pages 11-15), Job Corps codified revisions to the CTT overall rating scale, outlined required procedures for grading (A-D) and clearly delineated procedures for development, implementation and monitoring of Performance Improvement Plans.</li></ul>
<p><b>Additional Information:</b> <a href="http://www.oig.dol.gov/public/reports/oa/2012/26-12-006-03-370.pdf">http://www.oig.dol.gov/public/reports/oa/2012/26-12-006-03-370.pdf</a></p>	



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

### **Analysis and Future Plans**

#### Employment and Training Administration

Through various ETA efforts and improving overall economic conditions, all six programs were able to meet their respective entered employment goals in PY 2011/FY 2012.

While training cannot create jobs, the Department will continue to stress the need to train individuals for jobs and occupations in demand. For example, the WIA Adults experienced a 15.6 percentage point difference when looking at program exiters who received training services and those who did not; WIA Dislocated Workers experienced 23.6 percentage point difference. Throughout the year, the program worked to accurately determine which sectors and career opportunities were gaining strength; the vast majority of trainings issued align with BLS high-growth occupations and/or the Occupational Information Network's (O\*Net) "Bright Outlook" occupations list. Critical investments were also made to further understand promising reemployment approaches such as on-the-job training and career pathways. Information on these and other effective strategies for reemployment will be shared with the workforce system in the coming year. Looking forward, determining how to invest precious training funds will remain a top priority for the program in the coming year and throughout the economic recovery.

In response to the Veterans Opportunity to Work (VOW) to Hire Heroes Act of 2011, DOL renewed its commitment to lower veterans' unemployment and ensure that service members leave the military career-ready. In the coming program year, ETA will continue to partner with VETS on several key activities to provide the workforce system with guidance on services available to veterans, including Priority of Service. ETA will also remain focused on assisting participants with entry to career pathways that lead to middle-class jobs and strengthening strategic partnerships with businesses and the education community. Workforce solutions will continue to be developed within the context of state and regional economies. DOL will continue to target the placement of workers in high-demand sectors and occupations, and to emphasize occupational training and adult education – especially in green and health care occupations.

Apprenticeships are tied to employment and, therefore, have declined in number with the nation's widespread job losses over the past few years – especially since a large majority of apprentices are in the construction and manufacturing industries, both of which have been severely affected by the recession. However, over 63,000 new apprentices nationwide participated in registered apprenticeship programs in FY 2012

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

In the year ending June 30,2012 - the latest data available - 62.6 percent of UI claimants were reemployed in the calendar quarter following the quarter in which they received their first UI payment. This performance is on pace to exceed the FY 2012 target of 56.4 percent, and represents an increase of .6 percentage points from the FY 2011 level.

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

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	FY/PY 2014	What Worked	What Didn't Work	Program Performance Improvement Plan
Entered Employment Rate (INAP)	Target	64.30%	60.20%	53.40%	54.00%	55.70%	56.20%	57.10%	Increasing the number served, providing TA to help grantees tailor training opportunities to the realities of the local economy and enhancing partnerships helped INAP meet its goal.		ETA will continue to provide guidance will be provided to the workforce system that emphasizes occupational training and adult education.
	Result	62.60%	56.00%	53.86%	59.30%	--	--	--			
	Status	N	N	Y	Y	--	--	--			
Entered Employment Rate (NFJP)	Target	73.80%	72.20%	79.40%	79.70%	80.50%	80.60%	80.80%	A comprehensive service delivery model combining training, employment services, and supportive services that prepares farmworkers for employment was key in NFJP's success this PY.		Technical assistance efforts will continue to focus on effective training and service delivery strategies for farmworkers.
	Result	80.30%	80.70%	80.10%	82.60%	--	--	--			
	Status	Y	Y	Y	Y	--	--	--			
Entered Employment Rate (Employment Service)	Target	60.30%	56.50%	46.20%	46.60%	49.90%	50.30%	51.00%	The program served over 19 million participants, and helped over 7 million Americans enter or return to the workforce.	The Entered Employment rate increased in PY 2011 from PY 2010 by over 3 percent. However, placements are still well below the pre-recession levels.	DOL will continue to provide policy and programming guidance including the sharing of best practices to help American Job Seekers.
	Result	59.70%	47.80%	48.00%	51.30%	--	--	--			
	Status	N	N	Y	Y	--	--	--			
Facilitate Claimant Reemployment: Percent of UI claimants reemployed by the end of the first quarter after quarter in which they received first payment.	Target	65.20%	59.00%	58.60%	54.40%	56.40%	59.40%	64.70%	Improving economic conditions and state reemployment efforts have resulted in improved performance on this measure.	10 states did not meet the state-specific Acceptable Level of Performance standard for this measure.	States failing to achieve the state-specific Acceptable Level of Performance standard for this measure were required to develop a corrective action plan (CAP) for the FY 2013 SQSP submission.
	Result	58.00%[r]	53.50%[r]	56.80%[r]	62.00%[r]	62.60%	--	--			
	Status	N	N	I	Y	Y	--	--			
Entered Employment Rate (WIA Adult)	Target	71.0%	66.3%	49.3%	53.1%	56.7%	57.1%	57.9%	The Entered Employment Rate continues to increase from the economic downturn indicating an economic and jobs recovery.	Although the target was met, there continues to be a high demand for WIA Adult services and training.	ETA will strongly engage the business community to ensure credentials earned through the Adult program are industry-recognized and in high-demand occupations.
	Result	67.6%	51.0%	57.3%	56.8%[r]	--	--	--			
	Status	N	N	Y	Y	--	--	--			

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*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	FY/PY 2014	What Worked	What Didn't Work	Program Performance Improvement Plan
Entered Employment Rate (Dislocated Worker)	Target	71.00%	66.30%	49.30%	49.70%	58.60%	58.90%	59.60%	The Department emphasized the eligibility of returning service-members for Dislocated Worker services and training.	When compared to pre-recession levels, employment opportunities continue to be more limited.	ETA will ensure Dislocated Worker job training is strongly linked to local labor market opportunities.
	Result	67.60%	51.00%	57.30%	60.70%	--	--	--			
	Status	N	N	Y	Y	--	--	--			

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

**Notes:** UI Data are for claimants who received their first payments between April 2010 and March 2011, who were reemployed between July 2010 and June 2011. The 7-point increase in performance between FY 2011 and 2012 is due to the rise in Extended Benefits (EB) payments. EB payments rose from \$8.0 billion in 2010 to \$11.9 billion in 2011 and model results suggest that most of the increase from FY 2011 to FY 2012 resulted from the increase in EB overpayments.

**Program Evaluations**

Independent evaluations completed in FY 2012 are summarized below.

<b>ETA – “Workforce Investment Act: Innovation Collaborations between Workforce Boards and Employers Helped Meet Local Workforce Needs”</b>	
<p><b>Relevance:</b> The purpose of the General Accountability Office (GAO) study and testimony before the Senate Subcommittee on Employment and Workforce Safety, Committee on Health, Education, Labor and Pensions was to review and present examples of collaboration between the local workforce investment boards and employers. GAO acknowledged the “challenge of collaboration” but proceeded from an investigative platform to find “promising practices” and “positive results” within the system. Based on recommendations from Federal agencies and workforce and economic development officials, GAO decided to review fourteen initiatives in thirteen local areas to review.</p>	
<p><b>Findings and Recommendations:</b></p> <ul style="list-style-type: none"> <li>The key principals surveyed in the fourteen initiatives cited a number of common factors which facilitated and sustained collaboration – (1) a focus on urgent and common needs, (2) leadership, (3) the use of leveraged resources, (4) employer-responsive services, (5) minimizing administrative burden, and (6) results that motivated the partners to continue their collaboration.</li> <li>The majority of collaborations grew out of efforts to urgent workforce needs of multiple employers in specific industry sectors including health care and manufacturing.</li> <li>The sector approach paid dividends: Boards and their partners produced innovative labor force solutions that, in several cases, evaded employers who were trying to address their needs individually.</li> <li>Listening to the employer voice was an imperative. In all surveyed initiatives, the partners provided employer-responsive services to actively involve employers and keep them engaged in the collaborative process. Some boards</li> </ul>	<p><b>Next Steps:</b></p> <ul style="list-style-type: none"> <li>GAO noted that “Labor has taken various steps to support local collaborations, such as conducting webinars and issuing guidance on pertinent topics, and contributing to a new federal grant program to facilitate innovative regional collaborations. Yet, while many boards cited leveraging resources as a key to facilitating collaboration, Labor has not compiled pertinent information on effective practices for leveraging resources and made it easy to access.” ETA is undertaking a redesign of our primary sharing platform and database (Workforce3One) to making it easier for users to find specific resources, including leveraging funding. In addition, ETA has introduced a “Workforce System Strategies” page which represents the agency’s effort to begin identifying a range of potential strategies that are informed by research evidence or peer expertise.</li> <li>ETA builds business engagement strategies and expectations into the design and implementation of all competitive grants, and supports formula grantees through technical assistance and online tools.</li> </ul>

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<p>and partners employed staff with industry-specific knowledge to better understand the employer’s requirements.</p> <ul style="list-style-type: none"><li>• GAO documented a number of other positive results, including repeat employer business and enhancement in the number of quality of job listings submitted by employers.</li><li>• The Federal WIA performance measures, however, were often judged ineffective or incomplete in reflecting Board and Center engagement with employers. This judgment drove several Boards to devise their own measures to assess services to employers.</li></ul>	<ul style="list-style-type: none"><li>• ETA has also undertaken other steps to support our system’s set of relationships with the nation’s employers, including a redesign of CareerOneStop.org to provide a business portal to improve access of employers to important resources and information products. The agency also awarded grants to 13 States to expand and strengthen “business engagement.” The agency will bring these States into “peer-to-peer” sharing discussions, and the developed successful strategies will be shared with other States.</li><li>• States have also described their sector strategies and business outreach and engagement plans within the context of the Workforce Investment Act – Wagner-Peyser Strategic Plans (2012 – 2016).</li></ul>
<p><b>Additional Information:</b> <a href="http://www.gao.gov/products/GAO-12-419T">http://www.gao.gov/products/GAO-12-419T</a></p>	

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

### Analysis and Future Plans

#### Employment and Training Administration

It is the Department’s goal to help keep middle-class families in the middle-class. Over 80 percent of program exiters were still employed nine months after completing services and gaining employment through the WIA Dislocated Worker program, NEGs, and TAA.

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

At the end of FY 2011, OTAA reported an average processing time (APT) of 61 days; at the end of FY 2012, the Q4 APT was 50 days, which represents an 11-day improvement over the previous year. OTAA attributes its success in meeting the FY 2012 annual target to: (1) the speed and focus that remaining staff adopted in processing petitions; (2) the implementation of modified standard operating procedures (SOPs); (3) increased investigator training, (4) a decline in petition filings throughout the year, and (5) and the establishment of a special team to focus strictly on reducing current overdue petitions.

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

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	FY/PY 2014	What Worked	What Didn't Work	Program Performance Improvement Plan
Average Petition Processing Time in Days (TAA)	Target	--	--	40[r]	75	54[r]	40	TBD	The implementation of more stringent completion timeframes (via special team focused on overdue petitions) and improved accountability by internal audits contributed to a reduction in the APP.	Changes in legislation and limited staffing had a slight negative impact on results.	
	Result	35	48	140	78[r]	52	--	--			
	Status	--	--	N	I	Y	--	--			
Employment Retention Rate (Apprenticeship)	Target	84.00%	80.10%	81.80%	78.90%	79.10%	79.60%	84.10%	Because 58% of program completers in FY 2012 work in the construction industry, the drop in the construction industry’s annual unemployment rate has positively impacted results.		ETA will continue to employ technical assistance strategies that help sponsors increase the numbers of apprentices who complete their programs.
	Result	--	81.60%	80.90%	84.00%	85.30%	--	--			
	Status	--	Y	N	Y	Y	--	--			

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*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	FY/PY 2014	What Worked	What Didn't Work	Program Performance Improvement Plan
Employment Retention Rate (TAA)	Target	91.00%	87.50%	83.30%	82.90%	83.20%	83.60%	90.00%	Positive outcomes are a result of continued focus on employment and case management services which led to effective service strategies. TAA Extension Act of 2011 reauthorized case management services.		
	Result	90.00%	88.00%	86.20%	89.90%	90.60%	--	--			
	Status	I	Y	Y	Y	Y	--	--			
Percent of petitions processed in compliance with established review procedures (TAA)	Target	--	--	--	Base	86.25%[r]	90.00%	90.00%	In FY 2012, the program enhanced efficiency and production outputs throughout MIS data entry, case management, customer outreach, investigation timeliness, determination, and notification.	The program met this target despite changes in legislation and staffing limitations.	Implement additional accountability measures in performance standards; improve customer outreach and data integrity procedures; and track progress of investigations and complete audits more frequently
	Result	--	--	--	87.00%	89.00%	--	--			
	Status	--	--	--	--	Y	--	--			
Employment Retention Rate (Dislocated Worker)	Target	84.70%	84.00%	78.00%	78.00%	82.00%	82.00%	82.10%	DW exceeded its goal and has improved upon the PY 10 outcomes by over 2 percent.		ETA will continue to emphasize the use of local labor market information to enhance and target strong employment opportunities for workers and jobseekers.
	Result	86.00%	79.70%	81.90%	84.10%	--	--	--			
	Status	Y	N	Y	Y	--	--	--			
Employment Retention Rate (National Emergency Grants)	Target	--	Base	76.80%	77.10%	83.90%	83.90%	84.00%	The training and employment services provided through National Emergency Grants were effective in helping dislocated workers impacted by mass layoffs find and retain employment.		
	Result	--	78.50%	85.50%	88.30%[r]	--	--	--			
	Status	--	--	Y	Y	--	--	--			

Sources: DW -- Annual State WIA performance report (ETA-9091) NEG -- WIA Standardized Record Data

Notes:

Veterans' Employment and Training Service

In FY 2012, VETS nearly reached its target of 90 percent of Uniformed Services Employment and Reemployment Rights Act (USERRA) investigations completed within 90 days, by ending the year at 89 percent. The percent of USERRA referrals completed within 60 days exceeded the target of 70 percent by thirteen percentage points (83 percent).

VETS strives to improve its USERRA investigative process. FY 2012 was a baseline year for implementing a quality measure to evaluate the closed investigation cases. It resulted in 83 percent of closed investigations meeting the agency's quality standard.

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In FY 2013, VETS will also develop a quality measure for the closed investigation cases that were referred outside of the agency.

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

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	FY/PY 2014	What Worked	What Didn't Work	Program Performance Improvement Plan
Percent of USERRA investigations completed within 90 days	Target	--	--	87.0%	87.0%	90.0%	90.0%	90.0%	VETS has continued to reinforce the 90-day standard for consecutive fiscal years and has incorporated the standard into management officials' performance plans.	Some cases required additional time or were more complex in nature, preventing VETS from reaching its timeliness target.	VETS will be reviewing the quality of investigations on a quarterly, rather than annual basis, to make real-time course corrections and disseminate best practices.
	Result	78.0%	86.0%	84.0%	87.0%	89.0%	--	--			
	Status	--	--	N	Y	I	--	--			
Percent of USERRA referrals completed within 60 days	Target	--	--	59.0%	60.0%	70.0%	83.0%	85.0%		Non-federal referrals are made directly to the U.S. Department of Justice, and do not have the benefit of an intermediary review by DOL's Office of the Solicitor.	VETS will develop a quality review process for referrals, similar to the process for investigations. This process will ensure that increased referral timeliness does not result in diminished quality.
	Result	6.0%	56.0%	63.0%	57.0%	83.0%	--	--			
	Status	--	--	Y	N	Y	--	--			
Percent of Closed Cases Meeting the Agency's Quality Standard	Target	--	--	--	--	Base	84.0%	86.0%	VETS established a baseline for this quality measure in FY 2012.		
	Result	--	--	--	--	83.3%	--	--			
	Status	--	--	--	--	--	--	--			

Sources: USERRA Information Management System

Notes:

**Program Evaluations**

Independent evaluations completed in FY 2012 are summarized below.

ETA – “An Effectiveness Assessment and Cost-Benefit Analysis of Registered Apprenticeship in 10 States,” July 2012 (Mathematica Policy Associates)	
<b>Relevance:</b> The study assessed the effectiveness of Registered Apprenticeship (RA) with regard to the earnings and net benefits received by apprentices; the barriers that women face in RA and the best practices for promoting their success; and the social costs and benefits of RA in 10 states: Florida, Georgia, Iowa, Kentucky, Maryland, Missouri, New Jersey, Ohio, Pennsylvania and Texas.	
<b>Findings and Recommendations:</b> <ul style="list-style-type: none"> <li>Participants who completed an RA program had average lifetime earnings gains of nearly a quarter million dollars (\$240,037, increasing to \$301,533 with employer benefits added) compared to nonparticipants. Even when individuals</li> </ul>	<b>Next Steps:</b> <ul style="list-style-type: none"> <li>OA will widely disseminate the findings of the study to the workforce system, policy leaders</li> </ul>

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<p>who participated in, but did not complete, the program are added to the analysis, average earnings gains for all participants is still an impressive \$98,718 (\$123,906 with employer benefits) over their careers.</p> <ul style="list-style-type: none"> <li>• The social benefits of the RA program appear to be much larger than the social costs. Over the career of an apprentice, the estimated social benefits of RA exceed the social costs by more than \$49,000.</li> <li>• Female apprentices expressed positive views of RA but recommended some changes to promote women’s success. Researchers found that women participate in RA at lower rates than men and are concentrated in social service occupations (mainly child care and health care). In the 2010 cohort, women made up only 9 percent of new apprentices. Women are much less likely than men to enroll in the traditional skilled trades and, when they do, they are less likely than men to complete RA.</li> <li>• The women interviewed see their participation in RA as a pathway to career advancement and higher pay. Those interviewed suggested strategies to enhance the success of women in RA: Undertaking targeted outreach campaigns, building women’s basic skills, helping women develop accurate expectations about particular occupations, adequate child care, assisting employers to enforce policies to combat harassment at male-dominated worksites and per groups for support and encouragement.</li> <li>• RA programs are largely similar in states federally administered by the Office of Apprenticeship (OA) states and State Apprenticeship Agency states (SAA). Modest differences were found between both types of states in demographics, occupational distribution, completion rates, and earnings gains of apprentices.</li> </ul>	<p>and other stakeholders who will take may take interest in seeing the high return on investment of public dollars in a program that results in high wages for participants.</p> <ul style="list-style-type: none"> <li>• A webinar is planned for the spring of 2013. Meetings and other activities are still in the planning stage.</li> </ul>
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**Additional Information:** [http://wdr.doleta.gov/research/FullText\\_Documents/keywork.cfm](http://wdr.doleta.gov/research/FullText_Documents/keywork.cfm)

**ETA – “Trade Adjustment Assistance: Changes to the Workers Program Benefited Participants, but Little Is Known about Outcomes,” September 2012 (GAO)**

**Relevance:** The Trade Globalization and Adjustment Assistance Act of 2009, enacted as part of the American Recovery and Reinvestment Act, made substantial changes to the TAA program, such as extending eligibility to workers in the service sector and increasing benefits levels. The Act required GAO to report on the operation and effectiveness of those changes. Specifically, GAO examined (1) the challenges Labor faced in implementing the 2009 legislation, (2) selected state officials’ assessment of the 2009 legislation’s effect on participants and state and local administrators, and (3) the extent to which participants received program benefits and services established by the 2009 legislation and achieved employment outcomes.

**Findings and Recommendations:**

- None

**Next Steps:**

- None

**Additional Information:** <http://www.gao.gov/products/GAO-12-953>

**ETA – “Changes Can Provide ETA Better Information on Participants Co-Enrolled in Workforce Investment Act and Wagner-Peyser Programs”**

**Relevance:** In February 2006, ETA issued guidance to State Workforce Agencies (SWA), encouraging them to co-enroll individuals in multiple programs given the conviction that such action would help integrate services and improve participant outcomes. While there are no current statutory or regulatory requirements or goals for the SWAs or Local Workforce Agencies (LWA) to implement co-enrollment, this activity was viewed as a voluntary tool to facilitate service delivery. The Office of Inspector General (OIG) conducted a subsequent performance audit of the WIA and Dislocated Worker program participants co-enrolled in the Wagner-Peyser program.

**Findings and Recommendations:**

- All but one of 53 SWAs reported the co-enrollment participants in the WIA Adult and Dislocated Worker and Wagner-Peyser programs.
- The SWAs collectively reported that approximately 88 percent of WIA

**Next Steps:**

- In response to the performance audit’s major recommendations, ETA provided a memorandum to the OIG which offered these assessments and responses:
- There is no requirement under WIA or Wagner-Peyser regulations that require that a



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Adult and Dislocated Workers nationwide were co-enrolled with Wagner-Peyser. The SWAs and LWAs used cost-allocation plans and resource-sharing agreements to ensure that WIA and Wagner-Peyser programs bear their fair share of costs.

- Without an effective system to measure the outcomes of participants who were co-enrolled, OIG observed that “ETA was not in a position to provide program managers, policymakers, and the public with relevant information about programs impacted by co-enrollment. The SWAs and LWAs faced challenges to comply with the service and reporting requirements of the multiple funding streams.”
- The OIG assessment concluded that ETA faces three challenges as a result of co-enrollment that are inherent in WIA’s design to provide integrated services through multiple funding streams because:
  - (1) a reporting mechanism was not in place that could capture the reality brought about by co-enrollment — i.e., how to account for and report outcomes on participants who were concurrently receiving services funded by multiple programs;
  - (2) the SWAs’ and LWAs’ flexibility to co-enroll participants was impacted by the requirement that services funded by Wagner-Peyser be provided by State employees; and
  - (3) the risk that LWAs provided duplicate services to participants increased due to co-enrollment.

reporting mechanism be developed to capture co-enrollment practices. As acknowledged in the report, ETA views co-enrollment practices as a voluntary tool available to states to enhance service delivery.

- ETA will encourage states to share the information without making a value judgment. Since co-enrollment is done on a state-by-state basis, ETA notes that what works well in one state or area may not work well or be appropriate in another. However, ETA will share state comments regarding why co-enrollment is a beneficial practice. These comments will be shared in the TEN. ETA will solicit written state responses through the performance inbox, [ETAPerforms@dol.gov](mailto:ETAPerforms@dol.gov).
- ETA will use the opportunity of the aforementioned TEN to remind states of the importance of ensuring that services are not duplicative across multiple funding streams, and that states and local service providers are best positioned to determine the mix of services that will meet the needs of their customers. While the Workforce Investment Act Standard Record Data cannot be used to identify potentially duplicative services, states need to ensure that they have mechanisms in place for American Job Center staff to help ensure that services are not duplicated, as that is not the most efficient use of funds. ETA recognizes that there are situations where a pure count of services provided may cause a reviewer to think that services overlap. However, states and American Job Center staff must continue to be able to determine the appropriate services to meet an individual’s needs.
- The Workforce Investment Streamlined Reporting System (WISPR) has been piloted in two States since 2006 with plans to bring a third State into the pilot in PY 2013. WISPR would integrate data systems to make the provision of unduplicated counts of program participants and exits possible. National implementation, however, has been constrained due to a lack of funding for this reporting system.

**Additional Information:** <http://www.oig.dol.gov/public/reports/oa/2012/03-12-004-03-390.pdf>

## Outcome Goal 1.5—Secure wages and overtime

### Analysis and Future Plans

#### Wage and Hour Division

In FY 2012, WHD conducted a nationwide directed enforcement initiative to establish a baseline compliance rate for the residential construction and hotel industries. In FY 2013, WHD is finalizing these results while implementing lessons learned from a FY 2010 initiative on the janitorial industry. These initiatives, along with the complaint investigations and local directed initiatives in priority industries, support WHD’s mission to protect vulnerable workers in low wage industries including agriculture. The complaint investigations allow WHD to fulfill its customer service obligations and determine emerging problems. The directed enforcement program allows WHD to invest resources in industries likely to have violations where there are vulnerable workers who are not likely to file complaints.

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

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	FY/PY 2014	What Worked	What Didn't Work	Program Performance Improvement Plan
Number of compliance actions	Target	--	--	29,268	31,897	34,533	36,301	37,558	WHD is experiencing increased productivity from the 300 new investigators hired in 2009 and 2010. They have completed their training and are becoming more productive.	Gains in the number of compliance actions will be incremental as WHD maintains its emphasis on conducting quality case work and concentrating on no-violation cases through effective planning.	WHD needs to keep investigator numbers at optimal levels to ensure that productivity remains high.
	Result	28,232	24,918	26,500	33,293	34,139	--	--			
	Status	--	--	I	Y	I	--	--			
Percent of directed investigations (excludes conciliations)	Target	--	--	24.00%	32.00%	35.00%	38.00%	40.00%	Priorities and policies are producing results. For example, field staff shifting from lower priority complaints to directed work.	WHD reached this target but not the directed no violation rate. WHD will maintain the emphasis on refining targeting strategies and performing quality investigations.	WHD needs to continue to focus on keeping no violation rates low as this measure result continues to increase.
	Result	36.51%	35.21%	17.00%	29.00%	40.63%	--	--			
	Status	--	--	N	I	Y	--	--			
Percent of complaint no violation cases	Target	--	--	--	15.00%	22.80%	22.00%	20.00%	WHD instituted new complaint screening processes that have resulted in lower no violation rates.	WHD needs to remain vigilant in ensuring that the complaint investigations support WHD priorities and customer service.	WHD is exploring targeting models to ensure that resources are placed in priority areas.
	Result	21.34%	21.95%	26.12%	24.59%	21.29%	--	--			
	Status	--	--	--	I	Y	--	--			

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*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	FY/PY 2014	What Worked	What Didn't Work	Program Performance Improvement Plan
Percent of directed no violation cases	Target	--	--	--	28.00%	25.00%	23.00%	20.00%	WHD has placed a greater emphasis on planned investigations which has resulted in this trend of lower no violation rates.	WHD greatly exceeded its planned number of directed investigations which resulted in a higher than anticipated result.	See above.
	Result	35.02%	35.20%	30.27%	30.00%	29.22%	--	--			
	Status	--	--	--	I	I	--	--			
Percent of all investigations in priority industries (excludes conciliations)	Target	--	--	--	75.00%	72.00%	75.00%	77.00%	WHD commits to industries where it expects to find vulnerable workers, which is balanced against doing investigations in each statutory program.	WHD may have plateaued in performance by this measure.	WHD is reviewing its priority industries to ensure that WHD is continuing to place resources in industries with vulnerable workers.
	Result	73.56%	74.64%	72.36%	74.64%	74.62%	--	--			
	Status	--	--	--	I	Y	--	--			
Percent of complaint investigations in priority industries (excludes conciliations)	Target	--	--	--	63.00%	66.00%	68.00%	69.00%	WHD recognizes not all complaint responses in priority industries given the need to be responsive to program areas like FMLA can occur.	See above.	See above.
	Result	64.22%	64.85%	65.39%	66.00%	67.33%	--	--			
	Status	--	--	--	Y	Y	--	--			
Percent of Directed Investigations in Priority Industries	Target	--	--	--	80.00%	83.00%	85.00%	--	WHD continues to place high priority and resources in industries with vulnerable workers.	See above.	See above.
	Result	83.90%	85.77%	81.83%	81.74%	85.25%	--	--			
	Status	--	--	--	Y	Y	--	--			

Sources: WHISARD

Notes:

Employment and Training Administration

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

In FY 2012, for the permanent labor certification program (PERM), 77 percent of permanent labor certification program applications were resolved within six months of the initial filing date (PERM). When compared to FY 2010, processing times improved substantially due, in large measure, to the continued implementation of a management plan that resulted in further reductions of the backlog of pending permanent cases by 40 percent.

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OFLC has placed a high priority on integrity, so it will audit more of its cases. As a result of the detailed and time-intensive audit process, OFLC maintains a target of 68 percent for its PERM measure.

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

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	FY/PY 2014	What Worked	What Didn't Work	Program Performance Improvement Plan
Percent of employer applications for permanent labor certification resolved within six months of filing	Target	75.00%	92.00%	80.00%	81.00%	68.00%	68.00%	0.00%	OFLC tracked PERM application processing times on a weekly, monthly and quarterly basis and re-aligns Atlanta National Processing Center resources when necessary to meet the timeliness goals.	Applications selected for integrity review take longer than six months to process. OFLC monitors the volume of applications selected for review to balance limited staff resources and timeliness goals.	Continue to monitor timeliness of both non-integrity and integrity applications as well as the volume of applications selected for integrity review.
	Result	92.00%	18.00%	37.00%	77.00%	77.00%	--	--			
	Status	Y	N	I	I	Y	--	--			
Percent of resolved permanent applications selected for integrity review and found in compliance	Target	--	--	60%	61%	50%	--	--	OFLC continuously tracked PERM audit review results and used these results to make decisions about which cases to select for audit reviews in the future.	The measure provides little management value since there is no way to ensure employer compliance prior to issuing a final determination and does not account for case adjudication process quality.	In FY 2013, OFLC will establish baseline data for a new measure designed to assess the quality of OFLC's decision-making and level of compliance with established operating protocols.
	Result	--	--	55%	50%	67%	--	--			
	Status	--	--	--	N	Y	--	--			
Percent of permanent labor certification determinations issued by OFLC in compliance with established standard operating procedures	Target	--	--	--	--	--	Base	--	N/A	N/A	N/A
	Result	--	--	--	--	--	--	--			
	Status	--	--	--	--	--	--	--			

Sources: OFLC PERM Electronic Filing and Case Processing System

Notes:

**Program Evaluations**

Independent evaluations completed in FY 2012 are summarized below.

<b>ETA – “Management of H-2B Program Needs to Be Strengthened to Ensure Adequate Protections for U.S. Workers,” September 2012 (OIG)</b>
<b>Relevance:</b> The Office of Inspector General (OIG) audited the Employment and Training Administration’s (ETA) role in the H-2B visa program. The H-2B non-immigrant program permits employers to hire foreign workers to enter the U.S. to perform temporary non-agricultural services or labor on a one-time, seasonal, peak load, or intermittent basis. This audit expanded the work OIG completed in a previous report issued September 30, 2011.

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**Findings and Recommendations:**

- Develop an alternative methodology for its post-adjudication audits;
- Collaborate with Department of Homeland Security (DHS) to explore ways for ETA to review U.S. Citizenship and Immigration Services documents during ETA post-adjudication audits;
- Begin post-adjudication audits no later than 120 days into the approved employment period of the selected application and complete within 70 days; not only to deter potential fraud with the program, but also to allow the employer to take corrective action for any deficiencies identified.

**Next Steps:**

- ETA/OFLC agreed with this recommendation and committed to reviewing the content of the Notice of Audit Examination (NOAE) to ensure ETA requests adequate source documentation. The Department identified four recommended actions and corresponding timeframes to implement this recommendation:
  1. Evaluate current NOAE payroll documentation requirements (January 2013);
  2. Develop revised NOAE (January 2013);
  3. Revise Standard Operating Procedures (February – March 2013);
  4. Implement revised NOAE (April – May 2013).

In addition, ETA/OFLC agreed to provide to the Wage and Hour Division, when requested, a copy of the audit findings where ETA identifies payroll noncompliance. (Please see the Department’s January 11, 2013 Statement of Executive Action for a more detailed response to this recommendation.)
- ETA/OFLC partially agreed with this recommendation. Using post-adjudication audits to verify foreign workers’ employment eligibility and reviewing other nonimmigrant documentation is beyond the Department’s H-2B statutory and regulatory authority. However, ETA/OFLC agreed to collaborate and share data with DHS. ETA/OFLC identified two recommended actions and related timeframes for completion:
  1. Convene data sharing meetings and discussions with DHS (January – March 2013); and
  2. Determine whether access to visa petition data would enhance OFLC program administration.

The Office of the Solicitor, ETA and Wage and Hour will lead this effort. (Please see the Department’s January 11, 2013 Statement of Executive Action for a more detailed response to this recommendation.)
- ETA/OFLC agreed to initiate post-adjudication audits earlier and developed an FY 2013 goal to issue NOAE letters 120 to 150 calendar days after the certified work start date. ETA/OFLC determined a target audit completion timeframe of 90 to 120 days from date of NOAE issuance is feasible, rather than 70 days recommended by OIG. In addition, OFLC agreed to provide employers with written notification identifying specific violations(s) and the corrective action(s) that they should undertake. Further, ETA/OFLC identified three recommended actions and target completion dates:
  1. Develop revised audit sample selection methodology (January – February 2013);
  2. Identify audit sample (March 2013);
  3. Implement examinations through issuance of NOAE (April – May 2013).

(Please see the Department’s January 11, 2013 Statement of Executive Action for a more detailed response to this recommendation.)

**Additional Information:** <http://www.oig.dol.gov/public/reports/oa/2012/06-12-001-03-321.pdf>

**ETA – “H-2A Visa Program: Modernization and Improved Guidance Could Reduce Employer Application Burden,” September 2012 (GAO)**

**Relevance:** The H-2A visa program allows U.S. employers anticipating a shortage of domestic agricultural workers to hire foreign workers on a temporary basis. State Workforce Agencies and three federal agencies—the Departments of Labor (DOL), Homeland Security (DHS), and State review applications for such workers. The Government Accountability Office (GAO) was asked to examine (1) any aspects of the H-2A application process that present challenges to agricultural employers, and (2) how federal agencies have addressed any employer challenges with the H-2A application process.

**Findings and Recommendations:**

- Develop a method to automatically collect data on the reasons for deficiency notices,

**Next Steps:**

- Although the Department’s primary focus is the successful implementation of the new electronic case filing and processing system, the Department agreed to begin developing business requirements to formally collect and report

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<p>requests for additional evidence, and denials, and use this information to develop strategies to improve the timeliness of H-2A application processing (as well as to improve external guidance and target staff training).</p> <ul style="list-style-type: none"><li>• Permit applicants to use a single application with staggered dates of need for employers who need workers at different points in the harvest season. Employers could still be required to submit recruitment evidence, but would not need to resubmit a full application for each set of workers during the season.</li><li>• Review and revise, as appropriate, guidance provided to state workforce agencies on methods to determine the acceptability of employment practices. This guidance should be made available to employers and published on the DOL website.</li></ul>	<p>reasons for deficiencies, requests for additional evidence and denials in May of 2013. The Department identified five recommended actions and target dates for completion in response to this recommendation:</p> <ol style="list-style-type: none"><li>1. Perform assessment and develop functional requirements (May to June of 2013);</li><li>2. Develop functional system design specifications (July to August of 2013);</li><li>3. Estimate level of effort or development costs (August of 2013);</li><li>4. Determine resource availability, execute task order for development (September of 2013);</li><li>5. Construct code, perform testing, and implement revised software (October to December of 2013).</li></ol> <p>(Please see the Department’s December 18, 2012 Statement of Executive Action for a more detailed response to this recommendation.)</p> <ul style="list-style-type: none"><li>• The Department does not plan to implement this recommendation. Single applications with staggered dates of need would result in one recruitment period for job opportunities that may begin many weeks or months after the original date of need. Because this falls far short of the way in which U.S. workers seek employment, this would suppress applications from U.S. workers who are unable or unwilling to commit to jobs that are distant in time. As a result, changing the date of need for some or all workers nullifies the validity of the labor market test, which eliminates the Department’s basis for granting the labor certification. (Please see the December 18, 2012 Statement of Executive Action for a more detailed response to this recommendation.)</li><li>• The Department agreed to update State Workforce Agency guidance on methods to determine the acceptability of employment practices, and will began reviewing ETA Handbook No. 398 in January of 2013. (Please see the December 18, 2012 Statement of Executive Action for a more detailed response to this recommendation.)</li></ul>
<p><b>Additional Information:</b> <a href="http://www.gao.gov/products/GAO-12-706">http://www.gao.gov/products/GAO-12-706</a></p>	

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

### **Analysis and Future Plans**

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

During FY 2012, ILAB reported on the nine outcome measures established in FY 2011. ILAB met or exceeded its targets for four outcome measures this year, and exceeded its FY 2011 performance on another three. ILAB looks forward to data collected in FY 2013, which will enable ILAB to better examine trends.

#### ***Policy***

In FY 2012, ILAB met or slightly exceeded both outcome goals related to policy positions adopted by other United States Government (USG) agencies and international organizations. ILAB’s effectiveness in advancing policies to promote employment and protect workers’ rights is reflected in the adoption of 24 policy positions by the USG that reflect DOL priorities. For example, for only the second time under a Free Trade Agreement, DOL successfully built inter-agency consensus to request Consultations under the Labor Chapter of the US- Bahrain Free Trade Agreement, and issued its recommendation for the request in its public report, published on December 20, 2012. In addition, DOL built inter-agency consensus to accept submissions under the Labor Chapter of the Central American Free Trade Agreement (CAFTA-DR) related to alleged labor violations in Honduras and the Dominican Republic.

As a result of ILAB’s activities, 36 policy positions that reflect USG international labor interests and priorities were adopted by international fora and countries. For example, ILAB succeeded in promoting international labor standards in Colombia, where the Colombian Labor Ministry assessed fines up to \$1,000,000 on companies in 2012. ILAB’s engagement was critical in the Korean Government’s drafting of new labor legislation to eliminate discrimination against “fixed term/part-time/dispatched workers” in 2012. ILAB provided substantial leadership and guidance to the International Labor Organization’s (ILO) Better Work program to promote improvements in the methodology for assessment and advising on factory conditions, particularly on issues that are difficult to monitor and remediate, such as sexual harassment, forced labor and denial of freedom of association.

#### ***Grant-Funded Technical Assistance – Trade Related Worker Rights***

In FY 2012, ILAB funded model programs to address worker rights through technical assistance in 23 countries with which the United States has trade preference programs. This technical assistance entailed working closely with governments, multilateral and regional organizations, and

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business and workers' organizations. ILAB supported the Todos y Todas Trabajamos project in five Central American and Caribbean countries which enabled 37,412 workers to better exercise their rights and/or experience improved working conditions. Under this program, these workers were able to resolve 3,514 cases in conciliation before the Ministries of Labor or labor courts. In its final evaluation, the project was found to have helped workers reclaim over \$4.9 million in benefits that they were due since it the centers started operating in 2008, with over \$1 million recouped in 2012. Over the year, ILAB's efforts helped 84,089 workers worldwide better exercise their rights or experience better working conditions. ILAB provided support to improve business compliance and technical capacity of governments, and to protect worker rights, in 8 partner countries, a reduction from 18 in the previous year. This reflects the Bureau's strategic decision to reduce the total number of countries with which ILAB engages in policy and technical cooperation, while significantly increasing the intensity and depth of those engagements.

In FY 2012, ILAB awarded approximately \$6.5 million in grants to promote workers' rights, with a more robust emphasis on strengthening trade unions and worker organizations in trade partner countries. New projects in FY 2012 included building capacity of worker organizations in Colombia, Peru and Haiti, and building capacity of labor inspectorates in Colombia and Haiti.

ILAB also continued its oversight of previously funded Better Work projects in Bangladesh, Cambodia, Haiti, Indonesia, Nicaragua and Vietnam. Better Work projects monitor conditions in export factories, publish the results in a transparent manner and assist suppliers to comply with labor standards that many buyers and customers. Under the ILAB-funded Nicaragua Better Work program, more than 28,000 workers have experienced improved livelihoods as a result of ILAB interventions.

### ***Grant-Funded Technical Assistance – Child Labor***

In FY 2012, ILAB continued to initiate new projects, and progressed with implementation of those initiated in FY 2011, of innovative child labor elimination programs to provide livelihood services to vulnerable households. In FY 2012 ILAB also continued to build upon recent efforts to build global capacity to combat child labor. These new directions added to the education and training services that USDOL-funded projects have long provided to children. Grantees in 40 countries provided services to combat child labor. This increased capacity results from actions such as adopting new laws and policies on child labor, implementing new social programs to address the issue, and increasing inspection and enforcement capabilities. ILAB met or exceeded two of its three outcome goals relating to activities performed by DOL-funded international child labor elimination projects.

Through these projects, ILAB grantees provided education or vocational services to 100,436 children engaged in or at high risk of entering child labor (exceeding its target of 81,181 by 24 percent). Project activities also led to increased capacity to address child labor in 31 countries, exceeding ILAB's target by over 50 percent. Instances of increased capacity included outcomes such as passage of new child labor legislation, training of labor inspectors and other law enforcement officials, and adoption of national action plans to eliminate child labor. Results from project activities aimed at improving household livelihoods fell short of the target, with projects providing livelihood services to 4,182 households, or – 33 percent below the target of 6,154. A few projects encountered challenges in meeting targets due to general implementation delays or issues in identifying beneficiaries and matching them with appropriate livelihood services. Implementation delays were most commonly encountered in projects operating in Africa,



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particularly in countries experiencing political instability or security issues. The shortfall in targets for particular projects reflects the uncertain institutional and political environments in which ILAB projects operate, rendering ILAB targets vulnerable to often unpredictable external factors and constraints.

With FY 2012 funding, ILAB awarded almost \$60 million in grants to address child labor in countries including Burkina Faso, Cambodia, Ecuador, Indonesia, Liberia, Panama, and Tanzania. ILAB also funded a project to support efforts by the governments of Brazil and Peru to combat forced labor, including forced child labor. ILAB also continued its detailed oversight of the substantial portfolio of ongoing ILAB-funded child labor elimination projects.

### ***Monitoring and Enforcement of Labor Standards***

In FY 2014, ILAB will support the Presidential and Departmental priorities of ensuring protection of worker's rights internationally through: enforcement of labor commitments under U.S. Free Trade Agreements (FTAs) and Trade Preference Programs, technical assistance programs that monitor and inspect factory conditions in trading partner countries, and through enforcement of international labor standards, with an emphasis on advocacy and technical assistance to address the problem of child labor, as well as using global fora such as the G20 Labor Ministers' process and the International Labor Organization (ILO) to advance policies aimed at job creation.

In a global labor market, US workers' livelihoods and interests can too easily be undercut by unfair labor competition. For this reason, monitoring workers' rights and livelihoods globally, and enforcing international labor standards and labor provisions of US free trade agreements, is vital. ILAB's key target countries in FY 2014 will include as many as feasible of the following: 15 developing countries with which the USG has existing FTAs (Dominican Republic, Central American countries, Colombia, Peru, Panama, Chile, Mexico, Bahrain, Oman, Morocco, and Jordan); other important trade partner countries such as South Korea; selected new negotiating partners such as Vietnam and Malaysia; the member states of the European Union; high priority trade preference countries where labor rights and conditions are a significant concern and the US possesses significant policy tools for engagement such as Haiti, Bangladesh and the Philippines; and countries of US foreign policy interest with significant labor issues and opportunities for engagement present themselves such as Egypt, India, Brazil, China, Burma and Russia.

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DM – Improve worker rights and livelihoods for vulnerable populations

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	FY/PY 2014	What Worked	What Didn't Work	Program Performance Improvement Plan
Number of countries in which ILAB engages in policy dialogue or negotiation.	Target	--	--	0	116	28	30	35	ILAB maintains close communication with other USG agencies and has been able to shift resources to ensure that our bilateral engagement activities serve the overall USG foreign policy objectives.		
	Result	--	--	99	46	38	--	--			
	Status	--	--	--	N	Y	--	--			
Number of policy positions adopted by the U.S. government through the interagency process that reflect ILAB and DOL priorities	Target	--	--	--	Base	24	24	24	ILAB is on target with this result. This reflects the quality and consistency of our policy work in this area.		
	Result	--	--	--	24	24	--	--			
	Status	--	--	--	--	Y	--	--			
Number of policy positions adopted by international fora and countries that reflect ILAB and DOL priorities	Target	--	--	--	Base	34	34	34	ILAB is on target with this result. This reflects the quality and consistency of our policy work in this area.		
	Result	--	--	--	34	36	--	--			
	Status	--	--	--	--	Y	--	--			
Number of households receiving livelihood services	Target	--	--	--	Base	6,154	23,068	14,991	While this was the first year with a large group of grantees providing and reporting on this relatively new type of service, several grantees met or exceeded their targets for this measure.	Some projects had challenges with timely identification of beneficiaries and matching them with needed livelihood services. In other instances, political instability caused implementation delays.	ILAB will increase its monitoring of grantee activities under this measure and work to identify implementation challenges as early as possible.
	Result	--	--	--	1,057	4,182	--	--			
	Status	--	--	--	--	I	--	--			
Number of children engaged in or at high-risk of entering the worst forms of child labor provided education or vocational services	Target	--	--	--	Base	81,181	67,077	51,723	DOL-funded projects continued to provide highly relevant education services to children who otherwise would likely not have accessed such services.	Some grantees faced challenges in setting accurate beneficiary targets for this measure.	DOL will work with grantees to improve the accuracy of their targeting of service beneficiaries.
	Result	--	--	--	100,006	100,436	--	--			
	Status	--	--	--	--	Y	--	--			
Number of countries with increased capacity to address child labor or forced labor	Target	--	--	--	Base	21	15	17	Through careful monitoring of grantee activities, DOL has gotten better at capturing achievements towards this measure, resulting in higher instances of increased capacity.		
	Result	--	--	--	22	33	--	--			
	Status	--	--	--	--	Y	--	--			

Strategic Goal 1

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	FY/PY 2014	What Worked	What Didn't Work	Program Performance Improvement Plan
Number of countries in which worker rights and/or working conditions are improved	Target	--	--	--	Base	13	15	15	All 23 garment factories in Haiti made improvements as a result of Better Work reporting.	Failure to meet the target results from the overly-broad definitions developed for this indicator. What got counted was inconsistent from year to year and across projects	ILAB is currently working with external consultants who are experts in results-based management and measuring performance to look at its measures and will provide recommendations for modifications.
	Result	--	--	--	13	7	--	--			
	Status	--	--	--	--	N	--	--			
Number of countries with improved capacity of the government and/or other social partners to protect worker rights and/or improve working conditions as a result of DOL interventions	Target	--	--	--	Base	18	21	16	Countries interested in maintaining or expanding trade benefits with the U.S.(GSP benefits or signing an FTA)made some changes to their labor laws in line with recommendations provided by DOL.	Failure to meet the target results from the overly-broad definitions developed for this indicator. What got counted was inconsistent from year to year and across projects.	ILAB is currently working with external consultants who are experts in results-based management and measuring performance to look at its measures and will provide recommendations for modifications.
	Result	--	--	--	18	8	--	--			
	Status	--	--	--	--	N	--	--			
Number of workers better able to exercise their rights and/or that experience improved working conditions as a result of DOL interventions	Target	--	--	--	Base	184,802	448,794	409,464	Trade union members and workers participated in Performance Improvement Consultative Committees (PICCS) under DOL-funded Better Work projects and actively addressed workplace challenges.	Failure to meet the targeted results due to a narrowing of previously developed overly-broad definitions for this indicator. What got counted was inconsistent from year to year and across projects.	ILAB is currently working with external consultants who are experts in results-based management and measuring performance to look at its measures and will provide recommendations for modifications.
	Result	--	--	--	59,860	84,089	--	--			
	Status	--	--	--	--	I	--	--			
Number of workers with improved livelihoods as a result of DOL interventions	Target	--	--	--	Base	46,000	16,400	20,800	In Vietnam 3,000 additional workers were covered by a multi-employer collective bargaining agreement that was expanded to cover them.	Failure to meet the targeted results due to a narrowing of previously developed overly-broad definitions for this indicator. What got counted was inconsistent from year to year and across projects.	ILAB is currently working with external consultants who are experts in results-based management and measuring performance to look at its measures and will provide recommendations for modifications.
	Result	--	--	--	4,783	28,963	--	--			
	Status	--	--	--	--	I	--	--			

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

Notes:

**Program Evaluations**

There were no relevant independent evaluations completed in FY 2012.

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

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

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

##### Occupational Safety and Health Administration

In FY 2012, OSHA reached all four targets for DOL Priority Goals to reduce worker fatalities and to reduce lost time injuries and illnesses for federal workers. For the other four (hazard abatement) measures, methodology has changed since last year; results based on the old method are provided in the Measures Discontinued section. OSHA is working with the data to develop FY 2014 targets.

In FY 2013, OSHA will focus on continuing to use enforcement, regulation, compliance assistance, and outreach to meet the agency's priorities of reducing workplace injuries, illnesses, and fatalities. It is physically impossible for OSHA compliance officers to inspect every workplace every year. OSHA will therefore focus on prioritizing those issues and areas with the greatest impact from resources invested.

In the enforcement arena, OSHA will concentrate on the identification, creation, and implementation of inspection-emphasis programs that address the most debilitating injuries and the most high-hazard workplaces. New Local and National Emphasis Programs (LEPs and NEPs) that addressed significant occupational safety or health risk to workers in the construction industry were a feature of OSHA activities in FY2012 and will continue to be developed in FY2013. Another example was a noise NEP developed after reviewing best practices for noise reduction in the workplace, personal protective equipment, hearing conservation programs, and engineering controls feedback gathered during the Noise Stakeholder Meeting. New programs dealing with isocyanates and nursing/residential care facilities are examples of programs begun in FY2012 and being prepared for roll-out in FY2013. Other areas identified from complaints, incidents, and professional journals will serve as a basis for new initiatives in FY2013. NEPs historically have been critical in supporting the Secretary's goal of securing safe and healthy workplaces and in reducing fatalities associated with the leading causes of death.

OSHA uses its Site Specific Targeting (SST) program to target high-hazard workplaces for unannounced inspections, and its Severe Violators Enforcement Program (SVEP) to focus its enforcement efforts on significant hazards and violations. By concentrating on uncovering systemic problems, whether in multiple worksites owned by the same employer or across entire industries, OSHA will be able to magnify its effectiveness. Rooting out systemic problems can eventually make a huge difference in the lives of tens of thousands of workers.

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OSHA will face greater than normal challenges in FY2013 as it balances its obligations to the safety and health of the working public with the limitations imposed on it due to budgetary issues. Strategic leveraging of resources through the careful apportioning of personnel and the targeting of employers and industries where workers are in the most danger of getting hurt, sick or killed by occupational hazards will be crucial to accomplishing OSHA’s mission and continuing to reach performance indicator targets.

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

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	FY/PY 2014	What Worked	What Didn't Work	Program Performance Improvement Plan
Rate of construction fatalities associated with the four leading causes of workplace death - falls, electrocution, caught in/between and struck by.	Target	--	--	--	8.8	8.7	8.6	8.6	From 2006 to 2011 the construction fatality rate declined 18%, a significant decrease that may be partly explained by OSHA’s increased emphasis, such as a fall prevention campaign initiated in 2012.		To address the rise/plateau of fatality rates 2010-12, as construction industry rebounded, OSHA will continue focusing on enforcement and outreach with an emphasis on training to reduce fatalities.
	Result	9.6	8.2	7.9	8.5	8.5	--	--			
	Status	--	--	--	Y	Y	--	--			
Rate of general industry fatalities associated with the four leading causes of workplace death- falls, electrocutions, caught in or between, and struck by	Target	--	--	--	1.0	1.0	0.9	0.9	From 2006 to 2011 the construction fatality rate declined 18%, a significant decrease that may be partly explained by OSHA’s increased emphasis, such as a fall prevention campaign initiated in 2012.		To address the rise/plateau of fatality rates 2010-12, as construction industry rebounded, OSHA will continue focusing on enforcement and outreach with an emphasis on training to reduce fatalities.
	Result	1.1	0.9	1.0	1.0	0.9	--	--			
	Status	--	--	--	Y	Y	--	--			
Federal Agency total case rate for injuries and illnesses	Target	--	--	3.10	3.09	2.75	2.63	2.70	OSHA’s targeting of TCR in 2010 contributed to a steep drop from 2010 to 11. Efforts to measure and benchmark this area of performance has been successful in improving federal worker safety.		Under POWER, federal agencies are required to maintain TCR at least 1% below their prior year’s rate. This focus on continuous improvement will reduce injuries and illnesses.
	Result	3.37	3.22	3.08	2.78	2.66	--	--			
	Status	--	--	Y	Y	Y	--	--			
Federal Agency lost time case rate for injuries and illnesses	Target	--	--	1.42	1.42	1.32	1.29	1.29	The trend since 2008 has been a decrease in LTCs, but the size of the decline from 2010-11 suggests that targeting and focusing on this metric improved the safety and health of federal workers.		Under POWER, federal agencies are required to maintain LTC rates at least 1% below their prior year’s rate. This focus on continuous improvement will reduce injuries and illnesses and lost time.
	Result	1.57	1.48	1.44	1.33	1.30	--	--			
	Status	--	--	I	Y	Y	--	--			

Strategic Goal 2

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	FY/PY 2014	What Worked	What Didn't Work	Program Performance Improvement Plan
Number of hazards abated associated with hearing loss in construction and manufacturing	Target	--	--	--	--	--	--	TBD			
	Result	--	--	--	--	--	--	--			
	Status	--	--	--	--	--	--	--			
Number of hazards abated associated with illness in construction and general industry	Target	--	--	--	--	--	--	TBD			
	Result	--	--	--	--	--	--	--			
	Status	--	--	--	--	--	--	--			
Number of hazards abated associated with amputations	Target	--	--	--	--	--	--	TBD			
	Result	--	--	--	--	--	--	--			
	Status	--	--	--	--	--	--	--			
Total number of employee exposures to workplace hazards abated through inspections.	Target	--	--	--	--	--	--	TBD			
	Result	--	--	--	--	--	--	--			
	Status	--	--	--	--	--	--	--			

Sources: OIS, OPM, OWCP, BLS-CES, CEO, IMIS

Notes:

Mine Safety and Health Administration

In FY 2012, MSHA achieved its DOL Priority Goal to reduce mining fatalities. The five-year rolling average of fatal injuries per 200,000 hours worked fell by eight percent, exceeding the target of 5 percent. Mining fatality and injury rates fell to an all-time low in 2011. The fatal injury rate for mining as a whole was 0.0114 per 200,000 hours worked, and the all-injury rate was 2.73 per 200,000 hours worked, down from 0.0234 and 2.81, respectively, in 2010. A preliminary review of data for FY 2012 indicates that final figures for FY 2012 will show a continuing downward trend in both fatal and non-fatal injuries in mining. In the year ahead, MSHA will continue to develop and implement new ways to make enforcement more effective, less predictable, and more strategic, with the goal of continuing this positive trend. In 2012, 35 miners died in work-related accidents at the nation's mines. There were 19 coal mining and 16 metal/nonmetal mining fatalities last year – the lowest number of mining deaths since statistics were first recorded in 1910. Of the 35 fatalities reported, 4 occurred at surface coal mines, 12 at surface metal/nonmetal mines, 15 at underground coal mines and 4 at underground metal/nonmetal mines.

Mining deaths are preventable. In order to prevent mine deaths, operators must have in place effective safety and health management programs that are constantly evaluated, find-and-fix programs to identify and eliminate mine hazards, and training for all mining personnel. MSHA has undertaken a number of measures to prevent mining deaths: increased monitoring and strategic enforcement through impact inspections at mines with troubling compliance histories; instituted a more robust Pattern of Violations (POV) program; special initiatives such as "Rules to Live By," which focuses

## Strategic Goal 2

attention on the most common causes of mining deaths; and outreach efforts such as "Safety Pro in a Box," which provides guidance to the metal/nonmetal mining industry on best practices and compliance responsibilities. These efforts will continue in FY 2013.

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

An analysis of accident reports and enforcement data for underground coal mines led MSHA to determine that the same types of violations of health or safety standards are found by MSHA inspectors in underground coal mines every year, and that these violations present some of the most unsafe conditions for coal miners. These repeated violations expose miners to unnecessary safety and health risks that should be found and corrected by mine operators. In April 2012, MSHA published a final rule to address examinations of work areas in underground coal mines. Section 303(d) of the Mine Act requires operators to conduct examinations for violations of mandatory health or safety standard in areas where miners work or travel. The rule will increase the identification and correction of unsafe conditions in mines earlier, removing many of the conditions that could lead to danger, and improve protection for miners in underground coal mines.

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

MSHA met its FY 2012 target to survey 100 percent of coal mines for noise. MSHA continued to work with National Institute for Occupation Safety and Health (NIOSH) to require the implementation of proven noise controls in areas where the Agency determined that miners were exposed to excessive noise concentrations.

MSHA met its FY 2012 target to survey 100 percent of coal mines for respirable dust each quarter. The average concentration of dust in underground coal mines fell to all-time low in FY 2011 at 0.73; the lowest ever recorded in the history of dust sampling. MSHA continued its emphasis through the following: required mine operators to implement dust control parameters proven to be effective in controlling respirable dust; enhanced enforcement with emphasis on operator compliance with the approved dust control parameters at targeted mines by MSHA's Special Dust Emphasis teams and by individual districts; trained enforcement personnel and meetings with mine operators on lessons learned from the special inspections conducted by the national Special Dust Emphasis Teams to stress the importance of maintaining dust control parameters on a daily basis, and worked with NIOSH to jointly evaluate the use of supplemental dust scrubbers as a means of respirable dust control in various mining systems.

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MSHA met its FY 2012 target to increase the percent of Metal and Nonmetal mines conducting their sampling. For FY 2012, our goal was to demonstrate that 34 percent of MNM mine operators are conducting their own surveys/samples for airborne contaminants (focusing on silica dust) and noise. We know that effective surveys and sampling focus attention on the need to reduce exposures to noise and dust, as well as other air contaminants. To demonstrate this, MSHA required the MNM Districts to conduct health enforcement at 20 percent of their mines in each of the next five years. The assumption is that 85 percent of those mines (34 percent of all mines) will be doing their own surveying. Over the five-year period beginning in FY 2011, we expect Districts to conduct noise and dust sampling at an additional 20 percent of their mines annually. Over each of the next three years, we will move steadily toward a five-year goal of 85 percent of MNM mine operators that will be conducting their own surveys. Districts are already conducting noise surveys and compliance with sampling requirements under the noise standard will be easy to determine. The implementation of the enhanced enforcement initiative will facilitate assessing survey requirements for dust with respect to 30 CFR 56/57.5002 - the metal and nonmetal regulations pertaining to exposure monitoring. At the end of FY 2012, MSHA collected data from each District and calculated the overall statistic to arrive at the annual result. Based on the quantitative analysis, MSHA determined that 48 percent of mines are conducting their own sampling, thereby exceeding the annual target by 41 percent.

MSHA met its FY 2012 target to increase the percent of Metal and Nonmetal mines receiving comprehensive noise inspections. Twenty-one percent of the metal and nonmetal mines inspected during the second half of the fiscal year included monitoring for noise overexposure, more than double the fourth quarter of 2011 target. In FY 2012, MSHA sampled 31 percent of MNM mines for noise, thereby exceeding the annual target by 55 percent. MSHA is currently updating policies and procedures and developing inspector refresher training. MSHA is also planning a stakeholder meeting to discuss noise hazards in MNM mines as well as MSHA expectations with respect to compliance with the noise standard. MSHA has analyzed inspection data from 2007 to present and will provide information to the Districts to facilitate their planning for inspections. This information includes noise distribution by mine, by equipment/task, and by commodity. MSHA is also collecting and analyzing information regarding hearing loss reported under Part 50 reporting requirements.

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

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	FY/PY 2014	What Worked	What Didn't Work	Program Performance Improvement Plan
Five-year rolling average of fatal injuries per 200,000 hours worked (All MSHA Rate)	Target	--	--	0.0171	0.0178	0.0156	0.0143	TBD	Rules to Live By initiative, increased inspector presence, targeted enforcement activities.	Mine operators failed to comply with MSHA standards. Enforcement tools not adequate to address chronic violators.	Enhance the inspector training programs and improve the Pattern of Violation process.
	Result	--	--	0.0187	0.0164	0.0150	--	--			
	Status	--	--	--	Y	Y	--	--			
Percent of coal mines surveyed for respirable dust in conjunction with regular mandated inspections	Target	--	--	--	--	100%	100%	100%			
	Result	--	--	--	--	100%	--	--			
	Status	--	--	--	--	Y	--	--			



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*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	FY/PY 2014	What Worked	What Didn't Work	Program Performance Improvement Plan
Percent of coal mines surveyed for noise according to published inspection procedures	Target	--	--	--	--	100%	100%	100%			
	Result	--	--	--	--	100%	--	--			
	Status	--	--	--	--	Y	--	--			
Percent of Metal and Nonmetal mines conducting their own dust, gas, mist, and fume surveys	Target	--	--	--	--	34%	51%	68%	Developed clear policies and procedures for performance-based standards, i.e. 30 CFR Part 56/57.5002. Provided additional training for inspectors to ensure consistent enforcement practices.	Some standards do not require operators to conduct sampling; therefore conducting sampling is a best practice and not a requirement.	Development of performance goals that allow MSHA to evaluate its performance and not that of the industry, i.e. develop a goal that MSHA will conduct consistent enforcement of health standards.
	Result	--	--	--	--	48%	--	--			
	Status	--	--	--	--	Y	--	--			
Percent of Metal and Nonmetal mines receiving comprehensive noise inspections	Target	--	--	--	--	20%	20%	20%			
	Result	--	--	--	--	31%	--	--			
	Status	--	--	--	--	Y	--	--			
Five-year rolling average of fatal injuries per 200,000 hours worked (MNM's Rate)	Target	--	--	--	--	0.0106	TBD	TBD			
	Result	--	--	--	--	0.0103	--	--			
	Status	--	--	--	--	Y	--	--			
Five-year rolling average of fatal injuries per 200,000 hours worked (Coal's Rate)	Target	--	--	--	--	0.0234	TBD	TBD			
	Result	--	--	--	--	0.0223	--	--			
	Status	--	--	--	--	Y	--	--			

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

**Notes:** MSHA's fatality rate reflects the number of fatalities per 200,000 hours worked during the prior five-year period - FY 2013 result is required to calculate the five-year average in FY 2014.

**Program Evaluations**

Independent evaluations completed in FY 2012 are summarized below.

<p><b>OSHA – “The Evaluation of the Occupational Safety and Health Administration Site Specific Targeting Program White Paper – OSHA SST Program FY 2011,” September 14, 2012 (Impaq International)</b></p>
<p><b>Relevance:</b> The evaluation is assessing the impact of OSHA's Site Specific Targeting (SST) Program on employer compliance with workplace safety and health standards.</p>

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<p><b>Findings and Recommendations:</b></p> <ul style="list-style-type: none"> <li>• Interim results on the first year of the evaluation indicated that many of the firms in the high rate sample had OSHA violations in the past. In addition, baseline equivalence was established for the treatment and control groups in the study.</li> </ul>	<p><b>Next Steps:</b></p> <ul style="list-style-type: none"> <li>• None</li> </ul>
<p><b>Additional Information:</b> The report is available at: <a href="http://www.dol.gov/asp/evaluation/AllStudies.htm">http://www.dol.gov/asp/evaluation/AllStudies.htm</a></p>	
<p><b>MSHA – “MSHA's Oversight of Mine Operators' Training Plans was Adequate,” September 28, 2012 (OIG)</b></p>	
<p><b>Relevance:</b> The purpose of the Mine Safety and Health Administration (MSHA) is to prevent death, disease, and injury from mining and to promote safe and healthful workplaces for the Nation's miners. To assist in achieving this purpose, MSHA reviews, approves, and monitors health and safety training plans as required by Section 115A of the Federal Mine Safety and Health Act of 1977 (Mine Act). Two program areas within MSHA — Coal Mine Safety and Health and Metal and Nonmetal Mine Safety and Health — are responsible for enforcing the Mine Act at all mining operations in the United States. This includes reviewing, approving, and monitoring training plans submitted by mine operators and contractors. The Office of Inspector General (OIG) conducted this audit to determine whether MSHA reviewed, approved, and monitored mine operators' training plans as required.</p>	
<p><b>Findings and Recommendations:</b></p> <ul style="list-style-type: none"> <li>• MSHA timely reviewed, approved, and monitored mine operators' required training plans. The OIG also found MSHA's policies and procedures regarding the review, approval, and monitoring of training plans complied with federal laws and regulations. There were no recommendations as a result of this audit.</li> </ul>	<p><b>Next Steps:</b></p> <ul style="list-style-type: none"> <li>• No Action Planned</li> </ul>
<p><b>Additional Information:</b> <a href="http://www.oig.dol.gov/public/reports/oa/2012/05-12-003-06-001.pdf">http://www.oig.dol.gov/public/reports/oa/2012/05-12-003-06-001.pdf</a></p>	

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

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

### **Analysis and Future Plans**

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

In FY 2012 OFCCP continued its commitment to an aggressive posture of Active Case Enforcement that supports the agency’s three main strategies of *effective enforcement, outreach to workers, and regulatory reform*. To capture activities in support of these strategies, OFCCP increased the number of Operating Plan performance measures from six in FY 2011 to 19 in FY 2012 and collected data on additional measures to be reported in FY 2013.

OFCCP initiated a strategic approach to balancing quantity and quality in FY 2012, and results show that the agency is working towards finding this balance. OFCCP initiated its comprehensive strategy in FY 2011 by laying the foundation for embedding sustainable organizational change through the initiation of comprehensive regulatory reform, expanded scope of enforcement, unprecedented outreach to workers and vulnerable populations, redesign of quality assurance monitoring, on-boarding and training of hundreds of new compliance officers, and structural reorganization across the agency at many levels.

*Enforcement* – The FY 2012 enforcement targets were set at levels that would enable compliance officers to balance quantity and quality by maintaining an aggressive audit posture while enforcing disciplined case management that reduces the number of aged cases, resulting in fewer case closures with deficiencies and promoting effective enforcement through case triaging. Balancing quantity and quality was a major operational shift and cultural change for the organization that can only be fully realized over time.

*Outreach/Education* – As emphasized in FY 2011, Regions are shifting outreach efforts and resources to target community-based organizations that reach vulnerable workers most at risk of discrimination. Again, in FY 2012, OFCCP significantly changed how outreach is conducted and tasked the Regional offices with developing regional outreach strategic plans and assessments of relationships with worker-focused community-based organizations. OFCCP also will evaluate event quality moving forward and modify outreach efforts accordingly.

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*Regulatory Agenda* – OFCCP continues to actively pursue its regulatory agenda and made significant progress during FY 2012. During this FY the agency published the Section 503 Notice of Proposed Rulemaking (NPRM), drafted a Final Rule for Vietnam Era Veterans’ Readjustment Assistance Act (VEVRAA), and submitted the Construction NPRM for OMB’s review before it is formally submitted to OIRA. Additionally, OFCCP’s final rescission of the Interpretative Standards and the Voluntary Guidelines entered Departmental clearance, and the NPRM for the compensation data collection tool is expected to enter Departmental clearance this FY. The regulatory “look back” of OFCCP’s gender discrimination guidelines is concluded, and an NPRM for gender discrimination also should enter Departmental clearance later in the fiscal year. Finally, the agency’s rulemaking will be complemented by new directives, and the revision and rescission of obsolete directives.

OFCCP – Ensure diversity and fairness in federal contractor workplaces

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	FY/PY 2014	What Worked	What Didn't Work	Program Performance Improvement Plan
Total Number of Compliance Evaluations Completed	Target	--	--	5,000	3,500	3,980[r]	4,400[r]	4,650	OFCCP adopted a disciplined case management strategy to encourage increased production while improving case quality. This strategy was repeatedly communicated to the field.		
	Result	4,325	3,914	4,960	4,013	4,007	--	--			
	Status	--	--	I	Y	Y	--	--			
Number of Supply and Service Evaluations Completed	Target	--	--	--	3,225	3,500	4,000	--	OFCCP adopted a disciplined case management strategy to encourage increased production while improving case quality. This strategy was repeatedly communicated to the field.		
	Result	4,129	3,679	4,445	3,382	3,447	--	--			
	Status	--	--	--	Y	I	--	--			
Number of FAAP Supply and Service Evaluations Completed	Target	--	--	--	80	80	100	100		There was poor balance between field and national office FAAP case processing.	OFCCP will increase the percentage of FAAP cases handled by field staff.
	Result	66	59	26	82	59	--	--			
	Status	--	--	--	Y	N	--	--			
Number of Construction Evaluations Completed	Target	--	--	--	275	400	400	450	In FY 2012, OFCCP processed more smaller construction evaluations, which took less time resulting in the target for this measure being significantly exceeded.		OFCCP will continue efforts to better balance the processing of smaller construction evaluations with non-highway/first-time review/>15 employee case construction evaluations.
	Result	204	238	515	550	511	--	--			
	Status	--	--	--	Y	Y	--	--			
Percent of Pay Discrimination NOV with Systemic Findings	Target	--	--	--	--	Base	TBD	--	baselining		
	Result	--	--	--	--	28%	--	--			
	Status	--	--	--	--	--	--	--			

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**Sources:** OFEIS system data.

**Notes:**

Women’s Bureau

In FY 2012, the Women’s Bureau (Bureau) published three outreach tools: *A Guide to Women’s Equal Pay Rights*, *An Employer’s Guide to Equal Pay*, and a series of fact sheets developed with the Bureau of Labor Statistics. The Bureau worked with more than 141 collaborators across the country to conduct outreach, provide public education and disseminate its resources.

The Bureau also developed an online curriculum to accompany its publication *Trauma-Informed Care for Women Veterans Experiencing Homelessness: A Guide for Service Providers*. Both tools were used to provide technical assistance to more than 355 collaborators including workforce development professionals, DOL sister agencies, social service providers, and faith-based and other neighborhood partnership organizations. In addition, the Bureau an online curriculum to accompany its publication *Why Green Is your Color: A Woman’s Guide to a Sustainable Career*. The Bureau provided technical assistance to 335 collaborating organizations. Both tools were used with workforce development professionals, community colleges, and women’s organizations to provide information on the range of green jobs, education and job training opportunities.

The Bureau, in collaboration with the Office of the Chief Evaluator, commissioned a study to be done on the Workforce Investment Act, (WIA) program. The purpose of the study was to analyze administrative data to find how women are served by the WIA Adult and Dislocated Worker Programs

Lastly, the Bureau worked with more than 80 collaborators including, employers, colleges and universities, advocacy organizations, and DOL agencies to expand knowledge and promote workplace policies and programs.

DM – Break down barriers to fair and diverse workplaces to narrow wage and income inequality for women.

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	FY/PY 2014	What Worked	What Didn't Work	Program Performance Improvement Plan
Number of technical assistance hours provided (aggregate)	Target	--	--	--	--	2,664	2,400	1,612	As the year progressed the Technical Assistance Hours improved.	WB provided additional training to staff on technical assistance that improved the process.	Technical Assistance plans have been created to ensure targets are met.
	Result	--	--	--	--	2,626	--	--			
	Status	--	--	--	--	--	--	--			
Percent of active collaborators who implement recommended policies/strategies (aggregate)	Target	--	--	--	--	--	Base	TBD			
	Result	--	--	--	--	--	--	--			
	Status	--	--	--	--	--	--	--			

**Sources:** WB tracks information using quarterly WB Productivity Reports.

Strategic Goal 3

**Notes:**

Office of Disability Employment Policy

Through investments in its Technical Assistance Centers and projects that develop and evaluate promising strategies and practices, ODEP seeks to change the systems that impact the employment of people with disabilities. To this end, ODEP implemented initiatives which increased the capacity of states to implement Employment First; provided information and training to change the perceptions of employers regarding hiring people with disabilities; and, in partnership with the Employment and Training Administration, the Disability Employment Initiative implements strategies designed to increase access to and use of American Job Center services by all customers, including those with disabilities.

ODEP exceeded each of its three performance targets for FY 2012.

ODEP – Reduce barriers to fair and diverse workplaces for workers with disabilities.

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	FY/PY 2014	What Worked	What Didn't Work	Program Performance Improvement Plan
Policy Outputs	Target	--	18	32	41	35	47	55	ODEP's ongoing partnership with the Employment and Training Administration and its implementation of the Employment First Leadership State mentoring program were a source for increased productivity.	ODEP anticipated that its evaluation projects would be a greater source of policy outputs. However, the data indicate that they produced far more effective practices.	
	Result	44	39	35	42	39	--	--			
	Status	--	Y	Y	Y	Y	--	--			
Formal Agreements	Target	--	13	22	27	29	29	35	ODEP's technical assistance centers served as the greatest source of formal agreements.	Often ODEP can realize its policy goals without formal agreements. ODEP has balanced this with the creation of a collaboration measure to measure its informal partnerships.	
	Result	36	17	30	30	30	--	--			
	Status	--	Y	Y	Y	Y	--	--			
Effective Practices	Target	--	15	23	24	85	100	120	ODEP's Technical Assistance Centers were the single largest producer of effective practices.	ODEP is working more closely with its Technical Assistance Centers to ensure its targets are realistic and ambitious.	
	Result	27	15	23	44	131	--	--			
	Status	--	Y	Y	Y	Y	--	--			

**Sources:** Data collected through ODEP's Data Management System.

**Notes:**

**Program Evaluations**

There were no relevant independent evaluations completed in FY 2012.

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

**Analysis and Future Plans**

Wage and Hour Division

In FY 2012, WHD resolved 76.45 percent of its FMLA investigations within the fiscal year. Timely resolution of FMLA complaints is particularly critical for those complainants that have been terminated from their job or are at risk of termination or retaliation. In FY 2012, WHD reengineered its FMLA enforcement policies to ensure a more comprehensive approach to compliance, guided by the results of the FY 2011 FMLA customer service survey. WHD continued its work with the Chief Evaluation Officer on the ongoing survey of FMLA leave needs and usage, the results of which will help WHD better assess its regulatory priorities and establish measures for determining compliance with the law. WHD also proposed new FMLA regulations to implement changes in the statute related to military leave and flight attendants. In FY 2013, WHD is implementing an enforcement strategy that will expand WHD’s responses to FMLA complaints including more on-site investigations and policy reviews. These efforts will be balanced against timely resolution of complaints.

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

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	FY/PY 2014	What Worked	What Didn't Work	Program Performance Improvement Plan
Percent of FMLA incoming complaints resolved within the fiscal year	Target	--	--	74.00%	74.00%	75.00%	77.00%	78.00%	Issued plain language FMLA guide; developed strategic enforcement strategy; issued plain language policy guidance; analyzed results of the FMLA surveys; developed military family and flight crew regulations.	Strategic enforcement implementation requires changes to Wage Hour Investigator Support and Reporting Database (WHISARD) and changes to implementation in the field.	
	Result	76.71%	64.90%	62.24%	74.00%	76.47%	--	--			
	Status	--	--	N	Y	Y	--	--			

Sources: WHISARD

Notes:

**Program Evaluations**

There were no relevant independent evaluations completed in FY 2012.

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

### **Analysis and Future Plans**

#### Office of Labor-Management Standards

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

The increased complexity of union financial transactions continues to be a major challenge. By identifying anomalies in union financial reports and using other targeting measures, OLMS strives to more effectively identify unions where criminal activity may be present. OLMS has become more successful in this area, exceeding its financial integrity performance goal for three consecutive years – culminating with a “fallout” rate of 13.81 percent in FY 2012. Although this result was a small decrease from the FY 2011 result of 14.80 percent, OLMS still exceeded the annual target of 13.75 percent. Fallouts occur when OLMS performs compliance audits of unions and discover possible criminal activity that results in the opening of a criminal investigation. As a means to continue this improvement, OLMS established a work group that identified targeting methods and “red flags” that may indicate criminal activity. By instituting risk-based audit targeting models, fewer audits can be undertaken while maintaining a level number of criminal cases (and also increasing the percentage of audits that result in the opening of a criminal case).

OLMS has invested in new technology to facilitate the electronic filing of union financial reports. During FY 2010, OLMS implemented a new, web-based system for the electronic filing of Form LM-2 union annual reports, similar to the systems OLMS previously implemented for its Form LM-3 and LM-4 union filers. In FY 2012, the availability of electronic Forms LM-2, LM-3, and LM-4 coupled with outreach efforts coordinated through OLMS’ district offices, resulted in OLMS exceeding its annual goal – as 37.8 percent of all files were returned electronically. In January 2013, OLMS made the Form LM-30 available as an electronic form; this extends the availability of electronic filing to an additional 1,000 filers.

In passing the Labor-Management Reporting and Disclosure Act (LMRDA) in 1959, Congress established a 60-day deadline for court filing of an election complaint. Quicker resolution of election complaints ensures quicker restoration of democratic voice and a democratically operated union. In FY 2008, OLMS began tracking elapsed days, with 92 elapsed days as the baseline. OLMS has improved on this result in each subsequent year. In FY 2012, OLMS reduced the days elapsed per case to 71 days against a target of 76 days. OLMS continues to examine new methods for reducing



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its elapsed days further. In FY 2012, both the team-based approach for handling election cases and early Office of the Solicitor involvement in cases that may result in litigation aided in reducing the days elapsed per case.

In FY 2011, OLMS began tracking three additional measures. For these three measures, OLMS intends to reduce the number of chronically delinquent filers of labor organization financial reports, increase the number of LM-10 and LM-20 persuader reports filed, and increase its web site satisfaction index score. Baselines for these measures were established in FY 2010 and as such, FY 2011 was the first year comparative results were reported.

In FY 2010, OLMS determined there were 2,070 chronically delinquent filers, unions that have not filed a required financial report on time each of the past three years. Because timely filing is a basic tenet of financial transparency, OLMS determined that reducing the number of these chronically delinquent unions was important to this goal. For FY 2012, OLMS established a target of 1,870 chronically delinquent. OLMS exceeded this target, ending the year with 1,711 chronically delinquent filers. For FY 2013, OLMS will expand its efforts to reduce this number by identifying, in a more timely manner, those unions that were reported as chronically delinquent in FY 2012, and, in addition, those unions that have been delinquent the past two filings (one year short of meeting the definition of chronically delinquent). OLMS will target these “at-risk” unions in FY 2013 and offer compliance assistance to these and existing chronically delinquent filers in an effort to avoid another untimely filing. OLMS also believes outreach will positively impact electronic filing, as OLMS will urge these delinquent unions to use the electronic filing system. In FY 2013-14, OLMS will undergo an evaluation of its targeting efforts, with the goal of measuring responses to different outreach efforts.

Under the LMRDA, companies and outside agents/consultants are required to file an LM-10 or LM-20 when they arrange for services that are designed to influence or persuade employees in a union representation election. For FY 2011, OLMS established a goal of obtaining 545 persuader reports – efforts to obtain these reports generated 692 reports, many of which were submitted for prior years. For FY 2012, OLMS had a goal of 615 reports. OLMS efforts resulted in the submission of 890 LM-10 and LM-20 persuader reports – 198 above the target for this measure. As in FY 2011, many of the FY 2012 submissions were delinquent reports for past years from filers who were unaware that these reports were required. OLMS expects that in time, most delinquent reports will be filed and subsequent filings will be for the current year only. Should this occur, OLMS would expect that the number of filings will level off. One major effort under this initiative is to cross-match LM-10 and LM-20 reports – since both the company and the persuader are required to file a report for the same set of services. A secondary effort is an educational effort that informs potential filers as to the requirements under the LMRDA.

The final measure is customer satisfaction with the OLMS web site. OLMS established an index baseline of 58 in FY 2010 and a goal to increase the index score to 60 in FY 2012. This goal was exceeded as the OLMS customer satisfaction index score in FY 2012 was 64. OLMS will continue to analyze the customer satisfaction surveys to identify areas where improvements to the web site can be implemented, improvements expected to increase the customer satisfaction score.

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OLMS – Ensure union financial integrity, democracy, and transparency

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	FY/PY 2014	What Worked	What Didn't Work	Program Performance Improvement Plan
Number of LM-10 and LM-20 reports filed on employer-consultant persuader agreements	Target	--	--	--	545.00[p]	615.00[p]	690.00[p]	765.00[p]	OLMS used a system of cross-checking LM-10/20 reports to target non-filers, and identified and sought required reports from the sub-consultant persuaders of the largest consultant persuaders.	A planned upgrade to the OLMS e.LORS system was postponed. This upgrade would have automated the cross-match program, providing increased efficiency in identifying missing reports.	OLMS will conduct mailings and follow up with compliance assistance calls. Consultant persuaders will be asked to assist in obtaining compliance from delinquent sub-consultant persuaders.
	Result	--	--	--	648.00	850.00	--	--			
	Status	--	--	--	--	--	--	--			
Percent of disclosure reports filed electronically	Target	--	--	--	24.5%	30.5%	34.5%	38.5%	2012 was the first year that LM-3/4 filers had access to the Electronic Forms System (EFS). This access, coupled with effective compliance assistance/outreach efforts, increased the number of filers.	OLMS efforts continue to be restricted by an aging legacy system. At present, only four forms (LM-2, LM-3, LM-4, and the LM-30) can be filed electronically.	OLMS will increase outreach efforts to LM-30 filers who gained access to electronic filing in January, 2013 and work on the implementation of electronic filing for LM-10 and LM-20 filers.
	Result	--	--	--	21.4%	37.8%	--	--			
	Status	--	--	--	--	Y	--	--			
Number of chronically delinquent filers of labor organization financial reports	Target	--	--	--	1,970[p]	1,870[p]	1,770[p]	1,670[p]	OLMS established a targeted outreach program to identify chronically delinquent filers and reached out to these filers to encourage them to file on time, and use the electronic filing system.	OLMS established a targeted outreach program in FY 2012, allowing district offices to develop their own outreach methods. OLMS has not identified which outreach methods worked/did not work.	OLMS will use the resources of the Chief Evaluation Office to maximize and expand its outreach efforts.
	Result	--	--	2,070	1,835	1,711	--	--			
	Status	--	--	--	--	--	--	--			
Percent of targeted audits that result in a criminal case	Target	--	--	Base	13.00%	13.75%	14.25%	14.75%	OLMS implemented a case predicate tracking system and a risk-based "red flag" targeting model that, in tandem, are providing improved targeting data.	OLMS' predicate tracking system and risk-based "red flag" targeting model are beginning to show that certain targeting methods do not work, i.e., yield a below average criminal case fallout rate.	The OLMS Targeting Workgroup will analyze the improved targeting data on fallouts and disseminate a more rigorous methodology for targeting audits throughout the agency.
	Result	--	12.47%	14.76%	15.18%	13.81%	--	--			
	Status	--	--	--	Y	Y	--	--			
Customer satisfaction score for OLMS web site users	Target	--	--	--	60	60[p]	61[p]	62[p]	OLMS continued to use the American Customer Satisfaction Survey results to identify areas where improvement to the web site are warranted and address customer complaints and concerns.	OLMS is still limited in its web change efforts by resource constraints. Much needed improvements in the union reports search engine and outward facing web page could not be undertaken.	OLMS will continue to use feedback from users and results from the ACSI survey (implemented in early 2013 across the entire web site) to identify areas of change.
	Result	--	--	--	61	64	--	--			
	Status	--	--	--	--	--	--	--			
Average number of days to resolve union officer election complaints	Target	--	--	84.0	80.0	76.0	75.0	74.0	OLMS implemented a system for early-intervention with the Solicitor's office in cases with high risk for delay. OLMS continued to use the team approach in election investigations, when possible	Although OLMS had intended to reduce the number of time waivers executed, these waivers were necessary in cases active during threatened government shutdown.	The national office will continue to accelerate early Solicitor's office involvement and district offices will continue to use election investigative teams. Waivers will continue to be reduced.
	Result	92.0	70.0	81.0	79.0	71.0	--	--			
	Status	--	--	Y	Y	Y	--	--			

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**Sources:** The OLMS Case Data System and the OLMS Electronic Labor Organization Reports System (e.LORS). The OLMS Case Data System, an internal case management database. The Customer Satisfaction Score is based upon the American Customer Satisfaction Index; collected by Foresee, Inc., the index is based upon user responses to an OLMS web site customer satisfaction survey. Data for Union Officer Election Investigations - Elapsed Days is collected in an internal dataset and based upon opening and closing dates for all processed election cases.

**Notes:** Measures with [p] in the target cells are “contextual,” i.e., they are important for management purposes but not useful for judging Agency performance. The [p] indicates the number is a projection, not a target. Status (Y, N, or I) does not apply.

Mine Safety and Health Administration

MSHA’s Office of Assessments, Accountability, Special Enforcement and Investigations (OAASEI), formerly the Office of Assessments, oversees MSHA’s program to protect miners from discrimination when they exercise their right to report health and safety hazards without fear of retaliation. MSHA completed 197 discrimination case investigations in FY 2012, completing 168 cases (85 percent) within 60 days. MSHA resolved 85 temporary reinstatement requests in FY 2012, completing 67 reviews (80 percent) within 20 days. Both targets (85 percent and 70 percent, respectively) were reached.

A key component of this Administration is the increased attention to the enforcement of the anti-discrimination provisions contained in the 1977 Act. This was reinforced by the tragedy at the Upper Big Branch (UBB) mine. For the four years prior to the disaster, no one working at UBB had filed a hazard complaint, even though post-disaster investigations documented long-standing problems at that mine. MSHA has distributed materials directly to miners and has beefed up its special investigations staff to work on claims of retaliation. In 2011, MSHA updated its Miners’ Rights Handbook and developed new training tools, which are available online. In FY 2012, the Agency, working with the Department of Labor, filed 39 requests for temporary reinstatement, more than double any previous year, with the Federal Mine Safety and Health Review Commission on behalf of miners who submitted complaints of discrimination in the form of a suspension, layoff, discharge or other adverse action. Additionally, the department filed 27 complaints alleging mine safety discrimination during 2012.

MSHA – Protect miners from discrimination

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	FY/PY 2014	What Worked	What Didn't Work	Program Performance Improvement Plan
Percent of 105(c) investigations of miner discrimination complaints that are completed within 60 days of receipt	Target	--	--	0%	80%	85%	85%	85%	Beginning in October 2009 through June 2010, weekly status reports were distributed to the field investigators which provided alerts of cases approaching their scheduled completion due dates.	Failure to distribute status reports during the fourth quarter of FY 2010.	Establish a process to automate, produce and distribute standardized reports on a consistent basis.
	Result	--	--	87%	86%	85%	--	--			
	Status	--	--	--	Y	Y	--	--			

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*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	FY/PY 2014	What Worked	What Didn't Work	Program Performance Improvement Plan
Percent of investigations of miner requests for temporary reinstatements that are completed within 20 days of receipt	Target	--	--	--	70%	70%	70%	70%	Beginning in October 2009 through June 2010, weekly status reports were distributed to the field investigators which provided alerts of cases approaching their scheduled completion due dates.	Failure to distribute status reports during the fourth quarter of FY 2010.	Establish a process to automate, produce and distribute standardized reports on a consistent basis.
	Result	--	--	78%	70%	80%	--	--			
	Status	--	--	--	Y	Y	--	--			

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

**Notes:**

**Program Evaluations**

Independent evaluations completed in FY 2012 are summarized below.

Strategic Goal 3

**OLMS – “OLMS Could Do More To Improve the Effectiveness of the Compliance Audit Program,” September 2012 (OIG)**

**Relevance:** The OIG conducted this audit to determine if OLMS, in its Compliance Audit Program (CAP), had (1) evaluated the effectiveness of CAP and its impact on safeguarding union assets, (2) selected unions for audit using the most effective strategies, and (3) ensured unions corrected violations of LMRDA.

**Findings and Recommendations:**

- The OIG concluded that (1) OLMS had not fully evaluated the effectiveness of the CAP and its impact on safeguarding union fund assets; (2) OLMS had not demonstrated that it was using the most effective strategies for selecting unions for audit, and; (3) OLMS had not ensured that unions corrected financial control weaknesses that allowed recordkeeping violations.
- OIG recommended that OLMS: (1) develop performance measures that evaluate the effectiveness of the CAP in safeguarding union efforts by verifying LMRDA compliance; (2) implement a risk-based process that will define the most significant LMRDA violations and use strategies to direct CAP resources to unions with the most significant LMRDA violations; and, (3) develop a process verifying that unions correct financial controls over recordkeeping.

**Next Steps:**

- OLMS agreed that the CAP serves an important purpose in safeguarding union assets, and noted that OLMS had surpassed its ambitious performance goals to increase the rate at which audits uncover criminal activity in each of the last five years. However, OLMS maintains that an outcome measure of the type proposed by the OIG is not practicable. Due to the small number of observed incidence of fraud and embezzlement within the size of the universe of unions, the sample size of random audits required to draw valid statistical inferences would approach a majority of labor unions.
- OLMS concurred with the recommendation to implement a risk-based process, which the OIG report acknowledged OLMS had previously begun to develop. OLMS will continue to build on its two risk-based targeting models:
  - Targeting by Predications: OLMS correlates CAP predications to fallout rates. If particular CAP predications or combinations of predications correlate to higher fallout rates, then OLMS emphasizes those targeting methods.
  - Targeting by Financial Disclosure Reporting Data: OLMS analyzes annual financial report data filed by labor unions to identify “red flag” conditions that enable a “risk scoring” of each filer. OLMS targets high risk filers. OLMS did not concur with the recommendation to develop a process for verifying union corrective actions. An onsite review requires an investigator to verify that the recordkeeping deficiencies had been remedied on a sample of all financial transactions. This would add two staff days to the average ten-day audit. If staff days remained constant, this would mean a 20% decrease in audits.

**Additional Information:** The report is available at <http://www.oig.dol.gov/public/reports/oa/2012/09-12-001-04-421.pdf>

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

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

### **Analysis and Future Plans**

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

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

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

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

DFEC return to work efforts especially support Administration initiatives such as Executive Order 13548 to increase Federal employment of injured workers and workers with disabilities, and the four-year (FY 2011 – FY 2014) Presidential "Protecting Our Workers and Ensuring Reemployment" (POWER) initiative, jointly directed by OWCP and the Occupational Safety and Health Administration. Of the seven government-wide performance goals established by POWER, DFEC is responsible for four. In FY 2012, the Government-wide target averages were:

- Reduce agency lost production day rates (per 100 employees) to 35.1 days;

#### Strategic Goal 4

- Increase the percent of FECA Disability Management cases returned to work within two years to 88.4 percent;
- Increase the percent of Notices of Injury filed by Federal employers within 14 days to 82 percent; and
- Increase the percent of Wage-loss Claims filed by Federal employers within 7 days to 64 percent.

Achievement of these goals in FY 2012 was due to a combination of earlier identification and delivery of services to new injury cases, Disability Management process and coordination improvements, and effective use of the POWER initiative to focus Federal agencies on performance results.

**Increase the share of Federal employees that return to work within two years of entering FECA's Disability Management program** – POWER's four-year target is to increase the overall share of cases that are returned to work by the 14 largest Executive Branch agencies. From FY 2009 to FY 2012, the percentage of injured workers receiving FECA disability management services, and returning to work within two years of injury, increased from 85.8 percent to 91.5 percent. To improve agency outcomes, DFEC established the POWER Return-to-Work (RTW) Council with the 14 largest Federal agencies as a forum to review performance results, share best practices, and set challenging individual agency goals. DFEC completed a study in September 2012 with DOL's Office of Disability Employment Policy to identify successful injured worker reemployment and disability hiring best practices being used in the Federal Government that could be exported to other Federal agencies. Study findings continue to be shared through the POWER RTW Council. The feasibility of implementing best practice approaches or mitigating job placement obstacles will be tested as DFEC works with individual agencies on implementation.

**Reduce Government-wide Lost Production Day (LPD) rates** – Under POWER, individual Executive Branch agencies are directed to reduce LPD rates (per 100 employees) by 1 percent per year through FY 2014. In FY 2012, the Government-wide average LPD rate was 34.8 days, exceeding the annual target of 35.1 days and the FY 2011 result of 33.8 days. The 2.7 percent increase was partially due to agencies that continue to experience higher than average lost production days due to the hazards of their missions and occupational reemployment challenges. DFEC's strategy is to use more surgical approaches in working with those agencies.

**Timely submission of Notices of Injury and Wage-Loss Claims** – The ability of DFEC to promptly initiate intervention and return to work services is improved if Federal employers are timely in the submission of injury reports and wage-loss claims. Earlier receipt of these forms also enables DFEC to begin claims adjudication and payment processing sooner. For these reasons, POWER includes two additional goals to improve timely submission. In FY 2012, Federal agencies filed 85.5 percent of Notices of Injury within 14 days. Agencies also filed 75 percent of wage-loss claims within 7 days. Both results exceeded the established targets. Fourteen agencies are using Electronic Data Interchange (EDI) systems to report injuries electronically. Most of these agencies made immediate significant gains in timeliness subsequent to adoption of EDI. To expand electronic filing capability to all agencies, DFEC developed a web-based capability, the Employees' Compensation and Operations Portal (ECOMP), and is offering this electronic submission capability to all Federal employing agencies to further cut the time of delivery.

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

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	FY/PY 2014	What Worked	What Didn't Work	Program Performance Improvement Plan
Percent of DM Cases Reemployed within 2 years by Non-Postal agencies	Target	--	--	86.7%	87.0%	88.4%	93.4%	95.0%	Results are attributable to this goal's high visibility, regular publications of results, and regular meetings between OWCP and 14 of the larger Federal agencies to discuss performance and targets.	Injured Federal workers with more severe injuries, lingering disabilities, and in certain employment sectors continue to experience difficulty with return to work.	OWCP has revised POWER RTW targets to make them more challenging, expanding reemployment assistance to Federal agencies, and exploring the use of new tools to increase job placement possibilities.
	Result	--	85.8%	89.7%	91.6%	91.5%	--	--			
	Status	--	--	Y	Y	Y	--	--			
Lost Production Days rates (per 100 employees) in Non-Postal Agencies	Target	--	--	35.0	35.0	35.1	34.7	34.4	Results are attributable to this goal's high visibility to Federal employers and regular publication of results, fewer new injury cases, and early return to work.	Injured Federal workers with more severe injuries and in occupations with strict physical requirements continue to remain out of work for extended periods and face limited reemployment alternatives.	OWCP is targeting efforts to work with individual agencies with greater lost production days and return to work challenges.
	Result	41.0	36.0	35.0	34.0	34.8	--	--			
	Status	--	--	Y	Y	Y	--	--			
Percent of Notices of Injury received within 14 days from Non-Postal agencies	Target	--	--	81.0%	81.0%	82.0%	87.8%	90.4%	The ability to file new injury reports and wage loss claims electronically is available to all Federal agencies through DFEC's web-based ECOMP system.	A few agencies are still filing claims manually.	POWER requires Federal agencies to have the electronic means to file FECA claims. Most agencies will soon either be enrolled to use ECOMP or will operate their own electronic filing systems.
	Result	77.2%	80.1%	81.7%	83.4%	85.5%	--	--			
	Status	--	--	Y	Y	Y	--	--			
Percent of Wage-Loss claims received within 7 days from non-Postal agencies	Target	--	--	60.0%	60.0%	64.0%	75.7%	78.0%	The ability to file new injury reports and wage loss claims electronically is available to all Federal agencies through DFEC's web-based ECOMP system.	A few agencies are still filing claims manually.	POWER requires Federal agencies to have the electronic means to file FECA claims. Most agencies will soon either be enrolled to use ECOMP or will operate their own electronic filing systems.
	Result	57.6%	57.8%	62.4%	68.5%	75.0%	--	--			
	Status	--	--	Y	Y	Y	--	--			

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

**Notes:** In FY 2011, the first two measures in this table were worded differently: "Percent of injured federal workers coming under FECA Disability Management that are reemployed by (non-Postal) federal agencies" and "Government-wide LPD rate in non-Postal government agencies."

**Program Evaluations**

Independent evaluations completed in FY 2012 are summarized below.



Strategic Goal 4

**OWCP – “An Evaluation of the Federal Return-to-Work System for People with Disabilities,” September 25, 2012 (Economic Systems Incorporated)**

**Relevance:** To identify successful return to work best practices within Federal government agencies that can be exported to other agencies.

**Findings and Recommendations:**

The following could have potential benefits for Federal agency’s return to work programs:

- Centralize or regionalize RTW duties to increase efficiency
- Assure that a full-time director is in charge of the RTW program
- Assure that assistance is available to agency case processors at all times
- Identify facilities with large caseloads and assure they have enough manpower
- Establish early contact with injured workers
- Hire nurse case managers to process cases or assist CPs with case processing
- Provide medical assistance to case processors who do not have access to medical professionals
- Modified work positions should always be available for short-term injuries
- Supporting jobs through centrally funded programs can assist with RTW
- Provide CPs with easy-to-understand training materials to ease their transition into the program
- Create multiple level training programs to better inform CPs of their duties
- Incorporate employee and supervisor training into orientations
- Create working groups to discuss issues on various levels
- Review cases and communicate findings to OWCP
- Communicate best practices throughout the agency
- Present disability payment costs to directors and operational managers

**Next Steps:**

- The best practices recommended by the study have been reviewed for feasibility and applicability to all federal agencies by the POWER Return-to-Work Council, a community of practice led by OWCP and comprising the 14 Federal agencies subject to the POWER return to work goal.
- Approaches for implementation of best practices will also be developed as part of ongoing Council deliberations. OWCP, in consultation with the Council, has identified the 5 best practices that are most applicable to the greatest number of federal agencies and is working to develop Technical Assistance materials that will provide guidance to all federal agencies.

**Additional Information:** To request a copy of the report, contact U.S. Department of Labor, Division of Federal Employees’ Compensation, Room S-3509, 200 Constitution Ave., N.W., Washington, D.C. 20210 or telephone 202-693-0040.

**OWCP – “Special Report Relating to the Federal Employees’ Compensation Act Special Benefit Fund,” November 2011 (OIG)**

**Relevance:** The OIG contracted with an independent certified public accounting firm to prepare the report on the Fund as of and for the year ended September 30, 2011.

**Findings and Recommendations:**

- The selected contractor performed certain tests of controls and compliance with laws and regulations related to the Fund. Their testing of controls disclosed no instances of deficiencies in internal control over financial reporting that they consider to be significant deficiencies and/or material weaknesses. Their testing of compliance disclosed no instances of noncompliance or other matters that are required to be reported under generally accepted government auditing standards.

**Next Steps:**

- No further action required from this report.

**Additional Information:** The report is available at <http://www.oig.dol.gov/public/reports/oa/2012/22-12-001-04-431.pdf>

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**OWCP - “OWCP’s Efforts to Detect and Prevent FECA Improper Payments have not Addressed Known Weaknesses,” February 2012 (OIG)**

**Relevance:** OIG conducted an audit to determine to what extent OWCP has addressed known weaknesses in detecting and preventing improper payments for the FECA program.

**Findings and Recommendations:**

- Develop a process for improper payment estimates that is compliant with IPERA.
- Develop a program performance measure on payment accuracy.
- Provide SSA death match reports to the District Offices in a timely manner and monitor those reports that show multiple payments made after claimants’ date of death to verify timely action was taken to terminate benefits.
- Develop effective procedures, including seeking legislative authority to conduct matches with SSA retirement records, to ensure that claimants who receive SSA retirement benefits are identified timely and their FECA benefits are adjusted accordingly.
- Implement a requirement for training on improper payments for all claims examiners.

**Next Steps:**

- The methodology used to estimate the improper payment rate for the Federal Employees Compensation Act (FECA) program is currently based on a statistically valid sample of payments for a fiscal year and meets IPERA requirements. However, the Department is reviewing the methodology and will consider the additional factors noted by the OIG, such as fraudulent payments. DOL’s 2012 risk assessment of the FECA program continued to identify it as a low risk program.
- OWCP has requested funding in the FY 2014 President’s Budget to establish an Integrity and Compliance program to focus on FECA payment integrity. This will result in a more robust methodology and a greater ability to reduce improper payments. As a preparation for this initiative, OWCP will evaluate the use of DNP Solution Data Analytics Services to determine if they provide additional value and would be cost effective.
- During FY 2012, DOL conducted a limited scope pilot payment recapture audit of the FECA program Medical Invoice Process to determine the cost-effectiveness of performing a full scope recapture audit for these payments. DOL reviewed 1.8 million paid medical transactions processed during the six-month period of January 1, 2011 and June 30, 2011. Based on the results of the audit, these payments appear to be a low-risk area for improper payments.
- OWCP has created many systemic controls and significantly updated training materials in an effort to reduce improper payments. Furthermore, FECA’s FY 2013 Operating Plan includes a measure that focuses on payment accuracy. Results will be measured through accountability reviews during the summer of 2013.
- OWCP has reduced the frequency of its death match report from monthly to weekly. This will reduce the number of payments that are issued in error by giving the district office a more prompt notice of a claimant’s death.
- The FECA reform proposal in the President’s FY 2012, 2013, and 2014 Budgets contain a provision to allow data matching between SSA and FECA.

**Additional Information:** The report is available at <http://www.oig.dol.gov/public/reports/oa/2012/03-12-001-04-431.pdf>

**OWCP - “Audit of Federal Employees’ Compensation Act, Durable Medical Equipment Payments,” March 2012 (OIG)**

**Relevance:** In response to widely publicized cases of DME fraud in federal healthcare programs, OIG conducted an audit to determine if OWCP has adequate controls to ensure that DME payments are proper and reasonable.

**Findings and Recommendations:**

- Direct that the procedures performed during the provider enrollment process be documented to ensure controls as to who performed the verification, when it was done, and what procedures are supported.
- Establish additional procedures to ensure CEs perform and document OWCP’s requirement for an analysis of cost reasonableness when authorizing payments for items coded as E1399 – Miscellaneous, as well as any other item that is “paid as billed” and not subject to fee schedule limitations.

**Next Steps:**

- The Central Bill Processing (CBP) vendor already utilizes a process that documents its verification activity when enrolling a provider. Specifically, ACS documents call for enrollment verifications via the Call Record Number (CRN) document which is located in the OmniTrak application,
- OWCP claims staff needs to review the Miscellaneous DME Code E-1399 request thoroughly for proper coding and cost reasonableness. Additional guidance was provided to the claims staff to reinforce the existing DME

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- Direct CEs to perform and document a rental versus new purchase analysis for any rentals exceeding a certain time period and/or dollar threshold.
- Examine controls over bills paid for catastrophic cases to identify additional controls needed to reduce the risk of improper payments and excessive costs without negatively impacting the beneficiaries of the FECA program.
- Initiate overpayment recovery procedures to recover the overpayments identified in this audit.

- procedures on August 31, 2012.
- OWCP will reinforce the current procedures with claims staff. In addition, processes are being developed with the new CBP vendor that will also address the rental versus purchase issue.
- OWCP will review the current controls over catastrophic cases. Enhancements made to the claimant eligibility records on September 28, 2012 reduced the need to class some cases as “catastrophic”.
- OWCP lacks the authority to attempt collection on perceived rental versus purchase overpayments identified by the auditors. The services that have been paid were authorized by OWCP claims staff, and there is no authority to retroactively rescind these authorizations.

**Additional Information:** The report is available at <http://www.oig.dol.gov/public/reports/oa/2012/03-12-002-04-431.pdf>

**OWCP – “Controls over Transportation Cost Reimbursements to FECA Claimants Need Strengthening,” September 2012 (OIG)**

**Relevance:** OIG conducted this audit to determine if OWCP has adequate internal controls to prevent unreasonable and unallowable transportation cost reimbursements to FECA claimants.

**Findings and Recommendations:**

- Implement a monitoring procedure over the contractor to ensure it is obtaining claims examiner authorizations and receipts for non-mileage travel costs, as appropriate, prior to making payments.
- Implement procedures requiring claims examiners to determine whether mileage requiring authorization is reasonable and to document the basis for their determination.
- Revise the threshold requiring authorization for mileage to obtain medical services from 200 miles to 100 miles in accordance with FECA regulations.
- Recover the \$3,771 identified in overpayments as a result of ACS processing errors.
- Develop and implement a surveillance report process to identify claimants who receive large annual transportation cost reimbursements to determine if there is potential abuse and/or fraud and single travel cost reimbursement payment over \$500 to determine if they were improperly paid.

**Next Steps:**

- OWCP worked with its Central Bill Processing (CBP) contractor to implement a monitoring procedure for claimant travel on January 31, 2013.
- OWCP has committed to reviewing the current processes in place and developing a plan to address mileage authorization issues by March 31, 2013.
- OWCP has implemented the recommendation to revise the threshold requiring authorization for mileage to obtain medical services from 200 miles to 100 miles in accordance with the FECA regulations.
- OWCP’s review of the overpayment identified revealed that only \$450 was due to CBP contractor error. The balance was due to “excess mileage charges.” OWCP will review its authority to recover these payments and initiate appropriate collection procedures.
- OWCP will work with the CBP contractor to implement a surveillance report that identifies claimants receiving large annual transportation reimbursements by March 1, 2013. Further review is needed to determine appropriate actions for monitoring single travel costs reimbursements over \$500 and processes for determining potential abuse and/or fraud.

**Additional Information:** The report is available at <http://www.oig.dol.gov/public/reports/oa/2012/03-12-003-04-431.pdf>

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

### **Analysis and Future Plans**

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

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

**Increase the timeliness of First Reports of Injury and First Payment of Compensation** – The Division of Longshore and Harbor Workers' Compensation met all its four FY 2012 targets for performance indicators which measure the timeliness of case actions by employers and insurance carriers. Injury report timeliness in FY 2012 for DBA cases was 85 percent within 30 days against a goal of 80 percent. First payment timeliness in FY 2012 for DBA cases was 63 percent within 30 days against a goal of 60 percent within 30 days. Injury report timeliness in FY 2012 for non-DBA cases was 86 percent within 30 days against a goal of 85 percent. First payment timeliness in FY 2012 for non-DBA cases was 85 percent within 30 days against a goal of 85 percent. Longshore will continue to work with employers and carriers to improve performance gains achieved in these areas. Program strategies include a combination of communicating program expectations/requirements; formal publication of employer/carrier performance results; provision of education and assistance and improved communication and information sharing between the parties.

In FY 2012 the new performance measures aimed at facilitating the prompt delivery of benefits to injured workers and their families tracked performance for informal dispute resolution timeliness. These measures reflect district office dispute resolution effectiveness and productivity and allow the program to use internal performance strategies to impact performance. Improved timeliness in district office resolution will result in more prompt benefit delivery with a direct and positive impact on the program's mission to provide income support.

**Black Lung Claims Decision Timeliness** – The performance priority for the Black Lung Program is to reduce the average time it takes to process Black Lung claims. The Black Lung Program did not meet its claims processing goal of reducing the average time to render a Proposed Decision and Order (PDO). Against a target of 240 days, results were 262 days. On a quarterly basis, results were 260 days for the first quarter, 270 days for the second and third quarters, and 247 days for the fourth quarter. The improvement in average timeliness during the 4<sup>th</sup> quarter is primarily attributable to reductions in backlogs of aged PDO inventories caused by provisions in the Patient Protection and Affordable Care Act (PPACA) which, although it had increased workload volumes after enactment, also enhanced claimants' eligibility.

During FY 2012, the percentage of aged pending PDOs decreased from 62 percent of all pending PDOs in the 1<sup>st</sup> quarter to 11% in the 4<sup>th</sup> quarter. Based on program performance results in FY 2012, the Black Lung program adjusted the performance target to 255 days in FY 2013 and reduces it to

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247 days in FY 2014. In order to reach these targets and reduce the impact of income loss suffered by disabled coal miners, the program will employ strategies to reduce the time necessary for development of medical evidence associated with the claim and on a monthly basis will identify aged cases as a workload priority to district/regional office management. Program data shows that 61 percent of the overall average claims processing time involves the time required to complete the activities involved with the development of medical evidence for claims. These activities include: authorization of medical testing, medical examinations, evaluation of medical reports, follow-up work with physicians, and re-testing (if necessary). Reducing the amount of time necessary to complete these activities contributes to shorter overall average claims processing time. To monitor the timeliness of these activities the program established a baseline in FY 2012 to measure the average amount of time necessary to complete development of medical evidence involved with claims. Results for this new measure will be reported in FY 2013. The program will improve performance for this measure by working with several large-volume clinics and diagnostic physicians to streamline exam notification and scheduling procedures and by closely monitoring the scheduling of medical examinations to determine which doctors have exams scheduled beyond critical timeliness thresholds. When the case control system indicates that a doctor is being overscheduled, the claimant will be scheduled with the second doctor selected in claim documentation.

**Timely Adjudication in EEOICPA Claims** – The Division of Energy Employees Occupational Illness Compensation (DEEOIC) provides timely claims adjudication and benefit delivery. In FY 2012, the Energy program reached its initial processing performance targets for average days under Part B with a result of 92 days against a target of 98 days, and for Part E with an average of 104 days against a target of 120 days. The goal for Final Decisions was achieved with a result of 93 percent against a target of 92 percent. In FY 2012, DEEOIC established baselines and targets for two new goals to measure the overall time to make claims decisions, from intake to final decisions. The new goals combine Part B and Part E results and account for the various actions a case may require, including dose reconstruction or oral hearing. These measures will provide a more transparent view of the claims process, including time spent in case development outside of DEEOIC at NIOSH.

Several initiatives during FY 2012 were aimed at further reducing processing times in DEEOIC. The Energy Compensation System (ECS) was deployed in the beginning of the year resulting in a major change in DEEOIC's systems and the way the program will manage cases technologically. A new District Medical Consultant/Second opinion contract changed the way case referrals are made from the district and Final Adjudication Branch (FAB) offices – a significant portion of the program's development process. Deployment of a new electronic method of sharing information with the Department of Energy (DOE) for verification of employment and other records also improved program timeliness. These initiatives are expected to continue to impact the program in a positive way during FY 2013.

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OWCP – Reduce the consequences of work-related injuries

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	FY/PY 2014	What Worked	What Didn't Work	Program Performance Improvement Plan
Percent of Employer's First Report of Injury filed within 30 days: Defense Base Act cases	Target	--	--	--	75.00%	80.00%	83.00%	85.00%	Longshore's continued effort to influence and change stakeholder behavior coupled with the possibility of DBA reform improved benefit delivery to injured workers and their families.		Program identified additional areas of focus to continue to improve benefit delivery and customer service.
	Result	--	55.00%	75.00%	79.00%	85.00%	--	--			
	Status	--	--	--	Y	Y	--	--			
Percent of First Payment of Compensation issued within 30 days: Defense Base Act cases	Target	--	--	50.00%	58.00%	60.00%	62.00%	60.00%	Longshore's exhaustive outreach efforts improved employer/carrier performance; targeted outreach focused on poorer performing employers.		Staff continues to work with industry upper management and claims adjusters to decrease time for claims investigations and decisions.
	Result	--	43.00%	55.00%	56.00%	63.00%	--	--			
	Status	--	--	Y	I	Y	--	--			
Percent of Employer's First Report of Injury filed within 30 days: non-Defense Base Act cases	Target	--	--	--	78.00%	85.00%	85.00%	85.00%	Performance measure helped to improve timely processing of compensation cases and quality case work for injured workers and their families.		Program will continue to monitor results and work with domestic employers and carriers to ensure consistency of performance in this measure.
	Result	--	--	72.00%	79.00%	86.00%	--	--			
	Status	--	--	--	Y	Y	--	--			
Percent of First Payment of Compensation issued within 30 days: non-Defense Base Act cases	Target	--	--	--	83.00%	85.00%	85.00%	85.00%	Performance measure helped to improve timely processing of compensation cases and quality case work for injured workers and their families.		Program will continue to monitor results and work with domestic employers and carriers to ensure consistency of performance in this measure.
	Result	--	--	81.00%	85.00%	85.00%	--	--			
	Status	--	--	--	Y	Y	--	--			
Average Number of Days to Process Black Lung Claims	Target	--	--	200	250	240	255[r]	247	The program reduced the inventory of aged pending Proposed Decisions and Orders (PDOs) each quarter in FY 2012 which resulted in a 27 day improvement in timeliness from the 3rd Qtr to the 4th Qtr.	The annual target for this measure was not achieved due to backlogs in aged PDO inventories in the earlier half of FY 2012.	The program will continue to reduce average processing timeliness by focusing on further reductions in aged PDO inventories and by reducing the amount for the development of medical evidence.
	Result	205	201	210	238	262	--	--			
	Status	--	--	N	Y	N	--	--			
Average time in days for development of medical evidence for BL claims	Target	--	--	--	--	Base	128	123	The baseline and FY 2013 target for this measure were established and in FY 2012 and quarterly performance results against the target begins in FY 2013.		The program will work with several large-volume clinics and physicians to streamline exam notification and scheduling procedures to further improve timeliness for development of medical evidence.
	Result	--	--	--	--	123	--	--			
	Status	--	--	--	--	--	--	--			

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*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	FY/PY 2014	What Worked	What Didn't Work	Program Performance Improvement Plan
Average number of days between filing date and final decision for cases sent to NIOSH when a hearing is held (Part B and E)	Target	--	--	--	Base	604	500	485	New detailed instructions/desk aids for the Energy Compensation System significantly improved production in the Final Adjudication Branch.		The program meets with representatives of DOE and NIOSH on a quarterly basis to review this measure and ensure the data is properly updated.
	Result	--	--	--	619	552	--	--			
	Status	--	--	--	--	Y	--	--			
Average number of days between filing date and final decision for cases sent to NIOSH when a hearing is not held (Part B and E)	Target	--	--	--	Base	445	325	315	New detailed instructions/desk aids for the Energy Compensation System significantly improved production and NIOSH decreased their time reviewing significantly.		The program meets with representatives of DOE and NIOSH on a quarterly basis to review this measure and ensure the data is properly updated.
	Result	--	--	--	457	331	--	--			
	Status	--	--	--	--	Y	--	--			

**Sources:** Longshore Case Management System (LCMS); Black Lung Automated Support Package; Energy Compensation System (ECS)

**Notes:**

Employment and Training Administration

**First Payment Timeliness** – Making timely payments to unemployed workers is critical to fulfilling the UI system’s key statutory objective of making full payment of unemployment compensation "when due." Performance was slightly below the FY 2012 target of 85.7 percent; 82.9 percent of first payments were made within 14/21 days.

The decrease in first payment timeliness is directly due to declines in performance in Indiana (-4.7 pct. Pts.), Kentucky (-7.9), Mississippi (-5.1), and Tennessee (-5.1), resulting from staff turnover and lack of trained staff for making claim eligibility determinations; IT system issues; and backlogs in claims and adjudication units. Additionally, based on anecdotal information from some states, reduction in administrative funding resulting from lower workloads from the temporary federal programs (emergency unemployment compensation) have caused states to lay off staff associated with claims-taking activities. The performance of this measure may have been also impacted due to these staffing shortages. ETA will continue to provide intensive technical assistance and monitoring on underperforming states selected to participate in the "At Risk" project.

**Detection of Overpayments** – Establish for recovery at least 52.3 percent of the amount of estimated overpayments that states can detect and recover; 64.9 percent of overpayments were detected for recovery in FY 2012. Ensuring that benefits are paid only to those who meet eligibility requirements and that erroneous payments are detected and recovered is critical to the integrity of any benefit payment program.

**Establish Tax Accounts Promptly** – 86.9 percent of the UI tax liability determinations for new employers will be made within 90 days of the end of the quarter in which employers become liable. Promptly enrolling new employers in the UI program is key to fulfilling major program objectives of supporting the timely payment of taxes – which fund UI benefits – and making timely and accurate eligibility determinations based on employer-

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reported wages. In FY 2012, 88.7 percent of determinations were made timely, an increase of 1.5 percentage points from the year before; 33 states improved their performance.

ETA – Facilitate timely and accurate payments to unemployed workers

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	FY/PY 2014	What Worked	What Didn't Work	Program Performance Improvement Plan
Payment Timeliness: Percent of all intrastate first payments that will be made within 21 days.	Target	88.40%	85.70%	85.90%	84.00%	85.70%	87.00%	87.10%	Twenty-four states improved over their FY 2011 timeliness performance. Including two states participating in the "At Risk" initiative.	29 states' timeliness declined, with four states experiencing double-digit declines.	States failing to achieve the 87% Acceptable level of Performance standard for this measure were required to develop a corrective action plan for the FY 2013 SQSP submission.
	Result	86.80%	83.80%[r]	82.20%	84.60%	82.90%	--	--			
	Status	N	N	N	Y	N	--	--			
Detect Overpayments: Percent of the amount of estimated overpayments that States detect established for recovery.	Target	56.00%	51.80%	52.80%	51.40%	52.30%	54.10%	54.20%	Lower claims workload resulted in less diversion of state Benefit Payment Control staff from integrity to claims-taking functions, which improved overpayment detection.	18 states did not meet the Acceptable level of performance for this measure.	States failing to achieve the 50% Acceptable level of Performance standard for this measure were required to develop a corrective action plan for the FY 2013 State Quality Service Plan submission.
	Result	54.90%[r]	50.60%[r]	55.90%[r]	61.10%[r]	64.90%	--	--			
	Status	I	N	Y	Y	Y	--	--			
Percent of Employer Liability Determinations Made Promptly: Percentage of determinations about UI tax liability of new employers made within 90 days of the end of the first quarter they became liable.	Target	84.9%	88.7%	90.0%	86.4%	86.9%	88.4%	88.9%	FY 2012 performance of 88.7 percent of new status determinations made within 90 days represented an increase of 1.5 percentage points from the year before; 33 states improved their performance.	Although States' diversions of Tax staff to perform UI claims activities in response to increase in workloads moderated during the past fiscal year, 20 states performed below the performance target.	States failing to meet the target for this measure were required to develop a Corrective Action Plan for the FY 2013 address actions to improve performance in the State Quality Service Plan.
	Result	84.1%[r]	86.1%[r]	87.1%[r]	88.2%[r]	88.7%	--	--			
	Status	N	I	I	Y	Y	--	--			

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

**Notes:**

**Program Evaluations**

Independent evaluations completed in FY 2012 are summarized below.



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**OWCP – “Longshore and Harbor Workers’ Compensation Act Special Fund Financial Statements and Independent Auditors’ Report,” March 2012 (OIG)**

**Relevance:** The OIG audited FY 2011 financial statements of the Longshore and Harbor Workers’ Compensation Act Special Fund as of September 30, 2011, and for the year then ended.

**Findings and Recommendations:**

- Design and implement policies and procedures that require a comprehensive and detailed review of all financial information in the draft financial statements. The policies and procedures should include:
  - Specific procedures for agreeing comparative prior year financial data to the prior year audited statements;
  - Comparing financial data reported on the different statements to ensure accuracy and consistency;
  - Reconciling the financial data between the general ledger and subsidiary ledgers to ensure existence, completeness, and accuracy of financial data reported;
  - Performing a budgetary to proprietary account relationship analysis and resolving identified variances; and
  - Analyzing significant variances between current period and prior period financial information.
- Develop monitoring controls to ensure that sufficient supervisory review controls over journal entries and the related documentation are being performed before the journal entries are posted to the general ledger.

**Next Steps:**

- By March 31, 2012, a checklist will be developed and implemented for agreeing comparative prior year financial data to the prior year audited statements; comparing financial data reported on the different statements to ensure accuracy and consistency; reconciling the financial data between the general ledger and subsidiary ledgers to ensure existence, completeness, and accuracy of financial data reported; performing a budgetary proprietary account relationship analysis and resolving identified variances as appropriate; and analyzing significant variances between current period and prior period financial information.
- OWCP will implement another level of review to ensure that sufficient supervisory review controls are being performed. Effective March 31, 2012, all journal entries will be submitted to the Financial Manager for review and approval prior to their posting into the general ledger.

**Additional Information:** The report is available at <http://www.oig.dol.gov/public/reports/oa/2012/22-12-004-04-432.pdf>

**OWCP - “District of Columbia Workers’ Compensation Act Special Fund Financial Statements and Independent Auditors’ Report,” March 2012 (OIG)**

**Relevance:** The OIG audited the financial statements of the District of Columbia Workers’ Compensation Act Special Fund as of September 30, 2011, and for the year then ended.

**Findings and Recommendations:**

- Design and implement policies and procedures that require a comprehensive and detailed review of all financial information in the draft financial statements. The policies and procedures should include:
  - Specific procedures for agreeing comparative prior year financial data to the prior year audited statements;
  - Comparing financial data reported on the different statements to ensure accuracy and consistency;
  - Reconciling the financial data between the general ledger and subsidiary ledgers to ensure existence, completeness, and accuracy of financial data reported;
  - Performing a budgetary to proprietary account relationship analysis and resolving identified variances; and
  - Analyzing significant variances between current period and prior period financial information.
- Develop monitoring controls to ensure that sufficient supervisory review controls over journal

**Next Steps:**

- By March 31, 2012, a checklist will be developed and implemented for agreeing comparative prior year financial data to the prior year audited statements; comparing financial data reported on the different statements to ensure accuracy and consistency; reconciling the financial data between the general ledger and subsidiary ledgers to ensure existence, completeness, and accuracy of financial data reported; performing a budgetary proprietary account relationship analysis and resolving identified variances as appropriate; and analyzing significant variances between current period and prior period financial information.
- OWCP will implement another level of review to ensure that sufficient supervisory review controls are being performed. Effective March 31, 2012, all journal entries will be submitted to

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entries and the related documentation are being performed before the journal entries are posted to the general ledger.

the Financial Manager for review and approval prior to their posting into the general ledger.

**Additional Information:** The report is available at <http://www.oig.dol.gov/public/reports/oa/2012/22-12-005-04-432.pdf>

**ETA – “ETA Did Not Use Compatible Data Which Overstated the Effectiveness of Its Overpayment Detections,” September 2012 (OIG)**

**Relevance:** The Office of Inspector General (OIG) conducted an assessment to see if ETA appropriately measured the effectiveness of the overpayment detections for state-funded and extended benefit payments made to claimants.

**Findings and Recommendations:**

- ETA did not use compatible data in its overpayment detection measure.
- ETA’s efforts to ensure states’ compliance with National Directory of New Hires (NDNH) cross-match requirements have not been fully successful.
- ETA did not always ensure data used in the measure was validated.

In light of the findings, it was recommended that ETA :

- Ensure the overpayment detection management information measure for EB is implemented and accurately reports detectable overpayment activities;
- Ensure that states properly cross match Benefit Accuracy Measurement (BAM) samples to the NDNH;
- Develop and implement clear guidance for states on properly conducting data validation;
- Ensure all states conduct data validation for actual overpayment data, as required by ETA Handbook 361;
- Ensure regional offices perform effective monitoring of states’ efforts for conducting data validation properly; and
- Ensure regional offices close reviews of the states’ sampled BAM survey cases used in their estimates of detectable overpayments.

**Next Steps:**

- ETA has been working aggressively with states to address the issue of UI improper payments. As a result of that work, actions to address the findings and recommendations in this report have either already been completed or are well under way.
- ETA has issued UIPL No. 29-12 to disseminate management information measure results to the states. In November 2012, ETA began publishing the overpayment detection and recovery management information measure on the OUI Web site. Please see link below for reference: [http://oui.doleta.gov/unemploy/info\\_measures.asp](http://oui.doleta.gov/unemploy/info_measures.asp).
- Currently, all states, including California, are matching BAM cases with the NDNH. California implemented the NDNH crossmatch for BAM in December, 2012. ETA’s Regional Offices will continue to conduct the biennial Methods and Procedures review of the states’ BAM programs. This formal review and ongoing monitoring is used to determine if the state agency's BAM operations are being administered in compliance with BAM organizational and methodological including the NDNH requirements.
- ETA developed ET Handbook 361 for DV Benefits (published in November 2009, revised in July 2011) and Tax (published in May 2011) and ET Handbook 411; the Data Validation Operations Guide (published in October 2010), explains how to navigate the Benefits and Tax applications of the DV State Web Software. ETA has also issued supplemental guidance on specific DV topics, such as Module 3 (documentation of state UI rules), Module 4 (validation of Benefit Timeliness and Quality, Appeals, and Tax Performance System), and specific UI reports that are validated. These are all available to states on the OUI DV Web site, <http://workforcesecurity.doleta.gov/dv/>
- ETA continues to provide technical assistance to the states for the DV program. Additionally, ETA has contracted with National Association of Workforce Agencies’ Information Technology Support Center to conduct an assessment of states’ DV program and then develop a training plan to provide technical assistance to states.

**Additional Information:** <http://www.oig.dol.gov/public/reports/oa/2012/04-12-001-03-315x.pdf>

**ETA – “Impact of the Reemployment and Eligibility Assessment (REA) Initiative,” May 2012 (IMPAQ International, LLC)**

**Relevance:** The purpose of this study was to provide the U.S. Department of Labor's Employment and Training Administration with an independent evaluation of the Reemployment and Eligibility Assessment (REA) program and also provide information to Congress about the program. The evaluation included an analysis of the program’s effectiveness in reducing UI duration and increasing reemployment of UI claimants. Four states (Florida, Idaho, Illinois and Nevada) participated in the study.

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**Findings and Recommendations:**

- The program is effective in reducing UI durations for claimants that participate in REAs (compared to non-participants); thus, saving UI trust fund dollars;
- Savings that resulted from decreased UI durations of REA participants, exceeded REA program costs;
- Reemployment services (RES) provided in conjunction with the REA, and by the same staff, produce the most successful results, as observed in Nevada.
- Recommendation for a random assignment study (assigning participants to different combinations of REA activities and reemployment services) to isolate the effect of these activities and services.

**Next Steps:**

- An additional REA study is being undertaken to further examine the effectiveness of unique aspects of the REA and reemployment services.

**Additional Information:**

[http://wdr.doleta.gov/research/eta\\_default.cfm?fuseaction=dsp\\_resultDetails&pub\\_id=2487&bas\\_option=Title&start=1&usrt=4&stype=basic&sv=1&criteria=rea](http://wdr.doleta.gov/research/eta_default.cfm?fuseaction=dsp_resultDetails&pub_id=2487&bas_option=Title&start=1&usrt=4&stype=basic&sv=1&criteria=rea)

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

### **Analysis and Future Plans**

#### Employee Benefits Security Administration (EBSA)

During FY 2012, EBSA's program continued to be significantly impacted by the Patient Protection and Affordable Care Act (ACA) which impacted both the workload and regulatory priorities of the Agency. With respect to the enforcement program, EBSA processed 318 criminal investigations, a 50 percent increase from FY 2008 (212). Additionally, EBSA made significant progress in closing Sample Investigation Program (SIP) cases and collecting interim data. The key element of the initial phase of the multi-year SIP is the investigation of a random-sample of plans that will lead to measuring overall compliance with Employee Retirement Income Security Act (ERISA).

The Office of Outreach, Education and Assistance provided superior participant assistance by responding to 99 percent of all written inquiries within 30 days of receipt and responding to over 99 percent of telephone inquiries by the close of the next business day. Total inquiry volume for the fiscal year exceeded 239,000. Benefit recoveries achieved by the participant assistance program contributed more than \$260 million to EBSA's overall monetary results of over \$1.2 billion<sup>2</sup>. This informal resolution of complaints without utilizing the more resource intensive investigative process enables EBSA to direct its investigative assets to more egregious and wide-spread violations of ERISA. Benefit Advisors play a critical role in EBSA's overall enforcement program. When they receive a complaint from a participant that indicates a fiduciary breach by the employer or a problem that impacts all or several participants in the plan, the Advisor makes a referral to the enforcement staff for possible investigation. Referrals from Benefits Advisors in FY 2012 resulted in 814 enforcement cases being opened.

The Agency also conducted outreach and education programs designed to educate plan participants and officials regarding their rights and responsibilities under ERISA. These activities are a critical component of our efforts to enhance the benefit security of America's workers, retirees and their families. We believe that retirement, health and other benefits will be more secure if plan officials are more knowledgeable and therefore in a better position to be in compliance. In addition, better informed plan participants are more able to ensure they receive all the benefits to which they are entitled under their plan as well as bring potential violations to the attention of EBSA. EBSA completed 772 ACA outreach activities reaching over 21,000 individuals, conducted seven health law workshops, held 891 rapid response workshops for dislocated workers, distributed over 506,000 educational publications, and hosted over 5.8 million visitors on the Agency's website.

In FY 2013, EBSA will report baseline compliance measure data based on full set of investigative results that builds on 2012 interim baseline data. This broad-based composite measure will provide information related to compliance in the plan community. EBSA also will provide an assessment

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

Strategic Goal 4

of how best to estimate a recidivism rate or impact measure. In addition, EBSA will continue to measure the level of customer satisfaction with our Participant Assistance Program.

EBSA – Improve health benefits and retirement security for all workers

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	FY/PY 2014	What Worked	What Didn't Work	Program Performance Improvement Plan
Percent of employee benefit plans in compliance with civil provisions of ERISA	Target	--	--	--	--	--	Base	TBD			
	Result	--	--	--	--	--	--	--			
	Status	--	--	--	--	--	--	--			
Percentage point difference in compliance rate between employee benefit plans recently investigated and other employee benefit plans	Target	--	--	--	--	--	--	TBD			
	Result	--	--	--	--	--	--	--			
	Status	--	--	--	--	--	--	--			
Participant assistance program customer satisfaction index	Target	--	--	--	Base	68.00%	69.00%	69.00%	See Program Evaluation Section	See Program Evaluation Section	See Program Evaluation Section
	Result	--	--	--	66.00%	69.00%	--	--			
	Status	--	--	--	--	Y	--	--			

Sources: Enforcement Management System

Notes:

**Program Evaluations**

Independent evaluations and audits completed in FY 2012 are summarized below.

**EBSA – "Office of Participant Assistance Program Evaluation Studies," December 2012 (EBSA)**

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

**Findings and Recommendations:**

- In FY 2012, the study indicates that 69% of EBSA’s customers rated EBSA a 4 or 5 on a 5-point scale for overall satisfaction with their interaction. As a point of reference, EBSA achieved a final score of 66% in 2011 using this same methodology.
- Conducted training in each office during the third quarter of FY 2012 which may have better enabled the participant assistance staff to exceed the goal.
- It is also notable that EBSA increased the percentage of customers rating their service a 5 out of 5 by 3 points and decreased the percentage of customers rating EBSA a 1 out of 5 by 3 points.
- The percentage of customers who rate EBSA a 5 is 46%, putting EBSA in the 67th percentile of the public and private entity database compared to EBSA being in the 61<sup>st</sup> percentile in FY 2011.

**Next Steps:**

- Conduct barrier analyses (identify behavioral determinants so that more effective behavior change communication messages can be developed) in certain field offices.

**Additional Information:** Contact Employee Benefits Security Administration, 200 Constitution Avenue, N.W., Room N5668; or by calling 202-693-8491

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

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

### Analysis and Future Plans

#### Bureau of Labor Statistics (BLS)

In FY 2012, BLS reached 100 percent of the underlying *timeliness, accuracy* and *relevance* targets for its Labor Force Statistics, Compensation and Working Conditions, and Productivity and Technology Principal Federal Economic Indicators. Prices and Cost of Living reached 100 percent of its underlying timeliness and accuracy targets, but missed its relevance target for the *Indexes published monthly* measure for the Producer Price Index (PPI) program. PPI released fewer indexes than planned because the 2012 North American Industry Classification System combined more indexes than originally projected. BLS adjusted its FY 2013 target accordingly.

In addition, BLS measured dissemination through the *Average number of Internet site user sessions* each month, and exceeded its target of 6.9 million in FY 2012 by reaching 8.1 million user sessions. Finally, in FY 2012, BLS exceeded its target of 75 by achieving a score of 77 on the American Customer Satisfaction Index that measures customer satisfaction with its full Web site.

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

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	FY/PY 2014	What Worked	What Didn't Work	Program Performance Improvement Plan
Percentage of timeliness targets achieved for the Labor Force Statistics Principal Federal Economic Indicators (PFEIs).	Target	--	--	Base	100.00%	100.00%	100.00%	100.00%	Utilized a systematic and comprehensive management process to plan, budget, schedule, execute, review, and evaluate work, which helped ensure that targets were met.		Will continue to work towards reaching Outcome Goal 5.1 by focusing on BLS products, product and process improvement, customers, respondents, website, and employees.
	Result	--	--	100.00%	100.00%	100.00%	--	--			
	Status	--	--	--	Y	Y	--	--			

Strategic Goal 5

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	FY/PY 2014	What Worked	What Didn't Work	Program Performance Improvement Plan
Percentage of accuracy targets achieved for the Labor Force Statistics PFEIs.	Target	--	--	Base	100.00%	100.00%	100.00%	100.00%	See above.		See above.
	Result	--	--	100.00%	100.00%	100.00%	--	--			
	Status	--	--	--	Y	Y	--	--			
Percentage of relevance targets achieved for the Labor Force Statistics PFEIs.	Target	--	--	Base	100.00%	100.00%	100.00%	100.00%	See above.		See above.
	Result	--	--	100.00%	100.00%	100.00%	--	--			
	Status	--	--	--	Y	Y	--	--			
Percentage of timeliness targets achieved for the Prices and Cost of Living Principal Federal Economic Indicators (PFEIs).	Target	--	--	Base	100.00%	100.00%	100.00%	100.00%	See above.		See above.
	Result	--	--	100.00%	100.00%	100.00%	--	--			
	Status	--	--	--	Y	Y	--	--			
Percentage of accuracy targets achieved for the Prices and Cost of Living PFEIs.	Target	--	--	Base	100.00%	100.00%	100.00%	100.00%	See above.		See above.
	Result	--	--	100.00%	100.00%	100.00%	--	--			
	Status	--	--	--	Y	Y	--	--			
Percentage of relevance targets achieved for the Prices and Cost of Living PFEIs.	Target	--	--	Base	100.00%	100.00%	100.00%	100.00%	See above.	The Producer Price Index (PPI) missed its output target, releasing fewer indexes than planned. The 2012 North American Industry Classification System combined more industries than PPI had projected.	See above.
	Result	--	--	100.00%	100.00%	83.00%	--	--			
	Status	--	--	--	Y	N	--	--			
Percentage of timeliness targets achieved for the Compensation and Working Conditions Principal Federal Economic Indicator (PFEI).	Target	--	--	Base	100.00%	100.00%	100.00%	100.00%	See above.		See above.
	Result	--	--	100.00%	100.00%	100.00%	--	--			
	Status	--	--	--	Y	Y	--	--			
Percentage of accuracy targets achieved for the Compensation and Working Conditions PFEI.	Target	--	--	Base	100.00%	100.00%	100.00%	100.00%	See above.		See above.
	Result	--	--	100.00%	100.00%	100.00%	--	--			
	Status	--	--	--	Y	Y	--	--			
Percentage of relevance targets achieved for the Compensation and Working Conditions PFEI.	Target	--	--	Base	100.00%	100.00%	100.00%	100.00%	See above.		See above.
	Result	--	--	0.00%	100.00%	100.00%	--	--			
	Status	--	--	--	Y	Y	--	--			

Strategic Goal 5

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2008	FY/PY 2009	FY/PY 2010	FY/PY 2011	FY/PY 2012	FY/PY 2013	FY/PY 2014	What Worked	What Didn't Work	Program Performance Improvement Plan
Percentage of timeliness targets achieved for the Productivity and Technology Principal Federal Economic Indicator (PFEI).	Target	--	--	Base	100.00%	100.00%	100.00%	100.00%	See above.		See above.
	Result	--	--	100.00%	100.00%	100.00%	--	--			
	Status	--	--	--	Y	Y	--	--			
Percentage of accuracy targets achieved for the Productivity and Technology PFEI.	Target	--	--	Base	100.00%	100.00%	100.00%	100.00%	See above.		See above.
	Result	--	--	100.00%	100.00%	100.00%	--	--			
	Status	--	--	--	Y	Y	--	--			
Percentage of relevance targets achieved for the Productivity and Technology PFEI.	Target	--	--	Base	100.00%	100.00%	100.00%	100.00%	See above.		See above.
	Result	--	--	100.00%	100.00%	100.00%	--	--			
	Status	--	--	--	Y	Y	--	--			
Average number of Internet site user sessions each month (Dissemination)	Target	4,300,000	5,100,000	6,100,000	6,900,000	6,900,000	7,800,000	7,800,000	Made website more accessible with RSS feeds; a new "beta" data query tool for public comment; and the release of Web, mobile, and print-friendly versions of the 2012 Occupational Outlook Handbook.		Will increase customer awareness of existing data, and will use feedback to determine how to improve the data or dissemination methods.
	Result	5,032,111	6,090,587	6,972,577	7,213,823	8,149,686	--	--			
	Status	Y	Y	Y	Y	Y	--	--			
Measure customer satisfaction with the BLS website (Mission Achievement)	Target	--	--	Base	75	75	75	75	Reviewed survey feedback, which included more detailed information on functionality, search, navigation, and other areas of site performance.		Will use these results to improve the website to better serve stakeholders.
	Result	--	--	75	75	77	--	--			
	Status	--	--	--	Y	Y	--	--			

**Sources:** For most performance measures, internal BLS documents. For the Mission Achievement indicator, the American Customer Satisfaction Index 2012 E-Gov Scores Q3: [http://www.theacsi.org/images/stories/images/govsatscores/12q3\\_egovpress.pdf](http://www.theacsi.org/images/stories/images/govsatscores/12q3_egovpress.pdf)

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

**Program Evaluations**

There were no relevant independent evaluations completed in FY 2012.



## Measures Discontinued in FY 2014

Because this APR is primarily a planning document that uses historical information to inform future strategies and targets, it is organized around goals and measures selected to represent Departmental goals for the budget year (FY 2014). Under GPRA, performance goals, measures and targets are identified for reporting purposes in the Congressional Budget Justification (CBJ) issued during that fiscal year. Therefore, DOL is obliged to report PY 2011 and FY 2012 results for measures listed in its FY 2013 Performance Plan, which was published as part of the FY 2013 CBJ in February 2012 (see [www.dol.gov/dol/budget/](http://www.dol.gov/dol/budget/)). Some measures have since been revised, replaced, or discontinued.

The table below lists these performance measures, their targets and results for PY 2011/FY 2012. Results are not provided for measures that were new this year, i.e., their target was to collect baseline data.

Agency – Measure (Program) FY or PY	Target FY 2012 PY 2011	Result FY 2012 PY 2011	Why not included?
<b>Outcome Goal 1.1</b>			
VETS – Percent of Veterans participants employed in the first quarter after exit	47.0%	48.3%	This measure has been replaced with a new measure of the outcomes of participants served only by JVSG grantees.
VETS – Percent of Veteran participants employed in the first quarter after exit still employed in the second and third quarters after exit	79.2%	78.7%	Same as above
VETS – Average earnings of Veteran participants in the second and third quarters after exit	\$16,884	\$17,012	Same as above
<b>Outcome Goal 1.3</b>			
VETS – Percent of disabled Veterans participants employed in the first quarter after exit	44.6%	45.2%	Disabled veteran outcomes are included in the DVOP measures in Outcome Goal 1.1
VETS – Percent of disabled Veteran participants employed in the first quarter after exit still employed in the second and third quarters after exit	78.8%	78.0%	Same as above
VETS – Average earnings of disabled Veteran participants in the second and third quarters after exit	\$17,318	\$18,108	Same as above

Agency – Measure (Program) FY or PY	Target FY 2012 PY 2011	Result FY 2012 PY 2011	Why not included?
VETS – Percent of female HVRP participants employed in the first quarter after exit	53.0%	61.7%	This measure will continue to be tracked internally but will no longer be reported at the Departmental level.
VETS – Percent of TAP participants who indicate the workshop prepared them for gainful employment	Base	–	This data was not collected from TAP participants due to the redesign of TAP curriculum and transition to contracted facilitators.
ETA (OA) – Percent of Participants Employed in the First Quarter After Exit	63.6%	72.3%	Since apprentices are employed during their program participation, the EER is a de facto retention measure.
<b>Outcome Goal 1.4</b>			
VETS – Percent of USERRA cases resolved or referred in compliance with standard operating procedures.	82.0%	83.3%	This measure was renamed <i>Percent of Closed Cases Meeting the Agency's Quality Standard</i> to clarify that it does not include referrals.
<b>Outcome Goal 1.5</b>			
WHD – Percent of firms in the janitorial industry in compliance with applicable statutes	–	–	Performance is captured in Percent of investigations in priority industries measure
WHD – Percent of firms in the hotel/motel industry in compliance with applicable statutes	–	–	Same as above
WHD – Percent of construction companies in compliance with applicable statutes	–	–	Same as above
ETA – Percent of resolved permanent applications selected for integrity review and found in compliance	50%	67%	The measure provides little management value since there is no way to ensure employer compliance prior to issuing a final determination and does not account for case adjudication process quality. In FY 2013, OFLC will establish baseline data for a new measure designed to assess the quality of OFLC's decision-making and level of compliance with established operating protocols.
<b>Outcome Goal 2.1</b>			
WHD – Percent H-2A employers in compliance with applicable statutes	Baseline	25.5%	Performance is captured in Percent of investigations in priority industries
OSHA – Total number of employees removed from workplace hazards through inspections	650,000	684,999	This measure has been replaced with a new measure of the effect of inspections on employee exposure to workplace hazards.

Agency – Measure (Program) FY or PY	Target FY 2012 PY 2011	Result FY 2012 PY 2011	Why not included?
OSHA – Number of hazards abated associated with hearing loss in construction and manufacturing	680	584	The calculation method is being revised; targets will be established for FY 2014.
OSHA – Number of hazards abated associated with illness in construction and general industry	12,000	13,034	Same as above
OSHA – Number of hazards abated associated with amputations	8,000	6,921	Same as above
OSHA – Percent of serious, willful, repeat violations in large construction projects	Base	--	This measure will continue to be tracked internally but will no longer be reported at the Departmental level.
OSHA – Percent of serious, willful, repeat violations in high hazard industries	Base	--	Same as above
OSHA – Recidivism rate for serious, willful, repeat violations in high-hazard industries	Base	--	The data for this measure were not collected due to the design of the Department's study on evaluating the impact of OSHA's enforcement interventions.
<b>Outcome Goal 3.1</b>			
OFCCP – Overall compliance rate of federal contractors	Baseline	–	The sample drawn for this study cannot produce legitimate findings due to scheduling letters being rescinded in the Midwest region (11%), a high rate of administrative closures (39%) resulting from lack of contract jurisdiction and facility closures, and pending litigation in the health care, banking and insurance industries.
OFCCP – Discrimination rate of federal contractors	Baseline	–	Same as above
OFCCP – Technical violation rate of federal contractors	Baseline	–	Same as above
<b>Outcome Goal 3.2</b>			
WHD – Percent of FMLA complainants who are "satisfied" or "very satisfied" with WHD's services	Baseline	37.8%	WHD does not conduct a customer service survey of FMLA complainants every year.

Agency – Measure (Program) FY or PY	Target FY 2012 PY 2011	Result FY 2012 PY 2011	Why not included?
<b>Outcome Goal 4.2</b>			
OWCP – Percentage of Conversion of benefits to miners' survivors processed within 45 days	90%	98%	Performance is almost at the maximum level for this measure so it is replaced in FY 2013 with a new performance measure to minimize erroneous payments and accuracy of benefits.
OWCP – Average number of days between filing date and final decision for cases not sent to NIOSH when a hearing is held	372	366	This measure will continue to be tracked internally but will no longer be reported at the Departmental level.
OWCP – Average number of days between filing date and final decision for cases not sent to NIOSH when a hearing is not held	178	177	Same as above

# Acronyms

<b>BLS</b>	Bureau of Labor Statistics	<b>OMB</b>	Office of Management and Budget
<b>DOL</b>	U.S. Department of Labor	<b>OSHA</b>	Occupational Safety and Health Administration
<b>DVOP</b>	Disabled Veterans' Outreach Program	<b>OWCP</b>	Office of Workers' Compensation Programs
<b>EBSA</b>	Employee Benefits Security Administration	<b>PY</b>	Program Year
<b>EEO</b>	Equal Employment Opportunity	<b>SSA</b>	Social Security Administration
<b>ERISA</b>	Employee Retirement Income Security Act	<b>SWA</b>	State Workforce Agencies
<b>ETA</b>	Employment and Training Administration	<b>TAA</b>	Trade Adjustment Assistance
<b>FECA</b>	Federal Employees' Compensation Act	<b>UI</b>	Unemployment Insurance
<b>FLSA</b>	Fair Labor Standards Act	<b>VETS</b>	Veterans' Employment and Training Service
<b>FMLA</b>	Family Medical Leave Act	<b>WB</b>	Women's Bureau
<b>FTE</b>	Full Time Equivalent	<b>WHD</b>	Wage and Hour Division
<b>FY</b>	Fiscal Year	<b>WIA</b>	Workforce Investment Act
<b>GAO</b>	U.S. Government Accountability Office		
<b>GPRA</b>	Government Performance and Results Act		
<b>HVRP</b>	Homeless Veterans' Reintegration Program		
<b>ILAB</b>	Bureau of International Labor Affairs		
<b>IPIA</b>	Improper Payments Information Act		
<b>IT</b>	Information Technology		
<b>LMRDA</b>	Labor-Management Reporting and Disclosure Act		
<b>LPD</b>	Lost Production Days		
<b>LVER</b>	Local Veterans' Employment Representative		
<b>MSHA</b>	Mine Safety and Health Administration		
<b>ODEP</b>	Office of Disability Employment Policy		
<b>OFCCP</b>	Office of Federal Contract Compliance Programs		
<b>OFLC</b>	Office of Foreign Labor Certification		
<b>OIG</b>	Office of Inspector General		
<b>OLMS</b>	Office of Labor-Management Standards		

## Internet Links

### Employment Information (For Workers and Employers)

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

### Workplace Laws and Related Information

DOL Compliance Assistance <http://www.dol.gov/compliance>  
Employment Laws Assistance for Workers and Small Businesses <http://www.dol.gov/elaws/>  
Fair Labor Standards Act <http://www.dol.gov/compliance/laws/comp-flsa.htm>  
Small Business Compliance Assistance <http://www.dol.gov/osbp/sbrefa/>

### Statistical Information

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

### Safety and Health Information

OSHA's Partnership Page <http://www.osha.gov/dcsp/partnerships/index.html>  
OSHA Standard Industrial Classification (SIC) Search <http://www.osha.gov/oshstats/sicser.html>  
OSHA Reading Room <http://www.osha.gov/readingroom.html>  
MSHA's Accident Prevention Program [http://www.msha.gov/Accident\\_Prevention/appmain.htm](http://www.msha.gov/Accident_Prevention/appmain.htm)  
Health Hazard Information (MSHA) <http://www.msha.gov/hhicm.htm>  
MSHA's National Hazard Reporting Page <http://www.msha.gov/codeophone/codephonenew.htm>

### Labor Department History

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

### Labor Agencies

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