

**U.S. DEPARTMENT OF LABOR**  
**FY 2022 ANNUAL PERFORMANCE REPORT**

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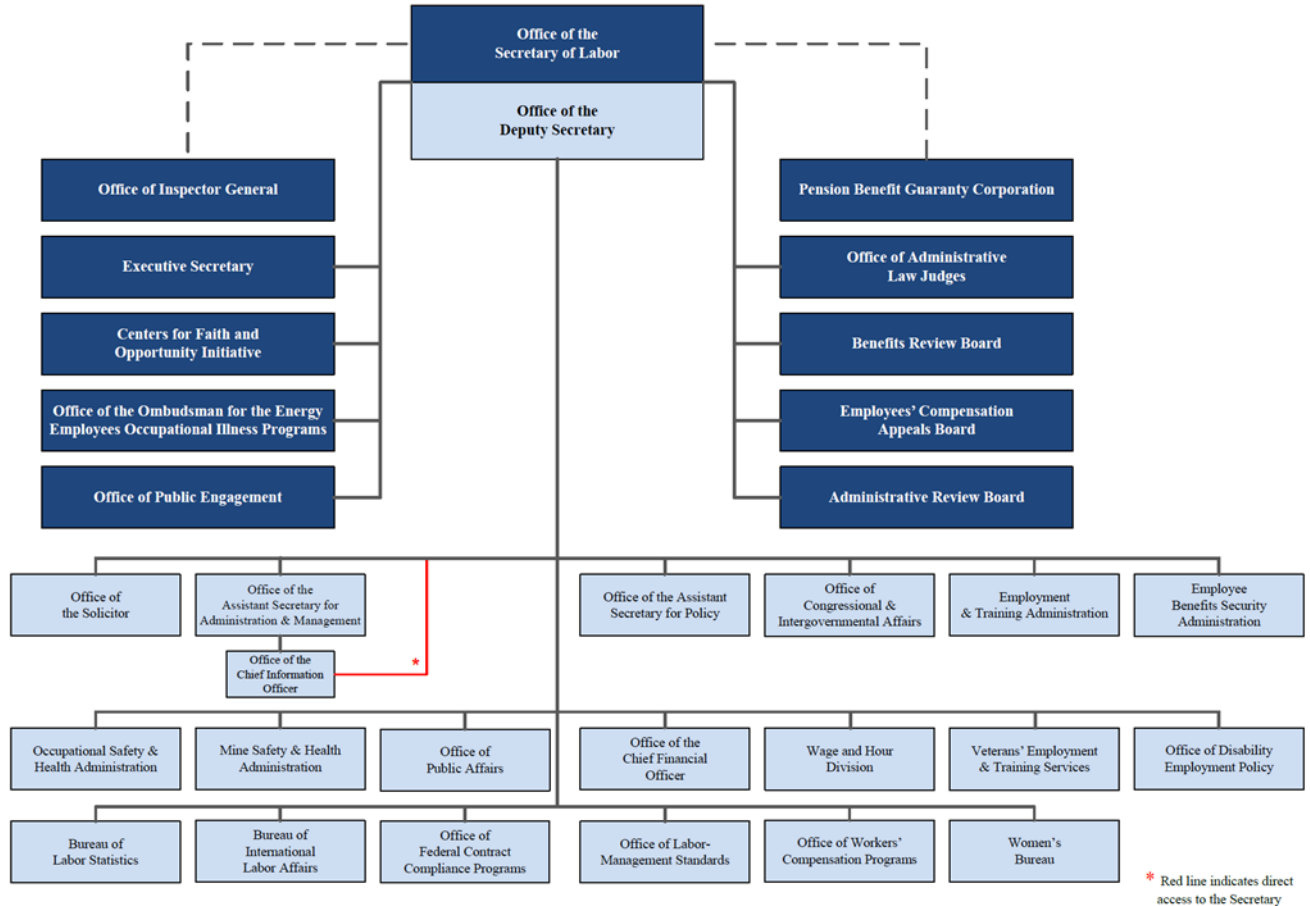
This report, as well as the FY 2022 Agency Financial Report, can be found at <https://www.dol.gov/general/aboutdol#budget>.

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# Organization Chart



This document explains how the Department of Labor (DOL) improves the lives of America’s workers through the management of its agencies and programs. As required by the Government Performance and Results Modernization Act of 2010 (GPRMA), it provides information on planned and actual performance and progress in achieving the four strategic goals, one management goal, ten strategic objectives, and twenty performance goals identified in the [DOL FY 2022-2026 Strategic Plan](#) and presented in the table below.

## FY 2022 – 2026 DOL Vision, Mission, and Strategic Goals

**Vision:** Empowering all workers morning, noon and night.

**Mission:** To foster, promote, and develop the welfare of the wage earners, job seekers, and retirees of the United States; improve working conditions; advance opportunities for profitable employment; and assure work-related benefits and rights.

<b>Goal 1: Build Opportunity and Equity for All</b>			
<b>1.1 Advance training, employment, and return-to-work opportunities that connect workers to higher-wage jobs, especially in ways that address systemic inequities.</b>			
<b>ETA 1.1</b> Create customer-focused workforce solutions that serve all workers, including underserved communities.	<b>VETS 1.1</b> Provide veterans, transitioning service members, and military spouses with resources and tools to gain and maintain employment.	<b>WB 1.1</b> Formulate policies and initiatives to promote the interests of working women.	<b>ODEP 1.1</b> Develop evidence-based policies, practices, and tools to foster a more inclusive workforce to increase quality employment opportunities for individuals with disabilities.
<b>Goal 2: Ensure Safe Jobs, Essential Protections, and Fair Workplaces</b>			
<b>2.1 Secure safe and healthful workplaces, particularly in high-risk industries.</b>			
<b>OSHA 2.1</b> Secure safe and healthful working conditions for America’s workers.		<b>MSHA 2.1</b> Prevent fatalities, disease, and injury from mining, and secure safe and healthful working conditions for America’s miners.	
<b>2.2 Protect workers’ rights.</b>			
<b>WHD 2.2</b> Enforce labor standards to protect and enhance the welfare of the nation’s workforce.	<b>OFCCP 2.2</b> Promote equitable and diverse workplaces for America’s federal contractor employees.	<b>OLMS 2.2</b> Promote union financial integrity, transparency, and democracy.	
<b>2.3 Improve the security of retirement, health, and other workplace-related benefits for America’s workers and their families.</b>			
<b>EBSA</b>			
<b>2.4 Strengthen labor rights, improve working conditions, promote racial and gender equity, and empower workers around the world.</b>			
<b>ILAB</b>			

<b>Goal 3: Improve Administration of and Strengthen Worker Safety Net Programs</b>		
<b>3.1 Ensure timely and accurate income support when work is unavailable by strengthening benefits programs and program administration.</b>		
<b>OWCP 3.1</b> Increase the efficiency and accuracy with which OWCP provides workers’ compensation benefits for certain qualified workers who are injured or become ill on the job and improve return-to-work outcomes for injured workers.	<b>ETA/UI 3.1</b> Support states’ timely and accurate benefit payments for unemployed workers.	
<b>Goal 4: Statistical Goal – Produce Gold-Standard Statistics and Analyses</b>		
<b>4.1 Provide timely, accurate, and relevant information on labor market activity, working conditions, price changes, and productivity in the U.S. economy.</b>		
<b>BLS</b>		
<b>Management Goal: A Department Grounded in Innovation, Evidence, and Employee Engagement</b>		
<b>M.1 Drive innovation in administrative, management, and financial services.</b>		
<b>OASAM M.1</b> Optimize the Department of Labor’s enterprise services.	<b>OCFO M.1</b> Promote fiscal integrity and the effective and efficient use of resources through innovation.	
<b>M.2 Strengthen the Department’s commitment and capacity for evidence-based decision-making.</b>		
<b>OASAM M.2</b> Integrate budget and performance with evaluation and risk management to improve decision-making.	<b>OCFO M.2</b> Integrate risk-based decision-making to enhance the Department’s operations.	<b>OASP M.2</b> Invest in strategic and evidence-based decision-making, policy and regulatory development.
<b>M.3 DOL as a model workplace</b>		
<b>OASAM M.3</b>		

This plan, which also serves as DOL’s FY 2024 Annual Performance Plan, updates measures and targets for FY 2023 and establishes targets consistent with those reflected in the FY 2024 Congressional Budget Justification. Some measures are deleted or modified between annual updates. To present the most current information, this plan provides complete information for the budget year measures only—in this case, those retained or added for FY 2024—including actual performance for the five preceding years, if available.

**How This Document Is Organized**

Outlined below is the basic structure of this document, which provides an overview of each Strategic Goal and Objective,<sup>1</sup> a Strategic Review Summary of Progress at the objective level, and an overview of each partner agency’s performance goal.

**Strategic Goal**  
**Strategic Objective**

**Partner Agencies Driving this Objective**

DOL agencies with performance goals contributing to the objective are listed; a brief introduction follows.

**FY 2022 Strategic Review Summary of Progress**

This section includes highlights of progress or obstacles for each strategic objective.

**Partner Agency Performance Goal**

Each DOL partner agency section includes a brief introduction of their mission and programs.

**Analysis and Future Plans**

The narrative in this section presents performance information supported by a table with applicable measures, targets, results, and status (whether or not results reached 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 improved over the prior year but did not reach the target, “I” appears in the status cell. The last three columns help explain the level of success and plans to improve results.<sup>2</sup>

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2018	FY/PY 2019	FY/PY 2020	FY/PY 2021	FY/PY 2022	FY/PY 2023	FY/PY 2024	What Worked	What Didn't Work	Program Performance Improvement Plan
Measure name	Target										
	Result										
	Status										

<sup>1</sup> OMB Circular A-11, Part 6 defines a Strategic Goal as a statement of aim or purpose that the agency wants to achieve to advance its mission and address relevant national problems, needs, challenges and opportunities. Strategic Objectives reflect the outcome or management impact the agency is trying to achieve and generally include the agency’s role.

<sup>2</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. Similarly, [r] indicates that results have been revised since last reported, and [e] means the results in that cell are estimated.



## Agency Priority Goals

Agency Priority Goals (APGs) identify near-term improvements in outcomes, customer service, or efficiencies that advance progress toward longer-term strategic goals and objectives. They are two year goals that reflect the top implementation-focused, performance improvement priorities of agency leadership and the Administration, and therefore do not reflect the full scope of the agency mission. Implementation and management of APGs require decisions about agency priorities, trade-offs, measurement, evidence, strategies, timing, and leadership that are reviewed at least quarterly to see that sufficient time, resources, and attention are allotted to addressing specific problems or opportunities related to the goal.

For the two year period ending September 30, 2023, DOL has established two goals:

### **An Economy for All Workers**

By September 30, 2023, DOL programs will prioritize the advancement of diversity, equity, inclusion, and accessibility, to better support underserved communities through a series of measures and milestones across agencies that demonstrate concrete and sustained progress.

### **Strengthening America’s Safety Net for Workers**

By September 30, 2023, the Department will 1) increase the percent of all intrastate first payments of unemployment benefits made within 21 days by at least 10 percent towards the regulatory target of 87 percent and 2) reduce the estimated improper payment rate of unemployment benefits. The Department will also plan and offer new, innovative technical assistance and grants to strengthen UI service delivery, fraud prevention, and equitable access.

More information about each goal is available on [Performance.gov](https://www.performance.gov).

## Priority Goals

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## **Strategic Goal 1: Build Opportunity and Equity for All**

### **Strategic Objective 1.1**

Advance training, employment, and return-to-work opportunities that connect workers to higher-wage jobs, especially in ways that address systemic inequities.

**Partner Agencies Driving this Objective** (select the hyperlink to learn more about each agency)

[Employment and Training Administration](#) (ETA)

[Veterans' Employment and Training Service](#) (VETS)

[Women's Bureau](#) (WB)

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

The American economy must work for all workers. ETA, VETS, WB, and ODEP oversee programs and develop policy as part of the nation's public workforce system, providing support to workers and employers. In the coming years, these agencies will strengthen their efforts to expand opportunities to advance equity, inclusion, and job quality.

These agencies invest in workforce development and modernized employment practices; they also build upon established collaborations with other DOL agencies, as well as federal, state, community-based, non-profit, and other organizations to influence evidence-based policy changes, conduct important research, and strengthen employer engagement.

Collectively, these agencies' performance goals contribute to helping workers access quality jobs today and tomorrow, and to improving DOL's agility to evolve in an ever-changing environment. Additionally, DOL's Civil Rights Center investigates and adjudicates alleged discrimination and other violations of equal opportunity requirements, and provides technical assistance (TA), to ensure that the workforce system is operating in compliance with the law.

**FY 2022 Strategic Review Summary of Progress** (Adequate Progress)

Findings for this objective were grouped into three themes: Promote Inclusion and Advance Equity; Advance Employment Entry, Retention, and Advancement; and Hiring and Diversity. Findings demonstrating progress included use of evidence in strategies for administration of grant programs. Challenges were identified in data needed to promote equity goals.

## Strategic Goal 1

### Promote Inclusion and Advance Equity

#### *ETA: Leveraging Data as a Strategic Asset*

In early Fiscal Year (FY) 2021, ETA established a new Division of Data Analytics and Strategic Planning to develop evidence-based insights into pressing or emerging policy questions. ETA analyzed the completeness of programs' demographic data to determine the extent that the data could be leveraged to develop valid and reliable equity metrics. ETA is conducting comparative outcomes analysis and has funded a TA contract for FY 2022 to improve the completeness of Workforce Innovation and Opportunity Act (WIOA) demographic data. ETA's Office of Apprenticeship (OA) and Office of Unemployment Insurance (OUI) are also undertaking efforts to improve demographic data collection and reporting.

#### *ETA: American Job Center (AJC) Accessibility*

ETA worked with the DOL Chief Evaluation Office (CEO) to complete three studies of American Job Centers (AJCs). The institutional analysis study yielded four study briefs covering: Key Institutional Features of AJCs, AJC One-Stop Operators, System Resource Sharing Practices Among AJCs, and AJCs Service Delivery in Rural Areas. Highlights from the AJC accessibility study were:

- Accessibility was rated across three domains: physical accessibility, communications accessibility, and programmatic accessibility.
- 92 percent of AJCs were fully accessible in the physical domain, 70 percent in the communications domain, and 44 percent in the programmatic domain. This implies that across many of the AJCs, at least some people with disabilities could not meaningfully participate in, and benefit from, services to the same extent as those without disabilities in each domain of accessibility.

#### *VETS: Advancing and Embedding Equity*

VETS continued to prioritize embedding equity and inclusion into all VETS programs to reach underserved communities; and provide veterans, transitioning service members, and their families with targeted training and resources through programs that leverage partnerships to improve employment outcomes to build meaningful careers in ways that address systemic inequities. To further progress in this area, VETS will take the following actions:

**Jobs for Veterans State Grants (JVSG):** VETS will work with partners to improve the integrity of data received from grantees and analyze historical data to identify inequities among marginalized communities.

**Homeless Veterans' Reintegration Program (HVRP):** VETS will revise the FY 2023 Funding Opportunity Announcement to identify areas with the highest rates of veteran homelessness, including communities most affected by poverty.

**National Veterans' Training Institute (NVTI):** Through NVTI, VETS will deliver a training course that focuses on employment and training strategies to improve outcomes for underserved communities.

**Transitioning Assistance Program (TAP):** Through the Off Base Transition Training Pilot, TAP will provide veterans and military spouses the opportunity to participate in DOL-sponsored courses typically only available for transitioning service members on military bases. VETS will select pilot sites that improve the employment situation of veterans experiencing poverty.

## Strategic Goal 1

**Uniformed Services Employment Reemployment Rights Act (USERRA):** To ensure program equity, VETS will request a change to the USERRA VETS-1010 form to include additional equity demographic data that will allow VETS the ability to ensure equitable treatment during the conduct of investigations and identify any trends involving claimants who are part of a protected class in addition to military status.

### *WB: Advancing Equity and Equality*

WB contributes and provides thought leadership to advance equity principles and practices in a variety of intra- and inter-agency councils and working groups, including the Gender Policy Council. WB shepherded DOL's input toward the U.S.'s first-ever National Strategy on Gender Equity and Equality and collected input from DOL sub-agencies on their gender equity goals and baseline capacity to deliver programming and budgeting with a gender lens.

### *ODEP: Implementation Tools*

In FY 2022, ODEP met its target in issuing 112 implementation tools. Implementation tools are formally developed tools that provide educational or explanatory information to support adoption and implementation of ODEP-developed/recommended practices and policies. This included developing the National Plan to increase Competitive Integrated Employment (CIE), which was released in January 2022.

### Advance Employment Entry, Retention, and Advancement

#### *ETA: Work-Based Learning Improves Outcomes*

[Expanding Registered Apprenticeship in the United States](#), the first implementation study of the American Apprenticeship Initiative (AAI), showed positive progress in expanding apprenticeships to new occupations and populations underrepresented in apprenticeships. Overall, apprenticeship programs in 63 percent of occupations supported by the grantees are newly registered, rather than expansions of pre-existing registered or unregistered programs (37 percent). Grantees report that they target underrepresented populations, including women, veterans, and racial and ethnic minorities; as of December 31, 2019, 69 percent of AAI apprentices are from these populations.

#### *VETS: Prepare veterans, transitioning service members, and spouses for meaningful careers*

Through DOL's TAP, VETS offers employment-related workshops at military installations worldwide and virtual training platforms to support the nation's veterans, transitioning service members, and military spouses by preparing them with the tools necessary for a successful transition from military to civilian employment. In FY 2021 and FY 2022, the TAP post-course survey results indicated a 96 percent facilitator satisfaction rating.

#### *VETS: Provide employment resources to build meaningful careers*

VETS has shifted to focus primarily on the wages received by the participants served (JVSG and HVRP) compared to appropriate state level wage data. VETS' goal is to place participants into employment that exceeds the living wage in each state, which aligns with the Department's "Good Jobs" initiative. The JVSG Program, Median Earnings (2nd quarter after exit) increased from \$6,420 in Program Year (PY) 2018 to \$7,998 in PY

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2021. The HVRP Median Earning (2nd quarter after exit) increased from \$4,373 in PY 2018 to \$8,216 in PY 2021.

### *VETS: Protect employment rights*

VETS has seen an increase in the percent of closed USERRA cases that meet the quality standard, rising from 83 percent in FY 2013 to 96.5 percent in FY 2022. VETS is continuously assessing case quality to ensure the highest level of claimant satisfaction.

### *WB: Women in Apprenticeship and Nontraditional Occupations (WANTO) Grants*

Since WANTO's inception in 1992, the Department of Labor has awarded 132 grants totaling nearly \$33 million to community-based organizations in nearly two-thirds of all states (32 states total) in order to help women pursue apprenticeships and provide TA to employers and labor unions to support women in apprenticeships and nontraditional occupations (where women comprise less than 25 percent of the workforce). In the last 5 years alone, WB has helped nearly 9,000 women train for and succeed in apprenticeship and other nontraditional fields. In the FY 2021, WANTO Funding Opportunity Announcement, priority was given to organizations that have served as an equity intermediary in the past and those who proposed to focus on expanding outreach/recruitment to historically underrepresented communities.

### *ODEP: Adequate and reliable data*

ODEP does not have adequate data from workers with disabilities and employers to understand the labor market conditions affecting persons with disabilities. ODEP has limited ability to collect reliable data from employers regarding disability employment. As a result, it is difficult to gauge the effectiveness of efforts to identify and remove barriers to employment for persons with disabilities, especially as the country emerges from the COVID-19 pandemic. To address at least part of this challenge, ODEP is working with DOL's Chief Evaluation Office, Bureau of Labor Statistics, and the Census Bureau to revise the 2024 disability supplement to the Current Population Survey to gather more timely information about labor market challenges experienced by people with disabilities.

## Hiring and Diversity, Equity, Inclusion, and Accessibility (DEIA)

### *ETA: Limited Staffing Poses Risks to Programs and Grants*

Several risks in ETA's Apprenticeship, Office of Foreign Labor Certification (OFLC) programs, and grant administration point directly to staffing limitations as threats to maintenance of performance standards and oversight responsibilities.

The OA portfolio has increased substantially in recent years. On the near-term horizon are pending congressional action for the National Apprenticeship Act which could drive further increases.

OFLC is experiencing a dramatic rise in application volumes, with record application levels in most OFLC programs in FY 2022. This rising employer demand for labor certifications and prevailing wage determinations has strained OFLC's case-adjudication capacity and necessitated the

## Strategic Goal 1

diversion of staff reviewing Permanent Labor Certification (PERM) applications to meet statutory and regulatory deadlines in the temporary programs (H-2A, H-2B, and CW-1). OFLC has successfully managed these rising workloads with employee cross-training, IT improvements, and innovations such as “Flex” adjudication teams that can shift between business lines in response to workload demands. OFLC cannot, however, absorb the current rate of increased demand indefinitely while still achieving its statutory and regulatory adjudication time requirements.

On average, Federal Project Officers are currently managing over 25 grants. This significant workload raises the risk of grantee non-compliance, such as misclassification of costs, lack of sufficient fiscal controls, expenditures on ineligible participants, lack of or insufficient documentation for costs, expenditures on unallowable activities, slow implementation of projects, and low performance outcomes.

### *VETS: Model Workplace: Hiring and DEIA*

VETS has used Office of Personnel Management’s (OPM) special hiring authorities to recruit personnel with affinity to VETS’ mission and improve the internal recruitment process to help managers fill vacant positions quickly. VETS also shared vacancy announcements widely to obtain a broad and diverse pool of talented applicants.

### *ODEP: Workforce Recruitment Program (WRP)*

Expenses related to ODEP hosting and operating the WRP website have continued to grow, while job placements from the program have remained relatively low (10-15 percent of students in the database). WRP was specifically recognized as important to promoting DEIA in the Federal workforce in Executive Order 14035 issued June 25, 2021. In adherence with this Executive Order, ODEP has developed a report. This report is currently in clearance with the Department of Defense and will be submitted to APDP once clearance is finalized.

## ETA Performance Goal 1.1 – Create customer-focused workforce solutions that serve all workers, including underserved communities.

ETA oversees the provision of training and employment assistance, labor market information, and education through programs authorized by the WIOA—for adults, dislocated workers, youth, Job Corps, employment services authorized by the Wagner-Peyser Act, amended by title III of WIOA, and National Programs; Trade Adjustment Assistance (TAA) authorized by the Trade Act of 1974, as amended; Foreign Labor Certification activities authorized by the Immigration and Nationality Act; the Senior Community Service Employment Program authorized by the Older Americans Act; and Apprenticeship programs authorized by the National Apprenticeship Act. Additionally, ETA oversees the federal-state Unemployment Insurance (UI) program, authorized under the Federal Unemployment Tax Act and Title III of the Social Security Act (see ETA Performance Goal 3.1).

The public workforce system provides access to training, employment, and supportive services to a broad array of customers at all skill levels. These services include career counseling, case management, assessments that identify transferable skills, and skill development. ETA and the workforce system are committed to expanding access to Registered Apprenticeships; providing and improving strategies and tools that help connect employers and skilled workers and connect workers to quality jobs; and continuously improving the effectiveness, efficiency, and equity of workforce development programs by ensuring accountability and applying evidence of what works in these programs.

### **Analysis and Future Plans**

Since Program Year 2016,<sup>3</sup> the WIOA core programs and ETA’s other WIOA-authorized and partner programs have been required to report on six WIOA primary indicators of performance: employment in the 2nd quarter after exit, employment in the 4th quarter after exit, median earnings in the 2nd quarter after exit, credential attainment, measurable skill gains, and effectiveness in serving employers. ETA has established national targets for employment in the 2nd quarter after exit, median earnings in the 2nd quarter after exit, and measurable skill gains performance indicators for WIOA Adult, WIOA Dislocated Worker, WIOA Youth, and TAA, as well as establishing national targets for employment in the 2nd quarter after exit and median earnings in the 2nd quarter after exit for the Wagner-Peyser Act Employment Service. In addition, ETA has aligned performance reporting definitions and calculations and implemented a streamlined performance reporting system for WIOA and other DOL partner programs. Eighteen workforce grant programs use a common record layout (the Participant Individual Record Layout, or PIRL) to report program participant service and outcome information. Using one system enhances data reliability and accuracy.

Throughout the period of measurement, which for measures like second quarter employment that used exiters from July 2020 to June 2021, programs

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<sup>3</sup> Most DOL employment programs are forward-funded and report performance on a Program Year (PY) that lags the fiscal year by nine months (e.g., PY 2021 – July 1, 2021 to June 30, 2022). Exceptions that report on a standard fiscal year are the Apprenticeship program and the Trade Adjustment Assistance program.



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across the workforce system had to adjust to account for the unprecedented operational and economic impacts of the pandemic. Service models had to be adjusted to allow for virtual delivery and, in some cases, programs and services faced temporary suspension of operations. The pandemic directly impacted the provision of work-based learning and the ability of participants to complete their credentials due to suspension of operations in some cases. Additionally, the pandemic resulted in historic levels of unemployment throughout the period of measurement, which impacted the employment rate measures across all programs. ETA provided TA and guidance to assist grantees in adjusting their program delivery models to virtual services, and where available, to virtual work experiences. ETA continues to provide TA to grantees to assist and support programs' ability to identify, provide, and report on quality credentials. Throughout the adjustment to virtual service delivery and services, ETA also provided guidance and TA on best practices for remote delivery. ETA anticipates that the work-based learning, credential attainment, and employment rate measures will continue to improve as grantees continue to adapt services to the changing economy.

For participants engaged in work-based learning, ETA has provided extensive TA to workforce practitioners, including apprenticeship and business outreach staff. Apprenticeship Directors also share information on how resources like WIOA formula grants and TAA funds can be used to support work experience, pre-apprenticeship programs, on-the-job training, and supports for apprentices. These efforts led to development of [an apprenticeship toolkit for workforce practitioners](#), dissemination of a Fact Sheet explaining that the TAA program can serve as another funding vehicle to support Apprenticeship participation, and webinars to help states leverage apprenticeships in serving TAA recipients.

In FY 2022, ETA promoted work-based learning as an equitable economic recovery strategy and to ensure access to quality jobs. Work-based learning includes Registered apprenticeships, pre-apprenticeship programs, work experience and internships, transitional jobs, On-the-Job Training (OJT), customized training, and Incumbent Worker Training.

In FY 2022, YouthBuild provided TA that focuses on work experience, particularly in construction, climate jobs, and other high-growth industries such as health care, manufacturing, and information technology. During the pandemic, programs had to adjust worksites and offer work experiences both in-person and virtually. ETA provided TA specifically on virtual and in-person work experience that gives consideration to communities and populations with limited access to virtual tools, including new grantee orientations, webinars, tip sheets, and peer sharing.

H-1B Skills Training Grants supported the development of new apprenticeship and other earn and learn programs and the scaling of existing programs, particularly into new industries and occupations (such as information technology, including cybersecurity). More recent investments aim to increase both the number of apprenticeship positions and the ability of all Americans, including racial and ethnic minorities and those in communities most affected by poverty, to gain access to this proven pathway to quality, family-sustaining careers. Along with an emphasis on apprenticeships, these grants encourage and incentivize the use of work-based learning strategies by allowing for employer reimbursement of a portion of the costs of training during OJT and apprenticeships.

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The WIOA Youth formula-funded program continued focusing on work experience, which is prioritized under WIOA through a minimum 20 percent expenditure requirement. During the pandemic, programs had to adjust work sites and offer work experiences both in person and virtually, and ETA intends to apply lessons learned from the pandemic, including continued use of virtual work experience, as part of the focus on work experience as a foundation for young adult employment success.

The Reentry Employment Opportunities (REO) grants prepares individuals who were involved with the justice system for employment that stabilizes their income and creates opportunities for career pathways. The Pathway Home and Partners for Reentry Opportunities in Workforce Development grants built upon evidence from the Linking Employment Activities Pre-release grants and seek to determine if consistent services begun while in state prisons or local jails lead to better employment outcomes. Meanwhile, the REO Growth Opportunities grants prepare justice-involved youth and young adults for the world of work through education and training, paid work experiences, mentorship, and leadership development. With a focus on youth (15-18) and young adults (18-24) most impacted by community violence, particularly in areas of concentrated crime and poverty the grants partner with community violence interrupters.

The WIOA Adult program is integral to reaching adults most in need of assistance from the public workforce system in a rapidly evolving environment. ETA has published guidance (Training and Employment Guidance Letter (TEGL) 7-20) that emphasizes prioritizing services to the workforce system's most in need participants. WIOA identifies three groups of individuals who must receive priority of service: individuals who are recipients of public assistance, low-income, or basic skills deficient (including English language learners). ETA has exceeded the goal for the number of states in which at least 75 percent of the state's WIOA Adult program participants are from at least one of the three aforementioned priority groups, and will continue to coordinate state efforts to achieve higher success.

In FY 2022, ETA's nationwide Job Corps program successfully reopened all of its 121 Job Corps Centers, after navigating the enrollment, service, and job placement impacts from COVID's crisis and recovery phases. During and since COVID, Job Corps continued its efforts to improve the student experience by launching the Secretary's vision of Job Corps 2.0 – a student-centered program design that focuses on innovation, modernization, automation, and strategic partnerships with national employers and organizations to accelerate program performance and improve student outcomes. In FY22, Job Corps launched projects to modernize its web-based access to enrollment, direct service, supportive, and transition-based resources. Job Corps also integrated DEIA-conscious refinements into the program and its services and provided training and technical assistance to Job Corps stakeholders and direct service providers to improve program performance during the fiscal year.

Through Job Corps' demonstration grants, Job Corps has established substantive relationships with Community Colleges across the nation, including Historically Black Colleges and Universities (HBCUs), that Job Corps can build upon to expand career development resources for students. All of

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these actions are intended to increase the awareness of Job Corps as the top choice for opportunity youth interested in furthering their employment and career goals.

Also, in FY 2022, ETA supported workforce system alignment through a Registered Apprenticeship (RA) Technical Assistance (TA) Center of Excellence focused on national strategic partnership and system alignment. Through this four-year cooperative agreement, ETA supports efforts to establish, build, and sustain partnerships that support system alignment of the national workforce and education systems to accelerate Registered Apprenticeship Program (RAP) adoption and expansion. This RA TA Center of Excellence provides technical assistance on a national scope to RAP sponsors implementing RAPs and also supports state and local workforce development boards, American Job Center programs and operators, governors, and other essential stakeholders that drive and inform economic and workforce development policies and programs. In FY 2023, OA continues to work in close coordination with the RA TA Center to increase workforce system alignment.

ETA is committed to expanding the number of active Registered Apprenticeships to rebuild the middle class and connect a diverse workforce to family-supporting, quality jobs. In FY 2022, OA implemented the Secretary's Advisory Committee on Apprenticeship (ACA), strengthening education/workforce alignment, creating more youth and pre-apprenticeship programs, increasing enforcement activities to advance diversity, equity, and inclusion in apprenticeship, ensuring Registered Apprenticeship policy and program practices support good jobs and labor standards, and supporting the anticipated National Apprenticeship Act reauthorization and future federal investment contingent upon Congressional action. In May 2022, the ACA issued an [interim report](#) including recommendations to the Secretary of Labor. In FY 2023, the ACA will provide additional recommendations to the Secretary. In addition, in FY 2022, OA expanded registered apprenticeship into high-demand, priority industries including clean energy, infrastructure, healthcare, agriculture, and early childhood education, and will continue these efforts in FY 2023. In FY 2022, OA also executed a range of initiatives including efforts to increase access to underrepresented populations and ensure registered apprenticeship opportunities are available for all Americans, including awarding \$171 million in Apprenticeship Building America grants to support building and modernizing state apprenticeship systems; expanding opportunities for youth in registered apprenticeship; expanding registered apprenticeship pathways in pre-apprenticeship; creating and expanding registered apprenticeship equity partnerships; and investing in registered apprenticeship hubs that facilitate the establishment, scaling, and expansion of RAPs in new and fast-growing industries and occupations. In FY 2023, OA expects to continue to fund a range of initiatives that expanded registered apprenticeship into high-demand, priority industries and increase access to underrepresented populations and ensure registered apprenticeship opportunities are available for all Americans.

OFLC is experiencing a dramatic increase in application volumes, with record levels of applications received in the H-2A, H-2B, PERM, and Prevailing Wage Determination programs in FY 2022. In the H-2A program, application levels have increased nearly four-fold in the last decade (5,475 applications in FY 2012; 19,038 in FY 2022) with more than four times the number of H-2A agricultural workers requested annually (90,362 workers in FY 2012; 379,646 in FY 2022). Despite these surging application levels, OFLC met its target of 97 percent of complete H-2A applications being certified at least 30 days before the date of need. OFLC utilized overtime, contract staffing, support from PERM and Flex Team

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adjudication staff, and the internal reassignment of H-2A Audit staff to meet its annual adjudication goals. H-2B application levels also increased markedly in FY 2022, rising 45 percent from FY 2021 – the largest annual percentage increase in the program’s history. In FY 2023, OFLC will continue to seek operational improvement and information technology enhancements to reduce barriers to timely processing and help manage its rapidly rising workloads. OFLC will also continue its efforts to enhance State Workforce Agency (SWA) grants to improve program effectiveness, pursuing additional funding to help SWAs manage fast-rising state-level FLC workloads, conducting on-site grant monitoring reviews, providing TA to state staff, and focusing efforts on the states where H-2A and H-2B workload demands are greatest.

As a result of outreach to individual and organizational members of underserved communities, ETA took several steps in FY 2022 to increase access to ETA programs, services, and benefits, and to achieve equitable outcomes. ETA made significant adjustments to virtually all of its competitive grant programs in FY 2022, such as requiring applicants to identify and address specific equity gaps in the Strengthening Community Colleges grant competition, scoring applications based in part on the degree to which applicants would increase services to underserved communities, and focusing on quality jobs as a strategy to achieve equitable outcomes. ETA also took steps to expand access to grants and extended open periods for grant competitions to provide more time for smaller and community-based organizations to apply. In addition to changes to its competitive programs, ETA dedicated resources to increasing equity and job quality in its WIOA formula programs as well, supporting Comprehensive and Accessible Reemployment Through Equitable Employment Recovery (CAREER) Dislocated Worker Grants (DWGs) in their period of performance, and awarding Quality Jobs, Equity, Strategy, and Training DWGs. In FY 2023, ETA will provide TA to workforce system grantees on conducting outreach and recruitment to expand access to ETA-funded services, on high quality training strategies and the partnerships necessary for disadvantaged communities to benefit from such training, and on ensuring that the high-quality jobs produced by the Bipartisan Infrastructure Law and the CHIPS and Science Act are available to underrepresented communities.

ETA – Create customer-focused workforce solutions that serve all workers, including underserved communities.

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2018	FY/PY 2019	FY/PY 2020	FY/PY 2021	FY/PY <sup>4</sup> 2022	FY/PY 2023	FY/PY 2024	What Worked	What Didn't Work	Program Performance Improvement Plan
Percentage of exiters engaged in work-based learning opportunities, including apprenticeships (OWI/OJC/OTAA/OA)	Target	Base	Base	27.9%	42.0%	42.0%	44.0%	46.0%	Making resources available for work-based learning (CAREER& QUEST DWG)& YouthBuild, Pathway Home,& Growth Opportunities. Providing technical assistance to grantees.	Workforce boards continue to underutilize apprenticeship, and a percentage of program participants continue to enter short-term training rather than apprenticeships.	ETA will capitalize on infrastructure and other federal investments to deliver tailored technical assistance on expanding pre-apprenticeship and apprenticeship.
	Result	23.8%	27.8%	41.1%	41.5%	TBD	--	--			
	Status	--	--	Y	I	--	--	--			

<sup>4</sup> The four measures with TBD in the results cells are reporting on a Program Year timeframe (12 months ending June 30). PY 2022 results will be reported in the FY 2023 APR

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*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2018	FY/PY 2019	FY/PY 2020	FY/PY 2021	FY/PY <sup>4</sup> 2022	FY/PY 2023	FY/PY 2024	What Worked	What Didn't Work	Program Performance Improvement Plan
Percentage of exiters attaining credentials within one year after exit (OWI/OJC/OTAA/OA)	Target	Base	Base	64.9%	64.9%	65.0%	65.2%	66.0%	Technical assistance (TA) on industry-recognized credentials, and on accurate reporting, continue to improve reporting. TA and funding to provide supportive services also increase training completion.	Due to the lag associated with the credential measure, this year's exiter data represents those who experienced the program in the pandemic, with associated disruptions to training.	Continued emphasis on supportive services, and on training aligned to industry needs. ETA expects credential attainment to rebound to pre-pandemic levels.
	Result	62.2%	68.9%	59.8%	53.1%	TBD	--	--			
	Status	--	--	N	N	--	--	--			
Percentage of program participants employed in the second quarter after exit (OWI/OJC/OTAA)	Target	Base	Base	68.4%	68.4%	69.0%	69.2%	69.4%	Staff-assisted career services and supportive services to aid completion are evidence-based strategies employed by the workforce system.	Participants represented in this set of exiter data were ones participating in and exiting the program during the pandemic, with all the associated program disruptions and economic changes.	Continued emphasis on supportive services, and on training aligned to industry needs.
	Result	68.5%	69.8%	61.8%	67.4%	TBD	--	--			
	Status	--	--	N	I	--	--	--			
Number of states at or above 75% of participants who are recipients of public assistance, basic skills deficient, or low income individuals (WIOA Adult program)	Target	--	--	--	37	42	44	46	The number of states at or above 75% has increased each year despite economic changes and program disruptions caused by the pandemic. ETA spotlights this metric for states each quarter.	Two states are still not meeting the minimum 50.1% needed to meet the priority of service requirement.	Data analysis and technical assistance are being used to bring the two states into compliance with the minimum 50.1% threshold. Best practices are being gathered to assist these states.
	Result	--	29	36	41	TBD	--	--			
	Status	--	--	--	Y	--	--	--			

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*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2018	FY/PY 2019	FY/PY 2020	FY/PY 2021	FY/PY <sup>4</sup> 2022	FY/PY 2023	FY/PY 2024	What Worked	What Didn't Work	Program Performance Improvement Plan
Total Annual Number of Apprentices Served (Rolling 4 Quarters). <sup>5</sup>	Target	--	--	--	--	--	850,000	900,000	TA with SAA States on individualized data upload, continued grants and investments supporting increased system capacity, intermediary involvement on program registration in new industries.	Active apprentice numbers are only now recovering from significant COVID-related declines seen in FY21, data quality issues with SAA state's data uploads revealing lower overall numbers.	Continued TA support for SAA upload data quality, strategies to support post-COVID recovery and investments to increase system capacity, program registration and access to apprenticeship.
	Result	759,100	822,478	827,360	811,133	835,632	--	--			
	Status	--	--	--	--	--	--	--			
Percent of Complete H-2A Employer Applications Resolved 30 Days Before the Date of Need (OFLC).	Target	95.0%	95.0%	95.0%	97.0%	97.0%	97.0%	97.0%	Achieved the highest percentage of complete H-2A applications resolved timely since at least FY 2016.	Meeting statutory H-2A adjudication times amidst rising application levels necessitated staffing shifts that increased adjudication times in other FLC programs and reduced H-2A audit capacity.	Increase staffing at both the state and federal levels will help manage rising H-2A workloads.
	Result	91.7%	86.1%	96.8%	97.0%	97.6%	--	--			
	Status	N	N	Y	Y	Y	--	--			

**Sources:** State and grantee reports submitted through the Workforce Integrated Performance System (WIPS), Registered Apprenticeship Partners Information Data System (RAPIDS), and OFLC electronic Filing and Case Processing System.

<sup>5</sup> FY 2018-2021 results do not include cancelled apprentices from District of Columbia, Minnesota, Vermont and Washington that were not collected/reported to ETA/OA.

## VETS Performance Goal 1.1 – Provide veterans, transitioning service members, and military spouses with resources and tools to gain and maintain employment

VETS oversees programs that assist veterans seeking employment and provides outreach to employers seeking skilled workers. These efforts are focused on enabling all veterans to reach their full potential in the workplace. VETS administers several programs to meet the employment and education needs of veterans, transitioning service members and spouses. The Jobs for Veterans State Grants (JVSG) program provides funding to states for Disabled Veterans' Outreach Program (DVOP) specialists and Local Veterans' Employment Representative (LVER) staff. The Homeless Veterans' Reintegration Program (HVRP) addresses one of the most vulnerable populations by reintegrating homeless veterans into society and the workforce. DOL's Transition Assistance Program (TAP) provides workshops to support a successful transition from military to civilian employment. Pursuant to the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) and the Veterans' Employment Opportunities Act of 1998, VETS investigates complaints received from individuals who believe their employment or reemployment rights under USERRA and federal employment preference rights under Veterans' Preference were violated. Also, VETS operates the Honoring Investments in Recruiting and Employing (HIRE) Veterans Medallion Program—the only federal-level veterans' employment award that recognizes a company or organization's commitment to recruiting, employing, and retaining veterans.

### **Analysis and Future Plans**

VETS provides veterans, transitioning service members, and their families with targeted training and resources through three programs that leverage partnerships to improve employment outcomes.

DOL TAP offers workshops to transitioning service members and their spouses through facilitators at military installations worldwide, as well as through instructor-led virtual training platforms. The VETS TAP vendor hires experienced facilitators and trains them thoroughly on the DOL TAP curricula before they are allowed to conduct workshops. The VETS TAP vendor conducts internal quality control of their facilitator staff to ensure they meet standards. In addition, DOL VETS Federal Field Staff conduct regular TAP site assessment visits to observe the facilitators in the classroom. VETS reviews results of the Transition Assistance Curriculum Participant Assessment (TACPA) received quarterly from Department of Defense and the TACPA written comments for use in improving facilitator performance and curricula content. In FY 2021 and FY 2022, the post-course survey result for facilitator satisfaction was 96 percent.

DVOP specialists provide individualized career services to veterans with significant barriers to employment, eligible transitioning service members, and wounded, ill, or injured service members and their caretakers. VETS tracks the employment outcomes for those served by DVOP specialists,

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such as the median earnings in the second quarter after exit. The PY 2018 result for this measure was \$6,420 and the PY 2021 result was \$7,998. VETS increased the national target for this measure and is committed to improving the tracking and reporting of participant wages in relation to state-level targets in the agency's quarterly performance reports.

HVRP grantees provide a variety of services along with federal, state, and local partners to best serve the unique needs of veterans experiencing homelessness. Median earnings in the second quarter after exit have continued to increase, the PY 2018 result was \$4,374 and the PY 2021 result was \$8,216. VETS is committed to ensuring participant wages align with the median earnings by occupation as reported by the Bureau of Labor Statistics (BLS).

VETS manages its USERRA investigations to ensure each complaint is investigated appropriately in terms of quality and timely completion. In FY 2022, the percent of USERRA investigations completed within 90 days was 79 percent. Upon review of investigations, VETS determined that substantiated claims<sup>6</sup> only make up 20.2 percent of cases closed within 90 days, while they make up 44.6 percent of cases closed beyond 90 days. VETS also determined that in FY 2022, while the rate of cases closed within 90 days is 6.8 percent below the prior five-year average of 85.9 percent, the rate at which substantiated claims were resolved, at 89.3 percent, is 6.8 percent above its previous five-year average of 82.5 percent. These data indicate that when VETS investigators spend more time on substantiated claims working toward resolution, often using methods and tools that require extensions beyond the initial 90-day investigative deadline, VETS resolves more of these claims. Further, the requirement to complete investigations within 90-days was amended with passage of the Veterans' Benefits Improvement Act (VBIA)<sup>7</sup>, which permitted investigations to continue beyond 90 days with an extension of time agreed to by the claimant. Therefore, in FY 2023, VETS will continue to monitor and report on our current statutory requirement of the percentage of cases which were closed within 90 days or within an extension of time agreed to by the claimant, while removing the non-statutory reporting element of the percentage of cases which were closed within 90 days. VETS will further improve our monitoring of the quality of cases by adding an additional measure of the percentage of cases that have substantiated claims which are resolved prior to closure.

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<sup>6</sup> Substantiated claims are claims in which an investigator has determined that a violation of USERRA occurred based on the evidence collected during an investigation.

<sup>7</sup> Veterans' Benefits Improvement Act of 2008, PUBLIC LAW 110-389—OCT. 10, 2008, amending 38 USC 4327.



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VETS – Provide veterans, transitioning service members, and military spouses with resources and tools to gain and maintain employment.

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2018	FY/PY 2019	FY/PY 2020	FY/PY 2021	FY/PY 2022	FY/PY 2023	FY/PY 2024	What Worked	What Didn't Work	Program Performance Improvement Plan
Median Earnings (2nd quarter after exit) for veterans served by DVOP	Target	Base	\$6,400	\$6,500	\$6,500	\$6,500	\$6,600	\$6,700	All states and territories met WIOA reporting requirements and submitted accurate and timely data.	VETS has not historically compared the state-level median earnings results vs. the state goal on a quarterly basis.	VETS will benchmark the state-level goal for median earnings in the 2nd quarter after exit in the agency's quarterly performance reports.
	Result	--	\$6,420	\$6,679	\$6,957	\$7,998	--	--			
	Status	--	Y	Y	Y	Y	--	--			
HVRP Median Earnings 2nd Quarter After Exit	Target	Base	\$4,100	\$4,200	\$4,200	\$7,000	\$7,100	\$7,200	VETS increased the measure's target to better align with commensurate increases in the results.	VETS is unable to compare participants' median earnings to the national averages for median earnings by occupation (published quarterly by BLS).	VETS will propose adding the participant's occupational category when collecting the earnings reported in the 2nd quarter after exit to the TPR form.
	Result	--	\$4,374	\$4,836	\$7,540	\$8,216	--	--			
	Status	--	Y	Y	Y	Y	--	--			
Percent of USERRA investigations completed within 90 days	Target	90.0%	87.0%	80.0%	80.0%	84.0%	--	--	VETS has maintained relatively stable annual outcomes for this measure during the past five years.	While this measure is stable, VETS determined that it creates potential incentives for investigators to avoid investigative tools and procedures, which assist them in resolving substantiated claims.	Moving forward, VETS plans to replace this measure with another measure to focus and generate greater attention on the quality of completed investigations.
	Result	84.8%	82.8%	86.2%	85.6%	79.0%	--	--			
	Status	N	N	Y	Y	N	--	--			

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*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2018	FY/PY 2019	FY/PY 2020	FY/PY 2021	FY/PY 2022	FY/PY 2023	FY/PY 2024	What Worked	What Didn't Work	Program Performance Improvement Plan
Facilitator satisfaction through post-course survey	Target	--	--	--	90%	90%	90%	90%	Hiring, training, and retaining quality facilitators in conjunction with Federal oversight ensures meeting high standards of instruction.	Though this measure has remained stable, VETS will continue with the current staffing model and oversight by the vendor management and VETS Federal Staff.	VETS will continue to use participant survey scores and written feedback along with on-site assessments to ensure high quality instruction.
	Result	--	--	--	96%	96%	--	--			
	Status	--	--	--	Y	Y	--	--			

**Sources:** WIPS (Median Earnings 2nd Quarter After Exit measure), VETS-701 Technical Performance Reports (HVRP Median Earnings 2nd Quarter After Exit measure), Veterans' Case Management System (Closed Cases Quality measure), Transition Assistance Curriculum Participant Assessment (TACPA).

## WB Performance Goal 1.1 – Promote policies and support programs focused on improving women’s employment and economic outcomes.

WB conducts research to formulate practices and policies aimed at increasing economic and employment opportunities and advancement for the 75 million working women and their families in the U.S. WB identifies trends, data gaps, policy and programmatic needs, and strategic mechanisms to safeguard the interest of working women. These efforts allow WB to inform and educate individuals and organizations at the local, state, and national levels about the issues facing women in the labor force.

### **Analysis and Future Plans**

For more than 100 years, WB has been committed to advocating for equality and economic security for working women and their families. In FY 2022, WB focused its research, policy analysis, grant-making, and education and outreach on addressing equity in wages and working conditions; disrupting occupational segregation for working women; and increasing access to paid leave and affordable child care, giving particular attention to marginalized sub-groups of working women, including women of color, older women and other disadvantaged populations. WB exceeded its target for the number of policy and research deliverables, producing a total of 45 issue briefs, reports, data analyses and visualizations, and other resources, detailing how women, especially women of color, older women workers, and parents, were impacted by the COVID-19 pandemic and economic crisis. WB released two new data interactives on existing employment and earnings disparities for women that allow for additional disaggregation by sex and race, and that will be used by the Office of Federal Contract Compliance Programs (OFCCP) during compliance audits. WB also published the National Database of Childcare Prices (NDCP), the most comprehensive federal source of childcare prices at the county level, which will be used to evaluate how childcare prices are linked with gender and racial inequality in the labor force. The Bureau also capitalized on historic infrastructure and related public investments to seed equity principles and practices in nascent funding streams and projects, providing financial support for a leading community based organization well versed in equity implementation in the construction industry to deliver technical assistance in 11 states. Through a combination of grants, programming, stakeholder engagement activities, communications products, and sustained participation in a variety of intra- and inter-agency equity initiatives, WB provided leadership to bring greater gender and racial equity to the workforce and the skilled trades. WB achieved this at a time where our country is making large investments in infrastructure, and recommended policy interventions that promote more equitable labor force participation for all women, while also addressing inequities exacerbated by occupational segregation and the lack of workplace and discrimination protections.

In FY 2023, WB is celebrating the 30th anniversary of the Women in Apprenticeship and Nontraditional Occupations (WANTO) Act, and has increased funding for the WANTO grant program, and added a new performance measure to track the percentage of women who achieve measurable skill gains by the end of the grant period of performance as a result of job skills training the grantee provides. WB will also continue funding the

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Fostering Access, Rights and Equity (FARE) grant program to help women workers who are paid low wages learn about and access their employment rights and benefits. In partnership with DOL’s Chief Evaluation Office and OPM, WB will complete phase one of a multi-year paid leave research and evaluation portfolio to answer critical questions surrounding the implementation and effects of the Federal Employee Paid Leave Act (FEPLA). In addition, WB is celebrating the 30th anniversary of the Family and Medical Leave Act (FMLA) and will disseminate visualizations depicting various data elements from the 2017/2018 American Time Use Survey (ATUS) Leave and Job Flexibilities module, as well as prepare for the 2024 module, which it will sponsor in collaboration with BLS. In FY 2023, WB’s research and education priorities will include releasing several products discussing the economic and workforce impact of occupational segregation; the effects of caregiving on women’s employment, earnings, savings, and retirement benefits; and women’s retirement income gap and other topics related to older women workers. WB will continue actively contributing to and providing thought leadership to advance equity principles and practices over the course of agency involvement in a variety of intra- and inter-agency councils and working groups, including the Gender Policy Council, DOL equity working groups, Advisory Committee on Apprenticeship, and a number of others.

WB – Promote policies and support programs focused on improving women’s employment and economic outcomes.

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2018	FY/PY 2019	FY/PY 2020	FY/PY 2021	FY/PY 2022	FY/PY 2023	FY/PY 2024	What Worked	What Didn't Work	Program Performance Improvement Plan
Number of policy & research deliverables	Target	6	16	15	17	32	40	44	WB expanded resource accessibility and released a Spanish language version of its Nursing Mothers Workplace Protections flyer and will continue translating other resources in FY 2023.	WB lacks access to certain employment and earnings (and related) data that adequately samples racial and ethnic subgroups to allow for trend analysis and comparisons.	WB will assess its data visualizations to identify potential disaggregation opportunities and will operationalize DOL’s language access requirements across its research and data portfolio.
	Result	16	21	17	23	45	--	--			
	Status	Y	Y	Y	Y	Y	--	--			

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*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2018	FY/PY 2019	FY/PY 2020	FY/PY 2021	FY/PY 2022	FY/PY 2023	FY/PY 2024	What Worked	What Didn't Work	Program Performance Improvement Plan
Number of strategic partnerships with organizations primarily serving underserved communities	Target	--	--	--	--	--	225	225	WB awarded a grant to accelerate state and local partnerships and efforts to increase women's inclusion and equity in construction trades jobs on Bipartisan Infrastructure Law-funded projects.	WB was not able to fully realize its plan to organize a community of practice to show best practices, resources, and data about diversity, equity, inclusion, and accessibility for women in technology.	Through WANTO grants and required reporting measures, WB will continue to improve expanding partnerships with organizations that focus on expanding outreach to historically underserved communities.
	Result	--	--	--	--	221	--	--			
	Status	--	--	--	--	--	--	--			

Sources: WB quarterly productivity reports

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**ODEP Performance Goal 1.1 – Develop evidence-based policies, practices, and tools to foster a more inclusive workforce to increase quality employment opportunities for individuals with disabilities.**

ODEP promotes policies and practices, and coordinates to increase the number and quality of employment opportunities for individuals with disabilities. ODEP employs strategies to help employers meet their business objectives by fully integrating the skills and talents of job seekers and employees with disabilities. Additionally, ODEP uses data and evidence to promote the adoption and implementation of policy strategies and effective practices to increase the number and quality of job opportunities for people with disabilities. Based on research and evaluation, ODEP develops or identifies effective policy and practices, conducts outreach to share this critical information, and provides technical assistance to all levels of government and employers to aid them in adoption and implementation.

**Analysis and Future Plans**

ODEP will continue to fund the Retaining Employment and Talent After Injury/Illness Network (RETAIN) and the State Exchange on Employment and Disability (SEED) and initiatives supporting competitive integrated employment for people with disabilities including those with mental health conditions. ODEP will also fund initiatives such as climate/clean energy apprenticeships made possible by the infrastructure bill that examine and promote inclusiveness and equity. In addition, ODEP will fund a new initiative, the Equitable Transitions Models Demonstration, to develop scalable strategies to enable low-income youth and young adults with disabilities ages 16-24, including those experiencing homelessness, leaving foster care, or involved in the justice system, to successfully transition into the workforce.

ODEP – Develop evidence-based policies, practices, and tools to foster a more inclusive workforce to increase quality employment opportunities for individuals with disabilities.

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2018	FY/PY 2019	FY/PY 2020	FY/PY 2021	FY/PY 2022	FY/PY 2023	FY/PY 2024	What Worked	What Didn't Work	Program Performance Improvement Plan
Number of policy outputs	Target	64	44	35	37	42	42	45	ODEP excelled in leveraging state intermediaries to generate state-level policy supporting and increasing disability employment by influencing state-level business environments.	While ODEP has exceeded this target, ODEP will focus on outputs that address equity for underserved communities and aid in the development of policies that address issues of importance to those groups	ODEP will continue to engage state intermediaries to seek additional state-level policy development opportunities.
	Result	63	66	51	41	44	--	--			
	Status	N	Y	Y	Y	Y	--	--			

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*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2018	FY/PY 2019	FY/PY 2020	FY/PY 2021	FY/PY 2022	FY/PY 2023	FY/PY 2024	What Worked	What Didn't Work	Program Performance Improvement Plan
Number of implementation tools	Target	70	60	84	107	112	122	127	ODEP continues to excel in producing implementation tools as requested by practitioners at all levels of government and employers.	While ODEP met this target, ODEP will continue to look for ways to enhance the use of the implementation tools through targeted technical assistance.	ODEP will continue to engage practitioners and stakeholders in providing input to develop implementation tools that address their dynamic business needs.
	Result	136	110	98	128	112	--	--			
	Status	Y	Y	Y	Y	Y	--	--			
Number of Technical Assistance Events (Targeted)	Target	469	402	236	234	243	257	265	ODEP continues to excel in providing intensive, targeted technical assistance to all its stakeholders to both overcome pandemic limitations and to ensure consistent support by leveraging virtual tools	While ODEP has exceeded this target, ODEP plans to ensure providing targeted technical assistance events for all stakeholders in a culturally and linguistically competent way.	ODEP will continue to provide targeted technical assistance events to support better implementation of its initiatives including outreach to underserved communities.
	Result	469	403	195	246	273	--	--			
	Status	Y	Y	N	Y	Y	--	--			
Percent of customers that find technical assistance center information useful	Target	85%	85%	85%	85%	90%	92%	93%	ODEP continues to excel in providing technical assistance that customers find useful and meets their needs.	While ODEP has exceeded this target, ODEP will continue to look for ways to expand the reach of its technical assistance center materials to more underserved communities.	ODEP will continue to engage customers to identify ways to develop products and information for its technical assistance centers that are useful.
	Result	79%	96%	92%	98%	91%	--	--			
	Status	N	Y	Y	Y	Y	--	--			

Sources: ODEP Data Management System

## **Strategic Goal 2: Ensure Safe Jobs, Essential Protections, and Fair Workplaces**

### **Strategic Objective 2.1**

Secure safe and healthful workplaces, particularly in high-risk industries.

**Partner Agencies Driving this Objective** (select the hyperlink to learn more about each agency)

[Occupational Safety and Health Administration](#) (OSHA)

[Mine Safety and Health Administration](#) (MSHA)

All workers have a right to a safe and healthful work environment. OSHA and MSHA recognize that some workers are more vulnerable than others and that some workplaces are more hazardous than others. By strategically scheduling inspections and outreach in high-risk areas, in addition to completing mandated enforcement activity, DOL expects to have the greatest effect on overall compliance. With more employers in compliance, workplace injuries, fatalities, and illnesses should decline – the ultimate outcome for workers.

The Secretary’s vision provides workers a voice in the workplace so that they may actively participate in the protection and promotion of their workplace rights without hindering their employment growth opportunities. Workers are more likely to have a voice in the workplace if they are better informed of their employment rights and are better able to freely exercise those rights and overcome their fear of adverse consequences. OSHA and MSHA provide a range of protections for workers who claim their rights are being violated.

**FY 2022 Strategic Review Summary of Progress** (Area for Improvement)

Findings for this objective were grouped into three themes: Safe and Healthful Workplaces, Whistleblower and Miners’ Rights, and Enforcement Capacity. Evidence of progress included protecting miners’ rights. Challenges were identified in efforts to rebuild enforcement and compliance assistance protections that were heavily impacted by the pandemic, and in attracting, hiring, training, and retaining a diverse workforce.

We also noted in this area that DOL’s Office of the Solicitor (SOL) is key to the success of this objective. SOL needs sufficient resources and capacity to provide advice and counsel to worker protection agencies in order to assist those agencies in unleashing their full power within legal boundaries.



## Safe and Healthful Workplaces

### *OSHA: Enforcement of Workplace Safety and Health Standards*

OSHA faced challenges in enforcing workplace safety and health standards during the COVID-19 pandemic. Further escalation of the pandemic may erode the agency's ability to conduct effective enforcement. OSHA's limited resources were further constrained by the exigencies from COVID-19. However, OSHA received slightly over \$100 million in supplemental funding through the American Rescue Plan Act (ARPA). Up through FY 2022, OSHA obligated \$56.2 million of this supplemental funding on enforcement activities in FY 2022. In February 2021, The DOL Office of Inspector General (OIG) reported that OSHA received 15 percent more complaints in 2020 but performed 50 percent fewer inspections compared to a similar period in 2019. Therefore, risk has increased in that OSHA may not ensure the level of protection that workers need at various job sites. In FY 2022, OSHA conducted 31,886 inspections of the 31,400 targeted.

### *OSHA: Voluntary Protection Programs (VPP)*

In FY 2021, due to the slow pace of vaccinations and continued implementation of strict social distancing and state stay-at-home orders to address COVID-19 across multiple regions and jurisdictions, OSHA was unable to perform many of the required on-site evaluations for participation in VPP. In FY 2022, new approvals increased by 36 percent from 14 in FY 2021 to 19 in FY 2022 and re-approvals by 175 percent from 96 in FY 2021 to 264 in FY 2022.

### *MSHA: Protect the Safety of Miners*

In FY 2022, the estimated mining industry five-year fatality rate per 200,000 hours worked was 0.0111, a four percent increase from FY 2021. Although falling short of their aggressive targets, this was the second year, in the last five years, of the lowest rate of the estimated five-year rolling average rate of all injuries associated with powered haulage equipment. MSHA also developed a mobile app that provides safety and health information directly to miners and mine operators. The app is an additional tool to reach miners and operators quickly and help keep miners safe.

### *MSHA: Protect the Health of Miners*

The OIG has identified Protecting the Safety and Health of Workers as a top management and performance challenge. MSHA is challenged by a 25-year high in the number of black lung cases and needs to develop strategies for addressing this issue. MSHA is also challenged to develop better protections for miners against airborne contaminants, such as respirable silica dust. As a result, the agency is developing a proposed silica rule, which will provide improved health protections for all miners. In FY 2022, MSHA initiated a plan to increase sampling and to improve enforcement and compliance assistance associated with respirable silica dust. This initiative will continue into FY 2023 and beyond. Also, MSHA initiated the Miner Health Matters campaign with a focus on enforcement and outreach efforts to ensure that miners working in potentially dangerous environments are aware of precautions to take to limit their exposures to silica and other dangerous toxins.

## Strategic Goal 2

### Whistleblower and Miners' Rights

#### *OSHA: Whistleblower Program*

The OIG conducted a series of audits of OSHA's Whistleblower Protection Program. Two audits were completed in FY 2020: one on COVID-19 Impact and Response and one on OSHA Region IX's whistleblower program. Both audit results show continued need to improve the quality of investigations, complete the Whistleblower Investigations Manual (WIM), improve case management by developing a reasonable balance between timeliness and quality, monitor pilot programs for potential nationwide implementation, and upgrade the database system.

#### *MSHA: Protect the Rights of Miners*

In FY 2022, MSHA completed 100 percent of investigations of miner requests for temporary reinstatements within 20 days of receipt and 90 percent of 105(c) investigations of miner discrimination complaints within 60 days of receipt. As part of several new safety and health initiatives, MSHA continues to educate miners about their rights and the Mine Act's protections against retaliation, discrimination, and interference.

### Enforcement Capacity

#### *OSHA: Hiring*

OSHA was able to increase its staffing capacity in FY 2022 (from 1,859 to 2,044). The agency hired 393 staff, including 227 compliance safety and health officers (CSHOs). OSHA's strong hiring efforts are continuing in FY 2023, and the agency is engaged in targeted recruitment at Historically Black Colleges and Universities, Hispanic-Serving Institutions, Asian American and Native American Pacific Islander Serving Institutions, and Tribal Colleges and Universities for hiring to attract a diverse pool of job candidates. The agency also has Direct Hire Authority for CSHO positions, allowing OSHA to hire staff with safety and health experience quickly.

#### *MSHA: Hiring and Succession Planning*

MSHA was able to increase its staffing capacity in FY 2022 (from 1,668 to 1,704). In FY 2022, MSHA continued the hybrid occupational series (1801) to overcome hiring obstacles and to attract a more diverse and qualified workforce. This new series provides greater flexibility in hiring, by recruiting and training recent graduates as entry level inspectors and then transitioning them to occupational series 1822 inspectors upon completion of the training program. Additionally, MSHA's registered Apprenticeship program provides experienced miners living or working in underserved and underrepresented communities the opportunity to obtain a career with the Mine Safety and Health Administration. Apprentices will onboard at the GS-11 level. The goal is for apprentices to receive the first three modules of entry level inspector training within six months of onboarding. MSHA's registered apprenticeship program was established through the Employment and Training Administration and targets underserved communities, specifically the Hispanic and Native American communities. This program is designed to train miners with a minimum of five-years' experience as MSHA Safety and Health inspectors. Finally, MSHA is using the ARPA to fund 72 FTE, primarily for enforcement activities. As of the end of FY 2022, MSHA has onboarded 46 people using the ARPA, 40 of which are enforcement onboards.

## OSHA Performance Goal 2.1 – Secure safe and healthful working conditions for America’s workers.

OSHA was established by the Occupational Safety and Health Act of 1970 with the mission to ensure employers provide America’s workers 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 DOL’s broader goals.

### **Analysis and Future Plans**

OSHA’s regional and area offices strategically prioritize enforcement resources to target high hazard industries and irresponsible employers based on occupational illness and injury rates. Corporate Wide Settlement Agreements and the Severe Violator Enforcement Program are additional tools OSHA uses to target employers that require improvement across a business enterprise.

Ensuring the health and safety of workers is a national priority and moral imperative. Healthcare workers and other essential workers continued to put their lives at risk during the COVID-19 pandemic. These workers not only care for those who are sick but also assure America’s supply chains remain resilient, diverse, and secure, ensuring our economic prosperity and national security. Many of these workers are employed in industries and workplaces with the highest illness and injury rates. Often the employees in these industries and at these workplaces are ethnic or racial minorities, non-English speakers, immigrants, the economically disadvantaged, or adults with diminished capacity. Therefore, protecting essential workers who support America’s supply chains (warehousing and package/parcel services), healthcare, construction, manufacturing, and agriculture also advances racial equity and supports underserved communities. OSHA targeted high hazard industries and workplaces by adding and/or refining its emphasis programs and initiatives to further the Department’s efforts to support supply chain industries and workplaces with vulnerable workers.

OSHA received \$100.3 million in ARPA funds, which are available through September 30, 2023. The law requires at least \$5,000,000 be for enforcement activities related to COVID–19 at high risk workplaces including health care, meat, and poultry processing facilities; agricultural workplaces; and correctional facilities. OSHA is using the funding to support Compliance Safety and Health Officers (CSHOs) and additional enforcement staff for COVID-19 enforcement activities. OSHA hired numerous high-impact positions, including CSHOs, Whistleblower investigators and other staff to backfill behind senior OSHA staff, who are working on COVID-19 related matters (e.g., inspections).

Safety training is a critical piece of OSHA’s effort to prevent workplace fatalities, injuries, and illnesses. OSHA conducts training programs at the OSHA Training Institute (OTI), administers the OTI Education Centers Program, and administers the Outreach Training Program. OSHA also provides training through its compliance assistance efforts in support of agency regulatory, enforcement, and outreach initiatives (e.g., National Stand

## Strategic Goal 2

Down to Prevent Falls in Construction, Heat Illness Prevention, and the Safe + Sound Campaign). In FY 2022, OSHA provided training for 1,378,581 individuals. OSHA continued to use a mix of traditional in-person training and virtual training. In addition, it enabled events that were planned and implemented at an Area or Regional Office level to be accessible to a national audience. The implementation of virtual training increased access to training for many workers and OSHA personnel.

OSHA also administers and enforces 25 whistleblower protection statutes that protect workers who experience retaliation for reporting violations of the law. Principally, this includes Section 11(c) of the Occupational Safety and Health Act, which prohibits employers from retaliating against employees who bring workplace safety and health hazards to the attention of the employer or the Agency. The additional 24 whistleblower protection provisions protect workers in a variety of industries who speak out against unsafe and/or unlawful behavior, including violations of transportation, environmental protection, consumer protection, health insurance reform, or fraud and financial reform laws.

In FY 2022, OSHA focused on inspections conducted through emphasis programs. Specifically, the Agency focused its emphasis on reducing or eliminating employee exposure to fall, struck-by, caught-in, and electrical hazards in all workplaces. This is compared to prior years when the emphasis was solely on the total number of inspections for hazards that are among the leading causes of death in the workplace.

In FY 2022, OSHA nearly met its target for the average age of pending cases (332 days against a target of 330 days), which was an improvement over its FY 2021 results. In addition, OSHA exceeded its target of 10 days, with a result of 5.4 days, for the average time to complete new complaint screening process. Additionally, in FY 2022, OSHA lowered its inventory of pending investigations from 2,441 cases as of September 30, 2021 to 2,355 as of September 30, 2022.

In its Whistleblower Protection Program, OSHA overhauled the WIM to further streamline the investigative process without compromising case quality. In addition, OSHA expanded its Alternative Dispute Resolution (ADR) Program across all regions as a viable alternative to the traditional investigative/enforcement process. These major initiatives will assist the Agency in tackling the still-large inventory of pending cases and backlog of over-aged cases while promoting greater customer service. Furthermore, OSHA implemented its Whistleblower Outreach Plan for FY 2022 by concentrating its efforts on reaching migrant and other traditionally underserved workers, especially those who are not English speakers. OSHA coordinated with worker advocacy groups to identify and meet the needs of these categories of vulnerable workers and developed a tracking mechanism to capture all compliance assistance activity regarding these vulnerable populations.

Strategic Goal 2

OSHA – Secure safe and healthful working conditions for America’s workers.

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2018	FY/PY 2019	FY/PY 2020	FY/PY 2021	FY/PY 2022	FY/PY 2023	FY/PY 2024	What Worked	What Didn't Work	Program Performance Improvement Plan
Safety Inspections	Target	24,288	26,240	16,523	24,810	25,120	27,032	28,828	Weekly, monthly, & quarterly, review of safety inspection goal and tracking progression. Available resources used with an inspection plan to meet or exceed goal.	Sustained unplanned activity reduced the available resources to carry out programmed emphasis inspections.	OSHA will maintain focus on emphasis programs targeting safety hazards while readily preparing new hired compliance officers for office and field support on their way to independent inspections.
	Result	26,453	27,890	17,558	19,948	25,388	--	--			
	Status	Y	Y	Y	I	Y	--	--			
Health Inspections	Target	6,072	6,560	4,131	6,203	6,280	6,758	7,208	Weekly, monthly, & quarterly review of health inspection goal and tracking progression. Available resources used with an inspection plan to meet or exceed goal.	See above.	OSHA will maintain focus on emphasis programs targeting health hazards while readily preparing new hired compliance officers for office and field support on their way to independent inspections.
	Result	5,567	5,511	4,116	4,407	6,498	--	--			
	Status	N	N	N	I	Y	--	--			
Percent of inspections conducted through emphasis programs specifically focused on reducing or eliminating employee exposure to fall, struck-by, caught-in, and electrical hazards in all workplaces	Target	--	--	--	--	32%	33%	34%	Regional and Area office management of resources using emphasis programs targeting hazardous worksites, workplaces, or work assignments.	See above.	OSHA will maintain focus on programmed inspections initiated by emphasis program for hazards that include leading causes of workplace deaths and continue evolution of developing impactful inspections.
	Result	--	--	31%	33%	31%	--	--			
	Status	--	--	--	--	N	--	--			

Strategic Goal 2

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2018	FY/PY 2019	FY/PY 2020	FY/PY 2021	FY/PY 2022	FY/PY 2023	FY/PY 2024	What Worked	What Didn't Work	Program Performance Improvement Plan
Number of people trained by OSHA	Target	934,270	--	1,058,728	1,209,920	1,329,000	1,385,200	1,375,000	Returning to in-person training while continuing virtual delivery, increasing development of existing OTI Education Center (OTIEC) curriculum, providing flexibilities for video-conferencing delivery.	Training demand in Harwood, OTIEC, OTP, and through OSHA's Compliance Assistance Specialists did not return to pre-pandemic levels. Additionally, a relatively large OTIEC closed.	Adding OTIEC to Denver area, continuing to develop new and revise existing curricula for OTIEC program, revising program requirements in external training programs to increase training accessibility.
	Result	1,179,551	1,627,368	1,371,943	1,371,488	1,378,581	--	--			
	Status	Y	--	Y	Y	Y	--	--			
Average age of pending whistleblower investigations.	Target	340	340	340	340	330	320	310	Strengthened case management and modified performance goals. Emphasized backlog reduction. WIM adopted streamlined procedures. Continued ADR.	WPP complaints increased. Some WBI vacancies not filled. Tenured WBIs pulled away from case work to train new staff.	Continue to monitor progress toward 4 performance measures. Focus on backlog reduction & overall efficiency. Hire & train new WBIs. Continue to implement new WIM procedures. Expand ADR capability.
	Result	307	307	333	350	332	--	--			
	Status	Y	Y	Y	N	I	--	--			
Average days to complete new complaint screening process. (WB)	Target	17.0	13.0	13.0	13.0	10.0	8.0	6.0	Strengthened intake management and modified performance goals. Emphasized intake/screening efficiency. WIM adopted streamlined procedures.	Goal was met, but 3 Regions sustained an increase in screening times from FY21. WPP complaints increased. Some WBI vacancies not filled. Tenured WBIs pulled away from screenings to train new staff.	Continue to monitor progress toward 4 performance measures. Focus on expanding intake/screening efficiency, i.e., pilots & online form. Hire & train new WBIs. Continue to implement new WIM procedures.
	Result	13.0	11.0	11.8	7.0	5.4	--	--			
	Status	Y	Y	Y	Y	Y	--	--			

Sources: OSHA Information System (OIS) and Integrated Management Information System (IMIS).

## MSHA Performance Goal 2.1 – Prevent fatalities, disease, and injury from mining, and secure safe and healthful working conditions for America’s miners.

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. MSHA’s mission is to prevent death, disease, and injury from mining and to promote safe and healthful workplaces for the nation’s miners. This mission is carried out through the promulgation 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; miner training; and technical compliance assistance activities.

To prevent miner injuries, occupational illness, and fatalities, operators must have in place effective safety and health programs that are constantly evaluated to identify and eliminate mine hazards, and that provide training for all mining personnel. MSHA has undertaken several measures to prevent mining deaths including: increased monitoring and strategic enforcement through targeted inspections at mines with identified problem areas; a Pattern of Violations program; special initiatives such as focusing on inexperienced miners and miners working alone; outreach efforts such as “Safety Pro in a Box,” which provides guidance to the metal/nonmetal mining industry on best practices and compliance responsibilities; outreach campaign on “Take Time Save Lives”; Enhanced Enforcement Program on contract/customer truck drivers and managers/supervisors performing mining tasks; and emphasis on fall protection to protect miners working from heights.

### **Analysis and Future Plans**

MSHA prioritizes efforts to reduce workplace hazards that represent a primary cause of occupational illnesses, fatalities, and injuries. In FY 2022, accidents caused by powered haulage equipment, which is a category of moving machines used to transport miners or haul materials in mines, contributed to 28 percent of fatalities and 9 percent of total injuries. MSHA continued to promote best practices to prevent injuries and fatalities associated with powered haulage accidents. The [Powered Haulage Initiative](#) website includes pages highlighting large equipment blind spots, seat belt usage, and conveyor safety. Inspectors at all field offices continued to focus on conveyor safety during mine visits, discussing best practices and distributing hardhat stickers and brochures. MSHA focused on fatalities involving contractors and provided compliance assistance to address causes of these deaths. MSHA continued to promote its outreach efforts through social media, the agency’s public website, [msha.gov](https://www.msha.gov), and quarterly stakeholder calls. In FY 2022, MSHA also awarded \$1,000,000 in grant funding through its Brookwood-Sago grant program to support education and training opportunities for miners that focused on safety and health topics, including powered haulage safety. MSHA is also working on a final rule for a Safety Program for Surface Mobile Equipment which will reduce powered haulage accidents and injuries.

## Strategic Goal 2

In FY 2022, the estimated mining industry five-year fatality rate per 200,000 hours worked was 0.0111, a four percent increase from FY 2021. Although falling short of their aggressive targets, this was the second year, in the last five years, of the lowest rate of the estimated five-year rolling average rate of all injuries associated with powered haulage equipment.

MSHA will continue enforcement efforts and compliance assistance to reduce overexposures to silica dust in the mining industry. As part of the Silica Enforcement Initiative, in FYs 2023 and 2024 MSHA will continue to increase inspections at mines with a history of repeated silica overexposure; increase sampling in targeted conditions; analyze sampling data; develop health alerts; provide guidance for training plans; and establish a team of experts to address critical health issues. Where it is determined necessary for the protection of miners, spot inspections will be conducted, where citations are not totally abated within the set abatement timeframe additional action will be considered as appropriate, to ensure miners are being protected. MSHA will also continue its Miners Health Matters campaign, with a focus on making sure that miners and operators are aware of the adverse health effects of silica and other contaminants and best practices for reducing miners' exposure.

Additionally, MSHA will track and analyze the number of coal miners participating in the 30 CFR, Part 90 program, which was designed to protect miners with evidence of pneumoconiosis. MSHA will provide guidance for training plans to focus on exposure risks and informing miners of their Part 90 rights that allow them to continue working in healthier parts of the mine.

MSHA's work includes strong enforcement, active outreach, education and training, and technical support to the mining industry. In FY 2022, utilizing approximately \$2.3 million of the supplemental funds provided through the ARPA, MSHA provided expert advice and guidance in health hazard enforcement, supported enforcement and regulatory activities by performing health initiatives related to controlling the pandemic, continued to work on developing standards concerning miner exposure to respiratory health hazards; and supported internal needs to address any safety and health risks. MSHA continued to advance the Administration's and Secretary's priorities by focusing on diversity, racial and gender equity, and bilingual needs in underserved communities to build a more modern, inclusive workforce.



Strategic Goal 2

MSHA – Prevent fatalities, disease, and injury from mining and secure safe and healthful working conditions for America’s miners.

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2018	FY/PY 2019	FY/PY 2020	FY/PY 2021	FY/PY 2022	FY/PY 2023	FY/PY 2024	What Worked	What Didn't Work	Program Performance Improvement Plan
5 year rolling average of reportable injuries associated with powered haulage equipment per 200,000 hours worked	Target	0.170	0.170	0.171	0.164	0.169	0.169	TBD	MSHA did not meet the target, but the agency showed improvement. Powered Haulage injuries remain a priority. MSHA’s Powered Haulage Safety Initiative from 11/2021 to 03/2022 is one example.	MSHA did not identify any enforcement efforts or initiatives that did not work. MSHA continues to work on consistency in enforcement, and increased compliance assistance initiatives.	MSHA will continue an enhanced enforcement program to reduce accidents, injuries, and fatalities. To include but not limited to belt conveyor safety, attention for drivers, and vehicular safety.
	Result	0.181	0.179	0.171	0.172	0.171 [e]	--	--			
	Status	N	I	Y	N	I	--	--			
5 year rolling average of fatal injuries per 200,000 hours worked	Target	0.0114	0.0114	0.0100	0.0091	0.0091	0.0091	TBD	MSHA did not meet the target based on the estimated result. MSHA utilizes stakeholder outreach and safety initiatives to address safety and health concerns, such as the Stakeholder Conference Calls.	See above.	MSHA started a National Safety Campaign “Take Time Save Lives” for safe workplace practices. Apart from outreach efforts, stakeholder engagement, MSHA will continue an enhanced enforcement program.
	Result	0.0110	0.0102	0.0095	0.0107	0.0111 [e]	--	--			
	Status	Y	Y	Y	N	N	--	--			
5 year rolling average of all injuries per 200,000 hours worked	Target	2.30	2.25	2.13	1.99	1.99	1.99	TBD	MSHA met the target based on the estimated result. MSHA utilizes stakeholder outreach and safety initiatives to address safety and health concerns, such as the Stakeholder Conference Calls.	See above.	MSHA will increase inspection and enforcement effectiveness, modernize training and increase efforts to protect miners’ rights. MSHA will expand academy use, virtual learning and evaluate instructors.
	Result	2.26	2.18	2.08	2.03	1.97[e]	--	--			
	Status	Y	Y	Y	I	Y	--	--			

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

**Notes:** [e] = estimate. MSHA’s fatality and injury rates reflect the number of fatalities or injuries per 200,000 hours worked during the prior five-year period.

## **Strategic Objective 2.2**

### **Protect workers' rights.**

**Partner Agencies Driving this Objective** (select the hyperlink to learn more about each agency)

[Wage and Hour Division](#) (WHD)

[Office of Federal Contract Compliance Programs](#) (OFCCP)

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

All workers have the right to be paid properly and treated equitably. WHD, OFCCP, and OLMS promote fair pay, worker rights, and equal opportunity, and serve as the voice of America's workforce. These agencies enforce laws and provide compliance assistance that address worker pay and leave, equal rights, and labor-management transparency. Together, these agencies protect tens of millions of employees in millions of workplaces across the country.

#### **FY 2022 Strategic Review Summary of Progress** (Adequate Progress)

Findings for this objective were grouped into three themes: Targeting Enforcement, Outreach to Vulnerable Workers, and Enforcement Capacity. Evidence of progress included campaigns to improve partnerships with stakeholders with a focus on access and equity, as well as process improvements to achieve ambitious hiring goals. Challenges were identified in resources and data needed to target enforcement and outreach efforts to underserved communities.

We also noted in this area that SOL is key to the success of this objective. SOL needs sufficient resources and capacity to provide advice and counsel to worker protection agencies in order to assist those agencies in unleashing their full power within legal boundaries.

#### Targeting Enforcement

##### *WHD: Severity Index*

In FY 2019, WHD created a severity index and measure for Fair Labor Standards Act registered cases that captures key dimensions of high impact cases (egregiousness, culpability, and magnitude of violations). WHD estimates this strategy of increasing the proportion of cases that are high impact can recover additional back wages for workers over time. These higher impact cases also provide more opportunity to issue press releases, which research studies show has a deterrent effect on non-compliance. WHD aims to increase the proportion of cases meeting that threshold, including cases involving liquidated damages, civil monetary penalties, and litigation.

## Strategic Goal 2

### *WHD: Measuring Equity*

In FY 2022, WHD established a new performance measure tracking the percent of compliance actions in industries with a high proportion of workers in underserved communities. The low-wage industries and vulnerable workers that WHD has historically prioritized are consistent with the industries identified by an equity-focused analysis of federal statistical data. Nonetheless, this equity measure will further focus discussions within WHD and with stakeholders on efforts to advance equity goals. WHD has a range of activities underway to complement that focus. All cross-regional initiatives have factored equity into enforcement, outreach, and media strategies as WHD learns how to accelerate and optimize implementation of its equity-informed strategies.

### *OFCCP: Remediating Discrimination*

OFCCP obtained \$20.4 million in monetary settlements for affected class members in FY 2022 and \$31.9 million in FY 2021. In FY 2022, over a quarter of OFCCP's settlements of discrimination cases resolved issues of pay discrimination, resulting in almost \$6 million in remedies.

### *OFCCP: Ensuring Equity*

In FY 2022, OFCCP implemented an online verification process to ensure that 100 percent of federal contractors known to OFCCP develop and maintain Affirmative Action Programs (AAPs) to enable the agency to enforce the law efficiently and maximize the use of its resources by focusing on contractors at higher risk of noncompliance. This process also led to the completion of the open Government Accountability Office (GAO) recommendation to develop a mechanism to monitor AAPs from covered supply and service federal contractors on a regular basis.

### *OLMS: Targeted Audits*

OLMS has instituted a risk-based audit targeting model to more effectively identify unions where criminal activity may be present, by identifying anomalies in union financial reports and using other targeting strategies. OLMS uses this measure to strategically utilize its enforcement resources when there is strong suspicion of illegal activity in a particular union or local, thereby avoiding auditing the majority of unions that are in compliance with the law, and efficiently utilizing government resources. In FY 2022, OLMS achieved 12.65 percent, below the targeted 17.00 percent, and the lowest since FY 2011 when the measure was implemented.

## Strategic Goal 2

### Outreach to Vulnerable Workers

#### *WHD: Essential Workers Essential Protections (EWEP)*

In FY 2022, WHD strengthened outreach efforts focused on essential workers and built strategic partnerships with various types of stakeholders. WHD conducted over 4,000 outreach events and reached over 289,000 participants across community-based organizations, worker centers, unions, industry associations, consulates, faith-based organizations, and worker advocacy groups. The goal is to build relationships with underserved communities and expand access to WHD resources and services. WHD also continued its outreach efforts focused on essential workers through the EWEP campaign. As part of this campaign, WHD held over 950 EWEP events, including 60 listening sessions to hear the concerns of vulnerable worker communities.

#### *OFCCP: Compliance Assistance and Stakeholder Outreach*

Starting in FY 2017, OFCCP implemented a digital engagement campaign to increase the number of listserv subscribers and their level of online engagement with OFCCP. In FY 2022, OFCCP prioritized broader stakeholder engagement (including increased outreach to worker rights and advocacy organizations) to ensure that the agency provides information and compliance assistance to its stakeholders. OFCCP conducted over 335 compliance assistance sessions and 420 outreach events, of which nearly half were focused on workers' rights. Additionally, between FY 2020 and FY 2021, the agency updated its technical assistance guides for supply and service, construction, and small federal contractors, and educational institutions.

#### *OLMS: Union Outreach and Educating the Public*

OLMS' mission supports strengthening unions. Unions address inequality and help advance the economic aspirations of diverse communities. The Department partnered with the Worker Empowerment Research Network (WERN) to better understand the state of worker organizing and collective bargaining. The group published a report in June 2022, that determined that, despite a decrease in union participation, the level of worker support for unions was higher than in the past. However, the study also concluded that workers may be deterred from unionizing by shortcomings in labor laws and employer responses to organizing. A third finding was that, in lieu of forming unions, workers have discovered other means of self-advocacy. The executive summary of this report is included on the Department's new on-line Worker Organizing Resource and Knowledge (WORK) Center on unions and the union advantage. OLMS has been a major contributor to the WORK Center.

#### *OLMS: Electronic Filing*

OLMS' investments in expanding the number of forms available electronically, outreach to facilitate electronic filing of union financial reports, and a rule that required electronic filing of the Form LM-3 and LM-4 reports for fiscal years beginning on or after January 1, 2017, led to great progress in transparency. OLMS made additional LM forms available for electronic filing over the course of FY 2020 (Forms LM-1, 10, 20, and 21), making electronic filing for those reports mandatory in FY 2021. This is reflected in OLMS' e-filing rate of 97.9 percent in FY 2022, up from 58 percent in FY 2017.

## Strategic Goal 2

### Enforcement Capacity

#### *WHD: Rebuilding Enforcement Capacity*

WHD hired 217 investigators and 47 technicians for a total of 264 new enforcement staff in FY 2022 and plans to hire another 148 staff in FY 2023. WHD continued to strengthen and expand online platforms supporting the onboarding process and to deliver entirely remote training programs. WHD leveraged the tools and techniques developed during the pandemic, combined with emerging approaches for effective training, to establish a hybrid training program that uses a combination of in-person and online training. Additionally, WHD has undertaken a range of outreach activities and conducted analysis to determine the language and cultural competencies necessary to better serve geographic locations with high populations of persons of color and underserved communities. WHD also carried out a multi-pronged approach aimed at broadening an already diverse workforce. This approach included recruiting entry-level talent from minority-serving institutions, posting positions with a second language requirement, and making use of direct hiring authorities such as Schedule A, which prioritizes hiring workers with disabilities.

#### *OFCCP: Hiring Surge*

OFCCP's compliance officer levels are down more than 50 percent from a decade ago, significantly limiting the agency's ability to evaluate contractor compliance. The number of compliance officers has significantly decreased due to attrition over the past three years, from 313 in FY 2019 to 222 at the end of FY 2021. In FY 2022, OFCCP hired and onboarded over 100 personnel, which included 69 compliance officers. The new hires will support OFCCP's efforts to rebuild and increase the agency's impact as the federal government makes significant investments in the nation's infrastructure.

## WHD Performance Goal 2.2 – Enforce labor standards and ensure workers in the U.S. are paid the wages they have earned.

WHD is responsible for administering and enforcing laws that establish the minimum standards for wages and working conditions. WHD enforces and administers the minimum wage, overtime pay, and child labor provisions of the Fair Labor Standards Act (FLSA); the prevailing wage requirements and wage determination provisions of the Davis-Bacon Act and Related Acts, Service Contract Act, Contract Work Hours and Safety Standards Act, Walsh-Healey Act, and Copeland Act; the wages and working conditions under the Migrant and Seasonal Agricultural Worker Protection Act; the Family and Medical Leave Act; the Employee Polygraph Protection Act; the garnishment provisions of the Consumer Credit Protection Act; and the Labor Value Content requirements of the United States-Mexico-Canada Implementation Act. WHD also enforces the field sanitation and temporary labor camp standards in agriculture and certain employment standards and worker protections of the Immigration and Nationality Act. Collectively, these labor standards cover most private, state, and local government employment. They protect over 165 million of America's workers in more than 11 million establishments throughout the U.S. and its territories.

WHD uses strategic initiatives to amplify the impacts of our investigations and help the greatest number of workers by specifically focusing on ensuring labor standards protections for low wage workers that are most vulnerable to wage and hour violations. WHD has effectively adapted operations, modernized mission-critical infrastructure, and delivered on performance results. With businesses reopening and the economy poised for growth – as well as critical investments in WHD's workforce and infrastructure through the ARP – this year is an opportunity to reset, rebuild, and advance worker-focused priorities and strategies. These priorities include protecting essential workers, continuing to account for the effects of COVID in strategies, advancing the goals of equity, addressing worker misclassification as independent contractors, preventing and remedying retaliation, and ensuring all workers receive the back wages they are due.

### **Analysis and Future Plans**

For FY 2022, WHD updated its performance measures consistent with the Agency's mission, goals, and priorities; they reflect the Agency's commitments to protecting essential workers; conducting strategic enforcement; and addressing misclassification, retaliation, and equity. Three of the four performance measures outlined below are new measures being used by WHD starting in FY 2022. As such, WHD modeled historical data from prior fiscal years to arrive at the targets.

WHD seeks to increase the percent of outreach events of a target audience size associated with strategic initiatives to focus its outreach on essential workers and underserved communities. Those activities will provide critical information for improving enforcement strategies and case selection. Linking outreach to strategic initiatives will increase the use of strategic partnerships focused on the shared goal of improving compliance. WHD has

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been tracking events associated with strategic initiatives, but starting in FY 2023 is emphasizing audience size in order to broaden the agency's reach to key stakeholders and organize more meaningful and impactful events.

WHD also works to increase the percent of compliance actions associated to a strategic initiative. This new measure aims to leverage the results of both complaint and directed investigations as part of strategic initiatives. This approach recognizes the full range of impact cases that can support broader industry efforts. WHD defines "impact" in several ways, including cases that: deter violations beyond the investigated employer; address violations that are egregious, willful, and/or persistent; and that reach the greatest number of essential workers and workers from underserved communities. WHD uses initiatives to achieve the goals of protecting essential workers, advancing equity, addressing the impacts of COVID, addressing misclassification, and recovering wages for workers. Through a systematic, deliberate, and data-driven methodology, WHD set targets that allow the agency to strive for steady and continuous improvement. The targets reflect measured increases that allow the agency to adjust to a new measure and address compliance actions outside of strategic initiatives that serve vulnerable workers.

In FY 2022, WHD continued to measure the percent of FLSA compliance actions (excluding conciliations) with a severity score of 30 or more. The case severity index captures violation data describing the magnitude and egregiousness of the findings as well as indicators of the employers' culpability. This supports a strategy of increasing the proportion of cases that are high impact, which WHD estimates can recover additional back wages for workers over time. With increased resources to support enforcement, WHD anticipates the proportion of cases meeting that threshold will increase over time, as offices are better equipped with the time, expertise, and resources to pursue and develop significant cases, including cases involving liquidated damages, civil monetary penalties, and litigation. WHD set increasing targets that account for fluctuations while also pushing the agency to continue a positive trend.

WHD has historically focused enforcement on industries that employ some of the lowest paid workers with the highest rates of wage violations. WHD analysis determined that these same industries employed high percentages of workers of color. Strong enforcement strategies in these industries are an important tool to advance racial equity and combat poverty. WHD's industry focused strategies will be augmented by a place-based approach to enforcement in order to leverage unique enforcement opportunities in a particular state or city and to maximize enforcement power. WHD will perform a comparative analysis of labor standards and worker protection laws, including the scope of worker protections, the enforcement capacity of state and local partners, and the remedies available. This analysis will guide development of strategic partnerships and collaborative enforcement strategies to strengthen protection and enforcement in all regions and offices.

WHD aims to increase the percent of back wages paid to workers. In most WHD investigations, the vast majority of back wages found due to workers are paid directly by the employers. However, the subset of unlocated workers due back wages may represent some of the most vulnerable workers. In FY 2022, WHD launched a public service campaign to raise the visibility of the online tool, Workers Owed Wages (WOW), which

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allows workers to search for unclaimed wages. Media, outreach, and stakeholder partnerships will focus on underrepresented communities of color, immigrant workers, and those who may not receive wages because they are in a foreign country. WHD will also expand the use of techniques during and following an investigation to ensure workers receive the wages they are due.

WHD – Enforce labor standards to protect and enhance the welfare of the nation's workforce.

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2018	FY/PY 2019	FY/PY 2020	FY/PY 2021	FY/PY 2022	FY/PY 2023	FY/PY 2024	What Worked	What Didn't Work	Program Performance Improvement Plan
Percent of outreach events of a target audience size associated with strategic initiatives	Target	--	--	--	--	--	60%	61%	This measure will be implemented in FY 2023.	This measure will be implemented in FY 2023.	WHD will increase the proportion of outreach events reaching a larger audience and associated with initiatives to maximize impact and ensure the majority of outreach is focused on essential workers.
	Result	--	--	--	--	--	--	--			
	Status	--	--	--	--	--	--	--			
Percent of compliance actions associated to a strategic initiative	Target	--	--	--	--	65%	67%	68%	Adjusting the measure to include complaint investigations allows the agency to recognize the full range of impact cases that support broader industry efforts.	By excluding complaint investigations, the full range of impact cases was not being used to support broader industry efforts.	WHD is incorporating equity-informed strategies into initiatives focused on protecting essential workers.
	Result	--	--	--	--	73%	--	--			
	Status	--	--	--	--	Y	--	--			
Percent of FLSA compliance actions (excluding conciliations) with severity score of 30 or more	Target	--	--	Base	20%	21%	25%	26%	Analyzed and recalibrated the methodology to make minor improvements to the way scores are computed.	Making changes to the index too frequently as offices need time to learn how to manage and use the index.	WHD is working to increase the proportion of significant, high-impact cases.
	Result	--	--	20%	18%	26%	--	--			
	Status	--	--	--	N	Y	--	--			



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*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2018	FY/PY 2019	FY/PY 2020	FY/PY 2021	FY/PY 2022	FY/PY 2023	FY/PY 2024	What Worked	What Didn't Work	Program Performance Improvement Plan
Percent of back wages paid to workers	Target	--	--	--	--	79%	82%	85%	Implemented additional actions to ensure workers receive the wages they are due.	Despite all efforts to locate workers, there continue to be some workers we still cannot reach.	WHD will further strengthen outreach efforts to stakeholders that serve historically underserved and marginalized communities as another way of ensuring back wages are paid to workers.
	Result	--	--	--	--	86%	--	--			
	Status	--	--	--	--	Y	--	--			

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

**Notes:** Results are not entered for the fiscal years when WHD did not have these measures.

## OFCCP Performance Goal 2.2 – Promote equitable and diverse workplaces for America’s federal contractor employees.

The Office of Federal Contract Compliance Programs (OFCCP) is charged with protecting America's workers by enforcing equal employment opportunity obligations of employers that do business with the federal government. To advance equal employment opportunity, OFCCP conducts enforcement activities, and provides outreach and education, and compliance assistance. The federal government’s historic investments in the nation’s infrastructure, manufacturing, and technology will increase the number of contractors and projects under OFCCP’s jurisdiction, and OFCCP will play a vital role in ensuring that these investments create good jobs that provide equal opportunity to all. The agency is strengthening compliance resources, tools, national training, and education and outreach activities.

### **Analysis and Future Plans**

In FY 2022, OFCCP continued its commitment to tackling long-standing employment practices that create barriers to opportunity and perpetuate inequality in our social and economic systems for underrepresented workers, including workers of color, women, LGBTQ+ individuals, workers with disabilities, and veterans. By conducting compliance evaluations of contractors, and addressing complaints, OFCCP works to address systemic barriers to employment opportunity in hiring, compensation, and promotion. OFCCP settled 34 discrimination cases totaling \$11.8 million in monetary recoveries for 9,890 victims of discrimination and negotiated 320 job opportunities. The agency recovered an additional \$8.6 million in salary adjustments for 1,022 affected class members, bringing the total FY 2022 monetary recoveries amount to \$20.4 million for 10,912 affected class members. OFCCP also hosted 206 education and outreach events focused on workers’ rights, roughly 50 percent of all outreach events hosted by OFCCP. Nearly 7,000 workers attended these events. In FY 2022, OFCCP and Equal Employment Opportunity Commission (EEOC) launched HIRE, a multi-year collaborative effort that engages a broad array of stakeholders to expand access to good jobs for workers from underrepresented communities and help address key hiring and recruiting challenges.

OFCCP prioritizes the timely completion of compliance evaluations and has implemented several strategies to close cases more quickly, such as weekly reports, monthly enforcement meetings to discuss cases post-desk audit, and the use of a specific approach to more efficiently identify and prioritize cases involving systemic barriers to equal opportunity. However, some cases that involve discrimination are complex and involve multiple parties to reach a resolution. OFCCP completed Supply and Service cases that involved discrimination in about three and a half years (1,294 median days), which is significantly longer than the target of 950 median days. OFCCP found instances of discrimination in 3 percent of the 866 supply and service compliance evaluations completed in FY 2022.

OFCCP rigorously investigates complaints alleging employment discrimination at federal contractor workplaces. In FY 2022, OFCCP received over 2,000 complaints from workers and 89 percent of those complaints were processed within the standard timeframe, exceeding the target of 88 percent. In FY 2023, the agency will continue efforts to promote greater awareness among individual workers, worker organizations, and other stakeholders of OFCCP’s complaint process. OFCCP will update its policies and procedures for complaint intake, assignment, and transfer to EEOC. In FY

## Strategic Goal 2

2023, OFCCP will deploy the complaint module in its Case Management System (CMS). This will increase efficiency across the agency to enable complaint data to be directly uploaded, tracked, and reported in real time through CMS. OFCCP will continue to provide language access and plain language resources, including complaint forms, with all translations being culturally competent. OFCCP will also address complaint processing by separating the current measure into two measures to capture the timeliness of complaint perfection and investigations independently.

In FY 2023, OFCCP will focus on unleashing the agency's full enforcement power by continuing to strategically allocate its resources where it can have the greatest impact. Specifically, OFCCP will build on its efforts to strengthen the agency's compliance evaluation process to identify contractors with greater risk factors for noncompliance and to remedy systemic discrimination in hiring, compensation, and other areas. The directive, Effective Compliance Evaluations and Enforcement (DIR 2022-02), updates guidance on compliance evaluation policies, identifies strategic enforcement objectives, improves scheduling and data submission policies, and clarifies access to employees, applicants, and other witnesses in compliance evaluations. Additionally, OFCCP will enhance its training on identifying and prioritizing compliance evaluations.

In FY 2022, OFCCP continued to build on its commitment to reinvigorate systemic enforcement in the Construction Industry. OFCCP enhanced the construction contractor compliance evaluation process, moving from compliance checks to full compliance evaluations of federal construction contractors and federally-assisted construction contractors and subcontractors, performing desk audits prior to going onsite, and increasing construction worker outreach and contractor compliance assistance. In FY 2023, OFCCP will launch an updated version of a previous initiative, its Mega Construction Projects Program, to foster equal opportunity in the workforce of federal contractors and subcontractors on large federal construction projects. Projects eligible for designation as Mega are valued at \$35 million or more in funding, some part of which must be federal funding, and are expected to last for at least one year. This program is one of the agency's most impactful tools to expand access to good jobs and a core component of DOL's Good Jobs Initiative.

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OFCCP – Promote equitable and diverse workplaces for America’s federal contractor employees.

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2018	FY/PY 2019	FY/PY 2020	FY/PY 2021	FY/PY 2022	FY/PY 2023	FY/PY 2024	What Worked	What Didn't Work	Program Performance Improvement Plan
Percent of Education and Outreach Events Focused on Workers’ Rights	Target	--	--	--	--	Base	50%	50%	OFCCP expanded stakeholder resources, collaborated with other agencies to host events, utilized existing stakeholder relationships, and placed events on the DOL calendar for more visibility.	--	OFCCP is working to clearly define event types to ensure accurate performance measurement. In addition, OFCCP will continue to increase stakeholder engagement to underrepresented workers.
	Result	--	--	--	--	49%	--	--			
	Status	--	--	--	--	--	--	--			
Median Days to Process S&S Cases with Discrimination Violations, Prior to Enforcement Referral	Target	900	900	730	730	950	1,200	1,200	The use of early resolution procedures contributed to several discrimination cases successfully closing in under 950 days.	Despite hiring new compliance officers, OFCCP lost experienced staff due to attrition. The time spent by managers in hiring, onboarding, and training new hires also impacted the processing time.	Ramping up training for new hires and pairing them with experienced compliance officers to shorten their learning curve and applying the policies in the Effective Compliance Evaluations and Enforcement Directive.
	Result	1,513	1,356	1,809	1,150	1,294	--	--			
	Status	N	I	N	I	N	--	--			
Median Days to Process Construction Cases with Discrimination Violations, Prior to Enforcement Referral	Target	--	--	--	--	Base	Base	TBD	N/A – collecting baseline data	Scheduling of construction compliance evaluations did not begin until FY 22 Q2. As such, cases are still under review.	Fully implement construction enforcement program by completing the scheduling of contractors from the September 2021 construction scheduling list and conducting full compliance evaluations.
	Result	--	--	--	--	--	--	--			
	Status	--	--	--	--	--	--	--			

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*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2018	FY/PY 2019	FY/PY 2020	FY/PY 2021	FY/PY 2022	FY/PY 2023	FY/PY 2024	What Worked	What Didn't Work	Program Performance Improvement Plan
Percent of Complaints Perfected Within Standard Timeframe (15 Days)	Target	--	--	--	--	--	90%	90%	This measure will be implemented in FY 2023.	This measure will be implemented in FY 2023.	OFCCCP will update its procedures for complaint intake, assignment, and, as appropriate, transfer to EEOC.
	Result	--	--	--	--	--	--	--			
	Status	--	--	--	--	--	--	--			

Sources: Case Management System (CMS) and Complaint tracking Log

## OLMS Performance Goal 2.2 – Promote union financial integrity, transparency, and democracy.

OLMS administers the Labor-Management Reporting and Disclosure Act of 1959, as amended, 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 relations consultants, and surety companies.

### **Analysis and Future Plans**

Timely resolution of election complaints accelerates the restoration of a democratic voice and a democratically operated union. OLMS continues to fine-tune methods for further reducing its elapsed days (the number of days between a union member filing a complaint and its resolution), including the use of a team-based approach for handling election cases when resources permit and early engagement with the Office of the Solicitor in cases that may result in litigation. This has meant reducing the average number of days to resolve union officer election complaints to 55.2 days in FY 2022 from 68.8 days in FY 2018. Targets balance the changes OLMS can make to its processes with outside factors that can affect the resolution of these types of cases, such as cooperation from the unions being investigated.

OLMS invested in expanding the number of labor management forms available electronically, provided outreach to facilitate electronic filing these reports, and developed a rule that required electronic filing of certain reports beginning January 1, 2017. These efforts led to greater transparency. In FY 2020, OLMS made additional labor management forms available for electronic filing and made electronic filing for those reports' mandatory in FY 2021. The success of incorporating electronic filing is reflected in OLMS' e-filing rate of 97.9 percent in FY 2022, up from 58 percent in FY 2017.

The “fallout rate” is the percentage of audits of labor unions that reveal evidence that the labor union has been the victim of fraud or embezzlement. To increase the fallout rate and meet the goal, OLMS uses various data records and sources to select which unions to audit. By becoming more effective at selecting targets, OLMS conserves its auditing resources. When audits are opened on unions with red flags for embezzlement, fewer unions are burdened by audits that are less likely to find violations of the law.

OLMS seeks to increase disclosure of employer efforts to persuade workers on how to exercise their rights to organize and collectively bargain. OLMS also seeks to increase disclosure of expenditures of employers who surveil employees in connection with a labor dispute. Disclosure of employer activities that constitute “unfair labor practices” is also a priority. OLMS will conduct targeted compliance assistance and investigations to better ensure compliance with these reporting obligations.

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Overall, OLMS maintained its vigorous enforcement posture because the successful completion of its mission helps protect unions and their members from criminal activities while advancing democratic governing principles. This mission strengthens unions and builds public confidence in them. And a strong, well-respected labor movement lifts up all workers and is a force for creating equity among diverse communities.

OLMS’ efforts to empower workers and their unions require that OLMS operations and the data it collects be accurately maintained and presented in its full context. OLMS continued to improve its web site, conduct outreach to stakeholders, engage with the public on matters linking the labor movement to social and economic advancement, and coordinate with other federal agencies. Toward this end, OLMS has created a Labor-Management Partnership Coordinator position to promote the public’s understanding of the benefits to workers and employers of labor-management cooperation through collective bargaining.

OLMS – Promote union financial integrity, transparency, and democracy.

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2018	FY/PY 2019	FY/PY 2020	FY/PY 2021	FY/PY 2022	FY/PY 2023	FY/PY 2024	What Worked	What Didn't Work	Program Performance Improvement Plan
Average number of days to resolve union officer election complaints	Target	70.0	69.0	68.0	67.0	66.0	65.0	65.0	Continuing increased coordination and communication with the Office of the Solicitor. Implementation of refined procedures for electronic reports of investigation.	OLMS did not take sufficient steps to hasten the case disposition determination through its Front Office.	Continue to incorporate early coordination with Office of the Solicitor and refined procedures for electronic reports of investigation. Improve internal leadership clearance process.
	Result	68.8	65.6	64.9	66.9	55.2	--	--			
	Status	Y	Y	Y	Y	Y	--	--			
Percent of targeted audits that result in a criminal case	Target	15.75%	16.00%	16.50%	16.75%	17.00%	17.50%	18.00%	Use of particular financial data to target unions most likely to have experienced fraud or embezzlement.	Our inability to hold training for new investigators has significantly hampered our success in this area.	Continue to update and refine targeting criteria. Complete new investigator training.
	Result	20.00%	19.00%	20.00%	15.25%	12.65%	--	--			
	Status	Y	Y	Y	N	N	--	--			

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*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2018	FY/PY 2019	FY/PY 2020	FY/PY 2021	FY/PY 2022	FY/PY 2023	FY/PY 2024	What Worked	What Didn't Work	Program Performance Improvement Plan
Percent of disclosure reports filed electronically	Target	60.0%	70.0%	80.0%	85.0%	90.0%	91.0%	92.0%	Various annual reports are available electronically; requirements to file forms electronically, and ramped up helpdesk; and technical assistance website.	OLMS has not converted all forms into an electronic filing format.	Make additional forms available for e-filing by migrating trusteeship and surety forms into the Electronic Forms System, use appropriate procedures, and require filers to file reports electronically.
	Result	76.5%	85.3%	89.6%	97.4%	97.9%	--	--			
	Status	Y	Y	Y	Y	Y	--	--			

**Sources:** Office of Labor-Management Standards (OLMS) electronic Labor Organization Reporting System (e.LORS) and internal data tracked by the OLMS Division of Enforcement



### Strategic Objective 2.3

Improve the security of retirement, health, and other workplace-related benefits for America's workers and their families.

**Agency Driving this Objective** (select the hyperlink to learn more about this agency)

[Employee Benefits Security Administration](#) (EBSA)

Workers must have confidence in and understanding of their retirement and health benefits. EBSA's mission is to ensure the security of the retirement, health, and other workplace related benefits of America's workers and their families. The Agency's enforcement program uses a wide variety of approaches to accomplish its mission, such as establishing national and regional priorities, voluntary compliance programs, civil and criminal litigation, regulations and guidance, and research-based analysis. The economic research program informs the Agency's regulatory and enforcement work and provides important information to the public and policymakers on benefit plans.

#### **FY 2022 Strategic Review Summary of Progress** (Adequate Progress)

Findings for this objective were grouped into two themes: Performance Management and Enforcement Capacity. Evidence of progress included use of evidence to improve plan audit quality and effective response to challenges encountered during the pandemic. Challenges were identified in performance measurement, hiring, and equity efforts.

We also noted that SOL is key to this objective's success. SOL needs sufficient resources and capacity to provide advice and counsel to worker protection agencies in order to help those agencies unleash their full power within legal boundaries.

#### Performance Management

##### *EBSA: Performance Measures*

EBSA's performance measures include the Major Case Program, which focuses on identifying and pursuing investigations that have the greatest potential to correct Employee Retirement Income Security Act (ERISA) violations for many plans and plan participants. With EBSA's commitment to Terminated Vested Participant Project (TVPP) cases – EBSA's most successful project – monetary recoveries increased each year from FY 2016 to FY 2020.

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However, the TVPP results disproportionately affected EBSA's recoveries and measures. Starting in FY 2021, EBSA shifted to other Major Case priorities, a move that, predictably, resulted in a decline in overall monetary recoveries.

In FY 2018, EBSA instituted two new performance measures to evaluate the effectiveness and efficiency of the Major Case Program by its results.

- Major Case Monetary Recoveries per Major Case Staff Day decreased from a high of \$108,807 in FY 2019 to \$51,205 in FY 2022.
- Monetary Recoveries on Major Cases Closed per Staff Day decreased from a high of \$79,773 in FY 2019 to \$74,717 in FY 2022.

EBSA's recoveries and measures were disproportionately affected by the results achieved in EBSA's most successful project, TVPP.

During the last few years, the vast majority of results were obtained through the TVPP. With the decision to deemphasize TVPP in FY 2021 and shift priorities in response to congressional mandates, EBSA expects these decreases to continue in FY 2023. Even so, it bears emphasis that the Agency's average recoveries of tens of thousands of dollars for each investigative staff day represents an extraordinary return on taxpayer investment.

### Enforcement Capacity

#### *EBSA: Targeted Enforcement*

In FY 2022, EBSA targeted Certified Public Accountant (CPA) firms that audit fewer than 100 employee benefit plans annually. These firms were responsible for auditing plans that hold \$156 billion in assets and impact 3.4 million participants. In FY 2022, EBSA audited fewer plans and focused on improving audit quality, as an EBSA audit quality study in FY 2017 found that almost 40 percent of plan audits contained one or more major deficiencies.

A new audit quality study, which is slated for completion in FY 2023, will help assess whether audits have improved. EBSA plans to include the American Institute of CPAs when planning for the new study.

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### *EBSA: Pandemic Response*

The COVID-19 pandemic created several immediate and long-term challenges for EBSA and benefit plans. For example, according to stakeholders, plans were initially concerned about how to implement provisions in the Families First Coronavirus Response Act and the Coronavirus Aid, Relief, and Economic Security Act, but those concerns were addressed as the Agency issued Frequently Asked Questions and notices. Similarly, EBSA officials reported that court closures temporarily slowed criminal cases, but as virtual hearings increased, litigation resumed. Stakeholders and EBSA officials also described potential long-term challenges, including difficulties locating the many participants who may have left a job due to the pandemic and may be unaware they left behind retirement funds.

### *EBSA: Hiring*

EBSA was able to hire enough staff to offset attrition and increase overall FTE. In FY 2022, 119 employees were hired and 103 separated, resulting in an FTE increase from 815 to 831.

## EBSA Performance Goal 2.3 – Improve the security of retirement, health, and other workplace-related benefits for America’s workers and their families.

EBSA is responsible for protecting more than 152 million of America’s workers, retirees, and their families, who are covered by approximately 747,000 private retirement plans, 2.5 million health plans, and 673,000 welfare benefit plans. Together, these plans hold estimated assets of \$12 trillion.

To accomplish its mission, EBSA uses a comprehensive, integrated approach that includes programs for enforcement, compliance assistance, interpretive guidance, regulations, and research. In FY 2022, the agency recovered over \$1.4 billion in direct payment to plans, participants, and beneficiaries. Specifically, EBSA’s enforcement program detects and corrects violations, which results in monetary recoveries for employee benefit plans, participants, and beneficiaries or other corrective remedies, including significant reforms for large plans or common service providers.

Several of EBSA’s existing national enforcement projects directly influence underserved communities. These projects include Mental Health Parity and Addiction Equity Act (MHPAEA) enforcement and the Protecting Benefits Distribution project, which covers the Terminated Vested Participant Program (TVPP), abandoned plans, and financially distressed sponsors. By their nature, these programs have a built-in focus on underserved individuals and communities, including vulnerable elderly populations and individuals struggling with mental health and substance use issues. There are more opportunities within these programs to further enhance EBSA’s focus on underserved communities. For example, under the TVPP project in FY 2022, EBSA targeted defined benefit plans in industries with high percentages of foreign-born workers to determine if they have disproportionate incidents of missing participants. While EBSA has improved outreach to underserved communities through multiple efforts, there is an opportunity to improve data to capture the impact of enforcement on those communities and ensure adequate targeting.

### **Analysis and Future Plans**

In FY 2022, EBSA continued to concentrate a significant portion of its enforcement resources on the Major Case Enforcement Priority, which focused on cases likely to have the greatest impact. Because Major Case results can be highly volatile from year to year, EBSA used metrics to evaluate the efficiency and effectiveness of investigative time and based its enforcement measure targets on careful consideration of historical data.

While recoveries declined overall, over half of EBSA’s enforcement recoveries continued to result from a single initiative, the TVPP. These cases obtained unusually large recoveries for participants and beneficiaries while expending minimal investigative resources. In EBSA’s view, the TVPP program’s outsized results skews the enforcement program’s totals, and these recoveries will continue to decline over the next few

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years as plan fiduciaries and sponsors improve their recordkeeping and notification practices with respect to “missing” terminated vested participants and as EBSA increasingly directs its limited enforcement resources to other violation categories.

Considering these factors, in FY 2023, EBSA adjusted its monetary recovery performance measures to reflect the decision to deemphasize, but not eliminate, large dollar TVPP investigations and to shift emphasis towards health investigations and, in particular, MHPAEA and other CAA related matters. To this end EBSA is introducing revised metrics breaking our monetary results into three areas and focusing separately on results based on the amount of staff days devoted to each area so that, regardless of policy and legislative choices beyond the agency’s control, it will be able to focus on efficiencies and results within each area. Those three areas will be Major Case – TVPP; Major Case – Health, and Major Case – Pension and Non-Health Welfare.

EBSA will continue diligently working on the implementation, enforcement, administration, and litigation of the provisions delineated in the FY 2021 Consolidated Appropriations Act (Pub. L. 116-260). These provisions expand protections against surprise medical billing and focus on enforcement of MHPAEA and non-quantitative treatment limitations (NQTLs). EBSA will review health plans for MHPAEA compliance to ensure that mental health and substance use disorder patients receive the benefits they are entitled to in parity with the medical/surgical benefits provided by their health plans. The agency is using a service provider approach to achieve widespread corrections of MHPAEA violations, such as impermissible restrictions on medication-assisted treatment and exclusions of key services for autism and eating disorders. EBSA will also continue to enforce MHPAEA’s provisions related to annual and lifetime dollar limits, quantitative treatment limitations, financial requirements, disclosures, and coverage in all applicable classifications.

Strategic Goal 2

EBSA – Improve the security of retirement, health, and other workplace-related benefits for America’s workers and their families.

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2018	FY/PY 2019	FY/PY 2020	FY/PY 2021	FY/PY 2022	FY/PY 2023	FY/PY 2024	What Worked	What Didn't Work	Program Performance Improvement Plan
Major Case Monetary Recoveries per TVPP Major Case Staff Day	Target	--	--	--	--	\$200,495	\$193,406	TBD	Major Cases are a priority because they enable EBSA to use its limited resources in a way that has the greatest possible positive impact on large numbers of plans and participants.	As the agency increases its focus on non-TVPP cases, it expects to see a decline because of the reduced impact of the relatively large recoveries obtained in TVPP cases.	EBSA adjusted its performance measures for FY 2023 to reflect the decision to deemphasize (but not eliminate) TVPP investigations and to shift emphasis toward health investigations.
	Result	--	244,747	\$247,359	\$282,396	\$112,413	--	--			
	Status	--	--	--	--	N	--	--			
Major Case – Health Monetary Recoveries per Major Case Staff Day	Target	--	--	--	--	--	\$9,921	TBD	See above.	See above.	See above.
	Result	--	--	--	--	--	--	--			
	Status	--	--	--	--	--	--	--			
Major Case – Pension and Non-Health Welfare Monetary Recoveries per Major Case Staff Day	Target	--	--	--	--	--	\$40,947	TBD	See above.	See above.	See above.
	Result	--	--	--	--	--	--	--			
	Status	--	--	--	--	--	--	--			
Percent of Delinquent Employee Contribution, Abandoned Plan, Bonding, Health-Part 7 Violation, and Other Reporting and Disclosure Non-Fiduciary Breach Cases Closed or Referred for Litigation in the Fiscal Year within 18 Months of Case Opening	Target	70%	70%	76%	76%	76%	76%	76%	In FY 2022, EBSA met this timeliness measure.	EBSA continues to carefully monitor its timeliness measures to ensure that cases are not closed before issues are appropriately explored and resolved.	EBSA continues to implement additional actions to improve the efficiency and effectiveness of enforcement actions.
	Result	84%	89%	84%	81%	76%	--	--			
	Status	Y	Y	Y	Y	Y	--	--			

**Sources:** Enforcement Management System.

**Notes:** The measure Percent of Delinquent Employee Contribution, Abandoned Plan, Bonding, Health-Part 7 Violation, and Other Reporting and Disclosure Non-Fiduciary Breach Cases Closed or Referred for Litigation in the Fiscal Year within 18 Months of Case Opening is a rewording for clarification of Percent of Less Complex Issue Cases Closed or Referred for Litigation in the fiscal year within 18 Months of Case Opening. Targets and results are not affected.

## Strategic Objective 2.4

Strengthen labor rights, improve working conditions, promote racial and gender equity, and empower workers around the world.

**Agency Driving this Objective** (select the hyperlink to learn more about each agency)

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

ILAB safeguards dignity at work, both at home and abroad – by strengthening global labor standards; enforcing labor commitments among trading partners; promoting racial and gender equity; and combating international child labor, forced labor, and human trafficking. ILAB accomplishes this goal through Trade Enforcement, Policy Engagement, Technical Assistance, and Research and Reporting. ILAB’s approach is validated by independent research from the United States International Trade Commission (2016) and the Inter-American Development Bank (2014) suggesting that including labor obligations in trade agreements leads to better labor laws and enforcement efforts in trade partner countries. ILAB’s efforts position the United States as a leader on international labor rights by demonstrating the U.S. commitment to work with governments, workers, unions, employers and business organizations, civil society organizations, and other actors to achieve its mission.

Taken together, these activities support U.S. Government efforts to advance equity on all fronts, particularly in countries where vulnerable and marginalized populations are most susceptible to exploitative labor conditions. By addressing exploitative labor conditions and advancing equity in key countries, ILAB supports efforts to combat poverty and structural racism in underserved and marginalized communities.

### **FY 2022 Strategic Review Summary of Progress** (Adequate Progress)

Findings for this objective were grouped into two themes: Implementing the President’s Trade Agenda and Measuring Progress. Evidence of progress included United States –Mexico – Canada Agreement (USMCA) implementation and progress combatting child labor and forced labor. Challenges were identified in performance measurement.

#### Implementing the President’s Trade Agenda

*ILAB: Implementing the Labor Provisions of the USMCA in Mexico*

In cooperation with the United States Trade Representative (USTR), ILAB successfully used the USMCA Rapid Response Mechanism (RRM) three times in FY 2022, referring these cases to the Mexican government for review. The RRM is a dispute settlement tool that provides for monitoring

## Strategic Goal 2

and expedited enforcement of labor rights in Mexico at particular facilities in priority sectors. The course of remediation reached in these three cases resulted in workers freely exercising their collective rights to organize and win authentic union representation. Additionally, more than 60 workers were reinstated with backpay and workers at one facility saw a 9.5 percent wage increase through a collective bargaining agreement negotiated by their new union. In two additional cases, ILAB and the USTR determined that the claims in the RRM were insufficient to warrant using the tool. In those two cases, ILAB and USTR worked with their Mexican counterparts to continue to monitor the ability of newly formed independent unions to exercise their rights at these facilities.

### *ILAB: Monitoring and Enforcing Labor Obligations in Other Free Trade Agreements and Preference Programs and Combatting International Child Labor and Forced Labor*

Despite travel-related challenges through the first half of the year, ILAB's engagement, including through its labor attaché program, contributed to 32 high-engagement trade partner countries taking action to improve protection of labor rights, including combating child labor and forced labor. These actions included strengthening legal frameworks to protect worker rights; policy and programmatic actions; and improving labor law enforcement. ILAB conducted and published research related to its three flagship reports on child labor and forced labor, and undertook policy engagement efforts to assist governments in addressing findings in these reports, including over 1,500 concrete recommendations for strengthening laws and enforcement efforts to combat child labor. Finally, ILAB awarded \$54.9 million in new grants and added \$17.8 million to expand actions under 18 existing grants to combat child labor, forced labor, other labor abuses, and other unacceptable conditions of work.

### Measuring Progress

#### *ILAB: Performance Measures*

ILAB continues to collect historical data that can provide a sense of how the agency is achieving or influencing outcomes over time. ILAB also utilizes measures focused on outputs (active technical assistance projects, technical cooperation, oversight, and policy documents) to track performance. [GAO has commended ILAB for its robust evaluation efforts.](#)



## ILAB Performance Goal 2.4 – Strengthen labor rights, improve working conditions, promote racial and gender equity, and empower workers around the world.

ILAB safeguards dignity at work, both at home and abroad – by strengthening global labor standards, enforcing labor commitments among trading partners, promoting racial and gender equity, and combating international child labor, forced labor, and human trafficking. When other countries do not comply with internationally recognized workers’ rights in violation of their trade-related labor commitments, they gain an unfair advantage that harms American workers and businesses. ILAB uses the leverage, resources, and voice of the U.S. government to empower workers and strengthen labor rights globally, and positions the United States as a leader on international labor rights.

### **Analysis and Future Plans**

In FY 2022, ILAB implemented the President’s Trade Agenda by monitoring and enforcing the labor provisions of the USMCA Free Trade Agreement in Mexico and labor obligations in other free trade agreements and preference programs. ILAB increased its efforts to combat the use of child labor and forced labor in global supply chains, including, for the first time, adding 10 goods identified through supply chain tracing to DOL’s List of Good Produced by Child Labor or Forced Labor (the TVPRA List). ILAB leveraged labor attachés in key trade partner countries and other strategic locations to expand its monitoring and enforcement of labor commitments and promote workers’ rights. ILAB worked with interagency partners to implement the Root Causes Strategy and Collaborative Migration Management Strategy in Central America. ILAB continued efforts to strengthen worker voice around the world, and promoted worker protections, including occupational safety and health and social protections, and expanded the US Government’s presence at international and intergovernmental organizations. ILAB also supported research projects with the Organization for Economic Cooperation and Development (OECD) examining how Artificial Intelligence could impact labor market outcomes by perpetuating existing biases in hiring and promotion practices, and research that highlighted the working conditions of frontline workers. Finally, ILAB integrated equity, inclusion and worker voice into policies, programming, research, technical assistance, and contracting.

In FY 2023, ILAB will continue to promote worker voice with international partners, provide targeted technical assistance in countries where governments and other actors have demonstrated the political will to improve labor rights, and elevate labor diplomacy. ILAB will play a leading role in regional and international organizations to promote equity and inclusion in employment, as well as promote core labor standards, including occupational safety and health. ILAB will continue strengthening worker voice through leadership of the Multilateral Partnership for Organizing, Worker Empowerment, and Rights (M-POWER). ILAB will also develop new methods and tools to trace child labor and forced labor in global supply chains and build capacity of interagency partners to enhance the U.S. Government’s ability to prevent the importation of goods made with forced labor. ILAB will continue to develop internal research capacity in the core issue of worker protection by exploring how trade impacts employment outcomes of historically marginalized groups, gender and racial equity, and labor market conditions in other countries.

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ILAB – Strengthen labor rights, improve working conditions, promote racial and gender equity, and empower workers around the world.

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2018	FY/PY 2019	FY/PY 2020	FY/PY 2021	FY/PY 2022	FY/PY 2023	FY/PY 2024	What Worked	What Didn't Work	Program Performance Improvement Plan
Number of trade partner countries in which labor rights, including child labor and forced labor, are systematically monitored and analyzed.	Target	154	154	154	154	154	154	154	ILAB collected information for its monitoring and reporting through various channels, including desk research, labor attaché, embassy and grantee reporting, and visits to foreign countries.	Due to COVID-related restrictions, travel to countries without ILAB field presence was limited for much of the data collection period, which constrained ILAB's ability to conduct onsite visits.	With the full resumption of international travel, ILAB will be able to conduct additional site visits for monitoring and research/reporting activities.
	Result	154	155	154	154	155	--	--			
	Status	Y	Y	Y	Y	Y	--	--			
Percent of high engagement trading partner countries or multilateral institutions that implement actions to improve protection of labor rights, including through law or enforcement.	Target	--	--	--	--	80%	82%	84%	ILAB conducted reporting, technical assistance, trade engagement, and labor diplomacy to improve protection of labor rights. ILAB's reach expanded with increased ability to travel abroad.	Lack of political will and limited resources and capacity posed challenges to ILAB's ability to influence trade partner countries to implement actions to improve protection of labor rights.	ILAB will use all available channels and means of leverage to maximize engagements with trading partner countries and ensure DOL's priorities are pursued effectively.
	Result	--	--	74%	87%	84%	--	--			
	Status	--	--	--	--	Y	--	--			

**Sources:** Staff monitoring, enforcement, and engagement records, labor attaché records, grantee Technical Progress Reports, project monitoring and internal records, embassy reporting, administrative records and ILAB's annual Trade and Development Act Report.

## **Strategic Goal 3: Improve Administration of and Strengthen Worker Safety Net Programs**

### **Strategic Objective 3.1**

Ensure timely and accurate income support when work is unavailable by strengthening benefits programs and program administration.

**Partner Agencies Driving this Objective** (select the hyperlink to learn more about each agency)

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

[Employment and Training Administration, Office of Unemployment Insurance](#) (ETA/OUI)

America's economy must have a strong safety net to support unemployed, injured, and ill workers. ETA's Unemployment Insurance programs will focus on supporting unemployed workers and employers. OWCP programs will focus on workers who were injured or became ill on the job. These programs will leverage evidence-based strategies and strengthen the oversight of new and/or existing programs to accelerate delivery of benefits, reemployment, and return-to-work outcomes for workers.

The Department will also address inequity to underserved communities by identifying and mitigating delays and obstacles that impede claimants' abilities to receive assistance. The Department also plans to pursue development of modular solutions to support states' efforts to improve information technology systems over the next several years.

**FY 2022 Strategic Review Summary of Progress** (Area for Improvement)

Findings for this objective were grouped into two themes: Mitigating Risks; and Hiring, Customer Experience, and Equity. Evidence of progress included OWCP's program performance and hiring efforts. Challenges were identified in detecting and preventing improper payments, and in focusing on workers of color in outreach and equity efforts.

## Mitigating Risks

### *OWCP: Performance*

- In FY 2022, the Federal Employees' Compensation Act (FECA) program continued to assist agencies to improve the federal government's performance in timely filing worker's compensation and wage-loss claims, as well as the return to work of injured employees, to the highest-ever levels.
- The Black Lung program met all of its FY 2022 targets for performance measures in the key areas of timeliness, quality, and productivity. In FY 2022, the COVID-19 pandemic continued to impact pending claims volumes as the program continued to experience low incoming claims. However, the program received nearly 1,000 claims in the final two months of FY 2022, the most since FY 2019, indicating that incoming claims volumes may be beginning to rebound to pre-pandemic levels. In FY 2022, the program began tracking a new performance measure, "Percent of Black Lung claims pending at the start of the fiscal year that are resolved by the end of the fiscal year," to help better manage the pending claims inventory.

### *OWCP: Improper Payments*

OWCP's FECA program met its improper payment target rate of 3.18 percent in FY 2022. A major source of overpayments is duplication of workers' compensation payments by OWCP and Federal Employees Retirement System payments by the Social Security Administration (SSA); the longer it takes to verify the proper amounts, the larger the overpayment becomes and the larger the burden on claimants to repay the funds. In FY 2022, OWCP began using Treasury's Do Not Pay program to receive a list of matches of concurrent OWCP and SSA payees for possible overpayments and automatically requesting those calculations from SSA, but it does not detail whether the payments made are for SSA disability or SSA retirement benefits. OWCP and DOL's Office of the Chief Information Officer are committed to working with SSA on a completely automated data exchange process to minimize overpayments and the financial burden on claimants.

### *ETA: Unemployment Insurance*

In FY 2022, first payment timeliness continued to fall – to 61.2 percent from the pre-pandemic peak of 85.8 percent in FY 2019 – because of the ongoing fallout from the unprecedented volume of claims due to the pandemic. For the same reason, the unemployment insurance (UI) improper payment rate more than doubled from 9.17 percent in FY 2020 to 21.52 percent in FY 2022 (in the twelve months ending June 30, 2022). The Department of Labor has identified an Agency Priority Goal to increase the first payment timeliness rate and reduce the improper payment rate. For FY 2023, targets are 66.4 percent for first payment timeliness and 17.50 percent for improper payments.

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#### Hiring, Customer Experience, and Equity

##### *OWCP: Hiring*

OWCP continued its hiring efforts in FY 2022 and was able to hire and onboard 177 employees by the end of the fiscal year, including a Diversity, Equity, Inclusion, and Accessibility (DEIA) Officer to advance OWCP's internal equity efforts.

##### *OWCP: Customer Experience*

The Energy program within OWCP continued its High Impact Service Provider (HISP) Customer Experience (CX) efforts by submitting quarterly reports, conducting an annual assessment, developing an Action Plan and Customer Journey Map. Feedback collection efforts in FY 2022 included a series of surveys. Three surveys focused on claim development, medical travel reimbursement, and the experience of Authorized Representatives. Two surveys included an optional equity assessment that was used to gather feedback to address potential program barriers to services within underserved communities. The program also conducted a web-based survey on the Energy Document Portal (EDP), monthly post webinar surveys, and one-on-one customer phone interviews. The CX Team analyzed survey results and provided recommendations for programmatic improvement to OWCP leadership. The program successfully implemented the following recommendations: 1) the development of several claimant-friendly infographics; 2) the revision of the claimant acknowledgement packet; 3) website updates; and 4) the launch of a Spanish language hub on the program's public facing website.

##### *ETA: Improve Equity in Access to UI Programs*

The pandemic has exposed longstanding operational and technological challenges in state UI systems, which have resulted in delays and obstacles that disproportionately affect workers of color – creating potential racial and ethnic disparities in the applicants who received UI benefits during the pandemic. Ensuring equitable access to UI benefits is a top priority for the Department and ETA will work with states to address access and equity issues, and ensure they have the capacity to handle higher volumes of claims and are better prepared for future crises. ETA will support the use of ARPA funding to offer system-wide infrastructure improvements to the federal-state UI program.

##### *ETA: Expand Outreach to Black Workers*

A 2017 Mathematica Policy Research study found that non-Hispanic Black workers represented a larger share of UI benefits exhaustees than non-exhaustees (22.2 percent compared to 12 percent). In general, individuals who exhausted UI benefits experienced worse post-claim outcomes than non-exhaustees, including lower rates of employment and labor force participation, even four to six years after the initial claim. These findings from a previous recession suggest that Black workers, especially those who are long-term unemployed, may require additional outreach as well as reemployment and training services during the recovery from the pandemic.

**OWCP Performance Goal 3.1 – Increase the efficiency and accuracy with which OWCP provides workers’ compensation benefits for certain qualified workers who are injured or become ill on the job and improve return-to-work outcomes for injured workers.**

The role of OWCP is to provide workers’ compensation benefits for workers injured or ill on the job. OWCP implements four statutory federal workers’ compensation programs that provide monetary, medical, and return-to-work benefits for work-related injuries and illnesses including, but not limited to federal employees, coal mine workers, nuclear weapons workers, longshore and harbor workers, contractors serving overseas, and certain other designated employee groups. The agency adjudicates claims, administers the benefit funds authorized for these purposes, and provides oversight of claims resolutions by responsible parties.

### **Analysis and Future Plans**

The FECA program continued to coordinate with OSHA under the Protecting Employees, Enabling Reemployment (PEER) Initiative to recommit federal departments and agencies to safety goals, ensure that the workforce receives timely benefits through a modern and efficient workers’ compensation system, and work with agencies across the federal government to meet their individualized performance targets. In FY 2022, return-to-work outcomes increased to 84.93 percent for injured federal workers during the initial 45-day post-injury period for traumatic injuries, exceeding the target of 69.12 percent and significantly improving upon the government’s FY 2020 baseline performance. While the PEER Initiative concluded at the end of FY 2022, OWCP hopes to build on the progress made under the Initiative.

The Black Lung program began tracking a new performance measure, “Percent of Black Lung claims pending at the start of the fiscal year that are resolved by the end of the fiscal year,” to better manage the pending claims inventory. In FY 2022, the program exceeded the first-year target of 86 percent by issuing decisions on 91 percent of claims pending at the beginning of the fiscal year. Additionally, the program built on performance over the past three years and in FY 2022, completed Proposed Decision and Orders following completion of all claim development for all Responsible Operator Merit Claims within 24 days, exceeding the target of 34 days. In FY 2022, the Black Lung program made efforts to reduce improper payments by reviewing and analyzing medical bills, Do Not Pay matching, and routine audits, and will continue those efforts in FY 2023.

The Energy program’s unit of quality assurance analysts continued the review of quality of individual cases throughout the year, formalized a process for reviewing quality reports quarterly, and implemented corrective actions where appropriate. The quality assurance analysts also added a new category for review to assess letter decisions of acceptance. In FY 2022, 95.14 percent of sampled Part B and Part E initial claims were rated as being accurate, exceeding the target of 90.00 percent.

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Additionally, the Energy program continued to improve the customer experience by expanding access to digital case files through the OWCP Employees' Compensation Operations and Management Portal (ECOMP). In FY 2021, the portal served as a secure website for Division of Energy Employees Occupational Illness Compensation (DEEOIC) employee claimants to review status updates, view compensation payment information and access claimant medical and pharmacy bill information. In FY 2022, the portal was expanded to allow access to Sole Survivors and Authorized Representatives. The program made enhancements to the Ancillary Medical Services Module in the Energy Compensation System (ECS) to improve efficiency and accuracy in adjudication of requests for authorization of post-approval for medical equipment and services. The program utilized the Energy Document Portal (EDP) to allow digital signatures on new applications and payment forms that currently require wet signatures and continued to expand the use of the Accountability Review Tracking System (ARTS) to provide an easily accessible and central way for managers at all levels to assess and report on the quality of work.

The Longshore program continued to build upon successful past performance in FY 2022. The Longshore program received 93.5 percent of First Reports of Injury for non-Defense Base Act cases within 20 days," exceeding the target of 92 percent. The program will build on this success continuing outreach activities on the importance of timely filing and encouraging the use of electronic submissions.

OWCP continues to support the Department's efforts to advance equity and support to underserved communities in order to combat poverty in affected communities. In FY 2023, the Energy program will continue to work within the local communities (e.g., local community centers, church-organized events, medical centers, etc.) to conduct outreach and surveys to traditionally low-income and rural communities with limited access to internet and Native American, indigenous, tribal communities, and/or those residing on Native American reservations; the FECA and Longshore programs will conduct analysis of voluntary demographic information, claimant surveys on barriers, and any other stakeholder demographic information; and the Black Lung program will place an emphasis on equity and CX initiatives by amending its claim forms for the voluntary collection of demographic data, utilizing census tract data to identify underserved communities, and conducting CX surveys to inform customer engagement strategies.

Additionally, OWCP will incorporate DEIA requirements in its contract actions for Medical Provider Network/Medical Bill Processing. These requirements will advance equity by ensuring that services provided by OWCP's contractors promote a diverse pool of medical service providers; adopt equitable policies and practices when engaging with, hiring and/or subcontracting for medical service providers; and identify and remove barriers that underserved communities and individuals may face in accessing medical services under OWCP programs.

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In FY 2023, OWCP and FECA program leadership will work with SSA leadership to ensure that calculations of federal employees’ benefits are provided timely, and then will work with SSA and the Treasury Department to find ways to automate this process without relying on claimant notification, manual program requests, or manual calculations of the proper offset amount.

OWCP – Increase the efficiency and accuracy with which OWCP provides workers’ compensation benefits for certain qualified workers who are injured or become ill on the job and improve return-to-work outcomes for injured workers

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2018	FY/PY 2019	FY/PY 2020	FY/PY 2021	FY/PY 2022	FY/PY 2023	FY/PY 2024	What Worked	What Didn't Work	Program Performance Improvement Plan
Rate of return-to-work outcomes for injured federal workers during the initial 45-day post-injury period for traumatic injuries	Target	--	--	--	--	69.12%	69.81%	70.51%	The OMB-approved PEER Initiative incentivized agency performance through public reporting against targets.	For agencies that were struggling with goals under the PEER Initiative, OWCP had to increase the meeting frequency to monthly, and then bi-weekly as needed.	While the PEER Initiative concluded at the end of FY 2022, OWCP hopes to build on the progress made under the Initiative and continue holding regular meetings with agencies to review performance.
	Result	--	--	--	--	84.93%	--	--			
	Status	--	--	--	--	Y	--	--			
Percent of Employer's First Report of Injury filed within 20 days: non-Defense Base Act cases	Target	--	--	88.0%	88.0%	92.0%	92.5%	93.5%	The program has done several outreach initiatives to inform stakeholders of the importance of timely filing and the consequences for failure to timely file the reports of injury.	Non-Appropriated Fund Instrumentality employers are not subject to civil penalties so are more difficult to influence to increase compliance.	The program will implement outreach initiatives to educate entities on the importance of timely filing and encourage stakeholders to file reports electronically
	Result	--	--	90.0%	91.0%	93.5%	--	--			
	Status	--	--	Y	Y	Y	--	--			



Strategic Goal 3

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2018	FY/PY 2019	FY/PY 2020	FY/PY 2021	FY/PY 2022	FY/PY 2023	FY/PY 2024	What Worked	What Didn't Work	Program Performance Improvement Plan
Average number of days to complete Proposed Decision and Order following completion of all claim development for all Responsible Operator Merit Claims	Target	--	35	40	40	34	32	30	The program's focus on a measure within the control of claims staff incentivized efficient claims processing.	There are factors outside the program's control, such as delays in receiving employment and medical evidence that are needed to complete a decision.	The program will continue to focus on efficient processing of actions within its direct control, but also work to mitigate delays in obtaining medical and employment evidence.
	Result	--	29	30	35	24	--	--			
	Status	--	Y	Y	Y	Y	--	--			
Percent of Black Lung claims pending at the start of the fiscal year that are resolved by the end of the fiscal year	Target	--	--	--	Base	86%	87%	88%	This measure gave the program a fixed, focused target. Performance was enhanced by utilizing a data visualization dashboard for real time performance monitoring.	The program was unable to resolve some aging claims by the end of the fiscal year although they are quite aged.	The program will continue to utilize a data visualization dashboard to monitor its pending claims inventory and will need to emphasize and prioritize the oldest pending claims.
	Result	--	--	--	Base	91%	--	--			
	Status	--	--	--	--	Y	--	--			
Percent of sampled Part B and Part E initial claims rated as being accurate	Target	--	--	--	90.00%	90.00%	90.50%	91.00%	The program conducted more robust quality and accuracy reviews of the claim adjudication process by enhancing supervisory sampling and quality assurance reviews, both of which were tracked in ARTS.	Lack of documentation of processes for conducting supervisory sampling across district offices and the Final Adjudication Branch.	The program will continue to refine the reporting and tracking of supervisory sampling processes by developing Standard Operating Procedures to better document review processes.
	Result	--	--	--	92.00%	95.14%	--	--			
	Status	--	--	--	Y	Y	--	--			

**Sources:** Integrated Federal Employee's Compensation System (iFECS), OWCP Workers' Compensation System (OWCS), Black Lung Program Automated Support Package (ASP), and Energy Compensation System (ECS).

## ETA Performance Goal 3.1 – Support states’ timely and accurate benefit payments for unemployed workers.

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 are involuntarily unemployed, and are able, available, and actively seeking work. The federal role is to set broad policy for the program; establish performance measures and standards; provide technical assistance and training to states; monitor state performance, promote conformity and compliance of state laws and operations with federal law; and fund the administration of state and federal UI programs.

### **Analysis and Future Plans**

In FY 2022, the surge in claims experienced by states due to the pandemic and the CARES Act provisions continued to impact UI program performance. First payment timeliness fell to 61.2 percent, lower authority appeals promptness fell further to 22.1 percent, and (in the twelve months ending June 30, 2022) the improper payment rate remained unacceptably high at 21.52 percent. While states mobilized quickly to implement new temporary pandemic-related UI programs, because of years of low administrative funding, reductions in staff, outdated technology and a lack of resources, states were poorly positioned to provide quality services to the extraordinary number of claimants filing for unemployment compensation. This resulted in longstanding operational and technological weaknesses in state UI systems and created backlogs continuing into FY 2022. While claims volume fell dramatically in FY 2022, states continued to address ongoing fallout of the unprecedented increase in claims activity experienced in the prior two years (average weekly claims increased from 1.7 million per week in FY 2019 to 9.1 million in FY 2020 and 5.0 million in FY 2021) while experiencing an approximate 22 percent decline in administrative funding (which is tied to claims volume) from the previous year. This resulted in severe negative impacts on state timeliness and improper payment performance results. For FY 2023, ETA targets for first payment timeliness and lower authority appeals promptness are 66.4 percent and 30.0 percent, respectively. The target of 17.50 percent for improper payments is above the statutory goal of less than 10 percent<sup>8</sup> but still significantly below the program’s most recent performance level.

ETA continues work with the UI Integrity Center (a joint federal and state initiative focusing on the prevention, detection, and recovery of improper payments, fraud, and delinquent employer contributions) and leverage resources provided under the \$2 billion appropriation under ARPA to provide technology, tools, technical assistance, and grants to states. Activities under this ARPA initiative are focused on preventing and detecting fraud, promoting equitable access, and ensuring the timely payment of benefits.

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<sup>8</sup> The requirement to reduce improper payments in the UI program is established in the following laws and guidance: Payment Integrity Information Act of 2019; Improper Payment Information Act of 2002, as amended by the Improper Payment Elimination and Recovery Act of 2010; Improper Payment Elimination and Recovery Improvement Act of 2012; and Office of Management and Budget (OMB) Circular A-123, Management’s Responsibility for Enterprise Risk Management and Internal Control, Appendix C, Requirements for Payment Integrity Improvement (OMB Memorandum M-21-19, issued March 5, 2021).

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For the measure Reemployment Rate in the 2nd Quarter after Program Exit Quarter for RESEA Participants (Unemployment Insurance), ETA plans to adopt performance targets established by a new regression-based model during FY 2023. The model will use outcome data that inherently lags a few quarters and we are just starting to receive outcomes that has not been heavily influenced by the pandemic. ETA will need at least another quarter of data to appropriately test the model.

Several major challenges have been identified in the UI system due to COVID-19. After years of low administrative funding and reductions in staff, at the height of the pandemic, states were poorly positioned to address the economic emergency that struck the globe and to provide quality services to the extraordinary numbers of claimants filing for unemployment compensation. In addition, states struggled to program their UI systems and implement the new temporary UI programs. These challenges compounded the hardships to hard-working eligible Americans that depended on the UI system to provide financial support in their time of need. Despite the challenges facing states, over the course of the pandemic, the UI system paid UI benefits to nearly 60 million workers, adding over \$870 billion into states' economies. However, many individuals experienced significant barriers to access benefits in a timely manner. States' antiquated information technology systems were a major contributing factor in the states' inability to provide quality services and benefits.

The UI system serves as one of the principal "gateways" to the public workforce system and is often the first program accessed by individuals who need workforce services. The program keeps unemployed workers attached to the workforce and connects them to reemployment services. ETA will continue to promote evidence-based strategies through the Reemployment Services and Eligibility Assessments (RESEA) program and encourage states to expand UI claimants' participation in the program. The purposes of the RESEA program are to improve employment outcomes of recipients of unemployment compensation and to reduce their average duration through employment; to strengthen program integrity and reduce improper UC payments; to promote the alignment with the broader vision of WIOA of increased program integration and service delivery for job seekers, including UI claimants; and to establish reemployment services and eligibility assessments as an entry point for UC claimants into other workforce system partner programs.

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ETA – Support states' timely and accurate benefit payments for unemployed workers.

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2018	FY/PY 2019	FY/PY 2020	FY/PY 2021	FY/PY 2022	FY/PY 2023	FY/PY 2024	What Worked	What Didn't Work	Program Performance Improvement Plan
First Payment Timeliness (Unemployment Insurance) <sup>9</sup>	Target	87.0%	87.0%	87.0%	87.0%	63.2%	66.4%	73.0%	Decline reflects impact of states successfully addressing backlog. Tiger Team engagement (24 states) for recommendations and implementation support to states for improved process improvements.	States recovering from pandemic-related backlog while experiencing reductions in staffing as reported claims decline and state administrative funding declines (a 22% decline from FY 21 to FY 22).	Developing standardized backlog tracking and supporting states with targeted technical assistance. President's FY 23 Budget proposal includes updated factors to calculate state administrative funding.
	Result	84.5%	85.8%	67.0%	69.0%	61.2%	--	--			
	Status	N	I	N	I	N	--	--			
Improper Payment Rate (Unemployment Insurance) <sup>10</sup>	Target	13.75%	14.75%	10.61%	9.00%	14.00%	17.50%	TBD	DOL provided 50 states with grants of \$134 million to increase benefit payment control activities, subscribe to ID proofing services, and acquire data analytics to improve investigation prioritization.	States reimposed work search that was suspended in response to statutory requirement for emergency administrative funding during much of the pandemic. Rates often reflect differences in state laws.	Investing in identity verification solutions, providing grants to states and targeted TA, encouraging robust state use of UI Integrity Center services, refining state integrity action plans.
	Result	13.05%	10.61%	9.17%	18.71%	21.52%	--	--			
	Status	Y	Y	Y	N	--	--	--			

<sup>9</sup> The FYs 2020-2022 results for First Payment Timeliness were significantly impacted due to the unprecedented increase in claim volume and other factors related to the impact of COVID. While states mobilized quickly to implement new temporary pandemic-related UI programs, because of years of low administrative funding, reductions in staff, outdated technology and a lack of resources, states were poorly positioned to provide quality services to the extraordinary number of claimants filing for unemployment compensation. This resulted in longstanding operational and technological weaknesses in state UI systems and created backlogs continuing into FY 2022. The 87 percent target for First Payment Timeliness is the acceptable level of performance that states are expected to meet and is in regulation (see Standard for Benefit Payment Promptness — Unemployment Compensation at 20 CFR part 640).

<sup>10</sup> Targets and results for this measure are for the 12 month periods ending June 30. For example, the 2022 result is for June 30, 2022

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*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2018	FY/PY 2019	FY/PY 2020	FY/PY 2021	FY/PY 2022	FY/PY 2023	FY/PY 2024	What Worked	What Didn't Work	Program Performance Improvement Plan
Lower Authority Appeals Promptness (Unemployment Insurance). <sup>11</sup>	Target	--	80.0%	89.0%	90.5%	60.0%	30.0% [r]	TBD	Decline reflects impact of states successfully addressing backlog. Tiger Team engagement (24 states) for recommendations and implementation support to states for improved process improvements.	States recovering from pandemic-related backlog while experiencing reductions in staffing as reported claims decline and state administrative funding declines (a 22% decline from FY 21 to FY 22).	Developing standardized backlog tracking and supporting states with targeted technical assistance. President's FY 23 Budget proposal includes updated factors to calculate state administrative funding.
	Result	86.3%	90.1%	74.0%	22.5%	22.1%	--	--			
	Status	--	Y	N	N	N	--	--			
Reemployment Rate in the 2nd Quarter after Program Exit Quarter for RESEA Participants (Unemployment Insurance)	Target	--	--	--	--	Base	TBD	TBD	All states with existing RESEA programs (count 51) restarted operations and an additional state implemented a new RESEA program.	Recruitment delays - ETA was able to double the staff devoted to supporting RESEA efforts for states (increasing from 2 to 4 individuals) in August 2022.	Revising RESEA State Plan Template and provide TA, continuing implementation of performance measures and performance-based outcome payments, publishing WPRS/RESEA participant selection guidance.
	Result	--	--	--	--	TBD	--	--			
	Status	--	--	--	--	--	--	--			

**Sources:** First Payment Timeliness: ETA 9050 and 9050p reports; Improper Payment Rate: Benefit Accuracy Measurement (BAM) survey.

**Notes:** [r] = revised

<sup>11</sup> The FYs 2020-2022 results for Lower Authority Appeals Promptness were significantly impacted due to the unprecedented increase in claim volume and other factors related to the impact of COVID. As a result, the FY 2023 target was revised accordingly as states work to meet the Acceptable Level of Performance (ALP) for Lower Authority Appeals Promptness. The ALP that states are expected to meet is 60 percent and is in regulation (see Standard for Appeals Promptness — Unemployment Compensation at 20 CFR part 650).

## **Strategic Goal 4: Statistical Goal – Produce Gold-Standard Statistics and Analyses**

### **Strategic Objective 4.1**

Provide timely, accurate, and relevant information on labor market activity, working conditions, price changes, and productivity in the U.S. economy.

**Agency Driving this Objective** (select the hyperlink to learn more about this agency)

[Bureau of Labor Statistics](#) (BLS)

BLS supports public and private decision making by publishing measures of labor market activity, working conditions, price changes, and productivity in the U.S. economy.

BLS adheres to a set of values and principles that guide it in fulfilling its mission, including:

- Executing its mission with independence from partisan interests;
- Striving to meet the needs of a diverse set of customers for accurate, objective, relevant, timely, and accessible information;
- Protecting the confidentiality of its data providers;
- Employing innovative methods to keep pace with the rapidly-changing economy; and
- Hiring and maintaining a professional, highly-skilled workforce and being good stewards of the taxpayers' money.

#### **FY 2022 Strategic Review Summary of Progress** (Noteworthy Progress)

Findings for this objective were grouped into three themes: BLS Headquarters Move, Departmental Priorities, and BLS Response Rates and Products. Evidence of progress included outreach regarding demographic data, efforts to improve workforce diversity, and program performance. BLS continues to identify and overcome challenges identified in the headquarters relocation and hiring process.

#### BLS Headquarters Move

BLS is working with the General Services Administration (GSA) and other stakeholders to relocate its National Office Headquarters to the Suitland Federal Center to be co-located with Census and the Bureau of Economic Analysis. The relocation of the BLS National Office will utilize an approach that ensures any potential for mission disruption is minimized and leverages best practices. In addition, by maintaining a robust telework environment, the relocation will reduce the footprint of the BLS National Office Headquarters by about 50 percent compared to the Postal Square

## Strategic Goal 4

Building (PSB). In FY 2022, BLS successfully consolidated onsite workspace and vacated three floors of the PSB as further preparation for the move, while substantially complying with National Archives and Records Administration directives and upcoming deadlines on electronic recordkeeping.

### Departmental Priorities

#### *BLS: Advance Equity*

BLS works to improve the accuracy, timeliness, and relevance of existing measures and expand coverage to enhance the usefulness of its data to its customers. By engaging with its stakeholders, BLS gains a better understanding of customer needs to inform its priorities and foster greater public trust through continued transparency and improved clarity of methods. Additionally, in support of the Administration's priorities, BLS continues to assist agencies in determining the availability and use of BLS data for equity planning, action development, and tracking. In FY 2022, BLS expanded the amount of demographic detail on labor market status available on a monthly basis. BLS will continue to make its stakeholders aware of the considerable demographic data it has on black workers and other demographic groups, with detail on employment, wages, consumption patterns and other factors, which can inform equity initiatives.

In alignment with the Administration's goals of advancing diversity, equity, inclusion, and accessibility, BLS is expanding and diversifying its recruitment channels, sponsoring special emphasis programs, and working with state partners to highlight inequalities in labor market outcomes.

#### *BLS: Hiring*

In alignment with the Administration's goals of recognizing the value of the federal workforce:

- BLS utilizes mass hiring vehicles to the extent possible, such as the Pathways program, to acquire entry-level talent with up-to-date skills in the most efficient manner.
- BLS is piloting Data Science training courses and is participating in government-wide Data Science training opportunities.
- Other activities include creating a hybrid work environment for the BLS National Office, fostering an innovation culture, supporting staff training and development, offering leadership development programs, providing speed mentoring to staff, and sharing information on free training and other career development opportunities.
- BLS will continue to actively participate in recruitment activities such as outreach to targeted college campuses, speaker engagements, classroom visits, and career fair opportunities. Moreover, we will continue to identify and disseminate job opportunities to a diverse list of organizations.

Despite experiencing a brisk pace of attrition, BLS exceeded its hiring goal for FY 2022, by ending the FY with 2,301 onboards, which was 14 above the goal.

## Strategic Goal 4

### BLS Response Rates and Products

BLS is exploring different sampling method designs that would potentially allow more targeted and efficient data collection. BLS continues to rely on collection via the telephone, videoconferencing, online, and non-traditional sources of data in tandem with its in-person data collection efforts. In FY 2022, BLS released more than 2 million data series, which along with other information on the website, were viewed on the BLS website roughly 15 million times on average per month. BLS produces various estimates and indexes, including the Consumer Price Index, which is the nation's principal gauge of inflation, and the Employment Situation, which includes Current Employment Statistics, a survey that measures employment, hours, and earnings by industry and geography from the payroll records of employers. In FY 2022, BLS was largely successful in achieving its objective of producing timely, accurate, and relevant data for these and all of its Principal Federal Economic Indicators.



## BLS Performance Goal 4.1 – Provide timely, accurate, and relevant information on labor market activity, working conditions, price changes, and productivity in the U.S. economy.

BLS is the principal federal statistical agency responsible for measuring labor market activity, working conditions, price changes, and productivity in the economy. Its mission is to collect, analyze, and disseminate some of the nation’s most sensitive and important economic data to support public and private decision-making. BLS executes its mission with independence from partisan interests while protecting the confidentiality of data providers and strives to meet the needs of a diverse set of customers for accurate, objective, relevant, timely, and accessible information and analysis. BLS serves the general public, the U.S. Congress, DOL and other federal agencies, state and local governments, and business and labor. Policies and decisions based on BLS data affect virtually all Americans, and the wide range of BLS data products is necessary to fulfill the diverse needs of a broad customer base.

BLS is committed to maintaining the highest level of scientific integrity in producing official statistics. BLS complies with the Statistical Policy Directives and the Standards and Information Quality Guidelines from OMB, as well as the National Research Council’s *Principles and Practices for a Federal Statistical Agency*. Together, these form the foundation for achieving and maintaining scientific integrity within and among the principal statistical agencies. BLS also conforms to the conceptual framework of the Interagency Council on Statistical Policy’s quality dimensions. BLS also measures the timeliness, accuracy, and relevance of its Principal Federal Economic Indicators (PFEIs) and accessibility of and customer satisfaction with accessing its statistical products. These criteria are common among statistical agencies because they represent critical aspects of a statistical program’s performance. Using these common concepts as a basis for measuring and reporting on statistical agency outcomes helps inform decision-makers more consistently about the performance of statistical agencies.

BLS is committed to supporting the President’s Management Agenda of strengthening and empowering the Federal workforce; delivering excellent, equitable, and secure federal services and customer experience; and managing the business of Government to build back better. BLS data support the President’s priority of providing evidence and supporting evaluation activities, consistent with the Foundations for Evidence-Based Policymaking Act. Furthermore, by producing gold-standard statistics and analyses, BLS supports the Secretary’s vision for the Department of Labor to empower workers morning, noon, and night. BLS also publishes data on demographic groups in the U.S. economy, including information on employment, wages, workplace safety, and consumption patterns, which can inform efforts to advance equity.

### **Analysis and Future Plans**

The following table shows BLS success in achieving its objective of producing timely, accurate, and relevant data for its PFEIs in FY 2022. The table also shows that BLS achieved its commitment to ensure that BLS data are available on the website. As of May 2022, BLS no longer is using

#### Strategic Goal 4

the Verint Experience Index to measure customer satisfaction with the BLS website and is exploring other options to measure customer satisfaction. Once a new vendor is identified, BLS will establish a full-year baseline result and set future targets accordingly.

BLS continued releasing objective statistics and analyses that are accurate and released on time and updated the information it collects and studies to remain relevant in describing the dynamic U.S. economy. BLS continued to re-engineer its data sources and collection methods to balance the production of high-quality products while lessening respondent burden and survey cost. Also, consistent with the Administration's initiative to advance equity, BLS highlighted and directed stakeholders to publicly-available BLS data sets that describe various demographic groups in the U.S. economy.

BLS will continue to offer alternative response modes to reduce the burden and in-person interactions associated with collecting data from businesses and households. Alternatives include collection over the telephone, videoconferencing, expanded electronic data interchange collection, as well as expanded use of corporate, administrative, and other large data sets from non-traditional sources that could complement and supplement directly-collected data. BLS plans to continue these innovations in tandem with in-person data collection.

In FY 2022, BLS began publishing labor force estimates for American Indians and Alaska Natives, Native Hawaiians and Other Pacific Islanders, and People of Two or More Races on a more frequent basis, with key economic metrics, including the unemployment rate, employment-population ratio, and labor participation rate, now published on a monthly basis.

Also, in FY 2022, BLS continued the development of a new Contingent Worker Supplement (CWS) to the Current Population Survey to be collected in FY 2023. The CWS will include information on the number and demographic characteristics of workers in contingent jobs (that is, jobs that are structured to be temporary) and in alternative employment arrangements, such as independent contractors, on-call workers, temporary help agency workers, and platform workers. These additional data will allow policymakers, stakeholders, and researchers to track trends in contingent work by demographic characteristics, and to examine emerging types of work arrangements.

In the upcoming years, BLS will continue to release new products in response to the needs of its stakeholders and data users. In FY 2023, the International Price Program (IPP) will launch activities to integrate administrative trade data for homogeneous product areas into its news releases. In addition, CPI will continue to improve the collection of the CPI Housing Survey by providing new functionality that will increase the quality of the data collected and provide an incremental step towards respondent self-reporting, which may reduce respondent burden and improve response rates. Also, in FY 2023, the Occupational Safety and Health Statistics program will continue a two-year cycle for collecting detailed case characteristics for occupational injuries and illnesses that result in either days away from work or days of job transfer or restriction. These data will be available for all industries using a new sampling methodology that will enable this expansion without an increase in annual sample size.

Strategic Goal 4

BLS – Provide timely, accurate, and relevant information on labor market activity, working conditions, price changes, and productivity in the U.S. economy.

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2018	FY/PY 2019	FY/PY 2020	FY/PY 2021	FY/PY 2022	FY/PY 2023	FY/PY 2024	What Worked	What Didn't Work	Program Performance Improvement Plan
Percentage of timeliness targets achieved for the Principal Federal Economic Indicators (PFEIs)	Target	100%	100%	100%	100%	100%	100%	100%	BLS released all of its PFEI news releases on schedule.	--	--
	Result	100%	100%	100%	100%	100%	--	--			
	Status	Y	Y	Y	Y	Y	--	--			
Percentage of accuracy targets achieved for the PFEIs	Target	100%	100%	100%	100%	100%	100%	100%	BLS met all of its underlying PFEI accuracy targets.	--	--
	Result	85%	100%	100%	95%	100%	--	--			
	Status	N	Y	Y	N	Y	--	--			
Percentage of relevance targets achieved for the PFEIs	Target	100%	100%	100%	100%	100%	100%	100%	--	BLS substantially achieved its relevancy targets except for the CES measure National monthly and annual series (published and unpublished) maintained and CPI measure Indexes published monthly.	BLS will evaluate and adjust its targets for FY 2024 accordingly.
	Result	88%	75%	86%	100%	71%	--	--			
	Status	N	N	I	Y	N	--	--			
Percentage of time the BLS public website is available for data dissemination <sup>12</sup>	Target	--	--	--	99.50%	99.50%	99.50%	99.50%	BLS met its target.	--	--
	Result	--	--	--	99.98%	100.00%	--	--			
	Status	--	--	--	Y	Y	--	--			

<sup>12</sup> Beginning in FY 2021, BLS tracks and highlights the availability of its data by reporting the percentage of time the BLS public website is available for data dissemination. The target of >= 99.50% reflects the BLS commitment to ensure that BLS data are available on the website for stakeholders when they need them.

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*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2018	FY/PY 2019	FY/PY 2020	FY/PY 2021	FY/PY 2022	FY/PY 2023	FY/PY 2024	What Worked	What Didn't Work	Program Performance Improvement Plan
Customer satisfaction with the BLS website through the Verint Experience Index (Mission Achievement)	Target	76	76	75	75	76	--	--	BLS continued to update the website to ensure its data products are readily accessible and meet users' evolving needs.	The result reflects the score through May 2022 when the contract with Verint expired and the measure was suspended.	BLS is exploring other options to measure customer satisfaction of the BLS website. Once a new award is made, BLS will establish a full-year baseline result and set future targets accordingly.
	Result	77	75	75	76	75	--	--			
	Status	Y	N	Y	Y	N	--	--			

**Sources:** For most cross-cutting measures, internal BLS documents. For the Availability measure, the BLS internal Quarterly Uptime Summary. For the Mission Achievement measure, the cumulative BLS website Verint score for the FY.

## **Management Goal: A Department Grounded in Innovation, Evidence, and Employee Engagement**

### **Management Objective M.1**

Drive innovation in administrative, management, and financial services.

**Partner Agencies Driving this Objective** (select the hyperlink to learn more about each agency)

[Office of the Assistant Secretary for Administration and Management](#)(OASAM)

[Office of the Chief Financial Officer](#) (OCFO)

Administration, management, and financial services are the backbone of the Department of Labor, providing the critical infrastructure required to support the Department's core mission work. Ensuring these services are operating efficiently allows for more resources to go toward the programs that impact America's workers.

OASAM and the OCFO are focusing on improving service delivery through modern, streamlined processes and IT infrastructure. OASAM and OCFO are working together to implement programs which promote fiscal integrity and the effective and efficient use of resources, optimize DOL's administrative services, and modernize Information Technology systems. This work builds on the FY 2020 transition from multiple services providers to centralized functions for human resources, IT, procurement, and personnel security respectively.

OASAM supports the President's Management Agenda's (PMA) Priority 2, Delivering excellent, equitable, and secure Federal services and customer experience by:

- Improving the service design, digital products, and customer-experience management of Federal [High Impact Service Providers](#) by reducing customer burden, addressing inequities, and streamlining processes; and
- Identifying and prioritizing the development of Federal shared products, services, and standards that enable simple, seamless, and secure customer experiences across High Impact Service Providers.

OASAM and OCFO support the PMA's Priority 3, Managing the Business of Government to Build Back Better and the associated strategies:

- Foster lasting improvements in the Federal acquisition system to strengthen the U.S. domestic manufacturing base, support American workers, lead by example toward sustainable climate solutions, and create opportunities for underserved communities; and

## Management Goal

- Build capacity in Federal financial management and through Federal financial assistance to catalyze American industrial strategy, address climate-related risks, and deliver equitable results.

### **FY 2022 Strategic Review Summary of Progress** (Adequate Progress)

Findings for this objective were grouped into two themes: Customer Service and Enabling the Department to Perform its Mission. Evidence of progress included implementation of shared services, financial management, and process improvement. Challenges were identified in implementing new cybersecurity requirements.

#### Customer Service

##### *OASAM: Shared Services*

Beginning in FY 2020, client agencies had the opportunity to provide performance feedback for key shared services leaders in human resources, information technology, procurement, and personnel security. In FY 2022, all leaders were rated highly and received at least 4.5 out of 5 from agencies in either of the FY 2022 surveys. In FY 2022, all four shared services providers received at least a rating of 4.16 out of 5 in both of the FY 2022 OASAM Customer Satisfaction surveys.

##### *OCFO: Cancelled Appropriation Reduction*

OCFO works with agencies to reduce the amount of their cancelled appropriations. Once cancelled, these funds are no longer available for obligation or expenditure and are returned to the U.S. Department of Treasury. In FY 2022, DOL agencies reduced cancelled discretionary appropriation to 1.54 percent, compared to 1.85 percent in FY 2021.

#### Enable the Department to Perform its Mission

##### *OASAM: Secure IT Infrastructure*

In FY 2022, DOL continued to enhance the cybersecurity program by implementing enterprise-wide solutions to enhance encryption, multifactor authentication, information technology asset management, and incident response and monitoring. These cybersecurity enhancements helped DOL in FY 2022 to experience zero cybersecurity incidents that resulted in compromise of an agency information system. In addition, DOL scored an ‘A’ in six of seven categories on the Federal Information Technology Acquisition Reform Act (FITARA) 14.0 Scorecard (July 2022).

Recently, OIG assessed the maturity level (from Level-1 to Level-5) of DOL’s cybersecurity program in five function areas. DOL was rated a Level-4 “Managed and Measurable” in one, a Level-3 “Consistently Implemented” in three areas, and a Level-2 “Defined” in one.

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There is risk in OASAM's ability to implement the requirements under Executive Order (EO) 14028, Improving the Nation's Cybersecurity. While the Department has already made fundamental progress in building towards Zero Trust Architecture, specifically having focused on capabilities such as Identity, Device, Data, and Network, without additional funding, its progress will be slowed. Zero Trust architecture and capabilities require a substantial shift in strategy, technology, and implementation, all of which demand a complementary shift in resources. The Department will continue to experience a higher level of risk until it is able to secure resources to implement the requirements under the EO. The Administration has requested \$44.8 million in the FY 2024 President's Budget to mitigate this risk.

### *OASAM: Promote and Implement Innovation*

OASAM completed an ambitious improvement agenda in FY 2021 and FY 2022, piloting enterprise-wide process improvements across OASAM. Below are most successful initiatives:

- In FY 2021, as a pilot, OCIO launched three Robotic Process Automation (RPA or Bots) to automate manual processes within the acquisition lifecycle. For example, the Bots reduced the cycle time of the market research process from 8-16 hours to 5-13 hours and the time to create a Letter of Intent from 45 minutes to <5 minutes. In FY 2022, OCIO established the RPA Center of Excellence, centralizing infrastructure and governance to host many Bots across the organization. By the end of FY 2022, OCIO had launched and maintained 11 additional bots, saving an annual total of 4286.86 hours and \$220,618.87 in cost avoidance.
- In FY 2021, OCIO developed and implemented improved guidance, a tracking system, and an automated report using open data, open-source software, and Bots to improve compliance with the Paperwork Reduction Act (PRA). In FY 2022, 86% of DOL's Information Collection Requests (ICRs) were submitted to OMB at least 30 days before expiration (an increase of 65% over FY 2021) and 55% of DOL's ICRs were submitted to OMB 60+ days before expiration, as required by the PRA statute (an increase of 150% over FY 2021).
- In FY 2021, OHR streamlined the separation clearance process by reducing the opportunity for errors and improving accountability.
- In FY 2021, OHR launched the Department's new automated system for establishing, maintaining, and tracking telework agreements for employees and managers.
- In FY 2021, OHR stood up the new Concierge Portal, a one-stop-shop for all DOL staff to find HR information.
- In FY 2021 and FY 2022, OHR engaged leaders and employees, examined demographic data, identified challenges, and utilized data-driven approaches to develop the Department's DEIA Strategic Plan.
- In FY 2021 and FY 2022, OHR conducted a series of events focusing on specific topics for managers and supervisors: ER Unplugged from Employee Relations and Division-specific Empower Hour events.
- In FY 2021, PMC streamlined the memorandum of understanding form and process, resulting in increased customer satisfaction ratings.

### *OCFO: New Core Financial Management System (NCFMS) Upgrade*

OCFO continues to make improvements on the core financial system, New Core Financial Management System (NCFMS). Based on findings from a DOL-issued Request For Information, OCFO upgraded NCFMS to Oracle 12.2 (which includes software enhancements to support G-invoicing

## Management Goal

implementation). Additionally, OCFO continues to engage OMB, GSA, and Treasury on shared services and the future of government-wide financial management through working groups and review.



## OASAM Performance Goal M.1 – Optimize the Department of Labor’s enterprise services.

OASAM works to enhance the customer experience of its human resources, information technology, procurement, and other primary customer-facing services by streamlining administrative services to improve the efficiency and quality of service delivery. OASAM completed a transition of nearly all agencies’ functions for human resources, information technology, procurement, and personnel security to shared services models in FY 2020, consolidating staff and resources under one central authority respectively to increase efficiency and effectiveness.

OASAM’s OCIO provides IT leadership, products, and support for DOL. OCIO plays a critical leadership role in driving reforms in systems development, better managing technology spending, and succeeding in achieving real, measurable improvements in mission performance. OCIO provides guidance to DOL in support of government-wide directives for capital planning, IT security, information management, and enterprise architecture.

OASAM’s Office of the Senior Procurement Executive (OSPE) provides value-oriented acquisition and contracting operational support to DOL agencies to achieve their mission and departmental needs through innovative solutions while providing the highest level of customer service through leadership, guidance, and oversight of all procurement policy and services.

### **Analysis and Future Plans**

OASAM engaged with its client agencies to adequately plan for administrative services in support of their mission priorities. OASAM regularly obtained feedback from its customers through a variety of sources, including a semi-annual Customer Satisfaction Survey, semi-annual feedback on OASAM leaders, and advisory/governance board feedback.

A top priority for OCIO is to ensure maximum network availability. In FY 2022, network availability was maintained at 99.96% and will continue at 99.90% or more in FY 2023 and FY 2024. In addition, more than 3,489 virtual onboardings and off-boardings of staff were performed in FY 2022 in a manner that protects DOL network operations. The office also provided greater economies of scale, flexibility, and improved allocation of IT resources across the enterprise. The office created an inventory of prioritized legacy information systems and applications to be modernized, and performed a technical assessment for each modernization candidate, which is being used to develop a schedule for IT updates. This included updates to add simplified sign-on capabilities for systems year after year moving forward. As of the end of FY 2022, OCIO has 108 DOL applications with this capability. Maintaining a robust cybersecurity posture to protect the Department’s systems and applications continued to be a top priority. In FY 2022, OCIO closed 100% percent of cybersecurity vulnerabilities by the date identified in each Plan of Action and Milestones (POA&M) for the systems it manages.

## Management Goal

OASAM manages procurement services for the entire Department, which enables the efficient and effective procurement of goods and services, resulting in reduced procurement time, reduced cost, best value, and improved quality of goods and services procured. OSPE provides and promotes DOL-wide procurement vehicles and Best-in-Class contract solutions to leverage the government's buying power as a single enterprise. These vehicles reduce redundancy in contract actions for the same services and achieve cost savings with DOL buying power. Previously, spending under both Best-In-Class and Common Spend Under Management were measured using a dollar amount target, however in FY 2022, General Services Administration changed the measures for targets to a percentage of eligible obligations. In FY 2022, 13.72 percent of procurement obligations were Best-in-Class solutions while 63.34 percent of procurement obligations were Spend Under Management.

OSPE continued to use its proven Department-wide small business approach to the maximum extent practicable to meet and exceed its small business goals, which include contracts to small businesses, small-disadvantaged businesses, and small women-owned businesses. OSPE has met or exceeded its overall prime small business goal for the last 13 years. The percent of contracts awarded to small-disadvantaged businesses and small women-owned businesses continues to be a priority area of focus. In FY 2022, OSPE exceeded its target of 28 percent, for the percent of contracts awarded to small-disadvantaged businesses at 29.95 percent, and exceeded its goal of 5.0 percent, for contracts awarded to small women-owned businesses at 8.70 percent. In FY 2023, OSPE will continue its focus on small-disadvantaged, women-owned, and minority-owned businesses through vendor outreach sessions that assist entities interested in doing business with the government in becoming more procurement ready. Additionally, OSPE will host industry days to facilitate and foster connections between large businesses, Historically Black Colleges and Universities (HBCU), Minority Serving Institutions (MSI), and small minority-owned businesses for mentoring and partnership opportunities.

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OASAM – Optimize the Department of Labor's enterprise services.

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2018	FY/PY 2019	FY/PY 2020	FY/PY 2021	FY/PY 2022	FY/PY 2023	FY/PY 2024	What Worked	What Didn't Work	Program Performance Improvement Plan
OASAM Customer Satisfaction Survey Result	Target	--	--	--	--	Base	4	4	In Q1, 24 out of 25 agencies gave OASAM a rating of 4 or above, and in Q3 22 out of 23 agencies gave OASAM a rating of 4 or above. Ratings were relatively consistent across customer locations.	Issues with communication and responsiveness came up in survey responses across service providers.	Action items will be prepared by centers to improve on specific constructive feedback that was raised in survey responses.
	Result	--	--	--	--	4.32	--	--			
	Status	--	--	--	--	--	--	--			
Percent of contracts awarded to small businesses (SB) <sup>1</sup>	Target	36.45%	37.00%	35.00%	37.75%	37.80% [r]	37.85%	TBD	The Office of Small and Disadvantaged Business Utilization collaborates with the procurement and program activities, to hold vendor outreach sessions and strong involvement from senior leadership.	DOL exceeded its small business goals. It is important to note that in some acquisition areas there are limited opportunities for small business dollars to be awarded.	The new FY 2023 Small Disadvantaged Business Plan provides oversight for contract actions and makes recommendations to be set-aside for small businesses, as applicable.
	Result	39.01%	40.07%	40.21%	43.44%	41.18% [r]	--	--			
	Status	Y	Y	Y	Y	Y	--	--			

Management Goal

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2018	FY/PY 2019	FY/PY 2020	FY/PY 2021	FY/PY 2022	FY/PY 2023	FY/PY 2024	What Worked	What Didn't Work	Program Performance Improvement Plan
Percent of contracts awarded to small-disadvantaged businesses (SDB)	Target	5.00%	5.00%	5.00%	5.00%	28.00%	28.90%	TBD	See above.	DOL exceeded its small business goals, however, distribution of small business dollars can affect availability of dollars across other small business categories.	The new FY 2023 Small Disadvantaged Business Plan provides oversight for contract actions and makes recommendations to be set-aside for small disadvantaged businesses, as applicable.
	Result	26.01%	26.06%	27.07%	31.44%	29.95% [r]	--	--			
	Status	Y	Y	Y	Y	Y	--	--			
Percent of contracts awarded to small women-owned businesses (WO)	Target	5.00%	5.00%	5.00%	5.00%	5.00%	5.00%	5.00%	See above.	See above.	The new FY 2023 Small Disadvantaged Business Plan provides oversight for contract actions and makes recommendations to be set-aside for women-owned small businesses, as applicable.
	Result	12.56%	12.62%	12.80%	14.12%	8.70%	--	--			
	Status	Y	Y	Y	Y	Y	--	--			

Management Goal

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2018	FY/PY 2019	FY/PY 2020	FY/PY 2021	FY/PY 2022	FY/PY 2023	FY/PY 2024	What Worked	What Didn't Work	Program Performance Improvement Plan
Category Management: Cumulative percent of addressable spend through Best In Class solutions	Target	35.00%	37.00%	--	--	13.00%	12.60%	TBD	Working closely with the procurement activities and program areas on the importance of meeting this goal.	The high percentage of Job Corps spend relative to total spend presents a challenge to achieving goals. There are no Best-in-Class vehicles available for Job Corps-type requirements.	OSPE will continue to work closely with procurement and program activities to coordinate and direct, where feasible, all available spend towards Best-in-Class vehicles.
	Result	47.70%	40.65%	--	--	13.72%	--	--			
	Status	Y	Y	--	--	Y	--	--			
Category Management: Cumulative percent of common spend that is under management, aligned to category management principles	Target	--	--	--	--	56.00%	62.00%	TBD	See above.	The high percentage of Job Corps spend relative to total spend presents a challenge to achieving goals. There are no Tier 1 Spend Under Management vehicles available for Job Corps requirements.	OSPE will continue to engage with OMB on the possibility of reclassifying DOL Job Corps contracts as Tier 1 Spend Under Management vehicles.
	Result	--	31.00%	--	--	63.34%	--	--			
	Status	--	--	--	--	Y	--	--			
Percentage of Scheduled Network Availability	Target	--	--	99.90%	99.90%	99.90%	99.90%	99.90%	Ensuring continued high availability after adding new services by coordinating directly with our managed service provider.	Circumstances outside of OCIO control can affect network availability	Continue to utilize network monitoring in order to proactively address problems before they become issues that must be reacted to.
	Result	--	--	99.98%	99.96%	99.96%	--	--			
	Status	--	--	Y	Y	Y	--	--			

Management Goal

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2018	FY/PY 2019	FY/PY 2020	FY/PY 2021	FY/PY 2022	FY/PY 2023	FY/PY 2024	What Worked	What Didn't Work	Program Performance Improvement Plan
Percentage of Open Plan of Action and Milestones (POA&Ms), Assigned to OCIO-managed Information Systems, with a valid (i.e., not past due) planned finish date	Target	--	--	--	95%	95%	95%	95%	Prioritizing and closely monitoring POA&M management to reduce vulnerabilities.	The tracking processes used for managing and closing vulnerabilities was manual and time consuming.	Plan to upgrade the system which hosts authorization data to provide an automated dashboard for POA&M management.
	Result	--	--	--	100%	100%	--	--			
	Status	--	--	--	Y	Y	--	--			
Number of DOL applications with simplified sign-on capability	Target	--	--	--	--	95	120	140	Migrating applications from PING to Azure ID resulted in additional layers of security and significant cost avoidance.	OCIO is dependent on application owners committing resources to application migrations.	Continue to actively engage stakeholders in order to acquire the resources necessary to perform application migrations.
	Result	--	--	--	--	108	--	--			
	Status	--	--	--	--	Y	--	--			

**Sources:** Alchemer Web Application Survey System; Acquisition Management System; Federal Procurement Data System; CSAM (Cyber Security Assessment and Management) system; Enterprise Trouble Management System (ETMS) and Concord E-Health systems

**Notes:** <sup>1</sup>The Small Business targets are set by SBA annually; OMB had different category management measures in place for FY 2020 and FY 2021

## OCFO Performance Goal M.1 – Promote fiscal integrity and the effective and efficient use of resources through innovation.

OCFO provides financial management leadership, direction, and guidance to the Office of the Secretary of Labor and all DOL program agencies on matters arising from financial statutes, as appropriate. OCFO oversees DOL-wide accounting, financial management, and financial system, and leads DOL’s annual audit of the Consolidated Financial Statements and efforts to address findings resulting from the audit. Accurate and timely financial information demonstrates DOL’s accountability to stakeholders and facilitates data-driven operational, budget, and policy decisions. OCFO oversees DOL’s responsibility for internal controls by assisting program management in establishing and ensuring strong controls over all financial resources in DOL. OCFO leads DOL’s annual financial audit and efforts to address findings resulting from the audit.

### **Analysis and Future Plans**

OCFO leads the Department through its annual audit in which DOL’s programs, accomplishments, challenges, and management’s accountability for the resources entrusted to DOL is summarized in the Agency Financial Report. OCFO tracks the number of material weaknesses<sup>13</sup> identified through the annual audit after the conclusion of the fiscal year. There was one material weaknesses identified during the FY 2022 audit and OCFO is working to address the finding.

Additionally, OCFO provides DOL’s managers and decision makers with the financial management tools to drive high performance and accountability and to responsibly manage financial resources. A measure of spending efficiency is the “percent of discretionary appropriations cancelled after the five years period of obligation authority has expired” which tracks the amount of federal funds that are cancelled. OCFO works with agencies to reduce the amount of their cancelled appropriations. Once cancelled, these funds are no longer available for obligation or expenditure and are returned to the U.S. Department of Treasury. In FY 2022, DOL canceled 1.54 percent. Further, OCFO continued to process payments in a timely manner. It is paramount that DOL must pay invoices on time; failing to do so is a waste of taxpayer dollars.

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<sup>13</sup> The most serious of findings resulting from an audit are identified as a “material weakness” which is a deficiency, or a combination of deficiencies, in internal controls, such that there is a reasonable possibility that a material misstatement on the Department’s financial statement will not be prevented, or detected and corrected, on a timely basis.

Management Goal

OCFO – Promote fiscal integrity and the effective and efficient use of resources through innovation.

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2018	FY/PY 2019	FY/PY 2020	FY/PY 2021	FY/PY 2022	FY/PY 2023	FY/PY 2024	What Worked	What Didn't Work	Program Performance Improvement Plan
Number of material weaknesses	Target	0	0	0	0	0	0	0	OCFO continues to work with programs to find ways to strengthen controls to prevent findings by the auditors.	The pandemic created a number of programs that made reporting data a challenge. Outdated systems created backlogs which led to issues for the auditors.	To address the material weakness, OCFO has worked with the program and the auditors to create a comprehensive plan to work to eliminate the material weakness.
	Result	2	1	0	1	1	--	--			
	Status	--	--	--	--	--	--	--			
Percentage of payments made without incurring prompt payment interest	Target	95.00%	95.00%	95.00%	95.00%	98.00%	98.00%	98.00%	OCFO generates a daily report of invoices that will begin to accrue interest. Payment centers then works to ensure these invoices are paid within a timely manner.	There are minimal occurrences where contracts and/or additional funding are not approved in a timely manner and in instances where OCFO encounters system related issues that cannot be resolved timely.	To provide agencies the information necessary to make timely payments to vendors, OCFO has continued outreach y to assist with creating receipt of goods (ROGs).
	Result	99.55%	100.00%	99.22%	99.73%	99.91%	--	--			
	Status	Y	Y	Y	Y	Y	--	--			
Percent of discretionary appropriations returned to Treasury	Target	2.00%	1.95%	1.90%	1.85%	1.80%	1.80%	1.80%	In its Tri-annual certification process, OCFO works to ensure that obligations are deobligated timely. OCFO also posts a summary of balances that are set to cancel for program review.	DOL programs could do more to increase their awareness of which obligations are no longer valid and ensure the balances are deobligated and re-obligated to support the programs mission.	To provide agencies the information necessary to more effectively obligate funds, OCFO will send a regular summary of unobligated fund balances near cancellation to the program financial manager.
	Result	1.32%	1.69%	1.60%	1.85%	1.54%	--	--			
	Status	Y	Y	Y	Y	Y	--	--			

**Sources:** Agency Financial Reports; New Core Financial Management System

**Notes:** The targets for the measure "number of material weaknesses eliminated" are based on previous year independent audit findings.



## Management Objective M.2

Strengthen the Department’s commitment and capacity for evidence-based decision-making.

**Partner Agencies Driving this Objective** (select the hyperlink to learn more about each agency)

[Office of the Assistant Secretary for Administration and Management](#) (OASAM)

[Office of the Chief Financial Officer](#) (OCFO)

[Office of the Assistant Secretary for Policy](#) (OASP)

Decisions should be based on evidence – especially those that affect the employment, safety and health, and retirement and benefits security of America’s workers. The Foundations for Evidence-Based Policymaking Act (Evidence Act) outlines major government-wide reforms for making data more accessible and useful for decision-making. To meet this objective, DOL must first strengthen its internal capacity, both in ensuring transparency and availability of data, and by advancing the framework that supports the decision making process.

DOL is taking significant steps to make evidence-based decision making a part of the culture by improving the integration of budget and performance with evaluation and risk management. A strong culture of evidence-based decision making is creating improved policies and programs that support and protect America’s workers.

**FY 2022 Strategic Review Summary of Progress** (Adequate Progress)

Findings for this objective shared a single theme: Evidence Based Decision Making. Evidence of progress included Enterprise Risk Management. Challenges were identified in Department level integration of performance, budgeting, evaluation, and risk management.

### Evidence Based Decision Making

#### *Enterprise Risk Management*

OCFO, in coordination with OASAM, collaborated with agencies to stand up the Enterprise Risk Management Council (ERMC) and mature the Department’s Enterprise Risk Management (ERM) program. The ERM initiative provides senior leaders with an integrated, enterprise-wide view of risk, risk tolerances, and risk mitigation efforts to increase transparency and collaboration, reduce costs, and to more effectively manage risks to the DOL mission. DOL continues to mature its ERM program by building ERM principles into the management disciplines at DOL. Agencies within the Department have identified their top risks and have built mitigation plans to reduce risks to program objectives.

## Management Goal

### *Incorporate Budget and Performance with Evaluation and Risk Management*

OCFO and OASAM convened a workgroup of ERMC members to address the Departmental-wide risk of a lack of thorough budget justification within agency proposals. The ERMC is part of a larger effort to better integrate ERM, performance management, budget, and evaluation, for all strategic recommendations and decisions. The offices work together such that the Budget, Strategic Plan, Agency Management Plans (AMPs), Risk Profile, and Learning Agendas and Evaluations support and inform one another. Better coordination between OCFO, OASAM, and the Chief Evaluation Officer will allow the Department to pivot to Secretary priorities more quickly and better direct resources to support Secretary priorities, which will benefit Departmental execution and results.

## OASAM Performance Goal M.2 – Integrate budget and performance with evaluation and risk management to improve decision-making.

DOL is committed to improving decision-making by integrating the management disciplines of budget formulation and execution, performance management, evaluation, and risk management. OASAM's Departmental Budget Center (DBC) and the Performance Management Center (PMC) will build on past successes in integrating budget and performance disciplines. PMC and DBC will also coordinate with the recently formalized roles of the Chief Evaluation Officer and the Chief Data Officer, as well as the Office of the Chief Financial Officer, who manages the ERM function. Through integration of budget, evidence, and key risks into DOL internal management plans, DOL agencies will develop and execute strategies and activities to achieve their mission and management priorities.

### **Analysis and Future Plans**

PMC and DBC established new baseline measures for FY 2022 to improve the performance and budget processes in their respective offices. PMC rated the effectiveness of its AMPs. DBC rated the effectiveness of its Budget Formulation and Budget Execution processes.

PMC surveyed DOL agencies and asked whether they believe their AMP is effective for their Agency's strategic planning and budget execution. 64% of the survey respondents indicated that they do believe the AMP is effective. In FY 2023, PMC is striving to raise this result by working with agencies closely on AMP development and fostering an increased level of comfort around the annual performance planning process. In addition to general effectiveness feedback, PMC also collected feedback on specific elements and requirements of AMPs. The feedback collected was used to adjust the AMP requirements for FY 2023 AMP development. For example, most respondents indicated that the Operational Portfolio section of the AMP was not useful, resulting in its removal as a required section. PMC will continue collecting Agency feedback on the process and making adjustment to future planning requirements accordingly.

DBC surveyed DOL agencies to assess the budget formulation and budget execution processes at DOL. Of the agencies surveyed, 88% rated the budget formulation and budget execution processes as effective. The survey helped DBC identify strengths and areas of improvement within its work products and procedures. As a result of agency feedback to the survey, DBC implemented multiple training sessions throughout FY 2022 to better assist agencies with their understanding of budget guidance and its requirements. In FY 2023, DBC will continue to build upon agency feedback and incorporate structural improvements to the budget processes within DOL.

Management Goal

OASAM – Integrate budget and performance with evaluation and risk management to improve decision-making.

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2018	FY/PY 2019	FY/PY 2020	FY/PY 2021	FY/PY 2022	FY/PY 2023	FY/PY 2024	What Worked	What Didn't Work	Program Performance Improvement Plan
Percent of DOL agencies rating the Budget Formulation process "effective"	Target	--	--	--	--	Base	--	--	DBC received constructive feedback from agencies and, as a result, incorporated changes to the budget formulation process.	The survey was redundant as there are other Departmental surveys that can provide DBC with feedback on its budget formulation procedures.	Moving forward, DBC will utilize the biannual OASAM Customer Satisfaction survey to procure agency feedback and determine future areas of improvement.
	Result	--	--	--	--	88%	--	--			
	Status	--	--	--	--	--	--	--			
Percent of DOL agencies rating the Budget Execution process "effective"	Target	--	--	--	--	Base	--	--	DBC received constructive feedback from agencies and, as a result, incorporated changes to the budget execution process.	The survey was redundant as there are other Departmental surveys that can provide DBC with feedback on its budget execution procedures.	See above.
	Result	--	--	--	--	88.00%	--	--			
	Status	--	--	--	--	--	--	--			
Percent of DOL agencies rating Agency Management Plans "effective"	Target	--	--	--	--	Base	65%	66%	PMC hosted a series of AMP development training sessions for Agencies. These sessions were well attended and participants provided feedback that the sessions were helpful.	The FY 2022 AMP included an Operational Portfolio Section to facilitate clear planning between OASAM and DOL Agencies. Feedback received from DOL Agencies indicated this requirement was redundant.	PMC will continue to facilitate AMP development training sessions for agencies and discontinue the requirement for Agencies to include an Operational Portfolio Section in future AMPs.
	Result	--	--	--	--	64%	--	--			
	Status	--	--	--	--	--	--	--			

Sources: DBC Budget Survey; Annual Agency Management Plan Survey

## OCFO Performance Goal M.2 – Integrate risk-based decision-making to enhance the Department’s operations.

The ERM provides an enterprise-wide, strategically aligned portfolio view of organizational challenges and opportunities to more effectively prioritize and manage risks to mission delivery. DOL integrates ERM into agency operations planning, performance management, and budget processes to make strategic, risk-based decisions to make the Department more resilient, effective, and efficient. Involving risk-based decision-making in the strategic planning, organizational performance management, and budget processes enables the Department to better allocate scarce resources to address the highest priority risks, enhance performance, drive efficiencies, and promote cost savings.

### Analysis and Future Plans

OCFO, in coordination with OASAM, collaborated with agencies and the ERMC to continually mature the Department’s ERM program. The ERMC directed each component agency to identify and assess major risks to achieving their mission and goals. The ERMC continued to integrate with major management structures to feed strategic decision making. These include budget formulation and execution, development of agency learning agendas, and the development and execution of AMPs. Additionally, the ERMC directed agencies to develop risk appetite statements around their respective goals in the FY 2022-2026 DOL Strategic Plan to reinforce the connection between ERM, Performance, and Strategic Planning.

OCFO – Integrate risk-based decision-making to enhance the Department’s operations.

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2018	FY/PY 2019	FY/PY 2020	FY/PY 2021	FY/PY 2022	FY/PY 2023	FY/PY 2024	What Worked	What Didn't Work	Program Performance Improvement Plan
Percent of agencies that find that ERM practices better inform strategic and operational decision-making	Target	--	--	--	--	Base	90%	90%	Continued collaboration with OASAM and OASP on building the ERM program into the Strategic Review process.	Working through the bumps of the maturation process of the program.	Will continue to mature the program through further integration with the Strategic Review process.
	Result	--	--	--	--	90%	--	--			
	Status	--	--	--	--	--	--	--			

Sources: Enterprise Risk Management Effectiveness Survey

## OASP Performance Goal M.2 – Invest in strategic and evidence-based decision-making, policy and regulatory development.

OASP is the principal policy, regulatory, data governance, and evaluation office for the Department. To that end, OASP plays a crucial role in helping design and execute evidence-based strategies across the Department. Broadly, OASP continues to conduct new policy-relevant evaluations and research for agencies and department leadership, building a base of evidence and data for further policy development and program administration.

### **Analysis and Future Plans**

OASP worked to incorporate evidence-based strategies into the policy and regulatory development process, including conducting rigorous economic analysis to inform regulations; engaging external researchers; and producing reports, among other activities. The office also made investments in new infrastructure to increase agencies' ability to store and leverage data as a strategic tool. OASP established four new measures in FY 2022, three of which reflect the office's investment in data to better support the Department.

FY 2022 performance results centered on activities of the Chief Evaluation Office and the Office of Data Governance. This work supported implementation of the Evidence Act and implementation of the first two FAIR principles<sup>14</sup> (Findability and Accessibility) by increasing the number of data sets findable and accessible for research and through self-service systems and enhancing the utility of those data sets. During FY 2022, the Chief Evaluation Office and Office of Data Governance within OASP also led the development and release of several strategic planning documents that will guide activities and capacity building over the next several years including but not limited to a multi-year Evaluation Plan, an Evidence Building Plan, an Evidence Capacity Assessment, and an Enterprise Data Strategy.

Broad planning for FYs 2023-2024 continues this focus on evidence production and use to support Departmental decision-making. Important parts of this planning reflected in FY 2023 performance measures include updating scientific integrity processes to bolster the rigor of established policies; expanding analysis of equity in DOL programs with a focus on quality, rigor and repeatability, ensuring data are fit for purpose by conducting peer data quality reviews and enhancing location data, and ensuring data serve as a strategic asset by establishing a Departmental metadata standard and linking DOL Data Board data policy to OCIO IT management actions. The Department has also added data and evidence components to AMPs to significantly expand the ways in which these important topics are addressed and improved. This will multiply the impact of existing and prospective efforts and reinforce the link between successful capacity building for data and evidence, and successful conduct of agency mission.

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<sup>14</sup> <https://www.go-fair.org/fair-principles/>

Management Goal

OASP – Invest in strategic and evidence-based decision-making, policy and regulatory development.

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2018	FY/PY 2019	FY/PY 2020	FY/PY 2021	FY/PY 2022	FY/PY 2023	FY/PY 2024	What Worked	What Didn't Work	Program Performance Improvement Plan
Number of public data sets available through Application Programming Interface (API)	Target	--	--	--	--	56	75	100	OASP collaborated with OPA and agencies to develop a shared service for data.	--	--
	Result	--	39	39	55	56	--	--			
	Status	--	--	--	--	Y	--	--			
Percent of DOL data sets using a shared service for data validation	Target	--	--	--	--	5%	15%	30%	OASP developed location data standards, promoted data quality.	--	--
	Result	--	--	--	--	5%	--	--			
	Status	--	--	--	--	Y	--	--			
Number of short briefs published based on research/evaluation products distilling potential policy implications	Target	--	--	--	--	8	8	12	Upfront planning to produce topical and summative briefs resulted in timely, strategic distillation of complex research findings.	--	--
	Result	--	--	--	--	13	--	--			
	Status	--	--	--	--	Y	--	--			
Number of Data Sets Available for Research	Target	--	--	--	--	4	6	8	As with the other products produced as artifacts of research activities, advanced planning for producing the data	--	--
	Result	--	--	--	--	5	--	--			
	Status	--	--	--	--	Y	--	--			

Sources: OASP’s Program Direction and Support internal monitoring; Chief Evaluation Office List of Completed Studies

## **Management Objective M.3**

### **DOL as a Model Workplace**

**Agency Driving this Objective** (select the hyperlink to learn more about this agency)  
[Office of the Assistant Secretary for Administration and Management](#) (OASAM)

Many factors contributed to the Department's success in carrying out its mission during the pandemic – investments in modern technology, use of workplace flexibilities, and new and innovative approaches to conducting our work – but no factor contributed more than the dedication, perseverance, and ingenuity of the DOL workforce. As DOL seeks to turn the page on the pandemic and build America back better, DOL is capitalizing on this moment to advance the DOL's future.

The Department is rebuilding the size of its workforce after several years of decline and developing the skills and capacity of its staff. DOL is not reflexively returning to the way we worked pre-pandemic. Instead, DOL's staff is testing new ways of working, including increased workplace flexibilities and using modern technology to execute our mission. DOL is doing all of this with the overarching goal of increasing DEIA throughout the Department. As DOL harnesses the unmistakable benefits of a more diverse, equitable, inclusive, and accessible workplace, it is not only making DOL a model workplace but also setting a foundation to address inequity for our Nation's workers.

OASAM supports the PMA's Priority 1, Strengthening and empowering the Federal workforce, and the associated strategies:

- Attract and hire the most qualified employees, who reflect the diversity of our country, in the right roles across the Federal Government;
- Make every Federal job a good job, where all employees are engaged, supported, heard, and empowered, with opportunities to learn, grow, join a union and have an effective voice in their workplaces through their union, and thrive throughout their careers;
- Reimagine and build a roadmap to the future of Federal work informed by lessons from the pandemic and nationwide workforce and workplace trends; and
- Build the personnel system and support required to sustain the Federal Government as a model employer able to effectively deliver on a broad range of agency missions.



**FY 2022 Strategic Review Summary of Progress (Adequate Progress)**

Findings for this objective shared a single theme: Hiring and DEIA. Evidence of progress included developing and promoting the use of Standard position descriptions and recruitment packages to expedite hiring and the development of the DOL DEIA Strategic Plan. Challenges were identified in continuing to assist agencies with aggressive hiring goals and to meeting the Administration's DEIA goals for the federal workforce.

Hiring and DEIA

*OASAM: Hiring*

OASAM has implemented changes to improve hiring, including promoting and developing the use of standard position descriptions and recruitment packages, holding monthly strategic hiring meetings with large agencies, assisting OSHA and MSHA in addressing medical qualification requirements, obtaining approval for two direct hiring authorities from OPM, extending the non-competitive eligibility period for former Peace Corps/ VISTA volunteers, and developing Empower Hour trainings for hiring managers on topics such as recruitment, selection, and hiring authorities. After some early struggles to meet aggressive hiring goals and offset attrition, most DOL agencies met or were near meeting their end of FY 2022 hiring goals. In FY 2022, 192 Agency Standard Position Descriptions (ASPDs) and 74 Departmental Standard Position Descriptions (DSPDs) were published for standardization of Agency's recruitment packages for mass hiring efforts. Since the beginning of DOL's hiring surge in April 2021, DOL has hired more than 3,000 new staff, to include more than 800 in Q4, FY 2022. Department-wide hiring efforts have led to a net increase of 678 additional staff in FY 2022, from 14,211 staff as of October 1, 2021, to 14,889 on October 1, 2022.

*OASAM: DEIA*

Fostering a diverse, equitable, inclusive, and accessible workplace is a top priority. In FY 2022, the Department has taken action to implement Executive Order 14035 on DEIA in the Federal Workforce, including by developing a self-assessment in October 2021 and a four-year DEIA Strategic Plan in March 2022. The Department has taken steps to meet the strategies and activities outlined in the DEIA Strategic Plan including activities in the areas of data analytics, recruitment and outreach, employee engagement, and training. Some examples are provided below:

- Data analytics: OHR released the DEIA Workforce Analytics Tableau Server in FY 2022. This server is an established self-service workforce DEIA data portal for leadership that is a filterable interactive data dashboard for the following reports: hiring demographics, applicant demographics, on-board demographics, separations demographics, hires versus separations. These dashboards were built with historical information from FY 2017 to the current pay period.
- Recruitment and outreach: OHR conducted workshops and participated in job fairs for underrepresented communities. OHR also established a Recruitment and Outreach Branch in May 2022 focused on building strong partnerships with institutions and organizations reaching diverse

## Management Goal

candidates. Lastly, OHR established a network of recruitment champions within each DOL agency that will champion and expand the Department's efforts to educate the public on job opportunities.

- Employee engagement: The Assistant Secretary for Administration and Management held a series of visits to the regions that included listening sessions with the regional employees, Regional Executive Committees, and the union. DOL hosted its first virtual DEIA Employee Town Hall to highlight the strategies that we are implementing to advance equity at the Department. OHR also regularly engaged with affinity groups, held an in-person and virtual Affinity Group fair in September 2022, and organized special emphasis month events.
- Training: CRC provided training and technical assistance related to the Department's reasonable accommodations and harassing conduct policies and processes. OHR launched training for managers and supervisors on DEIA and special hiring authorities. OCIO held trainings on Section 508 compliance to ensure that staff have the skills to create accessible documents and websites.

To further facilitate the implementation of the DEIA Strategic Plan, the Secretary established Equity@DOL in December 2021. Equity@DOL is an overarching executive-level body comprised of members of the DOL community whose experience and expertise, will help ensure that a wide and inclusive range of perspectives inform the work of advancing DEIA principles within DOL.

Although adequate progress was made on advancing DEIA in FY 2022, staffing changes and resource constraints have made it challenging to meet all expectations in the near-term. OASAM will continue to leverage, existing resources, and advocate for the resources that are needed to ensure the success of this important effort. The FY 2024 President's Budget includes \$3 million for DEIA activities to address these challenges. As OASAM continues to execute the DEIA Strategic Plan, OASAM will collect more data on the effectiveness of these efforts.

## OASAM Performance Goal M.3 – DOL as a model workplace

OASAM is rebuilding the Department’s workforce by providing leadership, guidance, and technical expertise to achieve a workforce that is reflective of the American public we serve and comprised of vetted candidates for suitable character and conduct. OASAM led the development of the Department’s DEIA Strategic Plan, which outlines the values and vision for DOL’s workforce.

OASAM’s Office of Human Resources (OHR) is dedicated to providing the best-in-class Human Resources services by working with DOL agencies as partners. OHR is leading the Department’s efforts through strategic agency engagement and recruitment planning to rebuild its workforce and support the Administration’s plans to rebuild the American economy. OHR is building long-term capacity to support the Department’s recruitment and hiring through the development of strategic partnerships that will enable DOL to better reach diverse and inclusive talent pools.

OASAM’s Security Center (SC) is dedicated to ensuring a safe and secure workplace, responsible for the protection of life and property of DOL owned/leased facilities, and ensures that Federal and contract employees are suitable and/or fit for employment with DOL. Moreover, the SC is also implementing initiatives directed by the Suitability Executive Agent (the Office of Personnel Management) and the Security Executive Agent (the Office of the Director for National Intelligence), on ensuring a Trusted Workforce. The SC is also responsible for the development and maintenance of appropriate working relationships with federal, state, and local agencies that perform critical security, national security, emergency response, and law enforcement functions.

OASAM’s Civil Rights Center (CRC) is responsible for enforcing nondiscrimination, equal opportunity (EO) and equal employment opportunity (EEO) requirements for two primary populations: employees of, and applicants for employment with, DOL (through its Office of Internal Enforcement (OIE)); and the more than 40 million individuals served by the nation’s employment and workforce related service programs (through its Office of External Enforcement (OEE)). CRC also manages the Reasonable Accommodation Resource Center (RARC) to support the Department’s compliance with its obligation to provide appropriate accommodations for employees and applicants with disabilities. CRC will contribute significantly to DEIA, including internal diversity efforts by influencing recruitment practices and retention efforts to ensure equal opportunity in DOL’s workforce. Emphasis will be placed on anti-harassment prevention and response including training to establish a culture of accountability in the Department. Reasonable accommodation will be stressed so that the Department can realize the benefits of a workforce that leads in the employment of people with disabilities.

### **Analysis and Future Plans**

Specifically, OHR improved hiring outcomes and reduced burden on hiring managers, particularly for mission critical positions. Through strategic agency engagement and recruitment planning, OHR supported the Administration’s plans to rebuild the American economy and workforce. In FY 2022, DOL’s average time to hire was 96 days, despite an unprecedented hiring surge. In FY 2022, the Hiring Manager Satisfaction Index Score

## Management Goal

was 80%, up from 72% in FY 2019. OHR sought innovative ways to promote opportunities, receive DOL employees' feedback, and make data-driven decisions and approaches to recruitment. Data from the Federal Employment Viewpoint Survey has reflected an increase in employee engagement from 68% in FY 2019 to 75% in FY 2022.

In FY 2022, the Department continued to implement the Administration's post-reentry Future of Work initiative, including engagement with its collective bargaining unions and the DOL workforce to expand workplace flexibilities. The Future of Work bargaining team successfully negotiated with Unions over a six-month period on the Department's Future of Work initiatives, including the impact and implementation of DOL's Reentry and Post-Reentry Future of Work Plan. The Department established an extensive MOU that covered DOL's Flexible Work Schedules and changes thereof, Expanded Work Schedule Flexibilities, Telework and Remote Work Policy Shifts, the Creation of Future of Work Teams, and paved the way for DOL to implement TeleworkXpress.

In FY 2022, OASAM took significant steps to draft and begin implementation of the Department's DEIA Strategic Plan, to include the areas of improved data analytics, hiring authorities to support diversity outreach, student intern enrichment, Executive candidate development, and DEIA training.

- OHR built self-service, demographic dashboards in Tableau using personnel, applicant, and Fedscope data. The dashboards can be filtered by agency, as well as other demographic indicators.
- OHR established policy guidance for the Post-Secondary Student and College Graduate Hiring Authorities.
- OHR established a 10-week DOL Foundations Student Intern Enrichment Program, to include: 8 Sessions on Leadership Development, 7 Sessions - Conversations with Leadership, and 2 Sessions on IT and Technology.
- OHR revitalized the Department's SES Candidate Development Program (SESCDP), to include: obtaining OPM certification of the program in FY 2022, partnering with Department of Interior to host an immediate cohort in FY 2023, and hosting a Lunch & Learn for DOL employees to generate interest in the Senior Executive Service.
- OHR partnered with Cornell University to offer three, expert-led DEIA focused courses for DOL managers and supervisors. DOL requires managers and supervisors to enroll and virtually attend one of the three courses provided: Building Diverse Talent Pools, Adopting Inclusive Hiring Practices, and Promoting Inclusive Onboarding and Employee Success.

In FY 2023, OASAM will continue to implement activities in support of the Department's DEIA Strategic Plan, to include increasing outreach and recruitment to underserved communities, implementing paid internships and leveraging special hiring authorities and the Pathways Programs to increase the number of recruited college students and recent graduates from underserved communities to fill vacant positions, providing employee engagement and training opportunities, and analyzing data to understand our progress and identify gaps.

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In FY 2023, OASAM plans to support engaging employees in building a modernized workforce by:

- Implementing a leadership speaker series and/or “fireside chats,” to include diverse speakers to increase engagement between employees and various leaders;
- Ensuring hybrid work is successful by requiring regular telework training for employees and managers and regularly assessing workforce data to ensure telework eligibility and participation determinations are being made in accordance with agency policy and applicable law;
- Improving the use of recognition programs and incentives to reward high performers;
- Developing an on-boarding guide for OASAM managers and supervisors by leveraging OHR best practices in support of client agencies.

The SC utilized its personnel security program to ensure efficiency in the vetting process and afford transparency to client agencies. The average number of days to submit a background security investigation request to DOD decreased from 17 days in FY 2018 to 4 days in FY 2022. The average number of days to adjudicate a background investigation for suitability increased from 9 days in FY 2018 to 39 days in FY 2022, but remained below its target of 90 days. SC has decreased the average number of days to adjudicate a background investigation for national security from 17 days in FY 2020 to 2 days in FY 2022.

To further promote inclusion within the Department, CRC provided training and technical assistance to employees, managers, and supervisors on antidiscrimination and antiharassment, with a particular emphasis on the proper tools to confront and resolve incidents of discrimination or harassing conduct before they violate the law, and to hold individuals accountable for their actions. CRC continued to provide guidance and information about and facilitate the provision of reasonable accommodations for DOL employees and applicants for DOL employment with disabilities. The average days for a Reasonable Accommodation request to be successfully deployed by CRC met its target at 37 days in FY 2022.

CRC’s OIE administers DOL’s EEO complaint program, including intake, counseling, investigation, adjudication, and compliance monitoring of EEO complaints; develops and submits civil rights-related program plans and accomplishment reports; and provides training and technical assistance to DOL managers, supervisors, and employees about internal EEO matters. OIE also supports efforts designed to resolve workplace complaints and increase awareness of the EEO complaint program and the Department’s Harassing Conduct policy. In terms of compliance with regulatory processing requirements, since FY 2018, OIE has exceeded the targets on its key performance indicators, completing no lower than 98% of all investigations, EEO counseling sessions and Final Agency decisions within regulatory timeframes in any given year.

Management Goal

OASAM – DOL as a Model Workplace

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2018	FY/PY 2019	FY/PY 2020	FY/PY 2021	FY/PY 2022	FY/PY 2023	FY/PY 2024	What Worked	What Didn't Work	Program Performance Improvement Plan
Average number of days to hire a new employee	Target	80	80	80	80	80	80	80	OHR used standardized positions descriptions and vacancy packages. OHR was more efficient due to HR Shared Services, having the ability to shift staff resources to high priority recruitment efforts.	Due to the Hiring Surge, there was a large increase in mass recruitments, involving multiple grade levels and geographic locations, with the tradeoff of recruitments taking longer.	Continue to track timeframes at critical hiring milestones to determine where process improvements are necessary and promote use of standardized PDs and recruitment packages with agencies.
	Result	99	86	102	94	96	--	--			
	Status	N	I	N	N	I	--	--			
Hiring Manager Satisfaction Index Score	Target	80%	85%	85%	85%	85%	85%	85%	Improved coordination with agencies through strategic planning meetings at the agency senior leadership and Hiring Manager levels.	Hiring Managers continue to indicate some dissatisfaction with candidate pools provided to them on certificates.	Continue to educate agencies on recruitment options and strategies and ensuring specialized experience statements accurately reflect the needs of the position and recruitment effort.
	Result	74%	72%	78%	81%	80%	--	--			
	Status	N	N	I	I	N	--	--			
EVS: DOL Agency Employee Engagement Index (annual)	Target	--	--	--	--	--	76%	76%	Increased participation rate through active promotion campaign, highlighting accomplishments from Employee Engagement Action Plans. OHR analyzed 2021 data and actions to build on successes.	The FEVS survey schedule changed, making it difficult to analyze and make changes with enough time to create an impact before the next survey.	OASAM will communicate FEVS participation rates weekly to staff and provide opportunities for employees to share feedback during the year via town halls, surveys, focus groups, or other mechanisms.
	Result	68%	68%	73%	73%	75% [r]	--	--			
	Status	--	--	--	--	--	--	--			
Average number of days to submit a background security investigation request to DOD	Target	14	14	14	14	14	14	14	Leveraging systems to assign caseload and tracking timeliness	Systems need to be integrated to reduce manual touchpoints	Continue refining processes and enhancing systems to streamline processes and gain efficiencies
	Result	17	11	9	4	4	--	--			
	Status	N	Y	Y	Y	Y	--	--			

Management Goal

*Target reached (Y), Improved (I), or Not Reached (N)		FY/PY 2018	FY/PY 2019	FY/PY 2020	FY/PY 2021	FY/PY 2022	FY/PY 2023	FY/PY 2024	What Worked	What Didn't Work	Program Performance Improvement Plan
Average number of days to adjudicate a background investigation for suitability	Target	90	90	90	90	90	90	90	See above.	See above.	See above.
	Result	9	6	6	6	39	--	--			
	Status	Y	Y	Y	Y	Y	--	--			
Average number of days to adjudicate a background investigation for national security	Target	--	--	20	20	20	20	20	See above.	See above.	See above.
	Result	--	7	17	4	2	--	--			
	Status	--	--	Y	Y	Y	--	--			
Reasonable Accommodation: Average number of days for an RA request to be successfully deployed (by items)	Target	--	--	--	--	37	35	34	Worked closely with the vendors and OCIO to meet this goal.	Encountered supply chain issues that negatively impacted the time to deploy reasonable accommodations	Consider building inventory to have a few common products on hand
	Result	--	--	--	--	37	--	--			
	Status	--	--	--	--	Y	--	--			
Internal Enforcement: Percent of EEO Counseling Sessions Completed within Regulatory Timeframes	Target	95.0%	96.0%	96.0%	96.5%	96.5%	95.0%	96.5%	Effective resource planning and streamlining of processes.	Challenges in balancing resources to support the EEO work and the Department's priorities of DEIA and COVID-19 related work.	Continue streamlining process where possible.
	Result	100.0%	98.0%	99.0%	100.0%	99.5%	--	--			
	Status	Y	Y	Y	Y	Y	--	--			
Internal Enforcement: Percent of Formal EEO Investigations Issued within Regulatory Timeframes	Target	80%	88%	86%	90%	92%	90%	92%	See above.	See above.	See above.
	Result	99%	100%	98% <sup>0</sup>	100%	100%	--	--			
	Status	Y	Y	Y	Y	Y	--	--			
Internal Enforcement: Percent of Final Agency Decisions (FADs) Issued on Formal EEO Complaints within Regulatory Timeframes	Target	80%	88%	92%	92%	92%	90%	93%	See above.	See above.	See above.
	Result	98%	98%	98%	100%	100%	--	--			
	Status	Y	Y	Y	Y	Y	--	--			

**Sources:** OPM Electronic Questionnaire for Investigations Processing system. Department of Labor Online Opportunities Recruitment System; Office of Personnel Management's Chief Human Capital Officers' Managers' Satisfaction Survey; Federal Employee Viewpoint Survey. Internal Civil Rights Center Tracking systems

## Other Information

### Quarterly Reviews

To continually improve the efficiency and effectiveness of its programs, DOL uses results-based, data-driven management techniques. Each DOL agency prepares an Agency Management Plan that details the strategies and resources it will apply to reach goals and objectives at all levels of the organization. Departmental leaders review performance against those plans each quarter to monitor progress and hold agencies accountable for implementing the plans, achieving milestones, and making adjustments as needed.

This review process has focused Departmental leadership on strategic management of core functions through the use of program performance data, risk assessments, evaluations, and budgets. Identification and discussion of key measures; annual and seasonal targets; and how budgets, workload, and strategies affect results have helped clarify priorities and improve performance.

### Program Evaluations and Evidence-Building

The CEO in OASP leads DOL's evaluation agenda, working closely with agency staff to implement program evaluations to answer key questions, as detailed in the FY 2022-2023 Evaluation Plan. The results from evaluations inform policy and improve DOL's performance-based management initiatives in support of the GPRMA. Further, as described in DOL's Evidence-Building Plan for Fiscal Years 2022-2026, CEO coordinates key evidence-building activities (as per the Foundations for Evidence-Based Policymaking Act of 2018, Public Law No. 115-435). For more information, see <http://www.dol.gov/asp/evaluation/>.

### Measures Discontinued

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 2024). Under GPRMA, 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 results for measures with PY 2021 or FY 2022 targets in its FY 2021 Annual Performance Report, which was published as part of the FY 2023 CBJ in March 2022 ([www.dol.gov/dol/budget/](http://www.dol.gov/dol/budget/)).

The table below provides this information for performance measures that have since been revised, replaced, or discontinued. Results are not provided for measures that were collecting baseline data.



Measures Discontinued

Measure (Agency)	Target FY 2022 PY 2021	Result FY 2022 PY 2021	Why not included?
<b>Strategic Objective 1.1</b>			
Number of Active Registered Apprentices (ETA)	700,000	604,512[e]	Replaced this measure with a more inclusive version (Total Annual Number of Apprentices Served)
<b>Strategic Objective 2.2</b>			
Percent of initiative outreach events (WHD)	50%	69%	Replaced by Percent of outreach events of a <u>target audience size</u> associated with strategic initiatives
Percent of Complaints Processed Within Standard Timeframe (OFCCP)	88%	89%	Measure replaced with Percent of Complaints Perfected Within Standard Timeframe (15 Days) to focus on the timely disposition of complaints received.
<b>Strategic Objective 2.4</b>			
Major Case Monetary Recoveries per Major Case Staff Day (EBSA)	\$87,394	\$51,205	EBSA adjusted its performance measures for FY 2023 to reflect the decision to deemphasize (but not eliminate) TVPP investigations and to shift emphasis toward health investigations.
Non-TVPP Major Case Monetary Recoveries per Major Case Staff Day (EBSA)	\$42,189	27,386	See above.
Monetary Recoveries on Major Cases Closed per Staff Day (EBSA)	\$67,066	\$74,717	See above.
Monetary Recoveries on Non-TVPP Major Cases Closed per Staff Day (EBSA)	\$29,795	\$41,648	See above.
Monetary Recoveries on TVPP Major Cases Closed per Staff Day (EBSA)	\$179,953	\$139,066	See above.