

Draft Summary Report of the Meeting of the Wage Record Interchange System (WRIS) Advisory Group

Third Quarter 2008 Meeting

July 14, 2008 - July 15, 2008, Hilton Riverside Hotel, New Orleans, LA

Meeting Highlights

ETA Officials Welcome Participants in First In-Person AG Meeting:

John R. Beverly, Administrator, Office of Performance and Technology, Employment and Training Administration (ETA), Deputy Assistant Secretary Douglas F. Small, and Deputy Assistant Secretary Brent R. Orrell welcomed AG participants.

AG Charter Issues:

- **AG Meeting Agenda:** Draft agendas will be published by ETA at least a month in advance of scheduled quarterly AG meetings.
- **Voting by AG:** Each state will have one vote when a matter before the AG is called to a vote. That vote may be made either in person or by written proxy. A simple majority will decide a vote; a vote of the AG will not change the WRIS Data Sharing Agreement (Agreement). The AG is only an advisory body and only a unanimous vote in favor will amend the Agreement.
- **Committees:** Committees will be established on an ad-hoc basis.
- **Open Meetings:** AG meetings will be open to interested parties, although voting will be restricted to AG members.
- **Membership:** AG Members will ensure that the State Workforce Administrator in their respective state is advised of their participation as representatives of the state.

Communications: ETA's established collaborative work space will be used for WRIS communications, particularly for information sharing, collaboration, and idea exploration. ETA will forward AG members and Contacts the names and titles of the Contacts identified in the WRIS Data Sharing Agreements to ensure they are current and accurate. Future publication of WRIS traffic reports and the technical operations review to ETA's WRIS Web site was discussed.

Training: ETA will make available to states training, including webinars and written materials covering how WRIS information is processed, how WRIS works, the basics of the Data Sharing Agreement, confidentiality reviews, and incident reporting.

Topics for Future Amendments to the Agreement: The states of Oregon, Washington, and Massachusetts introduced topics to consider for amendments to the Agreement, and Massachusetts will prepare clarifying amendments to the Agreement; Oregon and Washington will work with ETA on a paper exploring issues on expanding WRIS participation to include state education agencies.

WRIS Pilot: ACS reviewed the WRIS pilot with several states that allowed sharing of WRIS data for measuring the performance of a variety of governmental programs, and several states expressed interest in renewing the pilot.

Follow Up Activities: ETA will prepare a draft Charter of AG Procedures, provide WRIS training to interested states, set up collaborative internet workspace, work with states on a paper addressing issues raised by Oregon and Washington, and explore with states a date and place for the next in-person AG meeting. States will update AG contact information.

Opening, Day 1

The Advisory Group of the Wage Record Interchange System (WRIS) was convened on Monday, July 14, 2008, at 1:30 p.m.

John R. Beverly, Administrator, Office of Performance and Technology, Employment and Training Administration (ETA), welcomed the Advisory Group (AG) members, and participants present in person and those on the conference call introduced themselves. The list of participants is included as Appendix A to this report.

Deputy Assistant Secretary Douglas F. Small provided an update on ETA efforts of the past two years toward achieving a stronger integration of performance data with budget formulation. Performance data pushes budget. Mr. Small emphasized the importance of valid and reliable data in planning employment and training activities, while acknowledging the concerns of the states over the confidentiality of their job seekers. He expressed his conviction that the new Data Sharing Agreement comes close to addressing the array of concerns of the states and pledged to work through the amendment process to satisfy any that remain.

Deputy Assistant Secretary Brent R. Orrell reviewed ETA's course of the last six years in working to create a more demand-driven system that is responsive to the needs of employers and regional economies. He emphasized the importance of being able to process the information the states supply quickly and accurately and share it with a full range of workforce system partners to use in helping workers find and advance in employment. He acknowledged the work that WRIS does to be a keystone for creating and sustaining a demand-driven workforce investment system. He said that in addition to finding ways to communicate across political and geographic boundaries, the workforce system also needs to find ways to share WRIS information with partners like community colleges, other educational institutions, and other organizations, and that ETA needs to address the legal and policy issues that surround this larger activity.

During a question and answer period with Mr. Small and Mr. Orrell, AG members from Michigan, Utah, Louisiana, and other states reported that they are getting bombarded with requests from outside the workforce investment system (educational institutions, etc.) for WRIS information. They reported that difficulty arises from state laws, regulations, and internal politics that prohibit sharing certain information in the name of confidentiality.

Mr. Beverly suggested that the AG create a roadmap for responsible information sharing between agencies and institutions that work with the workforce system. He envisioned a resolution whereby information can be kept confidential while confidentiality may not stand in the way of providing services.

Betty McGrath, North Carolina, identified data quality issues associated with WRIS information. She pointed out the problems of duplicate wage records and that some states are unable to differentiate wage data between their state and another state. She described instances where states apparently have inadvertently included other states' wage records in data supplied to the WRIS. She indicated that this has been an ongoing problem and has legal implications.

Mr. Small asked Mr. Beverly to ensure that data quality remains a high priority for the AG.

Approval of Minutes from the May 15, 2008, Conference Call

Karen Staha, Director, Division of Performance Accountability, led the review and approval of the minutes from the May 15, 2008, conference call of the WRIS Advisory Group. The minutes were approved without comment.

Discussion of the WRIS Advisory Group Charter

Mr. Beverly stated that the purpose of the charter was to provide a framework for the management of the AG. Members were referred to the charter/business protocol handout in their packets and were asked each discussion question to provide feedback and input into a charter document for ETA to prepare and disseminate to the AG for final approval.

Issues for Discussion and Resolution:

Governance

1. Who should have the primary agenda-setting responsibilities?

Members agreed to the following:

- ETA will publish a proposed agenda for review and acceptance by the AG about a month and a half before each quarterly meeting.
- Agenda items would come from follow-up of previous AG quarterly meetings, issues that may arise between meetings, and items that ETA believes would benefit the group or require consultation.
- There will be a cut-off date for agenda comments and feedback.

2. Should the AG have officers? If so, should there be a process for the election? What should be the roles and responsibilities of the officers?

The AG didn't see a need for formal officers; however, one member suggested the possibility of having federal and state co-chairpersons as a way to strengthen federal and state partnerships.

3. Should business be conducted in accordance with the principle of one state, one vote?

While the AG ultimately agreed to a “one state, one vote” provision for the charter, meeting attendees raised concerns about a variety of issues:

- How would the state’s vote be determined if there’s a disagreement between state representatives who work for different agencies with competing concerns?
- What kind of items can AG members vote on?
- How many votes are needed for an item to pass? Will passage be based on a quorum or simple majority?
- In the event that a vote passes by 50-1, but the matter is against the state law of the dissenting voter, does that mean that the dissenter’s state has to change its law?
 - ~ John Beverly clarified that there is no suggestion that the AG would seek to force a state to change its law; the AG is an advisory body only.

4. Will proxy voting be authorized when a state’s representation is not available to cast a vote?

The AG group agreed:

- To conduct voting both in-person and by written proxy.
- To decide votes by a simple majority, and
- To revisit the question of the number of members to constitute a quorum under Robert’s Rules of Order.

Committees

1. Should the Charter/Business Protocol permit organization of *ad hoc* and standing committees?
2. If so, what committees are needed?
3. How would committee membership be determined?
4. How should the roles and responsibilities of standing committees be determined?

The group agreed to include a provision for the establishment of committees on an as-needed basis.

Meeting Management

Who should be permitted to attend the meetings of the AG?

The group agreed that the AG meetings should be open to interested parties but that voting should be restricted to AG members only. Mr. Beverly requested, and the group agreed, that AG members would ensure that the State Workforce Administrator in their respective state is advised of their participation as representatives of the state.

Decision-making

1. How should the process of decision-making and proposing recommendations be managed?
2. Which issues would require a vote and which issues might be decided in some other way?

Mr. Beverly proposed that the meeting agenda highlight important items slated for a vote and include time for discussion.

Information Distribution and Communications

Greg Hitchcock facilitated a discussion of WRIS communications. The AG agreed to the following requests and recommendations, which will be integrated into the AG charter rather than formulated as a separate communications plan:

- The AG will use ETA's collaborative work space for WRIS communications, particularly for information sharing, collaboration, and idea exploration.
- ETA will sign up any AG member who wishes to receive the automatic e-mail updates from the Performance and Results/WRIS Web site.
- ETA will copy AG members on any WRIS-related items sent to state administrators and signatories.
- The AG will check the WRIS Web site to make sure state Contact information is accurate.
- ETA will forward AG members and Contacts the names and the titles of the Signatories to ensure they are correct.

The meeting was adjourned at 4:45 p.m.

Opening, Day 2

The Advisory Group was convened on Tuesday, July 15, 2008, at 8:30 a.m. Following introductions of new meeting attendees and a review of the previous day's actions, the AG engaged in a discussion of draft amendments that had been proposed to the Data Sharing Agreement.

Discussion of Draft Amendment Proposals to Data Sharing Agreement

Oregon Proposal for Discussion: Expanded definition of PACIA and broader access to the Wage Data available through the WRIS to programs authorized under the Carl D. Perkins Career and Technical Education Act of 2006 and the Adult Education and Family Literacy Act

Mr. Glen, Oregon, outlined an amendment proposal that Oregon and Washington planned to submit jointly through the amendment process. The proposal would amend the definition of "PACIA" to include other agencies and expand the programs for which PACIAs could obtain data to perform evaluations. While AG members did not object in principal to sharing data with education agencies and institutions, representatives of many states expressed concerns that their state laws may not allow or may restrict such data sharing and indicated that every state defines confidentiality differently.

Mr. Medley, Utah, expressed strong opposition to this amendment, observing that such a proposal would create a significant legal problem and have a chilling effect on employers.

Mr. Beverly and Mr. Glen agreed to convene a group to study the issues raised by the proposal, including setting boundaries to maintain confidentiality. The group is directed to draft a briefing

paper that lays out different options to help further inform discussion by the AG. ETA will provide staff support to Oregon and Washington State for this project.

Massachusetts Proposal for Discussion: Expanded Definition of Aggregate Data

Mr. Ganong, Massachusetts, outlined an amendment proposal that would revise the definition of “aggregate data” to include both individual employee and employer data. The purpose is to reinforce that employee and employer data are confidential. The AG registered its support of Massachusetts’ formally introducing this proposal under the amendment process of the Agreement.

Massachusetts Proposal for Discussion: Prohibition against Wage Data Storage on Enumerated Mobile Devices

The proposal would amend sections VIII.B.9 and VIII.C.8, to add more specific language prohibiting the maintenance of wage data on mobile devices (laptops, remote terminals, blackberries, flash drives, etc.) on the basis that they allow the data to be compromised. Several members expressed concerns. While AG members supported the intent of the proposal to secure the confidentiality of the data, they were concerned that the proposal may restrict authorized persons from effectively using the WRIS. Mr. Beverly suggested including a provision requiring that data be encrypted as a way to address AG member concerns. Massachusetts agreed to consider the informal, verbal feedback of the AG before introducing a proposal on this topic under the amendment process of the Agreement.

Massachusetts Proposal for Discussion: Legal Authority of Data Sharing Agreement

This proposal would amend Section II. of the Agreement to add references to the Social Security Act and the Internal Revenue Act of 1986 as additional legal authority for the PACIAs and SUIAs to enter into the WRIS Agreement. The AG did not express any objection to the amendment proposal.

Discussion of WRIS Training for States

Ms. Staha and Ms. Amanda Gohl of Affiliated Computer Services, the operations contractor, discussed ideas for WRIS training for states covering:

- Training that is currently available (a series of webinars and accompanying presentation materials on an introduction to WRIS, how WRIS information is processed, how WRIS works, the basics of the Data Sharing Agreement, confidentiality reviews, and incident reporting);
- Feedback that Wisconsin, Texas, Oregon, and Missouri have used the training webinars;
- ACS training of groups of states, which a teleconference participant suggested be organized by DOL region;
- Feedback that ACS should provide different levels of training based on WRIS expertise of the intended audiences;
- A request from an AG member that webinars be reviewed for unnecessary technical jargon and delivered in plain English;

- Notification that AG members should send their training needs and suggestions to WRIS@dol.gov.

Discussion on Resuming the WRIS Pilot Project

Initially, 10-12 states participated in the original WRIS pilot project. The project allowed some exchange of data between states and other entities based on the common performance measures (employment retention, average earnings, etc) for the purpose of evaluating a number of governmental programs. The pilot lasted about a year.

- Adam Leonard, Texas, suggested a design flaw in the pilot, particularly surrounding the use of a matrix that set 50 different profiles for the 50 different states which would have required considerable administrative resources for states to track.
- John Glen, Oregon, reported that Oregon participated in the pilot, but that it was able to exchange data with only a few states.
- Maine, Oklahoma, Minnesota, and Connecticut expressed interest in participating in a revamped pilot project.
- ETA will continue to explore resurrecting the pilot project and pursue alternatives to facilitate participation by more states.

WRIS Operations Contractor Report

Ms. Gohl presented a series of PowerPoint slides on technical operations review procedures for WRIS, which had been made available electronically to AG members participating offsite.

Presentation topics included:

- How WRIS works
- Distributed Data Base Index (DDBI)
- Edits in social security numbers (SSNs) in DDBI input file
- Edits to SSNs in request files
- Edits to response records
- WRIS clearing house security
- DDBI input schedule
- WRIS traffic reports
- WRIS usage comparison
- WRIS security procedure enhancements
- WRIS enhancements
- WRIS common measures pilot (currently on hold)
- WRIS processing network
- WRIS processing schedules

An Advisory Group member expressed concern about posting some of the data contained in the WRIS traffic reports and the technical operations review presentation to the WRIS Web site. ETA agreed to not post the presentation and the WRIS monthly traffic reports on the Web site at this time and to research the issue of website publication for the AG.

Additional Business

Ms. Staha invited suggestions for the next in-person meeting, mentioning a performance conference as a possible venue. The next meeting date and time will be determined at a later date.

Ms. Staha concluded the meeting summarizing activities to be completed in the coming months:

- Drafting a charter
- Drafting a paper clarifying the Oregon/Washington proposed amendment
- Providing WRIS training to interested states
- Updating state points of contact on the WRIS Web site

Adjournment

Mr. Beverly thanked AG members for their participation and asked AG members to contact him or Ms. Staha if they have questions or concerns. He reminded members that ETA has established an e-mail address for WRIS matters: WRIS@dol.gov. The meeting was adjourned at 11:35 a.m.

Appendix A: Participants in the Meeting

Attendees on site

Last Name	First Name	State
Adams	Kevin	Kentucky
Beverly	John R.	ETA
Blair	Donna	District of Columbia
Dawson	Craig	Maine
Edwards	Phyllis	Arkansas
Eller	Jon	Oklahoma
Farmer	Tammy	Alabama
Glen	John	Oregon
Gohl	Amanda	WRIS Operations Contractor - ACS
Hadland	Jeff	Alaska
Hazelrigg	Martha	WRIS Operations Contractor - ACS
Hellstern	Robert	Iowa
Hitchcock	Greg	ETA
Hoskins	Michael	North Carolina
Humphrey	John	San Francisco Regional Office
Jackson	Shannon	Georgia
Jones	Jemarion	WRIS ETA
Kamimura	Gary	Washington
Kelly	Dennis	Kansas
Leonard	Adam	Texas
Manry	Melanie	Kansas
McGrath	Betty	North Carolina
Medley	Mike	Utah
Mitchell	Carolyn	Maryland
Monaco	Sandy	Arkansas
Moore	Erin	Wyoming
Nazeri	Mehdi	Missouri
Orrell	Brent R.	ETA
Pierce	Jim	Montana
Rowe	Keith	Dallas Regional Office
Serum	Deb	Minnesota
Sisneros	Marian	Wyoming
Small	Douglas F.	ETA
Staha	Karen	ETA
Stenzel	Kathie	Colorado
Stevens	Linda	WRIS ETA
Strayhand	Tony	Arizona
Watson	Dave	West Virginia
Weiss	Kimberly	Rhode Island
Wright	Peter	Louisiana
Young	Elaine	Hawaii (Guest)
Zuckerman	Lois	DOL/Office of the Solicitor

Conference Call-in Participants

Last	First	State
Arentz	Eliza	Pennsylvania
Belcher	Michele	Kentucky
Bryan	Nancy	Wisconsin
Carrillo	William	Georgia
Carson	Alan	Georgia
Comstock	Heather	Delaware
Doyal	Jo	Alabama
Estlund Olson	Liza	Michigan
Findlay	Mary	Nebraska
Flowers	Clinton	Missouri
Ganong	Bob	Massachusetts
Gilkes	Danelle	Louisiana
Giurlani	Sandra	Nevada
Hersh	Frances	Ohio
Jolly	Nicholas	Connecticut
Maddux	Vicki	Ohio
McElaney	Dawn	Massachusetts
Miraglia	Gayle	New Jersey
Moses	Dave	New York
Parven	Linda	Nevada
Perez	Julie	California
Perrelli	Sante	Michigan
Pinter	Elizabeth	Illinois
Ricker	Rick	New Hampshire
Robinson	Theresa	California
Sawicz	Mary	New York
Soofoo	Frances	California
Therrien	Roger	Connecticut
Vogt	Jo-Anne	Illinois
Zahnleiter	Del	Arizona