

**SUPPORTING STATEMENT FOR REQUEST FOR OMB APPROVAL  
UNDER THE PAPERWORK REDUCTION ACT OF 1995**

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## A. JUSTIFICATION

In July 2004, the Department of Labor, Employment and Training Administration (ETA) solicited comments from the general public on the establishment of a single, streamlined reporting and recordkeeping system, formally called the ETA Management Information and Longitudinal Evaluation (EMILE) reporting system. The notice of 60-day public comment on the proposed EMILE reporting system was published in the Federal Register on July 16, 2004 (Vol. 69, No. 136, pp. 42777-42779). EMILE was designed as a comprehensive reporting structure featuring a single quarterly report format and establishing a common language to standardize data collection for program participants and employer customers. These standardized individual records included information on demographic characteristics, type of services received, and a set of common measures of outcomes defined consistently across all programs.

The proposed EMILE reporting system was designed to replace the current data collection and reporting requirements for the following 12 ETA programs: Wagner-Peyser Act Employment Service (ES), Jobs for Veterans State Grants – Disabled Veterans’ Outreach Program (DVOP) and Local Veterans’ Employment Representative (LVER) programs, Workforce Investment Act (WIA) Title IB Adult, WIA Title IB Dislocated Worker, and WIA Title IB Youth programs, National Emergency Grants (NEG), Trade Adjustment Assistance (TAA), National Farm Worker Jobs Program (NFJP), Indian and Native American Program (INA), Senior Community Service Employment Program (SCSEP), H-1B Technical Skills Training grants (H-1B), and the Responsible Reintegration of Youth Offenders (Youthful Offenders) Program.

ETA received comments from 166 unique entities, representing a variety of voices from across the nation’s workforce system (e.g., states, local grantees and workforce investment areas, national associations, and advocacy groups). ETA has reconciled these public comments and made appropriate modifications to the original EMILE, which has been re-named the **Workforce Investment Streamlined Performance Reporting (WISPR) system**.

This is a justification of the ETA request for 3-year approval of the WISPR system that will now replace the reporting and recordkeeping requirements of 7 programs: ES, Jobs for Veterans State Grants – DVOP/LVER, WIA Title IB Adult, Dislocated Worker, and Youth, TAA, and NEGs. **Attachment A** provides a revised list of the reports and record submissions to be replaced by the WISPR system.

## **A.1 Circumstances Necessitating Data Collection**

In April 2004, President Bush announced a proposal to reform the nation's workforce investment system. A key component of this proposal is to ensure that the workforce system is clearly focused on results, which will help ensure that the system's jobseeker and employer customers are effectively served. Further, the ability to describe program results clearly impacts the Administration's ability to provide Congress and the public with a better understanding of the value of the publicly-funded workforce system.

One of the key goals of the President's Management Agenda, which focuses on improving the management and performance of the Federal government, is budget and performance integration. As part of the Management Agenda, the Office of Management and Budget (OMB) and other Federal agencies developed a set of common performance measures to be applied to certain Federally-funded employment and training programs with similar strategic goals. The common measures are an integral component of ETA's performance accountability system. The value of common measures is the ability to describe in a similar manner the core purposes of the workforce system - how many people found jobs; did people stay employed; and did earnings increase.

The common measures are the key results that ETA programs strive to achieve for their customers, and that the President and OMB are interested in measuring. However, recordkeeping systems that are currently in place for ETA programs provide information on a variety of results, and include separate performance reports based on unique data definitions, instructions and submission procedures for each program. These inconsistencies have limited ETA's ability to make the most effective use of grantee data for reporting on the progress of programs to senior Departmental officials, the Administration, Congress and taxpayers. More importantly, the lack of standardized data collection and report preparation procedures imposes an unnecessary burden on grantees that seek to coordinate service delivery and integrate management information systems, particularly at the state and local levels.

The need for a comprehensive and standardized reporting system is also underscored by reviews conducted by external oversight agencies, including the Department's Office of Inspector General (OIG) and the Government Accountability Office (GAO). These oversight agencies have questioned the validity and comparability of data reported by ETA to Congress. To address these issues, ETA is using its statutory and regulatory authority to redesign and strengthen its various program performance reporting systems into a single comprehensive system, formally called the WISPR system, to replace the current reporting requirements of 7 ETA programs that currently produce 11 separate quarterly reports and record submissions. Quarterly customer satisfaction reports for the WIA and ES programs, which were originally proposed for continued collection

under the EMILE, have already been discontinued by ETA through OMB approval (February 2006) to revisions in these program reporting systems (see latest OMB notices of action on No. 1205-0420, dated 02/22/2006, and 1205-0240, dated 02/15/2006).

ETA's statutory and regulatory authority to administer job training and employment programs include provisions allowing for the requirement of performance reporting from states and grantees. Listed below are the legal and/or administrative requirements that justify the collection and reporting of data through the proposed WISPR reporting system. A copy of the exact statutory or regulatory provisions can be found in **Attachment B**.

### **Wagner-Peyser Employment Service and Jobs for Veterans State Grants**

*A. Wagner-Peyser Act sec.3(a), 29 U.S.C. 49b(a)*

"The Secretary shall assist in coordinating the State public employment services throughout the country and in increasing their usefulness by developing and prescribing minimum standards of efficiency, assisting them in meeting problems peculiar to their localities, promoting uniformity in their administrative and statistical procedures, furnishing and publishing information as to opportunities for employment and other information of value in the operation of the system and maintaining a system for clearing labor between the States."

*B. Wagner-Peyser Act sec. 3(c), 29 U.S.C. 49b(c)*

"The Secretary shall -

(2) assist in the development of continuous improvement models for such nationwide system that ensure private sector satisfaction with the system and meet the demands of job seekers relating to the system."

*C. Wagner-Peyser Act sec. 7(b), 29 U.S.C. 49f(b)*

"Ten percent of the sums allotted to each State pursuant to section 49e of this title shall be reserved for use in accordance with this subsection by the Governor of each such State to provide -

(1) performance incentives for public employment service offices and programs, consistent with performance standards established by the Secretary, taking into account direct or indirect placements (including those resulting from self-directed job search or group job search activities assisted by such offices or programs), wages on entered employment, retention, and other appropriate factors."

*D. Wagner-Peyser Act sec. 10(c), 29 U.S.C. 49i(c)*

"Each State receiving funds under this Act shall -

(1) make such reports concerning its operations and expenditures in such form and containing such information as shall be prescribed by the Secretary, and

(2) establish and maintain a management information system in accordance with

guidelines established by the Secretary designed to facilitate the compilation and analysis of programmatic and financial data necessary for reporting, monitoring and evaluating purposes.”

*E. Wagner-Peyser Act sec. 13(a), 29 U.S.C. 491(a)*

“The Secretary is authorized to establish performance standards for activities under this Act which shall take into account the differences in priorities reflected in State plans.”

*F. Wagner-Peyser Act sec. 15(e)(2)(I), 29 U.S.C. 491-2(e)(2)(I)*

“(e) State responsibilities. –

(2) Duties. – In order to receive Federal financial assistance under this section, the State agency shall –

(I) utilize the quarterly records described in section 2871(f)(2) of this title to assist the State and other States in measuring State progress on State performance measures.”

*G. Provisional Guidance on the Implementation of the 1997 Standards for Federal Data on Race and Ethnicity, Executive Office of the President, Office of Management and Budget (66 FR 3829-3831); and “Revisions to the Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity, (62 FR 58781-58790).*

## **Workforce Investment Act Title I Programs**

*A. WIA section 136*

Establishes the performance and accountability requirements for WIA Adult, Dislocated Worker, and Youth programs. The purpose of section 136 is to establish a comprehensive performance accountability system, comprised of the activities described in this section, to assess the effectiveness of states and local areas in achieving continuous improvement of workforce investment activities funded under this subtitle, in order to optimize the return on investment of Federal funds in statewide and local workforce investment activities (section 136(a)).

Further, section 136(d) outlines the minimum requirements for the WIA annual reports that states must submit to the Department of Labor. The annual reports must reflect:

- The progress of the state in achieving state performance measures, including information on the levels of performance achieved by the state with respect to the core indicators of performance and the customer satisfaction indicator;
- The progress of local areas in the state in achieving local performance measures, including information on the levels of performance achieved by the areas with respect to the core indicators of performance and the customer satisfaction indicator;

- Information on the entry by participants who have completed training services provided under section 134(d)(4) into unsubsidized employment related to the training received;
- Data on the wages at entry into employment for participants in workforce investment activities who entered unsubsidized employment, including the rate of wage replacement for such participants who are dislocated workers;
- Information on the retention and earnings received in unsubsidized employment 12 months after entry into employment;
- A description of performance with respect to the indicators of performance specified in WIA section 136(b)(2)(A) (core indicators of performance) of participants in workforce investment activities who received the training services compared with the performance of participants in workforce investment activities who received only services other than the training services (excluding participants who received only self-service and informational activities); and
- A summary of performance with respect to the indicators of performance specified in WIA section 136(b)(2)(A) (core indicators of performance) of recipients of public assistance, out-of-school youth, veterans, individuals with disabilities, displaced homemakers, and older individuals.

Sections 172, 185, and 189 provide broad authority to the Secretary of Labor to address performance and accountability issues for all programs authorized under Title I. Section 136 specifically addresses performance and accountability for the WIA Adult, Dislocated Worker, and Youth programs.

*B. WIA section 172*

Directs the Secretary to provide for the continuing evaluation of programs and activities authorized under Title I, including demonstration grants. WIA section 172(a) specifies that the evaluations must address:

- General effectiveness of such programs and activities in relation to their cost, including the extent to which the programs and activities improve the employment competencies of participants in comparison to comparably-situated individuals who did not participate in such programs and activities and, to the extent feasible, increase the level of total employment over the level that would have existed in the absence of such programs and activities;
- Effectiveness of the performance measures relating to such programs and activities;
- Effectiveness of the structure and mechanisms for delivery of services through such programs and activities;
- Impact of the programs and activities on the community and participants involved;
- Impact of such programs and activities on related programs and activities;

- Extent to which such programs and activities meet the needs of various demographic groups; and
- Such other factors as may be appropriate.

C. *WIA section 185*

Broadly addresses reports, recordkeeping, and investigations across programs authorized under Title I of the Act. The provisions of section 185:

- Require the Secretary to ensure that all elements of the information required for reports be defined and reported uniformly (WIA section 185(d)(2));
- Direct each state, each Local Board, and each recipient (other than a sub-recipient, sub-grantee, or contractor of a recipient) to prescribe and maintain comparable management information systems, in accordance with the guidelines that shall be prescribed by the Secretary designed to facilitate the uniform compilation, cross tabulation, and analysis of programmatic, participant, and financial data, on statewide, local area, and other appropriate bases necessary for reporting, monitoring, and evaluating purposes, including data necessary to comply with section 188 (WIA section 185(c)(2));
- Require that recipients of funds under Title I of WIA shall maintain such records and submit such reports in such form and containing such information as the Secretary may require regarding the performance of programs and activities carried out under Title I of WIA (section 185(a)(2));
- Compel states to submit to the Secretary, on a quarterly basis, a summary of the reports submitted to the Governor under WIA sections 185(e)(1) and 185(e)(2);
- Specify that the reports shall include information about programs and activities carried out under Title I of WIA pertaining to:
  - Relevant demographic characteristics (including race, ethnicity, sex, and age) and other related information regarding participants;
  - Programs and activities in which participants are enrolled, and the length of time that participants are engaged in such programs and activities;
  - Outcomes of the programs and activities for participants, including the occupations of participants and placement for participants in nontraditional employment;
  - Specified costs of the programs and activities; and
  - Information necessary to prepare reports to comply with section 188 and 29 CFR Part 37 (section 185(d)(1) (a-e)).

D. *WIA section 189*

Requires the Secretary to prepare and submit to Congress an annual report regarding the programs and activities carried out under Title I of WIA. The report must include:

- A summary of the achievements, failures, and problems of the programs and

- activities in meeting the objectives of WIA Title I;
- A summary of major findings from research, evaluations, pilot projects, and experiments conducted under WIA Title I in the fiscal year prior to the submission of the report;
  - Recommendations for modifications in the programs and activities based on analysis of such findings; and
  - Such other recommendations for legislative or administrative action as the Secretary determines to be appropriate.

### **Trade Adjustment Assistance Act Program**

#### *A. 20 Code of Federal Regulations (CFR) 617*

The Trade Adjustment Assistance Reform Act of 2002 (P.L. 107-210) includes provisions that require each state agency to furnish to the Secretary such information and reports and conduct such studies as the Secretary determines are necessary or appropriate for carrying out the purposes of the Act (20 CFR 617.57 and 617.61).

The TAA Reform Act of 2002 reauthorizes the TAA program through fiscal year 2007, and amended certain provisions of the Trade Act of 1974 (19 U.S.C. 2317) resulting in the following changes to the TAA program:

- Repealed NAFTA-TAA, consolidating that program into TAA (workers certified for NAFTA-TAA under petitions received before November 4, 2002, however, will continue to receive NAFTA-TAA services for as long as their eligibility lasts);
- Expanded eligibility to more worker groups, increases existing services and benefits available and provides tax credits for health insurance coverage assistance;
- Increased timeliness for benefit receipt, training and rapid response assistance;
- Legislated specific waiver provisions; and
- Established other TAA programs, such as the Alternative Trade Adjustment Assistance (ATAA) program for older workers.

### **A.2 How, by Whom, and For What Purpose the Information is to be Used**

ETA's statutory and regulatory authority to administer job training and employment programs includes provisions for the collection of performance data. States are currently required to produce separate performance reports using different forms, instructions and submission procedures for each grant. This new WISPR data collection will replace the current reporting and recordkeeping systems of 7 ETA programs with a more streamlined reporting structure that will allow for consistent, comparable analysis across ETA-funded employment and training programs. Customers, employers, Congressional leaders and other stakeholders will benefit from this new system by receiving



information about the workforce system that is timely, reliable and useful.

ETA and the Veterans' Employment and Training Service (VETS) use the data to track total participants, characteristics, services and outcomes for job seeker and employer customers. More specifically, ETA and VETS analyze the data to determine the delivery of core One-Stop employment and workforce information services within the Workforce Investment Act (WIA) framework; to study performance outcomes vis-à-vis performance measures, and state policies and procedures; and to help drive the workforce investment system toward continuous improvement of outcomes and integrated service delivery. Within ETA, the data are used by the Office of Workforce Investment, the Office of National Response, the Office of Financial and Administrative Management, the Office of Policy Development and Research, the Office of Performance and Technology, and the Office of Regional Innovation and Transformation (including the regional offices). Other DOL users include the Office of the Assistant Secretary for ETA and the Office of the Assistant Secretary for Policy. The reports and other analyses of the data are made available to the states, members of Congress, veterans' organizations, research firms and others needing information on public employment and workforce information services.

States and grantees will be expected to implement new recordkeeping and reporting requirements with available funds. The implementation of the proposed WISPR reporting requirements will better organize employer and participant data that are already being collected and help standardize the measurement of performance.

**Attachment C** contains the WISPR Data Preparation and Reporting Handbook that includes all the quarterly reporting formats and instructions as well as a full listing of the individual data elements to be collected in the Workforce Investment Standardized Record Data (WISRD). At a minimum, information collected and reported through the quarterly reports and records will be used by state and local workforce investment areas and Federal agencies for the following purposes:

1. To provide program and performance information to stakeholders including participants, businesses, taxpayers, Congress, and others;
2. To continuously improve the quality, effectiveness, and efficiency of job training and employment-based programs to job seeker and employer customers;
3. To provide management information for use in Federal program administration and oversight, including grant-specific participation, service, and outcome summaries. Selected demographic information will also be used by grantees to demonstrate compliance with equal opportunity provisions in the law, and to prepare and maintain state management reports;
4. To administer incentives or sanctions for outcomes that exceed or fall short of negotiated levels of performance on the core measures;
5. Preparation and maintenance of consumer reports on eligible training providers; and,
6. To measure compliance with the Government Performance and Results Act

(GPRA) and to assess the program using the Administration's Performance Assessment Rating Tool (PART).

Under WIA section 136(d)(3), the Secretary is required to: (a) make the information contained in the annual reports available to the general public through publication and other appropriate methods, (b) disseminate state-by-state comparisons of information, and (c) provide the appropriate congressional committees with copies of such reports. In addition, information obtained through the WISPR system will be used at the national level during budget and allocation hearings, for DOL compliance with the GPRA and other legislative requirements, and during legislative reauthorization proceedings.

### **A.3 Use of Technology to Reduce Burden**

In order to comply with the Government Paperwork Elimination Act, ETA is streamlining the collection of participant data and the preparation of quarterly performance reports to the extent feasible by providing uniform data elements and data definitions to states, and through the use of technology. All WISPR quarterly reports and records will be submitted to ETA electronically via the Internet. However, it is left to the states and local areas to decide the best technology for collecting individual case management data given their unique circumstances and resource availability.

The use of state UI wage records as the primary source of outcomes data on employment and earnings will ultimately result in decreased burden hours under the WISPR system, since grantees will be able to coordinate matching requests across programs by implementing integrated reporting. Furthermore, ETA will minimize respondent burden by continuing financial support for the operation and maintenance of the Wage Record Interchange System (WRIS), which provides for an efficient exchange of UI wage records among states to support federal performance reporting requirements. States and grantees are not charged any fees for using this automated follow-up system.

For states who currently submit individual records to ETA (e.g., WIA and TAA programs), the WISPR requirements should present little or no additional burden. However, states will need to convert from the TAPR and the WIASRD to the integrated individual record contained in the WISPR requirements, but their electronic submission process should not change. ETA does anticipate that states with no prior experience in building integrated reporting systems, particularly across WIA and ES programs, will experience a generally higher relative burden per participant record when compared to other states with more integrated case management systems. To address this burden, ETA is planning to upgrade existing data validation and reporting software for states that will import job seeker and employer customer data, check for data errors and out of parameter records, and produce all the new quarterly summary reports and records in both printable and electronic data transfer formats.

#### **A.4 Efforts to Identify Duplication**

The Department has minimized the reporting burden in the proposed WISPR system by establishing the number of data elements required commensurate with the level of resources expended and services received for each program. A very limited number of items are required for those using self-services and informational activities and other staff-assisted core services. More items are expected for those receiving intensive, training, and other needs-related services from the WIA and TAA programs. For youth, state data collection is based on the age in which the individual enters the WIA Youth Program.

Data items beyond those collected by existing program reports and individual records are needed to: (1) account for the detailed services provided by multiple agencies to help participants get and keep good paying jobs; (2) better identify overlapping and unproductive duplication of services; (3) generate comparable performance information across ETA-funded programs; (4) generate statistics on self-help and core services which have not been measured before; (5) collect participant data that are not exclusive to those who leave ETA programs; and (6) readily identify and make program changes needed to reduce fraud, waste, and abuse. Information provided through the proposed WISPR system will not be available through other data collection and report systems.

#### **A.5 Methods to Minimize Burden on Small Businesses**

The recordkeeping and reporting requirements contained in the WISPR system are addressed to state formula grant recipients and as such do not impact small businesses or other small entities.

#### **A.6 Consequences of Less Frequent Data Collection**

Both the ETA and recipient states are mandated by various program-specific legislative acts, as well as the GPRA, to establish performance standards and make available reports concerning program operations and expenditures. The inability to utilize quarterly program performance data in order to develop strategies for continuous improvement could negatively affect workforce system performance, future Congressional appropriations, and individuals who benefit from services provided through these programs.

ETA's responsibilities for reporting, oversight, and monitoring of these programs would be severely hampered because there is no other vehicle for judging program performance and participant outcomes. The agency would also be unable to submit

required information to OMB for completion of the PART. The WIA is very specific about reporting requirements and reporting frequency.

The Final Rule at 20 CFR 667.300(d) (65F.R. 49429 August 11, 2000), which governs the due date, states:

Financial reports and participant data reports are due no later than 45 days after the end of each quarter unless otherwise specified in reporting instructions. A final financial report is required 90 days after the expiration of a funding period or the termination of grant support.

Section 667.300(e)(1) contains the sanctions for failure to file timely annual reports:

A State failing to submit any of these annual performance progress reports within 45 days of the due date may have its grant (for that program or all title I, subpart B programs) for the succeeding year reduced by as much as 5 percent, as provided by WIA section 136(g)(1)(B).

Section 667.300(e)(2) continues with:

States submitting annual performance progress reports that cannot be validated or verified as accurately counting and reporting activities in accordance with the reporting instructions may be treated as failing to submit annual reports, and be subject to sanction. Sanctions related to state performance or failure to submit these reports timely cannot result in a total grant reduction of more than five percent. Any sanction would be in addition to having to repay the amount of any incentive funds granted based on the invalid report.

## **A.7 Special Circumstances for Data Collection**

These data collection efforts do not involve any special circumstances.

## **A.8 Federal Register Notice and Consultation Outside the Agency**

A Pre-clearance Notice was published in the Federal Register on July 16, 2004 (Vol. 69, No. 136, Pages 42777 thru 42779). A copy of the 60-day notice can be found under **Attachment D**. Following the 60-day comment period, the Department received written comments from 166 unique entities, including state workforce agencies and investment boards, local workforce investment areas, non-profit organizations and national associations, Native American and other tribal organizations, public interest and advocacy groups, and other private citizens and stakeholders. A summary of the

comments received and the Department's responses can be found under **Attachment E**.

The Notice announcing the reconciliation of the public comments and revisions to the original EMILE proposal, along with the re-naming of the data collection to the Workforce Investment Streamlined Performance Reporting (WISPR) system, was published in the Federal Register on November 6, 2006 (Vol. 71, No. 214, Pages 65000 thru 65001). Written comments on the proposal during this comment period were submitted directly to Office of Information and Regulatory Affairs at the OMB. A copy of the 45-day notice can be found under **Attachment F**.

### **A.9 Payment of Gifts to Respondents**

There are no special payments to respondents other than the formula funds and incentive funds provided for in the authorizing statutes.

### **A.10 Confidentiality Assurances**

ETA is responsible for protecting the confidentiality of any WISPR system data and will maintain the data in accordance with all applicable Federal laws, with particular emphasis upon compliance with the provisions of the Privacy and Freedom of Information Acts. WISPR system data will not contain any individually identifying information (e.g., Social Security Numbers). States will submit participant-level records to the Department each quarter, but they will submit them using an individual identifier, which must not include the individual's social security number.

### **A.11 Additional Justification for Sensitive Questions**

There are no sensitive questions included in the proposed data collection.

### **A.12 Estimates of the Burden of Data Collection**

The annual national burden for the WISPR system has two broad components:

- Record keeping and reporting on job openings and employer services; and,
- Record keeping and reporting on participant characteristics, services, and outcomes.

This response provides a separate burden for each component.

## **Record Keeping and Reporting on Job Openings and Employer Services**

### **1. Record Keeping and Reporting on Job Openings and Employer Services**

The burden estimate for record keeping and reporting on job openings and employer services consists of:

- a. The burden of collecting data on job openings and employer services; and
- b. The burden of preparing the Employer Services Reports for the Wagner-Peyser Employment Service, WIA Title I, and the Jobs for Veterans State Grants – DVOP/LVER programs (ETA Form 9131).

#### **a. Job Opening/Employer Services Data Collection Burden**

States must collect and maintain job opening and employer services data to prepare the Wagner-Peyser Employment Service, WIA Title I, and Jobs for Veterans State Grants – DVOP/LVER programs' Employer Services Reports. OMB previously approved an estimate for job order record keeping of one hour per state per quarter (OMB Number 1205-0001) for the data collection required to prepare the 9002 E report on job openings. Approximately three times as many data elements are required to prepare the Employer Services Reports, compared to the 9002 E report. Therefore, the state burden for collecting WISPR job opening and employer services data is estimated to be three hours per state per quarter. For 54 states and territories, this is a total annual burden estimate of 648 hours ( $54 \times 3 \times 4 = 648$ ).

#### **b. Job Opening/Employer Services Reporting Burden (ETA 9131)**

Depending on the level of systems integration, each state will submit two or three separate Employer Services Reports each quarter for the Wagner-Peyser Employment Service, WIA Title I, and Jobs for Veterans State Grants – DVOP/LVER programs. States with fully integrated reporting systems may submit a single streamlined quarterly report that covers both the Wagner-Peyser Employment Service and WIA Title I programs, and a separate report for the Jobs for Veterans State Grants – DVOP/LVER programs – this is Submission Option A as detailed in the WISPR handbook. States with separate reporting systems will submit three separate reports for the Wagner-Peyser Employment Service, WIA Title I, and Jobs for Veterans State Grants – DVOP/LVER programs – this is Submission Option B.

The quarterly reporting burden includes program run times, checking, formatting, and transmitting the quarterly reports to ETA. This estimate assumes that some portion of states will use ETA-provided software to generate the quarterly reports. The current OMB-approved burden (OMB No. 1205-0240) for preparing the 9002 E report is 20 hours per state per quarter for a report with 576 cells. The WISPR Employer Services Report

has 132 cells (less than one-quarter the size of the 9002 E); the burden for preparing this report is estimated to be 8 hours per state per quarter. Therefore, the total annual reporting burden estimate for a Wagner-Peyser Employment Service or WIA Title I Employer Services Report is 1,728 hours for the 54 states/territories ( $54 \times 8 \times 4 = 1,728$ ).

Generating the Jobs for Veterans State Grants – DVOP/LVER programs’ report would be an incremental, 25 percent increase over this amount regardless of the extent of state systems integration, because this report is a subset of the Wagner-Peyser Employment Service report. The reporting burden for the Jobs for Veterans State Grants – DVOP/LVER programs’ report is thus  $1,728 \times 0.25 = 432$  hours per year.

No data collection or reporting burden is estimated for the optional performance measures in Section D of the job opening/employer services quarterly report. Any state performance measures will be data entered.

### **Total Job Opening/Employer Services Burden Range**

The total job opening/employer services data collection and reporting burden varies by the extent to which states have integrated systems across the programs included in the WISPR. Because it is difficult to accurately determine the extent of system integration and its impact on data collection and reporting burden, an estimated burden range is provided. The low end of the burden range assumes that all of the states have integrated data collection and reporting systems and thus all of the states will use Submission Option A. The high end of the burden range assumes that none of the states have integrated systems and thus all of the states will use Submission Option B.

As shown in the following table, the burden range is from 2,808 hours to 5,184 hours, since some states have integrated data collection and reporting and other states do not. As a point of comparison, the current OMB-approved burden estimate for 9002 E data collection and reporting is 4,536 hours for one-third the number of data elements but over four times the number of report cells.

It is likely that, at present, neither the low end nor the high end estimate is definitive, but the actual burden lies somewhere within this broad range. However, it is anticipated that states will continue to move towards integration in their data collection and reporting systems, and thus the burden will move towards the lower end of the range. By PY 2011, all states will be required to report under Submission Option A, and thus the annual national burden will be at the low end of the range.

Program	Data Collection Hours Per Year	Wagner-Peyser Employment Service/ WIA Title I Reporting	Jobs for Veterans State Grants - DVOP/ LVER Reporting	Number of Reporting States	Annual National Hours	Applicable Hourly Rate	Annual National Quarterly Report Burden Dollars
Submission Option A	648	1,728	432	54	2,808	\$32.50	\$91,260
Submission Option B	1,296	3,456	432	54	5,184	\$32.50	\$168,480
Average	972	2,592	432		3,996	\$32.50	\$129,870

### **Record Keeping and Reporting on Participant Characteristics, Services, and Outcomes**

The burden estimate for record keeping and reporting on participant characteristics, services, and outcomes consists of:

- The burden of collecting data on participant characteristics, services, and outcomes;
- The burden of preparing the quarterly Workforce Investment Performance Report (ETA Form 9132); and,
- The burden of preparing the quarterly Veterans, Other Eligible Persons, and Transitioning Service Members Services Report (ETA Form 9133).

#### **2. Workforce Investment Standardized Record Data (WISRD) Participant Record Burden**

The WISRD burden considers the amount of information collected and reported on the WISRD that would not have to be collected by the states as part of their customary and usual burden to run the program. Thus the burden reflects the information collected solely to comply with the WISRD/WISPR federal reporting requirements. The WISRD estimate also does not include the burden associated with collecting and reporting information required to meet EEO requirements, which is covered under a separate burden estimate.

The WISRD burden varies by participant based on the intensity of services provided and the number of WISRD elements applicable to the participant. For example, considerably more information is reported on WIA youth than WIA adults and collecting the youth literacy, numeracy, and skill attainment elements is more burdensome than collecting



other types of data elements. On the other hand, web-based registrations and the use of wage records for measuring outcomes help to minimize the burden of data collection.

The WISRD burden also varies by the extent to which states have integrated data collection systems across the programs included in the WISRD data collection effort. Because it is difficult to accurately determine the extent of system integration and its impact on data collection burden, an estimated burden range is provided. The low end of the burden range assumes that all of the states have integrated data collection systems (Data Collection Option A). The high end of the burden range assumes that none of the states have integrated data collection systems (Data Collection Option B). It is likely that, at present, neither the low end nor the high end estimate is definitive, but the actual burden lies somewhere within this broad range. However, it is anticipated that states will continue to move towards integration in their data collection systems, and thus the burden will move towards the lower end of the range.

The WISRD data collection burden calculation uses a minutes per record estimate. The minutes per record estimate is derived from the count of WISPR data elements that are required for the record type, as well as the relative burden of collecting that data. For example, as mentioned above, it is relatively time consuming to collect each WIA youth literacy, numeracy, and skill attainment element, and there are significantly more data elements that must be collected for WIA youth than for WIA adults. Therefore, youth exiter records have relatively higher minutes per record estimates.

As shown in the following table, the low end of the data collection estimate range is 648,658 hours per year. This assumes that states have integrated data collection processes across the programs and are implementing Data Collection Option A. Therefore, overlapping elements are unduplicated in the burden calculation for each program – the minutes per record estimate for each record type reflects the fact that when a data element is required for more than one record type, it will only be collected once for a given participant.

The high end of the data collection estimate range is 781,092 hours per year. This assumes that states have separate data collection processes for WIA, Wagner-Peyser Employment Service, and TAA and are implementing Data Collection Option B. Therefore, participant characteristic (and other overlapping) elements are counted in the burden calculation for each program. The minutes per record estimate for each record type reflects the fact that when a data element is required for more than one record type, it may be collected several times for a given participant.

The average data collection estimate is then 714,875 annual national hours and \$23,233,434. By comparison, the EMILE participant SIR data collection estimate was 700,159 hours for the programs included in the WISPR. The current OMB-approved data collection burden estimates for the WIA, Wagner-Peyser Employment Service, and TAA

programs total 1,106,226 hours. This higher current burden estimate reflects a higher number of data elements than required in the WISRD, and also improved accuracy in the annual exiter counts used in calculating the burden estimate. (For example, the Program Year 2004 ES participant count is 618,000 lower than the PY 2002 count. Although the Wagner-Peyser Employment Service instituted reporting requirements in PY 2002 that were intended to reduce the over-counting of program participants, it took some time for states to fully implement these new requirements.)

Record Type	Annual National Counts	Hourly Rate	Integrated State Data Collection Data Collection Option A (Low End of Range)			Separate State Data Collection Data Collection Option B (High End of Range)		
			Minutes Per Record	Annual National Burden Hours	Annual National Burden Dollars	Minutes Per Record	Annual National Burden Hours	Annual National Burden Dollars
Adult, DW, NEG exiters	331,197	\$32.50	10.5	57,959	\$1,883,683	24.9	137,447	\$4,467,020
Youth exiters	121,251	\$32.50	45.0	90,938	\$2,955,493	63.6	128,526	\$4,177,097
ES participants	14,149,380	\$32.50	2.1	495,228	\$16,094,920	2.1	495,228	\$16,094,920
TAA exiters	50,356	\$32.50	5.4	4,532	\$147,291	23.7	19,891	\$646,445
Total	14,652,184			648,658	\$21,081,387		781,092	\$25,385,481

Annual national counts are from PY 2003 for Adult, DW, NEG, Youth, and TAA exiters, and PY 2004 for Wagner-Peyser Employment Service participants. The Wagner-Peyser Employment Service participant counts are used for burden estimation purposes because the Wagner-Peyser Employment Service just started counting exiters in PY 2005.

The hourly rate for state-run programs is the average hourly earnings for employees in state Unemployment Insurance (UI) agencies in FY 2003 (as used for FY 2003 UI budget formulation purposes).

### 3. Quarterly Workforce Investment Performance Report (ETA 9132)

The WISPR quarterly report burden includes program run times, checking, formatting, and transmitting the quarterly ETA 9132 Workforce Investment Performance Reports to ETA. The report burden also includes preparation and submission of the state's WISRD records. These estimates assume that some portion of states will use ETA-provided

software to generate the quarterly report. The basic quarterly reporting assumption is that each state will spend 25 days or 200 hours per quarter on each performance report.

The performance reporting burden varies by the extent to which states have integrated reporting systems across the programs included in the WISPR system. Because it is difficult to accurately determine the extent of system integration and its impact on reporting burden, an estimated burden range is provided. The low end of the burden range assumes that all of the states have integrated reporting systems and thus all of the states will use Submission Option A. Submission Option A, as specified in the WISPR handbook, is a single streamlined quarterly report that covers all of the workforce investment programs included in the WISPR. The high end of the burden range assumes that none of the states have integrated reporting systems and thus all of the states will use Level IV of Submission Option B. Level IV of Submission Option B, as specified in the WISPR handbook, is three separate quarterly reports for the workforce investment programs included in the WISPR.

As shown in the following table, the burden range is 43,200 annual hours if all states use Submission Option A, through 129,600 annual hours if all states use Level IV of Submission Option B (3 separate reports). By comparison, the current OMB-approved WIA quarterly report burden is 33,920 annual national hours. The EMILE quarterly summary report burden estimate was 4,180 hours for the WIA, Wagner-Peyser Employment Service, TAA program, and NEG's.

It is likely that, at present, neither the low end nor the high end estimate is definitive, but the actual burden lies somewhere within this broad range. However, it is anticipated that states will continue to move towards integration in their reporting systems, and thus the burden will move towards the lower end of the range. By PY 2011, all states will be required to report under Submission Option A, and thus the annual national burden will be at the low end of the range.

Program	Hrs. Per Year Per State	Number of Reporting States	Annual National Hours	Applicable Hourly Rate	Annual National Quarterly Report Burden Dollars
Submission Option A	800	54	43,200	\$32.50	\$1,404,000
Submission Option B, Level IV	2,400	54	129,600	\$32.50	\$4,212,000
Average	1,600		86,400		\$2,808,000

#### 4. Quarterly Eligible Veterans and Transitioning Service Members Services Report (ETA 9133)

The burden for the quarterly ETA 9133 Eligible Veterans and Transitioning Service Members (TSM) Services Report includes the local and state level tasks required to prepare and submit two reports each quarter from each state/territory on the number of veterans, other eligible persons, and TSM participants, as well as the types of services in relation to all other customers who receive services and are participating in the Wagner-Peyser Employment Service and Jobs for Veterans State Grants – DVOP and LVER programs. The two report submissions are described in further detail in the WISPR handbook. The reporting tasks include, but are not limited to, extracting data from states’ data systems for the applicable programs, formatting reports, reviewing the accuracy of the reports, and transmitting the reports electronically to ETA. The burden estimate assumes that reporting efficiencies are achieved through the use of a standardized report format across these programs, and that a portion of respondents will use ETA-provided software to generate the two quarterly reports. All information contained on these reports is readily available to the state without any unnecessary delays in data collection.

Because the two reports use the same report format and are derived from the same data set, the burden for generating the second report is an incremental increase over, rather than identical to, the burden for generating the first report. As detailed in the table below, the burden for Submission #1 is estimated to be 5 business days per state per quarter, or 160 hours per state per year. The burden for Submission #2 is estimated to be 25 percent of the burden of Submission #1, or 1.25 business days per state per quarter or 40 hours per state per year. Thus, the total burden for the two submissions is 200 hours per state per year, or 10,800 annual national hours.

Report	Hrs. Per Year Per State	Number of Reporting States	Annual National Hours	Applicable Hourly Rate	Annual National Quarterly Report Burden Dollars
Submission #1: Wagner-Peyser Employment Service	160	54	8,640	\$32.50	\$280,800
Submission #2: Jobs for Veterans State Grants – DVOP/LVER programs	40	54	2,160	\$32.50	\$ 70,200
TOTAL:	200	54	10,800		\$351,000

The following table summarizes the annual national burden for record keeping and reporting for all of the WISPR system components:

WISPR System Burden Summary

Burden Component	Annual National Burden (Hours)	Annual National Burden (Dollars)
1) Job opening/employer services data collection and reporting (average)	3,996	\$129,870
2) WISRD data collection (average)	714,875	\$23,233,434
3) Workforce Investment Performance Reports (average)	86,400	\$2,808,000
4) Veterans, Other Eligible Persons, and TSM Reports	10,800	\$351,000
Total	816,071	\$26,522,304

**Start-up/capital costs:** WISPR data collection requirements are based extensively on existing data collection requirements for the WIA, Wagner-Peyser Employment Service, and TAA programs. To a lesser extent, the WISPR reports are based on existing reports for the WIA and the Wagner-Peyser Employment Service programs. States therefore have data collection and reporting mechanisms in place that can be modified to comply with the WISPR data collection and reporting requirements. The start-up/capital costs associated with the WISPR requirements are for programming new fields on the WISRD as well as programming the WISPR quarterly report formats. Start-up costs are estimated to be approximately \$101,400 per state. This represents an estimate of one and one-half full time equivalent staff persons per state at an hourly rate of \$32.50. Multiplied by 54 states this yields a total national start-up/capital cost estimate of \$5,475,600.

**Annual costs:** The annual burden estimate for all states is approximately 816,071 hours and \$26,522,304 as detailed in the table above. The estimated cost has been calculated using an estimated hourly cost rate of \$32.50 for State staff.

### A.13 Estimated Cost to Respondents

Since the WISPR system applies to state formula grant recipients, administrative resources are provided as part of the grant to off-set staff costs associated with reporting and systems modifications. As such, there is no additional cost to respondents other than those reported in Section A.12 above.

#### **A.14 Estimates of Annualized Costs to Federal Government**

To implement the WISPR system, ETA must change its reporting infrastructure (currently the EBSS). ETA plans to develop a more comprehensive reporting infrastructure that in addition to incorporating the new WISPR report formats, program system security, program report level edit checks, and appropriate user documentation, will include data analysis and display features. A Request for Information was issued to obtain estimates for the cost of this new system. The federal government start-up/capital costs were estimated by the respondents to be in the range of \$2,000,000 to \$6,000,000. Annual maintenance of the WISPR was estimated to be between \$850,000 and \$2,800,000 per year depending on the maintenance/support strategy proposed by the respondent. Final start-up and annual maintenance costs will be determined once a Request for Proposals is issued and a vendor is selected to develop and implement the system.

ETA anticipates updating its Data Reporting and Validation Software (DRVS) to incorporate the WISPR report formats and calculations. The DRVS has been provided to states to help reduce their reporting and validation burden. The estimated cost for developing and maintaining the WISPR DRVS is \$3,000,000 for the first year and \$800,000 each succeeding year for maintenance. In addition, ETA technical assistance to states on WISPR and DRVS reporting is estimated to be approximately \$300,000 per year.

#### **A.15 Changes in Burden**

The total annual hours requested for the WISPR system information collection are 816,071 hours, which is an anticipated decrease from the current OMB-approved burden hours for the existing WIA, Wagner-Peyser Employment Service and TAA data collection and reporting systems. When combined, the current OMB-approved burden estimates total 1,175,422 hours for these three programs (excluding customer satisfaction surveys and respondent hours for the WIA Annual Report Form 9091). When compared to the original EMILE reporting system proposal, the WISPR burden estimate represents an increase from the 705,171 annual burden hours estimated for the EMILE participant, employer services, and job opening data collection and reporting estimates for the state run programs. ETA will submit an Information Correction Worksheet to reduce burden accordingly for this system.

The following table compares the burden estimates for the WISPR system; the current WIA, Wagner-Peyser Employment Service, and TAA systems; and the previously proposed EMILE system. The reduction in burden from the current reporting systems to the WISPR system reflects a large decrease in the participant data collection requirements as well as a smaller decrease in the employer services and job openings

data collection/reporting requirements. These decreases are only partially offset by an increase in participant reporting requirements.

<b>Data Collection/ Reporting Requirement</b>	<b>WISPR Burden Estimate (Hours)</b>	<b>Current OMB Approved Burden Estimate (Hours)</b>	<b>EMILE Burden Estimate (Hours)</b>
	<b>WIA, ES, TAA, NEG</b>	<b>WIA, ES, TAA</b>	<b>WIA, ES, TAA, NEG</b>
Job Opening/ Employer Services Data Collection	972 avg 648 - 1,296 range	216 (ES)	832
Job Opening/ Employer Services Reporting	3,024 avg 2,160 - 3,888 range	4,320 (ES 9002E)	
Participant Data Collection	714,875 avg 648,658 - 781,092 range	1,106,226 (WIA-604,982; ES - 492,244; TAA-9,000)	700,159
Participant Quarterly Reporting	86,400 avg 43,200 - 129,600 range	60,340 (WIA-33,920; ES - 25,920*; TAA-500)	4,180
Veterans , Other Eligibles, TSMs Quarterly Reporting	10,800	4,320 (ES 9002B)	
<b>TOTAL ANNUAL</b>	<b>816,071 avg</b>	<b>1,175,422</b>	<b>705,171</b>
<b>TOTAL STARTUP</b>	<b>168,480</b>	<b>111,280</b> (WIA-55,120; ES - 56,160; TAA-0)	<b>75,276</b>

\* For 9002 A, C, D, and VETS 200 A, B, C reports.

### **A.16 Tabulation of Publication Plans and Time Schedules for the Project**

States and territories will submit the ETA 9131, 9132, and 9133 reports on a quarterly basis to DOL within 45 days after the end of each program year quarter. Reports are due on the following dates:

<b>Report Quarter</b>		<b>Due Date</b>
1st Quarter PY	July to September	November 14
2nd Quarter PY	October to December	February 14
3rd Quarter PY	January to March	May 15
4th Quarter PY	April to June	August 14

Quarterly report data are analyzed by ETA and VETS staff. Data analysis is used to identify strategies for continuous improvement and areas where additional federal guidance is needed. DOL uses these data to prepare GPRA reports, management and budget reports, OMB's PART, and other ad hoc reports.

Each year, the Department issues an annual report summarizing program performance against the Secretary's goals. Some of the data included in the Department's annual report are generated from the ETA 9131, 9132, and 9133 reports. Additionally, ETA prepares an annual report for WIA which includes performance data on the Wagner-Peyser Act programs. To satisfy its requirements under Title 38, the VETS office publishes an annual report that focuses on services delivered by DVOP and LVER staff. The Department's annual report, ETA's WIA annual report, and VETS' annual report are submitted to Congress. All reports are available on the Internet and accessible to the general public and interested stakeholders.

### **A.17 Approval Not to Display OMB Expiration Date**

The expiration date for OMB approval will be displayed. We are not seeking approval to have this concealed.

### **A.18 Exceptions to OMB Form 83-I**

No exceptions are requested in the "Certification of Paperwork Reduction Act Submissions."



## **B. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS**

This information collection request does not contain statistical methods.

## ATTACHMENTS

Attachment A	List of WIA, Wagner-Peyser Employment Service, Jobs for Veterans State Grants - DVOP and LVER, and TAA Program Reporting Requirements to be Replaced by WISPR
Attachment B	Relevant Statutory/Regulatory Provisions
Attachment C	WISPR Data Preparation and Reporting Handbook
Attachment D	<u>Federal Register</u> Notice - EMILE
Attachment E	Summary of Public Comments/Departmental Responses
Attachment F	<u>Federal Register</u> Notice - WISPR