




August 10, 2000

VETERANS PROGRAM LETTER NO. 11-00

TO: ALL REGIONAL ADMINISTRATORS AND DIRECTORS FOR  
VETERANS' EMPLOYMENT AND TRAINING (RAVETs)  
ALL STATE EMPLOYMENT SECURITY AGENCY (SESAs)  
ADMINISTRATORS  
ALL REGIONAL ADMINISTRATORS, EMPLOYMENT AND  
TRAINING ADMINISTRATION (INFO)

FROM:   
ESPIRIDION (AL) BORREGO

SUBJECT: SESA Measures of Service for Program Year (PY) 2000  
and Evaluation of PY 1999 Performance

- I. Purpose: To provide guidance for the evaluation of SESA Performance for PY 1999 and the establishment of performance standards for PY 2000.
- II. References: Title 38, United States Code, Sections 4107 (b) and (c) [38 U.S.C., 4107(b) and (c)]; Code of Federal Regulations (CFR) Chapter 20, Sections 1001.120 and 1001.130; VPL 14-94, dated September 29, 1994; Employment and Training Handbook No. 406, Employment and Training Administration (ETA) 9002 Instructions. Special Provisions contained in the Solicitation for Grant Applications for Fiscal Years (FYs) 1998 through 2000.
- III. Rescissions: This directive supercedes VPL 2-00, dated November 22, 1999 and VPL 3-00, dated January 27, 2000.
- IV. Background: In accordance with 38 U.S.C. 4107(b) and 20 CFR 1001.120 and 1001.130, performance standards must be established to assure that each State agency "shall provide maximum employment and training opportunities to eligible veterans and eligible persons." Additionally, as required by 38 U.S.C. 4107(c), the Department of Labor must report annually to the Congress on the success of SESAs in carrying out programs for the provisions of employment and training services to meet the needs of eligible veterans and eligible persons during the last complete PY. For PY 2000, SESA compliance with these requirements will again be measured through the development of negotiated quantitative performance standards that compare the relative rates of service provided to veterans with their non-veteran counterparts.

- V. Establishing PY 2000 Measures of Service: Compliance with the provisions of Title 38 remains the impetus for continuation of negotiated quantitative performance measures for PY 2000. Reports by the SESAs comparing services provided veterans versus non-veterans will be used to indicate compliance with Federal mandates regarding service priorities for veterans. Most States may have already, after consultation with their State Director for Veterans' Employment and Training (DVET), set performance standards for PY 2000. Those standards [plans] should be reviewed to ensure compliance with this directive.

**NOTE:** VETS understands that many States are in the process of implementing new data collection and reporting systems. It is imperative, however, that in order to meet mandated reporting requirements States submit timely and accurate fiscal and programmatic reports.

For States that have not established their PY 2000 performance standards, DVETs and SESAs should meet to negotiate new performance standards. It is imperative that all standards clearly demonstrate meaningful priority of service for veterans in core labor exchange services as required by 38 U.S.C. 4107. The goals listed in VPL 14-94 continue to be the minimum acceptable standards of performance. It is possible that due to economic and labor market conditions, higher than minimum standards may be negotiated. In either case, DVETs are expected to negotiate performance standards that at least meet and/or exceed the PY 1999 accomplishments. The performance levels of all States will be identified in the Annual Report to Congress prepared pursuant to 38 U.S.C. 4107(b).

**NOTE:** In PY 2001 VETS will be developing new outcome based core indicators of performance modeled after the measurements being developed for the Public Labor Exchange system under the Workforce Investment Act. During PY 2000 DVETs will be providing the results of a pilot testing new outcome based core indicators of compliance to their State. This will allow States an early opportunity to begin developing strategies for the achievement of their PY 2001 performance measures. Although most of these outcome measures are in the current VETS Strategic plan, additional measures may be developed to help provide a clear picture of the quality of services provided to veterans in the public labor exchange system.

- VI. Evaluating PY 1999 Measures of Service: Regional Administrators for Veterans' Employment and Training (RAVETs) will base their evaluations of each SESAs performance on:

1. DVETs' assessments of all Local Employment Service Office (LESO) evaluations conducted (relative to the PY 1999 quantitative measures);
2. Review of SESA Technical Performance Narrative Summary Reports detailing the achievement or failure to meet the negotiated PY 1999 quantitative measures of performance;

3. Review of "good cause" justifications for any failure to meet PY 1999 numerical goals (these reports are due to the DVETs 30 days after the end of each PY quarter);
4. The effectiveness of any Corrective Action Plans (CAPs)

To establish a "good cause" justification, a SESA must provide empirical and verifiable data that reasonably proves the failure to meet any particular PY 1999 negotiated quantitative measure was due to factors beyond the control of the State agency. When reviewing a "good cause" explanation, VETS' staff will consider the impact that other program emphasis and workload demands had on the ability of the agency to meet the numerical indicators of compliance. If "good cause" is substantiated for failure to meet any standards, no corrective action is required. If a corrective action plan was developed prior to the end of the PY, and the agency has appropriate positive signs of improvements, the correction action plan and resultant improvement in services may be used in lieu of a separate good cause justification.

Meeting or not meeting some or all of the quantitative measures of service is generally considered to be an indicator of the adequacy of SESA services to veterans. However, in determining "good cause", or that adequate processes were in place to provide veterans with the required priority of service, LESO evaluation results will also be utilized as a factor for the annual determination required by 38 U.S.C. 4107.

If, however, it is determined that external factors were not the cause for the failure to meet any standard(s), the State must develop and implement a corrective action plan designed to achieve the required levels of performance in Program Year 2000.

VII. Actions Required:

A. Measures of Performance for PY 2000

1. By August 18, 2000 DVETs are to meet with SESA Administrators to negotiate PY 2000 performance standards as required by 38 U.S.C. 4107;
2. By August 23, 2000 DVETs will forward their SESA's negotiated performance standards to their RAVET;
3. By August 29, 2000 RAVETs will review and, if necessary, advise applicable DVETs of the need to renegotiate their performance standards with the SESA;

4. By September 8, 2000 RAVETs will advise their DVETs and SESAs of their approval of their negotiated performance standards, and forward copies of their States' standards of performance to the Chicago Regional lead Center (RLC) to the attention of Joel Delofsky;

B. Evaluation of PY 1999 Performance: Final PY 1999 Technical Performance Narrative Summary Reports that includes an explanation of success of failure to achieve the negotiated measures of service were to be submitted by the SESAs, for the period ending June 30, 2000 to the DVETs by July 31, 2000. DVETs will forward these reports to their RAVET by August 10, 2000. RAVETs must:

1. By September 1, 2000 advise SESAs that submitted an acceptable "good cause" explanation for failing to meet one or more indicators of compliance of the approval of their explanation;
2. By September 1, 2000 advise SESAs that submitted an unacceptable "good cause" explanation of the reason(s) for not being approved and the need to develop a VETS approved corrective action plan addressing their failure to meet their PY 1999 indicators of compliance, and submit the plan to their DVET within 30 days;
4. By October 29, 2000 provide a written report to the Director of the Office of Operations and Programs, through the Chicago Regional Lead Center (RLC) regarding each SESA's accomplishments. This report should identify which SESAs' achievements were satisfactory, which provided acceptable "good cause" explanations for failure to meet one or more indicators of compliance, and which were notified of the need for a CAP. A copy of all approved CAPs should be included with this report;

VIII. Inquiries: SESA questions should be addressed to appropriate DVET. DVETs will address inquiries through the RAVET to the Chicago Regional Lead Center at (312) 353-4942, or to Miguel A. Hernandez in VETS National Office at (202) 693-4708.

IX. Expiration Date: This directive expires June 30, 2001.