

II. Program-Specific Recovery Plan for Recovery.gov (Q 2.8 of Guidance)	
DOL Agency MAX ID and name: Office of Labor-Management Standards (OLMS)	
Recovery Program: Mass Transit Employee Protection Program	
Does this program align with an existing CFDA program?	No
1. Objectives:	
Program Purpose	Section 5333(b) of Title 49 of the U.S. Code requires that employee protections, commonly referred to as "protective arrangements" or "Section 13(c) arrangements" must be certified by the Department of Labor (Department) and in place, before Federal transit funds can be released to a mass transit provider. These protective arrangements ensure that the interests of employees affected by assistance shall be protected. In order to satisfy the statutory requirement of employee protections and to promote the Recovery Act's purposes, the program is committed to issuing timely employee protection certifications for these grants; thereby, avoiding the reallocation, or the lapsing, of the funds intended for the benefit of our economy.
Public Benefits	Transit projects funded under the Recovery Act will benefit the public by preserving and creating jobs, contributing to cleaning our environment through "green" purchases, retrofitting existing facilities, making additional public transportation available to more people, and helping ease fiscal problems at the state and local level. The public will benefit from this program's timely certifications of grants in that billions of dollars of Federal transit grant funds will be able to flow freely for the benefit of our economy.
2. Projects and Activities:	
Kinds and scope of projects and activities to be performed	<p>Certain categories of transit funding under the Recovery Act include Section 5333(b) requirements. In addition, the Recovery Act contains limited timeframes to obligate transit funds. The Department must issue a letter certifying that the Section 13(c) arrangements meet the requirements of the statute before the Federal Transit Administration (FTA) in the U.S. Department of Transportation (DOT) can release funds to the various transit systems around the country. The Recovery Act will invest \$8.4 billion in transportation infrastructure, facilities and equipment. OLMS expects to process an additional 800-1000 grants in FY 2009 as a result of the Recovery Act.</p> <p>In addition, OLMS is conducting outreach to the transit and labor communities to request cooperation in ensuring the speedy certification of employee protections. OLMS is also briefing transit and labor communities and FTA personnel on the employee protection program with an emphasis on Recovery Act grant processing.</p> <p>Recovery Act funding in the amount of \$391,000 in FY 2009 and \$190,000 in FY 2010 is being allocated to additional staff devoted to the following activities.</p>
Certify Protective Arrangements	OLMS receives copies of Transit Grant Applications from FTA, reviews the applications, and sends copies of the applications to the transit operator and union(s) representing mass transit employees in the service area of the transit operator – with a recommendation for the protective arrangements to be used. After receipt of a response from the operator and union(s) or if a sufficient time has elapsed, OLMS issues a

	letter certifying that the protective arrangements meet the requirements of the statute and will be applied to the immediate grant. Occasionally, this process includes the mediation of disputes between the transit system and the representatives of the employees impacted by the Federal assistance. Even when this occurs, it must be completed within the required timeframes. OLMS will issue letters certifying statutorily sufficient protective arrangements, in a timely manner, with focus on all ARRA grants.
Train Federal Staff	Re-assign and train existing FTE to meet the increased workload and timeliness goals for the Recovery Act activities.
Outreach	OLMS will conduct outreach to request the cooperation of the transit and labor communities in ensuring that our process can be completed in a timely manner, and to assist those communities and FTA in the timely processing of their responsibilities. OLMS will send mailings requesting the cooperation of the labor and transit communities, and offering the Department's assistance to FTA and those communities to ensure deadlines are met.
3. Characteristics:	
Types of Financial Awards to be used	Training; Dissemination of Technical Information; Provision of Specialized Services
Type of Recipient	Federal
Type of Beneficiary	Federal; Individual
4. Major Planned Program Milestones:	
Initial Mailing	OLMS sent outreach letters to all interested parties request cooperation in ensuring the speedy certification of employee protections.
	Completed: April 10, 2009
Follow-Up Mailing	OLMS sent a follow-up outreach letter offering the Department's assistance to all interested parties.
	Completed: April 24, 2009
Certify Protective Arrangements	OLMS must issue a letter certifying that the employee protective arrangements meet the requirements of the statute within 60 days of the receipt of an application for mass transit assistance from FTA. OLMS will issue certification letters within the 60 days in all cases (even if mediation and/or arbitration are required) including all ARRA grants.
	Expected Completion Date: September 30, 2010
Outreach	OLMS will conduct outreach on an ongoing basis to inform interested parties of the process and obtain their cooperation. These parties included transit authorities around the country receiving Recovery Act Funds, and labor unions that represent transit employees.
	Expected Completion Date: September 30, 2010

5. Monitoring and Evaluation:	
Reports on the number of grant applications received, the timeliness for processing each grant, and average processing of all grants, will be produced on a monthly basis.	
Monitoring and evaluation of those reports, with a comparison to OLMS' goals, will be ongoing.	
OLMS managers will ensure that letters certifying the protective arrangements are issued within the 60 days in all cases, even if mediation are required. Implementation of remedial measures shall be immediate, if any problems arise.	
6. Measures:	
Measure Text	Days Taken to Issue Certification Letter
Measure Type	Efficiency
Measure Frequency	Monthly
Direction of Measure	Decreasing
Unit of Measure	Days
Explanation of Measure	Days from date of receipt of grant application from FTA until certification issued by the Department. Actual data will be available on September 30, 2010.
Year	2010
Original Program Target	60 days
Revised Full Program Target	45 days
Targeted ARRA Increment	15 days
Actual	TBD
Goal Lead	Stephen Willertz, Director, Office of Enforcement and International Union Audits
Measure Text	Percent of Grants Certified within 60 Days
Measure Type	Efficiency
Measure Frequency	Monthly
Direction of Measure	Remaining Same
Unit of Measure	Grants Certified
Explanation of Measure	Percent of Recovery Act Grants certified within the 60-day timeframe established by Departmental Guidelines. Actual data will be available on September 30, 2010.
Year	2010
Original Program Target	100 %
Revised Full Program Target	100 %
Targeted ARRA Increment	Same (numbers of grants increases substantially)
Actual	TBD
Goal Lead	Stephen Willertz, Director, Office of Enforcement and International Union Audits

Measure Text	Percent of ARRA grants received after mid July and not certified by September 30, 2010
Measure Type	Output
Measure Frequency	Once
Direction of Measure	N/A
Unit of Measure	Grants Certified
Explanation of Measure	Grantees whose grants are not received by OLMS by mid July are in jeopardy of missing the September 30, 2010 deadline and losing only the ability to amend a grant or receive flex funds. OLMS is in jeopardy of failing to meet its goal of certifying grants within 45 days of their receipt. OLMS and FTA are working to ensure that the grantees potentially affected by the September 30 deadline are aware of the deadline and the risks of failing to meet the deadlines. Most amendments and flex fund grants have been certified by DOL. Actual data will be available on September 30, 2010.
Year	2010
Original Program Target	0%
Revised Full Program Target	0%
Targeted ARRA Increment	N/A
Actual	TBD
Goal Lead	Stephen Willertz, Director, Office of Enforcement and International Union Audits
7. Transparency and Accountability:	
Monthly reports are generated to indicate number of grants reviewed and certified by the Department that are funded with Recovery Act funds. The reports include average processing time for each grant, the percentage processed in a timely manner, and the number of Recovery Act grants each individual processed. These reports are published on the Department's website on a quarterly basis and hard copies can be made available upon request.	
8. Federal Infrastructure Investments:	
N/A	
9. Barriers to Effective Implementation:	
N/A	
10. Environmental Review Compliance:	
N/A	