

NOTE TO REVIEWER

The Office of Management and Budget Notice of Action dated June 4, 2004, provided the following terms of clearance:

*“EOC and DOL are currently developing rules that will reduce the number of respondents associated with this collection. DOL will review this PRA to adjust the burden hour calculation to reflect EOC and DOL rulemaking changes.”*

DOL is not aware of any rulemaking actions, proposed or otherwise, that would impact this collection of information. However, the Department is participating in on-going discussions with other agencies regarding standardizing the background questions and using a format which will be approved for all agencies, eliminating the need for each agency to duplicate the efforts of obtaining OMB approval for individual forms. Additionally, one should note that the number of responses is directly tied to the number of applications submitted in response to vacancy announcements.

## DOL APPLICANT BACKGROUND QUESTIONNAIRE

## SUPPORTING STATEMENT FOR PAPERWORK REDUCTION ACT SUBMISSION

1. The U.S. Department of Labor (DOL) provides a wide range of services to a diverse American workforce. As part of its obligation to provide equal employment opportunities, the Department of Labor (DOL) is charged with ensuring that qualified individuals in groups that have historically been underrepresented in various employments are included in applicant pools for Departmental positions. See 5 U.S.C. 7201(c); 29 U.S.C. 791; 5 CFR 720.204. To achieve this goal, DOL employment offices have targeted recruitment outreach to a variety of sources. Included in these sources are educational institutions which historically serve a high concentration of minorities, women, and persons with disabilities. Outreach efforts also extend to professional organizations, newspapers and magazines, as well as participation in career fairs and conferences, many of which reach high concentrations of Hispanics, Blacks, Native Americans, and persons with disabilities.

Without the information from this collection, DOL does not have the ability to evaluate the effectiveness of any of these targeted recruiting strategies because collection of racial and ethnic information only would occur at the point of hiring. DOL needs to collect data on the pools of applicants which result from the various targeted recruiting strategies listed above. With the information from this collection, DOL can adjust and redirect its targeted recruitment to ensure that the applicant pools contain candidates from historically underrepresented groups.

The type of targeted recruiting described herein does not use race as a basis for making employment decisions. Rather, outreach and recruitment efforts aimed at increasing minority applications for employment and expanding the pool of qualified applicants generally, are legitimate strategies for achieving diversity in the federal workforce (See Associate Attorney General Memorandum, Post-Adarand Guidance on Affirmative Action in Federal Employment February 29, 1996, pp.3-4, attached).

2. DOL needs to collect data on the pools of applicants which result from its targeted recruitment strategies. Without the data provided by this collection, DOL does not have the ability to evaluate the effectiveness of its targeted recruiting strategies because collection of racial and national origin information only occurs at the point of hiring. After the certification and selection process has been completed, it is necessary to cross-reference the data collected with the outcome of the qualifications review in order to evaluate the quality of applicants from various recruitment sources. With the information from this collection, DOL can adjust and redirect its targeted recruitment to achieve the best result. DOL will also be able to respond to requests for information received from the Office of Personnel Management (OPM) in the course of OPM evaluation and oversight activities.

Reports will be tabulated from the applicant background data which track the number of applicants from each sub-group of racial and ethnic identifiers, as a function of referral source and qualifications determination, as well as gender and disability status. This report is used by the DOL Civil Rights Center, as well as personnel staffing offices to determine which recruitment sources result in the greatest number of qualified applicants and to examine the

minority group makeup of the applicant pools for various positions.

3. Previously, DOL vacancy announcements, including the Applicant Background Questionnaire were available in hard copy or on-line on the agency internet site, as well as USAJOBS, the internet job search site sponsored by the Office of Personnel Management. The form was available for downloading by prospective applicants. Since applications were submitted by hard copy only, the questionnaire form was submitted in hardcopy form directly to the hiring personnel offices.

At present, the Department of Labor has an on-line application system which is utilized for all on-line applications. Automating the Questionnaire has resulted in a 2 minute per response burden reduction (from 5 minutes to 3 minutes per response) and increased the completion rate from 20% to 95%.

4. The information requested by the Applicant Background Questionnaire is currently not available to DOL from any other source.

5. This collection does not impact small businesses or small entities.

6. If this collection is not conducted, DOL will only be able to measure the effectiveness of targeted recruitment by the number of minority employees ultimately hired. Since there are many factors that influence final selection for a vacancy, there is no other way to know which recruitment strategies actually increased the number of minority candidates in the applicant pool.

7. Job application materials need to be submitted on or before a vacancy's closing date. The applicant ordinarily completes the Applicant Background Questionnaire during the same session when he or she answers the other on-line questions which are used to determine the applicant's qualifications for the position. The questions can be readily answered with no research.

8. The 60-day pre-application public notice was published on pages 19786 to 19787 of the Federal Register, dated April 14, 2005. A copy of the publication is attached. One comment was received from an individual who opposes using taxpayer money for information collections. Paragraphs 1, 4, and 6 of this Supplementary Statement explain why this information is a necessary use of Government resources.

The following efforts to consult with other agencies were carried out during previous approvals of the form by OMB :

- 1) DOJ Associate Attorney General opinion concerning race as a factor in recruitment.
- 2) Telephone inquiries with the Office of Personnel Management concerning its use of a similar form to meet the requirements of the Luevano decree.
- 3) Discussion with OMB concerning acceptable racial and ethnic categories for federal statistical reporting. Designed form in accordance with OMB standards. The form conforms with OMB guidance contained in Federal Register Notice dated October 30, 1997.

4) Comments contained in the February 28, 1998 and June 10, 2002 approvals of the form by OMB. The June 10, 2002 approval cited concerns over the previous low response rate. This extension request asserts that the future response rate has greatly improved because the entire application process is automated and the form will only be used with applicants applying on-line.

5) The Department is participating in on-going discussions with other agencies regarding standardizing the background questions and using a format which will be approved for all agencies, eliminating the need for each agency to duplicate the efforts of obtaining OMB approval for individual forms.

9. No gift or other payment will be made to respondents.

10. No personal identifying information is maintained in the data from the Applicant Background Questionnaire collection. That data is maintained separate and used only for analyzing the quality of DOL recruitment methods.

Furthermore, the following disclosures are provided on the Questionnaire:

“EFFECTS OF NONDISCLOSURE: Providing the information requested on this form is voluntary. This information will have no effect on hiring decisions.”

“Information provided on this form will be used for program evaluation. Personal identifying information will not be included in the tabulation of data in the DOL database.”

11. Questions concerning an applicant’s race and ethnic background and disability are to be answered based on the applicant’s own self-identification. The information is necessary to determine whether the applicant is a member of a group targeted for recruitment. Completion of the questionnaire is optional.

12. Total respondents are estimated to be 3000 annually.

This is an approximation, based on the average number of vacancy-recruit actions and the estimated number of applicants for all jobs in DOL over the previous three years.

The actual number of applicants varies greatly from year to year due to hiring freezes, recruitment for new programs, etc.

The time to complete each form is estimated at 3 minutes.

A small sample of employees timed themselves at reading and completing the questions in order to arrive at this estimate.

Total burden hours= 3000 X 3 = 9000 minutes = 150 hours.

13. Total annual cost burden to respondents (excluding hour burden above): None. Respondents will submit the information along with other application materials online.

14. Estimated annualized cost to the Federal government= \$78.82.

Startup	0
Maintenance	<u>78.82</u>
Total	78.82

a. Startup costs: The form has already been developed and posted on the internet; there are no additional startup costs.

b. Yearly maintenance costs: since the information collection is automated, there is no longer a time requirement to input the data.

1 hour for preparation of each of two semi-annual reports of information,  $1 \times 2 = 2$ . At GS-13 step 4,  $2 \times 39.41 = \$78.82$  Total maintenance = \$78.82.

15. The program change of -100 hours reported in item 13 of OMB Form 83-I results from the establishment of an automated DOL application system (DOORS) in which job applicants apply on-line. The questions on the Applicant Background Questionnaire have been incorporated into the on-line application. Because the responses to the questions are typed in by computer, the time required to answer the questions has been reduced from 5 minutes to 3 minutes.

16. Tabulation results will be used internally only, and not published.

17. The expiration date of the collection will be displayed on the collection.

18. No exceptions to the Certification Statement are identified.