

Priority of Service Information Collection Request

DOL Response to Public Comments

[Jobs for Veterans Act Priority of Service Provisions, OMB Control Number 1205-0468](#)

1) ICR Section #: pages 7, within Section A.1 of the Supporting Statement	Comment Type: Collect data for staff assisted services	
2) 1 Comment applicable: <ul style="list-style-type: none"> ▪ Chris Ramos Idaho Department of Labor Veterans Coordinator 		
3) Will the final ICR change? Yes		
<p><u>Comments:</u> Comment asks for additional review of definition of served. Currently the ICR reads that a <i>Served Covered Person</i> is one who received a program service within 45 days of the covered person’s entry date (a served covered person is also a <i>participant</i>). The commenter asks that the definition be revised to read “A covered person who received a <u>Staff-Assisted</u> service within 45 days....” In the current context, a covered person could receive a service and become a participant without receiving a meaningful level of service.</p> <p><u>Response:</u> DOL agreed with this comment and as a result the quarterly report has been modified. Previously, the quarterly report asked for the aggregate count of total covered entrants, those who received a service (i.e., served covered persons) and those who did not receive a service (i.e., unserved covered persons). The new format would continue to ask states and other grantees to report the aggregate number of covered entrants who received a service but it also will ask for the number of covered entrants who received a <u>staff-assisted</u> service. This new reporting element for staff-assisted service would replace the quarterly reporting element labeled unserved veterans. With the data that we receive, DOL can do the calculation for unserved veterans internally. We believe the revised quarterly report provides a richer set of information that will better assist us in the assessment of veteran access to public workforce programs.</p>		

1) ICR Section #: multiple pages, including Glossary of Terms	Comment Type: Definition clarification on Covered Entrant and Covered Participant	
2) 1 Comment applicable: <ul style="list-style-type: none"> ▪ Teresa L. Voors, Commissioner Indiana Workforce Development 		
3) Will the final ICR change? Yes		
<p><u>Comment:</u> Definitions for covered entrant and covered participant should be clearer.</p> <p><u>Response:</u> DOL added clarifying language to the aforementioned definitions (also see <i>Glossary of</i></p>		

Priority of Service Information Collection Request DOL Response to Public Comments

Terms in the Supporting Statement):

Covered Entrant – A covered person at the initial point of entry. This classification occurs at the earliest point that a covered person contacts the system in either a physical location (e.g., One-Stop Career Center or affiliate site) or remotely through electronic technologies. Designation as a covered entrant occurs prior to receipt of a service as the covered person is identified and the first five data elements on the entrant record are completed. DOL recognizes that in most cases, receipt of a service will likely occur almost simultaneously for many covered entrants, at which point the covered person also would be counted as a participant.

Served Covered Person – A covered person who received a program service within 45 days of their covered person entry date. A served covered person is also a participant or an individual who is determined eligible to participate in the program (to the extent a program has eligibility requirements) and receives a service funded by the program in either a physical location (One-Stop Career Center or affiliate site) or remotely through electronic technologies.

Additionally, the revised quarterly report format would ask states and other grantees to delineate between when a person receives any service and when they receive a staff-assisted service.

1) ICR Section #: N/A	Comment Type: Documentation	
2) 1 Comment applicable:		
<ul style="list-style-type: none"> ▪ Teresa L. Voors, Commissioner Indiana Workforce Development 		
3) Will the final ICR change? No		
<p><u>Comment:</u> Individual entrant record should be completed verbally, i.e., no documentation required.</p> <p><u>Response:</u> The Department believes that most covered persons will not be required to verify their status at the point of entry unless they immediately undergo eligibility determination and formal enrollment in a program. Even in such instances of immediate eligibility determination, the Department believes that the veteran would be able to follow-up with the required verification. Covered persons also cannot be required to disclose their Social Security Numbers and their provision of the demographic data required to be requested for EEO purposes is entirely voluntary.</p> <p>Additionally, we want to note that for universal access programs accessed through electronic technologies, users will be provided the opportunity to indicate their covered status however, DOL will not be requiring documents verifying their covered status (e.g.,</p>		

Priority of Service Information Collection Request DOL Response to Public Comments

DD-214 discharge form). That said, DOL maintains that proof of status will be required during formal determination of program eligibility. Commonly, the DD-214 discharge form is considered the gold standard document for verification purposes. However, DOL will be developing a list of acceptable alternatives that correspond to WIA definition of covered person. This will be especially important for any new documentation needed for covered spouses. Currently, covered spouses can receive special documentation if their spouse was disabled in the war through the Veteran’s Administration. In cases where the spouse is being held as a prisoner of war, the Department of Defense issues the documentation.

1) ICR Section #: N/A	Comment Type: MIS systems and WIASRD	
2) 2 Comments applicable:		
<ul style="list-style-type: none"> ▪ Teresa L. Voors, Commissioner Indiana Workforce Development ▪ Illinois Department of Employment Security 		
3) Will the final ICR change? No		
<p><u>Comment:</u> MIS systems will need to be modified. Will states be required to report “covered entrants” in WIASRD/WISPR since there will be no <i>service</i> exit date? Will the exit date default to the date of the initial point of entry?</p> <p><u>Response:</u> IT adjustments will need to be made to accommodate the new data fields and reporting periods for the covered person entrant record. These will amend WISPR (and SPARQ) or current reporting systems (WIASRD, SPARQ, TAPR) to capture the relevant data. For <i>covered entrants</i>, the default to end the entry period is 45 days from the entry date. The date to exit a participant (including those covered participants) will remain 90 days from the date of the last service received.</p> <p>DOL is in the process of considering the feasibility of implementing the new WISPR reporting system in time for the next Program Year, beginning July 1, 2009 and more guidance on the implementation timeframe will be forthcoming.</p>		

Priority of Service Information Collection Request DOL Response to Public Comments

1) ICR Section #: multiple pages	Comment Type: Question on why similar data is not collected for non-covered persons	
2) 1 Comment applicable: <ul style="list-style-type: none"> ▪ Dolores A. Esser Commissioner Virginia Employment Commission 		
3) Will the final ICR be changed? NO		
<p><u>Comment:</u> Stated that the data collection may not be valid without the collection of non-covered persons so a comparison could be made with the covered person information.</p> <p><u>Response:</u> DOL considered including non-covered persons and realizes the advantages in helping to draw comparisons between the two populations, but determined that the benefits did not outweigh the potential costs and burden. Right now, the workforce system serves over 15 million individuals, roughly 10 percent who are covered persons. Tracking the estimated 1.5 million covered entrants gives a narrower lens for analysis but provides the additional data point to illustrate the numbers of veterans accessing the workforce system. This data combined with normal participant data will help the Department to better determine which of our covered person customers go on to receive services (or conversely, not receive services). In addition, DOL intends to supplement this data with random surveys of covered <i>and</i> non-covered persons in the workforce system to assist in comparing service provision.</p>		

1) ICR Section #: multiple pages	Comment Type: Adequacy and validity of data collection	
2) 1 Comment applicable: <ul style="list-style-type: none"> ▪ Illinois Department of Employment Security 		
3) Will the final ICR be changed? NO		
<p><u>Comment:</u> It is questionable that the proposed reporting requirements will in fact provide a valid assessment of POS or much meaningful information. We may be able to determine the number of veterans who accessed and did or did not receive services. But there is no mechanism for determining whether, on the whole, they received priority in obtaining employment-enhancing services or, conversely, the frequency with which non-veterans did. The proposed reporting changes alone will take significant resources to implement – resources that neither DOL nor the states have. It appears that they will just add more layers to an already cumbersome system without giving us a useful assessment of the state of the Veterans Programs.</p> <p><u>Response:</u> While DOL agrees that the covered entrant data alone will not tell the complete story of priority of service, it will add crucial information that has been missing from the discussion. Namely, the agency will now be able to determine the number of veterans who enter the system compared to the number who receive services. This will be one</p>		

Priority of Service Information Collection Request DOL Response to Public Comments

indicator to determine if the system is, in fact, serving those who come to our system and are entitled to priority. To complete the assessment, DOL will utilize information gathered through the Priority of Service evaluation, random surveys of covered and non-covered persons, and additional monitoring to help ensure that covered persons are receiving priority status for publicly funded employment enhancing services.

1) ICR Section #: pages 2 and 3	Comment Type: What type of client inquiry triggers data collection	
2) 1 Comment applicable: <ul style="list-style-type: none"> ▪ Illinois Department of Employment Security 		
3) Will the final ICR be changed? NO		
<p><u>Comment:</u> Commenter asks about self-registration of covered persons, specifically about what type of client inquiry would trigger the collection of data.</p> <p><u>Response:</u> DOL upholds that programs that serve over 1,000 covered persons nationally per year must identify and capture data on covered persons at the initial point of entry – this is the earliest point that a covered person contacts the system in either a physical location (e.g., One-Stop Career Center or affiliate site) or remotely through electronic technologies. DOL acknowledges that program operators will need to adjust manual and electronic intake processes to accommodate the new reporting requirements.</p>		

1) ICR Section #: multiple pages	Comment Type: Changes to reporting systems, reports, and associated burden	
2) 1 Comment applicable: <ul style="list-style-type: none"> ▪ Illinois Department of Employment Security 		
3) Will the final ICR be changed? NO		
<p><u>Comment:</u> New client classifications will require changes to the current 9002 reports and the VETS 200 report series. Overall recommends that Priority of Service implementation occur simultaneously with the Workforce Information Standardized Reporting System (WISPR) requirement to avoid the cost of making multiple changes to reporting systems. Another in the same vein recommended that changes be compatible with the WIASRD.</p> <p><u>Response:</u> DOL agrees that it would be most advantageous if WISPR and the proposed priority of service reporting requirements were to take effect on the same date. DOL is considering</p>		

Priority of Service Information Collection Request DOL Response to Public Comments

the feasibility of developing and implementing the new WISPR reporting system (with the additional priority of service requirements) in time for the next Program Year, beginning July 1, 2009. Under the WISPR scenario, challenges with the 9002 reports and VETS 200 report series would be eliminated. In the absence of WISPR, the alternative plan will be to amend existing reporting systems with the implementation goal of July 1, 2009. More guidance on the implementation process and timeframe will be forthcoming, along with significant technical assistance in support of implementation.

1) ICR Section #: multiple pages	Comment Type: Covered Person Entry Date	
2) 3 Comments applicable: <ul style="list-style-type: none"> ▪ Multiple commenters 		
3) Will the final ICR be changed? NO		
<p><i>The following comment was submitted in response to the NPRM, however, DOL did not specifically address the issue in § 1010.330 of the rule, recognizing that it would be best handled within the context of the ICR responses.</i></p> <p><u>Comment:</u> Three comments addressed the covered person entry data. Two commenters expressed the need for clarification in the definition and one commenter asked whether it should be tracked retroactively if the person entered the system years ago.</p> <p><u>Response:</u> The covered person entry date is the date at which a covered person first makes contact with the workforce investment system or, in other words, the initial point of entry. At this point, the information is recorded in the individual <i>entrant</i> record, which subsequently will be tracked to determine the level of participation in DOL employment and training funded programs. DOL would like to clarify that this requirement will apply to those who enter the system after the associated ICR is in effect. Upon entry, the program has 45 days to ensure that the covered person receives services. The aggregate quarterly reporting specified by the ICR will track the number of covered persons who receive any service (i.e. become participants) and those who receive one or more staff-assisted services during the 45-day entry period. The ICR also specifies the collection of the minimal data elements required to establish a data record for each covered person at the point of entry. DOL will apply the data from aggregate quarterly reports and individual records to monitor covered persons' entry to program participation, as well as their priority access to the full range of services available to participants.</p>		

Priority of Service Information Collection Request DOL Response to Public Comments

1) ICR Section #: Section A.12 of the ICR	Comment Type: Unfunded Mandate	
2) 1 Comment applicable: <ul style="list-style-type: none">▪ Illinois Department of Employment Security		
3) Will the final ICR be changed? NO		
<p><u>Comment:</u> This is another unfunded mandate that IDES will find difficult to absorb. We do receive administrative funding, but each year it becomes less sufficient to cover the costs of the basic program, let alone new initiatives.</p> <p><u>Response:</u> For purposes of the Unfunded Mandates Reform Act (UMRA) of 1995, this final rule does not include any Federal mandate that may result in increased expenditures by State, local and tribal governments, or by the private sector. This rule merely establishes that recipients of qualified job training funds must provide priority of service to veterans served with such funds. As this final rule does not impose any unfunded Federal mandate, the UMRA is not implicated</p>		