

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

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## **A. JUSTIFICATION**

This is a justification for the Department of Labor, Employment and Training Administration's (ETA) request for a three year extension without change for this information collection. This reporting structure includes quarterly (ETA 9090) and annual (ETA 9091) report formats as well as standardized data collection for program participants, called the Workforce Investment Act Standardized Record Data (WIASRD). The WIASRD is submitted by the states to ETA and includes participant level information on customer demographics, type of services received, and statutorily defined measures of outcomes.

The accuracy, reliability, and comparability of program reports submitted by states using Federal funds are fundamental elements of good public administration, and are necessary tools for maintaining and demonstrating system integrity. The use of a standard set of data elements, definitions, and specifications at all levels of the workforce system helps improve the quality of performance information that is received by the Department. The common performance measures are an integral part of ETA's performance accountability system, and ETA will continue to collect from grantees the data on program activities, participants, and outcomes that are necessary for program management and to convey full and accurate information on the performance of workforce programs to policymakers and stakeholders.

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

In 2001, President Bush announced a Management Agenda to improve the management and performance of the Federal government. Budget and performance integration, one of the five government-wide goals, emphasizes program effectiveness. As part of the President's Management Agenda, the Office of Management and Budget (OMB) and other Federal agencies developed common performance measures to be applied to a select number of programs with similar goals.

The value of implementing 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 what were their earnings. Multiple sets of performance measures have burdened states and grantees as they are required to report performance outcomes based on varying definitions and methodologies. By minimizing the different reporting and performance requirements, common performance measures can facilitate the integration of service delivery, reduce barriers to cooperation among programs, and enhance ETA's ability to assess the effectiveness and impact of the workforce investment system, including the performance of the system in serving individuals facing significant barriers to employment.

The common measures are an integral component of the WIA performance accountability system. Standardizing the definitions of the outcomes across programs simplifies reporting, and provides a greater ability to compare and manage results.

ETA's statutory and regulatory authority to administer job training and employment programs

includes provisions allowing for the requirement of performance reporting from states and grantees. The Workforce Investment Act (WIA) of 1998 (P.L. 105-220) 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.

Information is collected through the WIA management information and reporting system under the following authority:

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.

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.

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)).

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.

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

States are expected to implement revised recordkeeping and reporting requirements with available funds. The continued use of the proposed reporting requirements will better organize data that are already being collected and help standardize the measurement of performance. Attachments A and B contain reporting instructions and a list of the individual data elements to be collected in the WIASRD. At a minimum, information collected and reported through the WIA Annual Report Form 9091 (see Attachment C) and Quarterly Report Form 9090 (see Attachment D) will be used by local workforce investment areas, State Workforce Agencies (SWAs), 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 programs;
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 WIA management information and reporting 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 WIA participant data and the preparation of quarterly and annual performance reports to the extent feasible by providing uniform data elements and data definitions to states, and through the use of technology. All WIA reports and records will be submitted to ETA 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 one exception to this policy is that states must use the prescribed telephone survey process for collecting customer satisfaction from a specified minimum number of program participants and employers. However, states may add additional items to the list of required questions. States collect, retain, and report all information electronically.

The use of UI wage records as the primary source of data on wages and employment-related outcomes will result in decreased burden hours for many states who administer WIA programs. ETA will continue to work with the states to access and exchange UI wage records among the states. ETA is also planning to upgrade existing reporting software for states that will import WIASRD-formatted records, check for data errors and out of parameter records, and produce the WIA annual and quarterly reports in both printable and electronic data transfer formats.

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

A hallmark of WIA is increased accountability in exchange for optimal flexibility. Two ways in which the Workforce Investment Act has strengthened accountability over the Job Training Partnership Act (JTPA) is by requiring more comprehensive performance standards and by establishing quarterly and annual reports. Additional data items are needed on the individual WIASRD records to support the measures, and much of these data will be used by states to prepare the quarterly and annual performance reports.

The Department has minimized the reporting burden by establishing the number of data elements required commensurate with the level of resources expended and services received. A very limited number of items are required for those using other core services. More items are expected for those receiving intensive and/or training services. 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 WIA management information and reporting system is not available through other data collection and report systems.

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

The involvement of small businesses or other small entities for reporting purposes is extremely limited. In fact, the only time contacting them may be required is during the provision of a service or through the collection of customer satisfaction data. The survey questionnaire contains only three required Federal questions (though states may choose to add other items for their own purposes). The survey methodology uses a nationally recognized system employed in both the public and private sectors. States serving many customers may take advantage of a sampling method rather than contacting each business.

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

The Workforce Investment Act is very specific about reporting requirements and reporting frequency. If the Department did not comply with these requirements, funding for WIA programs would be compromised.

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**

ETA engages in weekly consultations with states and also communicates with them through its website, via webinars and national/regional conferences on these performance collections as well on as other matters. In addition, a Pre-clearance Notice was published in the Federal Register on August 1, 2008 (Vol. 73, No. 149, Pages 45077 thru 45078). No comments were received.

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

There is no payment to respondents other than the formula funds and incentive funds provided for in the Workforce Investment Act.

## **A.10 Confidentiality Assurances**

ETA is responsible for protecting the confidentiality of the WIA performance 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. WIA performance data will not contain any individually identifying information. States will submit records on individuals, but they will submit them under an individual identifier, which must not be the individual's social security number.

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

There are no sensitive questions included in the proposed data collection. Individual records, which contain wage record information, may be submitted using a unique personal identifier or pseudo-social security number.

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

The annual national burden for the WIA reporting system has the following four components: (1) the WIASRD participant record burden; (2) the quarterly summary report burden; (3) the annual summary report burden; and (4) the customer satisfaction burden. This response provides a separate burden for each of the components.

### **(1). WIASRD Participant Record Burden**

The **WIASRD burden** considers the amount of information collected and reported on the WIASRD that would not have to be collected by the states and grantees as part of their customary and usual burden to run the program. Thus the burden reflects the information collected solely to comply with the Federal reporting requirements.



The WIASRD burden varies by the intensity of services provided and the number of WIASRD elements applicable to the program. For example, considerably more information is reported on WIA youth than WIA adults and collecting the youth literacy and numeracy elements is more burdensome than collecting other types of data elements on the WIASRD. On the other hand, the use of wage records minimizes the burden of collecting outcome information.

Record Type	Hrs. Per Job Seeker Record	PY 02 Annual National Counts	Annual National Burden Hours	Applicable Hourly Rate	Annual National Burden Dollars
Adult, DW, NEG Exiters	0.6	435,355	276,450	\$39.17	\$10,828,546
Youth Exiters	2.0	164,266	328,532	\$39.17	\$12,868,598
Total		599,621	604,982		\$23,697,144

Hourly rates used to calculate cost were derived from the hourly earnings for employees in the state Unemployment Insurance (UI) agencies in FY 2009 (as used for FY 2009 UI budget purposes).

(2) and (3). Quarterly and Annual Report Burden

The WIA **quarterly and annual report burden** includes program run times, checking, formatting, and transmitting the quarterly and annual summary reports to ETA. The annual report burden also includes preparation and submission of the state’s WIASRD records. These estimates assume that some portion of states will use ETA provided software to generate the quarterly and annual reports.

Program	Hrs. Per Year Per State	Number of Reporting States	Annual National Hours	Applicable Hourly Rate	Annual National Quarterly Report Burden Dollars
Quarterly Report	640	53	33,920	\$39.17	\$1,328,646
Annual Report	400	53	21,200	\$39.17	\$830,404
Total	1,040	53	55,120	\$39.17	\$2,159,050

(4). Customer Satisfaction Survey Burden

The **customer satisfaction survey burden** considers the Workforce Investment Act’s [WIA Section 136(b)(2)(B)] requirement that states measure satisfaction for employers and participants (job seekers) of state and local agencies that provide employment and training activities. The Department of Labor has required that states use a standard measurement tool so that scores can be compared among states. Additionally, Section 136(b)(3)(A)(I) requires state-adjusted levels of customer satisfaction performance that shall at a minimum:

- be expressed in an objective, quantifiable, and measurable form; and,
- show the progress of the state toward continuously improving performance.

Customer satisfaction surveys are conducted quarterly and reported electronically to ETA each year on the WIA Annual Report (Form 9090, OMB Control No. 1205-0420). Although the statute requires states to measure satisfaction, 31 states have approved waivers to report on common performance measure outcomes only. These common measures focus on entered employment, retention, and earnings for adults and dislocated workers, and employment/education placement, degree/certificate attainment, and literacy/numeracy gains for youth. Therefore these states do not report to ETA on customer satisfaction. The remaining 22 states still report on customer satisfaction; however, this measure is reported only in the state’s WIA Annual Report and the results are not considered in determination of eligibility for WIA incentive grants or sanctions for poor performance.

The following assumptions are used:

Respondents – 2,249 hours

Estimate based on 1,000 responses per reporting unit (500 WIA participants and 500 employers) and 5 min. (1/12 hr.) per survey. This assumes the three ACSI questions are asked. States may incur increased costs in the event additional questions are asked on the surveys.

Survey Administration – 18,576 hours

Estimate based on 41 minutes to obtain a completed survey (telephone contacts, call-backs, data entry). This estimate assumes 50% of the respondents for each state will take an average of 30 minutes each, 25% will require an average of 45 minutes, and 25% will require an average of 60 minutes to obtain each completed survey.

Survey Preparation and Overhead – 4,158 hours

Estimate based on:

- Survey development* (preparation of questionnaire and telephone script for interviewer) - 40 hours per reporting unit
- Sample selection* - 24 hours per reporting unit
- Survey set-up* (setting up survey for telephone administration and creation of a database) - 40 hours per reporting unit
- Compilation of results* (includes generation of descriptive statistics and calculation of index for participants and employers) - 50 hours per reporting unit

Survey Task	Number	Hours Per	Total National	Applicable	Total
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	of States <sup>1</sup>	State Per Task/Yr	Burden Hours/Yr	Hourly Rate	National Burden \$/Yr
Respondents	22	83.3	1,833	\$39.17	\$77,799
Survey Administration	22	688	15,136	\$39.17	\$592,877
Survey Prep and Overhead	22	154	3,388	\$39.17	\$132,708
Total	22	925.3	20,357	\$39.17	\$797,384

1 = 31 states have approved waivers and do not conduct the customer satisfaction survey

### **A.13 Estimated Cost to Respondents**

States have the necessary technology and data collection mechanisms in place to meet these reporting requirements. Therefore, the Department is not reporting any start-up/capital costs or annual operating costs as a part of this information collection request. The costs to maintain and disclose these data are covered by states' existing grant funds.

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

The annual costs of maintaining the Enterprise Business Support System (EBSS) database, maintaining the quarterly reporting software, and developing technical assistance guides are borne by ETA and are estimated to be \$452,923. This represents the same Federal government burden hours previously assumed for WIA, adjusted based on a higher state hourly wage rate of \$39.17.

Since the American Customer Satisfaction Index (ACSI) customer satisfaction survey is proprietary property of the University of Michigan and is owned by Claes Fornell International (CFI) Group, ETA has established a license agreement with the University of Michigan that will allow states the use of the ACSI for a statewide sample of participants and employers. This costs approximately \$160,000 per year. States that want to use the ACSI for measuring customer satisfaction for each local area or for additional assistance in measuring, analyzing, and understanding ACSI data establish independent contracts with the University of Michigan.

Total annual costs to the Federal government are thus estimated to be \$612,923.

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

With the exception of a reduction in the annual burden associated with the customer satisfaction survey due to 31 states having approved waivers to opt out of the survey, there are no substantial changes in burden hours. The burden cost to respondents was inadvertently included in the last ROCIS submission and has been removed from the present submission. Administrative costs from grant funds cover the respondents' burden costs.

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

<b>Product</b>	<b>Submission Date</b>	<b>Publishing Date</b>
<b>Individual Records</b>	October 15, annually.	States submit WIASRD records (minus individual identifiers) through ETA’s web-based reporting system.
<b>Quarterly Summary Report</b>	Within 45 days following the end of the quarter.	Although the department will use this information to prepare GPRA, budget and ad hoc reports, it does not plan to publish the information separately.
<b>Annual Report</b>	October 1, annually.	DOL publishes WIA Annual Report data on a website during the Fall after the October submission date.
<b>Customer Satisfaction Survey</b>	Results of the survey will be submitted in the annual reports.	N/A (Aggregate information is reported in the annual reports)

**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**

The Workforce Investment Act [WIA Section 136(b)(2)(B)] requires that states measure satisfaction for employers and participants (job seekers) of state and local agencies that provide employment and training activities. Additionally, Section 136(b)(3)(A)(I) requires state-adjusted levels of customer satisfaction performance that shall at a minimum:

- be expressed in an objective, quantifiable, and measurable form; and,
- show the progress of the state toward continuously improving performance.

Unlike past extension requests, statistical methodology will not be used to produce the customer satisfaction indicators due to the limited number of states that continue to conduct the survey and

the more stringent OMB requirements for statistical packages.

### **B.1 Description of Work**

Customer satisfaction surveys are conducted quarterly and the results are reported electronically to ETA each year on the WIA Annual Report (Form 9090, OMB Control No. 1205-0420).

Although WIA requires states to measure satisfaction, 31 states have been approved waivers to report on common performance measures, which assess outcomes only. These common measures focus on entered employment, retention, and earnings for adults and dislocated workers, and employment/education placement, degree/certificate attainment, and literacy/numeracy gains for youth. Therefore, these states do not report to ETA on customer satisfaction. While the remaining 22 states still report on customer satisfaction, this measure is reported only in the state's WIA Annual Report, and the results are not considered in determining either eligibility for WIA incentive grants or sanctions for poor performance. Eliminating statistical inferences does not detract from either the quality or utility of the information collected by the customer satisfaction survey.

To reiterate, the only goal of the customer satisfaction survey is to report a summary of the responses received, without any explicit or implicit inferences to a larger population. In all reports and other publications and statements resulting from this survey, no attempt will be made to draw inferences to any population other than the population that responded to the survey. State grantees will be instructed to footnote their customer satisfaction survey results in their WIA Annual Report narrative as follows: "the response rate was X percent and the results are not intended to make any inferences to any population other than the population that responded to the survey."

### **B.2 Respondents**

States conducting customer satisfaction surveys sample individuals to obtain the desired number of completed surveys. States determine the appropriate sample sizes and sampling percentages. Participants are contacted as soon as possible on or after the last expected service date and no later than 60 days after the closure date. Closure date is another term for the last expected service date.

### **B.3 Procedures for Collection of Information**

There are two different surveys that are conducted to determine customer satisfaction—participants and employers:

- (1) Participants: comprised primarily of job seekers using services funded under Title I-B of the Workforce Investment Act of 1998 (WIA)
- (2) Employers: comprised of those employers being provided services from One-Stop staff

WIA Title I-B participants who exit services can be included in the sample. WIA Title I-B participants include individuals who are either adults, dislocated workers, older youth (ages 19-21), and younger youth (ages 14-18). All individuals from all WIA formula funding streams in an exit cohort can also be included in the sample.

Those eligible for surveying include employers who have received a substantial service where the service has been completed or, if it is an ongoing service, when a full segment of service has been provided (e.g., after listing an open job order, the employer has received some referrals or if no service, 30 days have elapsed after the initial request). All employers who have received a substantial service involving personal contact with One-Stop staff can be included in the sample. When an employer has received multiple services, priority is given to the service that required the greatest expenditure of financial assistance or staff time. Customer satisfaction surveys are conducted quarterly and reported electronically to ETA each year on the WIA Annual Report (Form 9090).