

**SUPPORTING STATEMENT FOR AN INFORMATION COLLECTION
REEMPLOYMENT SERVICES AND OUTCOMES
FOR UI CLAIMANTS IN FEDERAL PROGRAMS**

A. JUSTIFICATION

This is a justification by the Department of Labor, Employment and Training Administration (ETA) for requesting a new collection describing reemployment activities for UI claimants in Federal programs. The basic report format is designed to be very similar to the existing ETA 9002 report (OMB number 1205-0240) that covers quarterly performance data for the Wagner-Peyser Act funded public labor exchange. ETA has well established reporting instructions, reporting software, reporting formats and reporting logic that is used for existing reemployment service delivery reporting for UI claimants, and ETA will be using this existing structure to serve UI claimants in Federal programs, as required by Section 2142 of the Middle Class Tax Relief (PL 112-96).

It is anticipated that this use of an existing standard in reporting for reemployment service delivery will minimize the burden on states as they seek immediate implementation of the requirements of PL 112-96. The law requires states to provide the services collected on this report 30 days following enactment. Given the challenges states will have in getting the services delivered, ETA believes that adapting an existing, approved reporting structure that is extensively used, well tested and well understood presents the best, and possibly only option, for collecting meaningful performance and evaluation data on this program. This is a new request, requesting a new collection number, rather than a revision to the existing collection (OMB 1205-0240) to facilitate approval. The extension request for 1205-0240, without this statutorily compelled form, is being submitted separately.

A.1 Circumstances Necessitating Data Collection

Public Law 112-96 mandates that states provide reemployment eligibility and assessment (REA) and Reemployment Services (RES) to Unemployment Insurance (UI) claimants who establish eligibility in the Federal Emergency Unemployment Compensation program of 2008 (EUC08). The law specifies a fast implementation for this requirement as well as a number of reporting requirements. As described above, ETA plans to duplicate the existing reporting structure used for Wagner Peyser services, with minor changes compelled by the recent enactment, in order to provide data required under the law.

A.2 Use of Information Collection

This report will include information on people receiving reemployment services and their employment outcomes following service delivery. It is expected that this data will be used for oversight and to provide data responsive to statutorily required evaluations of this program.

A.3 Use of Technology to Reduce Burden

All ETA 9002 reports are submitted to ETA via the Internet. States and local areas determine the best technology for collecting individual case management data according to their unique

circumstances and resource availability. The Labor Exchange Reporting System (LERS), the format used for the current requested form, is an automated reporting system that has been in use since 2001. ETA has developed reporting and data validation software to assist states and territories with generating and validating the quarterly 9002 reports. This software produces the reports in facsimile format as well as in a file format that can be uploaded directly to LERS. Since 2002, states and territories have used LERS to upload the quarterly ETA 9002 reports, and they will use this system for the newly required quarterly report as well.

A.4 Efforts to Identify Duplication

Information provided through the ETA 9002 reporting system (LERS) is not available through other data collection and reporting systems.

A.5 Methods to Minimize Burden on Small Businesses

Small businesses and other small entities will not be affected by collection of this information.

A.6 Consequences of Less Frequent Data Collection

This report will be due quarterly. If these data were collected less frequently, ETA's ability to carry out its statutory oversight responsibilities and document state issues in implementing the program would be compromised. The congressional intent in Public Law 112-96 is exceedingly clear in that there is a limited time to initiate this program, and the program is scheduled to run for a limited time, so any delays in reporting would potentially produce an untenable situation in which problems were not caught until the program was scheduled to end.

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

Traditional clearance processes would have resulted in a public harm by limiting the options states have to address the persistent unemployment problem, at a time when the law allows for greater flexibility; consequently, DOL is using emergency clearance procedures available under 5 C.F.R. 1320.13, including obtaining a waiver from publishing Notices in the *Federal Register* to seek public comments, for this information collection request. The agency is taking steps to work with state agencies to minimize the burden of collecting this information. Assuming approval of this request for a period of six months, ETA and DOL will ensure the public has an opportunity to comment when this information request is resubmitted for extension under regular procedures.

A.9 Payment of Gifts to Respondents

There are no special payments to respondents.

A.10 Confidentiality Assurances

All data is aggregated and does not include any identifying information. States responding to this collection have no expectation of confidentiality.

A.11 Additional Justification for Sensitive Questions

There are no sensitive questions included in the proposed data collection.

A.12 Estimates of the Burden of Data Collection

The annual national burden for the LERS has two components: (1) collecting and maintaining job seeker data and (2) the quarterly summary report burden. This response provides a separate burden for each of the components.

Integral to the common measures is the interplay between state reporting systems for Wagner-Peyser Act funded public labor exchange activities and VETS funded labor exchange activities and the reporting systems of partner programs, as job seekers may be referred to other One-Stop partner programs for services. Thus, it is necessary to consider both the local and state level steps needed to collect data on labor exchange data. This interplay of multiple reporting systems adds a level of complexity to data collection and reporting functions.

(1). Job Seeker Data Collection Burden

The job seeker data collection burden of two minutes per record considers the amount of information collected and reported on the EUC-Specific ETA 9002 report that would not have to be collected by the states 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. Thus, the data reflect both recordkeeping and reporting capacities. Five state systems were sampled to estimate the range of times for inputting these data per record, and this range was assessed over the past three years' experience in working with this automated system. The average was, and remains, at two minutes per record. By way of further explanation, the data collection burden varies by job seeker because it is based on the intensity of services provided and the number of elements applicable to the job seeker. For example, LERS requires the collection of several types of staff assisted service dates, if applicable. On the other hand, web based registrations and the use of wage records for measuring outcomes minimize the burden of data collection.

Because this program draws from any UI claimant establishing eligibility in the EUC08, and ETA estimates approximately 3.5 million first payments in Tier 1 of EUC over the remainder of CY 2012, the implied burden for collecting the data necessary to generate aggregate reports is the average burden time per claimant (2 minutes) multiplied by the estimated number of claimants expected to be processed (3.5 Million).

Record Type	Minutes Per Record	Annual National Count	Annual National Burden Hours	Applicable Hourly Rate	Annual National Burden Dollars
EUC Claimant	2	3,500,000	116,667	\$40.99	\$4,782,180.30

In monetizing the burden, DOL assumes State Workforce Agency staff will typically prepare the responses. DOL has used the FY 2012 program planning hourly wage for State workforce personnel in producing this estimate.

(2). Quarterly Report Burden

The LERS **quarterly report burden** includes the local and state level steps that are needed to collect and report information on labor exchange activities. These steps include, but are not limited to, extracting data from states' data systems for the public labor exchange and partner programs, aggregating data from separate reporting systems, formatting reports and transmitting the reports to the Department. Each state submits, for each calendar quarter, one (1) EUC-specific ETA 9002 report to ETA. This estimate acknowledges that a percentage of states use ETA provided software to generate the eight quarterly reports. The cost estimate averaged for each state is 640 hours, based on submitting 8 program reports, which are similar in format but cover different populations. Since this submission covers just a single population, it is reasonable to expect that the reporting burden will be 1/8 of the total claimed for the existing ETA 9002. Since that collection claims 640 hours for eight similar reports, we expect the burden for a quarterly aggregate submittal to be 80 hours.

- 53 states reporting * 4 reports per year * 80 hours per report = 16,960 hours

Again, this burden is costed out based on an hourly cost rate of \$40.99 for state staff.

- 16,960 hours estimated burden * \$40.99 / hour = \$695,190.40

The total proposed burden for this collection is the sum of the two components: the job seeker data collection burden and the quarterly report burden. The table below lists these two components to show the aggregate proposed burden for this new collection.

Operating/Maintaining Burden Component	Annual National Burden in Hours	Annual National Burden in Dollars
Job Seeker Collection Burden	116,667	\$4,782,180.30
Quarterly Reporting Burden	16,960	\$695,190.40
Total	133,627	\$5,477,370.70

A.13 Estimated Cost to Respondents

The current LERS requirements have been in operation for several years and states have the necessary technology and data collection mechanisms in place to meet these approved 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.

A.14 Estimates of Annualized Costs to Federal Government

There is no annual cost to the government for this collection. There is a current collection which claims the burden of maintaining the IT infrastructure for this collection: the ETA 9002 report (OMB number 1205-0240). This report is a duplication of one of the reporting instruments in that collection and will use the state data generated to produce an additional report from the existing system.

A.15 Changes in Burden

This is a new collection.

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

States and territories will submit this proposed report on a quarterly basis to DOL within 45 days after the end of each calendar quarter. (Reports are due the following dates: November 14, February 14, May 15 and August 14.)

Quarterly report data will be analyzed by ETA staff. Data analysis is used to identify strategies for continuous improvement and areas where additional federal guidance is needed. DOL uses this data to prepare Government Performance and Results Act reports, management and budget reports, and other ad hoc reports.

A.17 Waiver to Display OMB Expiration Date.

The expiration date for OMB approval is displayed on all ETA forms. We are not seeking approval of a form that will not show the OMB control number and expiration date.

A.18 Exceptions to the Certification Statement

There are no exceptions to the certification statement.

B. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS

This information collection request does not contain statistical methods.