

SUPPORTING STATEMENT
Reemployment of Unemployment Insurance Benefit Recipients
OMB Control No. 1205-0452

This Information Collection Request is to extend, without change, Paperwork Reduction Act authorization for the Reemployment of Unemployment Insurance Benefit Recipients, Reporting Form ETA-9047, information collection.

A. Justification.

1. *Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.*

This is a justification for the Department of Labor's (DOL) data reporting requirement for State Workforce Agencies (SWAs) to collect information on the reemployment of Unemployment Insurance (UI) benefit recipients. The Secretary's authority to implement this reporting requirement is found in the Social Security Act (SSA). Section 303(a)(6), SSA, 42 U.S.C. 503(a)(6), requires that state law include provision for:

The making of such reports, in such form and containing such information, as the Secretary of Labor may from time to time require, and compliance with such provisions as the Secretary of Labor may from time to time find necessary to assure the correctness and verification of such reports.

The Secretary interprets section 303(a)(6), SSA, to authorize DOL to prescribe standard definitions, methods and procedures, and reporting requirements for the collection of information on the reemployment of UI benefit recipients and to ensure accuracy and verification of these data.

DOL uses this measure: 1) to evaluate state performance in terms of meeting DOL's performance measure of facilitating the reemployment of UI claimants established as a result of the Government Performance and Results Act of 1993 (GPRA); and 2) as a Core Measure of state performance under UI Performs, DOL's performance management system for the UI program.

UI Performs Measure

ETA's analysis of the UI reemployment data show that state performance in reemployment of beneficiaries is significantly influenced by forces outside the control of the agency administering the state UI program, most notably by the economic conditions in the state, as measured by the Total Unemployment Rate (TUR), and the percent of beneficiaries that are on temporary layoff, as measured by the percent of claimants who are not required to search for work or register with the state employment service. The Acceptable Performance Levels (ALPs) for the UI Performs Core Measure reflect state-specific data for these two factors. UIPL No. 17-08 (May 14, 2008)

established initial ALPs for each state, discussed the methodology used to develop the ALP, and included information on the administration of the reemployment UI Performs Core Measure.

Per UIPL No. 17-08, each year ETA provides each state with its ALP for the current performance period. These state ALPs are available at the Office of Unemployment Insurance Web site: <https://oui.doleta.gov/unemploy/reemploy.asp>.

2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.

Each calendar quarter, states report on the ETA 9047 report separate counts for individuals receiving their first UI payments who are exempt from work search / employment service registration (“exempt”), in most cases because they are job-attached with definite recall dates, and those who must conduct work search or register with the employment service (“nonexempt”).

States also report on the ETA 9047 report the number of those first payment recipients for whom intrastate or out-of-state employers reported wages in the subsequent quarter. States obtain these counts by running computer crossmatches of the Social Security Numbers (SSNs) of the claimants who received a first UI payment with the UI wage records for the subsequent calendar quarter. In UIPL No. 1-06, Change 1 (August 2, 2006), ETA issued instructions to state agencies on how to obtain on how to obtain out-of-state reemployment data through matching the SSNs of UI first payment recipients with UI wage records in the National Directory of New Hires.

ETA believes that the UI system shares responsibility with all Workforce Investment partners in facilitating the reemployment of UI beneficiaries. This measure encourages state UI agencies -- those closest to their own labor markets -- to take innovative steps to facilitate the reemployment of UI benefit recipients.

Under the UI system, states have broad authority, within the framework of minimum requirements, to establish those eligibility requirements that they believe are appropriate for their labor market conditions and which reflect the judgments of their legislators and administrators. DOL does not believe that any specific eligibility condition either promotes or discourages a quick return to work. Rather, DOL believes that the reemployment information will allow DOL and the state agencies to identify the various factors that influence reemployment and encourage the states to use this information to improve UI program administration, e.g., more effectively communicating existing eligibility requirements to UI beneficiaries.

DOL encourages states to make use of any and all resources to improve the performance of the UI program. States are encouraged to use their labor market information to conduct analyses independent of DOL’s analysis of the reemployment data in order to better understand the data and identify state-specific factors that can influence reemployment.

3. *Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.*

In order to comply with the Government Paperwork Elimination Act, the proposed data reporting requirement uses automated procedures for data collection, transmission, and analysis that utilize state and federal information processing technology. Data collection instructions for the ETA 9047 report are provided to the state agencies in ET Handbook 401, 4th edition, section IV, chapter 7. ETA has identified no technical obstacles since state employment security agencies began reporting data to ETA in March 2006.

4. *Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.*

The data collected through the ETA 9047 report does not duplicate information reported to ETA in any other required UI report (ET Handbook 401, 4th edition), data collected through the Benefit Accuracy Measurement (BAM) program (OMB Approval No. 1205-0245, expiring August 31, 2019), or data collected to support Workforce Investment Act performance measures.

5. *If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.*

The proposed data collection has no impact on small businesses. Data will be collected through a computer crossmatch of state records conducted by the SWAs.

6. *Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.*

The information collected through ETA 9047 reporting is currently the only data available to support the measurement of state performance for the UI Performs performance measures of state facilitation of UI benefit recipient reemployment. Less frequent collection of this data will impair the ETA's ability to: 1) aggregate state data promptly to produce a national reemployment measure in order to meet DOL's responsibilities under GPRA and to evaluate state performance under UI Performs; and 2) conduct subsequent analyses of the quarterly reemployment data in order to identify the factors that affect reemployment and explain interstate differences in order to revise ALPs for the UI Performs Core Measure. Because state wage records are submitted quarterly and SWAs already report the number of UI first payments to ETA each month on the ETA 5159 report (OMB Approval No. 1205-0010, expiring December 31, 2018), collecting UI reemployment data less frequently will not materially diminish the burden of this proposed data collection.

The access of state agencies to the wage record data that is part of the National Directory of New Hires (NDNH) facilitates state collection of the reemployment data required for ETA 9047 reporting. State agencies can take advantage of the efficiencies of submitting wage matching

requests as part of their agencies' NDNH matching requests for UI payment integrity purposes. ETA issued instructions on obtaining out-of-state reemployment data through matching the SSNs of UI first payment recipients with UI wage records in the NDNH in UIPL No. 1-06, Change 1 (August 2, 2006).

7. *Explain any special circumstances that would cause an information collection to be conducted in a manner that requires further explanation pursuant to regulations 5 CFR 1320.5.*

The collection of UI reemployment data involves no special circumstances.

8. *If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.*

Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years - even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

In accordance with the Paperwork Reduction Act of 1995, the public was allowed 60 days to comment through the Federal Register Notice posted on March 15, 2017 (82 FR 13856). No public comments were received.

9. *Explain any decisions to provide payments or gifts to respondents, other than remuneration of contractors or grantees.*

ETA provides no payment specifically for ETA 9047 reporting. State agencies use resources provided by DOL as part of their UI administrative grant to support the costs associated with ETA 9047 reporting.

10. *Describe any assurance of confidentiality provided to respondents and the basis for assurance in statute, regulation, or agency policy.*

States reporting information via Form ETA 9047 are informed they have no expectation of privacy; however, ETA maintains strict controls over the data gathered through the UI reporting system. ETA will not be able to identify any individual claimant from the proposed data collection. Although the state data record contains the claimant's SSN, only aggregate data is reported to DOL. ETA does not have access to any individual record data used in the automated records crossmatch.

11. *Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.*

There are no questions of a sensitive nature.

12. *Provide estimates of the hour burden of the collection of information.*

The total burden comprises SWA activities related to assembling automated record system files, conducting automated crossmatches of these files, and electronically reporting the results to DOL.

Total Hourly Burden Equivalency (operating/maintaining): \$100,064 (approximately \$1,888 per SWA).

2,120 hours x \$47.20* per hours = \$100,064.

The following table can be used as a guide to calculate the total burden of an information collection.

| Instruments | Number of Respondents | Frequency | Total Annual Responses | Time Per Response (Hours) | Total Annual Burden (Hours) | Hourly Rate* | Monetized Value of Respondent Time |
|----------------------------|-----------------------|-----------|------------------------|---------------------------|-----------------------------|--------------|------------------------------------|
| ETA 9047 | 53 | Quarterly | 212 | 10 | 2,120 | \$47.20 | \$100,064 |
| Unduplicated Totals | 53 | | 212 | | 2,120 | | \$100,064 |

*Source: The hourly rate is computed by dividing the FY 2016 national average PS/PB annual salary for state staff as provided for through the distribution of state UI administrative grants (http://wdr.doleta.gov/directives/attach/UIPL/UIPL_21-15.pdf) by the average number of hours worked in a year (1,711). For FY2016, this calculation was: \$80,756/1,711 = \$47.20.

13. *Provide an estimate for the total annual cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden already reflected on the burden worksheet).*

Because this is an established data collection, there are no initial (startup) programming costs. No capital or major equipment purchases are required for respondents to meet the reporting requirements of this collection.

14. *Provide estimates of annualized costs to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information. Agencies may*

also aggregate cost estimates from Items 12, 13, and 14 in a single table.

The annual costs of Federal staff to monitor state reporting, analyze, and report the data are:

| | |
|-------------------------------------|-----------|
| GS-14 - 0.15 Staff year, | \$ 19,044 |
| GS-14 - 0.10 Staff year, | \$ 12,696 |
| GS-12 - 0.25 Staff year, | \$ 22,588 |
| | ----- |
| Total Program Office Staffing Costs | \$ 54,328 |

Based on Step 5 of the respective grade for an employee in Washington, DC (annual salary for GS-14/5, \$126,958; GS-12/5, \$90,350). See Office of Personnel Management Salary Table 2017-GS, <http://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2017/DCB.pdf>.

There are no ADP costs that the Agency can assign specifically to the ETA 9047 data collection. States electronically transmit the ETA 9047 report to DOL; ETA 9047 data are stored as part of the UI database maintained for UI required reports and other data collections. As a reasonable proxy, the Agency has assigned a portion of the overall system in which ETA 9047 resides. ETA budgeted \$791,000 to operate and maintain the Unemployment Insurance Required Reports system. Including the subject ICR, this system supports 30 information collections. For administrative purposes, each information collection is assumed to contribute an equal share of the cost for supporting the entire system; therefore the cost allocated to this ICR is estimated to be \$26,367 (\$791,000 system cost/30 information collections).

The Agency estimates total Federal costs to be \$80,695. $\$54,328 + \$26,367 = \$80,695$.

15. *Explain the reasons for any program changes or adjustments reported on the burden worksheet.*

There is no proposed change in the burden associated with this data collection.

16. *For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.*

DOL reports this data in the Annual Performance Report, which is part of its annual budget document (www.dol.gov/sites/default/files/documents/general/budget/CBJ-2017-V1-01.pdf), page 82. ETA makes this information available to the public through its public Web sites. State-level UI reemployment data based on the ETA 9047 report are available at <http://oui.doleta.gov/unemploy/gpra.asp>. A ranking report is available at <http://oui.doleta.gov/unemploy/reemploy.asp>.

ETA analyzes the UI reemployment data in order to evaluate the effects of state labor market conditions and state UI program characteristics on the UI reemployment rate and adjust ALPs and GPRA performance targets if indicated by the results of these analyses. ETA may publish

the results of these analyses if it believes they are of interest to the general public, and will, in any event, share the results of these analyses with SWAs and other UI stakeholders.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons why display would be inappropriate.

ETA displays the OMB approval number and expiration date.

18. Explain each exception to the topics of the certification statement identified in “Certification for Paperwork Reduction Act Submissions.”

There are no exceptions.

B. Collections of Information Employing Statistical Methods

This information collection does not employ statistical methods.