

SUPPORTING STATEMENT
DOL-Only Performance Accountability, Information, and Reporting System
OMB Control No. 1205-0521

This ICR is being submitted in association with the Senior Community Service Employment Program; Performance Accountability; Interim Final Rule. This package is unchanged except to add the regulatory citations, which are sections 20 CFR 641.700, 641.710, 641.720, 641.730, 641.740, and 641.750.

This information collection was recently approved for use through September 30, 2018, because OMB was aware this ICR would be submitted soon. An earlier version of the collection had been approved for use through August 31, 2019. In order to ensure all parts of the collection have been subjected to public comment in the past 3 years, the Department requests OMB to approve this ICR through August 31, 2019.

A. Justification.

The Department of Labor (DOL) seeks approval of this information collection request (ICR) to fulfill the reporting requirements listed in Workforce Innovation and Opportunity Act (WIOA) sec. 116 for entities that administer WIOA core programs.

The regulatory citations are detailed below:

641.700 Provides the performance measures that apply to SCSEP grantees. The Older Americans Act Reauthorization Act of 2016 (OAA) amended the measures of performance for the SCSEP program in large part to align them with the performance measures mandated for programs under the Workforce Innovation and Opportunity Act (WIOA).

641.710 Provides how the performance measures are defined.

641.720 Provides how the Department and SCSEP grantees initially determine and then adjust expected levels of the core performance measures.

641.730 Provides how the Department will assist grantees in the transition to the new core performance measures.

641.740 Provides how the Department will determine whether a grantee fails, meets, or exceeds the expected levels of performance and what will be the consequences of failing to meet expected levels of performance.

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.*

The Department of Labor's (DOL)'s Employment and Training Administration (ETA) developed the **(Program) Performance Report (ETA-9173)** and the **Pay-for-Performance Report (ETA-9174)** to facilitate State performance reporting. In order to collect the participant level data that will be aggregated and displayed in the **(Program) Performance Report (ETA-9173)** quarterly and the **Pay-for-Performance Report (ETA-9174)** annual reports, States will use a standardized individual record file for program participants, called the **DOL Participant Individual Record Layout (PIRL, ETA-9172)**. The PIRL provides a standardized set of data elements, definitions, and reporting instructions that will be used to describe the characteristics, activities, and outcomes of WIOA participants. States and grantees will be required to collect participant information that corresponds with the data elements and descriptions delineated within the PIRL. Once collected, this information will then be aggregated according to the conditions outlined in the specifications found within the Program Performance Report spreadsheet. This document details the common data elements and technical specifications necessary for calculation of reporting elements under all the DOL programs listed in the paragraph below. Once aggregated, the outcomes of the **PIRL** data will be submitted by the States to ETA and then displayed according to the frameworks within the **(Program) Performance Report**, while the **Pay-for-Performance Report** narrative will be submitted annually by states. Each program mentioned in this supporting statement will generate a program specific report that mirrors the construct of the (Program) Performance Report. The Department requires States to certify and submit the (Program) Performance Report to ETA on a quarterly basis; the Pay-for-Performance report(s) on an annual basis.

This ICR is the product of a joint effort among the following DOL programs: WIOA Adult, WIOA Dislocated Worker, WIOA Youth, National Dislocated Worker Grants, Wagner-Peyser Employment Service, National Farmworker Jobs Program, Job Corps, YouthBuild, Indian and Native American Program, as well as non-WIOA covered programs such as Trade Adjustment Assistance (TAA), Reentry Employment Opportunities (REO), H-1B discretionary grants, Senior Community Service Employment Program (SCSEP), and the Jobs for Veterans' State Grants Programs. While H-1B grants, TAA, SCSEP, and the REO programs are not authorized under WIOA, these programs will be utilizing the data element definitions and reporting templates proposed in this ICR. It should also be noted that for Job Corps, the required data elements are noted within the PIRL. However, the burden associated with that data collection currently resides in OMB 1205-0426 as part of the follow-up survey process.

The accuracy, reliability, and comparability of program reports submitted by States and grantees 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 the performance information that is received by DOL.

The set of primary indicators of performance represents the key results that ETA strives to achieve for their customers, and that ETA and Congress are interested in measuring. Using this set of primary indicators affords ETA the ability to describe, in a similar manner, the core purposes of the workforce system – through the program services received, how many people found jobs; what were their earnings; and what skill gains they achieved. They are an integral part of ETA’s performance accountability system, and through the Workforce Performance Accountability, Information, and Reporting System, ETA will continue to collect from States and 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.

This amended ICR is eventually expected to take the place of several currently existing information collections approved by OMB, including: 1205-0420 Workforce Investment Act (WIA) Management Information and Reporting System, 1205-0240 Wagner Peyser Labor Exchange Reporting System (LERS), 1205-0464 YouthBuild Reporting System, 1205-0422 Reporting and Performance Standards for WIA Indian and Native American Programs, 1205-0425 Reporting and Performance Standards System for Migrant and Seasonal Farmworker Programs under title I, Section 167 of the Workforce Investment Act, and the 1205-0392 Trade Act Participant Report. These collections will be discontinued once the last performance reporting requirements are satisfied for each program.

Section 116(d)(1) of WIOA mandates that the Secretaries of Labor and Education develop a template for performance reports to be used by States, local boards, and eligible providers of training services for reporting on outcomes achieved by participants in the WIOA core programs. Required annual data for the core programs include those related to primary performance indicators, participant counts and costs, and barriers to employment as described further in this section.

The DOL (Program) Performance Report and the WIOA Pay-for-Performance Report have been designed to maximize the value of the reports for workers, jobseekers, employers, local elected officials, State officials, Federal policymakers, and other key stakeholders. At the same time, they have also been designed to reflect the specific requirements of reports as described in section 116(d)(2), (3), and (4) of WIOA.

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. Listed below are the legal and/or administrative requirements that permit ETA to mandate the collection and reporting of data through the proposed Workforce Performance Accountability, Information, and Reporting System.

Workforce Innovation and Opportunity Act Title I

A. WIOA sec. 116 (29 U.S.C. § 3141)

Establishes the performance and accountability requirements for WIOA Adult, Dislocated Worker, and Youth programs. The purpose of sec. 116 is to establish performance accountability measures that apply across the core programs to assess the effectiveness of

States and local areas (for core programs described in subtitle B) in achieving positive outcomes for individuals served by those programs (sec. 116(a)).

Further, sec. 116(d) outlines the minimum requirements for the WIOA performance reports that States and local areas must submit to the Department of Labor. The annual reports must include:

- Information specifying the levels of performance achieved with respect to the following primary indicators for each of the WIOA Adult, Dislocated Worker, Youth programs and the State adjusted levels of performance with respect to such indicators for each program:
 - the percentage of program participants who are in unsubsidized employment during the second quarter after exit from the program;¹
 - the percentage of program participants who are in unsubsidized employment during the fourth quarter after exit from the program;²
 - the median earnings of program participants who are in unsubsidized employment during the second quarter after exit from the program;
 - the percentage of program participants who obtain a recognized postsecondary credential, or a secondary school diploma or its recognized equivalent, during participation in or within one year after exit from the program. For those participants who obtained a secondary school diploma or its recognized equivalent, the participant must also have obtained or retained employment or be in an education or training program leading to a recognized postsecondary credential within one year after exit from the program;
 - the percentage of program participants who, during a program year, are in an education or training program that leads to a recognized postsecondary credential or employment and who are achieving measurable skill gains toward such a credential or employment; and
 - the indicator(s) of effectiveness in serving employers.
- Information specifying the levels of performance achieved with respect to the primary indicators of performance for each of the above-mentioned programs as described in WIOA sec. 116(b)(3)(A)(ii) with respect to individuals with barriers to employment, disaggregated by each subpopulation of such individuals, and by race, ethnicity, sex, and age;

11 For the title I Youth program, the percentage of WIOA youth participants includes those who are in education or training activities, or in unsubsidized employment, during the second quarter after exit from the program (WIOA sec. (b)(2)(A)(ii)(I)).

2 For the title I Youth program, the percentage of WIOA youth participants includes those who are in education or training activities, or in unsubsidized employment, during the fourth quarter after exit from the program (WIOA sec. (b)(2)(A)(ii)(II)).

- “Barriers to Employment,” as defined in sec. 3(24) of WIOA, for both number of participants served and performance on primary indicators, and then further disaggregated by age, race and ethnicity, and gender. Under sec. 3(24), an “individual with a barrier to employment” includes:
 - Displaced homemakers;
 - Low-income individuals;
 - Indians, Alaska Natives, and Native Hawaiians, as such terms are defined in sec.166 of WIOA;
 - Individuals with disabilities, including youth who are individuals with disabilities;
 - Older individuals (55+);
 - Ex-offenders;
 - Homeless individuals (as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 USC 14043e–2(6)), homeless children and youths (as defined in section 725(2) of the McKinney-Vento Homeless Assistance Act (42 USC 11434a(2)), or runaway youth;
 - Youth who are in or have aged out of the foster care system;
 - Individuals who are English language learners, individuals who have low levels of literacy, and individuals facing substantial cultural barriers;
 - Eligible migrant and seasonal farmworkers, as defined in sec.167(i) of WIOA;
 - Individuals within two years of exhausting lifetime eligibility under TANF (part A of title IV of the Social Security Act (42 USC 601 et seq.));
 - Single parents (including single pregnant women);
 - Long-term unemployed individuals (27 or more consecutive weeks); and
 - Such other groups, as the Governor determines to have barriers to employment.
- The total number of participants served by each of the programs described in WIOA sec. 116(b)(3)(A)(ii);
- The number of participants who received career services and training services, respectively, during the most recent program year and the 3 preceding program years, and the amount of funds spent on each type of service;
- The number of participants who exited from career services and training services, respectively, during the most recent program year and the 3 preceding program years;

- The average cost per participant of those participants who received career services and training services, respectively, during the most recent program year and the 3 preceding program years; (this particular information will be displayed on the common data report used by the Departments of Education and Labor as described the WIOA Common Performance Management, Information, and Reporting ICR);
- The percentage of participants in a program authorized under title I who received training services and obtained unsubsidized employment in a field related to the training received;
- The number of individuals with barriers to employment served by each of the programs described in WIOA sec. 116(b)(3)(A)(ii), disaggregated by each subpopulation of such individuals;
- The number of participants who are enrolled in more than 1 of the programs described in WIOA sec. 116(b)(3)(A)(ii);
- The percentage of the State’s annual allotment under WIOA sec. 132(b) that the State spent on administrative costs;
- In the case of a State in which local areas are implementing pay-for-performance contract strategies for programs—
 - The performance of service providers entering into contracts for such strategies, measured against the levels of performance specified in the contracts for such strategies; and
 - An evaluation of the design of the programs and performance of the strategies, and, where possible, the level of satisfaction with the strategies among employers and participants benefitting from the strategies; and
- Other information that facilitates comparisons of programs with programs in other States.

Sections 169, 185, and 189 of WIOA provide broad authority to the Secretary of Labor to address performance and accountability issues for all programs authorized under title I. Section 116 of WIOA specifically addresses performance and accountability for the WIOA Adult, Dislocated Worker, Youth, and Wagner-Peyser programs.

B. WIOA sec. 169 (29 U.S.C. § 3224)

Directs the Secretary to provide for the continuing evaluation of programs and activities authorized under title I. WIOA sec. 169(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 accountability measures relating to such programs and activities;
- Effectiveness of the structure and mechanisms for delivery of services through such programs and activities, including the coordination and integration of services;
- Impact of the programs and activities on the community, businesses, 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.

C. WIOA sec. 185 (29 U.S.C. § 3245)

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 submitted by any State, local board, or recipient of funds under title I of WIOA be defined and reported uniformly (WIOA sec.185(d)(2));
- Direct that each State, each Local Board, and each recipient receiving funds under title I of WIOA (other than a sub-recipient, sub-grantee, or contractor of a recipient) shall prescribe and maintain comparable management information systems, in accordance with 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 sec.188 (WIOA sec. 185(c)(2));
- Require that recipients of funds under title I of WIOA 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 WIOA (sec. 185(a)(2));
- Compel States to submit to the Secretary, on a quarterly basis, a summary of the quarterly financial reports submitted to the Governor by the local boards in that State, which the Secretary shall submit to the Committee on Health, Education, Labor and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives under WIOA secs. 185(e)(1) and 185(e)(2);
- Specify that the reports under WIOA sec. 185(c) shall include information about programs and activities carried out under title I of WIOA 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 (WIOA sec. 185(d)(1)(A)-(E)).

D. WIOA sec. 189 (29 U.S.C. § 3249)

- Requires the Secretary to prepare and submit to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate an annual report regarding the programs and activities carried out under title I of WIOA. The report must include: A summary of the achievements, failures, and challenges of the programs and activities in meeting the objectives of WIOA title I;
- A summary of major findings from research, evaluations, pilot projects, and experiments conducted under WIOA 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. (WIOA sec. 189(d)(1)-(4))

Migrant and Seasonal Farmworker Programs (also referred to as the National Farmworker Jobs Program (NFJP))

ETA's statutory and regulatory authority to administer the NFJP includes provisions allowing for the requirement of reporting from grantees. WIOA includes provisions that require each grantee to furnish to the Secretary such information and reports as are necessary or appropriate for carrying out the purposes of Section 167 of WIOA. Information is collected through the NFJP reporting and recordkeeping system under the following authority:

A. WIOA secs. 167(c)(1) & 167(c)(2)(C) (29 U.S.C. 3222(c)(1) & (c)(2))

Program Plan — To be eligible to receive a grant or enter into a contract under this section, an entity described in WIOA sec. 167(b) shall submit to the Secretary a plan that describes a 4-year strategy for meeting the needs of eligible migrant and seasonal farmworkers in the area to be served by such entity. (WIOA section 167(c)(1))

Contents — The contents of the plan is required to include certain elements that relate to performance reporting. Entities will be able to complete the plans using the information that DOL is proposing to collect under this ICR. WIOA sec. 167(c)(2)(C) requires that the plan:

describe the performance accountability measures to be used to assess the performance of such entity in carrying out the activities assisted under this section, which shall include the expected levels of performance for the primary indicators of performance described in section 116(b)(2)(A);

Indian and Native American Programs

ETA's statutory and regulatory authority to administer the INA programs includes provisions allowing for the requirement of performance reporting from grantees. WIOA includes provisions that require each grantee to provide to the Secretary such information and reports as are necessary or appropriate for carrying out the purposes of sec. 166 of the Act.

Information is collected through ETA's INA programs' reporting and recordkeeping system under the following authorities:

A. WIOA sec.166(e) (29 U.S.C. 3221(e))

Program Plan — In order to receive a grant or enter into a contract or cooperative agreement under this section, an entity described in sec. 166(c) shall submit to the Secretary a program plan that describes a 4-year strategy for meeting the needs of Indian, Alaska Native, or Native Hawaiian individuals, as appropriate, in the area to be served by such entity. In addition to the program elements included in the plan, the plan is required to include elements that relate to performance reporting. Entities will be able to complete the plans using the information that DOL is proposing to collect under this ICR. WIOA sec. 166(e)(5) requires that the plan —

Describe, after the entity submitting the plan consults with the Secretary, the performance measures to be used to assess the performance of entities in carrying out the activities assisted under this section which must include the primary indicators of performance described in section 116(b)(2)(A) and expected levels of performance for such indicators, in accordance with subsection h.

Trade Adjustment Assistance Act Program

This program is authorized by the Trade Act of 1974, as amended by the Trade Adjustment Assistance Reauthorization Act (TAARA) of 2015, title IV of the Trade Preferences Act of 2015 (P.L. No. 114-27). It is intended that this ICR will replace the current ICR being used to collect TAA-related data elements. Information is collected through the TAA reporting and recordkeeping system under the following authority:

A. TAARA sec. 239(j) (Agreements with States. [19 U.S.C. 2311(j)])

Performance Measures

- (1) **IN GENERAL.**— Any agreement entered into under TAARA sec.239(j) shall require the cooperating State or cooperating State agency to report to the Secretary on an annual basis comprehensive performance accountability measures, to consist of—
 - (A) the primary indicators of performance described in paragraph (2)(A);
 - (B) the additional indicators of performance described in paragraph (2)(B), if any;
and
 - (C) a description of efforts made to improve outcomes for workers under the trade

adjustment assistance program that promote efficiency and effectiveness.

(2) Indicators of Performance

(A) Primary Indicators of Performance

(i) In General—The primary indicators of performance referred to in paragraph (1)(A) shall consist of—

(I) the percentage and number of workers who received benefits under the trade adjustment assistance program who are in unsubsidized employment during the second calendar quarter after exit from the program;

(II) the percentage and number of workers who received benefits under the trade adjustment assistance program and who are in unsubsidized employment during the fourth calendar quarter after exit from the program;

(III) the median earnings of workers described in sub clause (I);

(IV) the percentage and number of workers who received benefits under the trade adjustment assistance program who, subject to clause (ii), obtain a recognized postsecondary credential or a secondary school diploma or its recognized equivalent, during participation in the program or within 1 year after exit from the program; and

(V) the percentage and number of workers who received benefits under the trade adjustment assistance program who, during a year while receiving such benefits, are in an education or training program that leads to a recognized postsecondary credential or employment and who are achieving measurable gains in skills toward such a credential or employment.

(ii) Indicator Relating to Credential—For purposes of clause (i)(IV), a worker who received benefits under the trade adjustment assistance program who obtained a secondary school diploma or its recognized equivalent shall be included in the percentage counted for purposes of that clause only if the worker, in addition to obtaining such a diploma or its recognized equivalent, has obtained or retained employment or is in an education or training program leading to a recognized postsecondary credential within 1 year after exit from the program.

(B) Additional Indicators—The Secretary and a cooperating State or cooperating State agency may agree upon additional indicators of performance for the trade adjustment assistance program under this chapter, as appropriate.

(3) Standards with Respect to Reliability Measures—In preparing the annual report required by paragraph (1), each cooperating State or cooperating State agency shall establish procedures that are consistent with guidelines to be issued by the Secretary to ensure that the measures reported are valid and reliable.

(4) Accessibility of State Performance Reports—The Secretary shall, on an annual basis,

make available (including by electronic means), in an easily understandable format, the reports of cooperating States or cooperating State agencies required by paragraph (1) and the information contained in those reports.

B. TAARA sec. 249B(b)(2-6) (Collection And Publication of Data and Reports; Information to Workers. [19 U.S.C. 2323(b)])

(2) Data on Benefits Received—

- (A) The number of workers receiving benefits under this chapter.
- (B) The number of workers receiving each type of benefit, including training, trade readjustment allowances (including such allowances classified by payments under paragraphs (1) and (3) of TAARA sec. 233(a), and sec. 233(f), respectively) and payments under sec. 246, employment and case management services, and relocation and job search allowances, and, to the extent feasible, credits for health insurance costs under sec. 35 of the Internal Revenue Code of 1986.
- (C) The average time during which such workers receive each such type of benefit.
- (D) The average number of weeks trade readjustment allowances were paid to workers.
- (E) The number of workers who report that they have received benefits under a prior certification issued under this chapter in any of the 10 fiscal years preceding the fiscal year for which the data is collected under this section.

(3) Data on Training

- (A) The number of workers who received training approved under TAARA sec. 236, classified by major types of training, including classroom training, training through distance learning, training leading to an associate's degree, remedial education, pre-requisite education, on-the-job training, and customized training.
- (B) The number of workers who exited training approved under sec. 236, including who received pre-layoff training or part-time training at any time during that training.
- (C) The average duration of training, and the average duration of training that does not include remedial or prerequisite education.
- (D) The number of training waivers granted under sec. 231(c), classified by type of waiver.
- (E) The number of workers who exited training and the average duration of such training.
- (F) The number of workers who do not exit training and the average duration of the training that was completed by such workers.
- (G) The average cost per worker of receiving training approved under sec. 236.

- (H) The percentage of workers who received training approved under sec. 236 and obtained unsubsidized employment in a field related to that training.
- (4) Data on Outcomes
- (A) A summary of the annual reports required under TAARA sec. 239(j).
 - (B) A summary of the data on workers in the annual reports required under sec. 239(j) classified by the age, pre-program educational level, and post-program credential attainment of the workers.
 - (C) The median earnings of workers described in sec. 239(j)(2)(A)(i)(III) during the second calendar quarter after exit from the program, expressed as a percentage of the median earnings of such workers before the calendar quarter in which such workers began receiving benefits under this chapter.
 - (D) The sectors in which workers are employed after receiving benefits under this chapter.
- (5) Data on Rapid Response Activities—Whether rapid response activities were provided with respect to each petition filed under TAARA sec. 221.
- (6) Data on Spending
- (A) The total amount of funds used to pay for trade readjustment allowances, in the aggregate and by each State.
 - (B) The total amount of the payments to the States to carry out TAARA sec. 235 through 238 used for training, in the aggregate and for each State.
 - (C) The total amount of payments to the States to carry out sec. 235 through 238 used for the costs of administration, in the aggregate and for each State.
 - (D) The total amount of payments to the States to carry out sec. 235 through 238 used for job search and relocation allowances, in the aggregate and for each State.

Wagner-Peyser Employment Service

The Labor Exchange Reporting System (LERS), authorized under OMB Control Number 1205-0240, is the only current mechanism for collecting performance information on the Wagner-Peyser Act Employment Service and Jobs for Veterans' State grants' activities. As such, this set of reports is necessary for tracking and reporting, to stakeholders, information on the usage, services provided, and performance of these programs. More specifically, these reports are used to monitor the core purpose of the program – mainly, tracking how many people found jobs; did people stay employed; and what were their earnings. It is expected that OMB Control Number 1205-0240 will be utilized for all Program Year 2016 reporting; this ICR will be discontinued after all required reporting is completed. Due to lag times in performance outcomes, this will likely be after the close of Program Year 2017.

Collection of performance information under the Wagner-Peyser Employment Service and Jobs for Veterans State grants program is statutorily required by the following:

A. Wagner-Peyser Act sec.3(a), 29 U.S.C. 49b(a)

“The Secretary shall assist in coordinating the State public employment service offices throughout the country and in increasing their usefulness by developing and prescribing minimum standards of efficiency, assisting them in meeting problems peculiar to their localities, promoting uniformity in their administrative and statistical procedures, furnishing and publishing information as to opportunities for employment and other information of value in the operation of the system and maintaining a system for clearing labor between the States.”

B. Wagner-Peyser Act sec. 3(c), 29 U.S.C. 49b(c)

“The Secretary shall –

(2) assist in the development of continuous improvement models for such nationwide system that ensure private sector satisfaction with the system and meet the demands of job seekers relating to the system.”

C. Wagner-Peyser Act sec. 7(b), 29 U.S.C. 49f(b)

“Ten percent of the sums allotted to each State pursuant to section 49e of this title shall be reserved for use in accordance with this subsection by the Governor of each such State to provide –

(1) performance incentives for public employment service offices and programs, consistent with the performance accountability measures that are based on indicators described in section 116(b)(2)(A)(i) of the Workforce Innovation and Opportunity Act, taking into account direct or indirect placements (including those resulting from self-directed job search or group job search activities assisted by such offices or programs), wages on entered employment, retention, and other appropriate factors.”

D. Wagner-Peyser Act sec. 10(c), 29 U.S.C. 49i(c)

“Each State receiving funds under this Act shall –

(1) make such reports concerning its operations and expenditures in such form and containing such information as shall be prescribed by the Secretary, and

(2) establish and maintain a management information system in accordance with guidelines established by the Secretary designed to facilitate the compilation and analysis of programmatic and financial data necessary for reporting, monitoring and evaluating purposes.”

E. Wagner-Peyser Act sec. 13(a), 29 U.S.C. 49l(a)

“The activities carried out pursuant to section 7 shall be subject to the performance accountability measures that are based on indicators described in section 116(b)(2)(A)(i) of the Workforce Innovation and Opportunity Act.”

F. Wagner-Peyser Act sec. 15(e)(2)(I), 29 U.S.C. 49l-2(e)(2)(I)

“(e) State responsibilities. –

(2) Duties. – In order to receive Federal financial assistance under this section, the State agency shall—

(H) utilize the quarterly records described in section 116(i)(2) of the Workforce Innovation and Opportunity Act to assist the State and other States in measuring State progress on State performance measures.”

G. The performance collection requirements for the Jobs for Veterans State grants program is at 38 USC 4102A(f):

“(f) Establishment of performance standards and outcomes measures.--(1) The Assistant Secretary of Labor for Veterans' Employment and Training shall establish and implement a comprehensive performance accountability system to measure the performance of employment service delivery systems, including disabled veterans' outreach program specialists and local veterans' employment representatives providing employment, training, and placement services under [the Jobs for Veterans State grants program] in a State to provide accountability of that State to the Secretary for purposes of subsection (c).”

H. Additionally, DOL needs to collect the performance information for the Jobs for Veterans State grants program to fulfill its requirements under 38 USC 4107(b):

“(b) The Secretary shall apply performance standards established under section 4102A(f) of [title 38] for determining compliance by the State public employment service agencies with the provisions of this chapter and chapter 42 of [title 38]. Not later than February 1 of each year, the Secretary shall report to the Committees on Veterans' Affairs of the Senate and the House of Representatives on the performance of States and organizations and entities carrying out employment, training, and placement services under this chapter, as measured under subsection (b)(7) of section 4102A of [title 38]. In the case of a State that the Secretary determines has not met the minimum standard of performance (established by the Secretary under subsection (f) of such section), the Secretary shall include an analysis of the extent and reasons for the State's failure to meet that minimum standard, together with the State's plan for corrective action during the succeeding year.”

Senior Community Service Employment Program (SCSEP)

A. OAA sec. 513 (42 U.S.C. 3056k, as amended by P.L. 114-144)

Establishes the performance and accountability requirements for SCSEP. The purpose of sec. 513 is to establish performance accountability measures that apply with grantees, sub-grantees, and host agencies under this title, States, older individuals, area agencies on aging, and other organizations serving older individuals, core measures of performance for each grantee for projects and services carried out under this title. (sec. 513(a)).

Further, sec. 513 outlines the minimum requirements for the SCSEP performance reports that grantees, must submit to the Department of Labor. The reports must include:

- Information specifying the levels of performance achieved with respect to the following primary core indicators of performance specified in sec. 513(b)(1) and the expected levels of performance applicable to each core indicator of performance:

- (A) hours (in the aggregate) of community service employment;
- (B) the percentage of project participants who are in unsubsidized employment during the second quarter after exit from the project;
- (C) the percentage of project participants who are in unsubsidized employment during the fourth quarter after exit from the project;
- (D) the median earnings of project participants who are in unsubsidized employment during the second quarter after exit from the project;
- (E) indicators of effectiveness in serving employers, host agencies, and project participants; and
- (F) the number of eligible individuals served, including the number of participating individuals described in subsection (a)(3)(B)(ii) or (b)(2) of section 518.

The OAA-2016 requires SCSEP to align its performance indicators with WIOA core measures. SCSEP will modify its current ICR (under OMB Control Number 1205-0040) to collect non-performance data elements. The Department issued updated regulations that aligned with the new statutory measures on December 31, 2017 in an Interim Final Rule. This rule is codified at 20 CFR Part 641 Subpart G.

B. OAA sec. 515 (42 U.S.C. 3056m, as amended by P.L. 114-144)

Establishes the performance and reporting requirements for SCSEP. Section 515 requires the preparation of a report on the levels of participation and performance outcomes of minority individuals served by the SCSEP. The report must include:

- Information on the levels of participation and the outcomes achieved by such minority individuals with respect to each SCSEP grantee, by service area, and in the aggregate, beginning with data that applies to program year 2005;
- A description of each grantee's efforts to serve minority individuals, based on information submitted to the Department by each grantee at such time and in such manner as the Department determines to be appropriate.
- The report shall also include:
 - (A) an assessment of individual grantees based on the criteria established under sec. 515(c);
 - (B) an analysis of whether any changes in grantees have affected participation rates of such minority individuals;
 - (C) information on factors affecting participation rates among such minority individuals; and
 - (D) recommendations for increasing participation of minority individuals in the program.

C. OAA sec. 503(f) (42 U.S.C. 3056a(f), as amended by P.L. 114-144)

Broadly addresses reports, recordkeeping, and evaluation across programs authorized under title V of the OAA. Under the provisions of section 503(f):

- Grantees must prepare and submit a report in such manner and containing such information as the Secretary may require regarding activities carried out under Title V;
- Grantees must keep records that are:

- (A) sufficient records to permit the preparation of reports required by Title V;
- (B) sufficient to permit the tracing of funds to a level of expenditure adequate to ensure that the funds have not been spent unlawfully; and
- (C) contain any other information that the Secretary determines to be appropriate.

D. OAA sec. 503(g) (42 U.S.C. 3056a(g), as amended by P.L. 114-144)

The Department must establish by rule and implement a process to evaluate, in accordance with section 513, the performance of projects carried out and services provided by SCSEP. The Department must report to Congress, and make available to the public, the results of each such evaluation and shall use such evaluation to improve services delivered by, or the operation of, projects carried out under this title.

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.*

States must submit the required data collected by the proposed ICR to obtain or retain Federal funding. WIOA sec. 116(f)(1)(B), 29 USC § 3141(f)(1)(B). On a quarterly basis, States must submit the DOL Participant Individual Record Layout (PIRL), which generates the ETA (Program) Performance Report, while the WIOA Pay-for-Performance Report is a narrative report submitted annually by states.

These reports help the DOL identify States that need early intervention to provide assistance if they are not meeting their negotiated levels of performance. DOL interprets several provisions of WIOA as authorizing the collection of these reports. Specifically, WIOA sec. 116 requires DOL to measure States' progress, WIOA sec. 169 requires DOL to evaluate the activities of its programs, and WIOA sec. 189 requires DOL to submit an annual report to Congress on WIOA title I programs. Additionally, WIOA sec. 185 requires States to maintain records sufficient to prepare performance reports. Considered as a whole, these statutory provisions authorize DOL to require States to submit these reports.

DOL will receive data from the States or grantees through the PIRL and use that information to generate the (Program) Performance Report. Each program mentioned in this supporting statement will generate a program specific report that mirrors the construct of the (Program) Performance Report.

DOL will use the data to track total participants, characteristics, services, training strategies and outcomes for employed, unemployed and long-term unemployed participants. This data collection format permits program offices to evaluate program effectiveness, monitor compliance with statutory requirements, and analyze participant activity and grantee performance while complying with OMB efforts to streamline Federal performance reporting.

Under WIOA sec. 116(d)(6), the Secretary of Labor is required to annually make available (including by electronic means), in an easily understandable format, (a) the WIOA Statewide Annual Performance Reports containing the information described in WIOA sec. 116 (d)(2)

and (b) a summary of the reports, and the reports, required under WIOA sec. 116 (d)(6) (the State Performance, Local Area, and Eligible Training Provider Reports), to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate.

Agencies within DOL use the data to safeguard the Federal interest in conducting oversight. The reports and other analyses of the data will be made available to the public through publication and other appropriate methods and to the appropriate congressional committees through copies of such reports. In addition, information obtained through the WIOA information and reporting system will be used at the national level during budget and allocation hearings for DOL compliance with the Government Performance and Results Act (GPRA) and other legislative requirements, and during legislative authorization proceedings. Data collected in the (Program) Performance Report and the WIOA Pay-for-Performance Report will be made accessible to the public through an annual report published on www.doleta.gov/performance.

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.*

States and grantees will collect participant data through electronic means. State reports and/or individual record data will be submitted electronically through portals established by DOL.

In order to comply with the Government Paperwork Elimination Act, DOL is streamlining the collection of participant data and the preparation of reports to the extent feasible by providing uniform data elements and data definitions to States and grantees. All data will be submitted to DOL via an electronic reporting system (currently in development) that will align with the above objective. States and grantees will collect, retain, and report all information electronically through this system and will be provided comprehensive guidance on where, when, and how to complete the data transfer to DOL in an efficient manner. Additionally, grantee performance reports will be automatically generated by DOL upon data submission. In this manner, data accuracy can be ensured by utilizing one uniform method of report aggregation.

This ICR (OMB 1205-0521), while sharing a record layout and many of the same required program reporting elements, represents a separate set of program-specific reporting templates, their corresponding burden estimates, and statutory provisions for collection of data. While the required data elements for OMB control number 1205-0526 are included in this ICR to provide a comprehensive view of ETA's performance reporting system, all associated burden is accounted for solely in the 1205-0526 information collection request to eliminate duplication.

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.*

ETA has worked to minimize the reporting burden of this collection greatly by limiting as much as possible and establishing the number of data elements required commensurate with the level of services expended and services received. Data items collected by program reports and individual records are needed to: (1) account for the detailed services provided by multiple agencies to help participants prepare for job placement; (2) better identify overlapping and unproductive duplication of services; and (3) support the ongoing evaluation efforts in determining the effectiveness of each program model.

This proposed information collection will be in addition to existing program-specific collections under approved OMB Control Numbers/Report titles described in more detail below. The existing collections will be either phased out or modified so that ongoing duplication is minimized. The program offices have collaborated to develop common definitions across programs in order to reduce further the chances of duplicative reporting.

The currently-approved program-specific data reporting that will continue, as applicable, in addition to the data reporting under this ICR as discussed herein, for the programs include:

- Control Number 1205-0420, Workforce Investment Act Management Information and Reporting System;
- Control Number 1205-0240, Labor Exchange Reporting System;
- Control Number 1205-0425, Reporting and Performance Standards System for Migrant and Seasonal Farmworker Programs Under Title I, Section 167 of the Workforce Investment Act
- Control Number 1205-0507, H-1B Technical Skills Training Grants and H-1B Jobs and Innovation Accelerator Challenge Grants
- Control Number 1205-0392, Trade Act Participant Report (TAPR)
- Control Number 1205-0513, Youthful Offender Grants Management Information System
- Control Number 1205-0455, Reintegration of Ex-Offenders, Adult Reporting System
- Control Number 1205-0422, Reporting and Performance Standards for WIA Indian and Native American Programs
- Control Number 1205-0464, YouthBuild Reporting System

- Control Number 1205-0040, Senior Community Service Employment Program

The Department anticipates that the above collections will be discontinued or modified, as appropriate, as the WIOA performance measures are fully implemented. The different programs may have varying implementation timeframes through the WIOA transition period.

The DOL Performance Accountability, Information, and Reporting System, while sharing a record layout and many of the same required program reporting elements as the WIOA Common Performance Reporting information collection, represents a separate set of program-specific reporting templates, their corresponding burden estimates, and statutory provisions for collection of data. While the required data elements for the Common Performance Reporting collection are included in this ICR to provide a comprehensive view of DOL's reporting system, all associated burden is accounted for solely in that information collection request to eliminate duplication. Where there is overlapping burden, it is accounted for in only one ICR, in order to avoid a duplicate count.

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

This data collection does not have a significant impact on small entities. Grantees must secure, however, the necessary data from all sub-recipients, as applicable, to incorporate into grantee-required reporting formats.

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.*

Failure to collect the required performance data, and/or report it less frequently than annually, would violate WIOA. Such failure could impact a State's receipt of Federal funds under WIOA, and/or be a determining factor for a financial sanction on the State (WIOA sec. 116(f), 29 USC § 3141(f)). Moreover, such failure could impede the Department's efforts to ensure compliance with Federal performance requirements, thereby affecting its ability to safeguard the Federal interest. The reporting, oversight, and monitoring of the programs presenting this collection would be severely hampered because there is no other vehicle for streamlined quarterly assessment of performance and participant outcomes.

Both the Department of Labor and recipient States are mandated by various program-specific legislative acts, as well as the GPRA, to establish performance standards and make available reports concerning program operations and expenditures. The inability to utilize annual program performance data in order to develop strategies for continuous improvement could negatively affect workforce system performance, future Congressional appropriations, and individuals who benefit from services provided through these programs.

For the WIOA Adult, Youth, Dislocated Workers, and Wagner-Peyser Employment Service programs, collection of this data is necessary so that DOL can make determinations about the State's performance success or failure on the primary indicators of performance. Such assessments will determine whether a State may be subject to a financial sanction for State

failure to meet State performance accountability measures pursuant to WIOA sec. 116(f):

- (A) Technical Assistance — If a State fails to meet the State adjusted levels of performance relating to indicators described in subsection (b)(2)(A) for a program for any program year, the Secretary of Labor and the Secretary of Education shall provide technical assistance, including assistance in the development of a performance improvement plan.
- (B) Reduction in Amount of Grant for programs regulated under WIOA — If such failure continues for a second consecutive year, or (except in the case of exceptional circumstances as determined by the Secretary of Labor or the Secretary of Education, as appropriate) a State fails to submit a report under subsection (d) for any program year, the percentage of each amount that would (in the absence of this paragraph) be reserved by the Governor under sec. 128(a) for the immediately succeeding program year shall be reduced by 5 percentage points until such date as the Secretary of Labor or the Secretary of Education, as appropriate, determines that the State meets such State adjusted levels of performance and has submitted such reports for the appropriate program years.

For the Senior Community Service Employment Program, the OAA-2016 requires the Department to evaluate, publish and make available for public review, information on the actual performance of each grantee with respect to the levels achieved for each of the core indicators of performance, compared to the expected levels of performance. The results of the Department's evaluation will be reported to Congress. Failure to collect the required performance data, and/or report it, would violate the OAA. Such failure would impact the Department's ability to accurately determine grantee's performance and accurately report performance outcome to the program's stakeholders as required by law.

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.*

This ICR implicates 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.

The Department, on December 1, 2017, issued an Interim Final Rule (82 FR 56869); the regulatory comment period closed on January 30, 2018. In accordance with the Paperwork Reduction Act (PRA), the public was given a sixty day opportunity to review and comment on this information collection through the publication of a notice in the *Federal Register* on December 12, 2017 (82 FR 58446).

Following the 60-day comment period, the Department received two comments in response to the *Federal Register* notice. Full comments are available at <https://www.regulations.gov/docketBrowser?rpp=25&so=DESC&sb=commentDueDate&po=0&dct=PS&D=ETA-2017-0006>.

The Department received two comments in response to the notice. One commenter expressed support for the program extolling the benefits and services it provides to older adults. Although WIOA superseded WIA, the commenter expressed the need to consider SCSEP and WIA rulemaking as vital tools in advocating equality for the senior community. The other commenter provided suggestion regarding specific PIRL elements that were not applicable to the SCSEP elements and the placement of SCSEP data within the PIRL. Comments regarding specific PIRL elements, besides SCSEP elements, will not be considered and were not within the scope of the FRN. Consequently, the Department will not respond to those comments. The comment regarding the section of SCSEP within the PIRL has been considered, however no changes have been made as a result.

9. *Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.*

There are no payments or gifts to respondents.

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

Information submitted by States is considered a matter of public record; therefore, no assurance of confidentiality will be provided to States. The DOL is, however, responsible for protecting the privacy of any WIOA participant and 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. In addition, steps will also be taken to ensure that sample members cannot indirectly be identified in ways that would not be covered the routine uses listed in the associated System of Records Notice. For example, should only a small subset of participants exist, the Agency would combine variables in order to publish summary measures that suppress what otherwise could be identifiable information.

The Department works diligently to ensure the highest level of security whenever personally identifiable information is stored or transmitted. All contractors with access to individually identifying information are required to provide assurances that they will keep the data private

to the extent permitted by law. The Office of Information and Services Technology (OIST) within ETA will continue to be an active participant in the development and approval of data security measures – especially as they apply to WIOA’s web based reporting system. In particular, the Department will not accept a Social Security Number (SSN) as a form of unique identifier, unless specifically noted and required under the individual program. Other personally identifiable information such as participant name and address is not being collected in the PIRL by any program.

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.*

While sensitive questions are asked of participants, the confidentiality of participants is protected to the extent permitted by law, as discussed in section 10. In addition, individual records, which contain wage record information, must be submitted using a unique personal identifier rather than a Social Security Numbers (SSN), unless specifically noted and required under the individual program. It should be noted that for the following programs - National Farmworker Jobs Program (NFJP); National Dislocated Worker Grants (only for grantees that are also entities described in WIOA section 166(c) of WIOA and other eligible entities designated by the Secretary); YouthBuild; H-1B grant programs; Senior Community Service Employment Program (SCSEP); Re-entry Employment Opportunities (REO) grants; and Section 166: Indian and Native American programs - in lieu of a non-SSN unique identifier grantees will collect and provide to ETA SSNs which will allow ETA to match wage records for grantees and lessen the burden on grantees to track post-program outcomes. The collection of SSNs will be used by ETA specifically for tracking exit-based employment measures as part of the WIOA Common Performance Indicators. While grantees are required to collect SSNs, participants cannot be denied services if they choose to not disclose a SSN. ETA will ensure that for SSNs and any other PII information collected and transmitted to ETA, appropriate security will be built into the data collection system. Participant responses to these sensitive questions will allow the Department to evaluate the effectiveness of WIOA comprehensively; National Farmworker Jobs Program (NFJP); National Dislocated Worker Grants; YouthBuild; H-1B grant programs; and SCSEP.

12. *Provide estimates of the hour burden of the collection of information.*
 - a. Program Performance Report (ETA-9173)

The annual national burden for the Workforce Performance Accountability, Information, and Reporting System information collection is calculated across programs based on the number of participants, the time it takes each respondent to complete and submit their PIRL, and the costs incurred by each program to complete the data collection and report submission process. The programs that will collect standardized data elements using this common control number include DOL’s WIOA Adult, Dislocated Worker, and Youth, Wagner Peyser, National Dislocated Worker Grants, H-1B Discretionary Grants, National Farmworker Jobs,

Trade Adjustment Assistance, Rehabilitation of Ex-Offenders, YouthBuild, the Indian and Native American programs, and SCSEP. The Registered Apprenticeship, the Office of Unemployment Insurance, and Job Corps will use data from the reports listed in this ICR but will not collect their program data using the Workforce Performance Accountability, Information, and Reporting System. As such, these programs are not included in the collection burden.

The burden considers the amount of information collected, reported, and uploaded into the PIRL by each of the above-mentioned programs. The burden amount varies by participant based on the intensity of services provided and the number of PIRL elements applicable to the participant. Web-based registrations, the use of wage records for measuring outcomes, and the use of the web-based system that will generate the (Program) Performance Report, as well as other general and program specific ad hoc reports, help to minimize the burden of data collection.

This burden also includes data formatting, reviewing and correcting errors identified by the States or grantees in the participant level data, uploading the PIRL files to the electronic reporting system, as well as certifying the required reports before their transmission to DOL. States must certify the accuracy of the reports before they are transmitted to and accepted by DOL.

Table 1: Quarterly (Program) Performance Report (ETA-9173) Annualized Burden Hour Estimate

PROGRAM	Number of entities reporting to the Governor	Number of Responses per Respondent (average number of program participants per State)	Total Number of Responses	Burden per Response (in hours)	Total Respondent Burden Hours
Adult, Dislocated Worker, and Youth	57	4	228	4	912
Wagner-Peyser	57	4	228	4	912
Jobs for Veterans' State Grants	57	4	228	4	912
National Dislocated Worker Grants	57	4	228	4	912
H-1B Discretionary Grants	151	4	604	4	2,416

National Farmworker Jobs	52	4	208	4	832
Trade Adjustment Assistance	52	4	208	4	832
Reintegration of Ex-Offenders (Adult)	40	4	160	4	640
Reintegration of Ex-Offenders (Youth)	84	4	336	4	1,344
YouthBuild	200	4	800	4	3,200
Indian and Native American Programs	122	4	488	4	1,952
Senior Community Service Employment Program	75	4	300	4	1,200
TOTAL	1,004	--	4,016	--	16,064

Table 2: Quarterly (Program) Performance Report (ETA-9173) Annualized Burden Cost Estimate

PROGRAM	Total Respondent Burden Hours	Hourly Wage Rate	Total Respondent Burden Cost
Adult, Dislocated Worker, and Youth	912	\$35.22	\$32,121
Wagner-Peyser	912	\$35.22	\$32,121
Jobs for Veterans' State Grants	912	\$35.22	\$32,121
National Dislocated Worker Grants	912	\$35.22	\$32,121
H-1B Discretionary Grants	2,416	\$28.30	\$68,373
National Farmworker Jobs	832	\$24.80	\$20,634

Trade Adjustment Assistance	832	\$35.22	\$29,303
Reintegration of Ex-Offenders (Adult)	640	\$21.40	\$13,696
Reintegration of Ex-Offenders (Youth)	1,344	\$21.40	\$28,762
YouthBuild	3,200	\$21.40	\$68,480
Indian and Native American Programs	1,952	\$45.90	\$89,597
Senior Community Service Employment Program	1,200	\$21.40	\$25,680
TOTAL	16,064	--	\$473,009

The annual burden cost provided in Table 2 has been calculated based on each program’s total burden hours and the applicable hourly cost for States’ staff services. The WIOA Adult, Dislocated Workers, YouthBuild, Wagner-Peyser, Jobs for Veterans' State Grants, and National Dislocated Worker Grants programs calculate their hourly rate as \$35.22 (the wage rate of \$22.43 has been adjusted using a loaded wage factor of 1.57 to reflect total compensation, which includes non-wage factors such as health and retirement benefits. The loaded wage factor also represents the ratio of average total compensation to average wages for State and local government workers in 2015), the average hourly wage rate for social workers according to the Bureau of Labor Statistics. May 2015 national industry-specific occupational employment and wage estimates: NAICS 999200 – Local government, excluding schools and hospitals (OES designation). The source of the above data is from: http://www.bls.gov/oes/current/naics4_999200.htm.

Hourly rates used to calculate hourly cost for H-1B programs depend upon the type of organization administering the program. For their private non-profit grantees, the hourly rate is the average hourly wage rate for Social and Human Service Assistants according to the Bureau of Labor Statistics (2015). (The wage rate of \$18.02 has been adjusted using a loaded wage factor of 1.57 to reflect total compensation, which includes non-wage factors such as health and retirement benefits. The loaded wage factor also represents the ratio of average total compensation to average wages for State and local government workers in 2015.) May 2015 national industry-specific occupational employment and wage estimates: NAICS 999200 – Local government, excluding schools and hospitals (OES designation). The source of the above data is from: http://www.bls.gov/oes/current/naics4_999200.htm. It should also be noted that this labor category could potentially change depending on the type of specific H-1B grant. The labor category used for this analysis was primarily based on current grants.

Because the NFJP is largely administered through private non-profit organizations, an average hourly rate of \$24.80 (adjusted from \$15.75 using loaded wage factor of 1.57) was used in calculating the total annual costs of this collection. This is the average hourly earnings in the U.S. Department of Labor Bureau of Labor Statistics Social Assistance industry category or subsector (NAICS 624) for December 2015. (<http://www.bls.gov/iag/tgs/iag624.htm#earnings>)

The TAARA program calculates their hourly rate as \$35.22 (The wage rate of \$22.43 has been adjusted using a loaded wage factor of 1.57 to reflect total compensation, which includes non-wage factors such as health and retirement benefits. The loaded wage factor also represents the ratio of average total compensation to average wages for State and local government workers in 2015.), the average hourly wage rate for social workers according to the Bureau of Labor Statistics (2015). May 2015 national industry-specific occupational employment and wage estimates: NAICS 999200 – Local government, excluding schools and hospitals (OES designation). The source of this data is from: http://www.bls.gov/oes/current/naics4_999200.htm.

Hourly rates used to calculate the Reintegration of Ex-Offender – Adult program burden cost depend upon the type of organization administering the program. For private non-profit grantees, the hourly rate is the average hourly earnings in the Census Bureau’s social assistance industry category (March 2015, Current Employment Statistics Survey, U.S. Census Bureau). Hourly rate adjusted using loaded wage factor of 1.57.
Source: http://www.bls.gov/web/empsit/ceseeb8a.htm#ce_ee_table8a.f.2

Hourly rates used to calculate the Reintegration of Ex-Offender – Youth program burden cost depends upon the type of organization administering the program. For private non-profit grantees, the hourly rate is the average hourly earnings in the Census Bureau’s social assistance industry category (March 2015, Current Employment Statistics Survey, U.S. Census Bureau). Hourly rate adjusted using loaded wage factor of 1.57.
Source: http://www.bls.gov/web/empsit/ceseeb8a.htm#ce_ee_table8a.f.2

Hourly rates used to calculate the YouthBuild program burden cost depend upon the type of organization administering the program. For private non-profit grantees, the hourly rate is the average hourly earnings in the Census Bureau’s social assistance industry category (March 2015, Current Employment Statistics Survey, U.S. Census Bureau). Hourly rate adjusted using loaded wage factor of 1.57. Source: http://www.bls.gov/web/empsit/ceseeb8a.htm#ce_ee_table8a.f.2. It should also be noted that this labor category could potentially change depending on the type of specific YouthBuild grant. The labor category used for this analysis was primarily based on current grants.

All hourly rates used to calculate the Indian and Native American Programs burden cost are the mean hourly earnings in the Bureau of Labor Statistics’ management analyst occupational category within State government (May 2015, Occupational Employment Statistics, U.S. Bureau of Labor Statistics). Hourly rate adjusted using loaded wage factor of 1.57. Source: <http://www.bls.gov/oes/current/oes131111.htm>.

Hourly rates used to calculate the SCSEP burden cost depend upon the type of organization administering the program. For private non-profit grantees, the hourly rate is the average hourly earnings in the Census Bureau’s social assistance industry category (March 2015, Current Employment Statistics Survey, U.S. Census Bureau). Hourly rate adjusted using loaded wage factor of 1.57. Source: http://www.bls.gov/web/empsit/ceseeb8a.htm#ce_ee_table8a.f.2

b. Pay-for-Performance Report Template (ETA-9174)

The Pay-for-Performance Report narrative is required by WIOA section 116 (d)(2)(K) for states where local areas are implementing pay-for-performance contract strategies. The burden is calculated based on 52 states and 5 territories utilizing WIOA programs. It takes the states approximately 25 hours to review and verify the completion of all narrative reports and submit them to ETA annually.

Table 3: Pay-for-Performance Report (ETA-9174) Annualized Respondent Hour Burden Estimate

PROGRAM	Number of Respondents	Number of Responses per Respondent	Total Number of Responses	Burden per Respondent (in hours)	Total Respondent Burden Hours
Pay-for-Performance Report ETA-9174	57	1	57	25	1,425

Table 4: Pay-for-Performance Report (ETA-9174) Annualized Respondent Cost Burden Estimate

PROGRAM	Total Respondent Burden Hours	Hourly Wage Rate	Total Respondent Burden Cost
Pay-for-Performance Report	1,425	\$59.60*	\$84,930

*Estimated average hourly earnings (Adjusted using a loaded wage factor of 1.57 to reflect total compensation, which includes non-wage factors such as health and retirement benefits and represents the ratio of average total compensation for the State and local sectors.) for Database Administrators (15-1141) who fall under NAICS code 999300 - Local Government, excluding schools and hospitals (OES Designation http://www.bls.gov/oes/current/naics4_999300.htm).

c. DOL PIRL (ETA-9172) and Participant Reporting

WIOA requires states to track participation in WIOA funded programs. This creates an information collection burden for both the participants and states. The Department estimates that it takes participants 15 minutes to provide their WIOA-related information to the program coordinators reflected in Table 5. Each program in the 52 states and 5 outlying

areas has different requirements of the information it needs to collect for WIOA purposes and those are delineated below in Table 6. It should be noted that the participant burden recorded in this ICR is separate from the 15-minute burden associated with the PIRL in the Joint WIOA Performance ICR.

This table is constructed based on the expected annual participants (respondents) multiplied by 15 minutes per participant to disclose all of the necessary information required to program participation.

The states and territories are also required to submit the collected information to the Department. It is estimated that it takes them 4 hours to do so once a year for a total of 228 hours of burden (57 x 4 hours = 228 reporting hours). The cost associated with this burden is multiplied by \$59.60 for a total of \$13,589. The wage is derived by estimating the average hourly earnings (Adjusted using a loaded wage factor of 1.57 to reflect total compensation, which includes non-wage factors such as health and retirement benefits and represents the ratio of average total compensation for the State and local sectors.) for Database Administrators (15-1141) who fall under NAICS code 999300 - Local Government, excluding schools and hospitals (OES Designation http://www.bls.gov/oes/current/naics4_999300.htm).

PROGRAM	Number of Respondents	Number of Responses per Respondent	Total Number of Responses	Burden per Respondent (in hours)	Total Respondent Burden Hours
States/Territories Reporting to Federal Government	57	1	57	4	228

PROGRAM	Total Respondent Burden Hours	Hourly Wage Rate	Total Respondent Burden Cost
States/Territories Reporting to Federal Government	228	\$59.60	\$13,589

Table 5: Participant Annualized Third-Party Disclosure Burden Hour Estimate

PROGRAM	Number of Respondents	Number of Responses per Respondent	Total Number of Responses	Burden per Response (in hours)	Total Respondent Burden Hours
Adult, Dislocated Worker, and Youth	1,835,799	1	1,835,799	.25	458,950
Wagner-Peyser	14,667,639	1	14,667,639	.25	3,666,910
Jobs for Veterans' State Grants	169,974	1	169,974	.25	42,494
National Dislocated Worker Grants	60,000	1	60,000	.25	15,000
H-1B Discretionary Grants	181,200	1	181,200	.25	45,300
National Farmworker Jobs	29,484	1	29,484	.25	7,371
Trade Adjustment Assistance	450,008	1	450,008	.25	112,502
Reintegration of Ex-Offenders (Adult)	5,640	1	5,640	.25	1,410
Reintegration of Ex-Offenders (Youth)	12,012	1	12,012	.25	3,003
YouthBuild	6,000	1	6,000	.25	1,500
Indian and Native American Programs	13,664	1	13,664	.25	3,416
Senior Community Service Employment Program	99,000	1	99,000	.25	24,750
TOTAL	17,530,420	--	17,530,420	--	4,382,606

Table 6: Recordkeeping WIOA Participant Individual Record Layout (PIRL) (Hours)
 (ETA-9172)

PROGRAM	Number of Respondents Annually	Number of Responses per Respondent (average number of program participants per State)	Total Estimated Number of Annual Responses (Program Completers)	Burden per Response (in hours)	Annual Burden Hours
Adult, Dislocated Worker, and Youth	57	32,207	1,835,799	.25	458,950
Wagner-Peyser	57	257,327	14,667,639	.25	3,666,910
Jobs for Veterans' State Grants	57	2,982	169,974	.25	42,494
National Dislocated Worker Grants	57	1,053	60,000	.17	10,200
H-1B Discretionary Grants	151	1,200	181,200	.58	105,096
National Farmworker Jobs	52	567	29,484	2.25	66,339
Trade Adjustment Assistance	52	8,654	450,008	.2	90,002
Reintegration of Ex-Offenders (Adult)	40	141	5,640	1.8	10,152
Reintegration of Ex-Offenders (Youth)	84	143	12,012	1.6	19,219
YouthBuild	200	30	6,000	1.8	10,800
Indian and Native American Programs	122	112	13,664	2.4	32,794
Senior Community Service Employment Program	75	1,320	99,000	.25	24,750

TOTAL	1,004	--	17,530,420	--	4,537,706
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The total number of unique respondents (1,004) in Table 6 is based on the *sum* of the following numbers:

- 52 States (as defined in WIOA sec. 3(56)) (each for WIOA Adult and Dislocated Worker, Youth, Wagner-Peyser, Jobs for Veteran State Grants, National Dislocated Worker Grants, National Farmworker Jobs, and Trade Adjustment Assistance programs)
- 5 outlying areas (as defined in WIOA sec. 3(45)) (each for WIOA Adult & Dislocated Worker, Youth, Wagner-Peyser, Jobs for Veteran State Grants and National Dislocated Worker Grants programs)
- 151 grantees (specific to H-1B)
- 40 grantees (specific to Reintegration of Ex-Offenders (Adult) program)
- 84 grantees (specific to Reintegration of Ex-Offenders (Youth) program)
- 200 grantees (specific to YouthBuild)
- 81 Tribal Grantees and 41 Not-for Profit-Grantees (Specific to Indian and Native American programs)
- 75 grantees (specific to SCSEP)

The above estimates for discretionary grant programs are based on historical and current grantee counts. The overall count of total grantees within a program is likely to slightly change over time.

Table 7: Participant and Annualized Reporting, Recordkeeping, and Third-Party Disclosure Cost Burden Estimate

PROGRAM	Total Respondent Burden Hours	Hourly Wage Rate	Total Respondent Burden Cost
Respondents Reporting to Federal Government	228	\$59.60*	\$13,589
Participant Third-Party Disclosures	4,382,606	\$7.25**	\$31,773,894
State Recordkeeping of Participants information	4,537,706	\$35.22***	\$159,818,005
Total	8,920,540	--	\$191,605,488

* Estimated average hourly earnings (Adjusted using a loaded wage factor of 1.57 to reflect total compensation, which includes non-wage factors such as health and retirement benefits and represents the ratio of average total compensation for the State and local sectors.) for Database Administrators (15-1141) who fall under NAICS code 999300 - Local Government, excluding schools and hospitals (OES Designation http://www.bls.gov/oes/current/naics4_999300.htm).

**Participants' time, for the purposes of the PRA, is costed out at the Federal minimum wage.

***Average hourly wage rate (including loaded wage factor of 1.57) for social workers. Retrieved from: [http://www.bls.gov/oes/current/naics4_999200.htm.\(2015\)](http://www.bls.gov/oes/current/naics4_999200.htm.(2015)) This rate (representing the hourly rate for all respondents reporting to the Federal Government) is the hourly rate used to calculate total respondent costs for the Wagner Peyser program, whose participant count is most heavily weighted of the programs listed in the ICR, as it accounts for 85% of the total estimated number of annual responses.

The annual burden hours were determined based on the estimated number of annual participant responses per program (the total estimated number of annual responses) and the average number fraction of an hour necessary to collect the required program specific data for each person's individual record (minutes per record). For example, by multiplying the H-1B Discretionary Grants program's total estimated number of annual responses (181,200) by their minutes per record (35) and dividing the product by the 60 minutes that make up an hour, an annual burden of 105,096 hours is calculated.

It is also important to note that for the DOL core programs under WIOA (Adult, Dislocated Worker, Youth, and Wagner-Peyser), there is also associated data collection and reporting burden under the proposed WIOA Performance Management, Information, and Reporting System (1205-0526). The burden and number of respondents listed here is specific only to the data elements and reports associated with this ICR; there is no assumed overlap of burden.

The total number of burden hours is divided between reporting, recordkeeping, and third-party disclosure as follows:

Reporting (ETA 9173 + ETA 9174):	17,489
Reporting to federal government:	228
Recordkeeping:	4,537,706
Third-party Disclosure:	4,382,606
Total Hourly Burden:	8,938,029
Total Unduplicated Respondents:	17,531,424
Total Responses:	35,064,970

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

Table 8: Burden Summary

Activity	Number of Respondents	Number of Responses per Respondent	Total Annual Responses	Burden per Response (in hours)	Total Respondent Burden Hours	Hourly Rate*	Mo Va Resp 7
ETA -9173							
Adult & Dislocated Worker and Youth	57*	4	228	4	912	\$35.22	\$3
Wagner-Peyser	57	4	228	4	912	\$35.22	\$3
Jobs for Veteran State Grants	57	4	228	4	912	\$35.22	\$3
National Dislocated Worker Grants	57	4	228	4	912	\$35.22	\$3
H-1B Discretionary Grants	151	4	604	4	2,416	\$28.30	\$6
National Farmworker Jobs	52	4	208	4	832	\$24.80	\$2
Trade Adjustment Assistance	52	4	208	4	832	\$35.22	\$2
Reintegration of Ex-Offenders (Adult)	40	4	160	4	640	\$21.40	\$1
Reintegration of Ex-Offenders (Youth)	84	4	336	4	1,344	\$21.40	\$2
YouthBuild	200	4	800	4	3,200	\$21.40	\$6
Indian and Native American Programs	122	4	488	4	1,952	\$45.90	\$8
Senior Community Service Employment Program	75	4	300	4	1,200	21.40	\$2
Total	1,004		4,016	4	16,064	--	\$4

ETA - 9174							
Pay-for Performance Report	57	1	57	25	1,425	\$59.60	\$8
ETA - 9172							
State PIRL Recordkeeping (Program Completers)	1,004	17,461	17,530,420	.2588475	4,537,706	\$35.22	\$154
State Reporting to Federal Government	57	1	57	4	228	\$59.60	\$1
Participant Collection	17,530,420	1	17,530,420	.25	4,382,606	\$7.25	\$31
Unduplicated Totals	17,531,424	--	35,064,970	--	8,938,029	--	\$186

*See Tables above for specific descriptions of wage sources

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).

There will also be an associated start-up cost for each respondent to implement WIOA. These costs include: enhancements to data collection systems to adhere to WIOA requirements, training staff on data collection rules, and for ETA there is an associated IT cost for transitioning data intake systems to collect information in a new method to adhere to WIOA requirements. Additionally, State data reporting systems must be programmed to include all the necessary elements listed in the PIRL, as well as the capability to submit an individual record file in a specified format to ETA. These costs are listed below; it should be noted that the costs included here are one-time only. The estimated start-up cost is based on previous iterations of State grantees upgrading performance reporting systems. The one time start-up cost for the first year is \$15,000 and \$5,000 a year for maintenance for the remaining 2 years. Costs over 3 years is $\$25,000 / 3 = \$8,333$.

Respondents	Start-up/ Maintenance Costs	Total Cost
815	\$8,333	\$6,791,395

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.

Based on previously estimated software development costs for ETA, and considering the changes required by WIOA and the proposed regulations, a preliminary estimate of the cost for the development of the software needed to accept this report is \$5,000,000. Annualized over the three years for which the ICR will be approved, the yearly cost is \$1,666,667.

Based on previous estimates for Federal oversight, it is estimated that, on average, 15 GS-13s and 8 GS-14s at the step 5 level will each spend a total of 160 hours annually on oversight of the DOL programs. Assuming pay at the https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2016/DCB_h.pdf for 2016 is \$50.04 and \$59.13, respectively, per hour and increasing this by a factor of 1.63 to reflect total compensation costs, including insurance contributions (total \$81.57 for GS-13s and \$96.38 for GS-14s), the Federal oversight costs are estimated to result in a preliminary annualized cost of $(15 \times 160 \times \$81.57) + (8 \times 160 \times \$96.38) = \$319,125$.

Total Annualized Cost to the Government: \$1,666,667 initial development costs (based on the annualized cost of \$5,000,000 total mentioned above) + \$319,125 Federal oversight costs = \$1,985,792.

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

There is no change in overall burden; however, the Agency has clarified its reginfo.gov database entries in order to disaggregate burden in accordance with OMB instructions.

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.*

States and grantees will submit PIRL data on a quarterly basis to ETA within 45 days of the end of each quarter. Quarterly report data will be analyzed by ETA staff and used to evaluate performance outcomes and program effectiveness.

Each year, ETA issues an annual report summarizing program performance based on the Secretary's goals. Data contained in the WIOA ETA (Program) Performance Report and Pay-for-Performance Report may be included in these reports. It may also be used to prepare GPRA reports, management and budget reports, and other ad hoc reports. All reports are made available via the internet and accessible to the public.

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

The expiration date is displayed on the forms associated with this ICR.

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.