

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

A. JUSTIFICATION

As part of this Information Collection Request (ICR), the Department of Labor's (DOL) Employment and Training Administration (ETA) has made changes to the *Participant Individual Record Layout (ETA-9172)*, (*Program Performance Report (ETA-9173-APPSHP)*) to facilitate State and grantee performance reporting. In particular, as part of DOL's effort to streamline program performance reporting for ETA grants with significant apprenticeship components as a primary goal of the program (Apprenticeship grants), DOL is adding the performance information collection requirements for Apprenticeship grants. DOL also is adding a new information collection requirement to this ICR: the Apprenticeship Outreach: Organization/Employer Record Layout.

This data collection will apply to grants with significant apprenticeship components now and into the future. To achieve our ideal implementation timeline, an Office of Management and Budget (OMB) decision prior to January 7, 2020 would be very helpful. Should an OMB affirmative decision be received after January 31, 2020, then the implementation timeline must shift by at least a quarter for these active programs.

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.

ETA has requested a priority review of this ICR for the following reasons:

- ETA's Apprenticeship Office was due to collect this data starting January 2020. The developers cannot begin work on developing Apprenticeship reporting capabilities until the package has been approved. In addition, quarterly reporting is already in the Apprenticeship grant agreements, and once OMB's review is complete, there will be a greater burden on the grantees as they will have to go back and update their previous quarterly submissions with the new data.
- This collection expires in June 2021. ETA cannot start the renewal process until this revision is incorporated/approved by OMB. This revision process entails consulting with several ETA Program Offices and the Department of Education to reconcile proposed edits. This also impacts the collection under OMB Control Number 1205-0526, which is a joint ICR with the Department of Education that expires in March 2021. Both 1205-0526 and 1205-0521 pertain to the performance system. ETA proposes working on these revisions in tandem to ensure consistency.

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DOL developed the **(Program) Performance Report (ETA-9173-APPSHP)** to facilitate State and grantee performance reporting. In order to collect the participant level data that will be aggregated and displayed in the **(Program) Performance Report (ETA-9173-APPSHP)** quarterly reports, States and grantees 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 Workforce Innovation and Opportunity Act (WIOA) and DOL partner program 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 and grantees to ETA and then displayed according to the framework within 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 requires States and grantees to certify and submit the (Program) Performance Report to ETA on a quarterly basis. In addition, DOL will require recipients of grants programmatically managed by the Office of Apprenticeship to submit the Apprenticeship Employer Record, which will help these grantees identify ongoing apprenticeship efforts as part of their regular outreach to employers.

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, Dislocated Worker Projects authorized under WIOA sec. 169 (c), 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), Apprenticeship grants, and the Jobs for Veterans' State Grants Programs. While H-1B grants, TAA, SCSEP, Apprenticeship grants 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.

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.

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 DOL-only 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 DOL. 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

¹ 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)).

- 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;
 - “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;

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- Individuals within two years of exhausting lifetime eligibility under Temporary Assistance for Needy Families (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 in the WIOA Common Performance Reporting System);
 - 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.

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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

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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))

National Apprenticeship Act

The National Apprenticeship Act directs the Secretary to:

- Formulate and promote the furtherance of labor standards necessary to safeguard the welfare of apprentices;
- To extend the application of such standards by encouraging the inclusion thereof in contracts of apprenticeship;

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- To bring together [employers](#) and labor for the formulation of programs of apprenticeship; and
- To cooperate with [State](#) agencies engaged in the formulation and promotion of standards of apprenticeship.”

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 ICR to obtain or retain Federal funding. WIOA sec. 116(f)(1)(B), 29 USC § 3141(f)(1)(B). On a quarterly basis, States and grantees must submit the DOL Participant Integrated Record Layout (PIRL), which generates the ETA (Program) Performance Report, and the Apprenticeship Outreach: Organization/Employer Record Layout, which reports on apprenticeship activity occurring in states, as part of their apprenticeship outreach activities.

These reports help the DOL identify States and grantees that need early intervention to provide assistance if they are not meeting their negotiated levels of performance and program goals. 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.

States and grantees will submit the PIRL through DOL’s Workforce Integrated Performance System (WIPS), and DOL will use that information to generate the (Program) Performance Report. Each program mentioned in this supporting statement generates a program specific report that mirrors the construct of the (Program) Performance Report.

DOL uses 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.

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.

- 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 and the Apprenticeship Outreach: Organization/Employer Record Layout through electronic means. State reports and/or individual record data are 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 are submitted to DOL via an electronic reporting system that aligns with the above objective. States and grantees collect, retain, and report all information electronically through this system and are provided comprehensive guidance on where, when, and how to complete the data transfer to DOL in an efficient manner. Additionally, grantee performance reports are 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 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 information collection is 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.

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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 1205-0425, 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

DOL 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-only 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 DOL'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 DOL 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 Apprenticeship grants, collection of this data is necessary so DOL can make determinations about performance on the WIOA primary indicators of performance as well as assess different program approaches to maximize current and future federal investments in apprenticeship. Further, if data are not collected in a reliable manner that is aligned with WIOA-funded programs and grants, DOL will not be able to assess the engagement of apprenticeship programs with the national workforce system. Nor will DOL be able to properly assess the growth in apprenticeship per the Task Force on Apprenticeship Expansion established under Executive Order #13801 (*Expanding Apprenticeships in America*, dated June 15, 2017). The Task Force recommendations include goals for expanding access, equity and career awareness relative to apprenticeship programs, in addition to performance reporting requirements that ensure the reliable collection of data and verification of outcomes necessary for apprenticeship programs. Failure to collect the required performance data, and/or report it, would render DOL unable to adequately determine grantees' performance and accurately report performance outcomes to the Administration and other stakeholders.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner:

- * Requiring respondents to report information to the agency more often than quarterly;*
- * Requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;*
- * Requiring respondents to submit more than an original and two copies of any document;*
- * Requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records, for more than three years;*
- * In connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;*

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- * *Requiring the use of a statistical data classification that has not been reviewed and approved by OMB;*
- * *That includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or*
- * *Requiring respondents to submit proprietary trade secrets, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.*

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.

ETA published a notice in the *Federal Register* on June 21, 2019 (Agency Information Collection Activities; Comment Request; DOL-Only Performance Accountability, Information, and Reporting System (OMB Control Number 1205–0521), 84 Fed. Reg. 29245, pg. 29245-29246) inviting comment on this ICR. The comment period lasted 60 days. The Office of Apprenticeship received two comments from the public during the 60-day comment period. Neither of the comments resulted in any action or revisions as they were not relevant to the purpose or the scope of this ICR. The comments and agency response are summarized in the attachment entitled: DOL-only Apprenticeship Performance Accountability Information Reporting System 60-day FRN Comment Summary.

- 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.**

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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 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, including issuing a Systems of Records Notice. 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.

DOL 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) will continue to be an active participant in the development and approval of data security measures – especially as they apply to ETA’s web-based reporting system (WIPS). In particular, DOL 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. The Apprenticeship Outreach: Organization/Employer Record Layout will collect employer or organizational names and contact information for apprenticeship program points of contact. This information will be submitted through the WIPS.

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.

Collection of SSNs is covered under System of Record Notice (SORN): Privacy Act Systems - DOL/ETA-31 (<https://www.dol.gov/sol/privacy/dol-eta-31.htm>) -- The Enterprise Business Support System (EBSS).

In addition, individual records, which contain wage record information, must be submitted using a unique personal identifier rather than a 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); certain entities from Dislocated Worker Projects authorized under WIOA sec. 169 (c), YouthBuild; H-1B

grant programs; Senior Community Service Employment Program (SCSEP); Re-entry Employment Opportunities (REO) grants; Apprenticeship 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 primary performance indicators. While grantees are required to collect SSNs, participants cannot be denied services if they choose to not disclose an SSN. ETA will ensure that for SSNs and any other Personally Identifiable Information (PII) collected and transmitted to ETA, appropriate security will be built into the data collection system. Participant responses to these sensitive questions will allow DOL to evaluate the effectiveness of WIOA comprehensively; NFJP; National Dislocated Worker Grants; YouthBuild; H-1B grant programs; SCSEP; and, Apprenticeship grant programs.

12. Provide estimates of the hour burden of the collection of information. The statement should:

- * Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.*
- * If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens.*
- * Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included under "Annual Cost to Federal Government."*

a. Program Performance Report (ETA-9173-APPSHP)

The annual national burden for the DOL-only 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, Dislocated Worker Projects authorized under WIOA sec. 169 (c), H-1B Discretionary Grants, National Farmworker Jobs, Trade Adjustment Assistance, Rehabilitation of Ex-Offenders, YouthBuild, the Indian and Native American

programs, Apprenticeship grants and SCSEP.

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.

Hourly rates used to calculate hourly cost for H-1B programs and Apprenticeship grants 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 (2017). (The wage rate of \$117.78 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 2017.) May 2017 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 be noted that this labor category could change depending on the type of Apprenticeship grant.

b. 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. DOL 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.

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The states and territories are also required to submit the collected information to DOL. 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).

The total number of unique respondents (1004) in Table 4 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 (20 CFR Part 641)
- 135 grantees (specific to Apprenticeship)

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.

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

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burden under the proposed WIOA Performance Management, Information, and Reporting System (1205-ONEW). 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:	228
Recordkeeping:	6,063,333
Third-party Disclosure:	<u>4,396,066</u>
Total Hourly Burden:	10,459,627
Total Unduplicated Respondents:	17,583,750
Total Responses:	41,064,037

c. Apprenticeship Outreach: Organization/Employer Record Layout

DOL is also are adding a new information collection requirement to this ICR: the Apprenticeship Employer Record Layout. As part of this new requirement, States and grantees must submit separately an individual employer record identifying ongoing apprenticeship efforts as part of their regular outreach to employers. This collection would be submitted quarterly. The information in this layout will be helpful for DOL to evaluate, in both a quantitative and qualitative way, the status and progress of apprenticeship programs.

Table 1: WIOA Participant Individual Record Layout (PIRL) IC (ETA-9172)

Activity	Number of Respondents	Frequency	Total Annual Responses	Time Per Response	Total Annual Burden (Hours)	Hourly Rate*	Monetized Value of Respondent Time
Third-party disclosure	17,580,618	1	17,580,618	.25	4,395,155	\$7.25	\$31,864,870
Unduplicated Totals	17,580,618	1	17,580,618	.25	4,395,155		\$31,864,870

Table 2: Program Performance Report (States) IC (ETA-9173)

Activity	Number of Respondents	Frequency	Total Annual Responses	Time Per Response	Total Annual Burden (Hours)	Hourly Rate*	Monetized Value of Respondent Time
Recordkeeping	57	4	228	4	912	\$35.22	\$32,120.64
Unduplicated Totals	57	4	228	4	912		\$32,120.64

Table 3: Pay-for-Performance Report IC (ETA-9174)

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Activity	Number of Respondents	Frequency	Total Annual Responses	Time Per Response	Total Annual Burden (Hours)	Hourly Rate*	Monetized Value of Respondent Time
Recordkeeping	57	1	57	25	1,425	\$59.60	\$84,930.00
Unduplicated Totals	57	1	57	25	1,425		\$84,930.00

Table 4: States/Territories Reporting to the Federal Government IC

Activity	Number of Respondents	Frequency	Total Annual Responses	Time Per Response	Total Annual Burden (Hours)	Hourly Rate*	Monetized Value of Respondent Time
Reporting	57	1	57	4	228	\$35.22	\$8,030.16
Unduplicated Totals	57	1	57	4	228		\$8,030.16

Table 5: Program Performance Report (Private Sector) IC (ETA- 9173)

Activity	Number of Respondents	Frequency	Total Annual Responses	Time Per Response	Total Annual Burden (Hours)	Hourly Rate*	Monetized Value of Respondent Time
Recordkeeping	911	1	911	3	2,733	\$35.22	\$96,256.26
Third-party disclosure	911	1	911	1	911	\$7.25	\$6,604.75
Unduplicated Totals	911	1	911	4	3,644		\$102,861.01

Table 6: WIOA Participant Individual Record Layout (PIRL) (Private Sector) IC (ETA-9172)

Activity	Number of Respondents	Frequency	Total Annual Responses	Time Per Response	Total Annual Burden (Hours)	Hourly Rate*	Monetized Value of Respondent Time
Recordkeeping	911	1,027.07	935,661	.45063	421,637	\$35.22	\$14,850,055.14
Unduplicated Totals	911	1,027.07	935,661	.45063	421,637		\$14,850,055.14

Table 7: WIOA Participant Individual Record Layout (PIRL) (States) (ETA- 9172)

Activity	Number of Respondents	Frequency	Total Annual Responses	Time Per Response	Total Annual Burden	Hourly Rate*	Monetized Value of Respondent
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					(Hours)		Time
Recordkeeping	1,139	19795	22,546,505	.25	5,636,626	\$35.22	\$198,521,976.65
Unduplicated Totals	1,139	19795	22,546,505	.25	5,636,626		\$198,521,976.65

Table 8: Summary Table

	Number of Respondents	Frequency	Total Annual Responses	Time Per Response	Total Annual Burden (Hours)	Hourly Rate*	Monetized Value of Respondent Time
WIOA Participant Individual Record Layout (PIRL) IC (ETA-9172)	17,580,618	1	17,580,618	.25	4,395,155	\$7.25	\$31,864,870
Program Performance Report (States) IC (ETA-9173)	57	4	228	4	912	\$35.22	\$32,120.64
Pay-for-Performance Report IC (ETA-9174)	57	1	57	25	1,425	\$59.60	\$84,930
States/Territories Reporting to the Federal Government IC	57	1	57	4	228	\$35.22	\$8,030.16
Program Performance Report (Private Sector) IC (ETA-9173)	911	1	911	4	3,644	\$35.22	\$102,861.01
WIOA Participant Individual Record Layout (PIRL) (Private Sector) IC (ETA-9172)	911	1,027.07	935,661	.45063	421,637	\$35.22	\$14,850,055.14
WIOA Participant Individual Record Layout (PIRL) (States) (ETA-9172)	1,139	19795	22,546,505	.25	5,636,626	\$35.22	\$198,521,976.53
Unduplicated Total	17,583,750	Varies	41,064,037	Varies	10,459,627		\$245,464,843.48

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).

** The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life) and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment,*

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the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.

** If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collections services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.*

** Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.*

There will 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 and Maintenance Costs	Total Cost
1139	\$8,333	\$9,491,287

- 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.

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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/2019/DCB_h.pdf for 2019 is \$52.66 and \$62.23, respectively, per hour and increasing this by a factor of 1.63 to reflect total compensation costs, including insurance contributions (total \$85.83 for GS-13s and \$101.43 for GS-14s), the Federal oversight costs are estimated to result in a preliminary annualized cost of $(15 \times 160 \times \$85.83) + (8 \times 160 \times \$101.43) = \$335,822$.

Total Annualized Cost to the Government: \$1,666,667 initial development costs (based on the annualized cost of \$5,000,000 total mentioned above) + \$335,822 Federal oversight costs = \$2,002,489.

It is important to note that these estimates were calculated in 2015, and portions of the costs have been incurred.

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

This ICR adds a new collection of information for the Apprenticeship program; however, the agency notes that some burden will be offset once the request is approved and existing information collections are then discontinued because burdens will have been subsumed by this request.

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 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 will be included 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.

A. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

The collection does not employ statistical methods.