


DEPUTY SECRETARY OF LABOR
WASHINGTON, D.C. 20210

DEC 30 2015

MEMORANDUM FOR AGENCY HEADS

FROM: CHRIS LU 
Deputy Secretary

SUBJECT: OMB Guidance on Implementation of the Federal Information
Technology Acquisition Reform Act

On June 10, 2015, the Office of Management and Budget (OMB) issued implementation guidance on the Federal Information Technology Acquisition Reform Act (FITARA), which became law in December 2014. This legislation mandates that Chief Information Officers (CIOs) play an increased role in oversight and responsibility of ongoing IT investments and new IT programs. In line with the FITARA requirements, OMB directed Departments to identify current Senior IT Leadership; increase the Departmental CIO's involvement in the recruitment and selection of any new Agency Senior IT Managers; and to create a critical performance element to rate and assess these IT leaders. The Department of Labor's implementation of OMB's guidance is outlined in fuller detail below.

Identification of DOL Senior IT Leadership

As part of FITARA implementation, Departments are required to create a Bureau IT Leadership Directory listing those senior IT leaders who perform CIO-level duties/responsibilities. The Department of Labor's Agency Bureau IT Leadership Directory was submitted to OMB in August of 2015 and is comprised of Senior IT Leaders from BLS, EBSA, ETA, MSHA, OALJ, OCFO, OFCCP, OLMS, OPA, OSHA, OWCP, SOL, and WHD. The list of Senior IT Leaders and Managers who currently occupy these positions is included as **Attachment A**.

Recruitment of New Senior IT Leadership

OMB directed that Departmental CIOs be involved in the recruitment and selection of any new Agency Senior IT Managers, including by promotion or reassignment. In addition, CIOs must approve updated or newly created position descriptions (PD) for Senior IT Managers. FITARA requirements only permit the use of the CIO title at the Departmental level, so PDs will need to be reviewed and updated to remove references to any DOL component Agency CIO.

To implement these new OMB requirements, DOL Agency Heads are to obtain the prior approval of the DOL CIO to:

- Announce vacant Senior IT Manager positions;
- Update or create new PDs for Senior IT Managers; and

- Select Senior IT Managers.

Agency Heads should forward a copy of the draft job announcement and PD for the Senior IT Manager vacancy; revised or new PD; and, once a tentative selection is made, the job announcement, the tentative selectee's resume, and job application to the DOL CIO, Dawn M. Leaf.

Assessing Performance of Senior IT Leadership

Under my signature, as part of the initial DOL FITARA Implementation Plan submitted to OMB, the Department outlined its Chief Information Officer Assignment Plan. OMB FITARA guidance specifies that the Department "CIO retains accountability" for FITARA functions. The CIO Assignment Plan defines a method for the Department's CIO to hold agency officials who perform IT management functions accountable, using the IT managers' performance plan and evaluation.

The DOL CIO Assignment Plan identified seven high priority IT requirements, with which all Federal agencies must comply by statute, such as the Federal Information Systems Management Act (FISMA), and OMB directives related to the Clinger–Cohen Act. The seven high priority IT requirements from the DOL CIO Assignment Plan are included as **Attachment B**.

FITARA requires CIOs to work with their Chief Human Capital Officer to create a critical performance element to rate these senior IT managers. To meet the OMB requirement of establishing this element on or before December 31, 2015, DOL established the FITARA Working Group (FWG) comprised of volunteers from the Enterprise Implementation Committee (EIC). Participating agencies included OASAM, BLS, EBSA, ETA, MSHA, OCFO, OSHA, OWCP, SOL and WHD.

Working from the seven requirements defined in the DOL CIO Assignment Plan, the FWG derived a set of performance requirements. This process was aided by a neutral moderator and DOL's Human Resources Center. The FWG came to consensus on two separate performance elements (one for IT GS-15 Supervisors and another for SES). The two elements and the rating scales are provided as **Attachment C**.

The FWG also agreed that these performance elements would be weighted no less than 15 percent of a Senior IT manager's performance rating, with the DOL Agency retaining the discretion to give greater weight to the performance element depending on the Senior IT manager's scope of IT-related responsibilities. As to the administration of these performance standards, the FWG agreed that the rating official would receive *input* from the DOL CIO, but the rating official would retain the ultimate responsibility for the IT manager's rating for this element.

As directed by OMB FITARA implementation guidance, these elements must be incorporated into the performance plans of each of the Senior IT Leaders identified in the DOL Agency Bureau IT Leadership Directory. I ask that this be completed as soon as possible and that you notify Michael Kerr when it is completed for your staff.

We appreciate your cooperation and assistance in ensuring that your staff is aware of these requirements. If you have questions or concerns regarding these matters, please have your staff contact Kimberly Boudreaux, Program Manager, Office of the Chief Information Officer, at 202-693-4151 or via email at boudreaux.kimberly@dol.gov. You may also contact Kha Nguyen, Director, Office of HR Policy and Accountability, at 202-693-7686 or via email at nguyen.kha.n@dol.gov.

cc: Edward C. Hugler, Deputy Assistant Secretary for Operations
Dawn M. Leaf, Chief Information Officer
Sydney T. Rose, Chief Human Capital Officer
Agency Administrative Officers

Agency	Last Name	First Name	Employment Type	Type of Appointment	Other Responsibilities	Evaluation Rating Official Title	Evaluation Reviewing Official Title
Bureau of Labor Statistics (BLS)	Mullins	Carol	SES	Career		Commissioner, Bureau of Labor Statistics	
Employee Benefits Security Administration (EBSA)	Schweizer	Diane	SES	Career		Deputy Assistant Secretary Program Operations	
Employment and Training Administration (ETA)	Htein	Aung	GS	Career		Administrator, Office of Management and Administrative Services/Administrative Officer	Deputy Assistant Secretary
Mine Safety and Health Administration (MSHA)	Hafeez	Syed	SES	Career	Director, Program Evaluation and Information Resources	Deputy Assistant Secretary	
Occupational Safety and Health Administration (OSHA)	Legesse	Gizaw	GS	Career		Director, Directorate of Administrative Programs	
Office of Administrative Law Judges (OALJ)	Kentner	Steven	GS	Career		Director, Office of Program Operations	Chief Administrative Law Judge
Office of Federal Contract Compliance Programs (OFCCP)	Council Jr	Harry	GS	Career		Acting Director, Division of Management and Administrative Programs	Deputy Director, OFCCP
Office of Labor-Management Standards (OLMS)	Auerbach	Andrew	SES	Career	Deputy Director of OLMS	Director of Office of Labor-Management Standards	DOL Deputy Secretary
Office of Public Affairs (OPA)	Bailey	Robert	GS	Career		Senior Managing Director for Public Affairs	Senior Advisor for Public Affairs
Office of the Chief Financial Officer (OCFO)	Westmark	Richard	GS	Career		Deputy Chief Financial Officer	Principal Deputy Chief Financial Officer
Office of the Solicitor (SOL)	Hoffman	Denise	GS	Career		Division of Management and Administrative Legal Services Associate Solicitor, SOL	Deputy Solicitor for National Operations, SOL
Office of Workers' Compensation Programs (OWCP)	Cohen	Stephen	GS	Career		Deputy Administrative Officer	Administrative Officer
Wage and Hour Division (WHD)	Torres	Rachel	SES	Career	Assistant Administrator for Administrative Operations	Deputy Administrator for Program Operations	Administrator

Department of Labor (DOL) Chief Information Officer (CIO) Assignment Plan Requirements:

Although there are a myriad of IT Management duties and responsibilities, the seven highest priority factors that are proposed for inclusion in the "CIO Assignment Plan" are listed below. It's important to note that these activities are already established as requirements for all agency IT managers through existing DOL general policy and direction.

1. Agency IT Resource Budget Planning and Execution compliance with Federal and Department policy, guidance, and requirements, including but not limited to:
 - a. IT Initiative Planning, consistent with the guidance issued by the Departmental Budget Center.
 - b. IT Capital Investment submissions
 - c. Information Technology Acquisition Review Board (ITARB) process
 - d. IT Dashboard submissions
2. Agency Compliance with Federal and Department IT Security policy, guidance, and requirements, including but not limited to:
 - a. Federal Information System Management Act (FISMA)
 - b. DOL IT Security Policies
3. Development of Agency IT Strategic and Tactical Plans which are consistent with the DOL Department Information Resource Management Strategic Plan (IRMSP) and Enterprise Roadmap to support Federal and Department IT objectives.
4. Adherence to Federal and Department IT Standards for target and preferred standards, products, and services to improve efficiency, reliability and maintainability.
5. Compliance with Federal and Department policy for hardware, software and service maintenance to ensure that DOL has reliable and well performing IT services.
6. Inventory and Configuration Management processes and annual physical and functional configuration audits to demonstrate that agencies comply with item (5) above.
7. Participation in Enterprise IT Procurements to support IT resource efficiency.

New Performance Standard for Information Technology Specialists (SES Only)

Specific Outcome: IT management practices that align IT resources with agency missions, goals, programmatic priorities and statutory requirements

Performance Standard: Written at the Effective Level (when all of the “Required for Effective” sub-standards are met); Performance is considered Exemplary when the two additional “Required for Exemplary” sub-standards are met; Performance is considered Highly Effective when only one of the two additional “Required for Exemplary” sub-standards is met. Sub-standards must be achieved by September 30, 2016, unless otherwise noted below.

1. Support ongoing oversight of DOL FITARA Implementation Plan and Common Baseline
 - Notify Departmental CIO and Agency Head of any obstacles or incomplete implementation of the Common Baseline no later than April 30, 2016. ***(Required for Effective)***
 - Coordinate closely with agency leadership and stakeholders to define business and technology requirements that are consistent with DOL technology initiatives, to help foster smooth trans-enterprise system integration and interoperability. ***(Required for Effective)***
 - Ensures the Agency develops accurate and complete responses to OCIO inquiries within identified timelines to ensure the required information is internally reviewed and approved via the Agency’s management clearance process. ***(Required for Effective)***
 - Ensures the Agency promptly assess and address security incidents and undertake appropriate efforts in accordance with DOL security protocol to identify the threat and resolve or mitigate the issue. ***(Required for Effective)***
 - Ensure the Agency upgrade applications to within two versions of the latest release and to versions capable of functioning in a virtualized environment. ***(Required for Effective)***
 - Plan budget and manage Agency IT portfolios in compliance with DOL Governance Structure, Investment Management policies, and Department and statutory requirements within established DOL timeframes. ***(Required for Effective)***
 - Manage Agency participation in Enterprise IT Procurements in support of IT resource efficiency and strategic sourcing initiatives. ***(Required for Effective)***
 - Make programmatic decisions at the Agency level that are data-driven and help better manage and deliver data-driven decision making throughout the enterprise. ***(Required for Exemplary)***

- Annually develop Agency IT Strategic and Tactical Plans consistent with the DOL IT strategy set by the CIO in efforts to support Federal and Department IT objectives.
(Required for Exemplary)
2. Support the FITARA standardization of Departmental IT strategic planning, budgeting processes and performance indicators.
- Align Agency programs that include IT resources with CIO IT strategies at the planning, programming, and budgeting stages by advising OCIO of agency IT plans, priorities and impacts through the annual budget processes as well as outside the annual process when necessary. ***(Required for Effective)***
 - Oversee the submission of a revised-final Agency IT Spend Plan based on the agency enacted budget, within 15 business days after the appropriation bill is enacted.
(Required for Effective)
 - Promote and oversee strategic relationships among Agency program leaders and internal IT resources, and Department programs and initiatives in cooperation with the CIO. ***(Required for Effective)***

Strategic Alignment: M-15-14 FITARA Implementation Guidance – Attachment A, Common Baseline for IT Management and CIO Assignment Plan

New Performance Standard for Information Technology Specialists (Supervisory GS Only)

Specific Outcome: IT management practices that align IT resources with agency missions, goals, programmatic priorities and statutory requirements

Performance Standard: Written at the Effective Level (when all of the “Required for Effective” sub-standards are met); Performance is considered Exemplary when the two additional “Required for Exemplary” sub-standards are met; Performance is considered Highly Effective when only one of the two additional “Required for Exemplary” sub-standards is met. Sub-standards must be achieved by September 30, 2016, unless otherwise noted below.

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 - Coordinate closely with agency leadership and stakeholders to define business and technology requirements that are consistent with DOL technology initiatives, to help foster smooth trans-enterprise system integration and interoperability. ***(Required for Effective)***
 - Develop accurate and complete responses to OCIO inquiries within identified timelines to ensure the required information is internally reviewed and approved via the agency’s management clearance process. ***(Required for Effective)***
 - Promptly assess and address security incidents and undertake appropriate efforts in accordance with DOL security protocol to identify the threat and resolve or mitigate the issue. ***(Required for Effective)***
 - Facilitate agency adherence to DOL IT goals, objectives, and procedures in alignment with CIO direction and in adherence to Federal and Department IT Standards to improve efficiency, reliability and maintainability. ***(Required for Effective)***
 - Comply with Federal and Department policy for hardware, software and service maintenance to support reliable and well performing IT services. ***(Required for Effective)***
 - Ensure the Agency upgrade applications to within two versions of the latest release and to versions capable of functioning in a virtualized environment. ***(Required for Effective)***
 - Plan budget and manage Agency IT portfolios in compliance with DOL Governance Structure, Investment Management policies, and Department

and statutory requirements within established DOL timeframes. ***(Required for Effective)***

- Make programmatic decisions at the Agency level that are data-driven and help better manage and deliver data-driven decision making throughout the enterprise. ***(Required for Exemplary)***
- Annually develop Agency IT Strategic and Tactical Plans consistent with the DOL IT strategy set by the CIO in efforts to support Federal and Department IT objectives. ***(Required for Exemplary)***

2. Support the FITARA standardization of Departmental IT strategic planning, budgeting processes and performance indicators.

- Align Agency programs that include IT resources with CIO IT strategies at the planning, programming, and budgeting stages by advising OCIO of agency IT plans, priorities and impacts through the annual budget processes as well as outside the annual process when necessary. ***(Required for Effective)***

Strategic Alignment: M-15-14 FITARA Implementation Guidance – Attachment A, Common Baseline for IT Management and CIO Assignment Plan

Rating	SES Results (12 Sub-standards)	GS Results (11 Sub-standards)
Exemplary	Must meet all 10 required sub-standards plus the two additional sub-standards	Must meet all 9 required sub-standards plus the two additional sub-standards
Highly Effective	Must meet all 10 required sub-standards plus one of the two additional sub-standards	Must meet all 9 required sub-standards plus one of the two additional sub-standards
Effective	Must meet all 10 required sub-standards	Must meet all 9 required sub-standards
Minimally Satisfactory	Does not meet all of the 10 required sub-standards	Does not meet all of the 9 required sub-standards
Unsatisfactory	Receives a “fail” on any of the 10 required sub-standards	Receives a “fail” on any of the 9 required sub-standards