

FY 2016

CONGRESSIONAL BUDGET JUSTIFICATION

DEPARTMENTAL MANAGEMENT

This page is intentionally left blank.

DEPARTMENTAL MANAGEMENT

TABLE OF CONTENTS

Appropriation Language	1
Explanation of Language Change	3
Amounts Available for Obligation.....	4
Summary of Changes	5
Summary Budget Authority and FTE by Activity	7
Budget Authority by Object Class	9
Significant Items in Appropriation Committees' Reports	10
Authorizing Statutes.....	11
Appropriation History	13
Overview	14
Organization Chart.....	17
Budget Activity	25
Program Direction and Support	25
Legal Services	33
International Labor Affairs	43
Administration and Management.....	59
Adjudication.....	67
Women's Bureau	83
Civil Rights	93
Chief Financial Officer	107
Departmental Program Evaluation.....	111

This page is intentionally left blank.

DEPARTMENTAL MANAGEMENT

APPROPRIATION LANGUAGE

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for Departmental Management, including the hire of three passenger motor vehicles [\$337,621,000] \$375,677,000 together with not to exceed \$308,000, which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund: *Provided*, That \$64,825,000 for the Bureau of International Labor Affairs shall be available for obligation through December 31, [2015] 2016: *Provided further*, That funds available to the Bureau of International Labor Affairs may be used to administer or operate international labor activities, bilateral and multilateral technical assistance, and microfinance programs, by or through contracts, grants, subgrants and other arrangements: [*Provided further*, That not more than \$58,825,000 shall be for programs to combat exploitative child labor internationally and not less than \$6,000,000 shall be used to implement model programs that address worker rights issues through technical assistance in countries with which the United States has free trade agreements or trade preference programs:] *Provided further*, That [\$8,040,000] \$9,500,000 shall be used for program evaluation and shall be available for obligation through September 30, [2016] 2017: *Provided further*, That funds available for program evaluation may be used to administer grants for the purpose of evaluation: *Provided further*, That funds available for program evaluation may be transferred to any other appropriate account in the Department for such purpose: *Provided further*, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer: *Provided further*, That the funds available to

DEPARTMENTAL MANAGEMENT

the Women's Bureau may be used for grants to serve and promote the interests of women in the workforce[.]: *Provided further, That 2,200,000 shall be used for a Digital Service Team to ensure the effectiveness of the agency's digital services for high-priority programs. (Department of Labor Appropriations Act, 2015.)*

DEPARTMENTAL MANAGEMENT

EXPLANATION OF LANGUAGE CHANGES

***DELETED:** “...Provided further, That not more than \$58,825,000 shall be for programs to combat exploitative child labor internationally and not less than \$6,000,000 shall be used to implement model programs that address worker rights issues through technical assistance in countries with which the United States has free trade agreements or trade preference programs.”*

Grants made by the International Labor Affairs Bureau (ILAB) often require negotiations and commitments from the countries where the activities take place. While there are no specific plans to change the mix of grant activities from the FY 2015 level, as described in the FY 2016 President’s Request for ILAB, the removal of the constraints on funding allocations in the bill will enable the Department to most efficiently use its resources.

“...Provided further, That funds available for program evaluation may be used to administer grants for the purpose of evaluation.”

A comprehensive approach to testing and evaluating strategies that best fulfill the mission of the Department of Labor includes the use of targeted demonstrations by entities, including States and local areas, for which contracts are not an appropriate vehicle for funding. Thus the Departmental Program Evaluation activity requires grant-making authority to evaluate the approaches to achieving the Department’s mission most effectively. This authority will provide another tool to strengthen the Department’s evaluation infrastructure.

“...Provided further, That \$2,200,000 shall be used for a Digital Service Team to ensure the effectiveness of the agency's digital services for high-priority programs. (Department of Labor Appropriations Act, 2015.)”

The Digital Service team will be a critical part of ensuring the effectiveness of the Department’s digital services for the various high-priority programs. This language will highlight and institutionalize this effort.

DEPARTMENTAL MANAGEMENT

AMOUNTS AVAILABLE FOR OBLIGATION						
(Dollars in Thousands)						
	2014		2015		2016	
	FTE	Amount	FTE	Amount	FTE	Amount
A. Appropriation	1,257	\$336,621	1,248	\$337,621	1,386	\$375,677
Reduction Pursuant to P.L. 113-6 for FY 2013	0	\$0	0	\$0	0	\$0
Reduction Pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985	0	\$0	0	\$0	0	\$0
<i>Subtotal Appropriation</i>	<i>1,257</i>	<i>\$336,621</i>	<i>1,248</i>	<i>\$337,621</i>	<i>1,386</i>	<i>\$375,677</i>
Reimbursements	78	\$105,477	140	\$112,061	140	\$112,061
Trust Funds - Black Lung	110	\$25,365	127	\$30,403	133	\$30,279
Trust Funds - Unemployment Trust Fund	2	\$308	2	\$308	2	\$308
Reduction Pursuant to P.L. 113-6 for FY 2013	0	\$0	0	\$0	0	\$0
Reduction Pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985	0	-\$1,826	0	-\$2,219	0	\$0
Non-Expenditure Transfers for Program Evaluation (OJC-\$4,220;TES-\$2,391;CSEOA-\$1,086)	0	\$7,697	0	\$0	0	\$0
Unobligated Balance Carried Forward	0	\$50,598	0	\$0	0	\$0
<i>Subtotal</i>	<i>1,447</i>	<i>\$524,240</i>	<i>1,517</i>	<i>\$478,174</i>	<i>1,661</i>	<i>\$518,325</i>
B. Gross Budget Authority	1,447	\$524,240	1,517	\$478,174	1,661	\$518,325
Reimbursements	-78	-\$105,477	-140	-\$112,061	-140	-\$112,061
Non-Expenditure Transfers for Program Evaluation (OJC-\$4,220;TES-\$2,391;CSEOA-\$1,086)	0	-\$7,697	0	\$0	0	\$0
Unobligated Balance Carried Forward	0	-\$50,598	0	\$0	0	\$0
<i>Subtotal</i>	<i>1,369</i>	<i>\$368,165</i>	<i>1,377</i>	<i>\$366,113</i>	<i>1,521</i>	<i>\$406,264</i>
C. Budget Authority Before Committee	1,369	\$368,165	1,377	\$366,113	1,521	\$406,264
Reimbursements	78	\$105,477	140	\$112,061	140	\$112,061
Unobligated Balance Carried Forward	0	\$50,598	0	\$0	0	\$0
<i>Subtotal</i>	<i>1,447</i>	<i>\$524,240</i>	<i>1,517</i>	<i>\$478,174</i>	<i>1,661</i>	<i>\$518,325</i>
D. Total Budgetary Resources	1,447	\$524,240	1,517	\$478,174	1,661	\$518,325
Unobligated Balance End of Year	0	-\$50,598	0	\$0	0	\$0
FTE Lapse and Unobligated Balance Expiring	6	-\$735	0	\$0	0	\$0
E. Total, Estimated Obligations	1,453	\$472,907	1,517	\$478,174	1,661	\$518,325

DEPARTMENTAL MANAGEMENT

SUMMARY OF CHANGES

(Dollars in Thousands)

	2015	2016	Net Change
Budget Authority			
General Funds	\$337,621	\$375,677	+\$38,056
Trust Funds	\$28,492	\$30,587	+\$2,095
Total	\$366,113	\$406,264	+\$40,151

Full Time Equivalents			
General Funds	1,248	1,386	138
Trust Funds	129	135	6
Total	1,377	1,521	144

Explanation of Change	2016 Change							
	2015 Base		Trust Funds		General Funds		Total	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Increases:								
A. Built-Ins:								
To Provide For:								
Costs of pay adjustments	1,314	\$159,035	0	\$131	0	\$3,662	0	\$3,793
Personnel benefits	0	\$40,939	0	\$0	0	\$0	0	\$0
One day more of pay	63	\$1,170	0	\$266	0	\$624	0	\$890
Federal Employees' Compensation Act (FECA)	0	\$392	0	\$0	0	\$194	0	\$194
Benefits for former personnel	0	\$18	0	\$0	0	\$0	0	\$0
Travel and transportation of persons	0	\$4,010	0	\$0	0	\$0	0	\$0
Transportation of things	0	\$15	0	\$0	0	\$0	0	\$0
Rental payments to GSA	0	\$19,920	0	\$0	0	\$52	0	\$52
Rental payments to others	0	\$26	0	\$0	0	\$0	0	\$0
Communications, utilities, and miscellaneous charges	0	\$1,870	0	\$19	0	\$16	0	\$35
Printing and reproduction	0	\$280	0	\$0	0	\$0	0	\$0
Advisory and assistance services	0	\$12,124	0	\$0	0	\$0	0	\$0
Other services from non-Federal sources	0	\$9,402	0	\$0	0	\$0	0	\$0
Working Capital Fund	0	\$29,249	0	\$0	0	\$3,537	0	\$3,537
Other Federal sources (Census Bureau)	0	\$0	0	\$0	0	\$0	0	\$0
Other Federal sources (DHS Charges)	0	\$877	0	\$0	0	\$0	0	\$0
Other goods and services from Federal sources	0	\$4,954	0	\$0	0	\$0	0	\$0
Research & Development Contracts	0	\$65	0	\$0	0	\$0	0	\$0
Operation and maintenance of facilities	0	\$1,274	0	\$0	0	\$0	0	\$0
Operation and maintenance of equipment	0	\$9,496	0	\$0	0	\$0	0	\$0

DEPARTMENTAL MANAGEMENT

Explanation of Change	2016 Change							
	2015 Base		Trust Funds		General Funds		Total	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Supplies and materials	0	\$2,719	0	\$0	0	\$0	0	\$0
Equipment	0	\$1,950	0	\$0	0	\$0	0	\$0
Grants, subsidies, and contributions	0	\$66,325	0	\$0	0	\$0	0	\$0
Insurance claims and indemnities	0	\$3	0	\$0	0	\$0	0	\$0
Built-Ins Subtotal	1,377	+\$366,113	0	+\$416	0	+\$8,085	0	+\$8,501
B. Programs:								
Legal Services Increases to Support Client Agencies Requests	677	\$125,610	0	\$0	58	\$10,117	58	\$10,117
Office of Administrative Law Judges Immigration Program Increase	88	\$16,749	0	\$0	26	\$3,000	26	\$3,000
Establishment of the Office of Labor Compliance	0	\$0	0	\$0	15	\$2,620	15	\$2,620
Monitoring and Enforcement of Labor Commitments of Trade Partner Countries Under Free Trade Agreements and Trade Preference Programs	105	\$91,319	0	\$0	5	\$2,500	5	\$2,500
Digital Services Team	0	\$0	0	\$0	11	\$2,200	11	\$2,200
Productivity Increase for Office of Administrative Law Judges	0	\$0	0	\$0	0	\$2,027	0	\$2,027
Digital Government Integration Platform Support	0	\$0	0	\$0	11	\$2,020	11	\$2,020
Departmental Training Initiative	137	\$29	0	\$0	3	\$2,000	3	\$2,000
Departmental Program Evaluation Increase	0	\$8,040	0	\$0	0	\$1,460	0	\$1,460
Sequestration Restoration	128	\$21	6	\$1,101	0	\$0	6	\$1,101
Civil Rights Office of External Enforcement	36	\$6,880	0	\$0	4	\$868	4	\$868
Program Evaluation for Workforce Data Team	0	\$0	0	\$0	5	\$659	5	\$659
Sequestration Restoration Legal Services Black Lung	34	\$7	0	\$578	0	\$0	0	\$578
GSA Contribution	0	\$0	0	\$0	0	\$263	0	\$263
Adjudicatory Boards' Appeals Management System	0	\$0	0	\$0	0	\$237	0	\$237
Programs Subtotal			6	+\$1,679	138	+\$29,971	144	+\$31,650
Total Increase	1,377	+\$366,113	6	+\$2,095	138	+\$38,056	144	+\$40,151
Decreases:								
A. Built-Ins:								
To Provide For:								
Built-Ins Subtotal	0	\$0	0	\$0	0	\$0	0	\$0
B. Programs:								
Total Decrease	0	\$0	0	\$0	0	\$0	0	\$0
Total Change	1,377	+\$366,113	6	+\$2,095	138	+\$38,056	144	+\$40,151

DEPARTMENTAL MANAGEMENT

SUMMARY BUDGET AUTHORITY AND FTE BY ACTIVITY								
(Dollars in Thousands)								
	2014		2015		2016		Diff. 2016 / 2015	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Program Direction and Support	122	31,010	136	31,010	156	35,302	20	4,292
General Funds	122	31,010	136	31,010	156	35,302	20	4,292
Legal Services	664	132,741	661	133,787	719	148,040	58	14,253
General Funds	632	125,136	625	126,136	683	139,680	58	13,544
Unemployment Trust Funds	2	308	2	308	2	308	0	0
Black Lung Disability Trust Funds	30	7,297	34	7,343	34	8,052	0	709
International Labor Services	105	91,125	106	91,125	111	94,517	5	3,392
General Funds	105	91,125	106	91,125	111	94,517	5	3,392
Administration and Management	112	28,413	112	28,413	137	35,835	25	7,422
General Funds	112	28,413	112	28,413	137	35,835	25	7,422
Adjudication	229	45,662	254	50,261	286	58,081	32	7,820
General Funds	148	29,420	161	29,420	187	35,854	26	6,434
Black Lung Disability Trust Funds	81	16,242	93	20,841	99	22,227	6	1,386
Women's Bureau	49	11,536	54	11,536	54	11,788	0	252
General Funds	49	11,536	54	11,536	54	11,788	0	252
Civil Rights	36	6,880	36	6,880	40	7,996	4	1,116
General Funds	36	6,880	36	6,880	40	7,996	4	1,116

DEPARTMENTAL MANAGEMENT

SUMMARY BUDGET AUTHORITY AND FTE BY ACTIVITY								
(Dollars in Thousands)								
	2014		2015		2016		Diff. 2016 / 2015	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Chief Financial Officer	18	5,061	18	5,061	18	5,205	0	144
General Funds	18	5,061	18	5,061	18	5,205	0	144
Departmental Program Evaluation	0	8,040	0	8,040	0	9,500	0	1,460
General Funds	0	8,040	0	8,040	0	9,500	0	1,460
Total	1,335	360,468	1,377	366,113	1,521	406,264	144	40,151
General Funds	1,222	336,621	1,248	337,621	1,386	375,677	138	38,056
Unemployment Trust Funds	2	308	2	308	2	308	0	0
Black Lung Disability Trust Funds	111	23,539	127	28,184	133	30,279	6	2,095

NOTE: 2014 reflects actual FTE.

DEPARTMENTAL MANAGEMENT

BUDGET AUTHORITY BY OBJECT CLASS					
(Dollars in Thousands)					
		2014	2015	2016	Diff. 2016 / 2015
	Full-Time Equivalent				
	Full-time Permanent	1,369	1,397	1,580	183
	Reimbursable	78	78	78	0
	Total	1,447	1,475	1,658	183
	Average ES Salary	\$162,357	\$162,357	\$166,854	\$4,497
	Average GM/GS Grade	12/5	12/5	13/7	0
	Average GM/GS Salary	\$105,179	\$105,179	\$107,948	\$2,769
	Average Salary of Ungraded Positions	163,223	163,223	166,013	2,790
11.1	Full-time permanent	153,681	156,720	174,284	17,564
11.3	Other than full-time permanent	626	818	3,148	2,330
11.5	Other personnel compensation	2,865	1,538	1,538	0
11.8	Special personal services payments	1	6	6	0
11.9	Total personnel compensation	157,173	159,082	178,976	19,894
12.1	Civilian personnel benefits	41,507	42,454	46,499	4,045
13.0	Benefits for former personnel	52	18	18	0
21.0	Travel and transportation of persons	2,762	4,010	4,249	239
22.0	Transportation of things	12	15	19	4
23.1	Rental payments to GSA	20,057	19,920	20,896	976
23.2	Rental payments to others	6	26	26	0
23.3	Communications, utilities, and miscellaneous charges	1,635	1,870	1,964	94
24.0	Printing and reproduction	265	280	287	7
25.1	Advisory and assistance services	12,517	12,124	15,009	2,885
25.2	Other services from non-Federal sources	6,116	9,402	11,610	2,208
25.3	Other goods and services from Federal sources 1/	39,680	35,080	43,111	8,031
25.4	Operation and maintenance of facilities	64	1,274	1,274	0
25.5	Research and development contracts	1,430	65	1,065	1,000
25.7	Operation and maintenance of equipment	8,484	9,496	10,774	1,278
26.0	Supplies and materials	2,186	2,719	2,825	106
31.0	Equipment	1,695	1,950	2,334	384
41.0	Grants, subsidies, and contributions	64,825	66,325	65,325	-1,000
42.0	Insurance claims and indemnities	2	3	3	0
51.1	Benefits	0	0	0	0
	Total	360,468	366,113	406,264	40,151
	1/Other goods and services from Federal sources				
	Working Capital Fund	32,990	29,249	32,786	3,537
	DHS Services	999	877	877	0
	Services by DOL Agencies	119	1,596	1,596	0
	Services by Other Government Departments	4,237	2,249	2,474	225
	GSA Services	869	823	823	0
	CIGIE	0	0	4,269	4,269
	HHS Services	187	36	36	0

DEPARTMENTAL MANAGEMENT

SIGNIFICANT ITEMS IN APPROPRIATIONS COMMITTEES' REPORTS

FY 2015 Appropriation Division G, Title I, Explanatory Statement Pages 6-7.

The Department is directed to submit to the House and Senate Committees on Appropriations a detailed IT modernization implementation plan by May 29, 2015. The plan shall include: a complete list of all new systems and significant improvements of existing systems proposed for development; the projected cost of each development project each year to completion including the total estimated cost of development; the estimated annual operations and maintenance costs for each system once development is complete; and a timeline and estimated maintenance cost savings of any legacy systems that will no longer be necessary and are proposed to be eliminated. The plan should also include an assessment of the Department's information technology management controls that includes: How the systems integrate into the Department's enterprise architecture; an analysis of the Department's project management capabilities; and a review of the Department's information technology investment and human capital management practices. The requested plan shall address IT funding provided in this account, the related general provision established in title I of this Act and other spending authority planned for or proposed to be used for such purposes.

Response: The Department is currently refining its IT modernization implementation plan, especially in light of the reduction in resources in FY 2015. The detailed plan will be sent to the House and Senate Committees on Appropriations by May 29, 2015.

DEPARTMENTAL MANAGEMENT

AUTHORIZING STATUTES

Public Law / Act	Legislation	Statute No. / US Code	Volume No.	Page No.	Expiration Date
	Bureau of International Labor Affairs (ILAB)				
Pub. L. 101-179	Support for East European Democracy (SEED) Act of 1989	22 U.S.C. 5401 et seq.			
Pub. L. 102-511	(ILAB) FREEDOM Support Act	22 U.S.C.A. 5801 et seq.			
Pub. L. 103-82	(ILAB) Canada-Mexico-United States: North America Agreement on Labor Cooperation (NAALC)				
Pub. L. 106-200	(ILAB) Trade and Development Act of 2000	19 U.S.C. 2464			
Pub. L. 106-554	(ILAB) DOL appropriation provided for funding to be used for ...Departmental bilateral and multilateral foreign technical assistance...	Stat. 2763			
Pub. L. 66-259	Women's Bureau Act to establish the Women's Bureau	29 U.S.C. 11-14			
Pub. L. 103-353	Veterans' Employment and Training Services (VETS)	38 U.S.C. 4100- 4110A and 4321- 4327			
Pub. L. 105-339	VETS Opportunity Act of 1998 Protects veterans' preference in government hiring	5 U.S.C. 3330a.			
Pub. L. 103-353	Uniformed Services Employment and Reemployment Rights Acts of 1994. Protects members of the uniformed services from discrimination in hiring and re- employment after service in the military.	38 U.S.C. 4301- 4333			
	Office of the 21 st Century Workforce	E.O. 13218			
	OALJ – Black Lung Appeals Program Title IV, Federal Mine Safety & Health Act of 1977, as amended.	33 U.S.C. Section 901 et seq.			
	OALJ – Longshore Appeals Program Longshore & Harbor Workers Act	33 U.S.C. Section 901 et seq.			
	OALJ – Traditional Program & Board of Alien Labor Certification Appeals	Over 80 labor- related statutes & regulations. See OALJ website www.oalj.dol.gov			
	Benefits Review Board – Black Lung Appeals Program & Longshore Appeals Program	30 U.S.C. Section 901 et seq.			

DEPARTMENTAL MANAGEMENT

Public Law / Act	Legislation	Statute No. / US Code	Volume No.	Page No.	Expiration Date
Pub. L. 99-570	Employees' Compensation Appeals Board. Review appeals of claims under Federal Employees' Compensation Act Anti-Drug Act of 1986	5 U.S.C. Section 8101 et seq.			

DEPARTMENTAL MANAGEMENT

APPROPRIATION HISTORY					
(Dollars in Thousands)					
	Budget Estimates to Congress	House Allowance	Senate Allowance	Appropriations	FTE
2006					
Base Appropriation...1/	\$244,423	\$264,022	\$344,800	\$297,580	1,419
2007					
Base Appropriation	\$242,091	\$262,039	\$267,346	\$298,920	1,380
2008					
Base Appropriation...2/	\$254,236	\$318,046	\$338,503	\$291,874	1,237
2009					
Base Appropriation...3/	\$263,483	\$0	\$0	\$314,198	1,374
2010					
Base Appropriation	\$355,154	\$375,245	\$382,245	\$356,006	1,392
2011					
Base Appropriation...4/	\$428,624	\$387,927	\$411,982	\$354,627	1,420
2012					
Base Appropriation...5/	\$371,554	\$268,733	\$347,009	\$347,123	1,410
2013					
Base Appropriation...6/	\$348,927	\$0	\$0	\$328,237	1,357
2014					
Base Appropriation...7/	\$347,856	\$0	\$0	\$336,929	1,369
2015					
Base Appropriation	\$346,189	\$0	\$0	\$337,929	1,377
2016					
Base Appropriation	\$375,985	\$0	\$0	\$0	1,521

1/ Reflects a \$3,005,000 reduction pursuant to P.L. 109-148.

2/ Reflects a \$5,184,000 reduction pursuant to P.L. 110-161.

3/ This bill was only reported out of Subcommittee.

4/ Reflects a \$29,172,000 reduction pursuant to P.L. 112-10.

5/ Reflects a .189% across the board reduction pursuant to P.L. 112-74

6/ Reflects a 0.2% across the board rescission pursuant to P.L. 113-6 and the sequestration reduction pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985.

7/ Reflects the full appropriation pursuant to P.L. 113-76 without enacted rescissions.

DEPARTMENTAL MANAGEMENT

OVERVIEW

Introduction

The primary goal of the U.S. Department of Labor (DOL) is to protect and promote the interests of America's workers—a goal that is captured in the Secretary's vision. The Departmental Management (DM) Salaries and Expenses (S&E) appropriation contributes to the Secretary's vision by providing critical policy, regulatory, legal, and administrative services to every agency within the Department.

The DM S&E appropriation is composed of the following nine budget activities: Program Direction and Support; Legal Services; International Labor Affairs; Administration and Management; Adjudication; Women's Bureau; Civil Rights; Chief Financial Officer; and Departmental Program Evaluation. Three of the nine activities (Program Direction and Support; Administration and Management; and Adjudication) include a consolidation of several smaller operating programs.

Program Direction and Support

The Program Direction and Support (PDS) activity provides leadership and direction for the various DOL agencies. As part of its responsibilities, PDS oversees a program of analysis and general research on issues affecting America's workforce and evaluates the effectiveness of Departmental programs. PDS includes funding for the following organizations: Office of the Secretary; Office of the Deputy Secretary; Office of the Assistant Secretary for Policy; Office of Congressional and Intergovernmental Affairs; Office of Public Affairs; Office of Public Engagement; and the Center for Faith-based and Neighborhood Partnerships.

Office of the Solicitor

The Office of the Solicitor (SOL) provides legal services and certain non-legal services to the Secretary and to the client agencies within DOL. Its central purposes are law enforcement, legal advice, and compliance assistance. Unlike many of the general counsels' offices in the federal government, SOL has independent litigating authority under a number of Federal statutes. Approximately half of the attorneys in SOL are in regional offices outside Washington, D.C., and their responsibilities deal primarily with litigation in Federal district courts and before administrative law judges. SOL also provides legal advice to the Secretary and other agency heads on a wide variety of matters arising under the nearly 200 laws the Department enforces.

Bureau of International Labor Affairs

The Bureau of International Labor Affairs (ILAB) supports the President's international agenda on labor matters, carries out international responsibilities for the Secretary of Labor, and oversees and coordinates the Department's international activities. ILAB focuses on three primary areas: 1) international trade and labor, including mandates related to free trade

DEPARTMENTAL MANAGEMENT

agreements; 2) international child labor, forced labor, and human trafficking, including reporting and program mandates; and 3) international organizations, including mandated representation before the International Labor Organization.

Administration and Management

The Administration and Management activity develops Departmental policy, administrative programs, systems, and procedures in the areas of information resources; budget formulation and resource analysis; performance management; procurement; human resources; equal opportunity; safety and health; homeland security and emergency management; and administrative services.

The Office of the Assistant Secretary for Administration and Management (OASAM) will continue to direct resources to support the following three key Departmental initiatives: (1) IT Modernization; (2) Improved Customer Service; and (3) Budget and Performance Integration and Analysis of Performance Results.

Adjudication

The Adjudication activity includes the Office of Administrative Law Judges, the Benefits Review Board, the Employees' Compensation Appeals Board, and the Administrative Review Board. They review and determine several thousand appeals each year, make legal interpretations, and establish legal precedents that set standards for the entire nation.

Women's Bureau

The mission of the Women's Bureau is to develop policies and standards and conduct inquiries to safeguard the interest of working women, advocate for their equality and economic security for themselves and their families, and promote quality work environments. This mission is as critical today as it has been since the agency was established in 1920 as women now comprise almost half of the Nation's workforce, and their contributions are vital to our country's economic prosperity. The Women's Bureau's mission is critical to the Secretary's vision for the Department. An opportunity economy includes workplaces free of discrimination, equal pay for equal work, and fair and equitable working environments. The Women's Bureau initiatives go to the heart of these issues.

Civil Rights Center

The Civil Rights Center's (CRC) mission is to ensure compliance with Federal civil rights laws and regulations that cover DOL employees, applicants for employment, DOL conducted programs, and programs and activities receiving or benefiting from DOL financial assistance.

Office of the Chief Financial Officer

The Office of the Chief Financial Officer's (OCFO) mission is to deliver timely, accurate, and reliable financial information through efficient and effective financial systems and business

DEPARTMENTAL MANAGEMENT

processes. OCFO fosters effective stewardship of public funds, safeguards fiscal integrity through effective internal controls, and provides timely, accurate, and useful financial information to decision makers.

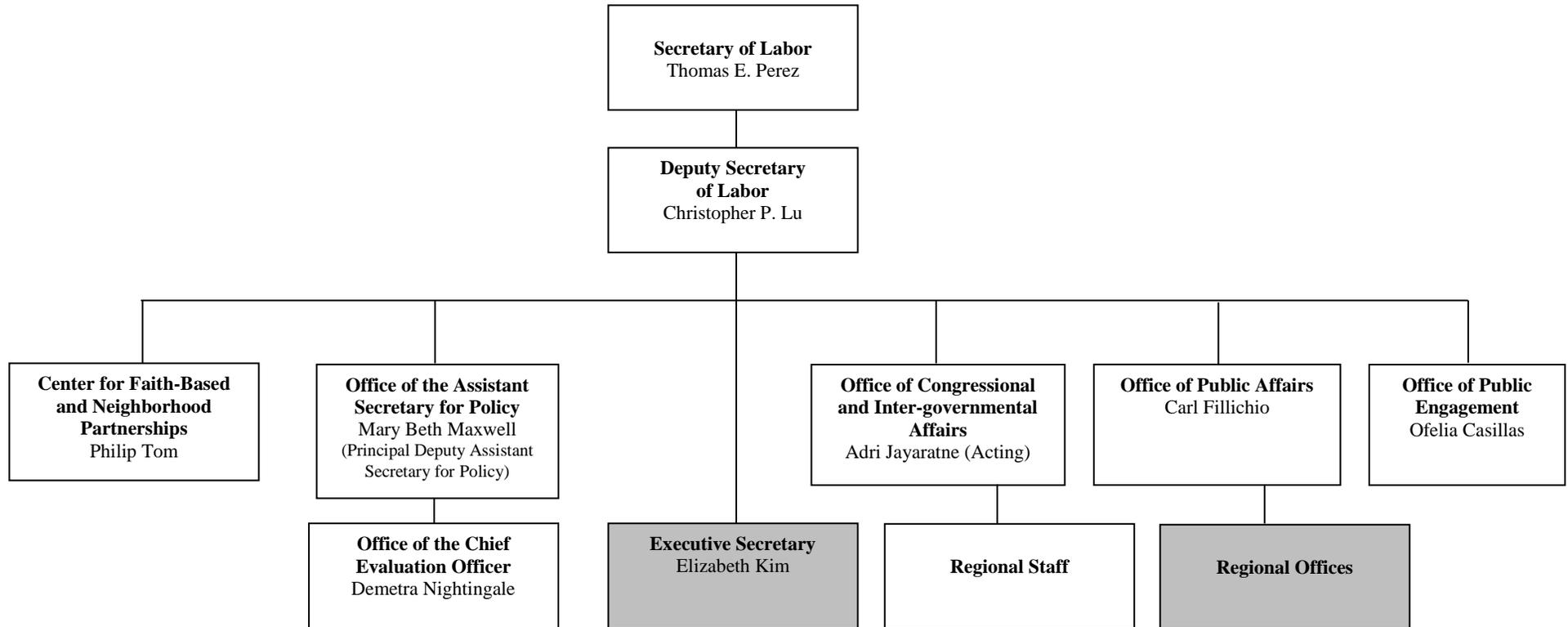
Departmental Program Evaluation

The Departmental Program Evaluation activity designates and centralizes specific program evaluation funds that can be used in collaboration with various Department of Labor agencies for individual program evaluations to identify what is working, what is not working, and improvements that would help ensure resources are spent effectively Department-wide.

DEPARTMENTAL MANAGEMENT

ORGANIZATION CHARTS

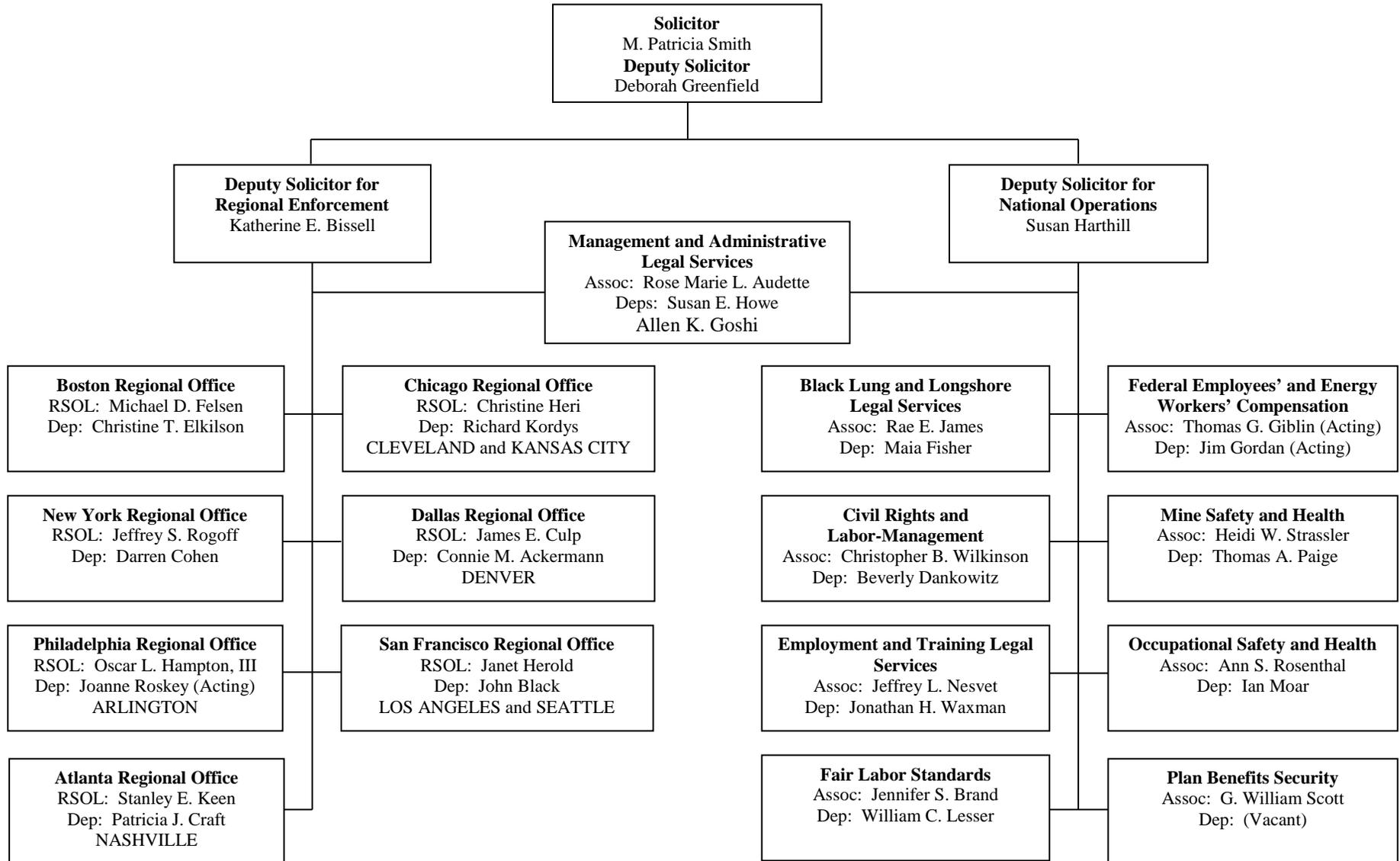
PROGRAM DIRECTION AND SUPPORT



Shaded box indicates funding through the Working Capital Fund

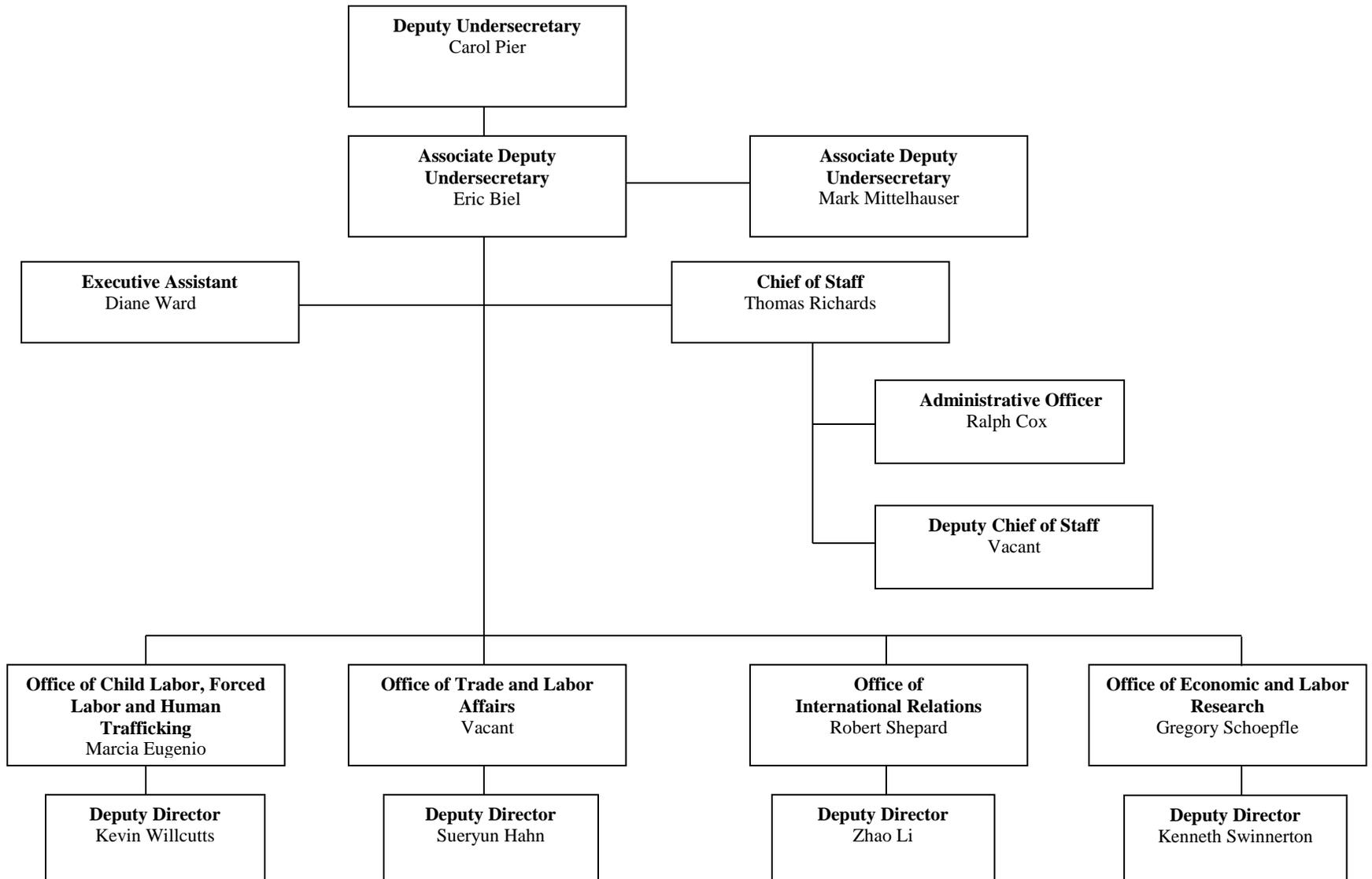
DEPARTMENTAL MANAGEMENT

OFFICE OF THE SOLICITOR



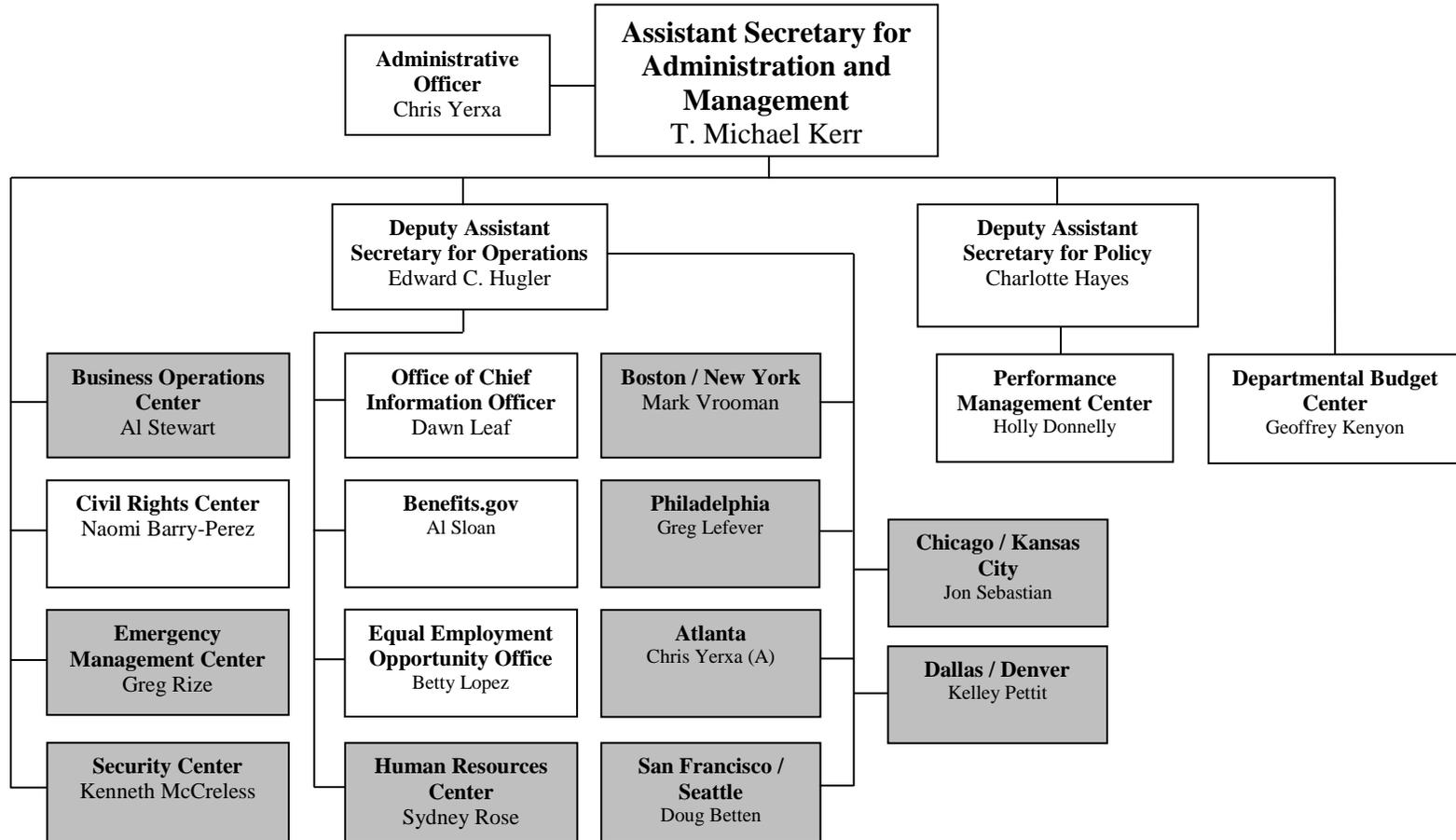
DEPARTMENTAL MANAGEMENT

INTERNATIONAL LABOR AFFAIRS BUREAU



DEPARTMENTAL MANAGEMENT

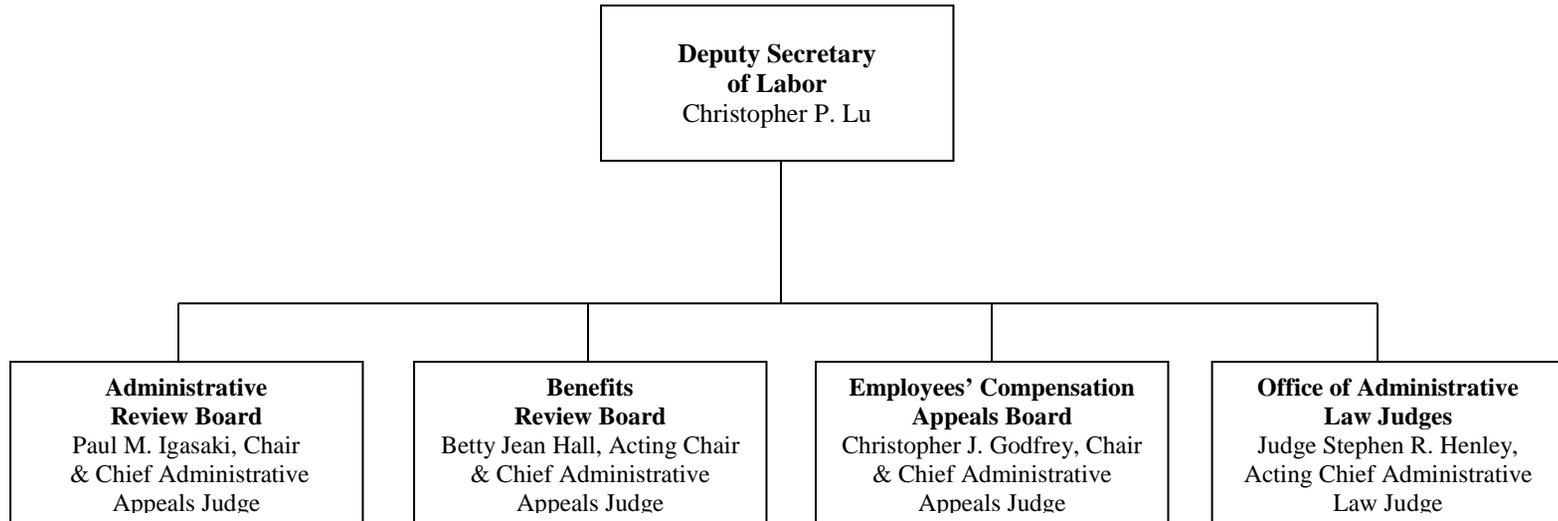
OFFICE OF ASSISTANT SECRETARY FOR ADMINISTRATION AND MANAGEMENT



Shaded box indicates funding through the Working Capital Fund

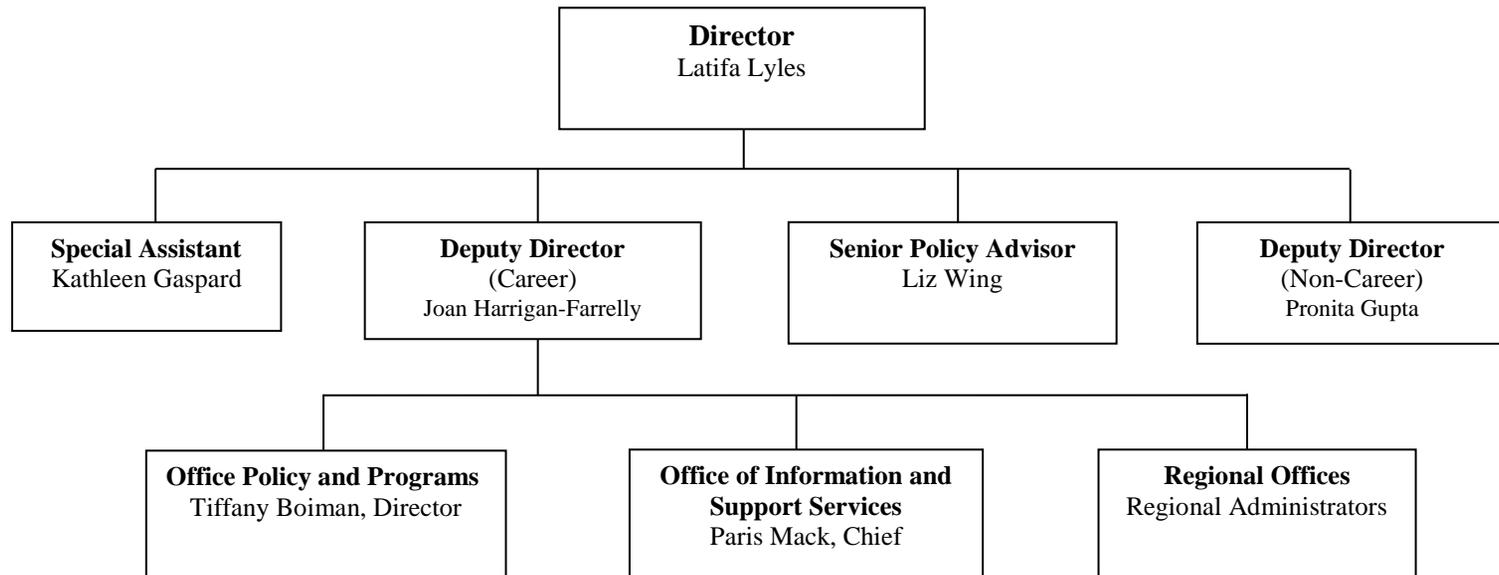
DEPARTMENTAL MANAGEMENT

ADJUDICATION



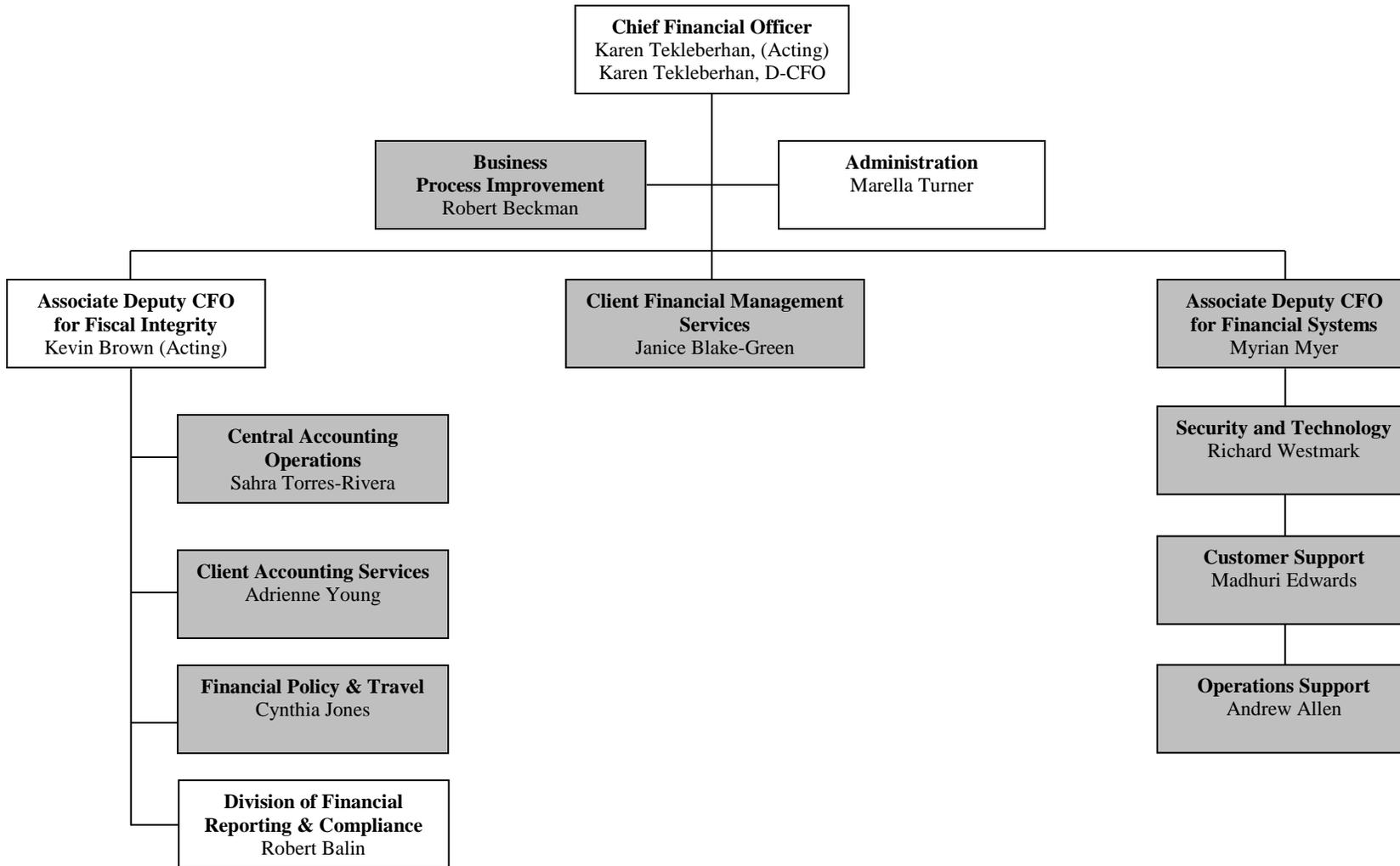
DEPARTMENTAL MANAGEMENT

WOMEN'S BUREAU



DEPARTMENTAL MANAGEMENT

OFFICE OF THE CHIEF FINANCIAL OFFICER



Shaded box indicates funding through the Working Capital Fund

PROGRAM DIRECTION AND SUPPORT

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	2014	2015	2016	Diff. 2016 / 2015
Activity Appropriation	31,010	31,010	35,302	4,292
FTE	122	136	156	20

NOTE: FY 2014 reflects actual FTE. Authorized FTE for FY 2014 was 127.

Introduction

The Program Direction and Support activity includes the following seven organizations: (1) the Office of the Secretary of Labor; (2) the Office of the Deputy Secretary of Labor; (3) the Office of the Assistant Secretary for Policy; (4) the Office of Congressional and Intergovernmental Affairs; (5) the Office of Public Affairs; (6) the Center for Faith-based and Neighborhood Partnerships; and (7) the Office of Public Engagement.

This activity provides centralized leadership and direction for the entire Department. Other core responsibilities include: (1) serving as the primary economic advisor to the Secretary of Labor and providing economic analysis of special topical initiatives as well as general issues; (2) overseeing a program of analysis and general research on issues affecting the American workforce; (3) evaluating the effectiveness of Departmental programs; (4) serving as the principal representative on the Department's legislative program; (5) coordinating legislative proposals with staff of other Federal agencies; and (6) maintaining a program of public information and communications to inform the public of the services and protection afforded by Departmental agencies.

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2011	\$33,308	123
2012	\$33,220	118
2013	\$31,010	121
2014	\$31,010	127
2015	\$31,010	136

FY 2016

The FY 2016 budget request for the Program Direction and Support (PDS) activity is \$35,302,000 and 156 FTE. Funding at this level will provide for continued support of leadership on key DOL initiatives and mandates.

The FY 2016 request includes a program increase for the Chief Evaluation Office (CEO) within the Office of the Assistant Secretary for Policy (OASP). The increase of \$659,000 and 5 FTE will establish a team in the Chief Evaluation Office that will work in tandem with the Department of Education to serve as the central point of contact to resolve and provide technical

PROGRAM DIRECTION AND SUPPORT

assistance for States, Federal programs, and researchers on issues related to accessing, collecting, and using workforce and education data .

The request also includes resources to establish an Office of Labor Compliance (OLC). The increase of \$2,620,000 and 15 FTE will facilitate cross-agency sharing of enforcement data and information to improve the targeting of enforcement and compliance assistance efforts. These resources will improve the effectiveness of compliance efforts by leveraging the resources of all relevant agencies and government Departments.

PDS funding will provide operational resources for the following offices:

- Office of the Assistant Secretary for Policy (OASP): coordinates and advances the Department's regulatory agenda and ongoing involvement in interagency planning and policy development efforts, promoting a culture within DOL that produces greater transparency and encourages public participation in DOL agencies' initiatives;
 - The Chief Evaluation Office (CEO): manages the Department's extensive program evaluation efforts to find effective solutions to issues facing today's workers;
- Office of Congressional and Intergovernmental Affairs (OCIA): develops and implements policies that affect legislative programs while maintaining Congressional relationships;
- Office of Public Engagement (OPE): advises the Secretary on maintaining relationships and building partnerships with constituency organizations interested in and affected by the Department's policies and programs;
- Center for Faith-based and Neighborhood Partnerships (CFBNP): builds partnerships with faith-based groups, community organizations, and neighborhood leaders, working in collaboration with DOL agencies to improve the lives of the most vulnerable and disadvantaged workers and job seekers;
- Office of Public Affairs (OPA): executes a nationwide communications program on Departmental programs and activities.

FY 2015

The FY 2015 budget request for the Program Direction and Support (PDS) activity is \$31,010,000 and 136 FTE. Funding at this level will provide for continued support of leadership on key DOL initiatives and mandates.

FY 2014

The FY 2014 enacted budget for the Program Direction and Support budget activity was \$31,010,000. PDS continued to support the Secretary, Deputy Secretary, and their respective offices on key DOL initiatives and mandates in promoting and protecting opportunity for workers and their families. These resources allowed the Department to continue to make strides in evidence-based, data-driven management.

PROGRAM DIRECTION AND SUPPORT

DETAILED WORKLOAD AND PERFORMANCE				
	2014		2015	2016
	Target	Result	Target	Target
Program Direction and Support				
Strategic Goal ALL - All Strategic Goals				
Strategic Objective ALL.1 - All Strategic Objectives				
Outreach Support for Secretary's Initiatives (Number of Events)	100	--	100	100
DOL Newsletter	51	--	51	51
Program Direction and Support				
Strategic Goal ALL - All Strategic Goals				
Strategic Objective ALL.1 - All Strategic Objectives				
Conduct Research Projects/Studies and Prepare Policy Papers	--	--	8	8
Policy Convenings	--	--	3	3
Visiting Scholars Program	--	--	1	1

Legend: (r) Revised (e) Estimate (base) Baseline -- Not Applicable TBD - To Be Determined [p] - Projection

PROGRAM DIRECTION AND SUPPORT

Detailed Workload Performance Narrative for Selected PDS Components

Office of the Assistant Secretary for Policy (OASP)

OASP provides advice to the Secretary, Deputy Secretary and Department on matters of policy development, evaluation, regulations, budget and legislation that will improve the lives of workers, retirees, and their families. Integral to this role, OASP leads special initiatives and manages cross- and inter-Department activities to advance the mission of the Department of Labor.

OASP contributes to the accomplishment of all Departmental strategic and outcome goals, using a variety of strategies to leverage efforts and ensure optimal performance of the program and enforcement.

To support the Secretary, Deputy Secretary and Department, OASP's principal outcomes are:

1. Providing the Secretary with **timely, full and accurate information, analysis, and evaluation** reflecting a Department-wide perspective (for both policymaking purposes and public statements)
2. Facilitating the **timely promulgation and roll-out of high quality regulations** that are consistent with Executive Orders, the Secretary's vision, statutes and OMB Bulletins
3. Enhancing the quality of DOL's policy, regulatory and legislative initiatives and innovations by **facilitating cross-agency collaboration and interagency cooperation.**
4. **Facilitating efforts to provide workers with a voice in the workplace and enabling DOL transparency** by providing the public with portals that contain up-to-date cross-agency information on DOL's activities.
5. Conducting noteworthy research and producing policy products on priority issues to inform DOL leadership.
6. Coordinating the Government Accountability Office (GAO) review process.
7. Perform evaluation of various Departmental programs.

Office of Public Affairs (OPA)

OPA is committed to furthering the efforts of all DOL agencies in support of the Department's mission. To that end, an essential component of OPA's contribution is creative, timely and effective efforts in media relations explaining DOL's work as it relates to the Department's mission. OPA will continue the implementation of a multi-dimensional communications plan to educate the news media and the public as a whole about DOL's efforts. In FY 2016, OPA will perform the following tasks as a part of its internal and external communication strategies and in support of Departmental outcome goals:

- Draft speeches and talking points for the Secretary and major agency heads.
- Edit news releases, blogs and advisories to inform the public of the Department's mission.
- Respond to inquiries from the news media regarding the Secretary's and Department's activities in a timely and accurate manner

PROGRAM DIRECTION AND SUPPORT

- Ensure that the Secretary's message is consistent in the Department's internal and external new media forums such as Facebook, Twitter, web chats and blogs.
- Publish the DOL News Brief, a weekly electronic newsletter that informs the public of the Department's activities.
- Assist the Secretary in communications with employees, including employee engagement activities.
- Use Frances—the DOL (intranet only) online magazine—as a means of communicating with and connecting to DOL staff.
- Host employee web chats to engage employees in dialogue regarding Department-related current events or developments.
- Ensure that press materials are translated into foreign languages, if appropriate.
- Upgrade the technology that supports dol.gov, the Department's primary website.

OPA will continue to improve DOL's expansive news media work, as well as manage Facebook and Twitter accounts, a YouTube account, blogs and a Flickr account. The Department's use of social networking sites continues to expand. To meet increased demand, OPA will use the content management tool HootSuite, which will allow the Department to better meet agency and customer needs, as well as track progress towards performance metrics.

PROGRAM DIRECTION AND SUPPORT

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		2014	2015	2016	Diff. 2016 / 2015
11.1	Full-time permanent	14,973	14,908	17,312	2,404
11.3	Other than full-time permanent	185	391	391	0
11.5	Other personnel compensation	330	105	105	0
11.9	Total personnel compensation	15,488	15,404	17,808	2,404
12.1	Civilian personnel benefits	3,776	3,838	4,529	691
13.0	Benefits for former personnel	0	10	10	0
21.0	Travel and transportation of persons	418	470	470	0
22.0	Transportation of things	0	1	1	0
23.1	Rental payments to GSA	2,598	2,610	2,628	18
23.3	Communications, utilities, and miscellaneous charges	264	264	264	0
24.0	Printing and reproduction	56	91	91	0
25.1	Advisory and assistance services	400	1,552	1,552	0
25.2	Other services from non-Federal sources	937	565	906	341
25.3	Other goods and services from Federal sources 1/	6,799	5,276	6,114	838
25.4	Operation and maintenance of facilities	8	2	2	0
25.5	Research and development contracts	0	0	0	0
25.7	Operation and maintenance of equipment	57	350	350	0
26.0	Supplies and materials	185	260	260	0
31.0	Equipment	24	317	317	0
42.0	Insurance claims and indemnities	0	0	0	0
	Total	31,010	31,010	35,302	4,292
1/Other goods and services from Federal sources					
	Working Capital Fund	4,494	4,077	4,616	539
	DHS Services	0	81	81	0
	Services by DOL Agencies	0	572	572	0
	Services by Other Government Departments	2,305	521	521	0
	CIGIE	0	0	299	299

PROGRAM DIRECTION AND SUPPORT

CHANGES IN 2016

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$381
Personnel benefits	0
One day more of pay	0
Federal Employees' Compensation Act (FECA)	75
Benefits for former personnel	0
Travel and transportation of persons	0
Transportation of things	0
Rental payments to GSA	18
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Advisory and assistance services	0
Other services from non-Federal sources	0
Working Capital Fund	539
Other Federal sources (DHS Charges)	0
Other goods and services from Federal sources	0
Research & Development Contracts	0
Operation and maintenance of facilities	0
Operation and maintenance of equipment	0
Supplies and materials	0
Equipment	0
Insurance claims and indemnities	0

Built-Ins Subtotal **\$1,013**

Net Program **\$3,279**

Direct FTE **20**

	Estimate	FTE
Base	\$32,023	136
Program Increase	\$3,279	20
Program Decrease	\$0	0

LEGAL SERVICES

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	2014	2015	2016	Diff. 2016 / 2015
Activity Appropriation	132,741	133,787	148,040	14,253
FTE	664	661	719	58

NOTE: FY 2014 reflects actual FTE. Authorized FTE for FY 2014 was 674.

Introduction

The Office of the Solicitor (SOL) is the legal enforcement and support arm of the Department of Labor. Its mission is to meet the legal service demands of the entire Department, including providing the legal support necessary to enable the Secretary of Labor to further goals that support the President’s strategic vision to improve opportunities and quality of life for the American people. SOL provides its legal services through National Office Divisions that are generally devoted to the major laws under the Department’s jurisdiction and Regional Offices that undertake front-line enforcement initiatives, including trial-level litigation to protect and improve the working conditions and security of America’s working women and men.

SOL plays a critical role in advancing the Department’s mission through enforcement of worker safety and protection laws and implementation of the Secretary’s regulatory and program agendas. SOL works closely with other DOL agencies to develop and implement specific policies and mission critical programs. Additionally, SOL helps improve the effectiveness of training programs for America’s workers – ensuring the nation’s workers’ protection laws are forcefully and fairly applied, and advising the Secretary and Departmental leadership on a full range of legal issues. As a result, SOL shares the outcome goals of each of its clients. SOL’s services to its client agencies fall into four primary categories: pre-litigation, litigation, opinion and advice, and assistance in development of regulations. SOL contributes to the accomplishment of all of the Department’s Strategic and Outcome goals by:

- undertaking **litigation** to carry out the Secretary’s priority enforcement initiatives, and to defend the Secretary’s vision and the program agencies of the Department;
- assisting in the development, drafting and legal review of **legislation, regulations, Executive Orders**, and other matters affecting Departmental programs; and
- providing **legal opinions and advice** to the Secretary and Departmental and agency officials.

DOL actions are based on sound legal advice that is:

- Timely;
- Understandable;
- Able to identify and mitigate legal risk;
- Effective; and
- In line with clients’ goals and priorities.

LEGAL SERVICES

The priorities in SOL's Congressional budget submission for FY 2016 mirror the Department's budget and program priorities and seek some additional FTE necessary to enable SOL to provide enhanced legal services in support of the Department's Strategic and Outcome Goals. This budget submission seeks to create more effective labor law enforcement by expanding legal advice and litigation services in the same subject areas where the Department is expanding investigative and compliance efforts. Expanding SOL's ability to support client agency work, and coordination with other federal and state agencies will increase efficient use of limited government resources. Timely and effective advice and litigation services, in support of worker wages, benefits, safety, and rights contribute to a sound economy and economic growth.

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2011	\$117,213	719
2012	\$129,972	711
2013	\$122,444	667
2014	\$125,444	674
2015	\$126,444	661

FY 2016

In FY 2016, SOL is requesting \$148,040,000 and 719 FTE. The FY 2016 requested increase is \$13,675,000 and 58 FTE from the FY 2015 Enacted level of \$134,365,000 and 661 FTE.

This increase includes \$5,460,000 and 30 FTE to provide legal support for Wage and Hour Division (WHD) compliance actions consistent with WHD's request for 300 additional investigative and enforcement FTE across its portfolio. WHD is responsible for enforcing and administering the minimum wage, overtime, and child labor provisions of the Fair Labor Standards Act (FLSA); the prevailing wage requirements and wage determination provisions of the Davis-Bacon and Related Acts (DBRA) and the McNamara-O'Hara Service Contract Act (SCA); the wages and working conditions under the Migrant and Seasonal Agricultural Worker Protection Act (MSPA); the job protections of the Family and Medical Leave Act (FMLA); and the Employee Polygraph Protection Act (EPPA). WHD also enforces the field sanitation and temporary labor camp standards in agriculture and certain employment standards and worker protections under the Immigration and Nationality Act (INA). SOL will support WHD across these statutory programs by litigating compliance actions, providing legal advice to assist with and improve strategic enforcement efforts, and collaborating in support of criminal referrals. SOL's additional FTE will not only litigate WHD enforcement matters, but also help improve collaboration during early consultation on pre-litigation matters, where SOL consults with WHD to assist with planning prior to case referral and to ensure that investigators fully understand the evidentiary requirements and investigative tools necessary to produce a litigation-worthy case. The requested funding and staff will enable SOL to keep up with the increase in workload in FY 2016 that will be generated by WHD increased investigative capacity.

LEGAL SERVICES

In addition to the increase specifically to support WHD's enforcement program, SOL's request includes additional funding totaling \$7,754,000 and 27 FTE to support DOL agencies' increased demand for legal advice and assistance for labor protection and enforcement efforts in FY 2016. This additional funding and FTE will allow expanded, comprehensive legal services to enable SOL to keep pace with the increased demand generated by client agencies' worker protection and strategic enforcement initiatives, including enhanced OSHA enforcement efforts directed at chemical facilities pursuant to the Executive Order, expansion of the OSHA Whistleblower Protection program, EBSA Enforcement Program Modernization, and representation of OWCP in all black lung cases arising under the Black Lung Benefits Act adjudicated by the OALJ. In addition to direct litigation of labor enforcement actions, these FTE will also provide early, pre-referral support to client agencies, improving strategic enforcement efforts and generating more effective labor enforcement litigation, including collaborating on criminal referrals as appropriate.

The requested funding also includes resources sufficient to support SOL's continuation of the special Mine Safety and Health Litigation Backlog Project (MLBP) at 44 FTE, consistent with the project's staffing level in FY 2014 and FY 2015.

FY 2015

In FY 2015, SOL received \$134,365,000 and 661 FTE. SOL will use its funding and FTE to provide comprehensive legal services to the Department to advance the Department's mission and the programs and priorities of the Secretary and SOL's client agencies. SOL will work closely with its client agencies in support of priority initiatives, such as WHD's enforcement of the Fair Labor Standards Act; EBSA's enforcement and regulatory efforts, particularly in the areas of pension and health care benefits; and OSHA's Whistleblower Protection program enforcement of the twenty-two whistleblower laws that protect workers who identify hazards at their workplaces or report violations of various trucking, airline, nuclear power, pipeline, environmental, rail, mass transit, maritime safety, consumer product safety, and securities laws. In FY 2015, SOL will continue the special Mine Safety and Health Litigation Backlog Project (MLBP) at 44 FTE, consistent with the FTE level achieved during FY 2013 and maintained in FY 2014.

In FY 2015, SOL will assist in the reduction of the backlog of black lung benefits cases pending before the OALJ by continuing its representation of OWCP. As part of the comprehensive legal services it provides, SOL will review all black lung cases referred for hearing, will develop additional medical evidence if necessary to support certain benefit awards, and will defend OWCP's naming of a liable coal mine operator and/or its insurance carrier. As the OALJ seeks to use additional FY 2015 funding to address the backlog and schedules additional cases for hearing, SOL will continue to meet its evidentiary development, briefing and other obligations in pending black lung cases.

LEGAL SERVICES

FY 2014

In FY 2014, SOL received \$132,741,000 and 664 FTE. The funding level included \$3,000,000 for built-in increases and a slight program increase above FY 2013 funding levels. SOL used this funding to carry out its responsibility of providing comprehensive legal services to the Department to advance the Department's mission, the programs and priorities of the Secretary and each of our client agencies. SOL worked closely with its client agencies to support priority initiatives, such as WHD's enforcement of the Fair Labor Standards Act and EBSA's enforcement and regulatory efforts, particularly in the areas of pension and health care benefits.

SOL's FY 2014 funding level included a program reduction of \$4,300,000 associated with the MSHA Litigation Backlog Project (MLBP), consistent with SOL's request. Beginning in FY 2013, due to sequestration and the reduction of the case backlog before the Federal Mine Safety and Health Review Commission, SOL initiated an orderly drawdown of its involvement in the special project. SOL reduced staffing for the project by 30 FTE, and in FY 2014 continued to support the project through 44 FTE and three special project offices. MSHA continued to transfer cases assigned to its Conference Litigation Representative (CLR) program to the MLBP program and MLBP staff handled these cases. SOL continued to coordinate with MSHA on strategies to improve compliance and maximize efficiencies in the case resolution process.

LEGAL SERVICES

DETAILED WORKLOAD AND PERFORMANCE					
		2014		2015	2016
		Target	Result	Target	Target
Legal Services					
Strategic Goal ALL - All Strategic Goals					
Strategic Objective ALL.1 - All Strategic Objectives					
Pre Litigation:					
PRE-03	Percentage of Strategic Matters Opened	[base]	12.25%	--	--
PRE-01	Matters Opened	3,172[p]	3,222	3,262[p]	4,071[p]
PRE-02	Matters Concluded	2,800[p]	2,487	2,523[p]	2,939[p]
PRE-04	Matters Pending	2,359[p]	2,494	2,494[p]	2,494[p]
Litigation:					
LIT-03	Percentage of Strategic Matters Opened	[base]	10.10%	--	--
LIT-01	Matters Opened	12,941[p]	10,043	10,273[p]	11,311[p]
LIT-02	Matters Concluded	11,790[p]	12,031	12,577[p]	13,433[p]
LIT-04	Matters Pending	15,441[p]	12,639	12,639[p]	12,639[p]
Opinion/Advice:					
OA-03	Percentage of Strategic Matters Opened	[base]	17.52%	--	--
OA-01	Matters Opened	9,726[p]	9,101	9,161[p]	9,405[p]
OA-02	Matters Concluded	8,536[p]	9,325	9,389[p]	9,615[p]

LEGAL SERVICES

DETAILED WORKLOAD AND PERFORMANCE					
		2014		2015	2016
		Target	Result	Target	Target
OA-04	Matters Pending	23,138[p]	22,945	22,945[p]	22,945[p]
Regulations:					
REG-03	Percentage of Strategic Matters Opened	[base]	47.50%	--	--
REG-01	Matters Opened	70[p]	58	59[p]	59[p]
REG-02	Matters Concluded	61[p]	49	49[p]	49[p]
REG-04	Matters Pending	139[p]	136	136[p]	136[p]

Legend: (r) Revised (e) Estimate (base) Baseline -- Not Applicable TBD - To Be Determined [p] - Projection

LEGAL SERVICES

Detailed Workload and Performance Narrative

SOL's workload performance measures involve a simple count of the number of Matters that SOL opens and concludes and the number of pending Matters each quarter in each of four categories of Matters (Pre-litigation, Litigation, Opinion/Advice and Regulation). SOL considers a Matter a collection of related activities that contribute to a specific investigation, litigation, regulation, or opinion or advice. These performance measures help SOL track its production on a quarterly and annual basis, and provide a contextual basis for SOL to compare its production over time, and help SOL track the demand for and provision of legal services to specific DOL client agencies.

Presently, FY 2016 targets for the workload performance measures are best estimates based on the year-end results from FY 2014 and projected results for FY 2015 and FY 2016. These projections are informed by analysis of SOL's Matter data as a reflection of the client agencies' demand for and receipt of legal services, with specific attention to the number of additional FTE requested by SOL to support its client agencies' initiatives. As additional information is gained about the number of Matters opened, concluded and pending, as well as the hours required to support the client agencies' overall need for legal services, SOL updates its workload projections accordingly.

Solicitor's Strategies and Performance Milestones

In FY 2011, SOL created priority performance measures, denoted as "Percentage of Strategic Matters Opened," in an effort to gauge what proportion of Matters Opened in each category of work aligned with one or more of the Solicitor's core Strategies: (1) Early Intervention; (2) Leveraging Litigation Resources; (3) Providing Opinions and Advice for Strategic Initiatives; and (4) Supporting Priority Regulations. SOL recognized that not every Matter lends itself to application of a core strategy, that certain Matters (across all four categories) are necessary but fundamentally routine, and that non-"strategic" Matters are not unimportant. In FY 2014, SOL concluded that its Priority Performance Measures did not provide helpful data to manage the provision of legal services overall, nor did they provide a meaningful gauge regarding the portion of the SOL legal services involving the Solicitor's Strategies. In FY 2015, SOL will continue to use the Solicitor's Strategies to advance client priorities, but will not report the Percentage of Strategic Matters Opened as Priority Performance Measures. In the absence of the Priority Performance Measures, SOL's performance management system is based on milestones, representing completion of clients' specific needs and priority projects, viewed through the lens of the Solicitor's Strategies, and often with concrete deliverables. The shift to milestones is consistent with SOL's client-driven model of service delivery that puts a higher priority on milestones, most of which are derived from our client agencies' operating plans. While the prior focus on strategic measures did not provide a meaningful management tool, milestones have been used successfully throughout SOL to manage resources and assess performance. SOL will continue to work with the Department's Chief Evaluation Office and Performance Management Center to explore development of other methods to assist SOL leadership in managing the provision of legal services to advance client priorities.

LEGAL SERVICES

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		2014	2015	2016	Diff. 2016 / 2015
11.1	Full-time permanent	77,739	78,596	86,921	8,325
11.3	Other than full-time permanent	0	0	0	0
11.5	Other personnel compensation	1,964	865	865	0
11.8	Special personal services payments	1	6	6	0
11.9	Total personnel compensation	79,704	79,467	87,792	8,325
12.1	Civilian personnel benefits	20,919	21,280	22,957	1,677
13.0	Benefits for former personnel	0	0	0	0
21.0	Travel and transportation of persons	822	1,135	1,199	64
22.0	Transportation of things	0	2	6	4
23.1	Rental payments to GSA	8,723	8,412	9,048	636
23.2	Rental payments to others	6	7	7	0
23.3	Communications, utilities, and miscellaneous charges	705	705	764	59
24.0	Printing and reproduction	82	84	91	7
25.1	Advisory and assistance services	0	0	0	0
25.2	Other services from non-Federal sources	3,446	7,029	7,140	111
25.3	Other goods and services from Federal sources 1/	14,133	10,565	13,163	2,598
25.4	Operation and maintenance of facilities	28	9	9	0
25.7	Operation and maintenance of equipment	1,821	2,560	2,894	334
26.0	Supplies and materials	1,010	1,368	1,474	106
31.0	Equipment	1,340	1,161	1,493	332
42.0	Insurance claims and indemnities	2	3	3	0
	Total	132,741	133,787	148,040	14,253
1/Other goods and services from Federal sources					
	CIGIE	0	0	1,431	1,431
	Working Capital Fund	12,558	9,158	10,325	1,167
	DHS Services	492	324	324	0
	GSA Services	820	820	820	0
	Services by Other Government Departments	145	145	145	0

LEGAL SERVICES

CHANGES IN 2016

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$2,336
Personnel benefits	0
One day more of pay	0
Federal Employees' Compensation Act (FECA)	55
Benefits for former personnel	0
Travel and transportation of persons	0
Transportation of things	0
Rental payments to GSA	0
Rental payments to others	0
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Advisory and assistance services	0
Other services from non-Federal sources	0
Working Capital Fund	1,167
Other Federal sources (DHS Charges)	0
Other goods and services from Federal sources	0
Operation and maintenance of facilities	0
Operation and maintenance of equipment	0
Supplies and materials	0
Equipment	0
Insurance claims and indemnities	0

Built-Ins Subtotal **\$3,558**

Net Program **\$10,695**

Direct FTE **58**

	Estimate	FTE
Base	\$137,345	661
Program Increase	\$10,695	58
Program Decrease	\$0	0

INTERNATIONAL LABOR SERVICES

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	2014	2015	2016	Diff. 2016 / 2015
Activity Appropriation	91,125	91,125	94,517	3,392
FTE	105	106	111	5

NOTE: FY 2014 reflects actual FTE. Authorized FTE for FY 2014 was 105.

Introduction

The Bureau of International Labor Affairs' (ILAB) global mission is to advance workers' rights and livelihoods, particularly for the world's most vulnerable populations. ILAB promotes broad-based and inclusive economic growth, reduced inequality, and improved respect for workers' rights and working conditions. ILAB's efforts help ensure that workers around the world are treated fairly and are able to share in the benefits of the global economy. Although focused internationally, ILAB's mission also advances the Labor Department's domestic priorities by supporting the creation and retention of good jobs at home through efforts to level the global playing field with respect to workers' rights.

ILAB leads the U.S. government's representation on labor and employment issues in regional and multilateral institutions, such as the International Labor Organization (ILO), the G-20, the Organization for Economic Cooperation and Development (OECD), the Asia-Pacific Economic Cooperation (APEC) forum, and the Inter-American Conference of Ministers of Labor (IACML) of the Organization of American States. ILAB works through the interagency process to develop and promote U.S. international economic, trade, and development policy that reflects the concerns and interests of workers, both in the United States and globally. In addition, ILAB makes grants for technical assistance to promote labor standards and acceptable conditions of work and to contribute to the elimination of the worst forms of child labor, and ILAB conducts research and reporting on international labor, economic, and trade issues.

ILAB's work contributes to DOL's Strategic Objective 1.3 – Advance workers' rights, acceptable work conditions, and livelihoods, particularly for the world's vulnerable populations.

With the resources requested for fiscal year 2016, ILAB plans to:

- Work with countries to bring their laws in line with international standards;
- Strengthen foreign government's labor administration and enforcement of labor laws;
- Engage other governments through bilateral and multilateral fora to promote the Department and Administration's labor and employment priorities;
- Strengthen the monitoring and enforcement of labor provisions of free trade agreements;
- Focus on addressing livelihood and labor issues related to the most vulnerable populations including victims of child labor, forced labor, and trafficking in persons;
- Engage workers and employers to strengthen workers' rights
- Ensure that international economic and development policies support workers and promote inclusive economic growth; and

INTERNATIONAL LABOR SERVICES

- Promote effective and comprehensive social protections.

ILAB will continue to enhance its effectiveness and results with a small increase for monitoring and enforcing labor provisions of free trade agreements (FTA) by deepening and expanding its use of an integrated model of program design. ILAB increasingly takes an integrated approach that combines efforts to amend laws and strengthen enforcement with activities to assist civil society organizations, improve industrial relations, effectively engage employers, and raise awareness about worker rights. Under this model, ILAB engages in in-depth monitoring, relationship building, and fact-finding in countries with which the United States has a free trade agreement or trade preference program, and then designs and awards a project that reflects this deep understanding of the country's practical and political reality. For example, ILAB may uncover a particularly critical labor law or enforcement weakness with a widespread impact on core labor standards that prevents accurate documentation of violations. A technical cooperation project would be designed to help a country build its capacity to address such specifically identified shortcomings. The result would be technical cooperation with practical and concrete results that would contribute to systemic, long-term change.

In recent years, ILAB has made grants of between \$56 million and \$60 million for child labor eradication, and approximately \$6,500,000 for other worker rights initiatives. With the resources requested for grants in FY 2016, ILAB will carry further its recent approach of funding child labor projects including elements that simultaneously promote broader worker rights and strengthen livelihoods. The integrated efforts undertaken will be in countries where child labor is prevalent, where the political and institutional context offers particular opportunities for the effective application of an integrated approach, and where the adoption of an integrated approach will be of benefit to both the elimination of the worst forms of child labor and worker rights goals.

ILAB's depth of experience in overseeing programs to eliminate the worst forms of child labor and forced labor has demonstrated that such efforts are most effective when they are incorporated into a comprehensive framework to promote livelihoods for vulnerable families, extend targeted social protection, protect other worker rights, and support collective efforts to claim basic rights and advance the interest of workers. Such programs not only contribute to a more level playing field for U.S. workers, but they also more effectively contribute to the broad-based economic development and social stability that are major goals of U.S. trade and foreign policy.

ILAB will also continue and expand its attention to supporting improvements in labor policy, labor administration and tripartite cooperation between employers, governments and workers as a supplement and enhancement of grant-funded programs. Building upon the strong base provided by current ILAB-funded programs such as the Better Work program (to improve labor conditions in factories exporting into the global supply chain of apparel and footwear through a tripartite process) and employee association and government capacity building, these efforts would emphasize support to governments, employers, and workers' organizations to support improvements in labor standards, livelihoods, effective social protection, labor market policy, labor market data and analysis, labor inspections and industrial relations.

INTERNATIONAL LABOR SERVICES

ILAB will continue and expand its use of direct technical cooperation with other countries drawing on ILAB, DOL, and other U.S. experts to share good practices and provide targeted support through inter-agency agreements with technically expert U.S. government agencies such as DOL's Occupational Safety and Health Administration or the Federal Mediation and Conciliation Service.

The requested funding will enable ILAB to maintain and build upon its already extensive presence, resources and relationships to consolidate and build practical cooperation on labor matters with significant trading partners in the Western Hemisphere, such as Colombia, Haiti, Mexico, and the Dominican Republic. ILAB will also be able to address other areas of high importance to Administration policy. These include the Middle East and North Africa, where there is a convergence between US national security interest, economic challenges to the stability of particular countries and therefore the region, and significant opportunities for engagement on labor issues that can address these sources of instability. Free trade agreements with Oman, Morocco, Bahrain and Jordan offer natural platforms for enhanced engagement, as do multi-year grant-funded projects in Egypt and Jordan.

In the Administration's "pivot" or "rebalance" to Asia, the importance of labor standards and worker rights (and the role of the Department of Labor) are explicitly recognized as contributing to economic growth, enjoyment of human rights and good governance. The inclusion of strong worker rights provisions in the trade agreements under negotiation, coordination with negotiating partners to ensure that their labor laws and practices conform with FTA labor provisions, and continued monitoring and enforcement of existing FTA labor provisions are integral to the Administration's trade agenda and critical to achieving the goal of making trade work for workers and ensuring that trade agreements level the playing field for America's businesses and workers.

Given the ongoing prioritization and increased attention to the trade agenda, the addition funding requested by ILAB will increase its capacity to monitor and enforce the labor provisions of new and existing FTAs, and ensure that countries presently negotiating or party to FTAs with the United States uphold their labor commitments in law and practice. Specifically, the resources requested would allow ILAB to improve its ability to receive and investigate complaints under the Labor Chapters of FTAs, including any potential increase in submissions under new or existing FTAs; to act as the principal liaison with other governments for the administration of labor subcommittees and labor cooperation mechanisms under free trade agreements; to assist in the negotiation of new labor commitments under prospective FTAs; and to provide the research and analysis necessary to address labor rights concerns that are raised about beneficiaries of U.S. trade preferences programs.

In addition, well-established DOL dialogues with important countries such as China, India and Vietnam offer the means both to consolidate and deepen labor cooperation and to promote broader US policy interests. Other ILAB priority countries in this region include the Philippines, Malaysia, Indonesia, Korea, Cambodia, Bangladesh and Burma. Through these strategic engagements, ILAB is able to connect the Department's expertise in areas such as workplace

INTERNATIONAL LABOR SERVICES

safety and health and mine safety and health with foreign governments' ministries interested in addressing the same issues. These activities, and the previously mentioned ILAB efforts, are essential components to a robust US foreign policy and diplomatic engagement.

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2011	\$92,484	99
2012	\$92,309	98
2013	\$87,481	106
2014	\$91,125	105
2015	\$91,125	106

FY 2016

The FY 2016 ILAB request of \$94,517,000 and 111 FTE includes a program increase of \$2,500,000 and 5 FTE for monitoring and enforcement of labor commitments of trade partner countries under free trade agreements and trade preference programs. With these resources, ILAB will address a number of priority areas, including:

- Promoting broad-based economic development and social stability that are major goals of U.S. trade and foreign policy;
- Enhancing its ability to effectively monitor and enforce labor provisions of free trade agreements and trade preference programs;
- Supporting the global competitiveness of U.S. workers through its work to promote fair working conditions and inclusive economic growth for workers around the world;
- Funding projects that combat the worst forms of child labor and forced labor internationally, promote fair working conditions, and bolster workers' rights;
- Effectively leading the U.S. government's efforts on labor and employment issues through bilateral diplomacy and multilateral organizations;
- Sustaining enhanced efforts undertaken in the past three years to promote inclusive economic growth in America's global trading partners through bilateral engagement, technical assistance, and monitoring and enforcement of trade agreements and trade preference programs;
- Conducting systematic research and analysis on economic, labor, and trade related issues to better inform our policies and technical assistance;
- Continuing its global leadership in reducing and eliminating the worst forms of child labor through policy leadership, research and substantial grant funding for projects overseas; and,
- Ensuring that the U.S. maintains a leading role in multilateral fora, including the G20 and the International Labor Organization (ILO), for the discussion of international labor standards and international efforts to sustainably create jobs and improve livelihoods.

INTERNATIONAL LABOR SERVICES

ILAB's global mission is to advance workers' rights and livelihoods, particularly for the world's most vulnerable populations, and does so through promoting of broad-based and inclusive economic growth, reducing inequality, and improving respect for workers' rights and working conditions. Although focused internationally, ILAB's mission also advances the Department's domestic priorities by supporting the creation and retention of good jobs at home through our efforts to level the global playing field with respect to workers' rights.

ILAB will continue to meet its mission through an integrated approach that combines efforts to amend laws and strengthen enforcement in other countries with activities to assist worker organizations, improve industrial relations, effectively engage companies, and raise awareness about worker rights. Under this model, ILAB engages in in-depth monitoring, relationship building, and fact-finding in a country and then designs and awards a project that reflects this deep understanding of the country's practical and political reality.

In support of the Administration's broader priorities on international trade, ILAB will use the additional resources to improve its ability to ensure that countries presently negotiating or party to free trade agreements with the United States uphold labor commitments in law and practice. ILAB plays a critical role in helping with the negotiations, research, analysis, policy development, technical assistance, and monitoring and enforcement of labor provisions of free trade agreements and trade preference programs. Over 140 developing countries enjoy unilateral trade benefits with the United States, and the U.S. currently has free trade agreements with 15 developing and four developed countries that added substantial new responsibilities for monitoring of labor commitments when they came into force. In addition, the U.S. is presently negotiating the Transpacific Partnership agreement with 11 other countries, five of which would be new free trade partners for the United States (Brunei Darussalam, Japan, Malaysia, New Zealand, and Vietnam) while the Transatlantic Trade and Investment Partnership agreement involves the 28 countries of the European Union.

Specifically, the additional resources would allow ILAB to improve its ability to receive and investigate complaints under the Labor Chapters of FTAs, including any potential increase in submissions under new or existing FTAs; to act as the principal liaison with other governments for the administration of labor subcommittees and labor cooperation mechanisms under free trade agreements; to assist in the negotiation of new labor commitments under prospective FTAs; and to provide the research and analysis necessary to address labor rights concerns that are raised about beneficiaries of U.S. trade preferences programs.

In addition, ILAB will more effectively lead the U.S. Government's representation on labor and employment issues in regional and multilateral institutions as well as bilateral engagements and works closely with other agencies to develop and implement international economic, trade, and labor policies. For example, ILAB will continue to promote issues of occupational safety and health as well as increased female labor force participation through these international fora, and promote the Department of Labor's domestic priorities and expertise through such engagements.

The Department believes that global markets must be governed by fair market rules that protect the most vulnerable populations, including women and children, and provide workers a fair share of economic prosperity and voice in their work lives. ILAB will continue to work on these

INTERNATIONAL LABOR SERVICES

objectives to achieving the Department's goals for U.S. workers, build the foundation for inclusive economic growth, and contribute to a more balanced pattern of global trade.

ILAB will continue to work closely with other federal agencies to develop and implement international economic, trade, and labor policies, including labor provisions of trade agreements; engagement on diplomatic and security issues related to labor and employment in bilateral and multilateral for a as well as through international organizations; grants for technical assistance to promote labor standards and acceptable conditions of work for workers and to contribute to the elimination of the worst forms of child labor; and research and reporting on international labor issues.

FY 2015

The FY 2015 ILAB enacted budget of \$91,125,000 and 106 FTE continues ILAB's funding at FY 2014 levels. With these resources, ILAB will:

- Promote the broad-based economic development and social stability that are major goals of U.S. trade and foreign policy;
- Contribute to a fairer playing field for U.S. workers through its work to promote fair working conditions and inclusive economic growth;
- Continue to effectively lead the labor dimensions of USG bilateral diplomacy;
- Enhance its capacity to promote fair working conditions and inclusive economic growth through integrated approaches to grant-funding of technical assistance;
- Fund projects that combat exploitative child labor internationally, promote fair working conditions, and bolster workers' rights;
- Sustain significantly enhanced efforts undertaken in the past two years to promote fair working conditions and inclusive economic growth in America's global trading partners through monitoring and enforcement of trade related labor provisions;
- Continue its global leadership role in reducing and eliminating child labor through policy leadership, research and substantial grant funding for projects overseas; and,
- Ensure that the U.S. maintains a leading role in multilateral fora – principally the International Labor Organization (ILO) and the G20 - for the discussion of international labor standards and international efforts to sustainably create jobs and improve livelihoods.

ILAB will continue to enhance its effectiveness and results without an increase in program resources by deepening and expanding its use of an integrated model of program design. ILAB increasingly takes an integrated approach that combines efforts to amend laws and strengthen enforcement with activities to assist worker organizations, improve industrial relations, effectively engage companies, and raise awareness about worker rights. Under this model, ILAB engages in in-depth monitoring, relationship building, and fact-finding in a country and then designs and awards a project that reflects this deep understanding of the country's practical and political reality. For example, ILAB may uncover a particularly critical labor law or enforcement weakness with a widespread impact on core labor standards that prevents accurate documentation of violations. A technical cooperation project would be designed to address such

INTERNATIONAL LABOR SERVICES

specific identified shortcomings. The result would be technical cooperation with practical and concrete results that would contribute to systemic, long-term change.

In recent years, ILAB has made grants of between \$56,000,000 and \$60,000,000 for child labor eradication, and approximately \$6,500,000 for other worker rights initiatives. With the resources requested for grants in FY 2015, ILAB will continue its recent approach of funding child labor projects to include elements that simultaneously promote broader worker rights and livelihoods. The integrated efforts undertaken will be in countries where child labor is prevalent, where the political and institutional context offers particular opportunities for the effective application of an integrated approach, and where the adoption of an integrated approach will be of benefit to both child labor eradication and worker rights goals.

ILAB's considerable experience in overseeing programs to eliminate child labor has demonstrated that such efforts are most effective when they are incorporated into a comprehensive framework to promote livelihoods for vulnerable families, extend targeted social protection, protect other worker rights, and support collective efforts to claim basic rights and advance the interest of workers. Such programs not only contribute to a fairer playing field for U.S. workers, but they also more effectively contribute to the broad-based development and social stability that are major goals of U.S. trade and foreign policy.

ILAB will also continue and expand its attention to supporting improvements in labor policy, labor administration and tripartite cooperation between employers, governments and workers as a supplement and enhancement of grant-funded programs. Building upon the strong base provided by current ILAB-funded programs such as the ILO's Better Work program (to improve labor conditions in factories exporting into the global supply chain of apparel and footwear) and other current small ILAB portfolio of trade union, employer association and government capacity building, these efforts would emphasize support to governments and employers and workers organizations to support improvements in labor standards, livelihoods, effective social protection, labor market policy, labor market data and analysis, labor inspections and industrial relations.

ILAB will continue and expand direct technical cooperation with other countries drawing on ILAB, DOL, and other U.S. experts to share good practices and provide targeted support, through inter-agency agreements with technically expert U.S. government agencies such as DOL's Wage and Hour Division or the Federal Mediation and Conciliation Service (FMCS).

The requested funding will enable ILAB to maintain and build upon its already extensive presence, resources and relationships to consolidate and build practical cooperation on labor matters with significant trading partners in the Western Hemisphere, such as Colombia, Haiti, Mexico, and the Dominican Republic. ILAB will also be able to address other areas of high importance to Administration policy. These include the Middle East and North Africa, where there is a convergence between US national security interest, economic challenges to the stability of particular countries and therefore the region, and significant opportunities for engagement on labor issues that can address these sources of instability. Free trade agreements with Oman, Morocco, Bahrain and Jordan offer natural platforms for enhanced engagement, as do multi-year grant-funded projects in Egypt and Jordan.

INTERNATIONAL LABOR SERVICES

FY 2014

For FY 2014, the enacted budget of \$91,125,000 and 105 FTE allows ILAB to build upon the programs and activities described below:

Monitoring and Enforcement of Labor Provisions of Free Trade Agreements and Trade Preferences

ILAB continued its current monitoring, enforcement, and remediation activities with trade partners, and countries which are of high priority because of their importance to U.S. national security or foreign policy interests or because their compliance with labor standards is particularly problematic.

The United States has free trade agreements currently with 15 developing and 4 developed countries, and is engaged in new trade negotiations with 9 countries under the Trans-Pacific Partnership FTA, and provides trade preferences to approximately 140 developing countries. ILAB systematically monitored and engaged three types of countries. These are the highest priority FTA partners, such as Colombia, prospective partners such as Vietnam, Malaysia or Brunei, and beneficiaries or potential beneficiaries of trade preferences. The last group includes Haiti, Egypt, Bangladesh, Democratic Republic of the Congo, Georgia, Iraq, Niger, Pakistan, Philippines, Sri Lanka, Swaziland, Burma and Uzbekistan.

ILAB monitors and enforces labor obligations under Free Trade Agreements through analysis of each country's labor practices and engages with the country to remedy the problems identified. In some cases, ILAB staff or consultants work directly to assist ministries of labor to improve their capacity to enforce international labor standards and other agreements. ILAB has observed an increasing number of submissions made under various free trade agreements (Bahrain, Guatemala, Honduras, Peru, Dominican Republic, and Mexico), alleging non-compliance with their terms. The workload presented by this high volume of evidence gathering and legal analysis has strained ILAB's capacity to maintain proper oversight of the entire range of trade relationships with significant labor dimensions. In particular, monitoring, enforcement, and remediation under the Colombia Labor Action Plan accompanying the US-Colombia free trade agreement has required substantial additional FTE allocations from current ILAB resources, given its complexity and scope.

In FY2014, ILAB selected its first labor attaché for the U.S. Embassy in Dhaka, Bangladesh work closely with the Government of Bangladesh to address their labor reform efforts as part of the Bangladesh Action Plan, a basis for reinstating their Generalized System of Preferences benefits. In addition, ILAB selected a labor attaché, who is expected to begin in 2015, to represent the Department of Labor at the U.S. Embassy in Bogota, Columbia to help the Government of Colombia implement the provisions of the Colombia Labor Action Plan.

Systematic research and analysis on the status of labor rights in trade partner countries allows ILAB to coherently target policy engagement – including trade enforcement actions and

INTERNATIONAL LABOR SERVICES

technical cooperation activities – to specific countries and issues where the maximum impact may be achieved. Enforcement includes consideration and adjudication of formal complaints lodged under labor provisions of trade agreements, or under the preference petition process. These have increased substantially and are expected to continue to increase, requiring substantial resources for research, investigation and legal analysis. Enforcement also includes the application of remediation measures to assist trade partners in arriving at compliance with labor obligations. When monitoring identifies issues of concern that can be ameliorated, ILAB can provide experts in labor law, labor policy, labor administration, and other technical areas of enforcement.

ILAB continued to improve the impact of its monitoring and reporting by developing systems to provide key information to the public through open government initiatives, including direct links on ILAB's website, thereby improving transparency and public disclosure. In addition, ILAB has developed a USG-wide system for sharing sensitive information that is improving interagency engagement with key trading partners.

Worker Rights Technical Assistance

ILAB makes grants for technical assistance to promote fair working conditions in FTA and trade preference partner countries. Priority countries for FTA-related technical cooperation included Colombia, Morocco and Guatemala Peru, and Vietnam. In addition, ILAB continued to deepen and expand its focus on other countries that receive trade preferences in Haiti and Bangladesh.

ILAB programs are helping to build effective labor inspectorates, improve industrial relations, strengthen worker organizations, and support innovative supply-chain approaches to improve working conditions. For example, ILAB is a lead funder of the Better Work (BW) program, a joint initiative run by the ILO and the International Finance Corporation to improve working conditions in the apparel sector of strategic countries. Current and future funding of BW will help ILAB to better comply with its statutory mandates in Haiti under the Haitian Hemispheric Opportunity through the Partnership Encouragement Act of 2008 (HOPE II), including monitoring compliance with core labor standards by Haitian apparel producers and facilitating remediation of identified violations. This funding would also be directed to some of the lowest cost apparel exporters with clear trade linkages, including Nicaragua, an FTA partner; Vietnam, Indonesia, Cambodia, Lesotho, and possibly Bangladesh. Empirical studies have shown BW to be an effective model for improving labor rights and working conditions in the apparel sector. By targeting the lower-cost apparel exporters, BW inhibits downward pressure on wages and working conditions throughout the global industry.

Child Labor and Forced Labor

ILAB continued to undertake a strategic and global approach to optimize efforts to address the root causes of child and forced labor. ILAB's efforts sought to improve the quality of life and increase household incomes of such laborers so that they do not fall victim to exploitation. ILAB made grants for new international technical assistance programs that address harmful child labor, forced labor and human trafficking by withdrawing or preventing children from involvement in exploitive labor, promoting formal and transitional education opportunities for children, fostering

INTERNATIONAL LABOR SERVICES

family livelihoods and empowering adult workers, strengthening policies on child labor and education, and building and mainstreaming the capacity of national institutions to address these issues.

In order to meet Congressional reporting mandates and to improve the effectiveness of its grant-funded programs, ILAB continued to support efforts to collect reliable data on the worst forms of child labor, raise awareness of child and forced labor, and mobilize a wide array of actors to address the problem. ILAB continued to improve its reporting on the worst forms of child labor, as called for under the Trade and Development Acts of 2000 and 2002 on governments who are recipients of trade preferences under the Generalized System of Preferences. In line with its mandate under the Trafficking Victims Protection Reauthorization Acts (TVPRA) of 2005 and 2008, ILAB monitored efforts by governments and other actors to combat harmful child labor, forced labor, and human trafficking practices in foreign countries, and created and maintained a country-specific list of goods produced with forced labor or exploitative child labor. ILAB took steps to apply the knowledge gained from recent impact evaluations. ILAB used information from its various evaluations to inform our decisions about the replication and scaling up of interventions.

International Diplomacy and Policy

ILAB engaged extensively and substantively with other countries' labor ministries and with international and regional organizations to defend, uphold, and promote international labor standards, promote inclusive economic growth, address the challenges of unemployment, and promote social protection. ILAB continued to lead U.S. Government participation in the ILO and the G20 Labor and Employment Ministerial process. It also continued to represent the U.S. government in the Employment, Labor and Social Affairs Committee of the Organization for Economic Cooperation and Development (OECD) and the labor bodies of other international and regional organizations, including the Asia Pacific Economic Cooperation Forum (APEC), the Inter-American Conference of Labor Ministers and the ongoing dialogue with the European Union. ILAB also provided expert input on labor, employment and social protection issues for U.S. Government participation in the United Nations and its affiliated bodies.

ILAB worked with the Department of State to advance U.S. foreign policy and human rights interests, promote labor diplomacy and ensure effective and timely reporting on labor issues, monitor developments in countries of particular importance to the United States, and represent and advance U.S. policy interests on international labor issues. ILAB worked to ensure effective interaction with foreign governments and stakeholders on labor standards and employment issues and to facilitate exchanges at both the technical and policy levels.

ILAB's bilateral dialogues and technical cooperation with key countries such as China, India, Vietnam and Brazil, and with free trade partners such as Oman and Jordan, were enhanced and given greater priority. Significant in-house technical expertise on labor law, enforcement, and administration were brought to bear in the efforts to improve worker rights described above. ILAB also expanded its work in large labor markets with an impact on the global labor market, such as China and India.

INTERNATIONAL LABOR SERVICES

DETAILED WORKLOAD AND PERFORMANCE					
		2014		2015	2016
		Target	Result	Target	Target
International Labor Services					
Strategic Goal 1 - Prepare workers for better jobs					
Strategic Objective 1.3 - Advance workers' rights, acceptable work conditions, and livelihoods, particularly for the world's vulnerable populations					
ILAB-B	Number of policy positions adopted by international fora and countries that reflect ILAB and DOL priorities	34	35	34	38
Strategic Goal ALL - All Strategic Goals					
Strategic Objective ALL.1 - All Strategic Objectives					
ILAB-C	Number of households receiving livelihood services	37,481	32,637	16,079 ¹	16,079
ILAB-E	Number of countries with increased capacity to address child labor or forced labor	23	28	32	32
ILAB-F	Number of countries in which worker rights and/or working conditions are improved	15	16	15	17
ILAB-G	Number of countries with improved capacity of the government and/or other social partners to protect worker rights and/or improve working conditions as a result of DOL interventions	16	17	20	22

Legend: (r) Revised (e) Estimate (base) Baseline -- Not Applicable TBD - To Be Determined [p] - Projection

¹ The reduction is due to shifts in the project portfolio and fewer results being generated by direct service projects at this time.

INTERNATIONAL LABOR SERVICES

Detailed Workload Performance Narrative

ILAB's work contributes to DOL's Strategic Goal 1 – to prepare workers for good jobs and to ensure fair compensation, and to Strategic Objective 1.3 - Improve worker rights and livelihoods, particularly for vulnerable populations.

FY 2011 was the baseline year for ILAB's production measures. Continual refinement of the data calculation process during FY 2011 and FY 2012 resulted in refinement of targets for policy process engagements and in a higher threshold for counting monitoring and enforcement of trade agreement labor provisions for FY 2013. This did not reflect a reduction in workload, but a refinement in counting methodology that has occurred continuously during and since the baseline year. Broader-scoped technical assistance projects were undertaken in FY 2012 and FY 2013, are being undertaken in FY 2014, and are planned for FY 2015 and FY 2016, resulting in fewer technical assistance projects, but significantly greater quality, scope, and impact (in numbers of workers and children who benefit and numbers of governments that perform better) of ILAB's technical assistance program.

ILAB supports the President's international labor agenda and coordinates the international activities for the Department of Labor. Activities include promotion of international labor standards and labor rights through multilateral organizations and bilateral relationships with other countries, implementation of projects to improve workers' rights and living standards in developing countries, and protection of the most vulnerable worker populations, including women and children. ILAB's duties and operations derive from the President's agenda in conjunction with Congressional mandates in three primary areas:

- International trade and labor, including mandates related to free trade agreements.
- International child labor, forced labor, and human trafficking, including reporting and program mandates.
- International organizations, including mandated representation before the International Labor Organization (ILO).

ILAB currently oversees approximately 60 technical assistance projects totaling some \$300,000,000. These projects tackle an array of labor-related issues, including:

- Addressing the worst forms of child labor, forced labor, and human trafficking through direct assistance and addressing the underlying causes;
- Promoting formal and transitional education opportunities for children removed from the worst forms of child labor;
- Developing model programs to enable workers to exercise their rights; and
- Strengthening the capacity of governments to adopt, promote and enforce labor standards and acceptable work conditions.

In addition, ILAB carries out ongoing activities to support the President's agenda on international labor. Most notably, ILAB provides participation and coordination of

INTERNATIONAL LABOR SERVICES

interagency policy groups and represents the Department and the United States government in several international bodies and multilateral organizations.

During FY 2014, ILAB reported on six outcome measures established in FY 2011. ILAB met or exceeded its targets for five outcome measures this year. In FY 2015, ILAB will continue to refine its performance measures to more accurately capture the effectiveness of its work. ILAB will pilot qualitative performance measures to gauge policy priority and overall project progress this year.

In FY 2014, ILAB exceeded its outcome goal related to policy positions adopted by countries and international organizations. As a result of ILAB's activities, 35 policy positions that reflect USG international labor interests and priorities were adopted by international fora and countries. Some FY 2014 accomplishments resulting from the support of ILAB-funded projects include:

- adoption in Paraguay of the country's First Action Plan on Forced Labor;
- adoption of new strategic plans by the Ghana Employers Association and Ghana's General Agricultural Workers' Union that contribute to implementation of the country's National Plan of Action for the Elimination of the Worst Forms of Child Labor;
- in Mexico, a Constitutional reform that increased the minimum age for admission to employment from 14 to 15 years;
- in the Philippines, the finalization of the Strategic Plan of the National Child Labor Committee, the passage of 18 municipal and 95 barangay policies against child labor, and the finalization and launching of a Voluntary Code of Conduct, in partnership with the sugar industry; and
- as a result of ILAB's close working relationship with them, the Government of Vietnam agreed to make changes their labor laws to improve compliance with international labor standards.

In FY 2014, ILAB managed 69 active grants for at least part of the year, totaling approximately \$357 million, and met or exceeded targets for all performance measures related to grant-funded technical assistance. ILAB designed projects that integrated the purposes of worker rights and child labor projects so as to optimize the impact of grant funding. ILAB was attentive to ensuring sufficient regional coverage, sufficient resources for ILAB high priority initiatives and countries, and ILAB support for US foreign policy priorities. ILAB will continue to enhance its effectiveness and results without an increase in program resources by deepening and expanding its use of an integrated model of program design. With the resources requested for grants in FY 2015, ILAB will carry further its recent approach of funding child labor projects include elements that simultaneously promote broader worker rights and livelihoods. The integrated efforts undertaken will be in countries where child labor is prevalent, where the political and institutional context offers particular opportunities for the effective application of an integrated approach, and where the adoption of an integrated approach will be of benefit to both child labor eradication and worker rights goals.

INTERNATIONAL LABOR SERVICES

In FY 2014, ILAB funded model programs to improve workers' rights in trading partner countries by strengthening government enforcement of labor laws, improving voluntary compliance by businesses with international labor standards, and strengthening the capacity of workers' organizations to represent workers in 22 countries. ILAB worked closely with governments, multilateral and regional organizations, and business and workers' organizations.

In FY 2014, ILAB initiated new projects, implemented innovative child labor elimination programs to provide livelihood services to vulnerable households, continued efforts to build global capacity to combat child labor, and maintained oversight and program management of projects initiated in previous fiscal years. Working through grantees in over 60 countries, ILAB provided education or vocational services to 75,205 children engaged in or at high risk of entering child labor (exceeding its target of 66,760 by 12 percent), and helped increase capacity to address child labor in 28 countries. Instances of increased capacity included outcomes such as passage of new child labor legislation, training of labor inspectors and other law enforcement officials, and adoption of national action plans to eliminate child labor.

In FY 2015 and FY 2016, ILAB will continue the approach set in FY 2013 and continued in FY 2014 that has resulted in this performance. ILAB will continue to enhance its effectiveness and results with additional resources to assist in the monitoring and enforcement of labor provisions of free trade agreements and through deepening and expanding its use of an integrated model of program design. In recent years, ILAB has made grants of between \$56 million and \$60 million for child labor eradication, and approximately \$6,500,000 for other worker rights initiatives.

With the resources requested for grants in FY 2016, ILAB will carry further its recent approach of funding child labor, forced labor, and workers' rights projects, which include elements that integrate specific interventions while addressing broader issues of worker rights and livelihoods. The integrated efforts undertaken will be in countries where child labor is prevalent, where the political and institutional context offers particular opportunities for the effective application of an integrated approach, and where the adoption of an integrated approach will be of benefit to both child labor eradication and worker rights goals. This is expected to allow ILAB to increase performance on outcome indicators without diminution in others.

INTERNATIONAL LABOR SERVICES

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		2014	2015	2016	Diff. 2016 / 2015
11.1	Full-time permanent	11,637	12,115	13,113	998
11.3	Other than full-time permanent	84	48	48	0
11.5	Other personnel compensation	125	145	145	0
11.9	Total personnel compensation	11,846	12,308	13,306	998
12.1	Civilian personnel benefits	3,417	3,600	3,734	134
21.0	Travel and transportation of persons	950	1,383	1,558	175
22.0	Transportation of things	12	12	12	0
23.1	Rental payments to GSA	1,055	1,058	1,090	32
23.3	Communications, utilities, and miscellaneous charges	118	150	150	0
24.0	Printing and reproduction	26	35	35	0
25.1	Advisory and assistance services	3,500	1,158	2,583	1,425
25.2	Other services from non-Federal sources	140	525	525	0
25.3	Other goods and services from Federal sources 1/	4,640	4,471	5,099	628
25.4	Operation and maintenance of facilities	1	800	800	0
25.5	Research and development contracts	430	0	0	0
25.7	Operation and maintenance of equipment	15	75	75	0
26.0	Supplies and materials	74	150	150	0
31.0	Equipment	76	75	75	0
41.0	Grants, subsidies, and contributions	64,825	65,325	65,325	0
	Total	91,125	91,125	94,517	3,392
1/Other goods and services from Federal sources					
	Working Capital Fund	3,729	3,914	4,317	403
	DHS Services	23	23	23	0
	Services by Other Government Departments	783	429	654	225

INTERNATIONAL LABOR SERVICES

CHANGES IN 2016

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$478
Personnel benefits	0
One day more of pay	0
Federal Employees' Compensation Act (FECA)	4
Travel and transportation of persons	0
Transportation of things	0
Rental payments to GSA	7
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Advisory and assistance services	0
Other services from non-Federal sources	0
Working Capital Fund	403
Other Federal sources (DHS Charges)	0
Other goods and services from Federal sources	0
Research & Development Contracts	0
Operation and maintenance of facilities	0
Operation and maintenance of equipment	0
Supplies and materials	0
Equipment	0
Grants, subsidies, and contributions	0

Built-Ins Subtotal **\$892**

Net Program **\$2,500**

Direct FTE **5**

	Estimate	FTE
Base	\$92,017	106
Program Increase	\$2,500	5
Program Decrease	\$0	0

ADMINISTRATION AND MANAGEMENT

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	2014	2015	2016	Diff. 2016 / 2015
Activity Appropriation	28,413	28,413	35,835	7,422
FTE	112	112	137	25

NOTE: FY 2014 reflects actual FTE. Authorized FTE for FY 2014 was 112.

Introduction

The Office of the Assistant Secretary for Administration and Management (OASAM) provides the infrastructure and support that enables the Department to support the Secretary's vision of "Promoting and Protecting Opportunity."

OASAM provides leadership and support for the Department via the following management disciplines: Business Operations, Procurement, Budget and Performance Integration, Information Technology, Human Resources, Civil Rights, Security and Emergency Management, and Strategic Planning. OASAM civil rights activities are detailed in the Civil Rights budget activity narrative later in the Departmental Management justification.

Each of the five Administration and Management business units are designed as centers of excellence with unique mission responsibilities. OASAM emphasizes integrated performance along with seamless and transparent information sharing across business units. The five business units include:

- Departmental Budget Center (DBC)
- Performance Management Center (PMC)
- Human Resources Center (HRC)
- Office of the Chief Information Officer (OCIO)
- Business Operations Center (BOC)

Each of the centers listed above also receive funding for certain activities funded through the Working Capital Fund (WCF). In addition, OASAM Field Services, Emergency Management Center and the Security Center receive full funding of their activities through the WCF. These activities are detailed in the WCF justification.

OASAM develops Departmental policy, administrative programs, systems, and procedures in the areas of information resources; budget formulation and resource analysis; performance planning and analysis; procurement; human resources; equal opportunity; safety and health; homeland security and emergency management; and administrative services. OASAM also provides support for all programs in the DOL regions through the efforts of the Departmental Budget Center and Human Resources Center.

ADMINISTRATION AND MANAGEMENT

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2011	\$30,314	123
2012	\$30,282	126
2013	\$28,413	111
2014	\$28,413	112
2015	\$28,413	112

FY 2016

In the FY 2016 request, the Department has identified resource requirements within OASAM to support the functioning of the Department and, ultimately, all the Department's missions. These increases include support for Department-wide training with an increase of \$2,000,000 and 3 FTE, the Digital Government Initiative Platform (DGIP) Support at \$2,020,000 and 11 FTE, and \$263,000 in General Services Administration (GSA) contributions. The total request also includes \$2,200,000 and 11 FTE to create a Digital Services team. This request will ensure the effectiveness of the Department's digital services for the various high-priority programs, ongoing and requested in FY 2016. . The training component of the request will allow the Department to improve the efficiency and effectiveness of the current and future Federal workers in a systematic way. Currently, training is approached in an ad hoc way across the Department. These resources will support Department-wide training efforts. The DGIP Support increase works in conjunction with resources requested in IT Modernization and in the Working Capital Fund to continue the integration efforts and support the standing up of a unified, 21st Century Departmental IT infrastructure.

With these additional resources, the Department will be able to successfully stand up many important initiatives and will be able to increase the productivity and efficiency of our current personnel.

FY 2015

The FY 2015 enacted level for OASAM is \$28,413,000 and 112 FTE. This funding level will allow OASAM's DBC and PMC to continue an integrated departmental budget and performance approach providing a more complete picture of agency operations and assist agencies with aligning performance activities and budget resources with goals and objectives. The BOC will implement procurement reform and HRC will continue to deploy its "Back to Basics" Initiative. The "Back to Basics" initiative contains three major strategies which focus on Customer Service, Workforce Competency and improving Efficiency, Effectiveness and Accountability. The Human Resources Center will continue to ensure that the Department operates in a results-oriented performance culture that includes diverse leadership and high-performing teams. This will ensure continuity of leadership and a learning environment that drives continuous improvement in performance. The BOC will continue to manage the

ADMINISTRATION AND MANAGEMENT

Department's procurement and grants management programs. BOC will continue leadership, planning, and management of the automation of the Department's business activities.

FY 2014

In FY 2014, OASAM made significant progress in further integrating performance and budget. OCIO continued to complete IT modernization milestones and has made significant progress in integrating agency IT functions, increasing the efficiency and effectiveness of the Department's IT infrastructure. Additionally, the Department continued its customer service initiative in FY 2014 with a variety of activities, including quarterly customer service surveys and completion of resulting action items, training sessions for customers on topics of interest in the National Office and in the field, facilitated discussions with customers on ways to enhance OASAM services, and a semi-annual review of web content.

ADMINISTRATION AND MANAGEMENT

DETAILED WORKLOAD AND PERFORMANCE					
	2014		2015	2016	
	Target	Result	Target	Target	
Administration and Management					
Administration and Management					
Strategic Goal ALL - All Strategic Goals					
Strategic Objective ALL.1 - All Strategic Objectives					
OASAM- DM-DBC- 3	Percent of apportionments processed within 3 days of receipt from agencies	70.00%	76.75%	70.00%	70.00%
OASAM- DM-DBC- 4	Percent of allotments processed within 3 days of receipt from agencies	70.00%	89.75%	70.00%	70.00%
Administration and Management					
Strategic Goal 1 - Prepare workers for better jobs					
Strategic Objective 3.3 - Secure wages and overtime					
Strategic Goal ALL - All Strategic Goals					
Strategic Objective ALL.1 - All Strategic Objectives					
OASAM- DM-OCIO- P-1	Enterprise Services: Percent of network and application services uptime	99.00% [p]	99.80%	99.00% [p]	99.00% [p]

ADMINISTRATION AND MANAGEMENT

DETAILED WORKLOAD AND PERFORMANCE				
	2014		2015	2016
	Target	Result	Target	Target
OASAM- IT Governance: Percent of ITARB requests not referred for remediation resolved within DM-OCIO- 10 business days 9	75.00%	82.75%	80.00%	80.00%
Administration and Management				
Strategic Goal ALL - All Strategic Goals				
Strategic Objective ALL.1 - All Strategic Objectives				
OASAM- Percent of Workforce Transition Flexibilities (i.e., VERA/VSIP) approved by OPM DM-HRC- 7	85.00%	100.00%	85.00%	--

Legend: (r) Revised (e) Estimate (base) Baseline -- Not Applicable TBD - To Be Determined [p] - Projection

ADMINISTRATION AND MANAGEMENT

Detailed Workload Performance Narrative

The OASAM workload measures demonstrate a commitment to provide mission critical services to the Department. The measures are aligned with the Department's mission, goals, and organizational objectives, and are fully integrated into the Department's strategic plan. The indicators measure OASAM's responsiveness, communications, problem solving abilities, and ease of use of products and/or services in supporting the Department's agencies in their achievement of the Secretary's vision of "Promoting and Protecting Opportunity."

ADMINISTRATION AND MANAGEMENT

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		2014	2015	2016	Diff. 2016 / 2015
11.1	Full-time permanent	13,008	13,341	17,160	3,819
11.3	Other than full-time permanent	0	0	0	0
11.5	Other personnel compensation	66	147	147	0
11.8	Special personal services payments	0	0	0	0
11.9	Total personnel compensation	13,074	13,488	17,307	3,819
12.1	Civilian personnel benefits	3,703	3,682	4,539	857
13.0	Benefits for former personnel	50	0	0	0
21.0	Travel and transportation of persons	142	137	137	0
22.0	Transportation of things	0	0	0	0
23.1	Rental payments to GSA	2,100	2,099	2,377	278
23.3	Communications, utilities, and miscellaneous charges	71	215	215	0
24.0	Printing and reproduction	41	21	21	0
25.1	Advisory and assistance services	106	128	128	0
25.2	Other services from non-Federal sources	793	586	2,017	1,431
25.3	Other goods and services from Federal sources 1/	3,869	3,778	4,815	1,037
25.4	Operation and maintenance of facilities	0	52	52	0
25.5	Research and development contracts	0	0	0	0
25.7	Operation and maintenance of equipment	3,850	3,633	3,633	0
26.0	Supplies and materials	551	490	490	0
31.0	Equipment	63	104	104	0
	Total	28,413	28,413	35,835	7,422
1/Other goods and services from Federal sources					
	Services by Other Government Departments	157	157	157	0
	Working Capital Fund	3,556	3,617	4,142	525
	DHS Services	62	4	4	0
	GSA Services	44	0	0	0
	CIGIE	0	0	512	512

ADMINISTRATION AND MANAGEMENT

CHANGES IN 2016

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$426
Personnel benefits	0
One day more of pay	0
Federal Employees' Compensation Act (FECA)	-27
Benefits for former personnel	0
Travel and transportation of persons	0
Transportation of things	0
Rental payments to GSA	15
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Advisory and assistance services	0
Other services from non-Federal sources	0
Working Capital Fund	525
Other Federal sources (Census Bureau)	0
Other Federal sources (DHS Charges)	0
Other goods and services from Federal sources	0
Research & Development Contracts	0
Operation and maintenance of facilities	0
Operation and maintenance of equipment	0
Supplies and materials	0
Equipment	0

Built-Ins Subtotal **\$939**

Net Program **\$6,483**

Direct FTE **25**

	Estimate	FTE
Base	\$29,352	112
Program Increase	\$6,483	25
Program Decrease	\$0	0

ADJUDICATION

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	2014	2015	2016	Diff. 2016 / 2015
Activity Appropriation	45,662	50,261	58,081	7,820
FTE	229	254	286	32

NOTE: FY 2014 reflects actual FTE. Authorized FTE for FY 2014 was 241.

Introduction

The Adjudication activity is part of the Department's overarching Worker Protection effort. Adjudication funds four components: (1) the Office of the Administrative Law Judges (OALJ) and three Adjudicatory Boards which include (2) the Administrative Review Board (ARB), (3) the Benefits Review Board (BRB), and (4) the Employees' Compensation Appeals Board (ECAB).

The Office of Administrative Law Judges (OALJ) presides over formal hearings concerning many labor-related matters. The office's mission is to render fair and equitable decisions under the governing law, the facts of each case, and the procedures mandated by the Administrative Procedure Act under which OALJ has established its own rules of practice and procedures.

The Adjudicatory Boards (also referred to collectively as the Boards) make decisions on several thousand appeals every year that set nationwide standards and legal precedent. The Boards are quasi-judicial bodies that review appeals under a variety of workers' compensation benefit and protection laws and programs that are part of the Department's worker protection mission.

Office of Administrative Law Judges (OALJ)

Hearings concerning Black Lung benefits and Longshore Workers' compensation constitute the largest part of the office's work in addition to the significantly increasing Permanent Labor Certification (PERM) Immigration cases. The Department's administrative law judges, however, also hear and decide cases arising from over 80 labor-related statutes and regulations, including, for example, such diverse subjects as:

- Whistleblower complaints involving corporate fraud, nuclear, environmental, pipeline safety, aviation, commercial trucking, railways, and other statutes.
- Minimum wage disputes.
- Enforcement actions involving the working conditions of migrant farm laborers.
- Disputes involving child labor violations.
- Civil fraud in federal programs.

Designated judges also serve as members of the Board of Alien Labor Certification Appeals (BALCA) which adjudicates the PERM Immigration cases. In addition to formal adjudication, OALJ implements alternative dispute resolution through its settlement judge process.

ADJUDICATION

Over the past decade, OALJ has experienced increased workloads as Congress passed new whistleblower protection laws, such as the Aviation Investment and Reform Act, the Sarbanes-Oxley Act, Federal Rail Safety Act, the National Transit Systems Security Act, and the Pipeline Safety Improvement Act of 2002. Since FY 2008, regulatory changes and reallocation of enforcement priorities at the Employment and Training Administration have resulted in significant increases of administrative law judges hearings relating to H-2A and H-2B temporary labor certification applications. Moreover, appeals relating to Permanent Labor Certification (PERM) applications have not decreased as was anticipated upon the transition to the PERM program and have significantly increased since FY 2010 totaling 11,910 new cases being appealed through FY 2013 as compared to less than 500 cases per year prior to FY 2010, with the anticipated increase in receipt of new PERM cases appealed to OALJ in FY 2016 of 5,740 based on ETA reducing their backlog.

The FY 2016 OALJ request directly supports the Secretary's vision of "Promoting and Protecting Opportunity" by rendering case decisions that affect important strategic and outcome goals by providing economic benefits to employers, workers and their families by adjudicating workers' compensation cases in the Black Lung and Longshore programs; promoting safe and fair workplace environments for America's workers by adjudicating cases in the Traditional Program area such as Whistleblower protection, Wage and Hour cases, Compliance cases and over 70 other types of worker protection cases; and providing workers from other countries immigrating into the US an equitable opportunity to join the America's workforce by adjudicating Immigration cases.

The Adjudicatory Boards

The Department of Labor's Adjudicatory Boards consist of the Administrative Review Board, the Benefits Review Board, and the Employees' Compensation Appeals Board. The three Boards are quasi-judicial bodies that review appeals under a variety of workers' compensation benefit and protection laws and programs that are part of the Department's over-arching, worker protection mission.

The Administrative Review Board (ARB). The ARB issues final agency decisions in appeals of cases arising under more than 60 worker-protection statutes and executive orders as outlined in Secretary's Order No. 2-2012 dated November 16, 2012. Most of the ARB's cases arise from whistleblower complaints under corporate fraud, environmental, nuclear, aviation, trucking and rail safety statutes filed with the OSHA Whistleblower Protection Program. The ARB also reviews certain civil rights enforcement actions arising under OFCCP's executive orders and statutes, and worker protection statutes such as the Child Labor and Migrant and Seasonal Worker Protection Acts. A growing number of appeals are also considered under the Davis-Bacon and Service Contract Acts and the H-1B non-immigrant visa provisions of the Immigration and Naturalization Act. In the past 10 years, the federal courts have upheld ARB decisions in more than 96 percent of cases appealed.

ADJUDICATION

The Benefits Review Board (BRB).

The Benefits Review Board (BRB) was created by Congress in 1972 and decides appeals from the OALJ under the Black Lung Benefits Act, the Longshore and Harbor Workers' Compensation Act, and the Defense Base Act.

The Board has authority to resolve appeals under these statutes, filed by any party-in-interest, which raise a substantial question of law or fact, and it reviews the decisions of administrative law judges in order to determine whether the findings are supported by substantial evidence and are in accordance with law. The Board's decisions may be appealed to the U.S. Courts of Appeals in the circuit where the injury arose, and from there to the U.S. Supreme Court. Historically, less than 15 percent of BRB decisions are appealed to the federal circuit courts, and 85 percent of these are affirmed.

The Board, by statute, consists of five Members appointed by the Secretary of Labor, one of whom is designated as Chair and Chief Administrative Appeals Judge. Consistent with its statutory mandate, the Board's mission is to issue decisions on the appeals pending before it with expediency, consistency and impartiality.

The Employees' Compensation Appeals Board (ECAB). The Employees' Compensation Appeals Board was established by statute in 1946 to hear and make final decisions on appeals from determinations of the Office of Workers' Compensation Programs (OWCP) in claims of federal employees arising under the Federal Employees' Compensation Act (FECA). Any ill or injured federal employee adversely affected by an OWCP decision may request a review of that decision by ECAB, either before or after a full evidentiary hearing before OWCP's Branch of Hearings and Review. ECAB's exclusive jurisdiction extends to deciding questions of fact and law, as well as the exercise of discretion. Decisions are based on a de novo review of the supporting case record. The Board, through its written decisions, has the responsibility for definitively interpreting the FECA in the resolution of controversies raised on appeal and in such a manner as will fully protect the rights of all interested parties. ECAB decisions are final, binding on OWCP, and not subject to judicial review.

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2011	\$29,227	245
2012	\$29,172	248
2013	\$27,953	243
2014	\$29,420	241
2015	\$29,420	254

ADJUDICATION

FY 2016

A total of \$58,081,000 and 286 FTE are requested for Adjudication. The request includes a program increase in general funds of \$3,000,000 and 26 FTE for OALJ to reduce the projected Immigration backlogs in the Permanent Alien Labor Certification (PERM) program workload and to continue funding the increase in OALJ's FY 2015 Enacted Budget without a Mandatory Sequestration reduction in the Black Lung Trust funds. Restoring sequestration is critical to prevent the formation of a backlog in these cases. The Department currently does have the resources required, but further sequestration reductions will increase wait times for those who do not have time to wait.

This request also includes program increase of \$2,027,000 for Productivity Increase for Office of Administrative Law Judges and \$237,000 for Adjudicatory Board's DOL Appeal.

Administrative Law Judges: The FY 2016 request for the Office of Administrative Law Judges is \$36,855,000 and 174 FTE. OALJ will be able to significantly increase Immigration case productivity by an additional 4,085 PERM cases per year above the 2,215 cases already in the base budget for a total of 6,300 cases. This is a 184% increase in productivity which will reduce backlogs from 31 months at the end of FY 2015 to 9 months at the end of FY 2016. As part of a broader effort and 2016 Budget request in ETA to resolve the PERM backlog, OALJ anticipates an increase in the number of cases it will receive from ETA. This reduction will significantly impact the cases projected to be received at OALJ from ETA from 2,500 projected in FY 2015 to 5,740 in FY 2016. The FY 2016 request also includes continuation of the OALJ's base FY 2015 Enacted Budget without a Mandatory Sequestration reduction in FY 2016. This will increase case production at 556 cases higher than FY 2015 projected dispositions.

OALJ hears and decides cases that arise from a DOL agency such as the Office of Worker's Compensation for Black Lung and Longshore or cases directly, such as some whistleblower complaints. The life cycle of a case starts within a DOL agency which can be appealed to the OALJ for a hearing and may be appealed depending on the regulation to the Benefits Review Board, to the Administrative Review Board, or to other venues. OALJ holds hearings within 75 miles of the claimant's home. To manage this workload, OALJ has seven District Offices across the country in areas where they can easily serve the parties in the cases. Each office houses a courtroom to hold hearings in that location when feasible to the parties. All hearings are open to the public and are transcribed by court reporters. The case file is paper based, but the tracking of all the events which occur in each case and all the documents issued by the judges are electronic. Judges issue approximately 25,000 documents a year and all final decisions are published on OALJ's web site as required under eFOIA.

Adjudicatory Boards: The FY 2016 request for the Adjudicatory Boards is \$21,226,000 and 112 FTE. This includes an increase of \$717,000 over the FY 2014 enacted level in Black Lung Trust funds to support the work of the Boards in black lung cases. Funding at this level will allow the Boards to continue their commitment to the careful review and consideration of appeals and the issuance of high quality decisions.

ADJUDICATION

Administrative Review Board: The number and range of cases appealed to ARB in FY 2016 are expected to remain steady with respect to the FY 2015 levels at the fully funded level. Most of the appeals to ARB arise from decisions of the OALJ, and more than 80 percent of these originate under whistleblower statutes. The stability assumes no additional change in law, environmental factors, and enforcement patterns in FY 2015. ARB projects the average age of pending cases to remain under one year in FY 2016. These projections are affected, however, by the mix, volume and complexity of the cases received during the year and ARB resource levels.

At the FY 2016 request, production is expected to be flat to FY 2015 projections. Decided cases will be 105 while new cases are projected to be 102, resulting in 107 pending appeals at the end of the FY 2015.

Benefits Review Board: Projected increases in FY 2015 OALJ production is expected to drive the increase in workload at BRB. Traditionally, as the OALJ renders its decisions, BRB Black Lung receives 30 to 40 percent of those cases in appeals while BRB Longshore/LDA receives 5 to 15 percent. With full funding in FY 2016, BRB will continue to produce timely, high quality decisions and minimize or avoid a backlog. Longshore/LDA will receive 192 new cases and decide 170 cases resulting in pending cases of 166. Black Lung will receive 552 new cases and decide 406 cases resulting in 414 Black Lung pending appeals.

Employees' Compensation Appeals Board: Appeals to ECAB come directly from OWCP. ECAB is expected to continue to have closed cases surpass new cases in FY 2015. At the Request Level, 2,200 new appeals and 2,225 cases will be decided in FY 2016. The result will be pending appeals of 1,086. ECAB will continue to seek and make adjustments in case processing, and this will maintain the projected average case processing time of 6.25 months.

FY 2015

FY 2015 enacted level for Adjudication was \$51,902,000 and 254 FTE.

Administrative Law Judges: The FY 2015 enacted budget for the Office of Administrative Law Judges is \$31,880,000 and 142 FTE. OALJ continues to have to absorb mandatory sequestration cuts in the Black Lung Trust funded program. With the increase in Black Lung funding to address the backlog, OALJ will be able to increase Black Lung case productivity by adjudicating 209 more cases and a 26% increase over FY 2014 actuals. Overall, the remaining caseload productivity in the General Fund areas will remain at FY 2014 production levels.

Adjudicatory Boards: The FY 2015 funding for the Adjudicatory Boards is \$20,022,000 and 112 FTE.

In FY 2015, the Boards will continue their commitment to the careful review and consideration of appeals and the issuance of high quality decisions that are consistent and timely contributing to the themes of enhancing worker safety and reducing improper payments and speeding return to work.

ADJUDICATION

Administrative Review Board: The number and range of cases appealed to ARB in FY 2015 are expected to increase slightly from the FY 2014 level. Most of the appeals to ARB arise from decisions of the OALJ, and more than 80 percent of these originate under whistleblower statutes. The stability assumes no additional change in law, environmental factors, and enforcement patterns in FY 2014. These projections are affected, however, by the mix, volume and complexity of the cases received during the year and ARB resource levels.

Production is expected to increase slightly over FY 2014. Decided cases will be 105 while new cases are projected to be 105, resulting in 107 pending appeals at the end of the FY 2015. With increasing case complexity, the average processing time at year-end are expected to be 12.75 months, slightly higher than at the end of FY 2014.

Benefits Review Board: OALJ production drives the workload of the BRB since the majority of all appeals to the BRB arise from OALJ decisions with a smaller portion coming from the District Director. Traditionally, as the OALJ renders its decisions, BRB Black Lung receives 30 to 40 percent of those cases in appeals while BRB Longshore/LDA receives 5 to 15 percent. The number of Black Lung and Longshore/LDA appeals filed is expected to decrease slightly in FY 2015. As the OALJ hires more judges during the year, OALJ production is expected to increase in 2015 and carry forward into future years. In FY 2015, Longshore/LDA will receive 192 new cases and decide 159 cases resulting in pending cases of 144. Black Lung will receive 358 new cases and decide 288 cases resulting in 268 Black Lung pending appeals.

Employees' Compensation Appeals Board: Appeals to ECAB come directly from OWCP. ECAB is expected to continue to have closed cases surpass new cases in FY 2015. Decided cases will be 2,225, and new appeals filed are projected to be 2,200. As a result, pending appeals will be 1,111. Under new leadership, processes and procedures are being adjusted to maximize ECAB production going forward. This in conjunction with the new e-filing option for filers will lead to strong production results in FY 2015 and beyond.

ADJUDICATION

DETAILED WORKLOAD AND PERFORMANCE				
	2014		2015	2016
	Target	Result	Target	Target
Adjudication				
Adjudication				
Strategic Goal 1 - Prepare workers for better jobs				
Strategic Objective 3.3 - Secure wages and overtime				
ALJ-IM-01 OALJ IMMIGRATION New Cases:	3,400[p]	1,752	2,500[p]	5,740[p]
ALJ-IM-02 OALJ IMMIGRATION Dispositions:	1,876	2,074	2,075	6,300
ALJ-IM-03 OALJ IMMIGRATION Pending Cases:	6,776[p]	4,930	5,355[p]	4,795[p]
ALJ-IM-04 OALJ IMMIGRATION Pending Months:	43	29	31	9
ALJ-TI-01 OALJ TRADITIONAL IMMIGRATION New Cases:	200[p]	200	175[p]	175[p]
ALJ-TI-02 OALJ TRADITIONAL IMMIGRATION Dispositions:	202	200	190	175
ALJ-TI-03 OALJ TRADITIONAL IMMIGRATION Pending Cases:	49[p]	51	36[p]	36[p]
ALJ-TI-04 OALJ TRADITIONAL IMMIGRATION Pending Months:	3	3	2	2
ALJ-T-01 OALJ TRADITIONAL New Cases:	500[p]	540	500[p]	500[p]
ALJ-T-02 OALJ TRADITIONAL Dispositions:	417	460	450	465
ALJ-T-03 OALJ TRADITIONAL Pending Cases:	717[p]	714	764[p]	799[p]
ALJ-T-04 OALJ TRADITIONAL Pending Months:	21	19	20	21
Strategic Goal 4 - Secure retirement, health, and other employee benefits and, for those not working, provide income security				

ADJUDICATION

DETAILED WORKLOAD AND PERFORMANCE				
	2014		2015	2016
	Target	Result	Target	Target
Strategic Objective 4.1 - Provide income support when work is impossible or unavailable and facilitate return to work				
ALJ-BL-01 OALJ BLACK LUNG New Cases:	1,300[p]	1,107	1,300[p]	1,300[p]
ALJ-LDA-02 OALJ DEFENSE BASE ACT Dispositions:	754	763	760	760
ALJ-LDA-03 OALJ DEFENSE BASE ACT Pending Cases:	615[p]	803	763[p]	723[p]
ALJ-LDA-04 OALJ DEFENSE BASE ACT Pending Months:	10	13	12	11
ALJ-BL-02 OALJ BLACK LUNG Dispositions:	929	813	1,022	1,578
ALJ-BL-03 OALJ BLACK LUNG Pending Cases:	3,227[p]	3,150	3,428[p]	3,150[p]
ALJ-BL-04 OALJ BLACK LUNG Pending Months:	42	46	40	24
ALJ-LS-01 OALJ LONGSHORE New Cases:	2,200[p]	2,077	2,200[p]	2,200[p]
ALJ-LS-02 OALJ LONGSHORE Dispositions:	1,979	1,958	1,950	1,950
ALJ-LS-03 OALJ LONGSHORE Pending Cases:	2,104[p]	2,002	2,252[p]	2,502[p]
ALJ-LS-04 OALJ LONGSHORE Pending Months:	13	12	14	15
ALJ-LDA-01 OALJ DEFENSE BASE ACT New Cases:	720[p]	917	720[p]	720[p]
Adjudication				
Strategic Goal 4 - Secure retirement, health, and other employee benefits and, for those not working, provide income security				

ADJUDICATION

DETAILED WORKLOAD AND PERFORMANCE					
		2014		2015	2016
		Target	Result	Target	Target
Strategic Objective 4.1 - Provide income support when work is impossible or unavailable and facilitate return to work					
ECAB-01	New Appeals	2,132[p]	2,087	2,200[p]	2,200[p]
ECAB-02	Closed Appeals	2,300	2,030	2,225	2,225
ECAB-03	Pending Appeals	936	1,136	1,111	1,090
ECAB-05	Average Case Processing Time	6.00	6.68	6.25	6.25
Adjudication					
Strategic Goal 4 - Secure retirement, health, and other employee benefits and, for those not working, provide income security					
Strategic Objective 4.1 - Provide income support when work is impossible or unavailable and facilitate return to work					
BRB-LS/LDA-01	New Appeals	200[p]	169	192[p]	192[p]
BRB-LS/LDA-02	Closed Appeals	205	189	159	170
BRB-LS/LDA-03	Pending Appeals	127	111	144	166
BRB-LS/LDA-05	Average Case Processing Time	12.00	10.00	11.00	11.00

ADJUDICATION

DETAILED WORKLOAD AND PERFORMANCE					
		2014		2015	2016
		Target	Result	Target	Target
BRB- LS/LDA- 06	Attorney Fee Petitions Filed	70[p]	47	50[p]	50[p]
BRB- LS/LDA- 07	Attorney Fee Orders Issued	79	44	40	40
BRB- LS/LDA- 08	Motions for Reconsiderations Filed	21[p]	19	16[p]	17[p]
BRB- LS/LDA- 09	Orders on Reconsiderations Issued	27	16	16	17
BRB- LS/LDA- 12	Affirmance Rate	85.00%	92.00%	85.00%	85.00%
Adjudication					
Strategic Goal 4 - Secure retirement, health, and other employee benefits and, for those not working, provide income security					
Strategic Objective 4.1 - Provide income support when work is impossible or unavailable and facilitate return to work					
ARB-01	New Appeals	105[p]	99	105[p]	105[p]
ARB-02	Closed Appeals	100	100	105	105
ARB-03	Pending Appeals	113	107	107	107

ADJUDICATION

DETAILED WORKLOAD AND PERFORMANCE					
		2014		2015	2016
		Target	Result	Target	Target
ARB-05	Average Case Processing Time	12.70	11.54	12.75	12.75
Adjudication					
Strategic Goal 4 - Secure retirement, health, and other employee benefits and, for those not working, provide income security					
Strategic Objective 4.1 - Provide income support when work is impossible or unavailable and facilitate return to work					
BRB-BL-01	New Appeals	550[p]	312	358[p]	552[p]
BRB-BL-02	Closed Appeals	620	426	288	406
BRB-BL-03	Pending Appeals	244	199	268	414
BRB-BL-05	Average Case Processing Time	12.00	10.77	11.00	11.00
BRB-BL-06	Attorney Fee Petitions Filed	186[p]	296	250[p]	250[p]
BRB-BL-07	Attorney Fee Orders Issued	180	339	250	250
BRB-BL-08	Motions for Reconsiderations Filed	60[p]	39	40[p]	45[p]
BRB-BL-09	Orders on Reconsiderations Issued	61	49	40	45

ADJUDICATION

DETAILED WORKLOAD AND PERFORMANCE					
		2014		2015	2016
		Target	Result	Target	Target
BRB-BL- 12	Affirmance Rate	85.00%	95.96%	85.00%	85.00%

Legend: (r) Revised (e) Estimate (base) Baseline -- Not Applicable TBD - To Be Determined [p] - Projection

ADJUDICATION

Detailed Workload Performance Narrative

Administrative Law Judges:

The FY 2016 request for the Office of Administrative Law Judges is \$33,239,000 and 187 FTE. OALJ will be able to increase case productivity by adjudicating 4,641 more cases and a 66% increase over FY 2015 projections. This request includes funding for maintaining the base budget enacted in FY 2015, including an increase of \$4,860,000 in Black Lung Trust funds to reduce the backlog by an additional 556 cases over FY 2015. This is a 54% increase in productivity. OALJ will increase performance targets from the FY 2015 projected disposition levels of 1,022 for a total disposition rate in FY 2016 of 1,578 cases. The backlog of cases awaiting decisions has increased by nearly 50% during the past five years, increasing from a total of 1,928 in FY 2008 to projected 3,428 Black Lung cases pending at the end of FY 2015.

ETA is proposing an Immigration case backlog reduction for FY 2016. This reduction will significantly impact the cases projected to be received from ETA from 2,500 projected in FY 2015 to 5,740 in FY 2016. This is a 130% increase. OALJ is requesting an increase of 26 FTE and \$3,000,000 in General funds to reduce the projected Immigration backlogs in the Permanent Alien Labor Certification (PERM) program. OALJ is proposing utilizing ALJs from other agencies to the extent they are available or, alternatively, utilizing Senior ALJs brought back as part-time rehired annuitants. This approach offers the advantage of employing ALJs on a temporary basis and keeping them only as long as necessary to eliminate the PERM backlog. The 26 FTE will comprise 18 Senior ALJs working solely on PERM cases, and would be supported by funding one new administrative law judge to manage these panels, plus one senior attorney and six paralegals to support the six three-judge panels.

These resources will increase productivity by an additional 4,085 PERM cases per year above the 2,215 cases already in the base budget for a total of 6,300 cases. This is a 184% increase in productivity which will reduce backlogs from 28 months at the end of FY 2015 to 9 months at the end of FY 2016. This increased rate of PERM dispositions will allow for increased ETA backlog reductions for the next five years or less depending on ETA's productivity and appeal rates.

Thus, in FY 2016, OALJ will continue to address a changing mix of adjudicatory responsibilities, with a rising number of enforcement actions, immigration-related appeals, new types of whistleblower cases, and Defense Base Act hearings, plus Longshore, Immigration and Black Lung cases. OALJ will adjust to these changes by assigning cases throughout the country based on geographic location without regard to case type.

ADJUDICATION

Adjudicatory Boards:

The FY 2016 request for the Adjudicatory Boards is \$21,226,000 and 111 FTE. Workload estimates for all three Adjudicatory Boards are based on Worker Protection claims. None of the Boards has control over its incoming workload. More than 90 percent of ARB appeals come from the Office of Administrative Law Judges (OALJ) as do virtually all of new appeals to the Benefits Review Board (BRB). All appeals to the Employees' Compensation Appeals Board (ECAB) originate in the Federal Employees Compensation Division of the Office of Workers' Compensation Programs. By the time the Boards receive an appeal, the original claim may be several years old. Any delay at the appellate level is likely to be viewed as a hardship by the parties.

Although highly unpredictable, it is projected that 105 new appeals will be filed with ARB in FY 2016. At the request level, ARB is expected to close 105 cases, keeping pending appeals levels steady with FY 2015 at 107 appeals. Average case processing time is not expected to change from FY 2015 as well.

The BRB Black Lung new appeals totals are expected to increase to 552 appeals in FY 2016 as a result of increased production projected at the OALJ level, following new OALJ hiring. Historically, 35% of OALJ Black Lung decisions are appealed to BRB Black Lung. There are 406 appeals expected to be closed in FY 2016. With the increase in new appeals greater than the increase in closed appeals, pending appeals are expected to increase to 414, but the average case processing times are expected to be 11 months which is in line with the processing times seen in 2014 when the influx on cases from the OALJ was considerably lower.

BRB Longshore/LDA projects new appeals filed in FY 2016 to be 192 based on increased production by the OALJ. Decided appeals are expected to follow a similar pattern, increasing to 170 in FY 2016. With more decisions issued and the expected level of appeals filed remains steady with FY 2015, the pending appeals are projected to increase, resulting in 166 pending appeals at the end of FY 2016. Average case processing times, however, are expected to continue to be less than one year at 11 months.

Although the number of new appeals remains outside of ECAB's control, trends such as increased attorney/representative involvement in the appeals process, an aging federal workforce, and the downsizing of the U.S. Postal Service, suggest that new appeals to ECAB will increase to 2,200 in FY 2016. At the request level, closed appeals are expected to decrease to 2,225 by year-end. This is a lower level than recent fiscal years as ECAB is returning its focus to issuing more final decisions rather than procedural orders, affording parties a clear and thorough explanation of the case disposition. Since final decisions require significantly longer average case processing times than orders, fewer closed appeals are expected, along with increases in pending appeals levels and case processing times. At this funding level, average case processing time is expected to increase slightly to 6.25 months.

ADJUDICATION

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		2014	2015	2016	Diff. 2016 / 2015
11.1	Full-time permanent	24,955	26,973	28,388	1,415
11.3	Other than full-time permanent	352	303	2,633	2,330
11.5	Other personnel compensation	239	154	154	0
11.9	Total personnel compensation	25,546	27,430	31,175	3,745
12.1	Civilian personnel benefits	6,681	7,052	7,542	490
13.0	Benefits for former personnel	0	8	8	0
21.0	Travel and transportation of persons	235	526	526	0
22.0	Transportation of things	0	0	0	0
23.1	Rental payments to GSA	3,977	4,120	4,120	0
23.2	Rental payments to others	0	19	19	0
23.3	Communications, utilities, and miscellaneous charges	376	429	464	35
24.0	Printing and reproduction	7	7	7	0
25.1	Advisory and assistance services	215	188	188	0
25.2	Other services from non-Federal sources	670	482	482	0
25.3	Other goods and services from Federal sources 1/	6,128	7,226	9,780	2,554
25.4	Operation and maintenance of facilities	27	396	396	0
25.5	Research and development contracts	0	0	0	0
25.7	Operation and maintenance of equipment	1,476	1,864	2,808	944
26.0	Supplies and materials	210	301	301	0
31.0	Equipment	114	213	265	52
42.0	Insurance claims and indemnities	0	0	0	0
	Total	45,662	50,261	58,081	7,820
1/Other goods and services from Federal sources					
	Working Capital Fund	5,715	5,700	6,227	527
	DHS Services	340	363	363	0
	Services by DOL Agencies	0	1,024	1,024	0
	Services by Other Government Departments	73	139	139	0
	CIGIE	0	0	2,027	2,027

ADJUDICATION

CHANGES IN 2016

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$0
Personnel benefits	0
One day more of pay	890
Federal Employees' Compensation Act (FECA)	3
Benefits for former personnel	0
Travel and transportation of persons	0
Transportation of things	0
Rental payments to GSA	0
Rental payments to others	0
Communications, utilities, and miscellaneous charges	35
Printing and reproduction	0
Advisory and assistance services	0
Other services from non-Federal sources	0
Working Capital Fund	527
Other Federal sources (DHS Charges)	0
Other goods and services from Federal sources	0
Research & Development Contracts	0
Operation and maintenance of facilities	0
Operation and maintenance of equipment	0
Supplies and materials	0
Equipment	0
Insurance claims and indemnities	0

Built-Ins Subtotal **\$1,455**

Net Program **\$6,365**

Direct FTE **32**

	Estimate	FTE
Base	\$51,716	254
Program Increase	\$6,365	32
Program Decrease	\$0	0

WOMEN'S BUREAU

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	2014	2015	2016	Diff. 2016 / 2015
Activity Appropriation	11,536	11,536	11,788	252
FTE	49	54	54	0

NOTE: FY 2014 reflects actual FTE. Authorized FTE for FY 2014 was 56.

Introduction

Public Law 66-259 authorized the creation of the Women’s Bureau to “formulate standards and policies which shall promote the welfare of wage-earning women, improve their working conditions, increase their efficiency, and advance their opportunities for profitable employment.” The mission of the Women’s Bureau remains much the same today, as new challenges in today’s dynamic and complex labor market make the Bureau’s mission as critical now as it was when the agency was first created in 1920.

Over the past 50 years, the Bureau has served as a convener, building powerful coalitions, and developing and maintaining a diverse network of stakeholders, including DOL sister agencies, community-based organizations, educational institutions, and state and federal agency partners, which it enlists in order to meet its strategic goals. The Bureau supports the Department’s mission and the Secretary’s vision of *Promoting and Protecting Opportunity* by contributing to the strategic objective of “breaking down barriers to fair and diverse workplaces and narrowing wage and income inequality.” Historically, the Bureau has played an important role in the enactment of important state and federal labor and civil rights laws, such as the Fair Labor Standards Act (1938) and the Equal Pay Act (1963). These laws have enabled millions of women to make enormous strides in the workplace. Women now comprise almost half of the nation’s workforce, and their productivity and economic contributions are vital to our country’s prosperity and security.

The increased number of women, particularly women with children, in the labor force has been a major social transformation over the past several decades, creating a new reality for workplaces, employers, and families. While many women have made great advances in educational attainment, professional attainment, and personal financial well-being, many continue to face gender-specific barriers that inhibit them from attaining occupational integration, equal compensation with men, and fair treatment. The persistence of barriers to women’s full and equal labor force participation support the case for a continued focus on research and advocacy for women preparing to enter or those currently in the workplace.

While recognizing that the Bureau’s priorities must remain somewhat fluid and responsive to market trends, policy and legislative developments, Administration priorities and other unanticipated developments, over the next couple of years, the Bureau is committed to advancing targeted research and policy initiatives related to two areas:

- A. Working Women and Their Families: Expanding Workplace Flexibility and Paid Leave and

WOMEN'S BUREAU

B. Continuing to Close the Pay Gap by Increasing Access to Non-traditional Occupations.

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2011	\$11,581	57
2012	\$11,559	56
2013	\$10,955	56
2014	\$11,536	56
2015	\$11,536	54

FY2016

The FY 2016 request of \$11,788,000 will allow the Bureau to continue to support DOL's *Strategic Goal 3: Promote fair and high quality work environments*, and specifically *Strategic Objective 3.1: Break down barriers to fair and diverse workplaces and narrow wage and income inequality*. The Bureau will continue to build its capacity to further its research agenda and impact on policy and organization change. In FY 2015, the Bureau will further expand its policy and research division and will develop a new division on strategic partnerships and outreach. These two divisions will work in concert to identify policies and programs that increase women's access to and participation in higher paying occupations and improve the quality of their work environments. The Bureau will hone its role as a strategic coordinator of issue/policy experts, practitioners, businesses and inter- and intra- agency collaborators to elevate the issues of expanding workplace flexibility and empowering workers, and promoting initiatives to close the pay gap by increasing access to nontraditional occupations. Furthermore, the Bureau will continue to build deeper expertise on the issue of paid leave, including expanding its current grant program.

A. Supporting Working Women and their Families: Expanding Workplace Flexibility and Paid Leave

In FY 2016, the Bureau will continue to advance policy initiatives that build on the White House Summit on Working Families action plan. Using its tools, the Bureau will build on its FY 2015 efforts to target industries with unique challenges to implementation of traditional workplace flexibility practices, including those industries that employ minimum wage and lower-paid workers whose families may depend on reliable employment of women earners. The Bureau will utilize the results from the FY 2015 survey on working women's reasons for entering and exiting the workforce to determine what policies and programs would be most useful to this population. In addition, the Bureau will support the policy initiatives of agencies within the Department and throughout the Executive Branch that relate to workplace flexibilities and the needs of working women and their families.

In addition, in FY 2016, the Bureau will continue to collaborate with DOL's Employment and Training Administration to administer a Paid Leave Analysis Grant Program. The Bureau will host a symposium on the latest research and data on state paid leave policies. This will

WOMEN'S BUREAU

include findings from the FY 2014 and FY 2015 grantees of the State Paid Leave Analysis grants. The Bureau will also continue its collaboration with DOL agencies on advancing the latest research and further study on paid leave benefits and costs.

B. Continuing to Close the Pay Gap by Increasing Access to Nontraditional Occupations

Occupational segregation is a critical factor in the persistent wage gap between women and men. However, women continue to be underrepresented in higher wage, in-demand occupations in growth sectors such as technology and transportation. In FY 2016, the Bureau will study successful strategies to move women into these occupations through increased training and apprenticeship opportunities that also incorporate vital support services such child care and transportation and share these strategies with agencies within the Department and throughout the Executive Branch that have programmatic responsibility for providing and promoting workforce training and apprenticeships.

FY 2015

At the enacted level of \$11,536,000, the Bureau will continue to promote policies and practices that build upon the themes of the FY 2014 White House Summit (Summit) on Working Families and support DOL's Strategic Goal 3: Promote fair and high quality work environments, and specifically Strategic Objective 3.1: Break down barriers to fair and diverse workplaces and narrow wage and income inequality. The Bureau will continue its work as defined in FY 2014 in the areas of: improving workplace practices and supports; promoting fair compensation and equal pay; and increasing women's access to and preparation for better jobs. The Bureau will follow on its FY 2014 activities, including momentum achieved through its efforts around the Summit. Its FY 2015 activities are presented as they align with the areas outlined in the Summit's *A Year of Action: Building on Progress* (1) Expanding workplace flexibility and empowering workers; (2) Making progress toward solutions for paid leave; and (3) Continuing to close the pay gap by addressing occupational segregation.

A. Expanding Workplace Flexibility and Empowering Workers

In FY 2015, the Bureau will continue to promote the development of workplace policies that address flexible work arrangements and scheduling practices. The Bureau's activities will emphasize the impact of these practices on low-paid and hourly workers. This will include dissemination of compiled promising and model practices in health care, leisure and hospitality, and retail industries. Additionally, the Bureau will conduct a survey that will focus on women's patterns of exiting and reentering the labor force and the contributing factors to women's decisions that affect their retention on the workforce, including workplace policies, work-life benefits, and family obligations.

The Bureau will continue its work promoting workplace policies that support pregnant women and nursing mothers. This will include updating its online resource that compiles employment protections for workers who are pregnant or nursing. During the fourth quarter of FY 2015, the Bureau will publish a user-friendly web-based guide on reasonable accommodation practices for pregnant workers and nursing mothers.

WOMEN'S BUREAU

The Bureau has a proud history of producing not only cutting edge research, but also straightforward guides and resources designed for lay users. In keeping with that tradition, in FY 2015 the Bureau will update the Working Women's Guide to her Job Rights, a contemporary version of the guide last published by the Bureau in 1992, discrimination related to gender, pregnancy and sexual orientation, as well as sexual harassment, retirement benefits and other topics.

B. Making Progress Toward Solutions for Paid Leave

The United States is the only industrialized nation in the world that doesn't require any form of paid parental leave. However, a significant body of research has shown that paid leave is not only critical for the health and well-being of working families but also beneficial for employers. In FY 2015, based on the interest and applications through its FY 2014 solicitation, the Bureau will implement an additional grant solicitation for further study on the feasibility of state and local policies and their program implementation needs.

C. Continuing to Close the Pay Gap by Increasing Access to Nontraditional Occupations

In FY 2015, the Bureau will promote women's increased participation in higher-paying and in-demand occupations as it works on efforts that aim to reduce occupational segregation and its effect on the gender wage gap. This will include the Bureau's efforts to further analyze and highlight challenges and strategies related to the economic security and labor force participation of targeted populations of women, such as older women, immigrant women and women of color. The Bureau will continue its presentation of trends and opportunities related to higher paying occupations for women, including the development of Women Protect, Build and Move America, an online repository of resources that will provide the latest information on access to jobs for women in transportation, women in construction, and women first responders.

The Bureau will produce an updated Handbook on Women Workers summarizing the current status of women in the labor force with information on Federal and State laws relating to women's employment; women's education and training; types of employment, e.g. contingent work and entrepreneurship; the occupational distribution of women workers; women's earnings and income; demographic differences among women; and women's working conditions.

The Bureau will continue to be a leading voice for equal pay for women and collaborate with member agencies of the President's National Equal Pay Task Force, including DOL's Office of Federal Contract Compliance Programs. The Bureau will continue its work at the state and local levels on wage transparency and local and industry-specific gender wage gap analysis. In addition, in FY 2015, the Bureau will publish additional research on employers' data collection practices and methodologies relevant to assessing gender-based pay disparities.

FY2014

At the enacted level of \$11,536,000, the Bureau continued to advance the Administration's goal of improving working conditions and increasing employment opportunities for women. The Bureau concentrated on DOL's Strategic Goal 3: Promote fair and high quality work environments, and specifically Strategic Objective 3.1: Break down barriers to fair and diverse workplaces and narrow wage and income inequality.

WOMEN'S BUREAU

The Bureau concentrated on three priority areas: increasing women's access to and preparation for better jobs; promoting fair compensation and equal pay, and improving workplace practices and supports.

In FY 2014, the Bureau worked in close collaboration with other DOL agencies and with the White House and the Center for American Progress to organize the White House Summit on Working Families. The Bureau was a critical contributor to this year-long effort, which succeeded in convening thousands of researchers, advocates, policymakers, workers and other critical constituent groups addressing both the challenges facing working families, as well as a broad set of possible policy prescriptions with the potential to better assimilate the competing demands of work and home. For its part, the Bureau's policy and research staff in the national office held responsibility for developing supporting papers, research products and web resources, as well as assistance in developing the Summit agenda, including identifying best practices, industry leaders and best practices. The regional offices, working in conjunction with the national office spearheaded six regional events featuring area business leaders, state and local legislators, congressional representatives and average working women and men from a variety of fields and industries, events that placed particular emphasis on local efforts and policies on work-family issues, including workplace flexibility and paid family and medical leave.

In keeping with the central priority areas highlighted during the Summit and related regional activities, following the event, the Bureau exercised its grant authority for the first time, soliciting grant applications from states for the purpose of conducting feasibility and related studies to ascertain the costs and other particulars associated with launching state-funded paid leave programs. Several states submitted formal applications, as well as many additional informal inquiries, and the Bureau distributed total of \$500,000 in grants to three states (Massachusetts, Montana, and Rhode Island) and the District of Columbia, making it possible for the recipients to engage in rigorous paid leave cost and feasibility studies spanning the course of the next year.

In the lead up to the Summit, the Bureau also delivered a number of new web resources that advanced both the Bureau's research and policy priorities, but also dovetailed with the objectives of the Summit, including in the area of pregnancy discrimination in the workplace. Bureau staff developed and launched an online catalogue of state laws to protect women from pregnancy discrimination, state laws with provisions related to workplace lactation for nursing mothers, and a summary of state statutes governing employers' decisions related to pregnancy accommodations and pregnancy disability determinations. Around the same time, the Bureau also rolled out a first-of-its-kind online clearinghouse for working women—a repository of DOL resources and critical to the protection and advancement of women in the workforce.

Many of these web resources were developed in concert with, or stemming from needs identified by, the long-form research products and employment guides which continue to comprise much of our work. For example, in FY 2014, the Bureau conducted research to identify the barriers, trends, employment outlook, and promising practices for women in the non-traditional industries of transportation and technology, findings from which will inform the development of the new web clearinghouse in 2015. Similarly, in FY 2014, the Bureau completed two issue briefs and 15 roundtables discussions across the country on older women workers and economic security.

WOMEN'S BUREAU

In addition to close collaborations with VETS, CEO, ODEP and other intra-departmental agencies, the Bureau continues to play a central role with the Office of Federal Contract Compliance Programs (OFCCP) in advancing the research and public education objectives of the National Equal Pay Task Force, a White House-coordinated interagency effort to combat wage disparities between men and women inside and outside of government.

Between its critical role as convener during the Summit on Working Families and the inaugural exercise of its recently-authorized grant authority, and the expansion of its portfolio of web-based educational resources, FY 2014 provided the Bureau an opportunity to operationalize longstanding research and policy objectives in new and unprecedented ways. The team is eager to capitalize on that momentum in FY 2015, summoning its subject matter expertise and harnessing new technologies and funding vehicles in service to working women all across the nation.

WOMEN'S BUREAU

DETAILED WORKLOAD AND PERFORMANCE					
		2014		2015	2016
		Target	Result	Target	Target
Women's Bureau					
Strategic Goal 3 - Promote fair and high quality work-life environments					
Strategic Objective 3.1 - Break down barriers to fair and diverse workplaces and narrow wage and income inequality					
1-WB-PRO-01	Number of policy and research outputs created	20	21	18	20
2-WB-TA-01	Number of technical assistance tools created	13	16	7	8
3-WB-O-01	Number of WB activities	133	161	133	133
4-WB-TA-02	Number of technical assistance hours provided	1,200	1,337	900	1,200
5-WB-AC-02	Percent of collaborators who implement recommended policies/strategies	[base]	20.00%	20.00%	22.00%
6-WB-AC-03	Percent of collaborators who take an action to increase awareness and education on the Bureau's behalf	[base]	--	TBD	TBD
7-WB-CS-01	Percent of all written correspondence inquiries responded to and sent to the inquirer within 1 week of WB's official receipt of correspondence	80.00%	94.00%	90.00%	90.00%

Legend: (r) Revised (e) Estimate (base) Baseline -- Not Applicable TBD - To Be Determined [p] - Projection

WOMEN'S BUREAU

Detailed Workload Performance Narrative

In FY 2014, the Bureau successfully met or exceeded all its annual targets, completing 21 policy and research outputs and developing 16 technical assistance (TA) tools. The Bureau released policy papers and research on topics such as paid leave, the gender wage gap, and work-family issues in conjunction with the 50th Anniversary on the President's Commission on the Status of Women and the White House Working Families Summit. The Bureau also initiated a Paid Leave Grant Program to fund paid leave feasibility studies to support the development or implementation of paid family and medical leave programs at the state level. Currently, the Bureau receives anecdotal feedback from its collaborators as to how they have used its products. Sister DOL agencies, constituent groups, and advocacy organizations use the Bureau's research and often distribute its publications to their members/stakeholders.

The majority of the Bureau's collaborators took an action to increase awareness and education. Policy change is a longer-term outcome goal, and the Bureau predicts that policy implementations will increase over time. The Bureau will use the survey tool to collect data to improve future Bureau products to increase implementation.

WOMEN'S BUREAU

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		2014	2015	2016	Diff. 2016 / 2015
11.1	Full-time permanent	5,500	5,000	4,989	-11
11.3	Other than full-time permanent	5	0	0	0
11.5	Other personnel compensation	57	50	50	0
11.9	Total personnel compensation	5,562	5,050	5,039	-11
12.1	Civilian personnel benefits	1,430	1,373	1,458	85
21.0	Travel and transportation of persons	175	340	340	0
22.0	Transportation of things	0	0	0	0
23.1	Rental payments to GSA	743	745	750	5
23.2	Rental payments to others	0	0	0	0
23.3	Communications, utilities, and miscellaneous charges	40	55	55	0
24.0	Printing and reproduction	50	35	35	0
25.1	Advisory and assistance services	256	1,058	1,058	0
25.2	Other services from non-Federal sources	130	200	200	0
25.3	Other goods and services from Federal sources 1/	1,669	1,270	1,443	173
25.4	Operation and maintenance of facilities	0	15	15	0
25.5	Research and development contracts	1,000	65	1,065	1,000
25.7	Operation and maintenance of equipment	306	150	150	0
26.0	Supplies and materials	100	100	100	0
31.0	Equipment	75	80	80	0
41.0	Grants, subsidies, and contributions	0	1,000	0	-1,000
	Total	11,536	11,536	11,788	252
	1/Other goods and services from Federal sources				
	Working Capital Fund	1,444	1,201	1,374	173
	DHS Services	58	58	58	0
	Services by DOL Agencies	119	0	0	0
	GSA Services	5	3	3	0
	HHS Services	37	0	0	0
	Services by Other Government Departments	0	6	6	0

WOMEN'S BUREAU

CHANGES IN 2016

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	-\$11
Personnel benefits	0
One day more of pay	0
Federal Employees' Compensation Act (FECA)	85
Travel and transportation of persons	0
Transportation of things	0
Rental payments to GSA	5
Rental payments to others	0
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Advisory and assistance services	0
Other services from non-Federal sources	0
Working Capital Fund	173
Other Federal sources (DHS Charges)	0
Other goods and services from Federal sources	0
Research & Development Contracts	0
Operation and maintenance of facilities	0
Operation and maintenance of equipment	0
Supplies and materials	0
Equipment	0
Grants, subsidies, and contributions	0

Built-Ins Subtotal **\$252**

Net Program **\$0**

Direct FTE **0**

	Estimate	FTE
Base	\$11,788	54
Program Increase	\$0	0
Program Decrease	\$0	0

CIVIL RIGHTS

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	2014	2015	2016	Diff. 2016 / 2015
Activity Appropriation	6,880	6,880	7,996	1,116
FTE	36	36	40	4

NOTE: FY 2014 reflects actual FTE. Authorized FTE for FY 2014 was 36.

Introduction

Operating under authority delegated pursuant to Secretary’s Orders, the Civil Rights Center (CRC) is the organizational unit within the Department of Labor (DOL) responsible for ensuring nondiscrimination and equal opportunity for two primary populations: 1) employees of, and applicants for employment with, DOL; and 2) the more than 40 million individuals served by programs and activities across the nation that are related to labor and the work force and receive federal financial assistance from DOL. CRC’s responsibility for the latter population is principally concentrated on the public workforce system, which delivers services primarily (although not exclusively) through the nationwide network of American Job Centers/One-Stop Career Centers.

On the internal side, CRC administers DOL’s equal employment opportunity (EEO) program for employees of, and applicants for employment with, DOL. CRC’s Office of Internal Enforcement (OIE) is responsible for processing discrimination complaints filed by DOL employees and applicants for employment with DOL and managing the Department’s Reasonable Accommodation Resource Center and Centralized Accommodations Fund. OIE also coordinates enforcement of DOL compliance with the Architectural Barriers Act of 1968, develops and submits civil rights-related program plans and accomplishment reports, and provides training and technical assistance to DOL managers, supervisors, and employees about internal EEO matters.

Currently, the Office of External Enforcement (OEE) assesses, investigates and/or adjudicates complaints alleging discrimination and/or violations of equal opportunity requirements by recipients of financial assistance under Title I of the Workforce Investment Act (WIA); One-Stop partners listed in WIA Section 121 that offer programs or activities through the public workforce development system; State and local governments and other public entities operating programs and activities related to labor and the workforce, regardless of whether they receive federal financial assistance (for disability-related matters only); and any recipients of financial assistance from, or programs conducted by, DOL that are not included in the categories above. Examples of programs over which OEE has jurisdiction include the Unemployment Insurance (UI) and Job Corps programs. As of July 1, 2015, OEE will also have jurisdiction over similar entities of Title 1 of the Workforce Innovation and Opportunity Act (WIOA).

The Office of Compliance and Policy (OCAP) conducts compliance reviews of the same entities listed under OEE, including reviewing State Governors’ implementation of their equal opportunity and nondiscrimination plans; develops regulations and guidance documents; reviews proposed legislation, drafts regulations, guidance documents, and other materials developed by

CIVIL RIGHTS

agencies within and outside of DOL; conducts other policy-related activities; and provides training and technical assistance for internal and external stakeholders.

CRC contributes to the Department's Strategic Goal of *Promoting Fair and High-Quality Work Environments* and the following Strategic Objectives:

- (1) Strategic Objective 3.1 – Break down barriers to fair and diverse workplaces and narrow wage and income inequality; and
- (2) Strategic Objective 3.2 – Protect workers' rights.

For FY 2016, CRC requests a total of \$ 7,996,000 and 40 FTE. At the FY 2016 Agency Request Level, CRC will maintain its core function: developing, administering, and enforcing Departmental policies, practices, and procedures under various laws and policies including Title VI and Title VII of the Civil Rights Act of 1964; Section 188 of WIA; Section 188 of WIOA; the Rehabilitation Act of 1973; the Age Discrimination Act of 1975; the Equal Pay Act; Title IX of the Education Amendments of 1972; Title II of the Americans with Disabilities Act; Secretary's Order 4-2000 and related statutes and Executive Orders which prohibit discrimination in programs and activities receiving Federal financial assistance; and to direct, implement, and manage the Department's Equal Employment Opportunity (EEO) program to assure equal opportunity for all DOL employees and applicants for employment.

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2011	\$6,798	35
2012	\$6,785	34
2013	\$6,880	34
2014	\$6,880	36
2015	\$6,880	36

FY 2016

At the FY 2016 Request Level of \$7,996,000 and 40 FTE, CRC will be positioned to carry out its core mission. This request includes a program increase of \$868,000 for external enforcement and 4 FTE. This request will enable CRC to continue the reengineering of OEE which began in FY 2012.

Funding at this level will help ensure that CRC sustains its accomplishments in the Office of Internal Enforcement in terms of efficient case processing. It will also allow CRC to further operationalize and market a Department-wide Reasonable Accommodation Resource Center set up in FY 2013-2014. Most critically, it will help ensure that CRC's external enforcement program can respond to an increasing number of complaints alleging systemic discrimination in a manner that reflects the high standard of quality and timeliness expected from the federal government. CRC's request represents an incremental investment in the external enforcement

CIVIL RIGHTS

unit to bolster staffing resources by an additional four FTE to conduct investigations and prepare Initial and Final Determinations following investigations. Additionally, with the added staff in the Office of External Enforcement (OEE), CRC will be able to fully implement changes resulting from re-engineering efforts that focus on improving both the timeliness and quality of external enforcement case processing.

FY 2015

At the FY 2015 Enacted Level of \$6,880,000, CRC will perform its core functions: developing, administering, and enforcing Departmental policies, practices, and procedures under various laws and policies including Title VI and Title VII of the Civil Rights Act of 1964; Section 188 of WIA; Section 188 of WIOA; the Rehabilitation Act of 1973; the Age Discrimination Act of 1975; the Equal Pay Act; Title IX of the Education Amendments of 1972; Title II of the Americans with Disabilities Act, Secretary's Order 4-2000 and related statutes and Executive Orders which prohibit discrimination in programs and activities receiving Federal financial assistance; and directing, implementing, and managing the Department's Equal Employment Opportunity (EEO) program to assure equal opportunity for all DOL employees and applicants for employment.

Achieving a number of the ambitious productivity targets set in the FY 2015 Operating Plan and completing key milestones may prove challenging, however, considering the number of complaints received and the recent passage of WIOA, mandating the issuance of Section 188 regulations and the subsequent impact on staff workload/resources.

FY 2014

The CRC FY 2014 revised enacted level was \$6,880,000 and 36 FTE. At this level, CRC accomplished core program work. In an effort to more efficiently and effectively investigate and adjudicate external complaints, CRC continued to improve the processes and efficiency of OEE's complaint investigation and adjudication program. OEE greatly reduced its intake backlog, and took several additional steps to improve its complaint processing, including instituting the use of an Acceptance Quality Checklist to be filled out by intake staff to assist them in assessing whether a complaint that meets minimum requirements should be accepted for investigation or dismissed. In addition, OEE placed greater emphasis on conciliating/settling cases, allowing OEE to more quickly ensure that, where necessary, recipients of Federal financial assistance made systemic changes to avoid discrimination and provide equal opportunity for members of protected groups. By the conclusion of the fiscal year, OEE had entered into five (5) Conciliation/Settlement Agreements resolving external cases. During FY 2014, OEE also issued 17 Initial and Final Determinations and completed 27 investigations.

Additionally, in an effort to promote equal opportunity within DOL, OIE further expanded the Reasonable Accommodation Resource Center (to aid employees with disabilities to assess tools that can assist them in the performance of their duties); took efforts to reduce the number of formal complaints by striving to make the Alternative Dispute Resolution process more effective; enhanced technical assistance; and continued to participate with the pilot inventory

CIVIL RIGHTS

program with DOD's Computer Electronics Accessibility Program (CAP) to enable DOL to provide the commonly requested assistive technology to DOL employees without delay.

In FY 2014, OIE also completed 100 percent of EEO counseling sessions within regulatory timeframes, completed 93.5 percent of internal investigations within regulatory timeframes, and issued 83.75 percent of Final Agency Decisions within regulatory timeframes.

OACAP was also able to complete an unprecedented level of policy work and began the process of drafting the WIOA Section 188 nondiscrimination regulations. OACAP also launched working groups with recipients to facilitate provision of technical assistance, entered into compliance agreements with recipients, and reviewed progress reports from negotiated compliance agreements.

CIVIL RIGHTS

DETAILED WORKLOAD AND PERFORMANCE					
		2014		2015	2016
		Target	Result	Target	Target
Civil Rights					
Strategic Goal 3 - Promote fair and high quality work-life environments					
Strategic Objective 3.1 - Break down barriers to fair and diverse workplaces and narrow wage and income inequality					
OASAM-DM- CRC-11	External Enforcement: Number of Investigations Initiated	50	42	40	40
OASAM-DM- CRC-13	External Enforcement: Number of External Investigations Completed	25	27	25	25
OASAM-DM- CRC-16	External Enforcement: Number of Initial Determinations Issued	--	--	[base]	TBD
OASAM-DM- CRC-32	External Enforcement: Number of Case Resolutions (Final Determinations and Conciliation Agreements)	--	--	25	30
OASAM-DM- CRC-P-8	External Enforcement: Number of External Complaints Received (Demand)	600[p]	707	725[p]	750[p]
OASAM-DM- CRC-P-10	External Enforcement: Number of Dismissals	--	595	560[p]	560[p]
OASAM-DM- CRC-P-13	External Enforcement: Number of Cases Pending a Resolution (Determination/Settlement/Conciliation)	--	--	27	24
OASAM-DM- CRC-15	Compliance and Policy: Percent of Progress Reports Reviewed Annually that Demonstrate Progress Towards Compliance	--	--	[base]	TBD
OASAM-DM- CRC-22	Compliance and Policy: Number of External Compliance Reviews Conducted	16	11	16	18

CIVIL RIGHTS

DETAILED WORKLOAD AND PERFORMANCE					
		2014		2015	2016
		Target	Result	Target	Target
OASAM-DM-CRC-P-14	Compliance and Policy: Number of Progress Reports Reviewed Annually	--	--	[base]	TBD
OASAM-DM-CRC-P-15	Compliance and Policy: Number of Webinars Conducted Annually	--	--	[base]	TBD
OASAM-DM-CRC-P-16	Compliance and Policy: Number of Guidance Documents Produced Annually	--	--	[base]	TBD
Strategic Objective 3.2 - Protect workers' rights					
OASAM-DM-CRC-2	Internal Enforcement: Percent of EEO Counseling Sessions Completed within Regulatory Timeframes	90.00%	100.00%	92.00%	94.00%
OASAM-DM-CRC-4	Internal Enforcement: ADR Success Rate	36.00% [p]	36.25%	25.00% [p]	25.00% [p]
OASAM-DM-CRC-6	Internal Enforcement: Percent of Investigations Issued within Regulatory Timeframes	92.00%	93.50%	93.00%	93.00%
OASAM-DM-CRC-P-2	Internal Enforcement: Number of Informal Internal Complaints Received	200[p]	192	150[p]	150[p]
OASAM-DM-CRC-P-3	Internal Enforcement: Number of Formal Internal Complaints Received	120[p]	113	110[p]	110[p]
OASAM-DM-CRC-P-17	Reasonable Accommodation: Percent of Reasonable Accommodations that have been Successfully Deployed	--	--	[base]	TBD
OASAM-DM-CRC-P-18	Reasonable Accommodation: Number of Reasonable Accommodation Requests Conducted	--	--	[base]	TBD

CIVIL RIGHTS

Legend: (r) Revised (e) Estimate (base) Baseline -- Not Applicable TBD - To Be Determined [p] - Projection

CIVIL RIGHTS

Detailed Workload Performance Narrative

All of CRC's program efforts and the strategies associated with its efforts are geared toward ensuring that CRC continues to operate in an efficient and effective manner. CRC will continue to assess the rigor and usefulness of its performance measures. Performance measures help form the basis of CRC's day-to-day management decision-making. Where current performance measures are no longer adequate or conducive to support program priorities, CRC expects to develop new and appropriate measures that will continue to reflect program effectiveness.

External Program

The laws enforced by CRC's external program prohibit discrimination on the basis of race, color, religion, sex (including pregnancy and gender identity), national origin (including limited English proficiency), age, disability, political affiliation or belief, and, for beneficiaries only, citizenship or participation in a program or activity financially assisted under WIA Title I.

The specific entities over which CRC's external program has jurisdiction include, but are by no means limited to, more than 2500 American Job Centers across the Nation, serving millions of customers each year; 125 Job Corps Centers, serving more than 60,000 students annually; the unemployment insurance programs of the 50 states, the District of Columbia, the Commonwealth of Puerto Rico, and other outlying areas; and countless eligible training providers that together provide services to more than 30 million people. CRC's jurisdiction also extends to State and local governments and other public entities operating programs and activities related to labor and the workforce (for disability-related matters only), regardless of whether they receive federal financial assistance.

The two offices that comprise CRC's external program are the Office of External Enforcement and the Office of Compliance and Policy.

Office of External Enforcement

CRC's Office of External Enforcement processes, investigates, and adjudicates complaints alleging discrimination against customers, applicants, employees, or members of the general public, by any of the wide range of external and DOL-conducted programs and entities described in the Introduction.

In FY 2012, based on reviews that demonstrated areas for improvement in OEE's complaint processing, CRC undertook a number of changes of OEE's policies and procedures; provided intensive staff training; and completed a rigorous review of OEE's case processing model. OEE also filled existing vacancies; engaged in a pilot program with a contractor (through the United States Postal Service (USPS) to conduct investigations; and established parameters for complaint triage that promote the efficient

CIVIL RIGHTS

targeting of resources. These actions led to a noteworthy increase in the number and substantive significance of findings of discrimination issued by OEE, as well as a 512% increase in the number of investigations completed in FY 2013 as compared with the preceding fiscal year. As a result, OEE set ambitious targets for these two measures for FY 2014.

During that fiscal year, however, as OEE referred a larger number of cases to USPS, it became apparent that USPS investigators needed additional guidance in order to properly investigate external complaints. As a result, for 2014, OEE adjusted its targets downward for number of investigations completed, while retaining the combined target for number of Initial Determinations (finding violations) and Final Determinations (finding no violations) issued. Due to challenges with USPS, the pilot was discontinued at the end of FY 2014.

In FY 2015, OEE staff will conduct all investigations in-house, using a more rigorous approach. As a result, in order to ensure that there is a balance between quality and quantity in case processing, OEE is adding a new measure, and in FY 2015, will begin tracking the Number of Acceptance Quality Checklists (and accompanying recommendations) with Substantive Errors.

With regard to the previously-existing target for number of determinations issued, OEE has identified two significant issues that have resulted in our changing our measures and targets for future fiscal years. First, issuance of a formal Initial Determination finding discrimination is not always the course that will most quickly lead to remedying such discrimination. In many cases, the respondent is willing to take remedial steps earlier in the complaint process. Second, the issuance of an Initial Determination is not the final step in resolving a complaint: either the Respondent must agree to remedy the discrimination found, or CRC must initiate legal proceedings in order to compel the Respondent to do so. Therefore, for FYs 2015 and 2016, previously-existing measures of Final Determinations and Conciliation Agreements – both of which are ways of finally resolving a complaint -- have been combined into a single measure, Case Resolutions. Initial Determinations will be tracked separately; baseline results from FY 2015 will be used to establish the FY 2016 target. We believe that these new measures will provide a more-accurate view of OEE's success in accomplishing its mission.

Funding at this level will help ensure that CRC's external enforcement program, with an increasing demand, reflects the high standard of quality and timeliness expected from the federal government, while fulfilling the program's mission of effectively investigating and resolving allegations of discrimination that arise throughout the Nation's workforce system and beyond.

Office of Compliance and Policy

The WIA nondiscrimination regulations are structured to place much of the oversight responsibility for ensuring equal opportunity on State Governors. CRC conducts compliance reviews to ensure that Governors and other responsible stakeholders are

CIVIL RIGHTS

carrying out their equal opportunity obligations. Compliance reviews, which encompass investigating compliance, assessing violations, rendering decisions, negotiating conciliation agreements (if appropriate), and reviewing progress reports (if appropriate), are beneficial for two primary purposes: 1) they often target systemic concerns such as those arising from or perpetuated by policies or systems of administration that can impact the many thousands of people seeking services; and 2) they are often proactive. Given these attributes, compliance reviews - while intensive - tend to catch problems before liability ensues and/or respond to problems in efficient, far-reaching ways. Compliance reviews promote prevention and resolution. In addition to reviews, OCAP offers extensive training - through on-site visits, webinars, and tele/video conferencing - to workforce system administrators/equal opportunity officers and other stakeholders so that they may effectively establish, monitor, review, and adjust programs to ensure nondiscrimination and equal opportunity. OCAP also devises and reviews policies and guidance on a range of equal opportunity issues for the Department.

In FY 2016, OCAP will focus on (1) expanding the number and scope of compliance reviews; (2) increasing the number and/or scope of conciliation agreements that OCAP is able to draft, negotiate, and execute; (3) enabling the staff to monitor the increasing number of reports on the States' and other covered entities' progress in meeting the requirements of conciliation agreements; (4) developing a new, targeted compliance assistance program to identify and respond to system-based discrimination; (5) growing and institutionalizing OCAP's technical assistance program through better collaboration with DOL partners, evaluation of existing technical assistance, issuance of targeted guidance documents, development of a community of practice, and creation of webinars that respond to specific patterns and practice of discrimination; (6) conducting pre-award reviews; (7) revising and/or training stakeholders on changes to the regulations for Section 188 of WIOA; and (8) conducting ongoing assessments of the effectiveness of its compliance activities and procedures to enable OCAP to modify them, as appropriate, to improve quality and effectiveness.

In FY 2015, OCAP will baseline its four new measures: the number of progress reports reviewed, the number of progress reports reviewed that demonstrate continued compliance, the number of webinars and the number of guidance documents issued. In FY 2016, OCAP will use baseline data to establish targets for the new measures and plans to complete two more compliance reviews than what is targeted for FY 2015. Additionally, the enactment of the WIOA requires CRC to write new implementing regulations for the WIOA nondiscrimination provisions that will consume significant OCAP resources both in FY2015 to draft the regulations and in FY2016 to provide extensive compliance assistance on the new regulations, including possible additional guidance documents and training conferences.

Internal Enforcement

Funding at this level will support efforts designed to reduce Equal Employment Opportunity (EEO) complaints within the Department. CRC will discourage the filing of frivolous complaints while sustaining the accessibility of the complaint process for those

CIVIL RIGHTS

who have legitimate concerns. To do this, CRC will focus on robust training (e.g., on-line programs, webinars, desk guides, and videocasts) for employees that targets pertinent trends. Additionally, when employees file complaints, CRC will offer enhanced Alternative Dispute Resolution (ADR) services.

In addition to the EEO complaint process, CRC's Office of Internal Enforcement supports the Department's commitment to persons with disabilities and efforts to create and maintain an inclusive, diverse work environment where all employees can reach their potential and maximize their contributions. CRC works to ensure that requests for accommodation are fulfilled in an efficient and effective manner, promoting the best employment outcomes and safeguarding the Department against liability.

In FY 2016, OIE plans to complete at least 94 percent of EEO Counseling Sessions within regulatory timeframes, have a 25 percent Mediation Success Rate, and issue 93 percent of investigations within regulatory timeframes.

By FY 2016, CRC intends to fully operate its Reasonable Accommodation Resource Center, a one-stop shop where managers and employees can learn about their rights and responsibilities; discern options for realizing maximum performance capability; procure technology or other equipment without delay; plan for training and implementation of accommodations; and otherwise further the Department's goals of recruiting and retaining individuals, including veterans with disabilities. As actual accommodations shall be funded through a Centralized Accommodations Fund, an element of a model program that removes any perceived financial disincentives for recruiting and retaining individuals with disabilities (by ensuring that individual agency budgets do not bear the entire cost of accommodations), CRC must have the staff and related resources to stretch the funding available and affect progress that can be sustained.

The Department and the CRC have been ramping up promotion of the CAF through training, information on the web, including through EEO guidance documents, as well as in "State of the Agency" meetings with Departmental leadership. CRC has also been increasing efforts to make certain that the policies and procedures to engage the RARC and use CAF funding are readily available. With this promotion, the number of RA requests, and in turn, the number of contracts and purchases, is expected to increase exponentially over the next few years.

FY 2015 will serve as the baseline year for the two reasonable accommodation measures: Percent of Reasonable Accommodations that have been Successfully Deployed and Number of Reasonable Accommodation Requests Conducted. In FY 2016, OIE will use baseline data to establish targets for the new measures.

CIVIL RIGHTS

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		2014	2015	2016	Diff. 2016 / 2015
11.1	Full-time permanent	3,562	3,644	4,192	548
11.3	Other than full-time permanent	0	13	13	0
11.5	Other personnel compensation	42	36	36	0
11.9	Total personnel compensation	3,604	3,693	4,241	548
12.1	Civilian personnel benefits	979	1,027	1,139	112
13.0	Benefits for former personnel	0	0	0	0
21.0	Travel and transportation of persons	17	17	17	0
23.1	Rental payments to GSA	358	365	368	3
23.3	Communications, utilities, and miscellaneous charges	52	52	52	0
24.0	Printing and reproduction	3	7	7	0
25.2	Other services from non-Federal sources	8	15	340	325
25.3	Other goods and services from Federal sources 1/	1,794	1,648	1,776	128
25.4	Operation and maintenance of facilities	0	0	0	0
25.7	Operation and maintenance of equipment	6	6	6	0
26.0	Supplies and materials	56	50	50	0
31.0	Equipment	3	0	0	0
42.0	Insurance claims and indemnities	0	0	0	0
51.1	Benefits	0	0	0	0
	Total	6,880	6,880	7,996	1,116
	1/Other goods and services from Federal sources				
	Working Capital Fund	861	859	987	128
	DHS Services	9	9	9	0
	HHS Services	150	36	36	0
	Services by Other Government Departments	774	744	744	0

CIVIL RIGHTS

CHANGES IN 2016

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$117
Personnel benefits	0
One day more of pay	0
Federal Employees' Compensation Act (FECA)	0
Benefits for former personnel	0
Travel and transportation of persons	0
Rental payments to GSA	3
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Other services from non-Federal sources	0
Working Capital Fund	128
Other Federal sources (DHS Charges)	0
Other goods and services from Federal sources	0
Operation and maintenance of facilities	0
Operation and maintenance of equipment	0
Supplies and materials	0
Equipment	0
Insurance claims and indemnities	0

Built-Ins Subtotal **\$248**

Net Program **\$868**

Direct FTE **4**

	Estimate	FTE
Base	\$7,128	36
Program Increase	\$868	4
Program Decrease	\$0	0

CHIEF FINANCIAL OFFICER

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	2014	2015	2016	Diff. 2016 / 2015
Activity Appropriation	5,061	5,061	5,205	144
FTE	18	18	18	0

NOTE: FY 2014 reflects actual FTE. Authorized FTE for FY 2014 was 18.

Introduction

The Office of the Chief Financial Officer (OCFO) is responsible for oversight of all financial management activities in the Department. The efficiency and effectiveness of OCFO allows the client agencies within DOL to accomplish their missions and ultimately the Department's goals.

The OCFO provides comprehensive direction to all DOL program agencies on financial matters arising from legislative and regulatory mandates such as:

- The Chief Financial Officers (CFO) Act of 1990
- The Government Management Reform Act (GMRA) of 1994;
- The Federal Financial Management Improvement Act (FFMIA) of 1996;
- The Federal Managers' Financial Integrity Act (FMFIA) of 1982;
- Debt Collection Improvement Act of 1996;
- The Reports Consolidation Act of 2000;
- The Improper Payments Information Act (IPIA) of 2002;
- The Improper Payments Enforcement and Recovery Act (IPERA) of 2010; and
- The Improper Payments Enforcement and Recovery Improvement Act (IPERA) of 2012.

To fulfill its financial management duties and responsibilities, OCFO focuses on proactive assistance to agencies with an emphasis on validating corrective actions aimed at enhancing internal controls. OCFO's mission supports overall Departmental management through effective and efficient stewardship of DOL's financial resources.

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2011	\$5,350	19
2012	\$5,340	19
2013	\$5,061	19
2014	\$5,061	18
2015	\$5,061	18

CHIEF FINANCIAL OFFICER

FY 2016

The FY 2016 request of \$5,205,000 and 18 FTE will allow the Office of the Chief Financial Officer (OCFO) to maintain its core function of providing financial information and services that support the Department and central governmental agencies such as the Office of Management and Budget (OMB) and the Department of Treasury. The OCFO fosters effective stewardship of public funds, safeguards fiscal integrity through effective internal controls, and provides timely, accurate, and useful financial information to decision makers. The funds continue to support preparation of quarterly financial statements, the Annual Financial Report, and implementation of corrective and preemptive action plans to ensure agency internal controls over financial reporting and systems are well documented, sufficiently tested, and properly assessed. Additional resources and associated workload and performance data are included in the Working Capital Fund.

FY 2015

For FY 2015, the enacted budget of \$5,061,000 and 18 FTE will allow the OCFO to work to achieve long-term cost-efficiency, accuracy, and utility by improving operations and enabling sustainable accountability, to include analyzing the processes and tools associated with financial and accounting operations in DOL's new cloud computing based environment. The OCFO will ensure that the Department maintains an unmodified or "clean" independent auditors' opinion on the DOL financial statements in FY 2015, as well as meets monthly, quarterly and annual reporting requirements from Treasury and OMB.

FY 2014

For FY 2014, the enacted budget of \$5,061,000 and 18 FTE allowed the OCFO to continue to improve cost-efficiency and accuracy in the Department's operations and execution. The OCFO took the necessary steps to ensure that the Department maintained an unmodified or "clean" independent auditors' opinion. The OCFO was an integral part of the Department's embodiment of the concept of transparent government.

CHIEF FINANCIAL OFFICER

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		2014	2015	2016	Diff. 2016 / 2015
11.1	Full-time permanent	2,307	2,143	2,209	66
11.3	Other than full-time permanent	0	63	63	0
11.5	Other personnel compensation	42	36	36	0
11.9	Total personnel compensation	2,349	2,242	2,308	66
12.1	Civilian personnel benefits	602	602	601	-1
13.0	Benefits for former personnel	2	0	0	0
21.0	Travel and transportation of persons	3	2	2	0
23.1	Rental payments to GSA	503	511	515	4
23.3	Communications, utilities, and miscellaneous charges	9	0	0	0
24.0	Printing and reproduction	0	0	0	0
25.1	Advisory and assistance services	0	0	0	0
25.2	Other services from non-Federal sources	-8	0	0	0
25.3	Other goods and services from Federal sources 1/	648	846	921	75
25.4	Operation and maintenance of facilities	0	0	0	0
25.7	Operation and maintenance of equipment	953	858	858	0
26.0	Supplies and materials	0	0	0	0
31.0	Equipment	0	0	0	0
	Total	5,061	5,061	5,205	144
	1/Other goods and services from Federal sources				
	Working Capital Fund	633	723	798	75
	DHS Services	15	15	15	0
	Services by Other Government Departments	0	108	108	0

CHIEF FINANCIAL OFFICER

CHANGES IN 2016

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Costs of pay adjustments	\$66
Personnel benefits	0
One day more of pay	0
Federal Employees' Compensation Act (FECA)	-1
Benefits for former personnel	0
Travel and transportation of persons	0
Rental payments to GSA	4
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Advisory and assistance services	0
Other services from non-Federal sources	0
Working Capital Fund	75
Other Federal sources (DHS Charges)	0
Other goods and services from Federal sources	0
Operation and maintenance of facilities	0
Operation and maintenance of equipment	0
Supplies and materials	0
Equipment	0

Built-Ins Subtotal **\$144**

Net Program **\$0**

Direct FTE **0**

	Estimate	FTE
Base	\$5,205	18
Program Increase	\$0	0
Program Decrease	\$0	0

DEPARTMENTAL PROGRAM EVALUATION

BUDGET AUTHORITY BEFORE THE COMMITTEE				
(Dollars in Thousands)				
	2014	2015	2016	Diff. 2016 / 2015
Activity Appropriation	8,040	8,040	9,500	1,460
FTE	0	0	0	0

Introduction

The Departmental Evaluation Program was first funded in FY 2010, after the Administration and the Department recognized the need for a central office to coordinate, oversee and conduct rigorous evaluations. These evaluations include random assignment experimental designs and other rigorous non-experimental studies to determine which programs and interventions work. The findings from evaluations inform policy, management, and resource allocation decisions. Previously, the Department’s evaluation funding and capacity had eroded, and only a few high quality evaluations of programs were conducted. In addition, the Department’s research and evaluation efforts have historically been focused mainly on job training and employment services. The Department-wide evaluation account now allows expansion of evaluation activities to other programs and all operating agencies, with a priority on large, lightly examined, and/or high-priority programs such as those responsible for worker protection and labor standards enforcement. The Department’s research and evaluation agenda is developed from learning agendas prepared by each agency annually, which lay out priority areas on which evaluations are needed and is aligned with the Department’s priorities specified in the Strategic Plan. The Departmental plan is finalized based on feedback from the public, Congress, and stakeholders; and is made public each year.

The Department-wide evaluation activities are overseen by a Chief Evaluation Officer with staff skilled in evaluation design and statistical analysis. Staff are funded through the Program Direction and Support budget activity for Departmental Management. Members of the office manage evaluations funded with the Department-wide account and evaluation set-asides.

The underlying goals of the Department’s centralization of key evaluation activities are to: (1) build evaluation capacity and expertise in the Department; (2) ensure high standards in evaluations undertaken by, or funded by the Department of Labor; (4) facilitate the use of evaluation and research findings for performance management priorities; (3) ensure the independence of the evaluation and research functions; and (4) make sure that evaluation and research findings are available and accessible in a timely and user-friendly way, so they inform policymakers, program managers, and the public. To further these goals, the Department of Labor is also building partnerships with the academic community and other outside parties to leverage private-sector research expertise.

In FY 2016, the Department is requesting grant-making authority for this account to further enhance and leverage evaluation expertise. This authority will provide DPE with an additional tool to strengthen the Department’s evaluation support infrastructure.

DEPARTMENTAL PROGRAM EVALUATION

Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2011	\$8,500	0
2012	\$8,484	0
2013	\$8,040	0
2014	\$8,040	0
2015	\$8,040	0

FY 2016

The FY 2016 request for Departmental Program Evaluation (DPE) is \$9,500,000, which is an increase of \$1,460,000 from the FY 2015 enacted level. All evaluations funded through DPE are related to the department's strategic priorities and agency statutory and operational objectives, using the most rigorous evaluation methods appropriate, and designed and coordinated by the Chief Evaluation Office in collaboration with operating agencies. The increase of \$1.4 million from the FY 2015 appropriation will be used for two purposes. First, \$500,000 will support additional structured ratings and reviews of published evaluations of evidence about "what works" in labor and employment programs. The Clearinghouse for Labor Evaluation and Research (CLEAR), updated and maintained by the Chief Evaluation Office (CEO) and made available to the public on the Internet, will be the foundation of this activity. These funds will also be used to gain efficiency through shared technologies for coordinating reviews with other Federal evidence-based clearinghouses. Second, \$960,000 in additional funds will fund the technical assistance activities of the proposed joint DOL and Department of Education data team, which will serve as the central point of contact to resolve and provide technical assistance on issues related to education and wage data standardization, access, collection, and data quality, and data use for evaluations and programs. The Departments of Labor and Education have already begun to work more closely together in providing technical assistance to States and researchers, many of whom had historically indicated that increased coordination between the Departments was essential to support States in being able to use their data to more effectively answer important education and workforce policy questions. This cross-agency data team is being proposed to institutionalize these coordination efforts and to accommodate a higher demand for these types of services as States move forward in implementing the performance, evaluation, and accountability and transparency provisions of WIOA.

In addition, in FY 2016 the Department is requesting grant-making authority for this account. A comprehensive approach to testing and evaluating strategies that best fulfill the mission of the Department of Labor includes the use of targeted demonstrations by entities, including States and local areas, for which contracts are not an appropriate vehicle for funding. For example, prior evaluations in the Employment and Training Administration (ETA) commonly used by both the Evaluation and Pilots, Demonstrations and Research activities, now replaced by a set-aside for the CEO, to test new approaches to workforce interventions. This authority will provide DPE with an additional tool to strengthen the Department's evaluation support infrastructure by

DEPARTMENTAL PROGRAM EVALUATION

providing grant making options, rather than just contract options, to, for example, fund pilot and evaluation partnerships with States and other entities to test program innovations in the labor standards as well as employment and training services, and to support university-based academic evaluations on labor-related topics and issues.

Evaluation Funding Flexibility Pilot

High-quality evaluations and statistical surveys are essential to building evidence about what works. They are also inherently complicated, dynamic activities; they often span many years, and there is uncertainty about the timing and amount of work required to complete specific activities--such as the time and work needed recruit study participants. In some cases the study design may need to be altered part-way through the project in order to better respond to the facts on the ground. The currently available procurement vehicles lack the flexibility needed to match the dynamic nature of these projects. Additionally, some studies provide high quality information in which many federal agencies are interested, and it is frequently desirable to cosponsor these activities in order to efficiently extend the utility of the data collected. Changes in timing and content can make cosponsorship difficult, since funds are often time-limited.

In order to streamline these procurement processes, improve efficiency, and make better use of existing evaluation resources the Budget proposes to provide DPE with expanded flexibilities to spend funds over a longer period of time. This request is a part of a larger proposed pilot program which includes the Bureau of Labor Statistics; HHS's Assistant Secretary for Planning and Evaluation and the Office for Planning, Research and Evaluation in the Administration for Children and Families; The Department of Justice's National Institute of Justice and Bureau of Justice Statistics; the Census Bureau; and the Department of Housing and Urban Development's Office of Policy Development & Research. These flexibilities will allow agencies to better target evaluation and statistical funds to reflect changing circumstances on the ground.

FY 2015

The FY 2015 enacted level for the Departmental Program Evaluation is \$8,040,000. Three principles guide the Department's evaluation plan coordinated by the Chief Evaluation Office: 1) prioritize studies that focus on measuring the effectiveness of key program outputs and outcomes consistent with the overall Departmental Strategic Plan and the agency Operating Plans; 2) encourage the most rigorous evaluation designs possible, particularly experimental designs, but in a manner that is realistic given the programmatic missions/goals, programmatic maturity, data availability, and analytic capability; and 3) expand the knowledge, capacity, value, and understanding of high quality evaluation designs and methods department-wide. All evaluations are related to the Strategic Plan, statutory requirements, or emerging departmental priorities. In addition to formal evaluations, the DPE budget also supports ongoing development of the Clearinghouse for Labor Evaluation and Research (CLEAR), which provides access to evidence-based evaluations of "what works" in programmatic and policy strategies.

DEPARTMENTAL PROGRAM EVALUATION

FY 2014

The FY 2014 budget for Departmental Program Evaluation (DPE) was \$8,040,000. The annual evaluation plan is based on priorities included in agency learning agendas, evaluations required by statute, and studies on priority objectives in the Department's Strategic Plan. Thus, all evaluations are related to the Strategic Plan, statutory requirements, or emerging departmental priorities. The Department conducted evaluations that impact several of its large budgetary FY 2014 initiatives related to employment and training such as apprenticeships and pre-apprenticeship programs, on-the-job training, and skills training for demand occupations, and targeted services for returning veterans and for persons with disabilities. The Department examined strategies that focus on upgrading the skills of economically disadvantaged populations and that involve collaboration with Community Colleges and other Federal agencies such as the Department of Education and the Department of Health and Human Services.

In addition to evaluations of employment and training services and programs and the Unemployment Insurance program, DPE conducted evaluations on worker protection and enforcement programs, to examine the effectiveness of alternative enforcement techniques, penalty strategies, compliance assistance and/or media strategies. Several evaluations are gathering baseline data with respect to areas of labor rights such as pensions, health benefit rights and equal pay rights, and evaluating the effectiveness of various outreach strategies being developed by agencies, including the Occupational Safety and Health Administration and the Wage and Hour Division. These evaluations supported the Department's priorities on ensuring safe workplaces, promoting economic security, and increasing workers' knowledge of their rights.

DEPARTMENTAL PROGRAM EVALUATION

DETAILED WORKLOAD AND PERFORMANCE					
		2014		2015	2016
		Target	Result	Target	Target
Departmental Program Evaluation					
Strategic Goal ALL - All Strategic Goals					
Strategic Objective ALL.1 - All Strategic Objectives					
OASP – EVAL – 001	Number of CEO evaluation projects (core and set aside) begun each year	24	25	24	30
OASP - EVAL - 002	Number of CLEAR Evidence Topics Area Reviews and Study Scoring Conducting and Made Publicly Available	2	3	5	8

Legend: (r) Revised (e) Estimate (base) Baseline -- Not Applicable TBD - To Be Determined [p] - Projection

DEPARTMENTAL PROGRAM EVALUATION

Workload Summary Narrative

In FY 2016, the Chief Evaluation Office will continue to coordinate a Department-wide evaluation program that is responsive to the Administration's overarching goal and the Secretary's vision. The CEO plans to initiate 30 new evaluation studies in FY 2016. As in past years, these evaluations will support the Department's priorities of ensuring a safe workplace, promoting economic security, and increasing workers' knowledge of their rights. Evaluation is integrated into competitive and formula-funded grant programs. For example, the tiered evidence criteria in awarding competitive grants under the Trade Adjustment Assistance Community College and Career Training Grant program. Additionally, there are requirements for rigorous independent impact evaluations of competitive grants awarded under the Workforce Innovation Fund. Each of these large evidence-based grant programs has a complementary cross-grantee national evaluation. Other projects are evaluating the extent to which local career centers are accessible to persons with disabilities, and the effectiveness of transitional assistance services for service members separating from active military duty. Other types of evaluations use administrative program data to measure the results and impact of programs and strategies, such as the ongoing evaluation of OSHA's voluntary compliance assistance program for small businesses. The Department's commitment to using evidence in policy and program decisions is also reflected in the expansion of the evidence reviews being included in CLEAR. The two initial review topics were 1) evaluations of programs and services for disconnected and disadvantaged youth; and 2) evaluations of the effectiveness of Occupational Safety and Health inspections. Other CLEAR review topics now include: enrollment in pension programs and retirement savings, disability employment, and Career Academies. Future resources are being committed to expand the total number of evaluation topics using the CLEAR evidence-based rating standards.

DEPARTMENTAL PROGRAM EVALUATION

BUDGET ACTIVITY BY OBJECT CLASS					
(Dollars in Thousands)					
		2014	2015	2016	Diff. 2016 / 2015
24.0	Printing and reproduction	0	0	0	0
25.1	Advisory and assistance services	8,040	8,040	9,500	1,460
25.2	Other services from non-Federal sources	0	0	0	0
25.3	Other goods and services from Federal sources 1/	0	0	0	0
25.4	Operation and maintenance of facilities	0	0	0	0
25.7	Operation and maintenance of equipment	0	0	0	0
31.0	Equipment	0	0	0	0
	Total	8,040	8,040	9,500	1,460
	1/Other goods and services from Federal sources				

DEPARTMENTAL PROGRAM EVALUATION

CHANGES IN 2016

(Dollars in Thousands)

Activity Changes

Built-In

To Provide For:

Printing and reproduction	\$0
Advisory and assistance services	0
Other services from non-Federal sources	0
Other goods and services from Federal sources	0
Operation and maintenance of facilities	0
Operation and maintenance of equipment	0
Equipment	0

Built-Ins Subtotal **\$0**

Net Program **\$1,460**

Direct FTE **0**

	Estimate	FTE
Base	\$8,040	0
Program Increase	\$1,460	0
Program Decrease	\$0	0