

**FY 2020**

**CONGRESSIONAL BUDGET JUSTIFICATION**

**DEPARTMENTAL MANAGEMENT**

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# DEPARTMENTAL MANAGEMENT

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# 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, [~~\$337,756,000~~]~~\$266,558,000~~, together with not to exceed \$308,000, which may be expended from the Employment Security Administration account in the Unemployment Trust Fund: [*Provided*, That \$59,825,000 for the Bureau of International Labor Affairs shall be available for obligation through December 31, 2019:] *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, *and manage grants that were awarded prior to December 31, 2019: [Provided further*, That not more than \$53,825,000 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 shall be used for program evaluation and shall be available for obligation through September 30, [2020]2021: *Provided further*, That funds available for program evaluation may be used to administer grants for the purpose of evaluation: *Provided further*, That grants made for the purpose of evaluation shall be awarded through fair and open competition: *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 the Women's Bureau may be used for grants to serve and promote the interests of women in the workforce: *Provided further*, That of the amounts made available to the Women's Bureau, not less than \$994,000 shall be used for grants authorized by the Women in Apprenticeship and Nontraditional Occupations Act].

*(Department of Labor Appropriations Act, 2019.)*

## DEPARTMENTAL MANAGEMENT

### EXPLANATION OF LANGUAGE CHANGE

#### Language Provision

#### Explanation

“...[*Provided*, That \$59,825,000 for the Bureau of International Labor Affairs shall be available for obligation through December 31, 2019:] *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, *and manage grants that were awarded prior to December 31, 2019: Provided further*, [That not more than \$53,825,000 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*, ] ...”

The Budget proposes eliminating grant programs administered by the Bureau of International Labor Affairs.

“... [: *Provided further*, That the funds available to the Women's Bureau may be used for grants to serve and promote the interests of women in the workforce: *Provided further*, That of the amounts made available to the Women's Bureau, not less than \$994,000 shall be used for grants authorized by the Women in Apprenticeship and Nontraditional Occupations Act].”

The Budget proposes eliminating Women’s Bureau’s grant development and management responsibilities.

## DEPARTMENTAL MANAGEMENT

| <b>AMOUNTS AVAILABLE FOR OBLIGATION</b>   |                            |                  |                            |                  |                            |                  |
|---|----------------------------|------------------|----------------------------|------------------|----------------------------|------------------|
| (Dollars in Thousands)  |                            |                  |                            |                  |                            |                  |
|   | <b>FY 2018<br/>Enacted</b> |                  | <b>FY 2019<br/>Enacted</b> |                  | <b>FY 2020<br/>Request</b> |                  |
|   | <b>FTE</b>                 | <b>Amount</b>    | <b>FTE</b>                 | <b>Amount</b>    | <b>FTE</b>                 | <b>Amount</b>    |
| <b>A. Appropriation</b>   | <b>1,102</b>               | <b>\$337,536</b> | <b>1,151</b>               | <b>\$337,756</b> | <b>1,119</b>               | <b>\$266,558</b> |
| Reimbursements  | 61                         | \$33,950         | 62                         | \$29,882         | 62                         | \$29,882         |
| Trust Funds - Black Lung  | 135                        | \$31,994         | 135                        | \$31,994         | 140                        | \$32,844         |
| Trust Funds - Unemployment Trust Fund   | 2                          | \$308            | 2                          | \$308            | 2                          | \$308            |
| Reduction Pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985 | 0                          | -\$2,111         | 0                          | -\$1,984         | 0                          | \$0              |
| Transfers for Program Evaluation  | 0                          | \$13,494         | 0                          | \$1,800          | 0                          | \$0              |
| Transfers for OASAM   | 0                          | \$6,125          | 0                          | \$554            | 0                          | \$0              |
| Unobligated Balance Carried Forward   | 0                          | \$43,289         | 0                          | \$44,011         | 0                          | \$0              |
| <i>Subtotal</i>   | <i>1,300</i>               | <i>\$464,585</i> | <i>1,350</i>               | <i>\$444,321</i> | <i>1,323</i>               | <i>\$329,592</i> |
| <b>B. Gross Budget Authority</b>  | <b>1,300</b>               | <b>\$464,585</b> | <b>1,350</b>               | <b>\$444,321</b> | <b>1,323</b>               | <b>\$329,592</b> |
| Reimbursements  | -61                        | -\$33,950        | -62                        | -\$29,882        | -62                        | -\$29,882        |
| Transfers   | 0                          | -\$7,369         | 0                          | -\$1,246         | 0                          | \$0              |
| Unobligated Balance Carried Forward   | 0                          | -\$43,289        | 0                          | -\$44,011        | 0                          | \$0              |
| <i>Subtotal</i>   | <i>1,239</i>               | <i>\$379,977</i> | <i>1,288</i>               | <i>\$369,182</i> | <i>1,261</i>               | <i>\$299,710</i> |
| <b>C. Budget Authority Before Committee</b>   | <b>1,239</b>               | <b>\$379,977</b> | <b>1,288</b>               | <b>\$369,182</b> | <b>1,261</b>               | <b>\$299,710</b> |
| Reimbursements  | 61                         | \$33,950         | 62                         | \$29,882         | 62                         | \$29,882         |
| Unobligated Balance Carried Forward   | 0                          | \$43,289         | 0                          | \$0              | 0                          | \$0              |
| <i>Subtotal</i>   | <i>1,300</i>               | <i>\$457,216</i> | <i>1,350</i>               | <i>\$399,064</i> | <i>1,323</i>               | <i>\$329,592</i> |
| <b>D. Total Budgetary Resources</b>   | <b>1,300</b>               | <b>\$457,216</b> | <b>1,350</b>               | <b>\$399,064</b> | <b>1,323</b>               | <b>\$329,592</b> |
| Direct FTE Lapse and Unobligated Balance Expiring                                   | -5                         | -\$44,703        | 0                          | \$0              | 0                          | \$0              |
| Reimbursable FTE Lapse and Unobligated Balance Expiring                             | 6                          | -\$10,567        | 0                          | \$0              | 0                          | \$0              |
| <b>E. Total, Estimated Obligations</b>  | <b>1,301</b>               | <b>\$401,946</b> | <b>1,350</b>               | <b>\$399,064</b> | <b>1,323</b>               | <b>\$329,592</b> |

# DEPARTMENTAL MANAGEMENT

## SUMMARY OF CHANGES

(Dollars in Thousands)

|                                  | FY 2019<br>Enacted | FY 2020<br>Request | Net Change       |
|----------------------------------|--------------------|--------------------|------------------|
| <b>Budget Authority</b>          |                    |                    |                  |
| General Funds                    | \$338,310          | \$266,558          | -\$71,752        |
| Trust Funds                      | \$30,318           | \$33,152           | +\$2,834         |
| <b>Total</b>                     | <b>\$368,628</b>   | <b>\$299,710</b>   | <b>-\$68,918</b> |
| <br><b>Full Time Equivalents</b> |                    |                    |                  |
| General Funds                    | 1,151              | 1,119              | -32              |
| Trust Funds                      | 137                | 142                | 5                |
| <b>Total</b>                     | <b>1,288</b>       | <b>1,261</b>       | <b>-27</b>       |

| Explanation of Change                                | FY 2020 Change |           |             |        |               |        |       |        |
|--|----------------|-----------|-------------|--------|---------------|--------|-------|--------|
|  | FY 2019 Base   |           | Trust Funds |        | General Funds |        | Total |        |
|  | FTE            | Amount    | FTE         | Amount | FTE           | Amount | FTE   | Amount |
| <b>Increases:</b>                                    |                |           |             |        |               |        |       |        |
| <b>A. Built-Ins:</b>                                 |                |           |             |        |               |        |       |        |
| To Provide For:                                      |                |           |             |        |               |        |       |        |
| Costs of pay adjustments                             | 1,288          | \$159,592 | 0           | \$0    | 0             | \$0    | 0     | \$0    |
| Personnel benefits                                   | 0              | \$48,379  | 0           | \$0    | 0             | \$0    | 0     | \$0    |
| One day more of pay                                  | 0              | \$0       | 0           | \$53   | 0             | \$668  | 0     | \$721  |
| Federal Employees' Compensation Act (FECA)           | 0              | \$126     | 0           | \$0    | 0             | \$418  | 0     | \$418  |
| Benefits for former personnel                        | 0              | \$55      | 0           | \$0    | 0             | \$0    | 0     | \$0    |
| Travel and transportation of persons                 | 0              | \$3,234   | 0           | \$0    | 0             | \$0    | 0     | \$0    |
| Transportation of things                             | 0              | \$536     | 0           | \$0    | 0             | \$0    | 0     | \$0    |
| Rental payments to GSA                               | 0              | \$19,166  | 0           | \$0    | 0             | \$0    | 0     | \$0    |
| Rental payments to others                            | 0              | \$26      | 0           | \$0    | 0             | \$0    | 0     | \$0    |
| Communications, utilities, and miscellaneous charges | 0              | \$1,600   | 0           | \$0    | 0             | \$0    | 0     | \$0    |
| Printing and reproduction                            | 0              | \$324     | 0           | \$0    | 0             | \$0    | 0     | \$0    |
| Advisory and assistance services                     | 0              | \$0       | 0           | \$0    | 0             | \$0    | 0     | \$0    |
| Other services from non-Federal sources              | 0              | \$0       | 0           | \$0    | 0             | \$0    | 0     | \$0    |
| Working Capital Fund                                 | 0              | \$47,803  | 0           | \$49   | 0             | \$205  | 0     | \$254  |
| Other Federal sources (Census Bureau)                | 0              | \$0       | 0           | \$0    | 0             | \$0    | 0     | \$0    |
| Other Federal sources (DHS Charges)                  | 0              | \$302     | 0           | \$0    | 0             | \$0    | 0     | \$0    |
| Other goods and services from Federal sources        | 0              | \$2,962   | 0           | \$0    | 0             | \$0    | 0     | \$0    |
| Research & Development Contracts                     | 0              | \$0       | 0           | \$0    | 0             | \$0    | 0     | \$0    |
| Operation and maintenance of facilities              | 0              | \$2,716   | 0           | \$0    | 0             | \$0    | 0     | \$0    |



## DEPARTMENTAL MANAGEMENT

FY 2020 Change

| Explanation of Change                                 | FY 2019 Base |                   | Trust Funds |                 | General Funds |                  | Total      |                  |
|---|--------------|-------------------|-------------|-----------------|---------------|------------------|------------|------------------|
|   | FTE          | Amount            | FTE         | Amount          | FTE           | Amount           | FTE        | Amount           |
| Operation and maintenance of equipment                | 0            | \$0               | 0           | \$0             | 0             | \$0              | 0          | \$0              |
| Supplies and materials                                | 0            | \$0               | 0           | \$0             | 0             | \$0              | 0          | \$0              |
| Equipment   | 0            | \$497             | 0           | \$0             | 0             | \$0              | 0          | \$0              |
| Grants, subsidies, and contributions                  | 0            | \$60,075          | 0           | \$0             | 0             | \$0              | 0          | \$0              |
| Insurance claims and indemnities                      | 0            | \$0               | 0           | \$0             | 0             | \$0              | 0          | \$0              |
| <b>Built-Ins Subtotal</b>                             | <b>1,288</b> | <b>+\$347,393</b> | <b>0</b>    | <b>+\$102</b>   | <b>0</b>      | <b>+\$1,291</b>  | <b>0</b>   | <b>+\$1,393</b>  |
| <b>B. Programs:</b>                                   |              |                   |             |                 |               |                  |            |                  |
| WCF-Worker Protection IT Modernization Efforts        | 0            | \$0               | 0           | \$0             | 0             | \$2,500          | 0          | \$2,500          |
| Adjudication Processing of Mandatory Workload         | 5            | \$850             | 5           | \$2,330         | 0             | \$0              | 5          | \$2,330          |
| SOL Increase to Support SOL Client Agencies' Requests | 0            | \$0               | 0           | \$0             | 8             | \$1,821          | 8          | \$1,821          |
| Office of Compliance Initiatives                      | 0            | \$0               | 0           | \$0             | 5             | \$1,777          | 5          | \$1,777          |
| Women's Bureau Regional Closures                      | 0            | \$0               | 0           | \$0             | 0             | \$600            | 0          | \$600            |
| SOL Processing of Mandatory Workload (BLDTF)          | 0            | \$0               | 0           | \$504           | 0             | \$0              | 0          | \$504            |
| <b>Programs Subtotal</b>                              |              |                   | <b>5</b>    | <b>+\$2,834</b> | <b>13</b>     | <b>+\$6,698</b>  | <b>18</b>  | <b>+\$9,532</b>  |
| <b>Total Increase</b>                                 | <b>1,288</b> | <b>+\$347,393</b> | <b>5</b>    | <b>+\$2,936</b> | <b>13</b>     | <b>+\$7,989</b>  | <b>18</b>  | <b>+\$10,925</b> |
| <b>Decreases:</b>                                     |              |                   |             |                 |               |                  |            |                  |
| <b>A. Built-Ins:</b>                                  |              |                   |             |                 |               |                  |            |                  |
| To Provide For:                                       |              |                   |             |                 |               |                  |            |                  |
| Advisory and assistance services                      | 0            | \$12,529          | 0           | \$0             | 0             | -\$336           | 0          | -\$336           |
| Other services from non-Federal sources               | 0            | \$3,630           | 0           | -\$26           | 0             | -\$711           | 0          | -\$737           |
| Research & Development Contracts                      | 0            | \$306             | 0           | \$0             | 0             | -\$100           | 0          | -\$100           |
| Operation and maintenance of equipment                | 0            | \$2,809           | 0           | -\$76           | 0             | -\$114           | 0          | -\$190           |
| Supplies and materials                                | 0            | \$1,961           | 0           | \$0             | 0             | -\$30            | 0          | -\$30            |
| <b>Built-Ins Subtotal</b>                             | <b>0</b>     | <b>+\$21,235</b>  | <b>0</b>    | <b>-\$102</b>   | <b>0</b>      | <b>-\$1,291</b>  | <b>0</b>   | <b>-\$1,393</b>  |
| <b>B. Programs:</b>                                   |              |                   |             |                 |               |                  |            |                  |
| ILAB Technical Assistance                             | 0            | \$0               | 0           | \$0             | 0             | -\$59,825        | 0          | -\$59,825        |
| Women's Bureau Program Reduction                      | 0            | \$0               | 0           | \$0             | -25           | -\$10,825        | -25        | -\$10,825        |
| ILAB Staff Reduction                                  | 0            | \$0               | 0           | \$0             | -20           | -\$7,800         | -20        | -\$7,800         |
| <b>Programs Subtotal</b>                              |              |                   | <b>0</b>    | <b>\$0</b>      | <b>-45</b>    | <b>-\$78,450</b> | <b>-45</b> | <b>-\$78,450</b> |
| <b>Total Decrease</b>                                 | <b>0</b>     | <b>+\$21,235</b>  | <b>0</b>    | <b>-\$102</b>   | <b>-45</b>    | <b>-\$79,741</b> | <b>-45</b> | <b>-\$79,843</b> |
| <b>Total Change</b>                                   | <b>1,288</b> | <b>+\$368,628</b> | <b>5</b>    | <b>+\$2,834</b> | <b>-32</b>    | <b>-\$71,752</b> | <b>-27</b> | <b>-\$68,918</b> |

## DEPARTMENTAL MANAGEMENT

| <b>SUMMARY BUDGET AUTHORITY AND FTE BY ACTIVITY</b><br>(Dollars in Thousands) |   |                |  |                |                            |                |  |                |
|---|---|----------------|--|----------------|----------------------------|----------------|--|----------------|
|   | <b>FY 2018 <sup>1</sup><br/>Enacted</b> |                | <b>FY 2019<sup>2</sup><br/>Enacted</b> |                | <b>FY 2020<br/>Request</b> |                | <b>Diff. FY20 Request /<br/>FY19 Enacted</b> |                |
|   | <b>FTE</b>                              | <b>Amount</b>  | <b>FTE</b>                             | <b>Amount</b>  | <b>FTE</b>                 | <b>Amount</b>  | <b>FTE</b>                                   | <b>Amount</b>  |
| <b>Program Direction and Support</b>  | <b>88</b>                               | <b>29,500</b>  | <b>105</b>                             | <b>30,250</b>  | <b>110</b>                 | <b>32,027</b>  | <b>5</b>                                     | <b>1,777</b>   |
| General Funds   | 88                                      | 29,500         | 105                                    | 30,250         | 110                        | 32,027         | 5  | 1,777          |
|   |   |                |  |                |                            |                |  |                |
| <b>Legal Services</b>   | <b>587</b>                              | <b>132,890</b> | <b>599</b>                             | <b>131,672</b> | <b>607</b>                 | <b>136,497</b> | <b>8</b>                                     | <b>4,825</b>   |
| General Funds   | 555                                     | 124,995        | 565                                    | 123,745        | 573                        | 128,066        | 8  | 4,321          |
| Unemployment Trust Funds  | 1                                       | 308            | 2                                      | 308            | 2                          | 308            | 0  | 0              |
| Black Lung Disability Trust Funds   | 31                                      | 7,587          | 32                                     | 7,619          | 32                         | 8,123          | 0  | 504            |
|   |   |                |  |                |                            |                |  |                |
| <b>International Labor Services</b>   | <b>110</b>                              | <b>86,125</b>  | <b>114</b>                             | <b>86,125</b>  | <b>94</b>                  | <b>18,500</b>  | <b>-20</b>                                   | <b>-67,625</b> |
| General Funds   | 110                                     | 86,125         | 114                                    | 86,125         | 94                         | 18,500         | -20  | -67,625        |
|   |   |                |  |                |                            |                |  |                |
| <b>Administration and Management</b>  | <b>92</b>                               | <b>25,734</b>  | <b>106</b>                             | <b>29,004</b>  | <b>106</b>                 | <b>29,004</b>  | <b>0</b>                                     | <b>0</b>       |
| General Funds   | 92                                      | 25,734         | 106                                    | 29,004         | 106                        | 29,004         | 0  | 0              |
|   |   |                |  |                |                            |                |  |                |
| <b>Adjudication</b>   | <b>249</b>                              | <b>57,296</b>  | <b>260</b>                             | <b>57,391</b>  | <b>265</b>                 | <b>59,721</b>  | <b>5</b>                                     | <b>2,330</b>   |
| General Funds   | 151                                     | 35,000         | 157                                    | 35,000         | 157                        | 35,000         | 0  | 0              |
| Black Lung Disability Trust Funds   | 98                                      | 22,296         | 103                                    | 22,391         | 108                        | 24,721         | 5  | 2,330          |
|   |   |                |  |                |                            |                |  |                |
| <b>Women's Bureau</b>   | <b>40</b>                               | <b>13,030</b>  | <b>43</b>                              | <b>13,750</b>  | <b>18</b>                  | <b>3,525</b>   | <b>-25</b>                                   | <b>-10,225</b> |
| General Funds   | 40                                      | 13,030         | 43                                     | 13,750         | 18                         | 3,525          | -25  | -10,225        |

<sup>1</sup> FY 2018 Budget Authority reflects a reprogramming as reported in the Department's budget operating plan.

<sup>2</sup> FY 2019 Budget Authority reflects a transfer of \$554,000 from the Occupational Safety and Health Administration as reported in the Department's budget operating plan.

## DEPARTMENTAL MANAGEMENT

### SUMMARY BUDGET AUTHORITY AND FTE BY ACTIVITY

(Dollars in Thousands)

|  | FY 2018 <sup>1</sup><br>Enacted |                | FY 2019 <sup>2</sup><br>Enacted |                | FY 2020<br>Request |                | Diff. FY20 Request /<br>FY19 Enacted |                |
|--|---------------------------------|----------------|---------------------------------|----------------|--------------------|----------------|--------------------------------------|----------------|
|  | FTE                             | Amount         | FTE                             | Amount         | FTE                | Amount         | FTE                                  | Amount         |
| <b>Civil Rights</b>                      | 32                              | 6,880          | 32                              | 6,880          | 32                 | 6,880          | 0                                    | 0              |
| General Funds                            | 32                              | 6,880          | 32                              | 6,880          | 32                 | 6,880          | 0                                    | 0              |
| <b>Chief Financial Officer</b>           | 28                              | 8,232          | 21                              | 5,516          | 21                 | 5,516          | 0                                    | 0              |
| General Funds                            | 28                              | 8,232          | 21                              | 5,516          | 21                 | 5,516          | 0                                    | 0              |
| <b>Departmental Program Evaluation</b>   | 8                               | 8,040          | 8                               | 8,040          | 8                  | 8,040          | 0                                    | 0              |
| General Funds                            | 8                               | 8,040          | 8                               | 8,040          | 8                  | 8,040          | 0                                    | 0              |
| <b>Total</b>                             | <b>1,234</b>                    | <b>367,727</b> | <b>1,288</b>                    | <b>368,628</b> | <b>1,261</b>       | <b>299,710</b> | <b>-27</b>                           | <b>-68,918</b> |
| <b>General Funds</b>                     | <b>1,104</b>                    | <b>337,536</b> | <b>1,151</b>                    | <b>338,310</b> | <b>1,119</b>       | <b>266,558</b> | <b>-32</b>                           | <b>-71,752</b> |
| <b>Unemployment Trust Funds</b>          | <b>1</b>                        | <b>308</b>     | <b>2</b>                        | <b>308</b>     | <b>2</b>           | <b>308</b>     | <b>0</b>                             | <b>0</b>       |
| <b>Black Lung Disability Trust Funds</b> | <b>129</b>                      | <b>29,883</b>  | <b>135</b>                      | <b>30,010</b>  | <b>140</b>         | <b>32,844</b>  | <b>5</b>                             | <b>2,834</b>   |

NOTE: 2018 reflects actual FTE.

## DEPARTMENTAL MANAGEMENT

| <b>BUDGET AUTHORITY BY OBJECT CLASS</b> |  |                    |                    |                    |  |
|---|--|--------------------|--------------------|--------------------|--|
| (Dollars in Thousands)                  |  |                    |                    |                    |  |
|   |  | FY 2018<br>Enacted | FY 2019<br>Enacted | FY 2020<br>Request | Diff. FY20<br>Request /<br>FY19<br>Enacted |
|   | Full-Time Equivalent                                 |                    |                    |                    |  |
|   | Full-time Permanent                                  | 1,218              | 1,191              | 1,258              | 67   |
|   | Reimbursable   | 73                 | 73                 | 73                 | 0  |
|   | Total  | 1,291              | 1,264              | 1,331              | 67   |
|   | Average ES Salary                                    | \$179,669          | \$183,262          | \$183,262          | \$0  |
|   | Average GM/GS Grade                                  | 13/8               | 13/8               | 13/8               | 0  |
|   | Average GM/GS Salary                                 | \$116,208          | \$118,532          | \$118,532          | \$0  |
|   | Average Salary of Ungraded Positions                 | 171,420            | 174,848            | 174,848            | 0  |
|   |  |                    |                    |                    |  |
| 11.1                                    | Full-time permanent                                  | 154,169            | 155,700            | 150,369            | -5,331                                     |
| 11.3                                    | Other than full-time permanent                       | 1,086              | 1,201              | 1,036              | -165                                       |
| 11.5                                    | Other personnel compensation                         | 2,832              | 2,686              | 1,387              | -1,299                                     |
| 11.8                                    | Special personal services payments                   | 5                  | 5                  | 5                  | 0  |
| 11.9                                    | <b>Total personnel compensation</b>                  | <b>158,092</b>     | <b>159,592</b>     | <b>152,797</b>     | <b>-6,795</b>                              |
| 12.1                                    | Civilian personnel benefits                          | 49,214             | 48,505             | 47,255             | -1,250                                     |
| 13.0                                    | Benefits for former personnel                        | 32                 | 55                 | 55                 | 0  |
| 21.0                                    | Travel and transportation of persons                 | 2,451              | 3,234              | 2,506              | -728                                       |
| 22.0                                    | Transportation of things                             | 130                | 536                | 511                | -25  |
| 23.0                                    | Rent, Communications, and Utilities                  | 0                  | 0                  | 0                  | 0  |
| 23.1                                    | Rental payments to GSA                               | 16,852             | 19,166             | 18,485             | -681                                       |
| 23.2                                    | Rental payments to others                            | 19                 | 26                 | 29                 | 3  |
| 23.3                                    | Communications, utilities, and miscellaneous charges | 1,830              | 1,600              | 1,620              | 20   |
| 24.0                                    | Printing and reproduction                            | 188                | 324                | 475                | 151  |
| 25.1                                    | Advisory and assistance services                     | 10,369             | 12,529             | 10,225             | -2,304                                     |
| 25.2                                    | Other services from non-Federal sources              | 5,362              | 3,630              | 2,909              | -721                                       |
| 25.3                                    | Other goods and services from Federal sources 1/     | 50,686             | 51,067             | 51,506             | 439  |
| 25.4                                    | Operation and maintenance of facilities              | 1                  | 2,716              | 2,726              | 10   |
| 25.5                                    | Research and development contracts                   | 5                  | 306                | 56                 | -250                                       |
| 25.7                                    | Operation and maintenance of equipment               | 6,241              | 2,809              | 6,277              | 3,468                                      |
| 26.0                                    | Supplies and materials                               | 1,516              | 1,961              | 2,017              | 56   |
| 31.0                                    | Equipment  | 2,414              | 497                | 436                | -61  |
| 41.0                                    | Grants, subsidies, and contributions                 | 62,325             | 60,075             | -175               | -60,250                                    |
| 42.0                                    | Insurance claims and indemnities                     | 0                  | 0                  | 0                  | 0  |
| 51.1                                    | Benefits   | 0                  | 0                  | 0                  | 0  |
|   | <b>Total</b>   | <b>367,727</b>     | <b>368,628</b>     | <b>299,710</b>     | <b>-68,918</b>                             |
|   |  |                    |                    |                    |  |
|   | 1/Other goods and services from Federal sources      |                    |                    |                    |  |
|   | Working Capital Fund                                 | 43,692             | 47,803             | 48,057             | 254  |
|   | DHS Services   | 4,144              | 302                | 302                | 0  |
|   | Services by DOL Agencies                             | 0                  | 406                | 406                | 0  |
|   | Services by Other Government Departments             | 1,441              | 1,965              | 1,000              | -965                                       |
|   | CIGIE  | 1,250              | 0                  | 539                | 539  |
|   | GSA Services   | 2                  | 0                  | 251                | 251  |

# DEPARTMENTAL MANAGEMENT

## AUTHORIZING STATUTES

| Public Law<br>/ Act | Legislation   | Statute No. /<br>US Code  | Volume<br>No. | Page<br>No. | Expiration<br>Date |
|---------------------|---|---|---------------|-------------|--------------------|
| Pub. L. 101-179     | Bureau of International Labor Affairs (ILAB) 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 <sup>st</sup> 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 <a href="http://www.oalj.dol.gov">www.oalj.dol.gov</a> |               |             |                    |
|                     | Benefits Review Board – Black Lung Appeals Program & Longshore Appeals Program  | 30 U.S.C. Section 901 et seq.   |               |             |                    |
|                     | Benefits Review Board – Black Lung Appeals Program & Longshore Appeals Program  | 33 U.S.C. Section 901 et seq.   |               |             |                    |
|                     | Employees' Compensation Appeals Board. Review appeals of claims under Federal Employees' Compensation Act   | 5 U.S.C. Section 8101 et seq.   |               |             |                    |
| Pub. L. 99-570      | Anti-Drug Act of 1986   |   |               |             |                    |

## DEPARTMENTAL MANAGEMENT

| <b>APPROPRIATION HISTORY</b> |   |                            |                             |                       |            |
|------------------------------|---|----------------------------|-----------------------------|-----------------------|------------|
| (Dollars in Thousands)       |   |                            |                             |                       |            |
|                              | <b>Budget<br/>Estimates to<br/>Congress</b> | <b>House<br/>Allowance</b> | <b>Senate<br/>Allowance</b> | <b>Appropriations</b> | <b>FTE</b> |
| 2010                         |   |                            |                             |                       |            |
| Base Appropriation           | \$355,154                                   | \$375,245                  | \$382,245                   | \$356,006             | 1,241      |
| 2011                         |   |                            |                             |                       |            |
| Base Appropriation...1/      | \$428,624                                   | \$387,927                  | \$411,982                   | \$354,627             | 1,257      |
| 2012                         |   |                            |                             |                       |            |
| Base Appropriation...2/      | \$371,554                                   | \$268,733                  | \$347,009                   | \$346,353             | 1,282      |
| 2013                         |   |                            |                             |                       |            |
| Base Appropriation...3/      | \$348,927                                   |                            |                             | \$328,237             | 1,255      |
| 2014                         |   |                            |                             |                       |            |
| Base Appropriation...4/ 5/   | \$347,856                                   |                            |                             | \$336,929             | 1,259      |
| 2015                         |   |                            |                             |                       |            |
| Base Appropriation...5/      | \$346,189                                   |                            |                             | \$337,929             | 1,250      |
| 2016                         |   |                            |                             |                       |            |
| Base Appropriation...5/ 6/   | \$375,985                                   | \$284,229                  | \$258,727                   | \$334,373             | 1,239      |
| 2017                         |   |                            |                             |                       |            |
| Base Appropriation...5/ 6/   | \$387,925                                   |                            |                             | \$334,844             | 1,139      |
| 2018                         |   |                            |                             |                       |            |
| Base Appropriation...7/      | \$259,858                                   | \$247,911                  |                             | \$343,969             | 1,128      |
| 2019                         |   |                            |                             |                       |            |
| Base Appropriation...8/      | \$261,035                                   |                            |                             | \$338,064             | 1,153      |
| 2020                         |   |                            |                             |                       |            |
| Base Appropriation           | \$266,866                                   |                            |                             |                       | 1,121      |

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

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

3/ 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.

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

5/ Reflects sequestration reduction to mandatory accounts pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985.

6/ Budget estimates to Congress and Appropriations do not reflect transfers from the Employment and Training Administration for the purposes of program evaluation.

7/ A full-year 2018 appropriation for this account was not enacted at the time the budget was prepared.

8/ This bill was passed by the Senate. It was passed out of the House Subcommittee but was not reported out of the House Committee or by the full House.

# DEPARTMENTAL MANAGEMENT

## OVERVIEW

### Introduction

The Departmental Management (DM) Salaries and Expenses (S&E) appropriation provides 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 Liaison; and the Center for Faith and Opportunity Initiatives.

### Office of the Solicitor

The Office of the Solicitor (SOL) provides 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) promotes a fair global playing field for workers in the United States and around the world by enforcing trade commitments, strengthening labor standards, and combating international child labor, forced labor, and human trafficking. ILAB combines trade and labor monitoring and enforcement, policy engagement, research, and technical cooperation to carry out the international responsibilities of the Department of Labor.

### Administration and Management

The Office of the Assistant Secretary for Administration and Management (OASAM) provides the infrastructure and support that enables the Department of Labor to perform its mission. OASAM

## DEPARTMENTAL MANAGEMENT

provides leadership and support for departmental business operations and procurement; information technology; human resources and civil rights; security and emergency management; and budget and strategic planning.

### Adjudication

The Adjudication activity includes the Office of Administrative Law Judges (OALJ), the Benefits Review Board (BRB), the Employees' Compensation Appeals Board (ECAB), and the Administrative Review Board (ARB). OALJ holds hearings and adjudicates over 7,000 cases each year. The Boards 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

Women's full engagement in the workforce is critical to the Nation's economic prosperity, as well as the financial well-being of their individual families. The Bureau, after 98 years in existence, is a trusted source where stakeholders turn to for good, easily understood data and information. The Bureau's relevancy is demonstrated in the information produced, the number of people using the data, and the website traffic. The Women's Bureau develops policies and standards and conducts inquiries to safeguard the interests of working women, to advocate for their equality and economic security for themselves and their families, and to promote quality work environments.

### 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 Chief Financial Officer (OCFO) is responsible for the financial leadership of DOL. Its mission is to foster effective stewardship of public funds; to safeguard fiscal integrity; and to deliver timely, accurate, and reliable financial information.

### Departmental Program Evaluation

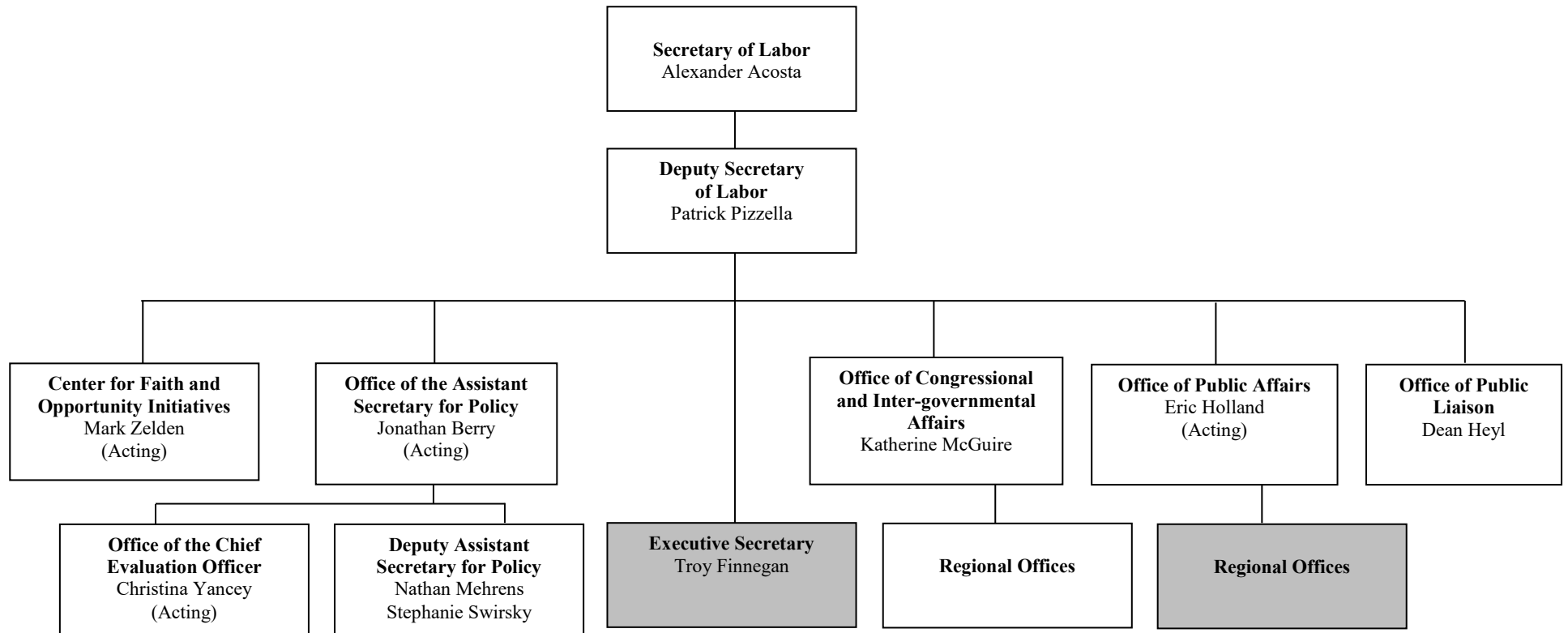
The Departmental Program Evaluation activity, overseen by the Chief Evaluation Office in the Office of the Assistant Secretary for Policy, designates and centralizes specific program evaluation funds that can be used in collaboration with various Department of Labor agencies for individual program evaluations 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

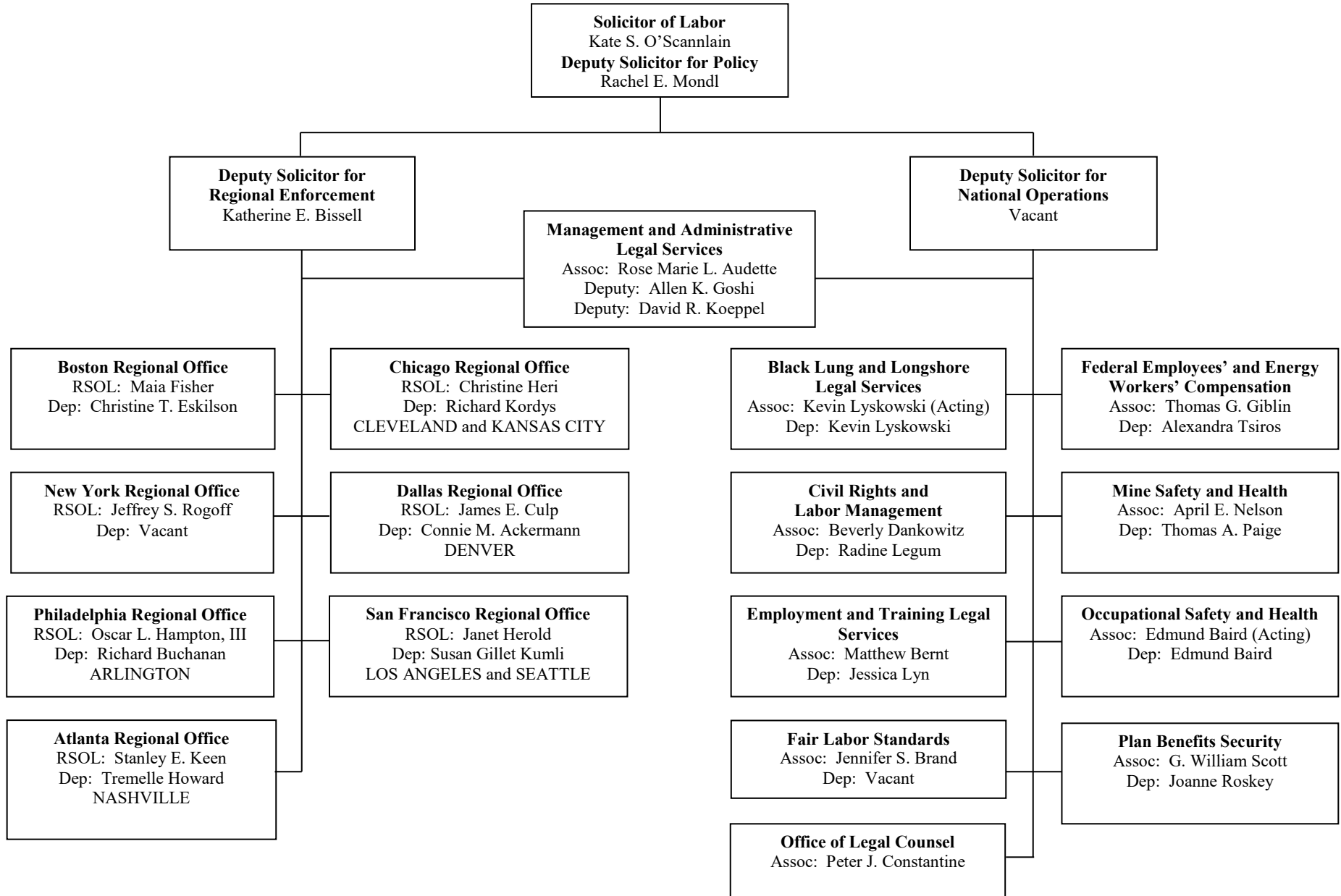
### PROGRAM DIRECTION AND SUPPORT



Shaded box indicates funding through the Working Capital Fund

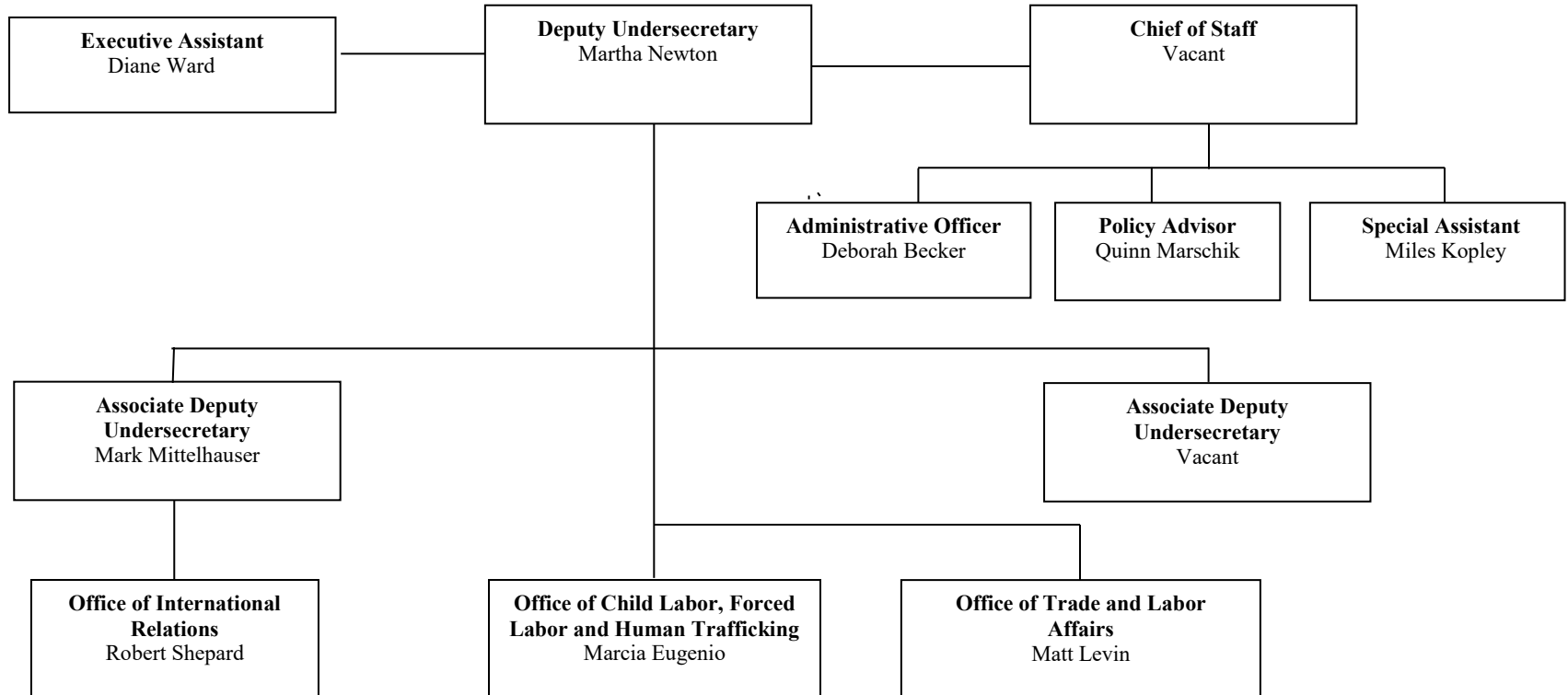
# DEPARTMENTAL MANAGEMENT

## OFFICE OF THE SOLICITOR OF LABOR



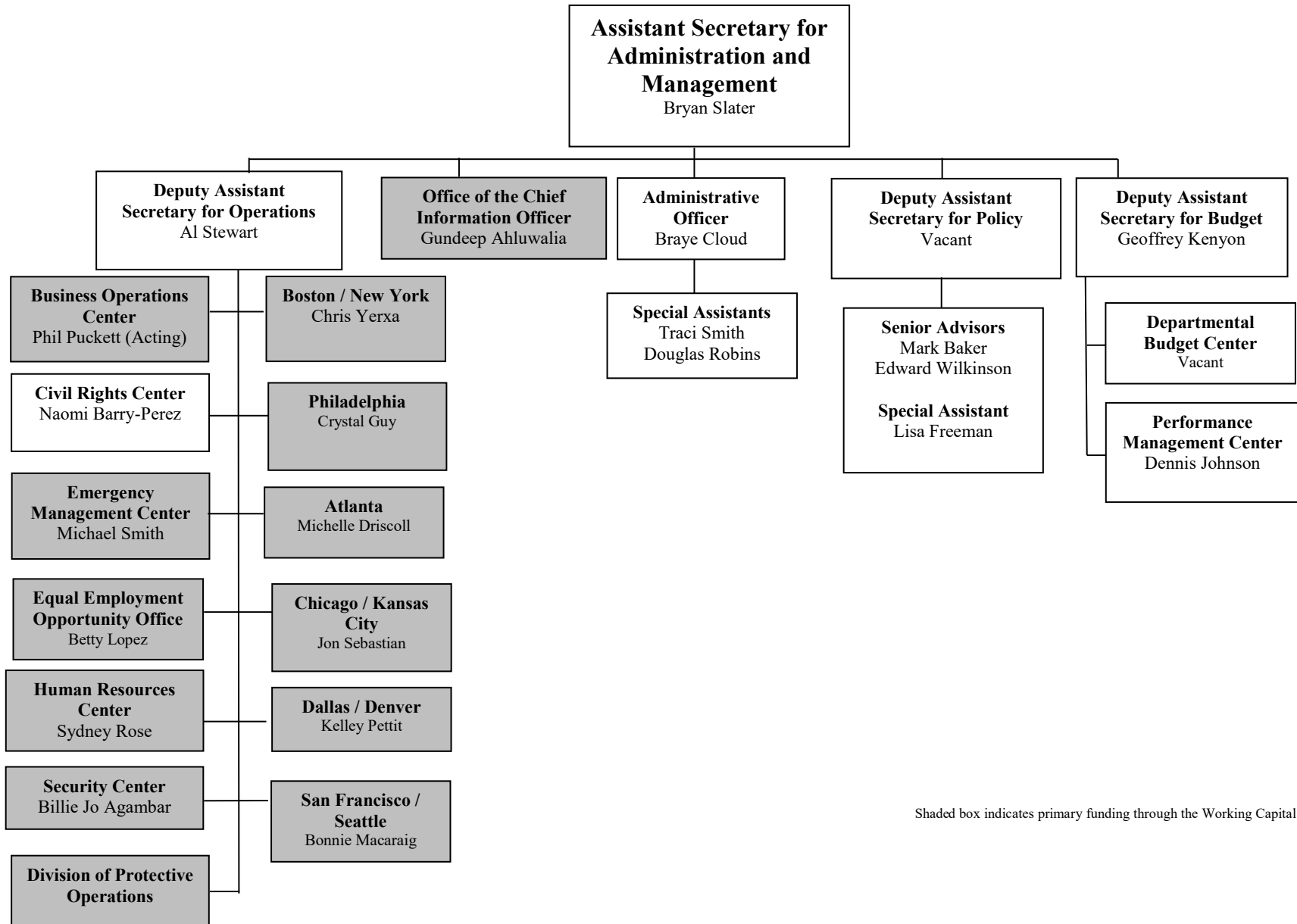
# DEPARTMENTAL MANAGEMENT

## INTERNATIONAL LABOR AFFAIRS BUREAU



# DEPARTMENTAL MANAGEMENT

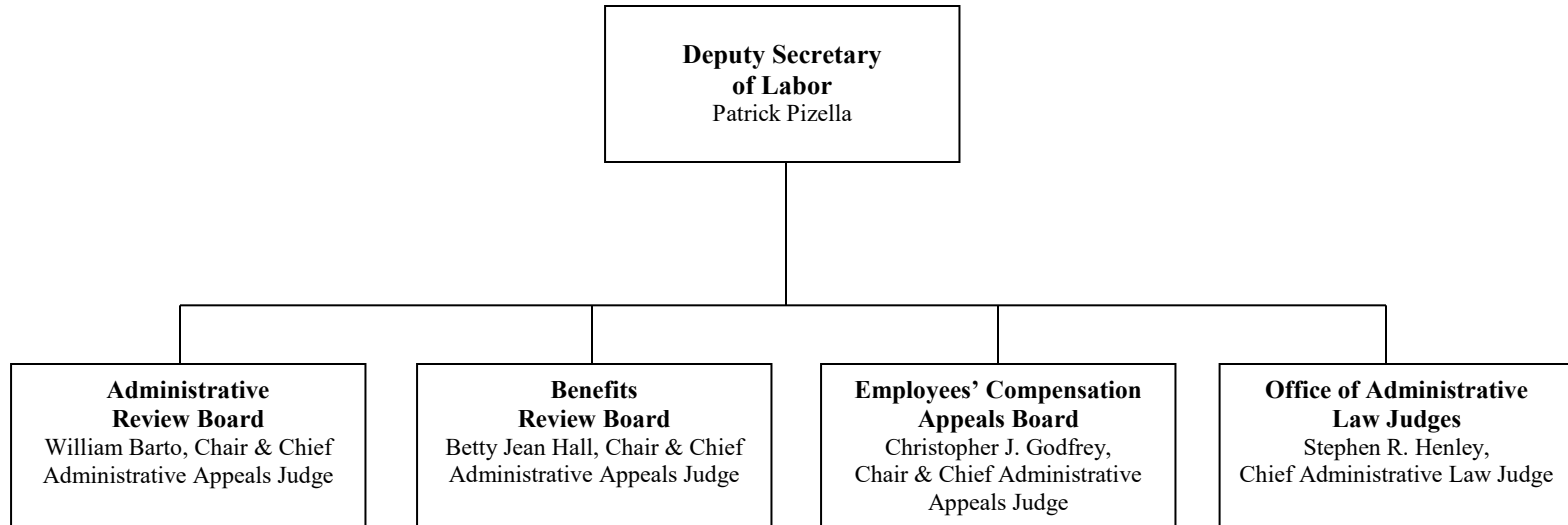
## OFFICE OF ASSISTANT SECRETARY FOR ADMINISTRATION AND MANAGEMENT



Shaded box indicates primary funding through the Working Capital Fund

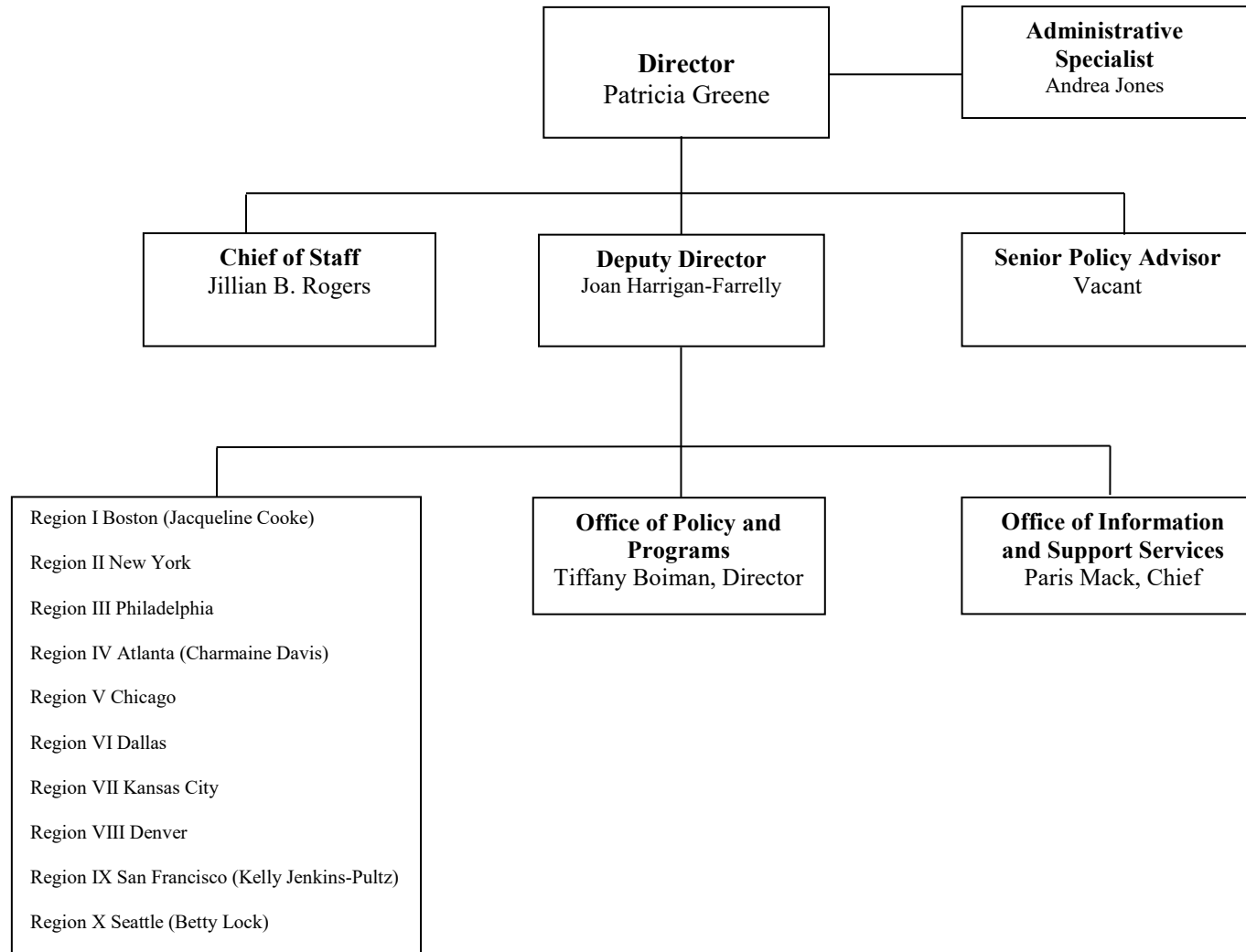
# DEPARTMENTAL MANAGEMENT

## ADJUDICATION



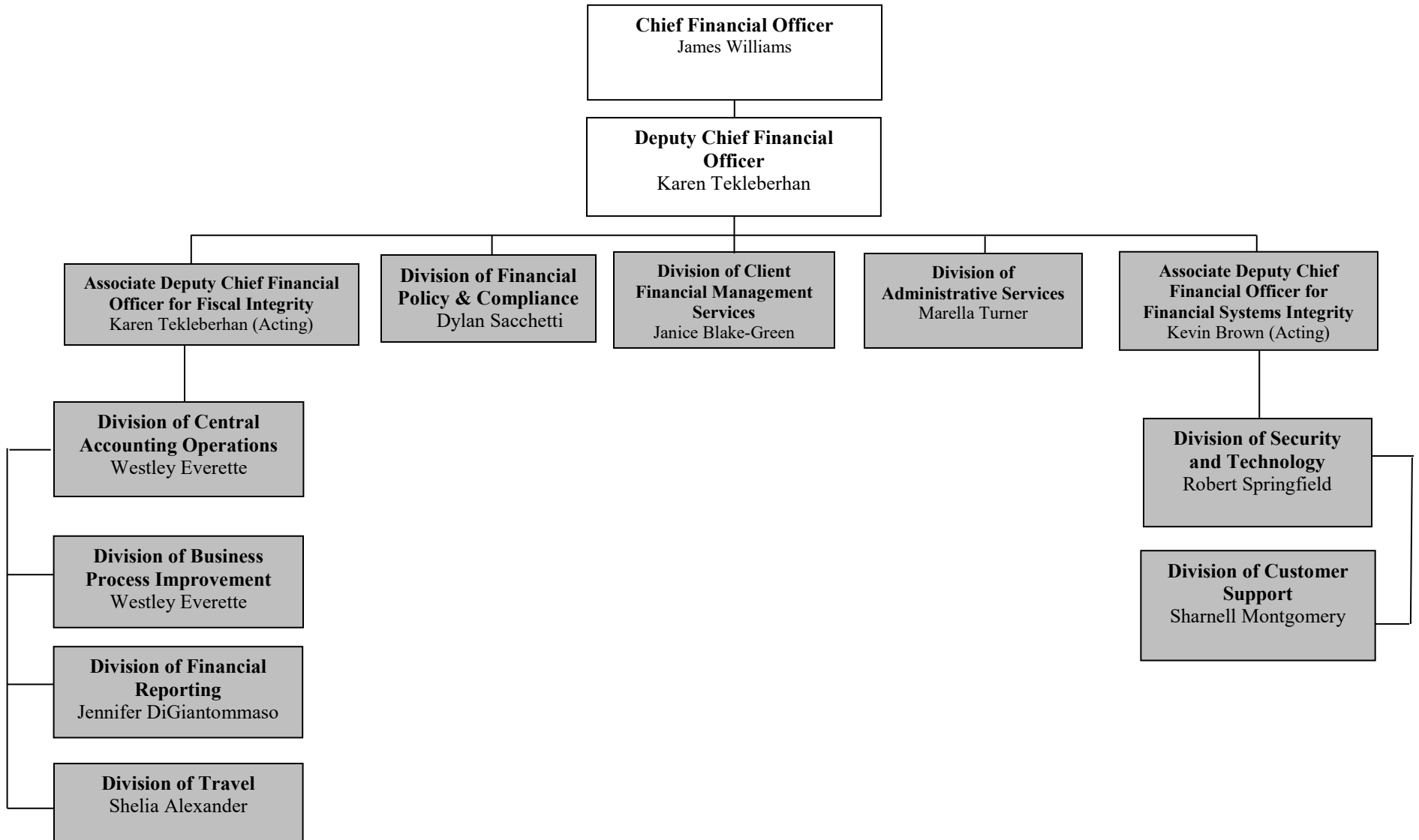
# DEPARTMENTAL MANAGEMENT

## WOMEN'S BUREAU



# DEPARTMENTAL MANAGEMENT

## OFFICE OF THE CHIEF FINANCIAL OFFICER







## PROGRAM DIRECTION AND SUPPORT

| <b>BUDGET AUTHORITY BEFORE THE COMMITTEE</b> |                            |                            |                            |  |
|--|----------------------------|----------------------------|----------------------------|--|
| (Dollars in Thousands)                       |                            |                            |                            |  |
|  | <b>FY 2018<br/>Enacted</b> | <b>FY 2019<br/>Enacted</b> | <b>FY 2020<br/>Request</b> | <b>Diff. FY20<br/>Request /<br/>FY19<br/>Enacted</b> |
| <b>Activity Appropriation</b>                | <b>29,500</b>              | <b>30,250</b>              | <b>32,027</b>              | <b>1,777</b>   |
| FTE  | 88                         | 105                        | 110                        | 5  |

NOTE: FY 2018 reflects actual FTE. Authorized FTE for FY 2018 was 90.

### **Introduction**

The Program Direction and Support (PDS) activity provides funding for the offices that offer centralized leadership and direction for the Department.

In addition to the Office of the Secretary of Labor and the Office of the Deputy Secretary of Labor, PDS includes the following offices:

*Office of Public Affairs:* The Office of Public Affairs (OPA) directs and coordinates the public affairs programs and activities of the U.S. Department of Labor. OPA is the chief adviser on public affairs to the Secretary, Deputy Secretary, agency heads, and departmental staff in developing communication strategies, public affairs, and media relations goals and objectives.

*Centers for Faith and Opportunity Initiatives:* The Centers for Faith and Opportunity Initiatives (CFOI) builds partnerships with faith-based groups, community organizations, and neighborhood leaders to better serve disadvantaged and underserved workers and job seekers.

*Office of Congressional and Intergovernmental Affairs:* The Office of Congressional and Intergovernmental Affairs is the principal representative for the Department’s legislative program and coordinates legislative proposals with staff of other Federal agencies.

*Office of the Assistant Secretary for Policy:* The Office of the Assistant Secretary for Policy (OASP) serves as a source of independent policy analysis and advice for the Secretary, Deputy Secretary, and the Department. Through its policy, data capacity and evaluation work, OASP supports the President’s Management Agenda Cross-Agency Priority Goal 2: Leveraging Data as a Strategic Asset. This goal focuses on “Leveraging data as a strategic asset to grow the economy, increase the effectiveness of the Federal Government, facilitate oversight and promote transparency. OASP’s work is primarily in seven areas:

- Policy and Data Analysis: OASP undertakes broad analytical studies of issues, identifies gaps in policy and data, and initiates policy planning and formulation to fill these gaps.
- Evaluation: The Chief Evaluation Office (CEO) coordinates DOL’s evaluation agenda and carries out consultative statistical and data analytical projects. CEO FTEs are funded in the Departmental Program Evaluation activity, where evaluation performance is reported.

## PROGRAM DIRECTION AND SUPPORT

- Regulatory Policy and Reform Officer: OASP serves as DOL’s Regulatory Policy Officer, as well as the Regulatory Reform Officer, and chairs the Department’s Regulatory Reform Task Force.
- Data Capacity: OASP hosts the DOL Data Board, a DOL interagency working group, to promote data capacity and establish a new data governance model advancing DOL’s management of data as a strategic asset and service. The move towards data-informed policymaking across the government has led to an increased need for a modern data infrastructure and strengthened data capacity.
- Office of Compliance Initiatives (OCI): OCI collaborates and partners with DOL agencies and the Office of the Solicitor to facilitate expansion and the further development of innovative approaches to compliance assistance and enforcement.
- Coordination: OASP engages agencies within the Department to coordinate and integrate policy initiatives with Secretarial and Administration objectives. OASP staff coordinates the Government Accountability Office review process, leads cross-agency initiatives, supports the implementation of agency-led policy initiatives, and offers policy feedback on and coordinates agency input into Secretarial communications.
- Liaison and Outreach: OASP acts as a liaison with nongovernmental organizations, the academic community, think tanks, and others to exchange expert views on matters relevant to labor policy and to ensure that broad public opinion informs the policy formulation process.

*Office of Public Liaison:* The Office of Public Liaison maintains 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**

| <b><u>Fiscal Year</u></b> | <b><u>Funding</u></b><br>(Dollars in Thousands) | <b><u>FTE</u></b> |
|---------------------------|---|-------------------|
| 2015                      | \$31,010  | 136               |
| 2016                      | \$31,010  | 136               |
| 2017                      | \$30,250  | 88                |
| 2018                      | \$30,250  | 90                |
| 2019                      | \$30,250  | 105               |

### **FY 2020**

The FY 2020 Budget request for the PDS activity is \$32,027,000 and 110 FTE. Funding at this level will provide for continued support of leadership on key DOL initiatives and mandates. OASP is requesting \$1,777,000 and 5 FTE to support development of the Office of Compliance Initiatives (OCI). Base resources are being used to establish the office in FY 2019, with additional resources required in FY 2020 to fully support the office. This high priority activity is the foundation for implementing the goal of providing employers, associations and workers with critical tools, services and information about their obligations and rights under Federal labor laws and regulations. Although the Department currently has some resources devoted to compliance assistance embedded in its agencies, there is a need to coordinate those efforts in a way that

## PROGRAM DIRECTION AND SUPPORT

allows the various enforcement agencies to better coordinate, and integrate their efforts to maximize the compliance assistance the Department can offer to American workers and employers. OCI will complement the Department's enforcement activities by providing leadership and support in advancing the expansion and development of innovative approaches to compliance assistance outreach and enforcement. OCI seeks to accomplish these goals through 4 key objectives:

1. Conduct **outreach** to business associations and employers through thoughtful and creative stakeholder engagement.
  - Engage national stakeholder associations and other Federal partners.
2. Create **innovative tools** to educate employers and workers about their obligations and rights under Federal labor laws and regulations. A key focus will be to help enforcement agencies more effectively use online resources to deliver information and compliance assistance to the American people.
  - Continue to build and expand on existing *elaws* Advisors, **Employer.gov**, and **Worker.gov** online resources.
  - Develop social media and new online compliance assistance tools.
  - Identify best practices and link them closely with agency enforcement strategies.
3. Foster a compliance assistance **culture** at the Department.
  - Share best practices and innovations with agency and field staff.
  - Work with agencies to develop compliance-assistance metrics to measure impact.
4. Leverage data **analysis** for more impactful compliance and enforcement strategies through DOL Data Board and enforcement agencies.
  - Enhance and expand upon data quality, sharing, and usage.
  - Develop behavioral insights and other economic resources to facilitate compliance.

Ultimately, more effective compliance assistance as a result of OCI's work and efforts will help the Department target its enforcement resources on repeat and willful violators.

### **FY 2019**

The FY 2019 revised enacted funding for PDS is \$30,250,000 and 105 FTE. High-priority activities in FY 2019 include establishing and funding the Office of Compliance Initiatives (OCI) within OASP. OCI will promote greater understanding of federal labor laws and regulations, allowing job creators to prevent violations and protect Americans' wages, workplace safety and health, retirement security, and other rights and benefits, and expand the Department's efforts to promote full compliance with federal labor laws. OCI will work with worker protection agencies to ensure they can more effectively target their compliance assistance activities and focus their enforcement resources on willful and repeat violators.

## **PROGRAM DIRECTION AND SUPPORT**

### **FY 2018**

The FY 2018 revised enacted funding for PDS was \$29,500,000. For FY 2018 OASP managed DOL's overall regulatory program and implemented regulatory reform efforts.

## PROGRAM DIRECTION AND SUPPORT

| <b>BUDGET ACTIVITY BY OBJECT CLASS</b> |  |                            |                            |                            |  |
|--|--|----------------------------|----------------------------|----------------------------|--|
| (Dollars in Thousands)                 |  |                            |                            |                            |  |
|  |  | <b>FY 2018<br/>Enacted</b> | <b>FY 2019<br/>Enacted</b> | <b>FY 2020<br/>Request</b> | <b>Diff. FY20<br/>Request /<br/>FY19<br/>Enacted</b> |
| 11.1                                   | Full-time permanent                                  | 10,782                     | 13,059                     | 13,954                     | 895  |
| 11.3                                   | Other than full-time permanent                       | 372                        | 383                        | 383                        | 0  |
| 11.5                                   | Other personnel compensation                         | 172                        | 239                        | 239                        | 0  |
| 11.9                                   | <b>Total personnel compensation</b>                  | <b>11,326</b>              | <b>13,681</b>              | <b>14,576</b>              | <b>895</b>   |
| 12.1                                   | Civilian personnel benefits                          | 4,555                      | 3,943                      | 4,223                      | 280  |
| 13.0                                   | Benefits for former personnel                        | 12                         | 0                          | 0                          | 0  |
| 21.0                                   | Travel and transportation of persons                 | 541                        | 417                        | 447                        | 30   |
| 22.0                                   | Transportation of things                             | 0                          | 0                          | 0                          | 0  |
| 23.1                                   | Rental payments to GSA                               | 1,657                      | 2,510                      | 2,510                      | 0  |
| 23.3                                   | Communications, utilities, and miscellaneous charges | 224                        | 226                        | 226                        | 0  |
| 24.0                                   | Printing and reproduction                            | 81                         | 209                        | 409                        | 200  |
| 25.1                                   | Advisory and assistance services                     | 1,387                      | 948                        | 1,048                      | 100  |
| 25.2                                   | Other services from non-Federal sources              | 300                        | 515                        | 361                        | -154   |
| 25.3                                   | Other goods and services from Federal sources 1/     | 4,608                      | 4,791                      | 5,217                      | 426  |
| 25.4                                   | Operation and maintenance of facilities              | 0                          | 2,685                      | 2,685                      | 0  |
| 25.5                                   | Research and development contracts                   | 0                          | 0                          | 0                          | 0  |
| 25.7                                   | Operation and maintenance of equipment               | 4,279                      | 82                         | 82                         | 0  |
| 26.0                                   | Supplies and materials                               | 161                        | 176                        | 176                        | 0  |
| 31.0                                   | Equipment  | 369                        | 67                         | 67                         | 0  |
| 42.0                                   | Insurance claims and indemnities                     | 0                          | 0                          | 0                          | 0  |
|  | <b>Total</b>   | <b>29,500</b>              | <b>30,250</b>              | <b>32,027</b>              | <b>1,777</b>   |
|  |  |                            |                            |                            |  |
|  | 1/Other goods and services from Federal sources      |                            |                            |                            |  |
|  | CIGIE  | 0                          | 0                          | 370                        | 370  |
|  | Working Capital Fund                                 | 3,982                      | 4,791                      | 4,847                      | 56   |
|  | DHS Services   | 626                        | 0                          | 0                          | 0  |

# PROGRAM DIRECTION AND SUPPORT

## CHANGES IN FY 2020

(Dollars in Thousands)

### Activity Changes

#### Built-In

To Provide For:

|  |      |
|--|------|
| Costs of pay adjustments                             | \$0  |
| Personnel benefits                                   | 0    |
| One day more of pay                                  | 66   |
| Federal Employees' Compensation Act (FECA)           | 32   |
| Benefits for former personnel                        | 0    |
| Travel and transportation of persons                 | 0    |
| Transportation of things                             | 0    |
| Rental payments to GSA                               | 0    |
| Communications, utilities, and miscellaneous charges | 0    |
| Printing and reproduction                            | 0    |
| Advisory and assistance services                     | 0    |
| Other services from non-Federal sources              | -154 |
| Working Capital Fund                                 | 56   |
| 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** **\$0**

**Net Program** **\$1,777**

**Direct FTE** **5**

|                         | Estimate        | FTE        |
|-------------------------|-----------------|------------|
| <b>Base</b>             | <b>\$30,250</b> | <b>105</b> |
| <b>Program Increase</b> | <b>\$1,777</b>  | <b>5</b>   |
| <b>Program Decrease</b> | <b>\$0</b>      | <b>0</b>   |

## LEGAL SERVICES

| <b>BUDGET AUTHORITY BEFORE THE COMMITTEE</b> |                            |                            |                            |  |
|--|----------------------------|----------------------------|----------------------------|--|
| (Dollars in Thousands)                       |                            |                            |                            |  |
|  | <b>FY 2018<br/>Enacted</b> | <b>FY 2019<br/>Enacted</b> | <b>FY 2020<br/>Request</b> | <b>Diff. FY20<br/>Request /<br/>FY19<br/>Enacted</b> |
| <b>Activity Appropriation</b>                | <b>132,890</b>             | <b>131,672</b>             | <b>136,497</b>             | <b>4,825</b>   |
| FTE  | 587                        | 599                        | 607                        | 8  |

### **Introduction**

The Office of the Solicitor of Labor (SOL) is the legal enforcement and support arm of DOL. 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 American workers and advises the Secretary and Departmental leadership on a full range of legal issues. As a result, SOL shares the 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 enforcement, 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/advice to the Secretary and to Departmental and agency officials.

In support of all DOL actions, SOL provides sound legal advice that is:

- timely;
- understandable;
- able to identify and mitigate legal risk;
- effective; and
- In line with clients' goals and priorities.

SOL's priorities for FY 2020 mirror the Department's budget and program priorities, and seek the funding necessary to enable SOL to provide timely and effective advice and litigation

## LEGAL SERVICES

services, in support of worker wages, benefits, safety, and rights, thus contributing to a sound economy and economic growth.

### **Five-Year Budget Activity History**<sup>3</sup>

| <b><u>Fiscal Year</u></b> | <b><u>Funding</u></b><br>(Dollars in Thousands) | <b><u>FTE</u></b> |
|---------------------------|---|-------------------|
| 2015                      | \$126,444                                       | 627               |
| 2016                      | \$125,308                                       | 616               |
| 2017                      | \$122,053                                       | 593               |
| 2018                      | \$124,053                                       | 597               |
| 2019                      | \$124,053                                       | 567               |

### **FY 2020**

In FY 2020, SOL is requesting \$136,497,000 and 607 FTE. This request includes three increases, described further below. This funding and FTE include General, Unemployment Trust Fund (UTF), and Black Lung Disability Trust Fund (BLDTF) funding. Reimbursement funding and FTE are not included in the above request.

This request includes a program increase of \$1,821,000 and 8 FTE to provide SOL with capacity to provide continuing legal services on demand in support of client agencies. Additional resources are needed to address anticipated proportionate increases in SOL's legal workload as a direct result of the President's and Secretary's priorities, in particular to address the burgeoning workload that will result from increased funding for the new Employee Benefits Security Administration (EBSA) budget initiatives, and increased staff in the agency, as reflected in EBSA's FY 2020 Budget request. These initiatives include EBSA's Multiple Employer Welfare Arrangement (MEWA) Financial Solvency enforcement initiative, which is targeted at investigating overpromising MEWAs at an earlier point than has historically been possible. Because of the expected growing number of MEWAs following the Department's 2018 promulgation of its Association Health Plan regulation, coupled with EBSA's enhanced enforcement efforts in this area, SOL anticipates a significant increase in legal service demand during the investigative stage of these new EBSA enforcement efforts, as well as in the number of legal actions SOL will file to safeguard participants in struggling ERISA plans. EBSA has sought an increase of \$10,000,000 to investigate self-insured AHPs or MEWAs that it identifies as showing warning signs of possible underfunding, mismanagement, or misconduct. SOL will also be called upon to provide enhanced legal services in support of EBSA's increased exercise of its MEWA cease and desist authority, which provide additional oversight and enforcement tools to address fraudulent and insolvent MEWAs and their operators.

In addition, SOL requests \$2,500,000 to support the Department's Worker Protection Agencies' IT Modernization efforts. The Department's total request for this initiative is \$20,000,000. Resources are requested to be placed directly in the following appropriations: Employee Benefits Security Administration, Office of Workers' Compensation Programs, Office of Federal Contract Compliance Programs, Office of Labor-Management Standards, Wage and Hour Division,

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<sup>3</sup> This table reflects direct discretionary funding sources and FTE.



## LEGAL SERVICES

Occupational Safety and Health Administration, Mine Safety and Health Administration, and the Office of the Solicitor in the Departmental Management appropriation. These resources will be managed by OCIO on behalf of the worker protection agencies, and OCIO will work in collaboration with the worker protection agencies to determine the specific funding requirements, and where funding can best support the Department's IT modernization efforts.

Finally, the request includes an increase of \$504,000 and no FTE in BLDTF to address workload increases in adjudication before Administrative Law Judges and the Benefits Review Board (BRB), in order to ensure the Black Lung Benefits program continues to be properly administered in addressing the needs of American workers. SOL represents the Director, Office of Workers' Compensation Programs (OWCP), in all black lung cases before the Office of Administrative Law Judges (OALJ), the BRB, and the U.S. Courts of Appeals. Because of an increase in black lung claims filings and increasing OALJ adjudication rates aimed at reducing case backlog, the number of black lung matters before the OALJ and BRB requiring SOL's involvement has multiplied over the last several years. For example, substantive filings by SOL in black lung cases before the BRB (*e.g.*, response briefs and motions for reconsideration) increased 85 percent in recent years, from 130 in FY 2015 to 240 in FY 2018. And, because of novel issues presented in black lung adjudications, SOL expends more resources per case than it ever has before. For example, since early 2017, litigants have raised constitutional challenges to ALJs' authority to decide claims in 12 black lung cases at the court of appeals, over 200 cases at the BRB, and in an estimated 800 or more cases at OALJ, all of which require a response from SOL. Likewise, OWCP program integrity, timeliness, and modernization efforts have and will continue to require significant SOL legal support. Absent additional resources, SOL will be unable to support black lung program improvements or meet its litigation obligations.

Absent these resources, SOL would not be as able to provide support for the workload generated by new Administration directives and initiatives, or to keep pace with the demands for legal services to support ongoing programs and activities, which span the full breadth of DOL programs, enforcement, and compliance assistance activities. Ultimately, this would result in slower or deferred provision of legal services given the limited specialty and professional resources that are required to meet client demands for legal support as they engage in new and innovative efforts to help America's working men and women and job creators.

### **FY 2019**

In FY 2019, SOL's enacted funding level is \$131,672,000 and 599 FTE. SOL will use 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. In particular, SOL will work closely with its client agencies to support implementation of new administration priorities such as expanding access to health plans, regulatory reform and compliance assistance, improvements to departmental management through shared service and other efficiencies, and provision of sound program opinion and advice, pre-litigation, and litigation support in support of the department's enforcement and benefit priorities.

## LEGAL SERVICES

### **FY 2018**

In FY 2018, SOL's revised enacted funding level was \$132,890,000. Actual FTE use was 587. 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 regulatory reform efforts, compliance assistance, improvements to departmental management through shared service and other administrative initiatives, as well as enforcement and benefit program opinion and advice, pre-litigation, and litigation support.

## LEGAL SERVICES

| <b>WORKLOAD AND PERFORMANCE SUMMARY</b>                     |                            |               |                            |                            |               |
|---|----------------------------|---------------|----------------------------|----------------------------|---------------|
|   | <b>FY 2018<br/>Enacted</b> |               | <b>FY 2019<br/>Enacted</b> | <b>FY 2020<br/>Request</b> |               |
|   | <b>Target</b>              | <b>Result</b> | <b>Target</b>              | <b>Target</b>              |               |
| <b>Legal Services</b>                                       |                            |               |                            |                            |               |
| <b>Strategic Goal ALL - All Strategic Goals</b>             |                            |               |                            |                            |               |
| <b>Strategic Objective ALL.1 - All Strategic Objectives</b> |                            |               |                            |                            |               |
| <b>Pre Litigation:</b>                                      |                            |               |                            |                            |               |
| PRE-01  | Matters Opened             | 3,100[p]      | 3,197                      | 3,200[p]                   | 3,250[p]      |
| PRE-02  | Matters Concluded          | 2,900[p]      | 3,067                      | 3,100[p]                   | 3,150[p]      |
| PRE-04  | Matters Pending            | 3,100[p]      | 3,088                      | 3,150[p]                   | 3,150[p]      |
| <b>Litigation:</b>  |                            |               |                            |                            |               |
| LIT-01  | Matters Opened             | 7,900[p]      | 7,680                      | 7,800[p]                   | 7,900[p]      |
| LIT-02  | Matters Concluded          | 10,100[p]     | 10,069                     | 10,200[p]                  | 10,300[p]     |
| LIT-04  | Matters Pending            | 10,900[p]     | 10,092                     | 10,300[p]                  | 10,400[p]     |
| <b>Total</b>  |                            | <b>28,900</b> | <b>27,841</b>              | <b>28,300</b>              | <b>28,600</b> |
| <b>Opinion/Advice:</b>                                      |                            |               |                            |                            |               |
| OA-01   | Matters Opened             | 7,700[p]      | 9,139                      | 9,300[p]                   | 9,400[p]      |
| OA-02   | Matters Concluded          | 7,300[p]      | 9,789                      | 9,850[p]                   | 9,950[p]      |
| OA-04   | Matters Pending            | 21,550[p]     | 21,240                     | 21,500[p]                  | 21,800[p]     |
| <b>Regulations:</b>   |                            |               |                            |                            |               |

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| <b>WORKLOAD AND PERFORMANCE SUMMARY</b> |                   |                            |               |                            |                            |
|---|-------------------|----------------------------|---------------|----------------------------|----------------------------|
|   |                   | <b>FY 2018<br/>Enacted</b> |               | <b>FY 2019<br/>Enacted</b> | <b>FY 2020<br/>Request</b> |
|   |                   | <b>Target</b>              | <b>Result</b> | <b>Target</b>              | <b>Target</b>              |
| REG-01                                  | Matters Opened    | 94[p]                      | 56            | 60[p]                      | 63[p]                      |
| REG-02                                  | Matters Concluded | 100[p]                     | 48            | 50[p]                      | 53[p]                      |
| REG-04                                  | Matters Pending   | 122[p]                     | 104           | 105[p]                     | 108[p]                     |

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

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## 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/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.

SOL's FY 2020 workload performance targets are best estimates based on FY 2018 year-end results, and actual to-date and projected final results for FY 2019. The FY 2020 projections are further informed by analysis of SOL's matter data as a reflection of SOL's client agencies' requests for legal services. It should be noted that simple matter counts do not capture variations in the level of effort and resource investment SOL may need to make for a given matter, especially with respect to highly complex litigation or regulation matters.

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| <b>BUDGET ACTIVITY BY OBJECT CLASS</b> |  |                            |                            |                            |  |
|--|--|----------------------------|----------------------------|----------------------------|--|
| (Dollars in Thousands)                 |  |                            |                            |                            |  |
|  |  | <b>FY 2018<br/>Enacted</b> | <b>FY 2019<br/>Enacted</b> | <b>FY 2020<br/>Request</b> | <b>Diff. FY20<br/>Request /<br/>FY19<br/>Enacted</b> |
| 11.1                                   | Full-time permanent                                  | 76,561                     | 75,490                     | 77,063                     | 1,573  |
| 11.3                                   | Other than full-time permanent                       | 409                        | 411                        | 411                        | 0  |
| 11.5                                   | Other personnel compensation                         | 1,355                      | 1,338                      | 1,338                      | 0  |
| 11.8                                   | Special personal services payments                   | 5                          | 5                          | 5                          | 0  |
| <b>11.9</b>                            | <b>Total personnel compensation</b>                  | <b>78,330</b>              | <b>77,244</b>              | <b>78,817</b>              | <b>1,573</b>   |
| 12.1                                   | Civilian personnel benefits                          | 23,600                     | 23,249                     | 23,727                     | 478  |
| 13.0                                   | Benefits for former personnel                        | 20                         | 45                         | 45                         | 0  |
| 21.0                                   | Travel and transportation of persons                 | 425                        | 600                        | 637                        | 37   |
| 22.0                                   | Transportation of things                             | 0                          | 0                          | 0                          | 0  |
| 23.0                                   | Rent, Communications, and Utilities                  | 0                          | 0                          | 0                          | 0  |
| 23.1                                   | Rental payments to GSA                               | 7,849                      | 7,904                      | 7,904                      | 0  |
| 23.2                                   | Rental payments to others                            | 6                          | 13                         | 16                         | 3  |
| 23.3                                   | Communications, utilities, and miscellaneous charges | 824                        | 561                        | 581                        | 20   |
| 24.0                                   | Printing and reproduction                            | 20                         | 12                         | 18                         | 6  |
| 25.1                                   | Advisory and assistance services                     | 0                          | 0                          | 0                          | 0  |
| 25.2                                   | Other services from non-Federal sources              | 1,511                      | 248                        | -105                       | -353   |
| 25.3                                   | Other goods and services from Federal sources 1/     | 17,122                     | 19,372                     | 19,787                     | 415  |
| 25.4                                   | Operation and maintenance of facilities              | 1                          | 30                         | 40                         | 10   |
| 25.5                                   | Research and development contracts                   | 0                          | 0                          | 0                          | 0  |
| 25.7                                   | Operation and maintenance of equipment               | 771                        | 1,357                      | 3,915                      | 2,558  |
| 26.0                                   | Supplies and materials                               | 591                        | 916                        | 950                        | 34   |
| 31.0                                   | Equipment  | 1,820                      | 121                        | 165                        | 44   |
| 42.0                                   | Insurance claims and indemnities                     | 0                          | 0                          | 0                          | 0  |
|  | <b>Total</b>   | <b>132,890</b>             | <b>131,672</b>             | <b>136,497</b>             | <b>4,825</b>   |
|  |  |                            |                            |                            |  |
|  | 1/Other goods and services from Federal sources      |                            |                            |                            |  |
|  | CIGIE  | 1,250                      | 0                          | 169                        | 169  |
|  | Working Capital Fund                                 | 15,391                     | 19,372                     | 19,458                     | 86   |
|  | DHS Services   | 481                        | 0                          | 0                          | 0  |

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## CHANGES IN FY 2020

(Dollars in Thousands)

### Activity Changes

#### Built-In

To Provide For:

|  |      |
|--|------|
| Costs of pay adjustments                             | \$0  |
| Personnel benefits                                   | 0    |
| One day more of pay                                  | 359  |
| Federal Employees' Compensation Act (FECA)           | 112  |
| 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              | -557 |
| Working Capital Fund                                 | 86   |
| 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** **\$0**

**Net Program** **\$4,825**

**Direct FTE** **8**

|                         | Estimate         | FTE        |
|-------------------------|------------------|------------|
| <b>Base</b>             | <b>\$131,672</b> | <b>599</b> |
| <b>Program Increase</b> | <b>\$4,825</b>   | <b>8</b>   |
| <b>Program Decrease</b> | <b>\$0</b>       | <b>0</b>   |





## INTERNATIONAL LABOR SERVICES

| <b>BUDGET AUTHORITY BEFORE THE COMMITTEE</b> |                            |                            |                            |  |
|--|----------------------------|----------------------------|----------------------------|--|
| (Dollars in Thousands)                       |                            |                            |                            |  |
|  | <b>FY 2018<br/>Enacted</b> | <b>FY 2019<br/>Enacted</b> | <b>FY 2020<br/>Request</b> | <b>Diff. FY20<br/>Request /<br/>FY19<br/>Enacted</b> |
| <b>Activity Appropriation</b>                | <b>86,125</b>              | <b>86,125</b>              | <b>18,500</b>              | <b>-67,625</b>                                       |
| FTE  | 110                        | 114                        | 94                         | -20  |

NOTE: FY 2018 reflects actual FTE. Authorized FTE for FY 2018 was 108.

### **Introduction**

The Bureau of International Labor Affairs (ILAB) promotes a fair global playing field for workers and businesses in the United States and around the world by enforcing trade commitments, strengthening labor standards, and combating international child labor, forced labor, and human trafficking. These efforts support DOL’s Strategic Goal to promote safe jobs and fair workplaces for all Americans.

When other countries fail to enforce their labor laws, do not abide by their trade-related labor commitments, or allow exported goods to be produced through child labor, forced labor, or in other exploitative labor conditions, they gain an unfair competitive advantage that can harm workers and businesses in the United States. ILAB’s work supports U.S. workers and others around the world by:

- **Monitoring and enforcing labor provisions of U.S. trade agreements and preference programs.** ILAB negotiates, monitors, and enforces the labor provisions of trade agreements and trade preference programs, including the recently completed labor chapter of the U.S. – Mexico – Canada Free Trade Agreement, as part of its work to ensure that trade partners do not reduce workers’ protections in order to gain an unfair trade advantage or attract investment.
- **Strengthening global labor standards to promote a level playing field for U.S. workers and businesses.** ILAB represents U.S. interests on labor and employment issues at the International Labor Organization (ILO), G-20, G-7, Organization for Economic Co-operation and Development (OECD), and other multilateral institutions.
- **Combating exploitative child labor, forced labor, and human trafficking.** ILAB conducts in-depth research and produces reporting on child labor, forced labor, and human trafficking in more than 150 countries around the world. This reporting includes the annual *Findings on the Worst Forms of Child Labor*, as required by the Trade and Development Act of 2000; the *List of Goods Produced with Child Labor or Forced Labor* (TVPR List), as mandated by the Trafficking Victims Protection Reauthorization Act of 2018; and the *List of Goods Produced by Forced or Indentured Child Labor*, as mandated by Executive Order 13126.

# INTERNATIONAL LABOR SERVICES

## Five-Year Budget Activity History

| <u>Fiscal Year</u> | <u>Funding</u><br>(Dollars in Thousands) | <u>FTE</u> |
|--------------------|--|------------|
| 2015               | \$91,125                                 | 106        |
| 2016               | \$86,125                                 | 112        |
| 2017               | \$86,125                                 | 116        |
| 2018               | \$86,125                                 | 108        |
| 2019               | \$86,125                                 | 114        |

## FY 2020

The FY 2020 request for ILAB is \$18,500,000 and 94 FTE. This funding level includes a program decrease of \$59,825,000 to eliminate new grants and a program decrease of \$7,800,000 to reduce staff levels. This reduction reflects the workload decrease associated with the elimination of new grants as well as a reduction in other ILAB work activities. ILAB will have continued representation for U.S. labor and employment priorities at the ILO, G20, G7, and in bilateral engagements. ILAB will focus available resources on efforts to make U.S. trade agreements fair for U.S. workers by monitoring and enforcing the labor provisions of free trade agreements (FTAs) and trade preference programs to ensure a fair global playing field for U.S. workers and businesses.

### Ensuring U.S. trade agreements and preference programs are fair for American workers

With the resources requested, ILAB will strategically focus on monitoring and enforcing the labor provisions of the 19 U.S. FTAs that include such provisions. ILAB will also conduct targeted monitoring and enforcement of the labor provisions of trade preference programs with more than 130 countries under the Generalized System of Preferences (GSP), and the African Growth and Opportunity Act (AGOA).

ILAB will continue to act as the principal liaison with U.S. trading partners for the administration of FTA labor subcommittees and labor cooperation mechanisms. ILAB will also work to negotiate strong, enforceable, and clear labor provisions in any trade agreements negotiated or renegotiated in FY 2020 to ensure American workers' equities are protected, and conduct research on labor rights and to analyze the expected employment impact of trade and international investment flows and policies on workers and employers in the United States, per the terms of current Trade Promotion Authority.

ILAB will continue to work with interagency partners, as well as workers and businesses, to improve compliance with labor standards. These efforts will be bolstered by targeted technical cooperation and research to strengthen labor law enforcement and compliance with the labor requirements of U.S. trade agreements and preference programs.

ILAB will work with the U.S. Department of State and the Office of the U.S. Trade Representative to conduct assessments of labor conditions in relevant countries.

### Improving global labor working conditions to ensure a level playing field for U.S. workers

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ILAB will strategically use its leadership and expertise on international labor issues to promote U.S. labor and employment policies that benefit workers and businesses in the United States and around the world, support stronger and more inclusive global growth, and shape policy priorities among major trading partners. ILAB will strategically focus on promoting and defending U.S. Government's interests and policies in international fora, such as the ILO, G20, G7, and OECD, and ensuring that U.S. priorities are reflected in the international organizations' policies and programs. Similarly, ILAB will pursue more strategic dialogue and bilateral diplomacy with countries to help level the playing field for U.S. workers and companies while helping to bolster markets for American goods and services. ILAB will conduct strategic informational exchanges between DOL and foreign governments to influence policies and enable senior DOL officials to share with, and learn from, practices, policies and programs used in other countries.

ILAB also draws lessons from research identifying global best practices in labor market policy and works closely with DOL's domestic agencies and other U.S. government partners to use these lessons to further policies that support quality job creation in the United States.

### Combating international child labor, forced labor, and human trafficking to ensure fair competition for U.S. workers and businesses

ILAB will continue its efforts to combat exploitative child labor, forced labor, and human trafficking. ILAB will focus its engagement to countries that are key trading partners with the United States to help prevent goods made under exploitative conditions from being imported into the U.S. market. ILAB will seek statutory changes from Congress to be able to report less frequently on international progress in combating the worst forms of child labor, forced labor, and human trafficking, including through its annual *Findings on the Worst Forms of Child Labor* and TVPRA List. ILAB will also seek to eliminate the stand-alone reporting for E.O. 13126 - *List of Goods Produced by Forced or Indentured Child Labor* and incorporate this information in other ILAB reports. This will enable ILAB to maintain the accuracy and reliability of information reported in ILAB's reports, while supporting policy engagement efforts to assist governments in addressing suggested actions identified through its reporting. ILAB will strategically work with key countries, workers, businesses, and civil society to address the child labor or forced labor that lead to inclusion of a good on ILAB's TVPRA List by providing a systematic framework to support removal of a good from the TVPRA List through the collection of information and development of effective systems.

ILAB will strategically work with governments to strengthen legal frameworks, enforcement actions, and policies and programs to end child labor and forced labor. ILAB will also strategically work with businesses and trade associations to help them identify risks, provide appropriate remediation services to those impacted by these abusive practices, and take steps to ensure that these labor abuses are not part of their global supply chains.

### Effective oversight of existing technical assistance grants

ILAB will provide oversight and steadily close out grants in its portfolio. ILAB will ensure that: (1) project funds are spent according to U.S. government and DOL requirements; (2) projects

## INTERNATIONAL LABOR SERVICES

achieve stated outcomes; and (3) projects are evaluated to identify good practices. ILAB will use results and findings from implementation evaluations and previously funded impact evaluations to inform the implementation of its current projects and to make information available to the public, as required by regulation.

### **FY 2019**

The FY 2019 ILAB enacted level is \$86,125,000 and 114 FTE, which maintained ILAB's funding levels from FY 2018.

Throughout FY 2019, ILAB will continue to focus its efforts and resources on ensuring that U.S. trade agreements are fair for U.S. workers by monitoring and enforcing the labor provisions of FTAs and trade preference programs, and working to secure strong labor provisions in any new FTAs negotiated this year. ILAB will continue representation of U.S. labor and employment priorities at the ILO, G20, G7, and in bilateral engagements. ILAB will continue efforts to combat exploitative child labor, forced labor, and human trafficking through research, policy engagement, and technical assistance activities.

### **Ensuring U.S. trade agreements and preference programs are fair for American workers**

ILAB will focus on monitoring and enforcing the labor provisions of the 19 U.S. FTAs that include such provisions. It will also conduct targeted monitoring and enforcement of the labor provisions of trade preference programs with over 125 countries under GSP and AGOA. To accomplish this objective, ILAB will use a three-pronged strategy:

- (1) Conduct rigorous monitoring and research: proactively identify the most critical and high-priority labor concerns in trade partner countries, assess and affirmatively target those concerns, and develop the means to address them;
- (2) Increase efficiencies in receiving and reviewing trade complaints: develop streamlined processes for receiving, reviewing, and analyzing public complaints that allege a trade partner is not complying with its labor-related trade obligations, as well as for publishing reports that analyze the facts underlying the complaint and determine whether subsequent U.S. government trade enforcement actions are warranted; and
- (3) Identify and leverage a range of trade enforcement and engagement tools, including technical assistance projects: creatively use a variety of tools to enforce labor provisions of free trade agreements and trade preference programs, including trade and diplomatic leverage, policy engagement, involvement in international and multilateral organizations, targeted technical assistance projects, and direct capacity building, among others.

ILAB will continue to act as the principal liaison with U.S. trading partners for the administration of FTA labor subcommittees and labor cooperation mechanisms. ILAB will also work to negotiate strong, enforceable, and clear labor provisions in any trade agreements negotiated or renegotiated in FY 2019 and conduct research on labor rights and the expected employment impact in the United States, per the terms of current Trade Promotion Authority.

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ILAB will work closely with the U.S. Department of State and the Office of the U.S. Trade Representative in relevant countries to assure reliable on-the-ground assessments of labor conditions. For example, ILAB will participate as the principal expert on worker rights in the new U.S. Trade Representative-led assessment of GSP beneficiary country eligibility. The assessment will focus on Latin America and Europe in FY 2019.

### Improving global working conditions to ensure a level playing field for U.S. workers

In FY 2019, ILAB will continue to use its leadership and expertise on international labor issues to promote U.S. labor and employment policies that benefit workers and businesses in the United States and around the world. ILAB will continue to focus on promoting and defending U.S. Government's interests and policies in international fora, such as the ILO, G20, G7, and OECD, and ensure U.S. priorities are reflected in the international organizations' policies and programs. Similarly, ILAB will pursue dialogue and informational exchanges between DOL and foreign governments to influence policies and enable senior DOL officials to share with, and learn from, practices, policies, and programs used in other countries. ILAB will promote the Administration's perspective under the Japanese Presidency of the G20 in 2019 and at meetings of the Inter-American Conference of Ministers of Labor and Asia-Pacific Economic Cooperation.

### Combating international child labor, forced labor, and human trafficking to ensure fair competition for U.S. workers and businesses

ILAB will continue and expand efforts to combat exploitative child labor, forced labor, and human trafficking. ILAB will focus on countries that are key trading partners with the United States to help prevent goods made under exploitative conditions from being imported into the U.S. market. ILAB will continue its reporting on international progress to combat the worst forms of child labor, including child trafficking, through its annual *Findings on the Worst Forms of Child Labor*, as required by the Trade and Development Act of 2000; its TVPRA List, as mandated by the Trafficking Victims Protection Reauthorization Act of 2018; and its *List of Goods Produced by Forced or Indentured Child Labor*, as mandated by Executive Order 13126. ILAB will also take steps to address the new research and reporting requirements in the Trafficking Victims Prevention and Protection Reauthorization Act of 2018, which calls for the inclusion of goods, as practical, that are produced with inputs made with child labor or forced labor in violation of international standards. This may include developing a new research methodology, conducting and/or funding independent research in supply chains of certain goods, and systematically analyzing the information prior to the next scheduled publication of the TVPRA List in 2020.

ILAB will maintain the accuracy and reliability of information reported in these reports, while supporting policy engagement efforts to assist governments in addressing suggested actions identified through its reporting. ILAB will provide tools for governments and business to address these challenges, including our Sweat & Toil and Comply Chain mobile applications, and will continue to work with countries and businesses to address the child labor or forced labor that lead to inclusion of a good on its TVPRA List. ILAB will provide them with a systematic

## INTERNATIONAL LABOR SERVICES

framework to demonstrate the steps that can be taken to support removal of a good from the TVPRA List through the collection of information and development of effective systems.

### Technical assistance to address workers' rights issues and combat exploitative child labor

ILAB makes grants for technical assistance to promote fair working conditions in FTA and trade preference partner countries and to combat exploitative child labor internationally. In FY 2019, ILAB will focus technical assistance activities to advance specific priorities of the administration, including in the following areas: supporting the rule of law and other Administration priorities in Mexico and Colombia; strengthening enforcement of trade agreements and preference programs in other priority countries; global women's economic empowerment; and combating modern slavery and the worst forms of child labor.

### Effective oversight of existing technical assistance grants

In FY 2019, ILAB will continue to oversee its grants portfolio. ILAB will ensure that: (1) project funds are spent according to U.S. government and DOL requirements; (2) projects achieve desired outcomes; and (3) lessons are learned and incorporated into existing projects. ILAB will use results and findings from implementation evaluations and previously funded impact evaluations to inform and improve the implementation of its current projects and to make this information available to the public for broader use.

### **FY 2018**

The FY 2018 ILAB enacted budget of \$86,125,000 continued ILAB's funding at FY 2017 levels. ILAB continued to enhance its effectiveness and results without an increase in program resources by deepening and expanding its use of an integrated, systemic approach to country engagement as well as focusing its efforts on strategic areas of importance where political will and regional or country-specific prioritization allowed for greater progress.

### Ensuring U.S. trade agreements and preference programs are fair for American workers

ILAB continued its 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.

ILAB monitored and enforced labor obligations under FTAs through analysis of each country's labor practices and engaged with the country to remedy the problems identified. In some cases, ILAB staff or consultants worked directly to assist ministries of labor to improve their capacity to enforce international labor standards and other agreements.

ILAB continued to hold trade partner countries to their labor-related trade commitments to the U.S., including through engagement following up on submissions made under various FTAs, alleging non-compliance with those agreements. ILAB continued to monitor and engage on submissions against Colombia, Honduras, Peru, the Dominican Republic, and Mexico. These

## INTERNATIONAL LABOR SERVICES

engagements resulted in historic legal reforms and improved labor law enforcement in multiple countries.

To assist in these efforts, ILAB selected a labor attaché position for the U.S. Embassy in Bogota, Colombia, to help address the Colombia Labor Action Plan recommendations related to the submission filed under the FTA.

Systematic research and analysis on the status of labor rights in trade partner countries allowed ILAB to coherently target policy engagement – including trade enforcement actions and technical cooperation activities – to specific countries and issues where the maximum impact could be achieved. Enforcement included consideration and adjudication of formal submissions lodged under labor provisions of trade agreements, or under the preference petition process. In addition, the GSP and AGOA preference programs have annual review cycles, under which ILAB closely reviewed countries' compliance with the worker rights eligibility criterion of those programs and selects priority countries for engagement. ILAB took a strong enforcement stance that ultimately led the President to withdraw Mauritania's eligibility from the AGOA program. Additionally, as it was the first year of the formal GSP assessment program, ILAB spent considerable resources developing a system for conducting the assessment, gathering information about countries in Asia which were under review, and engaging with the interagency advocating for DOL priorities. These enforcement activities 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 could 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 developed a USG-wide system for sharing sensitive information that improved interagency engagement with key trading partners.

### Improving global working conditions to ensure a level playing field for U.S. workers

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 OECD and the labor bodies of other international and regional organizations, including the Asia Pacific Economic Cooperation Forum (APEC), the Inter-American Conference of the Ministries of Labor (IACML) of the Organization of American States 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 U.S. Department of State to advance U.S. foreign policy interests, promote labor

## INTERNATIONAL LABOR SERVICES

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.

### Combating international child labor, forced labor and human trafficking to ensure fair competition for U.S. workers and businesses

ILAB continued to take a strategic and global approach to optimize efforts to address the root causes of child and forced labor, including a focus on countries that are key trading partners with the United States to help prevent goods made under exploitative conditions from being imported into the U.S. market. 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 family livelihoods and empowering adult workers, raising awareness of child labor and forced labor, strengthening policies on child labor and education, and building and mainstreaming the capacity of national institutions to address these issues.

ILAB continued to collect reliable data on exploitative child labor and forced labor in order to meet Congressional reporting mandates and mobilize governments and a wide array of other actors to address the problem. ILAB's *Findings on the Worst Forms of Child Labor*, as mandated by the Trade and Development Act of 2000, reported on the efforts of more than 130 trade beneficiary countries under the Generalized System of Preferences program to implement their commitments to eliminate the worst forms of child labor. The 2018 report included the most stringent criteria ever for countries to receive the report's highest rating. It also provided more than 1,700 country-specific actions that governments could implement in order to accelerate progress in their fight against child labor, including 1,100 related to improvements in and enforcement of laws. ILAB's 2018 TVPRA List, as mandated by the Trafficking Victims Protection Reauthorization Act of 2005, added 10 new goods produced with forced labor or exploitative child and one new country. The 2018 edition also featured four removals of goods, which represents the largest number of removals in a single year. With these updates, the TVPRA List includes 148 goods from 76 countries, and a total of 418 line items. In addition, ILAB released updates to both its *Comply Chain* and *Sweat & Toil* mobile phone applications on the iTunes and Google Play stores in 2018. To expand the utility of the *Comply Chain* application around the world, ILAB also released versions in French and Spanish.

ILAB took steps to apply the knowledge gained from its various evaluations to inform decisions about the replication and scaling up of interventions. Previous implementation evaluations have assessed ILAB's holistic approach to addressing child labor through a combination of institutional capacity-building, awareness-raising, and pilot education and livelihood interventions. In turn, ILAB has used learning from these implementation evaluations to inform new project design and investment of ILAB resources. For example, based on strong results from implementation evaluations of technical assistance projects in Colombia and Peru, ILAB allocated additional funds to support expansion of these two projects. In Colombia, funding is supporting the replication and expansion of innovative work with vulnerable population in coal



## INTERNATIONAL LABOR SERVICES

and gold mining communities, including efforts to address gender issues in mining, which the government and private sector partners hope to replicate and scale up. In Peru, FY18 funds will allow for the expansion of strategies for addressing child labor in agricultural supply chains, an approach the government has committed to scaling up nationally.

In addition, ILAB has several ongoing impact evaluations that are evaluating the effectiveness of various child labor-related interventions. Several of these impact evaluations focus on interventions that have been deemed promising candidates for replication, including multi-grade rural school programs in Latin America and farmer field schools in Africa. ILAB will use the lessons learned from these impact evaluations to strengthen future projects when results are available.

### Technical assistance to address workers' rights issues and combat exploitative child labor

ILAB makes grants for technical assistance to promote fair working conditions in FTA and trade preference partner countries and to combat exploitative child labor internationally. In FY 2018, ILAB focused technical assistance activities to advance specific priorities of the administration, including in the following areas: strict enforcement of trade agreements and trade preference programs, combating modern slavery and the worst forms of child labor, global women's economic empowerment, Southeast Asia in the context of Indo-Pacific relations, and G20 and G7 Administration priorities.

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## Detailed Workload Performance Narrative

In support of its FY 2020 Budget request, ILAB will implement performance measures to demonstrate the effectiveness of the following priority strategies:

- Ensuring U.S. trade agreements and preference programs are fair for American workers;
- Improving global working conditions to ensure a level fair playing field for U.S. workers and businesses; and
- Combating international child labor, forced labor, and human trafficking to ensure fair competition for U.S. workers and businesses.

During FY 2019, ILAB will begin implementation of new measures that were piloted in FY 2018. These new measures and their definitions were developed and piloted in FY 2018 to ensure they align with ILAB's strategic focus and Administration priorities.

In FY 2020, ILAB will work to:

- Increase the capacity of countries to address child labor, forced labor, trafficking in persons, and other violations of workers' rights;
- Improve key foreign government enforcement of labor laws or other labor-related trade commitments to the United States; and
- Improve access to education, training, or other appropriate services for individuals engaged in or at high risk of entering forced labor or child labor.

All of these activities contribute to assessing the effectiveness of all three ILAB priority strategies, as implementation of the strategies are not mutually exclusive but often occur in tandem as ILAB uses multiple avenues and tools in order to achieve its goal.

The successful achievement of ILAB's strategic goal does not rely solely on ILAB's performance. External factors outside ILAB's control will influence the agency's achievement of its outcome measures. For example, while ILAB may provide direct technical assistance to a country in drafting a new labor code and advocate for its adoption and implementation, adoption of the labor code and its enforcement ultimately depends on the country's legislators and enforcement officials, respectively, and not solely on ILAB's efforts.

The FY 2020 Budget request includes two output measures that help evaluate whether ILAB has successfully carried out its activities:

- ILAB-P01: Number of countries in which labor-related trade commitments are systematically monitored and analyzed; and
- ILAB-06: Number of countries in which child labor and forced labor are systematically monitored and analyzed.

In FY 2020, ILAB will continue to be responsible for Congressionally-mandated and other required reporting functions related to trade, child labor, and forced labor. ILAB will develop new processes for producing its reports to increase efficiency, maintain the accuracy and

## INTERNATIONAL LABOR SERVICES

reliability of information reported, and support policy engagement efforts to assist governments in addressing suggested actions identified through its reporting. In addition, ILAB will take steps to address the new research and reporting requirements in the Trafficking Victims Prevention and Protection Reauthorization Act of 2018, which calls for the inclusion of goods that are produced with inputs made with child labor or forced labor in violation of international standards.

The number of countries systematically monitored for child and forced labor in FY 2019 will include those countries featured in the annual *Findings on the Worst Forms of Child Labor* and the biennial TVPRA List. The precise number of countries included in the report fluctuates depending on GSP status in a given year.

In FY 2020, ILAB will continue to oversee and steadily close out grants in its portfolio.

## INTERNATIONAL LABOR SERVICES

| <b>BUDGET ACTIVITY BY OBJECT CLASS</b> |  |                            |                            |                            |  |
|--|--|----------------------------|----------------------------|----------------------------|--|
| (Dollars in Thousands)                 |  |                            |                            |                            |  |
|  |  | <b>FY 2018<br/>Enacted</b> | <b>FY 2019<br/>Enacted</b> | <b>FY 2020<br/>Request</b> | <b>Diff. FY20<br/>Request /<br/>FY19<br/>Enacted</b> |
| 11.1                                   | Full-time permanent                                  | 13,050                     | 13,744                     | 8,929                      | -4,815   |
| 11.3                                   | Other than full-time permanent                       | 30                         | 168                        | 3                          | -165   |
| 11.5                                   | Other personnel compensation                         | 507                        | 247                        | 173                        | -74  |
| 11.9                                   | <b>Total personnel compensation</b>                  | <b>13,587</b>              | <b>14,159</b>              | <b>9,105</b>               | <b>-5,054</b>  |
| 12.1                                   | Civilian personnel benefits                          | 4,412                      | 4,353                      | 2,722                      | -1,631   |
| 21.0                                   | Travel and transportation of persons                 | 677                        | 1,100                      | 465                        | -635   |
| 22.0                                   | Transportation of things                             | 20                         | 36                         | 11                         | -25  |
| 23.1                                   | Rental payments to GSA                               | 1,193                      | 1,194                      | 1,213                      | 19   |
| 23.3                                   | Communications, utilities, and miscellaneous charges | 104                        | 92                         | 92                         | 0  |
| 24.0                                   | Printing and reproduction                            | 62                         | 60                         | 5                          | -55  |
| 25.1                                   | Advisory and assistance services                     | 0                          | 1,740                      | -185                       | -1,925   |
| 25.2                                   | Other services from non-Federal sources              | 246                        | 140                        | 17                         | -123   |
| 25.3                                   | Other goods and services from Federal sources 1/     | 5,839                      | 6,291                      | 5,255                      | -1,036   |
| 25.4                                   | Operation and maintenance of facilities              | 0                          | 0                          | 0                          | 0  |
| 25.5                                   | Research and development contracts                   | 0                          | 0                          | 0                          | 0  |
| 25.7                                   | Operation and maintenance of equipment               | 0                          | 0                          | 0                          | 0  |
| 26.0                                   | Supplies and materials                               | 85                         | 85                         | 5                          | -80  |
| 31.0                                   | Equipment  | 75                         | 50                         | -30                        | -80  |
| 41.0                                   | Grants, subsidies, and contributions                 | 59,825                     | 56,825                     | -175                       | -57,000  |
|  | <b>Total</b>   | <b>86,125</b>              | <b>86,125</b>              | <b>18,500</b>              | <b>-67,625</b>                                       |
|  |  |                            |                            |                            |  |
|  | 1/Other goods and services from Federal sources      |                            |                            |                            |  |
|  | Working Capital Fund                                 | 4,152                      | 4,854                      | 4,783                      | -71  |
|  | DHS Services   | 1,291                      | 32                         | 32                         | 0  |
|  | Services by DOL Agencies                             | 0                          | 405                        | 405                        | 0  |
|  | Services by Other Government Departments             | 342                        | 1,000                      | 35                         | -965   |

# INTERNATIONAL LABOR SERVICES

## CHANGES IN FY 2020

(Dollars in Thousands)

### Activity Changes

#### Built-In

To Provide For:

|  |     |
|--|-----|
| Costs of pay adjustments                             | \$0 |
| Personnel benefits                                   | 0   |
| One day more of pay                                  | 71  |
| Federal Employees' Compensation Act (FECA)           | 4   |
| Travel and transportation of persons                 | 0   |
| Transportation of things                             | 0   |
| Rental payments to GSA                               | 0   |
| Communications, utilities, and miscellaneous charges | 0   |
| Printing and reproduction                            | 0   |
| Advisory and assistance services                     | 0   |
| Other services from non-Federal sources              | -4  |
| Working Capital Fund                                 | -71 |
| 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** **\$0**

**Net Program** **-\$67,625**

**Direct FTE** **-20**

|                         | Estimate         | FTE        |
|-------------------------|------------------|------------|
| <b>Base</b>             | <b>\$86,125</b>  | <b>114</b> |
| <b>Program Increase</b> | <b>\$0</b>       | <b>0</b>   |
| <b>Program Decrease</b> | <b>-\$67,625</b> | <b>-20</b> |



## ADMINISTRATION AND MANAGEMENT

| <b>BUDGET AUTHORITY BEFORE THE COMMITTEE</b> |                            |                            |                            |  |
|--|----------------------------|----------------------------|----------------------------|--|
| (Dollars in Thousands)                       |                            |                            |                            |  |
|  | <b>FY 2018<br/>Enacted</b> | <b>FY 2019<br/>Enacted</b> | <b>FY 2020<br/>Request</b> | <b>Diff. FY20<br/>Request /<br/>FY19<br/>Enacted</b> |
| <b>Activity Appropriation</b>                | <b>25,734</b>              | <b>29,004</b>              | <b>29,004</b>              | <b>0</b>   |
| FTE  | 92                         | 106                        | 106                        | 0  |

NOTE: FY 2018 reflects actual FTE. Authorized FTE for FY 2018 was 85.

### **Introduction**

The Office of the Assistant Secretary for Administration and Management (OASAM) provides the infrastructure and support that enables the Department to carry out its core missions. OASAM develops policies, standards, procedures, systems, and materials for the administrative management of the department, including business operations and procurement; information technology (IT); human resource management; budget formulation; and strategic planning and performance.

Five Administration and Management business units receive funding from this appropriation and 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 are:

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

DBC, HRC, OCIO, and BOC 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's civil rights activities are detailed in the Civil Rights budget activity below.

### **Five-Year Budget Activity History**

| <b><u>Fiscal Year</u></b> | <b><u>Funding</u></b><br>(Dollars in Thousands) | <b><u>FTE</u></b> |
|---------------------------|---|-------------------|
| 2015                      | \$28,413  | 112               |
| 2016                      | \$28,413  | 111               |
| 2017                      | \$28,834  | 93                |
| 2018                      | \$34,475  | 85                |
| 2019                      | \$28,450  | 106               |

## **ADMINISTRATION AND MANAGEMENT**

### **FY 2020**

The FY 2020 request for OASAM is \$29,004,000 and 106 FTE. OASAM will continue implementation of the enterprise-wide shared services model for DOL core administration functions, including procurement, human resources, information technology, and personnel security. The purpose of the DOL Enterprise-wide Shared Services Initiative is to create an administrative services delivery model that is streamlined, consistent, efficient, and measurable. A realigned administrative service delivery model will: improve strategic planning; create greater consistency in the delivery of administrative services across the Department; reduce overall costs; gain efficiency in service delivery through economies of scale; and improve efficiency and effectiveness of service delivery. The implementation of an effective shared services solution will permit DOL program agencies to focus time and resources on mission-oriented outcomes. The shared services solution will also allow agencies to shift from low-value to high-value work in support of the President's Management Agenda (PMA) Cross-Agency Priority (CAP) Goal 6. Policy development and management for these initiatives are funded in the OASAM budget activity; the implementation of the shared services model will be funded in the Working Capital Fund and will be fully operational by the end of FY 2020.

### **FY 2019**

The FY 2019 revised enacted funding for OASAM is \$29,004,000 and 106 FTE. This includes a transfer from the Occupational Safety and Health Administration (OSHA) for the consolidation of OSHA's human resources function. In FY 2019, OASAM will continue to provide policy development and management of the enterprise-wide shared services model implementation.

### **FY 2018**

The FY 2018 enacted funding for OASAM was \$25,734,000. OASAM began the development of the shared services model initiative. OASAM also provided support to program agencies in fulfilling their missions, led continued IT modernization efforts, implemented strategic human capital improvements, and provided support for continuous process improvement effort.



## ADMINISTRATION AND MANAGEMENT

| <b>BUDGET ACTIVITY BY OBJECT CLASS</b> |  |                            |                            |                            |  |
|--|--|----------------------------|----------------------------|----------------------------|--|
| (Dollars in Thousands)                 |  |                            |                            |                            |  |
|  |  | <b>FY 2018<br/>Enacted</b> | <b>FY 2019<br/>Enacted</b> | <b>FY 2020<br/>Request</b> | <b>Diff. FY20<br/>Request /<br/>FY19<br/>Enacted</b> |
| 11.1                                   | Full-time permanent                                  | 12,795                     | 14,515                     | 14,588                     | 73   |
| 11.3                                   | Other than full-time permanent                       | 0                          | 0                          | 0                          | 0  |
| 11.5                                   | Other personnel compensation                         | 321                        | 201                        | 201                        | 0  |
| 11.8                                   | Special personal services payments                   | 0                          | 0                          | 0                          | 0  |
| 11.9                                   | <b>Total personnel compensation</b>                  | <b>13,116</b>              | <b>14,716</b>              | <b>14,789</b>              | <b>73</b>  |
| 12.1                                   | Civilian personnel benefits                          | 3,803                      | 4,440                      | 4,434                      | -6   |
| 13.0                                   | Benefits for former personnel                        | 0                          | 0                          | 0                          | 0  |
| 21.0                                   | Travel and transportation of persons                 | 135                        | 177                        | 177                        | 0  |
| 22.0                                   | Transportation of things                             | 0                          | 0                          | 0                          | 0  |
| 23.1                                   | Rental payments to GSA                               | 1,159                      | 2,032                      | 2,032                      | 0  |
| 23.3                                   | Communications, utilities, and miscellaneous charges | 134                        | 137                        | 137                        | 0  |
| 24.0                                   | Printing and reproduction                            | 1                          | 27                         | 27                         | 0  |
| 25.1                                   | Advisory and assistance services                     | 171                        | 203                        | 85                         | -118   |
| 25.2                                   | Other services from non-Federal sources              | 182                        | 320                        | 320                        | 0  |
| 25.3                                   | Other goods and services from Federal sources 1/     | 6,814                      | 6,430                      | 6,481                      | 51   |
| 25.4                                   | Operation and maintenance of facilities              | 0                          | 0                          | 0                          | 0  |
| 25.5                                   | Research and development contracts                   | 0                          | 56                         | 56                         | 0  |
| 25.7                                   | Operation and maintenance of equipment               | 37                         | 105                        | 105                        | 0  |
| 26.0                                   | Supplies and materials                               | 179                        | 240                        | 240                        | 0  |
| 31.0                                   | Equipment  | 3                          | 121                        | 121                        | 0  |
|  | <b>Total</b>   | <b>25,734</b>              | <b>29,004</b>              | <b>29,004</b>              | <b>0</b>   |
|  |  |                            |                            |                            |  |
|  | 1/Other goods and services from Federal sources      |                            |                            |                            |  |
|  | Services by Other Government Departments             | 32                         | 0                          | 0                          | 0  |
|  | Working Capital Fund                                 | 6,016                      | 6,430                      | 6,481                      | 51   |
|  | DHS Services   | 766                        | 0                          | 0                          | 0  |

# ADMINISTRATION AND MANAGEMENT

## CHANGES IN FY 2020

(Dollars in Thousands)

### Activity Changes

#### Built-In

To Provide For:

|  |      |
|--|------|
| Costs of pay adjustments                             | \$0  |
| Personnel benefits                                   | 0    |
| One day more of pay                                  | 73   |
| Federal Employees' Compensation Act (FECA)           | -6   |
| Benefits for former personnel                        | 0    |
| Travel and transportation of persons                 | 0    |
| Transportation of things                             | 0    |
| Rental payments to GSA                               | 0    |
| Communications, utilities, and miscellaneous charges | 0    |
| Printing and reproduction                            | 0    |
| Advisory and assistance services                     | -118 |
| Other services from non-Federal sources              | 0    |
| Working Capital Fund                                 | 51   |
| 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** **\$0**

**Net Program** **\$0**

**Direct FTE** **0**

|                         | Estimate        | FTE        |
|-------------------------|-----------------|------------|
| <b>Base</b>             | <b>\$29,004</b> | <b>106</b> |
| <b>Program Increase</b> | <b>\$0</b>      | <b>0</b>   |
| <b>Program Decrease</b> | <b>\$0</b>      | <b>0</b>   |

## ADJUDICATION

| <b>BUDGET AUTHORITY BEFORE THE COMMITTEE</b> |                            |                            |                            |  |
|--|----------------------------|----------------------------|----------------------------|--|
| (Dollars in Thousands)                       |                            |                            |                            |  |
|  | <b>FY 2018<br/>Enacted</b> | <b>FY 2019<br/>Enacted</b> | <b>FY 2020<br/>Request</b> | <b>Diff. FY20<br/>Request /<br/>FY19<br/>Enacted</b> |
| <b>Activity Appropriation</b>                | <b>57,296</b>              | <b>57,391</b>              | <b>59,721</b>              | <b>2,330</b>   |
| FTE  | 249                        | 260                        | 265                        | 5  |

NOTE: FY 2018 reflects actual FTE. Authorized FTE for FY 2018 was 141.

### **Introduction**

The Adjudication activity is part of the Department’s overarching Worker Protection effort. Adjudication funds two major components: (1) the Office of the Administrative Law Judges (OALJ) and (2) the Adjudicatory Boards, consisting of the Administrative Review Board (ARB), the Benefits Review Board (BRB), and the Employees’ Compensation Appeals Board (ECAB).

### **Office of Administrative Law Judges (OALJ)**

OALJ presides over formal hearings concerning many labor-related matters. OALJ’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 Department's administrative law judges hear and decide cases arising from more than 80 labor-related statutes and regulations, including 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; and
- Civil fraud in federal programs.

Hearings concerning Black Lung benefits and Longshore Workers' compensation constitute the largest part of the office's work in addition to the significantly increased Permanent Labor Certification (PERM) Immigration case backlog.

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

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

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significant increases of administrative law judges hearings relating to H-2A and H-2B temporary labor certification applications.

### **The Adjudicatory Boards**

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

*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 securities fraud, environmental, nuclear, aviation, trucking, rail and other 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 the ARB decisions in more than 96 percent of cases appealed.

*The Benefits Review Board (BRB).* The 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 BRB 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 BRB'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 the BRB decisions are appealed to the federal circuit courts, and 85 percent of these are affirmed.

The BRB, 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 BRB's mission is to issue decisions on the appeals pending before it with expediency, consistency and impartiality.

*The Employees' Compensation Appeals Board (ECAB).* The ECAB 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 the ECAB, either before or after a full evidentiary hearing before OWCP's Branch of Hearings and Review. The ECAB's exclusive jurisdiction extends to deciding questions of fact and law, as well as the exercise of discretion. The ECAB, through its written decisions, has the responsibility for definitively

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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. The ECAB decisions are final, binding on OWCP, and not subject to judicial review.

### Five-Year Budget Activity History<sup>4</sup>

| <u>Fiscal Year</u> | <u>Funding</u><br>(Dollars in Thousands) | <u>FTE</u> |
|--------------------|--|------------|
| 2015               | \$29,420                                 | 161        |
| 2016               | \$32,000                                 | 158        |
| 2017               | \$35,000                                 | 146        |
| 2018               | \$35,000                                 | 141        |
| 2019               | \$35,000                                 | 157        |

### FY 2020

The FY 2020 Budget for the Adjudication activity is \$59,721,000 and 265 FTE. This includes a program increase of \$2,300,000 and 5 FTE to meet workload needs in the BLDTF program. The Department has made significant progress in address the backlog in black lung cases, as performance data below demonstrates, and additional resources are required to continue this progress. \$1,480,000 restores the activity to pre-sequestration levels to maintain production and \$850,000 provides resources for BRB to address increased case production from OALJ.

#### **Administrative Law Judges:**

OALJ projects that the Black Lung backlog of cases awaiting decision will be maintained at the 24 month level from with 2,630 Black Lung cases at the end of FY 2019 and 2,615 cases at the end of FY 2020. Longshore, Defense Base Act, Immigration and Traditional program areas decrease slightly in pending month backlogs from 12 to 11, 12 to 11, 14 to 6 and 19 to 18 respectively. Traditional Immigration program area will remain at a 4 month pending backlog.

**Adjudicatory Boards:** At the enacted level, the Boards will continue their commitment to the careful review and consideration of appeals and the issuance of high quality decisions both impartially and expeditiously.

BRB will commit FY 2019 funding toward adjudicating incoming appeals within target timeframes for disposition. BRB will begin drafting a change to the current regulations, which is expected to be finalized in FY 2020 that will require digital filing for all represented parties. This regulatory change will allow BRB to maximize digital automation efficiencies, while allowing unrepresented parties the ability to continue paper-based filings. BRB will digitally image the documents received in unrepresented cases.

At the enacted level, ECAB will strategically utilize its funding to maximize productivity and quality decisions at the targeted 1,900 pending and closed cases with 1,561 pending cases.

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<sup>4</sup> This table reflects direct discretionary funding sources and FTE.

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Average case processing time will remain eight months.

ARB will continue to maintain its current level of work with 100 new and closed cases with pending cases remaining at 140 cases and 13 months.

### **FY 2019**

The FY 2019 revised enacted for the Adjudication activity is \$57,391,000 and 260 FTE.

**Administrative Law Judges:** At the enacted level, OALJ will have a Black Lung program 24-month pendency rate in FY 2019 because of an unexpected increase of over 200 incoming cases in FY 2018. The Longshore, Traditional Immigration and Traditional program area will remain at 12 months, 4 months and 19 months respectively. The Defense Base Act program will decrease from 13- to 12-month case backlog with Immigration fluctuating up in FY 2019 from 9 months to 14 months as the agency works on the non-procedural cases that have been filed.

**Adjudicatory Boards:** At the enacted level, the Boards will continue their commitment to the careful review and consideration of appeals and the issuance of high quality decisions both impartially and expeditiously.

BRB will commit FY 2019 funding toward adjudicating incoming appeals within target timeframes for disposition. BRB will begin drafting a change to the current regulations, which is expected to be finalized in FY 2020 that will require digital filing for all represented parties. This regulatory change will allow BRB to maximize digital automation efficiencies, while allowing unrepresented parties the ability to continue paper-based filings. BRB will digitally image the documents received in unrepresented cases.

At the enacted level, ECAB will strategically utilize its funding to maximize productivity and quality decisions at the targeted 1,900 pending and closed cases with 1,561 pending cases. Average case processing time will remain eight months.

ARB will continue to maintain its current level of work with 100 new and closed cases with pending cases remaining at 140 cases and 13 months.

### **FY 2018**

**Administrative Law Judges:** OALJ ended the FY 2018 with disposing of 1,414 Black Lung cases and a 22-month pendency rate. The Longshore program area received 1,673 new cases to 1,673 in FY 2018, a 13 percent decrease from FY 2017. The Defense Base Act program received 100 more incoming cases than projected and ended the year with a 13-month case backlog. Incoming immigration cases decreased from 335 in FY 2017 to 196 in FY 2018 and there is a nine-month backlog. The pendency rate for the Traditional Immigration and Traditional program areas remained at four months and 19 months respectively.

**Adjudicatory Boards:** BRB exceeded annual production projections in Black Lung (BL) by 8 percent and Longshore/Defense Base Act (LS/LDA) exceeded annual production projections by

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4 percent. Specifically, BRB BL received 500 new appeals in FY 2018 and closed 518 appeals, resulting in 407 pending appeals. LS/LDA received 157 new appeals and closed 163 appeals, resulting in 106 pending appeals. The BRB had an overall affirmance rate of 90 percent for cases appealed to the Federal Circuit Courts of Appeals with BRB BL achieving a 96.4 percent affirmance rate and LS/LDA achieving an 83.9 percent affirmance rate. BRB average case processing time was 12.6 months for BL appeals and nine months for LS/LDA appeals.

BRB implemented a large-scale digital records pilot for BL appeals as a result of a successful partnership with OWCP and SOL. BRB received 238 fully imaged case records from OWCP, which BRB began to adjudicate in digital format. BRB utilizes the OWCP Imaging System (OIS) to view electronic files, and transfers BRB case-related documents back onto OIS at the conclusion of the appeal through a web-based process. Increased automation and efficiency measures allowed BRB BL to exceed annual production targets despite significant staffing turnover during Q4.

ECAB exceeded its production projections for FY 2018. Although 5 percent fewer new appeals were received than anticipated, ECAB exceeded its closed appeals production target by 7 percent as 1,656 appeals were anticipated to be closed, but 1,780 appeals were actually closed. This reduced the pending appeals by 12 percent more than targeted as pending appeals were anticipated to be at 1,774, but the actual result was 1,561. These targets were exceeded through increased efficiencies, greater use of technology for digital distribution and editing of draft decisions, and extra work by the ECAB judges in writing final decisions and orders to supplement the work of attorney advisers.

Due to a loss of judges, ARB did not meet production targets resulting in a 40 percent reduction of closed appeals. New appeals were less than projected at 75 and pending appeals rose to 140 cases with an average case processing time of 19.77 months.

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| <b>WORKLOAD AND PERFORMANCE SUMMARY</b>                     |  |                            |               |                            |                            |
|---|--|----------------------------|---------------|----------------------------|----------------------------|
|   |  | <b>FY 2018<br/>Enacted</b> |               | <b>FY 2019<br/>Enacted</b> | <b>FY 2020<br/>Request</b> |
|   |  | <b>Target</b>              | <b>Result</b> | <b>Target</b>              | <b>Target</b>              |
| <b>Adjudication</b>   |  |                            |               |                            |                            |
| <b>Administrative Law Judges</b>                            |  |                            |               |                            |                            |
| <b>Strategic Goal ALL - All Strategic Goals</b>             |  |                            |               |                            |                            |
| <b>Strategic Objective ALL.1 - All Strategic Objectives</b> |  |                            |               |                            |                            |
| ALJ-BL-01   | OALJ BLACK LUNG New Cases:                   | 1,500[p]                   | 1,507         | 1,300[p]                   | 1,300[p]                   |
| ALJ-BL-02   | OALJ BLACK LUNG Dispositions:                | 1,328                      | 1,414         | 1,315                      | 1,315                      |
| ALJ-BL-03   | OALJ BLACK LUNG Pending Cases:               | 2,724[p]                   | 2,645         | 2,630[p]                   | 2,615[p]                   |
| ALJ-BL-04   | OALJ BLACK LUNG Pending Months:              | 25                         | 22            | 24                         | 24                         |
| ALJ-IM-01   | OALJ IMMIGRATION New Cases:                  | 750[p]                     | 196           | 100[p]                     | 100[p]                     |
| ALJ-IM-02   | OALJ IMMIGRATION Dispositions:               | 1,510                      | 1,263         | 500                        | 450                        |
| ALJ-IM-03   | OALJ IMMIGRATION Pending Cases:              | 1,273[p]                   | 966           | 566[p]                     | 216[p]                     |
| ALJ-IM-04   | OALJ IMMIGRATION Pending Months:             | 10                         | 9             | 14                         | 6                          |
| ALJ-TI-01   | OALJ TRADITIONAL IMMIGRATION New Cases:      | 150[p]                     | 319           | 1,250[p]                   | 250[p]                     |
| ALJ-TI-02   | OALJ TRADITIONAL IMMIGRATION Dispositions:   | 150                        | 282           | 250                        | 250                        |
| ALJ-TI-03   | OALJ TRADITIONAL IMMIGRATION Pending Cases:  | 51[p]                      | 88            | 88[p]                      | 88[p]                      |
| ALJ-TI-04   | OALJ TRADITIONAL IMMIGRATION Pending Months: | 4                          | 4             | 4                          | 4                          |
| ALJ-T-01  | OALJ TRADITIONAL New Cases:                  | 425[p]                     | 558           | 425[p]                     | 425[p]                     |



## ADJUDICATION

| <b>WORKLOAD AND PERFORMANCE SUMMARY</b>                     |                                       |                            |               |                            |                            |
|---|---------------------------------------|----------------------------|---------------|----------------------------|----------------------------|
|   |                                       | <b>FY 2018<br/>Enacted</b> |               | <b>FY 2019<br/>Enacted</b> | <b>FY 2020<br/>Request</b> |
|   |                                       | <b>Target</b>              | <b>Result</b> | <b>Target</b>              | <b>Target</b>              |
| ALJ-T-02  | OALJ TRADITIONAL Dispositions:        | 425                        | 482           | 465                        | 465                        |
| ALJ-T-03  | OALJ TRADITIONAL Pending Cases:       | 688[p]                     | 764           | 724[p]                     | 684[p]                     |
| ALJ-T-04  | OALJ TRADITIONAL Pending Months:      | 19                         | 19            | 19                         | 18                         |
| ALJ-LS-01   | OALJ LONGSHORE New Cases:             | 2,025[p]                   | 1,692         | 1,300[p]                   | 1,350[p]                   |
| ALJ-LS-02   | OALJ LONGSHORE Dispositions:          | 2,015                      | 1,673         | 1,450                      | 1,500                      |
| ALJ-LS-03   | OALJ LONGSHORE Pending Cases:         | 1,614[p]                   | 1,623         | 1,473[p]                   | 1,323[p]                   |
| ALJ-LS-04   | OALJ LONGSHORE Pending Months:        | 10                         | 12            | 12                         | 11                         |
| ALJ-LDA-01  | OALJ DEFENSE BASE ACT New Cases:      | 925[p]                     | 1,094         | 925[p]                     | 925[p]                     |
| ALJ-LDA-02  | OALJ DEFENSE BASE ACT Dispositions:   | 900                        | 944           | 975                        | 975                        |
| ALJ-LDA-03  | OALJ DEFENSE BASE ACT Pending Cases:  | 867[p]                     | 992           | 942[p]                     | 892[p]                     |
| ALJ-LDA-04  | OALJ DEFENSE BASE ACT Pending Months: | 12                         | 13            | 12                         | 11                         |
| <b>Employees' Compensation Appeals Board</b>                |                                       |                            |               |                            |                            |
| <b>Strategic Goal ALL - All Strategic Goals</b>             |                                       |                            |               |                            |                            |
| <b>Strategic Objective ALL.1 - All Strategic Objectives</b> |                                       |                            |               |                            |                            |
| ECAB-01   | New Appeals                           | 1,900[p]                   | 1,811         | 1,900[p]                   | 1,900[p]                   |
| ECAB-02   | Closed Appeals                        | 1,656                      | 1,780         | 1,900                      | 1,900                      |
| ECAB-03   | Pending Appeals                       | 1,774                      | 1,561         | 1,561                      | 1,561                      |

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| <b>WORKLOAD AND PERFORMANCE SUMMARY</b>                     |                              |                            |               |                            |                            |
|---|------------------------------|----------------------------|---------------|----------------------------|----------------------------|
|   |                              | <b>FY 2018<br/>Enacted</b> |               | <b>FY 2019<br/>Enacted</b> | <b>FY 2020<br/>Request</b> |
|   |                              | <b>Target</b>              | <b>Result</b> | <b>Target</b>              | <b>Target</b>              |
| ECAB-05   | Average Case Processing Time | 8.00                       | 8.44          | 8.00                       | 9.00                       |
| <b>Adjudication General Fund</b>                            |                              |                            |               |                            |                            |
| <b>Strategic Goal ALL - All Strategic Goals</b>             |                              |                            |               |                            |                            |
| <b>Strategic Objective ALL.1 - All Strategic Objectives</b> |                              |                            |               |                            |                            |
| BRB-LS/LDA-01   | New Appeals                  | 160[p]                     | 157           | 150[p]                     | 150[p]                     |
| BRB-LS/LDA-02   | Closed Appeals               | 157                        | 163           | 150                        | 150                        |
| BRB-LS/LDA-03   | Pending Appeals              | 112                        | 105           | 105                        | 105                        |
| BRB-LS/LDA-05   | Average Case Processing Time | 11.00                      | 9.01          | 11.00                      | 11.00                      |
| BRB-LS/LDA-12   | Affirmance Rate              | 85.00%                     | 83.80%        | 85.00%                     | 85.00%                     |
| <b>Administrative Review Board</b>                          |                              |                            |               |                            |                            |
| <b>Strategic Goal ALL - All Strategic Goals</b>             |                              |                            |               |                            |                            |
| <b>Strategic Objective ALL.1 - All Strategic Objectives</b> |                              |                            |               |                            |                            |
| ARB-01  | New Appeals                  | 100[p]                     | 75            | 100[p]                     | 100[p]                     |
| ARB-02  | Closed Appeals               | 100                        | 60            | 100                        | 100                        |

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| <b>WORKLOAD AND PERFORMANCE SUMMARY</b>                     |                              |                            |               |                            |                            |
|---|------------------------------|----------------------------|---------------|----------------------------|----------------------------|
|   |                              | <b>FY 2018<br/>Enacted</b> |               | <b>FY 2019<br/>Enacted</b> | <b>FY 2020<br/>Request</b> |
|   |                              | <b>Target</b>              | <b>Result</b> | <b>Target</b>              | <b>Target</b>              |
| ARB-03  | Pending Appeals              | 122                        | 140           | 140                        | 140                        |
| ARB-05  | Average Case Processing Time | 13.00                      | 19.77         | 13.00                      | 13.00                      |
| <b>Adjudication Black Lung Fund</b>                         |                              |                            |               |                            |                            |
| <b>Strategic Goal ALL - All Strategic Goals</b>             |                              |                            |               |                            |                            |
| <b>Strategic Objective ALL.1 - All Strategic Objectives</b> |                              |                            |               |                            |                            |
| BRB-BL-01   | New Appeals                  | 465[p]                     | 500           | 475[p]                     | 475[p]                     |
| BRB-BL-02   | Closed Appeals               | 481                        | 518           | 475                        | 525                        |
| BRB-BL-03   | Pending Appeals              | 425                        | 442           | 442                        | 392                        |
| BRB-BL-05   | Average Case Processing Time | 12.00                      | 12.66         | 12.00                      | 12.00                      |
| BRB-BL-12   | Affirmance Rate              | 85.00%                     | 96.40%        | 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 2020 request level will enable OALJ to remain steady in the Black Lung program area at around 2,600 pending cases and a 24-month pending case backlog. In FY 2020, OALJ is projected to dispose of 1,315 Black Lung cases.

OALJ will continue to reduce the projected backlogs in the PERM. OALJ projects a reduction in pending cases from 966 actual cases at the end of FY 2018 to 216 projected pending cases at the end of FY 2020 with only a six-month pending case backlog. For the Longshore program, during FY 2020, OALJ projects to dispose of 1,500 cases along with 975 Defense Base Act cases to reduce both program areas to an 11-month backlog of pending cases. The Traditional mix of cases is projected at 465 cases disposed.

OALJ will continue to address a changing mix of adjudicatory responsibilities, with a projected declining number of Black Lung cases, new types of whistleblower cases, and Defense Base Act hearings, plus Longshore and Immigration cases. OALJ will adjust to these changes by assigning cases throughout the country based on geographic location without regard to case type; continuing efforts to make the higher production levels achievable by training the newly hired judges. Hiring in late FY 2018 and early FY 2019 replaced 25 percent of the aging and retiring judge workforce plus adjudication team members.

### Adjudicatory Boards

Workload estimates for all three Adjudicatory Boards are based on Worker Protection claims. Actual incoming workload remains outside the control of the Boards and is affected by such factors as changes to workers' compensation laws, attorney/representative involvement in the appeals process, and increases and decreases in the workforce.

More than 95 percent of the ARB appeals come from OALJ as do virtually all new appeals to BRB. All appeals to ECAB originate in the Federal Employees Compensation Division of OWCP. 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.

ARB expects 100 new appeals to be filed in FY 2020. ARB's goal is to close 100 cases at the request level. Pending appeals will increase to 140 and average case processing time will remain 13 months.

BRB (BL) new appeals are expected to remain at 475 appeals in FY 2020 as a result of anticipated production by the OALJ. BRB BL production is directly related to OALJ BL production. Historically, 35 percent of OALJ BL decisions are appealed to BRB BL. Closed appeals will increase to 525 during FY 2020. Pending appeals will decrease to 392, and average case processing time is expected to remain 12 months.

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BRB Longshore (LS/LDA) projects new appeals filed in FY 2020 to be 150 as volume is directly related to OALJ LS/LDA production. Historically, 5-7 percent of OALJ LS/LDA decisions are appealed to BRB. BRB LS/LDA expects to close 150 appeals in FY 2020. Based on OALJ LS/LDA projections, pending appeals will remain at 105 at the end of FY 2020. Average case processing time is expected to remain 11 months.

New appeals to ECAB are expected to be 1,900 in FY 2020. At the request level, ECAB will close 1,900 appeals so that the pending appeals will not increase beyond the number of pending appeals in FY 2019. Average case processing time will increase from eight months to nine months.

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| <b>BUDGET ACTIVITY BY OBJECT CLASS</b> |  |                            |                            |                            |  |
|--|--|----------------------------|----------------------------|----------------------------|--|
| (Dollars in Thousands)                 |  |                            |                            |                            |  |
|  |  | <b>FY 2018<br/>Enacted</b> | <b>FY 2019<br/>Enacted</b> | <b>FY 2020<br/>Request</b> | <b>Diff. FY20<br/>Request /<br/>FY19<br/>Enacted</b> |
| 11.1                                   | Full-time permanent                                  | 28,014                     | 28,159                     | 28,809                     | 650  |
| 11.3                                   | Other than full-time permanent                       | 259                        | 111                        | 111                        | 0  |
| 11.5                                   | Other personnel compensation                         | 287                        | 444                        | 444                        | 0  |
| 11.9                                   | <b>Total personnel compensation</b>                  | <b>28,560</b>              | <b>28,714</b>              | <b>29,364</b>              | <b>650</b>   |
| 12.1                                   | Civilian personnel benefits                          | 8,544                      | 9,203                      | 9,407                      | 204  |
| 13.0                                   | Benefits for former personnel                        | 0                          | 10                         | 10                         | 0  |
| 21.0                                   | Travel and transportation of persons                 | 515                        | 750                        | 750                        | 0  |
| 22.0                                   | Transportation of things                             | 110                        | 500                        | 500                        | 0  |
| 23.0                                   | Rent, Communications, and Utilities                  | 0                          | 0                          | 0                          | 0  |
| 23.1                                   | Rental payments to GSA                               | 3,366                      | 4,103                      | 4,103                      | 0  |
| 23.2                                   | Rental payments to others                            | 13                         | 13                         | 13                         | 0  |
| 23.3                                   | Communications, utilities, and miscellaneous charges | 431                        | 503                        | 503                        | 0  |
| 24.0                                   | Printing and reproduction                            | 13                         | 9                          | 9                          | 0  |
| 25.1                                   | Advisory and assistance services                     | 679                        | 215                        | 315                        | 100  |
| 25.2                                   | Other services from non-Federal sources              | 2,630                      | 1,820                      | 1,820                      | 0  |
| 25.3                                   | Other goods and services from Federal sources 1/     | 10,978                     | 9,769                      | 10,073                     | 304  |
| 25.4                                   | Operation and maintenance of facilities              | 0                          | 1                          | 1                          | 0  |
| 25.5                                   | Research and development contracts                   | 0                          | 0                          | 0                          | 0  |
| 25.7                                   | Operation and maintenance of equipment               | 973                        | 1,256                      | 2,166                      | 910  |
| 26.0                                   | Supplies and materials                               | 351                        | 425                        | 587                        | 162  |
| 31.0                                   | Equipment  | 133                        | 100                        | 100                        | 0  |
| 42.0                                   | Insurance claims and indemnities                     | 0                          | 0                          | 0                          | 0  |
|  | <b>Total</b>   | <b>57,296</b>              | <b>57,391</b>              | <b>59,721</b>              | <b>2,330</b>   |
|  |  |                            |                            |                            |  |
|  | 1/Other goods and services from Federal sources      |                            |                            |                            |  |
|  | Working Capital Fund                                 | 9,644                      | 9,027                      | 9,131                      | 104  |
|  | DHS Services   | 998                        | 201                        | 201                        | 0  |
|  | Services by DOL Agencies                             | 0                          | 1                          | 1                          | 0  |
|  | Services by Other Government Departments             | 336                        | 40                         | 40                         | 0  |

# ADJUDICATION

## CHANGES IN FY 2020

(Dollars in Thousands)

### Activity Changes

#### Built-In

To Provide For:

|  |      |
|--|------|
| Costs of pay adjustments                             | \$0  |
| Personnel benefits                                   | 0    |
| One day more of pay                                  | 85   |
| Federal Employees' Compensation Act (FECA)           | 1    |
| 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                                 | 104  |
| 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               | -190 |
| Supplies and materials                               | 0    |
| Equipment  | 0    |
| Insurance claims and indemnities                     | 0    |

**Built-Ins Subtotal** **\$0**

**Net Program** **\$2,330**

**Direct FTE** **5**

|                         | Estimate        | FTE        |
|-------------------------|-----------------|------------|
| <b>Base</b>             | <b>\$57,391</b> | <b>260</b> |
| <b>Program Increase</b> | <b>\$2,330</b>  | <b>5</b>   |
| <b>Program Decrease</b> | <b>\$0</b>      | <b>0</b>   |





## WOMEN'S BUREAU

| <b>BUDGET AUTHORITY BEFORE THE COMMITTEE</b> |                            |                            |                            |  |
|--|----------------------------|----------------------------|----------------------------|--|
| (Dollars in Thousands)                       |                            |                            |                            |  |
|  | <b>FY 2018<br/>Enacted</b> | <b>FY 2019<br/>Enacted</b> | <b>FY 2020<br/>Request</b> | <b>Diff. FY20<br/>Request /<br/>FY19<br/>Enacted</b> |
| <b>Activity Appropriation</b>                | <b>13,030</b>              | <b>13,750</b>              | <b>3,525</b>               | <b>-10,225</b>                                       |
| FTE  | 40                         | 43                         | 18                         | -25  |

NOTE: FY 2018 reflects actual FTE. Authorized FTE for FY 2018 was 40.

### **Introduction**

Public Law 66-259 authorized the Women’s Bureau (WB) 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 WB is to develop policies and standards and conduct inquiries to safeguard the interests of working women, advocate for their equality and economic security for themselves and their families, and promote quality work environments. The 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 and the economic security of their families.

WB conducts research to help Departmental agencies develop policies that advance the interests of working women. WB does this by: planning and executing the WB’s in-house and commissioned research agenda, which includes both qualitative research and quantitative analysis; providing guidance and input to other agencies; and conducting community outreach efforts and education regarding the structure and implementation of a wide range of programs, policies, and initiatives with implications for women workers.

WB’s position as a government research and advocacy agency allows it to leverage the subject matter expertise of our own economists and policy analysts, as well as that of our large and diverse stakeholder network. This strength enables WB to provide expert guidance to our colleague agencies as WB work inter- and intra-agency to help craft or enhance workforce development policies and programs. It also enables the WB to engage with business leaders, state and local officials, and leaders from community groups, foundations, and educational institutions to share research, policy analysis, compliance strategies, and other critical information that builds our Nation’s families, communities, and workforce capacity.

While many women have made great advances in educational attainment, professional advancement, and individual economic security during the past several decades, many continue to face gender-specific barriers. The persistence of these barriers to women’s full and equal labor force participation supports the case for WB’s continued focus on research and advocacy for women preparing to enter and those currently in the workplace. WB believes in the power of community engagement to provide critical information to women and to bring about the policy and programmatic changes necessary to improve the well-being of working women.

# WOMEN'S BUREAU

## Five-Year Budget Activity History

| <u>Fiscal Year</u> | <u>Funding</u><br>(Dollars in Thousands) | <u>FTE</u> |
|--------------------|--|------------|
| 2015               | \$11,536                                 | 54         |
| 2016               | \$11,536                                 | 52         |
| 2017               | \$12,530                                 | 45         |
| 2018               | \$13,530                                 | 40         |
| 2019               | \$13,750                                 | 43         |

## FY 2020

With the FY 2020 request of \$3,525,000 and 18 FTE, WB will continue the work of FY 2019 in the high priority areas of apprenticeship, childcare, military spouses, entrepreneurship, and paid leave. The FY 2020 request includes \$600,000 for transition costs associated with the closure of regional offices and a decrease of \$10,825,000 for streamlining programs and eliminating grants. WB will collaborate with ETA and VETS to support ETA's grant work on state licensing and promote employment for military spouses; with the White House to identify innovative solutions to child care; and with U.S. Small Business Administration to expand opportunities for women to thrive in entrepreneurship.

## FY 2019

At the enacted level of \$13,750,000, WB's priorities for FY 2019 directly align with, and advance, DOL Strategic Plan Goal 1: *Support the Ability of All Americans to Find Good Jobs*, and specifically Strategic Objective 1.5, *Formulate Policies and Initiatives to Promote the Interest of Working Women*.

FY 2019 priorities include:

1. Expanding opportunities to recruit and retain women in pre-apprenticeship and apprenticeship programs;
2. Identifying innovative solutions to help families access affordable, quality child care, which strengthens America's workforce;
3. Reducing unemployment and under-employment of military spouses, particularly by promoting state reciprocity agreements to dismantle barriers created by disparate occupational licensing requirements;
4. Expanding opportunities for women to thrive in entrepreneurship;
5. Helping women impacted by the opioid epidemic enter, remain in, or re-enter the workforce; and
6. Conducting analysis requested by Congress on women's occupations and earnings.

The WB will engage in five types of activities to advance its mission:

## WOMEN'S BUREAU

- Research, data and policy analysis: WB will conduct original quantitative and qualitative research, in conjunction with policy analysis, to influence the development of evidence-based policies and priorities that help women thrive in the 21st century workforce;
- Competitive grant-making: WB will allocate grant funds to help women access family-sustaining jobs, enhance their skills, and fuel research on WB priorities;
- Stakeholder and public engagement: WB will work with business, labor, trade and industry groups, educational institutions, and not-for-profit organizations. WB also will work with state and local governments to provide technical assistance, gather information, administer resources, provide education, and drive policy action;
- Collaboration with internal and external Federal partners: WB will collaborate with DOL sister agencies, the White House, and other Federal agencies on an ongoing basis and on a variety of initiatives; and
- Education and awareness: In coordination with stakeholder and public engagement, WB will develop tools and resources to educate and empower women to thrive in the 21st century workforce, often working through state agencies and private employers.

### **FY 2018**

At the revised enacted level of \$13,030,000, WB continued to advance the Administration's goal of improving working conditions and increasing employment opportunities for women. WB expanded its commitment to conducting high-quality research and analysis to inform and support policy change for the benefit of working women and their families; expand opportunities for women in higher-paying, in-demand careers, including apprenticeships and non-traditional occupations; and promote equal pay and fair treatment in the workplace.

WB worked in collaboration with other agencies at DOL and throughout the Federal government to support policy development. In particular, WB conducted research and collaborated with the ETA, VETS, and worker protection agencies to support policy development that addresses the interests of working women.

Some of the highlights of accomplishments in FY 2018 are:

- On September 26, 2018, WB awarded four Women in Apprenticeships and Nontraditional Occupations (WANTO) grants totaling \$1,403,190. In parallel, WB conducted a historical review of the WANTO grant program and developed recommendations for program improvements/modifications;
- WB collaborated with the Veterans Employment and Training Services (VETS) to develop, launch and support an interactive map depicting various types of state reciprocal licensing arrangements available to military spouses. This map and new webpage were unveiled at the White House in conjunction with the Hiring our Heroes Military Spouse Summit on June 28, 2018;
- WB continues to partner with VETS to support expansion of the map and website materials. In parallel, the WB launched a series of listening sessions with military spouses to inform the development of a Transition Assistance Program (TAP) for military spouses, which will include an in-person and online curriculum and community for military spouses as they pursue their post-service educational, financial and employment goals. In addition, WB hosted an online e-policy discussion about licensing challenges for military spouses and veterans;

## WOMEN'S BUREAU

- WB held listening sessions across the country with a diverse group of child care/early education specialists, corporate executives, small business owners, researchers, parents, teachers, and others to share their insights, discuss the challenges and solutions to helping families access affordable, high quality child care, and discuss the impact that access to child care has on all aspects of the workforce. Secretary of Labor Alexander Acosta and Special Assistant to the President Ivanka Trump launched the first listening session in Washington, D.C. Ivanka Trump also attended the last session in Gulfport, Mississippi;
- WB, in conjunction with the White House, the Council of Economic Advisors (CEA), the Small Business Administration (SBA), and U.S. Department of the Treasury, began developing an interagency e-learning platform to connect women business owners with the tools and skills they need to scale their businesses. The WB's scope of responsibilities include designing the educational framework, curating existing interagency tools, and developing additional learning materials to fill in content gaps; and
- WB awarded a \$650,000 grant to fund a multi-disciplinary, public-private partnerships to train and employ women workers affected by opioid abuse in Maryland.

## WOMEN'S BUREAU

| <b>WORKLOAD AND PERFORMANCE SUMMARY</b>   |  |                            |               |                            |                            |
|---|--|----------------------------|---------------|----------------------------|----------------------------|
|   |  | <b>FY 2018<br/>Enacted</b> |               | <b>FY 2019<br/>Enacted</b> | <b>FY 2020<br/>Request</b> |
|   |  | <b>Target</b>              | <b>Result</b> | <b>Target</b>              | <b>Target</b>              |
| <b>Women's Bureau</b>   |  |                            |               |                            |                            |
| <b>Strategic Goal 1 - Support the Ability of All Americans to Find Good Jobs</b>                                  |  |                            |               |                            |                            |
| <b>Strategic Objective WB 1.5 - Formulate policies and initiatives to promote the interests of working women.</b> |  |                            |               |                            |                            |
| 1-WB-PRO-01   | Number of policy & research deliverables                         | 6                          | 16            | 5                          | 7                          |
| 9-WB-PREOE-01   | Number of Policy and Research Education and Outreach Engagements | 52                         | --            | 52                         | 52                         |
| 3-WB-POC-01   | Number of Public Outreach Communications                         | 10                         | --            | 10                         | 10                         |

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

# WOMEN'S BUREAU

## **Detailed Workload Performance Narrative**

The strategic work of the Bureau is designed to influence policies both within and outside the federal government. To accomplish these goals and inform positive policy development and change, the Bureau's primary functions or activities include planning and executing the Bureau's research agenda, administering competitive grant making, collaborating with other Federal and State agencies; conducting stakeholder and public engagement, and providing education through the development of tools and programs to increase and enhance women's workforce opportunities.

The Bureau's leadership establishes short and long term strategy based on the priorities of the administration, as well as economic trends, and policy and legislative developments. For FY 2020, the Women's Bureau primary priorities are pre/apprenticeship programs for women, military spouses, childcare, and entrepreneurship, along with continued support for national paid leave. The goal is seven (7) research deliverables to support these areas.

## WOMEN'S BUREAU

| <b>BUDGET ACTIVITY BY OBJECT CLASS</b> |  |                            |                            |                            |  |
|--|--|----------------------------|----------------------------|----------------------------|--|
| (Dollars in Thousands)                 |  |                            |                            |                            |  |
|  |  | <b>FY 2018<br/>Enacted</b> | <b>FY 2019<br/>Enacted</b> | <b>FY 2020<br/>Request</b> | <b>Diff. FY20<br/>Request /<br/>FY19<br/>Enacted</b> |
| 11.1                                   | Full-time permanent                                  | 4,115                      | 4,800                      | 1,049                      | -3,751   |
| 11.3                                   | Other than full-time permanent                       | 0                          | 103                        | 103                        | 0  |
| 11.5                                   | Other personnel compensation                         | 59                         | 60                         | -1,165                     | -1,225   |
| 11.9                                   | <b>Total personnel compensation</b>                  | <b>4,174</b>               | <b>4,963</b>               | <b>-13</b>                 | <b>-4,976</b>  |
| 12.1                                   | Civilian personnel benefits                          | 1,503                      | 1,480                      | 905                        | -575   |
| 21.0                                   | Travel and transportation of persons                 | 125                        | 160                        | 0                          | -160   |
| 22.0                                   | Transportation of things                             | 0                          | 0                          | 0                          | 0  |
| 23.1                                   | Rental payments to GSA                               | 803                        | 804                        | 104                        | -700   |
| 23.2                                   | Rental payments to others                            | 0                          | 0                          | 0                          | 0  |
| 23.3                                   | Communications, utilities, and miscellaneous charges | 67                         | 39                         | 39                         | 0  |
| 24.0                                   | Printing and reproduction                            | 5                          | 2                          | 2                          | 0  |
| 25.1                                   | Advisory and assistance services                     | 1,452                      | 426                        | -21                        | -447   |
| 25.2                                   | Other services from non-Federal sources              | 52                         | 69                         | 0                          | -69  |
| 25.3                                   | Other goods and services from Federal sources 1/     | 2,108                      | 2,250                      | 2,507                      | 257  |
| 25.4                                   | Operation and maintenance of facilities              | 0                          | 0                          | 0                          | 0  |
| 25.5                                   | Research and development contracts                   | 5                          | 250                        | 0                          | -250   |
| 25.7                                   | Operation and maintenance of equipment               | 172                        | 2                          | 2                          | 0  |
| 26.0                                   | Supplies and materials                               | 57                         | 30                         | 0                          | -30  |
| 31.0                                   | Equipment  | 7                          | 25                         | 0                          | -25  |
| 41.0                                   | Grants, subsidies, and contributions                 | 2,500                      | 3,250                      | 0                          | -3,250   |
| 42.0                                   | Insurance claims and indemnities                     | 0                          | 0                          | 0                          | 0  |
|  | <b>Total</b>   | <b>13,030</b>              | <b>13,750</b>              | <b>3,525</b>               | <b>-10,225</b>                                       |
|  |  |                            |                            |                            |  |
|  | 1/Other goods and services from Federal sources      |                            |                            |                            |  |
|  | Working Capital Fund                                 | 1,871                      | 1,901                      | 1,907                      | 6  |
|  | DHS Services   | -43                        | 59                         | 59                         | 0  |
|  | GSA Services   | 2                          | 0                          | 251                        | 251  |
|  | Services by Other Government Departments             | 275                        | 275                        | 275                        | 0  |

# WOMEN'S BUREAU

## CHANGES IN FY 2020

(Dollars in Thousands)

### Activity Changes

#### Built-In

To Provide For:

|  |      |
|--|------|
| Costs of pay adjustments                             | \$0  |
| Personnel benefits                                   | 0    |
| One day more of pay                                  | 23   |
| Federal Employees' Compensation Act (FECA)           | 275  |
| 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                     | -204 |
| Other services from non-Federal sources              | 0    |
| Working Capital Fund                                 | 6    |
| Other Federal sources (DHS Charges)                  | 0    |
| Other goods and services from Federal sources        | 0    |
| Research & Development Contracts                     | -100 |
| Operation and maintenance of facilities              | 0    |
| Operation and maintenance of equipment               | 0    |
| Supplies and materials                               | 0    |
| Equipment  | 0    |
| Grants, subsidies, and contributions                 | 0    |
| Insurance claims and indemnities                     | 0    |

**Built-Ins Subtotal** **\$0**

**Net Program** **-\$10,225**

**Direct FTE** **-25**

|                         | Estimate         | FTE        |
|-------------------------|------------------|------------|
| <b>Base</b>             | <b>\$13,750</b>  | <b>43</b>  |
| <b>Program Increase</b> | <b>\$600</b>     | <b>0</b>   |
| <b>Program Decrease</b> | <b>-\$10,825</b> | <b>-25</b> |



## CIVIL RIGHTS

| <b>BUDGET AUTHORITY BEFORE THE COMMITTEE</b> |                            |                            |                            |  |
|--|----------------------------|----------------------------|----------------------------|--|
| (Dollars in Thousands)                       |                            |                            |                            |  |
|  | <b>FY 2018<br/>Enacted</b> | <b>FY 2019<br/>Enacted</b> | <b>FY 2020<br/>Request</b> | <b>Diff. FY20<br/>Request /<br/>FY19<br/>Enacted</b> |
| <b>Activity Appropriation</b>                | <b>6,880</b>               | <b>6,880</b>               | <b>6,880</b>               | <b>0</b>   |
| FTE  | 32                         | 32                         | 32                         | 0  |

### **Introduction**

Operating under authority delegated pursuant to Secretary’s Orders, the Civil Rights Center (CRC) is the organizational unit within DOL responsible for ensuring nondiscrimination and equal opportunity for two primary populations: 1) employees of, and applicants for employment with, DOL; and 2) nearly 60 million individuals served and employed by programs and activities across the nation that are related to labor and the workforce. 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.

CRC’s Office of Internal Enforcement (OIE) is responsible for processing discrimination complaints filed by DOL employees and applicants for employment with DOL, and for 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 Equal Employment Opportunity (EEO) matters.

CRC’s 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), and, since July 1, 2015, Title I of the Workforce Innovation and Opportunity Act (WIOA); One-Stop partners listed in Section 121 of WIA and/or WIOA that offer programs or activities through the public workforce development system; for disability-related matters only, 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; and any recipients of financial assistance from, or programs conducted by, DOL that are not included in the categories above. Public job referral and job training programs, as well as the Unemployment Insurance (UI) and Job Corps programs, are examples of the programs over which OEE has jurisdiction.

In addition, OEE conducts compliance reviews of the same entities listed above, including reviewing state governors’ implementation of their nondiscrimination plans; develops regulations and guidance documents; reviews proposed legislation, draft regulations, guidance documents, and other materials developed by agencies within and outside of DOL; conducts other policy-related activities; and provides training and technical assistance for internal and external stakeholders.

# CIVIL RIGHTS

## Five-Year Budget Activity History

| <u>Fiscal Year</u> | <u>Funding</u><br>(Dollars in Thousands) | <u>FTE</u> |
|--------------------|--|------------|
| 2015               | \$6,880                                  | 36         |
| 2016               | \$6,880                                  | 37         |
| 2017               | \$6,880                                  | 30         |
| 2018               | \$6,880                                  | 32         |
| 2019               | \$6,880                                  | 32         |

### FY 2020

For FY 2020, CRC requests a total of \$6,833,000 and 32 FTE. At this level of funding, CRC will be able to maintain its core functions. These functions include developing, administering, and enforcing DOL policies, practices, and procedures under various laws, including Section 188 of WIOA; Title VI and Title VII of the Civil Rights Act of 1964; Section 188 of WIA; Executive Orders 13160 and 13166; Sections 501, 504, and 508 of 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. As applicable, these laws prohibit discrimination on various bases in programs and activities that receive Federal financial assistance, are federally operated, or are operated by public entities such as state and local governments. Certain of these laws also prohibit discrimination against, and assure equal opportunity for, all DOL employees and applicants for employment.

### FY 2019

The FY 2019 enacted funding for the Civil Rights Center (CRC) is \$6,880,000 and 32 FTE. At this level, CRC will be able to perform the core functions detailed above.

### FY 2018

The CRC FY 2018 enacted level was \$6,880,000, with 32 FTE. At this level, CRC was able to accomplish core program work, including implementing new case-processing procedures in OIE<sup>5</sup>. Using these new procedures, OIE issued 98.75 percent of investigations and 97.5 percent of final agency decisions within regulatory timeframes. Additionally, OIE conducted 100 percent of all EEO counseling sessions within regulatory timeframes and was able to achieve a 56 percent Alternative Dispute Resolution (ADR) success rate for EEO complaints deemed conducive for processing through the Department's Early Resolution of EEO Complaints (EREC) ADR program.

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<sup>5</sup> developed in FYs16 and FY17

## CIVIL RIGHTS

In addition to meeting performance targets on key performance indicators<sup>6</sup>, OEE prepared and delivered training and compliance assistance on the requirements of the new WIOA Section 188 regulations to stakeholders, merged the policy and external enforcement teams In an effort to increase efficiency and maximize staffing resources and made significant strides in closing aged cases.

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<sup>6</sup> OEE initiated 30 new complaint investigations and resolved 32 external complaints.

## CIVIL RIGHTS

| <b>WORKLOAD AND PERFORMANCE SUMMARY</b>                     |  |                            |               |                            |                            |
|---|--|----------------------------|---------------|----------------------------|----------------------------|
|   |  | <b>FY 2018<br/>Enacted</b> |               | <b>FY 2019<br/>Enacted</b> | <b>FY 2020<br/>Request</b> |
|   |  | <b>Target</b>              | <b>Result</b> | <b>Target</b>              | <b>Target</b>              |
| <b>Civil Rights</b>   |  |                            |               |                            |                            |
| <b>Strategic Goal ALL - All Strategic Goals</b>             |  |                            |               |                            |                            |
| <b>Strategic Objective ALL.1 - All Strategic Objectives</b> |  |                            |               |                            |                            |
| <b>Internal Enforcement</b>                                 |  |                            |               |                            |                            |
| OASAM-DM-CRC-02   | Internal Enforcement: Percent of EEO Counseling Sessions Completed within Regulatory Timeframes          | 95.00%                     | 100.00%       | 96.00%                     | 96.00%                     |
| OASAM-DM-CRC-04   | Internal Enforcement: ADR Success Rate (demand)  | 40.00%[p]                  | 56.00%        | 36.00%[p]                  | 36.00%[p]                  |
| OASAM-DM-CRC-06   | Internal Enforcement: Percent of Investigations Issued within Regulatory Timeframes                      | 80.00%                     | 98.75%        | 88.00%                     | 88.00%                     |
| OASAM-DM-CRC-07   | Internal Enforcement: Percent of Final Agency Decisions (FADs) Issued within Regulatory Timeframes       | 80.00%                     | 97.50%        | 88.00%                     | 88.00%                     |
| <b>External Enforcement</b>                                 |  |                            |               |                            |                            |
| OASAM-DM-CRC-13   | External Enforcement: Number of External Investigations Completed  | 30                         | 32            | 30                         | 30                         |
| OASAM-DM-CRC-22   | External Enforcement: Number of External Compliance Reviews Conducted                                    | [base]                     | 0             | TBD                        | TBD                        |
| OASAM-DM-CRC-32   | External Enforcement: Number of Case Resolutions (Determinations and Conciliation/Settlement Agreements) | 27                         | 32            | 30                         | 30                         |

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

# CIVIL RIGHTS

## Workload and Performance Summary

### Internal (Equal Employment Opportunity (EEO)) Program

CRC's OIE administers DOL's internal EEO complaint program and the Reasonable Accommodation Resource Center / Centralized Accommodation Fund (RARC/CAF). Both programs serve DOL employees and applicants for employment to DOL. Funding at the requested level will support efforts designed to reduce EEO complaints within the Department and to investigate and adjudicate complaints in a timely and effective manner. CRC will focus on ADR and training for managers and employees that targets pertinent trends, while reinforcing DOL's overall commitment to equal employment opportunity and a harassment-free work environment.

In FY 2018, OIE continued to improve its case processing efficiency by implementing new practices to assist with handling EEO complaints within regulatory timeframes. Specifically, OIE fully digitized complaint files and worked with the United States Postal Service (OIE's contractor) to ensure secure and reliable sharing of digitized files. As a result, OIE was able to spend less time on administrative functions and reserve more time for substantive case processing. OIE's achievement in annual results for key performance indicators can be attributed in part to these improved efficiencies. In FY 2018, CRC also began to cross-train staff to focus on the full range of the EEO process. It is the expectation that cross training will improve the overall processing times of EEO complaints and avoid the additional costs of expediting investigations. OIE also provided EEO training to DOL employees, managers, and supervisors on topics such as the Federal EEO complaint process, reasonable accommodations, harassing conduct, and the ADR program so that interested parties were made aware of their rights and responsibilities and how to avail themselves of applicable processes.

In FY 2018, OIE completed 100 percent of EEO counseling sessions within regulatory timeframes, had an ADR success rate of 56 percent, issued 97.5 percent of final agency decisions (FADs) within regulatory timeframes, and completed 98.75 percent of internal reports of investigation (ROIs) within regulatory timeframes.

In FYs 2019 and 2020, CRC will continue to provide training and guidance to DOL employees and other interested parties on all aspects of OIE's programs, such as the ADR program, the reasonable accommodation process, and the complaint process. A comprehensive approach to training will ensure that DOL employees, managers, supervisors, and other interested parties receive consistent information on the Department's EEO program, while being made aware of the benefits of resolving matters at an early stage. Additionally, OIE will review and revise the Department's Harassing Conduct Policy and Complaint process in an effort to ensure DOL employees are aware of the distinction between the Harassing Conduct Policy and Procedures and OIE's EEO complaint process. In FYs 2019 and 2020, OIE aims to complete at least 96 percent of EEO counseling sessions within regulatory timeframes, have a 36 percent ADR success rate, issue 88 percent of final agency decisions within regulatory timeframes, and issue 88 percent of investigations within regulatory timeframes.

## CIVIL RIGHTS

### Office of External Enforcement

In FY 2018, CRC reorganized its former OEE, which processed, investigated, and adjudicated external discrimination complaints, and its Office of Compliance and Policy (OCAP), which handled all other duties related to the external program, into one consolidated Office of External Enforcement. A unified enforcement / compliance program makes it easier to link strategic goals and allows staff the flexibility to work on multiple aspects of external enforcement. Additionally, staff in the consolidated OEE is being trained to conduct both complaint investigations / adjudications and compliance reviews, which will make CRC more flexible and available for the activities necessary to the external program.

The Workforce Innovation and Opportunity Act (WIOA) was signed into law on July 22, 2014. Since then, CRC's former OCAP team has been working to develop, publish, and provide training and technical assistance about the Final Rule and regulations to implement WIOA Section 188. After the publication of the Final Rule in December 2016, OCAP turned its attention to preparing and delivering training and compliance assistance about the new regulations to State and local Equal Opportunity Officers and other stakeholders, most notably at the National State-Level Equal Opportunity Officer Training Conference. As a result, OCAP did not conduct any external compliance reviews in FY 2018, which was a measure being baselined.

In FYs 2019 and 2020, as stakeholders become more familiar with the requirements of the WIOA nondiscrimination regulations, OEE will develop a formal protocol for selecting and conducting compliance reviews; develop a new external enforcement strategy that utilizes compliance assistance tools and outreach to stakeholders; use baseline data to establish targets for the existing measures; and develop new performance measures.

In FYs 2017 and 2018, the former OEE focused on streamlining procedures and improving the quality of its external complaint program, which resulted in the elimination of a significant backlog of cases, as well as a more focused prioritization of cases, and improved handling of cases in which violations of the law were identified. In addition, all complaints alleging that discriminatory actions by covered entities that took place after the effective date of the WIOA Section 188 Final Rule (January 3, 2017) had to be processed, investigated, and analyzed pursuant to those new regulations. Therefore, during FY 2017 and FY 2018, the former OEE also concentrated on training its staff about the requirements of the new rule, as well as about appropriate standards and procedures for investigating and issuing determinations on discrimination complaints.

In FY 2018, OEE initiated a pilot project for creating digital complaint files, and explored various electronic methods of file sharing. In FYs 2019 and 2020, OEE plans to work with the OCIO to develop and implement a complete electronic filing/review system for investigative case processing. As OEE currently relies on paper files, it is expected that the electronic/filing review system will improve OEE's ability to meet internal investigative timeframes, and increase opportunities for staff to share, track, and store case files and documents. These actions will enable OEE to spend less time on administrative functions and more time on case investigation. In FY 2018, OEE resolved 32 cases and completed 32 investigations. OEE plans to complete 30 investigations and resolve 30 cases in FYs 2019 and 2020.

## CIVIL RIGHTS

| <b>BUDGET ACTIVITY BY OBJECT CLASS</b> |  |                            |                            |                            |  |
|--|--|----------------------------|----------------------------|----------------------------|--|
| (Dollars in Thousands)                 |  |                            |                            |                            |  |
|  |  | <b>FY 2018<br/>Enacted</b> | <b>FY 2019<br/>Enacted</b> | <b>FY 2020<br/>Request</b> | <b>Diff. FY20<br/>Request /<br/>FY19<br/>Enacted</b> |
| 11.1                                   | Full-time permanent                                  | 3,552                      | 3,553                      | 3,571                      | 18   |
| 11.3                                   | Other than full-time permanent                       | 16                         | 25                         | 25                         | 0  |
| 11.5                                   | Other personnel compensation                         | 36                         | 58                         | 58                         | 0  |
| 11.9                                   | <b>Total personnel compensation</b>                  | <b>3,604</b>               | <b>3,636</b>               | <b>3,654</b>               | <b>18</b>  |
| 12.1                                   | Civilian personnel benefits                          | 1,103                      | 1,070                      | 1,070                      | 0  |
| 13.0                                   | Benefits for former personnel                        | 0                          | 0                          | 0                          | 0  |
| 21.0                                   | Travel and transportation of persons                 | 30                         | 30                         | 30                         | 0  |
| 23.1                                   | Rental payments to GSA                               | 365                        | 365                        | 365                        | 0  |
| 23.3                                   | Communications, utilities, and miscellaneous charges | 42                         | 42                         | 42                         | 0  |
| 24.0                                   | Printing and reproduction                            | 5                          | 5                          | 5                          | 0  |
| 25.2                                   | Other services from non-Federal sources              | 326                        | 198                        | 198                        | 0  |
| 25.3                                   | Other goods and services from Federal sources 1/     | 1,346                      | 1,447                      | 1,459                      | 12   |
| 25.4                                   | Operation and maintenance of facilities              | 0                          | 0                          | 0                          | 0  |
| 25.7                                   | Operation and maintenance of equipment               | 7                          | 7                          | 7                          | 0  |
| 26.0                                   | Supplies and materials                               | 52                         | 80                         | 50                         | -30  |
| 31.0                                   | Equipment  | 0                          | 0                          | 0                          | 0  |
| 42.0                                   | Insurance claims and indemnities                     | 0                          | 0                          | 0                          | 0  |
| 51.1                                   | Benefits   | 0                          | 0                          | 0                          | 0  |
|  | <b>Total</b>   | <b>6,880</b>               | <b>6,880</b>               | <b>6,880</b>               | <b>0</b>   |
|  |  |                            |                            |                            |  |
|  | 1/Other goods and services from Federal sources      |                            |                            |                            |  |
|  | Working Capital Fund                                 | 780                        | 711                        | 723                        | 12   |
|  | DHS Services   | 10                         | 10                         | 10                         | 0  |
|  | Services by Other Government Departments             | 456                        | 650                        | 650                        | 0  |

# CIVIL RIGHTS

## CHANGES IN FY 2020

(Dollars in Thousands)

### Activity Changes

#### Built-In

To Provide For:

|  |     |
|--|-----|
| Costs of pay adjustments                             | \$0 |
| Personnel benefits                                   | 0   |
| One day more of pay                                  | 18  |
| Federal Employees' Compensation Act (FECA)           | 0   |
| Benefits for former personnel                        | 0   |
| Travel and transportation of persons                 | 0   |
| Rental payments to GSA                               | 0   |
| Communications, utilities, and miscellaneous charges | 0   |
| Printing and reproduction                            | 0   |
| Other services from non-Federal sources              | 0   |
| Working Capital Fund                                 | 12  |
| 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                               | -30 |
| Equipment  | 0   |
| Insurance claims and indemnities                     | 0   |

**Built-Ins Subtotal** **\$0**

**Net Program** **\$0**

**Direct FTE** **0**

|                         | Estimate       | FTE       |
|-------------------------|----------------|-----------|
| <b>Base</b>             | <b>\$6,880</b> | <b>32</b> |
| <b>Program Increase</b> | <b>\$0</b>     | <b>0</b>  |
| <b>Program Decrease</b> | <b>\$0</b>     | <b>0</b>  |



## CHIEF FINANCIAL OFFICER

| <b>BUDGET AUTHORITY BEFORE THE COMMITTEE</b> |                            |                            |                            |  |
|--|----------------------------|----------------------------|----------------------------|--|
| (Dollars in Thousands)                       |                            |                            |                            |  |
|  | <b>FY 2018<br/>Enacted</b> | <b>FY 2019<br/>Enacted</b> | <b>FY 2020<br/>Request</b> | <b>Diff. FY20<br/>Request /<br/>FY19<br/>Enacted</b> |
| <b>Activity Appropriation</b>                | <b>8,232</b>               | <b>5,516</b>               | <b>5,516</b>               | <b>0</b>   |
| FTE  | 28                         | 21                         | 21                         | 0  |

NOTE: FY 2018 reflects actual FTE. Authorized FTE for FY 2018 was 35.

### **Introduction**

The Office of the Chief Financial Officer (OCFO) is responsible for oversight of all financial management activities in the Department and supports overall Departmental management through effective and efficient stewardship of DOL’s financial resources.

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;
- The Improper Payments Enforcement and Recovery Improvement Act (IPERA) of 2012
- Budget and Accounting Act;
- Congressional Budget and Impoundment Control Act;
- Balanced Budget and Emergency Deficit Control Act, as amended; and
- Anti-deficiency Act

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.

The OCFO also receives funding from the Working Capital Fund.

# CHIEF FINANCIAL OFFICER

## Five-Year Budget Activity History

| <u>Fiscal Year</u> | <u>Funding</u><br>(Dollars in Thousands) | <u>FTE</u> |
|--------------------|--|------------|
| 2015               | \$5,061                                  | 18         |
| 2016               | \$5,061                                  | 17         |
| 2017               | \$5,132                                  | 28         |
| 2018               | \$5,616                                  | 35         |
| 2019               | \$5,516                                  | 21         |

### FY 2020

The FY 2020 request for the Office of the Chief Financial Officer (OCFO) is \$5,516,000 and 21 FTE. In FY 2020, OCFO will continue supporting the Department's goal of optimizing the enterprise-wide shared services model for DOL core administration functions. OCFO will safeguard fiscal integrity and promote the effective and efficient use of resources.

### FY 2019

The FY 2019 revised enacted funding for OCFO is \$5,516,000 and 21 FTE. In FY 2019, OCFO will provide leadership for the centralization of all routine, transactional accounting and financial management operations across the Department to achieve greater economies of scale and improved risk mitigation. OCFO will continue to provide managers and decision makers with the financial management tools needed to drive high-performance and accountability and expand its role as a resource and financial management expertise for all DOL agencies.

### FY 2018

The FY 2018 enacted funding for OCFO was \$8,232,000. Actual FTE use was 28. In FY 2018, OCFO continued its core function of providing financial information to support the Department and central governmental agencies, such as the Office of Management and Budget and the Department of Treasury.

## CHIEF FINANCIAL OFFICER

| <b>BUDGET ACTIVITY BY OBJECT CLASS</b> |  |                            |                            |                            |  |
|--|--|----------------------------|----------------------------|----------------------------|--|
| (Dollars in Thousands)                 |  |                            |                            |                            |  |
|  |  | <b>FY 2018<br/>Enacted</b> | <b>FY 2019<br/>Enacted</b> | <b>FY 2020<br/>Request</b> | <b>Diff. FY20<br/>Request /<br/>FY19<br/>Enacted</b> |
| 11.1                                   | Full-time permanent                                  | 4,000                      | 2,380                      | 2,392                      | 12   |
| 11.3                                   | Other than full-time permanent                       | 0                          | 0                          | 0                          | 0  |
| 11.5                                   | Other personnel compensation                         | 85                         | 99                         | 99                         | 0  |
| 11.9                                   | <b>Total personnel compensation</b>                  | <b>4,085</b>               | <b>2,479</b>               | <b>2,491</b>               | <b>12</b>  |
| 12.1                                   | Civilian personnel benefits                          | 1,278                      | 767                        | 767                        | 0  |
| 13.0                                   | Benefits for former personnel                        | 0                          | 0                          | 0                          | 0  |
| 21.0                                   | Travel and transportation of persons                 | 3                          | 0                          | 0                          | 0  |
| 23.1                                   | Rental payments to GSA                               | 460                        | 254                        | 254                        | 0  |
| 23.3                                   | Communications, utilities, and miscellaneous charges | 4                          | 0                          | 0                          | 0  |
| 24.0                                   | Printing and reproduction                            | 1                          | 0                          | 0                          | 0  |
| 25.1                                   | Advisory and assistance services                     | 366                        | 957                        | 957                        | 0  |
| 25.2                                   | Other services from non-Federal sources              | 115                        | 320                        | 298                        | -22  |
| 25.3                                   | Other goods and services from Federal sources 1/     | 1,871                      | 717                        | 727                        | 10   |
| 25.4                                   | Operation and maintenance of facilities              | 0                          | 0                          | 0                          | 0  |
| 25.7                                   | Operation and maintenance of equipment               | 2                          | 0                          | 0                          | 0  |
| 26.0                                   | Supplies and materials                               | 40                         | 9                          | 9                          | 0  |
| 31.0                                   | Equipment  | 7                          | 13                         | 13                         | 0  |
|  | <b>Total</b>   | <b>8,232</b>               | <b>5,516</b>               | <b>5,516</b>               | <b>0</b>   |
|  |  |                            |                            |                            |  |
|  | 1/Other goods and services from Federal sources      |                            |                            |                            |  |
|  | Working Capital Fund                                 | 1,856                      | 717                        | 727                        | 10   |
|  | DHS Services   | 15                         | 0                          | 0                          | 0  |

# CHIEF FINANCIAL OFFICER

## CHANGES IN FY 2020

(Dollars in Thousands)

### Activity Changes

#### Built-In

To Provide For:

|  |     |
|--|-----|
| Costs of pay adjustments                             | \$0 |
| Personnel benefits                                   | 0   |
| One day more of pay                                  | 12  |
| Federal Employees' Compensation Act (FECA)           | 0   |
| Benefits for former personnel                        | 0   |
| Travel and transportation of persons                 | 0   |
| Rental payments to GSA                               | 0   |
| Communications, utilities, and miscellaneous charges | 0   |
| Printing and reproduction                            | 0   |
| Advisory and assistance services                     | 0   |
| Other services from non-Federal sources              | -22 |
| Working Capital Fund                                 | 10  |
| 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** **\$0**

**Net Program** **\$0**

**Direct FTE** **0**

|                         | Estimate       | FTE       |
|-------------------------|----------------|-----------|
| <b>Base</b>             | <b>\$5,516</b> | <b>21</b> |
| <b>Program Increase</b> | <b>\$0</b>     | <b>0</b>  |
| <b>Program Decrease</b> | <b>\$0</b>     | <b>0</b>  |

## DEPARTMENTAL PROGRAM EVALUATION

| <b>BUDGET AUTHORITY BEFORE THE COMMITTEE</b> |                            |                            |                            |  |
|--|----------------------------|----------------------------|----------------------------|--|
| (Dollars in Thousands)                       |                            |                            |                            |  |
|  | <b>FY 2018<br/>Enacted</b> | <b>FY 2019<br/>Enacted</b> | <b>FY 2020<br/>Request</b> | <b>Diff. FY20<br/>Request /<br/>FY19<br/>Enacted</b> |
| <b>Activity Appropriation</b>                | <b>8,040</b>               | <b>8,040</b>               | <b>8,040</b>               | <b>0</b>   |
| FTE  | 8                          | 8                          | 8                          | 0  |

### **Introduction**

Departmental Program Evaluation (DPE) funds evaluations, including random assignment experimental and other rigorous non-experimental studies, to better understand the effectiveness and implementation of the DOL programs and strategies. The findings from evaluations inform policy, management, and resource allocation decisions. The Department-wide evaluation activities are overseen by a Chief Evaluation Officer (CEO) with staff skilled in evaluation design and statistical analysis. Evaluations are funded with the DM appropriation and through transferred funds. Transfer authority applies to accounts in the Employment and Training Administration, Employee Benefits Security Administration, Office of Workers' Compensation Programs, Wage and Hour Division, Office of Federal Contract Compliance Programs, Office of Labor Management Standards, Occupational Safety and Health Administration, Mine Safety and Health Administration, Office of Disability Employment Policy, Bureau of International Labor Affairs, Women's Bureau and Veterans Employment and Training.

The Department's research and evaluation agenda is developed from learning agendas prepared by each agency annually that lay out priority areas for which evaluations are needed. These priority areas and evaluations are 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 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 DOL; (3) facilitate the use of evaluation and research findings for performance management priorities; (4) ensure the independence of the evaluation and research functions; and (5) 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 is also building partnerships with the academic community and other outside parties to leverage private-sector research expertise.

# DEPARTMENTAL PROGRAM EVALUATION

## Five-Year Budget Activity History

| <u>Fiscal Year</u> | <u>Funding</u><br>(Dollars in Thousands) | <u>FTE</u> |
|--------------------|--|------------|
| 2015               | \$8,040                                  | 0          |
| 2016               | \$8,040                                  | 0          |
| 2017               | \$8,040                                  | 0          |
| 2018               | \$8,040                                  | 0          |
| 2019               | \$8,040                                  | 8          |

## FY 2020

The FY 2020 budget request for the DPE activity is \$8,040,000 and 8 FTE. Funding at this level will provide for evaluations related to department priorities and agency statutory and operational objectives, using the most rigorous evaluation methods appropriate, and designed and coordinated by CEO in collaboration with operating agencies. As in past years, these evaluations will support department priorities and agency statutory and operational objectives. New studies will align with Administration priorities, and will be identified through the learning agenda process. The CEO will complete 100 percent of contracts for evaluations on time and within budget.

The Budget includes a package of proposals to provide access to the National Directory of New Hires (NDNH) – a federal database of employment and unemployment insurance information administered by the Office of Child Support Enforcement within HHS – for evidence and program integrity purposes, while ensuring privacy and security safeguards.

This includes a proposal to provide state agencies with responsibilities for Workforce Innovation and Opportunity Act (WIOA)–as designated by the governor–the authority to match with the National Directory for New Hires (NDNH) for program administration, including program oversight and evaluation of: WIOA, other employment and training programs funded and administered by the U.S. Department of Labor, and Vocational Rehabilitation and Adult Education funded and administered by the U.S. Department of Education. The proposal would also authorize data exchanges between state child support agencies, state agencies that administer workforce programs, and state agencies that administer Adult Education and Vocational Rehabilitation to improve coordination between the programs that each operate.

Access to NDNH will also be provided for units within agencies that conduct evaluation or other statistical activities for research, statistical, evaluation, or performance measurement purposes associated with assessing labor market outcomes. For example, the proposal would enable the Departments of Labor and Education to have access to these data to conduct program evaluations for the purposes of WIOA.

If enacted, these proposals would eliminate duplicative efforts to collect the same employment and earnings data already in NDNH and improve government efficiencies. Please see the Analytical Perspectives Chapter 6 entitled, “*Building and Using Evidence to Improve Government Effectiveness*,” of the President’s Budget for discussion of the full package of NDNH access proposals.

## DEPARTMENTAL PROGRAM EVALUATION

The Budget also proposes a General Provision to capitalize on practices that optimize the use of evaluation funds for certain statistical and evaluation units (including CEO and Bureau of Labor Statistics at the Department of Labor), to give agencies the ability to make full use of these funds and spend funds over longer periods of time.

### **FY 2019**

The FY 2019 enacted funding for DPE is \$8,040,000 and 8 FTE. CEO is currently developing learning agendas with each operating agency to identify research questions to be included the DOL Evaluation Plan. Based on the priorities identified, the Department will transfer additional resources to the DPE account pursuant to Division H, Title I, Section 107 of Public Law 115-113 which authorizes this transfer to DM for use by the CEO for departmental program evaluation. Evaluations will use the most rigorous evaluation methods appropriate, and will be designed and coordinated by the Chief Evaluation Office in collaboration with operating agencies. Additionally CEO has over 40 studies currently underway.

### **FY 2018**

The FY 2018 enacted funding for DPE was \$8,040,000. DPE also received transfers totaling \$1.9 million from the Employment and Training Administration and the Office of Disability Employment Policy, pursuant to Division H, Title I, Section 107 of Public Law 115-113 which authorizes this transfer to DM for use by the CEO for departmental program evaluation. In FY 2018 CEO initiated 9 new evaluation contracts (some of which include multiple studies). Examples include:

- **Career Pathways Descriptive and Analytical Study**. This project builds on the evaluation design work CEO completed in 2018 to build evidence about the implementation and effectiveness of career pathways approaches and help to meet the Workforce Innovation and Opportunity Act statutory requirements about building evidence about these approaches. It will include a meta-analysis of existing impact evaluation results as well as examine how workers advance through multiple, progressively higher levels of education and training, and associated jobs, within a pathway over time, and the factors associated with their success. Project duration: September 2018 to September 2021.
- **The Great Recession: Lessons Learned for the Unemployment Insurance System**. The evidence review examines key lessons learned, best practices, and challenges that states faced administering the unemployment insurance (UI) program during the recession that began in 2007. The study will also be informed by findings from a survey of states. Project duration: September 2018 to September 2021.
- **National Health Emergency Demonstration Grants to Address the Opioid Crisis: Implementation Evaluation**. This evaluation will document and identify promising practices grantees use to combat the economic and workforce impacts associated with the opioid health crisis and encourage more individuals to enter professions that could address the crisis. Project duration: September 2018 to August 2021.

## DEPARTMENTAL PROGRAM EVALUATION

- **Administrative Data and Research Analysis**. Under this project, multiple studies and statistical analyses using existing administrative data for selected programs and target populations of the DOL will be conducted. This project will help DOL meet the President's Management Agenda goal of leveraging data as a strategic asset. Project duration: September 2018 to September 2023.

Additionally in FY 2018, CEO released more than 30 reports of findings. Examples include:

- **Linking Employment Activities Pre-Release (LEAP) Program Evaluation**: Issue Brief Compendium (<https://www.dol.gov/asp/evaluation/completed-studies/LEAP-Compendium.pdf>). These issue briefs explore lessons from the evaluation of the Employment and Training LEAP grants. LEAP pilots the creation of jail-based American Job Centers to support the successful reentry of participants and directly link them to community-based AJCs upon release.
- A series of products under the Career Pathways Design Study, including the **Evaluation Design Options Report** (<https://www.dol.gov/asp/evaluation/completed-studies/Career-Pathways-Design-Study/5-Evaluation-Design-Options-Report.pdf>), that will help DOL build evidence about career pathways approaches and help to meet the Workforce Innovation and Opportunity Act statutory requirements about building evidence about Career Pathways.
- **External Review of Job Corps: An Evidence Scan Report** (<https://www.dol.gov/asp/evaluation/completed-studies/JC-EvidenceScan.pdf>). This report provides a summary of the current research across more than 25 topics that are relevant to Job Corps today. It includes both evidence about programmatic strategies and interventions for youth services and about program organizational structures and practices.

Priority evaluations, identified in the learning agenda process and included in the 2018 DOL Evaluation Plan (which will be initiated by the end of FY 2019) include:

- an apprenticeship evaluation which will build evidence about apprenticeship by identifying and examining innovative and promising models, practices, and partnerships to expand apprenticeship opportunities in high-growth occupations and industries, as well as examine strategies for typically underserved workers such as those with disabilities, women, and veterans and their spouses;
- a study examining work search error prevention strategies to avoid improper UI payments;
- and a study examining how ETA's current programming would be impacted by the institution of application fees in certain places.

These will be initiated by the end of FY 2019 and use dollars appropriated in FY 2018.



## DEPARTMENTAL PROGRAM EVALUATION

| <b>BUDGET ACTIVITY BY OBJECT CLASS</b> |   |                            |                            |                            |  |
|--|---|----------------------------|----------------------------|----------------------------|--|
| (Dollars in Thousands)                 |   |                            |                            |                            |  |
|  |   | <b>FY 2018<br/>Enacted</b> | <b>FY 2019<br/>Enacted</b> | <b>FY 2020<br/>Request</b> | <b>Diff. FY20<br/>Request /<br/>FY19<br/>Enacted</b> |
| 11.1                                   | Full-time permanent                                 | 1,300                      | 0                          | 14                         | 14   |
| 11.3                                   | Other than full-time permanent                      | 0                          | 0                          | 0                          | 0  |
| 11.5                                   | Other personnel compensation                        | 10                         | 0                          | 0                          | 0  |
| 11.9                                   | <b>Total personnel compensation</b>                 | <b>1,310</b>               | <b>0</b>                   | <b>14</b>                  | <b>14</b>  |
| 12.1                                   | Civilian personnel benefits                         | 416                        | 0                          | 0                          | 0  |
| 24.0                                   | Printing and reproduction                           | 0                          | 0                          | 0                          | 0  |
| 25.1                                   | Advisory and assistance services                    | 6,314                      | 8,040                      | 8,026                      | -14  |
| 25.2                                   | Other services from non-Federal sources             | 0                          | 0                          | 0                          | 0  |
| 25.3                                   | Other goods and services from Federal sources<br>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  |
|  | <b>Total</b>  | <b>8,040</b>               | <b>8,040</b>               | <b>8,040</b>               | <b>0</b>   |
|  |   |                            |                            |                            |  |
|  | 1/Other goods and services from Federal sources     |                            |                            |                            |  |

# DEPARTMENTAL PROGRAM EVALUATION

## CHANGES IN FY 2020

(Dollars in Thousands)

**Activity Changes**

**Built-In**

To Provide For:

|   |     |
|---|-----|
| Costs of pay adjustments                      | \$0 |
| Personnel benefits                            | 0   |
| One day more of pay                           | 14  |
| Printing and reproduction                     | 0   |
| Advisory and assistance services              | -14 |
| 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** **\$0**

**Direct FTE** **0**

|                         | Estimate       | FTE      |
|-------------------------|----------------|----------|
| <b>Base</b>             | <b>\$8,040</b> | <b>8</b> |
| <b>Program Increase</b> | <b>\$0</b>     | <b>0</b> |
| <b>Program Decrease</b> | <b>\$0</b>     | <b>0</b> |