

**U.S. Department of Labor  
Office of the Assistant  
Secretary for Policy**



**November 2020**

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## TAB 1: AGENCY ORGANIZATIONAL OVERVIEW

### **Mission**

The Office of the Assistant Secretary for Policy (OASP) is the principal policy, regulatory, data governance, and evaluation office for the U.S. Department of Labor (Department or DOL) Secretary, Deputy Secretary, and Department leadership. OASP advances the Administration's agenda through its policy and regulatory work while maintaining independent efforts to build evidence through formal studies, evaluations, and data analytics. This ensures that OASP provides Departmental leadership with expert guidance and advice on issues that affect American workers, leadership in building and leveraging capacity to use data to inform program administration, and allows for independent and rigorous evaluation of the Department's programs. Specifically, OASP consists of five divisions, including the Office of Regulatory and Programmatic Policy, the Chief Evaluation Office, the Office of Data Governance, the Office of the Chief Economist, and the Office of Compliance Initiatives. For more information, please visit <https://www.dol.gov/agencies/oasp>.

The mission of OASP is to provide advice to the Secretary, Deputy Secretary, and Department leadership on policy development, program evaluation, regulations, program implementation, data governance, compliance strategies, research, and legislation that will improve the lives of workers, retirees, job-creating business owners, and their families.

### **Authorizing Legislation**

#### *Chief Regulatory Policy Officer*

The Regulatory Flexibility Act, as amended by the Small Business Regulatory Enforcement Fairness Act (5 U.S.C. 601 *et seq.*); the Small Business Paperwork Relief Act of 2002 (44 U.S.C. 3506(i)); Executive Order 12866 ("Regulatory Planning and Review," September 30, 1993); and Executive Order 13272 ("Proper Consideration of Small Entities in Agency Rulemaking," August 13, 2002).

Executive Order 12866 requires the head of each Executive Branch Agency to designate a Regulatory Policy Officer who is responsible for ensuring the Department's compliance with the Executive Order. The Secretary has designated the Assistant Secretary for Policy, as the Department's Regulatory Policy Officer. The Office is also responsible for the Department's compliance with the requirements of the Regulatory Flexibility Act, as amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA); the Small Business Paperwork Relief Act of 2002; and management of the Government Accountability Office (GAO) audits, reports and recommendations.

#### *Chief Evaluation Officer*

Departmental Program Evaluation (DPE) funding is authorized each year through legislative appropriations (\$8.04 million in FY 2020), and administered by the CEO. In addition to funds appropriated for DPE, Division A, Title I, Section 107 of Public Law 116-94, the "Consolidated Appropriations Act, 2020" (the Act) authorizes the Secretary of Labor to reserve not more than 0.75 percent from specific budget accounts for transfer to and use by the CEO's Chief Evaluation

Officer for departmental program evaluation. In consultation with the Departmental Budget Center and operating agencies, the Chief Evaluation Officer recommends the set-aside percentage to the Secretary for approval. These evaluation set-aside funds are transferred to CEO and are available for evaluations of programs administered by the agencies specifically listed in statute fifteen days after notifying Congress of the intent to transfer funds and the planned projects. Evaluation funding (core and set aside) must be obligated within two years.

CEO leads a number of Department-wide evidence-building activities, including those mandated by recent legislation, the Foundations for Evidence-Based Policymaking Act of 2018 ([Evidence Act](#)). This new law requires that federal agencies, including DOL, advance evidence-building activities, open government data, and confidential information protection and statistical efficiency. Central to the statute is a commitment that the leaders overseeing the various activities to build credible information, including performance measurement, statistics, policy analysis, data governance, and evaluation, collaborate more strategically in supporting the Department's progress in building its capacity to develop and use data more effectively.

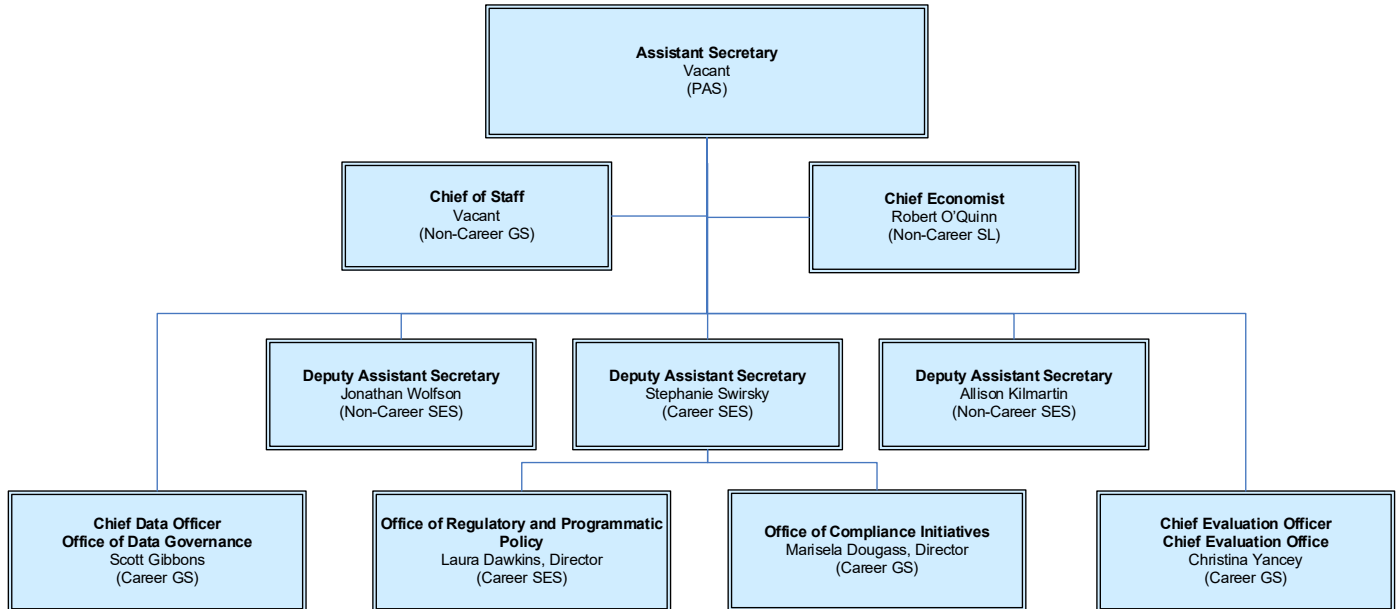
#### *Office of Data Governance*

Title 2 of the [Evidence Act](#) requires each CFO-Act Agency to name a Chief Data Officer (CDO) and to take action to make federal data more accessible and useful. [Guidance](#) from OMB for Title 2 in the form of the emerging [Federal Data Strategy](#) requires federal agencies to stand up a diverse data governance body and to implement numerous assessments and actions related to data management, skills, sharing and use. In addition, the last four years have seen a proliferation of laws related to specific kinds of data management, use, and sharing including the [Geospatial Data Act of 2018](#) and the [Grant Reporting Efficiency and Agreements Transparency Act of 2019](#).

**TAB 1: Agency Organizational Overview**

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*Organizational Chart*



**TAB 1: Agency Organizational Overview**

*Workforce At-A-Glance*

**DEPARTMENT OF LABOR EMPLOYMENT \*  
AS OF 11/1/2020 - OASP**

AGENCY				
Subagency	National Office	Regional Office	Total	
OASP	46	1	47	
Total	46	1	47	
RACE & GENDER				
Ethnicity	F	M	Total	
Asian		4	1	5
Black		6	2	8
Hispanic		1	1	2
Two or more Races		2	0	2
White	16	14		30
Total	29	18		47

BARGAINING UNIT	
Local 12	13
Non-BU	34
SUPERVISORY**	
Non Supervisor	36
Supervisor	11
WORK SCHEDULE	
F-Full Time	44
P-Part Time	3
REGIONS	
5 Chicago	1
Natl Ofc	46
Total	47

GRADE DISTRIBUTION	
00	5
07	1
09	1
11	4
12	1
13	6
14	14
15	15
Total	47
DISABLED STATUS	
No Disability	44
Non-targeted	3
APPOINTMENT TENURE	
Indefinite	7
Permanent	40
RETIREMENT ELIGIBILITY	
Early Out	6
Eligible	6
Not Eligible	35

METRO D.C. AREA EMPLOYEES BY BUILDING		
FRANCES PERKINS BLDG	46	
Total	46	
Includes regional employees working in the D.C. area		
GRADE 13 & ABOVE		
Ethnicity	F	M
Asian	4	1
Black	1	2
Hispanic	1	1
Two or more Races	2	0
White	16	12

\* Permanent and Temporary Employees

\*\* Supervisor count includes manager levels 2 and 4

OASP also routinely engages short-term personnel on details to work on a variety of priority projects and assignments through the Presidential Management Fellow Program, DOL Repository of Opportunities Assignments & Details (ROAD) program, and the SOL Attorney Leadership Development Program.

## Organizational Changes During the Past Four Years

### *Office of Regulatory and Programmatic Policy (ORPP)*

The key function of regulatory review and analysis has been a constant in ORPP for the last four years. In addition, ORPP holds responsibility within OASP for leading high priority regulatory initiatives through the Department and OMB, including leading policy development, drafting and engaging agency economists and CHECO in the development and defense of the economic analyses, and managing the Department's equities in the OMB interagency economic and policy review process.

### *Chief Evaluation Officer (CEO)*

With the passage of the Evidence Act, the Chief Evaluation Officer incorporated a new role into the long-standing function, as one of the Secretarial-designated Evidence Officials. The new role builds upon the preexisting duties of overseeing the development and implementation of evaluations and other rigorous research, which are conducted primarily through third-party contracts. Additionally, CEO formally coordinates alignment across the Department's distinct evidence-building domains including performance management, statistics, and policy and data analysis; and oversees the development of public-facing documents describing those efforts.

### *Office of Data Governance (ODG)*

OASP implemented Secretary's Order (SO) 02-2019 and an Evidence Act requirement by creating the role of the CDO within OASP in 2019. This formalized the role of the CDO in leading DOL's Data Board. ODG is staffed by three individuals (the CDO and two supporting staff) and utilizes a number of staff detailed from other agencies to increase capacity and expand its collaborative work to improve data quality with DOL component agencies.

### *Office of the Chief Economist (CHECO)*

The Office of the Chief Economist (CHECO) was moved into OASP from the Office of the Secretary.

### *Office of Compliance Initiatives (OCI)*

OCI was created in March 2018 as a complement to the Department's enforcement activities. The staff works closely with the Department's agencies to educate employers about their responsibilities, foster a culture of compliance at the Department through Communities of Practice and working groups, and to ensure compliance assistance materials are accessible and understandable through plain language and human-centered design. OCI is led by its Director and staffed by two additional positions, its Deputy Director and Compliance Outreach Manager, along with employees detailed from other agencies.

## Key Leaders

- **Vacant**, Assistant Secretary for Policy
- **Jonathan Wolfson**, Deputy Assistant Secretary
- **Alison Kilmartin**, Deputy Assistant Secretary
- **Stephanie Swirsky**, Deputy Assistant Secretary

**TAB 1: Agency Organizational Overview**

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- **Laura Dawkins**, Director, Office of Regulatory and Programmatic Policy
- **Christina Yancey**, Chief Evaluation Officer
- **Scott Gibbons**, Chief Data Officer
- **Marisela Douglass**, Director, Office of Compliance Initiatives
- **Albert Herrera**, Administrative Officer



## TAB 2: STATE OF PLAY

### Key Meetings, Decisions, and Announcements

#### *Office of Regulatory and Programmatic Policy (ORPP)*

The OMB call for agency submissions for the 2021 Spring Regulatory Agenda will likely be issued in February 2021, with the Department's submission due in March. A copy of the Spring 2020 Regulatory Agenda is included as a cross-agency paper.

Also included as a cross-agency paper is a list of current and recently completed GAO audits that GAO has indicated may have final reports issued between January and March 2021, and a list of open GAO recommendations.

#### Special Note on Briefing the Incoming Secretary of Labor

The Presidential Transition Act of 2000 provides for GAO to brief individuals the President-elect intends to nominate as Department heads on the GAO's High-Risk List. There are six categories that GAO considers key issues: Cybersecurity Challenges Facing the Nation, Employment in a Changing Economy, Financial Security for Older Americans, Pension Benefit Guaranty Corporation Insurance Programs, Reducing Government-wide Improper Payments, and Trade Enforcement and Promotion.

#### *Chief Evaluation Officer (CEO)*

Upon the release of the President's Budget, tentatively scheduled for February 2021, significant evaluation activities will be undertaken under the direction of CEO. After the final FY 2021 Congressional appropriations is complete, the Secretary may approve the 2021 evaluation set-aside funding and required Notice to Congress, discussed above within Authorizing Legislation section. This funding will be applied to evaluations initiated by the end of FY 2022.

A general evaluation item for Secretarial awareness involves responding to any external questions or interest that may arise related to publicly-released evaluation reports. Under current process, the Office of the Secretary receives advance notice of the release of reports along with a short summary of key findings and possible external or stakeholder interest in the report. See below under "Initiatives" for information on reports and studies. A copy of recent evaluations is included as a cross-agency paper.

#### *Office of Data Governance (ODG)*

An audit of DOL's compliance with the Geospatial Data Act of 2018 (GDA) was completed on September 30, 2020. The findings from that audit necessitate some changes across the department in how geospatial data (in most cases, this is limited to address data) is collected, managed, and shared. This may include adopting new standards once they are available. ODG staff are coordinating interviews with agency programs and IT staff, and formulating a proposal to standardize activities toward more consistent and optimal address collection. This will be the first instance for DOL of enterprise data governance and will likely set expectations for future enterprise governance actions required by the Federal Data Strategy. Important decisions will need to be made regarding how this work is funded, how this work is prioritized against other IT

work, and to what degree the timelines support compliance with the audit results and GDA. This work should be carefully considered because it will establish critical templates, and organizational perceptions, around the utility and importance of making IT changes that support enterprise data governance goals.

## Policy and Regulatory Issues

### *Office of Regulatory and Programmatic Policy*

#### Overview

ORPP is the chief regulatory office for the Secretary, Deputy Secretary, and the Department. The office manages and coordinates the regulatory development, review and clearance process in compliance with the requirements of E.O. 12866, as well as other related OMB Circulars and Bulletins. In this capacity, OASP is the Department's lead office, coordinating the review of regulations with the Office of Information and Regulatory Affairs (OIRA) within OMB.

#### Regulatory Process

ORPP works with Departmental agencies to develop the Department's regulatory agenda and the Office of the Secretary to identify priority regulations. The office works with the agencies and the Office of the Solicitor (SOL) to draft and review regulations and economic analyses. ORPP leads regulatory policy decision-making with the Offices of the Secretary and Deputy Secretary, as well as agency leadership and SOL. The office's economists work closely with agency economists and are responsible for reviewing or often preparing regulatory impact analyses and other economic projects in conjunction with the agencies and the Chief Economist's Office, currently in OASP.

ORPP manages the Department's clearance process for agency regulations. Agency regulations must be approved by the Offices of the Secretary and Deputy Secretary, the Solicitor, the Assistant Secretary for Policy, and the Chief Economist. Once departmental clearance is complete, ORPP works with the Executive Secretariat to secure the Secretary's approval to transmit significant regulations to OIRA for inter-agency review, or publish those not determined to be significant. ORPP then manages and coordinates transmittals to OIRA and all written responses and discussions with OIRA, the Executive Office of the President, and other federal partners on comments provided on regulations. ORPP transmits regulations that OIRA determines are not significant to the *Federal Register* for publication. The process appropriately applies to all rulemaking mechanisms under the Administrative Procedures Act, including Requests for Information (RFIs), Advance Notices of Proposed Rulemaking (ANPRMs), Notices of Proposed Rulemaking (NPRMs), Interim Final Rules (IFRs), Final Rules, and Significant Guidance, with consideration of and response to public comments made on proposals occurring during development of Final Rules.

However, ORPP's ability to achieve its regulatory development milestones is affected by dependencies external to both OASP and the Department. For example, although ORPP manages the Department's regulatory process, ORPP also works with component agencies to identify, develop, and complete their internal regulatory projects. These relationships are vitally important in order for ORPP to manage and meet regulatory priority goals outlined in the Department's submission to the semi-annual Unified Regulatory Agenda.

### Semi-Annual Regulatory Agenda

ORPP manages, develops and prepares the Department's Semi-Annual Regulatory Agenda (and Regulatory Plan) which is a component of the Unified Agenda of Regulatory and Deregulatory Actions. OMB typically releases this Agenda to the public in October and May. The annual Regulatory Plan is published in the fall, and contains a statement of the Department's regulatory priorities and information about significant regulatory objectives for the year.

Twice yearly, ORPP works with the agencies to update their current agenda items and identify new items. During this process, ORPP also facilitates policy discussions among OASP, agency staff, and senior department leadership on any issues of concern and assures that the regulatory agenda reflects the Secretary's priorities. ORPP drafts and prepares the Department's regulatory agenda submission for the Secretary's approval and transmittal to OIRA. ORPP then manages the OIRA review process and passback, working with the agencies and departmental leadership to answer questions and resolve differences. OIRA publishes and posts the Department's agenda on its website, along with all of the other federal and independent agencies.

The most recent [regulatory agenda](#) was published on June 30, 2020. As requested by OIRA, the Department's Fall 2020 Regulatory Agenda and Regulatory Plan was submitted on September 4, 2020 and is under development and review by OIRA. The regulatory plan narrative is an opportunity for the Secretary of Labor to share the Department's priorities with the public. The narrative reflects, but is not limited to, the number of regulatory and deregulatory actions undertaken by the Department and rulemakings that streamline existing regulations, reduce burden and are of interest to small businesses.

### Regulatory Reform Task Force

OASP houses the Department's Regulatory Reform Officer (RRO) and is responsible for overseeing the implementation of regulatory reform initiatives and policies, and chairing the Department's Regulatory Reform Task Force (RRTF). In collaboration with DOL agencies, the RRO identifies regulations for repeal, replacement, or modification consistent with the requirements of E.O. 13777. In this capacity, OASP works with the DOL agencies to implement regulatory reform proposals that decrease burdens on the regulated community and reduce costs associated with the implementation of regulations

### Office of the Federal Register (OFR)

ORPP is also responsible for managing the process for publishing NPRMs, Final Rules, and other rulemaking-related notices such as information collection requests, Federal Advisory Committee Act meeting notices, and stakeholder meeting notices in the *Federal Register*. Prior to submission to the OFR, ORPP coordinates and consults with agencies and the Office of the Secretary to ensure that documents have been appropriately vetted and approved for publication. ORPP then is responsible for handling special requests for specific dates of publication, certifying and electronically submitting documents to the OFR for publication, working with agencies and the OFR editorial and legal staffs to address changes requested by OFR, and notifying the Department of timing for publications. Examples of issues ORPP may need to resolve include, but are not limited to drafting, incorporation by reference, delegation of authority, and the Code of Federal Regulations.

### Policy Innovation

OASP manages the interagency policy innovation and development process within the Department and represents the Department in the broader policy development process in the Administration. This work includes a number of functions:

1. Conducting policy research on priority issues to advance the Department's strategic goals; inform the rulemaking process; leading collaboration on issues that cross agencies or do not reside in any one DOL agency; and tracking emerging trends in the labor market.
2. Partnering and representing the Department with policy experts, academics, think tanks, and others to advance the growth of our knowledge around emerging labor policy.
3. Assisting agencies in aligning their priorities with the Secretary's priorities and ensuring that the messaging for their priorities fits within the Department's broader messaging.
4. Organizing and convening key stakeholders for discussions and public forums to explore various long-term economic trends and policies.

### Guidance Modernization Project

ORPP staff coordinated the development of the online DOL [guidance database](https://www.dol.gov/guidance),<sup>1</sup> created in compliance with E.O. 13891 in February 2020. Its creation was a Department-wide effort, with ORPP coordinating every agency's submission of documents to be included in the database, as well as the number of rescinded guidance documents. The database is a single, searchable webpage that links to all of DOL's current guidance documents. It is intended as a one-stop shop for finding all of the DOL guidance documents that may be applicable to a particular business or industry and eliminates the need to search each individual agency site for this information. The webpage allows a number of filtered searches including searches by keywords, form of guidance, and the name of the agency that published the document. The resource is fully available to the public and regularly updated with new guidance documents as they are published. Pursuant to E.O. 13891, the webpage also provides information on how to petition to modify or withdraw a guidance document. In addition, E.O. 13891 requires agencies to finalize regulations that formalize their processes for issuing and using guidance. The Department issued its *Promoting Regulatory Openness through Good Guidance* rule outlining that process on August 28, 2020.

### COVID-19 Response

ORPP also played a key role in response to the COVID-19 pandemic. In particular, ORPP staff worked to clear and publish emergency regulations such as WHD's *Paid Leave Under the Families First Coronavirus Response Act* temporary rule quickly in response to the national emergency. Also, in response to a request from Department leadership, ORPP collected both qualitative and quantitative data about the international response to the pandemic in order to inform the Secretary's policy positions in this matter. ORPP also is the single point of contact for OIRA's clearances of the myriad of government policy and guidance documents both through the Department, as well as clearing the Department's COVID-19 related documents through the

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<sup>1</sup> <https://www.dol.gov/guidance>

OIRA policy process. ORPP also worked extensively with both OSHA and WHD to get emergency guidance published.

## Evaluations

### *Chief Evaluation Office*

#### Overview

CEO coordinates, manages, and implements the Department's evaluation program; leads key initiatives related to the Department's implementation of the Foundations for Evidence-Based Policymaking Act of 2018 (Evidence Act); oversees evidence capacity-building efforts; and carries out highly technical data analyses through its Data Analytics Unit.

#### Evaluations

CEO directly funds and sponsors independent evaluations and also collaborates across all DOL agencies and programs to design and conduct evaluations that those agencies sponsor. CEO prepares the Department's annual evaluation plan in close coordination with the operating agencies. Each agency develops a learning agenda in collaboration with CEO and specifies priority evaluation and research topics of particular interest to the agencies. CEO develops the Department's evaluation plan based on the agency learning agendas as well as Department's Strategic Plan priorities, statutory requirements for evaluations, Secretarial and Administration priorities, and continuing discussions with agency leadership and program staff.

At any given time, about 50 evaluations, data analysis, and other research studies are underway. Nearly all evaluations are conducted by independent contractors awarded through competitive procurement. Starting in FY 2016, Congress authorized CEO to also enter into grants for evaluations and research, also competitively awarded. There are not presently any active grants.

Included as cross-agency papers are lists of pending evaluations and reports completed and released in the past year. Ongoing studies and prime contractors, completed projects and released reports are posted on the CEO website under "[Studies](#)".<sup>2</sup>

#### Implementation of the Evidence Act

CEO leads several key components of Evidence Act implementation, with a central role in developing three new public-facing Departmental resources to support the use of evidence during the next four years:

1. A retrospective assessment of gaps, strengths, and challenges in the Department's capacity to develop and use rigorous data for decision-making, spanning FY 2018-2022.
2. A forward-facing evidence-building plan describing key activities that the Department will undertake during FY 2022-2026, in order to develop and use data
3. A forward-facing annual evaluation plan, describing significant evaluations that will be undertaken across the Department in the subsequent FY.

#### Evaluation Capacity Building

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<sup>2</sup> <https://www.dol.gov/asp/evaluation/EvaluationPolicy.htm>

CEO leads evaluation capacity-building in the Department and has an important role in expanding evidence-based practice in the Federal government. For example, CEO staff host regular seminars and brown bag sessions for DOL staff on evaluation findings and discussions of study implications; make presentation on evaluation methodology and statistical techniques for internal DOL staff; present at programmatic and academic evaluation conferences; and fund student and academic research projects in order to build research capacity in areas of interest to the Department.

#### Clearinghouse for Labor Evaluation and Research

CEO developed the evidence-based [Clearinghouse for Labor Evaluation and Research \(CLEAR\)](#) in 2012, as a central source of research and information on labor-related topics, and continues to expand this resource. Profiling over 1,000 studies in 2020, CLEAR's primary goal is to make labor research more accessible to DOL administrators as well as practitioners, policymakers, researchers, and the public so that it can inform decisions about policies and programs. CLEAR conducts systematic evidence reviews on labor related issues, including studies funded by DOL and other studies with published reports, and summarizes methodologies, findings, and policy/program implications.

#### Data Analytics Unit

The Data Analytics Unit develops economic and statistical projects that help inform program administration and guide decision making. The team works in close partnership with DOL agencies to ensure responsiveness to the needs of individual program offices. Data Analytics provides specialized, highly technical services that help agencies meet their learning objective goals. They conduct rigorous studies using administrative data to answer important operational and strategic questions of interest, serve as data quality experts, build innovative data products and visualizations, consult on economic and statistical methodology, and build and administer DOL's restricted use data program.

## **Data Governance**

### *Office of Data Governance*

#### Overview

ODG works to tie all agencies and their staff to actions that continually seek to monitor, improve, and maintain data to ensure it can serve its intended role to inform program administration, policymaking, and data-informed decisions. Efforts to identify data as a major agency priority goal, integrate data management, and proliferate into all aspects of Federal program administration will need to be evaluated and supported. There is not a single point for action for these activities and the path to ensuring that data are fit for purpose requires working with many different agencies and programs.

There are numerous efforts underway to help raise the capacity of the Department to leverage data as a strategic asset and improve DOL's data quality. All agencies have included data projects in their FY 2021 operating plans so ensuring continuity of these projects, where appropriate, is important and making inquiries among agency leadership teams on the status and progress of this work will help to elevate and expedite this important work.

### Standardizing Data

ODG is working towards an enterprise data governance framework and data strategy. Evaluating these plans and the specific approaches agencies can take to improve their data capacity will be increasingly important. Much of DOL's data is siloed within agencies and managed in ways that are neither standardized nor optimal. Critical decisions must be made regarding whether plans should be implemented to work on an agency-by-agency and office-by-office approach, or to push for expanded roles for data governance and develop new enterprise systems that would make data management at the enterprise level simpler and more consistent.

### Improving Data Analysis

ODG is deploying a consolidated analytical "sandbox" called the Labor Advanced Service for Analytics and Research (LASAR), that provides access to cutting edge analytical tools and supports numerous efforts across the enterprise to prototype new analytics, experiment with machine learning and artificial intelligence, instruct and share common approaches through template code, incentivize more standardized and optimal approaches to leveraging data for the whole Department. ODG's goal is to expand the knowledge base, available methods and the number of promising practices illustrating ways in which data can be leveraged as a strategic asset; used to prototype new tools for visualizing data or identify useful trends and patterns in data, and made to assess the utility of advanced analytics. LASAR is central to complementing existing agency capabilities and supporting their staff in becoming more sophisticated users of their data to support data-informed strategic planning, policymaking and decisions.

### Open Data at DOL

The Department, led by ODG and the Data Board, is in the final stages of preparing a new API to provide data-as-a-service (DAAS). Data-as-a-service is a simple, powerful, and convenient way to make selectable subsets of data available on-demand, to internal and external users. Data-as-a-service takes open data one step further by providing access to an intuitive and visual interface, and allowing users to find data sets and then pull only those records they are interested in, or need, and provide the resulting data in machine readable format, along with machine readable metadata. This service will support efforts to leverage DOL data to build repeatable pipelines and supply DOL data for reporting, analysis and visualization. This effort is consistent with DOL's ongoing efforts at IT consolidation and modernization, as well as the broad Federal emphasis on shared services. The API was co-developed by OPA and the DOL Data Board in collaboration with representatives from most DOL agencies. The new data portal was designed and implemented by the same teams and in the same collaborative way. During early 2021, this project will pivot towards making this technology useful to DOL program staff and helping them see how their mission can be more efficient and more effective by leveraging the capacity of DAAS.

## **Compliance Initiatives**

### *Office of Compliance Initiatives*

#### Overview

OCI promotes greater understanding of federal labor laws and regulations, allowing employers to prevent violations and protect Americas' workers' wages, workplace safety and health, retirement security, and other rights and benefits. OCI's cross-agency efforts complement the

Department's enforcement activities by strengthening and innovating compliance assistance outreach. Four strategic goals guide OCI's work:

1. Enhancing outreach activities for the Department's enforcement agencies, including conducting outreach to business associations and employers through innovative stakeholder engagement.
2. Creating innovative ways to provide employers and workers with access to high-quality, up-to-date information regarding obligations and rights under federal labor laws and regulations.
3. Facilitating and encouraging a culture that promotes compliance assistance within the Department.
4. Assisting enforcement agencies in developing new strategies to use data and behavioral insights to enhance compliance and enforcement strategies.

#### Compliance Tools

OCI managed web tools are designed to provide compliance assistance and information to the public using existing content from DOL and other federal partners. These tools include:

1. *Employment Laws Assistance for Workers and Small Businesses (elaws)*  
The Employment Laws Assistance for Workers and Small Businesses (elaws) Advisor program has been an OASP initiative since 1996. This web-based program helps both employers and employees understand their rights and responsibilities under many of the employment laws administered by DOL and was originally released in 1997. Elaws Advisors simulate the interaction a user would have with an employment law expert, answering questions about complex issues specific to the user's workplace and/or employment situation.
2. *Employer.gov and Worker.gov*  
Employer.gov and Worker.gov are designed to provide compliance assistance and information to the public using existing content from DOL and other federal partners. These web tools were developed following user-centered design principles to facilitate workers and employers finding the information they need to address their workplace concern. Navigation is topic- and issue-based, with menus that enable users to explore by topic or common concerns. They are designed for a user who has a question or problem and/or who does not know which federal law or agency could assist with their concern.

Employer.gov and Worker.gov are designed to synthesize content from multiple agencies to provide high-level, easy-to-understand information to employers and workers about common workplace issues; serve as portals to direct users to specific, detailed content in elaws or agency websites; and help users find the right federal agency to assist them.

#### Social Media Listening

OCI engages in social media listening to improve its understanding of stakeholder activity and identify new areas and mechanisms of outreach. Listening in on social media conversations occurring around an agency's campaign, such as OSHA's Safe and Sound Week, can help it



better understand who is choosing to engage. Agencies are able to distinguish between partners and non-partners to compare across.

Social media listening enables agencies to map how its influencers are networked together. This enables them to see who is generating content and who is then amplifying that content. Understanding these relationships can help agencies identify ways to reach new audiences. Both the content generators and amplifiers may be ripe for agencies to reach out to. Identifying organizations that are sharing campaign messaging without being a partner gives a starting point to bring them onboard as a partner as they are already completing the agencies' primary ask.

### Stakeholder Engagements

OCI organizes stakeholder engagement events, such as webinars and a summit, to discuss how the Department is helping workers and employers by reducing regulatory burdens and making it easier to understand and comply with the law. These events showcase the Department's compliance assistance programs and modernized tools, and gave stakeholders a chance to hear from and interact with the agencies. They also provide an opportunity for workers, employers, and state and local governments to ask questions and discuss how the Department can expand and improve access to its compliance assistance materials.

### Compliance Assistance Working Groups & Analysis

OCI works closely with the Department's agencies to conduct analyses and convene working groups to identify and share best practices, with a view to improving the Department's compliance assistance materials. OCI's comprehensive 2019 compliance assistance review identified 20 best practices shared among agencies and 12 actions to enhance and expand the Department's compliance assistance offerings and support agencies' continued efforts in their compliance assistance outreach. To implement the recommendations of its review, OCI is leading working groups to ensure compliance with Section 508 of the Rehabilitation Act of 1973 (as amended) and the Plain Writing Act of 2010, improve accessibility and understandability of the Department's compliance assistance materials, enhance and expand compliance assistance offerings, and support agencies' continued efforts in their compliance assistance outreach.

### Communities of Practice for DOL's Compliance Assistance and Outreach Professionals

OCI convenes two communities of practice – one for DOL's compliance assistance and communications leads based in Washington, DC, and the other for DOL's outreach professionals based throughout the country. Outreach practitioners at DOL agencies play a critical role in advancing stakeholder engagement. However, they often work in isolation compared to their co-workers and counterparts in other agencies. By convening its community of practice for DOL's outreach professionals, OCI seeks to create and sustain supportive networks, improve practice, provide professional development opportunities, provide practitioners with regular and ongoing opportunities to share challenges and solutions.

### Geospatial Mapping Tool for Compliance Assistance Outreach Professionals

OCI developed a mapping tool that DOL agencies can use to enhance and expand collaboration among outreach professionals on compliance assistance activities. This involved mapping the locations of outreach professionals across the country with the ability to search by city and state

so that agencies are able to coordinate activities more efficiently. The tool facilitates collaboration on cross-agency outreach events and compliance assistance initiatives.

### COVID-19 Response

In March 2020, OCI partnered with the Department's Wage and Hour Division and the Office of Disability Employment Policy to launch a national online dialogue, Providing Expanded Family and Medical Leave to Employees Affected by COVID-19. OCI received over 1,300 questions and ideas from employers, workers, state and local government officials, and other stakeholders related to understanding their responsibilities and rights related to the paid leave provisions of the Families First Coronavirus Response Act. Working with WHD, OCI developed an interactive [Paid Leave Eligibility Tool](#), which helps workers determine if they qualify for leave for reasons related to the coronavirus pandemic. The web tool already has more than 111,000 views since its launch in late June.

At the end of April 2020, OCI also collaborated with the Department's Occupational Safety and Health Administration, Wage and Hour Division, Employee Benefits Security Administration, Office of Federal Contract Compliance Programs, Employment and Training Administration, Office of Disability Employment Policy, Veterans' Employment and Training Service, and Women's Bureau to launch another national online dialogue. The Opening America's Workplaces Again dialogue provided an innovative opportunity for employers and business organizations, employees and employee groups, state and local government officials, and other stakeholders to play a key role in informing the Department's efforts to ensure employers and workers are able to participate fully in our economy. Almost 2,000 stakeholders participated, sharing 509 ideas on how to reopen businesses, commute safely, work safely, reduce regulatory burden, accommodate members of vulnerable populations, and support America's families.

## **Key Agency Stakeholders**

### *Office of Regulatory and Programmatic Policy (ORPP)*

1. Department of Justice works closely with DOL to identify and develop more labor trafficking cases through the inter-agency Anti-Trafficking Coordination Team Initiative.
2. Department of Homeland Security (DHS) Human Smuggling and Trafficking Center serves as a clearinghouse for all information related to human smuggling and trafficking.
3. DHS Immigration and Customs Enforcement works closely with DOL to ensure that DHS civil worksite enforcement activities do not conflict with DOL's.
4. DHS U.S. Citizenship and Immigration Services jointly publishes rules related to non-immigrant visas with DOL.
5. EOP/Council of Economic Advisers works with DOL's economists to ensure that the President receives objective economic advice on the formulation of both domestic and international economic policy.
6. EOP/Domestic Policy Council (DPC) coordinates the domestic policy-making process in the White House, ensures that domestic policy decisions and programs are consistent with the President's stated goals, and monitors implementation of the President's domestic policy agenda. ORPP works to harmonize rules with the DPC's agenda.

7. EOP/National Economic Council coordinates policy-making for domestic and international economic issues, organizes economic policy advice for the President, ensures that policy decisions and programs are consistent with the President's economic goals, and monitors implementation of the President's economic policy agenda. ORPP works to make sure that rules published by DOL line up with those stated goals
8. EPA/FDMS (e-rulemaking program) is a platform managed by GSA that electronically compiles public comments on Notices of Proposed Rulemakings and other documents that require public comment. ORPP consistently attends GSA workgroups to provide feedback regarding how to improve the service.
9. Federal Mediation and Conciliation Service is an independent agency that works to preserve and promote labor-management peace and cooperation. The agency provides mediation and conflict resolution services to industry, government agencies and communities.
10. Government Accountability Office provides fact-based, nonpartisan information to Congress. ORPP participates in substantive meetings (including Entrance and Exit Conferences), advises agencies and reviewing agency responses to GAO requests for information, reviews GAO draft report findings and recommendations, and manages the DOL-wide response to GAO's annual request for the status of efforts to implement open recommendations.
11. Office of the Federal Register prepares and publishes public documents such as rules, proposed rules, and notices for Federal agencies and organizations.
12. OMB/Office of Information and Regulatory Affairs (OIRA) is the Government's central authority for the review of Executive Branch regulations, approval of Government information collections, establishment of Government statistical practices, and coordination of Federal privacy policy. ORPP works directly with OIRA to resolve any concerns they may have during the rulemaking process.
13. GSA/Regulatory Information Service Center (RISC) works closely with OMB/OIRA and facilitates the development of the Semi-Annual Unified Agenda and annual Regulatory Plan.
14. Small Business Administration, Office of Advocacy manages the Regulatory Flexibility Act. ORPP works with them to resolve any issues they may have with this section of DOL rules
15. State Department, Office to Monitor and Combat Trafficking in Persons leads the Department's global efforts to combat modern slavery through the prosecution of traffickers, the protection of victims, and the prevention of human trafficking. DOL works closely with them on issues of human trafficking.

*Chief Evaluation Officer (CEO)*

1. Education Department (ED) – The Office of Career, Technical, and Adult Education (OCTAE) and the Institute of Education Sciences (IES) are the two offices within ED that CEO will coordinate research activities, as there are overlapping populations and initiatives.

2. The Department of Health and Human Services (HHS) – the Office of the Assistant Secretary for Planning and Evaluation (ASPE) and the Administration for Children and Families (ACF) are the two offices within HHS that CEO will coordinate research activities, as there are overlapping target populations and initiatives.
3. OMB/Labor Branch seeks that the Department evaluate its priority initiatives using rigorous, impact methodologies as much as is feasible.
4. OMB/OIRA-Statistical Office approves all federal data collections related to evaluations and research. Beyond approving the individual collections themselves, the office seeks to streamline and reduce redundancies across collections. Additionally, this Office oversees implementation of Title 3 of the Evidence Act, which is of most relevance to BLS.
5. OMB/Evidence Office supports the implementation of Title 1 of the Evidence Act (most of which CEO directly manages or coordinates for the Department), chairs the Evaluation Officer Council (of which CEO is a member), and collaborates with the OMB/Labor Branch to identify evidence-building opportunities for the Department.

*Office of Compliance Initiatives (OCI)*

1. OSHA, WHD, OFCCP, EBSA, MSHA, and OLMS are DOL’s enforcement agencies with which OCI partners to provide innovative compliance assistance as a complement to their enforcement activities.
2. VETS, ODEP, and the Women’s Bureau are DOL’s non-enforcement agencies with which OCI partners in support of their outreach initiatives.
3. OPM partners with OCI to provide Human-Centered Design services and updates through its Innovation Lab to DOL staff.
4. The Center for Plain Language liaises with OCI to provide plain language updates and annual reporting information.

### TAB 3: CALENDAR

OMB generally issues an initial call for agency submissions to the semi-annual regulatory agenda in February and August, with submissions due in March and September. The fall regulatory agenda also includes agencies’ Regulatory Plans, which highlight regulatory priorities. The actual publication date of the agenda is at OMB’s discretion, but has generally been within two months of the initial data call.

Event	Date
Finalize FY 2023-24 DOL Evaluation Plan, based on Learning Agendas and Departmental priorities	January 2021
Publish FY 2021-2022 Evaluation Plan	February 2021 (tentative), concurrently with Budget release
Send Notice to OMB and Congress on Intent to Transfer Funds Under Evaluation Set-aside Authority, as Determined	TBD, based on decisions
Meet End of FY Procurement deadlines	May, 2021
Submit drafts of FY 2022-2026 Evidence-Building Plan, FY 2018-2022 Evidence Capacity Assessment, and FY 2022-2023 Evaluation Plan.	September 2021, concurrently with 2023 Budget submission
Prepare FY Budget submission & Assist Agencies with Evidence Justification, as Needed	September-December 2021
Complete annual updates of Learning Agendas with agencies	December 2021
Publish FY 2022-2023 Evaluation Plan, FY 2022-2026 Evidence-Building Plan, FY 2018-2022 Evidence Capacity Assessment	February 2022, concurrently with Budget release.

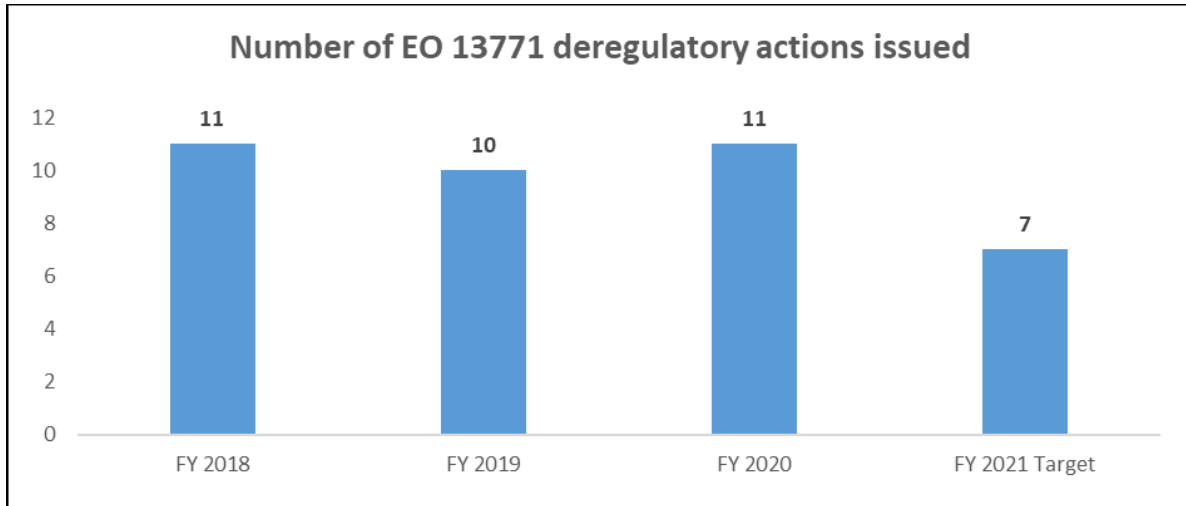
## **TAB 4: BUDGET**

Along with the Office of the Secretary and other offices that directly support the Secretary in developing policy and managing the Department, OASP is funded through the Departmental Management appropriation. For information on this budget activity, please see the “Program Direction and Support Budget Overview” (Cross Agency Paper 5.b).

## TAB 5: AGENCY PERFORMANCE

### Office of Regulatory and Programmatic Policy (ORPP)

The ORPP helps to identify and evaluate for repeal, replacement, and modification regulations and the office’s Regulatory Reform Officer (RRO) chairs the Department’s Regulatory Reform Task Force (RRTF). In FY 2018, ORPP established six new measures to monitor both the Department’s regulatory and deregulatory actions. From FY 2018 to FY 2020, the Regulatory Reform Task Force issued 32 deregulatory actions in accordance with EO 13771.



### Office of Compliance Initiatives (OCI)

OCI has implemented four new measures in FY 2020 and is using this first year to establish baseline targets for the measures. Each of these measures foster compliance by helping enforcement agencies more effectively use various resources to deliver information and by providing compliance assistance to help the American people.

### Chief Evaluation Office (CEO)

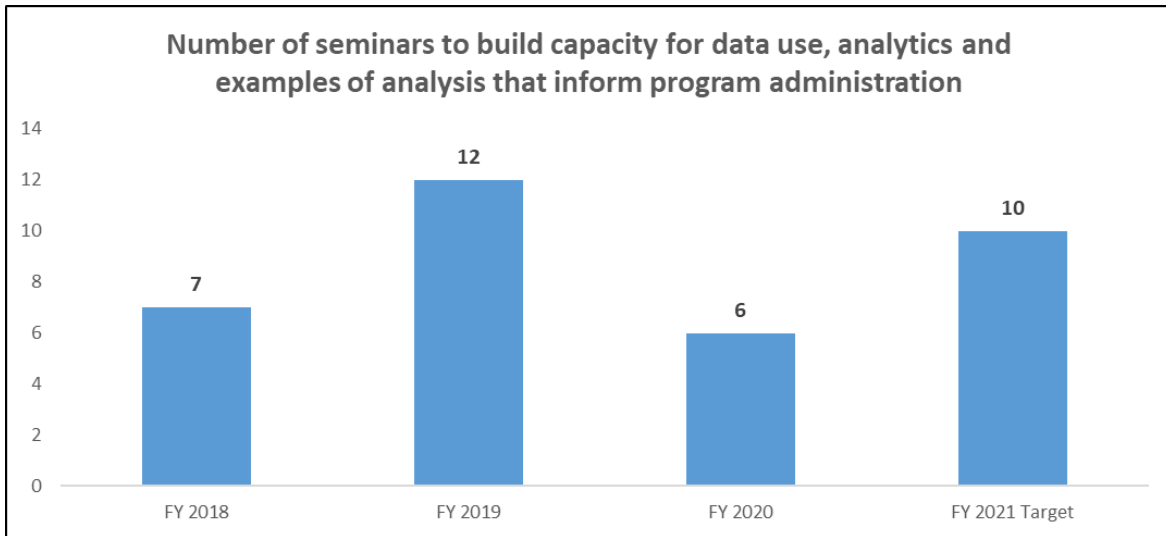
Within CEO, the data analytics unit carries out simple and complex data analysis, analytic consultation, and technical infrastructure development that complements existing agency capacities. As with the broader Chief Evaluation Office (CEO) purpose, the data analytics staff engage in peer-to-peer sharing of knowledge, data, and models for cross-agency and cross-Department rigorous evidence-building activities.

CEO has two performance measures related to data analytics, which are tracked to determine the agency’s performance, which largely mirror its goals. The first measures the number of seminars the data analytic unit conducts and facilitates to serve the development of DOL’s internal analytical capacity. The seminars cover a wide range of topics but are united in their common theme of developing attendee’s expertise in data and analytics. For example, the unit may host a joint seminar with BLS colleagues to help internal staff make better use of BLS data in their

**TAB 5: Agency Performance**

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work. Alternatively, some seminars will be run entirely by the data analytics staff and may summarize their studies for other DOL agencies, relevant academic studies, or new data and computing resources.



The second measure tracks the number of new projects started each year and directly connects to the office’s goal to conduct econometric studies. Each new project is weighted in an attempt to capture the difficulty and importance of each project. That is, an important and difficult task should carry more weight than a short, modestly important task.

