

**CONTRACT NO. AF-12531-02-30
TASK ORDER #3**

**FEASIBILITY STUDY OF THE
ETA MANAGEMENT INFORMATION AND
LONGITUDINAL EVALUATION (EMILE) REPORTING
SYSTEM**

**FINAL REPORT
April 2006**

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Field Code Changed

The U.S. Department of Labor, Employment and Training Administration, contracted with Capital Research Corporation to conduct this study (under Contract No. AF-12531-02-03, Task 3). The views in this report are those of the authors and do not necessarily reflect the views of the U.S. Department of Labor.

EXECUTIVE SUMMARY

For many years, states and other grantees have designed and maintained management information and reporting systems based primarily on requirements for individual Department of Labor, Employment and Training Administration (DOL/ETA) programs. In a July 16, 2004 *Federal Register* announcement, ETA proposed a new single, streamlined reporting and recordkeeping system -- formally called the ETA Management Information and Longitudinal Evaluation (EMILE) reporting system -- to replace the current data collection and reporting requirements for 12 ETA-funded employment and training programs.¹ The proposed EMILE reporting system features a single quarterly report format and would standardize data collection and reporting -- based on a core set of information -- for both jobseeker and employer customers. These standardized individual records include information on customer characteristics, type of services received, and common measures of outcomes defined consistently across programs in accordance with the Department of Labor's "Common Measures" policy for employment and training programs.² As originally proposed, all job seeker and employer records, as well as the Workforce Investment Quarterly Summary Report would be submitted to ETA via the Internet on a quarterly basis. It is left to the states and local areas to determine the best technology for collecting customer data given the states' and local areas' unique circumstances and resource availability. EMILE will rely upon unemployment insurance (UI) wage records as the primary source of data on wages and employment.³

ETA received many comments from states, local workforce development agencies, national associations, and other groups and individuals in response to its *Federal Register* notice. These comments identified specific features and requirements of the EMILE proposal that the respondents believed should be reconsidered, modified, and/or eliminated. In response to the many comments received, ETA funded a quick response study, which is the focus of this report. The purpose of this study was to provide information and analyses that would help ETA in making appropriate revisions to the original EMILE proposal and would also help state and local workforce development agencies (and partners) with effective implementation of the EMILE reporting system in the future. Study results are based upon (1) review and synthesis of comments received in response to the *Federal Register* notice, and (2) site visits conducted in the summer and fall of 2005 to state agencies in California, Illinois, New York, and Tennessee that would be responsible for EMILE implementation. In addition, to gather local state perspectives

¹The 12 employment and training programs are: the Employment Service (ES) program (including reports for the Veterans Employment and Training Service (VETS) program); Workforce Investment Act (WIA) Title I-B Adult program, Dislocated Worker program, and Youth program; National Emergency Grant (NEG) program; Trade Adjustment Assistance (TAA) program; National Farm Worker Jobs Program (NFJP); Indian and Native American program; Senior Community Service Employment Program (SCSEP); H-1B Technical Skills Training grant (H-1B) program; and the Responsible Reintegration of Youth Offenders program.

²ETA informed states of its policy on common performance measures in Training and Employment Guidance Letter No. 28-04, issued April 15, 2005

³The Wage Record Interchange System (WRIS) provides for an efficient exchange of UI wage records among states to support federal performance reporting requirements.

on EMILE implementation, research staff visited local agency staff in two localities in California (City of Los Angeles and San Bernardino County) and Tennessee (Memphis and Clarksville).⁴

Below, we highlight principal study findings with regard to the EMILE job seeker and employer records. In each section, we first synthesize key concerns reflected in comments received in response to the *Federal Register* notice, and then summarize the perspectives of administrators and staff in the four states visited. The final section offers some conclusions and suggestions for next steps. It is important to recognize that this report documents the comments received, but we have not made an effort to verify the validity of any comments.

CONCERNS WITH THE EMPLOYER RECORD

Organizations submitting comments to the *Federal Register* notice expressed a number of concerns about the proposed requirements to implement a standardized employer record. Among the key concerns of commenters about the employer record are the following:

- ***Employer Burden/Cost and Discouraging Employer Use of Workforce System --***
 - The number of data elements required by EMILE is excessive – many commenters suggest streamlining the employer record.
 - There are concerns that excessive reporting requirements will result in some employers not listing job orders with the employment service (ES) and may drive some employers away from utilizing the workforce development system.
- ***Excessive Agency Staff Burden*** – The time agency staff spends on collecting data from employers will take away from time that could be devoted to service delivery.
- ***Inadequate Funding/Resources for Design and Implementation of the Employer Record --***
 - States/localities note they lack resources to design, develop, and implement the employer record.
 - Some states inquired about the availability of additional funding to offset these implementation costs.
- ***Difficulties Capturing Valid Federal Employer Identification Numbers (FEINs) from Employers --***
 - Some employers will not provide FEINs either because they are not known by personnel interacting with the agency or employers would not want to make FEINs available.
 - Combined use of FEIN and zip code will not yield a unique establishment identifier for employers with two or more establishments in the same zip code.

⁴ Discussions with administrators and staff were limited to the following ETA-funded programs: the Adult, Dislocated Worker, and Youth Workforce Investment Act (WIA); the Employment Service (ES); the National Emergency Grants (NEG); and the Trade Adjustment Assistance (TAA) programs.

- Collecting FEINs will increase data collection burden for both agency staff and employers.
- Collecting FEINs (and other sensitive employer data) could expose employers to increased risk of loss of confidential information.
- ***Preference for Submission of Aggregate Employer Report --*** Reporting burden and costs associated with EMILE reporting would be reduced by allowing states to submit a quarterly or annual aggregate employer report (instead of individual records).
- ***Concerns About Undercounting Services Provided to Employers --***
 - Many informational services provided by staff or via the Internet will not likely be documented under EMILE.
 - Capturing only the most recent date an employer service is received will undercount services actually provided by local workforce agencies.

The perspectives of administrators and staff in the four states visited – California, Illinois, New York, and Tennessee – echo many of the same concerns expressed by *Federal Register* commenters. Among the key findings concerning the employer record in the study states are the following:

- ***The Four States Have Existing Systems for Maintaining Employer Data and Job Orders, but Their Systems Would Need to Be Substantially Modified and Expanded to Produce the EMILE Employer Record --***
 - States worry that the process of listing job orders may become too burdensome for employers as a result of EMILE.
 - However, in comparison to the job seeker record (which has many more data elements), the burden of making changes to existing systems and implementing the employer record would not be as great.
- ***States Express Concerns About the Data Collecting Burden on Employers; Several States Cite Collecting FEINs and Several Other Data Items as Potentially Burdensome.***
 - Several states foresee the potential for some employers to be discouraged from listing job orders with the ES and/or receiving other business services as a result of being asked to provide confidential data and/or too much data.
 - Several states report that ES programs cannot require employers to provide FEINs.
 - All four states predict that some employers will simply refuse to supply FEINs – though it may be possible to obtain FEINs from other state data systems.
 - Other data elements cited by one or more states as potentially problematic include: employer size, whether the employer is in a high-growth industry; whether the employer is located in an Enterprise Community or Empowerment Zone; and whether the employer is a federal contractor.
- ***Several States Question the Need for and Utility of Transmitting Job Order Data to ETA --***

- States already submit job orders to America’s Job Bank, and they therefore question why such data should be also submitted to ETA.
 - All four states collect some data elements included in EMILE pertaining to job orders already, though some of the additional data related to employer characteristics is not collected (e.g., FEIN, employer size, industry, etc.).
 - Submitting data on rolling quarterly basis would result in a great deal of data being submitted by larger states such as California, New York, and Illinois.
- ***Two States Suggest Eliminating the Employer Record; Views Are Mixed on Submission of a Quarterly Employer Report*** --California and New York recommend eliminating the employer record; three states indicated that submitting the report in lieu of employer records may not make much difference because states would still have to collect and maintain the same or similar levels of data on each employer to produce the report.

CONCERNS WITH THE JOB SEEKER RECORD

Organizations submitting comments to the *Federal Register* notice expressed concerns about the proposed requirements to implement a standardized job seeker record. Among the key concerns are the following:

- ***Concerns About Agency and Participant Reporting Burden*** --
 - Respondents stated that EMILE requires collection of excessive data on each job seeker – the proposal adds many new data elements that will burden participants and agency staff.
 - The job seeker record will increase the number of individual customers upon which data will need to be collected.
 - Particular concern is expressed about collecting job seeker data on the large number of self-help users of One-Stop Career Centers.
 - Many One-Stop Career Centers will need to install costly new systems to capture data on these users (e.g., swipe card systems).
 - Requests for the additional EMILE data may discourage usage of the One-Stop Career Centers and other workforce development services
 - The utility of collecting or transmitting individual record data to ETA is questioned.
 - Collecting job seeker data (i.e., more data on more individuals) will take away time staff could spend providing direct services.
- ***Loss of Client Confidentiality and Data Sharing Concerns*** –
 - Some job seekers, especially self-service clients, will be reluctant to share Social Security numbers (SSNs) and other confidential data (especially disability information) –
 - Providing SSN is voluntary in the ES – services cannot be denied because of unwillingness to provide the SSN.

- Participants have increasing concerns about identity theft that could work against obtaining SSNs, especially for self-help users.
 - Where SSNs are not collected, individuals will be left out of performance calculations – perhaps skewing performance results.
 - Agencies will need to negotiate data sharing agreements, and some other agencies may be unwilling or unable to share needed data:
 - Collaboration on drawing up data sharing agreements will take time and effort.
 - Some agencies (particularly Native American and Indian groups and local governments) worry about being able to obtain UI wage record data.
 - Data sharing may require technical expertise and costly software development.
- **Concerns About Voluntary Disclosure of the Types of Disabilities of Those Served –**
 - Voluntary disclosure will produce incomplete, unrepresentative, statistically inaccurate data on type of disabilities:
 - Some individuals may not know they have a particular disability, or if they do, they may not view it as a disability affecting their ability to work.
 - Some participants may not wish to disclose they have a disability and/or the type of disability (e.g., they may fear discrimination or feel it is “none of your business”).
 - Collection of disability data will add to the data collection burden for participants and staff and may discourage participation in workforce development programs.
 - The utility of submitting data on disability to ETA is questioned – some commenters inquire about how data will be used by ETA and others.
 - Other comments concerning disability requirements in EMILE include–
 - States/localities will need to implement safeguards so data are not disclosed to unauthorized third parties.
 - Periodic scientific sampling to collect disability data might be a more reliable way of collecting disability data.
 - If collected, disability categories should be consistent with data collected by the Rehabilitation Services Administration (RSA).
- **Concerns Over EMILE Transitional and Ongoing Costs –**
 - ETA burden estimates for developing new systems at the state and local levels to implement the EMILE job seeker record are inaccurate and significantly understated.
 - Legacy data systems will need to be overhauled, and this will be very costly.
 - Training costs associated with roll-out and effective implementation of EMILE will be significant.
 - Data systems will need to be installed and/or modified in many One-Stop Career Centers to capture self-help job seeker data.
 - ETA should develop a prototype system and make it available to states.
 - There are substantial ongoing costs that states/localities will bear – e.g., due to collecting more data on more clients and collecting data over longer periods of time on clients.
- **Concerns Relating to Data Quality and Performance Measurement –**

- Definitions provided for some data elements in the EMILE system are unclear, too narrow, or based on questionable policies (e.g., definitions of “registration,” “participation,” “high growth industries,” “court-involved”).
 - The requirement that individuals not “exit” until all participating programs have “finished” providing services is of concern because it will delay initiation of performance tracking, and outcomes for an individual might be counted more than once in a program year.
 - Quarters chosen to measure earnings gains may not be appropriate and may affect performance measurement inappropriately.
 - Lack of valid SSNs for some participants will mean that UI wage record data cannot be matched – perhaps skewing performance for some state/local agencies.
- ***Other Miscellaneous Comments –***
 - There was too little stakeholder input into the original design of the job seeker record (and EMILE); ETA should renew its commitment to obtaining state/local input.
 - EMILE data may be used inappropriately to calculate misleading unit costs.
 - Final rules for EMILE should be delayed until WIA is reauthorized.
 - States/localities lack funds to cover EMILE transition costs; ETA should consider providing states with additional funding to offset transition costs.

The perspectives of administrators and staff in the four states visited mirror many of the same concerns expressed by *Federal Register* commenters. Among the key concerns in the four study states about the job seeker record are the following:

- ***All Four States Express Significant Concerns About Collecting Data on Self-Service Customers --***
 - States fear driving away self-service customers due to data collection burden and privacy issues.
 - Several states suggest submitting only aggregate counts of self-service users to ETA (rather than individual job seeker records).
 - Several states recommend scaling back data collected on self-service users – one state suggests only collecting name, SSN, age, and veteran status.
 - ETA should clarify if users of Internet services should be included.
- ***Study States Express Significant Concerns Over Use of EMILE Data to Measure Program Performance –***
 - The fear is that self-service and ES participants will swamp all other participants (especially WIA participants) and drive performance results.
 - States question the appropriateness of outcomes for many ES and self-help users who receive low intensity services (e.g., the appropriateness of retention and earnings outcomes are particularly questioned).
 - One state expresses concern that ETA or other researchers could potentially calculate misleading unit cost estimates using EMILE data.
 - Some states express concern that performance outcomes for participants could be delayed for one program (e.g., WIA) because an individual continues to receive

services from another (e.g., ES). In addition, it is possible for participant outcomes to be counted more than once in a single program year.

- ***None of the States Favor Collecting Type of Disability Information*** – States express concerns that including a type of disability question would result in:
 - Added data collection burden for staff and customers;
 - Customer fear that their privacy may be compromised; and
 - Collection of unreliable data (leading to an undercount of disabilities by category) because some customers will refuse to answer the question or will provide an inaccurate response.
- ***Three of Four States Indicate Submission of Exiter Records (Rather than Participant Records) Would not Significantly Reduce Burden*** – These states note they will still have to collect the same data to generate exiter records and reports.
- ***Three of Four States Favor Having the Option to Submit the Job Seeker Records by Program Rather Than as a Consolidated Record.***
- ***Study States Are Concerned About Providing Outcome Data Not Available Through UI Wage Record Data*** –
 - UI wage record data does not provide following outcome variables required by EMILE: Item 1002 (date entered employment); 1002 (self-employed); 1004 (recalled by employer); 1005 (occupational code); 1006 (industry code); 1009 (entered non-traditional employment; and 1012, 1015, and 1018 (dates found employment in subsequent quarters).
 - It would be extremely burdensome for state/local agency staff and employers if states had to collect these data directly from employers.
 - States recommend that ETA stick as closely as possible to what is available through UI wage record data for outcome data.
- ***ETA Burden Estimates for Developing New Systems to Implement the EMILE Job Seeker Record Are Significantly Understated*** –
 - Estimates of transition costs in the four study states run as high \$10 million.
 - States inquire about possibility for additional ETA funding to offset transition costs.
- ***States Fear Not Having Enough Time to Implement EMILE*** – Expected time needed to reprogram systems and fully implement the EMILE reporting system are estimated from slightly over one year in two states to three-to-four years in one state.

STUDY IMPLICATIONS AND CONCLUSIONS

The principal objective of this study is to inform ETA policy and programmatic officials as they move forward with revising the EMILE data system and proposing a revised reporting system that will be feasible for states and local workforce agencies to implement and provide

high quality, cost-effective, and useful performance information for managing key ETA programs. As ETA moves forward in building upon the foundations of its earlier proposal, several implications can be drawn from the key findings of this study.

The process of developing the requirements of this new reporting system has been an iterative process, and states have appreciated the opportunity to provide input to the process. Through comments received from the field in response to the *Federal Register* announcement, as well as the input provided by the four states included in this feasibility study, ETA has received helpful input that can contribute to shaping the final reporting requirements for EMILE. While there were many specific constructive comments from the field on features of the proposed EMILE system that should be eliminated or revised, states and local areas also expressed positive views that EMILE (or an EMILE-like system), if properly structured, potentially could provide much useful data for (1) better tracking numbers and characteristics of customers served by the workforce development system (both on employers and job seekers), (2) better tracking of services delivered (extending to the many self-service customers of the One-Stop Career Center system about whom little is known in many states and localities), and (3) more reliable and systematic tracking of job seeker outcomes and performance. Despite their criticisms, states and local areas see opportunities for improving their data collection systems and generating information that will be helpful for high quality oversight and management of their workforce development systems. In addition, the multi-program focus of EMILE offers possibilities for consolidating data collection across disparate programs and, in the long-run, of reducing duplication in data collection and reporting to the federal government. In the iterative process of refining and finalizing the reporting requirements for this new data system, ETA should continue to encourage stakeholder involvement and input – especially from the states and localities that will be on the front-line in implementing the eventual system.⁵

Based on comments received from the field, ETA should move forward with the basic structural features of EMILE – featuring reporting on job seeker and employer customers – but should give careful consideration to the reporting burden placed on both customers and agency officials. There is sentiment in comments received in response to the *Federal Register* notice and from the four feasibility states that ETA should not overreach in terms of the number of programs included in EMILE. For example, in comments received in response to the *Federal Register* notice, Indian and Native American programs typically urged that their programs be excluded from the proposed EMILE reporting requirements. If EMILE is to be implemented, the feasibility states generally favored limiting EMILE reporting to four main state-administered programs – WIA (including the Adult, Dislocated Worker, and Youth WIA programs), TAA, NEG, and the ES. To go beyond these programs would be especially burdensome and introduce many complications – especially in terms of providing definitions for data elements that fit programs outside of these four programs and in integrating the existing reporting systems used in these other programs into a consolidated reporting system.

⁵ A good step in the direction of obtaining input from the field was an ETA-sponsored meeting of the feasibility states and about a half a dozen other states in March 2006 to review proposed revisions to the EMILE reporting system. This meeting provided feedback from attending states on overall design and data elements to be included in a revised reporting system.

An overriding concern for state and local administrators is that the new system not overly burden employers (so they are unwilling to list job orders and conduct other business with the workforce development system) and self-help users of the One-Stop Career Center System (so they are discouraged from using the wide range of services offered through this system and remotely via the Internet). For example, with respect to the employer reporting component, while there is general agreement that better data is needed on volume and types of services being delivered to the employer community, there are serious questions with regard to having states transmit individual employer records and job orders on a quarterly basis. The consensus that emerges from the four feasibility states (and in comments received in response to the *Federal Register* announcement) is that states should be required to submit to ETA no more than a quarterly aggregate employer report (and not individual employer records). ETA should be careful in prescribing data elements to be included on this report to minimize burden on local agency staff and employers. However, because there is much activity and funding now being spent on serving employers, improved data collection and reporting is needed related to the numbers of employers served, several key characteristics of employers served (limited though to size and industry), and types of employer services received (but limited to a manageable set of service categories that can be easily tracked).

There is also concern about the amount of data collected on self-service One-Stop Career Center customers. States and local workforce development programs have worked hard in recent years to build their Career Center systems and facilitate utilization by employers, job seekers, and the general public. There is concern in the field that burdensome and potentially intrusive data collection and validation requirements will reduce the user-friendliness of One-Stop Career Centers and generally discourage utilization (especially by the casual “lunchtime” user). State and local workforce agencies are receptive to collecting and obtaining credit for the many individuals and businesses using their services, but they want also to maintain a “business-like” quality to service delivery. ETA should give careful consideration to each data element that is collected on self-service individuals and those registering for the ES – as these individuals represented a very large proportion of overall customers and each data item added has serious repercussions for data collection burden for both customers and workforce development staff. There is overwhelming sentiment, for example, that customers should not be asked about the type of disability they have during the intake process. In terms of collection of outcome data, there is also strong sentiment that only data that can be obtained through an automated match with UI wage record data should be collected.

Finally, there is concern from the field – particularly reflected in the interviews with feasibility states – about the schedule and costs associated with EMILE implementation. ETA should carefully consider its proposed schedule for implementation of EMILE to take into consideration several factors, in particular: (1) some states (such as California) have data systems that will have to be re-programmed at the state and local levels – implementation of the new reporting systems in these states will likely take more time than states with a single reporting system; (2) some states maintain data for programs such as WIA and the ES in different state systems – implementation of the new consolidated reporting systems in these states will likely take more time than states with a single reporting system; (3) states where there are many layers of approval for data system changes or where a procurement process is required may take longer to implement; and (4) larger states where there are greater numbers of local

WIBs, more state/local administrators involved, and greater complexity in data systems may require more time to implement. In addition, some states point to the need to train state and local staff on new data collection requirements and/or data systems, which could increase the amount of time needed to make the transition to a new system. The states visited indicate that EMILE implementation could take between slightly more than one year up to four years to complete. The other critical concern for states is how they will cover both transition and ongoing costs associated with EMILE. Commenters and feasibility states express concerns that they are already facing constrained budgets (particularly within ES programs) and inquired about the availability of additional ETA funding to offset transitional costs. In addition, some commenters advocate for technical assistance and the development of an EMILE prototype system that could (on a voluntary basis) be used by states and localities to reduce transition costs and ensure that data systems are structured properly to meet EMILE reporting requirements.

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CHAPTER 1:

INTRODUCTION

For many years, states and other grantees have designed and maintained management information and reporting systems based primarily on requirements for individual Department of Labor, Employment and Training Administration (DOL/ETA) programs. In a *Federal Register* announcement, published in July 16, 2004, ETA proposed a new single, streamlined reporting and recordkeeping system -- formally called the ETA Management Information and Longitudinal Evaluation (EMILE) reporting system -- to replace the current data collection and reporting requirements for 12 ETA-funded employment and training programs: Employment Service (ES) program (including reports for the Veterans Employment and Training Service (VETS) program); Workforce Investment Act (WIA) Title I-B Adult program, Dislocated Worker program, and Youth program; National Emergency Grant (NEG) program; Trade Adjustment Assistance (TAA) program; National Farm Worker Jobs Program (NFJP); Indian and Native American program; Senior Community Service Employment Program (SCSEP); H-1B Technical Skills Training grant (H-1B) program; and the Responsible Reintegration of Youth Offenders program. The proposed EMILE reporting system features a single quarterly report format and would standardize data collection and reporting for both jobseeker and employer customers.

ETA received many comments from states, local workforce development agencies, national associations, and other groups in response to its *Federal Register* notice. These comments identified specific features and requirements of the EMILE proposal that should be reconsidered, modified, and/or eliminated. In response to the many comments received, ETA

funded a quick response study, which is the focus of this report. The purpose of this study was to provide information and analyses that would help ETA in making appropriate revisions to the original EMILE proposal and would also help state and local workforce development agencies (and partners) with effective implementation of the EMILE reporting system in the future. This chapter begins with background about key features of the proposed EMILE reporting system, followed by an overview of the objectives, scope, and methodology employed in this study.

A. BACKGROUND ON KEY EMILE FEATURES

Original Proposed Features and Requirements of EMILE. The proposed EMILE reporting system features a single quarterly report format and would standardize data collection and reporting -- based on a core set of information -- for both jobseeker and employer customers. These standardized individual records include information on characteristics, type of services received, and common measures of outcomes defined consistently across programs in accordance with the Department of Labor's "Common Measures" policy for employment and training programs.¹ The EMILE data collection and reporting system consists of three main components:

- (1) A *Job Seeker Standardized Individual Record (SIR)* incorporates standardized data elements, definitions, and specifications that can be used to describe the characteristics, services and activities, and outcomes of job seekers across ETA programs. In its original proposal, ETA indicated that states submit a single consolidated record for each job seeker when the individual receives services or benefits from one or more of the 12 ETA funded programs.² Hence, this would create a common individual record for participants

¹ ETA informed states of its policy on common performance measures in Training and Employment Guidance Letter No. 28-04, issued April 15, 2005

² As noted earlier, the 12 employment and training programs are: the Employment Service (ES) program (including reports for the Veterans Employment and Training Service (VETS) program); Workforce Investment Act (WIA) Title I-B Adult program, Dislocated Worker program, and Youth program; National Emergency Grant (NEG) program; Trade Adjustment Assistance (TAA) program; National Farm Worker Jobs Program (NFJP); Indian and Native American program; Senior Community Service

served by one or more of the 12 state-run programs. This individual record would incorporate data needed to calculate common measures for employment and training programs as defined in ETA Training and Employment Guidance Letter (TEGL) 28-04, as well as other statutorily required indicators of performance.

- (2) A new ***Employer Standardized Individual Record (SIR)*** provides a list of standardized data elements, definitions, and specifications that are considered important to the management of the programs and the provision of services to employer customers. The establishment of an employer individual record reflects the current focus on becoming a more demand-driven system. Information contained in the employer record would provide a more complete picture of the total impact of ETA programs managed by states by including the characteristics of employers served and the type and frequency of services being delivered. ETA proposes that states submit a single consolidated record for each employer when benefits or services are provided by one or more of the 12 ETA programs.
- (3) A ***Workforce Investment Quarterly Summary Report*** provides aggregate performance information on program participants, participants who exit the program, and performance outcomes for the most recent four-quarter period. This quarterly report format is designed so that states administering multiple ETA programs can use a single report format to certify program accomplishments on a quarterly basis. Currently, states are required to submit a variety of quarterly reports that use different definitions, data, and submission procedures.

As originally proposed, all job seeker and employer records, as well as the Workforce Investment Quarterly Summary Report would be submitted to ETA via the Internet on a quarterly basis. It is left to the states and local areas to determine the best technology for collecting customer data given the states' and local areas' unique circumstances and resource availability. EMILE will rely upon unemployment insurance (UI) wage records as the primary source of data on wages and employment.³

Employment Program (SCSEP); H-1B Technical Skills Training grant (H-1B) program; and the Responsible Reintegration of Youth Offenders program.

³ The Wage Record Interchange System (WRIS) provides for an efficient exchange of UI wage records among states to support federal performance reporting requirements.

B. OVERVIEW OF STUDY PURPOSE, SCOPE, AND METHODOLOGY

The Employment and Training Administration initiated this study to help ensure that the proposed EMILE reporting system is responsive to the information needs and concerns of federal, state, and local workforce development agencies. This study was needed because the EMILE reporting system is an ambitious undertaking. As envisioned, EMILE would have major implications for how states and local programs collect and structure participant- and employer-level data. The EMILE reporting system imposes new data collection burdens on states/localities and could potentially affect participation of both job seekers and employers in the workforce development system. ETA also received many comments in response to its original announcement posted in the *Federal Register*, which identified and reflected many concerns about EMILE design and implementation at the state and local levels. Therefore, as ETA moved forward with refinement of its EMILE proposal, the agency sought through this feasibility study to better understand the following: What steps would states and local agencies need to undertake to implement EMILE effectively? What implementation challenges would likely be encountered and how might they be overcome? What data elements would be problematic or burdensome to collect from participants or employers? What resources would states and localities likely need as they move forward with EMILE implementation? And, what is a realistic schedule for EMILE implementation? An overview of the methodology and main tasks undertaken during this study are provided below.

Catalogue and Assess Federal Register Comments. Initially, project staff assisted ETA with cataloging comments received in response to the July 2004 *Federal Register* notice. This initial project task involved abstracting and coding substantive comments submitted by over 160 commenters (from state and local workforce agencies, national workforce associations, Indian

and Native American Organizations, and others). Chapter 2 of this report provides a synthesis of the major concerns expressed by commenters to the original *Federal Register* announcement.

Collect Data and Assess Implementation Challenges in Four States. Once comments to the *Federal Register* notice had been catalogued and synthesized, it was determined that the best approach to refining ETA's understanding of the principal implementation concerns and likely challenges posed by EMILE was to collect data and perspectives directly through site visits to several states and localities. Given the constraints of time and budget for this study, ETA determined that a total of four states should be selected for more in-depth study. The four states selected were California, New York, Illinois, and Tennessee. Several factors were considered in selecting states. First, ETA wanted to include several large states (California, New York, and Illinois) where EMILE implementation would likely be fairly complex – involving substantial numbers of job seekers and employers, a complex array of state and local partners providing services, and large and complex data systems that would need to be modified in response to reporting requirements. At the same time, ETA wanted to also include a mid-sized state – Tennessee – to understand implications and challenges of EMILE for smaller and mid-sized states. Second, there was a desire to include a state where administration for the main ETA programs of interest in this study (WIA, ES, TAA, and NEG) was handled by two different departments within the state (Illinois) versus a single state department (in Tennessee, New York, and California). Third, there was a desire to include states where local WIBs and One-Stop Career Centers utilized a state-designed and managed data system (Tennessee and Illinois) versus states where some or all local WIBs programmed and operated their own participant data systems (California and New York). A fourth consideration was to include at least one state (New York) that was part of a consortium of states involved in America's One-Stop Operating

System (AOSOS).⁴ Including a state that is part of a consortium had the advantage that it might help with understanding the potential implications of EMILE for other consortium states not included in the study. Other factors that played a role in selection of states included: willingness to participate in the study; quality of comments and nature of concerns reflected in original comments submitted in response to the *Federal Register* notice; and regional/geographic balance (i.e., representation of states from East, Midwest, and West).

Site visits were conducted in the summer and fall of 2005 to state agencies involved in EMILE implementation in California, Illinois, New York, and Tennessee. In addition, to gather local state perspectives on EMILE implementation, research staff visited local agency staff in two localities in California (City of Los Angeles and San Bernardino County) and Tennessee (Memphis and Clarksville). Discussions with administrators and staff were limited to six ETA-funded programs: Workforce Investment Act (WIA) -- Adult, Dislocated Worker, and Youth Programs; Employment Service (ES); National Emergency Grants (NEG); and Trade Adjustment Assistance (TAA). Among the key topics discussed during visits at the state and local levels were:

- current system architecture and hardware/software (for the six programs of interest);
- policy decisions and technical assistance needs prior to state implementation of EMILE;
- systems process and data-integration components needed to support EMILE implementation;
- data element additions/changes needed to the job seeker and employer records;
- privacy, confidentiality, and data sharing issues;
- issues surrounding collection of more data on more clients (e.g., burden on participants and program staff);

⁴ New York is part of a seven-state consortium that developed and operates AOSOS.

- time frames for planning and implementing EMILE; and
- start-up and ongoing costs of EMILE.

The main topic areas during visits to the four local areas were parallel to those covered at the state level – though more focused on how EMILE may affect day-to-day operations (for example, within the One-Stop Career Centers). The result of the site visit discussions and data collection were synthesized in site visit summaries developed following each visit and sent back to each state and local agency for comment.

CHAPTER 2:
ANALYSIS OF COMMENTS IN RESPONSE TO ETA’S FEDERAL REGISTER ANNOUNCEMENT

The Employment and Training Administration of the U.S. Department of Labor published a pre-clearance consultation notice in the July 16, 2004 *Federal Register* (Vol. 69, No. 136, Pages 42777 through 42779) to provide the general public and workforce development agencies with an opportunity to comment on the proposed EMILE data system. ETA received 161 letters and e-mail messages in response to the *Federal Register* notice: 56 were submitted by Native American/tribal organizations; 43 responses were submitted by state workforce agencies; 38 were submitted by local workforce agencies, Workforce Investment Boards, One-Stop Career Centers, and State Associations of Workforce Investment Boards; 10 were submitted by disability-related groups; nine were submitted by national associations, public interest groups, and research organizations; two were submitted by agencies/programs serving farmworkers; one was submitted by a federal agency, one was submitted by an organization serving ex-offenders, and one was submitted by a private citizen. This chapter presents a review of the comments received in 13 main issue/concern areas.⁵ In addition, a Microsoft ACCESS database is available which contains individual comments coded by major concern/issue area.

⁵ The views captured on these 13 issue areas are those of the commenters and are not necessarily valid, reflective of all commenters, or reflective of the views of ETA. As this report was being drafted, ETA was in the process of preparing responses to the comments received and making adjustments to the proposed EMILE reporting requirements to reflect concerns submitted by commenters to the original *Federal Register* announcement.

A. EMPLOYER RECORD AND REPORTING REQUIREMENTS

Capturing Valid Federal Employer Identification Numbers (FEINs) from Employers.

Twelve commenters expressed concerns related to obtaining FEINs as a unique common employer identifier. Among these commenters, eight indicated that some employers would not provide FEINs – either because they were not known by employer staff interacting with the agency (e.g., those placing job orders) or because employers would not want to make FEINs available. For example, one commenter indicated that the FEIN could not be required from an employer to obtain Wagner-Peyser services; another commenter indicated that the FEIN is not statutorily required and violates the employer’s right to conduct business without untoward government interference. As a result, these commenters indicated that provision of FEIN should not be mandatory. Three commenters indicated that the combined use of FEIN and zip code would not yield a unique establishment identifier for employers with two or more establishments in the same zip code. One employer observed that collecting FEINs would be burdensome for both agency staff and employers.

Increased Potential for Breaching of Confidentiality. Two commenters indicated concern that collecting the FEIN and other sensitive employer data could expose employers to greater risk of loss of confidential information. One of these commenters inquired whether it would be necessary to have confidentiality agreements in place with employers.

Employer Burden and Discouraging Employer Use of Workforce System. Seventeen commenters expressed concern over the burden for employers related to collecting data required to complete the employer record. Most of these commenters felt that the number of data elements that employers were being asked to provide was excessive and suggested streamlining the employer record to eliminate excessive reporting requirements. Some commenters felt that

the burden and costs of data collection placed on employers outweighed benefits for employers, job seekers, and workforce development agencies. A number of commenters indicated that excessive reporting requirements would result in some employers not listing job orders with the Employment Service and/or driving employers away from using other services available through the workforce development system (such as those available through the One-Stop Career Center System).

Agency Staff Burden. Fourteen commenters focused on the data collection burden for workforce development agency staff associated with collecting employer data. Several of these commenters noted that the time agency staff spent on collecting data from employers would take away from time that could be devoted to service delivery. For example, one commenter noted that office processes and forms may need to be changed, staff will need to be trained, and technical assistance provided to local areas and One-Stop Career Centers.

Funding/Resources for Design/Implementation of the Employer Record. Five commenters indicated that state workforce agencies lacked resources to design, develop, and implement the Employer Standardized Individual Record. Most of these commenters inquired about the availability of additional funding to offset these implementation costs.

Preference for Submission of Aggregate Employer Report. Three commenters suggested that reporting burden and costs associated with the employer record would be reduced by allowing states to submit a quarterly or annual aggregate employer report (and dropping the requirement for states to submit quarterly individual employer records and job listings).

Undercounting of Services Provided to Employers. Two commenters expressed concern about the potential for undercounting services provided to businesses – for example, one commenter noted that the workforce system provided much in the way of information services

either by staff directly or via the Internet that would not likely be documented under EMILE; a second noted that documenting only the most recent date a type of employer service was received would likely result in an undercount of the actual services being provided by local workforce agencies.

B. VOLUNTARY DISCLOSURE OF THE TYPES OF DISABILITIES OF THOSE SERVED

Voluntary Disclosure Will Produce Incomplete, Unrepresentative, Statistically Inaccurate Data on Type of Disabilities. Fifteen commenters indicated that if the data on type of disability was a voluntary data element, that the data collected would lack validity and reliability. The consensus among these commentators was that there would be an undercount of both the total number of individuals with disabilities and the number in each of the categories of disability collected. Several reasons were identified for inaccurate and undercounting of disabilities among those served. First, some individuals may not know they have a particular disability or if they do, may not view it as a disability affecting their ability to work. For example, as one commenter observed: “Perception of ‘having a disability’ tends to be only partially an objective defined fact and often a function of perceptions as well as cultural norms, especially when it comes to non-apparent disability labels (such as mental illness, learning disabilities, substance abuse, etc.)” Second, some participants may not wish to disclose that they have a disability and the type of disability because (1) they fear discrimination (e.g., in terms of service delivery or within the job market), (2) it is overly intrusive or an invasion of privacy, or (3) they feel that it is irrelevant to the services they need.

Need for Assurances and Safeguards So Data Are Not Disclosed to Unauthorized Third Parties. Eleven commenters expressed concerns around safeguarding confidentiality of

disability data collected. Commenters indicated that those collecting data may need to upgrade security procedures to ensure privacy and confidentiality of data are maintained. Most of these commenters indicated that it would be important for workforce development agencies collecting this data to provide assurance that disability data being collected would remain confidential (and not shared with third parties), would be used for data collection and analysis purposes, and that individuals would not lose eligibility for services by declaring a disability. For example, one commenter noted: “The collection of the information would need to comply with the ADA regulations: none of the disability information could be shared with employers or other agencies, and the transmittal of disability data must be anonymous and not linked to the individual’s Social Security number.”

Added Data Collection Burden for Staff and Participants. Six commenters indicated that the collection of disability data would add to the data collection burden for participants and staff. For example, as noted by one commenter: “The burden of the additional data collection will fall on employment counselors and case managers that already have very full workloads.” One of these commenters linked collection of disability information to potentially discouraging participation: “Collection of this information increases the data collection burden, creates a potentially embarrassing situation for customer and staff alike, and would make the system more intrusive potentially discouraging some customers from taking advantage of available services.”

Potential Utility of Data Questioned. Seven commenters inquired about how the disability data would likely be used by ETA and others. Most of these commenters indicated that they were unclear regarding the utility of the data – for example, one commenter observed: “We are unclear as to the need to collect this type of data on specific disabilities in a system that does not have the capacity or directive to provide comprehensive vocational rehabilitation

services.” Several other commenters asked about how specifically ETA might use the disability data if it were collected.

Use Periodic Scientific Sampling to Collect Disability Data Rather than EMILE. One commenter suggested eliminating the disability type question from EMILE and replacing it with “periodic scientific sampling in various venues that would allow data to be gathered through voluntary interviewing and more in depth analysis.”

Make Disability Categories Consistent with Data Collected by the Rehabilitation Services Administration (RSA). Four commenters urged making the listing of disability categories in EMILE consistent with the data collected by the RSA on Form 911. All of these commenters asserted that consistency would facilitate data comparisons between the two programs and that the RSA listing is “easier for individuals to understand and complete due to its long-term development and use.”

Collect Additional Data on Specialized Services Used by Individuals with Disabilities. One commenter recommended that a data module be added to EMILE to collect information on the provision of specialized services that are used by people with disabilities, including: vocational rehabilitation services, extended employment supports, customized employment services, and assistive technology.

C. CONCERNS WITH AGENCY REPORTING BURDEN

A total of 108 organizations provided comments related to agency reporting burden. The majority of comments were about the process of data collection, concerns over the benefit of data collection as it relates to the costs involved, whether the data collected would have any utility for the implementing organizations, organizational capacity to implement the system, and the effect

data collection would have on overall program operations. In addition to these concerns, the issues of duplicate reporting and dealing with multiple funding sources were also raised.

The EMILE System Requires Excessive Data Collection and Reporting. Ninety-eight organizations provided comments about the burden they would face due to the new data collection and transmission requirements. The comments were mostly from state agencies and Native American groups. Some of the commenters focused on specific reporting concerns, while others made general comments about the excessive amount of data required. The state agencies were mostly concerned about having to collect and transmit individual records for each person utilizing the resource room or self-help facilities in local One Stop Career Centers and the increased data collection related to employer services. One small state offered the following information about the volume of data involved: “EMILE is asking for a quarterly transmission of records from all individuals served from several programs. In (our state) alone, a relatively small population state, over 4,800 WIA/NEG participant files, 200,000 Wagner-Peyser participant files, 1,500 TAA files, and 30,000 employer files will be integrated and transmitted to USDOL during the first 12 months of EMILE. Numbers will increase as we move forward from the implementation date. Quarterly transmission of integrated participant files, employer records, and the compilation of a quarterly report for each funding stream will be an onerous undertaking for each state. Since USDOL has stated that EMILE is designed for an overview of the system and long-term longitudinal studies, and since integrated records and reporting is not required for reporting and will not provide useful program oversight, USDOL should consider annual collection of data necessary for system studies.” An association offered the following estimates for a large state: “There are approximately 3 million client visits to (the state’s) One-Stops annually, over 250,000 visits per month on average. Because WIA Title 1-B resources

disproportionately cover the cost of One-Stop infrastructure, operation, and the provision of core services, little WIA funding is left for training. While the tracking of Core A is important for capturing this important component of the ‘system’ and for understanding the value of this investment, the tracking of each core client will have unintended, negative consequences, including: the increased cost for staff time and data systems will likely be borne by WIA Title 1-B, therefore diverting scarce funds from business services and training; the mandate to track each core client will create a disincentive for outreach; and the invasive collection of information, or determination of eligibility of each core client will undermine and defeat the purpose and value of Universal Access.”

Commenters also mentioned that the EMILE requirements also placed an undue burden on administrative and technical staff. There would be a need to: revamp computer input screens to accommodate new and expanded data collection requirements, develop systems to integrate client services data from multiple sources into one record, develop validation tools, manage data transmission and storage, and train staff. Some commenters said that they did not currently have the capacity to implement the new requirements. Their concerns related to programming changes and the availability of programming services in their area. In some cases, the new data requirements cover services not currently offered in certain states. Comments from the Native American organizations said that the new data collection requirement would be a significant burden from the perspective of staff time and management information systems changes.

Who Is Benefiting from These Changes and Is the Benefit Worth the Cost? Forty-nine commenters said that the data being collected would have no current or long-term benefit to their program operations. Almost all the comments from the Native American groups said “The proposed system would require us to keep much more information on every participant. That

additional information has little to do with our program and contributes nothing to our services to our participants. The proposed system would greatly increase the burden of reporting...” This same sentiment was offered by 7 state agencies. Eleven commenters suggested that the benefit of this system was only at the national level and was being implemented at the expense of the state and local providers and further, that no consultation had taken place during the development stage. “The *Federal Register* Notice relates that EMILE is intended to: ‘...(4) collect participant information quarterly so the workforce system can respond more quickly and effectively to the oversight and management needs of Congress, the Administration and the general public.’ Missing is any mention of the practical utility or benefit to the states or grantees, yet they are being asked to bear the entire financial burden for restructuring their data collection systems. All of the workforce system stakeholders who will benefit should contribute proportionately to the funding of this proposed initiative.” In regard to consultation, the following comment was received: “While we support the need for ETA to be able to understand and document the total utilization of the public One-Stop workforce development system, EMILE was developed solely for this purpose without broad-based input from those states and local areas that ultimately will collect and enter the data into the system. Accordingly, the system, as currently conceived, will meet the requirements for the performance of the ETA function but without significantly providing additional utility to state and local entities responsible for managing the various programs which collectively comprise the EMILE reporting universe. Had the system been developed in conjunction with state and local entities, it could have easily been designed to preserve the existing capacity to extract the information necessary to accomplish both purposes, saving the considerable burden of continuing to maintain existing state and local systems needed for proper performance of their required functions.”

Cost-benefit comments were received from 8 state agencies, a WIB, and a Native American group. Most were similar to the following comment: "...A completely new tracking system and eligibility/suitability system would have to be developed by most areas. Most areas are short on funding, staff and do not have the resources to develop a system to track these new elements. Even local areas ... that have a system to track this information, would have to re-engineer ...*(the)* MIS system and customer processes in order to determine up-front eligibility to determine which funding source to count these clients in. Is this information valuable enough to outweigh the enormous redevelopment costs that state and local areas will have to bear during hard economic times?"

The Requirement to Collect Proposed Data Will Result in a Diminished Capacity to Serve Clients (Job Seekers and Employers). Sixty-four organizations pointed out that the need to collect additional data would come at the expense of direct services to clients or employers. The Native American groups (50 who commented on this subject) were most vocal in their concerns over the need to shift limited resources from serving their target clientele to data collection. The state agencies who commented on this subject were more likely to point out that both job seekers and employers would suffer as a result of diminished resources. "(State's) workforce system currently collects some of the job order information proposed for EMILE. We question the value of asking the number of hours per week, or the minimal education level required for each job opening. Documenting this information purely for federal interest will take staff time away from providing services to our employer customers."

Miscellaneous Reporting Burden Issues. Seven commenters raised the issue of duplicate reporting that might be required until reauthorization legislation for Wagner-Peyser and WIA have passed. There was also a concern about duplicate documentation and reporting if

clients were served by multiple funding sources. Related to this issue was that of service definitions, which might be different depending on the funding source, making it impossible to integrate client program documentation into one record. One other concern that commenters indicated may grow over time is how to capture Internet user information without having that become a major burden. A few commenters questioned the capacity of ETA staff to handle all the data generated by the new system. Finally, one commenter, a private business, stated that there were systems available to accomplish the task.

D. CONCERNS WITH PARTICIPANT REPORTING BURDEN

Implementation of the EMILE System Will Require a Substantial Increase in the Numbers of Individual Client Documents Developed and Shared with USDOL. Forty-one Indian and Native American service organizations commented on the number of individual client records that would be required to submit under the new system. In addition to these records, they would also be required to submit aggregate program reports on a quarterly basis. Of those that commented on this increased reporting burden, twenty-nine provided estimated reporting levels based on current service levels. All the organizations suggested that because of this increased reporting burden, services to clients would be reduced. One commenter said that his organization served a specific high school, so the reporting requirements were excessive. Another provider said that it served 8 rural villages scattered over 38,000 square miles and this reporting burden would make serving clients even more difficult.

Requiring Registration for Those Utilizing Self-Help Resources or Orientation Programs May Drive Them Away. The other major area of concern in regard to participant reporting burden was related to the increased documentation and reporting required for

individuals using self-help services. Twelve commenters mentioned that requiring individuals to provide personal data in order to use the resource rooms of the various service providers would be sufficient to drive many away. Several commenters thought that questions regarding disabilities and migrant and seasonal farm work background might be perceived as discriminatory and would either not be answered or would cause clients to be sufficiently uncomfortable as to avoid returning for help. In addition, attempting to determine which funding stream would be ultimately appropriate for self-help clients would be difficult if not impossible during a cursory visit. Clients using the resource rooms also may not have required documentation with them if they are unaware of registration requirements. Two commenters were concerned that the dislocated worker population would be particularly vulnerable during initial visits/orientation sessions and would not be receptive to divulging personal data so early in the relationship with the workforce system.

One commenter questioned the need for collecting this data given that its utility as a performance measure would be questionable. “There is questionable value in including those who engage in self-help and staff-assisted services in a One-Stop resource room setting in the performance accountability system. In many ways, the resource room can be viewed in the same light as a public library. Just as it would be unreasonable to hold library administrators accountable for the results of tests given to patrons on the books they borrow from the library, it is unreasonable to hold One-Stop administrators accountable for the employment outcomes of people who only use the resource room or attend informational seminars. Efforts to do so may have the unintended consequence of discouraging the offering of such services by One-Stop operators.”

E. CONCERNS OVER PARTICIPANT FLOW AND SERVICE DELIVERY

Increased Data Collection Requirements Will Result in a Shift of Staff to Front-End Operations and Away from More Intensive Services; It Will Also Require a Shift from Direct Client Services to Data Management. A total of 41 commenters expressed concerns on this topic, with comments received from states, Native American and Indian service organizations, Workforce Investment Boards, associations, an educational institution, and a private citizen on this topic. The concerns were fairly uniform. If staff resources are required to register the self-help customer, there will be no way to avoid reducing time spent on more intensive services. One state provided the following details regarding the impact on office operations: “Every day individuals across the state use the comprehensive menu of employment and training services provided through the local One-Stop system. One-Stops will need to hire additional personnel to comply with the data collection tasks required to enroll these thousands of participants. As a result of hiring additional One-Stop personnel, fewer dollars for training and other services will be available for customers. For example: The area One-Stop Career Center assists an average of 400 persons per day. Additional One-Stop Career Center personnel will be needed to process the required data elements for these participants. Conservatively, assessment (estimates) for the cost assumes the organization can adequately meet the new workload requirement for data collection by hiring a minimum of three additional persons. This annual additional cost could well exceed \$100,000 excluding any computer system purchases and /or modification. The state includes 14 additional workforce regions and 40 Career Centers that assist an average of over 9,000 customers per week. Based on the number of facilities and volume compounded by the non-employment and training related services provided through some of these facilities, the cost could be astronomical. The state's ability to add additional staff may well be insufficient to meet the additional need.” Several commenters suggested that registration of self-help clients would

result in changes in outreach, as there would be little incentive for encouraging even more walk in traffic than currently exists. In some cases, services now provided through resource centers might be reduced or eliminated and centers in high traffic areas closed in order to reduce client flow.

The Proposed System Changes Focus to Short-Term Results and Will Adversely Affect Programs Designed to Provide Longer-Term Interventions. Thirty Native American and Indian service organizations and one Workforce Investment Board stated that the system was designed to reward short-term placements. For example, one commenter noted that the EMILE reporting system could drive service delivery changes to the detriment of some clients: “Our clients need intensive, long-term services in order to overcome their barriers to employment and become successful in the workforce. The proposed system would make our programs less, instead of more, effective. The American Indian population ... depends on long-term solutions to ensure that they will achieve their goals and objectives to be competitive in the workforce today.”

Services to Employers Will Change Due to the Need to Collect More Company Data and Because Employer Services Will Be Tracked by Funding Stream. Four commenters stated that data collection efforts will result in reduced time for services and loss of employer participation in the workforce development system. Three commenters questioned the need to track employer services by funding stream, as it would be time consuming and contrary to the integrated services model envisioned by WIA.

Performance System Changes Will Result in Enrolling Individuals Needing Less Rather Than More Assistance. Four commenters said that performance measures would drive the nature of who is served and service delivery approaches. These commenters argued that performance data collected primarily reward short-term gains.

System Changes Resulting from EMILE Could Also Pose a Number of Service

Delivery Problems. Commenters also identified a number of other service delivery

issues/problems that could arise as a result of EMILE:

- Some at-risk youth currently served may not be served due to changes in the target age group (from serving youth 16-19 years of age to a new focus on youth 18-21 years of age).
- Special needs youth may not be able to meet the performance targets for literacy and numeracy gains and diplomas, which may result in providers not serving them or providers being “punished” for failure to meet targets.
- Automatic exiting of participants from programs because they have not received a service in 90 days may result in individuals re-entering the system as many as 4 times a year which will distort reports (and performance).
- Even if automatic program termination is put in place, it is unrealistic to establish 90 days for the veteran population.

F. CONCERNS OVER CLIENT CONFIDENTIALITY

Collection of Additional Data from Employer Clients Will Have a Negative Impact on Current and Future Relationships with The Employer Community. Fourteen comments from 13 different states were received on this issue. Two states included comments from employer groups. One state commented “... [The] Employer Advisory Council has expressed concerns about EMILE individual employer Workforce Services records. Employers strongly advise against submission of specific identifiable employer data including Federal Employer Identification Numbers (FEIN's). Employers do not know where and how the data may be used, and some feel reports that disclose job orders/openings by employer (indicators of turnover and staffing strategies) may jeopardize competitive advantages in the marketplace.” Another state commented that “... we have serious concerns about the scope, legality, process, security of data collected, and future uses of the information. The Federal Employer Identification Number

(FEIN) is an identifier assigned by the IRS to all employers. The use of this number is mandated by federal tax code. Proposed EMILE would establish a use of the FEIN that is not statutorily required and violates employers' right to conduct business without untoward government interference.” The balance of comments support these employer group statements, e.g. “burden of collecting Standardized Individual Records (SIR) data may negatively affect the public workforce system's relationships with its customers, particularly employers who recently discovered the value of using One-Stop employment and training services thanks to DOL's National Business Partnership initiative. In the increasingly competitive environment in which we now operate, there is a risk associated with requiring employers to contribute additional data in order to obtain these services.” Some commenters made suggestions regarding protecting employer identities: “...[we] recommend that the states provide unique identifiers that will provide the necessary information, but will not specifically identify the employer”; “[FEIN] should be encrypted to protect all employers’ confidentiality and their proprietary hiring patterns and types of positions.” One commenter observed that small states have a unique problem in that releasing job order information by individual employer size might breach confidentiality, as it would be fairly easy to identify the employer. Another commenter raised the issue of conflicts with state law. “Employer data would be identifiable at the DOL and all individual records would be identifiable as they pass through the Wage Record Interchange System (WRIS). . . . There is a state statute that ‘prohibits the disclosure of information that would reveal the employing unit's identity.’ If EMILE were modified to accommodate the inclusion of a pseudo identifier to stand in place of the employer's FEIN and location identifiers, it would appear to become consistent with state law. This would be very similar to the present non-SSN identifier that is created for each participant.” The commenters were concerned that they would lose

employers if those employers knew that “confidential” data was being shared with the federal government.

Clients May Be Reluctant to Share Social Security Numbers for a Variety of Reasons, and this Will Affect the Ability of Providers to Cross-Reference Registration and Service Data With Wage Data. Twelve commenters stated that self-help customers might be reluctant to provide their Social Security numbers. Providing Social Security information is voluntary and is not a condition of receiving services, so there is no compelling reason for an individual who may be concerned about identity theft or government intrusion to offer this number. In addition, there may be customers who are using fraudulent or false numbers and would fear the consequences of entering that information into a government system. The failure to obtain Social Security numbers for customers would mean that they would be included in the counts for registration, but they could not be included in any assessment of services provided as it would be impossible to track wage gains through the Unemployment Insurance system. A number of commenters suggested that registrants not providing Social Security numbers be included in a total count of users of the self-help or resource room services, but be excluded from performance calculations. The majority of comments on this subject were received from state agencies. Other commenters were from an association, a union, a WIB, and an association.

Clients Utilizing Self-Help Resources Don’t See the Connection Between Some Data Requests and the Services They Are Seeking, and Some Clients, Regardless of Services Sought, Are Reluctant to Share Confidential Data. Nine commenters feared that self-help clients would be reluctant to divulge personal information. Most comments related to clients with disabilities and their perception that this information might result in their being denied referral to jobs or other services, for example: “Many people with disabilities who are not

reticent at all about identifying themselves as having a disability would not self-identify in a workforce context in terms of their not seeing the relevance to collecting the information when they do not want a disability-related service.” “If this type of information (disability) should be collected on participants in Employment Service Programs, even voluntary requests for this type of information from persons seeking self-service or even staff-assisted services at this level could be construed as impacting their ability to be referred to employment and affect the One-Stop Center’s relationship with both its jobseeker and employer customers.” Three commenters stated that clients would view some of the proposed questions as an infringement on their privacy.

There Is a Lack of Trust in the Ability of Individuals or Systems to Keep Information Confidential. Four commenters questioned whether there are adequate safeguards in place to maintain confidentiality of records. Two commenters had concerns relating to the security of data transmission and two others noted the general lack of trust in government by the population served.

There Needs to Be More National Policy Guidance in the Area of Client Confidentiality. Two states and a WIB indicated that there needed to be additional guidance from the federal level regarding gathering data on disabilities.

There Are a Substantial Number of Miscellaneous Concerns Related To Confidentiality. A range of other confidentiality issues were raised in comments received. Some related to who should be able to collect this information, suggesting that untrained staff are ill-equipped to discuss disability issues and that private for-profit or non-governmental organizations may not have the legal authority to ask these questions. Concerns over legal authorities led to the suggestion that more research be done on this subject. Two commenters raised the issue of collecting confidential information when the individuals collecting the

information might be the neighbors of the individuals providing the information. This problem faces Native American and Indian grantees who are dealing with confined local populations, but this may also be an issue for One-Stop Career Centers in small towns. A general concern raised by several commenters was the rationale for collecting individual level data at the national level: “The state would recommend that the DOL reach out to citizen and business groups to disclose the detail of information to be gathered nationally in a machine-readable format. We expect these groups would be interested to know the purpose for this detailed information and would like the opportunity to respond. Reporting on participants who use non-staff assisted facilities should be limited to summary information, if reported at all.”

Suggestions Regarding How to Deal with Confidentiality Issues. A number of commenters offered suggestions regarding ways to deal with confidentiality issues. Some are embedded in their comments on specific issues and have been mentioned above. Other examples are:

- “[We] strongly urges that the form that the individual will complete include an assurance to the individual that the information being collected will only be used for data collection and analysis and that the information will not be shared with third parties.”
- Ensure that staff are adequately trained to discuss and collect disability information.
- Establish alternative identifiers for clients and employers not involving Social Security number and FEIN.
- Develop an algorithm to use to check validity of Social Security number.
- Ensure that each state investigate local and state laws dealing with privacy.
- Limit self-help data collection to sampling, survey, and research studies, thus minimizing data collection nationwide.
- Limit data collection on disabilities to sampling.
- Notify customers of how data is going to be used.

G. CONCERNS OVER DATA SHARING

Implementation of the EMILE System Will Require Access to Certain Types of Data that May Be Unavailable to Every Participating Agency and Organization. Ten commenters raised the issue of unavailable data. Six were concerned over access to wage data from the Unemployment Insurance system; three reported that medical information might not be available to them; one mentioned that restrictions were in place that would prohibit access to some educational information; and one mentioned that self-employment data would probably not be available through state revenue departments.

Native American and Indian groups, local governments, and local workforce agencies were most concerned over not being able to access wage information. The Native American groups pointed out that their problems were compounded by the fact that many of their clients were transient and might have wages from other states. “The [Youth Opportunity] YO grantees found it impossible to negotiate satisfactory arrangements regarding access to wage records data with their own states (without even considering other states to which their participants might move).” One local government stated that they were encouraged that the “Department will support grantee access to UI wage records.” One state that commented on wage data sharing was concerned over their inability to legally provide this data to grantees.

Inability to access disability information because of Health Insurance Portability and Access Act (HIPAA) restrictions were mentioned by three states as an impediment to accurate reporting on client disabilities.

One state cited the Family Education Rights and Privacy Act (FERPA) as having been “a constant obstacle to its ability to provide customers with a true consumer report on service providers identified in the eligible training provider list.”

One commenter said that self-employment data is collected by state tax revenue agencies, but that information is almost never available to other agencies.

In Order to Insure Access to Data, It Will Be Necessary for Partner Organizations to Enter Into Agreements Regarding Data Sharing and Coordination. Four commenters mentioned that it would be necessary to negotiate agreements among the partner organizations regarding data sharing, and three commenters mentioned the need to clarify who would be responsible for coordinating data collection and submission. The issue with negotiating agreements is time. Several commenters suggested that ETA notify participating agencies that data sharing is expected and notify other federal agencies of the data needs anticipated as part of EMILE.

Several commenters raised the issue of coordination, pointing out that not all data is collected by one organization; thus, compiling the data for submission will be a problem. The question is which organization will have this responsibility.

Data Sharing Will Require Technical Expertise. Several comments were received regarding the need to develop software in order to populate the data bases envisioned in EMILE. This is especially important because, in most states, no one agency operates all the affected programs. One commenter mentioned the need to ensure that summary data reported in EMILE comply with the Wage Record Interchange System (WRIS) agreements regarding the suppression of restricted data.

H. CONCERNS OVER ACCURACY OF BURDEN ESTIMATES

The Burden Estimates Developed by the Employment and Training Administration Do Not Accurately Reflect the Level of Effort Required to Transition from Current Systems to the EMILE System. Thirty-six respondents indicated that the burden estimates for developing new systems to implement EMILE were inaccurate and understated. Of this number, 22 commenters were from state agencies, 5 were from local or regional WIBs, 4 were from associations, 2 were from Native American organizations, and the balance were from One-Stop operators and a research university. The comments ranged from general statements alleging that the estimates were wrong to detailed analyses of the cost of transitioning to the EMILE system at the local and state level. One state determined that “EMILE implementation within our existing systems will take about 8,000 staff hours and about a year to complete after receipt of final ETA specifications.” This estimate does not include the costs necessary to replace systems developed by the local WIBs for the purpose of tracking client services and provider performance. Another state estimated that the information technology (IT) time required to make the changes would range from 5,800 to 7,200 person hours, and yet another state commenter estimated the IT costs for transition at \$230,000, which would likely equate to between 2,000 and 2,500 person hours depending on local prevailing IT wage rates. Several commenters highlighted the fact that reprogramming would be a significantly larger cost than anticipated in the estimates because of the need to add as many as 100 new screens and increase the data collection capacity to accommodate 55 to 100 new data elements. Two states mentioned that they currently collect less than 50 percent of the data required by EMILE. In addition to the programming requirements, many of the commenters mentioned additional costs and burdens associated with the development of new policy and procedural guidance and the provision of training for all those working in the affected program areas.

It Is Unclear as to How the Employment and Training Administration Developed the Burden Estimates. Four commenters specifically mentioned that they were unable to comment fully on the estimates as they did not have adequate information on the methodology used to develop the estimates. One commenter suggested that until the program is fully described and outlined, it would be impossible to accurately estimate the reporting burden and one commenter assumed that the cost estimates were for ETA's transition.

The Burden Estimates Did Not Include Many Required Activities Associated with Transition to a New System. Twelve commenters suggested that the burden estimate failed to include the cost of training staff on the new system. A few of those commenters also mentioned that training results in down time which has its own cost. The issue of the need to maintain duplicate systems during the transition was mentioned by several commenters as was the need to ensure that legislative changes are made to allow EMILE to replace other reporting systems. Several commenters believed that the costs and time associated with developing forms, policy, and procedural manuals were also left out of the estimates. Because of the increased data collection, commenters also pointed out the need to plan for additional data storage costs. Finally, three commenters said that the burden estimate failed to include resources needed to develop and maintain validation systems.

Estimates for the Ongoing Burden of Maintaining the EMILE System Are Questionable. Twenty-two commenters focused on ongoing burden of EMILE. Several suggested that a 60-day comment period for a project this complex was insufficient to develop an appropriate response to both the transition and maintenance cost. One commenter said "To arrive at a reasonably comprehensive estimate with a limited margin of error, the state would need to do an in-depth study. We estimate that it would take two to three people from three to

five weeks to accomplish such a study. In the present financial environment, we have neither the time nor the resources to expend producing a cost estimate.” Eight commenters developed estimates of the ongoing cost burden of the system, but most were just estimates of isolated activities which they used to illustrate the impact of a data collection change. For example, one state observed, “If counselors spent just 10 extra minutes collecting information from ... One-Stop customers, the state would lose over 28 full-time position equivalents to the task.” A few commenters also provided examples of specific items which they believed were not considered in the burden estimate or were inaccurately measured, e.g., “The estimated cost of \$15 per completed survey does not reflect the additional efforts necessary to contact customers and complete surveys since the ‘Do Not Call’ legislation went into effect. To continue to achieve the required 70% response rate, it now takes up to 14 tries to complete a survey. This equates to far more than 19 hours per quarter to complete the required sample of surveys.”

I. EFFICACY OF CONDUCTING A STATISTICALLY VALID SAMPLE OF INDIVIDUAL RECORDS FROM EACH PROGRAM INSTEAD OF ALL INDIVIDUAL RECORDS

Twenty-two organizations commented on this issue: 18 state agencies offered substantive comments, and the remaining four comments were from an association, a community college, a local government, and a service provider. The comments were almost equally distributed between pro-sampling and against sampling. Eleven positive comments were received, 9 negative, and 2 neutral.

Positive Comments Concerning Sampling. Five positive comments were related to data transmission cost savings. The following comment is illustrative of the rationale submitted by these five: “We support the collection of a statistically valid sample of individual records for

each program instead of submitting all individual records. This would significantly reduce data transmission and reporting requirements and reduce the amount of time spent on correcting data errors. We question the need for ETA to have individual records for every program participant in 12 different workforce programs. The volume of this data is so huge that it is difficult to see how it will be useful. Also, since there are several programs that report their data directly to the federal level, it is unclear how their data will be integrated with the state reported data. It seems like this will greatly increase ETA's workload and staff requirements and result in inaccurate information.” Three commenters suggested that large programs be sampled, e.g., Employment Service customer records. Two commenters recommended that there be greater focus on uniform definitions and less on composite systems. Sampling could then be used for the individual programs. These commenters were from the same state but represented two different agencies. One commenter recommended that more exploratory work be done on the subject, but stated that there did not seem to be any utility in sending all individual records to ETA.

Negative Comments Concerning Sampling. Five commenters mentioned difficulty with the sampling process. The process concerns ranged from lack of confidence in the ability of states to adequately manage the sampling process to suggesting that sampling would not be realistic for some small states or local areas because the sample size would likely be the full universe of participants in many programs. The following comment is illustrative of this viewpoint: “The relatively small size and great economic diversity among (the) Local Workforce Investment Areas generally precludes statistical sampling within the state. For this reason, the state is committed to the collection of all records for each program. Once all records are collected, submitting all of the records to the DOL is not complicated by the number of records that need to be submitted. The state sees no benefit to the submission of a sampling of

records. In fact, the state believes that allowing the submission of sampled data introduces the opportunity for questionable sampling practices and inequitable performance comparisons.” Most commenters also mentioned that there would be no cost savings in the data collection process plus they would have the additional burden of managing the sampling process. The following comment best reflects this sentiment: “Collecting a statistically valid sample of individual records instead of all individual records is not an effective methodology for data collection. All of the information must be collected on all individuals so there is no reduction in data collection. The burden of collecting sample records and tracking those records each quarter will be more difficult than submitting all records. Some programs will be submitting universal records while some will be sampling. Some states will be submitting all records while some are sampling all programs. If the goal is comparable analysis and program evaluation, then EMILE should include all individual records.”

J. CONCERN OVER TRANSITION COSTS AND COMPLEXITY

Staff and Capital Costs Associated with Transition to EMILE Will Be Significant.

A total of 38 commenters expressed concerns over the costs of making changes to existing data systems to meet EMILE reporting requirements. Some commenter noted that legacy data systems would need to be overhauled and this would be very costly, particularly in terms of staff time. Other commenters noted that reprogramming costs would be substantial because of the addition of large numbers of new data items to existing employer and job seeker databases. In addition, there would be additional costs because of the need to bring together information from other data systems, such as the Unemployment Insurance wage record data. Several commenters noted that in addition to revamping automated data systems, paper forms would need to be re-

formatted to reflect addition of new data items and the re-coding of data elements that were already being collected.

Costs of Training Likely to Be Substantial at the State and Local Levels. Nineteen commenters identified training costs associated with roll-out and effective implementation of EMILE as a significant transition cost item. For example, one state commenter noted: “The changes to the automated system will require extensive and expensive staff training at the state and local levels. All state and service providers who work with customers, plus staff involved in validation and reporting will need initial and ongoing training to comply with EMILE. These costs are not included in the burden estimates.” Several of these commenters emphasized the importance of training to ensure that EMILE data were valid and reliable.

Some One-Stop Systems Will Need to Install New Systems to Collect Data on Self-Help Customers. Four commenters noted that many One-Stop Career Centers lack existing automated systems for capturing data on self-help customers and that it would be necessary to develop systems that could be used to collect data required under EMILE reporting. Where such electronic systems for capturing data on self-help customers are already operational, it may be necessary to make programming changes to make sure all data items required by EMILE are collected in the proper form and to electronically transfer data on self-help users to the system being used for EMILE reporting purposes.

Have ETA Develop a Prototype System for Collecting EMILE Job Seeker and Employer Data and Distribute to the States. Four commenters recommended that ETA consider developing a prototype software database that could be used by states. For example, one commenter noted: “...If DOL is going to define the requirements, it should provide a structured means of data collecting and reporting...Has the DOL considered developing a

centralized web-based application that all states could use? This seems to be a more sensible approach.” It was recommended that such a software application be developed and tested by ETA and then made available to states free-of-charge. States could use the system on a voluntary basis or choose to modify their existing data systems to meet EMILE requirements. The provision of a prototype system would cut down on software development costs for states and would help to ensure that the states collected and maintained data consistent with EMILE reporting requirements.

K. CONCERNS WITH ONGOING COSTS

Sixty commenters expressed concerns over EMILE ongoing costs, including 34 state agencies and organizations, 18 local organizations, 14 Indian organizations, 5 national organizations, and one individual. Twenty-three of these commenters expressed concern with the ongoing costs of EMILE, but they did not provide any specific remarks. The other commenters tied increased ongoing costs to a variety of factors, which are discussed below.

The EMILE System Requires Additional Job Seeker Data that Increases Ongoing Costs. Eleven commenters expressed concerns of increased ongoing costs related to the increased number of data items collected in EMILE for job seekers. For example, one commenter stated that “...there are 87 new fields and 11 revised data definitions...This is a huge increase in data requirements. The cost and impact of this on programs should not be underestimated.” Another commenter stated that if counselors spent 10 extra minutes collecting the new data, the state would lose over 28 full-time positions to the task.

The EMILE System Requires Additional Data on Employers that Increase Ongoing Costs. Six commenters were concerned about increased ongoing costs related to the collection

of additional data on employers. Most of the comments were general in nature, such as: “It will be a monumental task to report some of the services, e.g., every time an employer makes a job order match.” A few commenters provided hypothetical answers, indicating what the burden would be under some assumption regarding the extra time required.

The EMILE System Requires Additional Data on Self-Service Customers that Increase Ongoing Costs. Six commenters were concerned about increased ongoing costs related to the collection of additional data on self-service customers. Comments in this area noted that there is little data currently collected on self-service customers and that there are a great number of self-service customers, so the additional data items in EMILE for these customers can generate significant ongoing costs. The commenters generally pointed out that without reimbursement, the extra costs would result in decreased services to customers.

The Additional Reports Required by the EMILE System Will Increase Ongoing Costs for States and Local Grantees. Five commenters indicated concerns about ongoing costs related to additional reporting requirements under EMILE. One of the commenters made the following comment: “These changes would require us to send in approximately 132 reporting documents for our Adult program and 84 reporting documents for our youth program. Whereas, we only submit two program reports a year for those same participants.”

The EMILE System Requires Programs to Track Participants for a Longer Period, and This Will Increase Ongoing Costs. Three commenters stated that EMILE required states and local areas to track customers for more time to obtain pre-program and post-program wage information and that these activities would generate costs on an ongoing basis. One state commented “EMILE doubles the states’ collection of additional pre- and post-[program] wage data beyond what is necessary for reporting program performance...EMILE broadens collection

to one year pre and one year post, but requires the pre- and post based on a “system-wide” timeframe rather than individual program timeframes. Our access to unemployment insurance wage records and WRIS, and our storage of wage data for reports will be significantly increased.”

The EMILE System Will Require States and Local Programs to Either Combine Several of Their MIS or to Develop New MIS Structures. Three commenters on this issue offered somewhat similar concerns about the impact of EMILE on their MIS. One commenter noted that because EMILE spans a number of workforce programs, the state will have to modify its various management information systems and combine the data on a quarterly basis, thus incurring costs each quarter. A second state expressed similar concerns and estimated that the extra MIS work would require about 750 hours per year. The third state commenting suggested that “The EMILE reporting system appears to be more than just collecting additional reporting items, it appears to be another reporting system that will require additional time and resources to operate.”

Other Miscellaneous Comments Relating to Ongoing Costs. In addition to the topics discussed above, one topic (data storage) was raised by two commenters and nine topics were raised by a single commenter. These issues are:

- One commenter noted that a separate reporting system is being developed for Rapid Response activities. The commenter indicated that if this is the case, “it will increase staff workload and report production costs.”
- A commenter stated that EMILE will impose significant validation costs: “From date of birth, veteran status, disability, employment, or runaway status, to other personal characteristics and follow-ups, some form of document must be kept on file as verification. EMILE does not specify what documentation is required for each reporting element.”
- One state commented that the cost and administrative burden of collecting the job seeker and employer satisfaction surveys is significant but provides little useful information.

- One state reported that “Due to confidentiality issues related to Unemployment Insurance, development of an integrated [management information] system as outlined in EMILE will force disengagement of the current integration between Wagner-Peyser, TAA, and unemployment insurance...While little if anything would be gained by integrating WIA into a single record, the initial and ongoing costs of disrupting an integrated ES/UI/TAA system for the much larger number of customers would impose additional burdens on staff and customers of the system.”
- One state indicated that transmission of quarterly data will be costly to states: “Quarterly transmission of integrated participant files, employer records, and the compilation of a quarterly report for each funding stream will be an onerous undertaking for each state.”
- One state provided comments on the cost of collecting the additional disability information included in the EMILE system. The state noted that in addition to the expense of collecting the information, the state is concerned “that gathering more specific information regarding disabilities will make the information subject to [Health Insurance Portability and Accountability Act of 1996] HIPA requirements. This will add considerable expense to what is an already extremely expensive proposed change.”
- One commenter expressed concern that “reporting O*NET [occupational] codes in the first quarter following exit can only be obtained by contacting the individual or employer, which entails considerable time and expense.”
- One state commented that “It appears that EMILE requires [the state] to distinguish when services to employers are provided by WIA Title I-B funds and when Employment Service or Veterans Employment and Training Service (VETS) funds those services. As we have embarked down a path of seamless service to our business customers, separating out who provides these services to our customers for the sake of reporting would impose an unnecessary cost on our system.”
- Two states commented that EMILE would impose ongoing costs for storing the larger quantity of data required by EMILE. The states noted that the costs would include data warehousing costs and the need for larger servers to process the data.
- One state commented that “None of our current reporting systems can accommodate the much broader, non-program specific outcome tracking of EMILE without significant modification. Accordingly, we would anticipate significantly higher maintenance costs, particularly during the first few years.”

L. CONCERNS WITH DATA QUALITY

Fifty-five organizations provided 286 comments on subjects related to data quality. The commenters included 29 state agencies, 5 educational groups, 5 associations, 7 Workforce

Investment Boards, 5 nonprofit organizations, a union, a Federal Government agency, a local government, and a Native American group. The comments concerned the data elements, the job seeker and employer individual record, data problems related to self-reporting of certain characteristics, Social Security and Federal Employer Identification Numbers, utilization of Unemployment Insurance (UI) data for wage data and employment retention, and the utility of data collected.

Definitions Provided for Some Data Elements in the EMILE System Are Unclear, Too Narrow, Or Based On Questionable Policies. A total of 35 organizations provided comments related to the underlying definitions for EMILE data fields. The comments ranged from general observations that data definitions needed to be reviewed for clarity to very specific questions regarding how elements will be validated in the new system. The following areas were most commonly mentioned:

- Youth services, including literacy and numeracy measures, and the effect of current definitions of youth “success” measures.
- “When and how are ‘registration’ and ‘participation’ defined and counted?” Commenters also cited problems with Internet usage and self-help services in terms of getting individuals to register.
- When a participant is “enrolled.”
- Employment definition -- one commenter suggested that it was important to set a threshold wage level to ensure that there was really an attachment to the labor force; another pointed out that an individual could have more than one job, and this needed to be addressed in the system.
- Need to coordinate definitions with those used for programs not administrated by ETA, such as the Rehabilitation Services Administration.
- Use of supplemental data.
- Occupational coding.

The balance of the specific comments touched on definitions for such items as race, high growth industries, "court involved," who provides services, veterans services, and family. Also included in this topic area were comments on validation requirements for data entries -- commenters wanted to know what is required and acceptable. Finally, general comments were made related to the need for precise data definitions to ensure uniform reporting across the country and equitable distributions of resources based on performance using EMILE data.

EMILE Requirements for Exiting the Program Will Result in Data Problems.

Sixteen organizations commented on this issue. The requirement that individuals not "exit" the system until all participating programs have "finished" providing services is of concern because it has the potential for delaying the initiation of performance tracking. Participants who are enrolled in multiple EMILE-covered programs may remain active even if they are placed in jobs -- and lead to potential problems/confusion with regard to valid performance measurement: "The exit event is an important construct for performance measurement under the common measures, and each of the program level reporting systems maintains these exit dates and reasons. However, EMILE requires single composite data elements for participant status, date of exit, and reason. These items set the conditions for determining the post-program quarters for measurement of employment and earnings...requiring the composite treatment of these exit situations will lead to confusion in the timing of post-program measurement, and apparent errors when WRIS data is checked against EMILE records."

Conversely, having participants exit from the system based on a "last date served" parameter is also of concern. It is likely that there will be individuals who will automatically "exit" the system because no services have been received for 90 days and will then be re-

activated resulting in the potential for multiple counts for the same participant utilizing services in the same program year.

The Quarters Chosen to Measure Earnings Gains Are Not Appropriate and Will Affect Performance. Nine commenters observed that the quarters used to measure earnings changes were inappropriate, and therefore, had the potential for not fairly reflecting actual performance of states and local areas. The reasons to change the quarters used for performance reporting varied and included:

- changing pre-program quarter to minimize the effect of severance pay on preprogram earnings;
- averaging several quarters of pre-program earnings to minimize the vagaries of employment schedules, part-time work, etc;
- changing the post-program measurement to accommodate the problems caused by the exit definition; and
- changing the post-program earnings gain measurement period to acknowledge that it may take dislocated workers longer to achieve pre-program earnings levels than other groups served (a three-month period may be acceptable for adult program participants but not for dislocated workers).

There was no clear consensus on which quarters to use, though some commenters preferred program-specific definitions of quarters to use.

The Requirement that All Data on Job Seekers or Employers Be Contained in One Individual Record Presents Significant Problems for Accurate Data Collection. Sixteen organizations provided comments on the problems associated with having multiple programs supply data for a composite job seeker or employer record. This problem will occur when clients and employers are receiving services from multiple programs under the EMILE umbrella. If, for example, a job seeker registers with the labor exchange service first and then seeks intensive services through WIA or from another center in the same city, it may be that there are 3 forms

which have to be reconciled. If birth date information is different on these forms, the error will have to be reconciled, and if the birth date has been reported on the quarterly report, the data cannot be changed. In addition, the requirement that only the most recent service be reported on this common form will distort services provided: “Except for training services, only the last service received in a category is reported in a quarter. A record for an employer that received 500 instances of job order matching services in a quarter would read exactly like the record of an employer that only received one instance of job matching service. Similarly, the record for a job seeker who received 20 instances of counseling and career planning in a quarter would look exactly the same as a job seeker that received one instance of counseling and career planning.” Finally, many of the commenters were concerned that there would be no way to attribute services to a specific program: “In the proposed quarterly report, outcomes for adults and dislocated workers would be consolidated into a single category, ‘Adult Common Outcome Measure.’ This consolidation will make it very difficult to track participation and assess outcomes on a program-specific basis for individuals currently served by separately authorized and legislated programs. Failures in one program may well be masked by superior performance in others while, conversely, successful program outcomes may be obscured by program failures.”

Expansion of Registration to Self-Help Clients Will Result In Distortions in User Profiles as These Clients May Be Reluctant to Report Sensitive Information. Six commenters observed that self-help clients in particular may provide incomplete or inaccurate data on sensitive issues, such as disability status. For example, self-help clients with disabilities may not report those disabilities if they believe it will adversely affect their chances of obtaining employment. Individuals who have been involved with the criminal justice system may not report offender status. If these clients move on to more intensive services after having failed to

report one or more items on their registration forms, correcting errors will be difficult or impossible.

Missing Social Security and Federal Employer Identification Numbers (FEINs) Will Affect Data Quality and Measurement of Services Received and Performance. Sixteen commenters identified data quality issues that would result from missing identification numbers. Voluntary reporting of Social Security numbers and FEINs will result in service reporting errors for both job seekers and employers. Without a valid Social Security number or consistent unique identifier for each individual, it will be impossible to compile individual service information from multiple programs into one record; thus, the system might show that services were provided to several individuals or services will not be reported at all. This is a significant problem for transient workers who may travel throughout a state and not have or wish to report their Social Security Number. Similar problems exist for employers who do not know or wish to report their FEINs as a condition of listing a job order or receiving other employer services. Farmers may not have FEINs. Employers with multiple locations in the same zip code area and one FEIN will be reported as one. Because employers may change FEINs as a result of mergers, there must be a way to accommodate that transition for reporting purposes and data accuracy.

The Requirement that Wage Increase and Retention Information Be Generated Through the Unemployment Insurance System Will Have a Negative Affect on Performance Outcome Data Unless Certain Accommodations Are Made. A total of 10 commenters identified problems associated with only utilizing Unemployment Insurance (UI) records to calculate wage gains and employment retention. Four major issues were identified:

- Not all clients will be employed by individuals/employers who report earnings to the UI system.
- No accommodation is made for self-employment.

- Clients who have failed to provide Social Security Numbers cannot be tracked in the system.
- National security agencies do not report employment and wage data.

Suggestions were made to exclude clients without Social Security numbers from the performance measurement related to wage gains, but to retain those clients in the performance base for services received.

Is the Data To Be Collected of Sufficient Quality and Timeliness to Achieve the Objectives of the Data Collection Activity? Twenty-two commenters provided comments on this issue. They include several related to reporting lags in the system and that the system has no capability to provide real-time information, and thus, is not useful for program management and resource allocation. Mention was made that there was inadequate documentation of employer services and no mechanism to capture on-line services to employers. One commenter said that the data was inadequate to serve the needs of other federal programs, and another mentioned that there weren't enough data captured to reflect employer services. One commenter stated that this was a good opportunity to collect better data on special populations utilizing the programs, especially the ex-offenders.

Miscellaneous Comments Relating to Data Quality. The following are comments received that did not relate to other categories in this section:

- Data validation software needs to be developed at the national level so there is uniformity in the system.
- Federal Contractor Codes need to be updated so states can report properly.
- Entering data already existing in the system will increase the opportunity for errors.
- There will be duplication of reporting until other program mandates and definitions are revised to coincide with EMILE requirements. Reporting duplication may result in errors.

- The amount of new data required will lead to increased errors.
- There are validation issues that will arise from updating data.

M. MISCELLANEOUS CONCERNS

Lack of Stakeholder Input and Involvement in Development of EMILE

Requirements. A total of 10 commenters indicated that there was a lack of key stakeholder involvement – particularly input from state agencies, local agencies, and Native American grantees – in the development of EMILE reporting requirements. Some of these commenters also recommended that ETA provide the opportunity for future stakeholder input into refining EMILE requirements. Typical of the comments submitted in this area was the following: “In the past, ETA has taken time to involve state and local actors in the development of performance management and reporting policies, and has engaged in serious dialog with those in the workforce system who would be charged with implementing these requirements. ETA should renew its commitment to ongoing consultation, which has been inadequate with respect to the development of these requirements.”

Concern that Application of Unit Cost Performance Measure or Standard Using EMILE Data Could Affect Agency Willingness to Enroll Hard-to-Serve Individuals. Eight commenters expressed concern over the potential use of EMILE data to calculate a unit cost performance measure (sometimes referred to as “efficiency” or “per-participant cost” measures) by which state and/or local agency performance would be assessed. Many of these commenters, such as the following one, were concerned that application of a unit cost measure would drive state and local agencies to be cautious in serving individuals likely to need more intensive services: “...We are concerned that the efficiency standard will lead to creaming (serving only

those individuals who are most job-ready) and to a lessening of more costly services, including training, for individuals with the most serious barriers to employment (i.e., individuals with disabilities, low education and skill levels, limited English proficiency, etc.).” Several of these commenters requested that ETA provide additional details about the methodology that would be used to determine unit cost performance.

Concern That ETA Programs Are Being Effectively Consolidated Through Administrative Reporting Changes. Eight commenters suggested that the reporting system was being used to drive policy changes. The following is illustrative of the comments received on this subject: “There is grave concern that this (EMILE) would lead to the complete consolidation of all job-training programs and funding. Further, we believe that a proposal to consolidate job-training programs should be addressed in WIA reauthorization, not through an administrative reporting system proposal.” One commenter pointed out that “EMILE is not designed to meet the goal of reporting services provided through each program and its impact on performance outcomes. EMILE combines service records from all programs, removing any tie between a program and a service, and removing any tie between a program and an outcome. Due to the basic structure of EMILE, ‘each program impact on performance outcomes’ is destroyed.” This commenter went on to say that this type of system encourages program integration.

Issuance of Final Rules for EMILE Reporting System Should Be Delayed Until WIA is Reauthorized. Sixteen commenters question the wisdom of implementing EMILE’s proposed reporting changes when the Workforce Investment Act (WIA) is in the process of being reauthorized and the outcome of that reauthorization is uncertain. Most of these commenters suggested holding off on finalizing EMILE design and implementation until after WIA is reauthorized. Some commenters feared that states and local areas would make changes to data

systems to comply with EMILE reporting requirements, but then have to make another round of costly changes to the same systems in response to WIA reauthorization. Typical of the comments received concerning the timing of EMILE implementation vis-à-vis WIA reauthorization was the following: “We question whether implementation of a new reporting system while WIA still hasn’t been reauthorized is advisable. Getting a new system up and running and then having to make abrupt changes based on new legislative authority is disruptive and costly to both states and local workforce areas. Major changes in USDOL reporting requirements should be incorporated within the context of WIA reauthorization.”

Lack of Existing Resources/Funds to Cover Transition Costs; Requests for ETA to Provide States with Additional Funding to Offset Transition Costs. A total of 23 commenters noted that there was a lack of available resources at the state and local levels to fund transition costs. Some of these commenters inquired about the potential availability of funds from ETA to offset transition costs. For example, one state observed: “The costs of movement of multiple ETA programs from legacy systems to standard reporting using Common Measures and EMILE should not be underestimated. States and local workforce investment areas will need financial support from USDOL beyond formula funds to make the required adjustments in a timely, efficient and effective way.”

CHAPTER 3:
KEY FINDINGS FROM FOUR STUDY STATES

This chapter provides key findings from the site visits and other data collection activities conducted in the four study states – California, Illinois, New York, and Tennessee. Exhibit 3-1 provides a cross-state comparison chart of the perspectives of states on principal issues/concern areas discussed in this chapter. As discussed below, officials interviewed across the four states expressed substantial concerns about burden, complexities, and costs of EMILE implementation.

A. ESTIMATED COST, SCHEDULE, AND READINESS TO IMPLEMENT EMILE

Costs of EMILE Implementation Estimated as High as \$10 Million, but Vary

Substantially Across States. Estimated costs of EMILE implementation ranged from \$700,000

(in Tennessee) to slightly over \$2M (Illinois) to

nearly \$10M (in New York). No estimate of

implementation costs were provided for California

– though state administrators stated that costs would

be significant (in the millions) and that because

some of the localities operated outside of the state’s

automated system, that reprogramming costs would

be borne at both the state and local levels. In

California and New York, EMILE implementation

is complicated because system changes are needed for local data systems, as well as state

systems. In Tennessee and Illinois, start-up is somewhat less complicated and costly because all

COST ESTIMATES OF EMILE IMPLEMENTATION IN NEW YORK. Total re-programming costs to bring the data system used by New York in compliance with EMILE reporting requirements are expected to be about \$600,000. The big cost item – for which the state has not set aside funding -- is expected to be the \$3.8M cost associated with state staff (calculated based on 10% salary and fringes for all state ES and WIA staff involved in EMILE implementation) and \$3.5M to \$5.3M for local staff’s time (calculated based on 10% of all local level staff involved in EMILE training and implementation effort). Overall, NYDOL estimates that total costs of EMILE implementation as high as \$10M. According to agency officials, the funding reserved and spent on EMILE represents an opportunity cost in that the funding cannot be used for provision of direct services and mounting of other initiatives.

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EXHIBIT 1: CROSS-STATE COMPARISON OF EMILE IMPLEMENTATION ISSUES AND CONCERNS

ISSUE AREA/ CONCERN	CALIFORNIA	ILLINOIS	NEW YORK	TENNESSEE
Estimated Costs of Meeting EMILE Reporting Requirements	<ul style="list-style-type: none"> Estimated costs not provided, though expected to be in the millions Because some local WIBs have locally-defined data systems, costs of meeting EMILE requirements would be borne at the local levels as well EDD officials requested additional federal funding to offset EMILE transitional costs 	<ul style="list-style-type: none"> Implementation costs estimated at slightly over \$2M, with most costs related to conversion of WIA data system. State and local agencies lack administrative dollars for system redevelopment effort and to meet additional ongoing costs of capturing added data (particularly on universal users) 	<ul style="list-style-type: none"> Total estimated costs in range of \$7.6M to \$9.8M, including \$600K for re-programming AOSOS Big cost item – state (\$3.8M) and local (\$3.5M to \$5.3M) staff costs associated with training and other EMILE-related development costs State emphasizes need for additional federal funding to help offset steep transition costs of EMILE 	<ul style="list-style-type: none"> Total estimated costs of \$700K With ES funding levels flat since mid-1980s – state suggests need for additional funding to cover EMILE costs Concern about costs at local level if One-Stops are required to register all self-help customers
Estimated Time Schedule for EMILE Implementation	<ul style="list-style-type: none"> Total estimated time: 3 to 4 years (noted that this might be reduced if reprogramming work can be completed without procurement process) Main reasons for lengthy start-up are the following: several layers of approval at the state level needed, state likely needs to go through a lengthy procurement process to contract for computer development services, and some local areas will need to reprogram their local systems to meet EMILE requirements Substantial concern that ETA will not provide state with adequate time for planning and implementing EMILE 	<ul style="list-style-type: none"> Total estimated time: 2 to 3 years ES and WIA system changes would be done separately and simultaneously – ES implementation of EMILE estimated at 9-12 months; WIA estimated at 2-3 years Time schedule does not include development of the interface linking ES and WIA data Current IT maintenance contractors' service agreements are scheduled for termination in early 2006, which would complicate redesign of state IT systems 	<ul style="list-style-type: none"> Total estimated time: 15 Months 12 months for re-programming AOSOS (note: state has AOSOS contractor, so does not need to go through procurement process) 6 months of staff training (3 would overlap programming effort) Suggest 7/2007 start (if ETA rules are issued by 3/2006) Concern ETA will not provide inadequate time for re-programming, testing, and staff training (as was the case with Common Measures implementation) Common Measures has helped to prepare for EMILE start-up 	<ul style="list-style-type: none"> Total estimated time: 12-18 months If approval for EMILE comes early in 2006, state expects to be able to provide EMILE data to ETA by mid-2007
Preparedness for EMILE Start-up/ Implementation	<ul style="list-style-type: none"> EDD administers ES, WIA, NEG, and TAA – but programs (especially ES and WIA) are siloed EDD would face a variety of challenges to implementing EMILE – consider it more complex than WIASRD because state is dealing with multiple programs and needs to produce a consolidated record 14 (of 50) LWIB (including several large ones) operate locally-defined 	<ul style="list-style-type: none"> WIA and ES programs are administered by different departments at the state level -- DCEO administers WIA, NEG, and the non-cash portion of TAA; IDES administers the ES and cash portion of TAA (TRA). Two departments maintain separate data systems for capturing data on participants and will likely continue to do so – so job seeker and employers would need to 	<ul style="list-style-type: none"> NY is part of 7-state AOSOS system – once AOSOS is reprogrammed, other states would also have MIS to meet EMILE requirements Not all LWIB in NY (including NYC) use AOSOS as case management system – this complicates statewide EMILE implementation (i.e., LWIBs not using AOSOS would have to adopt AOSOS as case management system or redesign their locally- 	<ul style="list-style-type: none"> TN is well-positioned to implement EMILE and is already planning changes to existing state system to comply with EMILE requirements Because programs included in EMILE are within same department (DLWD), implementation of data system that integrates participant data and reporting capabilities needed to meet EMILE system requirements is simplified

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	<p>systems – so not only state but some local areas would have to reprogram their data systems to meet EMILE requirements</p> <ul style="list-style-type: none"> State would likely need to go through fairly lengthy procurement process to bring on an outside contractor to re-program the state system; also there are several layers of approval needed before EMILE programming can be initiated Some, but not all, one-stops have swipe card systems to collect individual-level data on self-help customers, but data from these systems are not currently submitted to state 	<p>be consolidated by ETA or 3rd party (such as a university)</p> <ul style="list-style-type: none"> State and local agencies rely upon state-developed and operated systems, which would likely simplify transition to EMILE State recently terminated IT maintenance contract – it does not have sufficient in-house staff to make EMILE changes and so would likely need to go through a procurement process to bring on an IT contractor 55 One-Stops in state use varying methods for collecting data on self help users, ranging from a paper and pencil sign-in sheet, to swipe card systems, to use of specialized vendor software. An IWDS system has a built-in capability that could be used to collect data on One-Stop universal users – but this capability is not yet used and client flow would need to be adjusted so that either staff or participants entered required EMILE data elements into IWDS. None of data collected at local level on self-help One-Stop users is transmitted to state 	<p>defined systems to meet EMILE requirements)</p> <ul style="list-style-type: none"> Recent installation of swipe card system in one-stops helps to pave way for collecting data on self-service customers, though data are not yet transmitted to AOSOS; significant challenges remain in obtaining individual-level data on self-help customers AOSOS reprogramming and training effort in response to Common Measures has helped prepare way for EMILE implementation EMILE represents significant change in data collection and performance measurement – a “cultural” shift that will likely require major training and TA effort for state/local staff NY has already set aside funds to cover EMILE re-programming costs 	<ul style="list-style-type: none"> All local WIBs use state’s eCMATS system, which simplifies EMILE re-programming ES and WIA already use eCMATS system and TAA will shortly be incorporated into this system – simplifying EMILE implementation DLWD has assembled in-house and contractor staff to maintain (and further develop) eCMATS system – and this staff could make all of the changes necessary in eCMATS to meet EMILE system requirements (without the need to procure an outside contractor) Platform used by eCMATS (developed in Java with an Oracle back-end) is relatively easy to re-program and highly flexible No state system exists to collect data on self-help users of one-stops, but state is considering alternatives; also about 300K of estimated 500K one-stop users are ES-registered and entered into state data system
Existence of Employer Record Systems; Data Elements of Concern	<ul style="list-style-type: none"> ES and WIA have employer records in current data systems, but systems vary in types of data elements collected – ES employer data is to facilitate job order process; while WIA employer data is to support collection of customer satisfaction information Employer records would have to be expanded and revised; several EMILE data items are not collected currently and would represent additional burden for the 	<ul style="list-style-type: none"> ES and WIA have employer records in current data system. WIA employer record contains data on a limited set of employer characteristics on approximately 1,000 employers, but no job order data; ES system uses web-based Skills Match system to obtain limited data on employers and for submission of job order data Generally, collecting data on employers would not present difficulty for the WIA or ES program – though 	<ul style="list-style-type: none"> AOSOS contains employer record, but currently only ES is required to enter employer data 10 EMILE fields do not match or are not collected – some specific areas of concern: AOSOS does not capture secondary NAICS code; Enterprise Community or Empowerment Zone Location not currently collected; with regard to Most Recent Date Received Applicant Search Service, AOSOS would need to add a new employer 	<ul style="list-style-type: none"> ES and WIA have employer records; though data items in the employer record would have to be modified, programming of state’s data system would be relatively straightforward – the main challenges would be with collecting and keeping employer data up to date

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	<p>ES and employers: high growth industry, employer size, and FEIN</p> <ul style="list-style-type: none"> • EDD favors eliminating employer record or, at a minimum, streamlining employer record to mirror what EDD is collecting through ES and WIA 	<p>the number of data elements should be kept to minimum so as not to overburden staff and employers</p> <ul style="list-style-type: none"> • Following data items would have to be added to ES employer system: high growth industry; employer size (though could be obtain from UI wage record data for covered employers); Enterprise Community or EZ zone; date oriented to One-Stop; date received training service 	<p>activity code and staff would have to input when an applicant search is done for an employer and there is no job order</p> <ul style="list-style-type: none"> • Overall, state recommends elimination of employer record – fear it will “chase” employers away from ES/WIA 	
Views on Submission of Job Order Data	<ul style="list-style-type: none"> • All data items in job order collected data, but if such data were submitted for 4 quarters on a rolling basis, ES would submit about 600K records each quarter to ETA– which would be a massive amount of data to transmit • With much of these job orders already transmitted to America’s Job Bank, EDD doesn’t understand why job order data should be transmitted again to ETA or what use ETA could make of such a volume of records • Overall, EDD question utility of transmitting job order data to ETA – recommends deleting this requirement 	<ul style="list-style-type: none"> • All data elements requested with regard to job orders are already being collected; state does not have problem with submission of job order data on quarterly basis. 	<ul style="list-style-type: none"> • All data elements requested with regard to job orders are already being collected; state does not have problem with submission of job order data on quarterly basis. 	<ul style="list-style-type: none"> • All data items in job order collected • TN borders 8 other states, so some employers in other states list job orders with ES and many participants in the workforce development system are referred to job listings in other states
Concern with Employer Reporting Burden/Discouraging Use of Services	<ul style="list-style-type: none"> • EDD cannot mandate that employers provide FEIN -- EDD fears that requesting FEIN and additional data will put off some employers from listing job orders or using 1-stop system • State is uncertain about at what point employers should be entered into EMILE – what is the threshold of services provided that results in an employer record being completed? 	<ul style="list-style-type: none"> • FEIN not viewed as a problem -- usually employers provide this willingly and FEIN could be obtained through match if necessary to the UI wage record system • State agencies stressed need to keep employer data elements to minimum so as not to burden staff or employers 	<ul style="list-style-type: none"> • Concern that requesting FEIN, # of employees, and other confidential data would unnecessarily burden employers and may “chase” some away from ES/WIA – e.g., some employers may refuse to list job openings • Collection burden for agencies and employers is not justified by utility of data – and burden may discourage employers from listing job orders and using ES 	<ul style="list-style-type: none"> • Some employers may refuse to provide FEINs and other confidential information

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ISSUE AREA/ CONCERN	CALIFORNIA	ILLINOIS	NEW YORK	TENNESSEE
Replace Employer SIR with Quarterly Employer Report	<ul style="list-style-type: none"> • Submission of employer quarterly report is preferable to submitting employer records – but information submitted should be kept to minimum • ETA needs to provide better justification for why it needs employer records or drop this requirement • EDD favors streamlined employer record to mirror what EDD is currently collecting through ES and WIA 	<ul style="list-style-type: none"> • It would make little difference whether a report or the actual employer records were submitted to ETA. 	<ul style="list-style-type: none"> • Do not favor replacement of employer record with quarterly employer report – states/local agencies would still need to maintain and validate individual employer records to produce report • State recommends elimination of employer record 	<ul style="list-style-type: none"> • Whether an aggregate employer report is a good idea depends upon whether proposed data elements in employer record can be reduced to a minimum; a quarterly report would do little to reduce burden for local WIBs, states, and employers because the same information would still need to be collected to produce report
Disability Categories – Burden of Collection/ Justification for Collection	<ul style="list-style-type: none"> • State questions the utility and public benefit of collecting more participant data than is already being collected 	<ul style="list-style-type: none"> • Type of disability could be useful from accommodation standpoint, if the data could be collected to produce valid counts • Collection on the type of disability would have to be voluntary and would result in substantial undercounts, particularly on alcohol/substance abuse, mental health, and learning disability • Way disability question is structured is “a lot to ask of people; it may discourage clients if you ask • Some may feel their privacy may be compromised – asking if someone has a disability is one thing, asking them the type of disability is another thing” • Among self-help users, it is feared that there would be (a) added burden for staff and users, (b) some users who may object to the question and fear their privacy may be compromised, and (c) some users who will not provide responses – leading to under-reporting. 	<ul style="list-style-type: none"> • State does not support collection of additional information on types of disabilities • Disability information is not viewed as necessary for effectively serving customer • Gathering additional details about disability without a valid service-connected justification is viewed as overly intrusive • There may be some legal issues around collection of some disability information • Some customers may not voluntarily provide disability data because of discrimination fears • State questions how valid data would be, especially if only a portion of customers provide responses 	<ul style="list-style-type: none"> • Collection of types of disability may have practical utility for focusing programs on serving persons with disabilities through One-Stop system • Collecting disability data is beyond scope of WIA -- a requirement to go beyond what already is in place will add a significant burden to the work of front-line One-Stop counselors • Because disability-related questions are voluntarily answered and potential client fears of loss of privacy, data obtained may not be robust enough to guide improvement of services
Self-Service Data Collection	<ul style="list-style-type: none"> • Some, but not all, one-stops have swipe card systems to collect individual-level data on self-help 	<ul style="list-style-type: none"> • One-Stops use varying methods for collecting data on self help users -- ranging from paper and pencil sign-in 	<ul style="list-style-type: none"> • Swipe card systems have been installed in all 89 officially designated one-stops in NY, but local WIBs 	<ul style="list-style-type: none"> • No state system to collect data on self-help users of one-stops, but state is considering alternatives – so

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	<p>customers</p> <ul style="list-style-type: none"> Data collected on One-Stop users is not transmitted to the state. With estimated 1.3 million self-help users of services each year, even small numbers of data items can create significant data burden, vast amounts of data to transmit to ETA, and may discourage use of self-help services EDD thinks only aggregate counts of self-help users should be submitted to ETA (not individual record data) State does not believe that self-help users should be included in performance measurement pool 	<p>sheets, to swipe cards, to use of specialized vendor software. An IWDS system has a built-in capability that could be used to collect data on One-Stop users</p> <ul style="list-style-type: none"> Data collected at the local level on One-Stop users is not transmitted to the state. State wants to get credit for large and increasing numbers of individuals using its Internet-based services -- agency officials suggest ETA clarify if virtual One-Stop users are to be included in EMILE and, if so, whether same data elements would be collected as for physical users of One-Stops 	<p>determine data elements collected and data are not transmitted to state (only aggregate counts are provided)- significant challenges remain in obtaining individual-level data on self-help customers</p> <ul style="list-style-type: none"> One-stops cannot deny service because of unwillingness of self-help users to provide a SSN -- NY does not want to require SSN of self-help users, but if the SSN is not obtained then it will not be possible to match individuals later to UI wage data Minimal data should be required on self-service customers -- aggregate counts only, with no individual data elements Self service-only customers should not be subject to performance measures NY does not want EMILE reporting requirements to compromise customer-friendliness of one-stops or web-based applications 	<p>no existing state system for gathering data on One-Stop users</p> <ul style="list-style-type: none"> About 300K of estimated 500K one-stop users are ES registered and entered into state system State fears collecting too much information at One-Stops could discourage use TN believes data collected on self-service customers should be limited to name, SSN, age, and veteran status -- going beyond these data elements not only adds significantly to burden of intake and maintenance, but also goes beyond WIA requirements
<p>Concern over Misuse of EMILE Information/ Effects of EMILE on Performance</p>	<ul style="list-style-type: none"> Fear in future self-help customers may be combined with staff-assisted, intensive, and training participants to measure state/local performance If performance is largely driven by self-help customers one-stops might re-assess and start to limit who is served Question utility and fairness of measuring impacts for many ES and one-stop users (especially retention and earnings gains for those receiving low intensity of service) Performance measurement for self-help users should be limited to EER If omission of SSN is not a random 	<ul style="list-style-type: none"> Concern about losing control over when participants are exited from the system and being held accountable for performance outside of their control Officials noted that under EMILE, agency would no longer have case management control of participants throughout the period of participation -- e.g., exit date (for determining performance) could be strung out because of participation in services provided by another agency (e.g., ES); as a result, exit may be in several or even many quarters after WIA services have ended -- and may 	<ul style="list-style-type: none"> Concern about how EMILE data might be used in future by ETA, other government agencies, and researchers -- Will EMILE data be used for auditing purposes? Will ETA or researchers use data to produce simplistic rankings that paint certain states/localities a bad light? Question why employment performance outcomes would be assessed on all self-service customers, since many who use resource room do not have employment as an immediate goal -- many casual users are coming in to learn more about education and 	<ul style="list-style-type: none"> Concern that if ES registrants (~300K per year) are combined with TAA and WIA participants for performance reporting that ES participants will swamp all others -- and be determinant of state and local performance Some factors on which performance is gauged are not appropriate for ES participants -- particularly measures of job retention and earnings replacement -- these two measures should only apply to individuals receiving training It may unfair to judge self-help users -- who may not receive much

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	<p>event, there is potential for bias in performance</p> <ul style="list-style-type: none"> Concern that ETA or others might use EMILE data to generate unit cost estimates in future that are not meaningful or appropriate Because of the different types of services being provided under NEG, not sure that it is appropriate to include NEG participants in performance pool 	<p>not be at an optimal time to reflect well on WIA performance</p>	<p>training opportunities (e.g., to research colleges) and they may even be searching for job opportunities for someone other than themselves (e.g., a family member)</p> <ul style="list-style-type: none"> Self-service customers should not be included in performance calculations Participants could count for performance purposes more than once in a single year 	<p>intensity of service – on performance measures</p> <ul style="list-style-type: none"> Elimination of use of supplemental data could negatively impact performance of some local WIBs
<p>Submission of Participant Versus Exiter Records on a Quarterly Basis</p>	<ul style="list-style-type: none"> EDD prefers submission of exiter data over participant data EDD allows locals to make changes and to control client records until individuals are exited – so transmission of exiter records would better fit how state manages data with local agencies If exiter data were sent to ETA, such data would be complete and final – participant data is still in flux Transmission of exiter records would cut down on very large numbers of records that CA would submit each quarter (but state still objects to the large number of data elements that they would have to maintain on each participant) 	<ul style="list-style-type: none"> Submission of exiter versus participant data would not matter all that much The volume of records submitted would be reduced somewhat by submitting exiter data only, but states/localities would still need to maintain the same participant data, so there would not be much savings One difficulty faced by state in submitting exiter data is that it will be necessary to establish a merge routine or interface at state (or federal) level that will tag a participant as having not received a service for 90-days across programs included in EMILE 	<ul style="list-style-type: none"> Do not understand how submission of exiter records on quarterly basis will result in any real reduction in burden - - If states have to report all same data elements and individual records upon exit, they will still have to collect same amount of data for all participants (assuming all will eventually exit) The size of the file transmitted to ETA might be reduced -- but without much reduction of burden to state 	<ul style="list-style-type: none"> Given state's eCMATS already comprehensive tracking and updating capabilities, limiting submission of individual records to exitters would have little impact on the burden associated with collecting and maintaining customer records
<p>Submission to ETA of Job Seeker Record by Program Rather than a Consolidated Job Seeker Record</p>	<ul style="list-style-type: none"> This proposal would not reduce burden on each program to collect data, but would eliminate need for EDD to construct a consolidate record to send to ETA – so would somewhat reduce EMILE programming costs (so EDD would prefer submission by program rather than consolidated record) One potential problem is that unique identifiers would need to be 	<ul style="list-style-type: none"> There is no current interface between the systems operated by the two state departments -- DCEO (WIA, TAA, and NEG) and IDES (ES) Such merging of data would require interagency agreements and development of an interface that would merge the data sets IDES favors submitting records for each program to ETA (or a third party such as a university) for merging 	<ul style="list-style-type: none"> Normally, state would favor greater flexibility, but state fears options might impact on ability to compare performance across programs and states If ETA wants Common Measures reflecting integrated services across programs, then it should require consolidated reporting for ES, WIA, TAA, and NEG Other programs not administered by 	<ul style="list-style-type: none"> Providing states with the option to choose their own level of consolidation is best way to go State already has most of the data element architecture needed to report a single job seeker record – so would be able to generate consolidated record across programs

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	developed and provided to ETA, so that wage record data could be matched with job seeker data		ETA through states should be allowed separate reporting	
Concern over Client Confidentiality/Data Sharing	<ul style="list-style-type: none"> Main concern is with obtaining FEINs from all employers and SSNs from job seekers Note that more data collected by EDD (especially SSNs) increases risk of identify theft – which is an increasing concern for customers 	<ul style="list-style-type: none"> If SSNs are required, some individuals will provide it, but others will not – and some proportion of those that did provide SSNs would provide bogus SSNs 	<ul style="list-style-type: none"> Concern some employers and customers will be unwilling to provide FEINs/SSNs Increasing fears among customers and programs about identity theft 	<ul style="list-style-type: none"> Concerns that some self-help users of one-stops will be unwilling to provide SSNs; also difficult to obtain SSNs and whether individual has a disability from out-of-school youth
Concerns About Specific Data Elements in Job Seeker Record	<ul style="list-style-type: none"> Several outcome variables cannot be obtain through UI wage record data – date entered employment, whether self-employed, recalled by employer, and occupational code – such data would be very burdensome to collect if the state had to collect these items directly from employers 	<ul style="list-style-type: none"> Court-Involved Individual (147) – this variable is perhaps too broadly defined to include data on arrests and pending cases under EMILE – during the assessment process, case managers asks about ex-offender status (with respect to convictions for felonies) Staff Assisted Services (Section C.02 – 403-422) – some of these data would need to be obtained through links with ES data Date Entered Employment (1003), Self-Employed (1003) and Occupation Code (1005) – not collected as part of wage record data, so would need to be collected through direct contact with participants, which would be substantial work – state recommends dropping these fields from EMILE 	<ul style="list-style-type: none"> In NY, there are restrictions on what can be collected on youthful offenders; AOSOS cannot capture the following data elements: (1) Incarcerated Youth; (2) Court-Involved Individuals for Youth (can collect if offender); (3) Outcomes for Youth Offenders NY expressed need for further definitions of: (1) Rapid Response Event Number, (2) ETA-Assigned Section 167 Grantee Code, (3) One-Stop Participation Program Type Several data elements in Employment and Job Retention section are not collected by AOSOS: (1) Date Entered Employment, (2) Self-Employed, (3) Date Found Employed 2nd Quarter After Exit Quarter, (4) Date Found Employed in 4th Quarter After Exit Quarter AOSOS does not capture information on TRA - Total Amount Paid 	<ul style="list-style-type: none"> Some data from Employment and Job Retention section not collected and would be difficult to collect: Date Found Employed 2nd Quarter After Exit Quarter; Date Found Employed in 4th Quarter After Exit Quarter
TAA Program and EMILE Implementation	<ul style="list-style-type: none"> Relatively small compared to ES/WIA -- TAA has about 1,400 in training and 1,700 receiving TRA Less than ½ of TAA co-enrolled in WIA TAA uses different data system than WIA 	<ul style="list-style-type: none"> TAA relatively small program when compared to ES/WIA IL is part of ETA's co-enrollment demonstration (one of five states) – so everyone in TAA will be co-enrolled into WIA for the next year and same data that are collected on 	<ul style="list-style-type: none"> Relatively small program --TAA has about 3,000 participants All TAA enrollees are also co-enrolled in WIA – so same information exists in AOSOS on each TAA participant as for WIA participants TAA participant data maintained in a 	<ul style="list-style-type: none"> TAA relatively small -- about 500 new participants each year Because of small caseloads, TAA cases handled in local offices by ES workers who are cross-trained on TAA regulations State has directed LWIBs to co-enroll

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	<ul style="list-style-type: none"> Most data called for in EMILE already being collected – 8 additional data items needed to meet EMILE requirements not difficult to add 	<ul style="list-style-type: none"> WIA participants will be collected on TAA participants Data on TAA (and WIA) participants are entered into IWDS 	<ul style="list-style-type: none"> different system than AOSOS, but state is working on change that would bring TAA participants into AOSOS Challenges of implementing TAA similar to those for WIA 	<ul style="list-style-type: none"> TAA participants in WIA, but as yet not all TAA participants are co-enrolled With regard to EMILE, TAA participants would pose about same challenges as WIA participants (but on smaller scale) TAA uses different data system – but state will shortly incorporate TAA into same MIS that currently houses ES, WIA, and NEG
NEG Program and EMILE Implementation	<ul style="list-style-type: none"> NEG program is relatively small compared to ES/WIA -- at any one time there may be 3-4 NEG grants involving from 1 to 10 LWIBs in CA NEGs are administered by LWIBs – reporting is through WIA data system Because of different nature and services provided under NEG, EDD does not think it is appropriate to include NEG participants for performance purposes 	<ul style="list-style-type: none"> NEG program is relatively small in terms of numbers of grants and participants Participant data are collected same way as for WIA participants – and so, challenges of EMILE implementation are viewed in the same light for NEG participants as for WIA participants 	<ul style="list-style-type: none"> There is only 1 active NEG grant in state and it has slightly over 1,000 impacted workers, so NEG is small program compared to ES or WIA (though following 9/11, NEG program served substantially more customers) Whether NEG customers are entered into AOSOS depends on the nature of the emergency; under current NEG customers are entered into AOSOS; in other NEGs (e.g., using the funding for disaster relief efforts), it may not make sense to track clients in AOSOS EMILE not viewed as problematic with respect to NEG 	<ul style="list-style-type: none"> NEG program is relatively small – there are currently 4 grants with about 2,000 participants NEG participants would pose same problems and challenges with regard to EMILE implementation as WIA participants

local areas use the state system. All four states claimed the need for additional federal funds to offset EMILE start-up costs.

States Fear Not Having Enough Time to Implement EMILE. All four states expressed serious concerns about not having enough time to implement changes needed to fully implement

EMILE reporting requirements. The expected time needed to reprogram systems and fully implement the EMILE reporting system were estimated as high as three-to-four years in California and two-to-three years in Illinois to less than two years in Tennessee (12 to 18 months) and New York (15 months). New York and Tennessee indicated that if ETA published the final rule for EMILE by early 2006 – scaling back somewhat on its original requirements to meet some of the main concerns expressed by states in response to the *Federal Register* announcement and limiting EMILE to the six main programs that were the focus of this study (WIA [Adult, Youth, and Dislocated Worker], ES, NEG, and TAA) – they would likely be able to

FACTORS AFFECTING SCHEDULE FOR EMILE IMPLEMENTATION IN CALIFORNIA. Employment Development Department (EDD) officials estimated that EMILE implementation could take up to 4 years (and a minimum of about 3 years). The main factors for this lengthy implementation process are the following: (1) several layers of approval at the state level will be needed to modify the state data system; (2) the state would likely need to go through a lengthy procurement process to contract for computer development services to make necessary changes to the state's data system; and (3) 14 (of 50) LWIBs in the state (including several large LWIBs) operate locally-developed data systems and will need to modify these local systems to meet EMILE requirements. While some design and implementation activities can be undertaken concurrently at the state and local levels, there are some activities that the state will have to undertake first, to be followed by local activities. In addition, there is time needed once design and re-programming changes have been made in the data files to pilot test the changes and for staff to be trained in the 50 LWIBs across the state. In addition, some One-Stop Career Centers will need to install swipe card or other systems to collect self-help user data. EDD officials highlighted the main tasks likely to be involved in the design and implementation process and timeframes for completing each task:

- Step 1-- Feasibility study (7-9 months) – IT staff would examine EMILE system requirements and develop a proposed solution;
- Step 2 – Plan review/approval process within EDD (2-6 weeks) – EDD would examine the system development plan as well as available resources to meet project costs;
- Step 3 – Review/approval process within Labor and Workforce Development Department (2-6 weeks);
- Step 4 – Review/approval of the plan by Department of Finance (2-3 months) – involves an assessment of risk and available resources;
- Step 5 – Procurement of a contractor (3-9 months) – includes drafting RFP and review of proposals; selection of contractor; resolving possible protests to the award;
- Step 6 – Develop and pilot test the new data base system/application by contractor (10-15 months)
- Step 7 – Phased implementation of the new system at the state/local levels, including training (12 months).

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make the necessary information systems changes to meet EMILE reporting requirements and begin transmitting EMILE data on job seekers and employers to ETA by July 2007.

Recalling the tight schedule imposed by ETA on Common Measures implementation, several state administrators expressed concerns that ETA would not provide adequate time for necessary modification to comply with EMILE requirements. Several states also suggested holding off EMILE implementation until after WIA reauthorization so states would not need to make more than one costly change to their data systems and program operations.

Readiness and Ease of Transition to EMILE Varies Substantially Across The Four Study States. In each of the four states visited, there were a range of factors that potentially affected the readiness of the state to make the transition to EMILE and the likely complexity of the transition. Among the factors were the following:

- **Are the key programs to be included in the EMILE reporting system administered within one or multiple departments?** Three of the four states visited had a single state agency that administered the four DOL-funded (state-administered) programs of focus in this study (i.e., ES, WIA, TAA, and NEG). The exception was Illinois where the Department of Commerce and Economic Opportunity (DCEO) administers the WIA, NEG, and the non-cash portion of TAA and the Illinois Department of Employment Security (IDES) administers the ES and cash portion of TAA (TRA). These two departments maintain separate data systems for capturing data on participants involved in these programs. These two Illinois departments indicated that they preferred to make the changes necessary within each of their data systems and then send data separately to ETA (or a third party such as a university) so that data could be merged on a unique client identifier to generate the consolidated EMILE job seeker and employer records. All things being equal, it is likely that when administration of the programs involved in EMILE is spread across different state departments it would be more complicated and burdensome to produce a consolidated record. In the case of Illinois, the picture is not entirely clear however, because the state does not plan to reprogram its systems so that a consolidated record is maintained on ES and WIA participants – rather it would avoid the complexities of bringing the systems together, by having ETA or a third party merge the data together to produce a consolidated record on the back-end of the process.
- **Is there a state developed and administered data system(s) or do local areas develop and operate their own data systems?** In two of the states in our sample (Illinois and Tennessee) local agencies utilize a state developed and operated data system, while in the other two states (New York and California), local agencies are afforded the opportunity

to either utilize the state system or develop their own systems that provide the participant-level data needed to meet state reporting requirements. For example, in New York, not all local WIBs (including the largest local WIB) use the state's AOSOS as the case management system. This arrangement would likely complicate statewide EMILE implementation in New York because local WIBs not using AOSOS would have to adopt AOSOS (which the state would modify to meet EMILE reporting requirements) or would have to redesign their locally-developed systems to meet EMILE requirements. Similarly, 14 of (of 50) LWIBs (including several large workforce areas) in California operate locally-defined systems – so not only state, but some local areas would have to reprogram their data systems to meet EMILE requirements. Generally (though we have a small sample from which to judge), the existence of locally-defined data systems may complicate efforts to meet EMILE requirements – and could translate into a longer and more costly transition period (particularly if state and local data system changes cannot be made simultaneously).

- **Is there a need to go through a formal procurement process to make necessary system changes to meet EMILE reporting requirements?** Two of the states – Tennessee and New York – have in-house and already contracted IT staff that would likely be available to make the necessary changes to meet EMILE requirements. Illinois has until recently had a combination of in-house IT staff and a state IT maintenance contract which could be relied upon to make IT system changes. However, the state made a recent decision to terminate this state IT maintenance contract effective in early 2006. This leaves the state without experienced IT contractor staff (and an inadequate number of in-house staff) to make the changes and an ongoing contracting mechanism to revamp the state's data system. There is uncertainty as to how this situation will be resolved in the coming months – but likely it will be necessary for the two Illinois departments that will be involved in EMILE implementation to go through a procurement process to bring on IT contractor staff. There is fear that this newly contracted IT staff will not have the previous experience that the existing contractor had – and so, redesign and reprogramming may not go as rapidly or smoothly as would have if the state agencies could rely upon the former contracted IT staff. The situation is probably most complicated in California, where IT system changes would be needed at the state level, as well as in some localities. At the state level, while it may be possible to use in-house staff to complete the IT redesign and programming work, the more likely scenario is that the state would need to go through a procurement process to bring on a contractor. This procurement process would likely take three to nine months. Similarly, some local areas would likely need to procure services through a competitive bid. Hence, one important factor in determining the complexity and time involved in EMILE implementation is whether the state/locality has in-house staff that can be assigned to making change to IT systems or has to go through a competitive bid process.

- **Is there an existing electronic system within the One-Stop Career Centers for capturing individual-level data on self-help users?** States/local areas acknowledged the need to make significant changes in how data are collected on self-help One-Stop users to meet EMILE record-keeping requirements – probably in the form of collecting data through use of swipe card or other electronic systems. None of the four states were receiving individual-level data on self-help users of One-Stops. The situation in terms of current capability to collect individual-level data on self-help users of One-Stop Career Centers varied across the four states and even within states across local WIBs. As shown in greater detail in the text box, all New York One-Stop Centers have swipe card systems that could potentially collect needed data – though the data elements collected would need to be altered to collect the data specified in EMILE and the individual-level data collected through these swipe card systems would need to be transmitted to the state. There are some One-Stops in California and Illinois that have installed swipe card or other types of electronic systems to collect data on self-help users – but systems being used are locally-determined and participant-level data are not uploaded to the state. In each of the states, there would be considerable transitional costs and time lags involved in implementing systems and procedures necessary for capturing individual-level data on large number of self-help users. As discussed below, there were several other issues related to collection and use of data on self-service users that were brought up by administrators in the four states.

COLLECTION OF DATA ON SELF-HELP USERS OF ONE-STOP CAREER CENTERS IN NEW YORK VERSUS ILLINOIS. In *Illinois*, the 55 One-Stops across the state use varying methods for collecting data on One-Stop users, ranging from a simple paper and pencil sign-in sheet, to swipe card systems, to use of specialized vendor software (such as G-Stars and ARN). None of the data collected at the local level on universal (self-help) One-Stop users is transmitted to the state – and it is only possible at this point for the state to generate statewide estimates of One-Stop users. The IWDS system has a built-in capability that could be used to collect data on One-Stop universal users – but this capability is not yet used and client flow would need to be adjusted at the front-end of the One-Stop operations in most centers so that either staff or participants entered the required EMILE data elements into IWDS. **New York** provided funding (about \$2M) to finance a card swipe system for installation in One-Stops that provides a capability to collect individual level data on One-Stop users. To access the swipe card system funding, the state established a list of “minimum required swipe card data fields” that One-Stops should include in designing and implementing their swipe card systems. A portion of the swipe card data items will require revision to meet Common Measures and EMILE definitions. The actual data elements included in the swipe card systems vary across WIBs and One-Stops. At this point, the systems have been installed in all 89 of the officially designated One-Stops in the state and data are now being collected on each user. However, the individual-level data collected on each One-Stop customer are not being transmitted to the state – just aggregate monthly counts of the number of One-Stop users. NYDOL envisions that with a major restructuring and the state mandating of one swipe card system across One-Stops that interfaces with AOSOS, the data collected through the swipe card systems could be used as a starting point for establishing EMILE records on self-service customers of One-Stops.

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B. EMPLOYER RECORD

States Have Existing Systems for Maintaining Employer Data and Job Orders, But Systems Would Need to Modified and Expanded to Produce EMILE Employer Records. The

four states visited have some form of employer record for collecting limited data about employer

characteristics and job order data. Employer

data is typically more limited on the WIA

program side – collected in part to support

customer satisfaction surveys; while on the

ES program side, employer data systems are

oriented primarily around the need to

maintain job order data (e.g., to support

matching of job seekers with job openings

and to facilitate the process of taking job

orders from employers). An important

concern on the part of state and local

administrators in all of the states visited was

to make certain that the process of listing

job orders did not become so burdensome because of EMILE reporting requirements that

employers become wary of listing jobs with the ES or sponsoring on-the-job training (OJT) slots

for WIA participants. In all states, the employer record currently in existence would need to be

expanded and modified to accommodate EMILE – but in comparison to the job seeker record

(which has many more data elements), the number of fields added and modified – and the burden

of making changes – would not be as great.

CONCERNS IN NEW YORK ABOUT CONSTRUCTING

EMPLOYER RECORD FILE. In New York, it is anticipated that the employer record cannot be fully constructed using existing data sources, and hence, it will likely be necessary for the state and/or local WIBs to collect additional data through direct contact with employers. This will be burdensome for both the government and employers. There is also concern that requesting information such as FEIN, numbers of employees, and other data would unnecessarily burden employers and may “chase” some of them away from the employment and training system. For example, some employers may refuse to list jobs with the ES if it is a requirement that they provide the FEIN and other data at the time of submitting a job order. It is also likely that some employers will simply refuse to give FEIN numbers. NYDOL has a policy that it will take a job order without the employer providing a FEIN – and would not want to change this policy because of the importance the Department places on serving the business community and encouraging them to list job orders with the ES. Collecting data from employers may be further complicated because there are many employers with multiple locations and there are some employers that share the same name. NYDOL has a general concern that the Employer SIR will make the ES/WIA appear less employer-friendly and increase paperwork burden for both the government and businesses.

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States Express Concerns About Imposing Data Collecting Burden on Employers;

Several States Cite Collecting FEINs and Several Other Data Items as Potentially

Burdensome. Three of the four study states expressed at least some level of concern about willingness of employers to provide FEINs and underscored the potential for some employers to be discouraged from listing job orders and/or using business services available through the One-Stop system as a result of being asked to provide confidential data. Several states reported that state ES programs could not require employers to provide FEINs. In all four states it was predicted that some employers would refuse to supply FEINs – though several state administrators noted that it would be possible to obtain FEINs from other state data systems.

CONCERNS IN TENNESSEE ABOUT EMPLOYER RECORD FILE. One concern in Tennessee is that the requirements of EMILE could lead to multiple contacts with employers by various agencies – which would increase burden on employers and has the potential for turning off employers to the workforce development system. Also, staff have many informal contacts with employers that cannot be tracked. For example, they meet with employers at Chamber of Commerce meetings and other venues. Technically, the programming of eCMATS (the state’s data system) for collection of data on employers would be relatively straightforward – the main challenges would be with collecting and keeping employer data up-to-date. A further complicating factor in considering services provided to employers is that Tennessee borders 8 other states – so the ES receives many job listings from employers in other states and individuals served in Tennessee One-Stops are sometimes referred to job openings in other states.

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Several other data elements were cited in one or more states as not currently being collected and potentially problematic to obtain from employers: employer size, whether the employer is in a high growth industry; whether the employer is located in an Enterprise Community or EZ Zone; and whether the employer is a federal contractor. The most problematic of these data elements is employer size – though several states indicated that data on number of employees could be merged from UI wage record data on covered employers.

Several States Question the Need for or Utility of Transmitting Job Order Data to ETA.

States already submit job orders to America’s Job Bank – so several state administrators questioned why such data should be submitted to ETA and how job order data will be used by

ETA. In all four states, the data elements required within EMILE that pertain to job orders are being collected – though as noted above, some of the additional data pertaining to employer characteristics is not collected from employers submitting job orders (e.g., FEIN, employer size, etc.). California noted that if job order data were transmitted to ETA on a rolling quarterly basis, the file sent would be substantial (estimated at about 600,000 records each quarter). Overall, several states questioned the utility of sending job order transaction data to ETA on a quarterly basis – they were unclear how these data would be used or helpful and suggested that an aggregate report (rather than individual level data) might be less burdensome and more useful.

Two States Suggest Eliminating Employer Record; Views Mixed on Submission of a Quarterly Employer Report. New York and California recommended elimination of the employer record altogether, if possible. Views on submission of a quarterly aggregate employer report in lieu of the individual employer records met with somewhat of a mixed reaction – three states (Illinois, New York, and Tennessee) felt it would not make much difference, because states would still have to collect and maintain the same level data of data on each employer to produce the report. Tennessee noted that if the data reporting requirements on the aggregate quarterly report were scaled back to a minimum, that a quarterly report might make some sense. California – though advocating eliminating the submission of employer data to ETA altogether – indicated that in light of the large number of job orders it collects each month, submission of an employer quarterly report would be preferable to submission of individual employer records.

C. JOB SEEKER RECORD

None of the States Favor Collecting Type of Disability Information as Part of EMILE.

Two of the states observed that knowing the type of disability might be helpful from an accommodation standpoint and in tailoring services to meet special needs of the individual.

However, all four states emphasized that responding to a question about type of disability had to be voluntary on the part of the participant – which is in accord with the EMILE proposal. These states all indicated that if this data element was

voluntary, there would be substantial undercounts, particularly on the alcohol/substance abuse, mental health, and learning disabilities categories. The states doubt that the data collected would be valid and useful because many participants would be reluctant to provide disability information.

One state noted that the way the question on type of disability is structured is “a lot to ask of people...the more you ask of self-help users

the more cumbersome the intake process becomes...it may discourage clients if you ask...also, some may feel their privacy may be compromised – asking if someone has a disability is one thing, asking them the type of disability is another thing.” Several states indicated that with a data item such as type of disability, agency staff can only go with what the customer says (even where there is an apparent disability, such as a vision or hearing impairment). Hence, especially among self-help users, states fear that including the disability question in EMILE would result in

NEW YORK'S VIEW ON TYPE OF DISABILITY DATA ELEMENT. New York DOL does not support the collection of additional information on the types of disability of people being served in the One-Stop system. Although provision of this information would be voluntary on the part of the customer, it is not necessary to collect this information to serve the customer. Gathering additional details about the nature of an individual's disability without a valid service-connected justification is overly intrusive. Ideally information is only collected based on its meaning and use for the customer (not solely for statistical purposes). Additionally, there could be legal issues around collection of the some of the data. Also, some customers may not voluntarily provide this information due to concerns of possible discrimination. The prior two concerns, combined with the lack of basic disability information, currently entered into AOSOS, raises the question of how valid would this data be. What would the quality of an analysis of this data be if less than 10%, 20%, 30%.... of the customers had information collected?

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(a) added data collection burden for staff and customers, (b) customers fears their privacy may be compromised, especially with employers, and (c) some customers who will refuse to provide a response or provide an inaccurate response – leading to under-reporting of disabilities and unreliable data.

All Four States Expressed Significant Concerns About Collecting Data on Self-Service Customers. Because of complexities and fears of driving away self-help customers due to data collection burden, several states suggested

that it would be preferable to submit only aggregate counts of self-service users of One-Stop services (and to submit individual records only on those served in a more substantive manner, where staff-assisted services were provided). States/local areas acknowledge the need to make significant changes in how data are collected on self-help users to meet EMILE record-keeping requirements – probably in the form of collecting data through use of swipe card

CALIFORNIA'S VIEW ON COLLECTING DATA ON SELF-HELP CUSTOMERS. The collection of data on self-service customers at the One-Stop is viewed by EDD officials as both burdensome (for participants and One-Stop staff) and a potential deterrent to people being willing to use the One-Stop. One EDD official asked: "Are we about research... how invasive do we want to become...are we really about getting people jobs?" EDD feels that it is important to obtain an aggregate count of users of the One-Stop (and self-serve customers) and to make this available to ETA. Self-help customers may not be willing to provide Social Security numbers (or provide false ones) and may be put off by needing to provide date of birth or disability information. EDD notes that customers become more receptive to providing information once they have moved past self-help services to receiving staff-assisted services. EDD stresses the need to keep One-Stops as places that function like a business and where the public feels welcome. With a total of about 1.3 million served each year through the One-Stop system, even small numbers of data items can create significant data burden and large data files to transmit to ETA.

systems or other types of electronic vendor software. All New York One-Stop Career Centers have swipe card systems that could potentially collect needed data – though the data elements collected would need to be altered to collect the data specified in EMILE. There are some One-Stops in California and Illinois that have installed swipe card or other types of electronic systems to collect data on self-help users – but systems being used are locally-determined and participant-

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level data are not uploaded to the state. Tennessee is looking into potential systems that could be used in One-Stops to collect data on self-help users.

The main concern with regard to self-help users of the One-Stop system is that customers not be burdened by data collection in a way that discourages utilization. Tennessee officials, for example, indicated that data collected on self-help users of One-Stops should be limited to name, Social Security number, age, and veteran status. New York officials noted that One-Stops in the state could not deny services because self-help users were unwilling to provide a SSN – but also observed that without SSN it would not be possible to match job seekers to UI wage record data. Two of the states – Illinois and New York -- inquired about whether those using information services via the Internet (i.e., accessing services from remote locations rather than coming into physical One-Stops) could and should be included in counts. For example, Illinois has been developing a system called “Worknet” (or Virtual One-Stop) that could potentially be used to collect data on users of web-based services. The state is interested in collecting at least some data on utilization of web-based services and obtaining credit for the large and increasing numbers of individuals using its Internet-based services (and who never physically come to the One-Stop Career Centers). Agency officials suggested that ETA clarify if virtual One-Stop users are to be included in EMILE – and, if so, whether the same data elements would be collected as for the self-help users of One-Stops.

Concerns Over Use of EMILE Data to Measure Program Performance. The study states expressed significant concerns over how EMILE data would be used for measuring performance of state/local programs. The greatest fear is that self-service and ES participants will swamp all other participants (especially WIA intensive and training participants) and drive performance results. States feel that many of these self-help customers do not receive the

intensity of services that staff-assisted clients do and, hence, it is not appropriate to blend them in with those that receive more intensive services for purposes of determining state or local performance on outcome measures such as job placement or retention. California officials noted that if performance is largely driven by self-help customers that local workforce areas might reassess service delivery and potentially limit who is served. States questioned appropriateness of measuring outcomes for many ES and self-help users that receive low intensity services (retention and earnings outcomes were particularly questioned). For example, New York officials questioned whether it is appropriate

to include self-service customers in job placement and job retention performance calculations (along with staff-assisted and intensive participants) for states and local WIBs. These officials noted that many of those who use the resource rooms at One-Stops sometimes do not have employment as an immediate goal -- for example, these casual users might be searching for training or a job opportunity for a family member.

California officials expressed concerns that

unit cost calculations might be generated using EMILE data – and that such unit cost estimates would be difficult to understand and perhaps meaningless if large numbers of self-help and “virtual” users were mixed with more intensively served individuals. In addition, there was

TENNESSEE’S CONCERN THAT ES REGISTRANTS AND SELF-HELP CUSTOMERS WILL BE DETERMINANT FOR PERFORMANCE PURPOSES. Of the approximately 500,000 individuals who enter the One-Stops each year, 300,000 are formally registered for the ES. All of these individuals would be considered to be staff-assisted under EMILE according to program officials (because they are staff-assisted during the registration process). Nearly all (at least 90 percent) of the approximately 24,000 individuals enrolled in WIA Adult and Dislocated worker services are also registered in the ES. There are an additional approximately 12,000 individuals enrolled under the WIA Youth program annually. In addition, all new TAA participants (about 500 a year) are to be co-enrolled in WIA (though some local WIBs do not always follow this state mandate). State officials expressed concern that if ES registrants are combined with TAA and WIA participants for performance reporting that ES participants would swamp all others – and be determinant of state and local performance. Further, some of the factors on which performance is gauged are not appropriate for ES participants – particularly measures of job retention and earnings replacement. These two measures should only apply to individuals that receive training services.

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some fear that EMILE data might be used in the future to make simplistic rankings that potentially would paint the performance or unit costs of states and localities in a poor light.

Some concern was also expressed over the fact that performance assessment for WIA or ES participants could be pushed to another program year because an individual continues to receive services from a different program. For example, the job placement and retention period could be affected for a WIA participant who has completed training because he or she attended an ES workshop in the quarter after they completed WIA training. Additionally, it is possible (though not likely) that under EMILE an ES participant could be counted up to four times in a year for performance purposes. One state pointed out that it was also possible under EMILE for a positive employment outcome for an ES participant to be cancelled out by a negative one in the same program year.

Submission of Exiter Records on a Quarterly Basis Would Not Significantly Reduce Burden for Three States, But Is Preferred in California. Three of the four study states indicated that submission of exiter rather than participant records on quarterly basis would make little difference. New York officials, for example, noted that if states have to report the same data elements and transmit individual records upon exit, they will still have to collect the same amount of data for all participants – so the reporting burden would be about the same. These states indicated that the volume of records submitted to ETA would be less, but that reducing the volume of records transmitted is not a major factor in terms of agency burden because data would be submitted electronically. Unlike the other three states, California prefers submission of exiter data over participant data. EDD allows local agencies to make changes and to control client records until individuals are exited – so transmission of exiter records would better fit how the state manages data with local agencies. If exiter data are sent to ETA such data would be

complete and final, compared to participant data which is in constant flux. Transmission of exiter records would also cut down on the very large number of records that EDD would need to submit each quarter.

Three of Four States Favor Having the Option to Submit the Job Seeker Record by Program Rather Than a Consolidated Record. Three states (with the exception of New York) felt that providing states with the option to choose their own level of consolidation would be the best way to go. Illinois particularly favors this approach. There is no current interface between the systems operated by the two Illinois departments that operate the four ETA-funded programs (WIA, TAA, NEG, and ES). Such merging of data in Illinois would require interagency agreements and development of an interface that would merge the data sets. At this point, IDES favors submitting records for each program to ETA (or a third party – such as perhaps a university) for merging. California EDD officials noted that providing records to ETA by program would not reduce the burden on each program to collect required data elements, but would eliminate the need for EDD to construct a consolidated record to send to ETA -- somewhat reducing EMILE programming costs.

New York, while generally favoring greater flexibility for states, fears that the option to submit data by program (rather than a consolidated job seeker record), might affect the ability to compare performance across programs and states. The significant issue to New York officials is not single or consolidated program reporting - - the issue is integration of services and the potential for services of one program affecting performance of another program. For the major ETA programs that are administered through the States – ES, WIA, TAA, and NEG – the intent should be clear, either require definitions of participation/exit across programs or not. Cross program participation/exit definitions should produce very different results and reporting would

not be comparable from state to state if optional. As an interim measure, providing this option to accommodate a longer transition period may be appropriate. New York warns that if ETA does not require participation reporting across programs, then the need for consolidated reporting is much less significant. If ETA truly wants Common Measures reflecting integrated services across programs, then it should require consolidated reports.

Study States Concerned About Providing Outcome Data That Is Not Available Through UI Wage Record Data. UI wage record data does not provide the following outcome variables: Item 1002 (date entered employment); 1002 (self-employed); 1004 (recalled by employer); 1005 (occupational code); 1006 (industry code); 1009 (entered non-traditional employment; and 1012, 1015, and 1018 (dates found employed in subsequent quarters). It would be extremely burdensome for state/local agency staff and employers if states had to collect these data directly from employers. States noted that it is possible that other state data sets might be matched for a field such as industry code – but because FEIN is not available for all employers, there would be missing data for at least some employers. If direct contacts had to be made with employers to obtain outcome data, this would likely be a big turnoff to employers and would require a very large workload for agency staff. States recommended that ETA stick as closely as possible to what is available through UI wage record data for outcome data.

TAA and NEG Programs Are Relatively Small and Typically Present About Same Implementation Challenges (on a Small Scale) as WIA. The four study states all viewed their TAA programs as relatively small and usually concentrated in particular local WIBs within the state. Three of the four states either currently were or planned to co-enroll all TAA participants in WIA; and the fourth state – California – indicated that about half of its TAA participants are enrolled in WIA. Where co-enrollment occurs, individuals that entered TAA would be also

captured in the WIA data system. In three of the four states (all but Illinois), TAA participant data is entered into different data

systems than the ones used for WIA and ES participants. However, two states (New York and Tennessee) indicated that they had initiatives that would bring their data collection and maintenance of TAA participant data into the same data systems as the ES and WIA. None of the four study states viewed EMILE as presenting special implementation challenges with regard to TAA –

EXAMPLE OF DATA COLLECTION FOR TAA PARTICIPANTS IN TENNESSEE. So far this program year (through June 2005), about 500 individuals have been enrolled in TAA across the state – hence, the program is relatively small compared to the WIA and ES programs. Local workforce investment areas (LWIAs) may go for several years without a TAA case and then suddenly have a trade-affected closure – in which case one or more ES workers in a local office (usually at the One-Stop Career Center) will serve TAA workers (and likely continue to serve some or many ES participants, depending on the size of the dislocation). TAA cases are handled by regular ES workers, who are cross-trained on TAA eligibility and ongoing case management. TAA participants are referred to WIA for assessment activities. Expenses may be split between WIA and TAA for some TAA participants (e.g., TAA may pick up the cost of books, while WIA picks up tuition costs). The state has directed that all TAA participants be co-enrolled in WIA – though it acknowledges that some LWIAs do not co-enroll some of the TAA participants served. The Department maintains a separate data base where it keeps TAA activity and expense data needed for generating the TAPR data series. Regardless of whether EMILE is implemented in the future, the Department is planning on incorporating all TAA participants into the same system in which WIA and ES participant data will be housed.

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generally the viewpoint was that TAA has such small numbers of participants and that with many or all TAA participants being co-enrolled in WIA, that they would be capturing data required within EMILE on TAA participants once the state had made necessary changes for WIA.

Similarly, in each of the four states, the National Emergency Grants (NEGs) programs are relatively small and do not appear to present special challenges with respect to EMILE implementation. For example, in New York, there was only one active NEG grant (with about 1,000 impacted workers), though there had been many more workers enrolled under NEG grants in the aftermath of 9/11. In California, there might be three or four NEG grants at any given time. In the states visited, typically similar data was gathered on NEG participants as was

gathered for WIA participants – and the challenges to collecting EMILE data on NEG participants were viewed in the same light as those presented by WIA.

CHAPTER 4: STUDY CONCLUSIONS

This report has aimed at synthesizing the major concerns that have been expressed by (1) the many national, state, and local organizations that initially provided comments in response to the July 2004 *Federal Register* notice announcing proposed requirements for EMILE, and (2) supplemented and extended by the views of state and local program officials collected through site visit interviews in four study states. Many of the concerns expressed initially in comments to the *Federal Register* notice were subsequently also reflected in the views of state and local administrators/staff whose jobs it would be to plan and implement the transition to the proposed new system. Among the most significant concerns with respect to the EMILE employer record, as initially proposed by ETA were the following:

- **The number of data elements collected in the employer record is excessive** and will result in some employers not listing job orders and will drive some employers away from workforce system.
- **The time agency staff spends on collecting data from employers will take away from time that could be devoted to service delivery.**
- **There will be an undercounting of services provided to employers** because many informational services provided by staff or via the Internet will not likely be documented under EMILE and capturing only most recent date an employer service is received will undercount actual services provided by local workforce agencies.
- **States/localities lack resources to design, develop, and implement the employer record.**
- **Capturing valid Federal Employer Identification Numbers (FEIN) from some employers will be problematic** because they are not known by personnel interacting with the agency or employers will not want to make FEINs available.
- **States already submit job orders to America's Job Bank – and so, questioned why such data should be also submitted to ETA.**

Among the most significant concerns with respect to the EMILE job seeker record, as initially proposed by ETA were the following:

- **The job seeker record requires collection of excess amounts of data.** The EMILE proposal adds many new data elements that will burden participants and agency staff, and it also increases the number of individual customers upon which data will need to be collected. Particular concern was expressed about collecting job seeker data on the large number of self-help users of One-Stop Career Centers.
- **There will be significant transitional and ongoing costs EMILE borne by states and local workforce agencies.** A number of comments were received that ETA burden estimates for developing new systems to implement EMILE job seeker record are inaccurate and significantly understated. Among some of the transitional costs are the following: (1) legacy data systems will need to be overhauled, and this will be very costly; (2) training costs associated with roll-out and effective implementation of EMILE will be significant; and (3) data systems will need to be installed and/or modified in many One-Stops to capture self-help job seeker data. Some commenters indicated that ETA should develop a prototype system and make it available to states. There is also substantial concern about the ongoing costs that states/localities will bear – e.g., due to collecting more data on more clients and collecting data over longer periods of time on clients.
- **Client confidentiality and data sharing will be a problem.** Some job seekers, especially self-service clients – will be reluctant to share SSNs and other confidential data (especially disability information). Agencies will also need to negotiate data sharing agreements, and some other agencies may be unwilling or unable to share needed data.
- **Voluntary disclosure of type of disability will produce incomplete, unrepresentative, statistically inaccurate data on type of disabilities** because (1) some individuals may not know they have a particular disability or if they do, may not view it as a disability affecting their ability to work or (2) some participants may not wish to disclose that they have a disability and the type of disability for fear of discrimination or because of privacy concerns. In addition, collection of disability data will add to the data collection burden for participants and staff and may discourage participation.
- **With respect to measuring program performance, consolidated reporting could affect performance.** For example, there is fear is that self-service and ES participants could swamp all other participants (especially WIA participants) under EMILE reporting and drive performance results. Some also question appropriateness of outcomes for many ES and self-help users that receive low intensity services (e.g., retention and earnings outcomes were particularly questioned).

The intent of this study is to inform ETA policy and programmatic officials as they move forward with revising the EMILE data system and proposing a revised reporting system that will be feasible for states and local workforce agencies to implement and provide high quality, cost-effective, and useful performance information for managing key ETA programs. As this report is being drafted and finalized, ETA is in the midst of responding to concerns expressed in the field with the initial EMILE proposal and preparing to announce in the coming months a substantially revised set of reporting requirements for this new reporting system. The key findings of this report are intended to support this effort. As ETA moves forward in building upon the foundations of its earlier proposal to offer an enhanced system for collecting and reporting on job seeker and employer customers, several implications can be drawn from the key findings of this study.

The process of developing the requirements of this new reporting system has been an iterative process, and states have appreciated the opportunity to provide input to the process.

Through comments received from the field in response to the *Federal Register* announcement, as well as the input provided by the four states included in this feasibility study, ETA has received helpful input that can contribute to shaping the final reporting requirements for EMILE. While there were many specific constructive comments from the field on features of the proposed EMILE system that should be eliminated or revised, states and local areas also expressed positive views that EMILE (or an EMILE-like system), if properly structured, potentially could provide much useful data for (1) better tracking numbers and characteristics of customers served by the workforce development system (both on employers and job seekers), (2) better tracking of services delivered (extending to the many self-service customers of the One-Stop Career Center system about whom little is known in many states and localities), and (3) more reliable and

systematic tracking of job seeker outcomes and performance. Despite their criticisms, states and local areas see opportunities for improving their data collection systems and generating information that will be helpful for high quality oversight and management of their workforce development systems. In addition, the multi-program focus of EMILE offers possibilities for consolidating data collection across disparate programs and, in the long-run, of reducing duplication in data collection and reporting to the federal government. In the iterative process of refining and finalizing the reporting requirements for this new data system, ETA should continue to encourage stakeholder involvement and input – especially from the states and localities that will be on the front-line in implementing the eventual system.¹¹

Based on comments received from the field, ETA should move forward with the basic structural features of EMILE – featuring reporting on job seeker and employer customers – but should give careful consideration to the reporting burden placed on both customers and agency officials. There is sentiment in comments received in response to the *Federal Register* notice and from the four feasibility states that ETA should not overreach in terms of the number of programs included in EMILE. For example, in comments received in response to the *Federal Register* notice, Indian and Native American programs typically urged that their programs be excluded from the proposed EMILE reporting requirements. If EMILE is to be implemented, the feasibility states generally favored limiting EMILE reporting to four main state-administered programs – WIA (including the Adult, Dislocated Worker, and Youth WIA programs), TAA, NEG, and the ES. To go beyond these programs would be especially burdensome and introduce many complications – especially in terms of providing definitions for data elements that fit programs

¹¹ A good step in the direction of obtaining input from the field was an ETA-sponsored meeting of the feasibility states and about a half a dozen other states in March 2006 to review proposed revisions to the EMILE reporting system. This meeting provided feedback from attending states on overall design and data elements to be included in a revised reporting system.

outside of these four programs and in integrating the existing reporting systems used in these other programs into a consolidated reporting system.

An overriding concern for state and local administrators is that the new system not overly burden employers (so they are unwilling to list job orders and conduct other business with the workforce development system) and self-help users of the One-Stop Career Center System (so they are discouraged from using the wide range of services offered through this system and remotely via the Internet). For example, with respect to the employer reporting component, while there is general agreement that better data is needed on volume and types of services being delivered to the employer community, there are serious questions with regard to having states transmit individual employer records and job orders on a quarterly basis. The consensus that emerges from the four feasibility states (and in comments received in response to the *Federal Register* announcement) is that states should be required to submit to ETA no more than a quarterly aggregate employer report (and not individual employer records). ETA should be careful in prescribing data elements to be included on this report to minimize burden on local agency staff and employers. However, because there is much activity and funding now being spent on serving employers, improved data collection and reporting is needed related to the numbers of employers served, several key characteristics of employers served (limited though to size and industry), and types of employer services received (but limited to a manageable set of service categories that can be easily tracked).

There is also concern about the amount of data collected on self-service One-Stop Career Center customers. States and local workforce development programs have worked hard in recent years to build their Career Center systems and facilitate utilization by employers, job seekers, and the general public. There is concern in the field that burdensome and potentially

intrusive data collection and validation requirements will reduce the user-friendliness of One-Stop Career Centers and generally discourage utilization (especially by the casual “lunchtime” user). State and local workforce agencies are receptive to collecting and obtaining credit for the many individuals and businesses using their services, but they want also to maintain a “business-like” quality to service delivery. ETA should give careful consideration to each data element that is collected on self-service individuals and those registering for the ES – as these individuals represented a very large proportion of overall customers and each data item added has serious repercussions for data collection burden for both customers and workforce development staff. There is overwhelming sentiment, for example, that customers should not be asked about the type of disability they have during the intake process. In terms of collection of outcome data, there is also strong sentiment that only data that can be obtained through an automated match with UI wage record data should be collected.

Finally, there is concern from the field – particularly reflected in the interviews with feasibility states – about the schedule and costs associated with EMILE implementation. ETA should carefully consider its proposed schedule for implementation of EMILE to take into consideration several factors, in particular: (1) some states (such as California) have data systems that will have to be re-programmed at the state and local levels – implementation of the new reporting systems in these states will likely take more time than states with a single reporting system; (2) some states maintain data for programs such as WIA and the ES in different state systems – implementation of the new consolidated reporting systems in these states will likely take more time than states with a single reporting system; (3) states where there are many layers of approval for data system changes or where a procurement process is required may take longer to implement; and (4) larger states where there are greater numbers of local

WIBs, more state/local administrators involved, and greater complexity in data systems may require more time to implement. In addition, some states point to the need to train state and local staff on new data collection requirements and/or data systems, which could increase the amount of time needed to make the transition to a new system. The states visited indicate that EMILE implementation could take between slightly more than one year up to four years to complete. The other critical concern for states is how they will cover both transition and ongoing costs associated with EMILE. Commenters and feasibility states express concerns that they are already facing constrained budgets (particularly within ES programs) and inquired about the availability of additional ETA funding to offset transitional costs. In addition, some commenters advocate for technical assistance and the development of an EMILE prototype system that could (on a voluntary basis) be used by states and localities to reduce transition costs and ensure that data systems are structured properly to meet EMILE reporting requirements.