

2008-09 SPENDING PLAN	DEPARTMENT OF LABOR
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A. Overview of Proposed Plan

A. 1 Overall Approach

The Department of Labor is pleased to be working with the Governor and the Division of the Budget in reaching the State's spending reduction goals for 2008-2009 and subsequent years. Within this document we have outlined how the Department will fulfill its mission using the most efficient means possible.

The Department of Labor administers New York's unemployment insurance system, labor exchange system and State worker protection programs, including enforcement of safety and health regulations in the public sector, State labor laws and Federal statutes related to working conditions, wages and hours and laws related to public work. The Department is a primary advocate for job creation and economic growth through workforce development, and serves as the State's principal source for labor market information, offering a variety of services designed to help businesses find workers and people find jobs. Approximately 83 percent of the Department's staff are federally funded and 17 percent are supported by fees and assessments, primarily from special revenue funds. Less than one percent of the Department's staff are supported by State tax dollars from the General Fund.

The majority of NYSDOL's federal administrative funding comes from the Unemployment Insurance (UI), Wagner-Peyser, Bureau of Labor Statistics (BLS) and Workforce Investment Act grants (WIA). In addition to federal funding, we collect licenses and other fees to support the Occupational Safety and Health (OSH), Labor Standards and Public Work programs.

The key savings measures that will assist the Department in reaching its goals are:

- Reduction in Special Revenue-Other (SRO) funded positions;
- Continued improvement in automation of the Unemployment Insurance Program;
- Continued improvement in automation, data sharing and collaborative relationships within the Bureau of Public Work, Division of Labor Standards, Bureau of Immigrant Workers, Office of Special Investigations and other governmental and non-governmental agencies;
- Ongoing review of infrastructure expenses (including leased space and other expenses) and implementation of cost savings measures whenever possible;
- Restricted travel; and,
- Ongoing reviews of the Department's network system and telephone charges.

In the pages that follow we have provided details on the accomplishments that the Department has made to this point in creating savings under each of these concepts and also what the Department projects as viable scenarios to create future savings.

POLICY ADVICE

A.2 Achievement of Savings on a Recurring Basis

Reduction in SRO Funded Positions

In order to reduce spending to within the cash ceiling established for our Special Revenue Other (SRO) programs, the Department will bring the number of filled items to the new supportable levels through attrition. We will employ a vacancy control review process when it comes to filling items vacated for these programs during the year. We will only fill vacated items in our Worker Protection programs if the item is determined to be mission critical and would protect the safety and health of the public, would safeguard the economic security of New York workers, or will generate additional revenue for the State.

Unemployment Insurance Program

Including implementation efforts under the UISIM project as well as other ad-hoc system changes, the Department continues to explore new technology applications to streamline and add efficiencies to administrative operations. Through implementation of new technology, the agency will be better positioned to continue to provide quality customer service in the future in an environment of reduced federal resources and resulting decreases in the number of Department positions.

The following are examples of automation efforts which will add efficiencies to mitigate the impact of reduced Federal Funding:

- Since 1999 employers in NYS have filed a combined quarterly UI tax, Wage Reporting, and Withholding Tax (i.e. Singlefile) return supported by both the NYS DOL and NYS Department of Taxation and Finance (NYS DTF). Although the initiative simplified quarterly filing for employers, most employers still file their payroll taxes via a paper return or magnetic media. NYS DOL has been working with NYS DTF to develop employer internet-based filing and payment options. Future enhancements to the eFile system will allow bulk filing to our largest payroll agents. All NYS businesses that can successfully complete the registration process on DTF's Online Tax Center now have the ability to file their return and pay the taxes online. In the next fiscal year increased marketing will be used to increase the awareness of the filing option, which will lead to increased recurring savings to the Department. The state will realize a return on investment for reduced processing time and reduced occurrence of exceptions (errors) in employer submissions requiring state employee time to address, as well as savings on postage and printing costs.
- The implementation of the Employer Home page occurred at the end of March 2007. This site provides employers with self service ability to access their UI tax rates. The usage of the Employer Home page has lessened the calls to the UI Employer Account Adjustment Section which prior to this had seen upwards of 100,000 calls a year, many simply inquiring into their tax rates. We are seeing a marked reduction in telephone calls as a result of the availability of the internet site. Future enhancements to the Employer Home page functionality will allow employers to review claim information and related charges to their experience rating account, update the account information already provided and provide self service capability for routine inquiries. Providing this information more quickly will reduce the number of routine requests handled by staff and enable employers to take corrective action

POLICY ADVICE

- on issues in a more timely fashion. As this UI administration section had been experiencing a backlog in workload, the reduced direct service will allow existing staff to better address the reduced number of employer calls.
- The UI General Ledger (including both the Employer Tax and Claimant Benefits) will be replaced by a new system that will enable automation of financial activities, reducing or eliminating many manual staff activities. The system will have a standardized method of accounting for all employers and claimants, enabling further automation of the UI Trust Fund level accounting. In addition, the system will eliminate many of the financial processing barriers that the current data structures and programs have created, enabling further business process enhancements.
- We are working on enhancing claimant self-service capabilities. This will extend the use of data already on file for claimants so that portions of the claimant community that use the Interactive Voice Response (IVR) will not require staff assistance. Currently, all claims that start on the IVR must connect to a live agent for completion. Extending the types of claims that can be handled via the self-service options to include additional claims will reduce staff resource requirements. Reduced requirements of staff resources will enable more staff to support more complex claims and/or new claimants, reducing wait times and establishing higher quality data and customer support.
- As of September 10, 2006, the Department began providing weekly benefits to UI claimants via direct payment cards. In April 2007, we began offering the option of direct deposit of benefit payments into a claimant's personal checking account. The Department has eliminated the traditional paper checks with these new electronic methods of payment which resulted in savings of \$4 million annually for postage, check stock and envelopes. In the next fiscal year we anticipate increased use of the direct deposit service. By providing these services, the UI division is providing improved and innovative customer service to unemployed individuals while at the same time making our own operations more efficient and cost effective.
- The Department continues to promote the use of the web for original and continued claims filing. In fiscal year 2007-2008, 55% of claimants initiated their original claims via the web based system, an increase of 15% over the 2006-2007 fiscal year, and 54% claimed their weekly benefits via the web in fiscal year 2007-2008, an increase of 14% over the 2006-2007 fiscal year. Unassisted claims filing increased as well. Through increased awareness of services and technical experience, we expect that the number of unassisted original and continued claims filed on the web will continue to rise. The reduced staff time to process these claims will enable staff to handle other more complex claims duties.
- The Department continues to work on a low cost, alternative resolution for delinquency investigations. This method would utilize clerical/paraprofessional staff, rather than Senior Auditors and Tax Compliance Agents to open the communication process via phone calls and written communication with employers who are in delinquent status. This will reduce the cost per delinquency investigation without reducing the quality of the investigation. Savings will enable the Department to increase the audit penetration rate, which will lead to increased compliance.

POLICY ADVICE

Continued Improvement in Automation, Data Sharing and Collaborative Efforts

Under Executive Order 17, state agencies must aggressively take joint enforcement actions to pursue the identification of employers who fraudulently misclassify workers and cooperate more closely in detecting cases of misclassification. This new Joint Enforcement Strike Force is lead by the Department of Labor and includes staff from the Attorney General's Office, the Department of Taxation and Finance, the Workers' Compensation Board and the New York City Comptroller's Office. This strike force strengthens enforcement and reduces costs by avoiding duplication of efforts through sharing of relevant information, coordinating investigations and educating the business community. Department of Labor representatives cooperate from within the Unemployment Insurance Division, Labor Standards, Public Work, Safety and Health, and the Office of Special Investigations. The goal is to ensure that information is readily shared between agencies. If one agency, like Workers Compensation, finds that a company is misclassifying its workers, it is required to share that information with other departments including the Department of Labor.

Infrastructure/Lease Costs

Given the reduced federal resources, each year DOL reviews property office expenses, location and lease terminations to ensure that where possible and practical, we minimize infrastructure costs to maximize federal savings to be used for state level administration to maintain quality Unemployment Insurance as well as Employment Services to our customers.

During SFY 2007-2008 DOL made numerous changes in its Division of Employment Services (DoES) field offices in an effort reduce such costs. These changes included office closures, relocations, consolidations and the changes in lease agreements. A total of eight offices were affected by these changes as follows:

- Three offices in Dunkirk, Newark and Elmira were closed and relocated to partner run locations.
- A New York City office at 54th St was closed and relocated to 75 Varick St. with incentives provided to keep costs neutral though 2010.
- The Rochester office was closed and consolidated with another office at a rent savings of \$4,166 per month.
- Two offices in Jamaica and Cortland had the leases taken over by the local partners.
- The Herkimer office lease was renegotiated for the less space, resulting in a rent savings of \$1,110 per month.

All of the actions are expected to result in property/infrastructure cost savings for the Department.

The Department also has plans to implement more property saving changes in six locations in SFY 2008-09:

- The lease for the Spring Valley office was terminated and relocated to a partner run location.

POLICY ADVICE

- The Utica and Syracuse offices will undergo consolidations, utilizing less space while remaining in their current locations.
- The Staten Island office will close and move to a partner run location.
- In White Plains, plans are for a partner to move into the office and offset rent costs by \$18,645 per month.
- The 345 Hudson St. NYC office lease expires 1/31/09. Staff will be relocated to a temporary site until renovations at the DOL-owned 250 Schermerhorn St. office building are complete. It is expected that the renovation of the Schermerhorn St. location, which is funded from proceeds from the sale of federally funded real property, will save the agency millions in future rent expenses.

Restricted Travel

Travel for all Department programs will be limited to essential travel. DOL has a process to review and approve all travel requests. The following describes our monitoring process:

- For any recurring travel within the state, employees must submit a blanket travel order which is reviewed and approved by first the immediate supervisor and then second by a higher approving authority as appropriate (i.e. Division Directors and Deputy Commissioners).
- Special travel orders are required to be completed for any travel that occurs outside the state or are of a non-recurring basis. Special travel orders that result in out of state travel requires not only immediate supervisor, Division Director and Deputy Commissioner review, but also Executive Deputy Commissioner review and approval.

All travel orders must specify the travel plans, the date of travel, the detailed purpose, probable duration and the mode of transportation as well as the estimated costs. With our efforts in SFY 2007-2008 to minimize travel costs, there was a 5% gain in travel costs above the SFY 2006-2007 level which materialized largely from increased fuel costs and mileage reimbursement rates. The mileage reimbursement rate went from \$.445 (January 2006) to the current \$.505 (January 2008) a net increase of \$.06 or 13%. Despite our impressive record in restricting travel to date, moving forward all Deputy Commissioners have been briefed that travel authorizations need to be even more closely scrutinized to ensure that at a minimum we are able to absorb the higher cost of transportation.

Much of the field travel that has occurred in the past relates to our Worker Protection programs; Safety and Health Inspectors travel throughout the state to inspect cranes, blasters, explosive devices, boilers, amusement devices etc.; Labor Standards staff investigate complaints of Labor Law violations including Apparel Industry manufacturers and contractors and other industries where workers are at risk of exploitation; and Public Work staff make site visits to ensure that employers are in compliance with prevailing wages laws. While it is our goal to minimize travel costs especially as it pertains to State Special Revenue funds, given our duties to ensure that the safety and health of our general population is not compromised, it is unlikely to be an area where material state savings will be realized. While all our measures may result in real savings, these will likely be offset by increased fuel costs and mileage reimbursement rates.

Examples of cost savings measures that continue to be emphasized include, but are not limited to:

- Conference through technology such as the use of webinars, telephone conferencing or video conferencing.

POLICY ADVICE

- Car pooling for in-state and neighboring state conferences and meetings.
- Use of least expensive forms of travel such as Department pool cars, trains or other public transportation when feasible.
- Limiting the number of staff participation in conferences. Staff attending would be responsible for briefing other staff.

Department Network System and Telephones

Monthly network bills are received from the Office for Technology (OFT) by the Accounting Department and copies of the bill are disseminated to the Budget Office and Planning & Technology (P&T) for review. The Budget Office compares the workstation totals on the bill to a device report that P&T provides to the Budget office monthly while P&T reviews other charges on the bill for accuracy. Once both P&T and the Budget Office notify Accounting that there are no issues to paying the bill, Accounting will prepare and submit the bill. Any discrepancies are discussed with OFT to ensure proper billing/credit is due DOL. The Department has negotiated annual savings using this review process.

The Department's criteria for issuing cell phones and BlackBerries are based on specific job duties of staff and the use of these devices increases their productivity and efficiency. In order to streamline spending, requests for all cell phones, Blackberry/PDA devices can only be submitted by a Division Director to prevent the ordering of unneeded devices. Monthly cell phone and Blackberry bills are distributed to the respective users who are to notate any personal usage of the device and submit the bill to their supervisor for review. Any out of the ordinary charges not explained, will be questioned by the supervisor and determined for reimbursement of the charges to the Agency. Also, bills are periodically reviewed to determine that device plans are sufficient or if it would be more economical to raise or lower the employee's plan or put the employee in a pool plan.

A.3 Protecting Key Priorities

The following are key priorities of the Department which are necessary to our mission critical services and will be maintained by achieving savings as described in this document.

- **Minimum Wage Enforcement** – The Department of Labor is making the enforcement of minimum wage laws a priority and to make sure that the working public understands their rights. In SFY 2007-08, the Division of Labor Standards completed its first statewide industry-focused proactive investigations. A statistically significant random sample of 100 car washes throughout the state was inspected. Such violations as subminimum wages, failure to pay overtime, and tip appropriation by management were uncovered in the investigations. The Division plans to focus on other low wage industries each year in this systematic, proactive approach. This approach will allow the Division to have a greater impact on noncompliance in each selected industry and will also enable the Division use noncompliance data to drive future investigations. The Division is also planning a Revisit Program in which a selected percentage of violators will be revisited each year, to ensure continued compliance and to assess the effectiveness of enforcement tools and efforts.

The Division of Labor Standards has continued to issue Orders to Comply, been involved in addressing a case of potential human trafficking, and is assigning an investigator to handle collections and asset searches. In addition, the Division has

POLICY ADVICE

initiated a collections unit to enforce judgments, while previously there was not systematic effort to collect on judgments obtained as a result of investigations. All these efforts are helping us to improve our ability to collect and return rightfully earned wages to New Yorkers.

- **Occupational Safety and Health** – The Division of Safety and Health’s mission to protect the safety and health of our regulated community is ever changing and evolving. The manner in which we ensure compliance varies based on our resources. We work with our regulated community to ensure compliance and educate all on what comprises compliance with our regulations. Protection of the regulated community takes many approaches, some of which are not the traditional methods. For example, in order to protect the public employees involved in emergency response activities, the Division of Safety and Health has found itself participating in any number of State emergencies, providing assistance to state and local emergency responders. We are prepared to educate and train on the hazards most commonly encountered in a disaster situation. We can provide “just in time training” or “train the trainer” in order to ensure that the responders have the knowledge and protection they need to safely respond to the disaster. This type of protection for our Division staff is very labor intensive and required that personnel be brought in from around the State from each of the 9 bureaus in the Division of Safety and Health.
- **Immigration Services** – The Bureau of Immigrant Workers’ rights (BIWR) has been created to protect those workers who are most at risk of exploitation. By retrofitting a van the Department already owned, the Bureau has been able to bring department resources to immigrant communities through Labor on Wheels events, often on nights and weekends. Staff from other Divisions, such as Labor Standards, goes out to community events with BIWR staff to disseminate information and take wage and hour claims. Since its inception less than a year ago, the Bureau has done presentations for approximately 270 non profits, social service agencies, consulates, faith-based organizations, and community groups throughout the state, reaching tens of thousands of workers. In March 2008 alone, the Labor on Wheels events has reached over 700 immigrant workers.

Since the beginning of 2007, outreach by the BIWR, press coverage of the Department’s activities and increased effectiveness in enforcement have led to a significant increase in the number of workers and claimants seeking the assistance of the broad range of the Department’s programs. For example, cases handled by the Division of Labor Standards during the first four months of 2008, if annualized, demonstrate a 35% increase over 2007 figures.

- **Public Work Enforcement** – The Department continues to meet the challenge of making sure that those who work on public work projects are paid the prevailing wage for their efforts. The Bureau of Public Work is coming off of a record year for underpaid wage collections and civil penalties collected. The Bureau continues to hone its Action Plan for More Effective Enforcement of our Prevailing Wage Statutes, components of which have been greatly effective in reducing the backlog of complaints and has allowed Bureau investigators to get out on proactive education and enforcement visits.

Bureau staff will be spending significant time in the 2008-09 fiscal year in implementing recently passed legislation. S1537 requires every contract for construction, reconstruction, repair, etc., of a public work which is at least \$250,000

POLICY ADVICE

to contain a provision that requires each worker to complete a 10-hour construction and safety course prior to performing any work. S6240/A9052, the “Worker Notification” bill, requires, among other provisions, every public work contractor to list the rate of pay for the classification that each worker is performing on the employee’s pay stub. S6807C/A9807C Wicks Reform 2008 raises the threshold for public work projects requiring separate specifications and bidding for the plumbing, heating and electrical work. The Bureau of Public Work is charged with the enforcement and may issue stop-bid orders for non-compliance. S6519A/A8582A significantly enhances the enforcement of prevailing wage laws by providing a new range of felony penalties for those who willfully fail to pay the prevailing wage.

The Bureau continues to work closely with staff from the Department’s Office of Special Investigations in coordinating Labor Department investigations with criminal prosecutors, including the Attorney General. In one instance, referrals from District Attorney’s offices have led to a sweep of a Long Island construction site where the use misclassified workers was alleged. OSC has also referred cases of alleged criminal violations of prevailing wage laws on public work projects to the Department.

- **Workers Compensation Reform** – The Commissioner of Labor issued a report on Return to Work in consultation with the Return to Work Advisory Council and the Governor’s office on March 7, 2008. The report provides analysis and recommendations on policies, procedures, and statutory and regulatory changes, which can improve overall return to work rates among workers’ compensation claimants. Along with stakeholders, the Department will analyze employment and training programs within New York to devise proven methods that will increase the number of workers who return to gainful employment.

DOL staff continue to revise the Safety and Loss Incentive regulations that encourage employers to have voluntary return to work, safety, drug and alcohol prevention programs. Renewal procedures, qualifications for certifying Safety and Loss specialists, and record keeping requirements are also being developed.

- **Unemployment Insurance Systems Improvement** - The 2008-09 Budget includes new appropriation of \$17.8 million and reappropriations of \$33.4 million available from a number of funding sources to be utilized for the continuing effort to support our modernization of our Unemployment Insurance systems. In the past fiscal year, DOL’s approach to the UISIM project has changed. The original plan was to have two phases each with one large system release, one for UI Benefits/Collections, and the other for UI Tax. The project approach has been modified following the principles of a service-oriented architecture (SOA) and an agile development approach. The UISIM approach dictates multiple active projects monitored across the UI program. The SOA approach has been adopted by the Federal government as the standard because it is seen as a more effective way to build applications. It allows us to use open web standards that are built into tools and that have no proprietary barriers, making it a vendor-neutral approach. The result is greater portability from an open source environment with joint code development and interoperability that can be freely used/reused in services delivered within multiple releases impacting more than one application. During 2008-09 the available funds will be utilized to procure consultants to continue the project in an SOA environment.

A.4 Treatment of New Initiatives

- **Joint Enforcement Task Force** – Executive Order 17 establishes a task force on Employee Misclassification and designates the Commissioner of Labor as Chair. Along with staff from the Attorney General's Office, the Department of Taxation and Finance, the Workers' Compensation Board and the New York City Comptroller's Office, the Task Force strengthens enforcement in the area of improper classification of individuals as "independent contractors", or payment off the books, when they should be classified as employees thereby protecting the basic rights of all of the state's workers. A cooperative DOL team from the Unemployment Insurance Division, Labor Standards, Public Work, Safety and Health, and the Office of Special Investigations are engaged in supporting other labor laws, enforcing issues such as non payment of wage and hourly violations, safety and health violations, prevailing wage violations and non payment of unemployment insurance.

Activities in SFY 2007-08 included:

1. Twenty-eight sweeps were conducted in the construction and restaurant industries with 63 follow-up investigation assignments issued.
2. The Task Force completed 29 sweeps that identified more the 3,400 workers as misclassified by their employers who attempted to avoid over \$1.2 million in additional unemployment insurance taxes.
3. Several completed UI investigations were referred to the Workers' Compensation Fraud Inspector General so that they may conduct investigations.
4. In March 2008 alone, the Task Force hotline received approximately 133 calls regarding misclassification issues.
5. Non-sweep related calls, e-mails received and cross-division data sharing generated 286 UI investigations. With 119 investigations completed, over 880 workers were found to be misclassified by their employers who attempted to avoid over \$171,000 in additional unemployment insurance taxes.
6. Operating agreements related to the sharing of sweeps and audit data are being developed between DOL and other agencies, including Workers' Compensation Fraud Inspector General and the NYC Comptroller.
7. Data sharing between DOL and the Dept. of Tax and Finance (DTF) are moving forward. An operating agreement is in the works and training on DOL audits practices will be provided to DTF in April 2008.
8. Meetings with the State of Massachusetts resulted in the Governor of Massachusetts signing an Executive Order aimed at addressing the problem of worker misclassification. DOL Task Force staff will be sharing information with Massachusetts to assist them in creating their Task Force.
9. A separate group involving all agencies identified in Executive Order 17 has been assembled to assess data sharing for the purpose of fraud prevention. It will be addressing standardization of data gathering from forms and possible methodologies for assessing the accuracy of posters and validity of certificates.
10. A substantial change was made in UI recordkeeping and reporting in August 2007 in order to fully count the number of misclassified workers found in employer investigations and audits. This involves increased recordkeeping beyond that required for federal reporting purposes. Between September 2007 and February 2008, 48,784 misclassified workers were discovered on 7,751 audits and investigations.

POLICY ADVICE

- **Public Work Enforcement Fund (PWEF)** – Legislation signed into law in August 2007 provides that a number of projects let annually are in fact public work. Previously, the involvement of a third party obviated the existence of a direct contractual relationship between the public owner and the contractor performing the work. There is also pending legislation (S.4363) that would increase the rate assessed for Public Work contracts from .1 of one percent to .12 of one percent. Such an increase would generate an additional \$1.3 million over the \$6.5 million collected in 2007-08. Historically increasing the number of investigator items to address widespread violation of state prevailing wage laws has also shown an increase in the amount of assessment paid into the PWEF.
- **Apprenticeship Training** – Staff are reviewing recommendations produced from focus group sessions with field and central office staff, union and merit shop stakeholders, and other partners. The draft process mapping report suggested changes in the areas of developing and registering new apprenticeship training programs, marketing, monitoring, recruitment, registration, completions and how to streamline processes to enhance program outcomes. The information is currently being summarized to determine their potential impact on current policies, procedures and regulations.
- **Reforming Workforce Development Systems** – The Department's Workforce Development and Training Division has been working on several initiatives aimed at facilitating employment and retention for a variety of jobseekers. These include:
 1. Adult Ex-Offender Reemployment Initiative which provides intensive case management services to probation, parole and those being released from prisons.
 2. Regional Economic Transformation Strategies Through a Sector or Clustered Based Approach that seeks to improve a region's competitive advantage by improving the supply and quality of the region's talent pipeline.
 3. Limited English Proficiency and Contextualized Learning in the Workplace that determines if the employability and career advancement opportunities for individuals who are Limited English Proficient can be improved through projects that provide Vocational English as Second Language in a contextualized setting in the workplace.
 4. Student Internship Opportunities that target students (16 yrs and older) who have not attained their high school diploma, and undergraduate students (25 yrs and younger) who have not earned a college degree.
- **Office of Special Investigations (OSI)** – OSI staff actively participate in sweeps performed by the Joint Enforcement Task Force on Employee Misclassification. In the first quarter of calendar year 2008, OSI staff served subpoenas in five of the twelve sweeps they attended and have obtained compliance from all contractors.

As the law enforcement liaison for the Department, the Commissioner has asked this office to identify other violations of the labor law that ought to be referred for prosecution to deter and punish criminal acts that harm workers. Towards this end, OSI staff work closely with other divisions, such as Public Work, to determine whether criminal charges are warranted and supportable by the evidence in cases of alleged criminal violations of the prevailing wage laws on public work projects.

POLICY ADVICE

OSI is also moving forward on a new program to partner with local prosecutors under a MOU to investigate UI fraud. These partnerships allow Special Investigations to share otherwise confidential data to assist the district attorneys in prosecuting UI and other fraud against the government while ensuring confidentiality of the data.

POLICY ADVICE

B. Summary of General Fund Financial Impacts

GENERAL FUND -- SAVINGS SUMMARY			
\$'s in 000's	Required Reduction	2008-09 Savings	2009-10 Savings
Local Assistance	(340)	(340)	(340)
Personal Service	(33)	(33)	(33)
Non-personal Service	(14)	(14)	(14)
Total State Operations	(47)	(47)	(47)
Capital	N/A	N/A	N/A
TOTAL	(387)	(387)	(387)

GENERAL FUND -- YEAR-TO-YEAR CHANGE, AFTER SAVINGS			
\$'s in 000's	2007-08 Actual	Revised Projection	Percent Change
Local Assistance	12,298	21,000	70.75
Personal Service	811	1,251	54.2
Non-personal Service	453	469	3.5
Total State Operations	1,264	1,720	36.07
Capital	N/A	N/A	N/A
TOTAL	13,562	22,720	67.53

C. Identification of Proposed General Fund Actions

GENERAL FUND	2008-09 Cash	2009-10 Cash	2010-11 Cash
Local Assistance			
1. Local Assistance award spending reductions include:	(100)	(100)	(100)
- \$100,000 from the School Cafeteria Air Quality appropriation			
- \$240,000 based on the 2007-08 2% reduction in LAO awards	(240)	(240)	(240)

POLICY ADVICE

	<u>2008-09</u> Cash	<u>2009-10</u> Cash	<u>2010-11</u> Cash
State Operations			
2. Savings will be achieved by managing vacancies and controlling NPS spending to critical needs.	(47)	(47)	(47)
Capital Projects			
3. N/A			

POLICY ADVICE

D. Summary of Impact on Special Revenue - Other funds

Special Revenue - Other -- SAVINGS SUMMARY			
\$'s in 000's	Required Reduction	2008-09 Savings	2009-10 Savings
Local Assistance	N/A	N/A	N/A
Personal Service	(800)	(800)	(800)
Non-personal Service	(799)	(799)	(799)
Total State Operations	(1,599)	(1,599)	(1,599)
Capital	N/A	N/A	N/A
TOTAL	(1,599)	(1,599)	(1,599)

Special Revenue - Other -- YEAR-TO-YEAR CHANGE, AFTER SAVINGS			
\$'s in 000's	2007-08 Actual	Revised Projection	Percent Change
Local Assistance	N/A	N/A	N/A
Personal Service	29,663	30,839	3.9
Non-personal Service	30,875	30,237	(2.0)
Total State Operations	60,538	61,076	0.9
Capital	N/A	N/A	N/A
TOTAL	60,538	61,076	0.9

E. Identification of Proposed Actions

2008-09 Cash	2009-10 Cash	2010-11 Cash
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OTHER FUNDS (Note the fund/s affected by each proposal, in parentheses at the end of each entry)

Local Assistance

1. N/A

POLICY ADVICE

	<u>2008-09</u> Cash	<u>2009-10</u> Cash	<u>2010-11</u> Cash
State Operations			
2. PS savings will be achieved by closely managing our workload and targeting staff resources accordingly. We will continue to fill mission critical positions.	(800)	(800)	(800)
3. Redirect NPS spending from lower priorities to more mission critical areas. For example:	(799)	(799)	(799)
<ul style="list-style-type: none">• Extend PC replacement schedule from 4 years to 5 years.• Maintain the necessary ratio of number of PCs to number of staff to meet our needs.• Monitor usage of cell phones and other devices.• Analyze job duties in order to better utilize resources.• Maximize utilization of fleet vehicles rather than reimburse mileage for use of personal vehicles.• See Part J for further details.			
Capital Projects			
4. N/A			

POLICY ADVICE

F. Plan to Manage the Workforce

F.1 Overall Approach

The Department currently has a process in place to request approval to fill items. The following is an overview of the fill request process followed by the Department.

When a vacancy occurs or there is a need to fill a vacant position, program managers submit a request through their Division Director to the Deputy Commissioner level. The request is required to describe how the position will be filled (i.e. within the agency, within the existing state workforce or outside the state workforce through an open competitive list), the duties the individual will perform, an explanation as to why present staff cannot absorb the work, what options were taken to address the workload before the request was submitted and what the consequences are if the position remains unfilled. Both the Director and Deputy Commissioner will determine if the fill is mission critical to their programs and the agency and either approve or disapprove the request.

State Operations Special Revenue items, in addition to being mission critical, protect the safety and health of the public, safeguard the economic security of New Yorkers and are considered by the Governor's guidelines to be essential items to be filled. These items will undergo intensive scrutiny to ensure that the fill of the vacancy is absolutely necessary. When determining the status of mission critical, consideration will be given for those fills that would generate additional revenues in support of program positions and state General Fund.

If the fill is approved by the Deputy Commissioner, the request is sent to the Administrative Finance Bureau who will review the request to determine if it can be fiscally supported. Once approved by the Administrative Finance Bureau, the request is sent to the Personnel Division who will determine if the fill is appropriate within the organizational structure and work with program staff to complete the fill process (i.e. request any necessary Civil Service lists, perform a canvass of the list in order to provide a certified list to program staff, process appointments). Both the Administrative Finance Bureau and Personnel will review all fills for concurrence that the fill action meets the criteria listed above.

In summary, it is our agency's goal to ensure that vacancies are filled based on program identified workload needs with an additional requirement that the fill can be fiscally supported. As we move forward in implementing the SFY 2008-2009 Financial Management Plan, we will continue to scrutinize all fills to ensure that state savings are achieved and federal funding is used prudently to support the filling of positions that reflects the overall intent of the agency plan.

POLICY ADVICE

F.2 Plan for Refill of Vacant Positions (both current and anticipated vacancies)

Workforce Impact -- All Funds	
a. Initial Target: x,xxx [for reference]	3,497 <1
b. Current Fills PP	3,418.3
c. Recurring impact of proposed actions (see Parts C & E)	84.53
d. Recurring impact of vacancy-refilling plan (see F.2)	(13)
e. Total FTEs March 31, 2009 (line b minus line c, plus/minus line d)	3,489.83
f. Change from Initial 2008-09 Target (line a minus line e)	7.17 <1

<1 This target is a reduction from last year to this year of 310 positions due to a reduction in federal spending. Management of resources have allowed DOL to continue to provide services with reduced staffing.

G. Monthly Projections: All Funds Workforce; General Fund State Operations/Local/Capital

See attached 2008-09 Personnel Plan.

2008-09 Personnel Plan

Projected Annual Salaried FTE Positions

	2008-09												AFL
	4/08	5/08	6/08	7/08	8/08	9/08	10/08	11/08	12/08	1/09	2/09	3/09	
General Fund	10.50	11.50	11.50	12.50	12.50	13.50	13.50	14.50	14.50	15.50	15.50	16.00	13.46
Special Revenue - Federal	2,820.00	2,826.50	2,833.00	2,839.50	2,846.00	2,852.50	2,859.00	2,865.50	2,872.00	2,878.40	2,884.80	2,891.30	2,855.71 <1
Unemployment Insurance	1,650.80	1,657.30	1,663.80	1,670.30	1,676.80	1,683.30	1,689.80	1,696.30	1,702.80	1,709.20	1,715.60	1,722.10	1,686.51
Wagner/Peyser	327.60	327.60	327.60	370.50	370.50	370.50	370.50	370.50	370.50	370.50	370.50	370.50	359.78
Reemployment Services	276.90	276.90	276.90	320.30	320.30	320.30	320.30	320.30	320.30	320.30	320.30	320.30	309.45
WIA	204.30	204.30	204.30	127.40 <2	127.40	127.40	127.40	127.40	127.40	127.40	127.40	127.40	146.63
Other Federal Programs	360.40	360.40	360.40	360.40	360.40	360.40	360.40	360.40	360.40	360.40	360.40	360.40	360.40
Special Revenue - Other	562.20	566.83	559.83	555.83	551.83	552.83	552.83	552.83	552.83	552.83	552.83	552.83	555.53
WP/Other State Purposes	532.00	536.43	528.43	523.43	518.43	518.43	518.43	518.43	518.43	518.43	518.43	518.43	522.31
Interest & Penalty	30.20	30.40	31.40	32.40	33.40	34.40	34.40	34.40	34.40	34.40	34.40	34.40	33.22
Other Agency	25.60	29.70	29.70	29.70	29.70	29.70	29.70	29.70	29.70	29.70	29.70	29.70	29.36 <3
Enterprise Funds													0.00
Internal Services Funds													0.00
Fiduciary Funds													0.00
Grand Total	3,418.30	3,434.53	3,434.03	3,437.53	3,440.03	3,448.53	3,455.03	3,462.53	3,469.03	3,476.43	3,482.83	3,489.83	3,454.05

<1 FTEs for April are based on the March 2008 actual spending levels excluding hourly positions. The plan reflects an increase to the UI program of 71.3 positions beyond the March actual level to reflect the additional staff planned to be hired in order to maximize the use of federal funding.

<2 The July shift of FTE positions out of WIA and into both Wagner-Peyser and Reemployment Services is representative of a shift of staff to concentrate on Department WIA activities for the period February to June.

<3 Includes items funded from Other State Agencies (Division of Parole, Department of Health, Workers Compensation, Dormitory Authority, Department of Environmental Conservation/EPA) and items funded through legislative add ons in the 007 Community Projects Fund (Displaced Homemaker Program, Utica Dislocated Worker Assistance Center and Jobs Non-TANF).

H. Assumptions Underlying the Proposed Plan

- Per discussions with DOB, NYSDOL will continue to ensure full utilization of federal resources and administration necessary to implement federal programs. One of the goals of the Financial Management Plan is to fully utilize federal funds to ensure compliance with federal regulations and coordination with the overall intent of the plan. Full utilization of federal funds is absolutely necessary in meeting contractual obligations (with mandated deliverables) with the US Department of Labor (USDOL), Employment and Training Administration (ETA) and the Bureau of Labor Statistics (BLS). To the extent that the cost saving measures discussed in this document result in federal program savings, as we move forward in an environment of reduced federal funding, those resources will be reinvested to support our federal program operations.
- The Financial and Cash Plan for the UI Benefits 481 fund and the UI Program Administration 480 fund do not include the possible extension of UI Benefits currently proposed at the National level. While such an extension will not require increased taxes on the part of NYS employers, if an extension of UI Benefits is enacted by Congress, to the extent that the Cash Plan will not be sufficient to cover benefit payments and/or additional administrative activities, an amended plan may be necessary.
- Our Financial Management and Cash Plan for the WIA 486 Fund and the Trade Act Benefit 484 Fund have been developed with the presumption that neither program will be materially changed during the year due to the potential passage of federal legislation to reauthorize the program. If either program is reauthorized there is a possibility that the cash plan for SFY 2008-2009 would need to be amended to ensure that the agency is utilizing the federal resources in conformity with federal rules and regulations.
- We will achieve reduced position spending in our SRO programs through attrition by 13 positions during the year in order to meet the reduced cash spending requirements. All requests to fill vacant items will only be considered if filling those vacancies is determined to be mission critical or will generate additional revenue for the state. Traditionally for the Department of Labor's Worker Protection units, "mission critical" is viewed as protecting the public's safety and health and providing economic security to the workers of New York State by insuring the payment of fair wages as well as minimum wages.

POLICY ADVICE

I. Management of Risks Inherent in the Plan

- The Department recently determined there will be a need for overtime for the Industry Inspection Unit within DOSH for five months in order to conduct operational inspections of amusement parks and mobile carnivals during the 2008-09 operating season. In order to accomplish this evening and weekend visits are required. As four of the last five fatalities in this industry were a result of human error it is critical to visit these sites while they are in operation. Our intent is to redirect resources to manage this workload.
- Several pieces of legislation that passed in the 2007 session will impact our Worker Protection programs. These include a law requiring employers to provide safety ropes and system components to firefighters, a law requiring all laborers, workers and mechanics involved in public work projects to have completed a 10 hour OSHA safety course, and a law that increases the weekly wage threshold that exempts certain executive, administrative and professional employees. Also passed in 2007 was an anti-human trafficking bill addressing sex trafficking and labor trafficking. DOL staff has been extensively trained on this issue and has been involved in efforts to identify and assist potentially trafficked victims. At a recent Inter-Agency Human Trafficking Task Force meeting, the DOL was cited as the agency which had been most active and involved in identifying potential victims. Our staff, being overwhelmingly bilingual relative to other state agencies and very involved with immigrant communities statewide, are the most likely and able entity in state government to encounter labor trafficking. Each of these new laws will require additional staff time to handle the increased workloads. In addition, changes to the Wicks Law will require more Public Work staff time for enforcement of specification requirements and issuing stop order against public owners for non-compliance. To achieve this, program will redirect resources as needed.

POLICY ADVICE

J. Additional Savings Opportunities for 2008-09

The following activities have or will be undertaken by the DOL as savings opportunities. It is anticipated that the savings we realize will help us to meet the goals of this financial plan for the current year and beyond.

Technology and Telecommunications

- PCs/Laptops are currently on a replacement schedule of every 4 years. The devices are covered under manufacturer warranty for 3 years and for a fourth year at a cost of \$39. Moving the replacement schedule to 5 years would cost an additional \$76 per device as opposed to the replacement cost of \$750 - \$800 for a new device. Where required, the need to replace a device earlier will be reviewed on a case-by-case basis.
- Remove computers from the network if they have not been logged into in 30 days. Revoke access to the network if a password has not been updated every 90 days. Any device to be reinstated or added to the network must be requested through Administrative Finance by division directors before Planning and Technology adds/reinstates.
- Recall all outstanding calling cards from staff. Most staff currently have a cell phone and/or blackberry device with cell capability. This would negate the need for calling cards.
- We have purchased approximately 137 air cards for laptops at a cost of \$50 per each card and \$60 per month for service. We will work with the vendor for a discounted price per card purchase and reduced monthly maintenance cost.
- Work with our cell phone provider (Verizon) to procure a pool plan for minutes. Many of our current users don't use all their monthly minutes provided under their plans. A pool plan would allow those users to not be penalized by paying a higher price for minutes they won't use and will allow higher usage participants leeway in using excess minutes.

Improved Utilization of Staff and Other Administration Costs

- Since moving the UISIM project to a Service Oriented Architecture which involves many areas undergoing improvements and upgrades, it may be beneficial to make stronger efforts to hire permanent staff rather than consultants. The resulting savings will be redirected to support program administration services in an environment of reduced federal funding. Our UISIM Project will use an average of 70.5 consultants during SFY2008-09 at an average cost of \$288,000. Hiring a GR27 will cost approximately \$170,000 annually including fringe benefits and overhead costs. A GR23 would be approximately \$143,000 annually.
- Analysis of certain job duties may identify clerical-type activities that can be shifted from investigators to clerical staff as to better utilize resources during sweeps and other investigations.

POLICY ADVICE

- Use staff more efficiently on sweeps/investigations by targeting specific skill sets to specific sweeps thereby reducing the number of staff needed at each sweep. Use post-sweep debriefings so all participants can plan their follow up activities more efficiently.
- The fleet manager will monitor that the vehicles are being utilized appropriately and at the required mileage amounts. Any vehicle found to be underutilized will be reassigned to other Department employees receiving substantial personal mileage reimbursement. Drivers of the underutilized vehicles will revert to reimbursement for miles traveled with personal vehicles, a less costly alternative to replacement of fleet vehicles.
- Increase the use of other communication tools to allow for less attendees traveling to conferences. Examples would be the use of video conferencing and purchasing DVD production copies of conferences.

**K. Potential Future Savings Opportunities/Operational Improvements
(indicate if statutory change is required)**

The following are examples of future savings opportunities, some already realized and reflected in our cash spending limits. Others will be realized in future years.

- The Department of Labor has already made direct deposit and debit cards available to unemployment insurance claimants. Other agencies that want to provide this functionality to their clients would normally have to negotiate their own banking contract and build unique extensions to their computer programs. The Office of Children and Family Services (OCFS) is working with DOL to see if they can piggy-back on DOL's banking contract, and if DOL can make its computer programs available to OCFS within a Service-Oriented Architecture, so that OCFS can have a shorter and more cost-effective way to improve services to its constituents, allowing New York to lower the overall cost of government.
- In line with the Joint Enforcement Task Force efforts to strengthen enforcement in the area of improper classification of individuals as "independent contractors" when they should be classified as employees, efforts at data sharing with the Department of Taxation and Finance (DTF) have moved forward. A draft add-on form for the sharing of data from DTF audits, a list of employers found on sweeps, and a list of employer types targeted for sweeps, audits and investigations is in the process of being sent to DTF. In addition, training on DOL audit practices was provided to DTF auditors and Department Counsel has begun working on a DOL-DTF operating agreement.
- In March 2008, the Division of Labor Standards completed its first statewide industry-focused proactive investigations. Instead of handling cases only in response to employee complaints, the Division is starting a program of strategic proactive investigations, based on statistically random samples in industries in the underground economy which tend to have high rates of violation. This proactive approach will have a broader impact on the targeted industries, and utilizing a statistical random sample will allow the Division to generalize about any results or trends they uncover.
- The Division of Labor Standards is assigning an investigator to handle collections and asset searches. Currently when a judgment is entered, there is no follow up to try to identify assets in order to be able to collect on the judgment. Assigning and training an investigator to locate assets will enable the Division to actually enforce judgments and lead to greater compliance.
- The Bureau of Immigrant Workers' Rights (BIWR) has been developing collaborative relationships with other agencies and organizations in order to extend its reach. BIWR conducted joint outreach with a representative from the New York City Comptroller's Office to English as a Second Language (ESL) students on issues related to low-wage workers. BIWR has also been establishing relationships with the Occupational Safety and Health Administration (OSHA), the Manhattan District Attorney's Office of Immigration Affairs and Immigration and Customer Enforcement to refer and receive cases where

POLICY ADVICE

appropriate. BIWR has also worked on formalizing relationships with non-governmental organizations, helping to develop a Memorandum of Understanding with Rural Opportunities, Inc. and meeting with Rural and Migrant Ministry representatives from the Hudson Valley and western New York about coordinating the provision of services to farm workers.

- Coming off a record year for underpaid wage collections (\$9.8M) and a record for civil penalties collected (\$775,000), the Bureau of Public Work continues to reinforce and hone its Action Plan for More Effective Enforcement of our Prevailing Wage Statutes. The various components of the plan have been effective in reducing the backlog of complaints and have allowed Bureau investigators to get out on proactive education and enforcement visits more than the mandated one day a month. Many of the staff have been able to get out in the field several days a month which fosters greater visibility. In turn, this deters violations and at the same time uncovers problems that would otherwise go undetected. Each month the Bureau gets closer to meeting the benchmarks for success it has established.
- After almost two years in development, the Division of Labor Standards and the Bureau of Public Work are rolling out a new Investigation/Audit/Management system. For the first time, all case information will be stored on a common server and will be accessible to ascending levels of management. A number of efficiencies and functionality have been built into the new system along with room for future enhancements. Many time-saving items have been built in allowing staff to focus on more mission critical areas.
- The Office of Special Investigations is moving forward on many improvements to its management systems. A new statewide arrest database with a connecting informational database to centralize prosecution data has been developed. A Prosecutor's Guide to Unemployment Benefits has been developed and distributed to prosecutors who investigate our UI fraud cases, describing our forms, the Labor Law, a description of the manner in which claims are paid, and the information given to claimants as they apply for benefits.
- The Internal Audit Division is nearing completion of an audit of the Department's computer usage and the cost to the Department of unassigned computers. Internal Audit is also concluding similar fieldwork for the OFT's telephone charges and drafting audit comments to management. The majority of savings that were achieved here were federally funded and will be redirected to support staff.

Part L. Review and Approval of NPS Spending

The Department of Labor (DOL) has been using an automated non-Personal service (NPS) approval system called Asset Management since October 2002. The workflow of this system utilizes a “stop gate” approach that requires several levels of approval prior to reaching the DOL Administrative Finance Budget Office for final review and approval/denial. The approval workflow is as follows:

1. Division

All requests are submitted through the end user's division. These requests indicate what is needed and an idea of the approximate costs. Each division establishes responsibility thresholds in determining the level of approval needed before the request is forwarded for Technical Review. For most Divisions, the dollar amount of the request is the primary factor in determining whether approval is needed by the Office Head, Division Director, up through the Division's Deputy Commissioner.

2. Technical Review

Once approved at the Department level, the request is sent for Technical Review. The nature of the request will determine what area will perform the Technical Review. The four areas that perform these reviews are:

- Office of Staff and Organizational Development (OSOD): reviews all training oriented and conference requests.
- Planning and Technology (P&T): reviews technology requests for hardware, software, consultant services for program development, and technology maintenance.
- Telecommunications: reviews requests for blackberries, cell phones, phones and PDA devices.
- Administrative Finance's Property office reviews requests associated with owned and leased properties and building maintenance and janitorial service (M&J).
- Administrative Finance's Purchase office reviews contracts, consultants, non-P&T services and maintenance and supplies and commodities.

The Technical Review area will determine where the most cost effective area to purchase items will be and attach an Associate Estimate. The Technical Review will also determine if the request is within appropriate State Procurement laws and policies and if there any additional outside approvals needed such as the Office of the State Controller (OSC) or Office for Technology (OFT) prior to forwarding the request to the Administrative Finance Budget Office.

3. Administrative Finance

Once the request has been received in the Administrative Finance Budget Office, the request is reviewed for completeness and appropriate justification

documentation. Based on this review, the Administrative Finance Budget Office determines appropriate funding sources and the availability of funds within that funding source. Due to the size of most Information Technology (IT) requests, the Administrative Finance Budget Office will also review the request against some additional information such as:

- IT Conceptual Report - At the start of each Federal Fiscal Year, P&T and Administrative Finance Directors review an estimated spending list of planned projects for the upcoming year. Once reviewed by the Division Directors, this plan is forwarded to the Executive level, showing estimated cost and program charging for the respective project, for discussion and approval. This list provides the basis of most of the larger Planning & Technology requests that could come through the Asset Management system during the year.
- Annual Technology Plan (ATP) – Agencies are required to submit an annual report of current and proposed IT related projects to OFT by June 30 of each year, In 2007, OFT required Agencies to submit a Winter Update of the June ATP submission by January 2008. The Administrative Finance Office will determine that requests do not exceed total PS/NPS numbers provided by the ATP.
- Grants – DOL has received Federal Grants to fund specific projects. The Administrative Finance Office will review request parameters against the Grant criteria to ensure compliance associated with the use of Grant funds.
- Major Project Proposed Spending – For example, the largest project DOL is currently operating is the Unemployment Insurance System Improvement (UISIM) project. The UISIM division has completed a proposed spending budget similar to the IT Conceptual Budget. All UISIM requests are reviewed against this Budget.

These provide valuable information for the Administrative Finance Budget Office's final determination of approval of the request. If the Administrative Finance Budget Office has any questions or concerns about the request or it is missing information, the requestor will be e-mailed questions looking for additional justification or information. Once the Finance Officer is satisfied with the information provided for standard NPS requests, they will charge the request to the appropriate program(s) and approve the request. All larger IT, Lease, and Construction costs are forwarded to the Director of Administrative Finance for final approval.

4. Administrative Finance Purchase Office

Once the Administrative Finance Office approves the request, the Asset Management System will send approval notices to various areas and the requestor. From that point the Purchase Office will set up a Purchase Order or contract line on DOL's Financial Accounting Reporting System (FARS) to be approved by the Administrative Finance Budget Office prior to purchasing the approved items.

Monthly Reporting

The plan for monthly reporting would be updates on the cash plans (consisting of actual spending vs. planned spending) as presented in this document and the FTE Target report currently submitted monthly to DOB. We will also provide metrics on a quarterly and/or annual basis, as per our earlier discussion, based on actual grant requirements and programmatic reporting established to measure workload activities and participants served.

PERFORMANCE METRICS

- As the Department of Labor is approximately 83% funded through Federal dollars, our Federal reporting requirements established and monitored by the United States Department of Labor would be the major basis for the metrics in place for tracking performance. DOL has to adhere to existing Federal performance measures that are quite extensive, both programmatically and fiscally, such as quarterly performance requirements including USDOL's release of the Government Performance & Results Act (GPRA) report card to each state as well as the requirement to address deficiencies USDOL identifies in the UI Program through the annual submission of the State Quality Services Plan (SQSP). In the SQSP the state is required to develop corrective action plans for each deficiency noted. On a quarterly basis we are required to update USDOL on our progress to address the corrective action plan. See the attached matrix charts for UI, Workforce Investment Act (WIA) and Wagner-Peyser (Employment Services). Many federally funded program areas have implemented additional performance metrics to further define and measure their performance against internal goals and customer service parameters.
- Worker Protection Programs (Safety & Health, Labor Standards, and Public Work) are committed to protecting New York State workers and the public from illness, injury and injustice enforcing compliance with New York's Labor Laws. Licenses, fees, fines, penalties and forfeitures involved in achieving compliance are all tracked by the Department by workload volume along with the associated revenue generated by that workload for each respective program. For example, the Safety & Health Division conducts Boiler Inspections on an ongoing basis. Each month, the number of inspections is reported along with the associated dollars collected from those inspections. As a result, the Department is able to measure the workload activity and revenue involving a specific activity as well as the program in total.
- The Displaced Homemaker Program provides vocationally related services to individuals who have been displaced from their positions as unpaid homemakers and who must enter the workforce. In order to measure the success of this program, staff report the number of participants served. In addition, the numbers of participants entering employment, retaining employment and average earnings are measured on a quarterly basis to ensure that program goals are achieved.

NYS DOL PROGRAM PERFORMANCE MEASURES MATRIX

Program	Time Period	Core Measure	Performance Standard	Current Quarterly Performance (12/31/07)	Prior Quarterly Performance (if applicable) (9/30/07)	Actions Taken to Meet Standard
1 UI - Core Measure Performance	10/01/07-12/31/07	All First Payments 14/21-day Timeliness	Accepted Level of Performance (ALP) 87%, Government Performance and Results Act (GPRA) 88.4%	90.0%	88.2%	When NYS does not meet an ALP, an annual Corrective Action Plan is submitted to USDOL as part of the State Quality Service Plan (SQSP). In addition, status reports on CAP progress are submitted to USDOL quarterly. When NYS does not meet a GPRA, a narrative statement may be prepared as part of the SQSP depending upon USDOL direction.
2 UI - Core Measure Performance	10/01/07-12/31/07	Nonmonetary Determinations 21-day Timeliness	ALP - 80%	48.0%	41.1%	
3 UI - Core Measure Performance	10/01/07-12/31/07	Separation Determination Quality Scores	ALP- 75% scoring greater than 80	62.5%	72.0%	
4 UI - Core Measure Performance	10/01/07-12/31/07	Nonseparation Determination Quality Scores	ALP- 75% scoring greater than 80	62.2%	62.2%	
5 UI - Core Measure Performance	10/01/07-12/31/07	Lower Authority Appeals Quality % Scoring at least 85% of potential points	ALP - 80%	100.0%	92.5%	
6 UI - Core Measure Performance	10/01/07-12/31/07	Average Age of Pending Lower Authority Appeals	ALP - 30 days proposed for April 2008-March 2009 performance year	39.6 days	26.6 days	
7 UI - Core Measure Performance	10/01/07-12/31/07	Average Age of Pending Higher Authority Appeals	ALP - 40 days proposed for April 2008-March 2009 performance year	63.4 days	57.7 days	
8 UI - Core Measure Performance	10/01/07-12/31/07	% of new employer liability determinations made within 90 days of the end of the first quarter in which they become liable	ALP - 70%, GPRA 85%	77.8%	79.7%	
9 UI- Tax Quality	10/01/07-12/31/07	Assessment of the accuracy and completeness of the tax program based on 13 tax functions	No more than 3 failures of the 13 functions with no failures for three consecutive years	Pass	Pass	When NYS does not meet an ALP, an annual Corrective Action Plan is submitted to USDOL as part of the State Quality Service Plan (SQSP). In addition, status reports on CAP progress are submitted to USDOL quarterly. When NYS does not meet a GPRA, a narrative statement may be prepared as part of the SQSP depending upon USDOL direction.
10 UI- Detection of Overpayments	10/01/07-12/31/07	% of estimated detectable, recoverable overpayments established for recovery	ALP - 50%, GPRA 56% FY 2008	64.9%	71.0%	

	Program	Time Period	Core Measure	Performance Standard	Current Quarterly Performance (12/31/07)	Prior Quarterly Performance (if applicable) (9/30/07)	Actions Taken to Meet Standard
11	UI-Facilitate Reemployment	10/01/07-12/31/07	% of UI claimants who become reemployed within the Q following their first UI payment	GPRA 65.2% FY 2008	Under development by USDOL	N/A	
14	WIA Adult	10/01/07-12/31/07	Entered Employment	PY 2007 60%	64%	63%	Exceeded
15	WIA Adult	10/01/07-12/31/07	Employment Retention	PY 2007 81%	79%	80%	Results above the "80% of goal" threshold
16	WIA Adult	10/01/07-12/31/07	Average Earnings	PY 2007 \$12,500	\$13,089	\$12,639	Exceeded
17	WIA Dislocated Worker	10/01/07-12/31/07	Entered Employment	PY 2007 60%	57%	59%	Results above the "80% of goal" threshold
18	WIA Dislocated Worker	10/01/07-12/31/07	Employment Retention	PY 2007 81%	80%	82%	Results above the "80% of goal" threshold, and met based on the two quarter average
19	WIA Dislocated Worker	10/01/07-12/31/07	Average Earnings	PY 2007 \$15,825	\$16,915	\$16,350	Exceeded
20	WIA Youth Common Measures	10/01/07-12/31/07	Placement in Employment or Education	PY 2007 45%	67%	40%	Exceeded (based on two quarter average)
21	WIA Youth Common Measures	10/01/07-12/31/07	Attainment of Degree/Certificate	PY 2007 35%	57%	25%	Exceeded (based on two quarter average)
22	WIA Youth Common Measures	10/01/07-12/31/07	Literacy / Numeracy Gains	PY 2007 33%	19%	24%	Valid results not available until end of PY 2007 - two years of data needed. DOL working with the LWIAs to build staff capacity to accurately measure gains and increase performance.
23	Trade Adjustment Assistance (TAA)	10/01/07-12/31/07	Entered Employment	FFY 2008 GPRA 73%	61%	NA - 1st Q FFY 2008	Results above the "80% of goal" threshold
24	Trade Adjustment Assistance (TAA)	10/01/07-12/31/07	Employment Retention	FFY 2008 GPRA 91%	87%	NA - 1st Q FFY 2008	Results above the "80% of goal" threshold
25	Trade Adjustment Assistance (TAA)	10/01/07-12/31/07	Average Earnings	FFY 2008 GPRA \$14,050	\$14,012	NA - 1st Q FFY 2008	Results above the "80% of goal" threshold
26	Labor Exchange (LEX)	10/01/07-12/31/07	Entered Employment	PY 2007 60%	61%	NA - rolling 4 Quarters used	Exceeded
27	Labor Exchange (LEX)	10/01/07-12/31/07	Employment Retention	PY 2007 81%	80%	NA - rolling 4 Quarters used	Results above the "80% of goal" threshold
28	Labor Exchange (LEX)	10/01/07-12/31/07	Average Earnings	PY 2007 \$13,535	\$14,079	NA - rolling 4 Quarters used	Exceeded

003 Fund ~ SFY 2008-2009
Projected Cash Disbursement vs Actual Cash Disbursement
as of:
April 2008

Program: 003 Fund

PROJECTIONS CASH DISBURSEMENTS FROM							ACTUALS CASH DISBURSEMENTS FROM					
Month	2007-08 Carryover Approps	2008-09 Appropriations		Reappropriations	Monthly Disbursement Total	Year-to-date Disbursement Total	2007-08 Carryover Approps	2008-09 Appropriations		Reappropriations	Monthly Disbursement Total	Year-to-date Disbursement Total
		RS	NPS					RS	NPS			
APRIL	\$ -	\$ 79,000	\$ 28,000	\$ 19,400	\$ 126,400	\$ 126,400	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
MAY	\$ 14,000	\$ 100,843	\$ 36,430	\$ 19,400	\$ 170,673	\$ 297,073	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
JUNE	\$ -	\$ 100,843	\$ 36,430	\$ 19,400	\$ 156,673	\$ 453,746	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
JULY	\$ -	\$ 100,843	\$ 36,430	\$ 19,400	\$ 156,673	\$ 610,419	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
AUGUST	\$ -	\$ 100,843	\$ 35,430	\$ 19,400	\$ 155,673	\$ 766,092	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
SEPTEMBER	\$ -	\$ 100,843	\$ 35,430	\$ -	\$ 136,273	\$ 902,365	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
OCTOBER	\$ -	\$ 100,843	\$ 35,430	\$ -	\$ 136,273	\$ 1,038,638	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
NOVEMBER	\$ -	\$ 100,843	\$ 35,430	\$ -	\$ 136,273	\$ 1,174,911	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
DECEMBER	\$ -	\$ 100,843	\$ 35,430	\$ -	\$ 136,273	\$ 1,311,184	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
JANUARY	\$ -	\$ 100,842	\$ 35,430	\$ -	\$ 136,272	\$ 1,447,456	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
FEBRUARY	\$ -	\$ 100,842	\$ 35,430	\$ -	\$ 136,272	\$ 1,583,728	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
MARCH	\$ -	\$ 100,842	\$ 35,430	\$ -	\$ 136,272	\$ 1,720,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL	\$ 14,000	\$ 1,188,270	\$ 420,730	\$ 97,000	\$ 1,720,000	\$ 1,720,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
YTD Total through April 2008	\$ 14,000	\$ 1,188,270	\$ 420,730	\$ 97,000	\$ 1,720,000		\$ -	\$ -	\$ -	\$ -	\$ -	

001 Fund ~ SFY 2008-2009
Projected Cash Disbursement vs Actual Cash Disbursement
as of:
April 2008

Summary Sheet Local Assistance

PROJECTIONS CASH DISBURSEMENTS FROM							ACTUALS CASH DISBURSEMENTS FROM						
Month	Carryover Approps	2008-09 Appropriations		Reappropriations	Monthly Disbursement Total	Year-to-date Disbursement Total	Carryover Approps	2008-09 Appropriations		Reappropriations	Monthly Disbursement Total	Year-to-date Disbursement Total	
		BS	NPS					BS	NPS				
APRIL	\$ -	\$ -	\$ -	\$ 1,075,000	\$ 1,075,000	\$ 1,075,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
MAY	\$ -	\$ -	\$ -	\$ 1,028,640	\$ 1,028,640	\$ 2,103,640	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
JUNE	\$ -	\$ -	\$ -	\$ 1,028,636	\$ 1,028,636	\$ 3,132,276	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
JULY	\$ -	\$ -	\$ -	\$ 1,028,636	\$ 1,028,636	\$ 4,160,912	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
AUGUST	\$ -	\$ -	\$ -	\$ 1,028,636	\$ 1,028,636	\$ 5,189,548	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
SEPTEMBER	\$ -	\$ -	\$ -	\$ 1,028,636	\$ 1,028,636	\$ 6,218,184	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
OCTOBER	\$ -	\$ -	\$ 1,400,000	\$ 1,028,636	\$ 2,428,636	\$ 8,646,820	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
NOVEMBER	\$ -	\$ -	\$ 1,400,000	\$ 1,028,636	\$ 2,428,636	\$ 11,075,456	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
DECEMBER	\$ -	\$ -	\$ 1,452,500	\$ 1,028,636	\$ 2,481,136	\$ 13,556,592	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
JANUARY	\$ -	\$ -	\$ 1,452,500	\$ 1,028,636	\$ 2,481,136	\$ 16,037,728	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
FEBRUARY	\$ -	\$ -	\$ 1,452,500	\$ 1,028,636	\$ 2,481,136	\$ 18,518,864	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
MARCH	\$ -	\$ -	\$ 1,452,500	\$ 1,028,636	\$ 2,481,136	\$ 21,000,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
TOTAL	\$ -	\$ -	\$ 8,610,000	\$ 12,390,000	\$ 21,000,000	\$ 21,000,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
YTD Total through April 2008	\$ -	\$ -	\$ 8,610,000	\$ 12,390,000	\$ 21,000,000		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	

Special Revenue Other - SFY 2008 - 2009
Projected Cash Disbursement vs Actual Cash Disbursement
as of:
April 2008

SRO Summary

PROJECTIONS CASH DISBURSEMENTS FROM							ACTUALS CASH DISBURSEMENTS FROM					
Month	Carryover Approps	2008-09 Appropriations		Reappropriations	Monthly Disbursement Total	Year-to-date Disbursement Total	Carryover Approps	2008-09 Appropriations		Reappropriations	Monthly Disbursement Total	Year-to-date Disbursement Total
		PS	NPS					PS	NPS			
APRIL	\$ 1,141,431	\$ 2,248,252	\$ 193,984	\$ 441,105	\$ 4,024,772	\$ 4,024,772	\$ 1,003,431	\$ 1,948,811	\$ (3,033)	\$ 441,105	\$ 3,390,313	\$ 3,390,313
MAY	\$ 41,418	\$ 2,563,108	\$ 1,909,153	\$ 459,900	\$ 4,973,578	\$ 8,998,351		\$ -	\$ -	\$ -	\$ -	\$ 3,390,313
JUNE	\$ 41,418	\$ 2,525,625	\$ 1,889,887	\$ 459,900	\$ 4,916,829	\$ 13,915,180		\$ -	\$ -	\$ -	\$ -	\$ 3,390,313
JULY	\$ -	\$ 2,509,454	\$ 1,882,352	\$ 459,900	\$ 4,851,705	\$ 18,766,885				\$ -	\$ -	\$ 3,390,313
AUGUST	\$ -	\$ 2,514,624	\$ 2,173,350	\$ 172,400	\$ 4,860,373	\$ 23,627,258				\$ -	\$ -	\$ 3,390,313
SEPTEMBER	\$ -	\$ 2,519,794	\$ 2,176,847	\$ 172,400	\$ 4,869,040	\$ 28,496,299				\$ -	\$ -	\$ 3,390,313
OCTOBER	\$ -	\$ 3,776,396	\$ 3,119,398	\$ 172,400	\$ 7,068,194	\$ 35,564,493					\$ -	\$ 3,390,313
NOVEMBER	\$ -	\$ 2,519,794	\$ 2,176,847	\$ 172,400	\$ 4,869,040	\$ 40,433,533					\$ -	\$ 3,390,313
DECEMBER	\$ -	\$ 2,519,794	\$ 2,255,847	\$ 172,400	\$ 4,948,040	\$ 45,381,574					\$ -	\$ 3,390,313
JANUARY	\$ -	\$ 2,519,794	\$ 2,176,847	\$ 172,400	\$ 4,869,040	\$ 50,250,614					\$ -	\$ 3,390,313
FEBRUARY	\$ -	\$ 2,519,794	\$ 2,176,847	\$ 172,400	\$ 4,869,040	\$ 55,119,655					\$ -	\$ 3,390,313
MARCH	\$ -	\$ 3,783,885	\$ 3,123,188	\$ 172,400	\$ 7,079,473	\$ 62,199,127					\$ -	\$ 3,390,313
TOTAL	\$ 1,224,267	\$ 32,520,315	\$ 25,254,545	\$ 3,200,000	\$ 62,199,127	\$ 62,199,127	\$ 1,003,431	\$ 1,948,811	\$ (3,033)	\$ 441,105	\$ 3,390,313	\$ 3,390,313
YTD Total through April 2008	\$ 1,141,431	\$ 2,248,252	\$ 193,984	\$ 441,105	\$ 4,024,772		\$ 1,003,431	\$ 1,948,811	\$ (3,033)	\$ 441,105	\$ 3,390,313	

481 Fund ~ SFY 2008-2009
Projected Cash Disbursement vs Actual Cash Disbursement
as of:
April 2008

Program: **Unemployment Insurance Benefit Fund**

PROJECTIONS <1 CASH DISBURSEMENTS FROM							ACTUALS CASH DISBURSEMENTS FROM					
Month	Carryover Approps	2008-09 Appropriations		Reappropiations	Monthly Disbursement Total	Year-to-date Disbursement Total	Carryover Approps	2008-09 Appropriations		Reappropiations	Monthly Disbursement Total	Year-to-date Disbursement Total
		DS	NPS					DS	NPS			
APRIL	\$ 131,999,738		\$ 81,692,262		\$ 213,692,000	\$ 213,692,000				\$ -	\$ -	\$ -
MAY	\$ -		\$ 178,294,000		\$ 178,294,000	\$ 391,986,000	\$ -		\$ -	\$ -	\$ -	\$ -
JUNE	\$ -		\$ 157,059,000		\$ 157,059,000	\$ 549,045,000	\$ -		\$ -	\$ -	\$ -	\$ -
JULY	XXX		\$ 206,123,000		\$ 206,123,000	\$ 755,168,000	XXX			\$ -	\$ -	\$ -
AUGUST	XXX		\$ 184,311,000		\$ 184,311,000	\$ 939,479,000	XXX			\$ -	\$ -	\$ -
SEPTEMBER	XXX		\$ 157,105,000		\$ 157,105,000	\$ 1,096,584,000	XXX			\$ -	\$ -	\$ -
OCTOBER	XXX		\$ 180,494,000		\$ 180,494,000	\$ 1,277,078,000	XXX			\$ -	\$ -	\$ -
NOVEMBER	XXX		\$ 165,829,000		\$ 165,829,000	\$ 1,442,907,000	XXX			\$ -	\$ -	\$ -
DECEMBER	XXX		\$ 220,144,000		\$ 220,144,000	\$ 1,663,051,000	XXX			\$ -	\$ -	\$ -
JANUARY	XXX		\$ 248,326,000		\$ 248,326,000	\$ 1,911,377,000	XXX			\$ -	\$ -	\$ -
FEBRUARY	XXX		\$ 234,869,000		\$ 234,869,000	\$ 2,146,246,000	XXX			\$ -	\$ -	\$ -
MARCH	XXX		\$ 253,754,000		\$ 253,754,000	\$ 2,400,000,000	XXX			\$ -	\$ -	\$ -
TOTAL	\$ 131,999,738	\$ -	\$ 2,268,000,262	\$ -	\$ 2,400,000,000	\$ 2,400,000,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
YTD Total	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

<1 Does not reflect the potential for an extended benefits program. The projection would need to be amended if Congressional action is taken during SFY 2008-2009 to implement an extended benefits program.

