

**FY 2025**

**CONGRESSIONAL BUDGET JUSTIFICATION**

**DEPARTMENTAL MANAGEMENT**

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# DEPARTMENTAL MANAGEMENT

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# DEPARTMENTAL MANAGEMENT

## APPROPRIATION LANGUAGE

### SALARIES AND EXPENSES

#### (INCLUDING TRANSFER OF FUNDS)

*For necessary expenses for Departmental Management, including the hire of passenger motor vehicles and supporting charging or fueling infrastructure for zero emission passenger motor vehicles, \$465,293,000, which shall be available through September 30, 2026, together with not to exceed \$308,000, which may be expended from the Employment Security Administration account in the Unemployment Trust Fund: Provided, That not less than \$126,725,000 shall be for the Bureau of International Labor Affairs to administer or operate international labor activities, bilateral and multilateral technical assistance, and microfinance programs, by or through contracts, grants, subgrants and other arrangements: Provided further, That not less than \$30,175,000 shall be for programs to combat exploitative child labor internationally and not less than \$30,175,000 shall be used to implement model programs that address worker rights issues through technical assistance in countries with which the United States has free trade agreements or trade preference programs: Provided further, That the Secretary of Labor may waive the application of section 505 of this Act to awards made from funds available to the Bureau of International Labor Affairs if the Secretary determines that the waiver is necessary to protect human health, safety or welfare: Provided further, That \$8,613,000 shall be used for program evaluation : Provided further, That funds available for program evaluation may be used to administer grants for the purpose of evaluation: Provided further, That grants made for the purpose of evaluation shall be awarded through fair and open competition: Provided further, That funds available for program evaluation may be transferred to any other appropriate account in the Department for such purpose: Provided further, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer: Provided further, That the funds available to the Women's Bureau may be used for grants to serve and promote the interests of women in the workforce: Provided further, That of the amounts made available to the Women's Bureau, not less than \$5,000,000 shall be used for grants authorized by the Women in Apprenticeship and Nontraditional Occupations Act.*

Note.--A full-year 2024 appropriation for this account was not enacted at the time the Budget was prepared; therefore, the Budget assumes this account is operating under the Continuing Appropriations Act, 2024 and Other Extensions Act (Division A of Public Law 118-15, as amended). The amounts included for 2024 reflect the annualized level provided by the continuing resolution.

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### **ANALYSIS OF APPROPRIATION LANGUAGE**

The Department requests two-year availability to increase flexibility for program execution. The annual uncertainty in the appropriations timing results in delayed hiring and rushed execution of contracts. The multi-year availability would reduce the impact of short-term continuing resolutions at no cost to the annual appropriations bill. This change would also enhance staff oversight of the programs they are administering.

## DEPARTMENTAL MANAGEMENT

<b>AMOUNTS AVAILABLE FOR OBLIGATION</b>						
(Dollars in Thousands)						
	<b>FY 2023 Enacted</b>		<b>FY 2024 Estimate</b>		<b>FY 2025 Request</b>	
	<b>FTE</b>	<b>Amount</b>	<b>FTE</b>	<b>Amount</b>	<b>FTE</b>	<b>Amount</b>
<b>A. Appropriation</b>	<b>1,106</b>	<b>\$391,889</b>	<b>1,104</b>	<b>\$391,889</b>	<b>1,149</b>	<b>\$465,293</b>
Reimbursements	77	\$34,594	81	\$36,117	81	\$36,117
Trust Funds - Black Lung	146	\$36,218	142	\$41,178	142	\$41,570
Trust Funds - Unemployment Trust Fund	2	\$308	2	\$308	2	\$308
Transfers for Program Evaluation	0	\$18,640	0	\$19,000	0	\$0
Unobligated Balance Carried Forward	108	\$140,895	54	\$96,757	23	\$0
<i>Subtotal</i>	<i>1,439</i>	<i>\$622,544</i>	<i>1,383</i>	<i>\$585,249</i>	<i>1,397</i>	<i>\$543,288</i>
<b>B. Gross Budget Authority</b>	<b>1,439</b>	<b>\$622,544</b>	<b>1,383</b>	<b>\$585,249</b>	<b>1,397</b>	<b>\$543,288</b>
Reimbursements	-77	-\$34,594	-81	-\$36,117	-81	-\$36,117
Transfers	0	-\$18,640	0	-\$19,000	0	\$0
Unobligated Balance Carried Forward	-108	-\$140,895	-54	-\$96,757	-23	\$0
<i>Subtotal</i>	<i>1,254</i>	<i>\$428,415</i>	<i>1,248</i>	<i>\$433,375</i>	<i>1,293</i>	<i>\$549,049</i>
<b>C. Budget Authority Before Committee</b>	<b>1,254</b>	<b>\$428,415</b>	<b>1,248</b>	<b>\$433,375</b>	<b>1,293</b>	<b>\$507,171</b>
Reimbursements	77	\$34,594	81	\$36,117	81	\$36,117
Unobligated Balance Carried Forward	108	\$140,895	54	\$96,757	23	\$0
<i>Subtotal</i>	<i>1,439</i>	<i>\$603,904</i>	<i>1,383</i>	<i>\$566,249</i>	<i>1,397</i>	<i>\$543,288</i>
<b>D. Total Budgetary Resources</b>	<b>1,439</b>	<b>\$603,904</b>	<b>1,383</b>	<b>\$566,249</b>	<b>1,397</b>	<b>\$543,288</b>
Unexpired Unobligated Balance Carried Forward	-2	-\$96,757	0	\$0	0	\$0
Direct FTE Lapse and Unobligated Balance Expiring	-69	-\$409	0	\$0	0	\$0
Reimbursable FTE Lapse and Unobligated Balance Expiring	-6	-\$4,508	0	\$0	0	\$0
<i>Subtotal</i>	<i>1,362</i>	<i>-\$152,345</i>	<i>0</i>	<i>\$0</i>	<i>0</i>	<i>\$0</i>
<b>E. Total, Estimated Obligations</b>	<b>1,362</b>	<b>\$502,230</b>	<b>1,383</b>	<b>\$566,249</b>	<b>1,397</b>	<b>\$543,288</b>

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## SUMMARY OF CHANGES

(Dollars in Thousands)

	FY 2024 Estimate	FY 2025 Request	Net Change
<b>Budget Authority</b>			
General Funds	\$391,889	\$465,293	+\$73,404
Trust Funds	\$41,486	\$41,878	+\$392
<b>Total</b>	\$433,375	\$507,171	+\$73,796

<b>Full Time Equivalents</b>			
General Funds	1,104	1,149	45
Trust Funds	144	144	0
<b>Total</b>	1,248	1,293	45

Explanation of Change	FY 2025 Change							
	FY 2024 Base		Trust Funds		General Funds		Total	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
<b>Increases:</b>								
<b>A. Built-Ins:</b>								
To Provide For:								
Costs of pay adjustments	1,248	\$184,580	0	\$392	0	\$15,529	0	\$15,921
Personnel benefits	0	\$63,586	0	\$0	0	\$0	0	\$0
One day less of Pay	0	\$0	0	\$0	0	\$0	0	\$0
Federal Employees' Compensation Act (FECA)	0	\$1,930	0	\$0	0	\$65	0	\$65
Benefits for former personnel	0	\$15	0	\$0	0	\$0	0	\$0
Travel and transportation of persons	0	\$3,539	0	\$0	0	\$0	0	\$0
Transportation of things	0	\$36	0	\$0	0	\$0	0	\$0
Rental payments to GSA	0	\$17,728	0	\$0	0	\$0	0	\$0
Rental payments to others	0	\$11	0	\$0	0	\$0	0	\$0
Communications, utilities, and miscellaneous charges	0	\$328	0	\$0	0	\$0	0	\$0
Printing and reproduction	0	\$55	0	\$0	0	\$0	0	\$0
Advisory and assistance services	0	\$11,293	0	\$0	0	\$0	0	\$0
Other services from non-Federal sources	0	\$10,329	0	\$0	0	\$0	0	\$0
Working Capital Fund	0	\$41,887	0	\$0	0	\$1,340	0	\$1,340
Other Federal sources (Census Bureau)	0	\$0	0	\$0	0	\$0	0	\$0
Other Federal sources (DHS Charges)	0	\$2,843	0	\$0	0	\$0	0	\$0
Other goods and services from Federal sources	0	\$4,267	0	\$0	0	\$40	0	\$40
Research & Development Contracts	0	\$0	0	\$0	0	\$0	0	\$0
Operation and maintenance of facilities	0	\$624	0	\$0	0	\$0	0	\$0



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Explanation of Change	FY 2025 Change							
	FY 2024 Base		Trust Funds		General Funds		Total	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Operation and maintenance of equipment	0	\$783	0	\$0	0	\$0	0	\$0
Supplies and materials	0	\$1,518	0	\$0	0	\$0	0	\$0
Equipment	0	\$297	0	\$0	0	\$0	0	\$0
Grants, subsidies, and contributions	0	\$87,725	0	\$0	0	\$0	0	\$0
Insurance claims and indemnities	0	\$1	0	\$0	0	\$0	0	\$0
<b>Built-Ins Subtotal</b>	<b>1,248</b>	<b>+\$433,375</b>	<b>0</b>	<b>+\$392</b>	<b>0</b>	<b>+\$16,974</b>	<b>0</b>	<b>+\$17,366</b>
<b>B. Programs:</b>								
USMCA Technical Assistance	0	\$0	0	\$0	0	\$45,000	0	\$45,000
SOL FY 2025 Legal Services to Combat Exploitative Child Labor	491	\$130,754	0	\$0	19	\$3,800	19	\$3,800
SOL FY 2025 Legal Services to Address Enforcement Workload	523	\$139,342	0	\$0	15	\$3,000	15	\$3,000
Paid Leave State Grants	0	\$0	0	\$0	0	\$2,500	0	\$2,500
Good Jobs Initiative	0	\$0	0	\$0	5	\$2,000	5	\$2,000
CRC - External Enforcement Increase	28	\$7,586	0	\$0	6	\$1,400	6	\$1,400
Government-Wide Transformation Services	0	\$0	0	\$0	0	\$1,000	0	\$1,000
U.S. Digital Service Program Support	0	\$0	0	\$0	0	\$351	0	\$351
<b>Programs Subtotal</b>			<b>0</b>	<b>\$0</b>	<b>45</b>	<b>+\$59,051</b>	<b>45</b>	<b>+\$59,051</b>
<b>Total Increase</b>	<b>1,248</b>	<b>+\$433,375</b>	<b>0</b>	<b>+\$392</b>	<b>45</b>	<b>+\$76,025</b>	<b>45</b>	<b>+\$76,417</b>
<b>Decreases:</b>								
<b>A. Built-Ins:</b>								
To Provide For:								
Costs of pay adjustments	0	\$0	0	\$0	0	-\$2,621	0	-\$2,621
<b>Built-Ins Subtotal</b>	<b>0</b>	<b>\$0</b>	<b>0</b>	<b>\$0</b>	<b>0</b>	<b>-\$2,621</b>	<b>0</b>	<b>-\$2,621</b>
<b>B. Programs:</b>								
<b>Total Decrease</b>	<b>0</b>	<b>\$0</b>	<b>0</b>	<b>\$0</b>	<b>0</b>	<b>-\$2,621</b>	<b>0</b>	<b>-\$2,621</b>
<b>Total Change</b>	<b>1,248</b>	<b>+\$433,375</b>	<b>0</b>	<b>+\$392</b>	<b>45</b>	<b>+\$73,404</b>	<b>45</b>	<b>+\$73,796</b>

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<b>SUMMARY BUDGET AUTHORITY AND FTE BY ACTIVITY</b>								
(Dollars in Thousands)								
	FY 2023 Enacted		FY 2024 Estimate		FY 2025 Request		Diff. FY25 Request/ FY24 Estimate	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
<b>Program Direction and Support</b>	<b>112</b>	<b>32,658</b>	<b>110</b>	<b>32,658</b>	<b>115</b>	<b>35,876</b>	<b>5</b>	<b>3,218</b>
General Funds	112	32,658	110	32,658	115	35,876	5	3,218
<b>Legal Services</b>	<b>525</b>	<b>139,088</b>	<b>517</b>	<b>139,842</b>	<b>551</b>	<b>154,417</b>	<b>34</b>	<b>14,575</b>
General Funds	497	130,754	484	130,754	518	145,245	34	14,491
Unemployment Trust Funds	0	308	2	308	2	308	0	0
Black Lung Disability Trust Funds	28	8,026	31	8,780	31	8,864	0	84
<b>International Labor Services</b>	<b>133</b>	<b>116,125</b>	<b>140</b>	<b>116,125</b>	<b>140</b>	<b>162,395</b>	<b>0</b>	<b>46,270</b>
General Funds	133	116,125	140	116,125	140	162,395	0	46,270
<b>Administration and Management</b>	<b>97</b>	<b>30,804</b>	<b>100</b>	<b>30,804</b>	<b>100</b>	<b>31,991</b>	<b>0</b>	<b>1,187</b>
General Funds	97	30,804	100	30,804	100	31,991	0	1,187
<b>Adjudication</b>	<b>242</b>	<b>65,192</b>	<b>252</b>	<b>69,398</b>	<b>252</b>	<b>71,111</b>	<b>0</b>	<b>1,713</b>
General Funds	136	37,000	141	37,000	141	38,405	0	1,405
Black Lung Disability Trust Funds	106	28,192	111	32,398	111	32,706	0	308
<b>Women's Bureau</b>	<b>47</b>	<b>23,000</b>	<b>65</b>	<b>23,000</b>	<b>65</b>	<b>26,282</b>	<b>0</b>	<b>3,282</b>
General Funds	47	23,000	65	23,000	65	26,282	0	3,282
<b>Civil Rights</b>	<b>25</b>	<b>7,586</b>	<b>29</b>	<b>7,586</b>	<b>35</b>	<b>9,252</b>	<b>6</b>	<b>1,666</b>
General Funds	25	7,586	29	7,586	35	9,252	6	1,666

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<b>SUMMARY BUDGET AUTHORITY AND FTE BY ACTIVITY</b>								
(Dollars in Thousands)								
	FY 2023 Enacted		FY 2024 Estimate		FY 2025 Request		Diff. FY25 Request/ FY24 Estimate	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
<b>Chief Financial Officer</b>	<b>18</b>	<b>5,681</b>	<b>18</b>	<b>5,681</b>	<b>18</b>	<b>5,883</b>	<b>0</b>	<b>202</b>
General Funds	18	5,681	18	5,681	18	5,883	0	202
<b>Departmental Program Evaluation</b>	<b>12</b>	<b>8,281</b>	<b>17</b>	<b>8,281</b>	<b>17</b>	<b>8,613</b>	<b>0</b>	<b>332</b>
General Funds	12	8,281	17	8,281	17	8,613	0	332
<b>Government-Wide Transformation Services</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1,351</b>	<b>0</b>	<b>1,351</b>
General Funds	0	0	0	0	0	1,351	0	1,351
<b>Total</b>	<b>1,211</b>	<b>428,415</b>	<b>1,248</b>	<b>433,375</b>	<b>1,293</b>	<b>507,171</b>	<b>45</b>	<b>73,796</b>
<b>General Funds</b>	<b>1,077</b>	<b>391,889</b>	<b>1,104</b>	<b>391,889</b>	<b>1,149</b>	<b>465,293</b>	<b>45</b>	<b>73,404</b>
<b>Unemployment Trust Funds</b>	<b>0</b>	<b>308</b>	<b>2</b>	<b>308</b>	<b>2</b>	<b>308</b>	<b>0</b>	<b>0</b>
<b>Black Lung Disability Trust Funds</b>	<b>134</b>	<b>36,218</b>	<b>142</b>	<b>41,178</b>	<b>142</b>	<b>41,570</b>	<b>0</b>	<b>392</b>

NOTE: FY 2023 reflects actual FTE.

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<b>BUDGET AUTHORITY BY OBJECT CLASS</b>					
(Dollars in Thousands)					
		<b>FY 2023 Enacted</b>	<b>FY 2024 Estimate</b>	<b>FY 2025 Request</b>	<b>Diff. FY25 Request / FY24 Estimate</b>
	Full-Time Equivalent				
	Full-time Permanent	1,254	1,282	1,448	166
	Reimbursable	77	76	64	-12
	<b>Total</b>	<b>1,331</b>	<b>1,358</b>	<b>1,512</b>	<b>154</b>
	Average ES Salary	\$190,994	\$200,925	\$204,943	\$4,018
	Average GM/GS Grade	13/8	14/3	14/6	0
	Average GM/GS Salary	\$139,388	\$140,648	\$154,173	\$13,525
	Average Salary of Wage Grade Positions	0	0	0	0
11.1	Full-time permanent	175,593	179,759	198,635	18,876
11.3	Other than full-time permanent	2,405	2,307	2,307	0
11.5	Other personnel compensation	2,439	2,514	2,514	0
11.8	Special personal services payments	0	0	0	0
11.9	<b>Total personnel compensation</b>	<b>180,437</b>	<b>184,580</b>	<b>203,456</b>	<b>18,876</b>
12.1	Civilian personnel benefits	63,865	65,516	67,455	1,939
13.0	Benefits for former personnel	15	15	15	0
21.0	Travel and transportation of persons	3,526	3,539	3,749	210
22.0	Transportation of things	36	36	36	0
23.0	Rent, Communications, and Utilities	0	0	0	0
23.1	Rental payments to GSA	17,829	17,728	18,089	361
23.2	Rental payments to others	11	11	11	0
23.3	Communications, utilities, and miscellaneous charges	325	328	330	2
24.0	Printing and reproduction	60	55	55	0
25.1	Advisory and assistance services	13,244	11,293	12,356	1,063
25.2	Other services from non-Federal sources	8,178	10,329	10,452	123
25.3	Other goods and services from Federal sources 1/	48,952	48,997	52,689	3,692
25.4	Operation and maintenance of facilities	36	624	626	2
25.5	Research and development contracts	0	0	0	0
25.7	Operation and maintenance of equipment	225	783	788	5
26.0	Supplies and materials	1,650	1,518	1,539	21
31.0	Equipment	300	297	299	2
41.0	Grants, subsidies, and contributions	89,725	87,725	135,225	47,500
42.0	Insurance claims and indemnities	1	1	1	0
51.1	Benefits	0	0	0	0
	<b>Total</b>	<b>428,415</b>	<b>433,375</b>	<b>507,171</b>	<b>73,796</b>
	1/Other goods and services from Federal sources				
	Working Capital Fund	41,213	41,887	44,188	2,301
	DHS Services	2,843	2,843	2,843	0
	Services by DOL Agencies	592	526	526	0
	Services by Other Government Departments	2,554	2,199	3,239	1,040
	GSA Services	179	179	530	351
	HHS Services	10	10	10	0

## DEPARTMENTAL MANAGEMENT

### SIGNIFICANT ITEMS IN FY 2023 APPROPRIATIONS' REPORTS

**Senate Report, pg. 31, Preventing Exploitative Child Labor.**— The Committee recognizes the efforts of the Department to increase collaboration to robustly enforce Federal child labor laws. The Committee directs the agency to continue to review and evaluate current enforcement efforts, rescind harmful regulations and sub-regulatory guidance that impede coordination, and ensure all parts of the Department are using the tools and policies at their disposal to combat this crisis. This includes robust coordinated outreach and education to rebuild trust in government enforcement, and bolstering data collection. The Committee requests the Department to describe in the fiscal year 2025 CJ steps taken and planned to fulfill this directive.

#### **Response**

The Office of the Solicitor of Labor (SOL) works closely with the Wage Hour Division (WHD) to enforce federal child labor laws and uses every resource to root out exploitative child labor. In FY 2023, SOL saw a surge in the demand for legal services and technical assistance to enforce the Fair Labor Standards Act's (FLSA) prohibition on unlawful child labor. SOL repeatedly sought emergency relief in child labor cases to protect vulnerable children and halt child labor exploitation. For example, in FY 2023, SOL settled a child labor case against Packers Sanitation Services, Inc. (PSSI), where more than 100 children aged 13-17 worked overnight shifts in large meat processing facilities, working with hazardous chemicals and cleaning machinery. After obtaining a temporary restraining order and preliminary injunction, SOL negotiated a consent order and judgment that included \$1.5 million in civil monetary penalties, a permanent injunction, and long-term policy changes at PSSI. Similarly, in the SL Alabama case, involving child labor violations at an automotive supplier, SOL attorneys obtained a consent judgment and order prior to trial that included more than \$30,000 in civil monetary penalties and strengthened work rules to ensure child labor compliance.

Child labor investigations are highly resource-intensive, in part because of the complex corporate structures and fissured workplaces endemic in industries employing children. Child labor investigations require early involvement by SOL in major investigations, which is time-intensive but critical to their ultimate success. In addition, SOL must be equipped to intervene or otherwise support a WHD child labor investigation quickly (and almost immediately in many cases). SOL, for example, may need to quickly gather evidence, comprehend the nature of violations, and navigate complex corporate landscapes to ensure that DOL can hold all responsible entities and individuals accountable. An SOL funding shortfall would compromise the Department's ability to meet this all-important priority of the Administration.

In addition, outside of litigation, SOL supports efforts to combat exploitative child labor in a host of other ways. For example, SOL expended significant resources on: researching and drafting letters to states in response to weakening child labor laws (SOL continues to monitor those states for potential further action); researching, drafting, and providing counsel to WHD on a new "hot goods" Field Assistance Bulletin designed to bolster tools to combat child labor; researching, drafting and participating in multiple working groups on revamping child labor civil monetary penalties; researching, drafting, and providing guidance on potential remedies aimed at changing behavior in supply chains; and developing training and guidance to WHD on how to ethically

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refer children to appropriate social services as well as how to collect appropriate information in child labor investigations.

The FY 2025 Budget seeks a programmatic increase of \$3,800,000 and 19 FTE to provide for an increase in SOL legal support to continue our efforts in combatting exploitative child labor. These increased resources would allow SOL to continue to provide legal advice, investigative support, and litigation to combat exploitative child labor and assist WHD in its efforts in this highest of priorities. A stronger SOL would allow for legal actions that hold companies accountable and send an undisputed message to employers nationwide that the Department of Labor will not tolerate the exploitation of children, and companies should assess their hiring practices to ensure compliance.

The Administration has also requested \$50,000,000 in supplemental FY 2024 funding for SOL to support robust child labor investigations and enforcement.

**Senate Report, pg. 31, Bureau of International Labor Affairs.**— The Department shall report on plans for and uses of all funds available to DOL in the United States-Mexico-Canada Agreement Implementation Act (Public Law 116–113) in the fiscal year 2025 and subsequent year CJs. Such plans and updates shall also include information on how funds are being used for monitoring, oversight, and technical assistance in support of the purposes of such act, including Mexico’s implementation of nationwide labor reforms and compliance with labor obligations.

### Response

#### **USMCA Technical Assistance Funds (\$180 million available until 12/31/2023)** (Dollars in thousands)

Description	Recipient	Amount	Type
Strengthening Government Labor Law Enforcement	American Institutes for Research	\$20,750	Cooperative Agreement
Strengthening Mexican Inspectorate for Labor Enforcement	American Institutes for Research	\$15,000	Cooperative Agreement
Strengthening Conciliation to Enhance Resolution of Labor Disputes in Mexico	American Institutes for Research	\$10,800	Cooperative Agreement
Strengthening Government Labor Law Enforcement	American Institutes for Research	\$4,701	Cooperative Agreement
Improving Working Conditions in the Mexican Automotive Supply Chain	American Institutes for Research	\$1,250	Cooperative Agreement
Evaluation of Technical Assistance in the Mexican Automotive Sector	DevTech Systems Inc.	\$594	Contract
Evaluation of two projects based in Mexico	DevTech Systems Inc.	\$359	Contract
Administrative Support Costs - Grants Management	Employment Training Administration	\$1,109	Interagency Agreement
Towards Effective Courts and Coordinated Labor Justice	Ergo Group Inc.	\$10,945	Cooperative Agreement

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Description	Recipient	Amount	Type
Activities to Support Labor Dispute Resolution in Mexico	Federal Mediation Conciliation Services	\$1,000	Interagency Agreement
Building a Comprehensive Government Approach to Combating Child Labor and Forced Labor in Mexico	International Labor Organization	\$13,000	Cooperative Agreement
Improving Workers' Occupational Safety and Health in Selected Supply Chains in Mexico – A Vision Zero Fund Project	International Labor Organization	\$6,150	Cooperative Agreement
Observation and Engagement for Rights Verification and Realization Initiative (OBSERVAR) in Mexico	International Labor Organization	\$5,000	Cooperative Agreement
Strengthening Civil Society to Protect and Advocate for Migrant Workers	International Labor Organization	\$2,995	Cooperative Agreement
Engaging Mexico's Auto Sector Employers in Labor Law Reform Implementation	Pan American Development Foundation	\$7,250	Cooperative Agreement
Project to Address Child Labor Forced Labor and Other Labor Violations in Domestic Work in Mexico	Pan American Development Foundation	\$5,000	Cooperative Agreement
Improving Gender Equity in the Mexican Workplace	Partners of the Americas	\$10,000	Cooperative Agreement
Mexico Awareness Raising Project	Partners of the Americas	\$10,000	Cooperative Agreement
Increased Compliance with Mexican Labor Law and International Labor Standards by the Tomato and Chile Pepper Sectors in Mexico	Social Accountability International	\$5,000	Cooperative Agreement
Building an Independent and Democratic Labor Movement to Protect Worker Rights in Mexico	Solidarity Center	\$20,750	Cooperative Agreement
Strengthening Workers' Ability to Exercise their Labor Rights in Mexico	Solidarity Center	\$10,000	Cooperative Agreement
Migrant Worker Videos	TRF Productions	\$23	Contract
The Protection of Workers between Companies, Governments, Municipal Entities and Civil Society Organizations (PROTEGEMOS) Project	Verite	\$4,455	Cooperative Agreement
The Senderos Project (Sembrando Derechos, Cosechando Mejores Futuros) - Sowing Rights, Harvesting Better Futures	Verite	\$2,000	Cooperative Agreement
Labor Value Content Certification and Verification, Including System Development	Wage and Hour Division / DOL	\$3,200	Interagency Agreement
Reduce Child Labor, Forced Labor, and other Forms of Labor Exploitation of Workers in the Chile Pepper and Tomato Sectors in Mexico	World Vision	\$7,000	Cooperative Agreement

## DEPARTMENTAL MANAGEMENT

Description	Recipient	Amount	Type
Equal Access to Quality Jobs for Women and Girls in Agriculture (EQUAL) in Mexico	World Vision	\$1,250	Cooperative Agreement
Campos de Esperanza (Fields of Hope) Project	World Vision	\$419	Cooperative Agreement
Total =		\$179,999	

<b>USMCA Salaries &amp; Expenses Funds (\$30 million available until 9/30/2027)</b>									
(Dollars in Thousands)									
		FY 2020	FY 2021	FY 2022	FY 2023	FY 2024 (est.)	FY 2025 (est.)	FY 2026 (est.)	FY 2027 (est.)
11.0	Personnel compensation	\$100	\$1,533	\$2,689	\$3,328	\$3,173	\$2,840	\$2,840	\$2,840
12.0	Personnel benefits	\$33	\$562	\$1,032	\$1,178	\$1,047	\$994	\$994	\$994
21.0	Travel	\$0	\$10	\$92	\$141	\$134	\$0	\$0	\$0
25.2	Services from non-federal sources	\$0	\$6	\$113	\$19	\$20	\$0	\$0	\$0
25.3	Services from federal sources	\$450	\$994	\$1,270	\$556	\$11	\$0	\$0	\$0
26.0	Supplies and materials	\$0	\$0	\$3	\$2	\$2	\$0	\$0	\$0
	<b>Total</b>	<b>\$583</b>	<b>\$3,105</b>	<b>\$5,199</b>	<b>\$5,224</b>	<b>\$4,387</b>	<b>\$3,834</b>	<b>\$3,834</b>	<b>\$3,834</b>

**Senate Report, pg. 31, Foundation for Evidence-Based Policymaking Act.**—The Committee continues to believe that the execution of the Foundations for Evidence-Based Policymaking Act will enhance the evidence building capacity of Federal agencies, strengthen privacy protections, improve secure access to data, and provide more and higher quality evidence to policymakers. Therefore, the Committee directs the Department to continue to include in the fiscal year 2025 and future CJs updates on the implementation and planned implementation of such act for the current and future budget years.

### **Response**

The Department will continue to include updates on the implementation and planned implementation of the Foundations for Evidence-Based Policymaking Act in current and future CJ updates. For example, in FY 2024, the Department will undertake steps to further align the learning agenda and Evaluation Plan timelines with the budget and performance planning activities in DOL. This approach will allow the Department to more fully leverage this DOL-wide process to engage agencies around how evidence can inform strategies, programs, and priorities.



# DEPARTMENTAL MANAGEMENT

## AUTHORIZING STATUTES

Public Law / Act	Legislation	Statute No. / US Code	Volume No.	Page No.
Pub. L. 101-179	Bureau of International Labor Affairs (ILAB) Support for East European Democracy (SEED) Act of 1989	22 U.S.C. 5401 et seq.		
Pub. L. 102-511	(ILAB) FREEDOM Support Act  (ILAB) Trafficking Victims Protection Reauthorization Act (ILAB) Generalized System of Preferences (ILAB) African Growth and Opportunity Act (ILAB) Participating in the negotiation of and providing information and advice on proposed trade agreements	22 U.S.C.A. 5801 et seq.  22 USC 7112(b)(2)(C),  19 USC 2461 et seq.  19 U.S.C. 3701 et seq  19 USC 2152, Executive Order 12188		
Pub. L. 103-82	(ILAB) Canada-Mexico-United States: North America Agreement on Labor Cooperation (NAALC) (ILAB) Consulting and reporting on labor laws of a country seeking a trade agreement and assessing the effect of a proposed agreement on US employment.	19 USC 3802(c)		
Pub. L. 106-200	(ILAB) Trade and Development Act of 2000	19 U.S.C. 2464		
Pub. L. 106-554	(ILAB) DOL appropriation provided for funding to be used for ...Departmental bilateral and multilateral foreign technical assistance...	Stat. 2763		
Pub. L.115-245, division B, title I	(ILAB) Providing and administering international technical assistance.			

## DEPARTMENTAL MANAGEMENT

Public Law / Act	Legislation	Statute No. / US Code	Volume No.	Page No.	Expiration Date
Pub. L. 66-259	Women's Bureau Act to establish the Women's Bureau Uniformed Services Employment and Reemployment Rights Acts of 1994. Protects members of the uniformed services from discrimination in hiring and re-employment after service in the military.	29 U.S.C. 11-14			
Pub. L. 103-353	Office of the 21 <sup>st</sup> Century Workforce OALJ – Black Lung Appeals Program Title IV, Federal Mine Safety & Health Act of 1977, as amended. OALJ – Longshore Appeals Program Longshore & Harbor Workers Act OALJ – Traditional Program & Board of Alien Labor Certification Appeals  Benefits Review Board – Black Lung Appeals Program & Longshore Appeals Program Benefits Review Board – Black Lung Appeals Program & Longshore Appeals Program Employees' Compensation Appeals Board. Review appeals of claims under Federal Employees' Compensation Act	38 U.S.C. 4301-4333  E.O. 13218  33 U.S.C. Section 901 et seq.  33 U.S.C. Section 901 et seq.  Over 80 labor-related statutes & regulations. See OALJ website <a href="http://www.oalj.dol.gov">www.oalj.dol.gov</a>  30 U.S.C. Section 901 et seq.  33 U.S.C. Section 901 et seq.  5 U.S.C. Section 8101 et seq.			
Pub. L. 99-570	Anti-Drug Act of 1986				

## DEPARTMENTAL MANAGEMENT

<b>APPROPRIATION HISTORY</b>					
(Dollars in Thousands)					
	<b>Budget Estimates to Congress</b>	<b>House Allowance</b>	<b>Senate Allowance</b>	<b>Appropriations</b>	<b>FTE</b>
2015					
Base Appropriation...1/	\$346,189			\$337,929	1,250
2016					
Base Appropriation...1/ 2/	\$375,985	\$284,229	\$258,727	\$334,373	1,239
2017					
Base Appropriation...1/ 2/	\$387,925			\$334,844	1,139
2018					
Base Appropriation...3/	\$259,858	\$247,911		\$343,969	1,128
2019					
Base Appropriation...4/	\$261,035			\$338,064	1,153
2020					
Base Appropriation...5/ 6/	\$266,866			\$348,918	1,079
2021					
Base Appropriation...6/	\$271,952			\$349,918	1,248
2022					
Base Appropriation...7/8/	\$439,970	\$457,219		\$374,251	1,203
2023					
Base Appropriation	\$530,511			\$392,197	1,534
2024					
Base Appropriation...9/	\$586,702		\$359,731		1,356
2025					
Base Appropriation	\$507,171				1,293

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

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

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

4/ A full-year 2018 appropriation for this account was not enacted at the time the FY 2019 budget was prepared.

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

6/ This bill was passed by the House. It was not taken up by the Senate Appropriations Subcommittee or full Appropriations Committee.

7/ FTE for FY 2020 and FY 2021 reflect the Shared Services Realignment.

8/ A full-year FY 2022 appropriation was not enacted at the time the FY 2023 budget was prepared.

9/ The full-year FY 2024 appropriation was not enacted at the time the budget was prepared.

# DEPARTMENTAL MANAGEMENT

## OVERVIEW

The Departmental Management (DM) Salaries and Expenses (S&E) appropriation provides policy, regulatory, legal, and administrative services to every agency within the Department. The DM S&E appropriation is composed of the following nine budget activities: Program Direction and Support; Legal Services; International Labor Affairs; Administration and Management; Adjudication; Women's Bureau; Civil Rights; Chief Financial Officer; and Departmental Program Evaluation. Three of the nine activities (Program Direction and Support; Administration and Management; and Adjudication) include a consolidation of several smaller operating programs.

The Department requests two-year availability to increase flexibility for program execution. The annual uncertainty in the appropriations timing results in delayed hiring and rushed execution of contracts. The multi-year availability would reduce the impact of short-term continuing resolutions at no cost to the annual appropriations bill. This change would also enhance staff oversight of the programs they are administering.

### **Program Direction and Support**

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

### **Office of the Solicitor**

The Office of the Solicitor (SOL), the second largest litigation department in the federal government, provides the Secretary of Labor and DOL client agencies with the legal services required to accomplish the Department's mission, including litigation, enforcement support, general advice and legal services, and rulemaking support. Unlike many general counsels' offices in the federal government, SOL has independent litigation authority under multiple federal statutes. Consequently, SOL litigates worker protection enforcement and other cases in federal courts and administrative tribunals throughout the nation. In addition, SOL provides legal opinions and advice to the Secretary and DOL agencies on myriad matters arising from the nearly 200 laws the Department enforces, (e.g., guidance materials, implementation plans, written interpretations, opinions, and legislation). SOL also provides legal advice to the Department's agencies and managers related to appropriations, procurement, data privacy, FOIA, ethics, administrative law, and internal employment law. Finally, SOL helps develop and defend the Department's regulations, resulting in sustainable and worker-protective regulatory frameworks.

In FY 2025, SOL will continue to use all the tools in our toolbox to vigorously enforce the nation's labor and employment laws, as well as provide legal services for client agencies with FY 2025 programmatic increases and initiatives that drive a need for legal services. SOL will also continue to support the Department in achieving this Administration's priorities through enforcement of laws that

## DEPARTMENTAL MANAGEMENT

ensure fair wages, workplace health and safety, secure retirement savings, and reliable employer healthcare and laws that prohibit discrimination and child and forced labor.

SOL plays a crucial role in the Department's important work to advance equity in all its programs. SOL attorneys provide guidance to, and play substantive roles in, the Department's equity working groups and agencies as they develop and implement equity proposals. SOL works with DOL agencies to understand current practices and gaps in information. It advises on the Department's authority to take steps to increase equity among its grantees and contractors as well as in their respective workforces, including through outreach and potential changes to the application, solicitation, and evaluation process. SOL provides guidance on the parameters of existing legal authority and on whether future legislative or Presidential action is necessary. Promoting equity is also a major consideration among SOL's enforcement priorities, with emphasis placed on protecting our most vulnerable workers. At the same time, SOL is focused on enhancing equity in its own ranks through hiring, training, and other efforts designed to recruit and retain diverse and qualified staff. In its goal to be a model workplace, SOL will continue to devote resources to develop and improve upon internal work products and policies that reflect our values of anti-discrimination, diversity, equity, accessibility, and inclusion.

In fiscal years 2021 through 2024, SOL received supplemental funding under the below appropriation:

No Surprises Act Transparency (NSAT): Section 118 of the No Surprises Act enacted in late December 2020 appropriated \$500,000,000 to DOL, the Department of Health and Human Services (HHS), and the Treasury Department (the "tri-agencies"), making these funds available through 2024, to carry out the provisions of Titles I and II of Division BB of the FY 2021 Consolidated Appropriations Act (P.L. 116-260). The Office of the Solicitor received \$2,200,000 in NSAT funds for the partial FY 2021 year; \$5,500,000 in FY 2022; \$7,500,000 in FY 2023; and \$7,800,000 in FY 2024. All of SOL's NSAT work, which began in FY 2021 and will continue long after the anticipated December 2024 funding expiration, involves provision of legal services related to the regulatory, implementation, and enforcement legal actions called for by NSAT. This work focuses on addressing surprise medical billing, the parity of mental health and substance abuse benefits provided by health plans, pursuant to amendments to the Mental Health Parity and Addiction Equity Act (MHPAEA), and group health plan service provider disclosures under ERISA Section 408(b)(2). These legal services include, for example, conducting research and providing legal advice on the NSAT, MHPAEA, and the 408(b)(2) provisions in ERISA to guide EBSA's implementation plans and enforcement efforts; assisting with the several tri-agency regulations on preventing surprise medical billing (including preparation of proposed and final rules and revisions to rules struck down in litigation); assisting with the preparation of proposed and final rules on MHPAEA, serving on or conferring with EBSA's Non-Quantitative Treatment Limitations (NQTL) Task Force and helping ensure that health plans and issuers comply in a timely manner with EBSA's requests for NQTL comparative analyses under the new MHPAEA provisions; participating in and advising EBSA on MHPAEA investigations, utilizing the enhanced authority in the NSAT, and pursuing litigation to support these investigations; advising on the establishment and operation of the State All Payer Claims Databases Advisory Committee; advising on data requirements and submission of health data by plans and issuers; advising EBSA on legal questions governing advisory committees; and assisting the Department of Justice in defending more than twelve challenges to the NSAT's requirement that the tri-agencies establish an independent dispute resolution process to arbitrate payment disputes concerning out-of-network medical services.

## DEPARTMENTAL MANAGEMENT

### *Replenish and Extend the No Surprises Act Implementation Fund*

The No Surprises Act and Title II Transparency provisions created crucial new consumer protections from surprise medical bills and entrusted the Departments of HHS, Labor, and the Treasury with many new or enhanced enforcement, oversight, data collection, and program operation requirements. To implement the law, the Departments scaled up expertise and resources for rulemaking, technical builds, enforcement, and staffing. As mentioned above in the No Surprises Act section, a one-time appropriation of \$500 million was provided to the Departments for implementation of the No Surprises Act and Title II Transparency provisions. While the appropriation expires at the end of CY 2024, most of the statutory requirements added by the No Surprises Act and Title II Transparency provisions are permanent and the Departments will have ongoing responsibilities such as enforcement of plan, issuer, and provider compliance; complaints collection and investigation; as well as auditing comparative analyses of non-quantitative treatment limits for mental health and substance-use disorder plan benefits, as noted above. This proposal provides \$500 million in additional mandatory funding for continued implementation of the No Surprises Act and Title II Transparency provisions, ensuring the Departments will have sufficient funding to enforce this law in the future.

Beginning in FY 2025, this funding would be available to HHS, DOL, and Treasury for continued implementation of the law until expended.

Without this additional funding, SOL will no longer be able to provide support to EBSA to assist in legal services related to the regulatory, implementation, and enforcement legal actions called for by NSAT. This supplemental funding currently supports 28 FTEs. Absent this renewed funding, coupled with the loss of other supplemental funds, SOL will undergo a reduction in staffing, resulting in fewer staff to meet its ongoing and increasing obligations as a whole.

### **Bureau of International Labor Affairs**

The Bureau of International Labor Affairs (ILAB) safeguards dignity at work, both at home and abroad. ILAB employs research, technical assistance, trade policy, and labor diplomacy to strengthen global labor standards and their implementation; enforce labor commitments among trading partners; combat discrimination and promote racial and gender equity; and combat international child labor, forced labor, and human trafficking. When other countries, or companies within them, do not uphold or respect internationally recognized workers' rights, fail to enforce their labor laws, limit workers' ability to freely organize and advocate for their rights, or export goods produced under exploitative labor conditions, they gain an unfair advantage that harms American workers and businesses. ILAB positions the United States as a leader on international labor rights by demonstrating the U.S. commitment to work with governments, international organizations, workers, unions, civil society organizations, and the private sector to achieve its mission.

Taken together, these activities support U.S. Government efforts to advance equity on all fronts, particularly in countries and supply chains where vulnerable and marginalized populations are most susceptible to labor abuse and exploitation. By redressing exploitative labor conditions and advancing equity in key countries, ILAB supports efforts to combat poverty and structural forms of discrimination and exclusion due to race, gender, sexual orientation, age, ability or other characteristics in underserved and marginalized communities.

# DEPARTMENTAL MANAGEMENT

## **Administration and Management**

The Office of the Assistant Secretary for Administration and Management (OASAM) provides the infrastructure and support that enables the Department of Labor to perform its mission. OASAM provides leadership and support for business operations and procurement; information technology; human resources and civil rights; security and emergency management; and budget and strategic planning.

OASAM provides crucial administrative support in ensuring the Department implements the President's priorities around equity. OASAM will focus on the following activities to support these priorities:

- Advance Diversity, Equity, Inclusion, and Accessibility at DOL
- Modernize legacy applications
- Advancing equity in DOL's contracting opportunities
- Maintain a safe and secure workplace

## **Adjudication**

The Adjudication activity includes the Office of Administrative Law Judges (OALJ), the Benefits Review Board (BRB), the Employees' Compensation Appeals Board (ECAB), and the Administrative Review Board (ARB). OALJ holds hearings and adjudicates approximately 6,000 cases each year. The Boards review and determine several thousand appeals each year, make legal interpretations, and establish legal precedents that set standards for certain DOL-administered statutes.

## **Women's Bureau**

The Women's Bureau (WB) is the only federal agency mandated with representing and promoting the interests of the more than 77 million women in the U.S. labor force today. Continuing a century-old legacy of advocating on behalf of working women, the WB will continue to effectively deliver research, evidence-based policy analysis, grant programming, and education and outreach that advance equity in employment and economic outcomes for working women, especially women of color and others who have been historically underserved, marginalized, and adversely affected by persistent poverty. Consistent with that mission, in 2025, the WB will focus in particular on:

- Decreasing occupational segregation and the resulting negative impact to wages and wealth-building by women and women of color by increasing capacity to implement place-based equity plans and frameworks. The WB will make a high-priority \$5 million investment in the Women in Apprenticeship and Nontraditional Occupations (WANTO) grant program, which seeks to increase women and people of color's access to and retention in good, middle-class jobs in construction, manufacturing, energy, transportation, and technology and other industries, particularly those that are the focus of historic investment from the Bipartisan Infrastructure Law, CHIPS and Science Act, and Inflation Reduction Act.
- Advancing an economic case for public investment in care infrastructure, such as paid leave and childcare, as a key lever for supporting women and low-paid workers in the laborforce by both reducing the impact that caregiving can have on wages and employment outcomes and increasing wages and benefits for the care workforce which is predominately female. In FY

## DEPARTMENTAL MANAGEMENT

2025, this will include an investment of approximately \$2.5 million to provide grants to states and localities to develop, expand or refine paid leave programs, earlier iterations of which have shown demonstrable results in helping policy makers expand access to paid leave for residents and workers.

- Advocating for increasing wages and labor standards for women and workers of color concentrated in the care sector.
- Publishing and disseminating the next round of data collection to update the seminal National Database of Childcare Prices, culminating in comprehensive post-pandemic price data for different types of childcare for every county in the nation, as well as the third iteration of the leave and job flexibilities module within the American Time Use Survey (ATUS).
- Deploying strategies to eliminate gender-based violence and harassment and discrimination in the world of work. In particular, the WB will continue to administer the Fostering Access, Rights and Equity (FARE) grant program, maintaining a dedicated emphasis on assisting marginalized and underserved women workers who have been impacted by gender-based violence and harassment (GBVH) in the world of work. The WB will also play a stewardship role in implementing the priorities articulated in the U.S. National Plan to End Gender-Based Violence and, for our part, to convene industry stakeholders, unions, survivors and experts in select states and regions to establish and amplify sector-specific good practices and guidance to prevent and respond to gender-based violence.

### **Civil Rights Center**

The Civil Rights Center's (CRC) mission is to enforce compliance with Federal civil rights laws that cover DOL employees (including former employees), applicants for DOL employment, and customers, participants, and beneficiaries in certain DOL conducted programs as well as programs and activities receiving or benefiting from DOL financial assistance (generally grantees, including WIOA recipients). While agencies within the Department will strive to promote equity for racial, gender, and other historically underserved populations, the CRC advances these goals and outcomes for the Department, the workforce system, and the American worker in more concrete ways -- through complaint investigations, formal resolutions, technical assistance and monitoring of compliance.

### **Office of the Chief Financial Officer**

The Office of Chief Financial Officer (OCFO) is responsible for the financial leadership of the Department of Labor. OCFO's mission is to foster effective stewardship of public funds; to safeguard fiscal integrity; and to deliver timely, accurate, and reliable financial information. OCFO will continue to promote equity for racial, gender, and other historically underserved populations.

### **Departmental Program Evaluation**

OASP's Chief Evaluation Office (CEO) is charged with coordinating and overseeing evaluations of the Department of Labor's programs and leads the implementation of the Department's evidence-building agenda. Through these activities, CEO ensures that the conduct of evaluation and research activities adhere to the Department's Evaluation Policy principles of rigor, relevance, transparency,



## DEPARTMENTAL MANAGEMENT

independence, and ethics; and that findings are available and accessible for policy and program decision-makers in a timely and user-friendly way.

A key aspect to CEO fulfilling its technical role for DOL is to ensure that its staff maintain their skills and have the capacity to effectively implement evaluations. To that end, dedicated resources to ensure skills training and travel to monitor evaluation activities requires extending uses of Departmental Program Evaluation resources to support these critical functions.

### **Research and Development Priorities for the FY 2025 Budget**

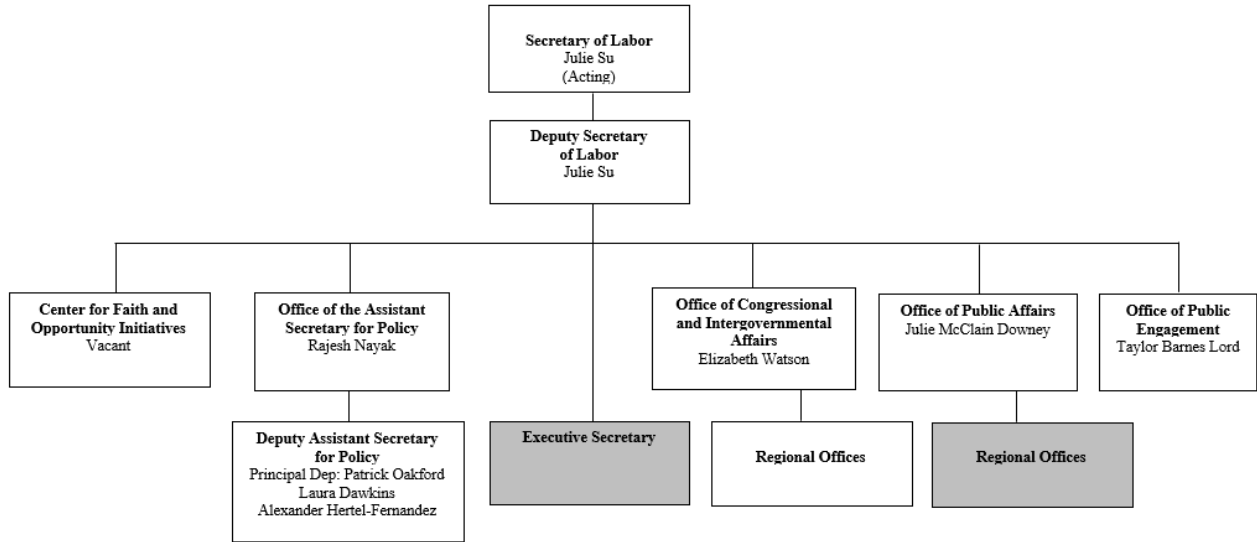
While production of evaluation deliverables are critical outputs, CEO seeks to demonstrate how agencies are applying evidence to drive priorities, improve programs, and achieve outcomes. To that end, CEO will prioritize building capacity in several key areas: 1) developing a more strategic approach to the learning agenda process; 2) increasing resources dedicated to building agency capacity to use evidence through a range of CEO-led activities; 3) increasing staff time available to conduct substantive, high-value analysis improving the design, rigor, and relevance of CEO products to agencies; 4) strengthening the contracts management infrastructure and operational support; and 5) building and publicizing a robust restricted use data program that can serve as a resource to DOL.



# DEPARTMENTAL MANAGEMENT

## ORGANIZATION CHARTS

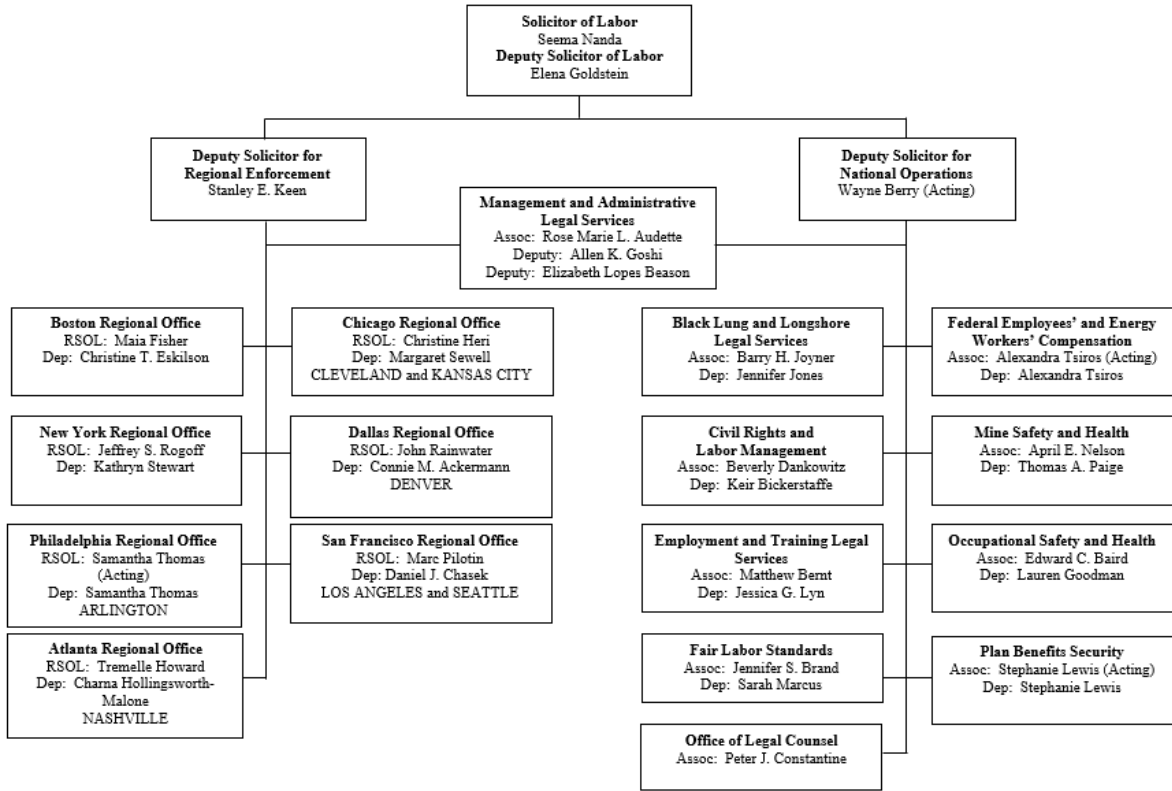
### PROGRAM DIRECTION AND SUPPORT



Shaded box indicates funding through the Working Capital Fund

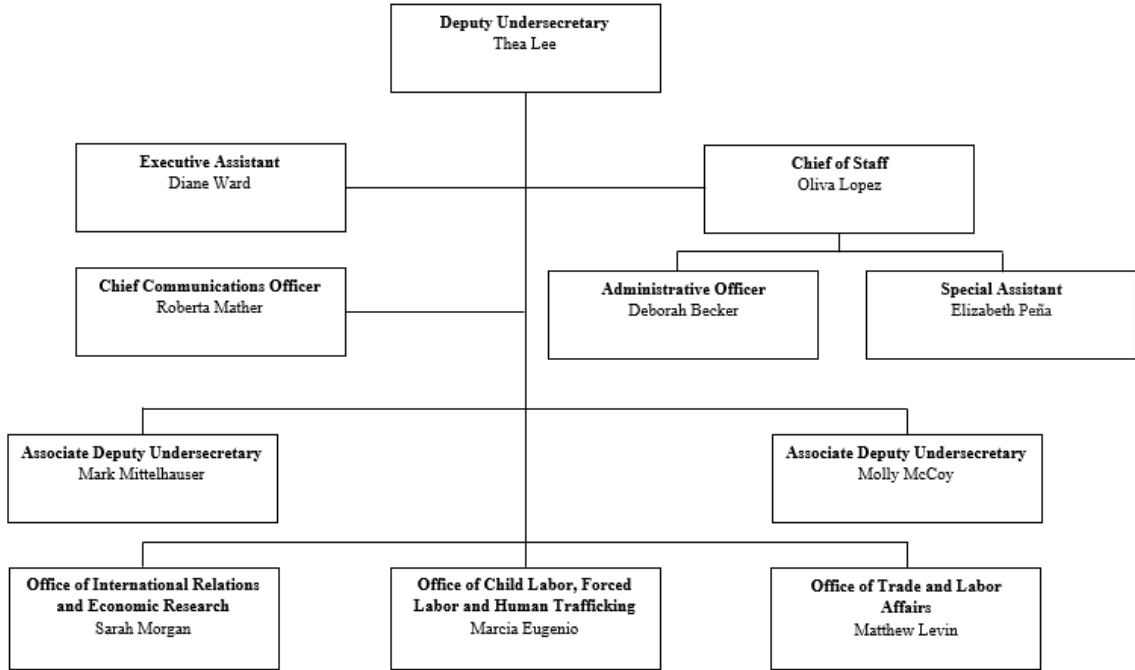
# DEPARTMENTAL MANAGEMENT

## OFFICE OF THE SOLICITOR OF LABOR



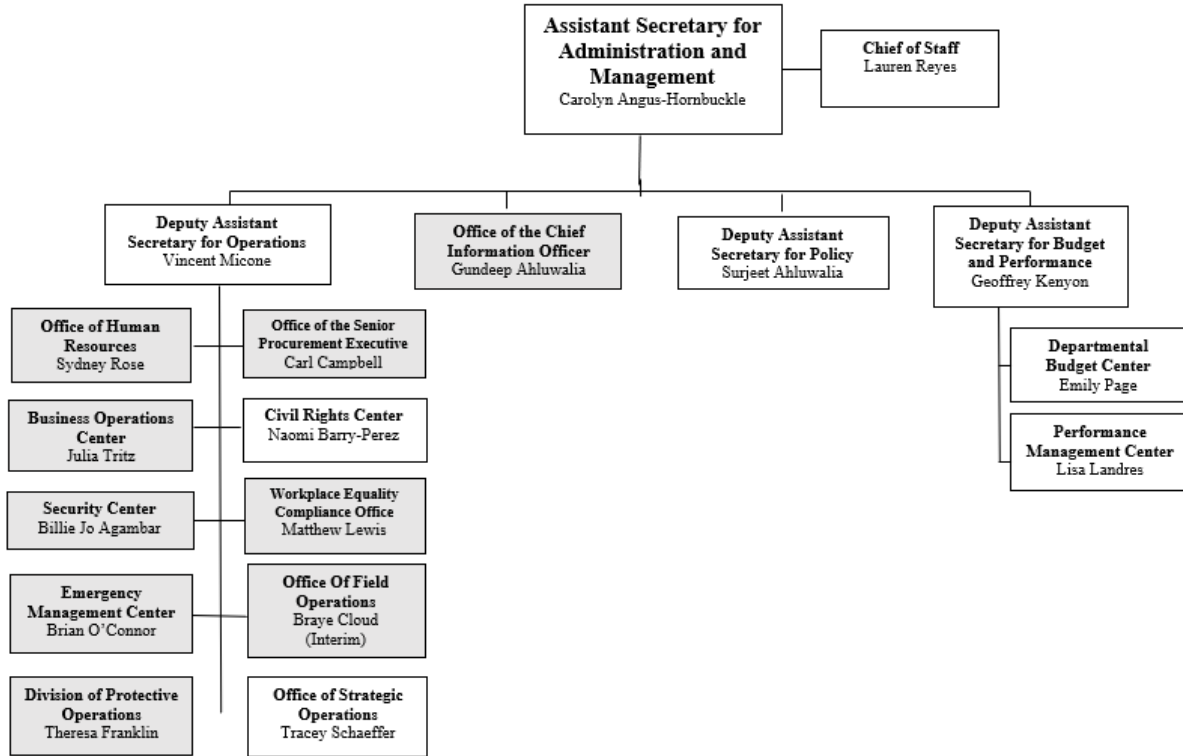
# DEPARTMENTAL MANAGEMENT

## INTERNATIONAL LABOR AFFAIRS BUREAU



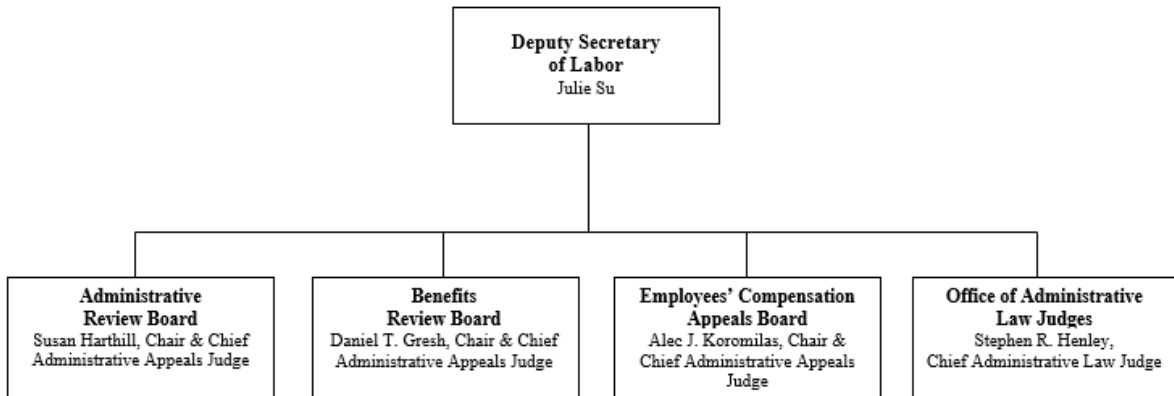
# DEPARTMENTAL MANAGEMENT

## OFFICE OF ASSISTANT SECRETARY FOR ADMINISTRATION AND MANAGEMENT



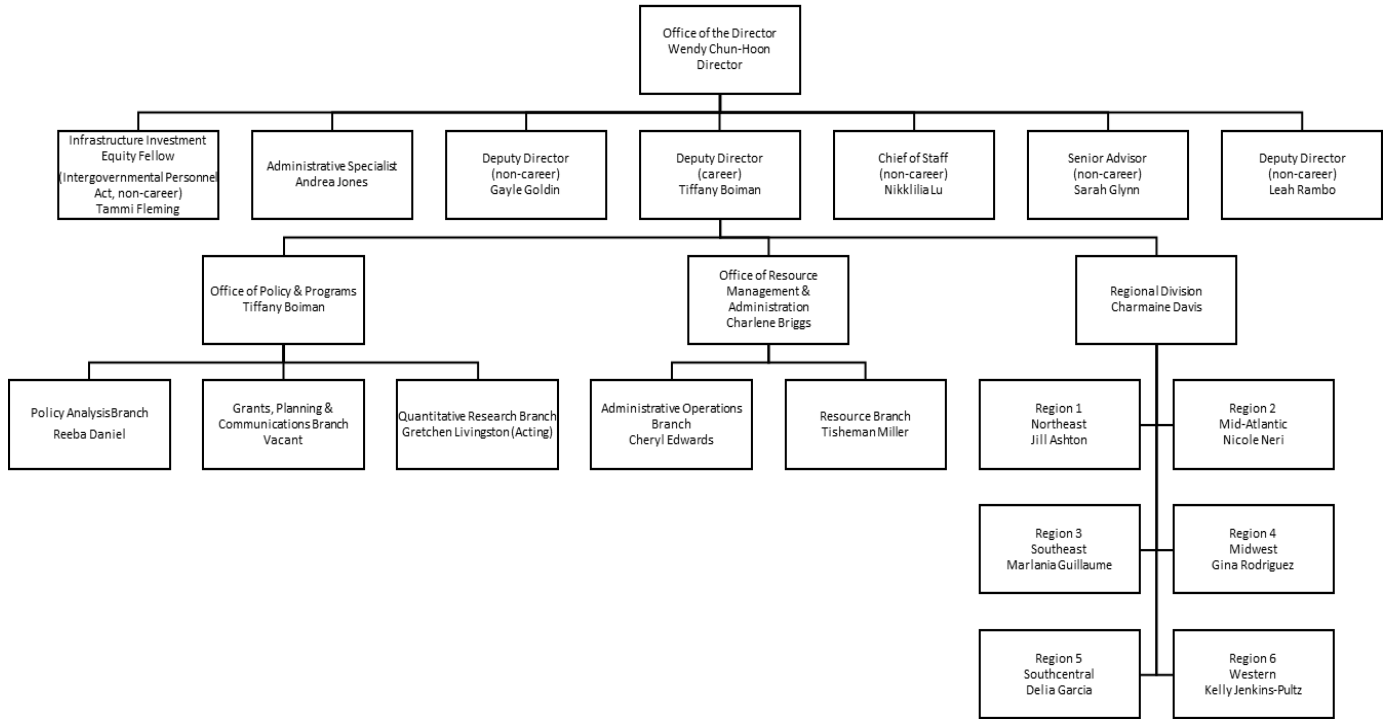
# DEPARTMENTAL MANAGEMENT

## ADJUDICATION



# DEPARTMENTAL MANAGEMENT

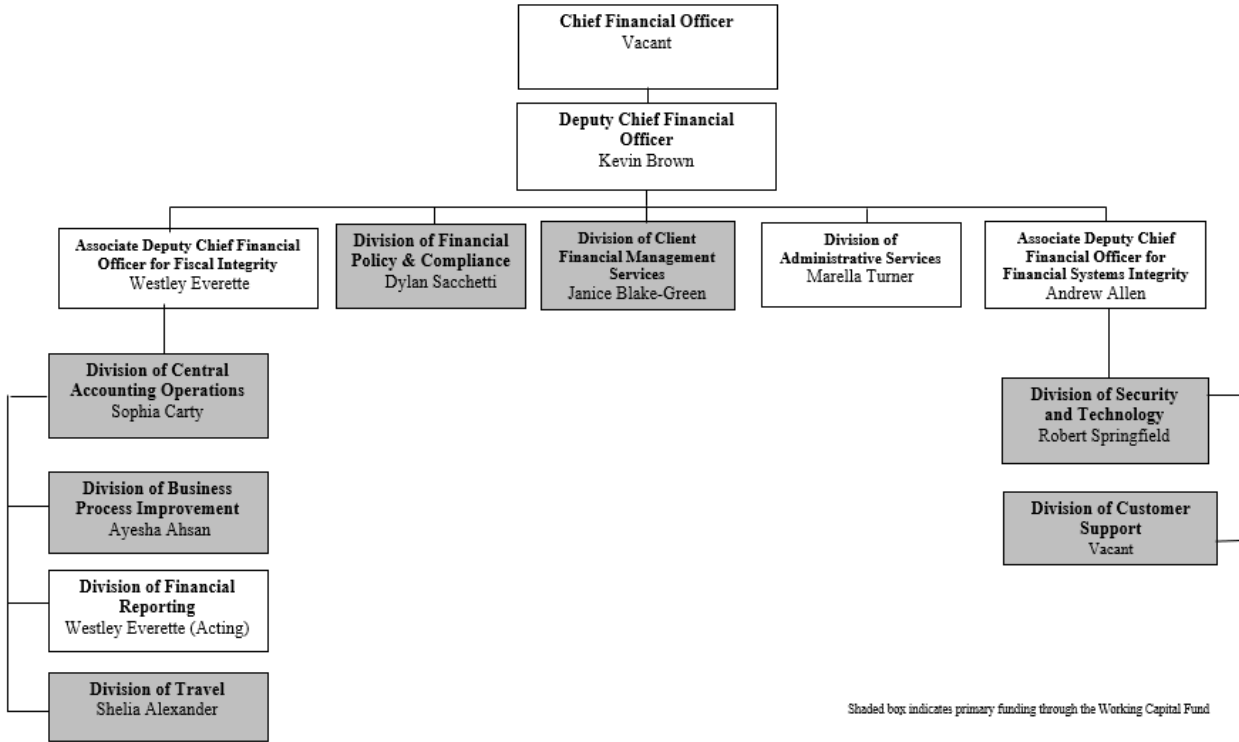
## WOMEN'S BUREAU





# DEPARTMENTAL MANAGEMENT

## OFFICE OF THE CHIEF FINANCIAL OFFICER





## PROGRAM DIRECTION AND SUPPORT

<b>BUDGET AUTHORITY BEFORE THE COMMITTEE</b>				
(Dollars in Thousands)				
	<b>FY 2023 Enacted</b>	<b>FY 2024 Estimate</b>	<b>FY 2025 Request</b>	<b>Diff. FY25 Request / FY24 Estimate</b>
<b>Activity Appropriation</b>	<b>32,658</b>	<b>32,658</b>	<b>35,876</b>	<b>3,218</b>
FTE	112	110	115	5

NOTE: FY 2023 reflects actual FTE. Authorized FTE for FY 2023 was 232.

### **Introduction**

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

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

*Office of Public Affairs:* The Office of Public Affairs (OPA) directs and coordinates the public affairs programs and activities of the U.S. Department of Labor. OPA is the chief adviser on public affairs to the Secretary, Deputy Secretary, agency heads, and departmental staff in developing communication strategies, public affairs, and media relations goals and objectives. With personnel compensation and benefits comprising over 98% of the OPA budget, additional FY 2025 funding for built-ins is necessary. Without the additional resources, the office would cease to backfill vacant key positions resulting in a decrease in public affairs support for DOL agencies as well as decreased media engagement to include timely responses to media inquiries.

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

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

*Office of the Assistant Secretary for Policy:* The Office of the Assistant Secretary for Policy (OASP) serves as a source of independent policy analysis and advice for the Secretary, Deputy Secretary, and the Department. The work of OASP staff may be divided into the following areas:

- **Regulatory Policy and Direction:** OASP serves as the Department’s Regulatory Policy Office and leads high priority regulatory initiatives through the Department and the Office of Management and Budget (OMB). This includes: (1) leading the policy development and drafting of regulations; (2) engaging agency economists in the development and defense of the economic analyses and equity assessment; and (3) managing the Department’s equities in the OMB/ Office of Information and Regulatory Affairs (OIRA) interagency economic and policy review process.

## PROGRAM DIRECTION AND SUPPORT

- **Policy and Data Analysis:** OASP undertakes broad analytical studies of issues, identifies gaps in policy and data, and initiates policy planning and formulation to fill these gaps.
- **Program Evaluation:** The Chief Evaluation Office (CEO) coordinates and oversees the Department's evaluations and evidence-building agenda and includes a data analytics component which carries out consultative statistical and data analytical projects. The CEO evaluation FTE are funded in the Departmental Program Evaluation activity, where evaluation performance is reported.
- **Data Governance:** The Chief Data Officer (CDO) manages the DOL Data Board, an interagency working group that promotes data capacity and establishes data governance models advancing the Department's management of data as a strategic asset. The move towards data-informed policymaking across the government has led to an increased need for a modern data infrastructure, strengthened data capacity, and proven models for developing, maintaining, and leveraging data in strategic planning and decision-making.
- **Compliance Initiatives:** OASP collaborates and partners across DOL agencies to develop best practices and materials to advance innovative compliance strategies to promote a greater understanding of federal labor laws and regulations through stakeholder outreach and by providing innovative assistance tools and data sharing.
- **Policy Coordination:** OASP engages agencies within the Department to coordinate and integrate policy initiatives with Secretarial and Administration objectives. OASP staff coordinates the Government Accountability Office (GAO) review process, leads cross-agency initiatives, supports the implementation of agency-led policy initiatives, and offers policy feedback on and coordinates agency input into Secretarial communications.
- **Liaison and Outreach:** OASP acts as a liaison with nongovernmental organizations, the academic community, think tanks, and others to exchange expert views on matters relevant to labor policy, and to ensure that broad public opinion informs the policy formulation process.
- **Improve Job Quality:** Through the Good Jobs Initiative, OASP provides training and technical assistance to agencies as they work to embed and promote good jobs principles in procurement, loans, and grants; engages employers on strategies and initiatives to improve job quality; and provides a centralized location of information and services on workers' rights under key workplace laws and on unions and collective bargaining for use by workers, unions, employers, researchers, other government agencies, and policymakers.

*Office of Public Engagement:* The Office of Public Engagement maintains a program of public information and communications to inform the public of the services and protection afforded by Departmental agencies.

# PROGRAM DIRECTION AND SUPPORT

## Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2020	\$30,250	96
2021	\$30,250	112
2022	\$31,158	112
2023	\$32,658	232
2024	\$0	220

NOTE: A full-year 2024 appropriation for this account was not enacted at the time the budget was prepared.

## FY 2025

The FY 2025 budget request for the PDS activity is \$35,876,000 and 115 FTE. The requested resources will support the operation, management, and oversight of activities and will provide for continued support of leadership on key DOL initiatives and mandates.

Building on the FY 2024 budget request for the Good Jobs Initiative (GJI), OASP is requesting an additional \$2,000,000 and 5 FTE. These staff will provide training and technical assistance to agencies as they work to embed and promote the Good Jobs Principles in procurement, loans, and grants; engage employers on strategies and initiatives to improve job quality and equity; and provide a centralized location of information and services on workers' rights under key workplace laws and on unions and collective bargaining for use by workers, unions, employers, researchers, other government agencies, and policymakers. The Department has entered into Memoranda of Understanding with six federal agencies to promote strong labor standards and ensure workers, especially those from underserved communities, are informed, empowered, and have a fair opportunity to join a union. In collaboration with these agency partners, the Initiative has integrated Good Jobs Principles into close to \$200 billion of grant funding.

The FY 2025 Budget also includes a legislative proposal to remove the prohibition on creating a national database of Workforce Innovation and Opportunity Act Title I participants. Federal regulations at 29 U.S. Code § 3341(b)(1) currently prohibit DOL from creating a national database composed of individuals who receive public workforce services. This limitation prevents DOL from securely using individual participant data as a strategic asset and has adversely affected DOL's ability to measure simple program outputs and outcomes, including services, impact, and coverage of its programs. A prime example of these adverse effects is that DOL cannot currently produce an unduplicated count of individuals served by these programs due to this lack of national data. Similarly, this Federal regulation prevents DOL from developing evidence on outcomes and assessing impacts from service delivery, which negatively impacts and limits DOL's ability to manage these programs for optimal outcomes, and to develop the very best employment and training supports for the workers who depend on our programs. This prohibition is the only barrier keeping DOL from leveraging these data as a strategic asset. These data are already collected at the local and state level when services are provided, the existing Federal-State reporting system already has specific features in place to receive these data from states, and the Federal government already operates appropriately secure storage and analytical environments to receive, anonymize, and analyze these data.

## **PROGRAM DIRECTION AND SUPPORT**

### **FY 2024**

Figures for FY 2024 are an estimate. Discretionary amounts shown for FY 2024 reflect an annualized Continuing Resolution (Division A of P.L. 118-15, as amended), as a full-year appropriation, had not been enacted at the time the budget was produced. Mandatory amounts are equal to the FY 2024 President's Budget and do not reflect sequestration.

### **FY 2023**

The FY 2023 revised enacted funding for the PDS activity was \$32,658,000 and 112 FTE. High priority activities in FY 2023 included providing training and technical assistance to agencies as they worked to embed and promote good jobs principles in procurement, loans, tax credits, and grants; engage employers on strategies and initiatives to improve job quality; and provide a centralized location of information and services on workers' rights under key workplace laws and on unions and collective bargaining for use by workers, unions, employers, researchers, other government agencies, and policymakers.

OASP also continued to manage the regulatory development process and provided support to rules that advanced equity for underserved communities by participating in various listening sessions and stakeholder engagements with members of the regulated community.

## PROGRAM DIRECTION AND SUPPORT

<b>BUDGET ACTIVITY BY OBJECT CLASS</b>					
(Dollars in Thousands)					
		FY 2023 Enacted	FY 2024 Estimate	FY 2025 Request	Diff. FY25 Request / FY24 Estimate
11.1	Full-time permanent	16,733	16,733	18,481	1,748
11.3	Other than full-time permanent	133	133	133	0
11.5	Other personnel compensation	248	248	248	0
11.9	<b>Total personnel compensation</b>	<b>17,114</b>	<b>17,114</b>	<b>18,862</b>	<b>1,748</b>
12.1	Civilian personnel benefits	5,826	5,826	6,084	258
13.0	Benefits for former personnel	15	15	15	0
21.0	Travel and transportation of persons	515	515	515	0
22.0	Transportation of things	0	0	0	0
23.1	Rental payments to GSA	2,325	2,325	2,325	0
23.3	Communications, utilities, and miscellaneous charges	153	153	153	0
24.0	Printing and reproduction	0	0	0	0
25.1	Advisory and assistance services	873	873	1,936	1,063
25.2	Other services from non-Federal sources	228	228	228	0
25.3	Other goods and services from Federal sources 1/	5,201	5,201	5,350	149
25.4	Operation and maintenance of facilities	0	0	0	0
25.5	Research and development contracts	0	0	0	0
25.7	Operation and maintenance of equipment	54	54	54	0
26.0	Supplies and materials	218	218	218	0
31.0	Equipment	136	136	136	0
42.0	Insurance claims and indemnities	0	0	0	0
	<b>Total</b>	<b>32,658</b>	<b>32,658</b>	<b>35,876</b>	<b>3,218</b>
	1/Other goods and services from Federal sources				
	Working Capital Fund	4,910	4,910	5,059	149
	DHS Services	54	54	54	0
	Services by Other Government Departments	175	175	175	0
	GSA Services	12	12	12	0

# PROGRAM DIRECTION AND SUPPORT

## CHANGES IN FY 2025

(Dollars in Thousands)

### Activity Changes

#### Built-In

To Provide For:

Costs of pay adjustments	\$1,049
Personnel benefits	0
Federal Employees' Compensation Act (FECA)	20
Benefits for former personnel	0
Travel and transportation of persons	0
Transportation of things	0
Rental payments to GSA	0
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Advisory and assistance services	0
Other services from non-Federal sources	0
Working Capital Fund	149
Other Federal sources (DHS Charges)	0
Other goods and services from Federal sources	0
Research & Development Contracts	0
Operation and maintenance of facilities	0
Operation and maintenance of equipment	0
Supplies and materials	0
Equipment	0
Insurance claims and indemnities	0

**Built-Ins Subtotal** **\$1,218**

**Net Program** **\$2,000**

**Direct FTE** **5**

	Estimate	FTE
<b>Base</b>	<b>\$33,876</b>	<b>110</b>
<b>Program Increase</b>	<b>\$2,000</b>	<b>5</b>
<b>Program Decrease</b>	<b>\$0</b>	<b>0</b>



## LEGAL SERVICES

<b>BUDGET AUTHORITY BEFORE THE COMMITTEE</b>				
(Dollars in Thousands)				
	<b>FY 2023 Enacted</b>	<b>FY 2024 Estimate</b>	<b>FY 2025 Request</b>	<b>Diff. FY25 Request / FY24 Estimate</b>
<b>Activity Appropriation</b>	<b>139,088</b>	<b>139,842</b>	<b>154,417</b>	<b>14,575</b>
FTE	525	517	551	34

NOTE: FY 2023 reflects actual FTE. Authorized FTE for FY 2023 was 542.

### **Introduction**

The Office of the Solicitor of Labor (SOL) is the legal enforcement and support arm of DOL, advancing the Department’s mission through enforcement of worker safety and protection laws and implementation of the Department’s priorities and regulatory agenda. SOL provides the legal support necessary to accomplish the President’s labor priorities and the Department’s management priorities. SOL provides its legal services through National Office Divisions that are generally dedicated to the major laws under the Department’s jurisdiction and Regional Offices that undertake frontline legal enforcement, providing investigative legal assistance and trial-level enforcement litigation in federal courts and administrative forums to protect and improve the working conditions and security of America’s working people. The Department is structured such that all legal services, including enforcement, are consolidated within SOL. Thus, DOL’s client enforcement agencies, including the Wage and Hour division (WHD) and the Occupational Safety and Health Administration (OSHA), have no attorneys and rely exclusively on SOL to provide legal advice, litigate cases, and fulfill their enforcement goals. SOL participates in the development of complex investigations before litigation, handles every enforcement action that proceeds to litigation, and negotiates all significant and complex settlements.

SOL shares the goals of each of its clients and works closely with DOL agencies to develop and implement specific policies and mission critical programs. SOL contributes to the accomplishment of all Departmental enforcement, strategic, and outcome goals in five core ways:

*Pursuing vigorous enforcement actions to protect workers and level the playing field.* SOL, unlike most federal agencies’ general counsel offices, has independent litigation authority under most of the statutes DOL enforces. As such, affirmative litigation and fully funding SOL are integral to DOL enforcing its worker protection mission. SOL represents the Department in federal courts and administrative tribunals across the country, enforcing the Department’s strategic priorities, recovering millions of dollars in compensation for workers each year, mandating that employers protect the safety and health of their workers, and ensuring that businesses that violate the law do not profit from a competitive advantage over law-abiding employers. SOL also litigates cases in appellate courts and has an active amicus practice that seeks to defend DOL’s equities.

*Working with DOL agencies to support Departmental priorities.* SOL works closely with the Department’s leadership and agencies to develop and implement policies, programs, and strategies. SOL provides legal opinions and advice to assist Department officials in accomplishing program objectives and responding to emerging issues while complying with applicable legal requirements.

## LEGAL SERVICES

*Supporting the Department's regulatory agenda.* SOL has a leadership role in developing, drafting, and legally reviewing regulations and guidance documents that implement the laws that DOL is charged with administering and explaining Departmental programs to the public and regulated community.

*Serving as the general counsel's office to the Department.* SOL also provides legal services to the Department in its role as a government agency and employer. For example, SOL advises the Department on myriad general law areas, including ethics, appropriations law, procurement of goods and services, internal employment matters and labor relations, administrative law, Freedom of Information Act, and Privacy Act issues.

*Promoting Equity.* SOL provides crucial leadership and advice to help develop and implement proposals and programs to further the Department's equity objectives. SOL also devotes resources to develop and improve upon internal work products and policies that reflect our values of anti-discrimination, diversity, equity, inclusion, and accessibility.

SOL's FY 2025 budget request seeks funding to enable SOL to support the President's and Department's priorities. This funding will allow SOL to maintain sufficient staff to provide timely and effective advice and litigation services in support of protecting workers' rights to fair wages, secure benefits, and workplace safety, which is critical to the Department's enforcement work. Without adequate staffing, the message to the regulated community is that DOL does not vigorously enforce the laws with which it is charged. This incentivizes employers to ignore their compliance obligations and to resist and dispute agency findings, as they know that the Department lacks the legal resources to vigorously litigate those disputes. Without a credible threat of litigation, worker protection agencies are forced to resolve these disputes with less favorable settlements, including lower recoveries for vulnerable and exploited workers. SOL is requesting additional resources to accomplish two objectives more fully detailed below:

*Legal services to address enforcement workload.* Provide additional resources to lessen the impact of SOL's loss of supplemental appropriations and its essentially flat funding over the last decade that has resulted in a 17 percent decline in staffing, of which over 100 are attorneys. This will help SOL in responding to current legal service demands arising from the Department's enforcement needs, particularly given its revitalized mission focus and strengthened and enhanced worker protection efforts. SOL will engage in high-impact enforcement on behalf of underserved, marginalized, and excluded communities, recognizing that such enforcement improves working conditions and economic opportunities for all workers; and

*Legal services to combat exploitative child labor.* Provide for additional SOL FTE to address the explosive growth of child labor cases, including providing early legal advice on investigations, highly resource-intensive investigative support, and litigation services that often include resource-intensive preliminary motion practice to protect the most vulnerable, marginalized, and underserved workers. This will allow SOL to dedicate additional legal staff to become involved at the earliest possible stage to assist with investigation planning to develop the strongest possible cases for enforcement action and to provide legal advice as WHD works to develop and implement a national public awareness campaign, to develop and deliver training and educational programs, and to litigate more cases.

# LEGAL SERVICES

## Five-Year Budget Activity History<sup>1</sup>

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2020	\$124,053	541
2021	\$124,053	574
2022	\$132,062	498
2023	\$131,062	542
2024	\$0	517

NOTE: A full-year 2024 appropriation for this account was not enacted at the time the budget was prepared.

## FY 2025

In FY 2025, SOL is requesting \$154,417,000 and 551 FTE. This request includes two program increases, first to support legal services to address enforcement workload and keep stride with the Administration's and Department's priorities, and second to support legal services to assist in combatting exploitative child labor. This funding level and FTE include General, Unemployment Trust Fund (UTF), and Black Lung Disability Trust Fund (BLDTF) appropriated funding. Other reimbursement and supplemental funding sources, as well as FTE supported by them, are not included here.

This SOL request reflects a total program increase of \$6,800,000 and 34 FTE over the FY 2024 estimated budget based on an annualized Continuing Resolution. Of that total, \$3,000,000 and 15 FTE is to provide resources for legal services to address enforcement workload so that SOL can enforce the nation's labor and employment laws and seek to meet the increased demand as we protect the vulnerable and exploited workers. The remaining \$3,800,000 and 19 FTE of that total is to provide for an increase in SOL legal support to combat exploitative child labor, providing crucial enforcement litigation, legal advice, and investigative support so the Department can accomplish this important mission.

This FY 2025 request also includes critical funding to cover inflationary increases. Without these additional funds, SOL will be forced to absorb these inflationary increases, along with the loss of supplemental funds, into a budget that has remained relatively flat, resulting in many fewer staff and a less effective SOL and DOL. As a legal organization, fewer staff translates into fewer litigation cases, increased triaging, and resource constraints on the legal advice and other services SOL provides to the Department. Such cuts would dramatically reduce the effectiveness of the entire Department's worker protection efforts, which rely on the credible threat of litigation as well as strong pre-litigation measures to strengthen pre-litigation settlements. An enforcement agency's ability to make investigatory findings of violations stick, to obtain backpay and other forms of relief, and to collect strong civil monetary penalties are all directly tied to SOL's ability to provide legal services at all stages of the case.

SOL has three functions critical to DOL's mission and strives to deliver high-quality legal services in each function. Each of these depend on having attorneys and supporting staff to deliver legal services:

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<sup>1</sup> Includes General and Trust Funds only.

## LEGAL SERVICES

*Enforcement Functions.* SOL provides litigation and legal advice to ensure that DOL's laws are enforced so that vulnerable workers are protected, employers who violate the law are held accountable, and law-abiding employers can operate on a level playing field. SOL dedicates over half its legal resources to engaging in litigation and enforcement work to protect workers. Legal services for enforcement are necessary to make sure that agency investigations are not merely a hollow threat and ensure compliance with the law.

*Legal Support for DOL Policy and Compliance Work.* SOL provides legal opinions and advice to DOL agencies on programmatic issues across the range of DOL's activities. SOL also assists DOL agencies with preparing public-facing materials (e.g., guidance materials, opinion letters, written interpretations) that help employers understand their legal obligations and promote compliance with the law. SOL also plays a critical role in helping to develop, update, draft, and defend DOL's regulations.

*General Counsel Functions.* SOL operates as a General Counsel office, providing the full range of legal services, including advice and counsel on issues related to running a government agency, such as appropriations, procurement, data privacy, FOIA, ethics, and internal employment law.

In the core legal services SOL provides related to enforcement, SOL is pursuing *six strategic enforcement priorities*: (1) reducing misclassification, (2) stopping retaliation through robust enforcement, (3) filing more cases to promote compliance with a lens of equity; (4) using all the tools in our toolbox, including criminal referrals, access cases, subpoenas and warrants; (5) testing novel issues of law to develop worker-protective jurisprudence; and (6) increasing pre-referral investigative assistance.

The requested funding would enable SOL to continue to adequately meet the Department's legal services demands and support the President's agenda. This includes the President's priority to combat exploitative child labor by allowing SOL to vigorously participate in the whole-of-government priority of enhancing federal efforts to protect children from unlawful child labor practices and dangerous working conditions. SOL collaborates closely with client agencies, utilizing a diverse array of tools and strategies that require immediate action by SOL's attorneys. Examples include developing and obtaining warrants and subpoenas; providing on the ground assistance during overnight execution of those warrants and subpoenas; preparing affidavits, sometimes dozens, to place DOL in the best position to seek a temporary restraining order to protect minors from immediate harm; preparing and developing third party subpoenas for school districts, staffing companies, suppliers, contractors, and others; supporting and defending the Wage and Hour Division's civil money penalty assessments; developing, assessing, and using the FLSA's hot goods provision to stop the shipment into commerce of goods produced in violation of child labor laws, which may involve targeting the shipment of goods by multiple companies along a supply chain; conducting in depth pre-referral investigations including potential administrative depositions to assess joint employment; seeking temporary and permanent injunctions; leading time-intensive and detail-oriented negotiations to stop future child labor violations, and more.

Supporting funding is not just about maintaining staffing levels; it ensures that the Department can fulfill its commitment to enforcing labor laws and protecting the rights of workers. For example, WHD's work to combat exploitative child labor lacks teeth if SOL is not adequately funded to enforce

## LEGAL SERVICES

these labor protections in a court of law, including suing companies that refuse to pay civil monetary penalties or agree to systemic solutions to stop their child labor violations. Adequate funding ensures SOL can provide critical support, including legal advice, investigative support, and litigation services required to combat exploitative child labor. Child labor investigations are highly resource-intensive, in part because of the complex corporate structures and fissured workplaces endemic in industries employing children. Child labor investigations require early involvement by SOL in major investigations which is time-intensive but critical to their ultimate success. Time-sensitivity is paramount, requiring swift action to gather evidence, comprehend the nature of violations, and navigate complex corporate landscapes to hold all responsible entities and individuals accountable. An SOL funding shortfall would compromise the Department's ability to meet this all-important priority of the Administration.

SOL can only deliver legal services through qualified and proficient personnel. SOL will continue to do our best to deliver on all parts of our mission, including advancing the SOL Enforcement Priorities announced by the Solicitor in FY 2022 and incorporated in SOL's Agency Management Plan. However, this level of funding still does not bring SOL to the sufficient staffing level of 800 or more at which SOL could properly meet the legal demands of the Department. This inability to fully grow our staff will continue to constrain SOL's ability to provide the level of legal services and enforcement activity needed to support the Department's ongoing and new priorities and will negatively affect SOL's overall performance.

SOL's need for increased FY2025 appropriated funding level is acute because its financial outlook cannot be understood simply by looking at appropriated funds. SOL's single program – legal services – is funded by a combination of appropriated funds, supplemental funds and reimbursable funds, with over 75% of all those funds going to personnel costs, and people are how legal services are delivered. SOL's receipt of supplemental funding over the last few years (e.g., ARPA-WP, ARPA-UI, and NSAT) has enabled SOL to avoid more catastrophic losses in staffing as appropriated funding was flat and costs increased. However, most of those funding sources are expiring at the end of FY 2023 and FY 2024, which means that SOL will head into FY 2025 with less overall funding resources and will face another steep drop off in FTE level without a funding increase. In FY 2024 alone, SOL lost approximately \$11.5M in supplemental funds, (i.e., ARPA-WP and ARPA-UI) and Departmental financial support, which along with the possible annualized Continuing Resolution, puts SOL at risk for a significant decline in staff with resultant further diminished legal services. Over 75% of SOL budget supports people, and people is how legal services are delivered. Given current projections for flat appropriations, combined with decreased supplemental funds, SOL would likely have to substantially curtail (and potentially freeze) new hiring in FY 2024 and FY 2025. That would mean a continued, steady decline in onboard staff as SOL's ability to backfill attritions would be highly constrained.

SOL's priorities in FY 2025 will remain the same, but a potential decline in staffing during FY 2024 will reduce SOL's capacity in FY 2025 to perform the same volume of legal work. SOL in each regional office is already turning down numerous litigation-worthy cases each month, particularly in the WHD and OSHA programs. SOL expects that the number of cases SOL takes for enforcement would continue to decline if SOL's overall funding levels decrease. Even if SOL continues to receive a flat appropriation at the FY 2023 Enacted Level, SOL's overall resources will decrease due to loss

## LEGAL SERVICES

of supplemental funding from ARPA, NSAT, and Department-provided support. Should SOL's overall funding resources decline, we would continue to implement best practices on more efficient strategies relating to workload management, but no matter what we do, SOL will simply handle fewer cases because of resource constraints.

Without the increased resources sought in this request, SOL's ability to provide legal support to the Department will be substantially diminished and SOL will be unable to support the Department's enhanced worker protection compliance and enforcement efforts. SOL will also be unable to satisfy the legal workload generated by new Administration directives and initiatives, and unable to keep pace with the demands for legal services to support ongoing programs and activities, which span the full breadth of DOL programs, enforcement, and compliance assistance activities. Ultimately, this would result in slower or deferred provision of legal services that are vital for the Department's agencies as they engage in new and innovative efforts to help America's working people and job creators.

In addition, the President calls on Congress to provide the Federal government with the tools it needs to ensure employers are providing workers with good jobs—including jobs with fair and equal pay, safe and healthy workplaces, respect for the right to organize, and workplaces free from discrimination, retaliation, and harassment, including sexual harassment. To deter employers from violating workers' rights, ensure those who do violate their rights are held accountable, and level the playing field for responsible employers, the Budget proposes meaningfully increasing penalties at the Department of Labor for employers that violate workplace safety, health, wage and hour, and child labor laws.

### **FY 2024**

Figures for FY 2024 are an estimate. Discretionary amounts shown for FY 2024 reflect an annualized Continuing Resolution (Division A of P.L. 118-15, as amended), as a full-year appropriation, had not been enacted at the time the budget was produced. Mandatory amounts are equal to the FY 2024 President's Budget and do not reflect sequestration.

The Administration has requested \$50,000,000 in supplemental FY 2024 funding for the Office of the Solicitor to support robust child labor investigations and enforcement.

### **FY 2023**

In FY 2023, SOL's enacted appropriated funding level was \$139,088,000 and 525 FTE, which includes General, Unemployment Trust Fund (UTF), and Black Lung Disability Trust Fund (BLDTF), but does not include funding and FTE supported by reimbursable or supplemental funding. While the FY 2023 Enacted provided a \$5,700,000 increase in base appropriation, that was insufficient to allow SOL to increase FTE levels, given that FY 2023 payroll costs increased by \$4,700,000, along with other operating cost increases. As a result, SOL's overall onboard staffing level remained relatively flat at 652 onboard at year end (to include staff paid from all funding sources). This is nowhere near the staffing level SOL requires to be fully operational, which is at least 800 staff.

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SOL's work in FY 2023 remained focused on protecting the most vulnerable workers while leveling the playing field for the majority of employers who comply with the law, and strongly pursuing the Solicitor's enforcement priorities across SOL offices. However, SOL's increasing reliance in recent years on special and reimbursable funds constricted the agency's ability to strategically target enforcement work in areas not covered by the special funds. The NSAT funds required us to spend a significant amount of FTE on MHPAEA and related work, and the ARPA-WP funds similarly required us to dedicate a percentage of our legal services on COVID-19 related enforcement and worker protection activities. While MHPAEA and COVID-19 are indeed Departmental priorities, they are not the only priorities—most of which are left to be covered by General Funds.

Despite these funding challenges, SOL opened over 5,500 and concluded over 5,800 litigation matters; opened over 3,400 and concluded over 2,900 pre-litigation matters; and opened over 30 and concluded over 38 regulatory matters. SOL also completed significant milestones, including but not limited to: established standard operating procedures to identify vital documentation that should be available in languages other than English, and proceeded to translate these documents to empower vulnerable workers; met with client agencies on a regular basis in order to discuss major client and SOL priorities, solicited feedback and identified improvements for collaboration; completed several trainings focused on DEIA initiatives and principles; included a performance element in manager/supervisor performance plan delineating SOL's commitment to being a model employer, as related to DEIA initiatives and principles; and held communication and inclusion focused trainings/meetings/working groups such as Town Halls, Mentorship Program, New Employee Orientation, and career/leadership development.

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<b>WORKLOAD AND PERFORMANCE SUMMARY</b>					
		<b>FY 2023 Enacted</b>		<b>FY 2024 Estimate</b>	<b>FY 2025 Request</b>
		<b>Target</b>	<b>Result</b>	<b>Target</b>	<b>Target</b>
<b>Legal Services</b>					
<b>Strategic Goal ALL - All Strategic Goals</b>					
<b>Strategic Objective ALL.1 - All Strategic Objectives</b>					
<b>Pre Litigation:</b>					
PRE-01	Matters Opened	2,600[p]	3,416	2,475[p]	2,600[p]
PRE-02	Matters Concluded	2,700[p]	2,975	2,575[p]	2,700[p]
PRE-04	Matters Pending	2,900[p]	2,401	2,800[p]	2,700[p]
<b>Litigation:</b>					
LIT-01	Matters Opened	6,400[p]	5,574	6,100[p]	6,400[p]
LIT-02	Matters Concluded	5,500[p]	5,806	5,250[p]	5,500[p]
LIT-04	Matters Pending	12,700[p]	13,248	13,550[p]	14,450[p]
<b>Opinion/Advice:</b>					
OA-01	Matters Opened	8,200[p]	6,300	7,825[p]	8,200[p]
OA-02	Matters Concluded	7,100[p]	9,954	6,775[p]	7,100[p]
OA-04	Matters Pending	21,300[p]	16,615	22,350[p]	23,450[p]
<b>Regulations:</b>					



## LEGAL SERVICES

<b>WORKLOAD AND PERFORMANCE SUMMARY</b>					
		<b>FY 2023 Enacted</b>		<b>FY 2024 Estimate</b>	<b>FY 2025 Request</b>
		<b>Target</b>	<b>Result</b>	<b>Target</b>	<b>Target</b>
REG-01	Matters Opened	68[p]	31	65[p]	68[p]
REG-02	Matters Concluded	40[p]	38	38[p]	40[p]
REG-04	Matters Pending	191[p]	116	218[p]	246[p]

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

# LEGAL SERVICES

## Workload and Performance Narrative

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

SOL's FY 2025 workload performance targets are best estimates based on FY 2023 year-end results and actual to-date and projected final results for FY 2024. The FY 2025 projections are further informed by analysis of SOL's Matter data and how demand for SOL's legal services will be impacted by SOL's client agencies' requests for additional funding/FTE, the Administration's priorities and goals, and SOL projected staff levels across funding sources. Simple Matter counts do not capture variations in the level of effort and resource investment SOL may need to make for a given Matter, especially with respect to highly complex litigation or regulation Matters. That is, a particular matter may entail extensive legal services involving many staff, while another matter may be addressed by a single person in a day.

In FY 2023, SOL transitioned its case management system from the Matter Management System (MMS) to the SOL Tracking and Management system (SOLTAM). SOLTAM is designed to collect SOL data in a more precise and concrete way. Through MMS/SOLTAM, Division and Regional managers can generate real-time reports of their employees' time on Matters and in other legal services. SOL leadership has access to aggregate data from each Division and Region and SOL-wide statistics, which is key to SOL resource allocation accountability.

As the Performance Measures table reflects, with the requested funding and FTE, SOL anticipates a corresponding increase in the litigation, advice, pre-referral and regulatory workload it will accomplish. For example, SOL projects the FY 2025 requested funding level would result in a 5% increase in litigation matters opened over the FY 2024 level projected under a Full-Year Continuing Resolution at FY 2023 funding levels. Increased capacity also means more bandwidth to provide more legal advice to DOL agencies and more regulatory work. These estimates assume that SOL's reimbursable funding and staffing levels hold steady; if that does not hold true, performance numbers will decrease.

SOL can best identify and mitigate legal and programmatic risks if agencies are able to proactively consult their attorneys. It is best if attorneys are involved at the earliest point in strategic planning and decision making for new programs, rulemaking, policy guidance and enforcement matters. Attorneys can assist with investigative planning to ensure the strongest cases for enforcement. With increased funding, legal risk can be mitigated as more time will be available for SOL attorneys to be involved proactively rather than reactively, which is more efficient for both SOL and the client agencies and will result in more legally supportable actions.

It is vital to SOL's mission that funding is received to cover inflationary increases. Absorbing these costs without additional funding will debilitate SOL's ability to handle its workload. SOL's legal

## LEGAL SERVICES

services are delivered through people - attorneys and supporting professionals. Over 75% of SOL funding supports salaries and other payroll costs, and another 19% is needed to cover fixed operating costs (e.g., rent, working capital fund, security). SOL has very limited ability to reduce its costs elsewhere. Therefore, reductions in SOL funding translates into fewer attorneys and supporting staff, and less availability to research, analyze, advise, review, and litigate on behalf of the Department and its programs. Workload rationing, workload priority distribution, and in the extreme, workload denial would result in less effective enforcement efforts, reduced capacity to advance the Department's regulatory efforts, degradations in investigative and regulatory advice, and an impaired ability to pursue litigation, fewer cases, and more triaging and resource constraint on the legal advice and litigation services SOL provides to the Department. This inflationary cost represents about 26 FTE which would result in approximately 250 fewer litigation matters begun, and approximately 225 fewer litigation matters concluded. But those numbers do not account for the fact that a smaller staff must triage pending legal matters, potentially limiting impactful results. Moreover, because SOL handles a significant amount of mandatory administrative litigation that will not disappear with budget woes, limiting staff has a disproportionate effect on essential, but more discretionary, enforcement litigation. Consequently, absorbing inflationary increases would significantly decrease the effectiveness of SOL's ability to address its workload.

## LEGAL SERVICES

<b>BUDGET ACTIVITY BY OBJECT CLASS</b>					
(Dollars in Thousands)					
		<b>FY 2023 Enacted</b>	<b>FY 2024 Estimate</b>	<b>FY 2025 Request</b>	<b>Diff. FY25 Request / FY24 Estimate</b>
11.1	Full-time permanent	77,705	77,877	89,083	11,206
11.3	Other than full-time permanent	1,705	1,705	1,705	0
11.5	Other personnel compensation	110	110	110	0
11.8	Special personal services payments	0	0	0	0
11.9	<b>Total personnel compensation</b>	<b>79,520</b>	<b>79,692</b>	<b>90,898</b>	<b>11,206</b>
12.1	Civilian personnel benefits	28,781	28,878	30,186	1,308
13.0	Benefits for former personnel	0	0	0	0
21.0	Travel and transportation of persons	639	652	688	36
22.0	Transportation of things	0	0	0	0
23.0	Rent, Communications, and Utilities	0	0	0	0
23.1	Rental payments to GSA	7,588	7,694	8,055	361
23.2	Rental payments to others	8	8	8	0
23.3	Communications, utilities, and miscellaneous charges	78	85	87	2
24.0	Printing and reproduction	15	16	16	0
25.1	Advisory and assistance services	98	98	98	0
25.2	Other services from non-Federal sources	2,843	2,868	2,991	123
25.3	Other goods and services from Federal sources 1/	18,774	19,065	20,574	1,509
25.4	Operation and maintenance of facilities	34	35	37	2
25.5	Research and development contracts	0	0	0	0
25.7	Operation and maintenance of equipment	58	79	84	5
26.0	Supplies and materials	597	610	631	21
31.0	Equipment	54	61	63	2
42.0	Insurance claims and indemnities	1	1	1	0
	<b>Total</b>	<b>139,088</b>	<b>139,842</b>	<b>154,417</b>	<b>14,575</b>
	1/Other goods and services from Federal sources				
	Working Capital Fund	18,774	19,065	20,574	1,509

# LEGAL SERVICES

## CHANGES IN FY 2025

(Dollars in Thousands)

### Activity Changes

#### Built-In

To Provide For:

Costs of pay adjustments	\$7,227
Personnel benefits	0
Federal Employees' Compensation Act (FECA)	0
Benefits for former personnel	0
Travel and transportation of persons	0
Transportation of things	0
Rental payments to GSA	0
Rental payments to others	0
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Advisory and assistance services	0
Other services from non-Federal sources	0
Working Capital Fund	548
Other Federal sources (DHS Charges)	0
Other goods and services from Federal sources	0
Research & Development Contracts	0
Operation and maintenance of facilities	0
Operation and maintenance of equipment	0
Supplies and materials	0
Equipment	0
Insurance claims and indemnities	0

**Built-Ins Subtotal** **\$7,775**

**Net Program** **\$6,800**

**Direct FTE** **34**

	Estimate	FTE
<b>Base</b>	<b>\$147,617</b>	<b>517</b>
<b>Program Increase</b>	<b>\$6,800</b>	<b>34</b>
<b>Program Decrease</b>	<b>\$0</b>	<b>0</b>



## INTERNATIONAL LABOR SERVICES

<b>BUDGET AUTHORITY BEFORE THE COMMITTEE</b>				
(Dollars in Thousands)				
	<b>FY 2023 Enacted</b>	<b>FY 2024 Estimate</b>	<b>FY 2025 Request</b>	<b>Diff. FY25 Request / FY24 Estimate</b>
<b>Activity Appropriation</b>	<b>116,125</b>	<b>116,125</b>	<b>162,395</b>	<b>46,270</b>
FTE	133	140	140	0

NOTE: FY 2023 reflects actual FTE. Authorized FTE for FY 2023 was 137.

### **Introduction**

The Bureau of International Labor Affairs (ILAB) safeguards dignity at work, both at home and abroad, by strengthening global labor standards and their implementation; enforcing labor commitments among trading partners; combating discrimination and promoting racial and gender equity; and combating international child labor, forced labor, and human trafficking. These efforts support DOL’s Strategic Goal 2, to ensure safe jobs, essential protections, and fair workplaces, and DOL’s Strategic Objective 2.4, to strengthen labor rights, improve working conditions, promote racial and gender equity, and empower workers around the world.

ILAB positions the United States as a leader on international labor rights by demonstrating the U.S. commitment to work with governments, workers, unions, civil society organizations, the private sector, and other actors to achieve its mission.

ILAB supports workers in the United States and around the world by:

- **Ensuring compliance with the labor provisions of U.S. trade agreements and preference programs.** ILAB negotiates, monitors, and enforces the labor provisions of trade agreements and trade preference programs, including the labor chapter of the U.S.-Mexico-Canada Agreement, to ensure that trade partners do not undermine worker rights or protections in order to gain an unfair trade advantage or attract investment.
- **Improving global working conditions and promoting inclusive, equitable economic growth.** ILAB represents U.S. interests on labor and employment issues by working with key countries to promote worker rights and raise labor standards, promoting labor diplomacy around the globe, and advocating at the International Labor Organization (ILO), G20, G7, Organization for Economic Co-operation and Development (OECD), and other multilateral institutions.
- **Combating international child labor, forced labor, human trafficking, and other violations of worker rights.** ILAB funds innovative technical assistance programming to address these abusive labor practices; conducts in-depth research; and reports on child labor, forced labor, and human trafficking in more than 150 countries around the world. This reporting includes the annual *Findings on the Worst Forms of Child Labor*, as required by the Trade and Development Act of 2000; the *List of Goods Produced with Child Labor or Forced Labor* (TVPRAList), as mandated by the Trafficking Victims Protection Reauthorization Act of 2018; and the *List of Goods Produced by Forced or Indentured Child Labor*, as mandated by Executive Order 13126.

# INTERNATIONAL LABOR SERVICES

These efforts are made actionable by the implementation of ILAB’s Agency Management Plan (AMP), which includes the following themes for FY 2024: Implementing the President’s Trade Agenda, Elevating Labor Diplomacy, Worker Protection, DOL as a Model Workplace, and Data as a Strategic Asset.

## Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2020	\$96,125	108
2021	\$96,125	122
2022	\$106,125	130
2023	\$116,125	137
2024	\$0	140

NOTE: A full-year 2024 appropriation for this account was not enacted at the time the budget was prepared.

## FY 2025

### USMCA Technical Assistance

The Budget includes a program increase of \$45 million to replace the annual level of the USMCA appropriation that expired in December 2023. This program increase would allow the Department to continue Mexico-specific technical assistance through awards of grants, contracts, and cooperative agreements primarily to nongovernmental organizations whose projects and activities support USMCA implementation, including building capacity to legislate and implement new labor protections, improve working conditions, stabilize labor relations, and increase public awareness and engagement.

### Advancing Worker Empowerment, Rights, and High Labor Standards Globally

The U.S. government is committed to ensuring high labor standards, bringing workers’ voices to the decision-making table, and enforcing rules against unfair labor practices in the U.S. and abroad. [The Presidential Memorandum on Advancing Worker Empowerment, Rights, and High Labor Standards Globally](#) is the first whole-of-government approach to advance workers’ rights. It directs departments and agencies to elevate labor rights in their work abroad. ILAB works to strengthen global labor standards, enforce labor commitments among trading partners, promote racial and gender equity, and combat international child labor, forced labor, and human trafficking. It is at the forefront of U.S. government efforts to advance labor rights and empower workers worldwide. In FY 2025, ILAB will continue to advance policies that promote high labor standards globally and support increased understanding of and collaboration on labor rights and standards across the U.S. interagency, including through developing and supporting training for U.S. government officials, leading development and implementation of policy priorities, and leveraging the expertise of DOL labor attachés in the field.



## INTERNATIONAL LABOR SERVICES

### Implementing the President's Trade Agenda

The President's trade agenda places workers at the center of trade policy, calling for engagement with unions and worker advocates; review of trade policies to ensure better outcomes for workers; negotiation of new commitments to high-standard labor obligations in trade and economic frameworks; and strong, enforceable labor obligations that promote workers' rights under existing trade agreements and trade preference programs to ensure workers around the world benefit from trade. The President's trade agenda commits the United States to review trade agreements and to take decisive action to combat exploitative labor conditions, including forced labor and child labor, among trade partners.

ILAB will continue efforts focused on strong enforcement combined with rigorous research and reporting and engagement with trade unions and worker advocates. ILAB's technical assistance projects will continue to strengthen worker voice and respect for and adherence to labor rights, especially the right of freedom of association and effective recognition of the right to collective bargaining and improve working conditions in trade partner countries.

The Administration and Congress are increasingly focused on the impact of labor rights abuses on supply chain security and resilience, as well as the role of trade in promoting human rights and access to remedy in global supply chains. As the principal U.S government agency funding trade-related labor technical assistance projects, ILAB is uniquely positioned to develop and implement these programs.

ILAB supports the fulfillment of trade commitments through the implementation of technical assistance projects in trading partner countries to: improve labor laws and government capacity to enforce such laws; raise awareness of labor rights; provide legal support to workers; build the capacity of democratic unions; expand worker protections; ensure safe and healthy workplaces; engage employers to comply with relevant laws; and combat exploitative labor conditions, such as forced labor, child labor, and wage theft.

### Trafficking Victims Protection Reauthorization Act Mandate for the *List of Goods Produced by Child Labor or Forced Labor*

Since 2018, the TVPRA has required ILAB's reporting to include "to the extent practicable, goods that are produced with inputs that are produced with forced labor or child labor." To fulfill this mandate, ILAB will continue efforts to map key segments of complex supply chains to trace components or inputs made with forced or child labor through to finished products, resulting in a significantly expanded list of tainted goods, with the potential to add more. ILAB will also continue to conduct complex and sensitive in-country investigative research studies and responded to demands for increased interagency and international engagement in supply chain tracing on forced labor, child labor, and human trafficking.

## INTERNATIONAL LABOR SERVICES

The full implementation of this mandate directly supports the Biden Administration's Executive Order on America's Supply Chains, the President's trade and climate agendas, and the Administration's foreign policy and human rights priorities by combatting forced labor, including with respect to China, protecting and empowering workers, and improving information on vital supply chains.

### Labor Attaché Program

The labor attaché program will continue to serve as a powerful tool for bolstering compliance with labor-related trade commitments and elevating labor standards globally, regionally, and in selected countries. This program deploys experienced personnel to U.S. missions abroad, where their direct involvement and monitoring of labor issues advances U.S. interests. ILAB labor attachés play a pivotal role in ensuring that trade partners, along with other countries and stakeholders, adhere to internationally recognized labor standards. These standards include the right to freedom of association and collective bargaining, wages, hours, overtime, workplace safety, non-discrimination, and the prohibition of child labor and forced labor. The labor attachés enhance the effectiveness of ILAB's targeted technical assistance, which aims to align local labor laws and practices with internationally recognized labor standards. Ongoing USMCA funding will support labor attachés based in Mexico.

### Ensuring Compliance with the Labor Provisions of U.S. Trade Agreements and Preference Programs

ILAB will focus on fulfilling the President's trade agenda to review, monitor and enforce the labor provisions of the free trade agreements (FTAs) between 19 trade partner countries and the United States. While ILAB had previously received a supplemental appropriation to support the implementation of the USMCA agreement, those technical assistance funds expired in the first quarter of FY 2024. As described above, ILAB requests an additional \$45 million in appropriated dollars to continue technical assistance and compliance-assistance efforts in support of the USMCA. Absent this infusion of funds, Mexico-focused technical assistance projects from ILAB's annually appropriated funds would come at the expense of other technical assistance projects in other countries or other areas of need.

To support the administration's Root Causes Strategy, Collaborative Migration Management Strategy and the Central America Forward initiative, ILAB will continue to focus on increased monitoring and engagement with Northern Central American countries. In addition, ILAB will continue existing Western Hemisphere engagements with Colombia, the Dominican Republic, Panama, Peru, and Chile to support greater compliance with FTAs. Although enforceable commitments under older FTAs are weaker than those in the USMCA, ILAB will continue to engage with local stakeholders and trade partner governments to press for improvements when labor commitments in FTAs have not been satisfied. This work includes engaging with the United States Trade Representative (USTR) to encourage and support enforcement actions when appropriate. ILAB will serve as the principal liaison with U.S. trading partners for the administration of FTA labor chapters, including labor subcommittees and labor cooperation mechanisms.

## INTERNATIONAL LABOR SERVICES

ILAB will also conduct monitoring and enforcement of compliance with the labor provisions of trade preference programs under the Generalized System of Preferences (GSP), the African Growth and Opportunity Act (AGOA), and the Haitian Hemispheric Opportunity through Partnership Encouragement Act of 2008 (HOPE II). ILAB will continue to engage with priority countries seeking innovative avenues to improve labor compliance, including partnering with like-minded partner governments on beneficiary countries.

In addition, in anticipation of reauthorized GSP criteria that will include an anti-discrimination standard, ILAB is researching country-level law and practice to establish a baseline for engagement and enforcement. ILAB is also developing an all-Africa strategy that will go beyond trade engagement to establish and strengthen relationships with African labor ministries, supported where possible with technical assistance.

### Expanding Commitments to High Standard Labor Obligations

ILAB will continue to negotiate strong, enforceable, and clear labor provisions in any trade agreements, trade initiatives, and economic agreements, negotiated or renegotiated in the coming year to ensure American workers' equities are protected, including by securing commitments to meet high labor standards, protecting labor rights to advance resilient and secure supply chains, and addressing suppression of wages in other countries. ILAB will provide labor expertise in the ongoing negotiation and implementation of the Indo-Pacific Economic Framework (IPEF). ILAB will negotiate strong labor rights commitments in IPEF Pillar I (Trade) and implement labor provisions across the concluded IPEF Supply Chains, Clean Economy, and Fair Economy Agreements. ILAB will work with USTR to develop draft negotiating text that includes high standard labor obligations under the Taiwan Initiative, Kenya Initiative, and the Americas Partnership for Economic Prosperity, and support the negotiation of those obligations. As applicable, ILAB will also conduct research on labor rights and analyze the expected employment impact of trade and international investment flows and policies on workers and employers in the United States, per the terms of a potential future Trade Promotion Authority.

ILAB will work with interagency partners, workers, and businesses to improve compliance with labor standards. ILAB will engage with trade partners to achieve multilateral commitments to increase transparency and accountability in global supply chains. These efforts will be bolstered by targeted technical cooperation, research, and evaluation to strengthen labor law enforcement and compliance with the labor requirements of U.S. trade agreements and preference programs.

### Improving Global Working Conditions and Promoting Inclusive, Equitable Economic Growth

In FY 2025, ILAB will continue to use its leadership and expertise on international labor issues to advance U.S. labor and employment priorities. ILAB will represent the U.S. Government's interests and policies in international fora, such as the International Labor Organization (ILO), World Health Organization (WHO), G20, G7, Organization for Economic Cooperation and Development (OECD), Asia-Pacific Economic Cooperation (APEC), and the annual Conference of the Parties (COP) to the United Nations Framework Convention on Climate Change. ILAB will ensure U.S. priorities are reflected in international organizations' policies and programs and will advocate for stronger measures on occupational safety and health, labor inspection, social

## INTERNATIONAL LABOR SERVICES

protection, racial and gender equity, just transition, and other administration priorities. To inform this work, ILAB will produce research products and data on priority engagement countries and will monitor and report on international labor and economic trends in the United States and relevant countries and regions. Research and reporting will incorporate equity analysis and focus on the cross-cutting themes of youth, women and minority populations. ILAB will also enhance its leadership at the G20 Occupational Safety and Health (OSH) Network, and the WHO Health in the World of Work (H-WoW) Network to support the adoption of ILO's OSH instruments by countries.

ILAB will advance the M-POWER (Multilateral Partnership on Organizing, Worker Empowerment, and Rights) initiative together with unions, labor support organizations, philanthropic organizations, and other governments in support of workplace democracy and trade union rights in the global economy. In conjunction with M-POWER partners, ILAB will work across four lines of action: global issue campaigns supporting local action on worker priorities; country-level coordination to advance worker rights; urgent action to protect labor activists and organizations facing threats; and strategic communications to elevate worker voice and priorities.

ILAB will continue to pursue dialogue and informational exchanges with foreign governments to shape policies and enable senior DOL officials to share with, and learn from, practices, policies, and programs in other countries relevant to ILAB's work.

### Combating International Child Labor, Forced Labor, Human Trafficking and Other Violations of Worker Rights

ILAB will continue to be a global leader in supporting efforts to eliminate child labor, forced labor, and human trafficking around the world. ILAB will pursue this goal through its flagship reports spotlighting child labor and forced labor abuses, expanded policy engagement, and direct support for targeted action through its international technical assistance and cooperation programming. ILAB efforts in this area will address root causes of child labor and forced labor, including issues of racial and gender equity that contribute to the persistence of these abusive labor practices. ILAB will look for opportunities to partner with like-minded governments to accelerate global action to eliminate child labor and forced labor, building upon momentum from the Fifth Global Conference on the Elimination of Child Labor and in support of Alliance 8.7, a global initiative to support achievement of United Nations Sustainable Development Goal 8 and Target 8.7 on the eradication of child labor, forced labor, and human trafficking.

ILAB will focus on accountability in supply chains, promotion of worker voice and empowerment, including addressing wage theft, and increased social protection to address child labor and forced labor. ILAB will work in countries that advance the strategic foreign policy priorities of the Administration, most notably in Central America, Southeast Asia, and Sub-Saharan Africa. Aligned with the Administration's focus on climate change, ILAB is piloting a new project in FY 2024 that will increase knowledge and understanding of the link between climate change and vulnerability to child labor and/or forced labor. ILAB will also continue to manage, monitor, and evaluate a diverse portfolio of projects to combat child and forced labor

## INTERNATIONAL LABOR SERVICES

around the world, including in key sectors such as cobalt, cocoa, coffee, cotton, fishing, mica, palm oil, sugar, and tomatoes. Finally, ILAB will advance the knowledge base on these issues by developing and disseminating new research, tools, and good practices and partnering with other U.S. government agencies, such as State Department, U.S. Agency for International Development, USTR, and Department of Homeland Security (DHS), to advance our goals of protecting children and adults from exploitative labor and promoting decent work opportunities.

In the interagency arena, ILAB will continue representing the Department of Labor on the Forced Labor Enforcement Task Force and will continue to serve as a co-chair of the Uyghur Forced Labor Prevention Act Entity List subcommittee by providing guidance and expertise on forced labor and supply chain tracing. ILAB will continue to innovate in developing and implementing its programs by coordinating with other donors, improving synergies with USG policy engagement, promoting South-South cooperation, and pursuing new funding approaches to better respond to emerging Administration priorities.

### **FY 2024**

Figures for FY 2024 are an estimate. Discretionary amounts shown for FY 2024 reflect an annualized Continuing Resolution (Division A of P.L. 118-15, as amended), as a full-year appropriation had not been enacted at the time the budget was produced. Mandatory amounts are equal to the FY 2024 President's Budget and do not reflect sequestration.

### **FY 2023**

#### Implementing the President's Trade Agenda

The President's trade agenda places workers at the center of trade policy, calling for engagement with unions and worker advocates; review of trade policies to ensure better outcomes for workers; negotiation of new commitments to high-standard labor obligations in trade and economic frameworks; and strong, enforceable labor obligations that promote workers' rights under existing trade agreements to ensure workers around the world benefit from trade. The agenda also commits the United States to review trade agreements and to take decisive action to combat exploitative labor conditions, including forced labor and child labor, among trade partners.

To realize these goals ILAB focused on strong enforcement combined with rigorous research and reporting and engagement with trade unions and worker advocates. Our technical assistance projects strengthened respect for and adherence to labor rights, especially the right of freedom of association and effective recognition of the right to collective bargaining, and will improve worker voice and working conditions in trade partner countries.

The administration and Congress are increasingly focused on the impact of labor rights abuses on supply chain security and resilience, and the role of trade in promoting human rights and access to remedy in global supply chains. As the principal U.S government agency funding trade-

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related labor technical assistance projects, ILAB is uniquely positioned to develop and oversee these programs.

ILAB supported the fulfillment of trade commitments through the implementation of technical assistance projects in trading partner countries to improve labor laws and government capacity to enforce such laws; raise awareness of labor rights; provide legal support to workers; build the capacity of democratic unions; expand worker protections; ensure safe and healthy workplaces; engage employers to comply with relevant laws; and combat exploitative labor conditions, such as forced labor, child labor, and wage theft.

### Trafficking Victims Protection Reauthorization Act Mandate for the *List of Goods Produced by Child Labor or Forced Labor*

The 2018 TVPRA expanded ILAB's reporting mandate to include "to the extent practicable, goods that are produced with inputs that are produced with forced labor or child labor." To fulfill this mandate, ILAB mapped key segments of complex supply chains to trace components or inputs made with forced or child labor through to finished products, resulting in a significantly expanded list of tainted goods, with potential to add more. ILAB conducted over a dozen investigative research studies on child labor and forced labor risks, including in priority sectors of mining and fishing, and across countries in Africa, Asia, and Latin America. ILAB also performed studies on cotton, garments, and cocoa to inform the TVPRA List and gather updated information on prevalence and risks to U.S. and global supply chains. Additionally, ILAB responded to demands for increased interagency and international engagement in supply chain tracing on forced labor, child labor, and human trafficking, which included providing deep technical expertise on the TVPRA List in the National Oceanic and Atmospheric Administration's biennial Congressional *Report on IUU Fishing, Bycatch, and Shark Catch*, reporting on our research to National Security Council events on mining, and updating colleagues in Customs and Border Protection on recent findings that impact their mandates.

The full implementation of this mandate will directly support the Biden Administration's Executive Order on American supply chains, the President's trade and climate agendas, and the administration's foreign policy and human rights priorities by combatting forced labor, including with respect to China, protecting and empowering workers, and improving information on vital supply chains.

### Labor Attaché Program

In FY 2023, the labor attaché program served as a powerful tool for bolstering compliance with labor-related trade commitments and elevating labor standards globally, regionally, and in selected countries. This program deploys experienced personnel to U.S. missions abroad, where their direct involvement and monitoring of labor issues advances U.S. interests. ILAB labor attachés played a pivotal role in ensuring that our trade partners, along with other countries and stakeholders, adhere to internationally recognized labor standards. These standards include the right to freedom of association and collective bargaining, wages, hours, overtime, workplace

## INTERNATIONAL LABOR SERVICES

safety, non-discrimination, and the prohibition of child labor, forced labor, and human trafficking.

The labor attachés enhanced the effectiveness of ILAB’s targeted technical assistance, which aimed to align local labor laws and practices with internationally recognized labor standards. Recent accomplishments by ILAB labor attachés have underscored the administration’s commitment to ensuring trade partners fulfill their commitments to the United States. For example, in Mexico, labor attachés directly contributed to the negotiation of the settlement of the GM-Silao case, the first case received under the USMCA Rapid Response Mechanism. They achieved this by interviewing workers and engaging with the Mexican Ministry of Labor.

In FY 2023, ILAB deployed labor attachés to Tijuana, Mexico; Guatemala City, Guatemala; and Dhaka, Bangladesh, to address longstanding and flagrant labor violations. ILAB also assigned a new labor attaché to Bogota, Colombia, to continue monitoring the implementation of the Colombian Labor Action Plan.

The Northern Central American countries of El Salvador, Guatemala and Honduras are critical to the implementation of the administration’s strategies on addressing root causes of migration and supporting collaborative migration frameworks. ILAB’s labor attaché in Guatemala strengthened networks of contacts and partners, identified new areas for interventions and cooperation, engaged with governments, and supported labor-related technical assistance projects. Serving as a senior advisor to embassy leadership, ILAB’s labor attaché coordinated closely with the political and economic sections and other parts of the Mission to carry out USG labor mandates and promoted links to broader implementation of the strategy. DOL attaché responsibilities included monitoring and reporting on compliance with the labor chapter of the Central America-Dominican Republic Free Trade Agreement (CAFTA-DR), violence against labor leaders, labor migration, and labor market trends.

### Ensuring Compliance with the Labor Provisions of U.S. Trade Agreements and Preference Programs

ILAB focused on fulfilling the President’s trade agenda to review, monitor and enforce the labor provisions of the FTAs between 19 trade partner countries and the United States. To support the administration’s Root Causes Strategy and Collaborative Migration Management Strategy, ILAB focused on increased monitoring and engagement with Northern Central American countries. In addition, ILAB increased existing Western Hemisphere engagements with Colombia, the Dominican Republic, Panama, Peru, and Chile to support greater compliance with FTAs. As with cases arising under the USMCA, ILAB considered, and pursued where necessary, enforcement actions when labor commitments in FTAs have not been satisfied. ILAB served as the principal liaison with U.S. trading partners for the administration of FTA labor chapters, including labor subcommittees and labor cooperation mechanisms.

ILAB conducted monitoring and enforcement of compliance with the labor provisions of trade preference programs under the Generalized System of Preferences (GSP) and the African Growth and Opportunity Act (AGOA). ILAB continued to engage with priority countries

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seeking innovative avenues to improve labor compliance, including partnering with like-minded partner governments in beneficiary countries.

### Expanding Commitments to High Standard Labor Obligations

ILAB continued to negotiate strong, enforceable, and clear labor provisions in any trade agreements, trade initiatives, and economic agreements, negotiated or renegotiated in FY 2023 to ensure American workers' equities are protected, including by securing commitments to meet high labor standards, advance resilient and secure supply chains by protecting labor rights, and address the suppression of wages and workers' rights in other countries to the detriment of U.S. workers. ILAB provided labor expertise in the negotiation of the Indo-Pacific Economic Framework (IPEF): strong labor rights commitments across Pillar II (Supply Chains), Pillar III (Clean Economy), and Pillar IV (Fair Economy). ILAB worked with USTR to develop draft negotiating text that includes high standard labor obligations under the Taiwan Initiative, Kenya Initiative, and the Americas Partnership for Economic Prosperity.

ILAB worked with interagency partners, as well as workers and businesses, to improve compliance with labor standards. ILAB engaged with trade partners to achieve multilateral commitments to increase transparency and accountability in global supply chains. These efforts were bolstered by targeted technical cooperation, research and evaluation to strengthen labor law enforcement and compliance with the labor requirements of U.S. trade agreements and preference programs.

### Improving Global Working Conditions and Promoting Inclusive, Equitable Economic Growth

In FY 2023, ILAB continued to use its leadership and expertise on international labor issues to advance U.S. labor and employment priorities. ILAB represented the U.S. Government's interests and policies in international fora, such as the International Labor Organization (ILO), World Health Organization (WHO), G20, G7, Organization for Economic Cooperation and Development (OECD), Asia-Pacific Economic Cooperation (APEC), the annual Conference of the Parties (COP) to the United Nations Framework Convention on Climate Change, and International Association of Labor Inspection (IALI). ILAB worked to ensure U.S. priorities were reflected in international organizations' policies and programs and will advocate for stronger measures dealing with occupational safety and health, labor inspection, social protection, racial and gender equity, just transition, and other administration priorities. ILAB contributed to the negotiation of a new Recommendation on Quality Apprenticeships at the ILO, for example, which reflected U.S. priorities, including related to rights and protection for apprentices. In addition, in APEC, one example of success includes the endorsement of the [\*Detroit Non-Binding Principles and Recommendations for Equality and Inclusion in Education, Training, and Employment\*](#) to promote equality and inclusion in workforce development, including through education and labor and social protections, in support of efforts to elevate workers' voices and promote inclusive workforce education. To inform the work and engagement with these organizations, ILAB produced research products and data on priority countries and monitored and reported on international labor and economic trends in the United States and relevant countries and regions. Economic research and reporting incorporated equity analysis and focused on the cross-cutting themes of youth, women and minority populations.



## INTERNATIONAL LABOR SERVICES

ILAB enhanced its leadership at the G20 Occupational Safety and Health (OSH) Network, IALI, and the WHO Health in the World of Work (H-WoW) Network to support the adoption of ILO's OSH instruments by countries. ILAB worked with unions, labor support organizations, philanthropic organizations, and other governments to advance the M-POWER initiative in support of workplace democracy and support trade union rights in the global economy. In FY 2023, DOL worked with M-POWER Partners to convene an M-POWER Summit in Zambia: "Governments, Unions United Against Gender-Based Violence and Harassment at Work." In the context of M-POWER's Urgent Action Initiative, DOL coordinated with the State Department and other M-POWER Partners to issue statements highlighting concerns about: [Bangladesh](#), [Belarus](#), and [Honduras](#). M-POWER continues to grow, welcoming the governments of Brazil and France as new partners in FY 2023, while M-POWER's Secretariat officially launched in August 2023 and brought on board its new Executive Director shortly afterwards. ILAB continued to pursue dialogue and informational exchanges with foreign governments, such as Argentina, Brazil, China, Japan, South Africa, Spain, Switzerland, Vietnam, and others to shape policies and enable senior DOL officials to share with, and learn from, practices, policies, and programs in other countries relevant to ILAB's work.

### Combating International Child Labor, Forced Labor, Human Trafficking and Other Violations of Worker Rights

In FY 2023, ILAB continued to be a global leader in supporting efforts to eliminate child labor, forced labor, and human trafficking around the world. ILAB pursued this goal through its flagship reports spotlighting child labor and forced labor abuses, expanded policy engagement, and direct support for targeted action through its international technical assistance and cooperation programming. ILAB efforts in this area addressed root causes of child labor and forced labor, including issues of racial and gender equity that contribute to the persistence of these abusive labor practices. For example, ILAB launched a new project to strengthen the capacity of local organizations in cattle raising areas of Brazil and Paraguay to address forced labor, child labor, and other labor violations, primarily among indigenous and other vulnerable populations. In Mexico, ILAB initiated a project in Mexico City and Querétaro that will raise awareness about domestic worker rights, offer leadership development training to domestic workers, promote gender equity and decent employment strategies, and provide legal and social services for workers whose rights are violated. ILAB partnered with like-minded governments to accelerate global action to eliminate child labor and forced labor, building upon momentum from the Fifth Global Conference on the Elimination of Child Labor and in support of Alliance 8.7, a global initiative to support achievement of Sustainable Development Goal 8 and Target 8.7 on the eradication of child labor, forced labor, human trafficking, and modern-day slavery. As a member of Alliance 8.7, ILAB chaired the Alliance 8.7 Survivor Voice & Engagement Working Group, actively participates in the Alliance 8.7 Pathfinder Country Monitoring Group, and co-lead the Donor Coordination Group. ILAB technical assistance programming supported progress on Target 8.7. For example, ILAB's MAP16 project created updated training materials on child labor and forced labor for labor inspectors in Argentina, an Alliance 8.7 Pathfinder Country. The materials are now included in the country's regular training program for inspectors. The project also developed a new methodology for detecting labor rights abuses in supply chains through research on the Vietnam electronics supply chain, which was carried out in collaboration with the Government of Vietnam, another Pathfinder country. Another ILAB program designed to

## INTERNATIONAL LABOR SERVICES

accelerate progress towards Alliance 8.7 supported Somalia as a pathfinder country in its commitment and accession process and engaged with employer and business organizations in Mexico to share knowledge on effective solutions for engaging their membership and the private sector in the fight against forced labor.

ILAB focused on accountability in supply chains, promotion of worker voice and empowerment, and social protection to address child labor and forced labor. For example, in FY 2023, ILAB funded a global technical assistance project to promote worker-centered approaches to reduce and remediate forced labor in supply chains, starting with a pilot in the Indonesian palm oil sector. ILAB also launched a new interactive web format for *Comply Chain* to equip businesses and industry groups with a practical, step-by-step guide on critical elements of an integrated worker-driven social compliance system to tackle child labor and forced labor in their supply chains. ILAB worked in countries that advance the strategic foreign policy priorities of the Administration, most notably in Central America, Southeast Asia, and Sub-Saharan Africa. For instance, within the Democratic Republic of the Congo, ILAB implemented two projects that aim to eliminate child labor in cobalt supply chains. Additionally, ILAB launched a project to pilot and assess the Fair Food Program's worker-driven social compliance model in cut flower farms in Chile, Mexico, and South Africa. ILAB also continued to manage, monitor, and evaluate a diverse portfolio of projects to combat child and forced labor around the world.

Finally, ILAB advanced the knowledge base on these issues by developing new tools and disseminating good practices. ILAB partnered with other U.S. government agencies, such as Department of Homeland Security (DHS), to advance our goals of protecting children and adults from exploitative labor and promoting decent work opportunities. Developed with ILAB's support, the newly released Supply Chain Traceability Matrix provides a public-facing web-based platform where users can learn to leverage the power of traceability to combat labor rights violations in global supply chains. ILAB also supported the development of a new manual -- *Towards Freedom at Sea* -- that provides guidance to labor inspectors, maritime authorities, and others on detecting forced labor in the fishing industry. There is high demand for this handbook among a variety of actors in the United States and around the world, and ILAB anticipates it will be used by Coast Guard and immigration officials, labor inspectors, and civil society stakeholders. ILAB continued to innovate in developing and implementing its programs by coordinating with other donors, improving synergies with USG policy engagement and pursuing South-South cooperation. For example, ILAB allocated funding to support intra-African South-South collaboration among trade unions, including peer-to-peer learning, to advance their fight against child and forced labor. ILAB also implemented an Interagency Agreement between DOL and the CBP's Trade Remedy Law Enforcement Division (TRLED), which involved ILAB carrying out qualitative and quantitative research studies on forced labor and other abusive labor practices in global supply chains.

# INTERNATIONAL LABOR SERVICES

## Workload and Performance Narrative

In support of its FY 2025 Budget request, ILAB will implement performance measures to demonstrate the effectiveness of the following priority strategies:

- Ensuring compliance with the labor provisions of U.S. trade agreements and preference programs;
- Improving global working conditions and promoting inclusive, equitable economic growth; and
- Combating international child labor, forced labor, human trafficking, and other violations of worker rights.

During FY 2024, ILAB will maintain performance measures relating to mandates under the USMCA, support for the Administration's Root Causes Strategy in Central America, and efforts to address equity issues. In addition to these new performance measures, ILAB is continuing the use of several existing legacy performance measures.

In FY 2025, ILAB will work to:

- Increase the capacity of governments – as well as private sector, worker organizations and civil society stakeholders – to address child labor, forced labor, trafficking in persons, and other violations of workers' rights.
- Elevate engagement with countries and stakeholders through the Global Labor Strategy; the Multilateral Partnership for Organizing, Worker Empowerment, and Rights (M-POWER) initiative; and the deployment of a labor attaché corps in Mexico, Vietnam, Colombia, Bangladesh, Guatemala, Geneva, and other strategically important countries.
- Improve key foreign government enforcement of labor laws or other labor-related trade commitments to the United States.
- Improve access to education, training, or other appropriate services for individuals subject to or highly vulnerable to violations of fundamental worker rights, including child labor and forced labor.
- Conduct evaluations of ILAB's policies, programs, and technical assistance to develop new data and evidence for current and future programming.
- Increase ILAB's capacity to expand its TVPRA list to include (as mandated by the 2018 Trafficking Victims Protection Act) goods made with inputs that are produced with forced labor or child labor.

All of these activities contribute to ILAB priority strategies, as implementation of the strategies are not exclusive, but often mutually enforcing. ILAB uses multiple avenues and tools to achieve its goals. These activities are also aligned with the themes and strategies identified in ILAB's Agency Management Plan.

The successful achievement of ILAB's strategic goals does not rely solely on ILAB's performance. External factors outside ILAB's control will influence the agency's ability to achieve its goals. For example, while ILAB may provide direct technical assistance to a country in drafting, adopting, and implementing a new labor code, its effective enforcement

## INTERNATIONAL LABOR SERVICES

ultimately depends on the country's legislators, enforcement officials, and political leadership, and not solely on ILAB's efforts.

While many of ILAB's efforts rely on stakeholders and other external factors, ILAB does have ways to assess the degree to which it is successfully implementing planned activities to pursue desired outcomes. The FY 2025 Budget request includes measures that help evaluate whether ILAB has successfully carried out these activities, including:

- Number of international policy documents that reflect U.S. labor and employment interests.
- Percent of high engagement trading partner countries or multilateral institutions that implement actions to improve protection of labor rights, including through law or enforcement.
- Number of trade partner countries in which labor rights, including child labor and forced labor, are systematically monitored and analyzed.

In FY 2025, ILAB will continue to develop and oversee technical assistance programming in support of the US-Mexico-Canada Agreement (USMCA) and the Biden Administration's Strategy to Address the Root Causes of Migration in Central America, as well as continuing to oversee and expand the scope of grants under its broader technical assistance portfolio.

In FY 2024, ILAB will expand its monitoring and enforcement work in Mexico under the USMCA, including the continued use of the Rapid Response Mechanism to expedite enforcement of labor rights at particular facilities that fail to comply with domestic laws. ILAB will also continue to support the Interagency Labor Committee in meeting Congressional reporting requirements and process submissions.

ILAB will fulfill its responsibilities for Congressionally mandated and other required reporting functions related to trade, child labor, and forced labor. ILAB will continue to develop processes for producing its reports to increase efficiency, maintain the accuracy and reliability of information reported, expand traceability through global supply chains, and support policy engagement efforts to assist governments in addressing suggested actions identified through its reporting. In addition to increasing its capacity to meet the 2018 TVPRA mandate, ILAB will also seek to increase its level of outreach, training, and support for U.S. Government agencies seeking to guard against procurement of goods made with child labor, forced labor, or other abusive labor practices.

The number of countries systematically monitored for child and forced labor includes those countries featured in the annual *Findings on the Worst Forms of Child Labor*, the biennial TVPRA List, and the periodic EO 13126 List. While the precise number of countries included in the three reports fluctuates depending on Generalized System of Preferences (GSP) status in a given year, ILAB monitored 154 countries in FY 2023.

## INTERNATIONAL LABOR SERVICES

<b>BUDGET ACTIVITY BY OBJECT CLASS</b>					
(Dollars in Thousands)					
		FY 2023 Enacted	FY 2024 Estimate	FY 2025 Request	Diff. FY25 Request / FY24 Estimate
11.1	Full-time permanent	18,248	18,248	19,364	1,116
11.3	Other than full-time permanent	30	30	30	0
11.5	Other personnel compensation	441	441	441	0
11.9	<b>Total personnel compensation</b>	<b>18,719</b>	<b>18,719</b>	<b>19,835</b>	<b>1,116</b>
12.1	Civilian personnel benefits	6,353	6,353	6,350	-3
21.0	Travel and transportation of persons	1,700	1,700	1,700	0
22.0	Transportation of things	36	36	36	0
23.1	Rental payments to GSA	1,412	1,412	1,412	0
23.3	Communications, utilities, and miscellaneous charges	1	1	1	0
24.0	Printing and reproduction	11	11	11	0
25.1	Advisory and assistance services	500	500	500	0
25.2	Other services from non-Federal sources	243	243	243	0
25.3	Other goods and services from Federal sources 1/	5,330	5,330	5,487	157
25.4	Operation and maintenance of facilities	0	0	0	0
25.5	Research and development contracts	0	0	0	0
25.7	Operation and maintenance of equipment	0	0	0	0
26.0	Supplies and materials	95	95	95	0
31.0	Equipment	0	0	0	0
41.0	Grants, subsidies, and contributions	81,725	81,725	126,725	45,000
	<b>Total</b>	<b>116,125</b>	<b>116,125</b>	<b>162,395</b>	<b>46,270</b>
	1/Other goods and services from Federal sources				
	Working Capital Fund	3,814	3,814	3,971	157
	DHS Services	530	530	530	0
	Services by DOL Agencies	5	5	5	0
	Services by Other Government Departments	861	861	861	0

# INTERNATIONAL LABOR SERVICES

## CHANGES IN FY 2025

(Dollars in Thousands)

### Activity Changes

#### Built-In

To Provide For:

Costs of pay adjustments	\$1,116
Personnel benefits	0
Federal Employees' Compensation Act (FECA)	-3
Travel and transportation of persons	0
Transportation of things	0
Rental payments to GSA	0
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Advisory and assistance services	0
Other services from non-Federal sources	0
Working Capital Fund	157
Other Federal sources (DHS Charges)	0
Other goods and services from Federal sources	0
Research & Development Contracts	0
Operation and maintenance of facilities	0
Operation and maintenance of equipment	0
Supplies and materials	0
Equipment	0
Grants, subsidies, and contributions	0

**Built-Ins Subtotal** **\$1,270**

**Net Program** **\$45,000**

**Direct FTE** **0**

	Estimate	FTE
<b>Base</b>	<b>\$117,395</b>	<b>140</b>
<b>Program Increase</b>	<b>\$45,000</b>	<b>0</b>
<b>Program Decrease</b>	<b>\$0</b>	<b>0</b>

## ADMINISTRATION AND MANAGEMENT

<b>BUDGET AUTHORITY BEFORE THE COMMITTEE</b>				
(Dollars in Thousands)				
	<b>FY 2023 Enacted</b>	<b>FY 2024 Estimate</b>	<b>FY 2025 Request</b>	<b>Diff. FY25 Request / FY24 Estimate</b>
<b>Activity Appropriation</b>	<b>30,804</b>	<b>30,804</b>	<b>31,991</b>	<b>1,187</b>
FTE	97	100	100	0

NOTE: FY 2023 reflects actual FTE. Authorized FTE for FY 2023 was 102.

### **Introduction**

The Office of the Assistant Secretary for Administration and Management (OASAM) provides the infrastructure and support that enables the Department to carry out its core missions. OASAM develops policies, standards, procedures, systems, and materials for administrative management, including business operations; procurement and acquisition; information technology (IT); human resource management; budget formulation; and strategic planning and performance. Six Administration and Management business units receive funding from this appropriation and are designed as centers of excellence with unique mission responsibilities. OASAM emphasizes integrated performance along with seamless and transparent information sharing across business units. Resources for inflationary costs allows OASAM to continue to provide services at the same level of support. The six business units are:

- Departmental Budget Center (DBC)
- Performance Management Center (PMC)
- Office of Human Resources (OHR)
- Office of the Chief Information Officer (OCIO)
- Business Operations Center (BOC)
- Office of the Senior Procurement Executive (OSPE)

DBC, OHR, OCIO, BOC, and OSPE also receive funding for certain activities funded through the Working Capital Fund (WCF). In addition, OASAM Office of Field Operations, Emergency Management Center, the Security Center, and the Workplace Equality Compliance Office receive full funding of their activities through the WCF. These activities are detailed in the WCF justification. OASAM’s civil rights activities, beyond language access activities financed by the WCF, are detailed in the Civil Rights budget activity below.

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

<b><u>Fiscal Year</u></b>	<b><u>Funding</u></b> (Dollars in Thousands)	<b><u>FTE</u></b>
2020	\$29,004	99
2021	\$29,004	102
2022	\$29,858	102
2023	\$30,804	102
2024	\$0	100

NOTE: A full-year 2024 appropriation for this account was not enacted at the time the budget was prepared.

## **ADMINISTRATION AND MANAGEMENT**

### **FY 2025**

The FY 2025 request for OASAM is \$31,991,000 and 100 FTE. OASAM will continue to support the Department in advancing equity, informing evidence-based decision-making, and enabling the Department to perform its mission.

### **FY 2024**

Figures for FY 2024 are an estimate. Discretionary amounts shown for FY 2024 reflect an annualized Continuing Resolution (Division A of P.L. 118-15, as amended), as a full-year appropriation, had not been enacted at the time the budget was produced. Mandatory amounts are equal to the FY 2024 President's Budget and do not reflect sequestration.

### **FY 2023**

The FY 2023 budget for OASAM is \$30,804,000 and 97 FTE. OASAM's priorities are to advance equity, inform evidence-based decision-making, and enable the Department to perform its mission.

Whether it is by modernizing legacy applications and ensuring compliance with Section 508 of the Rehabilitation Act, employing hiring strategies to promote a diverse workforce, streamlining administrative services to improve the efficiency and quality of service delivery, or engaging employees in building a model workforce, OASAM continued to improve the Department's administrative services to drive success in all mission areas.



## ADMINISTRATION AND MANAGEMENT

<b>WORKLOAD AND PERFORMANCE SUMMARY</b>					
	<b>FY 2023 Enacted</b>		<b>FY 2024 Estimate</b>	<b>FY 2025 Request</b>	
	<b>Target</b>	<b>Result</b>	<b>Target</b>	<b>Target</b>	
<b>Administration and Management</b>					
<b>Administration and Management</b>					
<b>Strategic Goal 5 - A Department Grounded in Innovation, Evidence, and Employee Engagement</b>					
<b>Strategic Objective OASAM M.1 - Drive innovation in administrative, management, and financial services.</b>					
OASAM- DM-ASAM- OH-01	OASAM Customer Satisfaction Survey Result	4.00	4.35	4.00	4.00
<b>Departmental Budget Center</b>					
<b>Strategic Goal 5 - A Department Grounded in Innovation, Evidence, and Employee Engagement</b>					
<b>Strategic Objective DBC M.2 - Strengthen the Department’s commitment and capacity for evidence-based decision-making.</b>					
OASAM- DM-DBC-05	Budget Formulation and Execution Customer Satisfaction Score	4.00	4.30	4.00	4.00
<b>Performance Management Center</b>					
<b>Strategic Goal 5 - A Department Grounded in Innovation, Evidence, and Employee Engagement</b>					
<b>Strategic Objective DBC M.2 - Strengthen the Department’s commitment and capacity for evidence-based decision-making.</b>					
OASAM- DM-PMC-04	AMP Stakeholder Satisfaction Score	--	--	[base]	TBD

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

## ADMINISTRATION AND MANAGEMENT

### **Workload and Performance Narrative**

OASAM engaged with its client agencies to adequately plan for administrative services in support of their mission priorities. OASAM regularly obtained feedback from its customers through a variety of sources, including a Customer Satisfaction Survey, semi-annual feedback on OASAM leaders, and advisory/governance board feedback. OASAM's FY 2023 Customer Satisfaction is 4.35 on a scale of 1 (very dissatisfied) to 5 (very satisfied). OASAM took the following actions based on agency feedback from the survey: conducted trainings and briefings, updated communications, and implemented new tracking systems and checklists. In FY 2024 and FY 2025, OASAM will aim to maintain a score of 4 or higher (satisfied to very satisfied) and continue to make improvements to its services based on agency feedback.

DBC's Customer Satisfaction for Budget Formulation and Budget Execution was 4.30 for FY 2023. The survey helped DBC identify strengths and areas of improvement within its work products and procedures. As a result of agency feedback to the survey, DBC made system improvements in the Departmental e-Business Suite and increased communication and trainings with partner agencies. In FY 2024 and FY 2025, DBC will aim to maintain a score of 4 or higher and continue to build upon agency feedback and incorporate structural improvements to the budget processes within DOL.

In FY 2024, PMC is baselining a new measure on Agency Management Plan (AMP) stakeholder satisfaction. Upon review of the FY 2024 results, a stakeholder satisfaction target will be set for FY 2025. To collect satisfaction data, PMC will survey AMP stakeholders including leadership, administrative officers, and performance leads. PMC will take actions to improve the AMP process based on this feedback.

## ADMINISTRATION AND MANAGEMENT

<b>BUDGET ACTIVITY BY OBJECT CLASS</b>					
(Dollars in Thousands)					
		<b>FY 2023 Enacted</b>	<b>FY 2024 Estimate</b>	<b>FY 2025 Request</b>	<b>Diff. FY25 Request / FY24 Estimate</b>
11.1	Full-time permanent	15,578	16,804	17,759	955
11.3	Other than full-time permanent	0	0	0	0
11.5	Other personnel compensation	737	737	737	0
11.8	Special personal services payments	0	0	0	0
11.9	<b>Total personnel compensation</b>	<b>16,315</b>	<b>17,541</b>	<b>18,496</b>	<b>955</b>
12.1	Civilian personnel benefits	5,888	6,296	6,386	90
13.0	Benefits for former personnel	0	0	0	0
21.0	Travel and transportation of persons	0	0	0	0
22.0	Transportation of things	0	0	0	0
23.1	Rental payments to GSA	872	816	816	0
23.3	Communications, utilities, and miscellaneous charges	31	31	31	0
24.0	Printing and reproduction	13	13	13	0
25.1	Advisory and assistance services	1,469	199	199	0
25.2	Other services from non-Federal sources	195	195	195	0
25.3	Other goods and services from Federal sources 1/	5,759	5,551	5,693	142
25.4	Operation and maintenance of facilities	0	0	0	0
25.5	Research and development contracts	0	0	0	0
25.7	Operation and maintenance of equipment	2	2	2	0
26.0	Supplies and materials	260	160	160	0
31.0	Equipment	0	0	0	0
	<b>Total</b>	<b>30,804</b>	<b>30,804</b>	<b>31,991</b>	<b>1,187</b>
	1/Other goods and services from Federal sources				
	Working Capital Fund	4,882	4,882	5,024	142
	DHS Services	17	17	17	0
	GSA Services	152	152	152	0

# ADMINISTRATION AND MANAGEMENT

## CHANGES IN FY 2025

(Dollars in Thousands)

### Activity Changes

#### Built-In

To Provide For:

Costs of pay adjustments	\$955
Personnel benefits	0
Federal Employees' Compensation Act (FECA)	90
Benefits for former personnel	0
Travel and transportation of persons	0
Transportation of things	0
Rental payments to GSA	0
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Advisory and assistance services	0
Other services from non-Federal sources	0
Working Capital Fund	142
Other Federal sources (Census Bureau)	0
Other Federal sources (DHS Charges)	0
Other goods and services from Federal sources	0
Research & Development Contracts	0
Operation and maintenance of facilities	0
Operation and maintenance of equipment	0
Supplies and materials	0
Equipment	0
<b>Built-Ins Subtotal</b>	<b>\$1,187</b>

<b>Net Program</b>	<b>\$0</b>
<b>Direct FTE</b>	<b>0</b>

	Estimate	FTE
<b>Base</b>	<b>\$31,991</b>	<b>100</b>
<b>Program Increase</b>	<b>\$0</b>	<b>0</b>
<b>Program Decrease</b>	<b>\$0</b>	<b>0</b>

# ADJUDICATION

<b>BUDGET AUTHORITY BEFORE THE COMMITTEE</b>				
(Dollars in Thousands)				
	<b>FY 2023 Enacted</b>	<b>FY 2024 Estimate</b>	<b>FY 2025 Request</b>	<b>Diff. FY25 Request / FY24 Estimate</b>
<b>Activity Appropriation</b>	<b>65,192</b>	<b>69,398</b>	<b>71,111</b>	<b>1,713</b>
FTE	242	252	252	0

NOTE: FY 2023 reflects actual FTE. Authorized FTE for FY 2023 was 408.

## **Introduction**

The Adjudication activity is part of the Department’s overarching Worker Protection effort. Adjudication funds two major components: (1) the Office of the Administrative Law Judges (OALJ) and (2) the Adjudicatory Boards, consisting of the Administrative Review Board (ARB), the Benefits Review Board (BRB), and the Employees’ Compensation Appeals Board (ECAB). As agencies that adjudicate cases, OALJ and the Adjudicatory Boards will continue to generate decisions which are fair and impartial and based on the law.

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

OALJ presides over formal hearings as the tribunal of first instance. OALJ’s mission is to render fair and equitable decisions under the governing law, the facts of each case, and the procedures mandated by the Administrative Procedure Act under which OALJ has established its own rules of practice and procedures. The Department's administrative law judges hear and decide cases arising from multiple statutes and regulations, including such diverse subjects as:

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

Hearings concerning Black Lung benefits, Longshore Workers compensation, and Defense Base Act cases constitute the largest part of the office’s work.

Defense Base Act (DBA) cases are compensation cases for disability or death to persons employed at Military, Air, and Naval Bases outside the United States. OALJ traditionally receives approximately 700-800 DBA cases yearly. As of FY 2023, the yearly number of DBA cases submitted to OALJ has increased to the 6,000 - 7,000 case range. This increased caseload is expected to continue into FY 2024 and FY 2025 and remains the biggest challenge for the Office of Administrative Law Judges (OALJ).

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

## ADJUDICATION

Over the past decade, OALJ has experienced increased workloads as Congress passed new whistleblower protection laws, such as the Aviation Investment and Reform Act, the Sarbanes-Oxley Act, Federal Rail Safety Act, the National Transit Systems Security Act, and the Pipeline Safety Improvement Act of 2002. Since FY 2008, regulatory changes, and reallocation of enforcement priorities at the Employment and Training Administration have resulted in significant increases of administrative law judges' hearings relating to H-2A and H-2B temporary labor certification applications.

### **The Adjudicatory Boards**

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

*The Administrative Review Board (ARB).* The ARB issues final agency decisions in appeals of cases arising under more than 60 worker-protection statutes and executive orders as outlined in Secretary's Order No. 01-2020, dated March 6, 2020. Most of the ARB's cases involve retaliation complaints arising under securities fraud, environmental, nuclear, aviation, trucking, rail and other employee protection statutes filed with the OSHA Whistleblower Protection Program. The ARB also reviews certain civil rights enforcement actions arising under OFCCP's executive orders and statutes, and worker protection statutes such as the Child Labor and Migrant and Seasonal Worker Protection Acts. A growing number of appeals are also considered under the Davis-Bacon and Service Contract Acts and the H-1B non-immigrant visa provisions of the Immigration and Naturalization Act. In the past 10 years, the federal courts have upheld the ARB decisions in more than 95 percent of cases appealed.

The ARB may consist of up to five members who serve as Administrative Appeals Judges, one of whom is the Board Chair and Chief Administrative Appeals Judge. All ARB members are appointed by the Secretary of Labor.

*The Benefits Review Board (BRB).* The BRB was created by Congress in 1972 and decides appeals under the Black Lung Benefits Act (BL), the Longshore and Harbor Workers' Compensation Act, and the Defense Base Act (LS/LDA). The BRB reviews and determines hundreds of appeals each year, makes legal interpretations, and establishes legal precedents that set standards for the Black Lung Benefits Act, the Longshore and Harbor Workers' Compensation Act, and the Defense Base Act.

The BRB has authority to resolve appeals under these statutes, filed by any party-in-interest. Virtually all new appeals to the BRB come from the Office of Administrative Law Judges (OALJ), consequently BRB case production is directly related to OALJ production. Historically, 35% of OALJ BL decisions and less than 7% of OALJ LS/LDA decisions are appealed to the BRB, which reviews these decisions to determine whether the findings are supported by substantial evidence and are in accordance with law. The BRB's decisions may be appealed to the U.S. Courts of Appeals in the circuit where the injury arose, and from there to the U.S. Supreme Court. Historically, less than 15 percent of the BRB's decisions are appealed to the federal circuit courts,

## ADJUDICATION

and more than 85 percent of these are affirmed. By statute, the BRB consists of five members appointed by the Secretary of Labor, one of whom is designated as Chair and Chief Administrative Appeals Judge.

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

The ECAB consists of five members, one of whom is the Board Chair and Chief Administrative Appeals Judge. All ECAB members are appointed by the Secretary of Labor.

### Five-Year Budget Activity History<sup>2</sup>

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2020	\$35,000	141
2021	\$35,000	240
2022	\$36,000	249
2023	\$37,000	408
2024	\$0	252

NOTE: A full-year 2024 appropriation for this account was not enacted at the time the budget was prepared.

### FY 2025

#### **Administrative Law Judges**

The Office of Administrative Law Judges (OALJ) is projected to receive 11,150 cases during FY 2025 and disposing of 8,350 cases. This will result in 2,732 Black Lung pending cases with a 26-month pendency; 1,336 Longshore pending cases with a 13-month pendency; 14,507 Defense Base Act pending cases with a 36-month pendency; 329 Immigration pending cases with an 11-month pendency; 41 Traditional Immigration pending cases with a 2-month pendency; and 798 Traditional cases pending with a 27-month pendency.

#### **Adjudicatory Boards**

In FY 2025, ARB is projected to receive 65 cases, dispose of 65 cases, and have an average case processing time of 12.0 months.

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<sup>2</sup> Includes General only.

## ADJUDICATION

The BRB projects that its Longshore/defense Base Act (LS/LDA) caseload in FY 2025 will include 130 new LS/LDA cases, 140 closed LS/LDA appeals, with an average case processing time of 15.00 months. BRB projects that its Black Lung (BL) workload will include 437 new BL appeals, 460 closed BL appeals, with an average case processing time of 13.00 months. ECAB projects its FY 2025 workload to include 1,650 new appeals, 1,800 closed appeals, and an average case processing time of 8 months.

### **FY 2024**

Figures for FY 2024 are an estimate. Discretionary amounts shown for FY 2024 reflect an annualized Continuing Resolution (Division A of P.L. 118-15, as amended), as a full-year appropriation, had not been enacted at the time the budget was produced. Mandatory amounts are equal to the FY 2024 President's Budget and do not reflect sequestration.

### **FY 2023**

The revised enacted funding level for the Adjudication activity is \$65,192,000 and 242 FTE.

#### **Administrative Law Judges**

The Office of Administrative Law Judges (OALJ) received 10,964 cases during FY 2023 which was an increase of 2,714 cases. OALJ disposed of 8,534 cases as compared to the projection of 6,125 cases, a 2,430 increase of dispositions. This resulted in 2,432 Black Lung pending cases with a 23-month pendency; 1,436 Longshore pending cases with a 14-month pendency; 9,307 Defense Base Act pending cases with a 23-month pendency; 329 Immigration pending cases with an 11-month pendency; 41 Traditional Immigration pending cases with a 2-month pendency; and 598 Traditional cases pending with an 18-month pendency.

#### **Adjudicatory Boards**

In FY 2023, ARB received 58 cases (projection was 65), disposed of 58 cases (projection was 65), and had an average case processing time of 9.55 months (projection of 12.0 months).

In FY 2023, the Benefits Review Board (BRB) received 418 new Black Lung appeals, a decrease of 47 appeals from the prior fiscal year, and received 131 new Longshore/Defense Base Act appeals, an increase of 34 appeals from the prior fiscal year. The BRB issued 589 Black Lung decisions, exceeding its annual production goal target of issuing 528 Black Lung decisions by 61 decisions or by over 10%, and issued 148 more Black Lung decisions as compared to the prior fiscal year, representing a 34% increase. The BRB issued 102 Longshore/Defense Base Act decisions in FY 23, closing 44 more decisions as compared to the prior fiscal year, representing a 76% increase. As a result, the BRB ended the fiscal year with 479 pending black lung appeals, a decrease of 169 appeals from the 648 pending appeals at the beginning of the fiscal year, 129 pending Longshore/Defense Base Act appeals.

In FY 2023, ECAB received 1,198 (projection was 1,900) new appeals, closed 1,601 appeals (projection was 1,900), and had an average case processing time of 10 months (projection was 10 months).



## ADJUDICATION

<b>WORKLOAD AND PERFORMANCE SUMMARY</b>					
	<b>FY 2023 Enacted</b>		<b>FY 2024 Estimate</b>	<b>FY 2025 Request</b>	
	<b>Target</b>	<b>Result</b>	<b>Target</b>	<b>Target</b>	
<b>Adjudication</b>					
<b>Administrative Law Judges</b>					
<b>Strategic Goal ALL - All Strategic Goals</b>					
<b>Strategic Objective ALL.1 - All Strategic Objectives</b>					
ALJ-BL-01	OALJ BLACK LUNG New Cases:	1,100[p]	1,394	1,400[p]	1,400[p]
ALJ-BL-02	OALJ BLACK LUNG Dispositions:	1,200	1,250	1,250	1,250
ALJ-BL-03	OALJ BLACK LUNG Pending Cases:	2,188[p]	2,432	2,582[p]	2,732[p]
ALJ-BL-04	OALJ BLACK LUNG Pending Months:	22	23	25	26
ALJ-IM-01	OALJ IMMIGRATION New Cases:	150[p]	349	350[p]	350[p]
ALJ-IM-02	OALJ IMMIGRATION Dispositions:	250	346	350	350
ALJ-IM-03	OALJ IMMIGRATION Pending Cases:	226[p]	329	329[p]	329[p]
ALJ-IM-04	OALJ IMMIGRATION Pending Months:	11	11	11	11

## ADJUDICATION

<b>WORKLOAD AND PERFORMANCE SUMMARY</b>					
		<b>FY 2023 Enacted</b>		<b>FY 2024 Estimate</b>	<b>FY 2025 Request</b>
		<b>Target</b>	<b>Result</b>	<b>Target</b>	<b>Target</b>
ALJ-TI-01	OALJ TRADITIONAL IMMIGRATION New Cases:	350[p]	306	300[p]	300[p]
ALJ-TI-02	OALJ TRADITIONAL IMMIGRATION Dispositions:	350	311	300	300
ALJ-TI-03	OALJ TRADITIONAL IMMIGRATION Pending Cases:	46[p]	41	41[p]	41[p]
ALJ-TI-04	OALJ TRADITIONAL IMMIGRATION Pending Months:	2	2	2	2
ALJ-T-01	OALJ TRADITIONAL New Cases:	350[p]	448	450[p]	450[p]
ALJ-T-02	OALJ TRADITIONAL Dispositions:	425	403	350	350
ALJ-T-03	OALJ TRADITIONAL Pending Cases:	478[p]	598	698[p]	798[p]
ALJ-T-04	OALJ TRADITIONAL Pending Months:	13	18	24	27
ALJ-LS-01	OALJ LONGSHORE New Cases:	1,300[p]	1,206	1,150[p]	1,150[p]
ALJ-LS-02	OALJ LONGSHORE Dispositions:	1,200	1,267	1,200	1,200

## ADJUDICATION

<b>WORKLOAD AND PERFORMANCE SUMMARY</b>					
		<b>FY 2023 Enacted</b>		<b>FY 2024 Estimate</b>	<b>FY 2025 Request</b>
		<b>Target</b>	<b>Result</b>	<b>Target</b>	<b>Target</b>
ALJ-LS-03	OALJ LONGSHORE Pending Cases:	1,597[p]	1,436	1,386[p]	1,336[p]
ALJ-LS-04	OALJ LONGSHORE Pending Months:	16	14	14	13
ALJ-LDA-01	OALJ DEFENSE BASE ACT New Cases:	5,000[p]	7,261	7,500[p]	7,500[p]
ALJ-LDA-02	OALJ DEFENSE BASE ACT Dispositions:	2,700	4,957	4,900	4,900
ALJ-LDA-03	OALJ DEFENSE BASE ACT Pending Cases:	9,303[p]	9,307	11,907[p]	14,507[p]
ALJ-LDA-04	OALJ DEFENSE BASE ACT Pending Months:	41	23	29	36
<b>Employees' Compensation Appeals Board</b>					
<b>Strategic Goal ALL - All Strategic Goals</b>					
<b>Strategic Objective ALL.1 - All Strategic Objectives</b>					
ECAB-01	New Appeals	1,900[p]	1,198	1,750[p]	1,650[p]
ECAB-02	Closed Appeals	1,900	1,601	1,800	1,800

## ADJUDICATION

<b>WORKLOAD AND PERFORMANCE SUMMARY</b>					
		<b>FY 2023 Enacted</b>		<b>FY 2024 Estimate</b>	<b>FY 2025 Request</b>
		<b>Target</b>	<b>Result</b>	<b>Target</b>	<b>Target</b>
ECAB-03	Pending Appeals	1,435	880	830	680
ECAB-05	Average Case Processing Time	10.00	10.20	9.00	8.00
<b>Adjudication General Fund</b>					
<b>Strategic Goal ALL - All Strategic Goals</b>					
<b>Strategic Objective ALL.1 - All Strategic Objectives</b>					
BRB-LS/LDA-01	New Appeals	115[p]	131	115[p]	115[p]
BRB-LS/LDA-02	Closed Appeals	115	102	115	120
BRB-LS/LDA-03	Pending Appeals	100	130	130	125
BRB-LS/LDA-05	Average Case Processing Time	11.50	15.60	12.00	12.00
BRB-LS/LDA-12	Affirmance Rate	85.00%	96.00%	85.00%	85.00%

## ADJUDICATION

<b>WORKLOAD AND PERFORMANCE SUMMARY</b>					
	<b>FY 2023 Enacted</b>		<b>FY 2024 Estimate</b>	<b>FY 2025 Request</b>	
	<b>Target</b>	<b>Result</b>	<b>Target</b>	<b>Target</b>	
<b>Administrative Review Board</b>					
<b>Strategic Goal ALL - All Strategic Goals</b>					
<b>Strategic Objective ALL.1 - All Strategic Objectives</b>					
ARB-01	New Appeals	50[p]	56	65[p]	65[p]
ARB-02	Closed Appeals	48	58	65	70
ARB-03	Pending Appeals	47	51	51	46
ARB-05	Average Case Processing Time	11.80	9.55	12.00	11.50
<b>Adjudication Black Lung Fund</b>					
<b>Strategic Goal ALL - All Strategic Goals</b>					
<b>Strategic Objective ALL.1 - All Strategic Objectives</b>					
BRB- BL-01	New Appeals	495[p]	418	420[p]	420[p]
BRB- BL-02	Closed Appeals	528	589	460	420
BRB- BL-03	Pending Appeals	615	479	575	575
BRB- BL-05	Average Case Processing Time	14.50	18.50	14.00	13.00

## ADJUDICATION

<b>WORKLOAD AND PERFORMANCE SUMMARY</b>				
	<b>FY 2023 Enacted</b>		<b>FY 2024 Estimate</b>	<b>FY 2025 Request</b>
	<b>Target</b>	<b>Result</b>	<b>Target</b>	<b>Target</b>
BRB- Affirmance Rate BL-12	85.00%	96.00%	85.00%	85.00%

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

# ADJUDICATION

## Workload and Performance Narrative

### **Administrative Law Judges**

The FY 2025 Black Lung Trust Funds request level of \$21,586,000 will enable OALJ to continue adjudicating 1,250 cases with a pendency of 2,732 cases which is 26-months.

The FY 2025 General Funds request level of \$23,429,000 in FY 2025 will allow the agency to continue to provide the same levels of service to the public as in FY 2024. OALJ will adjudicate 7,100 cases in FY 2025 not including the 1,250 Black Lung cases being adjudicated as described above. During FY 2023, the number of Defense Base Act (DBA) cases received was 7,261. At the end of FY 2024, Defense Base Act cases pending are projected to total over 11,907 cases resulting in a 29-months pendency. Due to the significantly increased number of cases being filed, OALJ estimates that at the end of FY 2025 pending DBA cases will reach 14,507 cases equating to a 36-months DBA case pendency even though OALJ will be disposing of 4,900 cases in FY 2025.

OALJ projects to receive around 300 Traditional Immigration cases during FY 2025 and at the request level will allow OALJ to dispose of 300 cases resulting in 41 pending cases and a 2-month pendency. Since FY 2022, OALJ has been receiving an increased number of new cases in the Permanent Alien Labor Certification (PERM) Immigration Program area. OALJ projects pending cases to remain at 329 cases with an 11-month pendency at the end of FY 2025. During FY 2025, OALJ projects to dispose of 1,200 Longshore cases and expects 1,150 new cases resulting in a 13-month pendency. The traditional mix of cases is projected to remain at 350 case dispositions with a 27-month pendency at the end of FY 2025.

### **Adjudicatory Boards**

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

More than 95 percent of the ARB appeals come from OALJ as do virtually all new appeals to BRB. All appeals to ECAB originate in the Federal Employees Compensation Division of OWCP. By the time the Boards receive an appeal, the original claim may be several years old. Any delay at the appellate level is likely to be viewed as a hardship by the parties.

ARB projects 65 new appeals filed in FY 2024. Further, the ARB closed appeal target is 65 appeals at the request level, which anticipates ARB being able to close the same number of new cases that it receives. Also, ARB projects end of FY 2024 pending appeals to be 51. The average case processing time target is projected at 12 months based on an assessment of recent workload trends as well as the continued integration of members and staff in FY 2024. ARB experienced a decrease in new cases filed in FY 2023 and so is anticipating that FY 2024 and FY 2025 may result in similar numbers of new appeals being filed with the ARB. In FY 2025, ARB projects a similar number (65) of new appeals processed within a tightened case processing time of 11.5 months, on average, and resulting in a slightly higher number (70) of closed appeals and a slightly lower number (46) of pending appeals at the end of FY 2025.

## ADJUDICATION

For FY 2024, the BRB projects to receive 420 new Black Lung (BL) appeals based on OALJ's projected production. Historically, 35% of OALJ BL decisions are appealed to the BRB. Based on the assumption that the BRB receives its requested funding in FY 2024, the BRB expects its closed BL appeals target to remain at 460 and its end of FY 2024 pending BL appeals to drop to 439, resulting in a decrease of its average case processing time to 14 months. Based on the requested funding in FY 2024 and consistency in historic rates of OALJ Longshore and Defense Base Act (LS/LDA) decisions appealed to the BRB, BRB projects new filed appeals to remain at 115 in FY 2024 because of OALJ's projected LS/LDA production. The BRB expects its LS/LDA closed appeals target to remain at 115 and average case processing time to increase to 12 months, resulting in 130 pending LS/LDA appeals at the end of FY 2024.

For FY 2025, based on the assumption that the BRB receives its FY 2025 full increased requested funding and OALJ's projected determinations, the BRB will adjudicate its appeals within target timeframes for disposition and projects new BL appeals filed to remain at 420. Historically, 35% of OALJ BL decisions are appealed to the BRB. Based on the assumption that the BRB receives its increased requested funding in FY 2025, the BRB expects to close 420 BL appeals, resulting in end of FY 2025 pending BL appeals remaining at 439 with an average case processing time decreasing to 13 months. Based on OALJ and the BRB receiving their requested funding in FY 2025 and consistency in historic rates of LS/LDA decisions appealed to the BRB, BRB projects new LS/LDA appeals filed to remain at 115 in FY 2025. BRB expects its closed LS/LDA appeals target to increase to 120 in FY 2025 and its average case processing time to remain to 12.0 months. End of FY 2025 pending LS/LDA appeals are expected to decrease to 125.

ECAB has modified the estimate of new appeals filed to be 1,750 in FY 2024. This is the result of a trend of slight decrease of appeals from OWCP due to reported level of workplace injury claims. The ECAB closed appeals target for FY 2024 has therefore been modified to 1,800 appeals at the request level with an average case processing time target of 9 months. The ECAB projects end of FY 2024 pending appeals to be 830.

With regard to FY 2025, ECAB expects 1,650 new appeals filed. This is in light of an anticipated continuation of the downward trend of appealed cases from OWCP. The ECAB closed appeals target for FY 2025 is 1,800 at the request level with an average processing time of 8 months. ECAB projects end of FY 2025 pending appeals to be 680.



## ADJUDICATION

<b>BUDGET ACTIVITY BY OBJECT CLASS</b>					
(Dollars in Thousands)					
		<b>FY 2023 Enacted</b>	<b>FY 2024 Estimate</b>	<b>FY 2025 Request</b>	<b>Diff. FY25 Request / FY24 Estimate</b>
11.1	Full-time permanent	33,684	34,279	35,813	1,534
11.3	Other than full-time permanent	291	291	291	0
11.5	Other personnel compensation	575	575	575	0
11.9	<b>Total personnel compensation</b>	<b>34,550</b>	<b>35,145</b>	<b>36,679</b>	<b>1,534</b>
12.1	Civilian personnel benefits	12,141	12,490	12,493	3
13.0	Benefits for former personnel	0	0	0	0
21.0	Travel and transportation of persons	347	347	347	0
22.0	Transportation of things	0	0	0	0
23.0	Rent, Communications, and Utilities	0	0	0	0
23.1	Rental payments to GSA	4,198	4,198	4,198	0
23.2	Rental payments to others	3	3	3	0
23.3	Communications, utilities, and miscellaneous charges	54	54	54	0
24.0	Printing and reproduction	11	11	11	0
25.1	Advisory and assistance services	1,285	1,285	1,285	0
25.2	Other services from non-Federal sources	4,113	6,251	6,251	0
25.3	Other goods and services from Federal sources 1/	7,942	7,942	8,118	176
25.4	Operation and maintenance of facilities	2	589	589	0
25.5	Research and development contracts	0	0	0	0
25.7	Operation and maintenance of equipment	111	648	648	0
26.0	Supplies and materials	335	335	335	0
31.0	Equipment	100	100	100	0
42.0	Insurance claims and indemnities	0	0	0	0
	<b>Total</b>	<b>65,192</b>	<b>69,398</b>	<b>71,111</b>	<b>1,713</b>
	1/Other goods and services from Federal sources				
	Working Capital Fund	4,829	4,829	5,005	176
	DHS Services	2,226	2,226	2,226	0
	Services by DOL Agencies	204	204	204	0

# ADJUDICATION

## CHANGES IN FY 2025

(Dollars in Thousands)

### Activity Changes

#### Built-In

To Provide For:

Costs of pay adjustments	\$1,534
Personnel benefits	0
One day less of Pay	0
Federal Employees' Compensation Act (FECA)	3
Benefits for former personnel	0
Travel and transportation of persons	0
Transportation of things	0
Rental payments to GSA	0
Rental payments to others	0
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Advisory and assistance services	0
Other services from non-Federal sources	0
Working Capital Fund	176
Other Federal sources (DHS Charges)	0
Other goods and services from Federal sources	0
Research & Development Contracts	0
Operation and maintenance of facilities	0
Operation and maintenance of equipment	0
Supplies and materials	0
Equipment	0
Insurance claims and indemnities	0

**Built-Ins Subtotal** **\$1,713**

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

**Direct FTE** **0**

	Estimate	FTE
<b>Base</b>	<b>\$71,111</b>	<b>252</b>
<b>Program Increase</b>	<b>\$0</b>	<b>0</b>
<b>Program Decrease</b>	<b>\$0</b>	<b>0</b>

## WOMEN'S BUREAU

<b>BUDGET AUTHORITY BEFORE THE COMMITTEE</b>				
(Dollars in Thousands)				
	<b>FY 2023 Enacted</b>	<b>FY 2024 Estimate</b>	<b>FY 2025 Request</b>	<b>Diff. FY25 Request / FY24 Estimate</b>
<b>Activity Appropriation</b>	<b>23,000</b>	<b>23,000</b>	<b>26,282</b>	<b>3,282</b>
FTE	47	65	65	0

NOTE: FY 2023 reflects actual FTE. Authorized FTE for FY 2023 was 52.

### **Introduction**

Public Law 66-259 authorized the Women’s Bureau (WB) to “formulate standards and policies which shall promote the welfare of wage-earning women, improve their working conditions, increase their efficiency, and advance their opportunities for profitable employment.”

The WB serves as the only federal agency mandated by Congress to work exclusively on issues that affect women in the workplace and to represent the needs of wage-earning women in the public policy process. The WB deploys its research, policy analysis, grantmaking and grassroots stakeholder engagement capacities to advise the Secretary, the Administration, and DOL sub-agencies on policy and regulatory issues facing working women. The WB leverages its large, diverse stakeholder network, which includes workers, grassroots organizations, community leaders, issue advocates, think tanks, research institutions, state and local officials, business leaders, community-based and national philanthropies as both inputs to inform priority work areas and outputs to receive and disseminate research, policy analysis, technical assistance, and grant funding. At the same time, the WB serves as a trusted advisor to DOL colleague agencies on gender equity principles and practice, making recommendations on policy and new and ongoing programs and initiatives to achieve better workforce outcomes and economic security for women and their families.

The WB’s priorities are squarely aligned with those of the Biden-Harris Administration and with the Secretary’s worker-focused, three-pronged empowerment, equity, and enforcement agenda. Specifically, the WB is advancing the President’s agenda – both through the WB’s own grants programs and in coordinating DOL agencies to deliver on the Administration’s *Investing in America* agenda, Gender Equity Strategy and National Action Plan to End Gender-Based Violence– to ensure greater racial and gender equity as we invest in historic job creation to rebuild America’s infrastructure and prepare women for the jobs of the future, make our care systems more durable, accessible and equitably compensated, and provide greater economic opportunity to traditionally vulnerable worker populations, including older, justice-involved and migrant women workers.

As the numbers attest, in the wake of the pandemic, women have returned to the workforce in record numbers, with 2023 data reflecting both the highest labor force participation rate for prime age women since the measure was first reported and some of the lowest unemployment rates on record, and key measures of national economic productivity and prosperity are on an upward trajectory. Nevertheless, more than 650,000 adult women are still “missing” from the labor force. Given women’s greater likelihood of shouldering unpaid family care obligations, the

## WOMEN'S BUREAU

continued devastation of the care sector may well further exacerbate this problem. While finally showing growth as of November 2023, the child daycare services industry is still down 2.9% or 30,000 workers since the start of the pandemic. Nursing and residential care is still missing 160,000 jobs or 4.7% of its workforce since the pandemic began. And too many working women, especially women of color, are concentrated in low-wage jobs with few benefits, care jobs included.

Ninety-four percent of all childcare workers in the US are women and childcare workers receive among the lowest wages of any occupation and are over twice as likely to live below the poverty line, compared to workers in other sectors. Despite the indisputable value to families, society, and the economy, on average, a childcare worker earns less than \$27,000 a year for full-time, year-round work. At the same time, as a share of family income, the National Database of Childcare Prices (NDCP) shows that childcare prices are untenable for families across all care types, age groups, and county population sizes, ranging from 8 percent to more than 19 percent of family income for a single child, depending on the type of care, location, and other factors. Patterns of gendered occupational segregation and the systematic devaluation of feminized labor are hardly unique to the care sector. In fact, one of the largest single identifiable causes of the gender wage gap, stubbornly stuck at 84 cents of what men earn, are differences in the occupations and industries where women and men are most likely to work. Women are two out of every three full-time workers in occupations that pay less than \$30,000 per year, and fewer than one in three full-time workers in jobs paying an average of \$100,000 or more. Dispiritingly, even within the same occupations, women earn less on average than men. For this reason, one of the WB's foremost concerns, and most enduring concerted efforts, is to facilitate women's access to apprenticeship and non-traditional industries and occupations, defined as those where women represent 25 percent or less of job holders. However, creating entrée to good jobs where women have traditionally been excluded is only half the battle; robust retention rates are crucial both to improving family economic security and workplace culture. Unfortunately, jobs where women are poorly represented, and frankly even where they are amply represented, are also sometimes the locus of incidents of gender-based violence and harassment, compromising the safety, security and well-being of workers who become the targets of these assaults.

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

<b><u>Fiscal Year</u></b>	<b><u>Funding</u></b> (Dollars in Thousands)	<b><u>FTE</u></b>
2020	\$14,050	38
2021	\$15,050	38
2022	\$18,000	50
2023	\$23,000	52
2024	\$0	63

NOTE: A full-year 2024 appropriation for this account was not enacted at the time the budget was prepared.

### **FY 2025**

At the FY 2025 request level of \$26,282,000 and 65 FTEs, the Women's Bureau (WB) would focus its resources on addressing underlying inequities driven by occupational segregation and

## WOMEN'S BUREAU

the lack of adequate care infrastructure, and by addressing other key workplace discrimination protections, including those designed to curb gender-based violence and harassment in the world of work, with the ultimate goal of mitigating disproportionate negative impact on women, especially women of color.

In FY 2025, the WB will build on the work initiated in the preceding three years to update and expand its research portfolio, reach of its stakeholder engagement, contracts, and impact of its grants for historically underrepresented communities, including but not limited to women of color, women with disabilities, formerly incarcerated women, immigrant women, transgender workers, and women in rural communities.

The WB would revive the agency's Paid Leave grants program, investing approximately \$2.5 million in funding and technical assistance to support states and localities seeking to develop, implement, expand, or refine paid leave programs for residents and workers in recipient locations, including a new Technical Assistance Hub to share best practices among states, and technical assistance in effective utilization of the Department's Worker PLUS microsimulation model. The WB will need to receive the inflationary increases requested in this budget in order to support both new lines of work, which will require robust staffing

In this moment of historic public investments in built and transportation infrastructure, manufacturing, clean energy, technology and many other related industries, the WB would invest approximately \$5 million into the Women in Apprenticeship and Non-Traditional Occupations (WANTO) grant program. The WB will leverage our proven WANTO funded pre-apprenticeship training and Registered Apprenticeship retention models across the nation, so that more women can enter and succeed in high-quality jobs in a variety of in-demand, nontraditional occupations while, separately, building local capacity to embed workforce equity principles and practices into project implementation.

The WB would also invest approximately \$1 million into the Fostering Access, Rights and Equity (FARE) grant program. FARE is focused on ensuring vulnerable women workers understand the protections and rights available to them to prevent and address incidents of gender-based violence and harassment in the world of work. These efforts directly support implementation of priorities outlined in the administration's first National Action Plan to Address Gender-Based Violence. Research has shown that targeted education and outreach—especially when it comes from trusted messengers and community-based organizations with close connections to workers—can greatly improve women workers' awareness of and access to all manner of workplace rights and benefits, including those related to gender-based violence and harassment.

At the same time, following a year of extensive data gathering and analysis in 2024, the WB will undertake systematic reporting and dissemination of updated data for both the National Database of Childcare Prices (NDCP) and the leave and flexibilities module within the American Time Use Survey (ATUS). The WB will also summarize and report key findings and lessons learned from the 2024 Tradeswomen Building Infrastructure (TBI) and the Leveraging Infrastructure Networks for Equity (LINE) equity-in-infrastructure initiatives, hosting a large-scale capstone convening of relevant stakeholders to socialize implementation strategies and foster more widespread replication.

## WOMEN'S BUREAU

### **FY 2024**

Figures for FY 2024 are an estimate. Discretionary amounts shown for FY 2024 reflect an annualized Continuing Resolution (Division A of P.L. 118-15, as amended), as a full-year appropriation, had not been enacted at the time the budget was produced. Mandatory amounts are equal to the FY 2024 President's Budget and do not reflect sequestration.

### **FY 2023**

For FY 2023, the WB implemented a coordinated set of strategies aligned with the department's strategic objective and supported the WB Performance Goal 1.1: Promote policies and support programs focused on improving women's employment and economic outcomes.

To achieve priority goals, the WB focused its research, policy analysis, grant-making, and education and outreach on the following major activities last year:

- Continued to establish technical assistance networks to enable workforce intermediaries, practitioners and grassroots advocates in a variety of states and localities to build capacity and mount effective campaigns to ensure equitable gender and racial representation in the construction, manufacturing, clean energy, transportation, and technology jobs created by historic public investments realized by the Bipartisan Infrastructure Law, CHIPS and Science Act, and the Inflation Reduction Act legislation. Early organizing of incipient state and local industrial and built infrastructure investments in occupations and industries characterized by good-paying jobs with opportunities for advancement has the power to effect material shifts in gender occupational segregation in targeted industries and erode the resulting negative impact to wages and wealth accumulation of women and women of color disproportionately concentrated in low-wage employment.
- Supported the most marginalized workers in understanding their rights and protections against gender-based violence and harassment in the world of work.
- Developed and disseminated new research and data analysis on workforce trends, composition and challenges among older women workers, to include employment patterns over the life course and implications for economic security in old age.
- Lead on the develop of an outreach and retention plan that will create pathways for justice impacted people to enter and advance in employment through DOL's Southeast Hiring Initiative; a multi-agency collaboration created to highlight and promote federal job opportunities to marginalized communities throughout the southeast. The plan included hosting listening sessions with justice-impacted individuals, training justice-impacted people on how to develop a federal resume and navigate USAJOBS, encouraging agencies to designate entry level development positions for justice-impacted people.

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## GRANTS

The WB executed two major competitive grant programs and two sole source grant awards:

1. The WANTO program's sole focus is to bring women into pre-apprenticeship and apprenticeship programs. The WANTO grant program was funded at an all-time record high of \$5 million and supported a concomitant record high number of grantees.
2. The FARE grant program is designed to support targeted education and outreach efforts by "trusted messengers" and community intermediaries to ensure marginalized workers – disproportionately women of color – are fully aware of their rights and protections against gender-based violence in the world of work.
3. The Tradeswomen Building Infrastructure grant. Following a successful 2022 pilot project that supported teams in 11 jurisdictions to work cooperatively to develop and implement workforce equity plans for incipient large-scale, publicly-funded infrastructure projects, near the end of FY 2023, the WB awarded a one-year grant to the state of Illinois, in partnership with Chicago Women in Trades, to support the creation and adoption of equity plans to increase women's inclusion and equity in construction industry jobs in the state of Illinois and up to five additional geographies. Grant funds will also allow the state to evaluate state and local workforce development programs for diversifying the clean energy and construction workforce.
4. Leveraging Infrastructure Network for Equity (LINE) grant. In late 2023, the WB awarded a one-year grant to a non-profit entity to provide technical assistance and capacity building in up to six states to scale high-road, sector-based training partnerships to train and place underrepresented worker populations such as women and people of color into infrastructure-funded good jobs in the construction trades, advanced manufacturing and clean energy sectors.

## RESEARCH & CONTRACTS

The WB continued to study and report on the status of working women in the period of economic recovery following the pandemic, with particular attentiveness to the ways in which different populations may experience the recovery unequally. The vast majority of the digital data and statistics content developed by the data analysis team, updated annually and made publicly available on the WB's website can be disaggregated by racial and ethnic group, revealing disparities in employment indicators and outcomes across a variety of measures.

In terms of its annual federal procurements, the WB is committed to, and has a strong track record of meeting, women owned and minority-owned business goals in selecting vendors. Research priorities for FY 2023 included the following:

- **American Time Use Survey Leave and Job Flexibilities Module.**

In FY 2023, the WB funded planning and preparation activities and work in coordination with BLS to be ready to field another round of the American Time Use Survey Leave and Job Flexibilities Module in 2024. As in the last round, the sampling frame will ensure

## WOMEN'S BUREAU

adequate sample sizes for disaggregated data across gender, racial and ethnic domains to capture sub-group disparities that may exist.

- **National Database of Childcare Prices.**

Conducted coordinated and sustained outreach and technical assistance to socialize the variables and statistics that compose the National Database of Childcare Prices (NDCP), empowering researchers, advocates, policymakers and others to utilize this first-of-its-kind tool to better understand the variation in childcare prices across local jurisdictions and the types of policy prescriptions with the best prospects for reducing cost burden on parents while supporting fair wages for the childcare workforce.

In preparation for a 2024 contract to conduct the next round of data collection, WB's Quantitative Research Branch developed the required contract procurement, as well as the descriptive documentation to submit as part of the Paperwork Reduction Act evaluation process.

- **Women Building Infrastructure Initiative Expansion.**

The WB expanded on a highly successful 2022 pilot project that supported teams in 11 jurisdictions to work cooperatively to develop and implement workforce equity plans for incipient large-scale, publicly-funded built infrastructure projects.

- **Comprehensive Paid Leave Modeling for Individuals and States.**

In FY 2023, the WB contracted for comprehensive microsimulation modeling combining paid leave with other public benefits to approximate resulting measures of family economic well-being, as well as estimating state costs and cost-benefit analysis of a broader national paid family and medical leave program.

- **Disaggregated Sub-Population and Topical Research.**

In FY 2023, in support of its broader equity agenda and in recognition of the stark disparities experienced across demographic groups, the WB updated and expanded its repository of shorter-form resources focused on trends in employment and related recovery indicators among particular demographic groups of women workers. During FY 2023, this work further expanded a burgeoning research portfolio on older women workers, focusing on patterns of labor force participation, sources of income and, unpaid caregiving obligations associated with this population of workers.



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<b>WORKLOAD AND PERFORMANCE SUMMARY</b>					
		<b>FY 2023 Enacted</b>		<b>FY 2024 Estimate</b>	<b>FY 2025 Request</b>
		<b>Target</b>	<b>Result</b>	<b>Target</b>	<b>Target</b>
<b>Women's Bureau</b>					
<b>Strategic Goal 1 - Build Opportunity and Equity for All</b>					
<b>Strategic Objective 1.1 - Advance training, employment, and return-to-work opportunities that connect workers to higher-wage jobs, especially in ways that address systemic inequities.</b>					
1-WB-PRO-01	Number of policy & research deliverables	40	61	45[e]	50[e]
9-WB-PREOE-01	Number of Policy and Research Education and Outreach Engagements	200	226	200[e]	205[e]
3-WB-POC-01	Number of Public Outreach Communications	80	118	90[e]	95[e]
7-WB-SPUCO-01	Number of strategic partnerships with organizations primarily serving underserved communities	225[p]	383	250[p]	260[p]
10-WB-MSGW-01	Percentage of women who achieve measurable skill gains by the end of the WANTO grant period of performance as a result of job skills training the grantee provides	--	--	--	75%[e]

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

# WOMEN'S BUREAU

## **Workload and Performance Narrative**

The WB's leadership establishes short and long-term strategies based on the priorities of the Administration, as well as ongoing and emerging needs of women workers, and in response to policy and legislative developments. The WB has established discrete measures to catalog output and outcome performance, as appropriate, pertaining to agency policy, research and grantmaking activity; stakeholder partnership formation and engagement; public outreach communication; and quantifiable skill gain metrics for participants in direct service grant programs.

In support of its FY 2025 Budget request, the WB will implement performance measures for the following:

Number of Policy and Research Deliverables (PRO): 50

Policy and research deliverables are the result of qualitative and quantitative research and policy analysis conducted by the WB – alone or in collaboration with other agencies – on priority issues. Examples include reports, papers and other written materials, web-based data and statistics content and tools, resource guides, grant materials, and the interactive maps of state pregnancy discrimination and equal pay laws the Bureau hosts on its website. The WB also provides input on a variety of documents generated outside the WB and DOL, including international instruments, questionnaires from international organizations and reports being drafted or submitted to international organizations.

Number of Policy and Research Education & Outreach Engagements (PREOE): 205

Policy and research education and outreach engagements are virtual or face-to-face activities, initiatives, or events, which the WB leads, co-leads, or otherwise significantly participates in. These engagements are hosted to: (1) gather, discuss, and/or disseminate information related to and findings from the WB's research endeavors in order to inform policy initiatives and the WB's future research activities; (2) increase levels of awareness and education on the agency issue areas; and/or (3) receive feedback from constituents, subject matter experts, and policy makers. Policy and research education and outreach engagements are geared towards DOL sister agencies and/or external entities. Examples include speaking engagements, webinars, conferences, panel discussions, forums, listening sessions, workshops, roundtables, briefings, etc. This measure includes events planned by the WB, as well as those requested by the White House, DOL, and constituents related to the WB's initiatives and products, and may include international events and convenings and bilateral or multilateral meetings with representatives from other governments. Information from these activities is used to inform the WB's policy initiatives and research activities.

Number of Public Outreach Communications (POC): 95

Communications outputs are products developed for use in public outreach activities, such as blogs, infographics, monthly digests, talking points, social media content, etc.

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These products are delivered to target audiences using various formats, including email, online, press releases, speeches, etc.

Number of strategic partnerships with organizations primarily serving underserved communities (SPUCO): 260

Strategic partners are sister agencies or external entities that commit to working closely with the WB to improve the lives of women and underserved communities in the labor force and/or to increase levels of awareness and education on the WB's priority issues. They must have a broad reach and the capacity to make/initiate/influence changes for the benefit of women in the labor force. Examples include DOL colleague agencies; other federal, state, or local government agencies; community-based/non-profit organizations; service providers; industry groups/trade associations; labor organizations; women's organizations; educational institutions; etc. Strategic partners may engage with the WB through memoranda of understanding, inter/intra agency agreements/discussions, public/private partnership agreements/discussions, and/or verbal agreements/discussions. Underserved communities refers to people who face systemic and institutional barriers which prevent them from accessing jobs that are safe, secure, pay a fair wage, and provide opportunities for economic advancement. Underserved populations have historically faced discrimination, disadvantage, and exclusion, and may be vulnerable, hard to reach, and/or continue to face discrimination or exploitation. Examples of underserved communities may include women, individuals who identify as LGBTQ, racial and ethnic minorities, immigrants, people with limited English proficiency, older adults, people with disabilities, people experiencing intimate partner violence, substance abuse issues, homelessness, chronic poverty, people involved in the justice system, and rural populations.

Percentage of women who achieve measurable skill gains by the end of the grant period of performance as a result of job skills training the grantee provides (MSGW): 75%

Percentage of women who achieve measurable skill gains by the end of the grant period of performance as a result of job skills training the grantee provides: The percentage of WANTO participants who, during the grant period of performance, complete an education or training program that leads to a recognized postsecondary credential or employment and who achieve measurable skill gains, defined as documented academic, technical, occupational, or other forms of progress, towards such a credential or employment. Depending on the type of education or training program, documented progress is defined as one of the following: 1. Documented achievement of at least one educational functioning level of a participant who is receiving instruction below the postsecondary education level; 2. Documented attainment of a secondary school diploma or its recognized equivalent; 3. Secondary or postsecondary transcript or report card for a sufficient number of credit hours that shows a participant is meeting the State unit's academic standards; 4. Satisfactory or better progress report, towards established milestones, such as completion of on-the-job training, pre-apprenticeship training, nontraditional occupation skills training, or completion of one year of an apprenticeship program or similar milestones, from an

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employer or training provider who is providing training; or 5. Successful passage of an exam that is required for a particular occupation or progress in attaining technical or occupational skills as evidenced by trade-related benchmarks such as knowledge-based exams. 6. Receipt of credentials such as job-related certificates or industry licenses.

Despite an additional \$2.5 million dollars, the performance measures fluctuate only nominally because most of the funding variance will be allocated to the Paid Leave Grant Program, which are integrated as a subset of the designated measures.

These measures will be based on the priority work performed in the following areas:

1. Eliminating the persistent gender wage gap by
  - Increasing the recruitment and retention of women, including underrepresented and marginalized women workers, in good-paying jobs;
  - Building the case for better wages and labor standards in female-dominated sectors, specifically the care sectors, and discourage exploitative child labor.
2. Reducing caregiving penalties for women and low paid workers by
  - Expanding access to paid leave;
  - Expanding access to child, elder, disability care.
3. Eliminating gender-based discrimination, violence and harassment in the world of work by
  - Preventing gender-based violence, harassment and discrimination against workers on the basis of pregnancy, sexual orientation, gender identity or ability;
  - Preventing pay discrimination.
4. Ensuring the WB is a model workplace by
  - Implementing activities in support of the Department's Diversity, Equity, Inclusion and Accessibility (DEIA) plan;
  - Promoting staff development;
  - Engaging employees in building a model workplace.
5. Deploying data as a strategic asset through robust
  - Data governance;
  - Data talent acquisition, retention and management;
  - Data use and equity focus; and
  - Data access.

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In FY 2025, as in FY 2023 and FY2024, we will continue to organize our work in five main priority areas. The WB will proceed with the following planned activities:

- The WB will maintain funding for the WANTO program at \$5 million. This program is intended to provide technical assistance to employers, including public sector project owners funded by the Bipartisan Infrastructure Law, and labor unions to encourage employment of women in apprenticeable occupations and nontraditional occupations (“A/NTO”)
- The WB will maintain funding for the FARE program at \$1million. This program is designed to assist marginalized and underserved women workers who have been impacted by gender-based violence and harassment (GBVH) in the world of work by building awareness, connecting women to federal and state workplace rights and benefits, and implementing worker and survivor-driven strategies to shift workplace norms.
- The WB will revive its state paid leave analysis grants program, providing \$2.5 million. This program achieved demonstrable results, namely the subsequent adoption or expansion of paid leave programs in recipient jurisdictions—the period between 2014 and 2016 when the agency last administered the program. Specifically, this next-phase iteration of grant funding to states and localities will support grant awardees in conducting research and analysis to develop, expand or refine paid leave programs.
- The WB will continue to provide human capital and financial resources to drive Administration and Departmental advancements on key priority initiatives including the Good Jobs Initiative, Gender Policy Council initiatives, including advancing progress and reporting on the government-wide National Strategy on Gender Equity and Equality, DOL’s Equity Board as it implements the President’s Executive Order on Advancing Racial Equity and Support for Underserved Communities and advising and actioning a number of other gender equity initiatives led by colleague agencies inside and outside of DOL. Central to these efforts are ongoing agency staff and resource commitments to key federal place-based equity strategies that advance the President’s *Investing in America* infrastructure agenda, including better integrating equity practices and principles into emerging and ongoing Megaprojects and amplifying care sector job quality innovations, among many others. In addition, the WB will play a key supporting role in advancing efforts related to the data, analysis and rights components of the President’s Executive Order on Increasing Access to High-Quality Care and Supporting Caregivers and will also continue to play a stewardship role in implementing the priorities articulated in the U.S. National Plan to End Gender-Based Violence.

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<b>BUDGET ACTIVITY BY OBJECT CLASS</b>					
(Dollars in Thousands)					
		<b>FY 2023 Enacted</b>	<b>FY 2024 Estimate</b>	<b>FY 2025 Request</b>	<b>Diff. FY25 Request / FY24 Estimate</b>
11.1	Full-time permanent	6,747	8,600	9,319	719
11.3	Other than full-time permanent	98	0	0	0
11.5	Other personnel compensation	125	200	200	0
11.9	<b>Total personnel compensation</b>	<b>6,970</b>	<b>8,800</b>	<b>9,519</b>	<b>719</b>
12.1	Civilian personnel benefits	2,390	3,040	2,995	-45
21.0	Travel and transportation of persons	300	300	300	0
22.0	Transportation of things	0	0	0	0
23.0	Rent, Communications, and Utilities	0	0	0	0
23.1	Rental payments to GSA	651	500	500	0
23.2	Rental payments to others	0	0	0	0
23.3	Communications, utilities, and miscellaneous charges	4	0	0	0
24.0	Printing and reproduction	6	0	0	0
25.1	Advisory and assistance services	1,071	390	390	0
25.2	Other services from non-Federal sources	91	79	79	0
25.3	Other goods and services from Federal sources 1/	3,457	3,851	3,959	108
25.4	Operation and maintenance of facilities	0	0	0	0
25.5	Research and development contracts	0	0	0	0
25.7	Operation and maintenance of equipment	0	0	0	0
26.0	Supplies and materials	50	40	40	0
31.0	Equipment	10	0	0	0
41.0	Grants, subsidies, and contributions	8,000	6,000	8,500	2,500
42.0	Insurance claims and indemnities	0	0	0	0
	<b>Total</b>	<b>23,000</b>	<b>23,000</b>	<b>26,282</b>	<b>3,282</b>
	1/Other goods and services from Federal sources				
	Working Capital Fund	2,764	3,147	3,255	108
	Services by Other Government Departments	693	704	704	0

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## CHANGES IN FY 2025

(Dollars in Thousands)

### Activity Changes

#### Built-In

To Provide For:

Costs of pay adjustments	\$719
Personnel benefits	0
Federal Employees' Compensation Act (FECA)	-45
Travel and transportation of persons	0
Transportation of things	0
Rental payments to GSA	0
Rental payments to others	0
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Advisory and assistance services	0
Other services from non-Federal sources	0
Working Capital Fund	108
Other Federal sources (DHS Charges)	0
Other goods and services from Federal sources	0
Research & Development Contracts	0
Operation and maintenance of facilities	0
Operation and maintenance of equipment	0
Supplies and materials	0
Equipment	0
Grants, subsidies, and contributions	0
Insurance claims and indemnities	0

**Built-Ins Subtotal** **\$782**

**Net Program** **\$2,500**

**Direct FTE** **0**

	Estimate	FTE
<b>Base</b>	<b>\$23,782</b>	<b>65</b>
<b>Program Increase</b>	<b>\$2,500</b>	<b>0</b>
<b>Program Decrease</b>	<b>\$0</b>	<b>0</b>





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<b>BUDGET AUTHORITY BEFORE THE COMMITTEE</b>				
(Dollars in Thousands)				
	<b>FY 2023 Enacted</b>	<b>FY 2024 Estimate</b>	<b>FY 2025 Request</b>	<b>Diff. FY25 Request / FY24 Estimate</b>
<b>Activity Appropriation</b>	<b>7,586</b>	<b>7,586</b>	<b>9,252</b>	<b>1,666</b>
FTE	25	29	35	6

NOTE: FY 2023 reflects actual FTE. Authorized FTE for FY 2023 was 28.

### **Introduction**

Operating under authority delegated pursuant to Secretary’s Orders, the Civil Rights Center (CRC) is the organizational unit within the Department of Labor (DOL) responsible for ensuring nondiscrimination and equal opportunity for two primary populations:

- 1) employees of, and applicants for employment with, DOL; and
- 2) the tens of millions of individuals served and employed by programs and activities across the nation that are related to labor and the workforce.

CRC’s responsibility for the latter population is principally concentrated on the public workforce system, which delivers services primarily (although not exclusively) through the nationwide network of American Job Centers/One-Stop Career Centers.

CRC’s Office of Internal Enforcement (OIE) is responsible for addressing and processing discrimination complaints filed by DOL employees, former employees, and applicants for employment with DOL. Activities include counseling, alternative dispute resolution, investigation, adjudication, and facilitation of hearings and appeals with the Equal Employment Opportunity Commission (EEOC) and Merit Systems Protection Board (MSPB). OIE also develops civil rights-related program plans and accomplishment reports, monitors and enforces compliance activity related to Equal Employment Opportunity (EEO) matters, and provides training and technical assistance to DOL managers, supervisors, and employees about internal EEO rights and responsibilities. Additionally, OIE is responsible for ensuring the development and implementation of Departmental policies on EEO, harassing conduct, and reasonable accommodation to ensure they reflect the law. OIE also ensures that employees are aware of these programs. OIE plays a leadership role to support the Department’s compliance with recent Executive Orders and related initiatives related to Diversity, Equity, Inclusion, and Accessibility (DEIA).

CRC’s Office of External Enforcement (OEE) assesses, investigates, and/or adjudicates complaints alleging discrimination and/or violations of equal opportunity requirements by recipients of financial assistance under Title I of the Workforce Innovation and Opportunity Act (WIOA); One-Stop partners listed in Section 121 of WIOA that offer programs or activities through the public workforce development system; for disability-related matters only, state and local governments and other public entities operating programs and activities related to labor and the workforce, regardless of whether they receive federal financial assistance; and any recipients of financial assistance from, or programs conducted by, DOL that are not included in the

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categories above. Public job referral and job training programs, as well as Unemployment Insurance (UI) and Job Corps, are examples of the programs over which OEE has jurisdiction. In addition, OEE conducts compliance reviews of the same entities listed above, including reviewing State Governors' implementation of required nondiscrimination plans (NDPs); develops regulations and guidance documents; reviews proposed legislation, draft regulations, guidance documents, and other materials developed by agencies within and outside of DOL; conducts other policy-related activities; and provides training and technical assistance for stakeholders. The various federal antidiscrimination laws and regulations CRC utilizes to investigate and adjudicate complaints and compliance reviews (for example, Section 188 of the Workforce Innovation and Opportunity Act, Section 504 of the Rehabilitation Act, Title II of the Americans with Disabilities Act, Title VI of the Civil Rights Act of 1964, and Title IX of the Education Amendments of 1972) are critical to protecting and advancing the civil rights of individuals, consistent with the goals of Executive Order 13985, Advancing Racial Equity and Support for Underserved Communities. OEE plays a leadership role to support the Department's implementation of this Executive Order as well as other Administration initiatives such as that on Gender-based Violence.

In collaboration with OEE, the newly reconstituted Office of Compliance and Policy (OCAP) in CRC will extend the reach and breadth of CRC's external program by administering a robust program of compliance reviews, training and outreach, policy development and review, and technical assistance to a range of external stakeholders. OCAP will partner with OEE to ensure that the nondiscrimination and equal opportunity requirements in the statutes enforced by CRC are adhered to by external customers in the nation's workforce development system.

In addition, CRC leads the Department's initiative to ensure meaningful language access to information and services for persons with limited English proficiency (LEP) in furtherance of Equity initiatives. These efforts are funded through the Department's Working Capital Fund although CRC (through its DM budget) provides direction and other oversight.

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

<b><u>Fiscal Year</u></b>	<b><u>Funding</u></b> (Dollars in Thousands)	<b><u>FTE</u></b>
2020	\$6,880	30
2021	\$6,880	32
2022	\$7,086	32
2023	\$7,586	28
2024	\$0	29

NOTE: A full-year 2024 appropriation for this account was not enacted at the time the budget was prepared.

### **FY 2025**

For FY 2025, CRC is requesting a total of \$9,252,000 and 35 FTE. This total includes a program increase of \$1,400,000 and 6 FTE for OEE/OCAP to extend the reach and breadth of the compliance and enforcement functions of CRC's external enforcement program. This increase is critical to supporting OEE's mission to promote compliance with nondiscrimination and equal

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opportunity requirements within the nation's workforce system as it would allow for the reconstitution of the Office of Compliance and Policy. Additionally, an increase in staff would directly contribute to more efficient complaint investigations by OEE, including an active reduction in aged intake inventory, and to more geographically widespread compliance reviews by OCAP, as well as more complex data collection and analysis to support the goals of the Administration's Executive Orders on equity and nondiscrimination.

The FY 2025 budget request would allow OCAP to work with OEE to substantially increase CRC's external-facing activities through a rigorous program of compliance reviews, training and outreach, substantive policy reviews, and technical assistance to a range of external customers.

### **FY 2024**

Figures for FY 2024 are an estimate. Discretionary amounts shown for FY 2024 reflect an annualized Continuing Resolution (Division A of P.L. 118-15, as amended), as a full-year appropriation, had not been enacted at the time the budget was produced. Mandatory amounts are equal to the FY 2024 President's Budget and do not reflect sequestration.

### **FY 2023**

At the FY 2023 Omnibus level of \$7,586,000 and 25 FTE, CRC was able to begin to extend the reach and breadth of the enforcement and compliance functions of OEE. Activities included additional and more efficient complaint investigations and compliance reviews as well as increased training opportunities.

In FY 2023, the Office of Internal Enforcement (OIE) continued to support the Department's compliance with Executive Orders and related initiatives related to Diversity, Equity, Inclusion, and Accessibility (DEIA). OIE rolled out revised internal Policy and Procedures on Harassing Conduct (the Department of Labor Manual Series (DLMS) on Harassing Conduct), including the following initiatives aligned with the DLMS: Bystander Intervention, Microaggression Training, and Trauma-Informed investigative protocol; completed updates to the New Employee Orientation (NEO) and No FEAR Act training programs; and, fulfilled the initial round of trainings across the Department on the revised Policy and Procedures. In FY 2023, OIE also developed LearningLink trainings, desk aids, and other tools to refine the skills of DOL employees on Bystander Intervention and awareness of microaggressions. Significant updates to the DLMS chapters on the Equal Employment Opportunity Program and Reasonable Accommodation for Disability and Pregnancy-Related Medical Conditions (per the new Pregnant Workers Fairness Act) were also completed and submitted into clearance. CRC also established a formal Religious Accommodation process and procedures. This included developing a new form for employees to submit requests and guidance and desk aids for processing requests.

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<b>WORKLOAD AND PERFORMANCE SUMMARY</b>					
	<b>FY 2023 Enacted</b>		<b>FY 2024 Estimate</b>	<b>FY 2025 Request</b>	
	<b>Target</b>	<b>Result</b>	<b>Target</b>	<b>Target</b>	
<b>Civil Rights</b>					
<b>Strategic Goal 5 - A Department Grounded in Innovation, Evidence, and Employee Engagement</b>					
<b>Strategic Objective CRC M.3 - DOL as a model workplace</b>					
<b>Internal Enforcement</b>					
OASAM-DM-CRC-01	Internal Enforcement: Percent of EEO Counseling Sessions Completed within Regulatory Timeframes	95.0%	100.0%	95.0%	95.0%
OASAM-DM-CRC-02	Internal Enforcement: Percent of Formal EEO Investigations Issued within Regulatory Timeframes	90%	100%	95%	95%
OASAM-DM-CRC-03	Internal Enforcement: Percent of Final Agency Decisions (FADs) Issued on Formal EEO Complaints within Regulatory Timeframes	90%	100%	95%	95%
OASAM-DM-CRC-07	Number of EEO Training Sessions Completed	--	--	32	32
<b>External Enforcement</b>					
OASAM-DM-CRC-12	External Enforcement: Number of External Investigations Completed	16	17	18	24

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<b>WORKLOAD AND PERFORMANCE SUMMARY</b>					
		<b>FY 2023 Enacted</b>		<b>FY 2024 Estimate</b>	<b>FY 2025 Request</b>
		<b>Target</b>	<b>Result</b>	<b>Target</b>	<b>Target</b>
OASAM- DM-CRC- 13	External Enforcement: Number of External Compliance Reviews Conducted	4	4	5	8
OASAM- DM-CRC- 14	External Enforcement: Number of Case Resolutions (Determinations and Conciliation/Settlement Agreements)	16	16	18	24
OASAM- DM-CRC- 18	External Enforcement: Number of Non Discrimination Plans Reviewed	[base]	11	TBD	TBD

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

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## Workload and Performance Narrative

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

CRC's Office of Internal Enforcement (OIE) administers DOL's EEO complaint program. Funding at the requested level will support efforts to comply with the Equal Employment Opportunity Commission's (EEOC) complaint processing regulations at 29 CFR Part 1614, resolve workplace complaints, increase awareness of the EEO complaint program and DOL's anti-harassment policy, and investigate and adjudicate EEO complaints in a timely and effective manner as required by EEOC regulations. DOL takes seriously its aim to be a model employer for the nation. The EEO program has been consistently high-performing on EEOC's benchmarks and strives to pilot emerging practices to promote the realization of EEO. CRC will focus on Alternative Dispute Resolution (ADR) and training that targets pertinent trends, while reinforcing DOL's commitment to EEO and a harassment-free work environment.

In FY 2023, to advance the goals of the *Executive Order on Diversity, Equity, Inclusion and Accessibility*, OIE developed and delivered trainings on bystander intervention and microaggressions, enabling employees to better respond to and prevent harassing conduct. The training curriculum on the Harassing Conduct Policy also amplified many of the principles in the bystander intervention and microaggressions curriculum. OIE also finalized significant revisions on the chapters of the Department of Labor Manual Series (DLMS) on the Equal Employment Opportunity (EEO) Program and Reasonable Accommodation for Disability and Pregnancy Related Medical Conditions (the latter pursuant to the new Pregnant Workers Fairness Act). In FY 2024, OIE will roll out updated training including revised LearningLink courses on the updated DLMS chapters. The training on trauma-informed investigative protocols was finalized and conducted in Q1, FY 2024.

In FY 2023, OIE received 175 informal EEO complaints. Counseling was completed on 134 informal complaints, and 100 percent of EEO counseling sessions were completed within regulatory timeframes. 100 percent of OIE's Final Agency Decisions (FADs) and 98.75 percent of OIE's complaint investigations were issued within EEOC's regulatory timeframes. OIE commits to offering 32 training sessions in FYs 2024 and 2025, and to finalizing 95 percent of investigations within regulatory timeframes. OIE also projects completing 95 percent of EEO counseling sessions and issuing 95 percent of FADs within regulatory timeframes.

### Office of External Enforcement (OEE) and Office of Compliance and Policy (OCAP)

Previously, OEE had dual responsibilities – effectively investigating and resolving discrimination complaints filed by external customers across the nation as well as furthering CRC's vital compliance and policy work. In FY 2023, CRC reconstituted a separate Office of Compliance and Policy (OCAP) in order to prioritize compliance and policy work to ensure adherence to the statutory requirements for nondiscrimination and equal opportunity in the statutes enforced by CRC.

In FY 2023, CRC completed 4 compliance reviews with the following states: Pennsylvania, Alaska, Delaware and Puerto Rico. These compliance reviews involved significant review and revision of each State's WIOA-required Nondiscrimination Plans by securing voluntary compliance.

## CIVIL RIGHTS

CRC projects completing 5 compliance reviews in FY 2024. However, in FY 2025, CRC anticipates that the number of compliance reviews completed will rise to 8, with additional hiring.

In FY 2023, OCAP undertook significant compliance and policy activities, including a substantial initiative to combat religious discrimination pursuant to directives from the White House. This project saw the development of a Fact Sheet and related Training and Employment Guidance Letter (TEGL) on discrimination based on actual or perceived religion, shared ancestry or ethnic characteristics that was disseminated to the regulated community; an internal DOL training in conjunction with OIE on religious discrimination; and a presentation with the Employment and Training Administration (ETA). OCAP also did a substantial amount of work on Equitable Access in the Unemployment Insurance (UI) domain including contributing to a robust toolkit.

In FY 2023, OEE investigated a number of complaints regarding the failure to provide effective communication (including auxiliary aids and services) to individuals with disabilities in individual state unemployment insurance (UI) programs and resolved these cases in a systematic way through voluntary settlement agreements with each of the respective external respondents. Similarly, OEE investigated a number of complaints regarding the failure to provide language access to limited English proficient (LEP) individuals who are applicants, participants, or beneficiaries in state UI programs in furtherance of CRC's commitment to ensuring language access throughout the nation's workforce development system

Specifically, regarding discrimination complaints investigated, adjudicated, and resolved by OEE, case resolutions often focused on correcting systemic issues of discrimination through the negotiation of voluntary settlement agreements with respondents, frequently recipients of federal financial assistance and/or entities of state or local government. In FY 2023, OEE resolved 16 cases and completed 17 complaint investigations. In FY 2024, OEE projects that it will complete 18 investigations and resolve 18 cases. Additionally, in FY 2024, OEE will work to develop new measures of timeliness and quality for its investigative processes and measures that more fully capture its complaint processing procedures and to ensure that aged intake matters are promptly addressed.

With the new hires in FY 2025, OEE projects it will complete 24 complaint investigations and resolve 24 complaints, as it will take approximately 9 months to train new OEE staff. In FY 2026, OEE projects that when all staff are onboarded, results on key performance indicators will increase significantly.

## CIVIL RIGHTS

<b>BUDGET ACTIVITY BY OBJECT CLASS</b>					
(Dollars in Thousands)					
		<b>FY 2023 Enacted</b>	<b>FY 2024 Estimate</b>	<b>FY 2025 Request</b>	<b>Diff. FY25 Request / FY24 Estimate</b>
11.1	Full-time permanent	3,727	4,047	5,178	1,131
11.3	Other than full-time permanent	115	115	115	0
11.5	Other personnel compensation	94	94	94	0
11.9	<b>Total personnel compensation</b>	<b>3,936</b>	<b>4,256</b>	<b>5,387</b>	<b>1,131</b>
12.1	Civilian personnel benefits	1,334	1,481	1,809	328
13.0	Benefits for former personnel	0	0	0	0
21.0	Travel and transportation of persons	25	25	199	174
23.1	Rental payments to GSA	408	408	408	0
23.3	Communications, utilities, and miscellaneous charges	4	4	4	0
24.0	Printing and reproduction	4	4	4	0
25.1	Advisory and assistance services	0	0	0	0
25.2	Other services from non-Federal sources	47	47	47	0
25.3	Other goods and services from Federal sources 1/	1,758	1,326	1,359	33
25.4	Operation and maintenance of facilities	0	0	0	0
25.7	Operation and maintenance of equipment	0	0	0	0
26.0	Supplies and materials	70	35	35	0
31.0	Equipment	0	0	0	0
42.0	Insurance claims and indemnities	0	0	0	0
51.1	Benefits	0	0	0	0
	<b>Total</b>	<b>7,586</b>	<b>7,586</b>	<b>9,252</b>	<b>1,666</b>
	1/Other goods and services from Federal sources				
	Working Capital Fund	655	655	688	33
	DHS Services	8	8	8	0
	Services by DOL Agencies	360	294	294	0
	HHS Services	10	10	10	0
	Services by Other Government Departments	725	359	359	0



# CIVIL RIGHTS

## CHANGES IN FY 2025

(Dollars in Thousands)

### Activity Changes

#### Built-In

To Provide For:

Costs of pay adjustments	\$233
Personnel benefits	0
Federal Employees' Compensation Act (FECA)	0
Benefits for former personnel	0
Travel and transportation of persons	0
Rental payments to GSA	0
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Advisory and assistance services	0
Other services from non-Federal sources	0
Working Capital Fund	33
Other Federal sources (DHS Charges)	0
Other goods and services from Federal sources	0
Operation and maintenance of facilities	0
Operation and maintenance of equipment	0
Supplies and materials	0
Equipment	0
Insurance claims and indemnities	0

**Built-Ins Subtotal** **\$266**

**Net Program** **\$1,400**

**Direct FTE** **6**

	Estimate	FTE
<b>Base</b>	<b>\$7,852</b>	<b>29</b>
<b>Program Increase</b>	<b>\$1,400</b>	<b>6</b>
<b>Program Decrease</b>	<b>\$0</b>	<b>0</b>



## CHIEF FINANCIAL OFFICER

<b>BUDGET AUTHORITY BEFORE THE COMMITTEE</b>				
(Dollars in Thousands)				
	<b>FY 2023 Enacted</b>	<b>FY 2024 Estimate</b>	<b>FY 2025 Request</b>	<b>Diff. FY25 Request / FY24 Estimate</b>
<b>Activity Appropriation</b>	<b>5,681</b>	<b>5,681</b>	<b>5,883</b>	<b>202</b>
FTE	18	18	18	0

NOTE: FY 2023 reflects actual FTE. Authorized FTE for FY 2023 was 18.

### **Introduction**

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

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

- The Chief Financial Officers (CFO) Act of 1990
- The Government Management Reform Act (GMRA) of 1994;
- The Federal Financial Management Improvement Act (FFMIA) of 1996;
- The Federal Managers’ Financial Integrity Act (FMFIA) of 1982;
- Debt Collection Improvement Act of 1996;
- The Reports Consolidation Act of 2000;
- The Improper Payments Information Act (IPIA) of 2002;
- The Improper Payments Enforcement and Recovery Act (IPERA) of 2010;
- The Improper Payments Enforcement and Recovery Improvement Act (IPERA) of 2012
- Budget and Accounting Act;
- Congressional Budget and Impoundment Control Act;
- Balanced Budget and Emergency Deficit Control Act, as amended; and
- Anti-deficiency Act

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

The OCFO also receives funding from the Working Capital Fund.

# CHIEF FINANCIAL OFFICER

## Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2020	\$5,516	17
2021	\$5,516	18
2022	\$5,681	18
2023	\$5,681	18
2024	\$0	18

NOTE: A full-year 2024 appropriation for this account was not enacted at the time the budget was prepared.

### FY 2025

The FY 2025 request for the Office of the Chief Financial Officer (OCFO) is \$5,883,000 and 18 FTE. The funds will continue to support the quarterly financial statement preparation, preparation of the Annual Financial Report, and the implementation of corrective and preemptive action plans to ensure agency internal controls over financial reporting and systems are well documented, sufficiently tested, and properly assessed. OCFO will continue to provide managers and decision makers with the financial management tools needed to drive high-performance and accountability and expand its role as a resource and financial management expertise for all DOL agencies.

Additional resources and associated workload and performance data are included in the Working Capital Fund.

### FY 2024

Figures for FY 2024 are an estimate. Discretionary amounts shown for FY 2024 reflect an annualized Continuing Resolution (Division A of P.L. 118-15, as amended), as a full-year appropriation, had not been enacted at the time the budget was produced. Mandatory amounts are equal to the FY 2024 President's Budget and do not reflect sequestration.

### FY 2023

The FY 2023 enacted amount for the Office of the Chief Financial Officer (OCFO) was \$5,681,000 and 18 FTE. The funds supported the quarterly financial statement preparation, preparation of the Annual Financial Report, and the implementation of corrective and preemptive action plans to ensure agency internal controls over financial reporting and systems were well documented, sufficiently tested, and properly assessed. Funding also provided resources to continue core financial management reviews.

## CHIEF FINANCIAL OFFICER

<b>BUDGET ACTIVITY BY OBJECT CLASS</b>					
(Dollars in Thousands)					
		<b>FY 2023 Enacted</b>	<b>FY 2024 Estimate</b>	<b>FY 2025 Request</b>	<b>Diff. FY25 Request / FY24 Estimate</b>
11.1	Full-time permanent	2,911	2,911	3,086	175
11.3	Other than full-time permanent	0	0	0	0
11.5	Other personnel compensation	109	109	109	0
11.9	<b>Total personnel compensation</b>	<b>3,020</b>	<b>3,020</b>	<b>3,195</b>	<b>175</b>
12.1	Civilian personnel benefits	1,062	1,062	1,062	0
13.0	Benefits for former personnel	0	0	0	0
21.0	Travel and transportation of persons	0	0	0	0
23.1	Rental payments to GSA	375	375	375	0
23.3	Communications, utilities, and miscellaneous charges	0	0	0	0
24.0	Printing and reproduction	0	0	0	0
25.1	Advisory and assistance services	150	150	150	0
25.2	Other services from non-Federal sources	418	418	418	0
25.3	Other goods and services from Federal sources 1/	631	631	658	27
25.4	Operation and maintenance of facilities	0	0	0	0
25.7	Operation and maintenance of equipment	0	0	0	0
26.0	Supplies and materials	25	25	25	0
31.0	Equipment	0	0	0	0
	<b>Total</b>	<b>5,681</b>	<b>5,681</b>	<b>5,883</b>	<b>202</b>
	1/Other goods and services from Federal sources				
	Working Capital Fund	585	585	612	27
	DHS Services	8	8	8	0
	Services by DOL Agencies	23	23	23	0
	GSA Services	15	15	15	0

# CHIEF FINANCIAL OFFICER

## CHANGES IN FY 2025

(Dollars in Thousands)

### Activity Changes

#### Built-In

To Provide For:

Costs of pay adjustments	\$175
Personnel benefits	0
Federal Employees' Compensation Act (FECA)	0
Benefits for former personnel	0
Travel and transportation of persons	0
Rental payments to GSA	0
Communications, utilities, and miscellaneous charges	0
Printing and reproduction	0
Advisory and assistance services	0
Other services from non-Federal sources	0
Working Capital Fund	27
Other Federal sources (DHS Charges)	0
Other goods and services from Federal sources	0
Operation and maintenance of facilities	0
Operation and maintenance of equipment	0
Supplies and materials	0
Equipment	0

**Built-Ins Subtotal** **\$202**

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

**Direct FTE** **0**

	Estimate	FTE
<b>Base</b>	<b>\$5,883</b>	<b>18</b>
<b>Program Increase</b>	<b>\$0</b>	<b>0</b>
<b>Program Decrease</b>	<b>\$0</b>	<b>0</b>

## DEPARTMENTAL PROGRAM EVALUATION

<b>BUDGET AUTHORITY BEFORE THE COMMITTEE</b>				
(Dollars in Thousands)				
	<b>FY 2023 Enacted</b>	<b>FY 2024 Estimate</b>	<b>FY 2025 Request</b>	<b>Diff. FY25 Request / FY24 Estimate</b>
<b>Activity Appropriation</b>	<b>8,281</b>	<b>8,281</b>	<b>8,613</b>	<b>332</b>
FTE	12	17	17	0

NOTE: FY 2023 reflects actual FTE. Authorized FTE for FY 2023 was 17.

### **Introduction**

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

The Department identifies priorities for building new evidence based on learning agendas updated by each agency annually, as well as through statutory requirements for evaluations, Secretarial and Administration priorities, and continuing discussions with agency leadership and program staff. Research activities led by the Chief Evaluation Office are described across two publicly-available resources: *U.S. Department of Labor Evidence-Building Plan for Fiscal Years 2022 – 2026* and *U.S. Department of Labor Evaluation Plan for Fiscal Years 2023 – 2024*. The evaluations and research projects described in these documents are aligned with the Department's priorities specified in the Strategic Plan and are updated annually.

The underlying goals of the Department's centralization of key evaluation activities are to: (1) build evaluation capacity and expertise in the Department; (2) ensure high standards in evaluations undertaken by, or funded by, the Department of Labor; (3) facilitate the use of evaluation and research findings for performance management priorities; (4) ensure the independence of the evaluation and research functions; and (5) make sure that evaluation and research findings are available and accessible in a timely and user-friendly way, so they inform policymakers, program managers, and the public.

# DEPARTMENTAL PROGRAM EVALUATION

## Five-Year Budget Activity History

<u>Fiscal Year</u>	<u>Funding</u> (Dollars in Thousands)	<u>FTE</u>
2020	\$8,040	9
2021	\$8,040	10
2022	\$8,281	12
2023	\$8,281	15
2024	\$0	17

NOTE: A full-year 2024 appropriation for this account was not enacted at the time the budget was prepared.

### FY 2025

The FY 2025 budget request for the DPE activity is \$8,613,000 and 17 FTE. The requested resources will support the operation, management, and oversight of evaluation activities and will provide continued support of leadership on key DOL initiatives and mandates.

CEO will continue to launch a significant number of grants, contracts, and projects addressing Departmental and agency priorities and generating evidence that is relevant to program administration, policymaking, budget allocation, and strategic planning. CEO will continue to support, initiate, and manage new and ongoing evidence building projects, and the initiation of new contracts and projects reflecting evolving and emerging priorities from DOL programs. This will include supporting the production, publication, and dissemination of reports, public-use data sets, issue briefs, and evidence.

CEO will also continue building new evidence about DOL programs and services, including worker-centered sector strategies, community college capacity building, comprehensive workforce development models for justice-involved adults, and equity in the unemployment insurance system. CEO will also support the generation of evidence about strategies DOL and other federal agencies can use to improve DEIA across the Federal workforce. In addition, CEO will continue to improve upon internal capacity to integrate evidence across all its activities, programs, and operations, and to expand outreach on DOL's evidence-building activities to external stakeholders, including our state and local partners.

### FY 2024

Figures for FY 2024 are an estimate. Discretionary amounts shown for FY 2024 reflect an annualized Continuing Resolution (Division A of P.L. 118-15, as amended), as a full-year appropriation had not been enacted at the time the budget was produced. Mandatory amounts are equal to the FY 2024 President's Budget and do not reflect sequestration.

### FY 2023

The FY 2023 revised enacted funding for the DPE activity was \$8,281,000 and 12 FTE. In FY 2023, CEO initiated rigorous experimental impact studies and other systematic analyses of programs and policies, to better understand the effectiveness, efficiency, and implementation of



## **DEPARTMENTAL PROGRAM EVALUATION**

DOL investments. CEO also initiated and managed new and ongoing evidence building projects and launched numerous new contracts, data analysis projects, behavioral insight trials, and systematic reviews of evidence for use by practitioners, policymakers, researchers, and the public.

The Department also identified priorities for building new evidence based on learning agendas updated by each agency annually; statutory requirements for evaluations; Secretarial and Administration priorities, such as analysis of equity in DOL programs; and scientific integrity policies.

## DEPARTMENTAL PROGRAM EVALUATION

<b>BUDGET ACTIVITY BY OBJECT CLASS</b>					
(Dollars in Thousands)					
		<b>FY 2023 Enacted</b>	<b>FY 2024 Estimate</b>	<b>FY 2025 Request</b>	<b>Diff. FY25 Request / FY24 Estimate</b>
11.1	Full-time permanent	260	260	552	292
11.3	Other than full-time permanent	33	33	33	0
11.5	Other personnel compensation	0	0	0	0
11.9	<b>Total personnel compensation</b>	<b>293</b>	<b>293</b>	<b>585</b>	<b>292</b>
12.1	Civilian personnel benefits	90	90	90	0
24.0	Printing and reproduction	0	0	0	0
25.1	Advisory and assistance services	7,798	7,798	7,798	0
25.2	Other services from non-Federal sources	0	0	0	0
25.3	Other goods and services from Federal sources 1/	100	100	140	40
25.4	Operation and maintenance of facilities	0	0	0	0
25.7	Operation and maintenance of equipment	0	0	0	0
31.0	Equipment	0	0	0	0
	<b>Total</b>	<b>8,281</b>	<b>8,281</b>	<b>8,613</b>	<b>332</b>
	1/Other goods and services from Federal sources				
	Services by Other Government Departments	100	100	140	40

# DEPARTMENTAL PROGRAM EVALUATION

## CHANGES IN FY 2025

(Dollars in Thousands)

**Activity Changes**

**Built-In**

To Provide For:

Costs of pay adjustments	\$292
Personnel benefits	0
Printing and reproduction	0
Advisory and assistance services	0
Other services from non-Federal sources	0
Other goods and services from Federal sources	40
Operation and maintenance of facilities	0
Operation and maintenance of equipment	0
Equipment	0

**Built-Ins Subtotal** **\$332**

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

**Direct FTE** **0**

	Estimate	FTE
<b>Base</b>	<b>\$8,613</b>	<b>17</b>
<b>Program Increase</b>	<b>\$0</b>	<b>0</b>
<b>Program Decrease</b>	<b>\$0</b>	<b>0</b>



## GOVERNMENT-WIDE TRANSFORMATION SERVICES

<b>BUDGET AUTHORITY BEFORE THE COMMITTEE</b>				
(Dollars in Thousands)				
	<b>FY 2023 Enacted</b>	<b>FY 2024 Estimate</b>	<b>FY 2025 Request</b>	<b>Diff. FY25 Request / FY24 Estimate</b>
<b>Activity Appropriation</b>	<b>0</b>	<b>0</b>	<b>1,351</b>	<b>1,351</b>
FTE	0	0	0	0

### **Introduction**

This budget activity supports the Technology Transformation Services (TTS) reimbursable program at the General Services Administration, in alignment with the recently authorized section 753, Division E, of the Financial Services and General Government Appropriations Act, 2023. Funds would also support a U.S. Digital Service (USDS) initiative to provide DOL and other agencies with expertise and technical assistance in attracting and hiring technical talent, as well as other specialized activities.

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

<b><u>Fiscal Year</u></b>	<b><u>Funding</u></b> (Dollars in Thousands)	<b><u>FTE</u></b>
2023	\$0	0
2024	\$0	0

NOTE: A full-year 2024 appropriation for this account was not enacted at the time the budget was prepared.

### **FY 2025**

The total request for this activity in FY 2025 is \$1,351,000 to support DOL’s contributions to GSA’s Technology Transformation Services and the U.S. Digital Service. The Budget includes \$1,000,000 to fund DOL’s contribution to GSA in support of TTS, to help modernize and enhance key customer service activities in OSHA. The Budget also includes \$351,000 to fund the Department’s year-one contribution to a USDS initiative to provide digital service expertise and assistance attracting and hiring technical talent to de-risk large-scale or high-priority technical implementations and launches, respond in urgent situations, and provide technology strategy and planning support. The programs will begin in FY 2025. Without additional resources, the Department will be unable to fund these initiatives.

## GOVERNMENT-WIDE TRANSFORMATION SERVICES

<b>BUDGET ACTIVITY BY OBJECT CLASS</b>					
(Dollars in Thousands)					
		<b>FY 2023 Enacted</b>	<b>FY 2024 Estimate</b>	<b>FY 2025 Request</b>	<b>Diff. FY25 Request / FY24 Estimate</b>
25.1	Advisory and assistance services	0	0	0	0
25.3	Other goods and services from Federal sources 1/	0	0	1,351	1,351
	<b>Total</b>	<b>0</b>	<b>0</b>	<b>1,351</b>	<b>1,351</b>
	1/Other goods and services from Federal sources				
	GSA Services	0	0	351	351
	Services by Other Government Departments	0	0	1,000	1,000

# GOVERNMENT-WIDE TRANSFORMATION SERVICES

## CHANGES IN FY 2025

(Dollars in Thousands)

### Activity Changes

#### Built-In

To Provide For:

Advisory and assistance services \$0

Other goods and services from Federal sources 0

**Built-Ins Subtotal \$0**

**Net Program \$1,351**

**Direct FTE 0**

	Estimate	FTE
<b>Base</b>	\$0	0
<b>Program Increase</b>	\$1,351	0
<b>Program Decrease</b>	\$0	0