

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
Department of Employment Services**



**Responses to Fiscal Year 2019-2020
Performance Oversight Questions**

**Dr. Unique Morris-Hughes
Director**

**Committee on Labor and Workforce Development
Council of the District of Columbia
The Honorable Elissa Silverman, Chairperson**

**February 7, 2020
John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004**

**DEPARTMENT OF EMPLOYMENT SERVICES
 FY2019-2020 Performance Oversight Questions
 Committee on Labor and Workforce Development
 Councilmember Elissa Silverman (At-Large), Chair**

I. Agency Priorities, Performance, and Evaluation..... 2

II. Budget and Expenditures 14

III. Agency Organization and Personnel..... 25

IV. Grants and Contracts..... 27

VI. Universal Paid Leave 28

V. Labor Standards 30

VI. Workforce Development 44

VII. First Source..... 48

VIII. Office of Youth Programs..... 50

IX. Apprenticeship..... 55

X. Outcomes of Project Empowerment, Career Connections, DCIA, Local Adult..... 57

XI. Division of State Initiatives (DSI) 57

XI. Infrastructure Academy 64

XII. Local Adult Training..... 67

XIII. Unemployment Insurance 69

XIV. Agency Operations and Disputes..... 81

I. Agency Priorities, Performance, and Evaluation

I. Please discuss DOES's top five priorities.

a. How did the agency address its top five priorities in FY2019?

Response: DOES' priorities are realized through multi-year initiatives focused on improving performance and service by:

1. Promoting the District's human capital

Through the District of Columbia Infrastructure Academy (DCIA), DOES connected District residents to job certification and training programs in emerging fields. At DCIA, District residents were able to gain certifications in Quick Path to Information Technology (Help Desk Training and Cisco Training); Quick Path to Energy (Solar Works and Pepco); Quick Path to Transportation (Commercial Driver's License and Automotive Technology); and Quick Path to Health Safety (OSHA-10 and Flagger, OSHA-10 Certification, OSHA-30 Certification, First Aid, and Cardiopulmonary Resuscitation).

DOES' Local Adult program also made significant enhancements to the referral process by creating the Universal Referral Form (Form). This Form records customers' services provided, in collaboration with our core partner organizations (DC Department on Disability Services/Rehabilitation Services Administration (DDS-RSA), DC Department of Human Services (DHS), Office of the State Superintendent of Education (OSSE), University of District of Columbia (UDC), and Workforce Investment Council (WIC)). In addition, the Data Vault was established as a uniform intake assessment and services referral system to strengthen coordination and efficacy of services across District agencies.

The Office of Youth Program's (OYP) robust programming in 2019 serviced over 11,000 District youth through various local programs. OYP is charged with developing and administering workforce development programs for District youth ages 14 to 24 years old. We provide occupational skills training, work experience, academic enrichment, life skills, college prep, civic engagement/action, and work readiness trainings. These trainings help facilitate the development of positive work habits and the skills essential for success in the workplace. Youth are afforded the opportunity to participate in workforce development all year round.

2. Bridging the gap between education and workforce development

In FY2019, DOES created the new Bureau of Education and Workforce Innovation and hired a Chief Strategy Officer to assist in creating more opportunities with our education agency partners to provide multiple pathways to success for our youth and most vulnerable populations.

Within our Local Adult program, DOES successfully launched two innovative training programs: (1) Professional Development Training and (2) Hospitality Training. DOES partnered with Constituent Services Worldwide (CSW) to create the three-week Professional

Development Training Program. This program was designed to increase marketability and foster professional growth amongst program participants. The program consisted of three weeks of classroom instruction focusing on business ethics and etiquette, diversity and inclusion in the workplace, financial education, leadership and empowerment, and team building. The program resulted in 74 nationally recognized credentials being earned.

To capitalize on Washington's in-demand hospitality industry, DOES, in partnership with UDC and the Hotel Association of Washington DC (HAWDC), developed the Hospitality Training Program. This innovative paid three-week training combined instructor-led classroom training and work-based learning to create an engaging learning experience. Upon successful completion, participants received two nationally recognized American Hotel & Lodging (AHLEI) credentials: Certified Front Desk Representative and Certified Guest Service Professional (CGSP®). In FY2019, four cohorts successfully completed the Hospitality Training Program. Through the training program, 111 credentials were obtained, and 10 participants obtained unsubsidized employment.

In FY2019, DOES also created the Office of Talent & Client Services (TCS). TCS provides roadmaps to DC businesses that help them navigate the resources needed to achieve their hiring goals. TCS provides our clients with a personal level of service by acting as a liaison to improve and grow their workforce. Through our TCS office, we can identify a candidate's strengths and talents to properly match that person's background with a prospective employer in the DC area. Additionally, TCS provides tailored services for DC businesses at each stage of business growth. We do this by using web-based tools, virtual events, and community events to connect residents to employers. Furthermore, employers have access to skilled, talented, and diverse applicants in the District through our innovative programs and responsive training. We help businesses of all sizes navigate the city's workforce system and connect with people, data, resources, and workforce partners needed to respond to the changing needs in the economy, through TCS's 7- Steps to Success engagement method.

OYP is focused on bridging the gap between education and workforce development on two fronts: (1) cultivating opportunities for post-secondary exposure and (2) career mapping to provide exposure and credential attainment outside of the traditional four-year college degree. OYP's partnership with DCPS and DCHR provides DCPS seniors with apprenticeship opportunities for those seeking alternatives to college career pathways. These offerings are catered towards aligning programing certifications with the District's high-wage and high-demand careers. Furthermore, OYP has partnered with OSSE to streamline certification processes through a data sharing agreement. OSSE verifies student information within their database and OYP reconciles it within DOES' database; thereby, eliminating some of the bureaucracy with certification.

The Division of State Initiatives (DSI) focused on broadening opportunities for resident enrollment in occupational skills training. This led to increased attainment of industry-recognized credentials/certifications. For DC Career Connections (DCCC) and Project Empowerment, 161 individuals completed skills training with 158 obtaining credentials/certifications for in-demand occupational areas. In addition, DSI capitalized on

partnerships with educational institutions to offer returning citizens access to training and academic instruction.

3. Expanding access to DOES programs

In FY2019, DOES began partnering with the Mayor's Office on Returning Citizens Affairs; the Mayor's Office of Lesbian, Gay, Bisexual, Transgender, and Questioning Affairs; the Mayor's Office on Fathers, Men and Boys; DDS; and other government agencies to support populations in need through specialized trainings and programs. For example, in FY2019, DOES entered into an MOU with Mayor's Office of Veteran Affairs (MOVA) to improve our outreach to veterans. The goal of the MOU was to continue the pilot transportation program VetRide, which provides a free cab service to any DC veteran with an annual income below \$30,000 for medical appointments, employment interviews, and educational intake. In return, MOVA created and implemented the MOVA Veterans Outreach Program, to register eligible veterans residing in the District of Columbia in the DC Networks system. Additionally, MOVA successfully organized community engagement events, resulting in over 250 veterans being added into DC Networks.

In 2019, MBSYEP also partnered with DHS to host certification events at four short-term family housing sites identified by DHS. OYP worked with DHS vendors at these sites to conduct onsite MBSYEP certification for youth experiencing homelessness by allowing them to complete their application and submit certification documents on-site, effectively eliminating the barrier of travel. OYP also expanded services to connect youth with special needs and their families through partnerships with DDS-RSA, and School Talk. OYP hosted family information sessions with youth with special needs focused on the MBSYEP application, the certification process, and the scope of the program. This is now an ongoing inter-agency collaboration on program recommendations/modifications that directly address the needs of our participants with special needs.

OYP also partnered with Department of Parks and Receptions (DPR) Teen Night to concentrate outreach efforts to Opportunity Areas in Wards 7 & 8 throughout the summer. OYP tabled events and provided program offerings to youth ages 14 to 24.

DSI continued efforts to reach justice involved residents as a READY Center and D.C. Superior Court Redirect Diversion program partner. Through these initiatives, DSI provided direct services to 448 residents transitioning to the community from incarceration as well as those designated to participate as an alternative to incarceration.

4. Developing an integrated and tiered service delivery model to serve our customers

Through the creation of TCS and the Office of Customer Experience, we are streamlining how we serve our community and business stakeholders. In FY2019, DOES made several additional investments in our American Job Centers (AJCs), including:

1. In February 2019, all AJC workforce development specialists (case managers) participated in a two-day training on Career Advising and Case Management conducted

- by TAD Grants. This was a key agency investment in front-line staff development to ensure district residents have access to high-quality services.
2. In February 2019, AJC managers participated in a one-day leadership development training with TAD Grants. This was a key investment to ensure that AJC managers have the tools and skills they need to motivate their staff to continue offering quality services at the AJCs.
 3. The Services to Veterans team successfully completed Priority of Services Training. This intensive training provided the frontline team with best practices training on the Priority of Services policy.
 4. AJC staff was trained on how to use and navigate the DOES en Español website.

MBSYEP offers tiered level age appropriate placement for youth participating in our summer jobs program. Youth are provided with age appropriate workforce development and career readiness opportunities for the summer through host employers. Furthermore, youth are provided with an age appropriate e-based learning tool called Career Edge that provides a multitude of modules that can be easily accessed 365 days a year from any electronic device, increasing their soft skills, confidence and employability.

OYP's Year-Round team has developed an intake strategy to assess participant's eligibility and desired career path. After eligibility requirements are met, youth are evaluated through a CASAS Pre-Test to assess basic skills and career interests. Once eligibility requirements and the CASAS are complete, participants are referred for placement with a DOES approved partner/vendor to be on the pathway to entering the workforce and/or enrollment into post-secondary Education.

5. Developing and implementing a comprehensive data and system-infrastructure strategy

DOES implemented DC Networks (also referred to as Virtual One Stop or VOS) as the agency system of record for all data tracking and reporting. With this mandate, our system for data retrieval and analysis will be faster and easier and our decision-making will be improved.

DOES continued our partnerships with Career Edge to allow youth 24/7 access to career readiness modules. Modules are updated yearly based on usage, effectiveness, and industry trends. In 2019, Career Edge included the e-interview simulator, allowing youth to practice their interview skills in real time

b. What are the agency's top five priorities in FY2020? Please explain how the agency expects to address these priorities in FY2020.

Response: The agency's top five priorities for FY2020 shifted slightly to reflect Director Morris-Hughes' Vision Forward Plan, which includes the following six goals:

1. Promote the District's Human Capital

DOES continues to align our service delivery systems to ensure that the agency is the premier workforce development partner for DC businesses. In FY2020, we will conduct a comprehensive study of current DOES services, District resident workforce, and current and future job market needs for better alignment. Further, we will prepare the District workforce for upcoming tech jobs. DOES will also continue to provide quality job training, job placement and career development services for all DC job seekers. We will provide personalized career development services to customers through comprehensive intake, skill assessment, and case management services and support employee retention through case management services.

DOES will connect employers to District residents seeking jobs by determining the workforce needs of employers using the data collected by TCS and focus on the in-demand jobs and careers that are central to the development of the region.

In FY2020, DOES will also develop our own human capital through a comprehensive strategy to recruit and hire qualified individuals. We will continue to foster a culture of learning by aligning training opportunities with agency needs and staff development goals. In order to demonstrate our commitment to our staff, we will hold meetings to allow all staff in the agency to meet each other and learn about upcoming projects and initiatives within other bureaus. DOES will increase retention through targeted and diverse trainings for employees so they can upskill, offer a professional coaching program for agency managers, and provide promotion opportunities for current DOES employees.

2. Align Workforce with Education

In FY2020, DOES will align workforce with education by creating more than one pathway to success. Our OYP will identify early career opportunities in addition to the MBSYEP and we will create an online workforce academy to provide job seekers alternative ways to earn credentials in high demand fields. We will generate and promote opportunities for employment that incorporate on the job training by addressing essential and occupational skills through new and innovative methods and pathways. Our teams will identify, endorse, and track the achievement of a core set of workforce credentials that demonstrate job readiness and occupational skills.

To ensure robust career training and technical programs available in high schools are offered to youth, young adults and adults seeking career growth opportunities, DOES will partner with the District of Columbia Public Schools and Public Charter Schools, the University of the District of Columbia, and career and technical education programs to include competency-based and dual enrollment options. We will also establish a MBSYEP Teacher Internship and create and distribute a workforce development toolkit that will provide DC stakeholders including K-12, postsecondary students, teachers, community-based organizations, government and other stakeholders with funding and strategic resources and connections.

3. Create Equity and Access

In FY2020, DOES will determine the career development needs of and opportunities for our underserved populations by performing a full assessment of current DOES services and programs and compare to the current needs of our residents using research grants.

We will also expand service offerings to our most underserved populations by administering grants and offer incentives that support quality outcomes to diverse and minority populations including veterans, the homeless, women, returning citizens, and at-risk youth. DOES will provide alternative ways for District residents to access services through online or alternative work hour opportunities. Our teams will identify and endorse a list of high-demand occupations including those that are strategic to the District's economic development and that pay a family-sustaining wage. DOES will also partner with the Mayor's Office on Returning Citizens Affairs, the Mayor's Office of Lesbian, Gay, Bisexual, Transgender, and Questioning Affairs, the Mayor's Office on Father's Men and Boys, DDS and other government agencies to support populations in need through specialized trainings and programs.

DOES will also continue to build and maintain a diverse workforce here at the agency by creating opportunities for residents who complete our workforce programs to obtain unsubsidized employment at DOES.

4. Achieve Excellence in Service Delivery

In FY2020, DOES will provide quality and meaningful learning and career opportunities to our customers. We will conduct regular meetings with stakeholders to gain insight and feedback on current DOES services and programs, administer user surveys to assess customer needs related to job interests and training needs, provide more meaningful job matching through DC Networks and case management services, and hold hiring events that connect our residents to employer partners.

5. *Operate Smart and Effective Systems*

In FY2020, DOES will develop a responsive, integrated and effective system of record for data management by planning and promoting agency-wide Enterprise Data Management Program Project. This process will include: the design and development of a database that will allow us to better track customer information, share information with our stakeholders, and support customer employment goals; the creation of a data governance and management plan; and a renewed commitment to using data analysis and visualization tools to promote performance-driven decision making.

DOES will also streamline agency processes to make them more responsive to the needs of our residents, employers and other stakeholders. Throughout the fiscal year we will review, update and create program Standard Operating Procedures that are responsive to customer needs; optimize service delivery through a customer touchpoint analysis; and further cultivate a culture of accountability. We will also work to align employee performance with agency goals and promote data fluency, literacy and capacity through intra-agency learning opportunities for all staff.

6. *Provide Best-In-Class Customer Service*

During the fiscal year, we will also be focusing on creating a Culture of Excellence to provide each customer, stakeholder, and employer with a tailored and positive experience. In order to accomplish this goal, we will provide training to all staff about enhancing the customer experience and increasing customer satisfaction and offer skill development opportunities for our front desk, call center, and language access staff to create more positive customer experiences through the new Office of Customer Experience. We will also socialize our DOES services and DC Networks to the District's residents and employers through a public service campaign. As new customers take advantage of our services, we will conduct regular customer satisfaction surveys and use the data to drive change within the agency. We will also implement a customer service strategy that contributes to overall customer service excellence by centralizing external-facing customer service operations in the Office of Customer Experience; we expect an increase in overall customer service excellence.

In addition to improving our service to residents, DOES is committed to improving employee satisfaction and morale. To further this goal, we will conduct regular employee satisfaction surveys and use the data to drive change within the agency. DOES will also hold staff engagement lunches between the Director and staff so the Director can receive feedback and is aware of staff-level concerns.

- 1. Please describe any *initiatives* that the agency implemented in FY2019 or FY2020, as of Jan. 1, 2020, to improve the internal operations of the agency or the interaction of the agency with outside parties. Please include the date(s) of implementation and describe the results, or expected results, of each initiative.**

Response: DOES implemented the following initiatives to improve internal agency operations or interaction with outside parties:

- a. On July 30, 2019, DOES created the Office of Customer Experience (OCE), which is comprised of the Customer Navigation Center; DOES Front Desks; Internet Quorum (IQ) Correspondence; Language Access Monitoring and Compliance; and program-specific customer engagement support. OCE focuses on providing best-in-class customer service by improving customer experiences and fostering a customer-centric culture at all customer entry points. OCE's goal is to ensure customers have timely access and great experiences from inquiry to completion/resolution. OCE has achieved the following milestones:
 - Responded to 151,567 calls through the Customer Navigation Center;
 - Rolled out the Paid Family Leave (PFL) Tax call center and answered over 3,000 calls with a 97 percent answer rate;
 - Invested a \$100,000 grant in bilingual education and workforce training; and
 - Provided translation services for over 200 vital documents.

- b. In FY2019, the Office of Occupational Safety and Health (OSH) implemented a more robust outreach strategy by partnering with local schools to provide construction courses to students. One such school involved in the outreach strategy was Dunbar High School. The outreach efforts through Dunbar High School Summer youth program began in 2018 and continued into 2019. This program allowed seniors going into the construction field an opportunity to learn about safety and health on the job with a focus on reducing workplace accidents and serious injuries. In addition, OSH provided information on Fall Protection, Construction in Confined Spaces, Hazard Communication, Trenching and Excavation, Focus Four, and Scaffolding to targeted businesses. There have been successes in reducing direct and indirect costs related to injury and illnesses by identifying hazards before employees can be exposed to those hazards.

- c. In FY2020, DOES began holding quarterly stakeholder community and business engagement sessions in order to provide program updates and to receive feedback from the public. The first session took place on October 28, 2019 and the second session took place on February 3, 2020. Program areas that were highlighted and that received feedback were Unemployment Compensation, Paid Family Leave, DC Infrastructure Academy, Office of Youth Programs, Division of State Initiatives, and First Source.

- d. In FY2019, DSI staff were trained through the Community Health Worker training provided by the Institute for Public Health Innovation in order to better navigate through the behaviors and belief systems of the population served by DSI. Cultural competency is a crucial element of program success and the ability of staff to empathize with the challenges faced by participants is imperative. Staff regularly draw upon the lessons and strategies covered by the training to increase the likelihood of positive employment outcomes for their customers.

- e. In September 2019, DOES launched the Office of Talent and Client Services (TCS) in order to better connect businesses with potential employees. TCS is working closely with internal and external stakeholders to better match employers, including those with First Source Agreements and with District residents from already established DOES programs like Project Empowerment, DC Career Connections, and our American Job Center.

- f. In FY2020, DOES created the Bureau of Compliance and Independent Auditing to serve as an impartial and wholly independent team authorized to ensure comprehensive systems are in place to effectively track, monitor, audit, and guide self-corrective activities for DOES programs. The objective of this Bureau is to identify and mitigate potential compliance, quality assurance, and risk abatement deficits within each DOES program and functional area. The Bureau officially launched and was presented agency-wide the week of November 4, 2019.

2. Please list each *new program* implemented by the agency during FY2019 and FY2020, as of Jan. 1, 2020. Please provide a description of each program

Response: In FY2019 and FY2020, DOES implemented the following two new programs:

1. The Creation of the Office of Customer Experience

DOES maintains its commitment to ensuring customer service provided to all customers—jobseekers, employers, partners, and internal staff—is thorough, consistent, and effective. DOES has implemented many customer service initiatives that have improved the internal and external operations of the agency. In July 2019, DOES formed the Office of Customer Experience (OCE). OCE includes the Customer Navigation Center (CNC), DOES Front Desks, IQ Correspondence, Language Access Monitoring and Compliance, and program-specific customer engagement support. OCE focuses on providing best-in-class customer service by improving customer experiences and fostering a customer-centric culture at customer entry points. OCE’s goal is to ensure customers have timely access and great experiences from inquiry to completion/resolution.

2. Labor Standards Bureau Electronic Filing and Automated Case Management

In September 2019, the DOES Labor Standards Bureau Administrative Hearings Division (AHD) and Compensation Review Board (CRB) implemented an electronic filing and automated case management system. The program greatly helped all stakeholders—injured workers, employers, insurance companies, and attorneys—navigate the workers' compensation formal hearing and appellate systems by making it easier and less expensive to litigate cases at both levels.

3. Please provide a copy of the agency’s FY2019 *performance accountability report*.

- a. **Please explain which performance plan strategic objectives and key performance indicators (KPIs) were met or completed in FY2019 and which were not.**
- b. **For any met or completed objective, also note whether they were completed by the project completion date of the objective and/or KPI and within budget. If they were not on time or within budget, please explain.**
- c. **For any objective not met or completed, please provide an explanation.**

Response: Please see attachment “DOES POH 2020 Q3.”

- a. DOES completed all our strategic initiatives and met all our key performance indicators in FY2019.
- b. DOES completed all our objectives and initiatives on time and within budget.
- c. Not applicable.

4. Regarding your agency's FY2020 *performance plan*:

- a. **Please provide a copy of your agency's FY2020 performance plan as submitted to the Office of the City Administrator.**

Response: Please see attachment "DOES POH 2020 Q4."

- b. **Describe any changes to any outcomes measurements FY2020, including the outcomes to be measured or changes to the targets or goals of outcomes; list each specifically and explain why it was dropped, added, or changed.**

Response: The FY2020 DOES Performance Plan includes 16 new/revised workload measures and nine new key performance indicators. Many of these new outcomes were added to specifically measure performance within our new Office of Customer Experience (OCE):

FY20 New/Revised Workload Measures (16)

- Number of participants placed in post subsidized employment job search;
- Number of employers that participate in subsidized employment;
- Number of participants placed in Occupational Skills Training;
- Number of participants who earn a credential from Occupational Skills Training;
- Number of new participants placed in subsidized employment;
- Number of employers that participate in subsidized employment;
- Number of participants placed in post-subsidized employment job search;
- Number of new participants enrolled in Occupational Skills Training;
- Number of Occupational Skills Training credentials obtained;
- Total number of calls received (CNC);
- Total number of emails received (CNC);
- Total number of voicemails received (CNC);
- Total number of Unemployment Initial Claims received via the IVR (CNC);
- Average customer satisfaction rating (per participant feedback surveys administered at close of JRT);
- Average customer satisfaction rating (per participant feedback surveys administered at a predetermined time); and
- Average customer satisfaction rating (per participant feedback surveys administered at close of job readiness training).

FY20 New Key Performance Indicators (9)

- Percent of Nonmonetary Determinations (Separations and Non-separations); made within 21 days of the date of detection;

- Percent of Calls Answered (CNC);
- Average call wait time (CNC);
- Average call hold time (CNC);
- Email Response Time percentage (CNC);
- Voicemail Response Time percentage (CNC);
- Percent of First Source Agreements enforced;
- Percent of program participants that complete occupational skills trainings; and
- Percent of Employers registered in Employer Self Service Portal.

5. Please provide a list of all *studies, research papers, reports, evaluations, and analyses, including contractors’ or consultants’ reports, that the agency prepared or commissioned during FY2019 or FY2020, as of Jan. 1, 2020. Please include all reports prepared by the Office of Program and Provider Monitoring, including all appendices (personally identifiable information should be redacted).*

a. Please attach a copy if the study, research paper, report, evaluation, or analysis is complete.

Response: Please see the attachment “DOES POH 2020 Q5.” While the agency does perform internal monitoring activities through the Office of Program and Provider Monitoring, they are intended for internal management consumption only and to be utilized by agency programs. Please reference question 69 for WIOA reports submitted to the US Department of Labor (USDOL).

b. For each study, paper, report, or analysis, still underway, please include:

- 1) Report name, author(s),
- 2) Description or purpose;
- 3) Source of funding (program and activity codes); and

Response: Please see the list below. While the agency does perform internal monitoring activities through the Office of Program and Provider Monitoring, they are intended for internal management consumption only and to be utilized by agency programs.

Report Name	Description	Source of Funding
Office of Wage-Hour Quarterly Report	Required under the Minimum Wage Amendment Act of 2013, DC Code Sec. 32-1009.01	Program: 32000 Activity: 3200
Office of Wage-Hour Biannual Report	Required under the Fair Shot Minimum Wage Amendment Act of 2016, DC Code Sec. 32-1007.01	Program: 32000 Activity: 3200
First Source Employment Agreement Semiannual Report	Required under the First Source Employment Agreement Act of 1984 DC Code Sec. 2-219.04	Program: 51000 Activity: 5100
SYEP Evaluation Report	Required under FY 2011 BSA, DC Code Sec. 32-242	Program: 48200 Activity: 4820
SYEP Annual Report	Required under FY 2016 BSA DC Code Sec. 32-242	Program: 48200 Activity: 4820

Report Name	Description	Source of Funding
Local Quarterly Training Report	Required under FY 2013 BSA DC Code Sec. 32-771	Program: 51000 Activity: 5100
FY2019 YAAC Report	Required under the Youth Apprenticeship Advisory Committee Act of 2016/DC Code Sec. 32-1412.01	Program: 43000 Activity: 4300
Office of Workers' Compensation Annual Report	Required under the DC Workers' Compensation Act of 1979, DC Code Sec. 32-1502	Program: 34000 Activity: 3400
Office of Workers' Compensation Annual Anti-Fraud Report	Required under the DC Workers' Compensation Act of 1979, DC Code Sec. 32-1542.03	Program: 34000 Activity: 3400
Office of Workers' Compensation Annual Special Fund Audit Report	Required under the Workers' Compensation Reform and Anti-Fraud Amendment Act of 2004 DC Code Sec. 32-1540	Program: 34000 Activity: 3400
Office of Workers' Compensation Annual Administration Fund Audit Report	Required under the Workers' Compensation Reform and Anti-Fraud Amendment Act of 2004 DC Code Sec. Sec. 32-1541	Program: 34000 Activity: 3400
Office of Workers' Compensation Semiannual Compliance Report	Required under the Fiscal Year Budget Support Act of 2004, DC Code Sec. 32-1542.04	Program: 34000 Activity: 3400

6. Please list and describe *any investigations, audits, or reports by outside entities that involve the agency or any employee that were conducted during FY2019 or FY2020, as of Jan. 1, 2020, or that are ongoing. Attach copies of any such document. Include any routine or ad hoc monitoring, site reviews, desk audits, or other reviews or audits by federal agencies (such as the U.S. Department of Labor Employment and Training Administration or DOL's Inspector General), the District of Columbia Inspector General, Board of Ethics and Government Accountability, the DC Auditor, or any other local or federal governmental entity.*

Response: In FY2019:

- An unemployment insurance claimant filed a complaint with the USDOL Civil Rights Center alleging a failure to provide reasonable accommodation. This complaint is pending.
- DOES was contacted by the District of Columbia Office of the Inspector General (OIG) regarding an investigation into a DOES employee. The OIG investigation is ongoing.
- DOES was contacted by OIG with regard to an ongoing investigation that resulted from a FY2017 DOES referral of a case to OIG.

For a list of completed external audits and links, see attachment "DOES POH 2020 Q6."

7. List all FOIA requests received in FY2019 and FY2020, as of Jan 1, 2020, with the request number (for ex., 2018- FOIA-00345), the name of the requestor, brief description of the documents requested, and note if no responsive documents were found.

Response: Please see attachment “DOES POH 2020 Q7.” For clarity of the legend of the chart, “Y” indicates that the request was granted in full, “Y/N” indicates that the request was granted in part and denied in part, and “N” indicates that the request was denied.

II. Budget and Expenditures

Budget

8. Budget. Please complete the attached table in Excel showing your agency’s budget, including Council-approved original budget, revised budget (after reprogrammings, etc.), and actual expenditures, by fund source, program and activity, for FY2019 and the first quarter of FY2020. Please also include any over- or under-spending in each program and activity. Explain the reason for any variation between the revised budget and actual expenditures for FY2019 for each program and activity code.

Response: Please see attachment “DOES POH 2020 Q8.”

9. In FY2018 or FY2019, did the agency have any federal funds that lapsed or that had to be returned for any reason? If so, please provide a full accounting, including amounts, fund sources (e.g. grant name), whether the funds lapsed or were returned, and the reason the funds lapsed or had to be returned.

Response: Please see attachment “DOES POH 2020 Q9.”

10. Please provide the following information for all *intra-District memoranda of understanding (MOUs)* for FY2019 and FY2020, as of Jan. 1, 2020, including anticipated MOUs for the remainder of FY2020.

- a. Attach copies of all intra-district MOUs, other than those for overhead or logistical services, such as routine IT services or security.
- b. For each MOU, including anticipated MOUs, complete the attached table in Excel.

Response: Please see attachment “DOES POH 2020 Q10” for copies of the MOUs. Please see attachment “DOES POH 2020 Q10-B” for the excel table.

11. Please provide the following information for all *intra-District memoranda of agreement (MOAs)* for FY2019 and FY2020 as of Jan. 1, 2020, including anticipated MOAs for the remainder of FY2020.

- a. Attach copies of all intra-district MOAs, other than those for overhead or logistical services, such as routine IT services or security.

Response: Please see attachment “DOES POH 2020 Q11.”

b. For each MOA, including anticipated MOAs, complete the table below:

Memoranda of Agreement, FY2019 and FY2020, including anticipated MOAs

<i>Names of all agencies party to the agreement</i>	<i>Description of MOA services or purpose, including name of project or initiative</i>	<i>Service period (dates)</i>
FY2019 MOAs		
The Department of Employment Services and the Department of Small and Local Business Development (ASPIRE PROGRAM)	To collaborate in the development and operation of the Aspire to Entrepreneurship pilot program	10/1/18 – 9/30/19
The Department of Employment Services and the Office of Neighborhood Safety and Engagement (PATHWAYS PROGRAM)	To enhance employment outcomes of District residents in the Pathways Program. The Pathways Program aims to decrease the likelihood of District resident's repeated involvement in the juvenile and criminal justice system	11/1/18 – 9/30/19
The Department of Employment Services and Georgetown University (GU) McDonough School of Business and the Prisons and Justice Initiative (PJI) (PIVOT PROGRAM)	DOES' Division of State Initiatives and the GU's McDonough School of Business and the PJI will support returning citizens as they strive to overcome obstacles faced in finding sustainable and stable employment through the GU Pivot Program.	12/12/18 – 8/31/19
The Department of Employment Services and the Downtown Business Improvement District's Downtown Day Services Center (DDSC)	DOES and the DDSC will share resources and work collaboratively to provide critical job readiness services and wraparound support to homeless adult customers preparing to enter/re-enter the workforce.	10/1/18 – 9/30/19
The Department of Employment Services and the National Caucus on Black Aging	The purpose of the agreement is to provide employment placement services to individual 55 years of age or older who meet Senior Community Services Employment Program (SCSEP) eligibility requirements.	9/20/18 – 9/30/19
FY2020 MOAs		

<i>Names of all agencies party to the agreement</i>	<i>Description of MOA services or purpose, including name of project or initiative</i>	<i>Service period (dates)</i>
The Department of Employment Services and the Court Services and Offenders Supervision Agency (CSOSA)	To define the responsibilities of each party for CSOSA to partner with DOES to enroll up to 80 clients in PE that are supervised by CSOSA on probation, parole or supervised release (40 with non-violent offenses and 40 with violent offenses).	10/1/19 – 9/30/2020
The Department of Employment Services and Potomac Job Corps Center	To establish a collaborative agreement between the parties to advance the employment opportunities of District residents and to serve our shared community by supporting DC Office on Aging programs.	12/5/19 – 9/30/2020

12. Please provide the following information for each *interagency reprogramming* of funds into and out of the agency for FY2019 and FY2020, as of Jan. 1, 2020, including anticipated inter-agency reprogrammings for the remainder of FY2019.

- a. Please *attach copies* of the reprogramming documents, including the Agency Fiscal Officer’s request memo and the AFO’s reprogramming chart.
- b. For each reprogramming, including anticipated reprogrammings, *complete the attached chart in Excel.*

Response: Please see attachment “DOES POH 2020 Q12” for copies of the reprogramming documents and “DOES POH 2020 Q12-B” for the excel chart.

13. Please provide the following for each *intra-agency reprogramming within your agency* during FY2019 and FY2020, as of Jan. 1, 2020, as well as any anticipated intra-agency reprogrammings for the remainder of FY2020.

- a. Please *attach copies* of any reprogramming documents.
- b. For each reprogramming, including anticipated reprogrammings, *complete the attached chart in Excel.*

Response: Please see attachment “DOES POH 2020 Q13” for the reprogramming documents and “DOES POH 2020 Q13-b” for the excel chart.

14. Please list each *grant or sub-grant*, including multi-year grants and federal grants, *received* by your agency in FY2019 and FY2020, as of Jan. 1, 2020. Specify distinct funding streams, where applicable. Include the following information:

- a. Source,
- b. Purpose,
- c. Timeframe,
- d. Dollar amount received in each year of FY2019 and FY2020,
- e. Amount expended in each year of FY2019 and FY2020,

- f. How the grant is allocated if it is a multi-year grant, i.e. the dollar amounts to specific DOES offices or programs; and
- g. How many FTEs are dependent on each grant's funding, and if the grant is set to expire, what plans, if any, are in place to continue funding the FTEs.

Response: Please see attachment "DOES POH 2020 Q14."

- 15. Please attach all *budget enhancement requests* submitted by your agency to the Mayor or Chief Financial Officer as part of the budget process for previous fiscal years of FY2018, FY2019, and FY2020.**

Response: DOES works with the Mayor's Office of Budget and Performance to develop its annual budget. The annual budget submitted by the Mayor reflects those efforts.

Expenditures

- 16. Please provide copies of *FY20 spend plans* for each of the Department's activities, i.e., 1010 (Personnel), 2100 (Tax Collections), 4100 (Senior Services), etc.**

Response: Please see attachment "DOES POH 2020 Q16."

- 17. Regarding *purchase cards and credit cards*, please complete the following table with information on all credit card, p-card, or purchase card purchases and expenditures for FY2019 and FY2020, as of Jan. 1, 2020. Alternatively, you may attach monthly statements with this same information; however, please name the ultimate vendor and specific purpose of the purchase for any Pay Pal or other transaction with an indirect payment service like Pay Pal.**

Response: Please see attachment "DOES POH 2020 Q17."

- 18. Please provide the Committee with a list of *travel* expenses, arranged by employee for FY2019 and FY20, as of Jan. 1, 2020, including the dates of travel, amount of expenses, and reason for travel, including conference name where applicable.**

Response: Please see attachment "DOES POH 2020 Q18."

- 19. Please complete the following table listing *all employee trainings and professional development*, including the September all-staff meeting, training with President & Fellows of Harvard, Management Concepts, Workforce180 for Division of State Initiatives staff, and others.**

Response: Please see attachment "DOES POH 2020 Q19."

20. Please provide the Committee with a list of *all* DOES-sponsored *events* (that aren't employee trainings or job fairs), including Women in the Workforce, Infrastructure Week, Apprenticeship Week, Talent & Client Services launch, *and others*.

Response: Please see attachment "DOES POH 2020 Q20."

Technology

21. For any *upgrades to existing technology in FY2019 or FY2020 or new technology to be acquired during the remainder of FY2019 or FY2020*, provide the following information:

a. Describe new technology's functions or if existing technology is being upgraded, explain which functions are to be upgraded and why

Response:

Unemployment Insurance (UI) Tax Modernization

The UI Modernization Project is working to modernize the District's unemployment insurance system and create a state-of-the-art solution to provide unemployment programs and services. The Project's goals for the new system are to:

- Improve customer service;
- Eliminate manual, labor-intensive processes;
- Increase data accuracy;
- Improve security and privacy;
- Allow real-time data sharing;
- Apply common technical standards; and
- Improve maintenance and support.

UI Benefits State Information Data Exchange System (SIDES) Exchanges

Currently, the exchange between the District and employers and other states is mostly paper-based. This process is resource-intensive and less efficient than desired. This year we are implementing six data exchanges with USDOL for the electronic exchange of information between employers and State Unemployment Insurance agencies for the administration of UI benefits and taxes. A few of the benefits of using the exchanges are:

- The District will receive requests for information more quickly allowing for faster responses;
- SIDES will help maintain compliance with the UI reform legislation from 2013; and
- SIDES will improve fraud detection, reduce overpayments, and reduce appeals.

PFL Implementation

In July 2019, DOES launched the PFL Tax System and officially began collecting employer contributions to the Universal Paid Leave implementation fund. As a result of the coordination between DOES and the Office of the Chief Technology Officer (OCTO), the following functions were deployed:

- Employer registration and account maintenance;
- Wage reports;

- PFL tax payments;
- General ledger;
- Tax refunds;
- Tax compliance;
- PFL field audit; and
- Management reports.

This year, the District awarded a contract to design and develop a Paid Family Leave Benefits Administration System, which includes:

- Adjudication of medical, family, and parental leave claims;
- Payment and administration of benefits;
- Repayment recovery;
- Fraud prevention tools; and
- Analytics.

First Source Enhancements

The current First Source System (FORRS) is being used by over 2,700 employers to enter employee information, monitor their projects, and view compliance reports. This solution was built in 2016 and needs upgrades to support public users and DOES staff needs, including:

- Modernizing the user interface to improve navigation and communication;
- Adding dashboards to support both internal and external reporting and tracking;
- Implementing a contract management solution including workflow and approval processes;
- Improving notification to employers; and
- Improving filtering and sorting of job postings.

Workers Compensation System Modernization

The current Workers Compensation System (CORE) is running on 20-year-old infrastructure. The system is so old that repair parts are unobtainable via standard purchasing agents. This year, the team is migrating the CORE to a new infrastructure, including both hardware and operating systems, in preparation for replacement in the near future. This migration will allow DOES to implement system redundancy and standard disaster recovery approaches to help ensure continued system operations.

Apprenticeship Enhancements

The District of Columbia Apprenticeship Management System (DCAMS) is utilized by the Office of Apprenticeship, Information and Training staff and companies to manage sponsors currently operating approved apprenticeship programs, approve new apprenticeship agreements, provide reports, and maintain transitions of apprentices' activities, including completion, cancellations, and transfers of apprentices. This system was built in 2013 and supports nearly 2,500 apprentices and sponsors. As part of the enhancements, DOES is looking to add grant spending tracking, improve reporting, and interface with the federal RAPIDS apprenticeship solution.

- b. The total anticipated cost of acquiring or upgrading the technology; delineate costs for any system that will be acquired or upgraded in the years FY2017 through FY2019 period
- c. Contract number, or solicitation number if a contract has not yet been executed
- d. Funding source (e.g. federal, local SPR)
- e. Program, activity, and fund codes in the budget
- f. Anticipated expenditures in FY2020.

Technology	Contract or Solicitation Number	Funding Source (Federal, Local, Capital)	Funding Source (Obj,Ind,PCA,Fund)	FY2020 Anticipated Expenditures
<i>UI Tax Implementation</i>	CW75756	Capital	0409, UISTB,UISTB,304	\$8,000,000
<i>UI Benefits SIDES Exchanges</i>	CW46503	Capital	0409, UISTB, UISTB,304	\$720,000
<i>PFL Tax Implementation</i>	CW67661	Capital	0409, PFL12, 61000, 0314	\$980,461
<i>PFL Benefits Implementation</i>	CW76223	Capital	0409, PFL12, 61000, 0314	\$10,000,000
<i>First Source Enhancements</i>	CW46503	Local	0408, AP320, 2000, 0100	\$170,000
<i>Workers Compensation System Modernization</i>	CW46503	Local	0409, WC340, 34000, 0611	\$40,000
<i>Apprenticeship Enhancements</i>	CW46503	Local/Federal	0408, AP15X, 42500, 0100 0409, AT430, 43000, 0100 0408, APP19, 43000, 8200	\$128,000

22. Please discuss the agency’s *information technology management* and plans at the department. Specifically:

- a. Who is currently managing IT at the agency overall? Please attach their resume.

Response: Thomas Fontenot, long time District employee previously with OCTO and OSSE, was hired in August 2019 as DOES’ Chief Information Officer. Having held progressive leadership roles in business process re-engineering, application development, systems integration, enterprise infrastructure services, data center management, systems implementation, security and network operations, and performance management, Mr. Fontenot specializes in Public Education, Student Transportation, Call Center Operations, Government Operations, Information Technology, Grants Management, Data Center Operations, and Network and Security Operations.

b. What is the agency's current data governance policy?

Response: DOES adheres to the requirements in the [District of Columbia Data Policy](#). This fiscal year, the agency launched a multi-year Enterprise Data Management Program Project intended to ensure:

- Data and data management practices are standardized;
- Data is used consistently and informs agency decisions around programs, services, and resource allocation; and
- Data is made available to the public to support transparency and instill confidence in the agency.

The first phase of the project involves conducting a data gap analysis and identifying opportunities to improve or enhance current agency policies, including the creation of a comprehensive Data Governance Program that will include data policy and procedures around data stewardship, management, quality, accuracy, security, and sharing.

c. Is there a data dictionary? If so, please provide the committee with a copy.

Response: The agency, as part of the Enterprise Data Management Program Project, has begun the task of identifying and creating an agency-wide data dictionary. To date, an industry standard for sharing metadata information, Common Warehouse Metamodel or CWM, has been selected to facilitate the process. As part of the data project detailed above in question 22(b), DOES is developing a comprehensive Business Glossary to capture standard agency terminology and data reporting standards. This will serve as a training tool and reference guide for staff involved at all levels of data entry, management, and reporting. As the data project progresses, there will be additional information added to the Business Glossary to include program specific information, business process maps, and both internal and external links to supporting documents and referenced websites.

d. Please detail all the agency programs that use VOS (virtual one-stop system) as the system to track data assets.

Response: The following programs/offices currently utilize VOS for data collection:

- Talent & Client Services,
- TEP - Project Empowerment,
- DC Career Connections,
- Private Sector LEAP Program,
- Back to Work (BTW) 50+,
- DC Infrastructure Academy,
- American Job Center (AJC),
- On The Job Training,
- Veterans,
- Workforce on Wheels,
- Eligible Training Provider List (ETPL),
- WOTC, and

- Job Bank Services.

- e. **Please detail the agency programs that *do not* currently use VOS to track data assets, and for each program that *does not* use VOS, please indicate what system is used. For example, if data is tracked in a spreadsheet indicate if it is Excel. If paper files are used, please indicate that as well.**

Response: As of October 1, 2019, VOS was mandated as the official system of record for all data assets with an understanding that some programs and units would continue to utilize their existing tracking tools while VOS was updated to accept those elements not currently available. This project is on-going and will ensure that our overall efficiency and effectiveness will improve as the systems are consolidated and processes streamlined.

- f. **Does the agency have standard operating procedures for data inputs, tracking, and reporting? Please attach any policies or related materials.**

Response: DOES adheres to the requirements in the [District of Columbia Data Policy](#). The agency is currently developing and implementing an agency data governance program as part of a larger Enterprise Data Management Program project. The data management program will establish standard operating procedures for all data assets, collection, reporting, sharing, and security of data both at rest and in-transit.

g. What are the agency's plans and strategies to improve data systems in FY2020 and FY2021?

Response: DOES launched several new initiatives around IT systems and data that will establish policies and best practices for all DOES owned and managed systems for FY2020 and beyond. While all are important, two of the more important initiatives are the Technology Strategy Project and the Enterprise Data Management Program Project. The Technology Strategy Project will outline the objectives, principles, and tactics relating to the use of technology within the agency. The Enterprise Data Management Program project will provide a vision and strategy for all agency initiatives related to the quality, standards, integrity, reporting, visualization, security, and access to data across the agency.

h. How will the agency implement improvements without the funding it sought from US DOL in state workforce longitudinal database narrative?

Response: Initially, DOES will be using the state set-aside money to pay for the early phases of the Enterprise Data Management Program Project. This is a multi-year, multi-phase project that may require the identification of additional funding sources or opportunities. The agency will complete an initial assessment of data systems and perform a data gap analysis during the first phase of the project after which we will be able to identify the resources needed (i.e., funding, staffing, time) to complete the project. We will maximize the use of all dollars available or allocated for the duration of the project. The agency will leverage any additional funding as necessary to ensure a seamless execution and implementation of this high-priority agency initiative.

23. Data integrity has been an issue in past budget and performance oversight hearings. For this reason, the committee is asking the following: Is the data provided to the Committee in response to each of the performance oversight questions complete and accurate?

Response: The data provided to the Committee in response to each of the oversight questions is complete and accurate through January 1, 2020. The Director has previously discussed, on the record, opportunities to enhance the agency's data fluency, architecture, and infrastructure. These are all areas that we view as an opportunity to improve through our Enterprise Data Management Program Project. Through the data project, we will:

- Build a data governance and management system;
- Refine the processes by which we source, model, manage, and store data;
- Expand DC Networks capacity and capability to support program operations and service delivery; and
- Prepare our staff to use data every day to better serve our customers by increasing their data fluency and mastery.

- 24. If there are *concerns about data integrity*, what specific data deficiencies are possible or known in the information provided? Please answer for each of the following programs:**
- a. Wage-hour complaints data (Question 48);**
 - b. First Source project-level data (Question 74);**
 - c. Apprenticeship (Question 85);**
 - d. Outcomes data for DC Infrastructure Academy, Project Empowerment (PE), DC Career Connections (DCCC), and Local Adult (Question 87);**
 - e. PE and DCCC host employer-level data (Question 97).**

Response: There are no concerns about data integrity for the responses in this document.

25. Are there plans to do a *data gap analysis*?

Response: During the last quarter, DOES launched an agency initiative and work group to review all aspects of data collection, management, and reporting. This includes, but is not limited to, the following:

- Initial assessment (including gap analysis) and recommendations about agency systems and applications;
- Providing support and direction for the intra-agency work group comprised of front-line staff, customer service, IT, performance management, and system users;
- Data sharing with partners;
- Data management and storage;
- System alignment/integration;
- Building better business tools;
- Creating tools and trainings, such as dashboards for reporting and accountability;
- Public scorecards (i.e., vendors, programs, rating system); and
- An agency stat program (modeled after Capstat) for data review and decision-making related to our Vision Forward Plan and resource allocation to enhance agency and employee performance management.

26. How are *Personal Identifiers (PI)* kept secure? Have there been any issues in the past year?

Response: Personal identifiers are encrypted using IBMs Resource Access Control Facility (RACF). RACF encrypts the data within the physical files of the database, otherwise known as the 'data at rest.' For data-in-transit, Secure Sockets Layer (SSL) encryption is used. SSL is the standard security technology for establishing an encrypted link between a web server and a browser. This link ensures that all data passed between the web server and browser remain private. There have been no reported issues in the past year.

27. Is the agency in compliance with Federal, State and Family Educational Rights and Privacy Act (*FERPA*) requirements?

Response: Our data and information system policies, as relevant, are in compliance with all federal, state, and FERPA requirements.

III. Agency Organization and Personnel

28. Please provide an *organizational chart* for the agency, arranged by division and subdivision, as of Jan. 1, 2020.

a. Show for each division and subdivision:

- 1) The names and titles of all personnel;**
- 2) Include on the chart, and denote as vacant or frozen, any such positions;**

b. Note on the chart the date of the information if not Jan. 1, 2020.

c. Please provide a narrative explanation of any changes to the organizational chart made during FY2019 or FY2020, as of Jan. 1, 2020.

Response: Please see attachment “DOES POH 2020 Q28.” The following organizational changes were made to better align the agency and streamline and better support operations:

- Created the Bureau of Education and Workforce Innovation. Being under the purview of the Deputy Mayor for Education, it is important we focus on providing training opportunities to youth. This bureau will be innovative in creating new partnerships to find pathways to employment for our youth.
- Created the Bureau of Compliance and Independent Auditing to ensure we have an independent compliance office to monitor federal and local programs.
- Created the Bureau of Federal Workforce Programs that houses all of our federally funded programs.

29. Please *complete the attached table in Excel with a chart of all positions* at the agency, as of Jan. 1, 2020.

Response: Please see attachment “DOES POH 2020 Q29.”

30. Regarding *FTEs and FTE vacancies*:

a. Please provide the total number of FTEs in the agency as of Jan. 1, 2020, the number of active (i.e., occupied positions) FTEs, and the total number of vacant positions.

b. Please list each vacant position’s position number and provide: (1) the date on which it became vacant and (2) the step or status of the hiring process for the position as of Jan. 1, 2020.

Response:

- a. As of January 1, 2020, there are 757 FTEs; 659 filled FTEs; 98 vacant FTEs.
- b. Please see attachment “DOES POH 2020 Q30-b.”

31. Please list any new position numbers approved after October 1, 2019, the division; job title; the position number; the position’s effective date (if the new hire has started); and if not hired, the date the position was publicly posted.

Response:

Position #	Title	Division	Advertised date
00099665	Program Analyst	Federal Programs	11/7/19-11/17/19
00099864	Program Manager	Federal Programs	11/7/19-11/17/19
00099904	Staff Assistant	Economic Stability & Benefits	11/21/19-11/26/19
00099915	Labor Economist	Economic Stability & Benefits	Pending
00099985	Program Analyst	Economic Stability & Benefits	12/3/19 – 12/8/19

32. Regarding *term and temp employees*:

a. By position number, for *each* term and temp employee who started in the position in FY2019 or FY2020, please provide a brief narrative to specify why the hire was done on a term or temp basis and not on a continuing basis; and

Response: Please see attachment “DOES POH 2020 Q32-a.”

b. For *each* term employee employed as of Jan. 1, 2020, whose hire date is before FY2016, please explain why the employee is term and has not been converted to a permanent employee.

Response: Please see attachment “DOES POH 2020 Q32-b.”

33. Please complete the following table on *contract workers* in the agency during FY2019 or FY2020:

Response: Please see attachment “DOES POH 2020 Q33.”

34. How many and what percentage of all employees at the agency as of Jan. 1, 2020, were *District residents*?

Response: There were 373 DOES employees or 56 percent of the agency workforce who are District residents.

35. Please complete the following charts about the *residency of new hires in FY2019 and FY2020, as of Jan. 1, 2020*:

DC Residency of Employees Hired in FY 2019

<i>Position Type</i>	<i>Total Number</i>	<i>Number who are District Residents</i>	<i>Percent of total who are District residents</i>
Continuing	32	19	59%
Term	43	21	49%
Temporary/WAE	50	35	70%

DC Residency of Employees Hired in FY 2020, as of Jan. 1, 2020

<i>Position Type</i>	<i>Total Number</i>	<i>Number who are District Residents</i>	<i>Percent of total who are District residents</i>
Continuing	9	5	56%
Term	11	6	55%
Temporary/WAE	2	2	100%

IV. Grants and Contracts

Grantmaking

36. Please *complete the attached table in Excel with information on each grant awarded by your agency during FY2019 and FY2020 as of Jan. 1, 2020.*

Response: Please see attachment “DOES POH 2020 Q36.”

37. Please *complete the attached table information on all grant competitions run by DOES in FY2019 and FY2020 as of Jan. 1, 2020, including those not ultimately awarded.*

Response: Please see attachment “DOES POH 2020 Q37.”

38. Please **attach all applicant *scoresheets and rankings* for each grant competition in FY2018, FY2019, and FY2020 as of Jan. 1, 2020, including those competitions not ultimately awarded, if applicable.**

Response: In order to protect the reputation of the applicants and our internal deliberative process, DOES does not share this information.

39. Please **attach copies of all *grant agreements* for grants awarded in FY2018, FY2019, and FY2020, as of Jan. 1, 2020.**

Response: DOES does not release grant agreements publicly to maintain the integrity and confidentiality of the grant-making process prior to FY2020. We do not have any grant agreements for FY2020 as of January 1, 2020.

40. Please attach all completed “Grantee Performance Evaluations” and all completed “Monthly Status Report” forms¹ for all FY17, FY18, and FY2020 (as of Jan. 1, 2020) grantees.

Response: It is not DOES’ practice to provide this information in an effort to maintain the integrity and confidentiality of the grant-making process.

Contracting

41. Please complete the attached table in Excel with information on each contract, procurement, and lease leveraged in FY2019 and FY2020 as of Jan. 1, 2020, with a value amount of \$10,000 or more. “Leveraged” includes any contract, procurement, or lease used by the agency as a new procurement, contract extension, or contract option year execution. This also includes direct payments, if applicable. Treat Human Care Agreements as a contract—aggregating information by vendor for all task orders under the HCA, where relevant.

Response: Please see attachment “DOES POH 2020 Q41.” The columns for funding sources require a manual pulling and entry of data that is labor prohibitive. DOES can provide additional information if there are questions about specific contracts.

VI. Universal Paid Leave

42. Please provide the following information for the quarterly reporting period specified:

Response:

Universal Paid Leave Quarterly Reporting & Payment

	Quarter ending June 30, 2019:	Quarter ending September 30, 2019:
Number of employers registered with DOES that failed to pay some or all of their required contributions	6,407	8,051
Number of employers that had at least one employee they said was excepted from UPLA coverage (regardless of what the agency’s final determination was)	7	8
Number of appeals submitted by employers that dispute the agency’s determination that they must contribute to UPLA	67	7
Number of employers that used third-party payroll providers to submit their UPLA wage reports and/or payments	23,870	24,266

¹ For example, see: <http://dccouncil.us/wp-content/uploads/2018/10/DOES-Attachments-9-15-UPDATED-3-13-18pdf.pdf> (pages 102-104).

	Quarter ending June 30, 2019:	Quarter ending September 30, 2019:
Number of employers that did not use third-party payroll providers to submit their UPLA wage reports and/or payments	7,017	7,076
Number of household workers for whom employers reported wages	3,028	3,028
Number of employers who were assessed a penalty for late or no payment of their tax contributions	6,112	4,074
Total penalties (\$ amount) assessed due to late or no payment by employers	\$1,079,787	\$657,530
Total (\$ amount) received from employers assessed penalties due to late or no payment of tax contributions	\$246,133	\$111,199

43. How many calls did the *call center* receive in FY2019 and thus far in FY2020? Of the total calls received by the call center in FY2019 and thus far in FY2020, how many were received from:

- a. Employers (or individuals with business/employer-oriented questions);
- b. Employees (or individuals with employee-oriented questions);
- c. Self-employed individuals; and
- d. Other?

Response: The Avaya IQ system currently tracks the volume of four PFL call types:

- Tax;
- General inquiries;
- Benefits; and
- Spanish-speaking callers.

The Avaya system currently does not make the distinction between employer and employee callers. However, DOES can say in good faith that the majority of calls received in the PFL call center have been from employers. There were 6,362 total PFL calls received in the Customer Navigation Center during FY2019 and FY2020 through January 20, 2020. The breakdown by fiscal year and by call type are below.

FY2019 (10/1/2018-9/30/2019)

Call Type	No. of Calls
Tax*	2,163
General	1,475
Benefits	265
Spanish	22
Total	3,925

FY2020 (10/1/2019-1/20/2020)

Call Type	No. of Calls
Tax*	1,579
General	646
Benefits	192
Spanish	20
Total	2,437

Note: *Tax queue consists of calls regarding employer accounts, audit, collections, and status.

V. Labor Standards

A. Office of Wage and Hour

Staffing

44. Please complete the following table regarding the tasks and duties assigned to specific Office of Wage and Hour (OWH) employees (if the position is vacant, detail the expected tasks and duties when the role is occupied) by eight-digit position number. Specify which District laws the position works to help to investigate and enforce most often (for ex., Wage Payment and Collection Law, Building Service Workers, etc).

Staff Roles

Position number	Job title	Duties	Laws worked on
00092173	Program Analyst	Compliance and Enforcement	All D.C applicable wage laws
00007752	Wage Hour Compliance Specialist	Compliance and Enforcement	All D.C applicable wage laws
00038872	Wage Hour Compliance Specialist	Compliance and Enforcement	All D.C applicable wage laws
00083536	Wage Hour Compliance Specialist	Compliance and Enforcement	All D.C applicable wage laws
00094158	Wage Hour Compliance Specialist	Compliance and Enforcement	All D.C applicable wage laws
00094159	Wage Hour Compliance Specialist	Compliance and Enforcement	All D.C applicable wage laws
00094160	Wage and Hour Specialist	Compliance and Enforcement	All D.C applicable wage laws
00096710	Program Support Assistant	Compliance and Enforcement	All D.C applicable wage laws
00034053	Program Manager	Compliance and Enforcement	All D.C applicable wage laws
00096709	Program Support Assistant	Compliance and Enforcement	All D.C applicable wage laws
00014994	Clerical Assistant	Compliance and Enforcement	All D.C applicable wage laws
00020603	Program Analyst	Compliance and Enforcement	All D.C applicable wage laws
00021359	Examiner	Compliance and Enforcement	All D.C applicable wage laws
00034047	Wage Hour Compliance Spec	Compliance and Enforcement	All D.C applicable wage laws
00047306	Wage Hour Compliance Spec	Compliance and Enforcement	All D.C applicable wage laws
00082550	Wage Hour Compliance Spec	Compliance and Enforcement	All D.C applicable wage laws
00092172	Wage Hour Compliance Spec	Compliance and Enforcement	All D.C applicable wage laws
00094161	Trial Attorney	Compliance and Enforcement	All D.C applicable wage laws
00008940	Program Analyst	Compliance and Enforcement	All D.C applicable wage laws
00022170	Wage & Hour Program Specialist	Compliance and Enforcement	All D.C applicable wage laws

Position number	Job title	Duties	Laws worked on
00028375	Trial Attorney	Compliance and Enforcement	All D.C applicable wage laws
00034029	Program Support Assistant	Compliance and Enforcement	All D.C applicable wage laws
00051476	Paralegal Specialist	Compliance and Enforcement	All D.C applicable wage laws
00082552	Supervisory Program Analyst	Compliance and Enforcement	All D.C applicable wage laws
00084810	Program Manager	Compliance and Enforcement	All D.C applicable wage laws
00092170	Wage Hour Compliance Specialist	Compliance and Enforcement	All D.C applicable wage laws
00092171	Wage Hour Compliance Specialist	Compliance and Enforcement	All D.C applicable wage laws
00009111	Associate Director	Compliance and Enforcement	All D.C applicable wage laws

Standard Operating Procedures

45. Please provide a copy of all manuals, handbooks, and reference materials that form the “standard operating procedures” (SOP) of the OWH, or similar documents that contain step-by-step instructions to help staff carry out internal processes. Include the dates the SOPs document was issued and enacted, and which employees have the authority to modify the written document. If none exist, please explain if and when the agency plans to develop written, standard processes.

Response: DOES is in the process of updating the SOP and developing an operations manual for the Office of Wage-Hour. The Associate Director, with the approval of the Deputy Director of the Labor Standards Bureau, has the authority to modify the written document. It must then have legal sufficiency from the Office of the General Counsel and approval from the Director.

Complaints

46. As of December 5, 2019, Section 8 of the online Wage Payment Claim Form (the “verification sheet”) and the comparable section for four other PDF claims forms² say, “Please be advised that your claim will not be processed if any of the above required sections are incomplete or if your claim is not accompanied by the notarized assignment form.” (emphasis added). DOES stated in its 2019 performance oversight responses that “OWH does not require that complaints be notarized” but that it is helpful to assure the truthfulness of a complainant’s statement. Nevertheless, the notarization requirement is cumbersome and not required by law. It has been cited by worker advocates as a significant hurdle for workers who want to bring a claim to OWH. Why hasn’t this language been removed from the online Wage Payment Claim Form?

Response: The Office of Wage-Hour has removed all language referencing assignment from all claim forms. Please see attachment “DOES POH 2020 Q46” for the updated paper form. The online form, however, is in the process of being updated to reflect this change.

² The Sick and Safe Leave, Living Wage, Retaliation, and Wage Payment Claims forms.

47. Please provide a copy of the *complaint form(s)* currently used for filing a claim under the Accrued Sick and Safe Leave Law, the Wage Payment Law, the Minimum Wage & Overtime Law, and Living Wage Law and delineate on each what changes have been made to the form(s) within the last year.

Response: Please see attachment “DOES POH 2020 Q47” for the current forms.

48. Please complete the following chart regarding investigation and enforcement of the Wage Payment and Collection Law, the Minimum Wage Revision Act, the Sick and Safe Leave Act, and retaliation allegations brought to the DOES Office of Wage and Hour (during FY2019 unless otherwise specified).

Complaints received by the Office of Wage and Hour FY2019

	<i>Total</i>	<i>Wage Payment</i>	<i>Minimum Wage & Overtime</i>	<i>Sick & Safe Leave</i>	<i>Retaliation</i>
<i>Number of all open complaints as of Jan. 1, 2020, regardless of date filed</i>	637	511	94	8	24
<i>Number of complaints filed in FY2019</i>	641	534	77	10	20
<i>Number of complaints filed in FY2019 in person at DOES and/or delivered via postal mail (i.e., not online or via email)</i>	394	287	77	10	20
<i>Of complaints received in FY2019, number of cases where employer did not respond to the notice of complaint¹</i>	166	147	15	1	3
<i>Of complaints received in FY2019, number of notices of complaints sent to employers²</i>	391	307	55	12	17
<i>Of complaints received in FY2019, number of notices of violation sent to employers³</i>	269	234	24	5	6
<i>Total number of mediations conducted by DOES in FY2019⁴</i>	55	43	9	3	0
<i>Of complaints received in FY2019, number of mediations conducted by DOES⁵</i>	38	32	3	3	0
<i>Of complaints received in FY2019, number of fact-finding conferences held by DOES (i.e., not OAH)⁶</i>	52	47	3	0	2
<i>Number of desk audits completed in FY2019⁷</i>	159	137	17	4	1
<i>Number of on-site investigations conducted in FY2019⁸</i>	204	167	28	5	4
<i>Of complaints received in FY2019, number in which DOES made a final determination⁹</i>	178	144	21	9	4
<i>In FY19, the total number of settlement agreements entered into with employers to resolve alleged violations</i>	82	64	15	3	0
<i>Total number of open cases at OAH (as of Jan. 1, 2020)</i>	130	111	14	0	5
<i>Total number of OWH decisions by OAH in FY2019 (regardless of when complaint was filed)</i>	31	28	3	0	0

Notes:

1. In accordance with DC Code Section 32-1308.01(c)(6), if a respondent fails to respond to any allegations within 20 days of the date the complaint is served, the allegations are deemed admitted and an initial determination is issued.
2. DOES has a practice of only sending a notice of the complaint to employers, if the complaint received meets the claim criteria specified in DC Code Section 32-1308.01.
3. DOES does not have a “notice of violation” and there is no “notice of violation” required in the law. Instead, the chart reflects the number of initial determinations or administrative orders issued in accordance with DC Code Section 32-1308.01 in which the respondent was required to provide relief and cure all violations.
4. In accordance with DC Code Section 32-1308.01(d)(1), DOES works with the parties to conciliate. This count shows all successfully executed conciliation agreements dated between October 1, 2018 to September 30, 2019, regardless of when the claim was filed.
5. In accordance with DC Code Section 32-1308.01(d)(1), DOES works with the parties to conciliate. This count shows all successfully executed conciliation agreements for claims filed between October 1, 2018 to September 30, 2019.
6. DOES defines “fact-finding conference” as meetings held (on phone or in person) in which both the claimant and respondent present evidence and respond to investigator’s inquiry.
7. DOES defines “desk-audit” as any investigation (related to a claim) in which company records are reviewed by OWH and a determination is made based on the review.
8. OWH defines “on-site investigation” as any visit made to an employer to review time and pay records on site, and posting of investigation poster, or Minimum Wage/ASSLA poster.
9. In accordance with DC Code Section 32-1308.01(c)(10)(B), OWH defines “final” determination as all claims in which an Initial Determination or Administrative Order was issued and there was no subsequent appeal.

49. DOES’s online *Wage Payment Claim Form* requests that the filer indicate the “type of business” they worked for. Please provide a list of the types of businesses provided and the number of complaints received in each category for each year FY2018, FY2019, and FY2020 thus far.

Response: DOES received 327 different responses for the “type of business” question on the Wage Payment Claim form in FY2018, FY2019 and FY2020. DOES has grouped those responses into the following industry categories:

Fiscal Year	Industry	Number of Claims
2018	Construction	25
	Education and Health	97
	Leisure and Hospitality	74
	Natural Resources and Mining	5
	Other Services or (Blank)	4
	Professional and Business Services	332
	Trade, Transportation, and Utilities	13
2019	Construction	22
	Education and Health	93
	Leisure and Hospitality	76
	Natural Resources and Mining	3
	Other Services or (Blank)	1
	Professional and Business Services	330
	Trade, Transportation, and Utilities	9

Fiscal Year	Industry	Number of Claims
2020	Construction	10
	Education and Health	23
	Leisure and Hospitality	16
	Professional and Business Services	71
	Trade, Transportation, and Utilities	1
Totals		1,205

50. In FY2019, how many complaints were received from an employee who is tipped regarding each of the following laws: the Accrued Sick and Safe Leave Law, the Wage Payment Law, the Minimum Wage & Overtime Law, and Living Wage Law?

Response: DOES received 22 total claims by tipped employees during FY2019. The breakdown for the applicable laws follows.

- Accrued Sick and Safe Leave - 0
- Wage Payment - 12
- Minimum Wage and Overtime - 9
- Living Wage - 0
- Retaliation - 1

Investigations

51. Please complete the following table about *workplace-wide violations*. A “workplace-wide violation” is a violation which all or a significant portion of an employer’s employees experienced.

Response: In FY2019, OWH conducted over 2,100 random audits to ensure that employers are reporting accurately and paying the correct wages to employees. In FY2020, OWH has conducted 150 to date.

Statute	Number of employers found to have workplace-wide violations:		Total number of employees experiencing workplace-wide violations:	
	FY2019	FY2020	FY2019	FY2020
Wage Payment	2	0	16	0
Minimum Wage & Overtime	8	0	87	0
Sick & Safe Leave	0	0	96	0
Living Wage Act	1	0	36	0

Penalties and relief

52. What was the total amount DOES recovered in each of the following categories?

Penalties and relief recovered by DOES

	FY2019 Total relief payable to workers*	FY2019 Penalties payable to DOES	FY2020 Total relief payable to workers*, as of Jan. 1, 2020	FY2020 Penalties payable to DOES, as of Jan. 1, 2020
Wage Payment	\$38,889.55	\$3,500.00	0	0
Minimum Wage & Overtime	\$210,124.92	\$502,282.50	0	0
Sick & Safe Leave	\$13,436.41	\$5,720.00	0	0
Living Wage	\$8,917.40	\$15,500.00	0	\$4,500.00
Building Service Employees Minimum Workweek	0	0	0	0

*Total relief payable to workers should include any restitution, liquidated damages, compensatory damages, punitive damages, and other money payable to workers.

Retaliation

53. There are two dominant legal standards for determining whether an individual experienced retaliation in violation of the law: one, called “but for” causation, requires proof that the employer would not have retaliated *but for* the employee’s exercise of the protected right. The second standard, “motivating factor,” only requires evidence that the employee’s exercise of the protected right *contributed to* the employer’s adverse action against the employee.”¹ Which standard is applied when OWH is determining whether retaliation occurred in violation of the District’s wage hour laws?

Response: DC Official Code § 32-1311 does not require the usage of a particular standard of review. OWH may employ either the "but for" or the "motivating factor" standards. However, OWH always considers the totality of the circumstances when making determinations regarding claims of retaliation. OWH will weigh all relevant facts, including evidence of adverse actions taken against the claimant, in order to reach the conclusion most clearly indicated by law.

Settlement Agreements

54. In September 2019, OWH provided copies of settlement agreements (also known as “conciliation agreements”) entered into by employers, workers who had alleged violations, and the Office of Wage and Hour. These settlements include a term that reads: “It is further agreed by the parties that no party shall divulge the terms of this agreement to any person other than to a spouse, tax professional or as otherwise required by law.”
a. Is this term always included in settlement agreements/conciliation agreements?

Response: No. However, pursuant to DC Official Code § 32-1308.01(d)(1), conciliation agreements are between the complainant and the respondent. In order to facilitate agreement, OWH allows the parties to include terms mutually agreed upon by each insofar

as such terms do not violate District law. Confidentiality is a term commonly, but not exclusively, suggested by respondents. If, and only if, the complainant is in agreement will the term be included.

b. Why must workers and employers not “divulge” these terms?

Response: OWH does not require the parties to include confidentiality provisions in their conciliation agreements. Either party may request the inclusion of such a provision. Confidentiality provisions are standard in nearly all settlement agreements.

c. Does this term bar the agency from speaking to the press regarding the terms of a DOES investigation or settlement?

Response: It depends. Where DOES is a signatory to a confidential agreement, it may not divulge substantive information about the agreement to the press. Absent an agreement to the contrary, DOES may divulge information concerning any closed investigation to the press. However, it is not DOES’ practice to divulge information about closed investigations where law, prudence, the interest of the worker, or the interest of the people of the District of Columbia demand otherwise.

55. For each of the ten (10) most recent wage-hour cases resolved via settlement agreements as of Jan. 1, 2020, please provide:

- a. The date the settlement agreement was executed;**
- b. The date of complaint(s) underlying the settlement agreement**
- c. Alleged violations that the settlement purports to resolve (whether or not the employer admits the allegations);**
- d. Number of employees covered by the settlement agreement;**
- e. Total amount of payments employees will receive under the settlement agreement;**
- f. Deadline(s) for required payment(s);**
- g. Whether full payment was received by the deadline (if passed) or at all; and**
- g. Any other required action or compensation by the employer, such as employer agrees to provide additional sick days, comply with other District laws, etc.**

Response: Please see attachment “DOEs POH 2020 Q55.”

Wage Theft Prevention Fund

56. The Wage Theft Prevention Fund (WTPF) consist[s] of the revenue from [civil fines and administrative penalties]... recovered under section 32-1307.” DC Code section 32-1307.91(b). The WTPF (special purpose fund number 0618) is to be used to enforce the provisions of the Wage Theft Prevention Clarification and Overtime Fairness Amendment Act, the Minimum Wage Revision Act, the Sick and Safe Leave Act, and the Living Wage Act.

a. What was the fund balance at the end of FY2019?

Response: The fund balance at the end of FY2019 was \$327,359.65.

Note: The fund balance for all funds is calculated by the central accounting office (OFOS) at the time that they complete the District’s financial statements for the fiscal year. Since OFOS has not yet completed the financial statements for FY2019, the official fund balance for the Wage Theft Fund remains the fund balance that was calculated for the end of FY2018. The \$327,359.65 listed above is only a projection based on the current expenditures in SOAR.

b. What is the current fund balance (as of Jan. 1, 2020)?

Response: The fund balance is only calculated at the end of a fiscal year. As noted above, the fund balance at the end of FY2019 was \$327,359.65.

Note: The fund balance for all funds is calculated by the central accounting office (OFOS) at the time that they complete the District’s financial statements for the fiscal year. Since OFOS has not yet completed the financial statements for FY2019, the official fund balance for the Wage Theft Fund remains the fund balance that was calculated for the end of FY2018. The \$327,359.65 listed above is only a projection based on the current expenditures in SOAR.

57. Complete the tables below detailing revenue in to and expenditures from the Wage Theft Prevention Fund related to specific wage-hour laws enforced by DOES.

Wage Theft Prevention Fund Revenue FY2019 and FY2020

	Total revenue FY2019	Total revenue in FY2020, as of Jan. 1, 2020
Wage Theft Prevention Clarification Act	\$91,820.50	\$21,313.87
Minimum Wage Revision Act	\$35,900.00	\$5,557.50
Sick and Safe Leave Act	\$10,500.00	\$5,420.00
Living Wage Act	\$1,300.00	\$4,500.00
Other (describe)	0	0
Total	\$139,520.50	\$36,791.37

Wage Theft Prevention Fund Expenditures FY2019

Wage Hour staff provide compliance and enforcement for all wage laws. Separate budgets do not exist based on law.

	Personnel Services		Non Personnel Services	
	Total amount	# FTEs	Total amount	Description of expenditures
Wage Theft Prevention Clarification Act	\$139,143.25	5.00	\$15,987.87	Fixed Costs
Minimum Wage Revision Act				
Sick and Safe Leave Act				
Living Wage Act				
Other (describe): The staff provide compliance and enforcement for all wage laws.				
Total	\$139,143.25	5.00	\$15,987.87	

Wage and Hour Grants

58. For the FY2019 grants(s) provided by OWH to conduct public education, please provide:
a. Copy of all grant agreements;

Response: See the response in 58(b) for the list of grant agreements. DOES does not provide grant agreements prior to FY2020.

b. Names of grant recipients, grant amounts, dates of award;

NOGA No.	Grantee Name	Grant Amount	Grant Award Date
DOES-PEP-2018-01	Veterans Enterprise Group	\$60,000	January 1, 2018
DOES-PEP-2018-2	Ethiopian Community Center	\$59,850	January 1, 2018
DOES-PEP2-2019-01	Echelon Community Services	\$60,000	May 1, 2019
DOES-PEP2-2019-02	Ethiopian Community Center	\$60,000	May 1, 2019

c. List of required deliverables;

Response: Please see below the list of grantee requirements:

- Make contact with a minimum of 250 businesses and 500 employees within the year;

- Expand and diversify outreach by providing more translation services for Latino and Asian/Pacific Islander communities during events;
- Provide oral interpretation services to LEP/NEP customers using telephonic interpretation, in-person interpretation or qualified/certified bilingual staff;
- Translate vital documents into languages that meet the three percent or 500 thresholds of individuals served or likely to be served;
- Provide Language Access Compliance training to all personnel using training provided or approved by the DC Office of Humans Rights;
- Certify in writing that language access compliance requirements will be satisfied;
- Provide a minimum of 250 District employers with required notices and information regarding wage laws;
- Assist DOES OWH with providing support to other District agencies through strategic outreach; and
- Attend conferences, meetings, and trainings, as required.

Reports Required	Frequency
Submit referrals for investigations	Weekly
Report summarizing events held, employees and employers engaged, and referrals received.	Monthly
Notification of planned events, conferences, and sessions	Monthly
Collect and report data on encounters with limited or non-English proficient (LEP/NEP) individuals.	Quarterly

d. Copy of deliverables;

Response: Please see attachment “DOES POH 2020 58-d.”

e. Narrative and/or data indicating outcomes and success of the grants.

Response: Through outreach efforts, the Veterans Enterprise Group reached 379 employers and 770 employees, and the Ethiopian Community Center reached 254 employers and 620 employees, exceeding the program goals and requirements. The grantees conducted door-to-door business outreach to provide wage law posters, translate wage law posters, and provide information to the Amharic and Spanish-speaking communities regarding wage laws. In addition, grantees hosted information sessions, implemented social media campaigns, and attended community events throughout the year distributing wage-law posters, fact sheets, and providing additional information. Grantees also utilized their online presence to bring awareness to wage laws. See the chart below that outlines grant performance goals:

January 2018-2019

Grantee Name	Program Goal: Employer Outreach	Employers Touched	Program Goal: Employee Outreach	Employees Touched	Met or Exceeded Goal? (Yes/No)
Veterans Enterprise Group	250	379	500	770	Yes
Ethiopian Community Center	250	254	500	620	Yes

The current grantees are Echelon Community Services and Ethiopian Community Center. The grant was awarded in May 2019, and grantees began public education work in June 2019. Since that time, they have engaged with multiple businesses and workers through large community events and business walks. The grantees have engaged with people across the city but have focused their efforts to target more vulnerable populations. This is the data from May 1, 2019 through December 1, 2019.

As of December 1, 2019 (Grant ends May 2020)

Grantee Name	Program Goal: Employer Outreach	Employers Touched	Program Goal: Employee Outreach	Employees Touched	Met or Exceeded Goal? (Yes/No)
Echelon Community Services	250	79	500	1,825	TBD when grant ends
Ethiopian Community Center	250	56	500	155	TBD when grant ends

59. The Committee increased DOES’s FY2020 budget by \$70,000 in order to fund wage and hour education grantmaking, and also passed the Wage and Hour Education Grants Program Act of 2019 (DC Code section § 32–171.02) to enable grant recipients to support outreach efforts to workers who may have experienced violations of the laws DOES enforces. Please provide the following for any Office of Wage Hour request for applications (RFA) for grants or grant awards in FY2019, thus far in FY2020, and anticipated in the remainder of FY2020:

a. Copy of RFA;

Response: Please see attachment “DOES POH 2020 Q59.”

b. Date of RFA, date of award, and deadline for completion;

Response: In FY2019, OWH initiated two grants that crossed fiscal years, making these not subject to the new law. However, OWH has initiated two new grants geared toward educating workers in the District. These grants will be released this fiscal year.

c. Grant recipient(s) name and address;

Response: This information will be determined once the grants are awarded.

d. Number of applicants for the grant funds; and

Response: The grant notice has not been published. Therefore, the number of applicants is currently unknown.

e. List of required deliverables.

Response: Grant deliverables are in accordance with DC Code § 32-171.04.

B. Office of Occupational Safety and Health

60. Please provide an overview of activities of the occupational safety and health office in FY2019. If it took in complaints, please state the number received and provide actions taken by the office and resolutions.

Response: The District of Columbia operates a traditional consultation program that provides effective occupational safety and health programs for DC employers. The DC Office of Occupational Safety and Health (OSH) consultation program targets high-hazard industries, primarily small residential construction and renovation companies, to promote and encourage use of the consultation service. The DC OSH consultation program conducted a combined total of 84 on-site activities, 59 initial visits, 15 follow ups, and 10 training and education visits. Of this total, 98.36 percent of the initial visits were in high-hazard establishments; and 100 percent were to small employers (0-250 employees). One-hundred percent of the visits included employee involvement. OSH consultants identified 397 total hazards, or 6.7 hazards per initial visit, of which 324 were serious, or 5.5 serious hazards per visit. In addition, OSH implemented a more robust outreach strategy by partnering with local schools to provide construction courses to students.

District of Columbia On Site Consultation Program Economic Benefits FY 2019

	Calculation estimates	FY 2019
Serious Hazards Identified	(10% of serious hazards identified)	324
Injuries Avoided	(10% of serious hazards identified)	32
Benefits to Workers from Avoided Injuries	(Injuries avoided x \$77,000) ¹	\$2,464,000
Benefits to the Workers' Compensation System from Reduced Claims	(Injuries avoided x \$30,526) ²	\$976,832
Benefits to Employers from Indirect Costs Avoided	(Benefits to WCS x 110%) ³	\$1,074,515
Total		\$4,515,347

Notes:

1 Consistent with the Office of Management and Budget Circular A-4, OSHA assessed the value of avoided injuries using a WTP method, where the value is derived from the willingness of affected individuals to pay to avoid a marginal increase in the risk of a non-fatal injury. Workers place an implicit value on occupational injuries avoided, which reflects their willingness to pay to avoid monetary costs (for medical expenses and lost wages) and quality-of-life losses as a result of an occupational injury. OSHA estimated the value of avoided injury at \$77,000 per case (in 2015 dollars, which reflects the low end of estimates developed by Viscusi and Gentry, 2015).

2 Employer benefits are described in terms of workers' compensation savings. Typical workers' compensation injuries cost insurers about \$30,526 each, on average, based on the total program costs for workers' compensation and the total number of reportable injuries in the private sector (Baldwin and McClaren, 2016; Bureau of Labor Statistics (BLS), 2013). These will not be direct savings to the employer but to the workers' compensation system; however, the savings will eventually be realized to some extent by employers as insurance premium savings.

3 OSHA also estimated the benefits to employers of avoided indirect costs from occupational injuries, which include costs of hiring and training replacement workers, administrative costs, and lost productivity. The estimate used is from a Business Roundtable publication, Improving Construction Safety Performance, and is based on a study conducted by the Stanford University Department of Civil Engineering (OSHA, 2017). While the magnitude of indirect costs is inversely related to the seriousness of the injury, for the purposes of this analysis, OSHA used the lowest estimated ratio from the Business Roundtable publication and estimates that the indirect costs are equal to 110 percent of direct costs considered to be the cost of a workers' compensation injury.

C. Office of Workers' Compensation

61. Claims Please provide the following information about the Office of Workers' Compensation (OWC), which is responsible for private sector workers compensation in the District:

Private Sector Workers' Compensation Claims

	FY2019	FY2020 as of Jan. 1, 2020
Total number of claims filed by private sector workers	10,474	2,810
The number of claims filed due to an allegation of disabling or accidental injury	980	246
The number of claims filed due to an allegation of occupational disease	9	0
Number of informal conferences conducted	462	95
Number of hearings conducted by the Administrative Hearings Division (AHD)	228	75
The number of settlement agreements executed	545	133
Number of appeals of AHD final orders initiated in the year specified	99	24
Number of appeals of AHD final orders resolved in the year specified	102	28

Employer Compliance

62. In FY2019 and FY2020, thus far, how many private sector employers subject to the workers' compensation law did a representative or representatives from OWC visit to determine whether the employer has posted the notice required by DC Code section 32-1536 in a conspicuous place or places in the employer's place or places of business? If none, please explain.

Response: There were 145 employer visits in FY2019, and there have been 20 in FY2020 to date.

63. How many instances of noncompliance with the following did the Office identify in FY 2018, FY2019, and FY2020, thus far?

a. DC Code section 32-1532, which requires employers to specify certain details about instances of injury, illness, or death of a worker;

Response: OWC identified 207 non-compliant employers in FY2018, 183 in FY2019, and 23 in FY2020 thus far.

b. DC Code section 32-1536, which requires employers to conspicuously post proof of coverage under the workers' compensation program in the workplace;

Response: There were no employers identified as being non-compliant in FY18; 12 were identified in FY19; and 20 in FY20, thus far.

c. DC Code section 32-1542, which makes it unlawful for an employer to retaliate against a worker who attempted to claim, claimed, or testified regarding a claim for compensation from the employer.

Response: OWC conducted no informal conferences regarding retaliation from FY2018 through FY2020 to date. Please note that OWC's modernization effort is currently in progress. Once it is completed, additional data will be available. With OWC's IT modernization, more detailed and statistical information will be captured, such as: (1) issues addressed at the Informal Conference, i.e. medical benefits, indemnity benefits, retaliation, vocational rehabilitation, death benefits, etc.; and (2) outcome of informal conference (i.e., ruled in favor of claimant, employer, and/or both). The Office of Hearings and Adjudication/Administrative Hearings Division had three cases in FY2018, two in FY2019, and two in FY2020 thus far.

VI. Workforce Development

American Job Centers

64. Please fill in the attached table in Excel regarding customers served at the American Job Centers in FY2019 and FY2020, as of Jan 1, 2020.

Service	FY 2019	FY2020 as of 1/1/20
Total number of visits	31317	10402
Total number of unique customers served	17447	7228
Number of customers enrolled in WIOA	961 (<i>Title I -Adult</i>)	196 (<i>Title I - Adult</i>)
	335 (<i>Dislocated Workers</i>)	92 (<i>Dislocated Workers</i>)
Number of customers enrolled in Wagner Peyser/Employment Services	8199	2032
Number of customers receiving basic/self-service career services	15043	5164
Number of customers receiving individualized/staff-assisted career services	1691	652
Number of customers seeking any job training	Information is currently unavailable. DOES will provide the Committee with updated information once available.	Information is currently unavailable. DOES will provide the Committee with updated information once available.
Number of customers enrolled in any DOES job training program	522	56
Number of customers receiving an ITA under WIOA	383	50
Average number of days between ITA request and approval of ITA	32.22 <i>*Data reflects the average number of days between ITA approval and actual start date. Please note, data reflects all calendar days, including weekends and holidays.</i>	Information is currently unable. DOES will provide the Committee with updated information once available.
Number of customers enrolled in federally funded occupational skills or other job training program other than through an ITA	6	4
Number of customers enrolled in locally funded DOES job training program, including Project Empowerment, DC Career Connections, LEAP, DC Infrastructure Academy, Back to Work 50+, or any other	Enrollment data is captured by Program office.	Enrollment data is captured by Program office.
Number of youth customers enrolled in OYP program	268 (<i>OSY</i>)	55*(<i>OSY</i>)
	0 (<i>ISY</i>)	0 (<i>ISY</i>)

Literacy and Numeracy Testing

65. Please complete the attached table in Excel with information about results of CASAS and other literacy and numeracy tests of AJC customers in FY2019.

Response: DOES does not conduct CASAS testing for all AJC customers. CASAS and numeracy results are housed in the Data Vault, which is owned and managed by OSSE. Therefore, any data request must be submitted to OSSE directly.

66. Please list all programs, training providers, or educational providers to which AJCs referred clients in FY2019 and FY2020, as of Jan. 1, 2020, and provide the number of referrals to each program or training provider of those who took the CASAS at an AJC in FY2019 and FY2020, as of Jan. 1, 2020, and scored less than an eighth grade in math or reading level.

Response: The Workforce Investment Council (WIC) is responsible for establishing eligibility and performance requirements for organizations who wish to provide Workforce Innovation and Opportunity Act (WIOA) funded job training services to adults and dislocated workers. WIOA requires that training services provided to job seekers be paid for through vouchers known as individual training accounts (ITAs).

Training Providers	Number of Referrals
PY' 19 (7/1/19 to 1/6/20)	
1st CDL Training Center of NOVA	38
Amala Lives Institute	0
Byte Back, Inc.	1
Intellectual Point	40
Toni Thomas	21
Westlink	0
OIC	3
Vets Group	9
ITC Technologies	3
Nursing Assistant Academy	14
Urban ED Technologies	1
Healthwrite	0

Training Providers	Number of Referrals
PY' 18 (7/1/18 to 6/30/19)	
1st CDL Training Center of NOVA	77
Amala Lives Institute	3
Byte Back, Inc.	5
Intellectual Point	83
Toni Thomas	52
Westlink	27
OIC	21
Vets Group	29
ITC Technologies	2
Nursing Assistant Academy	35
Healthwrite	12

DOES does not conduct CASAS testing for all AJC customers. CASAS and numeracy results are housed in the Data Vault which is owned and managed by OSSE. Therefore, any data request must be submitted to OSSE directly.

67. Please complete the attached table in Excel with information on results of literacy and numeracy test results for non-AJC programs in FY2019. Add columns as necessary.

Response: DOES is still gathering the data for this response.

WIOA

68. Please complete the attached Excel sheet with data on WIOA performance (common measures) for each funding stream in Titles I and III and for each quarter in PY2017, PY2018, and PY 2019. Please complete each cell, including n (number) and percentage rate for each measure, except where indicated.

Response: Please see attachment “DOES POH 2020 Q68.” The Adult Education and Vocational Rehabilitation are not DOES programs. Therefore, they are excluded from our responses.

69. Please attach copies of the following WIOA reports submitted to U.S. DOL:

a. Annual Performance Reports for PY18

Response: Please see attachment “DOES POH 2020 Q69-a.”

b. [ETA 9169](#) (WIOA Annual Report Tables & Narrative) for PY18, if different than the report required in the previous question.

Response: Please see response to Q69 a.

c. Annual State Performance Report Narrative for titles I and III for PY18.

Response: Please see attachment “DOE69S POH 2020 Q69-c.”

d. ETA 9173 (program reports) submitted for each funding stream and for each quarter in PY18 and PY19 quarters 1 and 2.

Response: Please see attachment “DOES POH 2020 Q69-d.”

70. WIOA requires that the Governor (the Mayor, in the District) reserve up to 15 percent of Title I funds for statewide activities (See [20 CFR 683.120\(b\)](#)). Please delineate for each fiscal year PY16 through PY19 the total available funds, the total expenditures from the governor’s reserve. Also provide expenditures by year including the names of any recipients and the services provided by each recipient.

Response: Please see attachment “DOES POH 2020 Q70.”

Documentation of Strategies and Plans

71. Please attach copies of strategic plans and Standard Operating Procedures for the On-the-Job Training program and the Office of Talent & Client Services, or explain why they are not available.

Response: The Office of Talent and Client Services (TCS) is a newly established DOES office as of September 2019. TCS' mission is to offer businesses in the Washington, DC region complimentary services to help meet their workforce development needs through the following:

- **Strategy/Planning:** Providing roadmaps to DC businesses that help them navigate the resources needed to achieve their hiring goals.
- **Concierge Consulting:** Providing tailored services for DC businesses at each stage of business growth.
- **Recruiting/Hiring:** Providing employers with access to skilled, talented, and diverse applicants in the District through our innovative programs and responsive training.

TCS is comprised of the following units:

- I. Talent Acquisition & Development Unit
 - a. Virtual Job Bank/Data
 - b. Talent Acquisition
 - c. On-the-Job Training

- II. Client Service & Incentives Unit
 - a. Work Opportunity Tax Credit
 - b. Rapid Response
 - c. Trade Adjustment Assistance

- III. Client Relation Unit
 - a. CRM Officer
 - b. Corporate Giving/Stewardship

There is no Standard Operating Procedure (SOP) for the TCS. Instead, there are SOPs for the individual units. DOES is currently in the process of updating all of the TCS unit's SOPs in FY2020, including for the Talent Acquisition and Development Unit's On-the-Job Training program. We are in the process of finalizing our agency wide Vision Forward Plan, which is the strategic plan for the entire agency.

II. First Source

72. Please describe any changes or improvements made in FY2019 or FY2020, as of Jan. 1, 2020, to improve implementation of the First Source law, both on the agreement/hiring side and on the enforcement side. Please include IT, staffing, procedures, policies, or other matters.

Response: In FY2019 and thus far in FY2020, the DOES Office of First Source Compliance (OFSC) initiated the following activities to improve operations, compliance, and enforcement of the First Source law:

Enhanced First Source Online Registration and Reporting System

The agency launched Phase 3 of the First Source Online Registration and Reporting System (FORRS). This phase added functionality to track direct and indirect labor cost, employee attrition, and job titles, and allowed beneficiaries to indicate submission of their final reports. In addition, DOES completed the development of the Agreement and Project Close-out for tracking and monitoring compliance with First Source requirements. Finally, OFSC conducted a two-day webinar to educate District agencies and employers on these added FORRS features.

Enhanced technology system to visualize construction worker location

LCPtracker added a Geographical Information System Interface that will now allow the agency to map construction workers' addresses by ward for verification.

Updated Standard Operating Procedures (SOPs)

The agency revised the SOPs to include the record retention policy and process for calculating the hiring and hours worked percentages and making relevant findings. Staff were trained on the new provisions and added processes within the SOPs.

Instituted joint meetings with First Source parties to review requirements

DOES and DSLBD developed a new approach to enforce compliance of projects. DOES and DSLBD jointly meet with the contracting agency's project manager, developer, and prime contractor to review First Source Agreement requirements and Employment Plan New Job Creation Plan, and DSLBD CBE requirements.

Instituted monthly compliance meetings

The agency continues to strengthen its hiring and compliance efforts, including facilitating monthly compliance meetings with agencies responsible for funding projects and contracts that meet the First Source threshold. These meetings have strengthened inter-agency communication, which allows DOES to ensure that we are monitoring First Source compliance across every industry. Through the collaboration, various contracting agencies have granted DOES and DSLBD access to their database of contracts.

73. How many First Source *agreements* have been signed in FY2019 and FY2020, as of Jan. 1, 2020?

Response: In FY2019, there were 1,106 signed First Source agreements. In FY2020, as of January 2, 2020, there have been 341 signed First Source agreements.

Hiring outcomes data

74. Please *complete the attached tables, “First Source Hiring Outcomes Template,”* of agreements in FY17-FY2020, as of Jan. 1, 2020. There were several issues with DOES’s previous submission of this data. Please make at least the following adjustments:

- a. Ensure that construction projects over \$5 million are on the correct tab**
- b. Ensure that projects are only listed on one tab**
- c. Update the penalty tab by providing a *specific* explanation as to why *each* of the penalties was withdrawn. For any penalties that were withdrawn at the request of the Office of the Attorney General due to a lack of jurisdiction, misinterpretation of the law, or any other reason, please provide the Committee with a copy of such documentation.**

Response: The previous reports requested data that was not required in the law. The agency is now capturing this information and is providing responses for FY2019 and FY2020 to date. During these respective fiscal years, no penalties were withdrawn. Please see attachment “DOES POH 2020 Q74 – Part 1.” Please see attachment “DOES POH 2020 Q74 – Part 2” for information on the number of candidates DOES sent for interviews, which is currently tracked by employer. DOES is in the process of upgrading the DC Networks (First Source Registry) to have the functionality to track referrals by Project.

During FY2019-FY2020, thus far, DOES made referrals to First Source employers through direct referrals, one-on-one hiring events, and project-wide hiring/informational fairs. The Office of Talent and Client Services was able to connect qualified District residents to meaningful employment opportunities within Washington, DC neighborhoods. Being able to leverage DOES resources, such as the Workforce on Wheels (WOW) team, First Source, and other programs, ensures residents and employers alike are registered in the DC Networks system.

75. It appears as though projects for which the hiring requirements are by subcontractor are *closed out* in DOES’s system as a whole. Is this correct? Why isn’t each subcontractor’s component of the project closed out when its work is complete?

Response: The DOES Office of First Source Compliance completes its final closeout process once a certificate of occupancy has been received. A subcontractor may return to complete additional work under a change order or punch list, which would require them to continue to submit certified payrolls. According to DC Official Code Section 2-219.03, "with the submission of the final payment from District, the beneficiary shall document in a report to DOES its final compliance report."

VIII. Office of Youth Programs:

Year-Round Youth Programs (YRY)

76. Please complete the table below showing how much local year-round youth money has been spent or encumbered in FY2020 as of Jan. 1, 2020.

FY2020 Local Year-Round Youth Funding, as of Jan. 1, 2020

	Amount Spent or Encumbered on Training for In-School Youth who Reside or Attend a Public School or Public Charter School in Ward 7 or 8, and who are not Participants in DC Public Schools' Career Bridge Program	Total Spent or Encumbered on Training
In-School Youth*	Encumbered: \$310,000.00 Spent: \$135,200.00	Encumbered: \$310,000.00 Spent: \$135,200.00
Out-of-School Youth	<i>No Out-of-School Youth funding has been spent or encumbered on training as of Jan. 1, 2020.</i>	

*The In-School Youth program started in FY19 and crossed into FY20. The amount encumbered and spent includes FY19 and FY20.

77. Several YRY providers have testified that it was difficult for their prospective participants to *obtain and/or submit WIOA eligibility documentation*. In its 2019 performance oversight responses, DOES stated that it would consider instituting an *online application* for YRY as exists for MBSYEP as a way to add efficiency and expand the Department's customer service experience. Has the Department given this suggestion further consideration? If not, why not? If so, what are the plans or conclusions reached?

Response: DOES is currently exploring ways to improve efficiency, expand the agency's customer service experience, and allow for electronic submission. Currently, youth can register from home and walk into an intake session to submit original documents.

MBSYEP

Job Matching Process

78. According to the 2018 MBSYEP independent evaluation, only 54% of participants believed their job assignment matched their interests.³ In 2018, DOES released a Request for Applications for a job matching grant to better connect MBSYEP participants and host employers. The Department did not award this grant stating that it was not a necessary priority at the time. However, in the conclusion section of the 2018 MBSYEP annual report, DOES wrote that staff look forward to expanding access through, in part, improving the job matching process. Please describe the Department’s strategy and detailed plans for improving the job matching process.

Response: According to the 2018 independent evaluation, 54.29 percent of participants answered the question, “How closely were you matched with a job based on your interests and preferences?,” with “a great deal” or “a lot.” However, an additional 19.87 percent responded to that question with, “a moderate amount.” As a result, the overall total that felt they were matched based on their interests was 74.16 percent. Based on the size and scope of our program, we believe these numbers reflect a healthy and robust program model. Our team actively recruits hosts year-round for our summer program based on several different factors, including high growth industry, youth participant requests, and current host referrals, to name a few.

Past MBSYEP programs

79. Please complete the attached Excel table listing all employers who signed up to host participants in the 2019 program, including those who hosted no participants, and associated metrics. For any metrics that the Department doesn’t capture, please explain why.

Response: Please see attachment “DOES POH 2020 Q79.” DOES does not track participant employment after MBSYEP by host site. Since this metric has recently been added in the 2020 BSA, DOES is developing a method for tracking employment mechanisms for program year 2020. Please note that job descriptions are provided by host sites. In addition, completion is tracked program-wide, rather than by host site. As a result, this data is not available.

³See page 43

https://does.dc.gov/sites/default/files/dc/sites/does/page_content/attachments/2018%20MBSYEP%20Program%20Evaluation.pdf

80. Please complete the attached Excel table regarding 2019 applicant and participant information. Note: many of the metrics are not captured (at all or consistently) in the annual reports.

Response: Please see attachment “DOES POH 2020 Q80.” Please note that many of the metrics are not tracked by the age of the applicant/participant. For those metrics, we have added a “totals” field column to the table provided to delineate information that is captured in aggregate. Additionally, participants were paid on weeks 1, 3, 5, and 6, and no payments were made in weeks 2 and 4 of the program. For the table line related to “# of participants who started working,” we included all participants who worked at least one hour during the duration of the program to account for participants who began work the second week of the program.

81. In the final documents submitted to the auditor in December 2017, DOES stated that “analyses to provide recommendations to positively impact MBSYEP and to provide compilation, categorization and prioritization of data collected are performed.” Please provide copies of these analyses and recommendations. Note, in the 2019 performance responses, DOES stated that the analysis and recommendations were not yet ready for public dissemination.

Response: DOES performs these analyses regularly through staff discussion and internal review. Annually, we use this analysis to make programmatic improvements. Since this is an internal review, DOES does not produce a formal public report of these recommendations.

82. Please provide an update on the status of implementing each of the following recommendations from the 2016, 2017, or 2018 independent evaluations:

a. Develop a strategic plan (in last year’s responses, DOES stated that the plan would be presented at the start of FY2020);

Response: DOES is committed to ensuring that the Office of Youth Programs maximizes opportunities for District youth. To that end, DOES awarded an Innovations in Youth Employment Research Grant to Quality Education for Minorities Network (QEM) at the end of FY2019. The goal of the grant will be to determine regional and national best practices for programs that provide support in youth employment. This is a year-long evaluation. DOES will receive the final report at the close of the fiscal year, and will use this research to guide the development of a five-year strategic plan.

b. Develop the operational framework to at least pilot offering tiered placements based on level of work readiness of youth (in last year’s responses, DOES stated that it would consider this for the PY2020 program);

Response: We strive to provide all of our participants with a high-quality experience based on their desired career interests and needs. Tiered placements are offered through various tracks. Many of our hosts offer youth tiered placement year over year. Youth have an opportunity to work at sites and receive introductory experience in initial years and then return the next year for a more robust exposure that allows them to build on

their experiences from the previous years. Additionally, tiered placement host sites seek youth who possess a high degree of commitment to professional growth and these youth are put through rigorous interviewing processes, prior to being selected to work at various sites. In some instances, youth are required to work the previous year, in order to participate on some worksites, as hosts reserve their slots for previous year's participants. Throughout this progression, we are building skills that move youth through a process that aligns them with their stated career interests and goals.

c. Increase utilization of the life skills and work readiness modules on the CareerEDGE web platform;

Response: Certified-eligible participants now have the capability of using the CareerEDGE platform, even at the conclusion of MBSYEP. Participants have the option of working through modules even when the program is out of session. For the 2019 program, 78,851 modules were completed by certified-eligible youth in the mandatory modules section, which included topics covering the following items: pre-assessment, time, attendance, pay, first day preparation, payroll resolution, orientation, wrap-up, and making the most out of your internship. Optional modules on a range of other topics are also available. Youth spent, on average, 26 minutes and 56 seconds on these various topics. A total of 4,584 youth completed these modules.

Over 6,000 youth completed the following modules: ePortfolio, resume builder, mock job app, creating a business plan, cover letter, and thank you letters to employers. A total of 88,861 modules were completed between February 2019 and May 2019. In the customer experience section, youth rated their CareerEdge experience a 4.66 out of 5 for overall customer experience.

d. Allow youth to fill out and sign their timesheets electronically, after which employers would approve and sign electronically (in last year's responses, DOES stated that it would consider this for the PY2020 program);

Response: Youth time is entered electronically. However, youth must sign in and out at their assigned worksite. Each site has a designated timekeeper that is identified prior to the start of the program. The timekeeper is responsible for validating the participants time and then entering it electronically into DOES' Time Management System (TMS) for processing.

e. Develop a comprehensive strategy to increase private sector participation (in last year's responses, DOES stated that it would consider this for the PY2020 program);

Response: DOES has increased private sector participation substantially since 2018. DOES' private sector team focused on increasing its outreach efforts along main street corridors, and attending private sector hiring fairs and technology meet and greet events throughout the DC, MD and VA regions to actively recruit companies for the 2019

MBSYEP year. During our outreach efforts, we found that many of the new private sector establishments were not familiar with our program. We saw this as an opportunity to engage new companies in program and for those companies to become ambassadors for MBSYEP by referring other businesses.

At the closure of the 2019 MBSYEP program year, the private sector saw the largest gains with a 92.4 percent increase in hosts compared to 2018, going from 158 to 304 hosts.

- f. Expand the range of performance measures, including the number and percentage of placements in high-growth industry sectors and the number of percentage of youths in unsubsidized or partly subsidized jobs (in last year's responses, DOES stated that it would consider this for the PY2020 program);**

Response: DOES has substantially expanded the number of overall jobs within the private sector. Furthermore, we have created 500 unsubsidized positions for the next five years that will benefit MBSYEP participants. DOES will continue to leverage its federal partnerships to expand our footprint.

- g. Consider lowering the participant-to-supervisor ratio, at least for the larger sites, which were found to provide lower-quality experiences (in last year's responses, DOES stated that it would consider this for the PY2020 program); and**

Response: The current ratio is 1:12 for outdoor sites and 1:25 for indoor sites. At this time, DOES believes these participant-to-supervisor ratios are sufficient. These ratios are on par with DC Public Schools teacher-to-student ratios from their Comprehensive Staffing Model from 2018. This Comprehensive Staffing Model is consistent with best practices and supports necessary for a quality experience.

- h. Develop intentional pathways that offer multi-year, progressive experiences for youth.**

Response: OYP prescribes to the spiral curriculum model, which introduces, revisits, and reinforces key concepts. This spiral curriculum model allows youth to first explore and learn about themselves, then about others in their group, and finally about the larger community and world around them through the lens of workforce development. OYP has invested in fostering partnerships that prescribe to this model. For example, DOES fostered a five-year, \$2.25-million-dollar partnership with the Office of the Comptroller of the Currency (OCC) to employ 500 MBSYEP participants as part of their High School Scholars Internship Program. This program provides students with an opportunity to gain work experience, explore career paths, and gain an understanding of the OCC's mission within the financial services industry. The program's pilot year was 2019. OCC plans to onboard a new cohort each year in addition to bringing back a portion of the previous year's cohort in effort to further expose participants to the work and encourage potential job placement in later years

within the OCC. Due to the success of this model, OYP anticipates additional agencies participating in this practice.

Budget Support Act Provisions

83. Please discuss how the Department is preparing to place at least 100 participants with host employers that also have *registered apprenticeship* programs.

Response: MBSYEP has partnered with the Office of Apprenticeship Information and Training (OAIT) here at DOES and DCPS to strategize on best practices to meet this goal. MBSYEP has also added a tab in its 2020 application to capture any applicants interested in apprenticeship opportunities.

84. Is the Department planning to permit *opportunity youth* (those ages 16-24 neither in school nor working with less than an associate's degree) to remain in the program for up to six additional weeks? If not, please explain.

Response: All decisions regarding extensions will be made based on several factors, including available funding, logistics, and the availability of host sites to offer meaningful work experience or training.

IX. Apprenticeship

Data

85. For FY2018, FY2019, and FY2020 as of Jan. 1, 2020, please fill in the *attached table "Apprenticeship Data."* Note that DOL's website⁴ states that in FY2018, DC had: 9,214 active apprentices; 1,845 new apprentices; 207 completers; 297 active programs; and 208 new programs. If DOES's data differs please explain why. Please ensure the accuracy of all data – in addition to the figures DOES corrected at the Committee's request last year, there were additional issues, including:

Response: Please see attachment "DOES POH 2020 Q85" for FY19 and FY20 data as of Jan. 1, 2020. The data for FY2018 was provided in last year's responses. As noted on USDOL's website, State Apprenticeship Agencies' (SAA) do not report data via Registered Apprentice Partners Information Data System (RAPIDS), and as a result, some of our data does differ. All data reported is based on aggregated data provided via the quarterly reports. USDOL requires data to be reported on a calendar year versus fiscal year basis which may result in reporting differences and may not account for various changes throughout the different quarters (i.e. terminations, cancellations of apprentices/apprenticeship programs, etc.).

⁴ https://doleta.gov/oa/data_statistics.cfm

- a. **Although DC residents have historically only represented approximately 23% of apprentices, the template indicates that generally 60% of apprentice hours were reported as worked by DC residents in those years. This matches the requirement for construction projects over \$5 million, but there is an additional requirement for all projects over \$500,000 to have 35% of apprentice hours worked by DC residents.**

Response: DOES works diligently to ensure those contractors who are selected to perform work on District government-assisted projects, comply with the mandatory apprenticeship law under DC Law 2-156, including employing DC residents to perform 35 percent apprenticeship hours as required. In addition, DOES assists contractors who become apprenticeship sponsors to fulfill the employment requirement on District funded projects of \$5 million or more to meet the 60 percent mandatory apprenticeship hours to be performed by DC residents.

- b. **Why doesn't DOES capture the number of graduates employed within three months of completing the program?⁵**

Response: Apprentices are full-time, paid employees once registered as an apprentice. DOES tracks all apprentices while active. Once an apprentice completes their program and receives their certificate of completion, they are now deemed highly-skilled workers, or journeymen workers. These skilled journeymen workers have the flexibility to stay with the employer that initially sponsored them, transition to another employer, or navigate to other workforce opportunities at their discretion. Due to this flexibility, and the fact that the participants are no longer actively involved with the program, DOES' ability to track employment is limited after an apprenticeship is completed.

- 86. In last year's performance oversight responses, DOES wrote that the Department anticipated switching its data to US DOL's Registered Apprenticeship Program Information Data System (RAPIDS) during 2019. Has DOES made this change? If not, why not and when does the Department anticipate making it?**

Response: DOES is currently undergoing the review process for RAPIDS integration. Moving to RAPIDS requires an MOU to be in place between DOES and USDOL. There are data privacy and security concerns impacting reaching an agreement. The agency is currently reviewing the MOU provided by USDOL. No final determination has been made on how to proceed regarding the disposition of apprentice data. After an assessment is completed, the agency will decide on the best course of action.

⁵ In last year's responses, the Department stated that there were no reports of graduates being unemployed and it has been the practice of apprenticeship sponsor to retain their apprentices.

X. Outcomes of Project Empowerment, Career Connections, DCIA, Local Adult

87. Please complete the attached Excel table regarding Project Empowerment, DC Career Connections, DC Infrastructure Academy (DCIA), and Local Adult Training programs. Please add additional rows for any DCIA and/or Local Adult programs not listed.

Response: Please see Attachment “DOES POH 2020 Q87.”

Please note that, based on DC Code § 32-771, “DOES shall calculate outcomes by the number and percentage of those participants who *completed* the job training or adult education program, who earned a General Educational Diploma, high school diploma, or a noncredit or credit-bearing certificate or degree offered by licensed post-secondary education and training programs or vendors; who *completed* the job training or adult education program who found employment within 6 months of graduation and the number...” Therefore, the employment rate on the attachment is based on the participants who *completed* the respective program or training rather than those who participated. In addition, we cumulatively measure employment rates for Project Empowerment and DC Career Connections. Accordingly, the percentage is calculated by using the pool of participants who successfully complete Job Readiness Training in both programs.

For all programs, we calculate employment retention after a full fiscal year. As a result, we cannot provide the retention rates for FY2019 at this time. All employment numbers are as of September 30, 2019, and many of these numbers will change or increase based on timing of the end of the program and the start of employment.

XI. Division of State Initiatives (DSI)

88. DOES piloted extending the job readiness training (JRT) for Project Empowerment and DC Career Connections from three weeks to four weeks. Employers had reported to the Department that some (or many) participants weren’t work-ready after three weeks.

a. Do both programs still have four-week JRT? If not, why not?

Response: DCCC continues to operate with a four-week job readiness schedule. However, after a short pilot period, Project Empowerment resumed three-week programming. While the longer JRT schedule positively impacted DCCC participants, it did not improve Project Empowerment graduation outcomes.

b. How did the Department determine whether or not each program’s JRT should be three or four weeks?

Response: DOES initially opted to modify the schedule and move from three to four weeks of JRT to more effectively address the needs of individuals enrolled in both programs. The goal of the change was to take a deeper dive into each key component of the curriculum, such as evaluating choices and understanding personal empowerment, allowing participants to become fully engaged and committed to the principles

taught. This modification has positively impacted DCCC's graduation rate, even with a decrease in annual cohorts, from 16 to 12.

For Project Empowerment, DOES piloted a four-week model but found it resulted in fewer residents being served without clear graduation benefits (four fewer cohorts equates to approximately 205 residents annually). For the adult population, critical course content, including technology instruction, is being fully covered within the three-week period. PE is also exploring, through an internship model, the impact of co-facilitation (i.e., second facilitator supporting primary instructors with individual and group activities).

89. Please provide copies of all FY2017-FY2019 invoices for urinalysis testing for Project Empowerment and Career Connections.

Response: Please see attachment "DOES POH 2020 Q89" for totals and invoice information for FY2017-2019.

Project Empowerment

90. Are there any major *programmatic changes* planned for FY2020 in Project Empowerment? Please describe them.

Response: In FY2020, the following enhancements were planned, are already underway, or were completed for Project Empowerment:

- A new Operations Manager was hired to provide front-line program oversight.
- Restructured front-line management staff to increase support and guidance to staff assigned to key functions.
- Increasing skill building activities, while on WEX sites, to better equip participants for sustained unsubsidized employment.
- Implemented additional staff training in areas, including service delivery, data management, performance monitoring, compliance, and technology.
- Enhancing quality assurance process to manage high-quality host sites and better engage employers serving as active host sites. Since worksite agreements last for two years, protocols will be modified to designate active sites (sites where participants are being actively referred) versus pending sites (sites with no placements made within a specified time period).

DOES has also added a Quality Assurance/Data Management function to support Division staff at all levels.

91. How does the agency determine the size of the *job readiness training cohort*?

Response: Class scheduling and cohort sizes are based on the number of residents targeted for participation annually, with attrition factored in. The target number of participants per class is between 25 and 30. In FY2019, the average class size was 26.

92. Several witnesses recommended to the committee that the *job readiness cohort should be smaller, so that instructors can work one-on-one more with participants on the skills they need to strengthen before entering subsidized employment. Has the agency considered this?*

Response: With the demand for services remaining constant, we do not plan to modify our cohort enrollment levels. However, the program design does afford participants the opportunity to receive individualized support as they move through the process. PE is also exploring, through an internship model, the impact of co-facilitation (i.e., second facilitator supporting primary instructors with individual and group activities).

93. A witness also recommended that cohorts should be *grouped by the obstacles to employment so that participants can focus on strengthening certain habits or behaviors that might be the barrier to successful employment. For example, those who are formerly homeless might have different obstacles than those who have recently returned from incarceration. What does the agency think of this?*

Response: Individuals seeking services through PE present with varying challenges impacting employability. Many of these challenges are common to the populations served and include educational deficiencies, a history of substance abuse, prior incarceration, job cycling, housing insecurities, familial dysfunction, etc. The program model supports inclusion, diversity, and a “judgment-free zone.” Grouping individuals together based on challenges or other shortcomings would conflict with this core philosophy of the program and could potentially violate the DC Human Rights Act.⁶ From the start of job readiness training, participants are encouraged to work together and learn coping strategies from each other seeking opportunities to move forward together and individually, building cohesion and camaraderie, among the participants.

94. How does information from the initial participant *intake/assessment* inform or determine where someone will be placed for their subsidized job?

Response: During intake, participant information is gathered and documented in the DC Networks case management system. Initial assessment and aptitude test results, work experience, job skills, and career interests are all factors considered in the job matching process. Feedback from classroom instructors is also shared with job development team members as they begin meeting with participants to identify suitable employment opportunities.

95. What interventions take place when a participant is *not performing successfully on the subsidized job site*?

Response: PE and DCCC job coach staff provide on-the-job coaching and support to individuals during the subsidized work experience program component. As part of their bi-weekly monitoring sessions, job coaches meet with participants and worksite personnel to discuss progress, challenges, and other factors impacting performance and productivity.

When it is determined that a participant is not performing satisfactorily, the coach first addresses the issues with the site supervisor to determine what corrective action should be taken. The coach then provides individualized support to the participant with the goal of addressing the barriers to continued employment.

⁶ The DC Human Rights Act prohibits discrimination by reason of race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, disability, source of income, status as a victim of an intrafamily offense, place of residence or business, and status as a victim or family member of a victim of domestic violence, a sexual offense, or stalking.

If problems cannot be resolved, the options are:

- Participant can be referred to another worksite depending upon separation issues;
- Participant can be referred for additional life skills training and counseling to address problem areas; and
- Participant may be separated from the program depending upon the magnitude of problems-- and referred for outside intervention (returning to the program may be an option, once issues are addressed).

It should be noted that with the previously referenced enhancements to our job development and monitoring functions, the need for reassignments/terminations should decrease with better front-end matching and oversight of host employers.

Data

96. Please complete the tables below showing disaggregated data on the numbers of Project Empowerment and DC Career Connections participants enrolled in *GED or occupational skills training (OST)* in FY2019.

Project Empowerment Training, FY2019

1	2	3	4	5	6	7	8
GED/OST Provider	Number enrolled in GED classes	Number that obtained a GED	Number (out of column 2) that achieved employment	Number that enrolled in occupational skills training (OST) classes	Number that completed OST classes	Number that earned industry-recognized credential	Number (out of column 5) that also achieved employment
CC Prep	5	1	1	97*1	29	29	15
1st CDL Training Center of NOVA	None of these providers offer GED classes.			6	5	5	1
Community Services Agency, Metro Washington Council AFL - CIO				2	0	0	1
DC Central Kitchen				20*2	11	11	8
Excel Automotive Institute				2	0	0	0

1	2	3	4	5	6	7	8
GED/OST Provider	Number enrolled in GED classes	Number that obtained a GED	Number (out of column 2) that achieved employment	Number that enrolled in occupational skills training (OST) classes	Number that completed OST classes	Number that earned industry-recognized credential	Number (out of column 5) that also achieved employment
Georgetown Paralegal Program				13 ^{*3}	8	8	11
Georgetown Pivot Training Program				33 ^{*4}	15	15	12
Goodwill of Greater Washington				1	0	0	0
Nursing Assistant Academy				2	2	2	2
Paralegal Institute of Washington, DC				1	1	1	0
Served Academy				5	5	5	0
SOME - Employment Training				11 ^{*5}	1	1	1
Toni Thomas & Associates Inc. Community Empowerment Training Program				3	2	2	2
United Planning Organization				2	2	2	0

Notes: There are 47 total customers who were initially placed in FY2019 OST assignments that are still “active” in DSI OST and/or other WEX activities.

*1: 22 participants are currently "active" and 7 completed orientation but failed to start class.

*2: 3 participants are currently "active."

*3: 1 participant is currently “active.”

*4: 16 participants are currently “active.”

*5: 5 participants are currently “active.”

Career Connections Training, FY2019

1	2	3	4	5	6	7	8
Training Provider	Number enrolled in GED classes	Number that obtained a GED	Number (out of column 2) achieved employment	Number that enrolled in Occupational Skills Training (OST) classes	Number that completed OST classes	Number that earned industry-recognized credential	Number (out of column 5) that also achieved employment
CC Prep	2	1	1	2	0	0	0
Generation	None of these providers offer GED classes.			22	14	14	8
Run Hope Work				18	15	13	6
Served Academy				2	2	2	0
Nursing Assistant Academy				20	9	8	7
Career Technical Institute				2	0	0	0
Toni Thomas and Associates				16	13	13	5
Excel Automotive				8	4	4	2
Vets Group				1	0	0	0
Paralegal Institute of Washington				4	1	1	0
So Others Might Eat Center for Employment Training				10	2	2	2
1 st CDL				4	2	2	0
Latin American Youth Center				32*	19	19	4

Note: In FY2019 a total of 141 participants entered Occupational Skills Training. Out of those enrolled a total of 81 completed the training (57 percent completion rate) with 78 obtaining a credential. Additionally, a total of 33 of the participants who successfully completed the training reported they obtained employment. Lastly, two participants enrolled in GED completion and one successfully received their GED and obtained employment. It should be noted that all data on employment status is not reported by participants and some statuses remain unknown.

*There are two participants currently “active” at SOME and six participants currently “active” at Latin American Youth Center.

97. Please complete the attached table for all subsidized Work Experience (WEX) sites (host employers) that hosted TEP or DCCC participants between October 1, 2016, and September 30, 2019.

Response: Please see attachment “DOES POH 2020 Q97 – Part 1” for TEP participants and “DOES POH 2020 Q97 – Part 2” for DCCC participants. We have identified those WEX sites that are active and those sites that are inactive or pending DOES review. Please note that while some participants may earn seasonal or temporary jobs, all unsubsidized jobs are entered under the same field domain. Therefore, at present, DSI does not separately track seasonal or temporary hires in DC Networks, our system of record.

XI. Infrastructure Academy

98. Please complete the following table to outline the FY2020 occupational skills training plan and activity to date for the Infrastructure Academy. Add rows as necessary.

Occupation of training (i.e., IT help desk, solar, gasfitting)	# of trainees planned	# of trainees to date (Jan. 1, 2020)	Names of expected certificates	Goal for # of completers placed into jobs*	Name of training Provider (if known)
Electrical	55	0 (Spring FY2020 cohort starts 1/6/2020; Summer FY2020 cohorts 6/1/2020)	CAST Electrical Line Worker (Overhead) Advanced Certificate (AC)	33	Pepco
Solar Panel Installation	44	20	OSHA-10; CPR/First Aid; NABCEP PV Associate	26	Solar Works DC
Washington Gas	40	0 (Start date of 2/24/2020)	OSHA-30; First Aid/CPR; OQST-1405 (Underground Clearance); OQST-1410 (Cover Service Lines, Mains, and Transmission Lines); OQST-2011 (Prevention of Accidental Ignition); OQST-1103-7.0 (Excavation and Backfilling)	24	Unknown at time of report

Occupation of training (i.e., IT help desk, solar, gasfitting)	# of trainees planned	# of trainees to date (Jan. 1, 2020)	Names of expected certificates	Goal for # of completers placed into jobs*	Name of training Provider (if known)
Help desk	48	0 (Start dates of 2/10/2020 and 3/16/2020)	CompTIA A+	29	Community College Preparatory Academy; Opportunities Industrialization Center
OSHA-10, Flagger & OSHA-30	100	6	OSHA-10; Flagger; OSHA-30	60	The Training Zone DC
CPR & First Aid	50	0 (Start date of 4/9/2020)	CPR/First-Aid	30	FEMS
Work Readiness	175	19	Completion Certificate	105	Art & Soul
TOTAL	512	45	N/A	307	N/A

*Goals are based on 60% per program.

99. Please provide the following information regarding the Infrastructure Academy *capital project*:

a. The budget for each year of the project;

Project Title	FY2020	FY2021	FY2022	FY2023
DC Infrastructure Academy	\$4,750,000	\$2,300,000	\$4,300,000	\$4,300,000

b. Actual dollars spent in each year of the project;

Response: The project is still in the development stages. As a result, no funds have been spent.

c. Any remaining balances;

Response: See answer to question (b) above.

d. Start date;

Response: Not yet scheduled.

e. Actual or expected completion date;

Response: Not yet scheduled.

- f. **Current status of the project, including if DOES plans to use capital funds to build out additional space at the current location, and, if so, the timetable for doing so; and**

Response: DOES is exploring multiple options for the expansion of DCIA's space and use of the capital funds allocated for the project.

- g. **Describe whether the capital project had or will have an impact on the operating budget of the agency; if so, please provide an accounting of such impact, including any dollar amount or number of FTEs needed**

Response: As stated above, DOES is exploring multiple options for the expansion of DCIA's space. Any of the options under consideration would provide more resources to DCIA participants.

Follow Ups from the October 30 Roundtable⁷

100. **Please provide the DC Infrastructure Academy (DCIA) *outcome spreadsheet*, which Director Morris-Hughes referenced during the Oct. 30 roundtable on DCIA and Local Adult Training. The Committee is not interested in the names of participants; that field can be redacted. Fields on the spreadsheet should include: the training program(s) individuals participated in, what credentials they earned, where they were working, and how much they are earning (hourly wage, quarterly wage, or salary).**

Response: Please see attachment "DOES POH 2020 Q100." Table 1, on pages 1-11, includes the requested information on the training programs, employer, and wages for the 150 participants who completed training and were employed. Unless otherwise noted, the wage information is hourly. In addition, table 2 on pages 12-13 includes this information for the 27 participants who did not complete training but were employed. These individuals either attended DCIA orientation, were referred to a hiring event, or did not successfully complete training. This information is current as of the time a participant self-reported to DOES or were employed in the District at the time the wage report was run. Neither table includes the names of the participants to protect their private information.

101. **At the roundtable, Director Morris-Hughes said that 1,399 residents completed training at DCIA. Of those, 1,230 completed training and were not working. Please provide the *status of the 1,230 individuals*, i.e., how many are in internships (please list locations where available and how many are in the private sector), how many are currently earning credentials, how many are in work readiness training, etc.**

Response: For FY2018 and FY2019, a total of 1,097 individual participants completed training at DCIA. Those participants completed a total of 1,399 trainings (i.e., some completed multiple). Of the 1,097 participants, 150 are employed. The participants who completed

⁷ Questions already sent to DOES but including here as well.

training and are not working are not in a DCIA-sponsored internship. We do not have additional information on these individuals at this time. However, we plan to start tracking these outcomes going forward, including following-up with those participants who completed trainings and remain unemployed.

XII. Local Adult Training

Follow Ups from the October 30 Roundtable⁸

102. Please provide a complete list of *all Local Adult programs*. At the Oct. 30 roundtable, Director Morris-Hughes mentioned programs/providers that were not previously included, such as Career Bridge, WDC Solar, women in construction pre-apprenticeship, DPW apprenticeship, and a co-ed Community Services Agency pre-apprenticeship (the Committee only received FY18 information for CSA).

Response: Please see attachment “DOES POH 2020 Q102” for a list of Local Adult programs and enrollment information.

103. Please provide *outcomes* for each Local Adult program including these specific fields: number of participants, completers, those in full-time employment, and the earnings of those individuals.

Response: Please see attachment “DOES POH 2020 Q103” for earnings information for the individuals from the Local Adult programs referenced in Q102. Please note that those rows where no wages are provided represent participants that either self-reported employment or who work outside the District. As a result, we cannot verify their wages.

104. Please provide the Committee a copy of the final FY2019 *report for the MPD Cadet Academy*.

Response: Please see attachment “DOES POH 2020 Q104”.

105. Please provide the Committee a list of the *top employers in the Back-to-Work 50+ program* in FY18 and FY19, i.e., the employers with the most participants placed in subsidized jobs (e.g., ABC Associates, 15 participants; XYZ Enterprises 10 participants; etc).

Response: Back to Work 50+ (BTW 50+) is primarily an unsubsidized work program. Subsidized work experience was not introduced into the BTW 50+ program until FY2019. It was added to sustain engagement among participants who did not immediately identify unsubsidized employment. Therefore, it is important to note that this was not a component of the original model and these placements are focused on engagement rather than training.

⁸ Questions already sent to DOES but including here as well.

Below is a list of BTW 50+ employers with subsidized jobs in FY2019. As noted above, there were no subsidized placements in FY2018, since it was not part of the program until FY2019.

Subsidized Employer	FY2019
Volunteers of America	1
First Baptist Senior Center	2
CC Prep (MOS Training)	2
DC Office of the Attorney General	3
Catholic Charities	4
DC Department of Employment Services	4
Interns 4 Hire	4

NOTE: Some participants had more than one placement.

106. Please provide the Committee the final number of FY19 participants in Back-to-Work 50+.

Response: The final number of Back-to-Work 50+ participants in FY2019 was 62.

107. Please provide the Committee the amount of Senior Community Service Employment Program (SCSEP) money spent in FY18 and FY19 and is planned for FY20 that supports the Back-to-Work 50+ program.

Response: Since SCSEP is a federal program, no SCSEP funding was used in support of BTW 50+ in FY2018 and FY2019, and none is planned for FY2020.

108. Please provide the Committee the outcomes for each of the 49 Local Adult-funded career fairs in FY19. At the roundtable, Director Morris-Hughes mentioned tracking participation numbers, the number who received job offers, and the number of individuals who enrolled in training.

Response: Please see attachment “DOES POH 2020 Q108.” As noted on the attachment, one of the career fairs in November 2018 was cancelled due to the weather. Employers report the participation and hiring information to DOES after each event. This reporting can take up to several months and, as a result, we do not have this information for all of the events listed in the attachment at this time. This is noted with the phrase “no data currently available” in the attachment.

XIII. Unemployment Insurance

Data

109. For FY2019 and FY2020 through Jan. 1, 2020, please complete the following table on unemployment insurance (UI) claims.

Unemployment Insurance Claims Data, FY2019-FY2020

	<i>FY2019</i>	<i>FY2020 as of Jan. 1, 2020</i>	<i>Between December 22, 2018 and January 25, 2019 (partial federal government shutdown)</i>
Number of new claims for UI benefits	37,720	6,426	13,937
Number of new claims for UI benefits by individuals who worked for the federal government	8,817	170	7,929
Number of new claims for UI benefits by individuals who worked in the private sector	28,876	6,253	6,007
Number of new claims filed by individuals whose employment was based outside the District of Columbia	N/A	N/A	N/A
Of total new claims, number of claims initiated online	25,148	3,714	10,526
Of total new claims, number of claims initiated in person	5,839	1,328	1,858
Number of claimants receiving the maximum number of weeks of benefits	31,882	5,457	11,416
Number of claimants receiving the maximum amount of benefits	20,410	2,940	9,500
Number of initial claims determined to be ineligible by claims examiner	2,520	558	260
Number of claims resulting from separation from employment due to domestic violence ¹	Less than 15	Less than 15	Less than 15
Number of claimants whose primary language is Spanish	911	219	194
Number of claimants whose primary language is other than English or Spanish	125	36	34
Number of OAH appeals	2,055	438	166
Of total OAH appeals, number of appeals by employers	536	112	39
Of total OAH appeals, number of appeals resulting in reversing a claimant's nonpayment status to a payment status ²	746	145	46
Of total OAH appeals, the number that were affirmed/sustained in favor of DOES by OAH. ³	515	88	35
Number of claimants required to attend RESEA training	7,463	1,695	385

Notes:

¹To protect the privacy of individual claimants, we have not reported the specific number of complaints when less than 15 have been received.

²This number represents the number of appeals filed by a claimant (who was found ineligible or was disqualified by DOES) where the claimant prevailed (i.e., eligible or qualified). It may include overpayment cases where OAH reversed an overpayment determination.

³OAH does not track whether a decision affirms, reverses, or modifies a determination by DOES because USDOL does not require us to. This number represents appeals by both claimants and employers where the appellant lost at OAH, thus leaving DOES' determination unchanged. The appellant is either a claimant or an employer and the outcome was in favor of the appellee. The sample does not include cases where appeals were filed and withdrawn, dismissed for lack of jurisdiction, or dismissed because appellant did not file an appealable determination with OAH when one was requested.

110. D.C. Code section 51- 113(f) states that “Any claimant (or his legal representative) shall be supplied with information from the records of the division, to the extent necessary for the proper presentation of his claim in any proceeding under this subchapter with respect thereto.” Please explain the process for making such a request, how many such requests were received in FY2019 and FY2020, as of Jan. 1, 2020, how many are outstanding as of Jan. 1, 2020, and the average number of days between the agency’s receipt of the request and the agency’s response.

Response: When a claimant or his/her legal representative requests information from the records of the division for a claim, it is referred to the Office of the General Counsel (OGC) as a FOIA request. DOES accepts oral and written requests for unemployment insurance records from claimants or claimants’ representatives. In order to maintain the orderly and documented release of unemployment insurance records, DOES requires: (1) claimants to produce valid photo identification in order to release unemployment insurance records, and (2) claimants’ representatives to provide a signed release from the claimant authorizing the release of the unemployment insurance records to the representative, or some other document that authorizes release of the unemployment insurance records to the representative. A copy of the request, document authorizing release, and the released documents are maintained by DOES, in the files of the claimants.

Records are generally provided within 5 to 10 business days, unless there is a time- sensitive request, based on the need for the records to participate in any proceeding authorized by law. In this instance, DOES generally provides the records within one to five business days, depending on the date of the proceeding.

Since DOES is actively recouping unemployment insurance overpayments in the Superior Court, claimants and claimants’ representatives are provided copies of the documents that evidence the amount of the unemployment insurance overpayment routinely at court appearances or upon request.

There are no outstanding requests for unemployment insurance records by claimants or claimants’ representatives.

US Department of Labor documents

111. Please attach copies of any active (open) Corrective Action Plan(s) currently in place, including dates/deadlines and the status of each item.

Response: A copy of the active Corrective Action Plans are included in the most recent State Quality Service Plan. See question 113.

112. Please attach copies of any District-specific correspondence from the US DOL in FY2019 or FY2020 and responses from DOES.

Response: Requests for specific correspondence topics should be submitted to both DOES and the USDOL through FOIA.

113. Please attach the most recent State Quality Service Plan for the District.

Response: Please see attachment "DOES POH 2020 Q113."

UI Modernization

114. For each of the following components of the UI Modernization Project, describe what improvements it will achieve, the expected start and completion dates, the negotiated cost (or anticipated cost) of each component, the status of procurement, and the name of the contractor(s) or entity tasked to manage or lead the component.

Project Description	FY20	FY21	FY22	Total
Change Management - UI Modernization	\$1,500,000.00	\$1,500,000.00	\$1,500,000.00	\$4,500,000.00
IV&V UI Modernization	\$1,750,000.00	\$1,750,000.00	\$0	\$3,500,000.00
UI Tax System Modernization	\$8,000,000.00	\$5,000,000.00	\$2,000,000.00	\$15,000,000.00
UI Benefits System Modernization	\$2,000,000.00	\$15,000,000.00	\$15,000,000.00	\$32,000,000.00
Totals	\$13,250,000.00	\$23,250,000.00	\$18,500,000.00	\$55,000,000.00

a. Management/organizational change;

Response:

Project Start Date: Spring 2020

Completion Date: Winter 2022

Key features:

- Verification (quality control) to assure that every project deliverable, process, and software developed performs according to specifications and requirements;

- Validation (user services support) to ensure that the system as developed will meet the current and planned needs of DOES, including any changes to the business operations, USDOL compliance, and more;
- Ensure complete legal review and software and program legal compliance; and
- Verification of an efficient and accurate UI Program delivered via the UI-Benefits enhancements and the UI-Tax modernization projects.

b. Independent verification and validation;

Response:

Project Start Date: Spring 2020

Completion Date: Winter 2022

Key features:

- Organizational Change Management (OCM) focused on the changes to DOES' organizational structure and staff roles as a result of developing the new, re-engineered UI Systems;
- A systematic approach to managing organizational change and transitioning from the current state to the future state, including stakeholder involvement, structural changes to the organization, policies, procedures, and changes to processes, changes in roles of staff resources, and tasks performed;
- Effective internal and external communications, user training, and any necessary outreach to sponsors, staff, employers, and claimants who may be affected by changes brought on by the introduction of the new systems; and
- Preparing the workforce for the transition to the new UI systems.

c. Benefits and integrations;

Response:

Project Start Date: Spring 2020

Completion Date: Winter 2022

Key features for both:

- New modern user interface to assist customers with entering information making access to benefits easier;
- Enhanced security of claimant validation and log-in credentials (two-factor authentication);
- Migration from the legacy mainframe systems;
- Ability for a claimant to save and resume a certification as they progress through the questions;
- Usability improvements, such as navigation bar and certification summary review;
- Increased information provided to claimant such as adjudication, appeals, and overpayment;
- Ability for claimants to securely upload documents needed as part of their claim;
- Increased configurability of the system to reduce updates that require a developer;

- Microservices architecture that allows for expandability and a platform for future growth;
- New decision trees that allow for the automation of decisions and questions bringing Artificial Intelligence to the process;
- Choices in communications method: email, messaging center, and text;
- New infrastructure mobility facilitating customers and support resources the ability to work from any device, including mobile phones and tablets; and
- Integration of UI case management systems to a single standalone platform.

d. Tax and integrations.

Response:

Project Start Date: Summer 2018

Completion Date: Winter 2021

Key features:

- Upgrade antiquated technologies to architectures and technologies that are enduring, extensible, maintainable, and flexible;
- Migration from the legacy mainframe systems and elimination of redundant data;
- Intelligent business navigation and flows with minimal manual processes;
- User-friendly interfaces that are intuitive and easy to use with clear and concise online help, and visuals/graphics to enhance usability;
- Enhanced security of employer validation and log-in credentials (two-factor authentication);
- Improved integration with internal and external systems, integrated data flows, seamless integration between the agency's tax and benefits functions, and seamless functionality for users (internal and external);
- Balanced accounting system including transaction balancing, financial reporting and accounting, and automated verification and validation of entered data;
- Improved reporting capabilities to electronically and securely provide cleaner data, increased history retention, user-friendly and accurate statistical reporting, performance metrics, trends, and decision guidance;
- Improved efficiency and increased accuracy from modernized controls and workflow; and
- New infrastructure mobility facilitating customers' ability to work from any device, including mobile phones and tablets.

The UI Tax Division has identified and described the needs, capabilities, and requirements for the design and development of a functional modernized UI Tax system. In collaboration with procurement stakeholders, OUC has also determined the best methods for meeting those requirements in order to ensure the launch of the UI Tax system complies with the statutory timeline. An Independent Government Cost Estimate (IGCE) for the completion of the UI Tax system was approved and the RFP was released to the public on October 23, 2018.

115. Please detail the agency's progress toward the goal of reducing its expenditures for maintaining the UI IT systems.

Response: The District will assess in FY2020 the potential for expenditure reductions to operation and maintenance contracts for UI systems following the implementation of modernized UI Benefits and UI Tax solutions.

Claims Denials and Appeals

116. In FY2019 and FY2020, as of Jan. 1, 2020, what was the average number of days between a final order being entered by OAH and the claimant being paid the benefits s/he is entitled to pursuant to that order? Please specify the average per year.

Response: The memorandum between DOES and OAH sets forth the DOES standardized processing time of 15 calendar days from the date a final order is received from OAH via interagency courier. The average time between a final order being issued by OAH and the claimant being paid benefits for FY2019 was 9.38 days. For FY2020, as of January 1, 2020, the average is currently 9.8 days. Claimants generally receive benefits from DOES pursuant to a reversed final order in less time than these averages.

117. In each year FY2018, FY2019, and FY2020, how many times did representatives from DOES meet with representatives from OAH in order to discuss the terms of the entities' MOU regarding unemployment compensation benefits appeals? What terms, if any, have changed in the MOUs and why?

Response: Based on the nature of the services provided by OAH, the only changes to the terms of the MOU have been an extension of the dates of the MOU and an increase in the amount of funding. Funding is personnel based rather than case based. OAH and DOES discuss the terms of the MOU generally once or twice each year, over the telephone.

Overpayments

118. Please provide the following, broken down by year, for FY2019 and FY2020, thus far (unless otherwise specified):

a. the number of notices of overpayment sent to UI benefits recipients;

Response: There was a total of 9,780 notices of overpayments for FY2019 and 2,035 notices of overpayments as of January 3, 2020 for FY2020.

b. the number of notices of overpayment sent to UI benefits recipients who were employed by the federal government;

Response: There was a total of 2,434 federal overpayments established for FY2019 and 177 federal overpayments established in FY2020.

- c. **How much time (in days or weeks) does the agency allow a recipient of an overpayment notice to respond before referring the matter to OTR for collections? Please provide legal citation or agency-issued guidance governing the claimant's rights in such a case, if any exist.**

Response: DOES has authority to collect an amount determined to be overpaid to an unemployment compensation claimant. D.C. Official Code § 47-4431, in accordance with provisions of §§ 51-111, 51-112, and 51-119. The DOES Benefit Payment Control (BPC) unit's Standard Operating Procedure (SOP), last updated November 25, 2018, outlines the processes and rights to appeal as follows:

District of Columbia Tax Intercept

- Funds are recovered by interception of District of Columbia tax refunds, otherwise due to claimants that have an existing overpayment debt with DOES, and are not in compliance with their contractual recovery agreement.
- The Office of Information Technology (OIT) submits the Tax Intercept Report to the Office of Tax and Revenue (OTR).
- An overpayment debt must be at least one year old from the date of the overpayment establishment by DOES before it is referred to OTR for recovery efforts.
- OTR notifies the claimant of the garnishment and the party who began the garnishment.

To begin the intercept process, the BPC unit supervisor requests the spreadsheet from the Office of Information Technology (OIT), which contains all outstanding fraud and non-fraud overpayments based on the following criteria:

- The claimant has not made any repayments since October 1st of the previous year;
- The established date of the overpayment is prior to July 1st of the previous year;
- The overpayment balance is greater than zero;
- The overpayment disposition code is Active (A);
- The BPC supervisor reviews the list for claimants that have filed for bankruptcy for removal.

PROCEDURES

Claimants receives a Notice of Determination by Claims Examiner, which informs the claimant of their disqualification and the specific weeks overpaid. A Notice of Determination of Overpayment explains to claimants the cause of the overpayment, the weeks overpaid, the amount overpaid, the penalty amount if the overpayment was due to commitment of fraud, and the statutory authority used to determine the overpayment and fraud. Attached to each Notice of Determination by Claims Examiner and Notice of Determination of Overpayment are appeal rights, which instructs claimants on the appeal request process. Claimants must request an appeal to OAH within 15 calendar days of the mailing date of the determinations. D.C. Official Code § 51-111(b).

Additionally, a Restitution Agreement is mailed to claimants after the 15-day appeal period ends. The Restitution Agreement provides a repayment schedule of 24 months, the monthly repayment amount, and the total overpayment amount. Through monthly billing notices, Claimants are also notified of their overpayment balance, monthly payment owed, and the potential consequences of referral for civil litigation, prosecution, tax interception, and/or deduction from any future claim filed in any state, if they fail to make arrangements to repay the overpayment.

d. How many overpayment waiver requests did DOES receive in FY2019?

Response: DOES received 27 waiver requests in FY2019.

e. How many overpayment waiver requests were granted in part or full? How many were denied?

Response: Two overpayment waiver requests were approved in full. There were 25 cases that were denied, including 13 claims that were not eligible for a waiver because their claim was determined to be fraudulent.

f. What was the total amount of overpayment funds waived by DOES per year, respectively (that is, please provide the dollar amount for each year separately)?

Response: For FY2019, \$150,049 in overpayments were waived, and in FY2020, \$17,106 in overpayments were waived for claimants in overpayment status.

g. How many overpayments were repaid in full (100%) by the recipient?

Response: For FY2019, 20,383 overpayments were repaid in full, and for FY2020 thus far, 11,891 overpayments were repaid in full. Please note, overpayments could have occurred in a previous fiscal year.

h. What were the total penalties assessed on benefits recipients due to overpayment and the total penalties collected from benefits recipients claimed to have an overpayment;

Response: For FY2019, \$321,884 in penalty charges was established and \$184,413 was recouped from claimants with overpayment penalties. For FY2020 thus far, \$76,267 in penalty charges was established and \$16,965 was recouped from claimants with overpayments penalties.

UI Administrative Assessment

119. Please provide a full accounting for Fund 624, the UI Administrative Assessment. Complete the following tables regarding income and spending for personnel services (PS) and non-personnel services (NPS) during recent fiscal years (FY):

Fund 624 Expenditures

<i>Fiscal Year</i>	<i>Total Revenue</i>	<i>Total Expenditures</i>	<i>NPS expenditure</i>	<i>PS expenditures</i>	<i># FTEs funded</i>	<i>Fund Balance at beginning of FY</i>	<i>Fund balance at end of FY</i>
2019	\$12,659,130.42	\$13,140,795.51	\$8,150,878.62	\$4,989,916.89	150.267 filled	\$5,176,121.20	FY2019 fund balance not yet determined by central accounting office. Estimated amount is \$4,694,456.11
2020 (Projected)	\$12,700,000.00	\$15,485,159.00	\$8,589,321.29	\$6,895,837.71	150.267 currently filled	\$4,694,456.11	\$1,909,297.11

Response: Please see attachment “DOH POH 2020 Q119” for the Fund 624 NPS Expenditures (Detailed) chart.

120. In FY2019, DOES allocated \$699,99.99 to the US Postal Service for postage. Please detail the types of supplies or equipment purchased, rented, leased, maintained, or warranted with funds from Fund 624, and indicate the number and types of postage purchased by class (for ex., first class) or rate (for ex., bulk mail rate). Please also detail the purpose of the purchases, such as what materials were mailed and to whom (e.g. all claims determinations to all claimants, denied determinations to certain claimants, etc).

Agency Fund	Vendor Name	Purpose
0624	INK SYSTEMS LLC	UI Program Administration
	XEROX CORPORATION	UI Program Administration
0624	APPRISS INC.	UI Integrity
	BROUGHTON CONSTRUCTION CO LLC	UI Program Administration
	COMPUTER AID INC	IT Contractor/Program Support
	DIGI DOCS INC DOCUMENT MGRS	UI Program Administration
	ENGHOUSE INTERACTIVE INC.	UI Program Administration
	GEOGRAPHIC SOLUTIONS INC	UI Program Administration
	GEORGE WASHINGTON UNIVERS	Professional Development

Agency Fund	Vendor Name	Purpose
	ON POINT TECHNOLOGY INC	UI System Maintenance
	ONE SOURCE PROCESS, LLC	UI Program Administration
	PITNEY BOWES	UI Program Administration
	PITNEY BOWES GLOBAL FINANCIA	UI Program Administration
		UI Program Administration
0624	BROUGHTON CONSTRUCTION CO LLC	UI Program Administration
	CORPORATE SYSTEMS RESOURCES	UI Program Administration
	CRADLE SYSTEMS LLC	UI Program Administration
	CRADLE SYSTEMS LLC	UI Program Administration
	DHS, CITIZENSHIP & IMMIGRATION	UI Program Administration
	DHS, US CITIZENSHIP AND IMMIGR	UI Program Administration
	KEYSTONE PLUS CONSTRUCTION COR	UI Program Administration
	MW CONSULTING LLC	UI Program Administration
	NORTHROP GRUMMAN SYSTEMS CORP	UI System Maintenance
	ONE SOURCE PROCESS, LLC	UI Program Administration
	REED ELSEVIER INCORPORATED	UI Program Administration
	SAGITEC SOLUTIONS LLC	UI System Maintenance
	UNITED STATES POSTAL SERVICE	UI Program Administration
	WHITAKER BROTHERS BUSINESS MAC	UI Program Administration

Notice Type	# of Notices	# of Times Mailed Annually	Total # Mailed	Cost Per Notice	Total Cost
Rate	40,000	1	40,000	\$0.50	\$20,000
Monthly Statement of Account	12,000	8	96,000	\$0.50	\$48,000
Quarterly Charge Notice	6,000	4	24,000	\$0.50	\$12,000
Quarterly Late Penalty Notice	2,000	4	8,000	\$0.50	\$4,000
Quarterly Missing Reports	4,000	4	16,000	\$0.50	\$8,000
Quarterly Delinquent Notices	4,000	4	16,000	\$0.50	\$8,000

Estimated Reports	3,500	4	14,000	\$0.50	\$7,000
Administrative Out Notice	800	4	3,200	\$0.50	\$1,600
Daily Notice	2,000	12	24,000	\$0.50	\$12,000
Self-Insured Quarterly Bill	300	4	1,200	\$0.50	\$600
Self-Insured Administration Fee	400	4	1,200	\$0.50	\$600
Total	75,000		243,600		\$121,800

UI Benefits

Postal Service Expenditures

Notice Type	Total # Mailed	Cost Per Notice	Total Cost
IRS - 1099	25,000	\$0.50	\$12,500
Claimant Password Notice	30,000	\$0.50	\$15,000
Pay Order Form	360,000	\$0.50	\$180,000
Request for Separation Information	16,800	\$0.50	\$8,400
First Pay Certification Reminder 1	24,000	\$0.50	\$12,000
First Pay Certification Reminder 2	4,800	\$0.50	\$2,400
Claim Filed - Employer Notice	30,000	\$0.50	\$15,000
Monetary Determination	48,000	\$0.50	\$24,000
Monetary Redetermination	12,000	\$0.50	\$6,000
Monetary Determination/Redetermination - Alt Base	2,400	\$0.50	\$1,200
Previous Overpayment Balance Mailer	600	\$0.50	\$300
Agent State Potential Charge Notice	4,200	\$0.50	\$2,100
Benefit Offset Receipt	4,200	\$0.50	\$2,100
Child Support Withholding Mailer	400	\$0.50	\$200
Tax Withholdings Mailer	7,500	\$0.50	\$3,750
First Payment Notification	20,000	\$0.50	\$10,000
Claimant Authentication Report - Labels	1000	\$0.50	\$500
Benefit Payment Refund Receipt	14,400	\$0.50	\$7,200
ACH Returns from Bank Failure to Claimant	2,400	\$0.50	\$1,200
Direct Deposit Enrollment Mailer to Claimant	14,400	\$0.50	\$7,200
Total	622,100		\$311,050

Comp Obj	Vendor	Expenditures
0416	PITNEY BOWES	11,470.80
	UNITED STATES POSTAL SERVICE	401,000.00
	Total	\$412,470.80

121. Please detail the following for employee training paid for out of Fund 624 during FY2019 and FY2020. Be sure to include the leadership training:

Course or training program title	Training dates	Trainer (name and organizational affiliation)	Description of content	Certificate or academic credit-bearing? (Y/N)
George Washington University Leadership Program	11/2018 – 06/2019	George Washington University	Professional Support	N
NASWA UI Fraud Investigation Training	11/12/18 – 11/16/18	NASWA	UI Fraud Investigation Process	N

122. Please discuss expected changes (increases or decreases) to Fund 624 expenditures in FY2020 or future years due to the UI Modernization project.

Response: DOES does not expect any spending changes for Fund 0624 in FY2020 as it relates to the support of the UI Tax and UI Benefits Modernization project.

Expenditures in the UI Program

123. Please provide the following information on UI program personnel and workload:

a. Please provide UI program-level total number of FTEs, number of claims (or other measure of workload), and total PS expenditures for each year from FY2012 through FY2019.

Response: Please see attachment “DOES POH 2020 Q123.”

b. Please explain what staff roles and functions contributed most to any increase in the number of FTEs. Provide a detailed narrative justifying the increased staffing levels.

Response: Increases in FTEs over the years have resulted from various increases in programmatic workload due to federal government shutdowns, changes in presidential administrations, increased UI integrity efforts for UI Benefits and UI Tax administration, improper payment recovery efforts, enhanced UI performance outcome efforts, UI Tax Effective Audit Measure (EAM) compliance, and overall UI program and agency quality assurance/quality control initiatives. As a result of these efforts, and to meet and exceed USDOL and agency-specific priorities, additional FTEs were onboarded with the District’s UI program.

c. Will the agency increase the number of FTEs in FY2020?

Response: DOES works with the Mayor's Office of Budget and Performance to develop its annual budget, including any changes in FTEs. The annual budget submitted by the Mayor reflects those efforts.

XIV. Agency Operations and Disputes

124. Please list all *settlements* entered into by DOES or by the District on behalf of the agency in FY2017, FY2018, FY2019, or FY2020, as of Jan. 1, 2020, including those authorized by D.C. Code § 2-402(a)(3), which requires the Mayor to pay certain settlements from agency operating budgets if the settlement is less than \$10,000 or results from an incident or allegation within two years of the filing date. For each settlement, provide:

- a. The parties' names;**
- b. The date the underlying claim was filed with the agency/District government;**
- c. The date the settlement was executed;**
- d. The amount of the settlement and time period over which it was/will be paid;**
- e. Non-financial terms required of the agency, such as rescission of discipline, waiver of claims, etc.;**
- f. If related to litigation, court where claim was initially filed, case docket number, and a description of the allegations; or**
- g. If unrelated to litigation, please describe the allegation(s) or issue warranting investigation (e.g. administrative complaint related to sexual harassment, etc.).**

Response: Director Morris-Hughes took over the agency in March of 2018 and, as a result, is unable to provide information on settlements prior to that date. In FY2019, DOES entered into the following settlements:

- The Office of the Attorney General (OAG), on behalf of DOES, resolved a civil case (*Afnan Parker v. District of Columbia*) where a participant in a DOES program alleged that he was dismissed from the program for failing to submit to sexual advances of a DOES employee and sexual assault by a DOES employee.
- OAG, on behalf of DOES, resolved a civil case (*Adrienne Taylor v District of Columbia*) where a plaintiff alleged that a door from a cubicle fell on her while visiting DOES HQ AJC.
- DOES resolved a wage theft complaint with three New Beginnings resources.
- DOES resolved a contract dispute regarding catering and other services with Collaborative Communications Group.

In FY2020 through January 1, 2020, DOES entered into one settlement. OAG, on behalf of DOES, resolved a civil case (*Sandra McNair v District of Columbia*) where the plaintiff was a former DOES employee that alleged her termination was based on discrimination.

- 125. Please list in chronological order any *grievances filed by labor unions* against the agency or any of its employees in FY17, FY18, or FY2020, as of Jan. 1, 2020, including any opened before FY17 that is unresolved. Also include any grievances filed by unions about a current employee of the agency that is related to a matter that arose at previous District government employment of the employee at another agency. For each grievance:**
- a. Identify the union name and number, briefly describe the matter, and provide the current status.**
 - b. Describe the agency response to each and any resulting changes to agency policies or procedures.**
 - c. For any resolved in FY2019 or FY2020, as of Jan. 1, 2020, describe the resolution.**

Response:

- In FY2019, the Office of Labor Relations and Collective Bargaining (OLRCB), on behalf of DOES, resolved an appeal of an adverse action to the Public Employee Relations Board through a negotiated settlement. The terms of the settlement are being finalized by the parties.
- In FY2020, an employee filed an Equal Employment Opportunity (EEO) complaint against the employees' supervisor alleging discrimination based on disability. The employee also alleges the manager created a hostile work environment. The employee was issued an exit letter by EEO counselor on November 25, 2019.
- In FY2020, an employee filed an EEO complaint against the employee's supervisor alleging hostile work environment. This complaint is pending.

- 126. Please list in chronological order any other (non-union) *grievances or complaints against or regarding the agency or any of its personnel filed, by any District government employee*, that were filed or pending in FY2019 or FY2020. Include complaints filed in any forum, including to other District agencies; complaints on any matter, including human resources, personnel, sexual harassment, financial, or other matters; and complaints filed against a current agency employee related to their employment at the agency, or to any previous employment at another District agency. Include on the list any earlier complaint that is still pending in any forum, including review by another District agency. For each grievance or complaint:**
- a. Provide the agency name and office of the complainant at the time the matter occurred.**
 - b. Provide the name of the forum or agency to which the complaint was filed.**
 - c. Specify if the complaint concerns a colleague or supervisor.**
 - d. Provide a brief description of the matter and the current status.**
 - e. Describe the response to the complaint or grievance, including any disciplinary action taken and any changes to agency policies or procedures**
 - f. For any complaint or grievance that was resolved in FY2019 or FY2020, as of Jan. 1, 2020, describe the resolution or outcome.**

Response:

- In FY2019, an MSS employee filed a complaint with the Office of Employee Appeals (OEA) regarding an adverse action. The complaint is currently pending.
- In FY2019, an employee filed a complaint with OEA regarding an adverse action. The complaint is currently pending.
- In FY2019, an employee filed a complaint with OEA regarding an adverse action. The complaint is currently pending.
- In FY2019, an employee filed a complaint with the Office of Veterans' Affairs regarding an adverse action. The complaint is currently pending.
- In FY2019, OLRCB, on behalf of DOES, resolved an appeal of an adverse action to the Public Employee Relations Board through a negotiated settlement. The terms of the settlement are being finalized by the parties.
- In FY2019, a program participant filed a complaint against an employee alleging sexual harassment. This complaint was reported to the Sexual Harassment Officer.
- In FY2019, an external applicant filed two grievances against DOES due to non-selection of two positions. The grievances were transferred to DCHR.

127. Please list in chronological order all *administrative grievances or complaints filed by parties outside District government* against the agency regarding services provided by or actions of the agency or any employee of the agency in FY2019 or FY2020, as of Jan. 1, 2020. Include on the chronological list any earlier grievance that is still pending in any forum.

- a. Describe the complainant (e.g. [Program name] customer)**
- b. For each grievance or complaint, give a brief description of the matter as well as the current status.**
- c. Please describe the process utilized to respond to the complaint or grievances and any changes to agency policies or procedures as a result.**
- d. For any complaints or grievances that were resolved in FY2019 or FY2020, as of Jan. 1, 2020, describe the resolution.**

Response: In FY2019, an unemployment insurance claimant filed a complaint with the USDOL Civil Rights Center alleging a failure to provide reasonable accommodation. This complaint is pending.