

March 19, 2012

Ms. Karen Staha  
Office of Policy Development and Research  
Employment and Training Administration  
U.S. Department of Labor  
200 Constitution Avenue, NW  
Room N-5641  
Washington, DC 20210

Dear Ms. Staha:

This correspondence is in response to request for comments related to an extension with revisions to the **Labor Exchange Reporting System (LERS) OMB# 1205-0240**. We appreciate the opportunity to provide comments about the proposed rulemaking and offer the following for your consideration:

ETA 9002 A – TAP Workshop Veterans and TSMs:

1. The instructions state we are to report anyone who has received a TAP Workshop in the last three years. However, the 9002 is a report for participations. It is very common for a participant to have several participations on a given 9002, even potentially in a given quarter. The rule needs to specify which participation should be associated with the TAP Workshop? If every participation that occurs within three years of a TAP Workshop is counted, over-counting will occur with no discernable way of knowing by how much.
2. In some States, TAP Workshop services are contracted out to an entity other than the State Workforce Agency (SWA). Customers seeking TAP Workshop services with the contracted provider will not necessarily register and receive services (and a participation) with the SWA. Even if they do register, since the service between contractor and SWA are not reported in the same automated system, their participation will not sync with their services related to the TAP Workshop. Therefore, they may exit their services with the SWA earlier/later than with the contractor and adversely affect the performance of one or the other.

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#### ETA 9002 B – Post/911 Veterans

We assume that the definition for what constitutes a Post 911 Veteran are the same as the Gold Standard rules. Please provide clarification to the intended definition.

#### ETA 9002 D – Three/Six Month Median Earning

Please clarify whether these data elements will be required as a performance reporting measure?

#### ETA 9002 D – Received Credential

1. Further clarification is requested regarding the collection of this new data element. Items such as who is included in the numerator and denominator? What kind of credentials are counted and from what kinds of institutions? Do they have to be pre-approved? Can the customer have already earned it before they receive services? Until this clarification, we are unable to provide meaningful comments.
2. Does the inclusion of this data element mean that States will be held accountable for training outcomes utilizing Wagner-Peyser funding?

#### ETA 9002 F – Covered Entrants Who Reached the End of the Entry Period.

1. We give Priority of Service (POS) at the point of knowledge that the customer is a potential veteran. The purpose of holding States accountable for customers who opt to leave after they have received POS, but before they have been served is unclear.
2. We need assurances that this number will not be compared to the number of participations in a quarter or in a rolling four quarter period as POS Entry Period is not comparable to a participation. An individual customer may have several participations on a given 9002, but only one POS Entry Period. Further, a customer will only receive POS one time in their life, whereas they may receive participations year after year. Thus there is no way to say that POS Entry periods have any kind of percentage relation to participations. Please clarify how this data element will be used to measure performance.
3. The measure as it stands puts an unnecessary time burden on the 9002. For customers who receive their POS on or near the last day of the quarter, their End of Entry Period will not come until days before, or the actual day of, the 9002 report due date. This puts an undue burden on report submission timelines.

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Thank you for the opportunity to provide recommendations on this important issue. If you have any questions, please contact me at (404) 232-3509.

Sincerely,

A handwritten signature in blue ink that reads "Ann Shirra". To the right of the signature, there is a small handwritten number "230".

Ann Shirra

Assistant Commissioner, Employment Services

cc: Helen Parker  
Ed Gresham  
Jessica Otieno