# Summary Report of the Conference Call of the Wage Record Interchange System (WRIS) Advisory Group

Fourth Quarter 2008 Conference Call

December 4, 2008, convened from the U.S. Department of Labor, Washington, DC

## Meeting Highlights

**Message from ETA's Leadership:**
Deputy Assistant Secretary Brent R. Orrell addressed the Advisory Group, thanking them for their continued participation. He emphasized the following areas:

- The transition between federal administrations and invited recommendations from the Advisory Group to convey to the President-elect Obama transition team;
- The critical role of the workforce development system in the nation's current economic situation;
- The importance of the data that is managed by the WRIS Advisory Group members, their states, and their departments for developing strategies and solutions to the present economic and workforce challenges; and
- The important role Douglas F. Small, ETA's career Deputy Assistant Secretary, will play during the transition of administrations, and the commitment to continue support for the WRIS.

**Advisory Group Charter Issues:**

- A draft charter was circulated among Advisory Group members in October.
- Changes to the charter were proposed from Connecticut and Missouri. Most of the changes were agreed to and accepted by other members; a few were not accepted; others were referred to ETA for additional editing or modification. Most significant among the charter actions were the clarifications:
  - The advisory role of the group pertains to the states as well as to ETA.
  - ETA will serve as a full member on the Advisory Group with one vote.
  - When voting, each state will receive one vote; ETA will receive one vote; and voting will be decided by a simple majority of voting members.
  - Ordinarily, only members of the Advisory Group will speak at meetings, but non-voting attendees may be invited to speak.
  - ETA will be responsible to provide timely notice of any meeting, and the agenda, as well as draft minutes of the meetings within five business days.

**Other Business:**

- The State of Washington discussed how it responded to the request for data to assist a DOL VETS research and evaluation project while adhering to the confidentiality requirements of the WRIS data sharing agreement.
- The State of Missouri shared a brief presentation on its confidentiality plan and the training it provides for its employees who work with data.
- Advisory Group members were solicited to form a work group to consider reviving the WRIS Pilot or develop a new one appropriate for the present time.
- ETA described the general plans for initiating confidentiality reviews.

- A brief Technical Report was presented by the WRIS Operations contractor.
- The next quarterly meeting was projected for the first week in March 2009.

## Minutes of the Conference Call

A Conference Call of the Advisory Group of the Wage Record Interchange System (WRIS) was convened on Thursday, December 4, 2008 at 2:00 p.m.

John R. Beverly, Administrator, Office of Performance and Technology, Employment and Training Administration (ETA), welcomed participants to the 2008 4th quarter meeting of the WRIS Advisory Group, and initiated a roll call of states participating. The list of states participating is included in Appendix A. Reminding the group of its principal function to provide advice to the agency head for the Employment and Training Administration on operation and management of Wage Record Interchange System, Mr. Beverly introduced ETA Deputy Assistant Secretary Brent R. Orrell, participating with the call conveners in Washington, DC.

## Remarks of Deputy Assistant Secretary Brent R. Orrell

Deputy Assistant Secretary Orrell thanked call participants for the commitment of all the states to ensure the smooth operation of the WRIS and to make sure that the outcomes for the whole workforce investment system are fully documented. He recognized that the states' participation is indispensable in determining how to manage the WRIS in a way that guarantees data confidentiality and the appropriate uses of the data. He welcomed suggestions for any improvement that members believe the Employment and Training Administration could make.

Deputy Assistant Secretary Orrell then spoke of the transition underway within ETA as the agency prepares for the change of national administrations. He emphasized that there is both continuity and change in times of transition, and framed the situation as an opportunity for the Advisory Group to participate in the transition as it affects the WRIS system. The recommendations and ideas that the Advisory Group brings forward during this period will be folded into the reports, documents, and recommendations ETA leadership delivers to President-elect Obama's team. ETA is already in the midst of discussions with the transition team on the status of a variety of ETA operations. Mr. Orrell invited the WRIS Advisory Group members to have a part in the transition by offering to leadership their best guidance and advice regarding the WRIS.

Mr. Orrell also spoke of the critical role the workforce investment system will play as the nation responds to the present economic challenge. He predicted that role will become even more critical as the federal government and the states fashion responses to an increasingly serious economic and unemployment situation. He stressed that the entire system relies on good data, and its ability to collect and report data will be very important. He said our ability to collect, report, and synthesize data will be a very important resource for the next administration as it responds to this crisis.

Finally, Mr. Orrell reminded the Advisory Group that Douglas F. Small, ETA's career Deputy Assistant Secretary, will be the focal point and provide continuity for the agency in the coming weeks and months. Anticipating a gap of some time following the inauguration before there is a confirmed Assistant Secretary or an appointed Deputy Assistant Secretary, Mr. Orrell indicated that Mr. Small will be an important person for the Advisory Group to be in conversation with during that period. He concluded by expressing gratitude for having been able to work in ETA over the last several months, admiration for the ETA staff, and appreciation for the support that John Beverly and his team provided him in the area of data collection and analysis. He said the country is very fortunate to have people like them, and people like the participants from the states, helping to manage the system and do this work. He offered that, if there is anything he can do in the next four or five weeks, that Advisory Group members should feel free to reach out to him, and wished the group good luck with the remainder of its meeting.

## Approval of Minutes from the July 14-15, 2008 Meeting

Karen Staha, Director, Division of Performance Accountability, led the review and approval of the minutes from the July 14-15, 2008, meeting of the WRIS Advisory Group. She summarized the meeting highlights printed with the minutes. The minutes were approved without comment.

## Discussion of Advisory Group Charter and Proposed Changes

Ms. Staha led a discussion of proposed changes to the Advisory Group charter. ETA developed a draft charter based on the Advisory Group's discussion during its July 2008 meeting, and it was disseminated in early October. One provision in the draft charter which was not discussed at the July meeting was the inclusion of a reference to the National Association of State Workforce Agencies (NASWA). The NASWA representative will be invited to participate in meetings and discussions of the Advisory Group; however, the representative would not be an official member of the Advisory Group. Connecticut and Missouri submitted proposed changes to the draft, and discussion followed.

Roger Therrien presented the proposed changes from Connecticut. The changes were highlighted in a draft of the charter, dated December 3, 2008, which is included as Appendix B. The Advisory Group deliberations included:

1. The Advisory Group agreed to add language in the section on "Objective, Scope, and Responsibilities," specifying that, in addition to advising the ETA Assistant Secretary, the Advisory Group will provide advice "to the member states," and that the scope of advice includes both the WRIS and other "related" matters.

Mr. Beverly, from ETA, suggested that the revised provision will cause members to think about how the advice to member states will be transmitted.

California suggested the transmission does not have to be overly formal. In many instances, the dialog among members in the course of Advisory Group meetings constitutes advice. For example, in one case, ETA didn't issue anything, but the California representative had observed there was a federal violation involved in a particular use of employer identification numbers (FEIN) in WRIS. From that, WRIS resolved that it would be optional for states to provide that data in their WRIS loads. This was something all states learned through the process of sharing information.

Mr. Beverly suggested one implication of recognizing the role of advising states may be ensuring a means to transmit advice to the state executive who has authority to take action to solve a particular problem. Mr. Therrien observed that, formerly, communications went directly to executives in the states; the state Advisory Group representative would interpret action items and recommend in favor of, or against, their sign off.

Mr. Beverly summarized that this is an advisory group; it is forum where information can be exchanged among states. It is not only for purpose of communicating with ETA.

2. The Advisory Group did not agree to the proposed change to item "b" of the section on "Membership," which would have specified that ETA's role is to coordinate activities of the Advisory Group and would serve "as a non-voting member."

The argument against ETA having a vote was based on the statement that it is states that agree to share their data; therefore, any votes on changes to their agreement should be votes of the states.

The argument for ETA retaining a vote was based on the Data Sharing Agreement (Section V.A.) provision which established the Advisory Group and indicates that ETA is a member and designates one representative to the Advisory Group.

There was general agreement that, although ETA does not collect or "own" any of the data, ETA does have a shared responsibility in making data available through WRIS in a secure and responsible way that benefits workforce system as whole.

Further, following an informal poll of conference call participants, there was general agreement that ETA should have one vote, after the pattern of each state receiving one vote.

3. The Advisory Group agreed to clarify the section on "Frequency of Meetings," revising the term "biannually" to "twice per year."

4. The Advisory Group agreed to insert the word "additional" into the provision for convening meetings or conference calls upon the request of a majority of the members. It agreed that, in instances when an *ad hoc* meeting of the group was sought by a member, that ETA would manage circulation of the state's request via

e-mail and negotiate via e-mail or through the collaborative workspace the date and time for the *ad hoc* meeting.

5. The Advisory Group agreed to the additional specification regarding "Meetings": that ETA will provide timely notice of all meetings and the meeting agenda will highlight items requiring a vote.

6. The Advisory Group agreed to specify, in the section on "Participation in Meetings," that "Only Advisory Group members may participate in meetings. Observers and non-members may participate in discussions of the Advisory Group when specifically invited to speak."

At the same time that the group sought to preserve its meetings for itself and conversations among members, it did not wish to become overly rigid or preclude non-member attendees, including those invited to make presentations, from adding comments during meetings.

7. The provision for sending minutes of meetings from 5 days to within three weeks of a meeting was not changed since the Data Sharing Agreement requires ETA to send out draft minutes within five days of a meeting. Such a change would have to be addressed through the amendment process.

8. The proposed change to specify "state" members in the section on "Voting" was withdrawn, based on the previous discussion of whether or not ETA should have a vote on the Advisory Group.

9. The Advisory Group agreed that voting may be done either by a member or by written proxy and that votes shall be decided by a simple majority of voting members.

While noting that the group exists primarily for purposes of discussion and giving advice, and that there are few instances requiring voting, ETA agreed that if there were an occasion where a vote would be taken, the Advisory Group members would be notified before the meeting in sufficient time to be prepared.

10. The Advisory Group agreed to clarify the section on "Voting," to indicate that "each state will have one vote," and also that "ETA will have one vote."

11. ETA agreed to reword the paragraph on "Administrative Support," to make it more inclusive.

12. The Advisory Group agreed to the addition of a section on "Communications."

Following the discussion of proposed changes, ETA agreed to make the appropriate revisions to the draft charter and distribute it by e-mail. Members were asked to adhere

to the requested deadline for receiving additional comments so the group will be able to complete the chartering process.

## Discussion of DOL VETS Study and ETA Pilot Program

Ms. Staha introduced Greg Wilson, Team Leader, Division of Performance Accountability, to lead the discussion of the DOL VETS study and an ETA pilot program.

Mr. Wilson invited Gary Kamimura, Washington's Program Manager for the WorkSource Standards and Integration Division, to discuss the WRIS issue raised by the DOL VETS study. Mr. Kamimura outlined how his office was caught off guard in learning of a study commissioned by DOL for the VETS program. Washington and four other states have agreed to participate in the study being conducted by an independent evaluator under contract to DOL VETS. They were studying a sample pool based on agreed-upon uses of WRIS data. Although there were no additional uses or calls on WRIS data for the study, Mr. Kamimura recognized that the study could have had the appearance of utilizing WRIS data in approved or unapproved ways. He confirmed to other Advisory Group members that no unauthorized use of WRIS data had occurred and suggested the lesson learned from the incident: that any time use of WRIS data comes up, staff responsible for the data should see a red flag. He stressed the importance of the ongoing training regimen in data confidentiality for staff who work with WRIS. Mr. Kamimura suggested that federal sponsors of research teams give advance notice to WRIS whenever data is to be used in a study; further, that the research community could be oriented to both the benefit of WRIS and also the restrictions on use of the data. He reported that the researchers involved in the VETS study were very accommodating when his office began inquiring into their interest or possible use of WRIS data.

Greg Wilson also requested members willing to serve on a leadership committee of three to four members to lead the design of a new WRIS Pilot. He asked anyone interested in being part of committee to convey that interest via e-mail to WRIS@dol.gov.

## Discussion of Missouri Confidentiality Plan and Compliance Reviews

Ms. Staha introduced Clinton Flowers, Manager of the Performance and Research Unit of the Missouri Division of Workforce Development to share the training program Missouri has developed to disseminate its confidentiality processes.

Mr. Flowers gave the highlights of his PowerPoint presentation on Missouri's confidentiality and information security plan. He explained that Missouri is continuing to develop its approach separately from WRIS. Mr. Flowers acknowledged that Missouri relied on its WorkSmart system technology for the web-based training. He invited other members to review the presentation and direct subsequent questions to him. Mr. Flowers said Missouri has trained more than 800 people since September 1. Mr. Flowers offered

to provide a demonstration of the Web-based system for any interested Advisory Group members.

Ms. Staha also reminded Advisory Group members of ETA's responsibility in the Data Sharing Agreement to conduct confidentiality compliance reviews in consultation with states. She reported these will be conducted by ETA's contractor. She indicated training webinars will be offered in January on confidentiality self-assessment, confidentiality compliance reviews, and incident responses; and that at least two onsite confidentiality compliance reviews would be scheduled for the coming months. States were invited to volunteer for participation in the onsite reviews. These reviews will emphasize education and enhancement of procedures to ensure the confidentiality of the data.

Ms. Staha introduced Martha Stephens of ACS to give the WRIS Operations Technical Report. In response to a member's question regarding an FTP, Ms. Stephens advised that some member states communicate through a "file transfer protocol" (FTP), which means they have to pick up data, necessitating a little longer response period. Ms. Staha invited Advisory Group members to send follow-on questions to WRIS@dol.gov or directly to Ms. Stephens at martha.c.stephens@acs-inc.com.

## Additional Business

In response to a member's inquiry, Ms. Staha reviewed the background and intent of Training and Employment Guidance Letter (TEGL) 05-08, *Policy for Collection and Use of Workforce System Participants' Social Security Numbers*, issued on November 13, 2008. The guidance addresses the appropriate collection and security of social security numbers. The Office of Management and Budget recommended that the guidance be developed as part of its review of ETA's proposed Workforce Investment Streamlined Performance Reporting (WISPR) system. The TEGL is available on ETA's Web site at: http://wdr.doleta.gov/directives/corr_doc.cfm?docn=2680.

To an inquiry from Missouri asking if members can blog on the collaborative workspace, Ms. Staha responded in the affirmative and added that the collaborative workspace will soon be upgraded.

Ms. Staha proposed that the next quarterly meeting be an in-person meeting and referenced the provision of the Data Sharing Agreement that specifies two in-person meetings and two conference calls. After discussion, and in recognition of financial constraints, consideration will be given to conducting the first quarter 2009 meeting by conference call. ETA will explore alternatives to address the issue of the Data Sharing Agreement provisions. Ms. Staha suggested members hold time during the March 3 - 5 period for the next meeting, and asked members to send in suggestions for agenda items to WRIS@dol.gov.

Mr. Beverly thanked members of the Advisory Group for their participation and invited them to direct any questions to WRIS@dol.gov. The meeting was adjourned at 3:35 p.m.