

## New York State Department of Labor Transparency Plan

### **Background**

The New York State Department of Labor has undertaken a Department-wide examination of its operations to identify opportunities to increase transparency. As we scoped this task, we involved staff from every division to help inform this important conversation. Our guiding principle centered on how we could build upon the critical improvements we made during the pandemic. That experience revealed hard truths but also set us on a path towards significant growth.

In under two years, the Department has fundamentally evolved, and our customers are reaping the benefits of this remarkable transformation. Yet, there remains more important work to be done. We stand ready to tackle the challenges ahead.

We have identified several areas upon which to focus our attention over the next 12-month period. The following discussion provides a high-level summary of key takeaways that emerged and includes examples of specific actions/policies/initiatives we will pursue in both short term and long term.

### **Empowerment through Data Transparency**

NYSDOL understands the importance and impact of data. Indeed, during the pandemic, we were able to quickly pivot and create a new report highlighting the surge in initial unemployment claims, by week. The demand for this information was great and our response was immediate, despite the many challenges we faced, operationally. More recently, NYSDOL has made a significant leap forward in unveiling its first interactive public dashboard that pertains to the Excluded Worker Fund. We intend to build out this capacity and are well-positioned to do so, given the numerous dashboards we have already created for internal use.

We understand that there is a diverse group of stakeholders that seeks to have access to our data, to ascertain its meaning and to develop an understanding about its impact. Ideally, that understanding leads to wisdom which will become the basis for informed public policy making. We are committed to making more data available, making it easy for interested parties to find that information, keeping the information up-to-date and to providing it in a variety of formats—appreciating the differences in how individuals process information.

Ultimately, we seek to present data in ways that promote understanding and to the extent practicable, we will strive to do so in an interactive environment. Some of our planned action items in this space include:

*Target: Q4 2021*

**Link to external data sets and other information** from the NYSDOL website. This is a simple but important improvement we can make to help serve the public, especially as it relates to the vast collection of Unemployment Insurance data reported to the USDOL by all states. These are federally mandated, official data sets that allow for state-to-state comparisons, but few know they exist.

**Post Excel spreadsheet with comprehensive Unemployment Insurance (initial claims) trend data**; this package is responsive to the specific types of requests our staff have fielded over the past 18 months. The data set is timely and illustrates which industries have been most impacted and provides regional breakdowns. This information is especially useful at the local/regional level as communities work to recover from the pandemic. It is an action item we can accomplish now but that will migrate as we bring other initiatives online (see next item).

*Target: Q1-Q2 2022*

**Publish interactive dashboards for public use.** We will leverage data visualization tools to highlight key data covering a variety of critical areas (labor market information, Unemployment Insurance, Worker Protection/Labor Standards stats, call center stats, etc.); doing so puts power in the hands of the user and will also offer a relief valve with respect to staff resources that are currently being dedicated to responding to numerous data requests on an ad-hoc basis.

Notably, the Department recently created an internal Data Analytics Center and the SIMS (spell this out). Together, these teams will help lead the Department in advancing this work and taking it a step further into the realm of predictive data analytics.

For the more technical user, we also plan to publish public-facing dashboards on the NYSDOL website for the following programs: Quarterly Census of Employment and Wages (QCEW), Current Employment Statistics (CES), Occupational Employment and Wages Survey (OEWS), Local Area Unemployment Statistics (LAUS), and State and local industry and occupational employment projections.

*Target: Q3-Q4 2022*

**Transform the NYSDOL website.** We are currently engaging an outside entity to help us make fundamental improvements. We seek to make the final website much more user-friendly and intuitive. It should be the place people want to visit for important resources. This transformation will impact not just the data sharing aspect of our work but ultimately all services that NYSDOL provides. Putting more information and data into the public realm is less meaningful if the public cannot easily find it (reasonable amount of time/reasonable number of clicks).

**Adopt Open FOIL.** Our Department’s legal team is in active conversations with our ITS partners to ascertain the viability of utilizing new FOIL management/tracking software. Initial feedback has been positive. Although we face significant staffing challenges within Counsel’s Office, as a Department, NYSDOL is already very responsive to FOIL requests. Adopting a software tool will do more to help us from an internal operations/efficiency perspective. That said, this tool will also allow requestors to see their specific FOIL request status online – a critical transparency/good government feature. Additional ITS resources and support will be key for migration and rollout.

The agency has and will continue to use the FOIL process as a means to identify data that can be posted online, and has been successful in some places in reducing the number of FOIL requests for information by posting such online (e.g., DOL posted inspection information on amusement devices and no longer receives requests for such information, See <https://dol.ny.gov/ride-safe-ny>). Most of our FOIL requests involve confidential information and include records on individual employees and employers. As such, these materials are generally not appropriate for posting online.

## **Leverage Technology Tools to Work Smarter**

Taxpayers expect government to be judicious in how it spends limited resources. They want to see proof that that their government can and will innovate. The urgency with which NYSDOL had to respond to the surge in unemployment claims opened the doors wide open on the technology front. In the recent past we have fully utilized social media, GovDelivery and DocuSign to efficiently message and interact with our customers in real time. We leveraged technology to combat Unemployment Insurance fraud and facilitate identity verification. We also successfully launch the Excluded Worker Fund Program and are in the process of completing a critical UI modernization project. As we continue our commitment to a strong technology focus, our plans will include:

*Target: Q4 2021*

**Use GovDelivery for notifications on new research and statistics products.** We expect to publish information (newsletters/white papers/fact sheets) on developing labor market conditions on a more regular basis. Getting the word out so that stakeholders know it exists, is key. We plan to use GovDelivery to do just that. This type of notification could be expanded to include alerts about new data sets that become available. For example, we might send notifications when new information is posted by the State’s Census Data Center or when new dashboards are released.

*Target: Q1-Q2 2022*

**Develop additional online forms.** Building upon the success we had with the COVID-19 complaint intake form, NYSDOL will seek to continue this work in other areas. For example, NYSDOL will work to create an online form to be completed by businesses and job seekers. This form will collect basic information about the business or jobseeker

completing it such as name, location, contact information and services requested. NYSDOL will use the information gathered on the form to identify staff to outreach and provide the appropriate assistance needed. Moving forward, any new form that facilitates collection of information in this way will alleviate the burden on our staff resources and overall costs. Additional ITS resources and support will be key to this effort.

*Target: Q2-Q3 2022*

**Expand our use of BOT technology to help customers.** We will broaden our use of online, interactive chatbot features to add more question & answer scenarios – addressing content well beyond the Unemployment Insurance program. Additional ITS resources and support will be key to this effort. We are also working with an outside vendor to develop a natural language BOT to integrate with our live chat feature that will provide targeted guidance and suggestions based on freeform text questions asked by customers.

## **Engage our Community Partners**

Getting our people and our expertise out into the community is a top priority for the Department. We plan to raise our profile and increase our external interactions through different strategies. Some specific examples include:

*Target: Q4 2021*

**Proactively outreach to local communities on labor market information.** NYSDOL has labor market analysts located in field offices throughout the State. These individuals bring a wealth of knowledge about labor market conditions in local communities. Our plan is to actively engage Workforce Investment Boards, Regional Economic Development Councils and the like to offer our expertise and present relevant information during community meetings and other events. Additionally, we plan to publish labor market briefings for each of the 10 labor market regions of the State.

**Spotlight NYSDOL's green commitment.** The Commissioner and the Department of Labor are fully committed to being model citizens with respect to adopting green business practices so that we can do our part to advance the goals of the Climate Leadership and Community Protection Act. Given our expansive footprint across the state, we plan to take the opportunity to more actively engage local municipalities on our work in this area and own progress.

Developing and strengthening these local relationships in this specific way will also help us to set the stage for the work to come on the Just Transition activities we are undertaking. We will coordinate with our communications team to make sure that NYSDOL green achievements are highlighted in our social media accounts, on our website and with local media outlets, as appropriate.

**Post the NYSDOL organization chart and key division contact information online.**

Being transparent about how our organization is structured and the individuals who help

lead the Department in pursuing its mission should be in the public interest. We also plan to re-evaluate our use of shared email boxes at the program level to make it easier for customers to communicate with us.

**Drive more timely and diverse content to our social media platforms.** We will expand our reach through social media by posting new content that goes beyond Unemployment Insurance. For example, we will begin to post Trade Act Adjustment Certifications. The federal Trade Act Adjustment Program is one that provides aid to workers who lose their jobs or whose hours of work and wages are reduced as a result of increased imports. However, the prolonged process that is involved makes it difficult for workers to stay apprised of when that aid is finally available to them. We will utilize our social media platforms to get the word out in a broader, more efficient manner.

This same strategy will be used to keep the public informed on other important initiatives with which the Department is involved (e.g., Summer Youth Programs, Gun Violence Prevention) and to highlight the meaningful work (and the related stats) we perform with respect to enforcing wage and hour laws and anti-fraud efforts.

We are in the process of developing Spanish Language social media platforms in order to better communicate with the 24% of the NY population that speaks Spanish.

*Target: Q1-Q2 2022*

**Develop “Get to Know NYSDOL” materials.** Much of the feedback from staff discussions focused on the belief that the general public lacks a solid understanding about the work that we do and how we do it. To address this gap, we will develop new public-facing content to shed light on our work including the important processes we oversee, the laws we enforce and the people in our Department that make it all possible. These materials (YouTube videos, PSAs, fact sheets etc.) can focus on specific areas such as Administrative Adjudication, Worker Protection, Labor Standards, Apprenticeship Program etc. They can also serve multiple purposes in that this messaging will help inform workers and businesses about their rights and/or responsibilities.

## **Additional Action Items**

*Target: Q4 2021*

**Recommit to Project Sunlight.** NYSDOL will immediately appoint an individual at the Department to restart this effort. We have identified training as a key factor in moving forward. We will work with relevant parties (internal and external) to develop a training plan so that all staff have sufficient awareness on the topic and can understand and meet their responsibilities.

**Track and post annual reports.** NYSDOL’s reporting responsibilities are tracked at the program level, and in collaboration with our Counsel’s Office. As these reports are produced and shared with parties named in the legislation, we will also introduce into our

internal process the automatic posting of such reports to our public-facing website. We will ensure that these reports are prominently posted.

## Appendix

| Action Items  | Q4 2021 | Q1 2022 | Q2 2022 | Q3 2022 | Q4 2022 |
|---|---------|---------|---------|---------|---------|
| Link to external data sets & other information from NYSDOL site |         |         |         |         |         |
| Post Excel spreadsheet with initial claims data                 |         |         |         |         |         |
| Publish more interactive dashboards for public use              |         |         |         |         |         |
| Transform the NYSDOL website                                    |         |         |         |         |         |
| Adopt Open FOIL   |         |         |         |         |         |
| Push Gov Delivery Notifications for new data/research products  |         |         |         |         |         |
| Develop new online forms  |         |         |         |         |         |
| Expand our use of BOT technology                                |         |         |         |         |         |
| Proactive outreach to local communities                         |         |         |         |         |         |
| Spotlight NYSDOL green activities                               |         |         |         |         |         |
| Post NYSDOL org chart and contact info online                   |         |         |         |         |         |
| Drive more diverse content to social media                      |         |         |         |         |         |
| Develop additional “get to know NYSDOL” materials               |         |         |         |         |         |
| Recommit to Project Sunlight                                    |         |         |         |         |         |
| Track and post annual reports                                   |         |         |         |         |         |