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**AGENCY OVERVIEW****Date:** 01/13/2011**406 Office of the Labor Commissioner****Time:** 11:01:07

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**Statutory Authority**

North Dakota Century Code Chapters 14-02.4, 14-02.5, 34-05, 34-06, 34-06.1, 34-07, 34-12, 34-13, 34-14, and Sections 34-01-20 and 34-08-14.

**Agency Description**

The Department of Labor is responsible for administering statutory provisions relating to labor standards, wages and hours, child labor, labor-management relations, and human rights issues.

The Department is responsible for improving working and living conditions of employees and advance the opportunities for employment; foster, promote, and develop the welfare of wage earners and industries in the state; promote cooperative relations between employers and employees; cooperate with other governmental agencies to encourage the development of new and existing industries; represent the state in dealings with the U.S. Department of Labor, with the federal mediation and conciliation service, and the U.S. veteran's administration with regard to job training programs; acquire and provide information on subjects connected with labor, relations between employers and employees, hours of labor, and working conditions; encourage and assist in the adoption of practical methods of vocational training, retraining, and vocational guidance.

The Department of Labor is also responsible for receiving and investigating complaints of discrimination; adopting rules necessary to implement the chapters; fostering prevention of discrimination through education; emphasizing conciliation to resolve complaints; publishing, in even-numbered years, a written report recommending legislative or other action to carry out the purposes of the chapters; and conducting studies relating to the nature and extent of discriminatory practices in the state.

**Agency Mission Statement**

The Department of Labor is responsible for promoting the welfare of both wage earners and industries in North Dakota through leadership, education, prevention, and enforcement of state laws relating to the wages and working conditions of North Dakota employees.

The Human Rights Division within the Department of Labor is responsible for promoting the human rights of all North Dakota citizens through leadership, education, prevention, and enforcement of state laws prohibiting discriminatory practices in the state. Specifically, the department investigates complaints alleging violations of law in the areas of employment, housing, public services, public accommodations, and credit transactions.

**Agency Performance Measures**

The Department of Labor measures its agency performance through its delivery of program services. Accordingly, performance measures are reported under the Program Performance Measures narrative.

**Major Accomplishments**

1. Maintained a stabilized caseload in all areas.
2. Provided human rights related training for agency staff.
3. Attended training and policy conferences sponsored by the Equal Opportunity Commission and the Department of Housing and Urban Development each year.
4. Attended training at the National Fair Housing Training Academy.
5. Televised a public service announcement regarding housing discrimination to help educate the public and create awareness of the Human Rights Division.
6. Updated agency brochures and began the process of redesigning the department's website.
7. Promulgated administrative rules for the Human Rights Act and the Housing Discrimination Act.
8. Provided numerous educational presentations across the state.

**Future Critical Issues**

It is anticipated that the department's federal funding through our contract with the Department of Housing and Urban Development may be substantially diminished due to fewer cases, which would result in fewer case processing funds received for housing discrimination complaints.

**REQUEST SUMMARY**

406 Office of the Labor Commissioner  
 Biennium: 2011-2013

Bill#: SB2007

Date: 01/13/2011

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Description	Expenditures 2007-2009 Biennium	Present Budget 2009-2011	Budget Request Change	Requested Budget 2011-2013 Biennium	Optional Budget Request
<b>By Major Program</b>					
Office of Labor Commissioner	1,514,956	1,834,334	42,259	1,876,593	(43,562)
<b>Total Major Program</b>	<b>1,514,956</b>	<b>1,834,334</b>	<b>42,259</b>	<b>1,876,593</b>	<b>(43,562)</b>
<b>By Line Item</b>					
Salaries and Wages	1,227,432	1,532,004	28,295	1,560,299	0
Operating Expenses	287,524	302,330	13,964	316,294	(43,562)
<b>Total Line Items</b>	<b>1,514,956</b>	<b>1,834,334</b>	<b>42,259</b>	<b>1,876,593</b>	<b>(43,562)</b>
<b>By Funding Source</b>					
General Fund	1,116,324	1,421,583	30,500	1,452,083	(43,562)
Federal Funds	398,632	412,751	11,759	424,510	0
Special Funds					
<b>Total Funding Source</b>	<b>1,514,956</b>	<b>1,834,334</b>	<b>42,259</b>	<b>1,876,593</b>	<b>(43,562)</b>
<b>Total FTE</b>	<b>11.00</b>	<b>12.00</b>	<b>0.00</b>	<b>12.00</b>	<b>0.00</b>

**REQUEST DETAIL**406 Office of the Labor Commissioner  
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Description	Expenditures 2007-2009 Biennium	Present Budget 2009-2011	Budget Request Change	Requested Budget 2011-2013 Biennium	Optional Budget Request
<b>Salaries and Wages</b>					
Salaries - Permanent	890,721	1,103,317	14,930	1,118,247	0
Overtime	32,794	10,000	0	10,000	0
Fringe Benefits	303,917	418,687	13,365	432,052	0
<b>Total</b>	<b>1,227,432</b>	<b>1,532,004</b>	<b>28,295</b>	<b>1,560,299</b>	<b>0</b>
<b>Salaries and Wages</b>					
General Fund	952,211	1,200,373	28,362	1,228,735	0
Federal Funds	275,221	331,631	(67)	331,564	0
Special Funds	0	0	0	0	0
<b>Total</b>	<b>1,227,432</b>	<b>1,532,004</b>	<b>28,295</b>	<b>1,560,299</b>	<b>0</b>
<b>Operating Expenses</b>					
Travel	72,815	72,200	0	72,200	0
Supplies - IT Software	6,239	500	200	700	0
Supply/Material-Professional	11,630	13,200	1,300	14,500	0
Miscellaneous Supplies	2,919	3,815	185	4,000	0
Office Supplies	10,331	8,000	4,000	12,000	0
Postage	13,166	21,000	0	21,000	0
Printing	6,646	7,370	130	7,500	0
IT Equip Under \$5,000	14,737	9,000	1,000	10,000	0
Other Equip Under \$5,000	202	0	0	0	0
Office Equip & Furn Supplies	20,346	2,500	0	2,500	0
Insurance	2,458	1,700	800	2,500	0
Rentals/Leases - Bldg/Land	7,626	7,426	74	7,500	0
Repairs	8,998	3,500	0	3,500	0
IT - Data Processing	30,512	30,192	2,808	33,000	0
IT - Communications	23,795	28,927	73	29,000	0
IT Contractual Srvcs and Rprs	6,454	4,000	0	4,000	0
Professional Development	9,138	8,000	500	8,500	0
Operating Fees and Services	32,784	15,000	1,000	16,000	0
Fees - Professional Services	6,728	66,000	1,894	67,894	(43,562)
<b>Total</b>	<b>287,524</b>	<b>302,330</b>	<b>13,964</b>	<b>316,294</b>	<b>(43,562)</b>
<b>Operating Expenses</b>					
General Fund	164,113	221,210	2,138	223,348	(43,562)
Federal Funds	123,411	81,120	11,826	92,946	0
Special Funds	0	0	0	0	0
<b>Total</b>	<b>287,524</b>	<b>302,330</b>	<b>13,964</b>	<b>316,294</b>	<b>(43,562)</b>

**REQUEST DETAIL**406 Office of the Labor Commissioner  
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Description	Expenditures 2007-2009 Biennium	Present Budget 2009-2011	Budget Request Change	Requested Budget 2011-2013 Biennium	Optional Budget Request
<b>Funding Sources</b>					
General Fund	1,116,324	1,421,583	30,500	1,452,083	(43,562)
Federal Funds	398,632	412,751	11,759	424,510	0
Special Funds	0	0	0	0	0
<b>Total Funding Sources</b>	<b>1,514,956</b>	<b>1,834,334</b>	<b>42,259</b>	<b>1,876,593</b>	<b>(43,562)</b>

**CHANGE PACKAGE SUMMARY**

406 Office of the Labor Commissioner  
 Biennium: 2011-2013

Bill#: SB2007

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Description	Priority	FTE	General Fund	Federal Funds	Special Funds	Total Funds
<b>Base Budget Changes</b>						
<b>Ongoing Budget Changes</b>						
A-A 1 Price or Inflationary Adjustments (PIA)		0.00	2,138	11,826	0	13,964
Base Payroll Change		0.00	28,362	(67)	0	28,295
<b>Total Ongoing Budget Changes</b>		<b>0.00</b>	<b>30,500</b>	<b>11,759</b>	<b>0</b>	<b>42,259</b>
<b>Total Base Budget Changes</b>		<b>0.00</b>	<b>30,500</b>	<b>11,759</b>	<b>0</b>	<b>42,259</b>
<b>Optional Savings Changes</b>						
A-G 1 3% Optional Savings	1	0.00	(43,562)	0	0	(43,562)
<b>Total Optional Savings Changes</b>		<b>0.00</b>	<b>(43,562)</b>	<b>0</b>	<b>0</b>	<b>(43,562)</b>

**BUDGET CHANGES NARRATIVE**

406 Office of the Labor Commissioner

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<b>Change Group:</b> A	<b>Change Type:</b> A	<b>Change No:</b> 1	<b>Priority:</b> 1
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## Price or Inflationary Adjustments (PIA)

The following intermediate operating lines within the department's budget are subject to cost increases due to price/inflationary adjustments: IT Data Processing, IT Telephone (Communications), IT Software/Supplies, Lease/Rent Building/Land, Professional Development, Operating Fees & Services, Professional Services, Insurance, Office Supplies, Printing, Professional Supplies and Materials, Miscellaneous Supplies, and IT Equipment Under \$5,000.

<b>Change Group:</b> A	<b>Change Type:</b> G	<b>Change No:</b> 1	<b>Priority:</b> 1
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## 3% Optional Savings

As directed by Gov. John Hoeven, the Department of Labor has worked to identify savings equal to 3% of its 2009-11 general fund appropriation. In evaluating agency needs and projected cost increases while preparing the 2011-13 budget request, the department identified the Professional Services intermediate operating area for the savings package amount.

In the 2005-07 biennium, the department incurred significant and unexpected expenses due to the assignment of Special Assistant Attorneys General. In response, the department included funding for such expenses in the Professional Services area over the past two biennia. While the need for other types of professional services (such as administrative law judges, interpreters, and architects) has remained more consistent, the department has not needed the service of a Special Assistant Attorney General since.

As the need for a Special Assistant Attorney General is unpredictable and beyond the department's control, funds of this type may again be necessary at some point and it is possible that the department would need to seek Emergency Commission assistance.