

PROGRAM NARRATIVE

406 Office of the Labor Commissioner

Date: 12/07/2012

Time: 14:46:38

Program: Office of Labor Commissioner

Reporting level: 00-406-100-00-00-00-00000000

Program Performance Measures

The department is dedicated to the principles of efficient and effective public service. The department tracks the impact of the strategic changes primarily by monitoring the pending agency caseloads. The department's current caseload is just manageable and a concern is the increase in wage claims. The average number of days pending has remained fairly consistent in all areas with the exception of wage claims.

Caseload Information as of June 30, 2012:

Pending Employment Discrimination Complaints = 84

Pending Claims for Unpaid wages = 135

Pending Claims for Housing Discrimination Complaints = 16

Pending Public Service/Public Accommodation & Credit Transaction Complaints = 10

The ongoing objective is for cases in all areas to be current in accordance with the following targets for case closures: 1) complaints of discrimination in employment, public services, public accommodations, and credit transactions to be completed within 180 days; 2) claims for unpaid wages to be completed within 90 days; and 3) complaints in housing discrimination to be completed within 100 days.

Program Statistical Data

The program statistical data here are for the 2009-11 biennium unless otherwise noted.

Wage and HourWage Claims

Claims Received: 685

Claims Closed: 680

Average Days to Closure: 66

Total Dollar Amount Collected: \$423,678

Complaint Inquiries

Complaint Inquiries Received: 329

Complaint Inquiries Closed: 333

Total Dollar Amount Collected: \$76,335

Youth Employment

Total Employment and Age Certificates (work permits) Filed: 2,169

Independent Contractor Verification

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Total Applications Reviewed: 15

Total Relationships Verified: 9

Employment Agency Licensing

Agencies Licensed: 0

Sub-Minimum Wage Licenses

Disabled Employees Working Under Sub-Minimum Wage Licenses: 1,763

Vocational Students Working Under Sub-Minimum Wage Licenses: 3

Human RightsEqual Employment Opportunity

New Charges Received: 328

Total Charges Closed: 363

Average Days to Closure: 113

Total Settlement Amount: \$242,028

Housing Discrimination

Complaints Filed: 75

Complaints Closed: 76

Average Days to Closure: 76

Total Settlement Amount: \$13,742

Discrimination in Public Services, Public Accommodations, and Credit Transactions

Complaints Filed: 42

Complaints Closed: 48

Average Days to Closure: 172

Employment Retaliation

Complaints Filed: 70

Complaints Closed: 72

Explanation of Program Costs

During the 2011-13 biennium, 83% of the Department of Labor's regular program expenditures are being utilized for staff salaries and benefits. The remaining 17% is being spent on operating expenditures for day-to-day operation of the office (including postage, printing, office supplies, telephone and data processing costs), professional services such as administrative law judges, operating fees for sheriffs' service, travel as necessary for program work (investigations and mediation) and staff training, and proactive educational activities - all of which directly support of the department's programs.

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For the 2013-15 biennium, the department projects that 84% of its budget will be spent on salaries and benefits and that 16% will be utilized on operating expenses, primarily in the areas noted above. These percentages are based on the department's base budget request. Should the optional savings package be implemented, the department's operating budget would decrease to 14% of the total budget while the percentage applicable to salaries would change correspondingly to 86%.

Program Goals and Objectives

The Department of Labor has two program areas, Wage & Hour and Human Rights. The goals and objectives of each include:

Wage & Hour

Educate employers and wage earners about labor;

Provide effective and timely investigation of claims for unpaid wages;

Provide effective and timely investigation of complaints alleging violations of labor standards;

Monitor the employment of youth under age 16 to ensure compliance with all youth employment laws;

Review applications for the payment of sub-minimum wages to persons enrolled in vocational programs and persons with disabilities and to issue special licenses to pay sub-minimum wage only where established standards of law are met;

Make accurate and timely determinations of independent contractor status; and

Issue licenses (in limited circumstances) to and review the activities of employment agencies operating in the state to ensure compliance with applicable regulatory provisions.

Human Rights

Educate employers, housing and other service providers, and citizens about rights and responsibilities under ND human rights laws to promote awareness;

Provide effective and timely investigation of complaints alleging discriminatory practices in the state;

Emphasize conciliation to resolve complaints when possible;

Seek remedies for persons determined to have been harmed by discriminatory practices; and

Conduct studies of the nature and extent of discrimination in the state.

REQUEST DETAIL BY PROGRAM

406 Office of the Labor Commissioner

Bill#: HB1007

Date: 12/07/2012

Biennium: 2013-2015

Time: 14:46:38

Program: Office of Labor Commissioner	Reporting Level: 00-406-100-00-00-00-00000000
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Description	Expenditures 2009-2011 Biennium	Present Budget 2011-2013	Budget Request Change	Requested Budget 2013-2015 Biennium	Optional Request 2013-2015
Salaries and Wages					
Salaries - Permanent	1,066,955	1,168,701	34,854	1,203,555	0
Salaries - Other	0	0	0	0	24,554
Overtime	2,788	10,000	3	10,003	0
Fringe Benefits	409,173	469,641	16,459	486,100	0
Salary Increase	0	0	0	0	0
Benefit Increase	0	0	0	0	0
Total	1,478,916	1,648,342	51,316	1,699,658	24,554

Salaries and Wages

General Fund	1,153,062	1,316,798	57,714	1,374,512	24,554
Federal Funds	325,854	331,544	(6,398)	325,146	0
Special Funds	0	0	0	0	0
Total	1,478,916	1,648,342	51,316	1,699,658	24,554

Operating Expenses

Travel	37,242	82,200	(10,000)	72,200	0
Supplies - IT Software	152	2,700	0	2,700	0
Supply/Material-Professional	11,887	14,500	0	14,500	0
Miscellaneous Supplies	978	9,400	(5,400)	4,000	0
Office Supplies	14,017	12,000	0	12,000	0
Postage	13,104	21,000	0	21,000	0
Printing	3,326	11,500	(4,000)	7,500	0
IT Equip Under \$5,000	1,477	10,000	0	10,000	0
Office Equip & Furn Supplies	2,677	2,500	0	2,500	0
Insurance	1,538	2,500	0	2,500	0
Rentals/Leases - Bldg/Land	6,890	7,500	0	7,500	0
Repairs	3,517	3,500	0	3,500	0
IT - Data Processing	24,842	29,000	0	29,000	0
IT - Communications	24,524	27,000	0	27,000	0
IT Contractual Svcs and Rprs	44,612	8,000	0	8,000	0
Professional Development	7,087	8,500	0	8,500	0
Operating Fees and Services	10,916	116,000	(100,000)	16,000	0
Fees - Professional Services	14,805	113,894	(46,000)	67,894	(47,935)
Total	223,591	481,694	(165,400)	316,294	(47,935)

Operating Expenses

General Fund	168,931	223,327	0	223,327	(47,935)
Federal Funds	54,660	258,367	(165,400)	92,967	0

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Description	Expenditures 2009-2011 Biennium	Present Budget 2011-2013	Budget Request Change	Requested Budget 2013-2015 Biennium	Optional Request 2013-2015
Special Funds	0	0	0	0	0
Total	223,591	481,694	(165,400)	316,294	(47,935)
Technology Carryover					
IT Contractual Svcs and Rprs	0	10,000	(10,000)	0	0
Total	0	10,000	(10,000)	0	0
Technology Carryover					
General Fund	0	10,000	(10,000)	0	0
Federal Funds	0	0	0	0	0
Special Funds	0	0	0	0	0
Total	0	10,000	(10,000)	0	0
Total Expenditures	1,702,507	2,140,036	(124,084)	2,015,952	(23,381)
Funding Sources					
General Fund					
Total	1,321,993	1,550,125	47,714	1,597,839	(23,381)
Federal Funds					
R018 Equal Employ Opp. Comm.	151,150	37,060	129,004	166,064	0
R081 Fair Housing	229,364	552,851	(300,802)	252,049	0
Total	380,514	589,911	(171,798)	418,113	0
Total Funding Sources	1,702,507	2,140,036	(124,084)	2,015,952	(23,381)
FTE Employees	12.00	12.00	0.00	12.00	0.00

CHANGE PACKAGE DETAIL

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Biennium: 2013-2015

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Description	Priority	FTE	General Fund	Federal Funds	Special Funds	Total Funds
Base Budget Changes						
One Time Budget Changes						
A-E 1 Remove Tech Carry Over		0.00	(10,000)	0	0	(10,000)
A-E 2 Remove Fair Housing Grant		0.00	0	(165,400)	0	(165,400)
Total One Time Budget Changes		0.00	(10,000)	(165,400)	0	(175,400)
Ongoing Budget Changes						
Base Payroll Change		0.00	57,714	(6,398)	0	51,316
Total Ongoing Budget Changes		0.00	57,714	(6,398)	0	51,316
Total Base Budget Changes		0.00	47,714	(171,798)	0	(124,084)
Optional Budget Changes						
Ongoing Optional Changes						
A-C 100 Compression Salary Increase	2	0.00	24,554	0	0	24,554
Total Ongoing Optional Changes		0.00	24,554	0	0	24,554
Total Optional Budget Changes		0.00	24,554	0	0	24,554
Optional Savings Changes						
A-G 1 Optional Savings Package	1	0.00	(47,935)	0	0	(47,935)
Total Optional Savings Changes		0.00	(47,935)	0	0	(47,935)