
AGENCY OVERVIEW

406 OFFICE OF THE LABOR COMMISSIONER

Date: 12/13/2006

Time: 11:18:03

STATUTORY AUTHORITY

North Dakota Century Code Chapters 14-02.4, 14-02.5, 34-01-20, 34-05-01.4, 34-06-15, 34-07, and 34-13.

AGENCY DESCRIPTION

The Department of Labor is responsible to administer 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 to receive and investigate complaints of discrimination; adopt rules necessary to implement the chapters; foster prevention of discrimination through education; emphasize conciliation to resolve complaints; publish, in even-numbered years, a written report recommending legislative or other action to carry out the purposes of the chapters; and conduct studies relating to the nature and extent of discriminatory practices in the state.

AGENCY MISSION

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.

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

- Realized significant reduction in backlog in pending complaint caseloads.

- Provided human rights related training for agency staff.

- Attended training and policy conferences sponsored by the Equal Opportunity Commission and the Department

Housing and Urban Development each year.

Attended training at the newly established National Fair Housing Training Academy.

Attended training provided by the National Association of Human Rights Workers, two of whom have qualified for certification as Professional Human Rights Workers.

Provided mediation training for agency staff.

Developed and aired a televised public service announcement (PSA) regarding housing discrimination to help educate the public and to create awareness of the Human Rights Division.

Represented the agency and the State of North Dakota at the opening ceremonies of the National Fair Housing Training Academy.

Updated all agency brochures to reflect statutory changes.

Implemented procedures for tracking judgments obtained for the benefit of claimants.

Cooperated with the North Dakota Chamber of Commerce and other state agencies in providing education on employment issues in multiple cities across the state.

FUTURE CRITICAL ISSUES

Per direction from OMB, the Department of Labor's base budget request includes \$14,460 in additional general funds over the general fund appropriation of its 2005 biennium budget. This amount is for "Cost-to-Continue" of the 2005 biennium 4% salary increases.

REQUEST SUMMARY

Date: 12/13/2006

406 OFFICE OF THE LABOR COMMISSIONER

Bill#: SB2007

Time: 11:18:03

Biennium: 2007-2009

Description	Expenditures 2003-2005 Biennium	Present Budget 2005-2007	Budget Request Change	Requested Budget 2007-2009 Biennium	Optional Budget Request
BY MAJOR PROGRAM					
OFFICE OF LABOR COMMISSIONER	1,328,425	1,460,204	-109,235	1,350,969	163,848
TOTAL MAJOR PROGRAMS	1,328,425	1,460,204	-109,235	1,350,969	163,848
BY LINE ITEM					
SALARIES AND WAGES	1,036,231	1,135,861	14,126	1,149,987	0
OPERATING EXPENSES	292,194	324,343	-123,361	200,982	163,848
TOTAL LINE ITEMS	1,328,425	1,460,204	-109,235	1,350,969	163,848
BY FUNDING SOURCE					
GENERAL FUND	874,919	961,239	14,460	975,699	163,848
FEDERAL FUNDS	453,506	498,965	-123,695	375,270	0
SPECIAL FUNDS	0	0	0	0	0
TOTAL FUNDING SOURCE	1,328,425	1,460,204	-109,235	1,350,969	163,848
TOTAL FTE	10.00	11.00	0	11.00	0

REQUEST DETAIL

Date: 12/13/2006

406 OFFICE OF THE LABOR COMMISSIONER

Bill#: SB2007

Time: 11:18:03

Biennium: 2007-2009

Description	Expenditures 2003-2005 Biennium	Present Budget 2005-2007	Budget Request Change	Requested Budget 2007-2009 Biennium	Optional Budget Request
SALARIES AND WAGES					
SALARIES - PERMANENT	723,068	834,782	-1,142	833,640	0
TEMPORARY SALARIES	46,252	0	0	0	0
OVERTIME	29,521	10,001	0	10,001	0
FRINGE BENEFITS	237,390	291,078	15,268	306,346	0
SALARY INCREASE	0	0	0	0	0
BENEFIT INCREASE	0	0	0	0	0
TOTAL	1,036,231	1,135,861	14,126	1,149,987	0
SALARIES AND WAGES					
GENERAL FUND	675,863	749,766	63,202	812,968	0
FEDERAL FUNDS	360,368	386,095	-49,076	337,019	0
SPECIAL FUNDS	0	0	0	0	0
TOTAL	1,036,231	1,135,861	14,126	1,149,987	0
OPERATING EXPENSES					
TRAVEL	82,054	67,000	-20,000	47,000	20,000
SUPPLIES - IT SOFTWARE	942	4,000	0	4,000	0
SUPPLY/MATERIAL-PROFESSIONAL	5,311	5,000	0	5,000	7,200
MISCELLANEOUS SUPPLIES	730	3,700	-3,700	0	1,500
OFFICE SUPPLIES	11,619	6,000	0	6,000	0
POSTAGE	12,110	23,874	-2,874	21,000	1,365
PRINTING	9,550	23,500	-11,500	12,000	550
IT EQUIP UNDER \$5,000	31,221	8,500	-7,500	1,000	4,300
OTHER EQUIP UNDER \$5,000	249	169	-169	0	0
OFFICE EQUIP & FURN SUPPLIES	1,063	2,400	-1,400	1,000	0
INSURANCE	3,033	2,200	510	2,710	0
RENTALS/LEASES - BLDG/LAND	5,408	11,000	-3,574	7,426	400
REPAIRS	2,406	2,500	500	3,000	0
IT - DATA PROCESSING	23,659	25,000	4,992	29,992	1,000
IT-COMMUNICATIONS	19,998	22,000	94	22,094	5,933
IT CONTRACTUAL SERVICES AND RE	8,540	3,500	-1,500	2,000	7,000
PROFESSIONAL DEVELOPMENT	9,708	4,000	-2,000	2,000	6,000
OPERATING FEES AND SERVICES	20,187	35,000	-23,240	11,760	55,600
FEES - PROFESSIONAL SERVICES	44,406	75,000	-52,000	23,000	53,000
TOTAL	292,194	324,343	-123,361	200,982	163,848

REQUEST DETAIL

Date: 12/13/2006

406 OFFICE OF THE LABOR COMMISSIONER

Bill#: SB2007

Time: 11:18:03

Biennium: 2007-2009

Description	Expenditures 2003-2005 Biennium	Present Budget 2005-2007	Budget Request Change	Requested Budget 2007-2009 Biennium	Optional Budget Request
OPERATING EXPENSES					
GENERAL FUND	199,056	211,473	-48,742	162,731	163,848
FEDERAL FUNDS	93,138	112,870	-74,619	38,251	0
SPECIAL FUNDS	0	0	0	0	0
TOTAL	292,194	324,343	-123,361	200,982	163,848
FUNDING SOURCES					
GENERAL FUND	874,919	961,239	14,460	975,699	163,848
FEDERAL FUNDS	453,506	498,965	-123,695	375,270	0
SPECIAL FUNDS	0	0	0	0	0
TOTAL FUNDING SOURCES	1,328,425	1,460,204	-109,235	1,350,969	163,848

CHANGE PACKAGE SUMMARY

406 OFFICE OF THE LABOR COMMISSIONER

Biennium: 2007-2009

Bill#: SB2007

Date: 12/13/2006

Time: 11:18:03

Description	FTE	General Fund	Federal Funds	Special Funds	Total Funds
AGENCY BUDGET CHANGES					
Cost To Continue	.00	63,202	-49,076	0	14,126
1 Decrease In Federal Revenue	.00	0	-74,388	0	-74,388
2 Inflationary Increase	.00	6,096	0	0	6,096
3 Change in Agency Needs	.00	-54,838	-231	0	-55,069
Agency Total	.00	14,460	-123,695	0	-109,235
OPTIONAL REQUESTS					
4 Toll-Free Telephone	.00	3,965	0	0	3,965
5 Education/Outreach Activities	.00	9,815	0	0	9,815
6 Information Technology	.00	13,268	0	0	13,268
7 Professional Development & Association Membership	.00	21,000	0	0	21,000
8 Discrimination Study	.00	55,600	0	0	55,600
9 Special Assistant AG Legal Fees	.00	53,000	0	0	53,000
10 Westlaw Subscription	.00	7,200	0	0	7,200
Optional Total	.00	163,848	0	0	163,848

BUDGET CHANGES NARRATIVE

406 OFFICE OF THE LABOR COMMISSIONER

Date: 12/13/2006

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Change Group: A	Change Type: A	Change No: 1	Priority:
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Decrease In Federal Revenue -

The department is projecting a decrease in federal revenue during the 2007-09 biennium of approx \$123,695 over our current biennium's federal spending authority. The decrease is due to changes in the public education and special enforcement funding pools previously available from the Department of Housing & Urban Development (HUD) and the reduction of case closure funding from the Equal Employment Opportunity Commission (EEOC) due to the department's success in eliminating a back-log of aged employment discrimination cases.

Change Group: A	Change Type: A	Change No: 2	Priority:
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Inflationary Increase -

Increases in telephone & data processing rates, copier service agreement, and insurance premiums require the department to budget additional funds in these areas.

Change Group: A	Change Type: A	Change No: 3	Priority:
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Change in Agency Needs -

Due to a variety of reasons (such as the appointment of an attorney as Commissioner of Labor, the anticipated resolution of the human rights lawsuit, and the discontinuation HUD Partnership Initiative activities), the department's needs in areas such as Professional Supplies & Materials and Professional Services) have changed as reflected here.

Change Group: A	Change Type: A	Change No: 100	Priority:
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OMB Outside Legal Counsel -

Executive Recommendation to increase operating by \$53,000 for outside legal counsel in cases that the Attorney General's Office can't be used due to a conflict of interest.

Change Group: A	Change Type: A	Change No: 101	Priority:
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OMB Education and Outreach -

Executive Recommendation to fund the continuance of the department's work to educate employers, housing providers, service providers, and citizens through participation in educational presentations & presence at pertinent conferences and to reach young workers through annual distribution of Youth Employment bookmarks to 8th graders throughout the state.

Change Group: A	Change Type: A	Change No: 102	Priority:
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OMB Professional Dev. and Memberships -

Executive Recommendation to increase operating by \$21,00 for professional development and association memberships.

Change Group: A	Change Type: A	Change No: 103	Priority:
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OMB Telephone and Westlaw -

Executive Recommendation of \$11,165 to continue the toll free telephone services and subscription to Westlaw.

Change Group: A	Change Type: A	Change No: 104	Priority:
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OMB IT Services -

Executive Recommendation of \$13,268 to fund necessary IT services and equipment.

Change Group: O	Change Type: A	Change No: 4	Priority: 1
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Toll-Free Telephone -

Funding to continue in-state toll-free telephone service.

Change Group: O	Change Type: A	Change No: 5	Priority: 3
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Education/Outreach Activities -

Funding to continue the department's work to educate employers, housing providers, service providers, and citizens through participation in educational presentations & presence at pertinent conferences. Also to reach young workers through annual distribution of Youth Employment bookmarks to 8th graders throughout the state.

Change Group: O	Change Type: A	Change No: 6	Priority: 4
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Information Technology -

Funding for replacement of 1/2 of the department's pc's (6 desktops w/o monitors) in accordance with SITAC recommendation, to continue Blackberry service for Human Rights Director, and to update the content and design of the department's web site (the current site was designed in 2001).

Change Group: O	Change Type: A	Change No: 7	Priority: 5
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Professional Development & Association Memberships -

Funding to continue staff training/certification through the National Association of Human Rights Workers (NAHRW), to continue participation in two national organizations - the National Association of Government Labor Officials (NAGLO) and the Interstate Labor Standards Association (ILSA), and to continue staff development through local opportunities such as membership in the Central Dakota Human Resource Association (CDHRA) and participation in the Chamber's Leadership program.

Change Group: O	Change Type: A	Change No: 8	Priority: 6
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Discrimination Study -

Funding to procure an updated research study into the perception and extent of discrimination in North Dakota.

Change Group: O	Change Type: A	Change No: 9	Priority: 7
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Special Assistant AG Legal Fees -

Funding to provide for outside legal counsel as needed in instances of conflict of interest with the Office of the Attorney General.

Change Group: O	Change Type: A	Change No: 10	Priority: 2
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Westlaw Subscription -

Funding to continue Westlaw subscription for Commissioner & Human Rights Director. Westlaw is used for legal research for casework and educational presentations.

NOTE: This item is priority #2, however due to order (timing) of entry it is not possible to readily have BARS show this item as priority #2 and have those thereafter renumbered to be 3-7.