
PROGRAM NARRATIVE

406 OFFICE OF THE LABOR COMMISSIONER

Date: 12/13/2006

Time: 12:00:32

Program: Office of Labor Commissioner	Reporting Level: 00-406-100-00-00-00-00000000
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PROGRAM PERFORMANCE MEASURES

The department continues to be dedicated to the principles of efficient and effective public service and will continue the use of its "Customer Service Improvement Plan" during the 2005-007 biennium to ensure timely and effective complaint resolutions for North Dakota citizens. Since the implementation of the Customer Service Improvement Plan in 2001, the department has tracked the impact of the strategic changes primarily by monitoring the pending agency caseloads. Due in large part to changes made under the plan, the number of cases pending with the department have been reduced significantly. Correspondingly, the average age of cases pending with the department has also been reduced dramatically. For example, on June 30, 2002, the department had had 215 pending employment discrimination complaints, with an average age of 355 days. As is shown in the data below, the department's current pending caseload is more manageable and is being dealt with in a more timely manner.

June 30, 2006

Pending Employment Discrimination Complaints = 36

Average Age = 94 days

Pending Claims for Unpaid wages = 77

Average Age = 77 days

Pending Claims for Housing Discrimination Complaints = 11

Average Age = 70 days

Pending Public Service/Public Accommodation & Credit Transaction Complaints = 5

Average Age = 58 days

The ongoing goal 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 transaction 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. While this goal has not yet been fully achieved, great strides have been made in improving the efficiency and effectiveness of the services provided to the public.

PROGRAM STATISTICAL DATA

The program statistical data here are for the 2003-05 biennium unless otherwise noted.

Wage and Hour

Wage Claims

Claims Received: 537

Claims Closed: 756
Total Dollar Amount Claimed: \$1,485,234
Total Dollar Amount Collected: \$290,866

Complaint Inquiries
Complaint Inquiries Received: 215
Total Dollar Amount Collected: \$82,163

Youth Employment
Total Employment and Age Certificates (work permits) Filed: 2,744

Independent Contractor Verification
Total Applications Reviewed: 5
Total Relationships Verified: 2

Employment Agency Licensing
Agencies Licensed: 1

Sub-Minimum Wage Licenses
Disabled Employees Working Under Sub-Minimum Wage Licenses: 1,465
Vocational Students Working Under Sub-Minimum Wage Licenses: 0

Human Rights

Equal Employment Opportunity
New Charges Received: 223
Total Charges Closed: 267
Total Settlement Amount: \$347,765

Housing Discrimination
Complaints Filed: 66
Complaints Closed: 76
Total Settlement Amount: \$17,280

Discrimination in Public Services, Public Accommodations, and Credit Transactions
Complaints Filed: 83
Complaints Closed: 71

Employment Retaliation
Complaints Filed: 36
Complaints Closed: 45

EXPLANATION OF PROGRAM COSTS

During the 2005 biennium, 78% of the Department of Labor's regular program expenditures are being utilized for staff salaries and benefits. The remaining 22% is being spent on operating expenditures such as day-to-day operation of the office, travel for program work and staff training, and proactive educational activities - all of which directly support of the department's programs.

For the 2007 biennium, the department projects that 85% of its budget will be spent on salaries and benefits and that 15% will be utilized on operating expenses, primarily in the areas noted above. These percentages are based on the department's base budget request. If all optional packages are approved, the department projects that 76% of its budget will be spent on salaries and benefits, and 24% will be utilized for operating costs.

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 laws to prevent violations;

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 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 and prevent violations;

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

Biennium: 2007-2009

Bill#: SB 2007

Date: 12/13/2006

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Program: Office of Labor Commissioner		Reporting Level: 00-406-100-00-00-00-00000000			
Description	Expenditures 2003-2005 Biennium	Present Budget 2005-2007	Budget Request Change	Requested Budget 2007-2009 Biennium	Optional Request 2007-2009
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

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Biennium: 2007-2009

Bill#: SB 2007

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Program: Office of Labor Commissioner		Reporting Level: 00-406-100-00-00-00-00000000			
Description	Expenditures 2003-2005 Biennium	Present Budget 2005-2007	Budget Request Change	Requested Budget 2007-2009 Biennium	Optional Request 2007-2009

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

PROGRAM FUNDING SOURCES

FEDERAL FUNDS	453,506	498,965	-123,695	375,270	0
GENERAL FUND	874,919	961,239	14,460	975,699	163,848
SPECIAL FUNDS	0	0	0	0	0
PROGRAM FUNDING TOTAL	1,328,425	1,460,204	-109,235	1,350,969	163,848

FTE EMPLOYEES

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FUNDING DETAIL

GENERAL FUND	874,919	961,239	14,460	975,699	163,848
FEDERAL FUNDS					
R018 EQUAL EMPLOY OPP. COMM.	137,619	139,710	-23,741	115,969	0
R081 FAIR HOUSING	315,887	359,255	-99,954	259,301	0
TOTAL	453,506	498,965	-123,695	375,270	0

CHANGE PACKAGE DETAIL

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Biennium: 2007-2009

PROGRAM: Office of Labor Commissioner	REPORTING LEVEL: 00-406-100-00-00-00-00000000				
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 REQUEST

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