



March 2015

## Bureau of Labor and Industries

Brad Avakian, Commissioner

### 2015-2017 Budget presentation



The Bureau of Labor and Industries protects Oregon workers, serves as a resource for Oregon employers, and strengthens our state's economy through skills training and leading edge workforce development.



# Agency history

- Legislature establishes Bureau of Labor Statistics and Inspector of Factories and Workers in 1903
- Bureau charged with maintaining “friendly relations” between employers and employees
- First Labor Commissioner, O.P. Hoff, served as Bureau's first and only employee, responsible for enforcing child labor laws, the 10-hour working day for women and the factory inspection law



# Protecting workers and industry

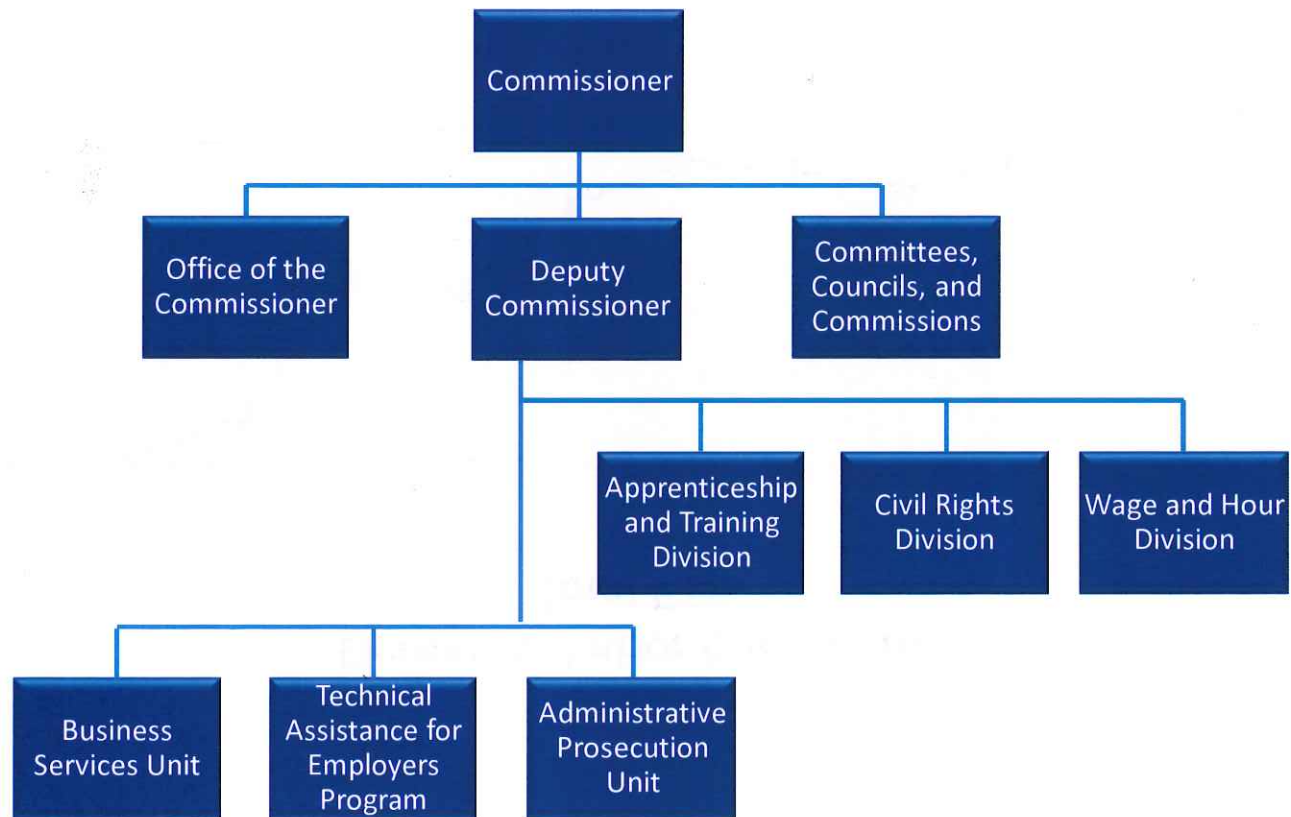
Today, BOLI has nearly 100 staff members in offices around the state, with a total two-year budget of approximately \$24 million.

The Bureau of Labor and Industries:

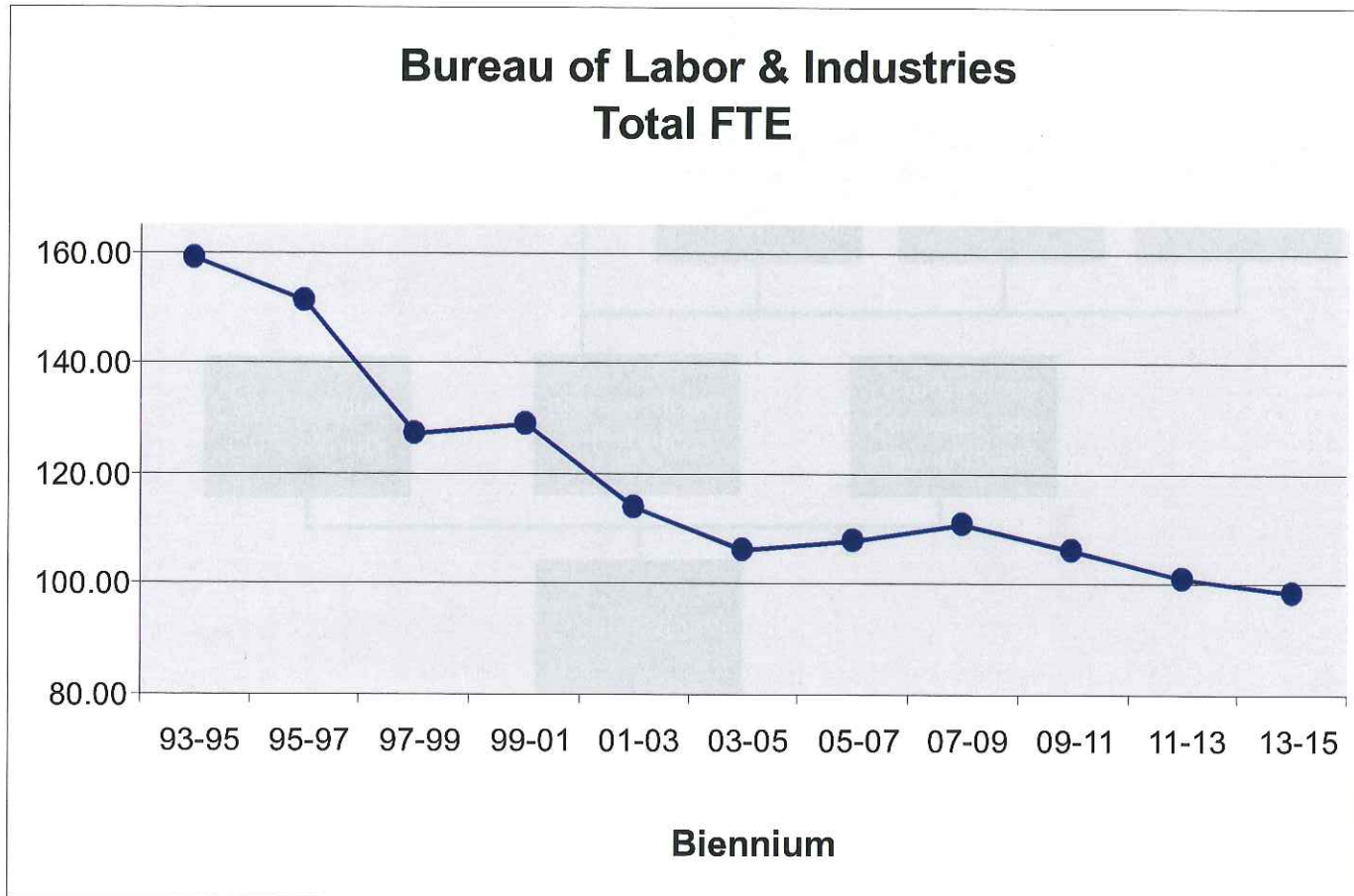
- Protects Oregon's workforce
- Supports Oregon employers through technical assistance
- Strengthens our state's economy by helping to create a pipeline of highly skilled, well-trained workers



# Organizational chart

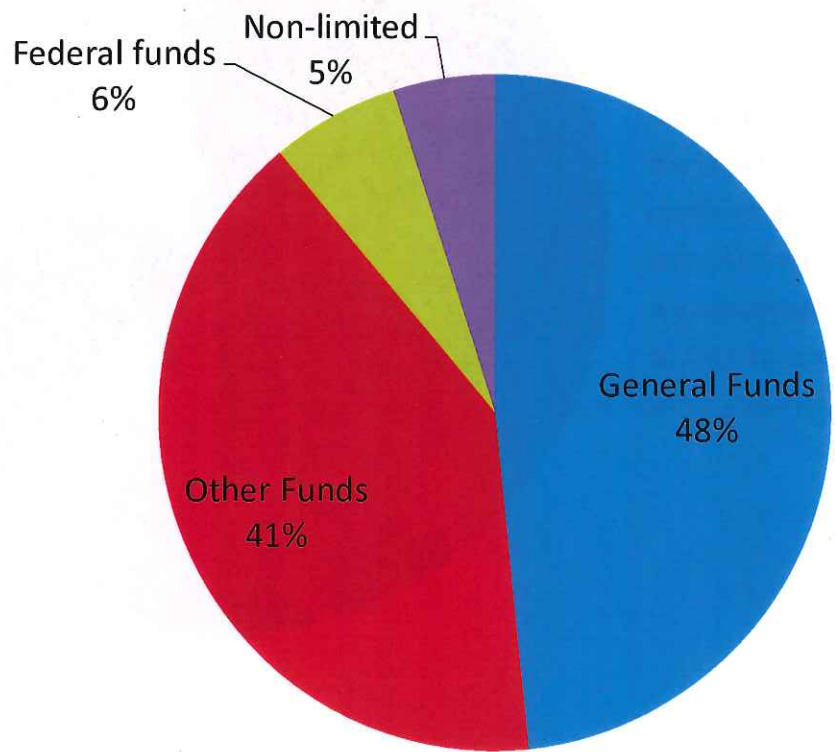


# FTE reductions



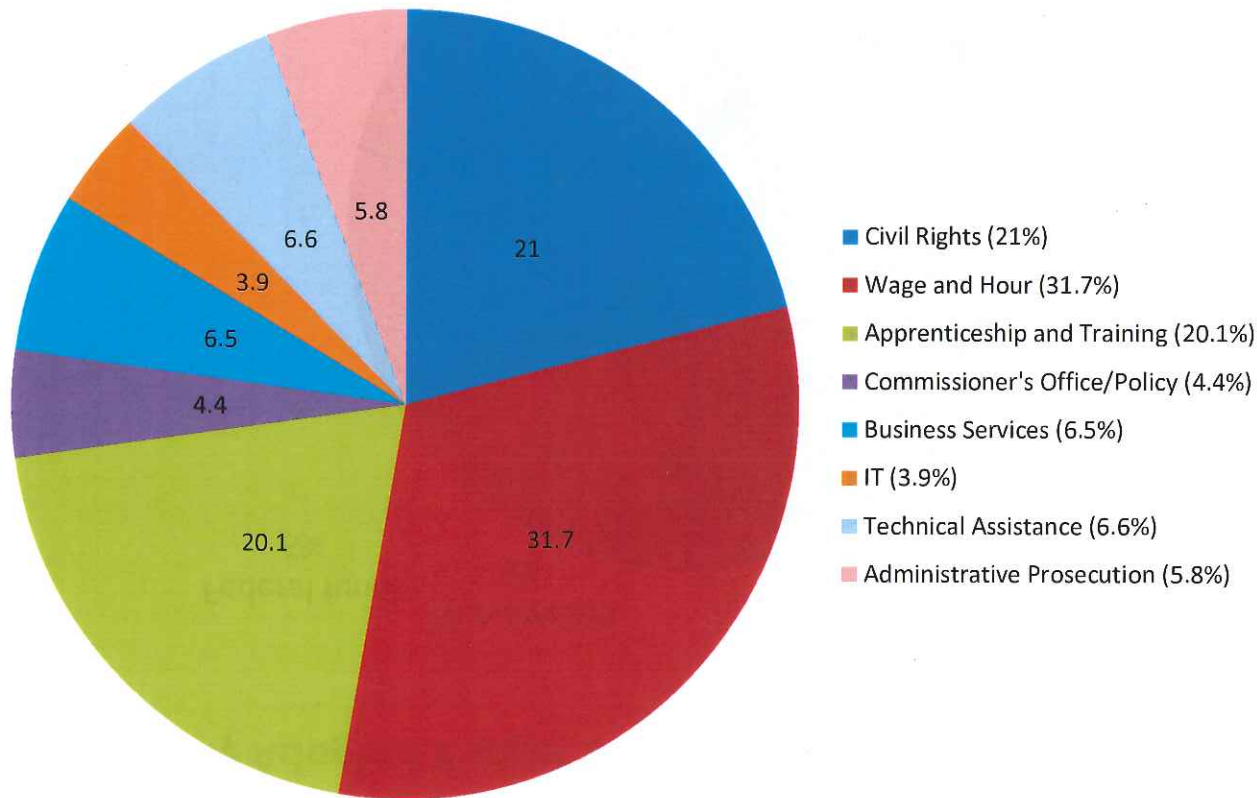
# BOLI's budget sources

Legislatively Adopted Budget 2013-2015 Percentage by Fund Source



# BOLI's budget sources

Legislatively Adopted Budget 2013-2015 Percentage by Program





# Summary of 2015 BOLI Legislation

Bill Number	Title	Description	Related Statute(s)
HB 2006	Equal Pay	The current equal pay law is insufficient and unenforceable. This concept makes the practice of paying employees of opposite sex who hold equivalent jobs a different wage a violation of civil rights law.	652.900, 659A
HB 2007	Wage Transparency	Prohibits disciplinary action against employee that inquires about or discloses wage information.	659A
HB 2374	Pay by Signature	Makes paying signature gatherers by the signature a wage and hour violation as well as an elections violation.	652
HB 2386	Cease and Desist	BOLI currently has cease and desist authority for civil rights violations. This concept expands the cease and desist authority to also include violations of wage and hour statutes.	651.060, 652.332
HB 2387	Bonding	Gives BOLI authority to administratively enforce requirement that employers post bonds for wages where they have failed to pay wages or maintain a regular payday.	652.125,652.340
SB 380	Discretion in Housing Cases	Changes current statute to give BOLI more discretion in housing cases, particularly when parties elect to take the case to court out of the BOLI forum.	659A.845, 659A.870
SB 468	Garnishment	Grants authority of Bureau to collect judgments owed through administrative process for garnishment.	18.854





# Apprenticeship and Training

# Apprenticeship and Training Division

- Assists business and industry in identifying skills training gaps and developing registered training programs
- Registers and monitors the operation of registered apprenticeship programs, tracking and certifying skills attainment by participants and provides oversight to programs to ensure that they meet all statutory obligations
- Provides technical assistance to employers, labor unions and industry groups operating apprenticeship programs
- Certifies approximately 1,200 new journey workers every year
- The Equal Employment Opportunity requirements of registered apprenticeship programs have led to an increase in the proportion of protected class minorities enrolled in registered apprenticeship programs – from 12.67% of all participants in June 2009 to 16.18% in January 2015

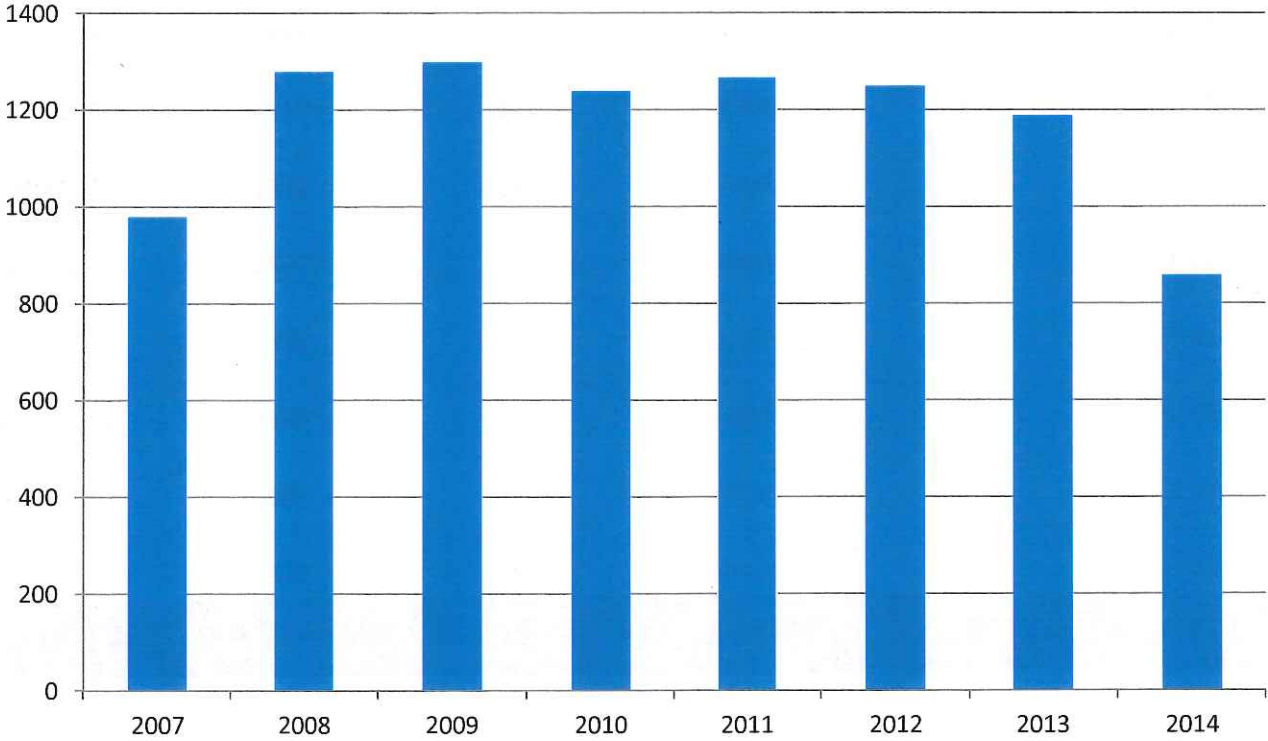


# Apprenticeship Division Fast Facts



# Creating a pipeline of skilled workers

Year End Workforce Program Completions

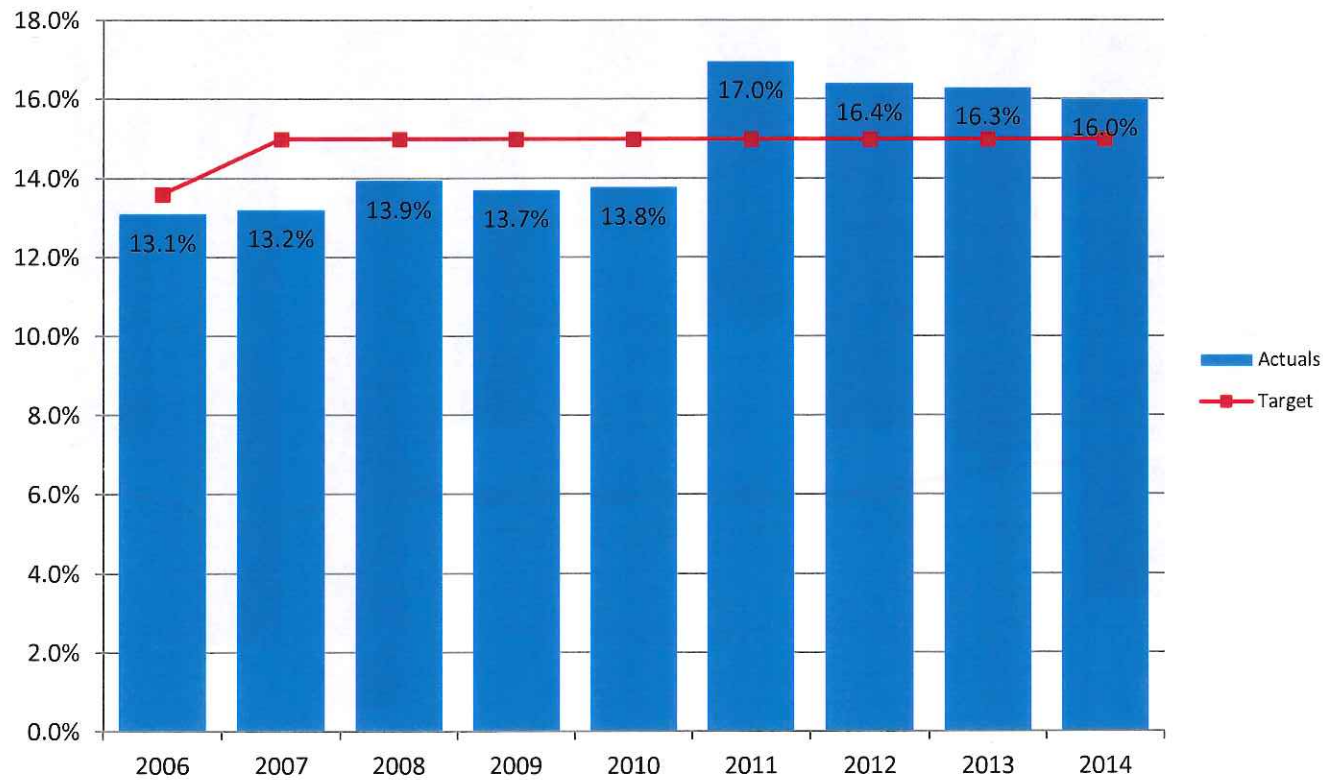


# Total apprenticeship completions

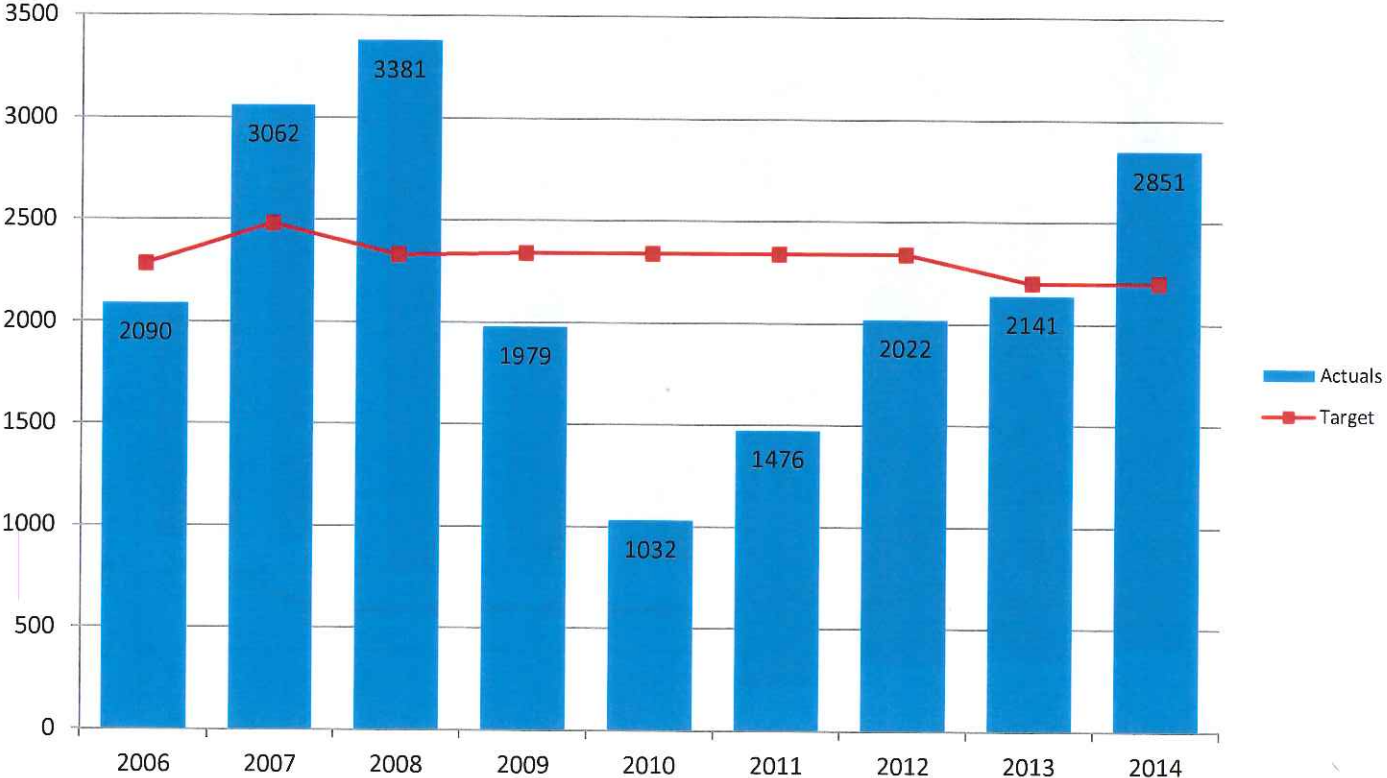
Fiscal Year	Total Number of Completions	Number of Women	Percentage of Women	Number of Minorities	Percentage of Minorities
2005-2006	1252	38	3.04%	151	12.06%
2006-2007	949	30	3.16%	119	12.54%
2007-2008	1142	50	4.38%	129	11.30%
2008-2009	1339	59	4.41%	179	13.37%
2009-2010	1350	48	3.56%	149	11.04%
2010-2011	1336	68	5.09%	266	19.91%
2011-2012	1272	49	3.85%	140	11.01%
2012-2013	1189	46	3.87%	139	11.69%
2013-2014	860	53	6.16%	127	14.77%



# Percentage of Minority Apprentices



# Newly Registered Apprentices





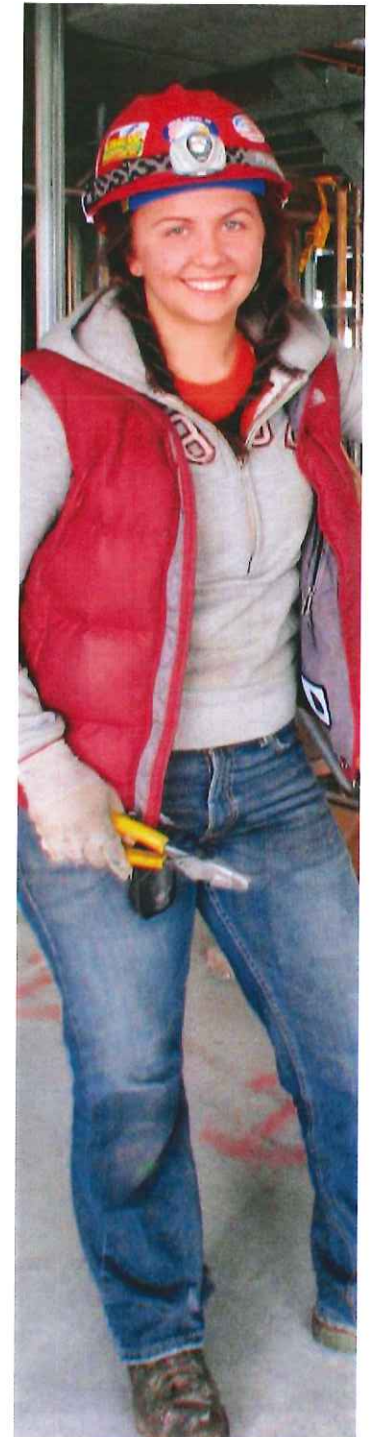
# Program changes

- Shift away from compliance towards facilitating outreach, recruitment and selection of apprentices to accommodate the expansion of registered apprentices
- Increased collaborations with Oregon Department of Education, Oregon Employment Department and Office of Community Colleges and Workforce Development to make registered apprenticeship a part of Oregon's workforce and education strategic plans



# Ongoing improvement

- BOLI is focused on addressing the continuing need to link K-12 education, community colleges and registered apprenticeship for the benefit of students and employers
- Division works to increase female and minority participation in registered apprenticeship and to increase program completions among women and minorities





## Wage and Hour Division

# Division overview

The Wage and Hour Division protects the employment rights of Oregonians by investigating claims and complaints from workers relating to:

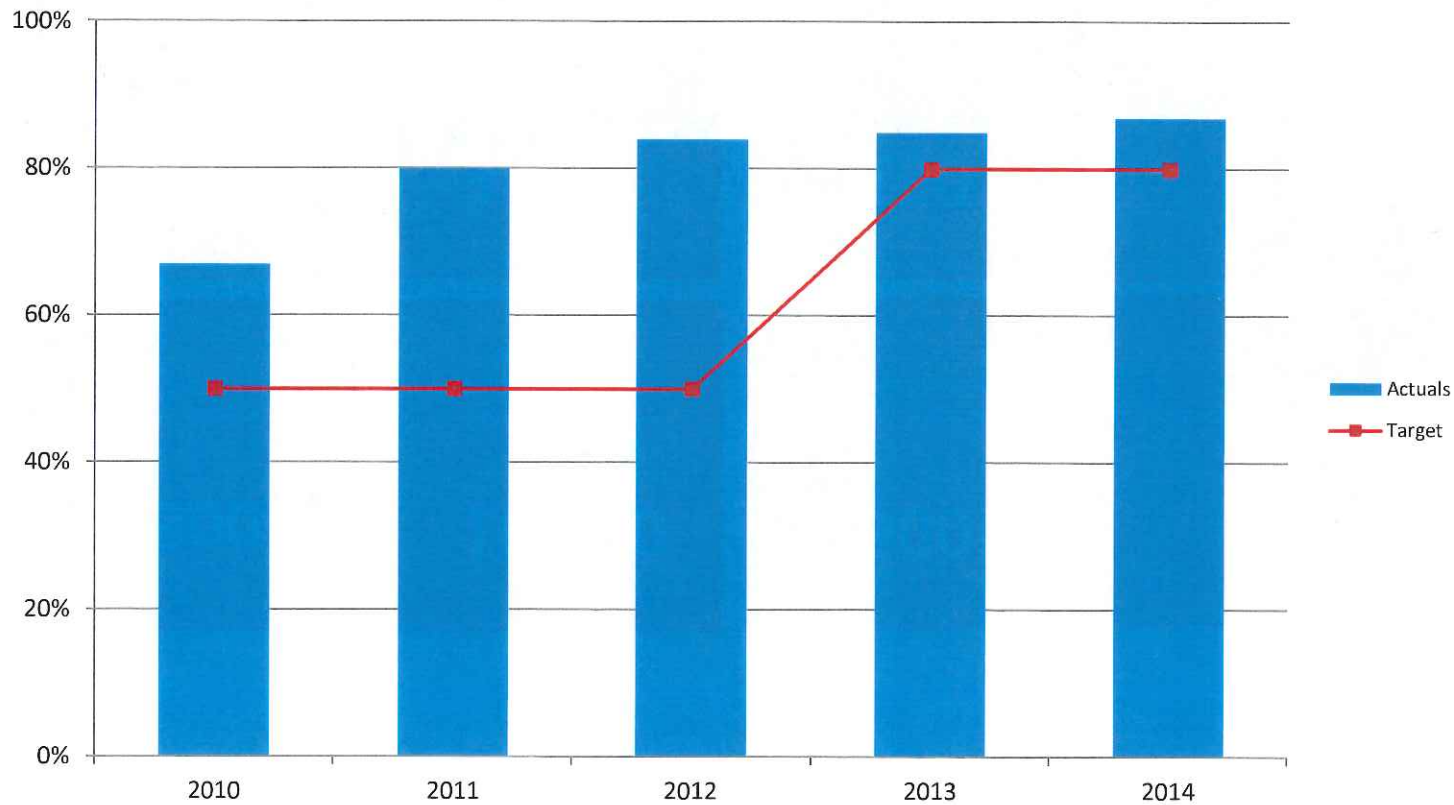
- The payment of wages and working conditions, including minimum wage and overtime
- Protecting children in the workplace
- Enforcing payment of prevailing wage rates on public works contracts
- Licensing and regulating farm and forest labor contractors, and, beginning July 2015, construction labor contractors



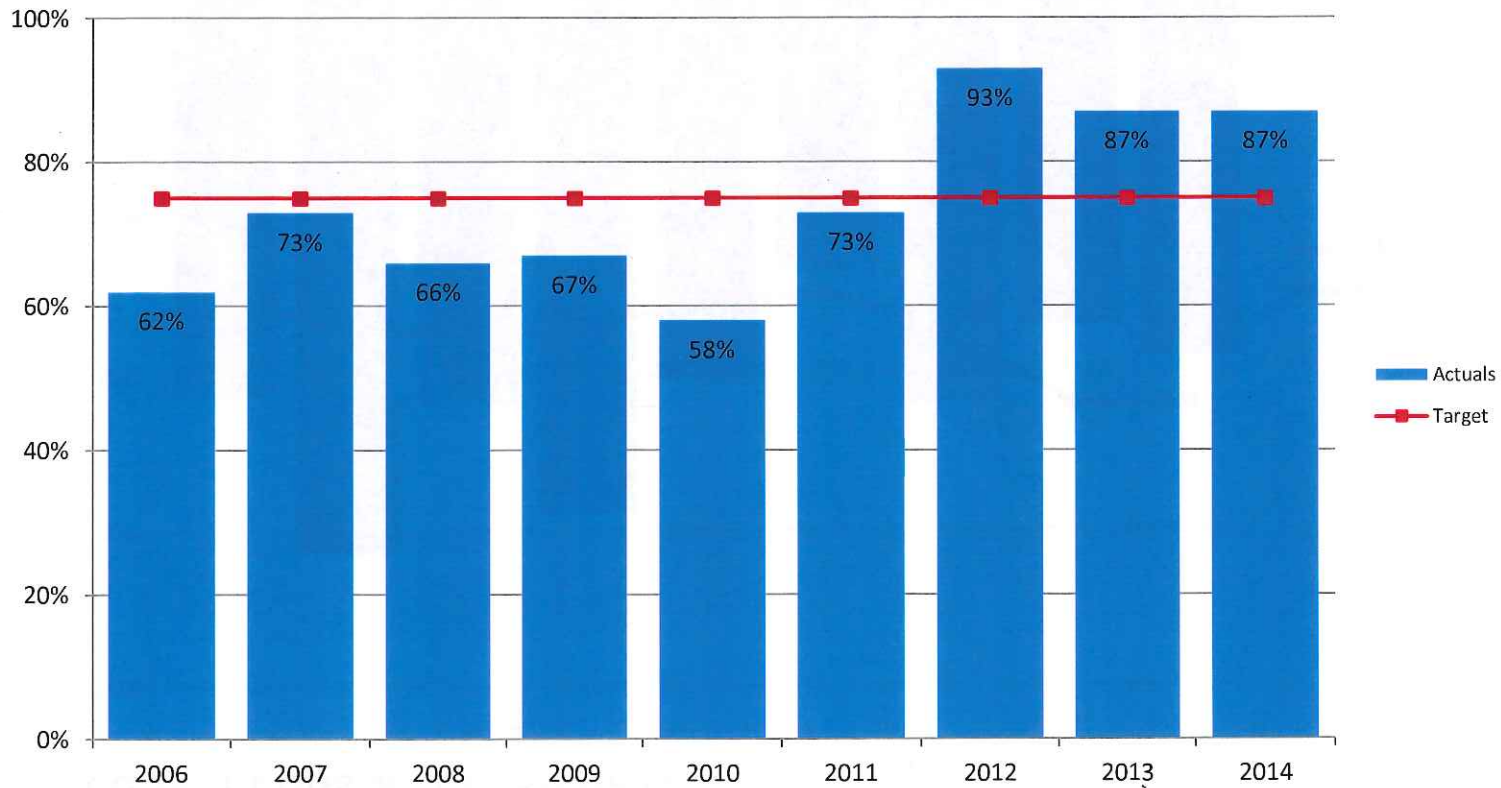
# Wage and Hour Division: Fast Facts



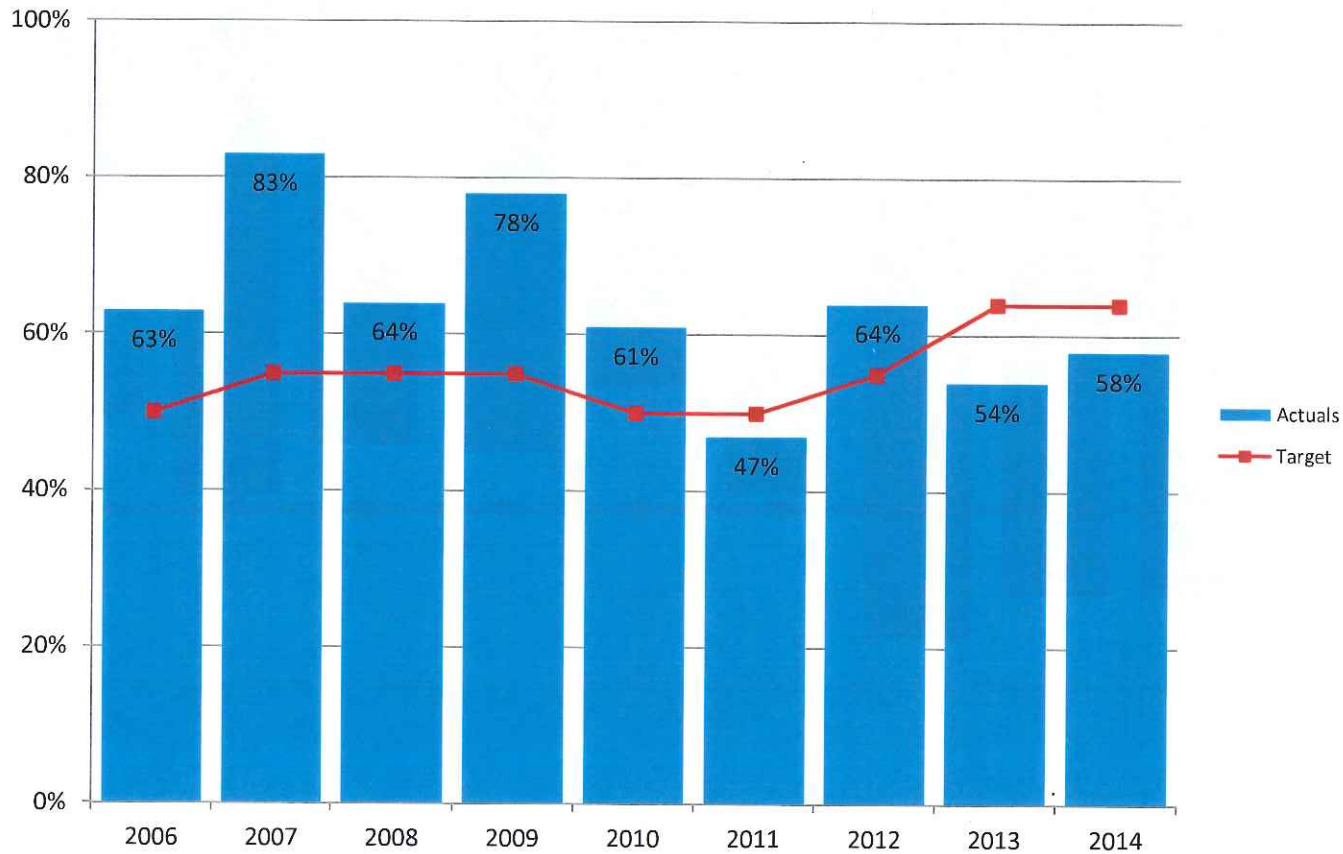
# Timely processing of complaints



# Timely wage security claim processing

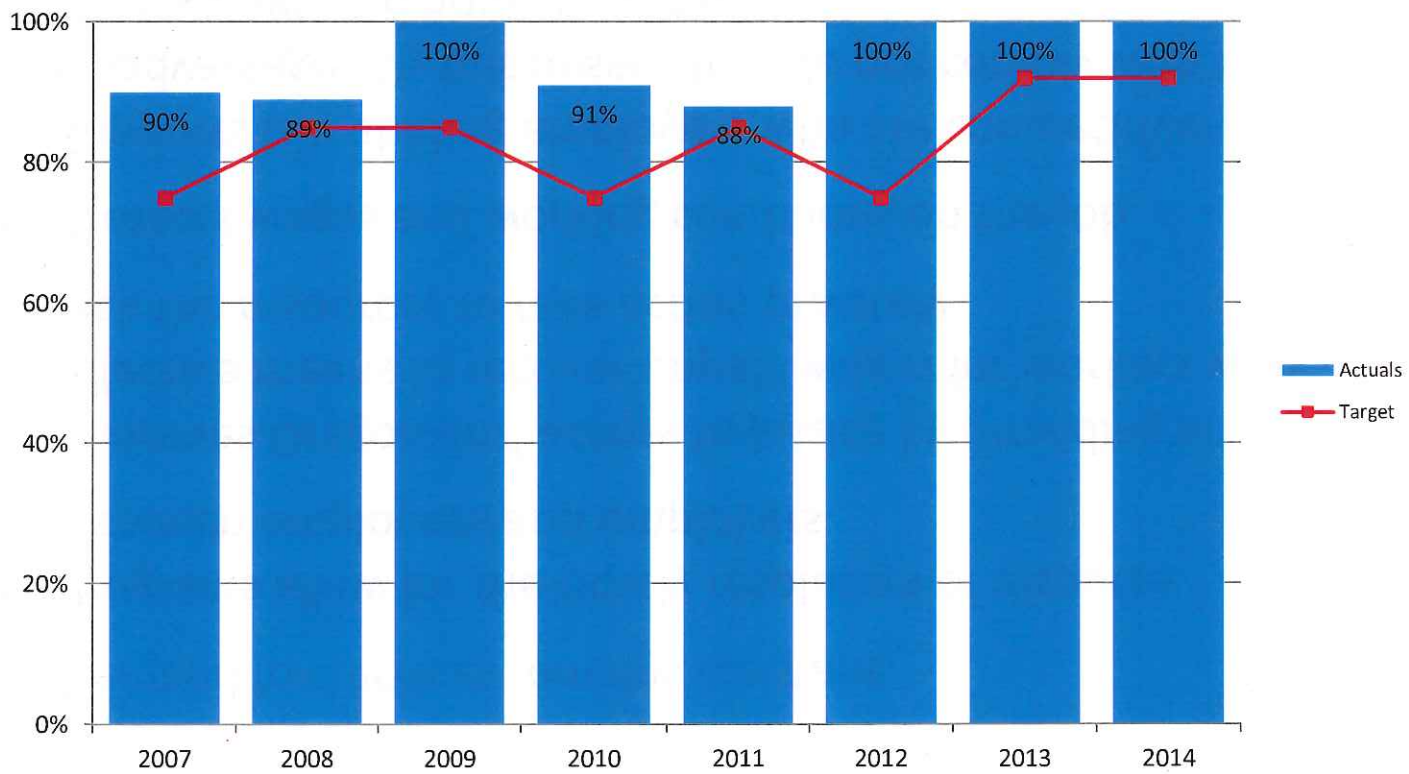


# Prevailing Wage Investigations: Completions within 90 days





# Prevailing Wage Pre-determinations: Completions within 15 days



# Wage and Hour Division: Summary

- Demand for services remains constant
- Programs allow for the timely resolution of disputes between employees and employers
- Improves Oregonians' access to justice by providing an effective means to recover unpaid wages for workers who lack the resources to take action privately
- Protects wages and working conditions on the job
- Supports law-abiding employers who are competitively disadvantaged by businesses that do not comply with the state's wage and hour regulations





# Civil Rights Division

# Civil Rights Division: Overview

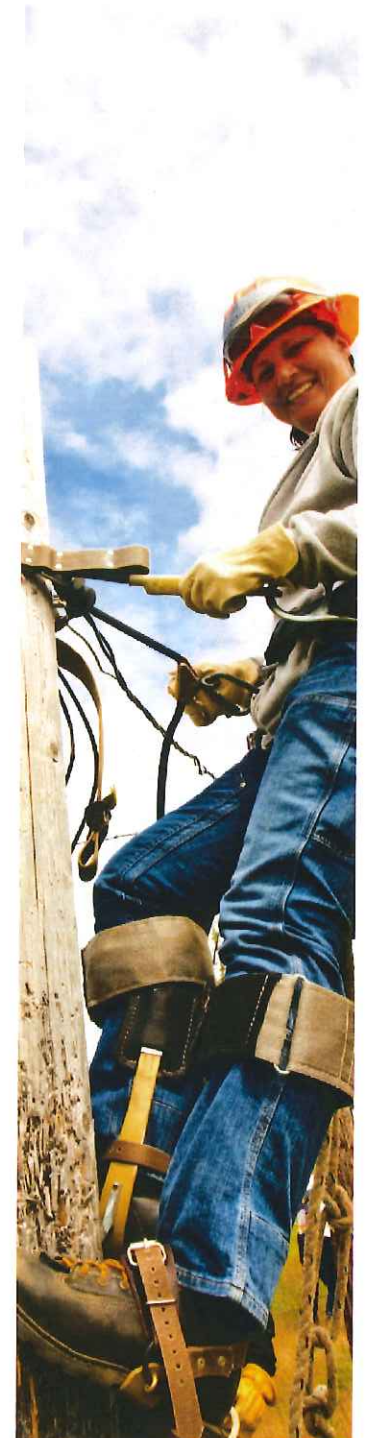
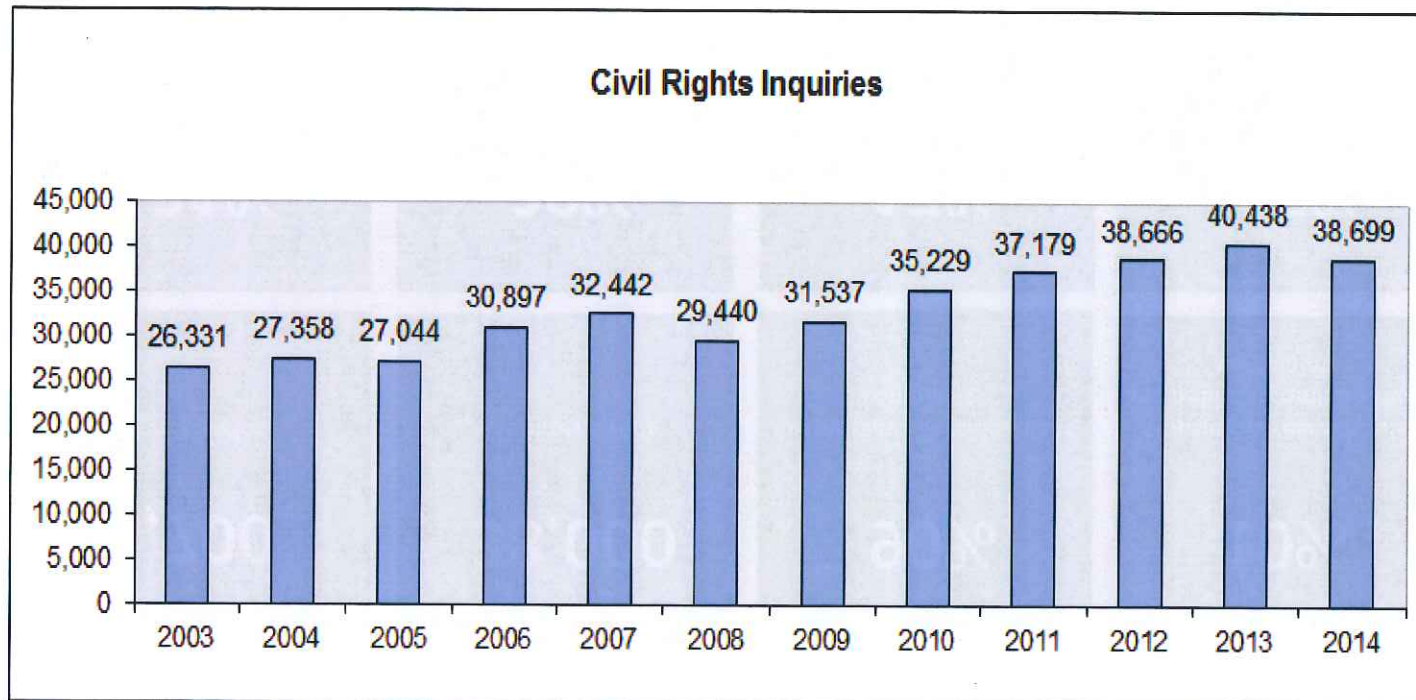
- The Civil Rights Division works to ensure that Oregonians are treated fairly in employment, housing and public accommodations. The division:
  - Enforces laws that grant job seekers and employees equal access to jobs, promotions, and a work environment free from discrimination and harassment
  - Provides retaliation protection when reporting worksite safety violations, using family leave, or workers' comp
  - Protects individuals seeking housing or the use of public facilities (retail establishments, transportation, etc.)
  - Ensures equal access to career schools



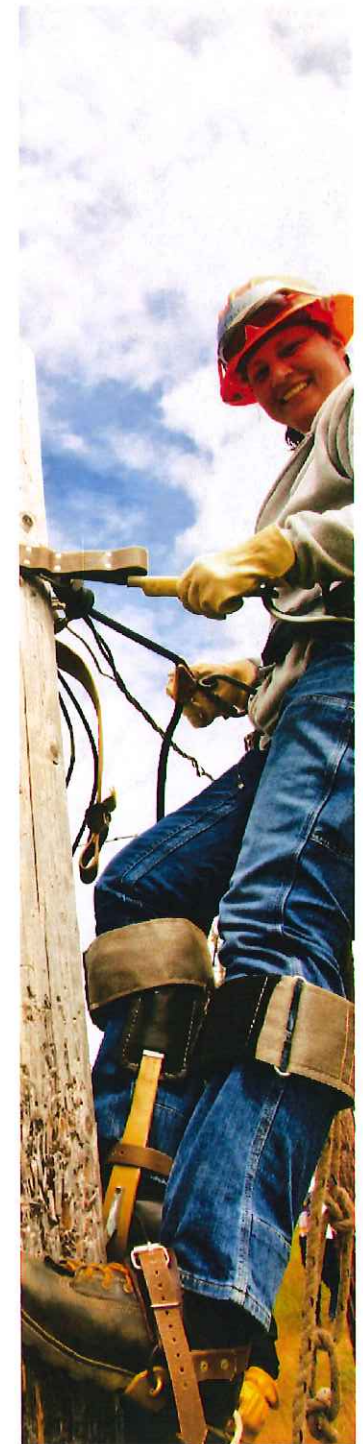
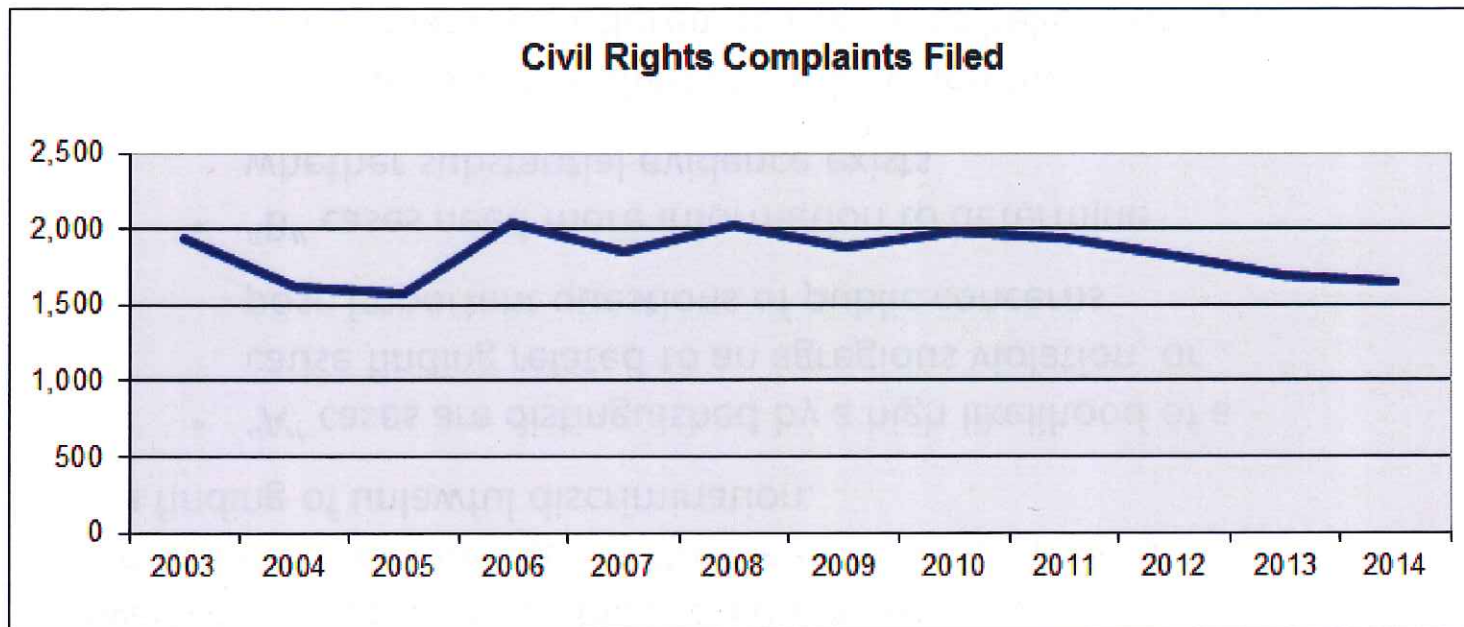
# Civil Rights Division: Fast Facts



# Civil Rights Division: Inquiries



# Civil Rights Division: Complaints filed



# Strong and cost-effective enforcement

The Civil Rights Division's triaging system optimizes investigative resources to focus on the most meritorious complaints by expediting the closure of cases unlikely to result in a finding of unlawful discrimination.

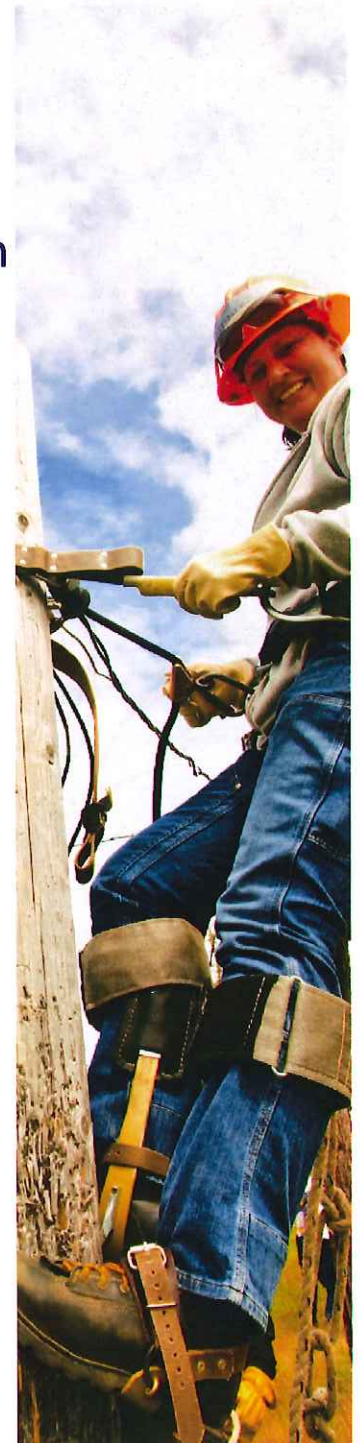
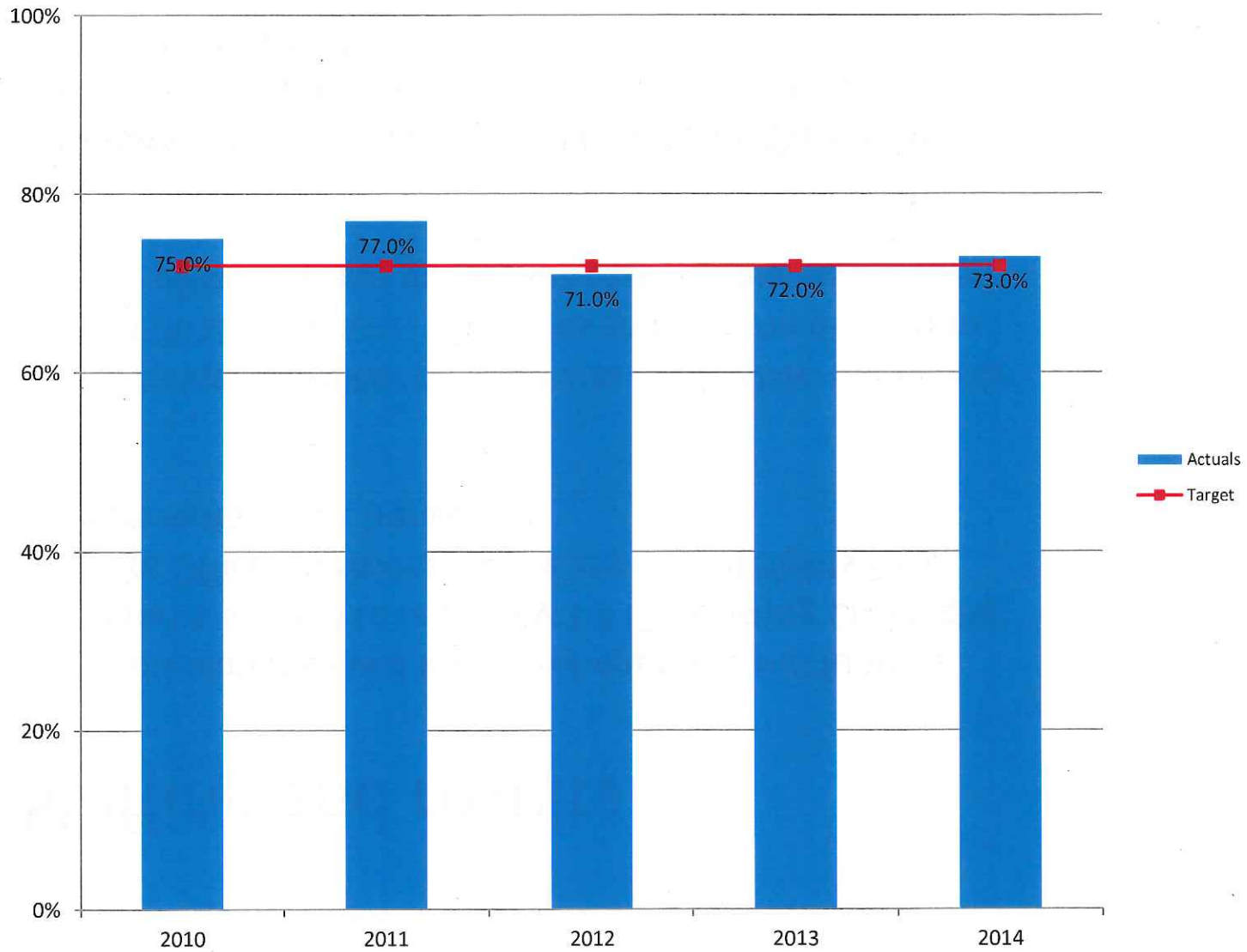
- "A" cases are distinguished by a high likelihood of a cause finding related to an egregious violation, or pose important questions of public concerns
- "B" cases need more information to determine whether substantial evidence exists
- "C" cases are identified at intake when the complainant has offered no reason to believe further investigation is likely to yield substantial evidence of an unlawful practice





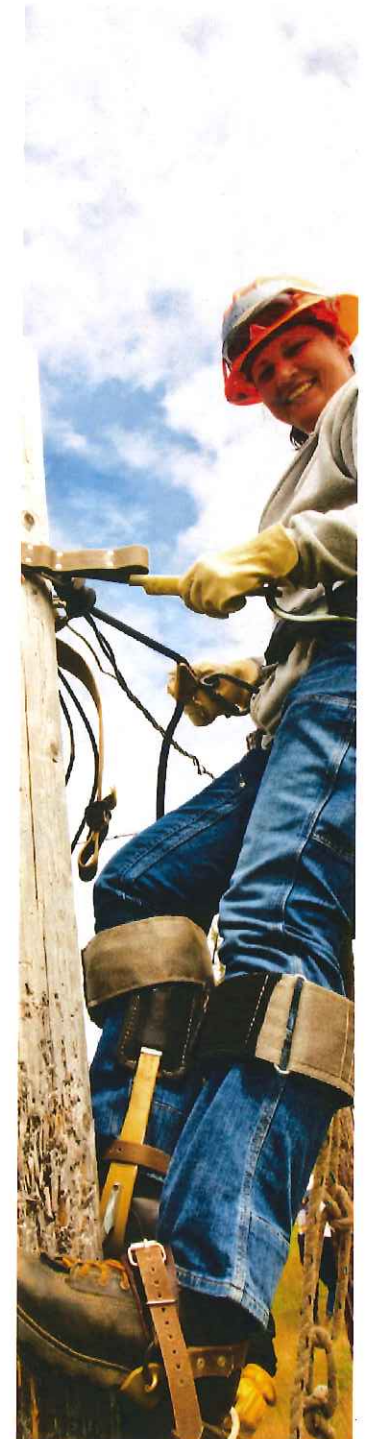
# Response time

Targets for intake, completion of charge, interview and investigation



# Staffing and results

- The division received legislative approval and funding authority in 2013 to reclassify 2.0 FTE existing Civil Rights Intake Officer positions (range 19) to Civil Rights Field Representatives 1 (range 21)
- A third Intake Officer position was established during the 2013-2015 biennium, which has enabled the division to more efficiently and quickly process complaints received
- **Results:** The division has greatly improved the intake backlog and will continue to strive to achieve its performance goals



A photograph showing a man in a dark suit standing at the front of a room, addressing a group of people. The audience is seen from behind, looking towards the speaker. The room has a large screen or wall in the background.

## Technical Assistance for Employers

# Technical Assistance Program: Services for Oregon Employers

- Telephone and email service to provide guidance and answers on employment law questions
- Conducts statewide public seminars and onsite customized training
- Writes and publishes 8 employer handbooks
- Updates composite employment law posters each year
- Maintains website with fact sheets and FAQs
- Holds an annual conference each year



# Technical Assistance for Employers



# Technical Assistance Program: Staffing and funding

## Current Staffing

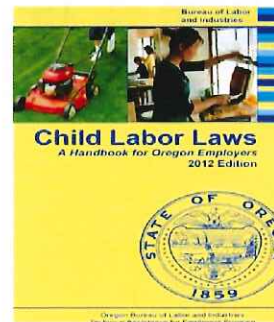
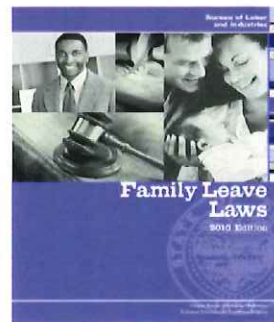
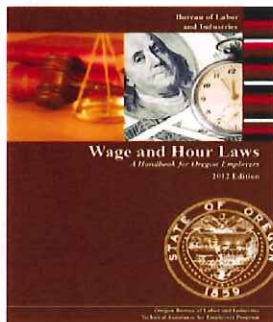
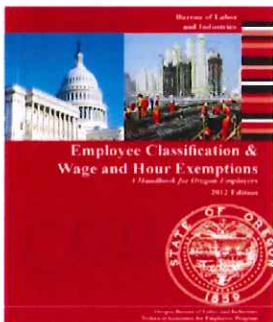
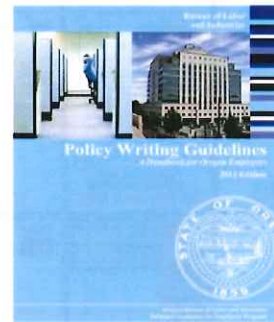
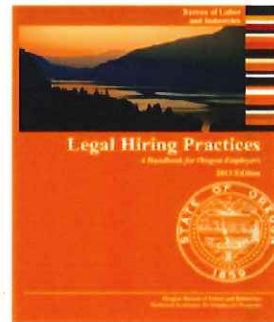
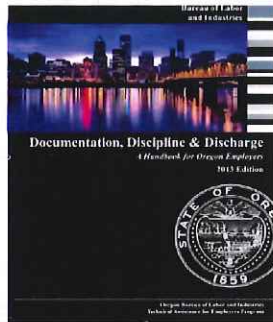
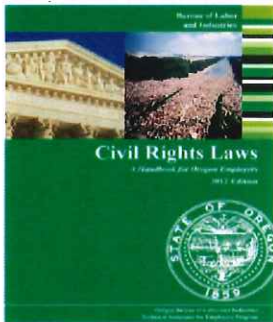
- 6 FTE

## Funding

- 2 positions receive General Funds
- 4 positions are Other Funds and are paid with fees for seminars and handbook/poster sales



# Technical Assistance Program Employer handbooks



# Technical Assistance Program Composite posters





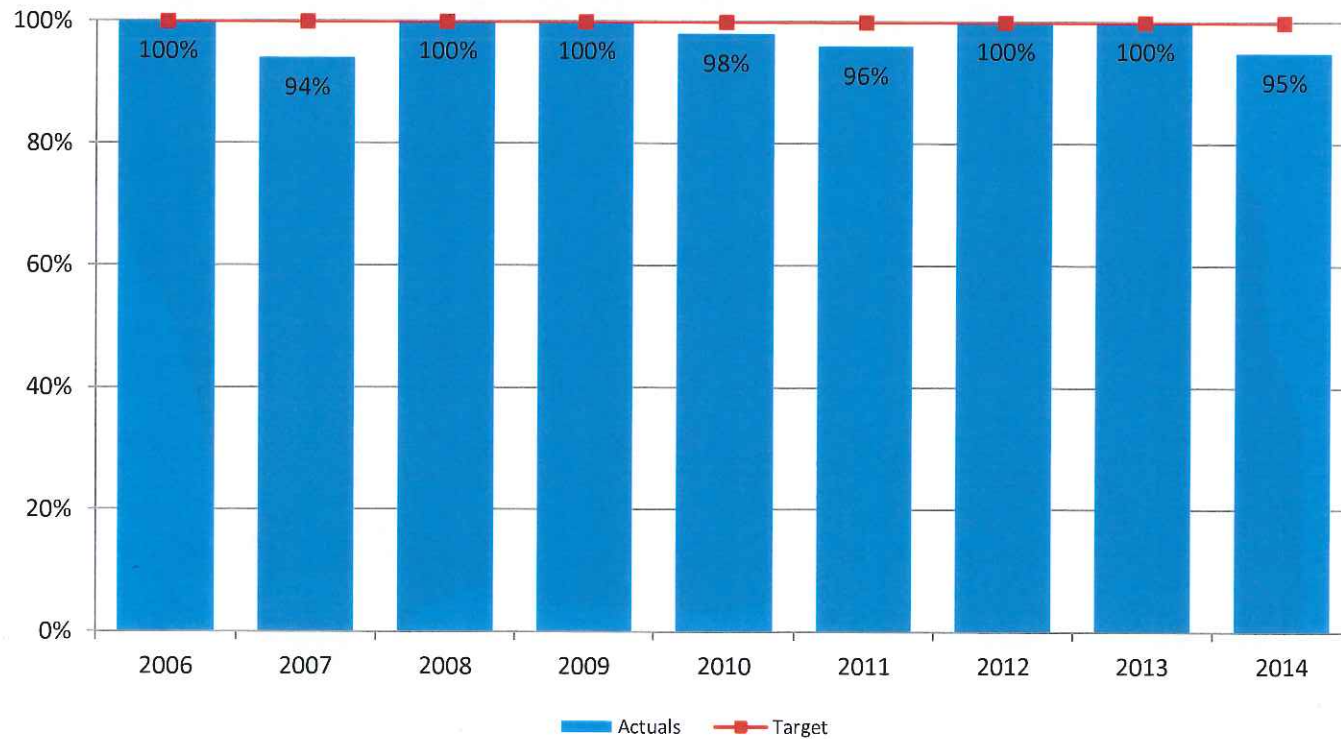
# Statewide trainings in 2014



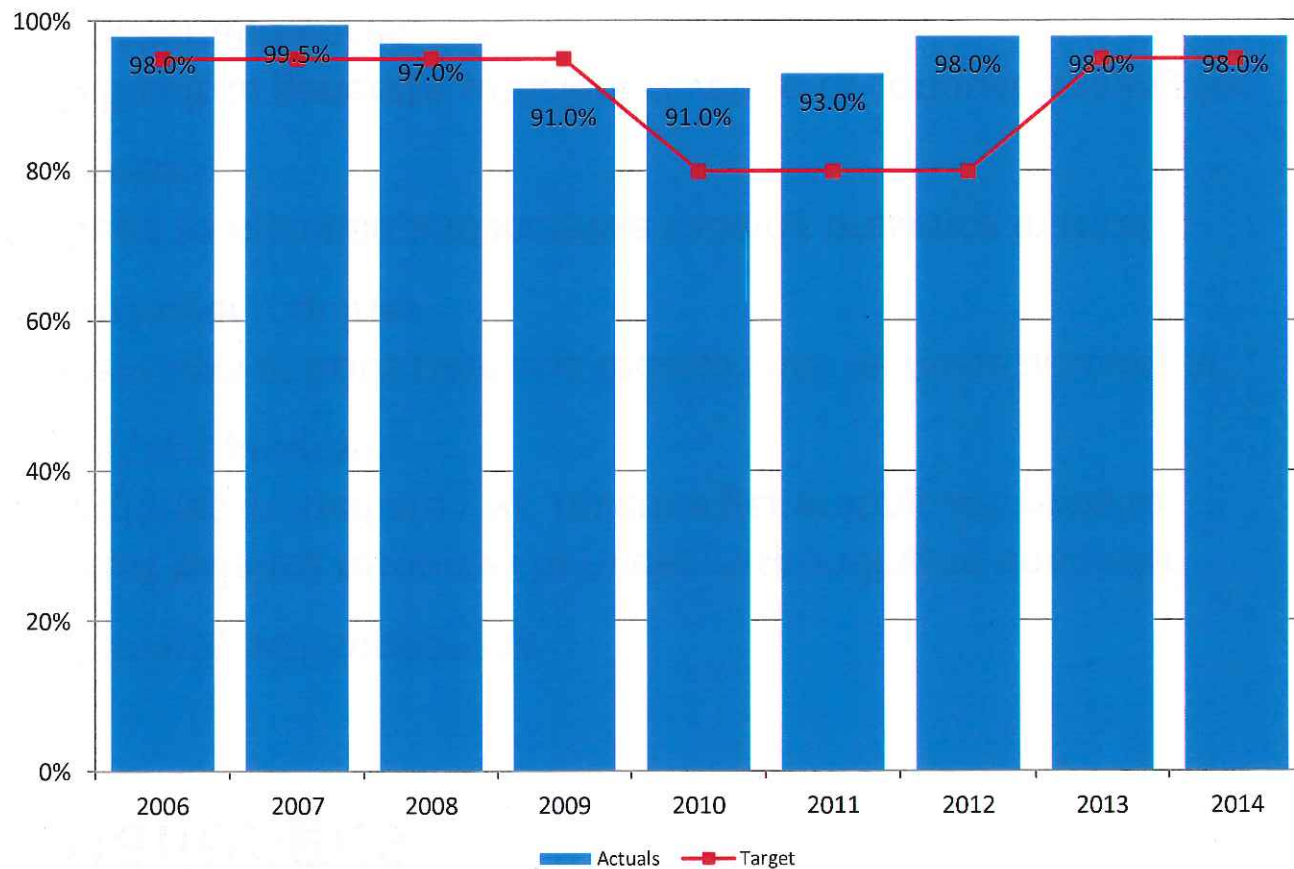
- 165 Seminars conducted
- 26 percent outside Portland/Salem/Eugene
- 14 in the Coast Region
- 16 in Eastern/Central Oregon
- 15 in Southern Oregon



# Excellent customer rating



# Call response within two business days



# Challenges

- Primarily self-supporting
- Must balance resources between responding to employer inquiries immediately vs. revenue generating activities to support program
- New laws at both state and federal level increase amount of employer inquiries
- Need to maintain and increase training presence in rural Oregon
- Difficult to generate sufficient revenue to conduct training for smaller audiences



# Improvements

- Configuration of phone system has increased responsiveness and efficiency when responding to employer inquiries
- Researching remote training options
- Partnering with organizations and chambers to bring low-cost training to rural areas
- Providing half-day vs full-day training sessions to accommodate smaller employers
- Working on e-commerce project for online registration and publication store to increase customer service and free up staff time
- Adding resources available on website



# Policy Option Package for TA

## **Establish two Training and Development Specialist 1 Positions**

- Focus on timely and accurate response to employer questions via the phone and email services
- Maintain website information
- Assist with development of new training materials
- Assist with marketing and promotion of Technical Assistance employer services

## **Establish one Training and Development Specialist 2 Position**

- Focus on revenue generating activities
- Develop new training content based on new laws and employer demand
- Conduct more training in rural Oregon
- Additional website information and resources
- Timely updating of employer handbooks and other publications





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