

UPDATED OTHER FUNDS ENDING BALANCES FOR THE 2013-15 & 2015-17 BIENNIA

Agency: Bureau of Labor and Industries
 Contact Person (Name & Phone #): Terry Bonebrake 971-673-0812

(DCR)	(a)	(b)	(c)	(d)	(e)	(f)		(g)		(h)	(i)	(j)
	Other Fund Type	Program Area (SCR)	Treasury Fund #/Name	Category/Description	Constitutional and/or Statutory reference	2013-15 Ending Balance		2015-17 Ending Balance		In CSL	Revised	
						In LAB	Revised	In CSL	Revised			
010-01	Other Fund Limited	Commissioner's Office	8390000401/BOLI operating and 839000506/WSF	Operations	ORS 651.160 - 651.185 / ORS 652.409	24,812	24,812	0	0			
010-02	Other Fund Limited	Administrative Services	8390000401/BOLI operating	Operations	ORS 651.160 - 651.185	195,516	195,516	251,777	251,777			Covers roughly 4-6 months operating reserves within SCR 010-00.
010-03	Other Fund Limited	Technical Assistance	8390000401/BOLI operating	Operations	ORS 651.160 - 651.185	253,555	243,304	94,849	5,832			Revised Rev. projection based on Pkg. 103 and proposed OF expenditures.
010-04	Other Fund Limited	Hearings Unit	8390000401/BOLI operating and 839000506/WSF	Operations	ORS 651.160 - 651.185 / ORS 652.409	27,410	27,410	1	1			Unit name changed to Administrative Prosecution Unint in 15/17.
010-06	Other Fund Limited	Information Technology	8390000401/BOLI operating and 839000506/WSF	Operations	ORS 651.160 - 651.185 / ORS 652.409	16,129	16,129	0	0			
SCR: 010-00	Other Fund Limited	010-00-00-00000/ Commissioner's Office/Supp Svcs				517,422	507,171	346,627	257,610			
030-01	Other Fund Limited	CRD Admin	8390000401/BOLI operating	Operations	ORS 651.160 - 651.185	229,839	224,839	212,066	212,066			Projected rev. for public records request is below projected by roughly \$5K. In addition to copy fee request, ending fund balance include CRD OSHA. Covers Other Fund operating reserves within SCR 030.
030-02	Other Fund Limited	Injured Worker	8390000401/BOLI operating	Operations	ORS 651.160 - 651.185	129,726	129,726	283,253	284,470			Covers Other Fund operating reserves within SCR 030.
SCR: 030-00	Other Fund Limited	030-00-00-00000/ Civil Rights Division				359,565	354,565	495,319	496,536			
040-01	Other Fund Limited	Wage and Hour Admin	8390000401/BOLI operating	Operations	ORS 651.160 - 651.185	23,477	23,477	5,757	5,757			
040-04	Other Fund Limited	Wage Security Fund Admin.	839000506/WSF	Operations	ORS 652.409	1,983	1,983	0	0			
040-08	Other Fund Limited	PWR-Enforcement	8390000401/BOLI operating	Operations	ORS 651.160 - 651.185	1,614,366	1,608,643	1,492,225	1,520,018			Covers PWR agency wide operating reservers.
040-09	Other Fund Limited	PWR-TA	8390000401/BOLI operating	Operations	ORS 651.160 - 651.185	1,355	1,355	0	0			
SCR: 040-00	Other Fund Limited	040-00-00-00000/ Wage and Hour Division				1,641,181	1,635,458	1,497,982	1,525,775			
040-04	Other Fund Non-Limited	040-00-00-00000/ Wage and Hour Division	839000506/WSF	Operations	ORS 652.409	6,247,897	6,207,897	8,350,684	8,330,684			Covers WSF agency wide operating reserves and potential claim payouts for 24 months. The diversion from Employment Dept. occurs the first quarter of the second year within the biennium.
050-10	Other Fund Limited	ATD Intergation Project	8390000401/BOLI operating	Operations	ORS 651.160 - 651.185	113	113	0	0			Project phased out.
050-11	Other Fund Limited	ATD ODOT Highway Diversity Project	8390000401/BOLI operating	Operations	ORS 651.160 - 651.185	5,212	5,212	102,780	0			(2015-17) Revised Rev. projection based on Pkg. 105 and proposed OF expenditures.
SCR: 050-00	Other Fund Limited	050-00-00-00000/ Apprenticeship and Training Division				5,325	5,325	102,780	0			

POSNO	APPT TYPE	EIN	NAME	SALARY RNG	CLASS COMP	RSD	AGY SVC DTE	HIRE STEP	JUSTIFICATION
8390106	P	OR0167797	BONTECOU, JESSE	19	MENNZ0119 AA	11/6/2013	11/6/2013	6	AA approval - exceptional quals/exec service
8390105	P	OR0025388	SPARKS, PALOMA M	33X	MENNZ7008 AA	8/6/2002	5/12/2014	2	Transfer from another agency
8390350	P	OR0215075	ALBA-GODINEZ, MIREYA	15	OA C0104 AA	4/14/2014	4/14/2014	2	
8390230	P	OR0212691	CORIA-CHAVEZ, EVELYN	15	OA C0104 AA	6/17/2014	6/17/2014	2	
8390589	L	OR0186074	GILLESPIE, KATIE JANE	15	OA C0104 AA	8/18/2014	8/18/2014	2	
8390447	P	OR0218736	LARTIGA, MAYRA	15	OA C0104 AA	10/27/2014	10/27/2014	2	
8390313	P	OR0216509	LUCAS, JAMIE JEANNE	15	OA C0104 AA	6/23/2014	6/23/2014	2	
8390345	P	OR0212221	RODRIGUEZ, SANDRA V	15	OA C0104 AA	10/21/2013	10/21/2013	4	w/in new hire guidelines- exceptional quals
8390431	P	OR0215082	ORTIZ, ITSA	17	OA C0107 AA	4/24/2014	4/24/2014	2	
8390108	P	OR0215624	FURNANZ, KARI	37	OA C1512 AA	5/19/2014	5/19/2014	4	w/in new hire guidelines- exceptional quals
8390363	P	OR0212796	DAMEWOOD, ANDREA	20	OA C5240 AA	11/25/2013	11/25/2013	3	w/in new hire guidelines - exceptional quals
8390332	P	OR0216174	SHAW SHAHAK, STACY J	20	OA C5240 AA	7/28/2014	7/28/2014	2	
8390327	P	OR0213734	BABNICK, NICOLE M	23	OA C5241 AA	7/11/2014	7/11/2014	2	
8390567	P	OR0210450	BIBEE, ANDREA	23	OA C5241 AA	11/4/2013	11/4/2013	3	w/in new hire guidelines- exceptional quals
8390490	P	OR0212611	DIAMOND, RACHEL	25	OA C5247 AA	11/4/2013	11/4/2013	3	w/in new hire guidelines- exceptional quals
8390496	P	OR0179345	FEVURLY, MICHAEL T	25	OA C5247 AA	8/20/2007	11/9/2013	8	Transfer from another agency

2013-15 Biennium

Permanent Financing Plan for Bureau of Labor and Industries (Agency Name)

Agency Number: 83900

SABR Coordinator: Terry Bonebrake

DAS Budget Analyst: Dustin Ball

Phone: 971-673-0812

(Required) Agency Plan Number: 83900-15-1

Action	Repr, Class No. & Pay/Rg Opts	Class Title	Position Number	Salary Type Range	Top Step	# of Mos.	Biennial Cost	Detail Cross Ref (DCR)	GF %	\$	OF %	Agency Pla \$	FF %	\$	LF %	\$	
REQUEST SECTION:																	
<i>Reclass ↑</i>																	
To							-					-		-		-	
From							-					-		-		-	
Total Cost							-					-		-		-	
<i>Reclass ↑</i>																	
To	OA C0108 AA	Administrative Spec. 2	8390451	PF 19	3,838	24.00	92,112	040-01-00-00000	100.00%	92,112		-		-		-	
From	OA C0107 AA	Administrative Spc. 1	8390451	PF 17	3,484	24.00	83,616	040-01-00-00000	100.00%	83,616		-		-		-	
Total Cost							354				8,496		-		-		-
<i>Reclass ↑</i>																	
To							-					-		-		-	
From							-					-		-		-	
Total Cost							-					-		-		-	
<i>Increase Months</i>																	
To	OA C0108 AA	Administrative Spc. 2	8390217	PF 19	3,838	24.00	92,112	010-04-00-00000	53.00%	48,819	47.00%	43,293		-		-	
From	OA C0108 AA	Administrative Spc. 2	8390217	PP 19	3,838	12.00	46,056	010-04-00-00000	100.00%	46,056		-		-		-	
Total Cost							-				2,763		43,293		-		-
Establish	MENN Z0866 AA	Public Affairs Spc. 3	8390107	PF 31	7,093	24.00	170,232	010-01-00-00000	63.29%	107,740	36.71%	62,492		-		-	
Establish	OA C0104 AA	Office Specialist 2	8390350	PF 15	3,177	12.00	38,124	030-01-00-00000	100%	38,124		-		-		-	
Establish	OA C0104 AA	Office Specialist 2	8390350	PF 15	3,177	12.00	38,124	040-01-00-00000			100%	38,124		-		-	
Establish	OA C1512 AA	Administrative Law Judge 3	8390108	PP 37	9,043	10.00	90,430	010-01-00-00000			100%	90,430		-		-	
Establish	OA C5240 AA	Civil Rights Field Rep. 1	8390363	PF 20	4,019	24.00	96,456	030-01-00-00000			13.32%	12,848	86.68%	83,608		-	
Total Request Section										157,123		247,187		83,608		-	
FINANCING SECTION																	
Abolish	OA C5241 AA	Civil Rights Field Rep. 2	8390322	PF 23	4,628	24.00	111,072	030-01-00-00000	100.00%	111,072		-		-		-	
Abolish	OA C5241 AA	Civil Rights Field Rep. 2	8390359	PP 23	4,628	12.00	55,536	030-01-00-00000			100.00%	55,536		-		-	
Abolish	OA C0108 AA	Administrative Spc. 2	8390222	PF 19	3,838	24.00	92,112	010-02-00-00000	50.00%	46,056	50.00%	46,056		-		-	
Abolish	OA C5248 AA	Compliance Spc. 3	8390250	PF 29	6,163	24.00	147,912	010-04-00-00000			100.00%	147,912		-		-	
Abolish	OA C0107 AA	Administrative Spc. 1	8390559	PF 17	3,484	24.00	83,616	030-01-00-00000				100.00%	83,616		-	-	
Total Savings										157,128		249,504		83,616		-	
<i>Fund Shift</i>																	
To							-					-		-		-	
From							-					-		-		-	
<i>Reduce Months</i>																	
To							-					-		-		-	
From							-					-		-		-	
Total Savings							-					-		-		-	
<i>Reclass ↓</i>																	
From							-					-		-		-	
Total Savings							-					-		-		-	
Total Financing Section										157,128		249,504		83,616		-	
Total Request										157,123		247,187		83,608		-	
Total Financing										157,128		249,504		83,616		-	
Balance from Prior Actions																	
Balance for Future Actions										5		2,317		8		0	

ORBITS Budget Narrative

Bureau of Labor and Industries - - Agency Summary

Reduction Options

Reduction Targets

AGENCY BUDGET	General Fund	Other Funds	Federal Funds	Sub-Total	Wage Security Fund Non-limited Claims	Total Modified Essential Budget Level
Modified Current Service Level Budget	12,045,974	10,843,736	1,483,701	24,373,411	1,236,000	23,137,411

5% Reduction Target	1,218,671
5% Reduction Target	1,218,671

Introduction

Below is the Bureau of Labor and Industries' 10 percent reduction option, in 5 percent increments, for General Funds, Other Funds, and Federal Funds. The bureau receives no Lottery Funds.

Concerning the rank and justification of the reduction options, *in general* the bureau used the following criteria:

- Within each five percent increment of the 10 percent reduction option, reductions are ranked according to agency-wide program priorities (which are shown elsewhere in this budget document on form 107BF17).
- Within each five percent increment, reductions are spread across most or all parts of the agency.
- Reductions are ranked in order from lowest to highest based on their effect on services to the public.
- Consideration is given to the need to retain enough capacity in small units to keep them viable.

Over the years, repeated reductions and fund switches have eliminated all but the core functions of the bureau's programs.

ORBITS Budget Narrative

If additional reductions are made, customer service would be negatively affected because of frustration with the ability of the bureau to respond in a manner considered timely. In employment disputes investigated by the bureau, a delay in processing a complaint often leads to additional workplace problems in staffing and morale. Additional reductions in the bureau's staff, without the associated removal of statutory duties, will result in larger case loads, larger backlogs of unassigned cases, and longer times needed to investigate cases. Trite but true: justice delayed is justice denied. In the case of the apprenticeship program, additional reductions will result in longer times needed to conduct compliance reviews, the elimination of some outreach and recruitment activities, and limitations on the bureau's workforce-development activities.

ACTIVITY OR PROGRAM	DESCRIBE REDUCTION	AMOUNT AND FUND TYPE	RANK AND JUSTIFICATION
(WHICH PROGRAM OR ACTIVITY WILL NOT BE UNDERTAKEN)	(DESCRIBE THE EFFECTS OF THIS REDUCTION. INCLUDE POSITIONS AND FTE IN 2013-15 AND 2015-17)	(GF, LF, OF, FF. IDENTIFY REVENUE SOURCE FOR OF, FF)	(RANK THE ACTIVITIES OR PROGRAMS NOT UNDERTAKEN IN ORDER OF LOWEST COST FOR BENEFIT OBTAINED)
1. Civil Rights Division (CRD)	<p>Civil Rights Field Rep. 2 (1/1.00)</p> <p>With the elimination of a Senior Civil Rights Investigator, the division will be down to 14 investigators. The workload of that investigator, approximately 120 completed investigations per year, will be redistributed to existing staff. The increased caseload for the remaining investigators will impede the division's ability to meet its goals for thorough, timely investigations. The loss of this position will also mean the loss of one of the division's specially trained fair housing investigators under the U.S. Department of Housing and Urban Development's Fair Housing Assistance Program.</p>	GF (\$132,849)	<p>Concerning the rank and justification of the reduction options, in general, the bureau used the following criteria:</p> <ul style="list-style-type: none"> • Within each five percent increment of the 10 percent reduction options, reductions are ranked according to agency-wide program priorities (which are shown elsewhere in this budget document on form 107BF17). • Within each five percent increment, reductions are spread across most or all parts of the agency. • Reductions are ranked in order from lowest to highest based on their effect on services to the public. • Consideration is given to the need to retain enough capacity in small units to keep them viable.
2. Wage and Hour Division (WHD)	<p>Wage & Hour Compliance Spc. (1/1.00)</p> <p>Currently, the Wage and Hour Division has only 5.0 FTE General Funded Wage and Hour Compliance Specialists to enforce the provisions of the Minimum Wage/Overtime/</p>	GF (\$132,849)	

	<p>Working Conditions, Wage Collection, Child Labor, and Farm Labor Contractors laws statewide.</p> <p>If an additional Compliance Specialist position is eliminated, the division will be unable to continue to process all wage claims received and will be required to eliminate its processing of certain types of “wage collection” wage claims (claims in which the employee’s pay rate is higher than minimum wage and there is no overtime violation) in order to preserve the division’s ability to timely process claims from workers who have not been paid minimum wage or overtime and to conduct other types of priority investigations, e.g., child labor investigations.</p>		
<p>3. Apprenticeship and Training Division (ATD)</p>	<p>Apprenticeship Rep (1/1.00)</p> <p>The Apprenticeship and Training Division has not been fully staffed at legislatively authorized levels since June 2012 due to legislative mandates to generate GF savings.</p> <p>The Legislatively Approved Budget for the 2011-2013</p>	<p>GF (\$172,579)</p>	

	<p>biennium authorized nine Apprenticeship Representatives - five in the agency's Portland-Salem offices, two in the Eugene office, one in Medford, and one in Bend. In June 2012, one of the two Eugene Apprenticeship Representative positions was permanently eliminated and the other Eugene position was laid off through the end of the biennium to meet legislatively-mandated GF budget reductions made in the biennium.</p> <p>The laid off Eugene position was restored in the 2013-15 biennium, resulting in the restoration of service delivery in Lane and Douglas counties, however, the legislature held back 2% of the agency's GF budget at the beginning of the biennium.</p> <p>House Bill 5201 (2014) restored these funds with the exception of funds for a vacant Portland Apprenticeship Representative position, that the legislature directed the agency to keep vacant for the remainder of the biennium.</p>		
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	<p>The Portland metropolitan area is the economic hub for the State of Oregon, and is home for 69% of the employers utilizing registered apprenticeship and 64% of the active apprentices in the state. It is difficult to service the needs of these clients with only four professional-level employees in the Portland-Salem offices. Permanent reduction of this position will make the 15% workload increase incurred by Apprenticeship Representatives since December 2013 a permanent increase, not only undermining morale, but also requiring the division to consider additional reductions in service.</p> <p>Apprenticeship Representatives currently dedicate approximately 53% of their time conducting compliance reviews; 24% of their time assisting programs in staying in compliance with the applicable regulations; 15% of their time investigating complaints; and 8% of their time assisting programs or industry partners with workforce development</p>		
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	<p>activities.</p> <p>Due to reduced staffing, the division has only been able to complete 55 of 73 scheduled compliance reviews during the period of December 2013 through June 2014.</p> <p>In light of the increased focus on registered apprenticeship and related on-the-job training work models and the substantial increase in apprenticeship registrations that accompanies economic recoveries, the division would need to evaluate alternate service delivery models if faced with a 10% permanent reduction and the permanent loss of an Apprenticeship Representative position.</p> <p>The Division would consider the elimination of some discretionary functions (such as serving as a liaison to the State Electrical Board or the Office of Community Colleges), that private industry partners have asked the division to assume. Elimination of the position would also result in additional modifications to the division's program compliance</p>		
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	<p>schedule. Requests for new program development or for participation in broader workforce initiatives would be given a lower priority as the division would focus on its core statutory mission of registering industry sponsored programs and apprentices; conducting program compliance reviews; and providing technical assistance on an as needed basis.</p> <p>Most importantly, the division would not be able to respond to employer requests for assistance in developing apprenticeship or training programs in a reasonable amount of time.</p>		
4. Civil Rights Division (CRD)	<p>Office Specialist 2 (0/0.50)</p> <p>The division funds .50 of 1 FTE Office Specialist 2 position that serves as the agency's receptionist. The division's remaining Office Specialists will have to absorb the duties of this position. The loss of this position will negatively impact the division's ability to perform timely case opening, case closings, and public records requests.</p>	GF (\$51,389)	

<p>5. Wage and Hour Division (WHD)</p>	<p>Office Specialist 2 (1/1.00)</p> <p>Prior to the 2009-2011 biennium, the agency's Salem office was staffed with two Office Specialists 2 to act as office receptionists and provide support services to the Apprenticeship and Training, Civil Rights, and Wage and Hour Divisions. Budget reductions resulted in the elimination of one of these two positions, leaving only one Office Specialist to perform office reception and support functions to the Salem office. In the absence of the remaining Office Specialist, other agency staff, including a Farm Labor Contractor licensing administrative specialist, investigative staff, and the office manager (Principal Executive/Manager C) are required to perform the reception (telephone and walk-in) duties of this position, negatively impacting the agency's ability to issue farm labor contractor licenses on a timely basis and the ability of WHD to timely conduct investigations.</p>	<p>GF (\$108,732)</p>	
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	<p>Further reduction of an Office Specialist 2 in this office would eliminate any General Funded support positions in the Salem office and require the 1.0 FTE Other Fund Farm Labor Contractor licensing administrative specialist to absorb the reception duties of the office on a full-time basis, compromising the ability of the position to timely and accurately process farm and construction labor contractor license applications.</p> <p>In addition, there would be no backup in the office for this position in its absence other than WHD and ATD professional staff and a manager, all with heavy workloads.</p>		
<p>6. Wage and Hour Division (WHD)</p>	<p>Office Specialist 2</p> <p>The agency's Eugene office is staffed with two Office Specialists 2 to act as office receptionists and provide support services to the Apprenticeship and Training, Civil Rights, and Wage and Hour Divisions. Eliminating this position would reduce the number of hours reception and customer service is provided</p>	<p>GF (\$128,113)</p>	

	<p>by telephone and in person in the bureau's Eugene office and would result in delays in responding to the agency's customers statewide. In addition, division-related work performed by this position will need to be reassigned to other support staff, resulting in further delays in providing services by the Civil Rights and Wage and Hour Divisions.</p>		
<p>7. Technical Assistance for Employers (TA)</p>	<p>Training & Dev Specialist 2 (1/1.00)</p> <p>The Technical Assistance for Employers (TA) program has 4.0 FTE Training and Development Specialists 2; 1.0 FTE of which is General Funded, and 3.0 FTE of which are Other Fund positions funded by fees received for conducting seminars and workshops and from selling handbooks and posters.</p> <p>The agency is proposing to increase TA staff in its 2015-2017 budget by one 1.0 FTE Training and Development Specialist 2 and two 1.0 FTE Training and Development Specialist 1 positions funded by General Funds.</p>	<p>GF (\$202,522)</p>	

	<p>Training and Development Specialists conduct an average of six seminars per month throughout Oregon. In addition, an average of eight on-site training sessions per month is contracted by employers. Training and Development Specialists also develop training, write and update publications and training materials, update the website information, and respond to employer inquiries. The unit receives an average of 100 phone calls and emails per day from Oregon employers with questions about employment law-related issues.</p> <p>Reduction of a (GF) Training and Development Specialist will decrease the unit's ability to offer services that do not generate revenue, e.g., responding to telephone and email inquiries, increase the length of time to respond to employer inquiries, reduce resources to research, develop, and write new and updated training materials and handbooks, and limit the unit's ability to conduct seminars in some parts of the state</p>		
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	because the revenue generated does not support that service.		
8. Wage and Hour Division (WHD)	<p>Wage & Hour Compliance Spc. (1/1.00)</p> <p>Elimination of an additional Compliance Specialist position would leave the division with only 3.0 GF FTE statewide to investigate wage claims and conduct farm labor, child labor, and working condition investigations. Such a reduction would severely restrict the division's ability to timely investigate the wage claims it receives and, as a result, would present problems for wage claimants who rely on the division to collect wages owed to them as quickly as possible. Wage claim caseloads for the remaining compliance specialists would increase substantially. Moreover, it would become virtually impossible for the division to undertake any meaningful action with regard to the enforcement of working conditions (e.g., meal and rest periods), farm labor, and child labor regulations.</p>	GF \$172,577	
9. Civil Rights Division (CRD)	Civil Rights Field Rep. 2 (1/1.00)	GF (\$148,373)	

	<p>With the loss of a second Senior Civil Rights Investigator, the division will be reduced to 13 investigators to investigate all discrimination complaints. The workload of that investigator, approximately 120 completed investigations per year, will be redistributed to existing staff. The increased caseload for the remaining investigators will further impede the division's ability to meet its goals for thorough, timely investigations.</p> <p>Progressive staff reductions will erode the division's ability to enforce its core mission to protect the employment rights and protect access to housing and public accommodations free from unlawful discrimination.</p>		
10. Business Services (BS)	<p>Accounting Tech. 2 (1/0.75)</p> <p>The Fiscal Services unit processes monetary awards to wage claimants and civil rights complainants, ensuring timely payments to Oregonians who unlawfully lost wages or were unlawfully discriminated</p>	OF (\$89,211)	

	<p>against. The unit also provides centralized accounting, purchasing, payroll, mail, printing, and procurement services; and coordinates budget development, expenditure monitoring and analysis, contract administration, and telecommunication activities.</p> <p>The reduction of the accounting technician 2 position (0.75 FTE) would represent a 20% reduction within the unit. This reduction would require the disbursement of all assigned duties to the remaining staff (2.0 FTE) or redistributing these duties back to the division staff. This will create delays in processing payments to Oregonians who unlawfully lost wages or were unlawfully discriminated against, extend the time required to complete vendor payments and centralized accounting services.</p>		
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<p>11. Commissioner's Office (CO)</p>	<p>Administrative Law Judge 3 (1/0.42)</p> <p>The agency's Contested Case Forum is currently staffed with 1.42 Administrative Law Judges 3 (ALJs) who are supervised by the agency's Legal Policy Advisor.</p> <p>The ALJ position performs duties similar to those of a trial judge, presiding over contested cases initiated by the agency's Wage and Hour and Civil Rights Divisions, contested prevailing wage determinations, rulemaking proceedings and declaratory rulings; developing the official records of proceedings, ensuring a full and fair inquiry into the facts; writing and issuing thorough and legally sound written decisions.</p> <p>During fiscal year 2013-2014, the agency's 1.42 FTE ALJs presided over 78 proceedings, conducted 11 hearings, issued 21 Commissioner's Final Orders and 22 Final Orders Incorporating Informal Disposition. In addition, they continued the agency practices of timely editing and publishing</p>	<p>OF (\$82,707)</p>	
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	<p>all Commissioners's Final Orders, as well as updates to the BOLI Order Digest on the BOLI website, earning recognition of the agency from the Oregon State Bar as well as the First Freedom Award from the Oregon Society of Professional Journalists.</p> <p>Eliminating the 0.42 FTE Administrative Law Judge position would reduce by nearly one-third the number of cases over which the Forum could preside simultaneously. This reduction would slow the hearing docket, which is currently remarkably efficient at moving matters to a swift resolution. This reduction would disadvantage wage claimants, civil rights complainants, and respondents awaiting remedies. In addition, the prompt internet posting of new orders and updates to the Digest on which the legal community and public have come to rely would be likely be delayed significantly if the position is eliminated, hindering our agency's transparency.</p>		
12. Administrative Prosecution Unit (APU)	Compliance Spec 3 (1/1.00)	OF (\$16,219) FF (\$163,379)	

	<p>The agency's Administrative Prosecution Unit is currently staffed with a Chief Prosecutor, 2.0 FTE Administrative Prosecutors (Compliance Specialists 3) and a Contested Case Coordinator (1.0 FTE Administrative Specialist 2). The unit's purpose is to participate in full and fair contested case hearings relating to civil rights and wage and hour law matters, actively seek quick and effective resolution of disputes, and equitable enforcement of the law. The unit processed approximately 86 contested cases in fiscal year 2013.</p> <p>The Compliance Specialist 3 (Administrative Prosecutor) position performs functions similar to those of a trial attorney by preparing and presenting wage and hour and civil rights cases at contested case hearings.</p> <p>Eliminating one of the two administrative prosecutors would require the Wage and Hour and Civil Rights Divisions to refer fewer cases to the Administrative Prosecution</p>		
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	<p>Unit, probably eliminating entire classes of cases such as wage claims from the contested case hearing process. In addition, timelines for prosecuting the divisions' cases would be significantly increased to the disadvantage of wage claimants, civil right complainants, and respondents awaiting remedies.</p>		
<p>13. Apprenticeship and Training Division (ATD)</p>	<p>Supportive Services Program - Highway Construction Diversity</p> <p>The 2009 Oregon Legislature passed legislation requiring the Oregon Department of Transportation (ODOT) to spend one-half of one percent (up to \$1.5 million) of the federal funds it receives in order to increase diversity in the highway construction workforce. ORS 184.866 (SB 894 - 2009) prescribed specific activities that would help accomplish those goals that closely match those identified in federal law for federal supportive services programs.</p> <p>Pursuant to an interagency agreement with ODOT, the division administers a supportive services program to increase diversity in the</p>	<p>OF (\$631,085)</p>	

	<p>highway construction workforce, reducing barriers to entry into registered apprenticeship programs and improving completion rates.</p> <p>The division funds a variety of services through a formal, competitive process in the areas of recruitment, outreach, screening, assessment, pre-apprenticeship training, mentoring and financial assistance in order to promote successful careers for apprentices in the construction trades with an emphasis on women and minorities.</p> <p>Senate Bill 831 (2013) increased the amount of money received from the federal government that ODOT must expend from \$1,500,000 to \$2,100,000 to help increase diversity in the highway construction workforce and prepare individuals interested in entering highway construction careers by performing specific activities.</p> <p>BOLI has used these additional funds to expand the scope of the supportive services program, specifically with</p>		
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	<p>respect to increased activities to provide services aimed at retaining females, minorities and apprentices from disadvantaged populations who are currently registered to apprenticeship programs; increasing support to existing pre-apprenticeship preparation programs; and establishing new preparation programs in rural areas.</p> <p>BOLI has established a limited duration Office Specialist 2 position for 15 months to assist BOLI's Operations & Policy Analyst 2 who previously had been responsible for all aspects of the program including program management, program development, program implementation and analysis and contract administration under the program.</p> <p>A 19% OF reduction (\$631,085) would directly contravene the provisions of ORS 184.866 and SB 831 and require BOLI to reject available federal funds pursuant to its interagency agreement with ODOT. Such a reduction would also reduce BOLI's</p>		
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	<p>ability to execute contracts with third parties to provide services for potential apprentices and job seekers. This, in turn, would reduce services to applicants, apprentices and employers who have all benefitted from the supportive services provided. Because BOLI is reimbursed with these federal funds for administration of the program based upon the total amount of funds expended on program services for apprentices, applicants and trainees, the reduced revenue would require BOLI to eliminate the Office Specialist 2 position and once again, the division would have to rely on one professional-level position to be responsible for all aspects of administering what would be a \$1,468,915 program.</p>		
<p>14. Wage and Hour Division (WHD) – Prevailing Wage Rate Unit</p>	<p>Reduction of Services and Supplies Expenditure Limitation</p> <p>The Wage and Hour Division's Prevailing Wage Rate (PWR) unit is responsible for enforcing payment of prevailing wage rates on public works contracts. The PWR enforcement program is funded</p>	<p>OF (\$222,007)</p>	

	<p>by fees paid by public agencies awarding public works contracts.</p> <p>In most cases, when the unit is unable to collect PWR wages determined to be due from a contractor, a legal action must be initiated against the contractor and/or the contractor's surety. Such legal actions must be filed and prosecuted by the Department of Justice.</p> <p>In previous biennia, legal costs associated with prosecuting PWR cases were much higher than they have been in the past two biennia, partly due to unsettled areas in the law that have since been addressed legislatively. In addition, more recently, the agency has increased its efforts to settle cases without necessitating legal action.</p> <p>The unit's budget for legal (AG) fees for the 2013-15 biennium is \$approximately 295,000, however, as of the end of fiscal year 2013, AG costs were only \$61,000 and are projected to remain lower than the budgeted amount.</p>	
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	<p>The risk of reducing this OF limitation, however, is that if it is necessary to litigate an increased number of PWR cases in the 2015-17 biennium, or the complexity of cases referred results in higher than anticipated legal costs, the agency may not be able to refer PWR cases to DOJ as needed for litigation.</p>		
<p>15. Miscellaneous Services & Supplies</p>	<p>Given the extent of the reductions required, adjustments to service & supply budgets across General Fund, Other Fund and Federal Fund will be made.</p>	<p>GF (+\$45,385) OF (-\$43,145) FF (+\$15,009)</p>	