

**Legislative
Fiscal Office**

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**Joint Committee on
Ways and Means**

Sen. Betsy Johnson, Senate Co-Chair
Sen. Elizabeth Steiner Hayward, Senate Co-Chair
Rep. Dan Rayfield, House Co-Chair

Sen. Jackie Winters, Senate Co-Vice Chair
Rep. David Gomberg, House Co-Vice Chair
Rep. Greg Smith, House Co-Vice Chair

To: Transportation and Economic Development Subcommittee
From: Michelle Deister, Legislative Fiscal Office
Date: May 31, 2019
Subject: SB 5516 - Bureau of Labor and Industries
Work Session Recommendations

Bureau of Labor and Industries – Agency Totals

	2015-17 Actual	2017-19 Legislatively Approved	2019-21 Current Service Level	2019-21 LFO Recommended
General Fund	12,579,327	13,461,114	14,341,010	15,080,204
Other Funds	9,805,185	12,675,846	13,264,926	14,081,828
Other Funds NL	756,375	1,281,732	900,000	900,000
Federal Funds	1,421,260	1,297,545	1,354,891	1,354,891
Total Funds	24,562,145	28,716,237	29,860,827	31,416,923
Positions	106	107	106	112
FTE	103.02	105.38	104.38	108.80

The Legislative Fiscal Office recommends a total funds budget of \$31.4 million and 112 positions (108.80 FTE). The recommendation includes the following changes to the agency's current service level:

- Technical adjustments to reclassify management positions and increase expenditure limitation related to vendor fees incurred for e-commerce transactions;
- Reducing FTE related to a management position in the Wage and Hour Division. with duties to be redistributed among remaining staff;
- General Fund investments that allow for upgrades to the agency's website, fulfillment of public records requests; and focused customer service in technical assistance and apprenticeship in Eastern Oregon;
- General Fund support for an additional permanent investigator position in the Civil Rights division to address workload and ensure continued timely resolution of claims;

- Other Funds expenditure limitation supporting a position for office support in the Wage and Hour division for services to labor contractors, and an accounting position in the fiscal unit of the Commissioner’s Office to support timely payments and services to labor contractors;
- Other Funds expenditure limitation and one associated position to complete activities that support the expansion of apprenticeship programs for non-traditional occupations.

Maximum Supervisory Ratio section (include this for subject agencies):
The agency reported a maximum supervisory ratio of 1:8 for the 2019-21 biennium.

Adjustments to Current Service Level

See attached “Work Session Presentation Report.”

Note: Statewide adjustments and six-year capital construction expenditures are not included in these recommendations. Any needed adjustments will be made in end of session bills.

Accept LFO Recommendation:

MOTION: I move the LFO recommendation to SB 5516. (VOTE)

OR

Change LFO Recommendation:

MOTION: I move the LFO recommendation to SB 5516, with modifications. (VOTE)

Performance Measures

See attached “Legislatively Proposed 2019-21 Key Performance Measures.”

Accept LFO Recommendation:

MOTION: I move the LFO recommendation on Key Performance Measures. (VOTE)

OR

Change LFO Recommendation:

MOTION: I move the LFO recommendation on Key Performance Measures, with modifications. (VOTE)

Budget Notes

#1 Budget Note: Apprenticeship and Training Funding Alternatives

The Bureau of Labor and Industries is directed to research and develop alternatives for generating non-General Fund operating revenue to support agency activities and services related to apprenticeship and training. The agency will report back to the 2020 Legislature with a recommended funding model.

Accept LFO Recommendation:

MOTION: I move the LFO recommendation on Budget Notes. (VOTE)

OR

Change LFO Recommendation (any changes must be approved by the co-chairs):

MOTION: I move the LFO recommendation on Budget Notes, with modifications. (VOTE)

Recommended Changes

LFO recommends a budget of \$15,080,204 General Fund, \$14,081,828 Other Funds, \$1,354,891 Federal Funds, \$900,000 Other Funds Non-Limited, and 112 positions (108.80 FTE), which is reflected in the -1 amendment.

MOTION: I move adoption of the -1 amendment to SB 5516. (VOTE)

Final Subcommittee Action

LFO recommends that SB 5516, as amended by the -1 amendment, be moved to the Ways and Means Full Committee.

MOTION: I move SB 5516, as amended, to the Full Committee with a do pass recommendation. (VOTE)

Carriers

Full Committee: _____

House Floor: _____

Senate Floor: _____

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
2017-19 Agy. Leg. Adopted	13,119,229	-	12,162,061	1,258,596	1,281,732	-	27,821,618	107	104.88
2017-19 Ebds, SS & Admin Act	341,885	-	513,785	38,949	-	-	894,619	-	0.50
Ways & Means Actions	-	-	-	-	-	-	-	-	-
2017-19 Leg Approved Budget	13,461,114	-	12,675,846	1,297,545	1,281,732	-	28,716,237	107	105.38
2017-19 Leg Approved Budget (Base)	13,461,113	-	12,675,846	1,297,545	1,281,732	-	28,716,236	107	105.38
Summary of Base Adjustments	295,663	-	256,519	45,482	(381,732)	-	215,932	(1)	(1.00)
2019-21 Base Budget	13,756,776	-	12,932,365	1,343,027	900,000	-	28,932,168	106	104.38
010: Non-PICS Pers Svc/Vacancy Factor	288,366	-	194,121	487	-	-	482,974	-	-
020: Phase In / Out Pgm & One-time Cost	(8,480)	-	(175,000)	(15,638)	-	-	(199,118)	-	-
030: Inflation & Price List Adjustments	304,348	-	313,440	27,015	-	-	644,803	-	-
2019-21 Current Service Level	14,341,010	-	13,264,926	1,354,891	900,000	-	29,860,827	106	104.38
Adjusted 2019-21 Current Service Level	14,341,010	-	13,264,926	1,354,891	900,000	-	29,860,827	106	104.38
Total LFO Recommended Packages	739,194	-	816,902	-	-	-	1,556,096	6	4.42
2019-21 Legislative Actions	15,080,204	-	14,081,828	1,354,891	900,000	-	31,416,923	112	108.80
Net change from 2017-19 Leg Approved Budget	1,619,090	-	1,405,982	57,346	(381,732)	-	2,700,686	5	3.42
Percent change from 2017-19 Leg Approved Budget	12.0%	0.0%	11.1%	4.4%	(29.8%)	0.0%	9.4%	4.7%	3.3%
Net change from 2019-21 Adj Current Service Level	739,194	-	816,902	-	-	-	1,556,096	6	4.42
Percent change from 2019-21 Adj Current Service Level	5.2%	0.0%	6.2%	0.0%	0.0%	0.0%	5.2%	5.7%	4.2%

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
2017-19 Agy. Leg. Adopted	4,116,445	-	3,413,478	269,220	-	-	7,799,143	27	26.38
2017-19 Ebds, SS & Admin Act	96,024	-	52,247	11,159	-	-	159,430	-	-
Ways & Means Actions	-	-	-	-	-	-	-	-	-
2017-19 Leg Approved Budget	4,212,469	-	3,465,725	280,379	-	-	7,958,573	27	26.38
2017-19 Leg Approved Budget (Base)	4,212,469	-	3,465,725	280,379	-	-	7,958,573	27	26.38
Summary of Base Adjustments	(136,042)	-	(14,589)	18,379	-	-	(132,252)	(1)	(1.00)
2019-21 Base Budget	4,076,427	-	3,451,136	298,758	-	-	7,826,321	26	25.38
010: Non-PICS Pers Svc/Vacancy Factor	75,535	-	63,695	(204)	-	-	139,026	-	-
020: Phase In / Out Pgm & One-time Cost	(8,480)	-	-	-	-	-	(8,480)	-	-
030: Inflation & Price List Adjustments	92,949	-	64,969	731	-	-	158,649	-	-
2019-21 Current Service Level	4,236,431	-	3,579,800	299,285	-	-	8,115,516	26	25.38
Adjusted 2019-21 Current Service Level	4,236,431	-	3,579,800	299,285	-	-	8,115,516	26	25.38
Total LFO Recommended Packages	468,604	-	207,605	-	-	-	676,209	2	2.00
2019-21 Legislative Actions	4,705,035	-	3,787,405	299,285	-	-	8,791,725	28	27.38
Net change from 2017-19 Leg Approved Budget	492,566	-	321,680	18,906	-	-	833,152	1	1.00
Percent change from 2017-19 Leg Approved Budget	11.7%	0.0%	9.3%	6.7%	0.0%	0.0%	10.5%	3.7%	3.8%
Net change from 2019-21 Adj Current Service Level	468,604	-	207,605	-	-	-	676,209	2	2.00
Percent change from 2019-21 Adj Current Service Level	11.1%	0.0%	5.8%	0.0%	0.0%	0.0%	8.3%	7.7%	7.9%

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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Package 103 TA E-Commerce Expenditure Limitation Increase

Package Description Other Funds expenditure limitation in the amount of \$60,000 is recommended for vendor fees incurred as a result of e-commerce transactions associated with BOLI services.

LFO Recommendation Approve.

LFO Recommended	-	-	60,000	-	-	-	60,000	-	-
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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Package 801 LFO Analyst Adjustments

Package Description The Legislative Fiscal Office recommends the following adjustments to the agency's current service level:

- General Fund services and Supplies reductions totaling \$4,524.
- General Fund in the amount of \$250,000 to facilitate upgrades to the agency's website that facilitate transparency and customer service improvements. This is not intended to be an ongoing investment in future biennia.
- General Fund support in the amount of \$223,128 for a new permanent position to coordinate and fulfill public records requests at the agency, which are particularly lengthy and complex as they often involve employment law and civil rights claims.

Other Funds expenditure limitation in the amount of \$147,605 is included for a permanent Accountant 1 position (1.00 FTE) to support timely payment of wage claims. This position will be supported by revenue from the Wage Security Fund.

LFO Recommendation Approve.

LFO Recommended	468,604	-	147,605	-	-	-	616,209	2	2.00
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
2017-19 Agy. Leg. Adopted	3,276,419	-	1,431,929	972,005	-	-	5,680,353	30	29.25
2017-19 Ebds, SS & Admin Act	89,334	-	49,434	27,790	-	-	166,558	-	-
Ways & Means Actions	-	-	-	-	-	-	-	-	-
2017-19 Leg Approved Budget	3,365,753	-	1,481,363	999,795	-	-	5,846,911	30	29.25
2017-19 Leg Approved Budget (Base)	3,365,753	-	1,481,363	999,795	-	-	5,846,911	30	29.25
Summary of Base Adjustments	241,300	-	128,107	27,103	-	-	396,510	-	0.25
2019-21 Base Budget	3,607,053	-	1,609,470	1,026,898	-	-	6,243,421	30	29.50
010: Non-PICS Pers Svc/Vacancy Factor	82,283	-	29,748	343	-	-	112,374	-	-
030: Inflation & Price List Adjustments	77,009	-	5,278	28,365	-	-	110,652	-	-
2019-21 Current Service Level	3,766,345	-	1,644,496	1,055,606	-	-	6,466,447	30	29.50
Adjusted 2019-21 Current Service Level	3,766,345	-	1,644,496	1,055,606	-	-	6,466,447	30	29.50
Total LFO Recommended Packages	198,237	-	-	-	-	-	198,237	1	1.00
2019-21 Legislative Actions	3,964,582	-	1,644,496	1,055,606	-	-	6,664,684	31	30.50
Net change from 2017-19 Leg Approved Budget	598,829	-	163,133	55,811	-	-	817,773	1	1.25
Percent change from 2017-19 Leg Approved Budget	17.8%	0.0%	11.0%	5.6%	0.0%	0.0%	14.0%	3.3%	4.3%
Net change from 2019-21 Adj Current Service Level	198,237	-	-	-	-	-	198,237	1	1.00
Percent change from 2019-21 Adj Current Service Level	5.3%	0.0%	0.0%	0.0%	0.0%	0.0%	3.1%	3.3%	3.4%

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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Package 100 PEM Reclassification Approved by DAS/CHRO

Package Description General Fund resources of \$21,114 is included to reclassify management positions in the Civil Rights division, based on classification reviews by the Department of Administrative Services Chief Human Resources Office. This investment resolves current work out-of-class situations in the Civil Rights division.

LFO Recommendation Approve.

LFO Recommended	21,114	-	-	-	-	-	21,114	-	-
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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Package 801 LFO Analyst Adjustments

Package Description The Legislative Fiscal Office recommends a permanent Civil Rights Investigator 2 position to provided added capacity to investigate and resolve Civil Rights claims filed with the Bureau of Labor and Industries.

LFO Recommendation Approve.

LFO Recommended	177,123	-	-	-	-	-	177,123	1	1.00
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Wage and Hour

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
2017-19 Agy. Leg. Adopted	2,911,699	-	5,227,352	-	1,281,732	-	9,420,783	34	33.75
2017-19 Ebds, SS & Admin Act	92,600	-	128,597	-	-	-	221,197	-	-
Ways & Means Actions	-	-	-	-	-	-	-	-	-
2017-19 Leg Approved Budget	3,004,299	-	5,355,949	-	1,281,732	-	9,641,980	34	33.75
2017-19 Leg Approved Budget (Base)	3,004,298	-	5,355,949	-	1,281,732	-	9,641,979	34	33.75
Summary of Base Adjustments	57,774	-	217,708	-	(381,732)	-	(106,250)	-	0.25
2019-21 Base Budget	3,062,072	-	5,573,657	-	900,000	-	9,535,729	34	34.00
010: Non-PICS Pers Svc/Vacancy Factor	64,591	-	92,181	-	-	-	156,772	-	-
030: Inflation & Price List Adjustments	88,475	-	237,580	-	-	-	326,055	-	-
2019-21 Current Service Level	3,215,138	-	5,903,418	-	900,000	-	10,018,556	34	34.00
Adjusted 2019-21 Current Service Level	3,215,138	-	5,903,418	-	900,000	-	10,018,556	34	34.00
Total LFO Recommended Packages	(150,680)	-	55,755	-	-	-	(94,925)	1	(0.50)
2019-21 Legislative Actions	3,064,458	-	5,959,173	-	900,000	-	9,923,631	35	33.50
Net change from 2017-19 Leg Approved Budget	60,159	-	603,224	-	(381,732)	-	281,651	1	(0.25)
Percent change from 2017-19 Leg Approved Budget	2.0%	0.0%	11.3%	0.0%	(29.8%)	0.0%	2.9%	2.9%	(0.7%)
Net change from 2019-21 Adj Current Service Level	(150,680)	-	55,755	-	-	-	(94,925)	1	(0.50)
Percent change from 2019-21 Adj Current Service Level	(4.7%)	0.0%	0.9%	0.0%	0.0%	0.0%	(1.0%)	2.9%	(1.5%)

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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Package 100 PEM Reclassification Approved by DAS/CHRO

Package Description General Fund resources of \$15,614 and Other Funds expenditure limitation in the amount of \$14,354 is included to reclassify management positions in the Wage and Hour division, based on classification reviews by the Department of Administrative Services Chief Human Resources Office. This investment resolves current work out-of-class situations in the Wage and Hour division.

LFO Recommendation Approve.

LFO Recommended	15,614	-	14,354	-	-	-	29,968	-	-
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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Package 801 LFO Analyst Adjustments

Package Description One Office Specialist 2 position (0.25 FTE) and associated Other Funds expenditure limitation of \$41,401 is included for additional support in the Salem field office, which will support the work of staff associated with janitorial contractor licensing. This position is expected to be funded with additional fee revenue assessed against janitorial licensing contractors, and assumed to be 0.5 FTE in the 2021-23 biennium.

The elimination of 0.75 FTE from an existing management position (and associated General Fund reductions of \$166,294) is also included in this package. The duties of this position will be redistributed among remaining staff.

LFO Recommendation Approve.

LFO Recommended	(166,294)	-	41,401	-	-	-	(124,893)	1	(0.50)
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
2017-19 Agy. Leg. Adopted	2,814,666	-	2,089,302	17,371	-	-	4,921,339	16	15.50
2017-19 Ebds, SS & Admin Act	63,927	-	283,507	-	-	-	347,434	-	0.50
Ways & Means Actions	-	-	-	-	-	-	-	-	-
2017-19 Leg Approved Budget	2,878,593	-	2,372,809	17,371	-	-	5,268,773	16	16.00
2017-19 Leg Approved Budget (Base)	2,878,593	-	2,372,809	17,371	-	-	5,268,773	16	16.00
Summary of Base Adjustments	132,631	-	(74,707)	-	-	-	57,924	-	(0.50)
2019-21 Base Budget	3,011,224	-	2,298,102	17,371	-	-	5,326,697	16	15.50
010: Non-PICS Pers Svc/Vacancy Factor	65,957	-	8,497	348	-	-	74,802	-	-
020: Phase In / Out Pgm & One-time Cost	-	-	(175,000)	(15,638)	-	-	(190,638)	-	-
030: Inflation & Price List Adjustments	45,915	-	5,613	(2,081)	-	-	49,447	-	-
2019-21 Current Service Level	3,123,096	-	2,137,212	-	-	-	5,260,308	16	15.50
Adjusted 2019-21 Current Service Level	3,123,096	-	2,137,212	-	-	-	5,260,308	16	15.50
Total LFO Recommended Packages	223,033	-	553,542	-	-	-	776,575	2	1.92
2019-21 Legislative Actions	3,346,129	-	2,690,754	-	-	-	6,036,883	18	17.42
Net change from 2017-19 Leg Approved Budget	467,536	-	317,945	(17,371)	-	-	768,110	2	1.42
Percent change from 2017-19 Leg Approved Budget	16.2%	0.0%	13.4%	(100.0%)	0.0%	0.0%	14.6%	12.5%	8.9%
Net change from 2019-21 Adj Current Service Level	223,033	-	553,542	-	-	-	776,575	2	1.92
Percent change from 2019-21 Adj Current Service Level	7.1%	0.0%	25.9%	0.0%	0.0%	0.0%	14.8%	12.5%	12.4%

	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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Package 105 HECC Reimbursement Contract Limitation

Package Description One limited duration Compliance Specialist 2 position (1.00 FTE) is recommended to fulfill obligations resulting from a contract with the Higher Education Coordinating Commission (HECC) associated with a grant received by HECC intended to fund efforts that expand the use of the registered apprenticeship program in collaboration with Oregon Employment Department (OED). Deliverables associated with the contract include enhancement of BOLI's apprenticeship database to increase functionality and data sharing with other agencies, support for pre-apprenticeship programs, supportive services for apprentices, and the expansion of a cultural competency training program for apprentices and journey workers. Professional Services in the amount of \$369,309 is assumed in the total recommended resources associated with this package.

LFO Recommendation Approve.

LFO Recommended	-	-	553,542	-	-	-	553,542	1	1.00
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	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	Total Funds	Positions	Full-Time Equivalent (FTE)
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Package 801 LFO Analyst Adjustments

Package Description General Fund support of \$223,033 is included for one Limited Duration position (0.92 FTE) to provide focused customer service and technical assistance to Eastern Oregon employers, including trainings, resource development, and answers to questions about employer responsibilities. The position responsible for this work will also be focusing on apprenticeship opportunities and certification in the eastern region of the state.

LFO Recommendation Approve.

Budget Notes The Legislative Fiscal Office recommends approval of the following budget note:

The Bureau of Labor and Industries is directed to research and develop alternatives for generating non-General Fund operating revenue to support agency activities and services related to apprenticeship and training. The Bureau will report back to the 2020 Legislature with a recommend funding model.

LFO Recommended	223,033	-	-	-	-	-	223,033	1	0.92
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Legislatively Proposed 2019 - 2021 Key Performance Measures

Published: 5/26/2019 3:25:33 PM

Agency: Labor and Industries, Bureau of

Mission Statement:

The mission of the Bureau of Labor and Industries is to protect employment rights, advance employment opportunities, and protect access to housing and public accommodations free from discrimination.

Legislatively Proposed KPMs	Metrics	Agency Request	Last Reported Result	Target 2020	Target 2021
1. CUSTOMER SERVICE - Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent": overall, timeliness, accuracy, helpfulness, expertise, availability of information.	a) Overall	Approved	92	100	100
	b) Accuracy		91	100	100
	c) Availability of Information		91	100	100
	d) Expertise		94	100	100
	e) Helpfulness		96	100	100
	f) Timeliness		97	100	100
2. Timely Processing of Civil Rights Complaints - Percentage of target met for timely: intake, completion of perfected charge, initial interview and investigation (composite measure).		Approved	84.75%	80%	80%
3. Timely Processing of Wage and Hour Complaints - Percentage of target met for timely: intake and jurisdiction determination; demand letter, investigation: Composite measure.		Approved	82%	80%	80%
4. WHD - Percentage of WSF claims processed within fewer than 30 days.		Approved	99	85	85
5. WHD - Percentage of PWR investigations completed within 90 days.		Approved	45	65	65
6. ATD - Number of apprentices receiving journey level certificates.		Approved	1,429	1,200	1,200
7. ATD - Number of newly registered apprentices.		Approved	4,079	2,700	2,700
8. Apprenticeship Participation - Percentage of new apprenticeship participants who are minorities.		Approved	19.30%	18.50%	18.50%
9. Administrative Prosecution Unit (APU) - Percentage of cases scheduled for hearing within 30 days of assignment to APU.		Approved	100	88	88
10. TA - Percentage of employer technical assistance calls or emails returned no later than the next business day.		Approved	100%	95%	95%
11. Prevailing Wage Rate Pre-determinations - Response time for requests by public agencies concerning potential coverage of projects under state Prevailing Wage laws.		Approved	100	95	95

LFO Recommendation:

The Legislative Fiscal Office recommends Key Performance Measures and targets as presented above.

The following targets have been adjusted:

KPM #2 (Timely Processing of Civil Rights Complaints) from 72% to 80% based on data from recent reporting years, and recommendations to add a permanent Civil Rights Investigator position as part of the 2019-21 recommended budget. It's worth noting that the degree of complexity of each claim impacts the timing of how quickly it can be resolved. Pending legislation relating to workplace harassment and additional requirements for employers may impact the volume of claims received by the agency.

KPM #4 (Percentage of WSF claims processed within fewer than 30 days) from 80% to 85% based on data from recent reporting years.

KPM #7 (Number of newly registered apprentices), from a target of 2,200 to 2,700, based on data from recent reporting years, and to recognize the state's emphasis on creating new apprenticeship opportunities in non-building Trade occupations;

KPM #11 (timely prevailing wage rate determinations) from 92% to 95%, to reflect consistent determinations within 15 days. Note that the complexity of a proposed project – such as whether it is "mixed use" or "public/private" may have an impact on the number of days required to make a determination.

SubCommittee Action: