

LABOR and INDUSTRIES, BUREAU of
Annual Performance Progress Report (APPR) for Fiscal Year (2013-2014)

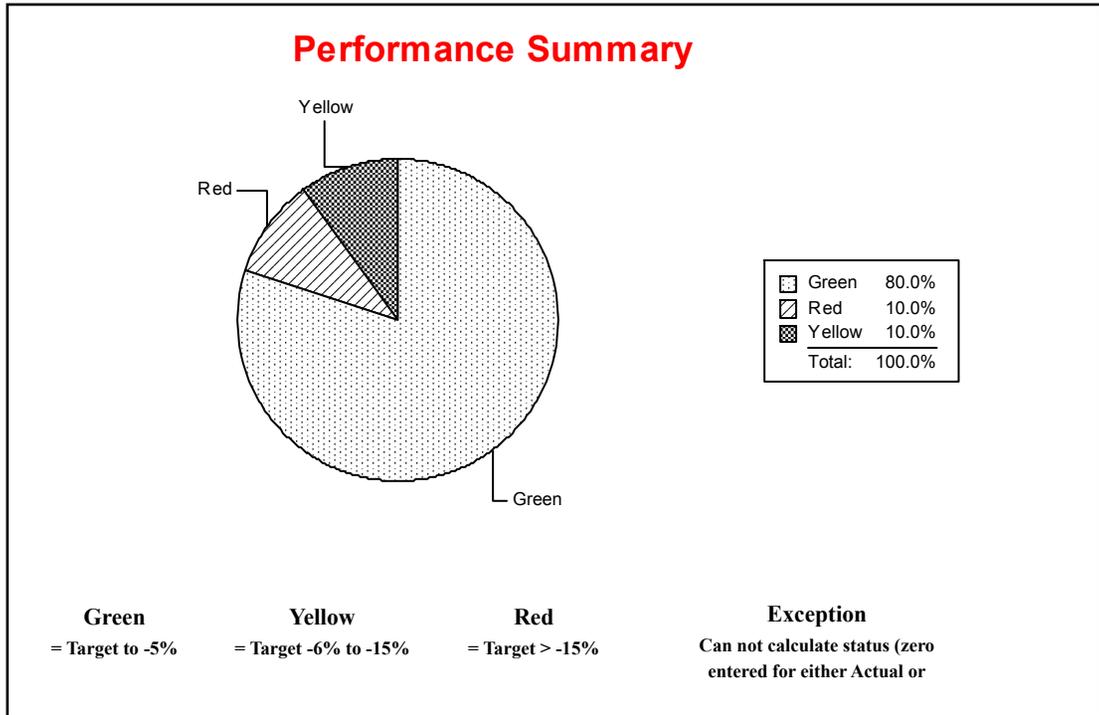
Original Submission Date: 2014

Finalize Date:

2013-2014 KPM #	2013-2014 Approved Key Performance Measures (KPMs)
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.
2	Timely Processing of Civil Rights Complaints: Percentage of target met for timely: intake, completion of perfected charge, initial interview and investigation (composite measure).
3	Timely Processing of Wage and Hour Complaints: Percentage of target met for timely: intake and jurisdiction determination; demand letter, investigation: Composite measure.
4	WHD: Percentage of WSF claims processed within fewer than 30 days.
5	WHD: Percentage of PWR investigations completed within 90 days.
6	ATD: Number of apprentices receiving journey level certificates.
7	ATD: Number of newly registered apprentices.
8	Apprenticeship Participation: Percentage of new apprenticeship participants who are minorities.
10	TA: Percentage of employer technical assistance calls or emails returned no later than the next business day.
12	Prevailing Wage Rate Pre-determinations - Response time for requests by public agencies concerning potential coverage of projects under state Prevailing Wage laws.

New Delete	Proposed Key Performance Measures (KPM's) for Biennium 2015-2017
NEW	<p>Title: 9. Administrative Prosecution Unit (APU): Percentage of cases scheduled for hearing within 30 days of assignment to APU.</p> <p>Rationale: In 2013, the Legislature abolished a previous KPM relating to the percentage of the agency's final orders issued in contested cases that were upheld on appeal to the Oregon Court of Appeals because the number of cases appealed was so low as to not provide meaningful performance data. The agency was requested to develop an appropriate alternative measure. BOLI's Administrative Prosecution Unit (APA) adjudicates contested wage and hour claims, civil rights complaints, prevailing wage law violations, farm and forest labor contractor violations and licensing matters, and child labor violations. Prompt resolution of these cases in the contested case hearing process is advantageous to claimants/complainants and employers/respondents, and it is the goal of the APU to process these cases as quickly as possible by scheduling a hearing date within 30 days of assignment of the case to the APU.</p>
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LABOR and INDUSTRIES, BUREAU of	I. EXECUTIVE SUMMARY
Agency Mission: 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.	
Contact: Christie Hammond, Deputy Commissioner	Contact Phone: 971-673-0785
Alternate: Paloma Sparks, Legislative Manager	Alternate Phone: 971-673-0786



1. SCOPE OF REPORT

The Bureau of Labor and Industries (BOLI) has three major divisions; the Apprenticeship and Training Division (ATD), Civil Rights Division (CRD), and Wage and Hour Division (WHD), as well as the Technical Assistance for Employers Program (TA) and the Administrative Prosecution Unit (APU). Performance measures have been established for each division, unit, and program. Current measures for the divisions include four WHD measures, one CRD measure, three measures for the Apprenticeship and Training Division (ATD), and two for the Technical Assistance for Employers Program (TA). As directed by the 2013 Legislature, the agency is proposing a new performance measure for the Administrative Prosecution Unit (APU) relating to timely case processing.

2. THE OREGON CONTEXT

The bureau's goals, as described in the mission statement, relate to income security, workforce development, and advancing employment opportunities. There are no overarching Oregon Benchmarks that reflect the specific mission of the agency. The Civil Rights and Wage and Hour Divisions enforce laws that ensure that employees receive wages when due and are able to work in a nondiscriminatory environment. The Civil Rights Division also enforces law to ensure non-discrimination in access to public accommodations and housing. The Technical Assistance for Employers Program's mission is to educate employers, emphasize compliance, and assist employers in avoiding enforcement actions. The Administrative Prosecution Unit is the administrative adjudication arm of the agency. It is the goal of the agency to properly interpret and apply the laws BOLI is charged with enforcing as expeditiously as possible.

3. PERFORMANCE SUMMARY

The bureau's successes in relation to its current performance measure goals include: (1) The Apprenticeship and Training Division exceeded its goals in two out of three of its measures; the number of newly registered apprentices and the percentage of minority apprentices. The number of apprentices receiving journey level certificates continues to lag behind performance targets as a result of the Great Recession that began in 2008: Total apprenticeship registrations gradually fell as the recession eroded previously projected employment opportunities, and new apprentice registrations remained stagnant until approximately July 2013, when a rebounding economy resulted in an increased demand for registered apprentices. The low number of new apprentices registered between 2009-2012 and the lack of work available for active apprentices, however, has resulted in fewer program completions than previously targeted by the division. The agency anticipates the number of program completions/journey level certificates awarded will begin to increase in FY 2015, reflecting increased registrations beginning in 2013. (2) The Civil Rights Division significantly exceeded its targets in three out of four goals in its composite performance measure in FY 2014, responding to 92% of inquiries to the division with two days; conducting 72% of initial complainant interviews within 45 days of receipt of a complaint; and completing 79% of the division's investigations in less than 180 days. The division did not meet its goal of drafting 75% of charges within 15 days the first two quarters of the year, but completed 73% and 71% in the third and fourth quarters within this period of time and continues to work on process improvements to achieve this goal. (3) The Wage and Hour Division substantially exceeded three out of four of its performance goals in FY 2014 including a composite measure relating to the timely processing of wage and hour complaints; the timely processing of Wage Security Fund claims, and the timely issuance of Prevailing Wage Rate predeterminations. The division fell short of its goal to complete 64% of prevailing wage investigations within 90 days, completing 57.5% of investigations within this period of time, but exceeded its goal of completing 75% of PWR investigations within 120 days by completing 79.2% of investigations conducted within this timeframe. (4) The Technical Assistance for Employers Program exceeded both of its performance measure goals (high customer survey ratings and responding to telephone and email inquiries from employers within one business day). 75% of incoming telephone calls from employers are answered directly by staff. (5) BOLI is proposing adoption of a new key performance measure for the 2015-2017 biennium relating to the timely processing of cases by the agency's Administrative Prosecution Unit (APU). The APU adjudicates the contested cases of the Wage and Hour and Civil Rights Divisions. Prompt resolution of these cases in the contested case hearing process is advantageous to claimants/complainants and employers/respondents, and it is the goal of the APU to process these cases as quickly as possible by scheduling a hearing date within 30 days of assignment of the case to the APU.

4. CHALLENGES

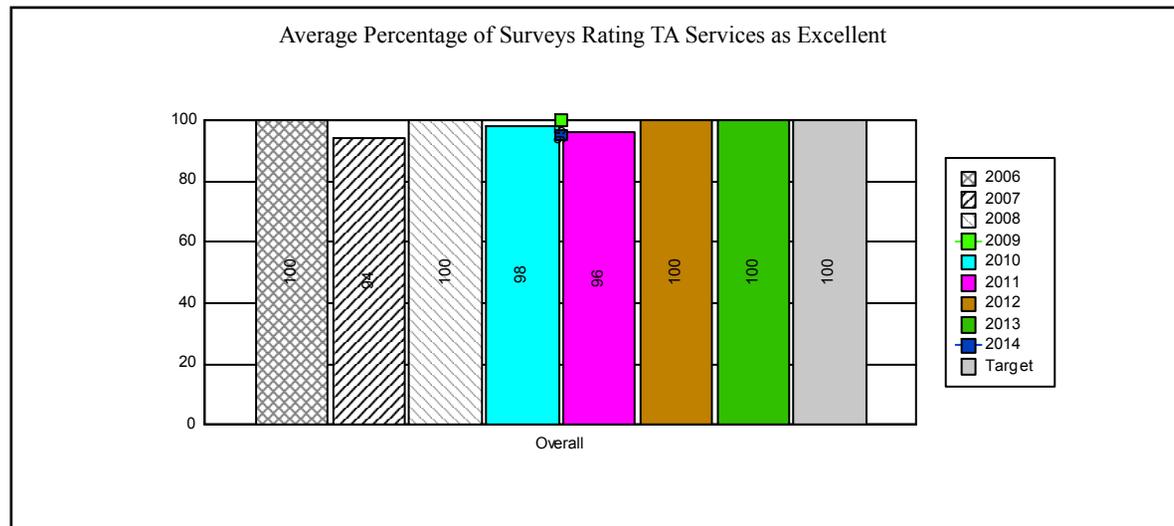
BOLI's staffing levels have been reduced by approximately 38% since the 1993-95 biennium; from 159 to 98.5 FTE in 2013-2015. The bureau has dealt with the loss of staffing and shrinking resources that do not keep pace with inflation by closing offices, reducing administrative costs, while trying to maintain core services wherever possible. The workload is primarily driven by the number of complaints the agency receives relating to wages and hours worked, terms and conditions of employment, and rights of workers to equal and nondiscriminatory treatment.

5. RESOURCES AND EFFICIENCY

BOLI's funding sources are comprised of 47.8% General Funds, 5.7% Federal Funds, 37.2% Other Funds, and 9.3% Non-Limited Funds (Wage Security Fund). The agency's 2013-15 legislatively adopted budget contains \$24,083,933 in total funds. This includes \$11.5 million in General Funds, \$9.87 million in Other Funds, \$1.49 million in Federal Funds, and \$1.2 million in Non-Limited Other Funds. Funds are distributed to the agency's divisions and units as follows:

Apprenticeship and Training Division: For the 2013-2015 biennium, ATD is supported almost exclusively with General Funds in the amount of \$2,782,789 million. ATD has 15.50 approved FTE and a total funds budget of \$4,841,067 million. Of its total fund budget, approximately \$1,978,373 million is dedicated to ODOT's Heavy Highway Construction Supportive Services program (administered by BOLI), which pays for 1.0 permanent FTE and 0.63 Limited Duration FTE and funds service providers awarded contracts by the division. ATD receives a small amount of Federal Funds, \$79,905 to administer on-the-job training programs for veterans through the Veterans Administration. Civil Rights Division: For the 2013-2015 biennium, the CRD has 29.50 approved FTE and is funded by \$2,722,333 in General Funds; \$1,134,135 in Other Funds; and \$1,197,807 in Federal Funds -- for a total funds budget of \$5,054,275. Federal Funds come from contracts with the Equal Opportunity Commission and the U.S. Department of Housing and Urban Development, which partially support the costs of civil rights investigations where federal and state jurisdictions overlap. Other Funds come primarily from OR-OSHA and the Injured Worker Benefit Fund; these funds support the investigation of allegations of retaliation against workers who report workplace safety concerns and allegations of discrimination against injured workers. Wage and Hour Division: For the 2013-2015 biennium, WHD has 29.00 approved FTE and \$2,522,405 in General Funds, \$3,912,797 in Other Funds, and \$1,200,000 in Non-Limited Other Funds. The division's total budget is \$7,635,202. Other Funds are derived primarily from farm/forest labor contractor licensing fees to support the costs of licensing contractors, and assessments on prevailing wage contracts to fund the division's Prevailing Wage Rate Unit. Non-Limited Other Funds come from the Wage Security Fund (WSF) and are dedicated to the payment of final wages for employees whose employers cease operations and default on final paychecks. WSF revenues are derived from the diversion of a fractional percentage of unemployment insurance taxes paid by employers once every two years that are deposited to the Wage Security Fund. Commissioner's Office/Program Support: For the 2013-2015 biennium, the Commissioner's Office and program support services (which include the Technical Assistance for Employers Program, Administrative Prosecution Unit, Information Services Unit, administrative law judges, Fiscal Services Unit, employee services, legal policy, communications/public information, and intergovernmental affairs) have a total budget of \$6,553,389 and 24.50 FTE.

KPM #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.	2006
Goal	Customer Service: Provide high quality customer service.	
Oregon Context	TA's services to employers align with the objectives of the Economy and Jobs 10-year outcomes.	
Data Source	TA Customer Satisfaction Survey.	
Owner	BOLI, Christie Hammond, 971-673-0785	



1. OUR STRATEGY

The Technical Assistance for Employers (TA) Program educates employers about relevant labor laws by offering handbooks, seminars around the state, and on-site training sessions, as well as an annual comprehensive 2-day training conference with presenters from both the public and private sectors.

2. ABOUT THE TARGETS

Through evaluations and feedback, the agency uses information provided by employers to assess services needed and the quality of those provided by TA.

3. HOW WE ARE DOING

The Technical Assistance for Employers (TA) Program consistently performs well above target levels.

4. HOW WE COMPARE

BOLI is unaware of any other similar public self-supporting program that provides this type of technical assistance.

5. FACTORS AFFECTING RESULTS

TA is primarily funded by and reliant on fees collected from conducting employer seminars and customized on-site trainings, and sales of employer handbooks and composite posters. The unit's manager and Training and Development Specialists also provide telephone and email assistance at no cost to employers; services that are very time-consuming but generate no revenue to support the positions in the unit. In addition to the demand for telephone and email assistance for employers, there is an unmet demand for TA's services in rural areas of the state. Because of the need to generate revenue to support the unit, TA is currently unable to provide employer seminars with a low return of revenue. Public seminars conducted in rural Oregon do not generate sufficient revenue to cover expenses; consequently, seminars are generally conducted in these areas only once a year or every other year. Some seminars are canceled due to low numbers of registrations, and some small business cannot afford to send staff to full-day seminars and pay the full seminar price.

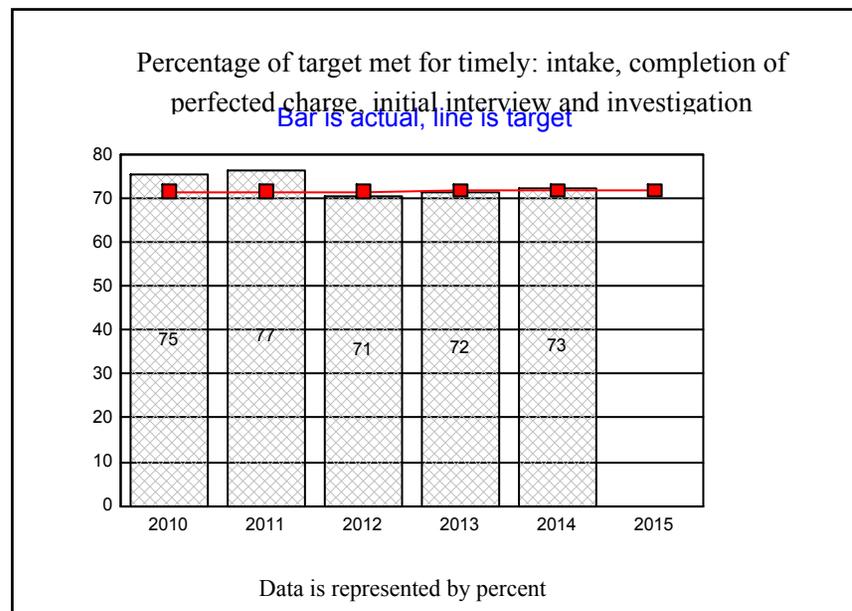
6. WHAT NEEDS TO BE DONE

In order to ensure the unit continues to meet the demand by employers for immediate responses to questions by telephone and email, access to accurate and updated employment law information on the agency's webpage, and high quality, low-cost employer seminars throughout the state, additional General Funds and staff are needed. The agency has submitted a Program Option Package to increase and enhance services to employers by TA which has been included in the Governor's Balanced Budget. TA staff will continue to solicit input from employers about training topics and information needs, and make adjustments to the content and delivery of its training based on feedback received.

7. ABOUT THE DATA

TA Seminar Survey Data for July 1, 2013-June 30, 2014.

KPM #2	Timely Processing of Civil Rights Complaints: Percentage of target met for timely: intake, completion of perfected charge, initial interview and investigation (composite measure).	2009
Goal	Timely processing of Civil Rights Complaints: To protect the rights of workers through a comprehensive, rigorous and timely investigation of civil rights complaints.	
Oregon Context	The work of the Civil Rights Division (CRD) directly correlates with Safety Outcome Strategy 5: Provide education, advocacy and regulatory efforts to ensure the safety, soundness and availability of markets for goods, services, financial products and labor. CRD's mission is aligned with the strategy's primary focus to assure that people are not taken advantage of or abused by unlawful discriminatory practices. The division provides protections for the most vulnerable Oregonians, many of whom are: low-income; persons with disabilities; racial and sexual minorities; victims of domestic violence, sexual assault or stalking; elderly; or a member of a religious minority.	
Data Source	IMPACT relational database data for July 1, 2013-June 30, 2014.	
Owner	BOLI, Christie Hammond, 971-673-0785	



1. OUR STRATEGY

The Civil Rights Division seeks to provide prompt services and fair investigations of all complaints filed with the division alleging civil rights violations in employment law, public accommodations, career schools and housing. A timely intake process (screening) helps an individual understand whether or not their experience qualifies or may qualify as a violation of the civil rights laws of the state of Oregon, and if so, assists the complainant in filing a timely complaint and meeting statutory filing deadlines. Timely initial interviews (with both the complainant and respondent) and investigations provide the best opportunity for a successful resolution, when the parties, records and witnesses are still available and information is fresh.

2. ABOUT THE TARGETS

The rationale for these targets is to provide prompt intake information to individual inquiries as well as provide for timely investigations and resolutions to the complaints filed with the division. These targets break down the progression of a civil rights complaint from the initial inquiries from individuals who believe they may have been discriminated against, to the drafting of a perfected charge (complaint), the initial investigative interview, and finally, the timely completion of an investigation.

3. HOW WE ARE DOING

The Civil Rights Division significantly exceeded its targets in three out of four goals in its composite performance measure in FY 2014, responding to 92% of inquiries to the division within two days; conducting 72% of initial complainant interviews within 45 days of receipt of a complaint; and completing 79% of the division's investigations in less than 180 days. The division did not meet its goal of drafting 75% of charges within 15 days the first two quarters of the year, but completed 73% and 71% in the third and fourth quarters within this period of time and continues to work on process improvements to achieve this goal.

4. HOW WE COMPARE

The division is not aware of any other states that measure the timeliness of these same four phases of civil rights complaint processing.

5. FACTORS AFFECTING RESULTS

The legislature, over successive biennia, has enacted significant new legislation that has impacted the work of the division, without providing any additional staff. Due to budget shortfalls, the division was forced to eliminate one senior civil rights investigator position in 2011. In addition, the division had to lay off two

additional senior civil rights investigators in 2012, and the agency was required to leave them vacant through the end of the 2013 fiscal year for budgetary reasons. Such staffing interruptions greatly impact the division's ability to consistently meet its performance objectives. Investigator staffing during FY 2014 was more stable than in previous years positively impacting performance. In order to address the inability of the division to consistently meet performance objectives of drafting 75% of charges within 15 days, it reassigned existing resources to create additional staffing to perform this function in FY 2014, improving performance.

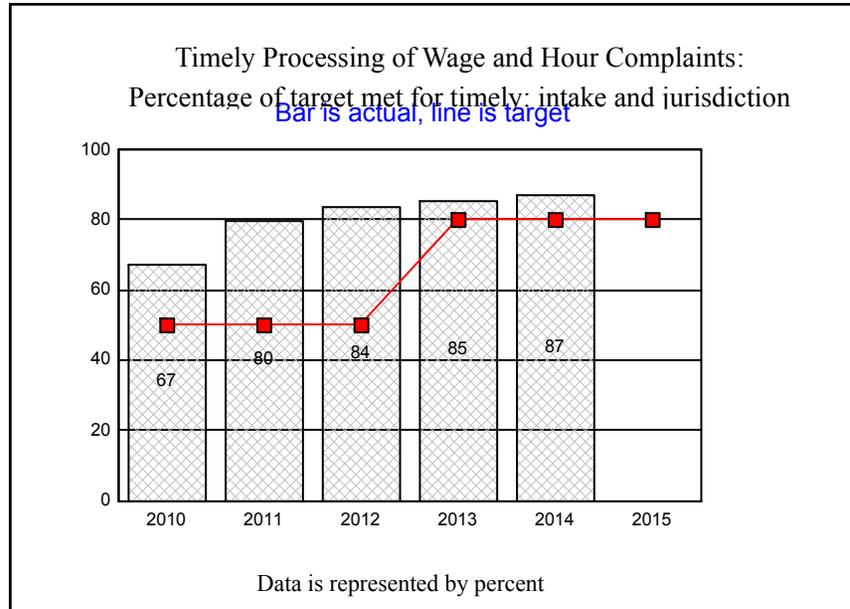
6. WHAT NEEDS TO BE DONE

The division receives over 35,000 inquiries each year, resulting in the formal filing of approximately 1,700 complaints per year. These complaints arise under a growing number of protected classes and cover a range of allegations, from technical violations to egregious harassment. Some complainants offer witnesses or documentary evidence in support of their allegations, while others rely solely on speculation. Because some complaints are more meritorious than others, it is important for the division to focus its limited resources accordingly. To better manage investigator caseloads and meet established timelines, the division has developed a system to triage complaints based on the likelihood that the division will find substantial evidence of a violation. This enables the division to dismiss cases that have no merit on their fact at the intake level, thereby freeing up the investigators' time to investigate more meritorious complaints. This process is more resource intensive at the front end of case processing, but reduces the time complainants spend in uncertainty, and frees resources for more thorough investigation of complaints where the division believes its efforts will be most effective.

7. ABOUT THE DATA

IMPACT relational database. Data for July 1, 2013-June 30, 2014.

KPM #3	Timely Processing of Wage and Hour Complaints: Percentage of target met for timely: intake and jurisdiction determination; demand letter, investigation: Composite measure.	2009
Goal	Timely processing of Wage and Hour Complaints: To protect the rights of workers through a comprehensive, rigorous and timely investigation of wage claims filed with the Wage and Hour Division.	
Oregon Context	WHD's programs and activities directly relate to the Safety Outcome objective to protect the safety and rights of Oregonians at work. The division's services to low-income, "at risk" employees are critical to the Safety Outcome objectives as well as strategies to create a working environment that is safe for all citizens. In addition, the division's programs are integral to the following Safety Outcome objectives and strategies: Protect wage and work conditions on the job; Increase family stability and child safety; Strengthen employment-related services; Improve employment and prosperity outcomes; Improve citizen access to justice and the ability to exercise their rights; Prevent, treat, and sanction dysfunctional employer behavior and unethical business practices; Ensure timely resolution of disputes between employees and employers; Provide "balance" when there are imbalances of knowledge or power that place workers in a position where they are unable to provide for their own protection; Ensure that workers are not taken advantage of or abused by unfair practices.	
Data Source	IMPACT relational database. Data for July 1, 2013-June 30, 2014.	
Owner	BOLI, Christie Hammond, Deputy Commissioner, 971-673-0785	



1. OUR STRATEGY

The Wage and Hour Division seeks to conduct prompt and fair investigations to resolve wage claims. A timely initial review (screening) of a wage claim and the issuance of a notice of claim to the employer provides the employee with needed information regarding the agency's ability to further process the claim and/or other options available to the claimant (Phase I). The timely assignment of the claim to an investigator (Phase II) and then a timely investigation (Phase III) provide the best opportunity for a successful resolution, when the parties, records and witnesses are still available and information is fresh. This 3-phase measure provides agency management with information for analyzing performance and doing targeted process improvements to improve overall performance and timeliness.

2. ABOUT THE TARGETS

The rationale for this 3-part measure is to promptly resolve wage claims as quickly as possible to provide claimants with the income security they need to support themselves and their families. This composite measure breaks down the processing of a wage claim, and measures timeliness during three distinct phases of the wage claim process--from receipt of the claim to the initial contact with the employer, to the time before it is assigned for investigation, and finally, completion of the investigation.

3. HOW WE ARE DOING

The division significantly exceeded its targets in all three phases of this composite KPM, improving its performance from the previous year in two of the three phases (sending a notice of wage claim to the employer within 12 days of receipt of the claim 98.7% of the time, and completing 62.4% of wage claim investigations within 35 days) and achieved 100% of its goal in the third phase (assigning wage claims for investigation within 30 days).

4. HOW WE COMPARE

The division is not aware of any other states that measure the timeliness of these same three phases of wage claim processing.

5. FACTORS AFFECTING RESULTS

The single most critical factor in the division's wage claim performance is the availability of adequate trained staff to process and investigate wage claims. In order to resolve wage claims efficiently and expediently, the division requires adequate resources to retain compliance staff and maintain service levels. Although economic factors have created fluctuations in the division's program data, the amounts of wage collections have remained comparatively stable--WHD has recovered an average of \$1.76 million per year in back wages over the last several years--and demand for the division's services--an average of approximately 2,100 wage claims are filed every year--has remained constant regardless of economic conditions. Most workers who file claims or complaints with WHD have no other recourse for addressing their issues. Budget and staff reductions over the past several biennia have virtually eliminated the division's public outreach capacity, leaving the division's enforcement programs entirely complaint-driven. This has impacted the numbers of claims filed and investigations conducted.

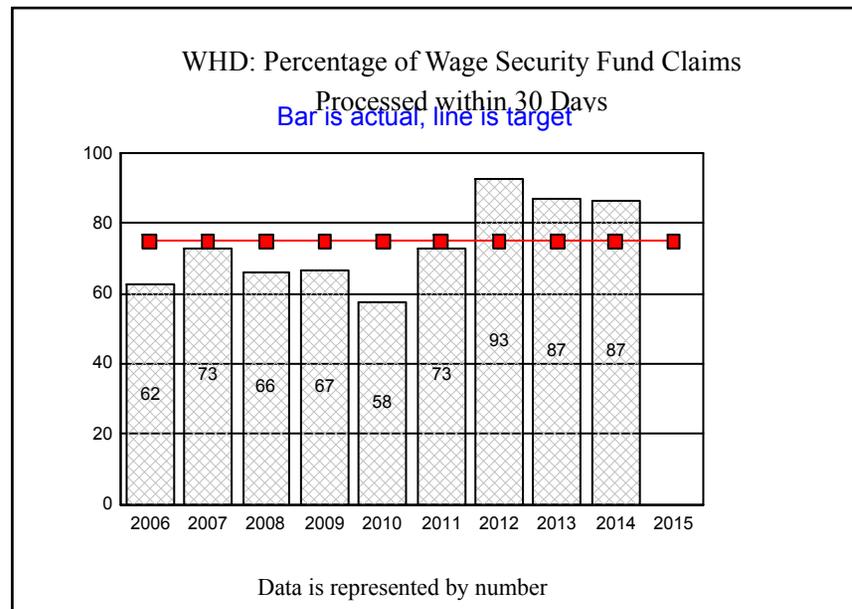
6. WHAT NEEDS TO BE DONE

Current resources support only five (5.0 FTE) General Fund Wage and Hour Compliance Specialists statewide to investigate claims and complaints regarding minimum wage, overtime, wage collection, working conditions, and child labor and farm/forest labor contractor matters. With careful management of its limited resources, the division is able to meet its KPM for wage claim processing at the current level of staffing, however, WHD is largely restricted to responding to complaints or claims that it receives, as opposed to undertaking proactive measures aimed at both educating the public about wage and hour regulations and correcting violations in strategic and comprehensive ways.

7. ABOUT THE DATA

IMPACT relational database. Data for July 1, 2013-June 30, 2014.

KPM #4	WHD: Percentage of WSF claims processed within fewer than 30 days.	2005
Goal	WHD: Promptly pay benefits from Wage Security Fund (WSF) to workers who do not receive wages already earned when a business fails.	
Oregon Context	This measure does not directly align to any Oregon Benchmark.	
Data Source	IMPACT relational database. Data for July 1, 2013-June 30, 2014.	
Owner	BOLI, Christie Hammond, 971-673-0785	



1. OUR STRATEGY

The Wage and Hour Division (WHD) administers the Wage Security Fund, which is available to pay up to \$4,000 of the final wages owed to employees of employers that go out of business and are financially unable to meet their final payroll obligations. The Wage Security Fund (WSF) is unique to Oregon and

assists workers in meeting their financial obligations when their paychecks are not received as expected.

2. ABOUT THE TARGETS

It is the division's goal to process Wage Security Fund claims within 30 days if possible. The target is designed to get funds as quickly as possible to employees who have lost their jobs and are not paid for the work they performed in order to assist them in meeting their financial obligations.

3. HOW WE ARE DOING

The division was successful in exceeding its goal of processing 75% of Wage Security Fund claims within 30 days in 2013-14 by processing 86.7% of claims received in this period of time; 96% of Wage Security Fund claims received were processed within 45 days.

4. HOW WE COMPARE

Because no other state administers a fund like the Wage Security Fund (only Maine has a similar type of fund), it is not possible to compare performance in this area.

5. FACTORS AFFECTING RESULTS

Workload is difficult to predict since it is based on the rate and scale of business closures, and it is often difficult to obtain needed documentation from businesses that have abruptly closed or declared bankruptcy. In addition, investigators who process and investigate Wage Security Fund claims are also responsible for investigating other types of claims, and the volume of these other claims in the system and investigator caseloads can affect the division's Wage Security Fund claim processing performance.

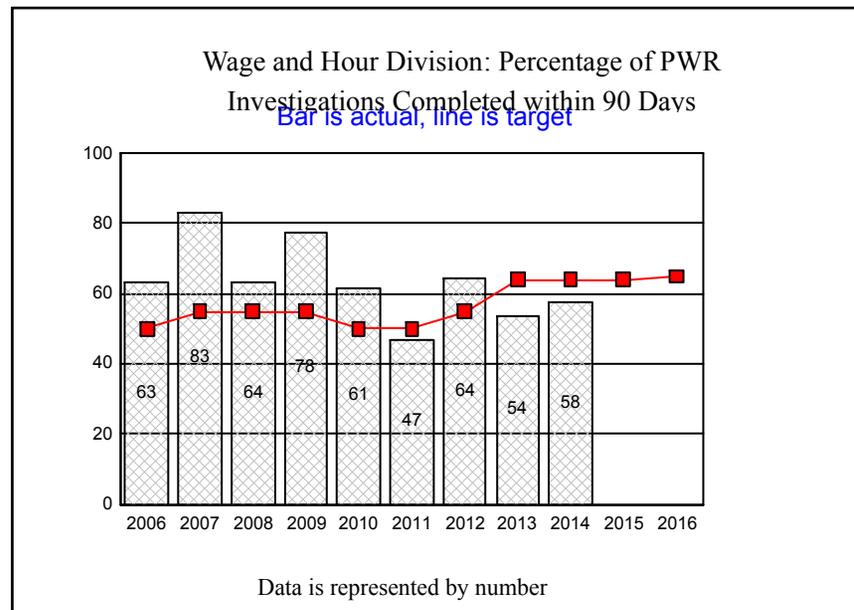
6. WHAT NEEDS TO BE DONE

By prioritizing its processing of Wage Security Fund claims and working with staff to identify ways in which processes can be expedited, the division has succeeded in maintaining its performance in the timely processing of Wage Security Fund claims this biennium. The division will continue to prioritize and emphasize the timely processing of these claims in order to meet and maintain the goal for this performance measure.

7. ABOUT THE DATA

IMPACT relational database. Data for July 1, 2013-June 30, 2014. Claims are logged in the database as they are received and assigned to staff. Time elapsed between initial receipt of a claim and when the claim is authorized for payment from the WSF is used to calculate the percentage of claims processed in 30 days or less.

KPM #5	WHD: Percentage of PWR investigations completed within 90 days.	2005
Goal	WHD: Resolve prevailing wage rate (PWR) complaints quickly to protect both the worker and the public's investment in infrastructure.	
Oregon Context	This measure does not directly align to any Oregon Benchmark.	
Data Source	IMPACT relational database. Data for July 1, 2013-June 30, 2014.	
Owner	BOLI, Christie Hammond, 971-673-0785	



1. OUR STRATEGY

The Prevailing Wage Rate Unit of the WHD is charged with enforcing the payment of prevailing wages on (a) public works projects of \$50,000 or more that are carried on by or contracted for by a public agency, or (b) privately-owned projects that use more than \$750,000 in public funds. The prompt resolution of

PWR investigations is important to both workers who are owed wages and construction contractors whose bonds may be tied up until the investigation is concluded.

2. ABOUT THE TARGETS

PWR investigations are complaint based. The PWR Unit investigates allegations that contractors employing workers on projects covered by the prevailing wage law are not paying the applicable wage rates required under the law. These investigations can involve lengthy examinations of projects and payroll records covering several months to determine whether wages are owed to workers. The division has established a target of completing 64% of its PWR investigations within 90 days.

3. HOW WE ARE DOING

The PWR Unit improved its performance slightly (by 4%) over the previous fiscal year and came within approximately 7% of its goal of completing 64% of PWR investigations within 90 days. The unit exceeded its goal of completing 75% of its investigations within 120 days by completing 79.2% of investigations within this period of time; a 6% improvement over the previous year.

4. HOW WE COMPARE

WHD is unaware of other state's timelines for conducting prevailing wage investigations.

5. FACTORS AFFECTING RESULTS

The single most critical factor in the division's performance in this measure is the availability of trained staff to process and investigate PWR complaints. In order to resolve PWR complaints efficiently and expediently, the division requires adequate compliance resources to retain compliance staff and maintain service levels.

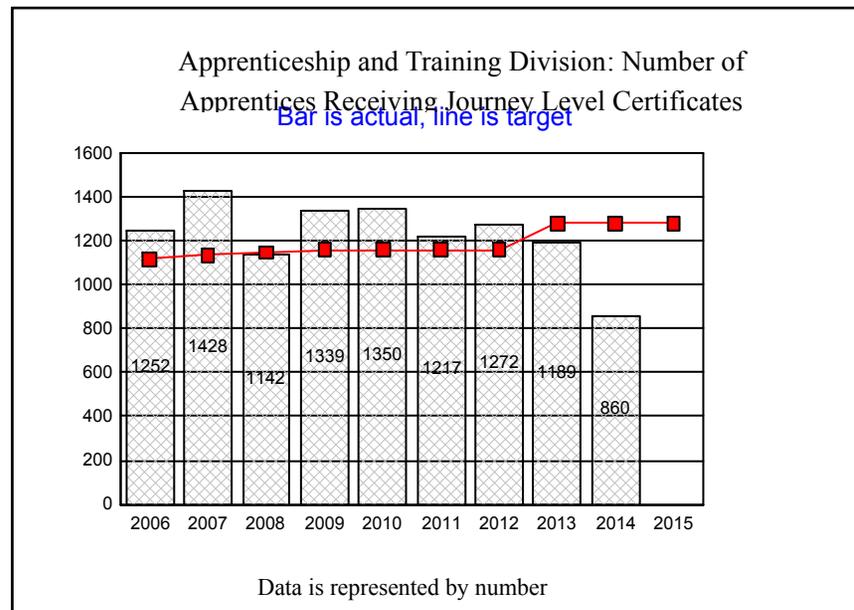
6. WHAT NEEDS TO BE DONE

The PWR Unit continues to encourage the use of project predeterminations to determine coverage under the PWR law, which the agency believes reduces a certain number of cases in which application of the law to the project is an issue. The unit conducts bi-weekly meetings to work on improving its processes and efficiency, which have proven to be effective in increasing efficiency and the timeliness of case processing.

7. ABOUT THE DATA

IMPACT relational database. Data for July 1, 2013-June 30, 2014. Cases are logged in the database as they are received and assigned for investigation. Time elapsed between the assignment of a case for investigation and the closure or referral of a case is used to calculate the percentage of cases processed in 90 days or less.

KPM #6	ATD: Number of apprentices receiving journey level certificates.	2005
Goal	ATD: Ensure registered apprentices are receiving valuable learning experiences.	
Oregon Context	This measure does not directly align to any Oregon Benchmark.	
Data Source	Division Management Information System. Data for July 1, 2013-June 30, 2014.	
Owner	BOLI, Christie Hammond, 971-673-0785	



1. OUR STRATEGY

The Apprenticeship and Training Division (ATD) seeks to ensure that registered apprentices are receiving valuable learning experiences, completing their training, and going on to receive an industry recognized credential referred to as a journey level certificate. The Oregon State Apprenticeship and Training

Council (OSATC) provides policy direction and approves local apprenticeship committees and their occupational standards. The division plays an administrative role in this process and provides technical support to the OSATC and local apprenticeship committees to develop apprenticeship-training standards, certify registered training agents and apprentices and ensure that quality training standards are met. Furthermore, the division facilitates the growth and promotion of the apprenticeship model of training by assisting communities in building partnerships with educational institutions, government agencies, private training agents and various other community partners. This goal is directly related to the agency's core mission of advancing employment opportunities. Apprenticeship programs provide supervised, structured training for high skill jobs; programs combine theoretical knowledge with hands-on experience and are based on a recognized set of skill standards. Graduates of these programs have higher employment potential in high demand industries in Oregon. The division continues to assist industry in developing policies that permit apprentices to complete their programs in a timely manner.

2. ABOUT THE TARGETS

ATD and the Oregon State Apprenticeship and Training Council want to make sure that apprenticeship programs are doing their best to ensure apprentices complete their training. The annual target of 1280 apprentices receiving journey level certification was based on data from FY 2004 (when the measure was created) and on economic predictions of a growing economy and historical performance. While this performance measure tracks the total number of completions from apprenticeship programs, it does not measure a number of equally important aspects, like the ratio of new apprentices who complete their programs to those who do not (completion rates), the quality of their training, or the availability of jobs upon completion of an apprenticeship program.

3. HOW WE ARE DOING

Beginning in November 2008, total apprenticeship registrations gradually fell as the Great Recession eroded employment opportunities to a degree greater than initially anticipated. Accordingly, new apprentice registrations remained stagnant until approximately July 2013, and the low number of new apprentices registered between 2009-2012 and the lack of work available for active apprentices resulted in fewer program completions than previously targeted by ATD before the economic downturn. Beginning in 2013, a rebounding economy resulted in an increased demand for registered apprentices. ATD anticipates that the total number of journey level certificates awarded will begin to increase in 2014-15, reflecting the increasing numbers of registrations from July 2013 to date. In fact, completions for the first quarter of FY 2015 were already up 25% over the previous year. The division will continue to reinforce the need for industry to refocus its efforts to attract and retain new apprentices as the economy continues to recover.

4. HOW WE COMPARE

By way of comparison, the State of Washington, with _____ registered apprentices for the 2013 calendar year, reports that _____ individuals completed their program and received journey level certification in the last calendar year (2013).

5. FACTORS AFFECTING RESULTS

The target was based on FY 2004 data and the industry experienced a significant increase in growth through 2008. If the economy had remained steady, those apprentices would have graduated in 2011 and 2012. The ensuing recession created an incentive for employers to maintain current apprentices through graduation rather than incurring the cost of starting new apprentices. The relative high number of completions during the recession is the result of concerted efforts by employers to complete individual already in the system rather than start lower paid new apprentices. Compliance efforts undertaken by the division to ensure quality standards have also increased completion rates of apprentices.

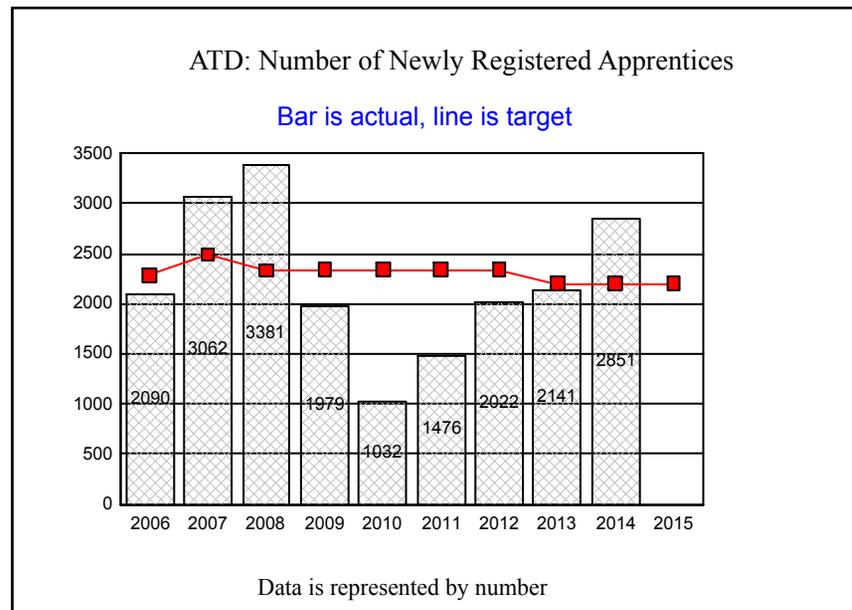
6. WHAT NEEDS TO BE DONE

ATD needs to continue to work with its Joint Apprenticeship and Training Committees (JATCs) to ensure that they provide appropriate resources and mentorship to those who sincerely seek to obtain a journey level certificate. High compliance standards have led to high apprenticeship completion rates in Oregon, and the division will continue this effort. At the same time, the division needs to provide program sponsors with information showing that the decline in new apprentices registered between 2009 and 2012 may result in a lack of qualified workers three to five years out, and encourage them to start training a new cadre of apprentices. In addition, the division needs to continue to focus apprenticeship outreach and recruitment efforts toward high demand industry sectors.

7. ABOUT THE DATA

Division Management Information System. Data for July 1, 2013-June 30, 2014.

KPM #7	ATD: Number of newly registered apprentices.	2005
Goal	ATD: Increase skilled workforce by increasing the number of newly registered apprentices.	
Oregon Context	This measure does not directly align to any Oregon Benchmark.	
Data Source	Division Management Information System. Data for July 1, 2013-June 30, 2014.	
Owner	BOLI, Christie Hammond, 971-673-0785	



1. OUR STRATEGY

Projected workforce shortages make it essential that more apprentices enter training programs. While BOLI does not play a direct role in the hiring of new apprentices, the division's outreach and recruitment activities as well as its technical assistance provided to employers about the benefits of structured

workforce training has assisted employers in deciding to build their workforce through apprenticeship. This goal is directly related to the agency's core mission of advancing employment opportunities.

2. ABOUT THE TARGETS

The previous target of 2450 was based on FY 2004 data and the construction industry had experienced significant growth through 2008. That growth resulted in a substantial increase in the number of newly registered apprentices through 2008. The subsequent recession resulted in lower employment and a reduction in new apprentices hired, and the target was therefore reduced in 2013 to 2200. With the improving economy and increases in new apprentices hired as a result, it may be appropriate to review the target again.

3. HOW WE ARE DOING

The economic downturn significantly affected the rate at which new apprentices were accepted into programs from 2009-2011. During the growth period of 2006 through 2008, an average of 2,853 new apprentices were registered each year. That figure fell to an average of 1,492 new apprentices registered each year during the peak of the recession in 2009 through 2011. Employers do not register apprentices when there is no long term work available. ATD and the JATCs fell far short of reaching their goals in this area during this period of time, however, increases in registrations over the past three years (2012-2014) reflect a turnaround in the construction industry employment that may be sustainable. New registrations greatly exceeded the anticipated goal in 2014 for this measure, primarily due to an improving economy. Statewide job growth is currently at the strongest pace since 2006 and in turn, employers sought to add more apprentices to address new work and replace its aging workforce. Based upon Employment Department projections, total employment in the construction sector is anticipated to continue to grow for the next two years, and ATD anticipates continued increases in new registrations during this time as the majority of apprentices are in the building and construction trades.

4. HOW WE COMPARE

The State of Washington reports that it registered _____ new apprentices in the 2013 calendar year. Although this number is significantly higher than the number of new registrants in Oregon, Washington has a significantly larger population than Oregon and the rate of apprenticeship completion is not nearly as high as Oregon's. In effect, this means Washington must register more apprentices to get the same number of graduates. Like Oregon, Washington also experienced a significant drop in the number of new apprentices, most likely due to the down economy.

5. FACTORS AFFECTING RESULTS

Industry growth and occupational demand is affecting the growth rate of newly registered apprentices. As the economy continues to rebound, the division anticipates that it will be able to meet its targets in upcoming years.

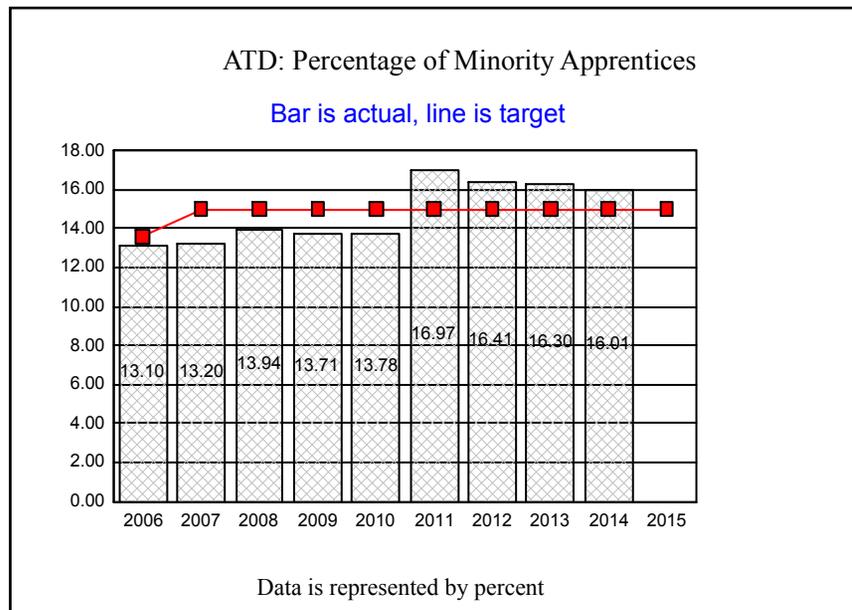
6. WHAT NEEDS TO BE DONE

As the current recession subsides, ATD will need to work with outreach and recruitment sources to help ensure that a qualified pool of new applicants is available to industry. A sustained increase in registrations will not occur until increased commercial construction and heavy manufacturing activity create a demand for new workers. Following the cadre of apprentices who completed their programs from 2011-2013, employers will need to start new apprentices to replace retiring workers and to meet the needs from the anticipated economic recovery. Similar to KPM #6, this goal was adjusted downward in 2013 based on economic factors. The division recommends that the goal be reviewed again given the improving economy and current performance. As with KPM #6, this measure and its targets would be more informative if annual performance goals for new apprentices registered were based on projected future demand in each sector (and factored in the historical completion rates of each program).

7. ABOUT THE DATA

Division Management Information System. Data for July 1, 2013-June 30, 2014.

KPM #8	Apprenticeship Participation: Percentage of new apprenticeship participants who are minorities.	2005
Goal	Increase the number of minority participants in apprenticeship programs.	
Oregon Context	This measure does not directly align to any Oregon Benchmark.	
Data Source	Division Management Information System. Data for July 1, 2013 - June 30, 2014.	
Owner	BOLI, Christie Hammond, 971-673-0785	



1. OUR STRATEGY

The Apprenticeship and Training Division (ATD) and Oregon State Apprenticeship and Training Council (OSATC) are working to increase the diversity in the apprenticeable construction trades. Federal law requires apprenticeship programs to include affirmative action plans, and BOLI works with individual

apprenticeship programs to adopt and implement appropriate plans and achieve results. Recognizing that increased diversity can only come through new workers entering the industry, BOLI staff works with education and workforce partners, ODOT, urban renewal agencies, industry associations, labor organizations and community groups to help increase minority participation in apprenticeship programs. BOLI and ATD will continue to try to channel momentum toward high-wage, high-demand jobs, through the promotion and restoration of vocational-technical education at the middle and high school levels and coordinate those efforts with adult apprenticeship opportunities.

2. ABOUT THE TARGETS

The targets were initially set to increase the percentage of minority apprentices participating in apprenticeship programs until such a point when apprenticeship programs were proportionally representative of the state's minority workforce population. This target has consistently been exceeded since 2011, and the percentage of minority apprentices is currently greater than the state's workforce population.

3. HOW WE ARE DOING

After making years of steady progress toward meeting the goal of 15% of newly registered apprentices representing minority populations, the division has succeeded in exceeding this goal since FY 2011, with an average of 16% of new apprentices representing minority populations. Even during the years in which overall apprenticeship registrations decreased during the economic downturn, minority populations did not seem to have been disproportionately impacted. The division works directly with programs showing particularly low minority participation rates to improve their affirmative action plans and increase minority participation in the programs.

4. HOW WE COMPARE

Oregon lags behind most other states with respect to the percentage of minority participants in registered apprenticeship programs. Nonetheless, minority apprentice registrations have exceeded the percentage of the state's total minority workforce (15%); the basis for the performance target. In calendar year 2013, ___% of all new apprenticeship registrations in Washington State were minorities.

5. FACTORS AFFECTING RESULTS

The results of this KPM are affected by the unmet need of conducting increased outreach, mentorship and increased partnering with community groups, especially in areas with large minority populations, industry associations such as OAME, labor organizations, minority business owners, urban renewal agencies, workforce partners and ODOT. State and local contractual requirements mandating the use of apprenticeship training on some public and private

projects have created additional apprenticeship opportunities that are more frequently being filled by women and people of color. Support for these individuals as they enter the apprenticeship system has been provided through the BOLI-ODOT Supportive Services program.

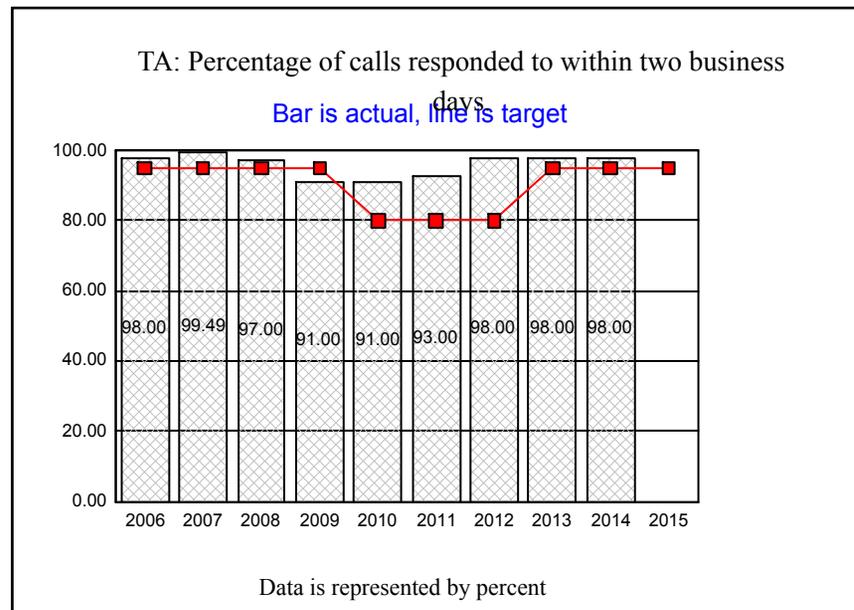
6. WHAT NEEDS TO BE DONE

ATD will continue to devote time to technical assistance to JATCs so they can have an increasing pool of minority applicants for their programs. With only ___ apprenticeship representatives to serve the state with a growing number of apprentices and committees, and when the staff's primary role is compliance, it is difficult to provide additional assistance to the JATCs.

7. ABOUT THE DATA

Division Management Information System. Data for July 1, 2013-June 30, 2014.

KPM #10	TA: Percentage of employer technical assistance calls or emails returned no later than the next business day.	2005
Goal	TA: Employers receive prompt, accurate technical assistance to comply with Oregon law.	
Oregon Context	This measure does not directly align to any Oregon Benchmark.	
Data Source	Data for July 1, 2013-June 30, 2014.	
Owner	BOLI, Christie Hammond, 971-673-0785	



1. OUR STRATEGY

The goal for the Technical Assistance for Employers program (TA) is to provide employers with prompt, accurate technical assistance to comply with Oregon law. Employers with employment law questions often need immediate answers, and a prompt response can be essential to avoiding prolonged disputes.

Assisting employers in complying with the law is related to the agency's core mission of protecting employment rights.

2. ABOUT THE TARGETS

This target is to ensure that employers receive a timely response to their technical assistance questions. Employers with technical questions need timely answers in order to avoid complaints and exacerbating situations currently happening in the workplace. Responding to employers' questions no later than the following business day is a reasonable goal.

3. HOW WE ARE DOING

TA continues to exceed its performance target, and returned 98% of calls and emails within one business day in FY 2014. The unit responded to 15,750 phone calls and emails during this period while also maintaining a schedule of 167 public and onsite seminars. Given the high number of telephone calls and emails fielded and the complexity of the inquiries, it is significant that performance has stayed consistently high in this area. TA has additionally enhanced its telephone services to employers by upgrading its telephone system to enable multiple available TA staff to respond to calls as they are received, providing employers with immediate access to TA staff on demand. This achievement is due in large part to the general fund support for one program coordinator and the unit's administrative specialist. This general fund support has allowed the program to focus more resources on the free services provided to employers like the technical assistance hotline, continuing seminars in rural areas that would not otherwise be feasible (as the seminar fees do not cover the expenses), and providing information via the website and advice columns, which are accessible to all employers; not just those who attend seminars or purchase handbooks.

4. HOW WE COMPARE

TA is unaware of any similar public self-supporting program that provides such technical assistance in any state.

5. FACTORS AFFECTING RESULTS

Factors affecting results involve the number of calls and emails received and the competing demands on the staff to perform seminars, both public and on-site; privately tailored to the employer's specific needs. Because TA's budget is derived primarily from seminar fees and the sale of its handbooks and posters, staff must prioritize those duties above providing employer assistance; activities which do not provide revenue to support the program. The addition of new Fact Sheets and FAQs on the agency's website, as well as the production of new and revised handbooks published by the unit, have served to reduce the number of phone calls and email inquiries.

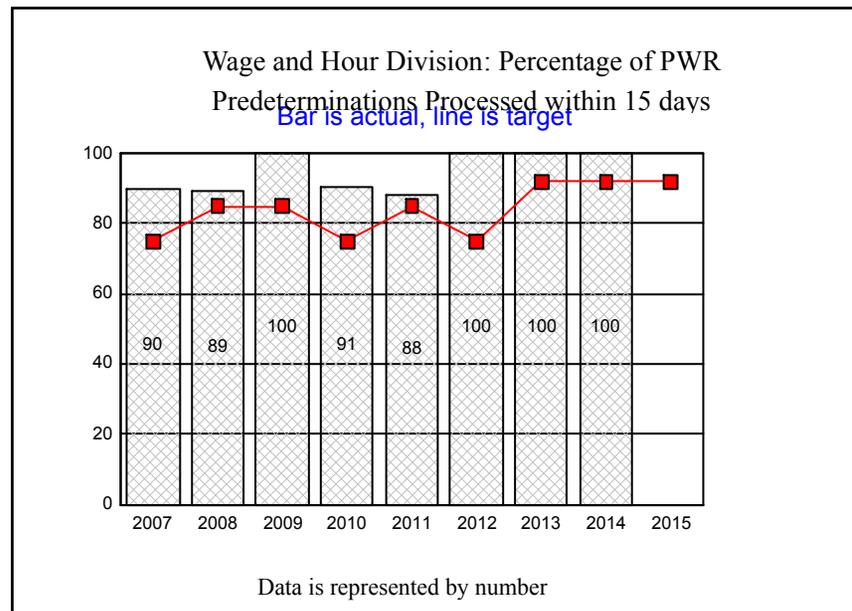
6. WHAT NEEDS TO BE DONE

The TA program continually evaluates and allocates available resources to remain as responsive as possible to employer demands and to provide updated information on new laws and concerns to employers. A Program Option Package providing additional resources to the program is included in the Governor's Balanced Budget.

7. ABOUT THE DATA

Internal Tracking System. Data for July 1, 2013-June 30, 2014. Calls are logged as they come in and again when a response has been provided. The time elapsed between an employer's initial call or email and when TA staff returns the call or email is used to calculate the percentage of calls responded to no later than the next business day.

KPM #12	Prevailing Wage Rate Pre-determinations - Response time for requests by public agencies concerning potential coverage of projects under state Prevailing Wage laws.	2006
Goal	It is the goal of the agency's Prevailing Wage Unit to issue determinations regarding application of the prevailing wage law to projects within 15 business days of receipt of a request for a coverage determination.	
Oregon Context	This measure does not directly align to any Oregon benchmark.	
Data Source	IMPACT relational database. Data for July 1, 2013-June 30, 2014.	
Owner	BOLI, Christie Hammond, 971-673-0785	



1. OUR STRATEGY

The PWR Unit strives to provide timely responses to parties requesting predeterminations regarding the potential coverage of projects under the state

prevailing wage rate law. These determinations provide public agencies and contractors with more certainty about whether projects are covered by the PWR law, and helps contractors avoid inadvertent violations.

2. ABOUT THE TARGETS

In 2007, the legislature adopted legislation requiring the bureau to issue determinations within 60 days. The agency has established a KPM of issuing determinations in a much shorter period of time -- within 15 business days. Because the division was regularly exceeding its performance goal of issuing 75% of determinations within 15 days, the KPM target was adjusted to 92% in 2013.

3. HOW WE ARE DOING

The division has prioritized its processing of PWR determination requests. As a result, the division has consistently exceeded its target of issuing determinations within 15 days; issuing determinations within this period of time 100% of the time in the past three years.

4. HOW WE COMPARE

The WHD knows of no similar coverage predetermination process to which it can compare.

5. FACTORS AFFECTING RESULTS

Maintaining sufficient and experienced staff in the unit has enabled the division to efficiently and expeditiously issue PWR project determinations.

6. WHAT NEEDS TO BE DONE

The division will continue to emphasize its predetermination process for early resolution of PWR issues.

7. ABOUT THE DATA

IMPACT relational database. Data for July 1, 2013-June 30, 2014. As predetermination requests are received, they are logged in the division's database and assigned to staff. Time elapsed between the initial receipt of a predetermination request (with complete information) and the date the determination is issued is used to calculate the percentage of predeterminations issued in 15 days or less.

LABOR and INDUSTRIES, BUREAU of	III. USING PERFORMANCE DATA
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Agency Mission: 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.

Contact: Christie Hammond, Deputy Commissioner	Contact Phone: 971-673-0785
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Alternate: Paloma Sparks, Legislative Manager	Alternate Phone: 971-673-0786
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The following questions indicate how performance measures and data are used for management and accountability purposes.

1. INCLUSIVITY	<ul style="list-style-type: none"> * Staff : * Elected Officials: * Stakeholders: * Citizens:
2 MANAGING FOR RESULTS	
3 STAFF TRAINING	
4 COMMUNICATING RESULTS	<ul style="list-style-type: none"> * Staff : * Elected Officials: * Stakeholders: * Citizens: