



Department of Labor and Employment  
Line Item Description

FY 17-18 Budget Request

**NOVEMBER 1, 2016**

## ***(1) EXECUTIVE DIRECTOR'S OFFICE***

\*\*All fund splits for Executive Director's Office line items within the Budget Schedules are estimates. These estimates cannot be relied upon for any reason. The actual fund split is only determined after each month is closed and is based on CDLE's federally approved cost allocation plan.\*\*

### **PERSONAL SERVICES**

This line item provides staff and services for needs that are common to all divisions within the Department of Labor and Employment. The Executive Director's Office administers facilities, equipment, and common program elements such as Human Resources, Financial Services, and Information Technology support staff, for example, needed by all divisions within the Department and, therefore, are budgeted within the "Personal Services" line item in the Executive Director's Office.

### **HEALTH, LIFE, AND DENTAL**

This line item is a centrally appropriated and is used to pay for the state's share of health insurance, life insurance, and dental insurance for employees who enroll in the state's health plan, in accordance with the JBC-approved common policy. The request reflects OSPB approved common policy adjustments for FY 2016-17.

### **SHORT-TERM DISABILITY**

This line item is used to pay the Department's share of costs associated with the state's short-term disability program which is administered by the Department of Personnel and Administration. The JBC approved a short-term disability rate of 0.22 percent of base personal services salaries. The request reflects OSPB approved common policy adjustments for FY 2016-17.

### **SB 04-257 AMORTIZATION EQUALIZATION DISBURSEMENT**

This line item is used to pay the costs associated with S.B. 04-257, which requires an additional state contribution for employees in the Public Employees' Retirement Association (PERA). The request reflects OSPB approved common policy adjustments for FY 2016-17.

### **SB 06-235 SUPPLEMENTAL AMORTIZATION EQUALIZATION DISBURSEMENT**

This line item is used to pay costs associated with S.B. 06-235, which provided for a mechanism to increase the effective PERA rate beginning on January 1, 2008. The request reflects OSPB approved common policy adjustments for FY 2016-17.

**SALARY SURVEY AND SENIOR EXECUTIVE SERVICE**

This line is intended to pay for salary adjustments in accordance with the total compensation report prepared by the Department of Personnel and Administration pursuant to Section 24-50-104 (4) (c), C.R.S.

**MERIT PAY**

This line item is a centrally appropriated line item used to pay for performance-based pay awards for state employees pursuant to Section 24-50-104 (1) (c) (I), C.R.S.

**SHIFT DIFFERENTIAL**

This line item is used to pay for the incremental costs associated with higher compensation rates for employees who work after regular working hours. The FY 16-17 request is for 100% of prior year actual.

**WORKERS' COMPENSATION**

This line item is used by the Department of Labor and Employment to reimburse the Department of Personnel and Administration for its share of costs associated with providing workers' compensation insurance to state employees and is set by DPA common policy adjustments.

**OPERATING EXPENSES**

This line funds Department-wide and Executive Director's Office expenses such as department-wide software maintenance agreements, office supplies, in-state travel, and state fleet parking costs.

**LEGAL SERVICES FOR 8,415 HOURS**

This line item is used to pay the Department of Law for the provision of legal services to the Department.

The FY 16-17 is for a continuation of 8,415 legal services hours.

### **PAYMENTS TO OIT**

This line item is used to reimburse the Governor's Office of Information Technology for the Department's share of costs for the management and administration of OIT. The request reflects OSPB approved common policy adjustments for FY 2016-17.

### **PAYMENTS TO RISK MANAGEMENT AND PROPERTY FUNDS**

This line item is used to reimburse the Department of Personnel and Administration (DPA) for the Department's share of expenses associated with the state's liability insurance and property insurance. The request reflects OSPB approved common policy adjustments for FY 2016-17.

### **CORE OPERATIONS**

This line item is used by the Department to reimburse the Department of Personnel and Administration (DPA) for the costs associated with maintaining the state's accounting system. The request reflects OSPB approved common policy adjustments for FY 2016-17.

### **VEHICLE LEASE PAYMENTS**

This line item is used by the Department to reimburse the Department of Personnel and Administration (DPA) for the costs associated with vehicle lease payments for vehicles used by the Department. The request reflects OSPB approved common policy adjustments for FY 2016-17.

### **LEASED SPACE**

This line item is used by the Department to pay for leased space in locations around the state. The FY 2016-17 request reflects an increase of 3.0% over the FY 2015-16 appropriation. The bulk of the increase is due to leased space escalators.

### **CAPITOL COMPLEX LEASED SPACE**

This line item is used by the Department to reimburse the Department of Personnel and Administration (DPA) for expenses related to maintaining capitol complex facilities managed by DPA. The Department requests an appropriation to support a total of 5,659 square feet in the capitol complex: (a) 1,295 square feet for the Unemployment Insurance and Workers' Compensation programs in the Grand Junction State Office Building, and (b) 4,364 square feet for oil inspection labs at the North Campus facility on E. 62<sup>nd</sup> Avenue in Denver. The request reflects OSPB approved common policy adjustments for FY 2016-17.

## **UTILITIES**

This line item is used to pay for the utilities expenses at 251 E. 12<sup>th</sup> Avenue. The building is owned by the state, and the utility expenses are paid by the Department of Labor and Employment. There were no changes to this line item based on JBC common policy. The request for FY 2016-17 is for continuation funding with no adjustments.

## **INFORMATION TECHNOLOGY ASSET MAINTENANCE**

The Department relies extensively on computers and databases to track the constituents that pay fees and taxes to support its programs. The Department also relies extensively on technology to track the individuals who qualify for benefits from its programs. The Department uses this line item to purchase the Microsoft software on which the Department has standardized, and on data network infrastructure. The request for FY 2016-17 requests continuation funding for this line item.

## **STATEWIDE INDIRECT COST ASSESSMENT**

The JBC funded this line item through the Figure Setting process in accordance with JBC common policy. The current request is in accordance with DPA common policy.

## ***(2) Unemployment Insurance Division***

### ***(A) PROGRAM COSTS***

The FY 2016-17 appropriation is a continuation of the base appropriation amount in accordance with OSPB common policy. There was an decrease in the Employment Technology and Training Fund hat resulted in a decrease in operating costs \$ \$5,466,214. There was an increase in the Unemployment Revenue Fund of \$412,854, with an increase of 4.0 FTE.

The FY2017-18 request was a continuation of the base appropriation amount in accordance with OSPB policy.

### ***(3) EMPLOYMENT AND TRAINING DIVISION***

#### **STATE OPERATIONS**

This line funds state run one-stop centers. Each one-stop center provides job search assistance, classes, and services for individuals with special needs. In addition, this line supports the administration of several other employment programs.

The FY2016-17 request is a continuation of the base appropriation amount in accordance with OSPB policy.

The FY2017-18 request is for a continuation of level spending.

#### **ONE-STOP COUNTY CONTRACTS**

This line supports the federally funded county operated one-stop centers. These one-stop serve as centers for the dissemination of all federal employment program information, including job training and search programs. The FY2017-18 request is for a continuation of level spending.

#### **TRADE ADJUSTMENT ACT ASSISTANCE**

This line item reflects federal pass through funding used to provide job training assistance to workers dislocated as a result of foreign trade agreements. The FY2017-18 request is for a continuation of level spending.

#### **WORKFORCE INVESTMENT ACT**

This line supports the administration of the Workforce Investment Act which assists in job training for adults, displaced workers, and youth. The Workforce Investment Act funds the following activities: skills assessment, basic skills remediation, occupational skills training, and retraining.

The FY2016-17 request is a continuation of the base appropriation amount in accordance with OSPB policy.

The FY 2017-18 request is for a continuation of level spending.

### **WORKFORCE DEVELOPMENT COUNCIL**

This line supports the staff of the Workforce Development Council. The Council was created to meet the requirements of Title I of the federal Workforce Investment Act of 1998. The Council is responsible for designating local workforce investment areas, coordinating the delivery of workforce development programs, and reviewing the allocation of federal Title I funds for adult employment and training activities and youth activities. In addition to the WIA federal funds, the Council is supported by funds from the Department of Human Services, Education, Local Affairs, and Community Colleges. The office of State Planning and Budgeting is required to determine each agency's contributions on an annual basis. With the passage of HB15-1170 (Postsecondary and Workforce Readiness), the Council will be working with local education providers, business, industry, Department of Education to raise the level of Postsecondary and Workforce Readiness. Also with the passage of HB15-1274 (Career Pathways for Students), the Council will work with its partners to design integrated career pathways within identified growth industries.

The FY2016-17 request is a continuation of the base appropriation amount in accordance with OSPB policy. The reappropriated appropriation supports the Workforce Development Council and staff, and the Postsecondary and Workforce Readiness and Career Pathways for Students, make up the general fund appropriation.

The FY2017-18 request is for a continuation of level spending.

### **WORKFORCE IMPROVEMENT GRANTS**

The Workforce Improvement Grants are federal and private grants awarded to the Workforce Development Council for the development of workforce development activities for special populations. The FY2017-18 request is for a continuation of level spending.

### **VETERANS PILOT PROGRAM**

House Bill 15-1030 created the Veterans Pilot Program. The program includes veterans services related to job retention, mediation with employers, mentoring, and career counseling. The program is available for up to 20 veterans who have not been dishonorably discharged. The CDLE administers the program and is tasked with evaluating periodic reports from the contractor and communicating the results of its evaluation to the General Assembly's business committees. The program ends January 1, 2018.

**INNOVATIVE INDUSTRY WORKFORCE DEVELOPMENT PROGRAM**

House Bill 15-1230 created the innovative industry workforce development Program. The CDLE is tasked to reimburse employers with high-level internships and apprenticeships in an innovative industry. The program ends July 1, 2020.

The FY2017-18 request is for a continuation of level spending.

**SKILLED WORKER OUTREACH, RECRUITMENT AND TRAINING**

House Bill 15-1276 created the skilled worker, outreach, recruitment and key training grant program (WORK Act). The program awards matching grants to entities and organizations that offer skilled worker training programs to assist in their outreach, recruiting, and training efforts. The General Assembly appropriates general funds for this program and the Division uses reappropriated funds from the WORK Act fund. The program ends June 30, 2018.

The FY2017-18 request is for a continuation of level spending.

**HOSPITALITY EDUCATION GRANT PROGRAM**

Senate Bill 14-015 created the hospitality career secondary education grant program. This line supports program development, grant administration, and grant awards to hospitality programs. Grants are awarded to increase the number and quality of hospitality programs operating in schools and began in the FY2015-16 academic year. The program requires annual appropriations by the General Assembly to CDLE.

The FY2017-18 request is for a continuation of level spending.

**LABOR MARKET INFORMATION**

**PROGRAM COSTS**

This line supports the federally funded programs that track the Colorado economy by measuring activity within the workforce. It serves as a statistical clearing house for all sectors of the economy. The FY 16-17 request is for a continuation of level spending.



#### ***(4) DIVISION OF LABOR***

##### **PROGRAM COSTS**

This line item group administers Colorado employment and labor laws pertaining to wages paid, hours worked, minimum wage, labor standards, child labor, employment-related immigration laws, and working conditions. The Division of Labor also conducts all-union agreement elections, elections to certify or decertify collective bargaining agreements, certifications of all-union provisions in the building and construction trades industries, and investigates and mediates allegations of unfair labor practices.

The Joint Budget Committee funded this line item for the FY 2016-17 through its 2016 Figure Setting process for the Division to administer the labor laws within Colorado.

The FY 2017-18 request is a continuation of the base appropriation amount in accordance with OSPB policy.

#### ***(5) DIVISION OF OIL AND PUBLIC SAFETY***

##### **PERSONNEL SERVICES**

This line is responsible for a variety of regulatory functions related to public health and safety, including establishing and enforcing rules, regulations, and statutes, which govern carnival and amusement park rides, conveyances, explosives, boilers, retail fuel dispensers, underground and aboveground petroleum storage tanks, cleanup of oil spills, and reimbursement of cleanup costs to qualifying storage tank owners/operators.

The Joint Budget Committee funded this line item for the FY 2016-17 through its 2016 Figure Setting process for the Division's personnel services to administer the laws within Colorado for its programs.

The FY 2017-18 request is a continuation of the base appropriation amount in accordance with OSPB policy.

##### **OPERATING EXPENSES**

This line supports the operating costs for the Division.

The Joint Budget Committee funded this line item for the FY 2016-17 through its 2016 Figure Setting process for the Division's personnel services to administer the laws within Colorado for its programs.

The FY 2017-18 request is a continuation of the base appropriation amount in accordance with OSPB policy.

***(6) DIVISION OF WORKERS' COMPENSATION***

***(A) WORKERS' COMPENSATION***

**PERSONEL SERVICES**

This line supports the personnel cost to administer the laws within Colorado for workers' compensation programs: utilization review, self-insurance, premium cost containment, immediate payment, guarantee, and physicians accreditation.

This line supports the staff costs necessary to administer the Workers' Compensation Acts.

The Joint Budget Committee funded this line item for the FY 2016-17 through its 2016 Figure Setting process for the Division's personnel services to administer the laws within Colorado for its programs.

The FY 2017-18 request is a continuation of the base appropriation amount in accordance with OSPB policy.

**OPERATING EXPENSES**

This line supports the operating costs for the Division.

The Joint Budget Committee funded this line item for the FY 2016-17 through its 2016 Figure Setting process for the Division's personnel services to administer the laws within Colorado for its programs.

The FY 2017-18 request is a continuation of the base appropriation amount in accordance with OSPB policy.

**ADMINISTRATIVE LAW JUDGE SERVICES**

This line item is used to purchase administrative law services from the Department of Personnel and Administration.

The Joint Budget Committee funded this line item for the FY 2016-17 through its 2016 Figure Setting process for the Division's personnel services to administer the laws within Colorado for its programs.

The FY 2017-18 request is a continuation of the base appropriation amount in accordance with OSPB policy.

### **PHYSICIANS ACCREDITATION**

This line item is for physician's accreditation training, a program funded by a fee charged to physicians seeking accreditation so that they may work on workers' compensation claims.

The Joint Budget Committee funded this line item for the FY 2016-17 through its 2016 Figure Setting process for the Division's personnel services to administer the laws within Colorado for its programs.

The FY 2017-18 request is a continuation of the base appropriation amount in accordance with OSPB policy.

### **UTILIZATION REVIEW**

This line item is for independent physician reviews regarding the appropriateness of medical treatment previously provided for a workers' compensation claim. Such reviews can be requested by any party to a workers' compensation claim.

The Joint Budget Committee funded this line item for the FY 2016-17 through its 2016 Figure Setting process for the Division's personnel services to administer the laws within Colorado for its programs.

The FY 2017-18 request is a continuation of the base appropriation amount in accordance with OSPB policy.

### **IMMEDIATE PAYMENT**

This line item is used to pay workers' compensation claims brought against bankrupt employers who were self-insured. The line item is continuously appropriated pursuant to Section 8-44-206 (3) (b) (I), C.R.S. In recent years, no expenditures have been made from this line item. Revenue for the fund consists of fees assessed on self-insured employers.

The Joint Budget Committee funded this line item for the FY 2016-17 through its 2016 Figure Setting process for the Division's personnel services to administer the laws within Colorado for its programs.

The FY 2017-18 request is a continuation of the base appropriation amount in accordance with OSPB policy.

***(B) MAJOR MEDICAL INSURANCE AND SUBSEQUENT INJURY FUNDS***

**PERSONEL SERVICES**

This line supports the staff costs necessary to oversee the Major Medical Insurance Fund and the Subsequent Injury Fund. These insurance funds provide medical benefits and compensation payments to some of the most seriously injured workers in Colorado.

The Joint Budget Committee funded this line item for the FY 2016-17 through its 2016 Figure Setting process for the Division's personnel services to administer the laws within Colorado for its programs.

The FY 2017-18 request is a continuation of the base appropriation amount in accordance with OSPB policy.

**OPERATING EXPENSES**

This line supports the operating costs for the Division.

The Joint Budget Committee funded this line item for the FY 2016-17 through its 2016 Figure Setting process for the Division's personnel services to administer the laws within Colorado for its programs.

The FY 2017-18 request is a continuation of the base appropriation amount in accordance with OSPB policy.

**MAJOR MEDICAL BENEFITS**

The line item is for a continuation is for the Major Medical Benefit payments. This is for the open cases of workers who sustained catastrophic injuries between July 1, 1971, and June 30, 1981. The moneys in the fund are continuously appropriated for the payment of benefits. Actual expenses may fluctuate due to the specific medical treatments required by clients in a particular year.

The Joint Budget Committee funded this line item for the FY 2016-17 through its 2016 Figure Setting process for the Division's personnel services to administer the laws within Colorado for its programs.

The FY 2017-18 request is a continuation of the base appropriation amount in accordance with OSPB policy.

**MAJOR MEDICAL LEGAL SERVICES**

This line item is used to purchase legal services from the Department of Law for any of the following purposes: (1) to defend a decision to deny a claimant's eligibility request; (2) to defend a decision to deny certain medical benefits; or (3) to defend the program in the event that a doctor appeals the decision of removal of a case during utilization review.

The Joint Budget Committee funded this line item for the FY 2016-17 through its 2016 Figure Setting process for the Division's personnel services to administer the laws within Colorado for its programs.

The FY 2017-18 request is a continuation of the base appropriation amount in accordance with OSPB policy.

**SUBSEQUENT INJURY BENEFITS**

This line item is used to pay benefits to injured workers who have become permanently, totally disabled from more than one work-related injury. The moneys in the fund are continuously appropriated for the payment of benefits. Actual expenses may fluctuate due to the specific medical treatments required by clients in a particular year.

The Joint Budget Committee funded this line item for the FY 2016-17 through its 2016 Figure Setting process for the Division's personnel services to administer the laws within Colorado for its programs.

The FY 2017-18 request is a continuation of the base appropriation amount in accordance with OSPB policy.

**SUBSEQUENT INJURY LEGAL SERVICES**

This line item is used to purchase legal services from the Department of Law to process and settle claims related to the Subsequent Injury program.

The Joint Budget Committee funded this line item for the FY 2016-17 through its 2016 Figure Setting process for the Division's personnel services to administer the laws within Colorado for its programs.

The FY 2017-18 request is a continuation of the base appropriation amount in accordance with OSPB policy.

**MEDICAL DISASTER**

The Medical Disaster Fund provides benefits to workers who sustained catastrophic injuries prior to July 1, 1971. The JBC approved the appropriation.

The Joint Budget Committee funded this line item for the FY 2016-17 through its 2016 Figure Setting process for the Division's personnel services to administer the laws within Colorado for its programs.

The FY 2017-18 request is a continuation of the base appropriation amount in accordance with OSPB policy.

## **(7) DIVISION OF VOCATIONAL REHABILITATION**

The Division of Vocational Rehabilitation (DVR) provides work-related assistance to individuals whose disabilities result in barriers to attain and maintain employment or independent living. DVR has 30 local field offices across the State. SB 15-239 transferred the DVR Program and several line items to the Colorado Department of Labor and Employment, effective July 1, 2016.

### **VOCATIONAL REHABILITATION PERSONAL SERVICES**

This line item funds the personnel expenses consisting of vocational rehabilitation counselors who provide direct client services and program staff within the Division of Vocational Rehabilitation (DVR). Funding for this line item is comprised of General Fund (21.3%) and federal funds (78.7%) from Section 110 and Section 203 vocational rehabilitation funds.

### **VOCATIONAL REHABILITATION OPERATING EXPENSES**

This line item funds the operating costs associated with the staff and client services of the Division of Vocational Rehabilitation, including DVR's AWARE Case Management System, information technology hardware and software, training, travel, advertising, telecommunications, postage, supplies as well as costs associated with the State Rehabilitation Council, State Independent Living Council and various service contracts between DVR and other State Agencies. Funding for this line item is comprised of General Fund (21.3%) and reappropriated funds (78.7%).

### **VOCATIONAL REHABILITATION SERVICES**

This line item funds direct client services including assessments, training, and medical restoration. These services, infused with vocational counseling and guidance, enable individuals to address the functional limitations caused by their disability so that they can become successfully employed. DVR tracks individuals receiving services in six case status categories: application, eligible, service, employed, post-employment, and waiting list. Within these case status categories are disability priority categories of disability, significant disability, and most significant disability. Funding for this line item is comprised of General Fund and reappropriated funds (21.3%) and federal funds (78.7%) from Section 110 and Section 203 vocational rehabilitation funds.

### **SCHOOL TO WORK ALLIANCE PROGRAM**

This line item funds the School to Work Alliance Program (SWAP) contracts. SWAP is a collaborative program between DVR and the Colorado Department of Education (CDE). Within this program, DVR contracts with School Districts and Boards of Cooperative Education Services (BOCES) to provide services to youth with mild to moderate disabilities that are transitioning from school into the workforce. Funding for this line item is comprised of reappropriated funds (21.3%) and federal funds (78.7%) from Section 110 vocational rehabilitation funds.

## **VOCATIONAL REHABILITATION MENTAL HEALTH SERVICES**

DVR contracts with mental health providers to assist DVR in the provision of mental health services to DVR clients. Funding for this line item is comprised of cash funds (21.3%) and federal funds (78.7%) from Section 110 vocational rehabilitation funds.

## **BUSINESS ENTERPRISE PROGRAM FOR PEOPLE WHO ARE BLIND**

The Business Enterprise Program assists blind or visually impaired individuals in operating vending and food service businesses in approximately 47 State and federal buildings. It also provides management and administrative services for the participants, as well as facilitating the development, maintenance, and management of the locations. The program is the result of the federal Randolph-Sheppard Vending Facility Program (34 C.F.R. 395.3 (11) (iv)), and associated state law in Section 26-8.5-100, C.R.S. (2016)

## **BUSINESS ENTERPRISE PROGRAM – PROGRAM OPERATED STANDS, REPAIR COSTS, AND OPERATOR BENEFITS**

The Business Enterprise Program assists blind or visually impaired individuals in operating vending and food service businesses in approximately 47 state and federal properties. If an operator leaves the program, the Business Enterprise Program is obligated to temporarily take over the operation at the site until it is assigned to a new or existing operator. The program is the result of the federal Randolph-Sheppard Vending Facility Program (34 C.F.R. 395.3 (11) (iv)), and associated state law in Section 26-8.5-100, C.R.S. (2016). This line item is fully funded through the BEP cash fund.

Costs covered include:

- Equipment Maintenance and Repair.
- Operator Benefits, including health insurance, IRA contributions, and vacation pay for operators (not state FTE). The Operator benefit moneys are passed through this account. The actual funding is provided from the operation of unassigned vending. Unassigned vending is vending revenue generated from a machine that is not operated by a Blind Operator. The machines that generate this revenue are operated under a third party contract.
- Leasehold Improvements: The funds for Leasehold Improvements are used for necessary remodeling and equipment purchases to prepare a location for operation.
- Initial merchandise and supplies inventory.



## **INDEPENDENT LIVING CENTERS AND STATE INDEPENDENT LIVING COUNCIL**

The purpose of the Independent Living Program is to promote a philosophy of independent living (IL), including consumer control, peer support, self-help, self-determination, equal access, and individual and system advocacy; to maximize the leadership, empowerment, independence, and productivity of individuals with significant disabilities; and to promote and maximize the integration and full inclusion of individuals with significant disabilities into the mainstream of American society.

The Independent Living Program and State Independent Living Council are mandated by Title VII of the Rehabilitation Act of 1973, as amended and authorized by Title 26, Article 8.1, of the Colorado Revised Statutes. The Division of Vocational Rehabilitation (DVR) contracts with independent living centers on a statewide basis to provide independent living services to individuals with significant disabilities.

The Independent Living Centers may also provide other services for minorities and individuals with significant disabilities who have traditionally not been served or underserved by programs under the Rehabilitation Act of 1973, as amended, and children and youth. Such services include counseling, housing (including accommodations and modifications), rehabilitation technology, mobility training, interpreter and reader services, personal assistance services, community resource guides and directories, transportation, and consumer information programs. Services may include supported living and other services that may be necessary to improve the ability of an individual with a significant disability to function, continue functioning, or move toward functioning independently in the family or community or to continue in employment, and that are not inconsistent with any other provisions of the Rehabilitation Act of 1973, as amended.