

LFO Revised Budget Form #107BF04c

**Bureau of Labor and Industries
Annual Performance Progress Report (APPR)
for Fiscal Year 2006-07**

Original Submission Date: October 1, 2007

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BUREAU OF LABOR AND INDUSTRIES

I. EXECUTIVE SUMMARY

Agency Mission: The Bureau of Labor and Industries promotes the development of a highly skilled, competitive workforce in Oregon through partnerships with government, labor, business, and educational institutions. It protects the rights of workers and guarantees nondiscriminatory treatment; encourages and enforces compliance with state laws relating to wages, hours, terms and conditions of employment; and advocates policies that balance the demands of the workplace and employers with the protections of workers and their families.

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1. SCOPE OF REPORT

The Bureau of Labor and Industries (BOLI) has three major divisions and two units. Performance measures are distinct for each division and include three for the Civil Rights Division (CRD), five for the Wage and Hour Division (WHD) and five for the Apprenticeship and Training Division (ATD). Performance measures also include one measure for the Hearings Unit (HU) and two for the Technical Assistance for Employers Unit (TA). WHD performance measures are further divided into programs or services including minimum wage and overtime, Wage Security Fund (WSF), Prevailing Wage Rate (PWR), and Migrant and Seasonal Farmworkers (MSFW). Customer satisfaction surveys have been completed for apprenticeship committees and employer technical assistance programs. The Commissioner's Office (CO) and Fiscal/Information Service Unit (ISU) provide support for the divisions and units.

2. THE OREGON CONTEXT

The Bureau's goals, as described in the mission statement, relate to income security and economic and workforce development. There are no overarching Oregon Benchmarks that reflect the specific missions of the agency. The Apprenticeship and Training Division has a compliance role for employers with training programs for apprentices. ATD also tries to offer technical assistance to those that seek to start or enhance training programs, but the division is not specifically staffed for this role. ATD has one link with Oregon Benchmark #1 - - the number of Oregonians who are employed outside the Willamette Valley. This is reflected in Key Performance Measure (KPM) # 13, relating to training committees started by employers outside the Willamette Valley, and the division is exceeding its target on this measure. The KPM also addresses the industry need for trained workers to ensure that a skilled and available workforce can fuel the economy.

The Civil Rights Division and the Wage and Hour Division enforce laws that ensure that employees receive wages when due and are able to work in a nondiscriminatory environment. The Technical Assistance to Employers Unit's mission is to educate employers, emphasize compliance and avoid enforcement actions. TA is highly successful in achieving its performance measures. The Hearings Unit is the administrative adjudication arm of the agency, and its goal is to properly interpret and apply the laws BOLI is charged with enforcing as measured by the percentage of contested case decisions that are upheld on appeal by the courts.

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3. PERFORMANCE SUMMARY

The bureau's successes in relation to its performance measure goals include:

(1) The Apprenticeship and Training Division met or is making progress on its five performance measure goals. The division exceeded its targets for registering new apprenticeship agents outside of the Willamette Valley, the number of apprentices registering and those receiving journey-level certificates, and the number of female apprentices registering. ATD continues to make progress toward its target of increasing the number of minorities registering as apprentices in relation to the number of all apprentices.

(2) The Civil Rights Division met two of its three performance measure goals. CRD continued to be hampered this year by staff vacancies, and performance dropped a bit in the investigation completion measure.

(3) The Wage and Hour Division met or is making progress on its five performance measure goals. The division exceeded its two goals relating to Prevailing Wage Rate due to the addition of new staff by the Legislature. The division also exceeded its goal relating to the processing of claims from migrant and seasonal farm workers. WHD is making progress toward its goal relating to the processing of wage security fund claims and its goal relating to the number of minimum wage and overtime claims processed within 45 days.

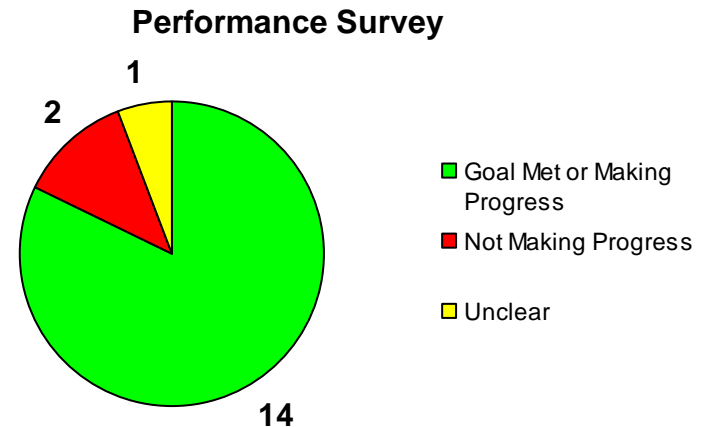
(4) The Hearings Unit exceeded its performance measure goal.

(5) The Technical Assistance for Employers Unit exceeded one of its performance measure goals. The unit's performance slipped a bit on its goal relating to seminar evaluations; however, the unit missed this goal by less than one percent.

(6) BOLI did not conduct a new customer survey during this fiscal year, and this accounts for the "unclear" result in the chart on the right.

4. CHALLENGES

BOLI's staffing levels have been reduced by approximately 32% over the past 12 years, from 159.02 FTE in 1993-95 to the 2005-07 level of 108 FTE. These reductions occurred at the same time that the Oregon workforce was increasing by approximately 247,000 employees. The Bureau has dealt with the loss of staffing, and with shrinking resources that do not keep pace with inflation, by closing offices, reducing



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infrastructure and trying to maintain 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. The number of complaints has remained steady or increased over this period, and staff is expected to handle the same or growing workloads. A review of our performance measures in ATD, CRD, and WHD indicates that additional staff will assist the agency in providing better and timelier services to the citizens of Oregon.

5. RESOURCES USED AND EFFICIENCY

BOLI has 55% General Funds, 7% Federal Funds, 28% Other Funds, and 10% Nonlimited Funds (Wage Security Fund).

For the 2005-07 biennium, ATD is funded almost exclusively by GF in the amount of \$2.8 m. ATD is focused on workforce development and the policy goal of increasing the number of women and minorities in apprenticeship occupations.

For the 2005-07 biennium, CRD is supported by \$2.7 m in GF, \$1.18 m in FF and \$1.03 m in OF. Federal Funds, from a contract with the Equal Employment Opportunity Commission, partially support the costs for civil rights investigations where federal and state jurisdictions overlap.

For the 2005-07 biennium, WHD has \$3.4 m in GF to fund its programs, including the farm labor, minimum wage, overtime and working conditions programs. The Other Funds in the WHD budget consist of the Wage Security Fund (\$2.3 m - nonlimited funds) and the Prevailing Wage Rate (PWR) Fund (\$3.1 m). WSF revenues are derived from a fractional percentage (.03%) of unemployment taxes paid by employers each year that are deposited to the Wage Security Fund. WSF is used to pay final wages for employees whose employers cease operations and default on final paychecks. Assessments on public works construction contracts fund the Prevailing Wage Rate program account.

One Technical Assistance for Employers measure and the CRD and WHD measures focus on the timeliness (or efficiency) in fulfilling the division's or unit's role. These measures unfortunately do not reflect the need to spend an adequate amount of time on the investigations or responding to inquiries to make sure the quality of service is maintained.

BUREAU OF LABOR AND INDUSTRIES

II. KEY MEASURE ANALYSIS

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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..	Measure since: FY 2006
Goal	Demonstrate a commitment to quality customer service.	
Oregon Context	Quality public service.	
Data source	Telephone Survey Data from contractor.	
Owner	BOLI, Doug McKean, 971-673-0785	

1. OUR STRATEGY

The strategy for this performance measure is to ensure that our technical assistance services are meeting employers’ demands.

2. ABOUT THE TARGETS

The target was set for the overall goal of providing exemplary educational services.

3. HOW WE ARE DOING

Technical Assistance for Employers Unit (TA) is performing well above the target levels.

4. HOW WE COMPARE

This self-funded TA service is unique and the agency is unaware of similar programs in other states.

5. FACTORS AFFECTING RESULTS

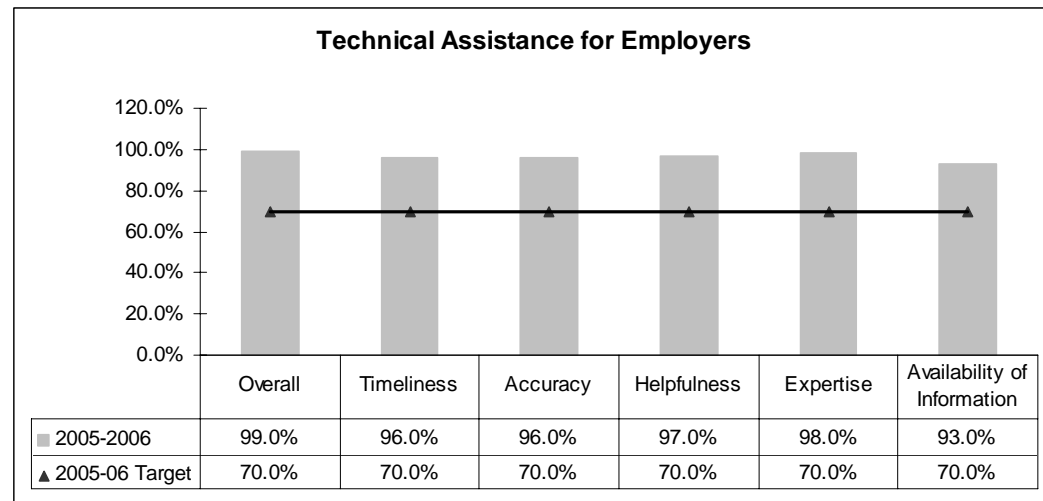
This self-funded program regularly evaluates its performance so that it can maintain high quality services.

6. WHAT NEEDS TO BE DONE

TA will seek to improve its web based information services and work to revise and expand its programs.

7. ABOUT OUR CUSTOMER SERVICE SURVEY

- a) Technical Assistance for Employers Unit; b) Ross Group Inc.; c) September 11-15, 2006; d) Consumers of TA Services; e) TA seminar participants from 2005-06; f) Simple random sample; g) 193 out of 1,925 – 10%; h) No weighting. The agency did not perform a survey in fiscal year 2006-2007.



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KPM #2	CRD: PROMPT INQUIRY RESPONSE: Percentage of inquiries responded to within two business days.	Measure since: FY 2004
Goal	Provide prompt response to inquiries on whether allegations may violate Oregon’s civil rights laws.	
Oregon Context	Nondiscriminatory work environment.	
Data source	Suntrack Relational Database.	
Owner	BOLI, Doug McKean, 971-673-0785	

1. OUR STRATEGY

The strategy is to make sure individuals know their rights by answering the inquiries of employees or others who believe they have been discriminated against as soon as possible. Often the individual calling has a need to know whether or not the individual’s experience amounts to or may amount to a violation of the civil rights laws of the state of Oregon. It is critical to explain the difference between treatment that seems and may well be unfair versus treatment that is unlawful or is a matter over which BOLI has jurisdiction.

2. ABOUT THE TARGETS

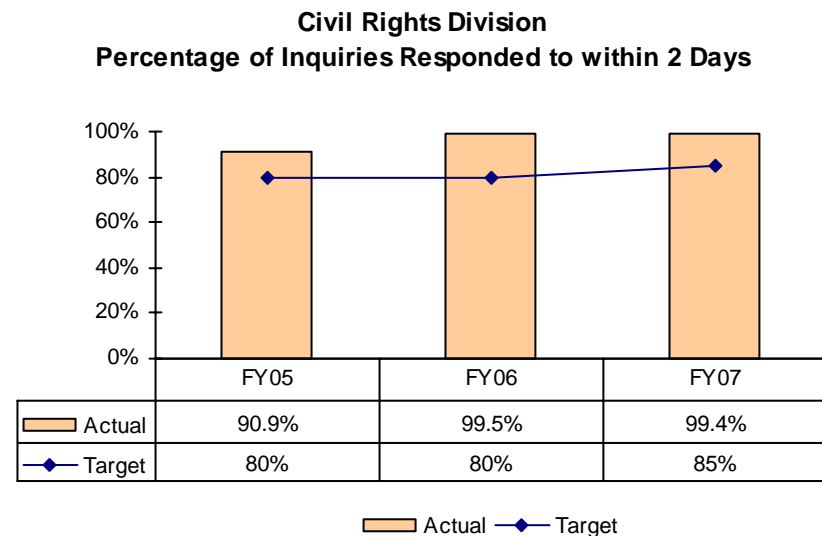
The rationale for the two-business-day target is that workplace disputes often result in lost productivity in the workplace, so the sooner there is an understanding of the rights of the employee and employer or the parties to a dispute, the better off all parties are in the long run. The target increased this fiscal year from 80 to 85 percent.

3. HOW WE ARE DOING

CRD continues to exceed this target, although it has been difficult given our staffing levels. CRD is continuing its efforts to improve its case flow processes, and labor and management continue to work hard to implement the new procedures to achieve this target. Note that this target increased this year from 80 to 85 percent.

4. HOW WE COMPARE

BOLI is unaware of any comparable standard, but good customer service standards in general provide that the quicker the response the better; limited staff prevented the agency from responding any quicker.



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5. FACTORS AFFECTING RESULTS

Staff absences and turnover have made this a challenge at times.

6. WHAT NEEDS TO BE DONE

Ensure that there is trained and available staff to answer calls.

7. ABOUT THE DATA

Suntrack relational database. Data for July 1, 2006-June 30, 2007.

KPM #3	CRD: PROMPT INTERVIEWS: Percentage of initial interviews conducted within 40 days.	Measure since: FY 2005
Goal	CRD: Conduct interview with civil rights complainants quickly to determine if sufficient basis exists for full investigation.	
Oregon Context	Nondiscriminatory work environment.	
Data source	Suntrack Relational Database	
Owner	BOLI, Doug McKean, 971-673-0785	

1. OUR STRATEGY

CRD has a tracking system and assigned specific staff to ensure that employers or respondents provide a timely position statement, which is needed before the investigator can interview the complainant (the person alleging discriminatory treatment).

2. ABOUT THE TARGETS

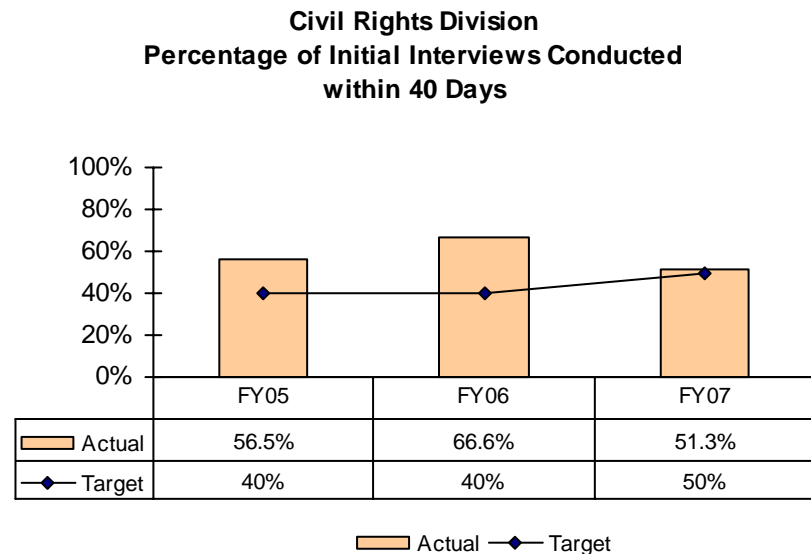
Before the implementation of the new tracking system and the re-assignment of staff, this initial interview goal was harder to meet.

3. HOW WE ARE DOING

CRD met this target. Note that the target increased this year from 40 to 50 percent.

4. HOW WE COMPARE

The agency is not aware of any comparative data.



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5. FACTORS AFFECTING RESULTS

Managers and staff continue to work with employers and their legal counsel to ensure that position statements are received within the first 30 days of opening cases. Our performance dropped slightly for FY 07, which coincided with a vacancy in the Operations Manager position that was not filled for 10 months due to budget constraints.

6. WHAT NEEDS TO BE DONE

The management team will address performance and training issues to ensure timely data entry and continued improvement in this measure. The Operations Manager position has been filled by a manager who is a veteran of the division and well-versed in the division’s policies and procedures.

7. ABOUT THE DATA

Suntrack relational database. Data for July 1, 2006-June 30, 2007.

KPM #4	CRD: PROMPT INVESTIGATIONS: Percentage of complaints fully investigated within 180 days (statute allows up to one year).	Measure since: FY 2005
Goal	CRD: Complete investigations to allow for a fair and timely resolution of the complaint.	
Oregon Context	Nondiscriminatory work environment.	
Data source	Suntrack Relational Database.	
Owner	BOLI, Doug McKean, 971-673-0785	

1. OUR STRATEGY

The Civil Rights Division (CRD) seeks to conduct its investigations in a timely and fair manner as work-related disputes interfere with workplace relations and often decrease productivity.

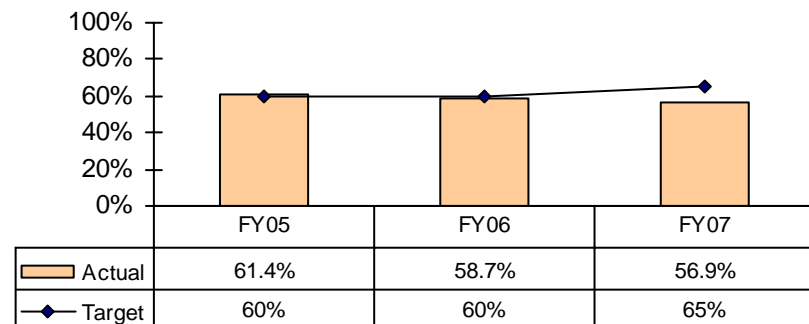
2. ABOUT THE TARGETS

While Oregon law allows up to a year for an investigation to be completed, CRD believes all parties benefit from quicker completion of investigations, as long as staff can maintain quality.

3. HOW WE ARE DOING

Because of reduced staffing levels, CRD did not make progress toward meeting this goal this year. Note that the target increased this year from 60 to 65 percent.

**Civil Rights Division
Percentage of Investigations
Completed within 180 Days**



Actual Target

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II. KEY MEASURE ANALYSIS

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4. HOW WE COMPARE

Many states do not have a statutory one year deadline for completion of investigations, and investigations can be prolonged in other states. Therefore, we do not have comparable targets from other states.

5. FACTORS AFFECTING RESULTS

The target was missed this fiscal year because of an extraordinary level of family leave qualified absences of investigative staff.

6. WHAT NEEDS TO BE DONE

CRD continues to explore ways to improve the timeliness of investigations and has increased mediation training for its staff. However, the decreased number of investigators over the past decade and the increasing number of protections enacted by the Legislature has hampered its ability to consistently meet this target while maintaining quality standards. The agency requested one additional investigator in its 2007-09 agency budget to address this concern.

7. ABOUT THE DATA

Suntrack relational database. Data for July 1, 2006-June 30, 2007.

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KPM #5	WHD: MINIMUM WAGE: Percentage of minimum wage and overtime claims completed within 45 days.	Measure since: FY 2005
Goal	WHD: Prioritize resolution of allegations on unpaid minimum wage and overtime to minimize the impact of not being paid	
Oregon Context	Protect income security	
Data source	BOLI Suntrack Relational Database	
Owner	BOLI, Doug McKean, 971-673-0785	

1. OUR STRATEGY

Wage and Hour Division (WHD) seeks to conduct a prompt and fair investigations to resolve wage disputes.

2. ABOUT THE TARGETS

The rationale for this measure is to try to promptly resolve wage claims for the lowest paid workers to provide the income security they need to support themselves and their families.

3. HOW WE ARE DOING

WHD continues to make slow progress toward the 45 day target.

4. HOW WE COMPARE

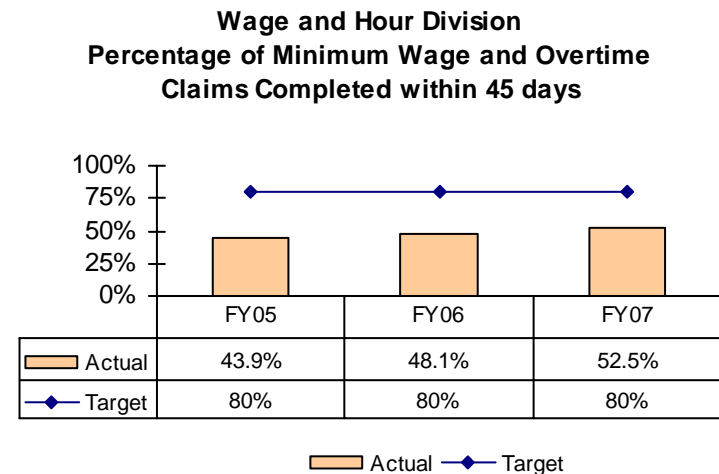
From information available to the WHD, no other states specifically measure the timeliness of processing minimum wage and overtime claims apart from other type of wage claims.

5. FACTORS AFFECTING RESULTS

Lower than desired results are due to fewer staff to focus on these wage claims. The number of GF Wage and Hour Compliance Specialists (who are not assigned to the Farm Labor Unit) has been reduced to three FTE statewide, representing a monthly caseload of 56 wage claims per investigator, which is approximately twice the number that can reasonably be investigated.

6. WHAT NEEDS TO BE DONE

An additional staff person to work on these claims is the ideal way to meet this target. As General Fund dollars available to support adequate staffing levels have decreased, the ability to achieve the goal has dropped. While the division believes the 45-day goal is desirable, if additional staff is not obtained, the division will reset the measure to allow for additional claims processing time. The agency requested one additional Compliance Specialist in its 2007-09 agency budget to address this concern.



BUREAU OF LABOR AND INDUSTRIES

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7. ABOUT THE DATA

Suntrack relational database. Data for July 1, 2006-June 30, 2007.

KPM #6	WHD: WAGE SECURITY FUND CLAIMS PROCESSING: Percentage of WSF claims processed within 30 days.	Measure since: FY 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	Protect income security.	
Data source	Suntrack Relational Database.	
Owner	BOLI, Doug McKean, 971-673-0785	

1. OUR STRATEGY

Wage and Hour Division (WHD) is charged with providing wages due to employees of companies that go out of business or go bankrupt. The Wage Security Fund (WSF) is unique to Oregon and ensures workers can meet their family obligations when their paychecks do not arrive as expected.

2. ABOUT THE TARGETS

The target is designed to get the funds to employees, who lost their jobs and were not paid for the work they performed, within 30 days. This will enable them to pay rent or mortgage payments and not fall too far behind in bills if they have limited savings.

3. HOW WE ARE DOING

WHD continues to make progress and is just shy of reaching this target.

4. HOW WE COMPARE

Since no other state has a WSF to the division’s knowledge, it is impossible to compare performance in this area.

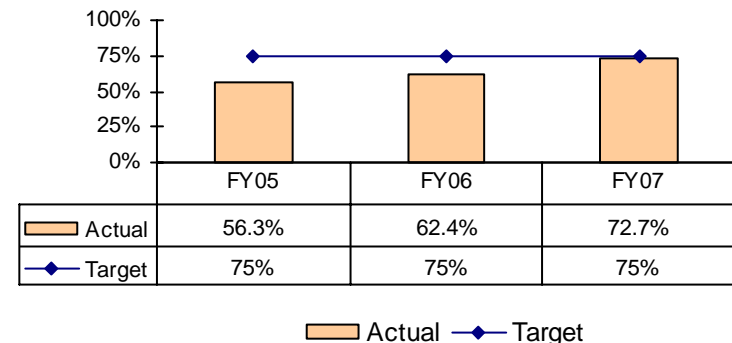
5. FACTORS AFFECTING RESULTS

Workload is difficult to predict since it is based on the rate and scale of business closures.

6. WHAT NEEDS TO BE DONE

It is often difficult to obtain needed documentation from businesses that have abruptly closed or declared bankruptcy. Staff will continue to seek creative ways of working with partners who may have some advanced notice of anticipated closures to facilitate obtaining payroll documentation as early as possible.

**Wage and Hour Division
Percentage of WSF Claims
Processed within 30 days**



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7. ABOUT THE DATA

Suntrack relational database. Data for July 1, 2006-June 30, 2007.

KPM #7	WHD: PWR TIMELY INVESTIGATIONS: Percentage of prevailing wage rate (PWR) investigations completed within 90 days.	Measure since: FY 2005
Goal	WHD: Resolve prevailing wage rate (PWR) complaints quickly to protect both the worker and the public's investment in infrastructure.	
Oregon Context	Community standard wages and benefits and public investment in quality infrastructure.	
Data source	Suntrack Relational Database.	
Owner	BOLI, Doug McKean, 971-673-0785	

1. OUR STRATEGY

The Prevailing Wage Rate Unit of the WHD is charged with enforcing the payment of community standard wages on public works projects that are carried on by or contracted for by a public agency with public funds.

2. ABOUT THE TARGETS

PWR investigations are complaint based. The PWR Unit investigates allegations that public agencies and contractors are doing covered work and not paying PWR at all or paying improper rates. Rates are set according to independent annual surveys conducted by the Oregon Employment Department for BOLI.

3. HOW WE ARE DOING

The PWR Unit has substantially exceeded this target due to one additional staff person. Note that the target increased this year from 50 to 55 percent.

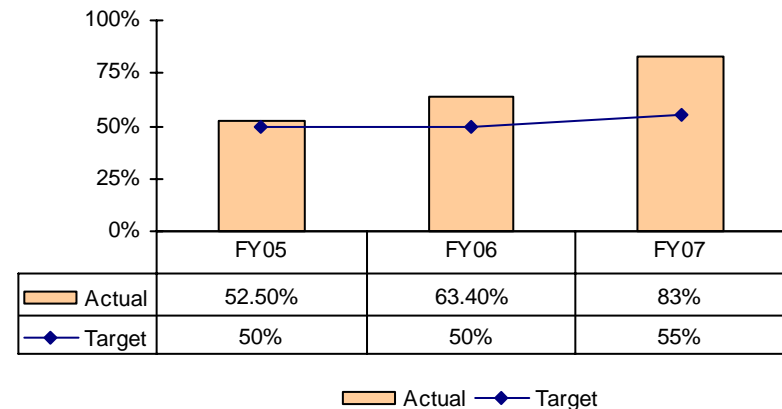
4. HOW WE COMPARE

WHD is unaware of other state performance measures but will investigate prior to the next annual report.

5. FACTORS AFFECTING RESULTS

The complexity and number of construction projects continues to delay investigations. During this fiscal year, the Emergency Board approved one additional limited-duration position for the PWR Unit, and the additional employee substantially helped the unit's performance. (In the 2007 session, the Legislative Assembly made the limited-duration position permanent.)

**Wage & Hour Division
PWR Investigations Completed within 90 days**



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6. WHAT NEEDS TO BE DONE

The PWR Unit will continue to have one employee focus on predeterminations requested by public agencies or contractors to determine if a project is covered by the PWR law. We believe these predeterminations will reduce the number of PWR investigations in the future.

7. ABOUT THE DATA

Suntrack relational database. Data for July 1, 2006-June 30, 2007.

KPM #8	WHD: PROCESSING MIGRANT/SEASONAL WAGE CLAIMS: Percentage of migrant/seasonal farm labor workers' claims processed within fewer than 31 days.	Measure since: FY 2005
Goal	WHD: Promptly process allegations of unpaid wages for migrant/seasonal farm and forest labor workers to avoid exploitation of highly vulnerable workers.	
Oregon Context	Protecting income security	
Data source	Suntrack Relational Database.	
Owner	BOLI, Doug McKean, 971-673-0785	

1. OUR STRATEGY

The Farm Labor unit (FLU) of WHD is charged with promptly processing allegations of unpaid wages for migrant/seasonal farm and forest labor workers to avoid exploitation of highly vulnerable workers.

2. ABOUT THE TARGETS

WHD prioritizes its handling of claims for migrant/seasonal workers because these workers tend to move often and may be in the state for a limited time.

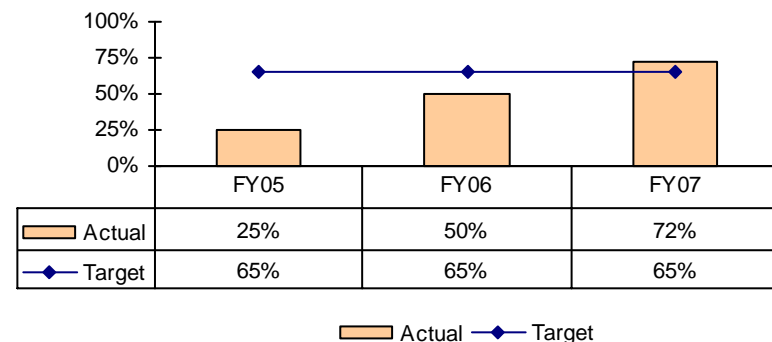
3. HOW WE ARE DOING

In FY 2005-06, FLU doubled its completion rate from the previous fiscal year, and in FY 2006-07, the unit exceeded this target.

4. HOW WE COMPARE

WHD is unaware of another state that specifically measures the processing of claims of migrant or seasonal workers.

**Wage & Hour Division
Percentage of Migrant/Seasonal Workers' Claims processed in less that 31 days**



BUREAU OF LABOR AND INDUSTRIES

II. KEY MEASURE ANALYSIS

Agency Mission: The Bureau of Labor and Industries promotes the development of a highly skilled, competitive workforce in Oregon through partnerships with government, labor, business, and educational institutions. It protects the rights of workers and guarantees nondiscriminatory treatment; encourages and enforces compliance with state laws relating to wages, hours, terms and conditions of employment; and advocates policies that balance the demands of the workplace and employers with the protections of workers and their families.

5. FACTORS AFFECTING RESULTS

The FLU staff has been assigned to process other types of wage claims as well as those received from migrant/seasonal farm workers, but staff has been directed to prioritize these claims. The fact that there is only one dedicated public outreach employee to proactively go into the fields to determine if workers have wage or working condition problems is also impacting our oversight abilities.

6. WHAT NEEDS TO BE DONE

Additional WHD staff will allow FLU staff to focus only on farm worker claims.

7. ABOUT THE DATA

Suntrack relational database. Data for July 1, 2006-June 30, 2007.

KPM #9	ATD: APPRENTICE GRADUATES: Number of apprentices receiving journey level certificates.	Measure since: FY 2005
Goal	ATD: Ensure registered apprentices are receiving valuable learning experiences	
Oregon Context	Quality trained workforce supports strong economy	
Data source	Division Management Information System.	
Owner	BOLI, Doug McKean, 971-673-0785	

1. OUR STRATEGY

Apprenticeship and Training Division (ATD) seeks to increase the number of apprentices who complete their training and receive an industry standard seal of approval – referred to as a journey level certificate.

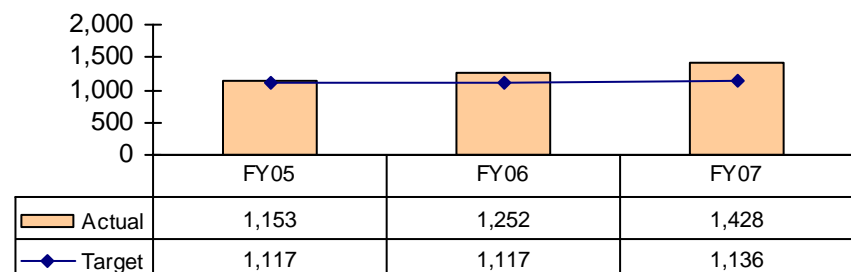
2. ABOUT THE TARGETS

ATD and the Oregon State Apprenticeship and Training Council want to make sure that training committees are doing their best to ensure apprentices complete their training in a timely manner.

3. HOW WE ARE DOING

ATD and Joint Apprenticeship and Training Committees (JATCs) are doing well in increasing the number of graduates and the agency continues to exceed this target.

**Apprenticeship & Training Division
Number of Apprentices Receiving
Journey Level Certificates**



Actual Target

BUREAU OF LABOR AND INDUSTRIES

II. KEY MEASURE ANALYSIS

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4. HOW WE COMPARE

By way of comparison, the State of Washington, with 12,811 registered apprentices as of June 30, 2007, reports that 484 individuals completed their program and received journey level certification in FY 06-07. The State of Massachusetts, with 7,090 registered apprentices as of June 30, 2007, completed 1,322 apprentices for the fiscal year. Oregon's completion rates fare favorably in comparison to other states with their own apprenticeship council's.

5. FACTORS AFFECTING RESULTS

The target was based on FY 2004 data, and the industry has experienced a significant increase in growth since that time. This growth provides an incentive for apprentices to graduate because employers demand a trained journey level workforce. The trend can be expected to continue as long as the state's economy continues to expand.

6. WHAT NEEDS TO BE DONE

ATD needs to continue to work with JATCs to ensure that they provide appropriate resources and mentorship to those who sincerely seek to obtain a journey level certificate. Increased efforts to monitor the quality of classroom instruction should lead to an increase in completions. The division also needs to expand efforts with the Employment Department and Community Colleges and Workforce Development to attract industry sectors where apprenticeship can alleviate skilled worker shortages.

7. ABOUT THE DATA

Division Management Information System. Data for July 1, 2006-June 30, 2007.

BUREAU OF LABOR AND INDUSTRIES

II. KEY MEASURE ANALYSIS

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KPM #10	ATD: NEW APPRENTICES: Number of newly registered apprentices	Measure since: FY 2005
Goal	ATD: Increase skilled workforce by increasing the number of newly registered apprentices.	
Oregon Context	Quality trained workforce leads to strong economy.	
Data source	Division Management Information System.	
Owner	BOLI, Doug McKean, 971-673-0785	

1. OUR STRATEGY

Projected workforce shortages and growth in the industry make it essential that more apprentices enter training programs. The program is overseen by the Oregon State Apprenticeship and Training Council. BOLI staff work with education and workforce partners, industry associations, labor organizations and community groups to attract new apprentices and improve apprenticeship and training programs.

2. ABOUT THE TARGETS

The target was based on FY 2004 data, and the construction industry has experienced a significant increase in growth since that time. This growth provides an incentive for programs to open up slots for interested and qualified individuals to apply to enter the programs.

3. HOW WE ARE DOING

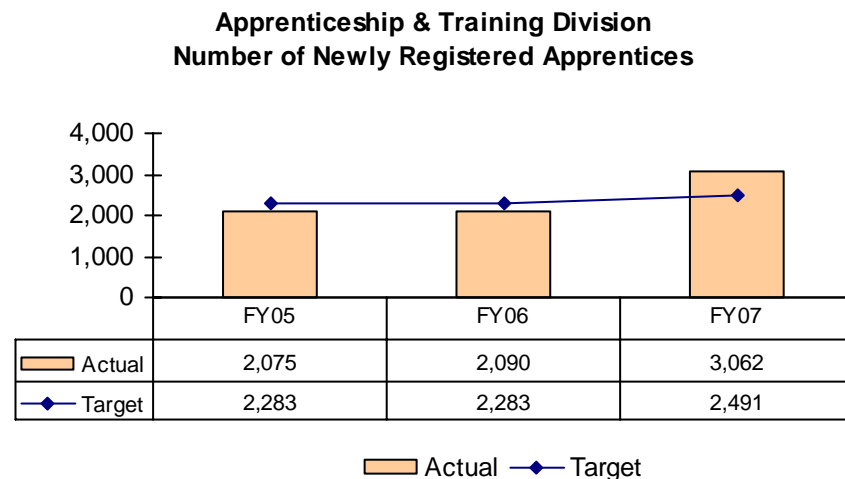
ATD and JATCs are exceeding the target this year, and the number of newly registered apprentices grew substantially over last year.

4. HOW WE COMPARE

Among the 27 states that have their own state apprenticeship councils (as opposed to states in which the United States Department of Labor oversees apprenticeship), only Washington, Pennsylvania and Ohio registered more apprentices during FY 06-07 than Oregon, and each states has a considerably larger apprentice population than Oregon.

5. FACTORS AFFECTING RESULTS

Industry growth and occupational demand is affecting the growth rate of newly registered apprentices.



BUREAU OF LABOR AND INDUSTRIES

II. KEY MEASURE ANALYSIS

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6. WHAT NEEDS TO BE DONE

ATD will need to be able to find ways to respond to the rising needs of the increased number of apprentices and apprenticeship committees. The division also needs to expand efforts with the Employment Department and Community Colleges and Workforce Development to attract industry sectors where apprenticeship can alleviate skilled worker shortages. The division has begun a pilot project with three high schools to encourage and prepare more graduating seniors to consider career opportunities in apprenticeship and has worked closely with the Oregon Department of Veterans Affairs to attract more returning veterans to careers in the trades. The division’s partnership with the Oregon Department of Transportation has also paved the way for more individuals to obtain apprenticeship opportunities.

7. ABOUT THE DATA

Division Management Information System. Data for July 1, 2006-June 30, 2007.

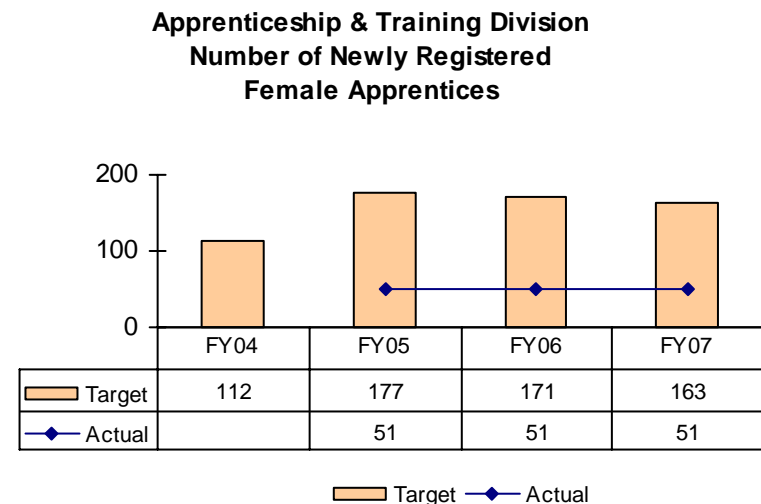
KPM #11	ATD: FEMALE APPRENTICES: Number of newly registered female apprentices.	Measure since: FY 2005
Goal	ATD: Increase the number of female participants in apprenticeship programs..	
Oregon Context	Workforce diversity	
Data source	Division Management Information System.	
Owner	BOLI, Doug McKean, 971-673-0785	

1. OUR STRATEGY

ATD and the Council are working to increase the diversity in the apprenticeable construction trades, which have been traditionally a male dominated workforce. BOLI staff work with education and workforce partners, ODOT, urban renewal agencies, industry associations, labor organizations and community groups.

2. ABOUT THE TARGETS

The targets are set to increase the actual number of female apprentices participating in apprenticeship programs. In addition to the actual numbers rising, we are slowly increasing the percentage of females in the programs while the number of total apprentices grows. The division will focus its efforts on accelerating the proportional growth in female apprentices as a percentage of the overall population.



BUREAU OF LABOR AND INDUSTRIES

II. KEY MEASURE ANALYSIS

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3. HOW WE ARE DOING

ATD continues to exceed this target. Females represented 5.03% of the all apprentices in FY 04, 5.14% in FY 05, 5.28% in FY 06 and 5.41% in FY 07.

4. HOW WE COMPARE

Among states with their own apprenticeship councils, only North Carolina, Ohio and Washington registered more female apprentices than Oregon during the fiscal year. All three states have a number of programs in non-traditional apprenticeship trades (education; early childhood development; medical and dental technicians) that have traditionally been more attractive to women, while the overwhelming majority of Oregon's apprenticeship programs are in the building, construction and manufacturing trades.

5. FACTORS AFFECTING RESULTS

The results are affected by industry growth and increased outreach and partnership with community groups and ODOT.

6. WHAT NEEDS TO BE DONE

ATD needs to increase the amount of time it spends on technical assistance to JATCs so they can have an increasing pool of female applicants for their programs. With only nine apprenticeship representatives in ATD to serve the entire state, when the number of apprentices and apprenticeship committees are growing rapidly, and when the staff's primary role is compliance, it is difficult at best to provide additional assistance to the JATCs. ATD failed in its attempt to obtain additional staff funded by federal workforce dollars to provide the requisite technical assistance that is being demanded and is needed to see these numbers continue to increase. However, the division is actively collaborating with the Oregon Tradeswomen, a local community-based organization focused on trade opportunities for women as a part of their federally funded grant to increase diversity.

7. ABOUT THE DATA

Division Management Information System. Data for July 1, 2006-June 30, 2007.

BUREAU OF LABOR AND INDUSTRIES

II. KEY MEASURE ANALYSIS

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KPM #12	ATD: MINORITY APPRENTICES: Percentage of minority participation in apprenticeship.	Measure since: FY 2005
Goal	ATD: Increase the percentage of minority participants in apprenticeship programs.	
Oregon Context	Workforce Diversity	
Data source	Division Management Information System.	
Owner	BOLI, Doug McKean, 971-673-0785	

1. OUR STRATEGY

ATD and the Council are working to increase the diversity in the apprenticeable construction trades. BOLI staff work with education and workforce partners, ODOT, urban renewal agencies, industry associations, labor organizations and community groups.

2. ABOUT THE TARGETS

The targets are set to increase the percentage of minority apprentices participating in apprenticeship programs.

3. HOW WE ARE DOING

ATD is making progress toward this target. The percentage of minorities in the programs is increasing at a time when the number of all apprentices has grown.

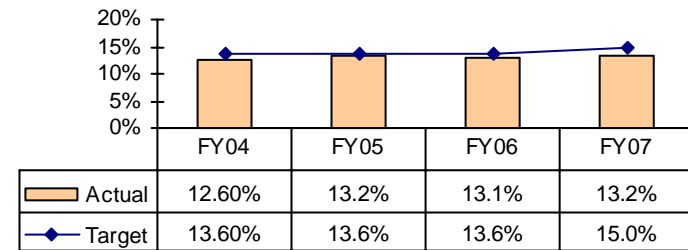
4. HOW WE COMPARE

Oregon lags behind most other states with respect to the percentage of minority participants in registered apprenticeship programs. Nonetheless, minority apprentice registrations are slowly approaching parity with the state’s total minority workforce (15%).

5. FACTORS AFFECTING RESULTS

The results 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. Until this need is addressed, it appears that white males, with an established network for accessing trade opportunities, will continue to be overrepresented in the ranks of registered apprentices.

**Apprenticeship and Training Division
Percentage of Minority Apprentices**



Actual Target

BUREAU OF LABOR AND INDUSTRIES

II. KEY MEASURE ANALYSIS

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6. WHAT NEEDS TO BE DONE

ATD needs to increase the amount of time it spends on technical assistance to JATCs so they can have an increasing pool of minority applicants for their programs. With only nine staff members 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. ATD is seeking additional staff funded by federal workforce dollars to provide the requisite technical assistance. Notably, annual EEO/AA audits are performed on most committees; poor performers initially receive technical assistance. The Council can take corrective action if the performance does not improve.

7. ABOUT THE DATA

Division Management Information System. Data for July 1, 2006-June 30, 2007.

KPM #13	ATD: APPRENTICESHIP OPPORTUNITIES OUTSIDE WILLAMETTE VALLEY: Number of newly registered training agents outside the Willamette Valley.	Measure since: FY 2005
Goal	ATD: Increase use apprenticeship system outside the Willamette Valley.	
Oregon Context	Benchmark # 1 – Employment outside Willamette Valley	
Data source	Division Management Information System.	
Owner	BOLI, Doug McKean, 971-673-0785	

1. OUR STRATEGY

Projected workforce shortages and growth in the industry make it essential that more Joint Apprenticeship and Training Committees (JATCs) are formed in the rural areas of the state so that students are more likely to remain in their communities while they train. The Apprenticeship Council has members who represent the rural areas of the state. BOLI staff work with education and workforce partners, industry associations, labor organizations and community groups.

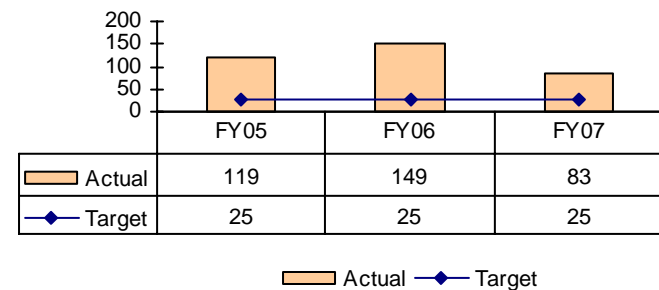
2. ABOUT THE TARGETS

It is important to set a high target for new training opportunities.

3. HOW WE ARE DOING

While the number of newly registered training agents outside the Willamette Valley has dipped since last year, ATD is still substantially exceeding this target.

**Apprenticeship and Training Division
Number of Newly Registered Training
Agents Outside the Willamette Valley**



BUREAU OF LABOR AND INDUSTRIES

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4. HOW WE COMPARE

ATD plans to conduct a survey of other states to determine how this number compares to rural areas in other states although the state's economic picture and workforce supply and demand make comparisons difficult. During this fiscal year, the division was not yet able to come up with a meaningful comparator or survey tool.

5. FACTORS AFFECTING RESULTS

Industry growth and occupational demand is affecting the growth rate in the number of new training agents outside the Willamette Valley.

6. WHAT NEEDS TO BE DONE

ATD needs to continue its outreach to industries and employers outside of the Willamette Valley to engage them in the benefits of apprenticeship as an economic development strategy and explore the possibility of joining an apprenticeship program or starting one in their area.

7. ABOUT THE DATA

Division Management Information System. Data for July 1, 2006-June 30, 2007.

BUREAU OF LABOR AND INDUSTRIES

II. KEY MEASURE ANALYSIS

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KPM #14	HEARINGS UNIT: Percentage of final orders upheld on appeal to the Oregon Court of Appeals.	Measure since: FY 2004
Goal	HU: Final orders issued reflect agency policy and are legally sound.	
Oregon Context	Responsible agency enforcement	
Data source	Suntrack Relational Database.	
Owner	BOLI, Doug McKean, 971-673-0785	

1. OUR STRATEGY

The Hearings Unit (HU) currently hears contested cases related to decisions issued by the agency in wage and hour and civil rights cases. It is our goal to have the decisions of this forum upheld on appeal.

2. ABOUT THE TARGETS

It is important to set the target relatively high so that our administrative decisions withstand judicial scrutiny on appeal.

3. HOW WE ARE DOING

The Hearings Unit continues to exceed this target.

4. HOW WE COMPARE

It is difficult to compare this data with other jurisdictions.

5. FACTORS AFFECTING RESULTS

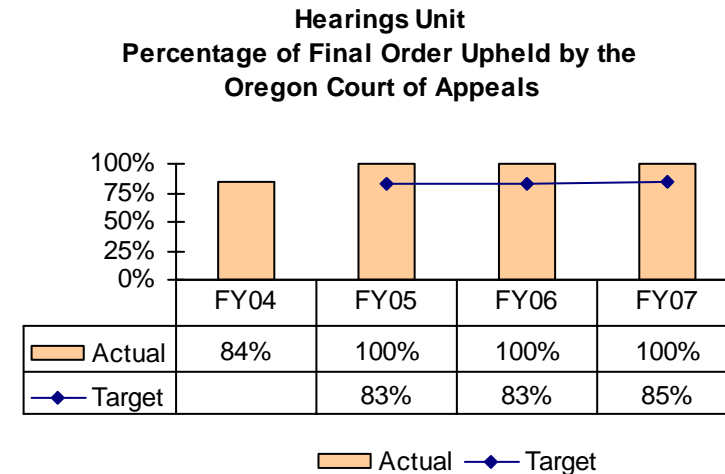
This year the appellate courts upheld (or decided not to review) all of the agency's final orders on appeal.

6. WHAT NEEDS TO BE DONE

The agency continues to set high standards for its hearings unit and administrative law judges. The agency is focusing on improving the timeliness of the issuance of administrative decisions at this point.

7. ABOUT THE DATA

Hearings unit database.



BUREAU OF LABOR AND INDUSTRIES

II. KEY MEASURE ANALYSIS

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KPM #15	TECHNICAL ASSISTANCE FOR EMPLOYERS: RESPONSE TIME: Percentage of employer technical assistance calls or emails returned no later than the next business day.	Measure since: FY 2005
Goal	TA: Employers receive prompt, accurate technical assistance to comply with Oregon law.	
Oregon Context	Emphasize education and compliance	
Data source	Suntrack Relational Database.	
Owner	BOLI, Doug McKean, 971-673-0785	

1. OUR STRATEGY

The goal for the Technical Assistance for Employers Unit (TA) is for employers to receive prompt, accurate technical assistance to comply with Oregon law.

2. ABOUT THE TARGETS

This target is to ensure that employers receive a timely response to their technical assistance questions.

3. HOW WE ARE DOING

TA met its performance target this fiscal year. Given the significant turnover of staff and vacancies in the unit, TA’s performance of returning calls and emails within one business day over 99 percent of the time is remarkable.

4. HOW WE COMPARE

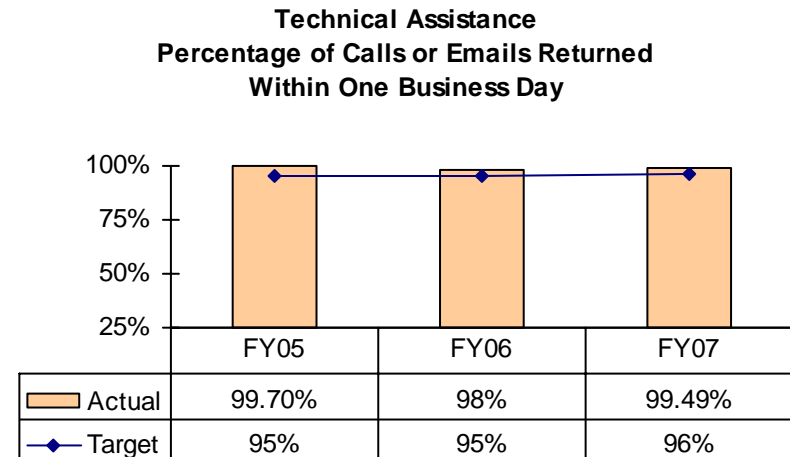
TA is unaware of any other similar self supporting program that provides such technical assistance.

5. FACTORS AFFECTING RESULTS

Factors affecting results involve the number of calls and emails received and the competing demands of the staff to perform seminars, both public and on-site private ones tailored to employers’ needs. In addition, TA staff had significant turnover of staff and vacancies during this fiscal year.

6. WHAT NEEDS TO BE DONE

The new manager for the TA unit is continuing to reorganize the unit and reallocate staff time to cover all of the unit’s duties. After completing initial training, new staff members need to quickly take on greater responsibilities, including promptly responding to calls and emails. As this transition occurs, the unit needs to ensure that it meets this target.



BUREAU OF LABOR AND INDUSTRIES

II. KEY MEASURE ANALYSIS

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7. ABOUT THE DATA

Suntrack relational database. Data for July 1, 2006-June 30, 2007. For this fiscal year, the data for two months was unreliable and, therefore, not used for this report.

KPM #16	TECHNICAL ASSISTANCE FOR EMPLOYERS: QUALITY TRAINING: Percent of public seminars conducted by TA with an average satisfaction rating of 4 or higher on a 5 point scale on the evaluations.	Measure since: FY 2005
Goal	TA: Seminars for employers provide accurate information in a user-friendly atmosphere to assist them in complying with the law.	
Oregon Context	Emphasize education and compliance.	
Data source	Suntrack Relational Database.	
Owner	BOLI, Doug McKean, 971-673-0785	

1. OUR STRATEGY

The goal for the Technical Assistance for Employers Unit (TA) is for employers to receive accurate technical assistance to comply with Oregon law in its seminars.

2. ABOUT THE TARGETS

The rationale for the target is to ensure that employers receive quality training in how to comply with state and federal employment laws.

3. HOW WE ARE DOING

TA did not meet its performance target this fiscal year by six-tenths of one percent.

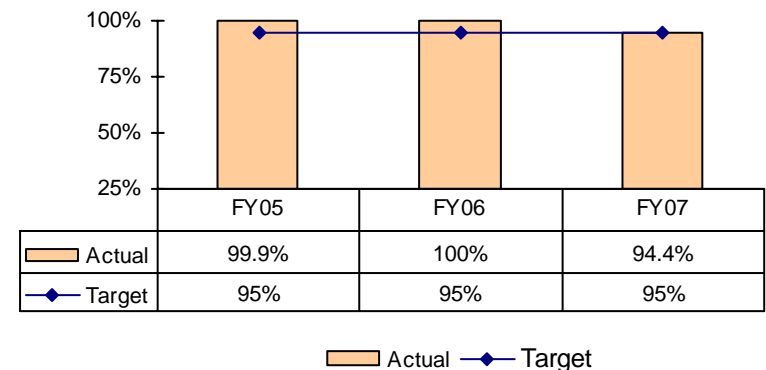
4. HOW WE COMPARE

TA is unaware of any other similar self supporting program that provides such technical assistance.

5. FACTORS AFFECTING RESULTS

This fiscal year, TA had significant turnover of staff and vacancies, including the turnover of the unit’s manager. Other 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 private ones tailored to employers’ needs.

**Technical Assistance
Percentage of Seminars Receiving Score
of 4 or Higher on a 5 Point Scale**



BUREAU OF LABOR AND INDUSTRIES

II. KEY MEASURE ANALYSIS

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6. WHAT NEEDS TO BE DONE

Staff members need to continue to listen to feedback from stakeholders. The unit needs to update seminar materials and expand services as resources allow. New staff members need to continue their own technical training and gain experience in presenting seminars.

7. ABOUT THE DATA

Suntrack relational database. Data for July 1, 2006-June 30, 2007.

KPM #17	WHD: PREVAILING WAGE RATE PREDETERMINATIONS: Response time for requests by public agencies concerning potential coverage of projects under state Prevailing Wage laws.	Measure since: 2006
Goal	The Prevailing Wage Unit will make a recommendation to the office of the Commissioner of the Bureau of Labor and Industries regarding application of the prevailing wage law to a project within 15 business days of its receipt of a request for a coverage determination.	
Oregon Context	BOLI Goal #3c: Resolve prevailing wage rate (PWR) complaints quickly to protect both the worker and the public’s investment in critical infrastructure.	
Data source	SunTrak – relational database running on an Oracle platform.	
Owner	BOLI, Doug McKean, 971-673-0785	

1. OUR STRATEGY

The PWR Unit hired a new employee and this allowed the unit to assign an experienced employee to focus solely upon the issuance of coverage pre-determinations, which gives public agencies more certainty about whether projects are potentially covered by the PWR law.

2. ABOUT THE TARGETS

When this target was approved in September 2006, there was no related data available. The agency’s adopted target - of making 75 percent of predetermination recommendations within 15 days - appeared ambitious but realistic.

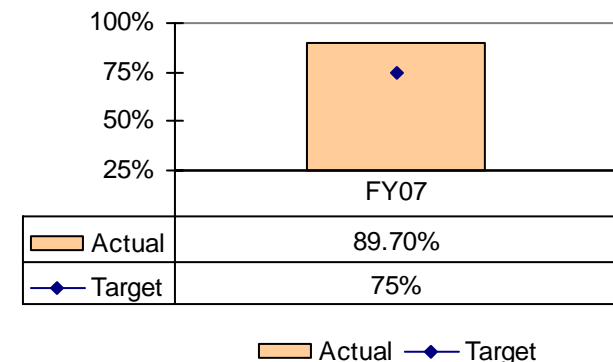
3. HOW WE ARE DOING

The WHD is exceeding this target.

4. HOW WE COMPARE

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

**Wage and Hour Division
Percentage of PWR Predeterminations
Processed Within 15 Days**



BUREAU OF LABOR AND INDUSTRIES

II. KEY MEASURE ANALYSIS

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5. FACTORS AFFECTING RESULTS

An experienced employee was assigned to work exclusively on predetermination requests. This reduced the conflicts in work duties experienced by other Prevailing Wage Rate Unit staff members.

6. WHAT NEEDS TO BE DONE

Once we have more data related to this performance measure, we might need to adjust the target.

7. ABOUT THE DATA

Suntrack relational database. Data for July 1, 2006-June 30, 2007.

BUREAU OF LABOR AND INDUSTRIES

III. USING PERFORMANCE DATA

Agency Mission: The Bureau of Labor and Industries promotes the development of a highly skilled, competitive workforce in Oregon through partnerships with government, labor, business, and educational institutions. It protects the rights of workers and guarantees nondiscriminatory treatment; encourages and enforces compliance with state laws relating to wages, hours, terms and conditions of employment; and advocates policies that balance the demands of the workplace and employers with the protections of workers and their families.

Contact: Doug McKean, Deputy Commissioner	Phone: 971-673-0785
Alternate: Elizabeth Mazzara, Legislative and Communications Manager	Phone: 971-673-0786

The following questions indicate how performance measures and data are used for management and accountability purposes.

1 INCLUSIVITY Describe the involvement of the following groups in the development of the agency's performance measures.	<ul style="list-style-type: none">• Staff: Measures were refined in 2004 with input from the agency's labor management committee.• Elected Officials: The Joint Legislative Audit Committee unanimously approved revisions in August 2004.• Stakeholders: BOLI spoke with stakeholder groups to get feedback on how the agency should focus its resources.• Citizens: BOLI spoke with citizens to get feedback on how the agency should focus its resources.
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BUREAU OF LABOR AND INDUSTRIES

III. USING PERFORMANCE DATA

Agency Mission: The Bureau of Labor and Industries promotes the development of a highly skilled, competitive workforce in Oregon through partnerships with government, labor, business, and educational institutions. It protects the rights of workers and guarantees nondiscriminatory treatment; encourages and enforces compliance with state laws relating to wages, hours, terms and conditions of employment; and advocates policies that balance the demands of the workplace and employers with the protections of workers and their families.

<p>2 MANAGING FOR RESULTS How are performance measures used for management of the agency? What changes have been made in the past year?</p>	<p>The agency analyzes areas of weak performance to devise methods for improvement. Previously, the agency revised the targets for each division or unit to reflect the budget realities the agency faces. The Commissioner has asked each division to stretch in order to maintain and, if possible, improve performance despite staff reductions and increased workloads.</p> <p>ATD evaluates its performance monthly to identify developing trends and identify service gaps. The dramatic increase in the registration of new apprentices in FY 07 has led the Division to emphasize the apprenticeship section of the Employment Department’s “iMatch Skills” database, in order to identify more qualified candidates. The slow growth of female and minority registrations has led the Division to request that the State Apprenticeship Council form an Equal Opportunity Task Force in order to develop proactive solutions to this trend.</p> <p>CRD performance measures have been refined to meet customers’ expectations about receiving initial information regarding whether they have civil rights claims that the Bureau would investigate. The CRD management team has implemented a tracking system that will measure individual performance on a monthly basis, and staff members have been trained on the importance of meeting these expectations. CRD has streamlined its processing of intake and first interviews and is working on setting quarterly performance goals for investigators, although limited staff levels are the major reason for not reaching the investigation goal.</p> <p>WHD has shown improvement in all areas and is meeting or making progress on all five of its goals. More WHD staff in FY 07 helped the division meet its goals related to the prevailing wage rate.</p> <p>The HU performance measure of final orders upheld on appeal is used to ensure that agency policy and practice are legally sound in interpreting and applying the laws over which it has jurisdiction. This measure of final orders upheld on appeal is now almost consistently 100%, reflecting high standards of legal correctness and several levels of review for quality. Improvement of timeliness is the current emphasis, with supervisory assistance to the ALJs to organize the hearing record and schedule the drafting of the order after each hearing.</p> <p>The TA unit used the performance measures to focus its resources during a year when there were significant staff vacancies. In response to the reduced staff, the manager and employees adjusted seminar schedules and other duties to ensure that the timeliness and quality of their performance was preserved.</p>
<p>3 STAFF TRAINING What training has staff had in the past year on the practical value and use of performance measures?</p>	<p>Each BOLI division has developed performance indicators to monitor, communicate, and improve work processes at the staff level. Division and work unit managers and staff have developed and use these indicators to evaluate and manage effectiveness and efficiency of the Agency’s programs. Reports are made at staff meetings.</p>
<p>4 COMMUNICATING RESULTS How does the agency communicate performance results to each of the following audiences and for what purpose?</p>	<ul style="list-style-type: none"> • Staff: Staff meetings, newsletters and joint labor management committee. • Elected Officials: Performance Measure Reports on website and through Legislative hearings and budget process. • Stakeholders: Reports posted on website and discussed in relevant advisory committees. • Citizens: Reports posted on website.