

# JOINT BUDGET COMMITTEE



## SUPPLEMENTAL BUDGET REQUESTS FY 2022-23

### DEPARTMENT OF LABOR AND EMPLOYMENT

JBC WORKING DOCUMENT - SUBJECT TO CHANGE  
STAFF RECOMMENDATION DOES NOT REPRESENT COMMITTEE DECISION

PREPARED BY:  
ABBY MAGNUS, JBC STAFF  
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JOINT BUDGET COMMITTEE STAFF  
200 E. 14TH AVENUE, 3RD FLOOR • DENVER • COLORADO • 80203  
TELEPHONE: (303) 866-2061 • TDD: (303) 866-3472  
<https://leg.colorado.gov/agencies/joint-budget-committee>

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# DEPARTMENT OF LABOR AND EMPLOYMENT

## DEPARTMENT OVERVIEW

The Colorado Department of Labor and Employment (CDLE) administers eight divisions. A brief description of each division and its functions is provided below.

### EXECUTIVE DIRECTOR'S OFFICE

Provides administrative and technical support for Department's divisions and programs including accounting, budgeting, and human resource functions; houses the special purpose State Apprenticeship Agency, the Office of Future Work, and the Office of New Americans.

### DIVISION OF UNEMPLOYMENT INSURANCE

Collects unemployment insurance premiums and surcharges from employers; administers the payment of unemployment insurance benefits to individuals who become unemployed through no fault of their own; and conducts audits and investigations to ensure proper payment of premiums and benefits.

### DIVISION OF EMPLOYMENT AND TRAINING

- *Workforce Development Centers* assist job seekers and employers with job training and placement including: job listings; computer and internet access; career counseling and training; recruitment, pre-screening, and referral services; tax credits for employers; and training reimbursement for employers. CDLE directly administers the rural consortium; the rest are locally administered by the county but funded by CDLE.
- The *Colorado Workforce Development Council* provides workforce policy recommendations; designates local workforce investment areas; coordinates the delivery of workforce development programs; and reviews the allocation of federal Title I funds for adult employment and training activities and for youth activities.
- The *Office of Just Transitions* supports coal workers, employers, and communities as coal production decreases in Colorado.

### DIVISION OF LABOR STANDARDS AND STATISTICS

- *Labor Standards* administers employment and labor laws pertaining to wages paid, hours worked, minimum wage, labor standards, child labor, employment-related immigration laws, and working conditions. It also conducts all union agreement elections, certifies all-union provisions, and investigates and mediates allegations of unfair labor practices.
- *Labor Market Information* produces information on labor market trends including unemployment rates, industry trends, and employee compensation by region and industry.

### DIVISION OF OIL AND PUBLIC SAFETY

Establishes and enforces rules, regulations, and statutes that govern amusement rides and devices; explosives; boilers; conveyances; fuel products; underground and aboveground petroleum storage tanks; cleanup of petroleum spills; and reimbursement of cleanup costs to qualifying storage tank

owners/operators. The Division includes the Underground Damage Prevention Safety Commission and Fund, which includes enforcement oversight for Colorado 811.

#### DIVISION OF WORKERS' COMPENSATION

Regulates the workers compensation industry in Colorado. Oversees workers' compensation injury claims and compliance, mediates disputes, and administers the Medical Disasters (injuries prior to 1971), Major Medical (injuries from 1971-1981), and Subsequent Injury (more than one industrial injury or injury at more than one employer) Insurance Programs.

#### DIVISION OF VOCATIONAL REHABILITATION

Oversees vocational rehabilitation programs to enable individuals with disabilities to participate in the workforce. These programs include Vocational Rehabilitation Services, School-to-Work Alliance Program, Vocational Rehabilitation Mental Health Services, Independent Living Services, Business Enterprises Program for Individuals who are Blind, and the Business Enterprises Program.

#### DIVISION OF FAMILY AND MEDICAL LEAVE INSURANCE

Oversees the State Family and Medical Leave Insurance program. The Division consists of five primary operating branches: Employer Services and Program Integrity, Product and Technical Operations, Consumer Success, Case Management, and Appeals.

## SUMMARY: FY 2020-21 APPROPRIATION AND RECOMMENDATION

DEPARTMENT OF LABOR AND EMPLOYMENT: RECOMMENDED CHANGES FOR FY 2022-23						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2022-23 APPROPRIATION</b>						
HB 22-1329 (Long Bill)	\$311,749,059	\$24,066,641	\$95,116,682	\$6,875,563	\$185,690,173	1,326.2
Other legislation	25,498,754	7,896,748	17,470,812	248,364	(117,170)	18.3
<b>CURRENT FY 2022-23 APPROPRIATION:</b>	<b>\$337,247,813</b>	<b>\$31,963,389</b>	<b>\$112,587,494</b>	<b>\$7,123,927</b>	<b>\$185,573,003</b>	<b>1,344.5</b>
<b>RECOMMENDED CHANGES</b>						
Current FY 2022-23 Appropriation	\$337,247,813	31,963,389	\$112,587,494	\$7,123,927	\$185,573,003	1,344.5
Staff initiated FAMILI (I) note adjustment	0	0	0	0	0	0.0
SNP OIT Real time billing*	(1,862,562)	(455,024)	(824,742)	(16,577)	(566,219)	0.0
SNP DPA annual fleet adjustment*	6,746	518	3,984	7	2,237	0.0
<b>RECOMMENDED FY 2022-23 APPROPRIATION:</b>	<b>\$335,391,997</b>	<b>\$31,508,883</b>	<b>\$111,766,736</b>	<b>\$7,107,357</b>	<b>\$185,009,021</b>	<b>1,344.5</b>
<b>RECOMMENDED INCREASE/(DECREASE)</b>	<b>(\$1,855,816)</b>	<b>(\$454,506)</b>	<b>(\$820,758)</b>	<b>(\$16,570)</b>	<b>(\$563,982)</b>	<b>0.0</b>
Percentage Change	(0.6%)	(1.4%)	(0.7%)	(0.2%)	(0.3%)	0.0%
<b>FY 2022-23 EXECUTIVE REQUEST</b>	<b>\$335,391,997</b>	<b>\$31,508,883</b>	<b>\$111,766,736</b>	<b>\$7,107,357</b>	<b>\$185,009,021</b>	<b>1,344.5</b>
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

\*Reflects the request, pending Committee common policy decision.

### STAFF INITIATED SUPPLEMENTAL REQUESTS

**STAFF INITIATED FAMILI (I) NOTE ADJUSTMENT:** Staff requests that the Committee approve adding additional language to the FY 2022-23 Long Bill (H.B. 22-1329) to clearly identify funds coming from the FAMILI cash fund as for informational purposes only.

### STATEWIDE COMMON POLICY SUPPLEMENTAL REQUESTS

**OIT REAL TIME BILLING:** The request includes a decrease of \$1,862,562 total funds including \$455,024 General Fund to reflect the Department's share of the change request submitted by the Office of Information Technology in the Governor's office for adjustments to OIT billing. The recommendation is pending committee common policy decisions.

**DPA ANNUAL FLEET ADJUSTMENT:** The request includes an increase of \$6,746 total funds including \$518 General Fund to reflect the Department's share of the change request submitted by the Department of Personnel for management of the state vehicle fleet. The recommendation is pending committee common policy decisions.

## STAFF-INITIATED SUPPLEMENTAL REQUESTS

### STAFF-INITIATED FAMLI (I) NOTE ADJUSTMENT

	REQUEST	RECOMMENDATION
<b>TOTAL</b>	<b>\$0</b>	<b>\$0</b>
FTE	0.0	0.0
General Fund	0	0
Cash Funds	0	0
Federal Funds	0	0

**Does JBC staff believe the request meets the Joint Budget Committee's supplemental criteria? YES**

[An emergency or act of God; a technical error in calculating the original appropriation; data that was not available when the original appropriation was made; or an unforeseen contingency.]

**Explanation:** This request is based on a technical error made in the FY22-23 Long Bill.

**DEPARTMENT REQUEST:** The Department did not request a change to the FY 2022-23 Long Bill, and is not aware of staff's recommendation.

**STAFF RECOMMENDATION:** Staff recommends that the Committee approve adding an (I) notation to the Program Costs Line Item in the Family and Medical Leave Insurance (FAMLI) Division in the FY 2022-23 Long Bill (H.B. 22-1329), to clearly identify funds coming the FAMLI cash fund as informational.

**STAFF ANALYSIS:** The supplemental budget request would add an (I) notation to the FY 2022-23 Long Bill in the Program Costs Line Item in the FAMLI Division. The line item is funded by the Family and Medical Leave Insurance Fund. Money in the fund is continuously appropriated to the Division as laid out in Section 8-13.3-518 (1), C.R.S., which makes this appropriation in the Long Bill informational. Due to a technical error in drafting the FY 2022-23 Long Bill, the \$1,111,286 appropriation does not include an (I) note. Adding an (I) note will accurately reflect this appropriation and the amount of informational funds in the FY 2022-23 Long Bill.

## STATEWIDE COMMON POLICY SUPPLEMENTAL REQUESTS

These requests are not prioritized and are not analyzed in this packet. The JBC will act on these items later when it makes decisions regarding common policies.

DEPARTMENT'S PORTION OF STATEWIDE SUPPLEMENTAL REQUEST	TOTAL	GENERAL FUND	CASH FUNDS	REAPPROP. FUNDS	FEDERAL FUNDS	FTE
DPA Annual fleet supplemental	\$6,746	\$518	\$3,984	\$7	\$2,237	0.0
OIT Sup. real time billing	(1,862,562)	(455,024)	(824,742)	(16,577)	(566,219)	0.0
<b>DEPARTMENT'S TOTAL STATEWIDE SUPPLEMENTAL REQUESTS</b>	<b>(\$1,855,816)</b>	<b>(\$454,506)</b>	<b>(\$820,758)</b>	<b>(\$16,570)</b>	<b>\$563,982)</b>	<b>0.0</b>

**STAFF RECOMMENDATION:** The staff recommendation for these requests is pending Committee action on common policy supplementals. Staff asks permission to include the corresponding appropriations in the Department's supplemental bill when the Committee acts on common policy supplementals. If staff believes there is reason to deviate from the common policy, staff will appear before the Committee at a later date to present the relevant analysis.

*JBC Staff Supplemental Recommendations - FY 2022-23*  
*Staff Working Document - Does Not Represent Committee Decision*

**Appendix A: Numbers Pages**

	FY 2021-22 Actual	FY 2022-23 Appropriation	FY 2022-23 Requested Change	FY 2022-23 Rec'd Change	FY 2022-23 Total w/Rec'd Change
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**DEPARTMENT OF LABOR AND EMPLOYMENT**

**Joe Barela, Executive Director**

**Staff initiated FAMLI (I) note adjustment**

**DIVISION OF FAMILY AND MEDICAL LEAVE INSURANCE**

Program Costs	<u>951,038</u>	<u>1,111,286</u>	<u>0</u>	<u>1,111,286</u>
FTE	6.0	6.0	0.0	6.0
General Fund	0	0	0	0
Cash Funds	951,038	1,111,286	0	1,111,286
Reappropriated Funds	0	0	0	0
Federal Funds	0	0	0	0

<b>Total for Staff initiated FAMLI (I) note adjustment</b>	951,038	1,111,286	0	1,111,286
<i>FTE</i>	<u>6.0</u>	<u>6.0</u>	<u>0.0</u>	<u>6.0</u>
General Fund	0	0	0	0
Cash Funds	951,038	1,111,286	0	1,111,286
Reappropriated Funds	0	0	0	0
Federal Funds	0	0	0	0

<b>Totals Excluding Pending Items</b>				
<b>LABOR AND EMPLOYMENT</b>				
<b>TOTALS for ALL Departmental line items</b>	351,928,781	337,247,813	0	337,247,813
<i>FTE</i>	<u>1,318.9</u>	<u>1,344.5</u>	<u>0.0</u>	<u>1,344.5</u>
General Fund	19,896,899	31,963,389	0	31,963,389
Cash Funds	119,589,874	112,587,494	0	112,587,494
Reappropriated Funds	8,304,551	7,123,927	0	7,123,927
Federal Funds	204,137,457	185,573,003	0	185,573,003