

# JOINT BUDGET COMMITTEE



## STAFF FIGURE SETTING 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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## HOW TO USE THIS DOCUMENT

The Department Overview contains a table summarizing the staff recommended incremental changes followed by brief explanations of each incremental change. A similar overview table is provided for each division, but the description of incremental changes is not repeated, since it is available under the Department Overview. More details about the incremental changes are provided in the sections following the Department Overview and the division summary tables.

Decision items, both department-requested items and staff-initiated items, are discussed either in the Decision Items Affecting Multiple Divisions or at the beginning of the most relevant division. Within a section, decision items are listed in the requested priority order, if applicable.

## 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 with job training and placement. Workforce Centers provide a variety of free services to assist job seekers and employers 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 and still 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 *Just Transitions Office* supports coal workers, employers, and communities as they plan for the future closings of coal plants.

### DIVISION OF LABOR STANDARDS AND STATISTICS

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.

- The *Labor Market Information* sub-division provides annual and monthly information on general 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.

#### 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 designed to enable individuals with any type of disability 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 after the passage of Proposition 118. The Division will consist of three primary operating branches:

- Employer Services: Determine employers' liability, assign premium rates, collect premiums, and provide customer services; conduct random and targeted audits to ensure proper exemptions and premiums paid;
- Claimant Services: Provide customer service to inform paid family and medical leave claimants of their responsibilities and rights and answer claimants' questions about the FAML I process; research, analyze and interpret the law to determine a claimant's eligibility and entitlement to receive benefits; prevent, detect, and recover overpaid benefits; provide adjudication services; and
- Operations: Investigate and refer fraud cases for criminal prosecution; conduct quality reviews of benefit-related and employer-premium-related functions to ensure compliance with federal and state paid family and medical leave laws, policies, and guidelines; identify and address major root causes of improper payments; provide efficient maintenance and retention of records access and storage of all FAML I correspondence forms and reports.

## SUMMARY OF STAFF RECOMMENDATIONS

DEPARTMENT OF LABOR AND EMPLOYMENT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2021-22 APPROPRIATION</b>						
SB 21-205 (Long Bill)	\$289,121,540	\$19,644,267	\$82,444,914	\$6,436,493	\$180,595,866	1,298.9
HB 22-1182 (Supplemental)	0	0	0	0	0	0.0
Other legislation	62,863,096	752,501	62,110,595	0	0	17.0
<b>TOTAL</b>	<b>\$351,984,636</b>	<b>\$20,396,768</b>	<b>\$144,555,509</b>	<b>\$6,436,493</b>	<b>\$180,595,866</b>	<b>1,315.9</b>
<b>FY 2022-23 RECOMMENDED APPROPRIATION</b>						
FY 2021-22 Appropriation	\$351,984,636	\$20,396,768	\$144,555,509	\$6,436,493	\$180,595,866	1,315.9
R1 Increase wage theft spending	138,201	0	138,201	0	0	1.0
R2 Continue employment first	290,744	63,382	0	0	227,362	4.0
R3 Increase underground damage prevention spending	20,000	0	20,000	0	0	0.0
R4 Federally fund veterans service to career program	0	0	0	0	0	0.0
BA1 Skills-based hiring initiative	399,720	399,720	0	0	0	4.0
BA2 Office of new americans	195,783	195,783	0	0	0	1.3
BA3 Chief operating officer	187,289	0	187,289	0	0	1.0
Community provider rate adjustment	125,723	125,723	0	0	0	0.0
Non-prioritized decision items	(179,736)	(99,727)	(134,612)	(5,635)	60,238	0.0
Annualize prior year legislation and budget actions	(62,610,045)	153,041	(60,852,405)	0	(1,910,681)	(1.0)
Centrally appropriated line items	16,604,331	1,868,962	8,699,071	81,697	5,954,601	0.0
Indirect cost assessment	1,125,851	0	699,788	8,111	417,952	0.0
<b>TOTAL</b>	<b>\$308,282,497</b>	<b>\$23,103,652</b>	<b>\$93,312,841</b>	<b>\$6,520,666</b>	<b>\$185,345,338</b>	<b>1,326.2</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$43,702,139)</b>	<b>\$2,706,884</b>	<b>(\$51,242,668)</b>	<b>\$84,173</b>	<b>\$4,749,472</b>	<b>10.3</b>
Percentage Change	(12.4%)	13.3%	(35.4%)	1.3%	2.6%	0.8%
<b>FY 2022-23 EXECUTIVE REQUEST</b>	<b>\$308,754,258</b>	<b>\$23,463,853</b>	<b>\$92,873,067</b>	<b>\$6,517,658</b>	<b>\$185,899,680</b>	<b>1,326.2</b>
Request Above/(Below) Recommendation	\$471,761	\$360,201	(\$439,774)	(\$3,008)	\$554,342	0.0

\*For items pending Committee common policy decisions, the amount shown is the request.

## DESCRIPTION OF INCREMENTAL CHANGES

**R1 INCREASE WAGE THEFT SPENDING:** The Department is requesting an ongoing increase in cash fund spending authority of \$153,304 beginning in FY 2022-23. This request encompasses an additional 1.0 FTE as well as a legislative change to Section 8-4-113(3), C.R.S., to increase the statutory cash fund limit on uncommitted reserves for the Wage and Theft Enforcement Fund (WTEF) to an alternative maximum of \$400,000. Any excess revenue above \$400,000 would transfer to the General Fund at the end of the fiscal year. The Department indicates that funding is for the implementation of a theory-informed program as defined in S.B. 21-284 (Evidence-based evaluation for budget). Based on JBC staff analysis and pursuant to S.B. 21-284, JBC has determined that the request is for a program that is theory-informed. The recommendation is a \$138,201 ongoing increase in cash fund spending authority and an alternative maximum on uncommitted reserves for the WTEF. (Legislation Required).

**R2 CONTINUE EMPLOYMENT FIRST:** The Department requests \$427,464 total funds and 4.0 FTE for FY 2022-23, including \$93,187 General Fund and \$334,277 federal funds, for the Employment

First Initiatives program. Initial funding for this program through S.B. 16-077 is set to end in June 2022, and S.B. 21-095 continued indefinitely the Employment First Partnership in the Department, however no additional funding was allocated for the program. This request would provide ongoing funding for this program. These positions do not provide services directly to individuals with disabilities; they provide support for direct service providers who work with individuals with most significant disabilities. The Department indicates that funding is for the implementation of a theory-informed program as defined in S.B. 21-284 (Evidence-based evaluation for budget). Based on JBC staff analysis and pursuant to S.B. 21-284, JBC has determined that the request is for a program that is evidence-informed. The recommendation is an ongoing appropriation of \$290,744 total funds.

**R3 INCREASE UNDERGROUND DAMAGE PREVENTION FUND SPENDING:** This is a continuous cash fund spending authority request for \$39,380 in FY 2022-23 and in all future years. This request requires a change in statutory language within Section 9-1.5-104.7, C.R.S., to make the funds continuously appropriated from the Damage Prevention (DMPV) Fund to the Division to use for education and outreach programs related to excavation and underground facilities. The Department indicates that funding is for the implementation of a theory-informed program as defined in S.B. 21-284 (Evidence-based evaluation for budget). Based on JBC staff analysis and pursuant to S.B. 21-284, JBC has determined that the request is for a program that is opinion-based. The recommendation is a \$20,000 ongoing annual appropriation with no statutory change.

**R4 FEDERALLY FUND VETERAN’S SERVICES TO CAREER PROGRAM:** The Department requests a reduction of \$500,000 in cash fund spending authority and an increase of \$500,000 in federal fund spending authority for the Veterans Service-to-Career Program (VSCP), until the program sunsets January 1, 2024. The Department is requesting the funding source be switched from the Marijuana Tax Cash Fund (MTCF) to Federal American Rescue Plan Act (ARPA) funds, on the basis that forecasts are showing MTCF revenues declining modestly, and this loss in revenue is being attributed to COVID. This program is currently fully funded through the transfer from MTCF, and the Department does not want to risk this program losing funding due to this decline. The recommendation is to continue to fund the program through the MTCF and appropriate \$500,000 for this purpose in FY 2022-23 and FY 2023-24.

**BA1 SKILLS-BASED HIRING INITIATIVE:** The Department requests a one-time \$700,000 General Fund appropriation in FY 2022-23 with rollover authority to FY 2023-24. This funding would be used to hire 4.0 FTE to support the Department of Labor and Employment as well as the Department of Personnel and Administration in supporting businesses and non-profit organizations in transitioning to skills-based hiring practices. The Department indicates that this request aligns with evidence-based policy as defined in S.B. 21-284. (Evidence-based evaluation for budget). Based on JBC staff analysis and pursuant to S.B. 21-284, JBC has determined that the request is for a program that is opinion-based. The recommendation is annual appropriations over the next two years of \$399,720 in FY 2022-23 and \$201,028 in FY 2023-24, for a total of \$600,748 General Fund.

**BA2 OFFICE OF NEW AMERICANS:** The Department is requesting an ongoing \$352,432 General Fund increase for additional funding to develop the Office of New Americans. This additional funding would support 1.3 FTE to cover increased responsibilities and statutory requirements, shared personnel and operational costs, and translation and interpretation costs. The Department indicates that funding is for the implementation of a theory-informed program as defined in S.B. 21-284. (Evidence-based evaluation for budget). Based on JBC staff analysis and pursuant to S.B. 21-284, JBC

staff is in agreement that the request is for a program that is theory-informed. The recommendation is an ongoing appropriation of \$195,783.

**BA3 CHIEF OPERATING OFFICER:** The Department requests an ongoing increase in cash fund spending authority of \$238,212 to hire a Chief Operating Officer. The department has expanded its divisions and programs and has seen a significant increase in legislation for funding and technology builds that are underway like the Colorado Automated Tax System and new FAMILI system. The Department states they need a dedicated position tasked with overseeing administrative and operational functions. The Department indicates that funding is for the implementation of a theory-informed practice as defined in S.B. 21-284 (Evidence-based evaluation for budget). Based on JBC staff analysis and pursuant to S.B. 21-284, assignment of a level of evidence is not applicable to this budget request. Recommendation is \$187,289 in ongoing cash fund spending authority.

**COMMUNITY PROVIDER RATE ADJUSTMENT.** The recommendation includes a 2.0 percent increase for independent living centers, consistent with Committee common policy.

**NON-PRIORITIZED DECISION ITEMS:** The recommendation includes a number of non-prioritized decision items that reflect the Committee’s decision on common policy.

NON-PRIORITIZED DECISION ITEMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
DPA Paid Family Medical Leave Act Funding	\$371,656	\$13,654	\$97,950	\$0	\$260,052	0.0
OIT Budget package	56,788	14,191	24,987	503	17,107	0.0
DPA CSEAP resources	2,385	89	627	0	1,669	0.0
Food service and housekeeping compensation	920	71	255	0	594	0.0
BANP OIT CBMS Admin costs	(582,385)	(129,115)	(264,519)	(5,300)	(183,451)	0.0
BANP COWINS Partnership Agreement	(29,100)	1,383	6,088	(838)	(35,733)	0.0
<b>TOTAL</b>	<b>(\$179,736)</b>	<b>(\$99,727)</b>	<b>(\$134,612)</b>	<b>(\$5,635)</b>	<b>\$60,238</b>	<b>0.0</b>

\*Reflects request. Committee decision is pending.

**ANNUALIZE PRIOR YEAR LEGISLATION AND BUDGET ACTIONS:** The request includes adjustments for the second- and third-year impacts of prior year legislation and budget actions.

ANNUALIZE PRIOR YEAR LEGISLATION AND BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
HB 21-1007 State apprenticeship agency	\$342,055	\$342,055	\$0	\$0	\$0	4.9
SB18-200 PERA unfunded liability	177,360	0	177,360	0	0	0.0
SB 21-131 Protect personal info	9,000	0	9,000	0	0	0.3
SB 21-039 Elimination of submin wage	1,197	1,197	0	0	0	0.0
HB 20-1153 WINS	0	404,766	(404,766)	0	0	0.0
HB 21-1264 Funds workforce development	(60,000,000)	0	(60,000,000)	0	0	0.0
Employment first initiatives	(2,407,926)	(512,888)	0	0	(1,895,038)	(4.0)
HB 19-1107 Employment support and job retention	(340,000)	0	(340,000)	0	0	(0.5)
HB 20-1415 Whistleblowers	(187,593)	0	(187,593)	0	0	(2.5)
SB 21-233 UI division enterprise	(75,000)	(75,000)	0	0	0	0.0
SB 21-251 General fund loan family medical leave program	(64,991)	0	(64,991)	0	0	0.0
SB 21-087 Agricultural workers' right	(40,512)	0	(40,512)	0	0	0.0



ANNUALIZE PRIOR YEAR LEGISLATION AND BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Annualize prior year salary survey	(15,644)	(1)	0	0	(15,643)	0.0
SB 21-239 Statewide human services system	(5,741)	(5,741)	0	0	0	0.0
HB 21-1194 Immigration legal defense	(1,347)	(1,347)	0	0	0	0.1
HB 21-1149 Energy sector career	(903)	0	(903)	0	0	0.7
<b>TOTAL</b>	<b>(\$62,610,045)</b>	<b>\$153,041</b>	<b>(\$60,852,405)</b>	<b>\$0</b>	<b>(\$1,910,681)</b>	<b>(1.0)</b>

**CENTRALLY APPROPRIATED LINE ITEMS:** The November 1 request included adjustments to centrally appropriated line items outlined in the table below. Later adjustments requested and approved by the Committee are shown under BANP OIT CBMS Admin costs and BANP COWINS Partnership Agreement to clearly reflect the change.

CENTRALLY APPROPRIATED LINE ITEMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Payments to OIT	\$5,592,139	\$1,319,745	\$2,499,686	\$50,329	\$1,722,379	0.0
Salary survey	4,456,591	464,230	2,254,663	23,897	1,713,801	0.0
Health, life, and dental	3,637,571	42,993	2,284,520	4,523	1,305,535	0.0
Leased space	754,831	49,002	347,403	0	358,426	0.0
AED	740,681	6,243	405,232	(109)	329,315	0.0
SAED	740,681	6,243	405,232	(109)	329,315	0.0
ALJ services	512,892	1,413	507,686	0	3,793	0.0
DPA Paid family leave	215,486	12,492	84,188	1,636	117,170	0.0
Workers' compensation	123,574	10,870	50,233	1,418	61,053	0.0
Payment to risk management and property funds	96,890	8,524	39,386	1,111	47,869	0.0
CORE adjustment	29,598	2,604	12,032	339	14,623	0.0
Short-term disability	23,213	(133)	12,111	8	11,227	0.0
PERA Direct Distribution	13,583	(7,087)	(43,929)	(1,486)	66,085	0.0
Vehicle lease payments	8,818	775	3,585	101	4,357	0.0
Capitol Complex leased space	3,408	300	1,385	39	1,684	0.0
Shift differential	0	0	0	0	0	0.0
Legal services	(345,625)	(49,252)	(164,342)	0	(132,031)	0.0
<b>TOTAL</b>	<b>\$16,604,331</b>	<b>\$1,868,962</b>	<b>\$8,699,071</b>	<b>\$81,697</b>	<b>\$5,954,601</b>	<b>0.0</b>

\*Reflects request. Committee decision is pending.

**INDIRECT COST ASSESSMENT:** The request includes \$1,125,851 for statewide indirect cost assessment.

## MAJOR DIFFERENCES FROM THE REQUEST

Significant differences from the request include:

- Staff recommendation on Department request BA1 for annual appropriations over the next two years of \$399,720 and \$201,028 General Fund rather than a one-time \$700,000 General Fund appropriation in FY 2022-23 with roll-forward authority through FY 2023-34.
- Staff recommendation on Department request R3 for annual ongoing appropriations of \$20,000 in cash fund spending authority rather than the Department's request for continuous appropriations from the DMPV fund.

- Staff recommendation on Department request R4 to keep funding the Veteran’s Service to Career program through the MTCF rather than switching it to Federal ARPA fund.
- The Department did not submit a request to adjust the community provider rate. The Committee’s common policy is to increase community provider rates by 2.0 percent. The recommendation includes the 2.0 percent increase for an increase of \$125,723 General Fund for the Independent Living Services line item in the Division of Vocational Rehabilitation.

## DECISION ITEMS AFFECTING MULTIPLE DIVISIONS

### → R1 INCREASE WAGE THEFT SPENDING (REQUIRES LEGISLATION)

*REQUEST:* The Department is requesting an ongoing increase in cash spending authority of \$153,304 in FY 2022-23. This request encompasses an additional 1.0 FTE as well as a legislative change to Section 8-4-113(3), C.R.S., to increase the statutory cash fund limit on uncommitted reserves for the Wage and Theft Enforcement Fund (WTEF) to an alternative maximum of \$400,000. Any excess revenue above \$400,000 would transfer to the General Fund at the end of the fiscal year.

*RECOMMENDATION:* Staff recommendation is:

- **An increase in ongoing cash fund spending authority of \$138,201 in FY 2022-23; and**
- **The JBC sponsor legislation to allow an alternative uncommitted reserve maximum of \$400,000 on the WTEF, with any amount above being returned to the General Fund annually.**

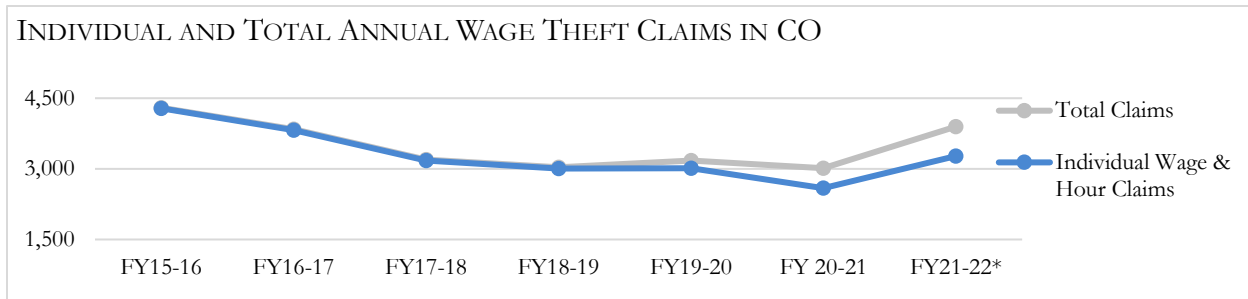
*LEVEL OF EVIDENCE PURSUANT TO S.B. 21-284*

Theory of Change	Increased spending authority will allow the Division to appropriately investigate and manage wage theft complaints, creating a stronger deterrent effect on businesses.
Program Objective	Efficiently and fairly investigate and manage wage theft complaints in order to reduce the practice throughout the state.
Outputs being measured	Investigations opened, settlements reached, fines collected.
Outcomes being measured	Wage theft occurrence in Colorado.
Cost/Benefit ratio	Increased spending authority allows for enforcement activities, as required by statute, and may reduce fines and fees from businesses over time.

The Department has identified this request is for funding to support a theory-informed practice, with specific and measurable outputs and outcomes. In a limited review of research, JBC staff found evidence more applicable for the assessment of wage theft policies themselves than looking at additional spending authority in order to implement existing State wage theft policies. However, because the Division’s recent expansions and added expenses are related to expansions of wage theft policies which JBC staff would identify as theory-informed practice, JBC staff would also characterize this as a theory-informed practice, pursuant to S.B. 21-284 (Evidence-based Evaluations for Budget).

In the Department’s analysis, they state the program objective would be to reduce instances of wage theft violations in the state. Looking at data in Colorado shown in the graph below, wage theft violation claims have decreased since the Division began enforcing fines for violations in 2015. In FY 2019-20, additional legislation increased the type of violations the Division was addressing, and there was a correlating rise in the number of annual claims. The State only has data beginning in FY 2015-

16, and it is difficult to clearly delineate the impacts of enforcing wage standards, however it does appear in the past few years, as new wage theft violations are identified and prosecuted in the state, the instances of them occurring has decreased over time.



\*FY 2021-22 data based on estimates

Based on a limited review of research<sup>1</sup>, JBC staff found that “stronger state-level wage and hour laws and their enforcement lead to lower incidences of wage theft.” Again, while this specific request is not an evidence-based intervention, it is requesting funding to ensure the proper implementation of previous policy changes which do appear to be evidence-based.

*ANALYSIS:* Increasing and unpredictable fines for wage theft collected by the Division of Labor Standards and Statistics (DLSS) are putting pressure on the Wage Theft Enforcement Fund (WTEF) and its uncommitted reserve cap. The Department is reporting increasing levels and complexity of wage theft violations due to expansions in legislative requirements and authority. The Department requests increased spending authority as well as a legislative change to the uncommitted reserve cap in order to continue to maintain wage and labor standards.

## BACKGROUND

In 2015, the Colorado Wage Act assigned DLSS to investigate, rule on, and order payments on individual wage complaints. Prior to that, the Division was much smaller and mostly helped mediate disputes between parties which did not result in rulings or orders to pay. The Wage Act resulted in initial high volumes of annual individual wage claims that have since stabilized at around 3,000.

Legislative changes have impacted the Division’s activities. DLSS is seeing increasing workloads based less on the volume of claims than the complexity of investigations. The 3,000 average annual wage claims yield typically simpler investigations and rulings than many of the new programs that have been assigned to DLSS. Some of the most complex cases are related to paid sick leave claims, retaliation claims, Equal Pay Act investigations, and direct investigations.

In FY 2019-20, DLSS began more systemic investigations. They were finding that often times wage theft violations were occurring for all or many employees in a work place where just a single complaint had been filed. Systemic investigations have resulted in more sweeping employer changes which address violations across the board for employees. The Division feels that the systemic approach of direct investigations is important to ensure more equitable outcomes. DLSS has found that immigrants and low-wage workers are more likely to be victims of wage theft violations as they are less likely to file complaints. Additionally, when an employer is denying or incorrectly applying paid sick leave laws,

<sup>1</sup> [Policies to Protect Workers from Wage Theft](#) (Galvin, 2017)

they are typically doing so based on company-wide policy, so it makes sense to approach these violations from a broader lens.

### **ADMINISTRATIVE COSTS**

The Department reports that because of this increasing complexity in the nature of cases, DLSS is reporting additional administrative costs driven by a rapidly increasing staff. These costs include office space and systems, remote mailing, printing, and phones, and increasing workloads and mail volumes. Due to the increase in responsibilities and FTE because of recent legislation, the anticipated increased administrative costs include:

- \$20,246 for increased legal services costs for the Wage Theft Enforcement Unit Legal Hours to defend direct investigations appeals;
- \$21,060 for remote mailing;
- \$14,665 for softphone licenses;
- \$18,000 for appeal transcription costs;
- \$79,333 for an Appeals Coordinator to manage the increased number of appeals.

### **WAGE AND THEFT ENFORCEMENT FUND (WTEF)**

DLSS administers the WTEF to investigate wage claim cases and issues citations to collect fines of various wage violations by employers. Currently, the WTEF is under a three-year cash fund waiver that expires on June 30, 2022. Wage theft fines vary widely in size and scope, which makes the ability to predict the frequency difficult since they are based on the type and severity of the violation, the number of employees impacted, and whether a settlement agreement of the fine leads to a discounted amount in collections. This unpredictability of the fines has exacerbated the statutory cash fund limit on uncommitted reserves for this fund.

- In FY 2021-22, DLSS received a cash fund appropriation of \$171,696 to cover program costs, which resulted in a cash fund statutory uncommitted reserve cap of \$200,000. This resulted in the extension of a three-year cash fund waiver that expires on June 30, 2022.
- The Division has assessed \$735,244 in citations through July 2021 and is estimated to receive up to \$1.2 million dollars for the calendar year if all estimated direct investigation citations are received. With this increase in fines and the waiver expiration, DLSS is estimating that it would not be able to manage the cap on the WTEF while continuing to investigate wage theft violations.
- Because of the nature of the Division's work, it does not make sense for them to stop enforcing labor standards or limit fines based on the need to manage the cash fund. Instead, they are requesting an alternative maximum that will allow them to continue their work while not holding excess reserves.

### **FINES**

Wage theft violation fines are determined in statute, and can be dependent upon the amount employees may be owed. Reducing the fines associated with wage theft violations would cause the Division to be less effective in this work. The increase in fine collections the Division has seen in recent years is due to their increased ability to enforce wage standards. DLSS administers the WTEF to investigate wage claim cases and issues citations to collect fines of various wage violations by employers.

- A majority of these are failure to respond to investigation notices, failure to provide mandatory pay statements to employees, and failure to pay wages determined to be owed to employees.

- In 2019, the legislature enacted statutory provisions that created a strategic enforcement unit within DLSS to investigate and rule on systemic violations.
- The Healthy Families and Workplaces Act made certain paid sick leave law a new category of wages.

The Division's goal is to increase compliance, not to impose fines or prolong proceedings. DLSS will send employers notices of possible violations, and many employers respond by agreeing to fix their practices. In these cases, employers will pay significantly reduced fees. If the employer makes changes before there is an official finding, no fine is imposed. A minority of employers refuse to fix practices that violate workers' rights even after DLSS notifies them of violations. In those instances, initial fines of a few hundred dollars can yield total fines in the tens or hundreds of thousands of dollars.

### **EMPLOYERS**

DLSS currently runs a full-time call center that employers and employees can call with questions regarding labor laws. DLSS answers questions without judgment. If an employer call reports a non-compliant practice, DLSS call center staff explains how to comply without imposing consequences for non-compliance.

Additionally, DLSS has substantially increased its outreach program to provide non-legalistic advice. This is available to anyone, but is mainly provided for the benefit of employers and trade associations that lack legal representation. With the introduction of a number of new labor laws, the Division began a new series of continually updated published guidance on State labor laws. DLSS has also roughly doubled outreach events in the last two years. These presentations are available to many different groups, however the majority are done for trade associations, chambers of commerce, and other industry groups. These presentation typically focus on new issues for employers, like the new paid sick leave and agricultural labor laws. The Division had 35 outreach events in 2020, and 61 in 2021.

The Department is requesting an Appeals Coordinator to provide better assistance for employers to navigate administrative appeals of rulings against them. The Appeals Coordinator will spend nearly all their time on appeals filed by employers, which accounts for over 90.0 percent of all appeals. Most employers are not represented by lawyers in these administrative appeal, and a professional, full-time Appeals Coordinator will be better assist employers in this process.

### **STAFF RECOMMENDATION**

Staff believes it is important for the Department to be able to continue its work on investigating wage theft violations and enforcing labor standards while also maintaining statutory compliance on the fund. Staff is recommending:

- 1 Increased cash fund spending authority of \$138,201; and
- 2 A legislative change to create an alternative uncommitted reserve cap of \$400,000 for the WTEF, with any excess being transferred to the General Fund, adding the WTEF to the list of exempted funds in Section 24-75-402 (5), C.R.S.

Because of the nature of the Division's work, Staff does not believe it is in the interest of the State to reduce wage theft violation fines to manage the cash fund reserve. Staff agrees with the Department's assessment of the fund and recommends the alternate maximum reserve of \$400,000. Increasing cash fund spending authority will take care of the personnel and operating expenses generated from the complexity of the cases, and statutorily changing the uncommitted reserves cash fund will allow the Division to better manage cash fund reserves while continuing to effectively enforce labor standards.

## (1) EXECUTIVE DIRECTOR'S OFFICE

The Executive Director's Office provides common services to all divisions including employee health, life, and dental insurance, workers' compensation insurance, and employee shift differential. Support services are also located in the Executive Director's Office.

EXECUTIVE DIRECTOR'S OFFICE						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2021-22 Appropriation</b>						
SB 21-205 (Long Bill)	\$60,778,902	\$5,346,984	\$24,706,604	\$697,145	\$30,028,169	110.7
HB 22-1182 (Supplemental)	0	0	0	0	0	0.0
Other legislation	1,036,329	660,249	376,080	0	0	3.1
<b>TOTAL</b>	<b>\$61,815,231</b>	<b>\$6,007,233</b>	<b>\$25,082,684</b>	<b>\$697,145</b>	<b>\$30,028,169</b>	<b>113.8</b>
<b>FY 2022-23 RECOMMENDED APPROPRIATION</b>						
FY 2021-22 Appropriation	\$61,815,231	\$6,007,233	\$25,082,684	\$697,145	\$30,028,169	113.8
R1 Increase wage theft spending	20,246	0	20,246	0	0	0.0
BA2 Office of new americans	195,783	195,783	0	0	0	1.3
BA3 Chief operating officer	187,289	0	187,289	0	0	1.0
Non-prioritized decision items	(179,736)	(99,727)	(134,612)	(5,635)	60,238	0.0
Annualize prior year legislation and budget actions	(2,047,249)	94,890	(756,838)	(8,480)	(1,376,821)	5.0
Centrally appropriated line items	16,091,439	1,867,549	8,191,385	81,697	5,950,808	0.0
Indirect cost assessment	1,125,851	0	699,788	8,111	417,952	0.0
<b>TOTAL</b>	<b>\$77,208,854</b>	<b>\$8,065,728</b>	<b>\$33,289,942</b>	<b>\$772,838</b>	<b>\$35,080,346</b>	<b>121.1</b>
<b>INCREASE/(DECREASE)</b>	<b>\$15,393,623</b>	<b>\$2,058,495</b>	<b>\$8,207,258</b>	<b>\$75,693</b>	<b>\$5,052,177</b>	<b>7.3</b>
Percentage Change	24.9%	34.3%	32.7%	10.9%	16.8%	6.4%
<b>FY 2022-23 EXECUTIVE REQUEST</b>	<b>\$77,432,051</b>	<b>\$8,206,313</b>	<b>\$33,427,115</b>	<b>\$769,830</b>	<b>\$35,028,793</b>	<b>121.1</b>
Request Above/(Below) Recommendation	\$223,197	\$140,585	\$137,173	(\$3,008)	(\$51,553)	(0.0)

\*Some of the amount shown reflects the request, as these are pending Committee common policy decisions.

### DECISION ITEMS - EXECUTIVE DIRECTOR'S OFFICE

#### → BA2 OFFICE OF NEW AMERICANS

**REQUEST:** The Department is requesting an ongoing annual \$352,432 General Fund appropriation to develop the Office of New Americans (ONA). This additional funding would support 1.3 FTE to cover increased responsibilities and statutory requirements, shared personnel and operational costs, and translation and interpretation costs.

**RECOMMENDATION:** Staff recommends an ongoing appropriation of \$195,783 General Fund to invest in the development of the Office of New Americans.

#### LEVEL OF EVIDENCE PURSUANT TO S.B. 21-284

Theory of Change	By adding staff capacity to the Office, the ONA will be better able to meet the goals of H.B. 21-1150 and to effectively implement a statewide immigrant integration plan in service to Colorado communities.
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Program Objective	Ensure the ONA has appropriate and initial FTE to support the ongoing implementation of the Office in Colorado, supporting the ability of immigrants in Colorado to integrate into Colorado’s economic, civic and social life.
Outputs being measured	Outreach, engagement and technical assistance to immigrant-serving community-based nonprofits and immigrant communities, with focus in non-metro areas of the state; community advisory board meetings; research and policy reports on opportunities and steps for greater immigrant integration in state programs.
Outcomes being measured	Increased awareness of immigrant-serving community-based nonprofits and immigrant communities of state resources; increased engagement of immigrants in state programs for which they are eligible; and enhanced engagement of state programs with immigrant communities.
Cost/Benefit ratio	Cost/Benefit cannot be readily calculated for this request.

The Department identified this budget request as a theory-informed program. They have provided some measurable outputs, and JBC staff was able to complete a limited review of research that would agree with this assessment. While JBC staff agrees that the program itself is of value to the State based on the goal of economic and social integration for immigrants and outcomes, it is difficult to specifically identify the evidence-based framework in regards to a request for FTE. Because of research staff was able to identify surrounding the Office’s work and the stated outcomes the Office has already achieved, JBC staff would classify this request as theory-informed, pursuant to S.B. 21-284 (Evidence-based Evaluations for Budget).

JBC staff has only been able to complete a limited review of research, and there are a number of aspects of this program that can be looked at as evidence-based or theory-informed. These are:

- The value of public and private investments<sup>2</sup>;
- The importance of facilitating the social and economic integration of immigrants to the U.S.<sup>3</sup>; and
- The individual programs within the Office like the unemployment insurance feasibility study<sup>4</sup> and the Immigration Legal Defense Fund Grants<sup>5</sup>.

In reviewing research related to all of these aspects of investment in the Office, it does appear that many of them have data supporting an intervention or related positive outcomes. The Office also states they have begun collecting data on similar programs in other states that have measured program impacts that they will be able to report on.

*ANALYSIS:* Pursuant to Section 8-3.7-103, C.R.S., the Department is charged with the development and implementation of Colorado’s Office of New Americans. House Bill 21-1150 created the Office and tasked it with serving as the point of contact for immigrant-serving state agencies, private sector organizations, and the public about immigrant issues in Colorado. One of its stated central purposes is the successful integration and inclusion of immigrants and refugees in the state's communities. As its main priority, the ONA is required to implement a statewide strategy to facilitate economic stability and promote successful economic, social, linguistic, and cultural integration by investing in the success of immigrants in Colorado. In addition to the components of H.B. 21-1150, other new duties were assigned by the legislature and include a study on unemployment benefit opportunities and oversight of the immigrant legal defense fund. If they were to receive these additional resources, the Department and Office are planning to:

<sup>2</sup> [The Relationship between Public and Private Investment](#) (Erenburg, 1993).

<sup>3</sup> [Immigrants in the United States: How Well Are They Integrating into Society?](#) (Jiménez, 2011).

<sup>4</sup> [Unemployment Benefits and Immigration: Evidence from the EU](#) (Giulietti et al., 2011).

<sup>5</sup> [Public Funding for Immigration Legal Services](#) (National Immigration Forum 2021).

- Develop and implement a statewide strategy to facilitate integration through the convening of stakeholders and state agencies;
- Provide the ability for responsiveness to inquiries as a point of contact for immigrants, immigrant-serving agencies, and state agencies; and
- Create a public-private program to build up immigrant serving organizations and nonprofits statewide.

## **BACKGROUND**

Colorado is home to over 537,334 immigrants. New Americans constitute ten percent of Colorado's population, contribute \$5.8 billion in taxes, generate \$15.6 billion in spending power, and represent one in eight Colorado workers. The Department states that Colorado has struggled to foster a sense of belonging and provide equitable opportunity for newcomers. Barriers such as language or unrecognized degrees often keep immigrants from realizing their aspirations, and many systems have not been built with diversity and inclusion in mind. The Department finds that while immigrants contribute to civic, economic, and cultural lives, many immigrant community members feel unsafe, undervalued, and disempowered.

## **OFFICE OF NEW AMERICANS**

In November 2019, the Department, in partnership with the Governor's Office and the Department of Regulatory Activities (DORA), began the New American Initiative with private funding. Before the initiative, Colorado had no program focused on New Americans. Since its inception, the initiative has worked to facilitate equitable opportunities for newcomers through:

- The inclusion of New Americans in the state's Workforce Innovation and Opportunity Act (WIOA) state plan;
- Exploration of reduction of licensing barriers;
- The current work of DORA and the Nurse Physician Advisory Task Force for Colorado Healthcare on foreign-trained physicians;
- Inclusionary pandemic-related issues;
- A focus on language access within the state's Equity, Diversity and Inclusion program; and
- State assistance to the federal government with the resettlement of Afghans in the U.S., including leadership of the State's coordinated response and aligning departments to ensure strategic and holistic welcoming efforts.

The intersection of the success of the initiative, the pandemic's highlighting of inequities, and immigrant contributions to overall welfare of the state resulted in the passage of H.B. 21-1150 (Create the Colorado Office of New Americans). This bill created the Office of New Americans which is expected to be the point of contact for immigrants, immigrant-serving agencies, and state agencies. The bill recognized 3.0 FTE, one of which is a Director and two other support staff.

- The Director is responsible for convening state agencies and relevant stakeholders on the development of the statewide integration plan and required reporting, as well as serving as the connector between the Governor's Office, departments, and the Office.
- The two support staff are responsible for supporting office functions, acting as the primary liaisons to interdepartmental teams, coordinating, implementing, and reporting on tasks associated with the statewide integration plan, and conducting intra- and inter-departmental work on issues such as workforce development, language access, and licensing and credentialing.



**LEGISLATION**

House Bill 21-1150 did not have an appropriation, rather gifts, grants and donations were utilized to establish and fund the Office of New Americans. The Office was assigned additional duties through:

- H.B. 21-1194, which directs the Department, led by ONA, to administer grants for the Immigrant Legal Defense Fund; and
- S.B. 21-233, which requires ONA to work with the Division of Unemployment Insurance on a feasibility study to create a program akin to unemployment insurance for workers ineligible for unemployment benefits based solely on their immigration status.

**FUNDING**

The Office secured \$295,000 of private funding to assist with operational costs. This funds 1.0 FTE as well as the ability to contract with individuals for the Office to supplement capacity. Additional funding from the State is being sought to provide stability and sustainability for core staff, while the Office continues to seek other funds to amplify services. House Bill 21-1150 did not make an appropriation and private funding resources are expected to end by November 2022. This FTE request would cover a mix of existing positions as well as contract work as necessary; as this is dependent on the level of private funding the Office is able to secure.

Many potential additional private funders have indicated a need for state-backed funding for the Office in order to consider contributions. Funders have indicated support for the Office but do not want to be the sole funders over the long-term. The Division believes, and has been told, that investment by the State will incentivize funders to contribute. ONA continues to facilitate private funders including Beacon, Colorado Health Foundation, and the Rose Community Foundation. This request recognizes the public-private nature of H.B. 21-1150, while also reflecting the reality of the Office’s needs and additional responsibilities. Private donors are more likely to be interested in funding specific or short-term initiatives, so the Department is requesting core funding from the State for the Office.

It is specified in statute that the general assembly may appropriate money from the General Fund or from any other available source for the purposes of the ONA.

**STAFF RECOMMENDATION**

Staff is recommending an ongoing \$195,783 General Fund appropriation to the Office of New Americans. The Department’s initial request reflects funding for FTE above the maximum based on salary levels from DPA. Staff recognizes the unique and dynamic nature of the Office and these positions and is recommending funding needed to hire FTE at the mid-point. The General Assembly has previously expressed support for this program by passing legislation to develop and expand its role, so staff recommendation is for the State to invest core funding into the Office to allow for increased capacity and ideally greater private investment.

<b>COSTS</b>	<b>FY 2022-23</b>
Personal Services	\$160,387
FTE	1.3
Standard Operating	\$1,755
Capital Outlay	\$6,200
Centrally Appropriated	\$27,441
<b>Total</b>	<b>\$195,783</b>

→ BA3 CHIEF OPERATING OFFICER

*REQUEST:* The Department requests an ongoing increase in cash fund spending authority of \$238,212 to hire a Chief Operating Officer. The Department has expanded its Divisions and programs in recent years, and has seen a significant increase in legislation for funding and technology builds that are underway like the Colorado Automated Tax System and new FAML I system. The Department states they need a dedicated position tasked with overseeing administrative and operational functions.

*RECOMMENDATION:* **Staff recommends a cash fund spending authority increase of \$187,289 in FY 2022-23 and ongoing.**

*LEVEL OF EVIDENCE PURSUANT TO S.B. 21-284*

The Department identified this budget request as a theory-informed practice, and identified the theory of change, as “the department will be better able to manage the increased responsibilities associated with new and expanded programs.” The Department’s objective is to “ensure that CDLE has an effective strategy in place to expand current operations and complete information technology projects, while ensuring that ongoing goals and objectives are being met in an efficient and effective manner.” JBC staff disagrees that this qualifies as an intervention that is intended to lead to a specific change with measurable outcomes, and has determined that, pursuant to S.B. 21-284 (Evidence-based Evaluations for Budget), assignment of a level of evidence is not applicable to this request.

*ANALYSIS*

The Department does not currently have a Chief Operating Officer in the Executive Director’s Office. They are beginning to look at hiring for this position and anticipate utilizing temporary, pandemic-related vacancy savings to pay for the position in FY 2021-22. The department assumes the Chief Operating Officer position will be full-time, and the following costs were calculated for the position:

<b>COSTS</b>	<b>FY 2022-23</b>
Personal Services	\$179,739
FTE	1.0
Standard Operating	\$1,350
Capital Outlay	\$6,200
Centrally Appropriated	\$0
<b>Total</b>	<b>\$187,289</b>

**PROGRAMMING AND LEGISLATIVE CHANGES IN CDLE**

The Department is requesting a position to help manage recent operational expansions due to legislative requirements and information technology projects. These include:

- The modernization of the Colorado Automated Tax System;
- Development of a new system for the Division of Family and Medical Leave Insurance;
- Expansion of workforce development activities from H.B. 21-1264;
- Significant funding for the Office of Just Transition from H.B. 21-1290;
- Implementation of the requirements in H.B. 21-1150 for the Office of New Americans; and
- Creation of the State Apprenticeship Agency in H.B. 21-1007.

Additionally, the Department saw a massive influx of federal funds due to pandemic-related benefits, and they are still in the process of managing the unprecedented increase in unemployment insurance claims from the last two years. These increases in program operations and the implementation of

information technology projects has resulted in a departmental need for a position dedicated to guiding the strategy and organization of essential processes and functions.

### COO ROLE

The Chief Operating Officer will oversee the department's daily operations and critical projects. Specifically, the Chief Operating Officer will be responsible for reviewing and ensuring the efficiency of the department's business functions, collaborating with executive leadership to meet department objectives, supervise daily operations, including information technology projects, monitor Division and program performance and establish corrective measures as needed, and support the department's overall goals and outcomes.

### STAFF RECOMMENDATION

Staff is recommending approval of this request. The Department has seen a significant increase in operations due to legislation and federal programs over the last two years. Additionally, the Department struggled to manage the massive surge in unemployment insurance claims during the pandemic. The Legislative Audit Committee (LAC) did complete an operational audit of the Division with strategies for them to pursue for the future. Staff believes that this position could help ensure those changes are enacted, as well as allow the Department to be better prepared for future changes.

### → CENTRALLY APPROPRIATED COMMON POLICY AND NON-PRIORITIZED ITEMS

This section includes a number of non-prioritized items that are for the Department's share of common policy items and requests addressed in presentations for other departments. **Staff requests permission to apply Committee decisions on non-prioritized and centrally-appropriated items that are still pending.** This includes line items set through common policy in this division and, where relevant, in other divisions.

## LINE ITEM DETAIL — EXECUTIVE DIRECTOR'S OFFICE

### 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.

*STATUTORY AUTHORITY:* Pursuant to Section 24-75-112 (1) (b), C.R.S.

*REQUEST:* The Department requests an appropriation of \$10,494,833 total funds, including \$34,572 General Fund and 111.7 FTE. The request includes an increase to annualize last year's Salary Survey, an increase for food service and housekeeping compensation, and a decrease to annualize SB21-233 UI Division Enterprise.

**RECOMMENDATION:** Staff recommendation is provided in the table below and reflects the Committee’s decision on common policy. JBC staff requests permission to make adjustments as necessary to reflect Committee final action for this line item.

EXECUTIVE DIRECTOR'S OFFICE, PERSONAL SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2021-22 APPROPRIATION</b>						
SB 21-205 (Long Bill)	\$9,984,511	\$32,802	\$4,977,274	\$383,466	\$4,590,969	110.7
<b>TOTAL</b>	<b>\$9,984,511</b>	<b>\$32,802</b>	<b>\$4,977,274</b>	<b>\$383,466</b>	<b>\$4,590,969</b>	<b>110.7</b>
<b>FY 2022-23 RECOMMENDED APPROPRIATION</b>						
FY 2021-22 Appropriation	\$9,984,511	\$32,802	\$4,977,274	\$383,466	\$4,590,969	110.7
Annualize prior year legislation and budget actions	271,324	984	147,536	11,504	111,300	0.0
BA3 Chief operating officer	187,289	0	187,289	0	0	1.0
Non-prioritized decision items	849	0	255	0	594	0.0
<b>TOTAL</b>	<b>\$10,443,973</b>	<b>\$33,786</b>	<b>\$5,312,354</b>	<b>\$394,970</b>	<b>\$4,702,863</b>	<b>111.7</b>
<b>INCREASE/(DECREASE)</b>	<b>\$459,462</b>	<b>\$984</b>	<b>\$335,080</b>	<b>\$11,504</b>	<b>\$111,894</b>	<b>1.0</b>
Percentage Change	4.6%	3.0%	6.7%	3.0%	2.4%	0.9%
<b>FY 2022-23 EXECUTIVE REQUEST</b>	<b>\$10,494,833</b>	<b>\$34,572</b>	<b>\$5,363,022</b>	<b>\$394,970</b>	<b>\$4,702,269</b>	<b>111.7</b>
Request Above/(Below) Recommendation	\$50,860	\$786	\$50,668	\$0	(\$594)	0.0

**HEALTH, LIFE, DENTAL**

This line item 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.

*STATUTORY AUTHORITY:* Pursuant to Section 24-50-611, C.R.S., and defined in Section 24-50-603 (9), C.R.S.

*REQUEST:* The Department requests an appropriation of \$17,250,696 total funds, including \$1,013,465 General Fund.

**RECOMMENDATION:** Staff recommendation is provided in the table below and reflects the Committee’s decision on common policy. JBC staff requests permission to make adjustments as necessary to reflect Committee final action for this line item.

EXECUTIVE DIRECTOR'S OFFICE, HEALTH, LIFE, AND DENTAL						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2021-22 APPROPRIATION</b>						
SB 21-205 (Long Bill)	\$13,642,224	\$969,089	\$4,752,704	\$89,757	\$7,830,674	0.0
<b>TOTAL</b>	<b>\$13,642,224</b>	<b>\$969,089</b>	<b>\$4,752,704</b>	<b>\$89,757</b>	<b>\$7,830,674</b>	<b>0.0</b>
<b>FY 2022-23 RECOMMENDED APPROPRIATION</b>						
FY 2021-22 Appropriation	\$13,642,224	\$969,089	\$4,752,704	\$89,757	\$7,830,674	0.0
Centrally appropriated line items	3,637,571	42,993	2,284,520	4,523	1,305,535	0.0

EXECUTIVE DIRECTOR'S OFFICE, HEALTH, LIFE, AND DENTAL						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Non-prioritized decision items	(29,100)	1,383	6,088	(838)	(35,733)	0.0
<b>TOTAL</b>	<b>\$17,250,695</b>	<b>\$1,013,465</b>	<b>\$7,043,312</b>	<b>\$93,442</b>	<b>\$9,100,476</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>	<b>\$3,608,471</b>	<b>\$44,376</b>	<b>\$2,290,608</b>	<b>\$3,685</b>	<b>\$1,269,802</b>	<b>0.0</b>
Percentage Change	26.5%	4.6%	48.2%	4.1%	16.2%	0.0%
<b>FY 2022-23 EXECUTIVE REQUEST</b>	<b>\$17,250,696</b>	<b>\$1,013,465</b>	<b>\$7,043,312</b>	<b>\$93,442</b>	<b>\$9,100,477</b>	<b>0.0</b>
Request Above/(Below) Recommendation	\$1	\$0	\$0	\$0	\$1	0.0

**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 administered by the Department of Personnel.

*STATUTORY AUTHORITY:* Pursuant to Section 24-50-611, C.R.S., and defined in Section 24-50-603 (13), C.R.S.

*REQUEST:* The Department requests an appropriation of \$151,718 total funds, including \$8,496 General Fund. This includes an increase for food service and housekeeping compensation.

*RECOMMENDATION:* **Staff recommendation is provided in the table below and reflects the Committee's decision on common policy.** JBC staff requests permission to make adjustments as necessary to reflect Committee final action for this line item.

EXECUTIVE DIRECTOR'S OFFICE, SHORT-TERM DISABILITY						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2021-22 APPROPRIATION</b>						
SB 21-205 (Long Bill)	\$128,503	\$8,627	\$46,421	\$1,159	\$72,296	0.0
<b>TOTAL</b>	<b>\$128,503</b>	<b>\$8,627</b>	<b>\$46,421</b>	<b>\$1,159</b>	<b>\$72,296</b>	<b>0.0</b>
<b>FY 2022-23 RECOMMENDED APPROPRIATION</b>						
FY 2021-22 Appropriation	\$128,503	\$8,627	\$46,421	\$1,159	\$72,296	0.0
Centrally appropriated line items	23,213	(133)	12,111	8	11,227	0.0
Non-prioritized decision items	1	1	0	0	0	0.0
<b>TOTAL</b>	<b>\$151,717</b>	<b>\$8,495</b>	<b>\$58,532</b>	<b>\$1,167</b>	<b>\$83,523</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>	<b>\$23,214</b>	<b>(\$132)</b>	<b>\$12,111</b>	<b>\$8</b>	<b>\$11,227</b>	<b>0.0</b>
Percentage Change	18.1%	(1.5%)	26.1%	0.7%	15.5%	0.0%
<b>FY 2022-23 EXECUTIVE REQUEST</b>	<b>\$151,718</b>	<b>\$8,496</b>	<b>\$58,532</b>	<b>\$1,167</b>	<b>\$83,523</b>	<b>0.0</b>
Request Above/(Below) Recommendation	\$1	\$1	\$0	\$0	\$0	0.0

**PAID FAMILY MEDICAL LEAVE INSURANCE [PENDING NEW LINE ITEM]**

This line item would fund the backfill costs associated with state employees utilizing 160 hours or four weeks of Paid Family Medical Leave.

*STATUTORY AUTHORITY:* Not applicable.

*REQUEST:* The Department requests \$215,486 total funds, including \$12,492 in General Fund.

*RECOMMENDATION:* **Staff recommendation is pending a Committee common policy decision on this item.** JBC staff requests permission to reflect Committee final action for this line item.

**S.B. 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).

*STATUTORY AUTHORITY:* Pursuant to Section 24-51-411, C.R.S.

*REQUEST:* The Department requests an appropriation of \$4,788,623 total funds, including \$277,637 General Fund. This includes an increase for food service and housekeeping compensation.

*RECOMMENDATION:* **Staff recommendation is provided in the table below and reflects the Committee’s decision on common policy.** JBC staff requests permission to make adjustments as necessary to reflect Committee final action for this line item.

EXECUTIVE DIRECTOR'S OFFICE, S.B. 04-257 AMORTIZATION EQUALIZATION DISBURSEMENT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2021-22 APPROPRIATION</b>						
SB 21-205 (Long Bill)	\$4,047,872	\$271,324	\$1,465,619	\$36,463	\$2,274,466	0.0
<b>TOTAL</b>	<b>\$4,047,872</b>	<b>\$271,324</b>	<b>\$1,465,619</b>	<b>\$36,463</b>	<b>\$2,274,466</b>	<b>0.0</b>
<b>FY 2022-23 RECOMMENDED APPROPRIATION</b>						
FY 2021-22 Appropriation	\$4,047,872	\$271,324	\$1,465,619	\$36,463	\$2,274,466	0.0
Centrally appropriated line items	740,681	6,243	405,232	(109)	329,315	0.0
Non-prioritized decision items	35	35	0	0	0	0.0
<b>TOTAL</b>	<b>\$4,788,588</b>	<b>\$277,602</b>	<b>\$1,870,851</b>	<b>\$36,354</b>	<b>\$2,603,781</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>	<b>\$740,716</b>	<b>\$6,278</b>	<b>\$405,232</b>	<b>(\$109)</b>	<b>\$329,315</b>	<b>0.0</b>
Percentage Change	18.3%	2.3%	27.6%	(0.3%)	14.5%	0.0%
<b>FY 2022-23 EXECUTIVE REQUEST</b>						
Request Above/(Below) Recommendation	\$35	\$35	\$0	\$0	\$0	0.0

**S.B. 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.

*STATUTORY AUTHORITY:* Pursuant to Section 24-51-411, C.R.S.

*REQUEST:* The Department requests an appropriation of \$4,788,623 total funds, including \$277,637 General Fund. This includes an increase for food service and housekeeping compensation.

**RECOMMENDATION:** Staff recommendation is provided in the table below and reflects the Committee’s decision on common policy. JBC staff requests permission to make adjustments as necessary to reflect Committee final action for this line item.

EXECUTIVE DIRECTOR'S OFFICE, S.B. 06-235 SUPPLEMENTAL AMORTIZATION EQUALIZATION DISBURSEMENT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2021-22 APPROPRIATION</b>						
SB 21-205 (Long Bill)	\$4,047,872	\$271,324	\$1,465,619	\$36,463	\$2,274,466	0.0
<b>TOTAL</b>	<b>\$4,047,872</b>	<b>\$271,324</b>	<b>\$1,465,619</b>	<b>\$36,463</b>	<b>\$2,274,466</b>	<b>0.0</b>
<b>FY 2022-23 RECOMMENDED APPROPRIATION</b>						
FY 2021-22 Appropriation	\$4,047,872	\$271,324	\$1,465,619	\$36,463	\$2,274,466	0.0
Centrally appropriated line items	740,681	6,243	405,232	(109)	329,315	0.0
Non-prioritized decision items	35	35	0	0	0	0.0
<b>TOTAL</b>	<b>\$4,788,588</b>	<b>\$277,602</b>	<b>\$1,870,851</b>	<b>\$36,354</b>	<b>\$2,603,781</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>	<b>\$740,716</b>	<b>\$6,278</b>	<b>\$405,232</b>	<b>(\$109)</b>	<b>\$329,315</b>	<b>0.0</b>
Percentage Change	18.3%	2.3%	27.6%	(0.3%)	14.5%	0.0%
<b>FY 2022-23 EXECUTIVE REQUEST</b>	<b>\$4,788,623</b>	<b>\$277,637</b>	<b>\$1,870,851</b>	<b>\$36,354</b>	<b>\$2,603,781</b>	<b>0.0</b>
Request Above/(Below) Recommendation	\$35	\$35	\$0	\$0	\$0	0.0

**PERA DIRECT DISTRIBUTION**

This line item funds a direct distribution to the Public Employees Retirement Association.

*STATUTORY AUTHORITY:* Section 24-51-414 (2), C.R.S.

*REQUEST:* The Department requests an appropriation of \$2,362,201 total funds, including \$126,659 General Fund, for a direct distribution to the Public Employees Retirement Association (PERA). This includes an increase for annualization of SB18-200 PERA Eliminate Unfunded Liability.

**RECOMMENDATION:** Staff recommendation is pending a Committee common policy decision on this item. JBC staff requests permission to reflect Committee final action for this line item. The amount reflected in the table below represents the Department’s request.

EXECUTIVE DIRECTOR'S OFFICE, PERA DIRECT DISTRIBUTION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2021-22 APPROPRIATION</b>						
SB 21-205 (Long Bill)	\$1,993,898	\$133,746	\$720,163	\$18,073	\$1,121,916	0.0
<b>TOTAL</b>	<b>\$1,993,898</b>	<b>\$133,746</b>	<b>\$720,163</b>	<b>\$18,073</b>	<b>\$1,121,916</b>	<b>0.0</b>
<b>FY 2022-23 RECOMMENDED APPROPRIATION</b>						
FY 2021-22 Appropriation	\$1,993,898	\$133,746	\$720,163	\$18,073	\$1,121,916	0.0
Annualize prior year legislation and budget actions	177,360	0	177,360	0	0	0.0
Centrally appropriated line items	13,583	(7,087)	(43,929)	(1,486)	66,085	0.0
<b>TOTAL</b>	<b>\$2,184,841</b>	<b>\$126,659</b>	<b>\$853,594</b>	<b>\$16,587</b>	<b>\$1,188,001</b>	<b>0.0</b>

EXECUTIVE DIRECTOR'S OFFICE, PERA DIRECT DISTRIBUTION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>INCREASE/(DECREASE)</b>	<b>\$190,943</b>	<b>(\$7,087)</b>	<b>\$133,431</b>	<b>(\$1,486)</b>	<b>\$66,085</b>	<b>0.0</b>
Percentage Change	9.6%	(5.3%)	18.5%	(8.2%)	5.9%	0.0%
<b>FY 2022-23 EXECUTIVE REQUEST</b>	<b>\$2,362,201</b>	<b>\$126,659</b>	<b>\$1,030,954</b>	<b>\$16,587</b>	<b>\$1,188,001</b>	<b>0.0</b>
Request Above/(Below) Recommendation	\$177,360	\$0	\$177,360	\$0	\$0	0.0

### SALARY SURVEY

This line is intended to pay for salary adjustments in accordance with the total compensation report prepared by the Department of Personnel.

*STATUTORY AUTHORITY:* Pursuant to Section 24-50-104, C.R.S.

*REQUEST:* The Department requests an appropriation of \$4,456,591 including \$464,230 General Fund, for a 3.0 percent salary increase.

*RECOMMENDATION:* **The staff recommendation is reflected in the table below and is calculated consistent with Committee common policy for a 3.0 percent increase.** Staff requests permission to adjust funding sources if required.

EXECUTIVE DIRECTOR'S OFFICE, SALARY SURVEY						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2021-22 APPROPRIATION</b>						
SB 21-205 (Long Bill)	\$2,771,288	\$181,449	\$1,081,734	\$19,984	\$1,488,121	0.0
<b>TOTAL</b>	<b>\$2,771,288</b>	<b>\$181,449</b>	<b>\$1,081,734</b>	<b>\$19,984</b>	<b>\$1,488,121</b>	<b>0.0</b>
<b>FY 2022-23 RECOMMENDED APPROPRIATION</b>						
FY 2021-22 Appropriation	\$2,771,288	\$181,449	\$1,081,734	\$19,984	\$1,488,121	0.0
Centrally appropriated line items	4,456,591	464,230	2,254,663	23,897	1,713,801	0.0
Annualize prior year legislation and budget actions	(2,771,288)	(181,449)	(1,081,734)	(19,984)	(1,488,121)	0.0
<b>TOTAL</b>	<b>\$4,456,591</b>	<b>\$464,230</b>	<b>\$2,254,663</b>	<b>\$23,897</b>	<b>\$1,713,801</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>	<b>\$1,685,303</b>	<b>\$282,781</b>	<b>\$1,172,929</b>	<b>\$3,913</b>	<b>\$225,680</b>	<b>0.0</b>
Percentage Change	60.8%	155.8%	108.4%	19.6%	15.2%	0.0%
<b>FY 2022-23 EXECUTIVE REQUEST</b>	<b>\$4,456,591</b>	<b>\$464,230</b>	<b>\$2,254,663</b>	<b>\$23,897</b>	<b>\$1,713,801</b>	<b>0.0</b>
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

### MERIT PAY

This line item is a centrally appropriated line item used to pay for performance-based pay awards for state employees.

*STATUTORY AUTHORITY:* Pursuant to Section 24-50-104 (1)(c), C.R.S.



*REQUEST:* The Department requests an appropriation of \$0 total funds.

*RECOMMENDATION:* **Consistent with common policy, staff does not recommend an appropriation for this line item.**

PAID FAMILY MEDICAL LEAVE FUNDING [PENDING NEW LINE ITEM]

This line item would fund the backfill costs associated with state employees utilizing 160 hours or four weeks of Paid Family Medical Leave.

*STATUTORY AUTHORITY:* Not applicable.

*REQUEST:* The Department requests \$371,656 total funds including \$13,654 General Fund.

*RECOMMENDATION:* **Staff recommendation is pending a Committee common policy decision on this item.** JBC staff requests permission to reflect Committee final action for this line item.

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.

*STATUTORY AUTHORITY:* Pursuant to Section 24-50-104 (1)(a), C.R.S.

*REQUEST:* The Department requests \$17,002 total funds.

*RECOMMENDATION:* **Staff recommendation is pending a Committee common policy decision on this item.** JBC staff requests permission to reflect Committee final action for this line item.

WORKERS' COMPENSATION

This line item is used by the Department to reimburse the Department of Personnel for its share of costs associated with providing workers' compensation insurance to state employees.

*STATUTORY AUTHORITY:* Pursuant to Section 24-30-1510.7, C.R.S.

*REQUEST:* The Department requests an appropriation of \$421,286, including \$14,968 General Fund, \$116,920 cash funds, and \$289,398 federal funds.

*RECOMMENDATION:* **Staff recommendation is provided in the table below and reflects the Committee's decision on common policy.** JBC staff requests permission to make adjustments as necessary to reflect Committee final action for this line item.

EXECUTIVE DIRECTOR'S OFFICE, WORKERS' COMPENSATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2021-22 APPROPRIATION						
SB 21-205 (Long Bill)	\$464,560	\$16,506	\$128,929	\$0	\$319,125	0.0
<b>TOTAL</b>	<b>\$464,560</b>	<b>\$16,506</b>	<b>\$128,929</b>	<b>\$0</b>	<b>\$319,125</b>	<b>0.0</b>

EXECUTIVE DIRECTOR'S OFFICE, WORKERS' COMPENSATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 RECOMMENDED APPROPRIATION						
FY 2021-22 Appropriation	\$464,560	\$16,506	\$128,929	\$0	\$319,125	0.0
Centrally appropriated line items	123,574	10,870	50,233	1,418	61,053	0.0
<b>TOTAL</b>	<b>\$588,134</b>	<b>\$27,376</b>	<b>\$179,162</b>	<b>\$1,418</b>	<b>\$380,178</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>						
	<b>\$123,574</b>	<b>\$10,870</b>	<b>\$50,233</b>	<b>\$1,418</b>	<b>\$61,053</b>	<b>0.0</b>
Percentage Change	26.6%	65.9%	39.0%	0.0%	19.1%	0.0%
<b>FY 2022-23 EXECUTIVE REQUEST</b>						
Request Above/(Below) Recommendation	(\$166,848)	(\$12,408)	(\$62,242)	(\$1,418)	(\$90,780)	0.0

### 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.

*STATUTORY AUTHORITY:* Pursuant to Section 24-75-112 (1)(b), C.R.S.

*REQUEST:* The Department requests a continuing appropriation of \$1,895,558 total funds, including \$17,065 General Fund, \$810,505 cash funds, and \$1,067,988 federal funds.

***RECOMMENDATION:* Staff recommends the request for a continuing appropriation of \$1,895,558 total funds, including \$17,065 General Fund.**

EXECUTIVE DIRECTOR'S OFFICE, OPERATING EXPENSES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2021-22 APPROPRIATION						
SB 21-205 (Long Bill)	\$1,895,558	\$17,065	\$810,505	\$0	\$1,067,988	0.0
<b>TOTAL</b>	<b>\$1,895,558</b>	<b>\$17,065</b>	<b>\$810,505</b>	<b>\$0</b>	<b>\$1,067,988</b>	<b>0.0</b>
FY 2022-23 RECOMMENDED APPROPRIATION						
FY 2021-22 Appropriation	\$1,895,558	\$17,065	\$810,505	\$0	\$1,067,988	0.0
<b>TOTAL</b>	<b>\$1,895,558</b>	<b>\$17,065</b>	<b>\$810,505</b>	<b>\$0</b>	<b>\$1,067,988</b>	<b>0.0</b>
Percentage Change	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
<b>FY 2022-23 EXECUTIVE REQUEST</b>						
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

### LEGAL SERVICES

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

*STATUTORY AUTHORITY:* Pursuant to 24-31-101 (1)(a), C.R.S., and defined in Section 24-75-112 (1)(i), C.R.S.

*REQUEST:* The Department requests an appropriation of \$870,177 including \$96,644 General Fund, \$428,933 cash funds, and \$344,600 federal funds.

*RECOMMENDATION:* **Staff recommendation is pending a Committee common policy decision on this item.** JBC staff requests permission to reflect Committee final action for this line item. The amount reflected in the table below represents the Department’s request.

EXECUTIVE DIRECTOR'S OFFICE, LEGAL SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2021-22 APPROPRIATION</b>						
SB 21-205 (Long Bill)	\$1,018,472	\$92,726	\$449,115	\$0	\$476,631	0.0
Other legislation	\$229,232	\$85,072	\$144,160	\$0	\$0	0.0
<b>TOTAL</b>	<b>\$1,247,704</b>	<b>\$177,798</b>	<b>\$593,275</b>	<b>\$0</b>	<b>\$476,631</b>	<b>0.0</b>
<b>FY 2022-23 RECOMMENDED APPROPRIATION</b>						
FY 2021-22 Appropriation	\$1,247,704	\$177,798	\$593,275	\$0	\$476,631	0.0
R1 Increase wage theft spending	20,246	0	20,246	0	0	0.0
Centrally appropriated line items	(345,625)	(49,252)	(164,342)	0	(132,031)	0.0
Annualize prior year legislation and budget actions	(31,902)	(31,902)	0	0	0	0.0
<b>TOTAL</b>	<b>\$890,423</b>	<b>\$96,644</b>	<b>\$449,179</b>	<b>\$0</b>	<b>\$344,600</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$357,281)</b>	<b>(\$81,154)</b>	<b>(\$144,096)</b>	<b>\$0</b>	<b>(\$132,031)</b>	<b>0.0</b>
Percentage Change	(28.6%)	(45.6%)	(24.3%)	0.0%	(27.7%)	0.0%
<b>FY 2022-23 EXECUTIVE REQUEST</b>						
Request Above/(Below)	\$870,177	\$96,644	\$428,933	\$0	\$344,600	0.0
Recommendation	(\$20,246)	\$0	(\$20,246)	\$0	\$0	0.0

**PAYMENTS TO RISK MANAGEMENT AND PROPERTY FUNDS**

This line item is used to reimburse the Department of Personnel for the Department's share of expenses associated with the state's liability insurance and property insurance.

*STATUTORY AUTHORITY:* Pursuant to Section 24-30-1510 and 24-30-1510.5, C.R.S.

*REQUEST:* The Department requests an appropriation of \$357,093 total funds, including \$13,121 General Fund, \$94,109 cash funds, and \$249,863 federal funds. This includes a large requested common policy adjustment and a CSEAP Resources adjustment.

*RECOMMENDATION:* **Staff recommendation is provided in the table below and reflects the Committee’s decision on common policy.** JBC staff requests permission to make adjustments as necessary to reflect Committee final action for this line item.

EXECUTIVE DIRECTOR'S OFFICE, PAYMENT TO RISK MANAGEMENT AND PROPERTY FUNDS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2021-22 APPROPRIATION</b>						
SB 21-205 (Long Bill)	\$235,477	\$8,651	\$62,060	\$0	\$164,766	0.0
<b>TOTAL</b>	<b>\$235,477</b>	<b>\$8,651</b>	<b>\$62,060</b>	<b>\$0</b>	<b>\$164,766</b>	<b>0.0</b>

EXECUTIVE DIRECTOR'S OFFICE, PAYMENT TO RISK MANAGEMENT AND PROPERTY FUNDS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2022-23 RECOMMENDED APPROPRIATION</b>						
FY 2021-22 Appropriation	\$235,477	\$8,651	\$62,060	\$0	\$164,766	0.0
Centrally appropriated line items	96,890	8,524	39,386	1,111	47,869	0.0
Non-prioritized decision items	2,385	89	627	0	1,669	0.0
<b>TOTAL</b>	<b>\$334,752</b>	<b>\$17,264</b>	<b>\$102,073</b>	<b>\$1,111</b>	<b>\$214,304</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>						
	<b>\$99,275</b>	<b>\$8,613</b>	<b>\$40,013</b>	<b>\$1,111</b>	<b>\$49,538</b>	<b>0.0</b>
Percentage Change	42.2%	99.6%	64.5%	0.0%	30.1%	0.0%
<b>FY 2022-23 EXECUTIVE REQUEST</b>						
	<b>\$357,093</b>	<b>\$13,121</b>	<b>\$94,109</b>	<b>\$0</b>	<b>\$249,863</b>	<b>0.0</b>
Request Above/(Below) Recommendation	\$22,341	(\$4,143)	(\$7,964)	(\$1,111)	\$35,559	0.0

**STATEWIDE TRAINING**

This line item provides funding for payments to the Center for Organizational Effectiveness, which provides professional development and training services for state employees.

*STATUTORY AUTHORITY:* Section 24-50-122, C.R.S.

*REQUEST:* The Department did not request an appropriation for this line item.

*RECOMMENDATION:* **The staff recommendation is pending the Committee common policy decision for this line item.** JBC staff requests permission to reflect Committee action for this line item.

**VEHICLE LEASE PAYMENTS**

This line item is used by the Department to reimburse the Department of Personnel for the costs associated with vehicle lease payments for vehicles used by the Department.

*STATUTORY AUTHORITY:* Pursuant to Section 24-30-1104 (2), C.R.S.

*REQUEST:* The Department requests an appropriation of \$209,850 total funds, including \$15,959 General Fund, \$127,439 cash funds, and \$66,452 federal funds.

*RECOMMENDATION:* **Staff recommendation is provided in the table below and reflects the Committee’s decision on common policy.** JBC staff requests permission to make adjustments as necessary to reflect Committee final action for this line item.

EXECUTIVE DIRECTOR'S OFFICE, VEHICLE LEASE PAYMENTS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2021-22 APPROPRIATION</b>						
SB 21-205 (Long Bill)	\$191,751	\$14,511	\$116,580	\$0	\$60,660	0.0
HB 22-1182 (Supplemental)	\$0	\$0	\$0	\$0	\$0	0.0
<b>TOTAL</b>	<b>\$191,751</b>	<b>\$14,511</b>	<b>\$116,580</b>	<b>\$0</b>	<b>\$60,660</b>	<b>0.0</b>
<b>FY 2022-23 RECOMMENDED APPROPRIATION</b>						

EXECUTIVE DIRECTOR'S OFFICE, VEHICLE LEASE PAYMENTS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2021-22 Appropriation	\$191,751	\$14,511	\$116,580	\$0	\$60,660	0.0
Centrally appropriated line items	8,818	775	3,585	101	4,357	0.0
<b>TOTAL</b>	<b>\$200,569</b>	<b>\$15,286</b>	<b>\$120,165</b>	<b>\$101</b>	<b>\$65,017</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>	<b>\$8,818</b>	<b>\$775</b>	<b>\$3,585</b>	<b>\$101</b>	<b>\$4,357</b>	<b>0.0</b>
Percentage Change	4.6%	5.3%	3.1%	0.0%	7.2%	0.0%
<b>FY 2022-23 EXECUTIVE REQUEST</b>	<b>\$209,850</b>	<b>\$15,959</b>	<b>\$127,439</b>	<b>\$0</b>	<b>\$66,452</b>	<b>0.0</b>
Request Above/(Below) Recommendation	\$9,281	\$673	\$7,274	(\$101)	\$1,435	0.0

### LEASED SPACE

This line item is used by the Department to pay for leased space in locations around the state. Most leases are for smaller spaces throughout the State for workforce centers and vocational rehabilitation offices. However, the Department's primary offices in Denver at 633 17<sup>th</sup> Street are also located in leased space rather than in Capitol Complex facilities.

*STATUTORY AUTHORITY:* Pursuant to Section 24-75-112 (1) (b), C.R.S.

*REQUEST:* The Department requests an appropriation of \$7,241,200 total funds, including \$481,974 General Fund, \$2,998,239 cash funds, and \$3,760,987 federal funds.

*RECOMMENDATION:* **Staff recommendation is provided in the table below and reflects the Committee's decision on common policy.** JBC staff requests permission to make adjustments as necessary to reflect Committee final action for this line item.

EXECUTIVE DIRECTOR'S OFFICE, LEASED SPACE						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2021-22 APPROPRIATION</b>						
SB 21-205 (Long Bill)	\$6,486,369	\$432,972	\$2,650,836	\$0	\$3,402,561	0.0
<b>TOTAL</b>	<b>\$6,486,369</b>	<b>\$432,972</b>	<b>\$2,650,836</b>	<b>\$0</b>	<b>\$3,402,561</b>	<b>0.0</b>
<b>FY 2022-23 RECOMMENDED APPROPRIATION</b>						
FY 2021-22 Appropriation	\$6,486,369	\$432,972	\$2,650,836	\$0	\$3,402,561	0.0
Centrally appropriated line items	754,831	49,002	347,403	0	358,426	0.0
<b>TOTAL</b>	<b>\$7,241,200</b>	<b>\$481,974</b>	<b>\$2,998,239</b>	<b>\$0</b>	<b>\$3,760,987</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>	<b>\$754,831</b>	<b>\$49,002</b>	<b>\$347,403</b>	<b>\$0</b>	<b>\$358,426</b>	<b>0.0</b>
Percentage Change	11.6%	11.3%	13.1%	0.0%	10.5%	0.0%
<b>FY 2022-23 EXECUTIVE REQUEST</b>	<b>\$7,241,200</b>	<b>\$481,974</b>	<b>\$2,998,239</b>	<b>\$0</b>	<b>\$3,760,987</b>	<b>0.0</b>
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

### CAPITOL COMPLEX LEASED SPACE

This line item is used by the Department to reimburse the Department of Personnel for expenses related to maintaining capitol complex facilities managed by Department of Personnel.

*STATUTORY AUTHORITY:* Pursuant to Section 24-30-1104 (4) and Part 1 of Article 82 of Title 24, C.R.S.

*REQUEST:* The Department requests an appropriation of \$41,400 total funds, including \$4,986 General Fund, \$27,793 cash funds, and \$8,621 federal funds.

*RECOMMENDATION:* **Staff recommendation is provided in the table below and reflects the Committee’s decision on common policy.** JBC staff requests permission to make adjustments as necessary to reflect Committee final action for this line item.

EXECUTIVE DIRECTOR'S OFFICE, CAPITOL COMPLEX LEASED SPACE						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2021-22 APPROPRIATION</b>						
SB 21-205 (Long Bill)	\$42,555	\$5,125	\$28,569	\$0	\$8,861	0.0
<b>TOTAL</b>	<b>\$42,555</b>	<b>\$5,125</b>	<b>\$28,569</b>	<b>\$0</b>	<b>\$8,861</b>	<b>0.0</b>
<b>FY 2022-23 RECOMMENDED APPROPRIATION</b>						
FY 2021-22 Appropriation	\$42,555	\$5,125	\$28,569	\$0	\$8,861	0.0
Centrally appropriated line items	3,408	300	1,385	39	1,684	0.0
<b>TOTAL</b>	<b>\$45,963</b>	<b>\$5,425</b>	<b>\$29,954</b>	<b>\$39</b>	<b>\$10,545</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>	<b>\$3,408</b>	<b>\$300</b>	<b>\$1,385</b>	<b>\$39</b>	<b>\$1,684</b>	<b>0.0</b>
Percentage Change	8.0%	5.9%	4.8%	0.0%	19.0%	0.0%
<b>FY 2022-23 EXECUTIVE REQUEST</b>	<b>\$41,400</b>	<b>\$4,986</b>	<b>\$27,793</b>	<b>\$0</b>	<b>\$8,621</b>	<b>0.0</b>
Request Above/(Below) Recommendation	(\$4,563)	(\$439)	(\$2,161)	(\$39)	(\$1,924)	0.0

**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.

*STATUTORY AUTHORITY:* Pursuant to Section 24-37.5-104, C.R.S.

*REQUEST:* The Department requests an appropriation of \$17,568,073 total funds (\$4,127,584 General Fund, \$7,963,879 cash funds, and \$5,319,298 federal funds).

*RECOMMENDATION:* **Staff recommendation is pending a Committee common policy decision on this item.** JBC staff requests permission to reflect Committee final action for this line item. The amount reflected in the table below represents the Department’s request.

EXECUTIVE DIRECTOR'S OFFICE, PAYMENTS TO OIT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2021-22 APPROPRIATION</b>						
SB 21-205 (Long Bill)	\$12,237,915	\$2,891,067	\$5,471,805	\$111,780	\$3,763,263	0.0
Other legislation	\$310,518	\$78,598	\$231,920	\$0	\$0	0.0
<b>TOTAL</b>	<b>\$12,548,433</b>	<b>\$2,969,665</b>	<b>\$5,703,725</b>	<b>\$111,780</b>	<b>\$3,763,263</b>	<b>0.0</b>
<b>FY 2022-23 RECOMMENDED APPROPRIATION</b>						

EXECUTIVE DIRECTOR'S OFFICE, PAYMENTS TO OIT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2021-22 Appropriation	\$12,548,433	\$2,969,665	\$5,703,725	\$111,780	\$3,763,263	0.0
Centrally appropriated line items	5,592,139	1,319,745	2,499,686	50,329	1,722,379	0.0
Non-prioritized decision items	(525,597)	(114,924)	(239,532)	(4,797)	(166,344)	0.0
Annualize prior year legislation and budget actions	(46,902)	(46,902)	0	0	0	0.0
<b>TOTAL</b>	<b>\$17,568,073</b>	<b>\$4,127,584</b>	<b>\$7,963,879</b>	<b>\$157,312</b>	<b>\$5,319,298</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>	<b>\$5,019,640</b>	<b>\$1,157,919</b>	<b>\$2,260,154</b>	<b>\$45,532</b>	<b>\$1,556,035</b>	<b>0.0</b>
Percentage Change	40.0%	39.0%	39.6%	40.7%	41.3%	0.0%
<b>FY 2022-23 EXECUTIVE REQUEST</b>	<b>\$17,568,073</b>	<b>\$4,127,584</b>	<b>\$7,963,879</b>	<b>\$157,312</b>	<b>\$5,319,298</b>	<b>0.0</b>
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

### CORE OPERATIONS

This line item is used by the Department to reimburse the Department of Personnel for the costs associated with maintaining the state’s accounting system.

*STATUTORY AUTHORITY:* Pursuant to Section 24-30-209, C.R.S.

*REQUEST:* The Department requests an appropriation of \$424,768 total funds, including \$115,558 cash funds and \$309,210 federal funds, including a requested common policy adjustment.

*RECOMMENDATION:* Staff recommendation is provided in the table below and reflects the Committee’s decision on common policy. JBC staff requests permission to make adjustments as necessary to reflect Committee final action for this line item.

EXECUTIVE DIRECTOR'S OFFICE, CORE OPERATIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2021-22 APPROPRIATION</b>						
SB 21-205 (Long Bill)	\$400,815	\$0	\$109,042	\$0	\$291,773	0.0
<b>TOTAL</b>	<b>\$400,815</b>	<b>\$0</b>	<b>\$109,042</b>	<b>\$0</b>	<b>\$291,773</b>	<b>0.0</b>
<b>FY 2022-23 RECOMMENDED APPROPRIATION</b>						
FY 2021-22 Appropriation	\$400,815	\$0	\$109,042	\$0	\$291,773	0.0
Centrally appropriated line items	29,598	2,604	12,032	339	14,623	0.0
<b>TOTAL</b>	<b>\$430,413</b>	<b>\$2,604</b>	<b>\$121,074</b>	<b>\$339</b>	<b>\$306,396</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>	<b>\$29,598</b>	<b>\$2,604</b>	<b>\$12,032</b>	<b>\$339</b>	<b>\$14,623</b>	<b>0.0</b>
Percentage Change	7.4%	0.0%	11.0%	0.0%	5.0%	0.0%
<b>FY 2022-23 EXECUTIVE REQUEST</b>	<b>\$424,768</b>	<b>\$0</b>	<b>\$115,558</b>	<b>\$0</b>	<b>\$309,210</b>	<b>0.0</b>
Request Above/(Below) Recommendation	(\$5,645)	(\$2,604)	(\$5,516)	(\$339)	\$2,814	0.0

## UTILITIES

This line item is used to pay for the utilities expenses at 251 E. 12th Avenue. The building is owned by the State, and the utility expenses are paid by the Department of Labor and Employment.

*STATUTORY AUTHORITY:* Pursuant to Section 24-75-112 (1) (l), C.R.S.

*REQUEST:* The Department requests an appropriation of \$260,309 federal funds, which represents a continuation of level funding.

*RECOMMENDATION:* **Staff recommends approval of the request for a continuation amount of \$260,309 federal funds.**

## 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 and on data network infrastructure.

*STATUTORY AUTHORITY:* Pursuant to Section 24-75-112 (1) (l), C.R.S.

*REQUEST:* The Department requests an appropriation of \$218,626 total funds, including \$69,243 cash funds and \$149,383 federal funds.

*RECOMMENDATION:* **Staff recommends approval of the request for a continuation amount of \$218,626 total funds (\$69,243 cash funds and \$149,383 federal funds).**

## STATEWIDE INDIRECT COST ASSESSMENT

Indirect costs are the overhead costs associated with the operation of general government functions and departmental administrative duties. Indirect cost recoveries offset overhead costs that would otherwise have been supported by General Fund. Recoveries from cash and federally funded programs are calculated for statewide indirect cost assessments.

*STATUTORY AUTHORITY:* Pursuant to Section 24-75-1401 (2), C.R.S.

*REQUEST:* The Department requests an appropriation of \$1,821,112 total funds (\$1,000,174 cash funds, and \$812,827 federal funds).

*RECOMMENDATION:* **Staff recommendation is provided in the table below and reflects the Committee's decision on common policy.** JBC staff requests permission to make adjustments as necessary to reflect Committee final action for this line item.



EXECUTIVE DIRECTOR'S OFFICE, STATEWIDE INDIRECT COST ASSESSMENT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2021-22 APPROPRIATION</b>						
SB 21-205 (Long Bill)	\$695,261	\$0	\$300,386	\$0	\$394,875	0.0
<b>TOTAL</b>	<b>\$695,261</b>	<b>\$0</b>	<b>\$300,386</b>	<b>\$0</b>	<b>\$394,875</b>	<b>0.0</b>
<b>FY 2022-23 RECOMMENDED APPROPRIATION</b>						
FY 2021-22 Appropriation	\$695,261	\$0	\$300,386	\$0	\$394,875	0.0
Indirect cost assessment	1,125,851	0	699,788	8,111	417,952	0.0
<b>TOTAL</b>	<b>\$1,821,112</b>	<b>\$0</b>	<b>\$1,000,174</b>	<b>\$8,111</b>	<b>\$812,827</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>	<b>\$1,125,851</b>	<b>\$0</b>	<b>\$699,788</b>	<b>\$8,111</b>	<b>\$417,952</b>	<b>0.0</b>
Percentage Change	161.9%	0.0%	233.0%	0.0%	105.8%	0.0%
<b>FY 2022-23 EXECUTIVE REQUEST</b>	<b>\$1,821,112</b>	<b>\$0</b>	<b>\$1,000,174</b>	<b>\$8,111</b>	<b>\$812,827</b>	<b>0.0</b>
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

APPROPRIATION TO THE IMMIGRATION LEGAL DEFENSE FUND [NEW LINE ITEM]

The Immigration Legal Defense Fund was created via H.B. 21-1194 (Immigration Legal Defense Fund). It provides grants to organizations that represent indigent individuals appearing before an immigration court in Colorado.

*STATUTORY AUTHORITY:* Pursuant to Section 26-2-1201 (2), C.R.S.

*REQUEST:* The Department requests an appropriation of \$98,653 General Fund.

*RECOMMENDATION:* **Staff recommendation is provided in the table below.**

EXECUTIVE DIRECTOR'S OFFICE, APPROPRIATION TO THE IMMIGRATION LEGAL DEFENSE FUND						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2021-22 APPROPRIATION</b>						
Other legislation	\$100,000	\$100,000	\$0	\$0	\$0	0.0
<b>TOTAL</b>	<b>\$100,000</b>	<b>\$100,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>FY 2022-23 RECOMMENDED APPROPRIATION</b>						
FY 2021-22 Appropriation	\$100,000	\$100,000	\$0	\$0	\$0	0.0
Annualize prior year legislation and budget actions	(1,347)	(1,347)	0	0	0	0.1
<b>TOTAL</b>	<b>\$98,653</b>	<b>\$98,653</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.1</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$1,347)</b>	<b>(\$1,347)</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.1</b>
Percentage Change	(1.3%)	(1.3%)	0.0%	0.0%	0.0%	0.0%
<b>FY 2022-23 EXECUTIVE REQUEST</b>	<b>\$98,653</b>	<b>\$98,653</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.1</b>
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

OFFICE OF NEW AMERICANS [NEW LINE ITEM]

The Office of New Americans was established via H.B. 21-1150 to expand the integration efforts of the New Americans Initiative

*STATUTORY AUTHORITY:* Pursuant to Section 8-3.7-103, C.R.S.

*REQUEST:* The Department requests an appropriation of \$354,432 General Fund and 1.3 FTE.

*RECOMMENDATION:* **Staff recommends \$195,783 General Fund and 1.3 FTE.**

BOTTOM LINE FUNDING RECOMMENDATION

The Executive Director's Office is funded by various federal sources for the centrally appropriated line items, which makes it difficult for the Department to project, a year in advance, the exact fund splits between fund types for centrally appropriated line items. Bottom line funding provides the Department the flexibility to apply federal funds to appropriate line items in order to cover expenses.

*RECOMMENDATION:* Staff recommends the Executive Director's Office remain bottom line funded, and staff requests permission to apply a bottom line fund split once pending line items are established.

## (2) DIVISION OF UNEMPLOYMENT INSURANCE

The Department is responsible for administering Colorado's Unemployment Insurance Programs (UI Programs). UI Programs provide temporary benefits to individuals who have lost their job through no fault of their own. Program responsibilities include: general administration, tax collection from employers, benefits payments, employer audits, call center operation, claimant appeals, and quality control measures.

Administrative funding for Unemployment Insurance is “on budget”, while benefits paid are “off budget”, however, the demand for benefits drives administrative costs. Additional information about division operations during the pandemic is included in the Decision Item discussion about performance reporting.

DIVISION OF UNEMPLOYMENT INSURANCE						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2021-22 Appropriation</b>						
SB 21-205 (Long Bill)	\$72,021,986	\$0	\$12,816,379	\$0	\$59,205,607	484.1
Other legislation	51,631	5,741	45,890	0	0	0.3
<b>TOTAL</b>	<b>\$72,073,617</b>	<b>\$5,741</b>	<b>\$12,862,269</b>	<b>0</b>	<b>\$59,205,607</b>	<b>484.4</b>
<b>FY 2022-23 RECOMMENDED APPROPRIATION</b>						
FY 2021-22 Appropriation	\$72,073,617	\$5,741	\$12,862,269	\$0	\$59,205,607	484.4
Annualize prior year legislation and budget actions	972,488	(5,741)	305,934	0	672,295	0.3
<b>TOTAL</b>	<b>\$73,046,105</b>	<b>\$0</b>	<b>\$13,168,203</b>	<b>\$0</b>	<b>\$59,877,902</b>	<b>484.7</b>
<b>Increase/(Decrease)</b>	\$972,488	(\$5,741)	\$305,934	\$0	\$672,295	0.3
Percentage Change	1.3%	(100.0%)	2.4%	0.0%	1.1%	0.1%
<b>FY 2022-23 EXECUTIVE REQUEST</b>						
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

### DECISION ITEMS - DIVISION OF UNEMPLOYMENT INSURANCE

CDLE did not submit any decision items for this division.

#### **i** UNEMPLOYMENT INSURANCE DIVISION PERFORMANCE RFI

Staff is recommending a continuation of the UI Division performance RFI on a quarterly rather than monthly basis. The RFI was intended to increase external reporting of the activities occurring in the UI Division, and how well the Department was tracking its performance in responding to claims. The Department has provided these updates to the Committee, as well as completed a performance audit with the Legislative Audit Committee (LAC). Staff believes continued routine performance reporting is critical to effective management of the Division. While UI claims have dropped to almost pre-pandemic levels, the Department is still working on clarifying the impact of federal funding on the Division, particularly in regards to FTE. Staff believes this RFI will allow the Committee to continue to assess the performance of the Division with continually updated data.

### **PROGRAM CHANGES**

CDLE discontinued all federal programs on September 6, 2021 in compliance with federal law. Claimants on Pandemic Unemployment Compensation and Pandemic Emergency Unemployment Compensation are likely no longer eligible for any benefits.

- CDLE will continue to process any back weeks that are owed to claimants.
- CDLE will continue to allow staff to file backdated pandemic claims if needed.

With the expiration of federal programs, CDLE is focusing its efforts towards claims that need back weeks processed due to claimant error, department errors, or system errors. With the expiration of pandemic related laws, CDLE is no longer able to use vendor staff support for anything except the call center. The Department is working through additional hiring and contract changes to accommodate this shift. The Department is also maintaining an UI Customer Service Dashboard that has been updated monthly beginning in January 2021.

### **MARSHALL FIRE UI BENEFITS**

On December 31, 2021 President Biden declared a federal disaster for Boulder County due to the Marshall Fire; this authorized Disaster Unemployment Assistance (DUA). The Department estimated they would see 500-700 claims. However, as a residual impact of pandemic era benefits, they began seeing massive numbers of claims with suspicious indicators. The application process was closed on February 2, 2022, and the final number of claims submitted was 4,686 for DUA and 8,476 additional ones for State UI. In using updated software, the Department estimates that at least 90 percent of these claims are fraudulent. Additionally, the Department is finding that the majority of the eligibility documentation being submitted is false. The positive of this is that the new MyUI+ and IDme software appears to be effective and so far has prevented a number of fraudulent payments.

### **STAFF RECOMMENDATION**

Staff is recommending a continuation of this RFI on a quarterly basis. Staff believes this will facilitate sufficient oversight of the Division without overly burdening their workload as claims begin to normalize. In particular, the Division is still determining the exact impact of federal funding during the pandemic, and staff believes this will allow the Committee to better understand this impact. Staff is also interested in continuing to see the impact of new software on reducing fraudulent payments while ensuring individuals receive timely payouts.

## **LINE ITEM DETAIL - DIVISION OF UNEMPLOYMENT INSURANCE**

### **PROGRAM COSTS**

This line item funds the UI Programs personal services and operating expenses. A technology initiatives line item was consolidated into this line item in FY 2020-21, so the line item now includes funding for IT staff and operating costs not addressed in the Executive Director's Office. This includes, in particular, \$1,087,658 and 12.0 FTE added in FY 2014-15 who are responsible for quality testing and managing IT system adjustments related to new UI systems and new UI regulations. It also includes \$2.0 million added in FY 2019-20 for IT software and costs for Amazon Web Services, which hosts the new UI benefits system.

*STATUTORY AUTHORITY:* Pursuant to Section 8-71-101, C.R.S.

*REQUEST:* The Department requests an appropriation of \$73,046,105 total funds including \$13,168,203 cash funds, \$59,877,902 federal funds, and 484.7 FTE. This includes an adjustment to annualize the prior year salary survey.

*RECOMMENDATION:* **The staff recommendation is included in the table below.** It includes annualization of prior year legislation and salary survey.

DIVISION OF UNEMPLOYMENT INSURANCE, PROGRAM COSTS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2021-22 APPROPRIATION</b>						
SB 21-205 (Long Bill)	\$72,021,986	\$0	\$12,816,379	\$0	\$59,205,607	484.1
Other legislation	\$51,631	\$5,741	\$45,890	\$0	\$0	0.3
<b>TOTAL</b>	<b>\$72,073,617</b>	<b>\$5,741</b>	<b>\$12,862,269</b>	<b>\$0</b>	<b>\$59,205,607</b>	<b>484.4</b>
<b>FY 2022-23 RECOMMENDED APPROPRIATION</b>						
FY 2021-22 Appropriation	\$72,073,617	\$5,741	\$12,862,269	\$0	\$59,205,607	484.4
Annualize prior year legislation and budget actions	972,488	(5,741)	305,934	0	672,295	0.3
<b>TOTAL</b>	<b>\$73,046,105</b>	<b>\$0</b>	<b>\$13,168,203</b>	<b>\$0</b>	<b>\$59,877,902</b>	<b>484.7</b>
<b>INCREASE/(DECREASE)</b>	<b>\$972,488</b>	<b>(\$5,741)</b>	<b>\$305,934</b>	<b>\$0</b>	<b>\$672,295</b>	<b>0.3</b>
Percentage Change	1.3%	(100.0%)	2.4%	0.0%	1.1%	0.1%
<b>FY 2022-23 EXECUTIVE REQUEST</b>	<b>\$73,046,105</b>	<b>\$0</b>	<b>\$13,168,203</b>	<b>\$0</b>	<b>\$59,877,902</b>	<b>484.7</b>
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

### EMPLOYMENT AND TRAINING TECHNOLOGY INITIATIVES

This line item previously included the Department’s efforts to modernize its unemployment insurance technology infrastructure but was consolidated into the Program Costs line item in FY 2020-21.

*STATUTORY AUTHORITY:* Pursuant to Section 8-77-109, C.R.S.

*REQUEST:* The Department did not request an appropriation for this line item.

*RECOMMENDATION:* **Staff does not recommend an appropriation for this line item.**

### (3) DIVISION OF EMPLOYMENT AND TRAINING

The Division of Employment and Training provides services to businesses and potential employees to increase labor participation in the state. The 57 state and county run one-stop centers (also known as workforce centers and American job centers) offer job search assistance, additional job training, and classes to improve interview and resume skills to job seekers. Services at the centers, which are located throughout the State, are free to job seekers and employers, with the goal of matching qualified job seekers with employers. The State supports an on-line job search board (ConnectingColorado.com) and on-line resources, as well as in person services at workforce centers.

Workforce centers in the state's largest counties are operated by the counties themselves. The following counties have entered into contract with the State to operate their own centers: Adams, Arapahoe (with Douglas), Boulder, Denver, El Paso (with Teller), Jefferson (with Gilpin and Clear Creek), Larimer, Mesa, and Weld. All other counties are included in a Rural Consortium group served by state-staffed regional workforce centers.

DIVISION OF EMPLOYMENT AND TRAINING						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2021-22 Appropriation</b>						
SB 21-205 (Long Bill)	\$59,486,286	\$1,389,784	\$13,866,332	\$518,211	\$43,711,959	207.4
HB 22-1182 (Supplemental)	0	0	0	0	0	0.0
Other legislation	60,163,399	73,351	60,090,048	0	0	2.2
<b>TOTAL</b>	<b>\$119,649,685</b>	<b>\$1,463,135</b>	<b>\$73,956,380</b>	<b>\$518,211</b>	<b>\$43,711,959</b>	<b>209.6</b>
<b>FY 2022-23 RECOMMENDED APPROPRIATION</b>						
FY 2021-22 Appropriation	\$119,649,685	\$1,463,135	\$73,956,380	\$518,211	\$43,711,959	209.6
R4 Federally fund veterans service to career program	0	0	0	0	0	0.0
BA1 Skills-based hiring initiative	399,720	399,720	0	0	0	4.0
Annualize prior year legislation and budget actions	(59,802,180)	35,781	(60,138,346)	8,480	291,905	0.2
<b>TOTAL</b>	<b>\$60,247,225</b>	<b>\$1,898,636</b>	<b>\$13,818,034</b>	<b>\$526,691</b>	<b>\$44,003,864</b>	<b>213.8</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$59,402,460)</b>	<b>\$435,501</b>	<b>(\$60,138,346)</b>	<b>\$8,480</b>	<b>\$291,905</b>	<b>4.2</b>
Percentage Change	(49.6%)	29.8%	(81.3%)	1.6%	0.7%	2.0%
<b>FY 2022-23 EXECUTIVE REQUEST</b>						
Request Above/(Below) Recommendation	\$315,922	\$315,922	(\$500,000)	\$0	\$500,000	0.0

#### DECISION ITEMS - DIVISION OF EMPLOYMENT AND TRAINING

##### → R4 FEDERALLY FUND VETERANS SERVICES TO CAREER PROGRAM

**REQUEST:** The Department requests a reduction of \$500,000 in cash fund spending authority and an increase of \$500,000 in federal funding for the Veterans Service-to-Career Program (VSCP), until the program sunsets January 1, 2024. The Department is requesting the funding source be switched from the Marijuana Tax Cash Fund (MTCF) to Federal American Rescue Plan Act (ARPA) funds, on the basis that forecasts are showing MTCF revenues declining modestly, and this loss in revenue is being

attributed to COVID. This program is currently fully funded through the transfer from MTCTF, and the Department does not want to risk this program losing funding due to this decline.

*RECOMMENDATION:* Staff recommendation is to continue to fund the program through the MTCTF and appropriate \$500,000 for this purpose in FY 2022-23.

*ANALYSIS:*

House Bill 16-1267 required CDLE to develop a grant program to which workforce centers could apply to enhance workforce center services for veterans that were not available under the federal Workforce Innovation and Opportunity Act. The bill specified that workforce centers “may contract with a nonprofit agency to administer the program” and specified that, “in selecting workforce centers to administer the program, the Department shall give preference to a workforce center that partners with a nonprofit agency that is an integrated service and support center for veterans and their families.” The program was reauthorized with modifications under H.B. 18-1343. This bill extended the program's January 1, 2019, repeal date, until January 1, 2024 and required CDLE develop a better method for assessing program outcomes, among other changes.

**OUTCOMES FROM FY 2020-21 AND CASELOADS IN 2021**

- 178 total veterans or spouses engaged in program;
- 71 veterans or eligible spouses enrolled in VSCP;
- 140 participants carried over from the previous year;
- 80 program participants enrolled in training;
- 112 supportive services provided, including but not limited to employment counseling, transportation assistance, and work search; and
- 32 or 15.0 percent of participants obtained new employment in their chosen career pathway.

LOCAL AREA	CASELOADS (JULY 1, 2021 - NOVEMBER 5, 2021)
Denver	86
Pikes Peak	71
Mesa	3
Larimer	11
Weld	7
Total	178

**FUNDING**

The bill included a \$1,000,000 appropriation from the Marijuana Tax Cash Fund (MTCTF) in FY 2018-19. Grants of \$75,000 to \$350,000 were awarded to workforce centers in five counties, with funds to be expended through the end of FY 2019-20. In FY 2020-21, the JBC initially approved \$500,000 but then lowered this figure to \$300,000 during budget balancing and added a footnote specifying that the funds were to be prioritized for workforce centers that partner with a nonprofit. In FY 2021-22, \$500,000 was appropriated to the Department for this program without the footnote. This allowed the program to operate in FY 2021-22 more as originally anticipated. The General Assembly can examine the data on program performance before determining if it wishes to reauthorize prior to repeal in January 2024.

While the MTCF is overcommitted in the current year, this is driven largely by a transfer to Education rather than ongoing appropriations. There is significant funding flowing in and out of the fund, and staff cannot determine that switching the funding source would be essential. This program is intended to sunset after FY 2022-23, so continued funding would not be a long-term burden.

The Department did not request switching funding to a specific cash fund, they simply point to ARPA funding. Staff believes that this request would most closely align with the purpose of the Revenue Loss Restoration cash fund. Because the JBC has acknowledged that expenditures from this fund are the equivalent of General Fund expenditures, there is a preference to make appropriations from the General Fund rather than from the Revenue Loss Restoration Fund. This is so there are not many small appropriations that are needing to be tracked, and the fund can be used for budget integrity needs. For these reasons, JBC staff believes it is best to leave the funding for the program as is.

**STAFF RECOMMENDATION**

Staff recommends continued funding for the program from the MTCF. Statute indicates that the General Assembly’s preference was to fund this program through the MTCF, and the amount is small enough not to be a significant concern for MTCF revenue. Staff recommends leaving the funding source as is to avoid any complications until the program repeals in FY 2023-24.

**→ BA1 SKILLS-BASED HIRING INITIATIVE**

*REQUEST:* The Department requests a one-time \$700,000 General Fund appropriation in FY 2022-23 with rollover authority to FY 2023-24. This would be to hire 4.0 FTE to support the Department of Labor and Employment (CDLE) as well as the Department of Personnel and Administration (DPA) in supporting businesses and non-profit organizations in transitioning to skills-based hiring practices.

*RECOMMENDATION:* Staff recommends this request with some adjustments described below for a total of \$399,720 in FY 2022-23 and \$201,028 in FY 2023-24. This is a total investment in skills-based hiring of \$600,748 over two years.

*LEVEL OF EVIDENCE PURSUANT TO S.B. 21-284*

Theory of Change	Skills-based hiring removes barriers to employment for job seekers who are otherwise left out of the running for higher paying jobs. The state of Colorado will adopt skills-based hiring practices to realize the benefits of a streamlined hiring process for adults who may lack degrees.
Program Objective	Ingrain skills-based hiring in state of Colorado hiring practices and policy to reduce educational attainment barriers and bias in hiring.
Outputs being measured	<ul style="list-style-type: none"> <li>Agency adoption</li> <li>Number of FTEs and positions classes hired using skills-based hiring practices</li> </ul>
Outcomes being measured	<ul style="list-style-type: none"> <li>Number of FTEs hired and retained</li> <li>Rate of filling open roles</li> <li>Employee retention</li> </ul>
Cost/Benefit ratio	Cost/Benefit cannot be readily calculated for this request.

The Department states this request aligns with evidence-based policy and that the recommendations are based on research-backed practices. While outcomes like agency adoption are reportable, the other identified outputs and outcomes are more difficult to quantify and would be difficult to associate solely with the skills-based hiring initiative. After a limited review of research on the topic, JBC staff would qualify this as an opinion-based practice pursuant to S.B. 21-284 (Evidence-based Evaluations for Budget).



**SKILLS-BASED HIRING**

Skills-based hiring is an approach to skills assessments and hiring practices that does not focus solely on formal qualifications and technical skills. Skills-based hiring looks at practical and transferrable skills as well as an individual's past performance in valuing potential employees. This approach widens the field of candidates as well as allows hiring managers to narrow the focus of their employee searches by clarifying the specific skills that would benefit a position rather than relying solely on technical and formal qualifications. This also allows for individuals to upskill and reskill in order to shift industries or advance in different fields without losing income. This is particularly relevant to the current economy and the need for individuals to be able to recover economically from the pandemic.

**RESEARCH**

Anecdotally<sup>6</sup>, many companies and hiring managers claim that education can sometimes be a poor proxy for the specific skills a job requires. Additionally, when candidates are reduced to specific statistics relating to where they grew up, went to school, or who was able to refer them, managers say this can lead to a homogenous workforce and inequitable job opportunities. Data from LinkedIn shows the potential for improved employee retention; they found employees without traditional four-year degrees stay at jobs 34.0 percent longer than those with four-year degrees. This is a hard statistic to reduce solely to their skill background, as this could be due to a number of reasons. Employees without four-year degrees may have less opportunity to switch industries or positions or they may not be able to receive equal compensation elsewhere which may also limit their ability. On the other hand, they may be in a position that is well-suited to their skills, or they may appreciate a company that values their skills.

Either way, it is difficult to identify skills-based hiring as being a fully evidence-based practice, as the research is mostly broad or anecdotal. However, it does appear to be a more equitable approach to hiring that both expands employment opportunities for individuals as well as allows hiring managers to better assess potential candidates. That being said, training businesses and hiring managers to focus on skills-based hiring without a similar investment in training individuals in how to apply as skills-based candidates might lead to similar outcomes with regards to equity and homogeneity.

*ANALYSIS:* This initiative comes from the Governor's desire to invest in Colorado's transition to a skills-based economy. The state of Colorado, as an employer, seeks to implement and adopt skills-based hiring practices. The goal of the initiative is to expand skills-based hiring practices to recruit and retain state workers and support DPA's goal of being an employer of choice within the state, and the investments from the proposal are designed to build capacity and shift hiring culture across State agencies. At the end of the proposed initiative, employers within the State will be trained on skills-based hiring practices and the Department will publish a Skills-Based Hiring Toolkit to be used by the State and other businesses.

There continue to be significant matching issues in Colorado's economy between employers and employees. Relying solely on degrees as an assessment of skills limits the State's ability as an employer to hire the workforce needed and leads to the exclusion of good candidates. The Department states that while there are enough people to fill open positions, too few workers have the skills these positions require, especially when postsecondary degrees and credentials are used as a proxy for skills. CDLE is already supporting businesses and nonprofit organizations in transitioning to skills-based hiring practices, however, this work is understaffed and has so far been accomplished by leveraging

<sup>6</sup> [Why Skills-Based Hiring Starts with Your Job Descriptions](#), (Santhosh and Lewis, 2021).

partnerships with nonprofit organizations like Skillful. Staff would also add that excluding candidates without four-year degrees will become less and less feasible as four-year education becomes increasingly unaffordable.

**STAFFING**

In order to implement the initiative, the Department anticipates staffing and consultant costs. These will account for two two-year positions, two one-year positions, and two consultants. The Department is planning to hire staff this summer, who will then be shared between CDLE and DPA to support the state of Colorado’s policy and regulatory transitions. The Department has identified the following positions with their respective responsibilities as being necessary to facilitate the skills-based hiring initiative for the State of Colorado.

Two year positions

- Hiring and Project Manager: Manage skills-based hiring implementation including the creation of a Skills-Based Hiring toolkit that will be available for use by businesses and the State.
- Hiring Trainer: Train HR professionals and hiring managers on skills-based hiring practices and support broader implementation of the initiative.

One year positions

- Policy/Regulatory Advisor: Support DPA in identifying and updating out-of-date rules and regulations and initiate statutory changes to address barriers to implementing skills-based hiring practices.
- Hiring Trainer: Train HR professionals and hiring managers on skills-based hiring practices and support broader implementation of the initiative.

Consultants

- Toolkit Writer: Draft content for Skills-Based Hiring toolkit.
- Graphic Design: Bundle and publish Skills-Based Hiring toolkit.

<b>COSTS</b>	<b>FY 2022-23</b>	<b>FY 2023-24</b>
Personal Services	\$309,520	\$163,598
FTE	4.0	2.0
Standard Operating	\$5,400	\$2,700
Capital Outlay	\$24,800	\$0
Centrally Appropriated	\$0	\$34,730
Consultant: Toolkit Writer	\$40,000	-
Consultant: Graphic Design	\$20,000	-
<b>Total</b>	<b>\$399,720</b>	<b>\$201,028</b>

**STAFF RECOMMENDATION**

Staff recommends approving this request through annual appropriations over the next two years. Because the Department has laid out the expected annual costs, staff recommends appropriating funding on an annual basis. Additionally, because these positions are term-limited and potentially unique in their roles, staff is recommending funding for the Department to hire at the mid-point. Staff recommends annual appropriations of \$399,720 in FY 2022-23 and \$201,028 in FY 2023-24.

LINE ITEM DETAIL - DIVISION OF EMPLOYMENT AND TRAINING

STATE OPERATIONS AND PROGRAM COSTS

This line item funds administrative staff of the Employment and Training division and supports the administration of several other employment programs. Funding in this line item is primarily from the Employment Support Fund (unemployment insurance premiums) and federal funds. In FY 2020-21 some of the funding in this line item was moved to the line item for One-stop Workforce Center Contracts. General Fund was added in S.B. 19-171 for the creation and maintenance of an apprenticeship directory.

*STATUTORY AUTHORITY:* Pursuant to Sections 8-83-101, C.R.S. *et seq.* and 8-15.5-101, C.R.S. *et seq.*

*REQUEST:* The Department requests an appropriation of \$7,024,010 total funds, including \$101,055 General Fund, \$3,399,763 cash funds, and \$3,523,192 federal funds and 110.1 FTE.

*RECOMMENDATION:* **The staff recommendation is shown in the table below.** It includes an annualization of prior year salary survey.

DIVISION OF EMPLOYMENT AND TRAINING, STATE OPERATIONS AND PROGRAM COSTS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2021-22 APPROPRIATION</b>						
SB 21-205 (Long Bill)	\$6,653,023	\$24,869	\$3,197,206	\$0	\$3,430,948	109.2
Other legislation	73,351	73,351	0	0	0	0.9
<b>TOTAL</b>	<b>\$6,726,374</b>	<b>\$98,220</b>	<b>\$3,197,206</b>	<b>\$0</b>	<b>\$3,430,948</b>	<b>110.1</b>
<b>FY 2022-23 RECOMMENDED APPROPRIATION</b>						
FY 2021-22 Appropriation	\$6,726,374	\$98,220	\$3,197,206	0	\$3,430,948	110.1
Annualize prior year legislation and budget actions	297,636	2,835	202,557	0	92,244	0.0
<b>TOTAL</b>	<b>\$7,024,010</b>	<b>\$101,055</b>	<b>\$3,399,763</b>	<b>\$0</b>	<b>\$3,523,192</b>	<b>110.1</b>
<b>Increase/(Decrease)</b>	\$297,636	\$2,835	\$202,557	\$0	\$92,244	0.0
Percentage Change	4.4%	2.9%	6.3%	0.0%	2.7%	0.0%
<b>FY 2022-23 EXECUTIVE REQUEST</b>	<b>\$7,024,010</b>	<b>\$101,055</b>	<b>\$3,399,763</b>	<b>\$0</b>	<b>\$3,523,192</b>	<b>110.1</b>
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

ONE-STOP WORKFORCE CENTER CONTRACTS

This line item includes federal Wagner-Peyser funds allocated for one-stop workforce center operations and state Employment Support Funds also allocated for this purpose. The one-stops serve as centers for the dissemination of all federal employment program information, including job training and search programs. The line item includes funds allocated to counties that operate their own workforce centers and amounts allocated to the Colorado Rural Workforce Consortium (CRWC). The CRWC sites are staffed by the State. This line item includes base operating support for resource and referral services. Additional federal funding for Workforce Center programs, including all funds for worker training, are included in the Workforce Innovation and Opportunity Act line item.

*STATUTORY AUTHORITY:* Pursuant to Sections 8-83-101, C.R.S. *et seq.*

*REQUEST:* The Department requests an appropriation of \$20,844,306, including \$9,897,639 cash funds, \$10,946,667 federal funds and 36.0 FTE. This continues \$2,000,000 cash funds in additional state support added in FY 2020-21.

*RECOMMENDATION:* **The staff recommendation is reflected below.** It includes an annualization of prior year salary survey.

DIVISION OF EMPLOYMENT AND TRAINING, ONE-STOP WORKFORCE CENTER CONTRACTS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2021-22 APPROPRIATION</b>						
SB 21-205 (Long Bill)	\$20,743,521	\$0	\$9,829,126	\$0	\$10,914,395	35.0
Other legislation	\$68,513	\$0	\$68,513	\$0	\$0	1.0
<b>TOTAL</b>	<b>\$20,812,034</b>	<b>\$0</b>	<b>\$9,897,639</b>	<b>\$0</b>	<b>\$10,914,395</b>	<b>36.0</b>
<b>FY 2022-23 RECOMMENDED APPROPRIATION</b>						
FY 2021-22 Appropriation	\$20,812,034	\$0	\$9,897,639	\$0	\$10,914,395	36.0
Annualize prior year legislation and budget actions	32,272	0	0	0	32,272	0.0
<b>TOTAL</b>	<b>\$20,844,306</b>	<b>\$0</b>	<b>\$9,897,639</b>	<b>\$0</b>	<b>\$10,946,667</b>	<b>36.0</b>
<b>INCREASE/(DECREASE)</b>	<b>\$32,272</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$32,272</b>	<b>0.0</b>
Percentage Change	0.2%	0.0%	0.0%	0.0%	0.3%	0.0%
<b>FY 2022-23 EXECUTIVE REQUEST</b>	<b>\$20,844,306</b>	<b>\$0</b>	<b>\$9,897,639</b>	<b>\$0</b>	<b>\$10,946,667</b>	<b>36.0</b>
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

### TRADE ADJUSTMENT ACT ASSISTANCE

This line item reflects federal pass through funding used to provide job training assistance to workers dislocated because of foreign trade agreements. Assistance includes extended UI benefits and supplemental salary payments.

*STATUTORY AUTHORITY:* Pursuant to Sections 8-83-101, C.R.S. *et seq.*

*REQUEST:* The Department requests a continuation appropriation of \$2,000,000 federal funds, which represents a continuation of level funding.

*RECOMMENDATION:* **Staff recommends approval of the request for a continuation appropriation of \$2,000,000 federal funds, which is close to actual receipts and expenditures in FY 2020-21.**

### WORKFORCE INNOVATION AND OPPORTUNITY ACT

Federal Workforce Innovation and Opportunity Act (WIOA) funds are distributed to state and county run one-stop centers for services and programs that provide job training and job skills. The federally-funded program serves eligible adults and youth who need additional employment services, education,

and/or training to prepare them to enter the workforce or to reenter after a job loss. The WIOA funds skills assessments, basic skills remediation, occupational skills training, and retraining.

*STATUTORY AUTHORITY:* Pursuant to Sections 8-83-201, C.R.S. *et seq.*

*REQUEST:* The Department requests an appropriation of \$26,534,005 federal funds and 51.2 FTE. This includes the annualization of last year’s salary survey.

*RECOMMENDATION:* **The staff recommendation is reflected in the table below.** It includes an annualization of prior year salary survey.

DIVISION OF EMPLOYMENT AND TRAINING, WORKFORCE INNOVATION AND OPPORTUNITY ACT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2021-22 APPROPRIATION</b>						
SB 21-205 (Long Bill)	\$26,366,616	\$0	\$0	\$0	\$26,366,616	51.2
<b>TOTAL</b>	<b>\$26,366,616</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$26,366,616</b>	<b>51.2</b>
<b>FY 2022-23 RECOMMENDED APPROPRIATION</b>						
FY 2021-22 Appropriation	\$26,366,616	\$0	\$0	\$0	\$26,366,616	51.2
Annualize prior year legislation and budget actions	167,389	0	0	0	167,389	0.0
<b>TOTAL</b>	<b>\$26,534,005</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$26,534,005</b>	<b>51.2</b>
<b>INCREASE/(DECREASE)</b>	<b>\$167,389</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$167,389</b>	<b>0.0</b>
Percentage Change	0.6%	0.0%	0.0%	0.0%	0.6%	0.0%
<b>FY 2022-23 EXECUTIVE REQUEST</b>						
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

### WORKFORCE DEVELOPMENT COUNCIL

This line item 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, and its function was reauthorized in the Workforce Innovation and Opportunity Act of 2014. 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. The Council is supported by state General Fund and funds transferred (reappropriated) from the Departments 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 H.B.15-1170 (Postsecondary and Workforce Readiness), the Council works with local education providers, business, industry, Department of Education to raise the level of Postsecondary and Workforce Readiness. Also with the passage of H.B. 15-1274 (Career Pathways for Students), the Council works with its partners to design integrated career pathways within identified growth industries. All of the General Fund and 3.5 FTE in this line item stem from these two bills.

*STATUTORY AUTHORITY:* Pursuant Title 24, Article 46.3, C.R.S.

*REQUEST:* The Department requests an appropriation of \$1,853,355 total funds (\$1,306,032 General Fund, \$20,632 cash funds, \$526,691 reappropriated funds) and 7.5 FTE. This includes the annualization of last year’s salary survey.

*RECOMMENDATION:* **The recommendation is included in the table below.** It includes an annualization of prior year legislation and salary survey.

DIVISION OF EMPLOYMENT AND TRAINING, WORKFORCE DEVELOPMENT COUNCIL						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2021-22 APPROPRIATION</b>						
SB 21-205 (Long Bill)	\$1,114,554	\$596,343	\$0	\$518,211	\$0	7.5
Other legislation	\$21,535	\$0	\$21,535	\$0	\$0	0.3
<b>TOTAL</b>	<b>\$1,136,089</b>	<b>\$596,343</b>	<b>\$21,535</b>	<b>\$518,211</b>	<b>\$0</b>	<b>7.8</b>
<b>FY 2022-23 RECOMMENDED APPROPRIATION</b>						
FY 2021-22 Appropriation	\$1,136,089	\$596,343	\$21,535	\$518,211	\$0	7.8
BA1 Skills-based hiring initiative	399,720	399,720	0	0	0	4.0
Annualize prior year legislation and budget actions	17,266	9,689	(903)	8,480	0	0.7
<b>TOTAL</b>	<b>\$1,553,075</b>	<b>\$1,005,752</b>	<b>\$20,632</b>	<b>\$526,691</b>	<b>\$0</b>	<b>12.5</b>
<b>INCREASE/(DECREASE)</b>	<b>\$416,986</b>	<b>\$409,409</b>	<b>(\$903)</b>	<b>\$8,480</b>	<b>\$0</b>	<b>4.7</b>
Percentage Change	36.7%	68.7%	(4.2%)	1.6%	0.0%	60.3%
<b>FY 2022-23 EXECUTIVE REQUEST</b>						
Request Above/(Below) Recommendation	\$300,280	\$300,280	\$0	\$0	\$0	0.0

**CDWC RESKILLING, UPSKILLING AND NEXT-SKILLING WORKERS PROGRAM**

The reskilling, upskilling, and next-skilling workers program was created as an initiative of the state council as a means to train unemployed and underemployed Coloradans during times of substantial unemployment.

*STATUTORY AUTHORITY:* Pursuant to Section 24-46.3-603, C.R.S.

*REQUEST:* The Department did not request funding for this line item.

*RECOMMENDATION:* **Staff does not recommend funding for this line item.**

DIVISION OF EMPLOYMENT AND TRAINING, CWDC RESKILLING, UPSKILLING AND NEXT-SKILLING WORKERS PROGRAM						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2021-22 APPROPRIATION</b>						
Other legislation	\$25,000,000	\$0	\$25,000,000	\$0	\$0	0.0
<b>TOTAL</b>	<b>\$25,000,000</b>	<b>\$0</b>	<b>\$25,000,000</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>

DIVISION OF EMPLOYMENT AND TRAINING, CWDC RESKILLING, UPSKILLING AND NEXT-SKILLING WORKERS PROGRAM						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2022-23 RECOMMENDED APPROPRIATION</b>						
FY 2021-22 Appropriation	\$25,000,000	\$0	\$25,000,000	\$0	\$0	0.0
Annualize prior year legislation and budget actions	(25,000,000)	0	(25,000,000)	0	0	0.0
<b>TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>						
	<b>(\$25,000,000)</b>	<b>\$0</b>	<b>(\$25,000,000)</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Percentage Change	(100.0%)	0.0%	(100.0%)	0.0%	0.0%	0.0%
<b>FY 2022-23 EXECUTIVE REQUEST</b>						
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

**CWDC WORKFORCE INNOVATION ACT – ARPA MONEY**

These are added funds for the Federal Workforce Innovation and Opportunity Act (WIOA), distributed to state and county run one-stop centers for services and programs that provide job training and job skills. The federally-funded program serves eligible adults and youth who need additional employment services, education, and/or training to prepare them to enter the workforce or to reenter after a job loss. The WIOA funds skills assessments, basic skills remediation, occupational skills training, and retraining.

*STATUTORY AUTHORITY:* Pursuant to Section 24-46.3-703, C.R.S.

*REQUEST:* The Department did not request funding for this line item.

*RECOMMENDATION:* **Staff does not recommend funding for this line item.**

DIVISION OF EMPLOYMENT AND TRAINING, CWDC WORKFORCE INNOVATION ACT - ARPA MONEY						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2021-22 APPROPRIATION</b>						
Other legislation	\$35,000,000	\$0	\$35,000,000	\$0	\$0	0.0
<b>TOTAL</b>	<b>\$35,000,000</b>	<b>\$0</b>	<b>\$35,000,000</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>FY 2022-23 RECOMMENDED APPROPRIATION</b>						
FY 2021-22 Appropriation	\$35,000,000	\$0	\$35,000,000	\$0	\$0	0.0
Annualize prior year legislation and budget actions	(35,000,000)	0	(35,000,000)	0	0	0.0
<b>TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>						
	<b>(\$35,000,000)</b>	<b>\$0</b>	<b>(\$35,000,000)</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Percentage Change	(100.0%)	0.0%	(100.0%)	0.0%	0.0%	0.0%
<b>FY 2022-23 EXECUTIVE REQUEST</b>						
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

## WORKFORCE IMPROVEMENT GRANTS

Workforce improvement grants are federal and private grants awarded to the Workforce Development Council for the creation of workforce development activities. These are typically directed toward special populations (youth, disabled, veterans, etc.).

*STATUTORY AUTHORITY:* Pursuant Title 24, Article 46.3, C.R.S.

*REQUEST:* The Department requests \$1,000,000 federal funds, which represents a continuation level of funding.

*RECOMMENDATION:* **Staff recommends continuation of \$1,000,000 shown for informational purposes.**

## COLORADO VETERANS' SERVICE-TO-CAREER PROGRAM

House Bill 16-1267 (Lee and Fields/Carroll and Woods) required CDLE to develop a grant program to which workforce centers could apply to enhance workforce center services for veterans that were not available under the federal Workforce Innovation and Opportunity Act. The bill specified that workforce centers “may contract with a nonprofit agency to administer the program” and specified that, “in selecting workforce centers to administer the program, the Department shall give preference to a workforce center that partners with a nonprofit agency that is an integrated service and support center for veterans and their families.” The program was reauthorized with modifications under H.B. 18-1343 (Lee and Carver/Lambert and Todd). This bill:

- Extended the program's January 1, 2019, repeal date, until January 1, 2024;
- Expanded eligibility for program services to include veterans, veterans' spouses, persons actively serving in the U.S. Armed Forces and within six months of discharge, or a member of the National Guard or military reserves who has completed initial entry training;
- Adjusted the allowable administrative overhead for certain expenses incurred by the CDLE;
- Required that the CDLE develop an evaluation methodology to measure program outcomes and effectiveness prior to initiating the bid process for awarding grants; and
- Clarified and defines terms.

The bill included a \$1,000,000 appropriation from the Marijuana Tax Cash Fund (MTCF) in FY 2018-19. Grants of \$75,000 to \$350,000 were awarded to workforce centers in five counties. The General Assembly approved a new appropriation of \$300,000 cash funds from the Marijuana Tax Cash Fund in FY 2020-21 with a footnote specifying that the funds were to be prioritized for workforce centers that partner with a nonprofit. In FY 2021-22, \$500,000 was appropriated to the Department for this program without the footnote.

*STATUTORY AUTHORITY:* Pursuant to Section 8-14.3-203, C.R.S.

*REQUEST:* The Department requested an appropriation of \$500,000 from federal ARPA funding for the program.



**RECOMMENDATION:** Staff recommends a continuation of \$500,000 from the MTCF for the program, shown in the table below.

DIVISION OF EMPLOYMENT AND TRAINING, VETERANS SERVICE TO CAREER PROGRAM						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2021-22 APPROPRIATION</b>						
SB 21-205 (Long Bill)	\$500,000	\$0	\$500,000	\$0	\$0	(0.0)
<b>TOTAL</b>	<b>\$500,000</b>	<b>\$0</b>	<b>\$500,000</b>	<b>\$0</b>	<b>\$0</b>	<b>(0.0)</b>
<b>FY 2022-23 RECOMMENDED APPROPRIATION</b>						
FY 2021-22 Appropriation	\$500,000	\$0	\$500,000	\$0	\$0	(0.0)
R4 Federally fund veterans service to career program	0	0	0	0	0	0.0
<b>TOTAL</b>	<b>\$500,000</b>	<b>\$0</b>	<b>\$500,000</b>	<b>\$0</b>	<b>\$0</b>	<b>(0.0)</b>
<b>INCREASE/(DECREASE)</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Percentage Change	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
<b>FY 2022-23 EXECUTIVE REQUEST</b>	<b>\$500,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$500,000</b>	<b>(0.0)</b>
Request Above/(Below) Recommendation	\$0	\$0	(\$500,000)	\$0	\$500,000	0.0

### HOSPITALITY EDUCATION GRANT PROGRAM

Senate Bill 14-015 (Hospitality Career Education Grant Program) created the hospitality career secondary education grant program in CDLE. The program awards grants to increase the number and quality of hospitality programs operating in secondary schools beginning FY 2015-16 academic year. This line item supports program development, grant administration, and grant awards to hospitality programs in Colorado high schools.

*STATUTORY AUTHORITY:* Pursuant to Sections 24-46.3-201, C.R.S., *et seq.*

*REQUEST:* The Department request includes \$414,105 General Fund and annualizes the prior year salary survey.

**RECOMMENDATION:** The recommendation is reflected in the table below. This includes an annualization of prior year salary survey.

DIVISION OF EMPLOYMENT AND TRAINING, HOSPITALITY EDUCATION GRANT PROGRAM						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2021-22 APPROPRIATION</b>						
SB 21-205 (Long Bill)	\$401,947	\$401,947	\$0	\$0	\$0	0.5
<b>TOTAL</b>	<b>\$401,947</b>	<b>\$401,947</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.5</b>
<b>FY 2022-23 RECOMMENDED APPROPRIATION</b>						
FY 2021-22 Appropriation	\$401,947	\$401,947	\$0	\$0	\$0	0.5
Annualize prior year legislation and budget actions	12,158	12,158	0	0	0	0.0
<b>TOTAL</b>	<b>\$414,105</b>	<b>\$414,105</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.5</b>

DIVISION OF EMPLOYMENT AND TRAINING, HOSPITALITY EDUCATION GRANT PROGRAM						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>INCREASE/(DECREASE)</b>	<b>\$12,158</b>	<b>\$12,158</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Percentage Change	3.0%	3.0%	0.0%	0.0%	0.0%	0.0%
<b>FY 2022-23 EXECUTIVE REQUEST</b>	<b>\$414,105</b>	<b>\$414,105</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.5</b>
Request Above/(Below)						
Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

### EMPLOYMENT SUPPORT AND JOB RETENTION SERVICES PROGRAM

House Bill 19-1107 (Employment Support Job Retention Services Program) created this program to assist eligible individuals with job retention services. Under the provisions of this bill, the Department must develop a competitive solicitation process to contract with an outside nonprofit to administer the program. The administering entity must develop formal memoranda of understanding with public agencies and private nonprofit organizations to provide employment, job training, and job retention services to eligible individuals. Services that are eligible for reimbursement include transportation, emergency childcare, emergency housing, job training or education fees, work tools and equipment, food and nutrition, utility and internet bills, prepaid cell phones, licenses and certifications, legal services related to employment, interpretation, and qualified medical and mental health expenses, among others.

The program is repealed September 30, 2022.

*STATUTORY AUTHORITY:* SECTIONS 8-83-401 THROUGH 8-83-407, C.R.S.

**REQUEST:** The Department is not requesting an appropriation for this line item.

**RECOMMENDATION:** **Staff recommendation is reflected in the table below.** This includes an annualization of prior year legislation.

DIVISION OF EMPLOYMENT AND TRAINING, EMPLOYMENT SUPPORT AND JOB RETENTION SERVICES PROGRAM						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2021-22 APPROPRIATION</b>						
SB 21-205 (Long Bill)	\$340,000	\$0	\$340,000	\$0	\$0	0.5
<b>TOTAL</b>	<b>\$340,000</b>	<b>\$0</b>	<b>\$340,000</b>	<b>\$0</b>	<b>\$0</b>	<b>0.5</b>
<b>FY 2022-23 RECOMMENDED APPROPRIATION</b>						
FY 2021-22 Appropriation	\$340,000	\$0	\$340,000	\$0	\$0	0.5
Annualize prior year legislation and budget actions	(340,000)	0	(340,000)	0	0	(0.5)
<b>TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$340,000)</b>	<b>\$0</b>	<b>(\$340,000)</b>	<b>\$0</b>	<b>\$0</b>	<b>(0.5)</b>
Percentage Change	(100.0%)	0.0%	(100.0%)	0.0%	0.0%	(100.0%)
<b>FY 2022-23 EXECUTIVE REQUEST</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Request Above/(Below)						
Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

## JUST TRANSITION OFFICE

House Bill 19-1314 created the Just Transitions Office to oversee the creation of a plan that will assist communities and workers whose coal-related industries and jobs are subject to significant economic transition.

The office is required to:

- identify or estimate the timing and location of facility closures and job layoffs in coal-related industries and their impact on affected workers, businesses, and coal transition communities, then make recommendations to the advisory committee as to how the office can most effectively respond to these economic dislocations;
- provide administrative, logistical, research, and policy support to the advisory committee's work;
- participate in CDLE's SMART Act presentation to the General Assembly regarding requirements for financing components of the just transition plan, administering the plan, and expected results; and
- engage in relevant administrative proceedings, such as matters before the Public Utilities Commission and the Air Quality Control Commission.

The statute provides for a 19 member advisory committee to recommend a just transition plan for the state. The final plan was submitted December 31, 2020.

*STATUTORY AUTHORITY:* Sections 8-83-501 through 8-83-506, C.R.S.

*REQUEST:* The Department requests \$377,724 General Fund and 3.5 FTE.

*RECOMMENDATION:* **The staff recommendation is reflected in the table below.** This includes an annualization of prior year salary survey.

DIVISION OF EMPLOYMENT AND TRAINING, JUST TRANSITION OFFICE						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2021-22 APPROPRIATION</b>						
SB 21-205 (Long Bill)	\$366,625	\$366,625	\$0	\$0	\$0	3.5
<b>TOTAL</b>	<b>\$366,625</b>	<b>\$366,625</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>3.5</b>
<b>FY 2022-23 RECOMMENDED APPROPRIATION</b>						
FY 2021-22 Appropriation	\$366,625	\$366,625	\$0	\$0	\$0	3.5
Annualize prior year legislation and budget actions	11,099	11,099	0	0	0	0.0
<b>TOTAL</b>	<b>\$377,724</b>	<b>\$377,724</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>3.5</b>
<b>INCREASE/(DECREASE)</b>	<b>\$11,099</b>	<b>\$11,099</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Percentage Change	3.0%	3.0%	0.0%	0.0%	0.0%	0.0%
<b>FY 2022-23 EXECUTIVE REQUEST</b>	<b>\$377,724</b>	<b>\$377,724</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>3.5</b>
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

## JUST TRANSITION PLAN IMPLEMENTATION/COAL TRANSITION COMMUNITY ASSISTANCE

House Bill 21-1290 transferred funding to the Just Transition Cash Fund for FY 2020-21 for the purposes of to implementing the final just transition plan and provide supplemental funding for existing state programs that the office identifies as the most effective vehicles for targeted investment in coal transition communities.

*STATUTORY AUTHORITY:* Sections 8-83-504, C.R.S.

*REQUEST:* The Department did not request funding for this line item.

*RECOMMENDATION:* **Staff does not recommend funding for this line item.**

## COAL TRANSITION WORKER ASSISTANCE

House Bill 21-1290 transferred funding to the Coal Transition Workforce Assistance Account in the Just Transition Cash Fund for FY 2020-21 for the purposes of assistance programs that directly assist coal transition workers and family and other household members of coal transition workers.

*STATUTORY AUTHORITY:* Sections 8-83-504.5, C.R.S.

*REQUEST:* The Department did not request funding for this line item.

*RECOMMENDATION:* **Staff does not recommend funding for this line item.**

## APPROPRIATION TO THE SKILLED WORKERS OUTREACH, RECRUITMENT, AND KEY TRAINING PROGRAM FUND

House Bill 15-1275 (Pabon & Williams/Cooke and Health) created this program, known as the WORK Act. The bill authorized \$10,000,000 General Fund for marketing and updating training programs to meet industry standards and training needs for skilled workers. Appropriations were required to the Skilled Workers Outreach, Recruitment, and Key Training Program Fund over a three year period. The program was extended in H.B. 18-1316 for an additional three years, with a \$1,000,000 General Fund appropriation in FY 2018-19, and \$3,300,000 General Fund in FY 2019-20.

During the 2020 legislative session, the General Assembly adopted H.B. 20-1395 (End WORK Act Grants) to repeal the program and transfer any unexpended amounts to the General Fund in FY 2020-21 and FY 2021-22 as previously-authorized grants concluded.

*STATUTORY AUTHORITY:* Pursuant to Section 8-83-304, C.R.S., until repealed.

*REQUEST/RECOMMENDATION:* **The Department requests \$15,642 in General Fund for the annualization of prior year salary survey, however staff does not recommend an appropriation to this Fund, which was repealed in FY 2021-22.**

## SKILLED WORKERS OUTREACH, RECRUITMENT AND KEY TRAINING PROGRAM

This line item reflected spending for the Skilled Worker Outreach, Recruitment and Key Training Grant Program from amounts deposited in the Appropriation to the Skilled Worker Outreach, Recruitment, and Key Training Program Fund line item, described above.

*STATUTORY AUTHORITY:* Pursuant to Section 8-83-304, C.R.S., until repealed.

*REQUEST/RECOMMENDATION:* **The Department did not request and staff does not recommend an appropriation for this line item.**

## EMPLOYMENT SUPPORT AND JOB RETENTION SERVICES CASH FUND

House Bill 19-1107 (Employment Support Job Retention Services Program) created the Employment Support and Job Retention Services Cash Fund to support the Employment Support and Job Retention Services program. The bill included an appropriation of \$750,000 General Fund into the cash fund in FY 2019-20, with the expectation that funds would be expended from the fund over a three year time period. Funds from this source are expended in the Employment Support and Job Retention Services Program line item.

*STATUTORY AUTHORITY:* SECTIONS 8-83-401 THROUGH 8-83-407, C.R.S.

*REQUEST/RECOMMENDATION:* **The Department has not requested, and staff does not recommend, an additional appropriation to the Fund.**

## INDUSTRY INFRASTRUCTURE GRANT PROGRAM

House Bill 16-1288 created the Industry Infrastructure Program to partner with eligible nonprofit entities to develop and maintain the industry competency standardization needed to support businesses in their implementation of work site training program. Statute required three General Fund transfers of \$300,000 each on September 1, 2016, 2017, and 2018. Funds were granted to CareerWise to support its work in this area. The program is repealed effective July 1, 2021.

*STATUTORY AUTHORITY:* SECTIONS 24-46.3-401 THROUGH 406, C.R.S.

*REQUEST/RECOMMENDATION:* **The Department did not request, and staff does not recommend, an appropriation for this line item.**

**(4) DIVISION OF LABOR STANDARDS AND STATISTICS**

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 Labor Market Information (LMI) section provides information on employment trends across the state, unemployment numbers, and job growth information. LMI works with state and county one-stop centers to provide relevant training classes in fields that are growing or have potential long-term growth in Colorado.

The Division has recently added multiple new programs and staff based on statutory changes enacted by the General Assembly. These include, among others:

- Chance to Compete - Bans the "box" asking about criminal records in job applications
- Healthy Families and Workplaces Act - Requires employer-provided paid sick leave
- Public Health Emergency Whistleblower - Bans retaliation for employee health advocacy during public health emergency
- Colorado Partnership for Quality Jobs and Services - Creates formal labor-management partnership between state employees and state personnel system
- Equal Pay Act - Various provisions to reduce discrimination in wages, e.g., prohibiting employers from asking about an employee's previous salary
- Quality Apprenticeship Training Act - adopted in 2019 but effective FY 2021-22 modifies contractual requirements for most public construction projects administered by state departments and higher education institutions, including requirements to pay prevailing wage and employ apprentices

DIVISION OF LABOR STANDARDS AND STATISTICS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2021-22 Appropriation</b>						
SB 21-205 (Long Bill)	\$7,190,631	\$927,671	\$2,896,644	\$0	\$3,366,316	78.5
Other legislation	449,535	13,160	436,375	0	0	5.4
<b>TOTAL</b>	<b>\$7,640,166</b>	<b>\$940,831</b>	<b>\$3,333,019</b>	<b>\$0</b>	<b>\$3,366,316</b>	<b>83.9</b>
<b>FY 2022-23 RECOMMENDED APPROPRIATION</b>						
FY 2021-22 Appropriation	\$7,640,166	\$940,831	\$3,333,019	\$0	\$3,366,316	83.9
R1 Increase wage theft spending	117,955	0	117,955	0	0	1.0
Annualize prior year legislation and budget actions	(71,246)	424,912	(549,996)	0	53,838	(2.5)
<b>TOTAL</b>	<b>\$7,686,875</b>	<b>\$1,365,743</b>	<b>\$2,900,978</b>	<b>\$0</b>	<b>\$3,420,154</b>	<b>82.4</b>
<b>Increase/(Decrease)</b>	\$46,709	\$424,912	(\$432,041)	\$0	\$53,838	(1.5)
Percentage Change	0.6%	45.2%	(13.0%)	0.0%	1.6%	(1.8%)
<b>FY 2022-23 EXECUTIVE REQUEST</b>						
Request Above/(Below) Recommendation	35,349	0	35,349	0	0	(0.0)

DECISION ITEMS - DIVISION OF LABOR STANDARDS AND STATISTICS

CDLE did not submit any decision items for this division alone. The only relevant request to the Division is R1 Wage theft spending increase. This is addressed in the decision items affecting multiple decisions section.

LINE ITEM DETAIL - DIVISION OF LABOR STANDARDS AND STATISTICS

LABOR STANDARDS PROGRAM COSTS

This line item funds the personal services and operating expenses for the Labor program section of the division.

*STATUTORY AUTHORITY:* Pursuant to Title 8, Articles 1 through 6, and Article 12, C.R.S. and Section 26-2-715, C.R.S.

*REQUEST:* The Department requests an appropriation of \$4,302,070 total funds, including \$1,365,743 General Fund, \$2,936,327 cash funds, and 52.1 FTE. The total includes an adjustment for prior year salary survey and annualization of prior year legislation.

*RECOMMENDATION:* **The staff recommendation is summarized in the table below.** It includes the annualization of prior year legislation and salary survey.

DIVISION OF LABOR STANDARDS AND STATISTICS, LABOR STANDARDS, LABOR PROGRAM COSTS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2021-22 APPROPRIATION</b>						
SB 21-205 (Long Bill)	\$3,636,722	\$927,671	\$2,709,051	\$0	\$0	45.7
Other legislation	\$449,535	\$13,160	\$436,375	\$0	\$0	5.4
<b>TOTAL</b>	<b>\$4,086,257</b>	<b>\$940,831</b>	<b>\$3,145,426</b>	<b>\$0</b>	<b>\$0</b>	<b>51.1</b>
<b>FY 2022-23 RECOMMENDED APPROPRIATION</b>						
FY 2021-22 Appropriation	\$4,086,257	\$940,831	\$3,145,426	\$0	\$0	51.1
R1 Increase wage theft spending	117,955	0	117,955	0	0	1.0
Annualize prior year legislation and budget actions	62,509	424,912	(362,403)	0	0	0.0
<b>TOTAL</b>	<b>\$4,266,721</b>	<b>\$1,365,743</b>	<b>\$2,900,978</b>	<b>\$0</b>	<b>\$0</b>	<b>52.1</b>
<b>INCREASE/(DECREASE)</b>	<b>\$180,464</b>	<b>\$424,912</b>	<b>(\$244,448)</b>	<b>\$0</b>	<b>\$0</b>	<b>1.0</b>
Percentage Change	4.4%	45.2%	(7.8%)	0.0%	0.0%	2.0%
<b>FY 2022-23 EXECUTIVE REQUEST</b>						
Request Above/(Below)						
Recommendation	\$35,349	\$0	\$35,349	\$0	\$0	0.0

WHISTLEBLOWER PROTECTION PUBLIC HEALTH EMERGENCIES

House Bill 20-1415 (Herod & Sullivan/Pettersen & Rodriguez) Prohibits a principal, including an employer, certain labor contractors, public employers, and entities that rely on independent contractors for a specified percentage of their workforce, from discriminating, retaliating, or taking

adverse action against any worker who raises concerns about workplace health and safety practices or hazards related to a public health emergency.

*STATUTORY AUTHORITY:* Section 8-14.4-101, C.R.S., *et. seq.*

*REQUEST:* The Department requests a decreased appropriation of \$187,593 total funds to annualize H.B. 20-1415.

*RECOMMENDATION:* **Staff recommendation is reflected in the table below.** It includes an annualization of prior year legislation.

DIVISION OF LABOR STANDARDS AND STATISTICS, LABOR STANDARDS, WHISTLEBLOWER PROTECTION FOR PUBLIC HEALTH EMERGENCY						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2021-22 APPROPRIATION</b>						
SB 21-205 (Long Bill)	\$187,593	\$0	\$187,593	\$0	\$0	2.5
<b>TOTAL</b>	<b>\$187,593</b>	<b>\$0</b>	<b>\$187,593</b>	<b>\$0</b>	<b>\$0</b>	<b>2.5</b>
<b>FY 2022-23 RECOMMENDED APPROPRIATION</b>						
FY 2021-22 Appropriation	\$187,593	\$0	\$187,593	\$0	\$0	2.5
Annualize prior year legislation and budget actions	(187,593)	0	(187,593)	0	0	(2.5)
<b>TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$187,593)</b>	<b>\$0</b>	<b>(\$187,593)</b>	<b>\$0</b>	<b>\$0</b>	<b>(2.5)</b>
Percentage Change	(100.0%)	0.0%	(100.0%)	0.0%	0.0%	(100.0%)
<b>FY 2022-23 EXECUTIVE REQUEST</b>						
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

**LABOR MARKET INFORMATION PROGRAM COSTS**

This line item provides funding for the personal services and operating expenses associated with the Labor Market Information program. It supports federally funded programs that track the Colorado economy by measuring activity within the workforce. It serves as a statistical clearinghouse for all sectors of the economy. The program is federally funded.

*STATUTORY AUTHORITY:* Pursuant to Sections 24-1-136, 8-71-107, 8-72-106, and 8-72-107, C.R.S.

*REQUEST:* The Department requests an appropriation of \$3,420,154 federal funds and 30.3 FTE.

*RECOMMENDATION:* **Staff recommendation is reflected in the table below.** This includes an annualization of prior year salary survey.



DIVISION OF LABOR STANDARDS AND STATISTICS, LABOR STATISTICS, LABOR MARKET INFORMATION PROGRAM COSTS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2021-22 APPROPRIATION</b>						
SB 21-205 (Long Bill)	\$3,366,316	\$0	\$0	\$0	\$3,366,316	30.3
<b>TOTAL</b>	<b>\$3,366,316</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$3,366,316</b>	<b>30.3</b>
<b>FY 2022-23 RECOMMENDED APPROPRIATION</b>						
FY 2021-22 Appropriation	\$3,366,316	\$0	\$0	\$0	\$3,366,316	30.3
Annualize prior year legislation and budget actions	53,838	0	0	0	53,838	0.0
<b>TOTAL</b>	<b>\$3,420,154</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$3,420,154</b>	<b>30.3</b>
<b>INCREASE/(DECREASE)</b>						
	<b>\$53,838</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$53,838</b>	<b>0.0</b>
Percentage Change	1.6%	0.0%	0.0%	0.0%	1.6%	0.0%
<b>FY 2022-23 EXECUTIVE REQUEST</b>						
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

## (5) DIVISION OF OIL AND PUBLIC SAFETY

The Division of Oil and Public Safety is responsible for a variety of regulatory functions related to environmental protection, public safety, and consumer protection. Included in its duties are rulemaking and enforcing rules, regulations, and statutes that govern amusement rides, explosives, boilers, conveyances, fuel products (gas and compressed natural gas), petroleum storage tanks, and cleanup of petroleum spills.

DIVISION OF OIL AND PUBLIC SAFETY						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2021-22 Appropriation</b>						
SB 21-205 (Long Bill)	\$6,479,571	\$105,080	\$5,645,752	\$19,318	\$709,421	69.5
<b>TOTAL</b>	<b>\$6,479,571</b>	<b>\$105,080</b>	<b>\$5,645,752</b>	<b>\$19,318</b>	<b>\$709,421</b>	<b>69.5</b>
<b>FY 2022-23 RECOMMENDED APPROPRIATION</b>						
FY 2021-22 Appropriation	\$6,479,571	\$105,080	\$5,645,752	\$19,318	\$709,421	69.5
R3 Increase underground damage prevention spending	20,000	0	20,000	0	0	0.0
Annualize prior year legislation and budget actions	142,113	3,522	138,591	0	0	0.0
<b>TOTAL</b>	<b>\$6,641,684</b>	<b>\$108,602</b>	<b>\$5,804,343</b>	<b>\$19,318</b>	<b>\$709,421</b>	<b>69.5</b>
<b>INCREASE/(DECREASE)</b>	<b>\$162,113</b>	<b>\$3,522</b>	<b>\$158,591</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Percentage Change	2.5%	3.4%	2.8%	0.0%	0.0%	0.0%
<b>FY 2022-23 EXECUTIVE REQUEST</b>						
Request Above/(Below) Recommendation	\$19,380	\$0	\$19,380	\$0	\$0	0.0

### DECISION ITEMS - DIVISION OF OIL AND PUBLIC SAFETY

#### → R3 INCREASE UNDERGROUND DAMAGE PREVENTION FUND SPENDING

**REQUEST:** This is a continuous cash fund spending authority request for \$39,380 in FY 2022-23 and in all future years. This request requires a change in statutory language within Section 9-1.5-104.7, C.R.S., to make the funds continuously appropriated from the Damage Prevention (DMPV) Fund to the Division to use for education and outreach programs related to excavation and underground facilities. The Department indicates that funding is for the implementation of a theory-informed program as defined in S.B. 21-284 (Evidence-based evaluation for budget).

**RECOMMENDATION:** Staff recommends an annual ongoing appropriation of \$20,000 without a statutory change to make funding continuously appropriated.

#### LEVEL OF EVIDENCE PURSUANT TO S.B. 21-284

Theory of Change	By increasing their spending authority, OPS will be able to continue providing opportunities for education and lead to less damage to underground utilities.
Program Objective	Supporting education and outreach programs for excavation and underground facilities.
Outputs being measured	Violations and fines collected.

Outcomes being measured	Outcomes are measured through the danger to structure inhabitants and excavation workers, financial loss to utility owners, and service reduction to utility customers.
Cost/Benefit ratio	Cost/Benefit cannot be readily calculated for this request.

The Department identified this budget request as a theory-informed practice. A theory of change is a method that explains how a given intervention, or set of interventions, is expected to lead to specific outcomes, drawing on a causal analysis based on available evidence. While the program does have specific and measurable outcomes that can be evaluated, there does not appear to be significant existing evidence about the effectiveness of outreach and education programs for excavation requirements. Based on the estimated effectiveness of outreach and education programs for relevant populations, JBC staff would qualify this as an opinion-based practice pursuant to S.B. 21-284 (Evidence-based Evaluations for Budget).

The Underground Damage Prevention Safety Commission enforces the Excavation Requirements Law. Data collected by the Division indicates that the existence of the Safety Commission and the associated complaint review hearing process have educated the industry regarding awareness of the law and importance of compliance with the law.

- In the first three years, the number of complaints received and processed by the Commission decreased from 104 in 2020 to 38 in 2021.
- The percentage of withdrawn complaints increased to 63 percent in 2021. The Commission believes this indicates that facility owners and excavation contractors are collaborating with each other to resolve violations of the law.

This limited data shows the impact of the Safety Commission’s Efforts so far, and the potential to continue to reduce violations.

*ANALYSIS:* The Underground Damage Prevention Safety Commission was created in 2018 through S.B. 18-167 to enforce provisions of the Excavation Requirements law. Currently, fines related to excavation requirement violations are deposited within the DMPV Fund. Although the program is set up to allow funding for education and outreach programs, the Division does not currently have the spending authority to use these funds. As cases have been reviewed in recent years, the Commission found that many of those found in violation were not aware of the Excavation Requirements law. The Division is requesting the authority to use these funds to provide greater education on requirements and reduce future violations. Continuous spending authority is being requested for the purposes of continually providing education and outreach for the program.

The cash fund is statutorily set up to allow the safety commission to authorize fund expenditures subject to annual appropriation by the General Assembly. The stated fund uses are:

- Develop and disseminate educational programming designed to improve worker and public safety relating to excavation and underground facilities; and
- Provide grants to persons who have developed educational programming that the notification association and the safety commission deem appropriate for improving worker and public safety relating to excavation and underground facilities.

**STAFF RECOMMENDATION**

Staff is recommending an ongoing annual appropriation of \$20,000 from the DMPV Fund to the Division for the purposes of education and outreach. This funding would allow the Division to implement outreach and education programs annually, which is part of the stated purpose of the fund,

while also managing the fund reserve. Additionally, the Division is hopeful this investment will ultimately reduce violations and fines being collected.

### ① STAFF INITIATED ALTERNATIVE MAXIMUM - CONVEYANCE SAFETY FUND

*RECOMMENDATION:* The Department has concerns that Conveyance Safety Fund will be out of compliance after June 30th. **Staff recommends a 1-year alternative maximum of \$1.5 million, this is a one-year extension of the current alternative maximum.** This is recommended in anticipation of the Department restructuring and consolidating their Public Safety activities and cash funds during the FY 2023-24 budget process as well as incorporating recommended changes during the 2021 sunset review of the conveyances program.

*ANALYSIS:* The Fund receives fees for conveyance registration, construction permits, inspection certificates, and professional licensing and may be used to pay for costs associated with upholding industry standards and ensuring public safety related to conveyances. This is a small Fund which receives limited annual revenue. Additionally, future revenues are uncertain, and the Department expects to spend down fund balance to maintain program operations through the Conveyance Safety program's anticipated sunset extension of 2031. The Committee previously granted a 3-year waiver establishing an alternative maximum reserve of \$1.5M from FY 2018-19 through FY 2021-22. The pandemic significantly reduced expenditures in FY 2020-21, and the Division has since been trying to account for this drop in activity.

The Department has maintained the same fees since the program was created in 2008.

- The Fund experiences changes in revenue and expenditure related to whether local jurisdictions choose to operate their own conveyance inspection programs or leave inspections to the State. These changes are beyond the Division's control and suggest the need for a greater reserve cushion than would be provided by the 16.5 percent reserve requirement.
- The Department has indicated that this program faces workload challenges due to the rapid growth in development in Colorado. Thus, the reserve limit has driven it to increase spending rather than decrease fees. While the JBC could attempt to force the program to reduce fees by refusing a waiver or restricting the Division's spending authority, staff is concerned about imposing excessive restrictions on a program created by the General Assembly to promote public safety.
- Without a waiver, the program will exceed its projected reserve cap of \$191,866 in FY 2022-23. Costs and benefits of the program, including possible changes to the fee and cash reserve structure, were considered through the sunset review process and will take effect in FY 2022-23.
- While the cash fund is still projected to exceed its reserve this year, it has significantly reduced its estimated excess uncommitted fee reserve balance from \$782,846 in FY 2021-22 to \$344,497 in FY 2022-23.

### PRIOR YEAR REQUESTS AND JBC ACTION

On January 2, 2019, the Governor's Office requested a cash fund reserve waiver for the Conveyance Safety Fund created in Section 9-5.5-111, C.R.S. The request specified:

- The cash fund is funded through fees applied to conveyance owners for registration, construction permits, inspection certificates of conveyances (e.g. elevators and escalators), and licensing of industry professions.

- The waiver is needed due to the irregular nature of fees collected. The Department cannot predict fee collection, as it is dependent upon how many new conveyance owners go through the registration and construction process each year.

The Committee authorized an alternate reserve limit of \$1.5 million for three years, based on written assurance from the Department that it did not intend to modify fees prior to the program’s sunset review. The program was at risk of violating even this alternate requirement in FY 2020-21, but the JBC sponsored legislation that transferred \$500,000 from the fund to the General Fund, reducing its reserve. In FY 2021-22, the JBC granted the Department an alternative maximum reserve of \$1.5 million, in order for the program to be adjusted through the sunset review process.

**SUNSET REVIEW**

The Conveyances program went through a sunset review in 2021, with the following recommendations:

- Continue the Elevator and Escalator Certification Act for nine years, until 2031;
- Direct that all money collected by the Administrator resulting from civil penalties assessed be deposited in the state’s General Fund; and
- The Administrator should increase inspector presence in the Conveyance Program.

Staff believes there will be legislation to address these recommendations during the 2022 legislative session. The recommendation to direct the money from civil penalties to the General Fund should help the Department in managing the cash fund reserve in the future. Enforcement orders may carry a civil penalty not to exceed \$500 each day per violation, and not to exceed \$1,000 each day per violation in instances that may result in bodily injury. Annual civil penalties collected by the Conveyance program are in the table below.

ANNUAL CONVEYANCE FUND CIVIL PENALTY REVENUE				
2016	2017	2018	2019	2020
\$65,890	\$62,120	\$61,305	\$41,000	\$32,620

Typically, when an agency is given fining authority, or the authority to assess civil penalties, such funds are credited to the state’s General Fund. This is done so that the agency has no incentive to impose fines other than taking legitimate disciplinary action. When fines are credited to the agency’s cash fund, there can be a perceived conflict of interest that the agency may be attempting to increase revenue. Although the review determined there is no reason to believe that the Administrator or Program administration has acted improperly, they recommend this change in the future.

**PUBLIC SAFETY CONSOLIDATION**

OPS has three separate cash funds for its four CDLE Public Safety programs, the Conveyances Fund (9-5.5-111 C.R.S.), the Boiler Inspection Fund (9-4-109 C.R.S.), and the Public Safety Fund (8-1-151 C.R.S.), which is for its Amusement Rides and Explosives programs. These programs have total annual appropriations of \$635,843 (Conveyances), \$1,166,609 (Boiler) and \$280,236 (Amusement Rides and Explosives).

In the next year, CDLE is working on a plan to consolidate the collection of fees into the Public Safety fund and enable OPS to effectively manage all of its Public Safety programs. The Division utilizes several cross-trained staff that work in multiple Public Safety programs, and consolidation will take steps to simplify the financial administration for these resources.

Revenues collected through all of the Public Safety programs, but especially the Amusement Rides and Explosive programs, are cyclic and pose a challenge to management of these programs because the cash fund balances drop to dangerously low levels during some months. Consolidation would enable better fiscal management of these programs without the necessity to change fee structures.

**STAFF RECOMMENDATION**

The JBC previously approved a three year waiver and an additional year with an alternative maximum, which is now expiring. Staff believes waivers are best used to address temporary situations lasting no more than three years; however, staff also believes that the reserve requirement issue for this fund will be addressed by the Department’s planned consolidation and incorporation of recommended changes from the sunset review report. Staff is recommending a continued alternative maximum of \$1.5 million for FY 2022-23.

**LINE ITEM DETAIL - DIVISION OF OIL AND PUBLIC SAFETY**

**PERSONAL SERVICES**

This line item 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 Long Bill includes appropriations for administrative costs. However, the majority of revenues and expenditures related to petroleum storage tank cleanup and redevelopment are off budget.

*STATUTORY AUTHORITY:* Pursuant to Sections 8-1-151, 8-20-101 through 8-20-904, 8-20.5-101 through 8-20.5-407, 9-4-101, et sec., 9-5.5-101, et seq., 9-7-101, et seq., and 22-32-124, C.R.S.

*REQUEST:* The Department requests an appropriation of \$5,721,749 total funds and 68.0 FTE.

*RECOMMENDATION:* **The staff recommendation is reflected in the table below.** This includes an annualization of prior year salary survey.

DIVISION OF OIL AND PUBLIC SAFETY, PERSONAL SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2021-22 APPROPRIATION</b>						
SB 21-205 (Long Bill)	\$5,583,158	\$0	\$4,999,440	\$19,318	\$564,400	68.0
<b>TOTAL</b>	<b>\$5,583,158</b>	<b>\$0</b>	<b>\$4,999,440</b>	<b>\$19,318</b>	<b>\$564,400</b>	<b>68.0</b>
<b>FY 2022-23 RECOMMENDED APPROPRIATION</b>						
FY 2021-22 Appropriation	\$5,583,158	\$0	\$4,999,440	\$19,318	\$564,400	68.0
Annualize prior year legislation and budget actions	138,591	0	138,591	0	0	0.0
<b>TOTAL</b>	<b>\$5,721,749</b>	<b>\$0</b>	<b>\$5,138,031</b>	<b>\$19,318</b>	<b>\$564,400</b>	<b>68.0</b>
<b>INCREASE/(DECREASE)</b>	<b>\$138,591</b>	<b>\$0</b>	<b>\$138,591</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Percentage Change	2.5%	0.0%	2.8%	0.0%	0.0%	0.0%

DIVISION OF OIL AND PUBLIC SAFETY, PERSONAL SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2022-23 EXECUTIVE REQUEST</b>	<b>\$5,721,749</b>	<b>\$0</b>	<b>\$5,138,031</b>	<b>\$19,318</b>	<b>\$564,400</b>	<b>68.0</b>
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

**OPERATING EXPENSES**

This line item provides funding for operating expenses of the division.

*STATUTORY AUTHORITY:* Pursuant to Sections 8-1-151, 8-20-101 through 8-20-904, 8-20.5-101 through 8-20.5-407, 9-4-101, et sec., 9-5.5-101, et seq., 9-7-101, et seq., and 22-32-124, C.R.S.

*REQUEST:* The Department requests a continuing appropriation of \$791,333, including \$646,312 cash funds and \$145,021 federal funds.

*RECOMMENDATION:* **Staff recommends the request for continuation funding of \$791,333 total funds.**

**UNDERGROUND DAMAGE PREVENTION SAFETY COMMISSION**

Senate Bill 18-167 created the Underground Damage Prevention Safety Commission as an independent agency within the Department of Labor and Employment. The Commission has rule making and enforcement authority regarding portions of the underground damage prevention law. This law requires a person, before conducting an excavation, to dial “811” to learn the location of underground facilities. The Commission is required to enter into a memorandum of understanding with the notification association to facilitate implementation and administration of the law. Effective January 1, 2021 all underground facility owners and operators are full members of the notification association.

*STATUTORY AUTHORITY:* Section 9-1.5-104.2, C.R.S.

*REQUEST:* The Department requests \$147,982 total funds including \$108,602 General Fund and 1.5 FTE.

*RECOMMENDATION:* **The staff recommendation is reflected in the table below.** This includes an annualization of prior year salary survey.

DIVISION OF OIL AND PUBLIC SAFETY, UNDERGROUND DAMAGE PREVENTION SAFETY COMMISSION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2021-22 APPROPRIATION</b>						
SB 21-205 (Long Bill)	\$105,080	\$105,080	\$0	\$0	\$0	1.5
<b>TOTAL</b>	<b>\$105,080</b>	<b>\$105,080</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>1.5</b>
<b>FY 2022-23 RECOMMENDED APPROPRIATION</b>						
FY 2021-22 Appropriation	\$105,080	\$105,080	\$0	\$0	\$0	1.5

DIVISION OF OIL AND PUBLIC SAFETY, UNDERGROUND DAMAGE PREVENTION SAFETY COMMISSION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
R3 Increase underground damage prevention spending	20,000	0	20,000	0	0	0.0
Annualize prior year legislation and budget actions	3,522	3,522	0	0	0	0.0
<b>TOTAL</b>	<b>\$128,602</b>	<b>\$108,602</b>	<b>\$20,000</b>	<b>\$0</b>	<b>\$0</b>	<b>1.5</b>
<b>INCREASE/(DECREASE)</b>	<b>\$23,522</b>	<b>\$3,522</b>	<b>\$20,000</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Percentage Change	22.4%	3.4%	0.0%	0.0%	0.0%	0.0%
<b>FY 2022-23 EXECUTIVE REQUEST</b>	<b>\$147,982</b>	<b>\$108,602</b>	<b>\$39,380</b>	<b>\$0</b>	<b>\$0</b>	<b>1.5</b>
Request Above/(Below) Recommendation	\$19,380	\$0	\$19,380	\$0	\$0	0.0



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

This program works to ensure quick and efficient delivery of disability and medical benefits to injured workers at a reasonable cost to employers, with minimal litigation.

DIVISION OF WORKERS' COMPENSATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUND	FEDERAL FUNDS	FTE
<b>FY 2021-22 Appropriation</b>						
SB 21-205 (Long Bill)	21,907,633	0	21,907,633	\$0	0	111.0
<b>TOTAL</b>	<b>21,907,633</b>	<b>0</b>	<b>21,907,633</b>	<b>\$0</b>	<b>0</b>	<b>111.0</b>
<b>FY 2022-23 RECOMMENDED APPROPRIATION</b>						
FY 2021-22 Appropriation	21,907,633	0	21,907,633	\$0	0	111.0
Annualize prior year legislation and budget actions	199,166	0	199,166	0	0	0.0
Centrally appropriated line items	507,686	0	507,686	0	0	0.0
<b>TOTAL</b>	<b>\$22,614,485</b>		<b>\$22,614,485</b>			<b>111.0</b>
<b>Increase/(Decrease)</b>	\$706,852	\$0	\$706,852	\$0	\$0	0.0
Percentage Change	3.2%	0.0%	3.2%	0.0%	0.0%	0.0%
<b>FY 2022-23 EXECUTIVE REQUEST</b>						
Request Above/(Below) Recommendation	(131,676)	0	(131,676)	\$0	0	0.0

\*Request, pending a common policy decision

**DECISION ITEMS - DIVISION OF WORKERS' COMPENSATION**

CDLE did not submit any decision items for this division.

**(A) WORKERS COMPENSATION**

This program works to ensure quick and efficient delivery of disability and medical benefits to injured workers at a reasonable cost to employers, with minimal litigation. This subdivision enforces the State's workers' compensation rules and ensures that insurance carriers and self-insured employers are in compliance. The primary source of cash funds is the Workers' Compensation Cash Fund, which is funded by an employer paid surcharge on workers' compensation insurance premiums.

**LINE ITEM DETAIL – (A) WORKERS' COMPENSATION****PERSONAL SERVICES**

This line item funds salaries of staff who oversee the administration of the Workers' Compensation laws in Colorado.

*STATUTORY AUTHORITY:* Pursuant Title 8, Articles 40 through 44 and 46 through 47, and Sections 8-14.5-101, *et seq.*, C.R.S.

*REQUEST:* The Department requests an appropriation of \$8,149,172 cash funds and 95.0 FTE.

*RECOMMENDATION:* **The staff recommendation is reflected in the table below.** This includes an annualization of prior year salary survey.

DIVISION OF WORKERS' COMPENSATION, WORKERS' COMPENSATION, PERSONAL SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2021-22 APPROPRIATION</b>						
SB 21-205 (Long Bill)	\$7,985,013	\$0	\$7,985,013	\$0	\$0	95.0
<b>TOTAL</b>	<b>\$7,985,013</b>	<b>\$0</b>	<b>\$7,985,013</b>	<b>\$0</b>	<b>\$0</b>	<b>95.0</b>
<b>FY 2022-23 RECOMMENDED APPROPRIATION</b>						
FY 2021-22 Appropriation	\$7,985,013	\$0	\$7,985,013	\$0	\$0	95.0
Annualize prior year legislation and budget actions	164,159	0	164,159	0	0	0.0
<b>TOTAL</b>	<b>\$8,149,172</b>	<b>\$0</b>	<b>\$8,149,172</b>	<b>\$0</b>	<b>\$0</b>	<b>95.0</b>
<b>INCREASE/(DECREASE)</b>	<b>\$164,159</b>	<b>\$0</b>	<b>\$164,159</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Percentage Change	2.1%	0.0%	2.1%	0.0%	0.0%	0.0%
<b>FY 2022-23 EXECUTIVE REQUEST</b>	<b>\$8,149,172</b>	<b>\$0</b>	<b>\$8,149,172</b>	<b>\$0</b>	<b>\$0</b>	<b>95.0</b>
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

**OPERATING EXPENSES**

This line item funds the operating expenses for administration of the Workers’ Compensation laws in Colorado.

*STATUTORY AUTHORITY:* Pursuant to Title 8, Articles 40 through 44 and 46 through 47, and Sections 8-14.5-101, *et seq.*, C.R.S.

*REQUEST:* The Department requests a continuation level of \$659,145 cash funds.

*RECOMMENDATION:* **Staff recommends approval of the request for a continuation level of \$659,145 cash funds.**

**ADMINISTRATIVE LAW JUDGE SERVICES**

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

*STATUTORY AUTHORITY:* Pursuant to Section 24-31-101 (1) (a), C.R.S., and defined in Section 24-75-112 (1)(i), C.R.S.

*REQUEST:* The Department requests an appropriation of \$3,958,176 cash funds. This includes a proposed common policy increase of \$507,686 cash funds.

**RECOMMENDATION:** Staff recommendation is provided in the table below and reflects the Committee’s decision on common policy. JBC staff requests permission to make adjustments as necessary to reflect Committee final action for this line item.

DIVISION OF WORKERS' COMPENSATION, WORKERS' COMPENSATION, ADMINISTRATIVE LAW JUDGE SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2021-22 APPROPRIATION</b>						
SB 21-205 (Long Bill)	\$3,582,166	\$0	\$3,582,166	\$0	\$0	0.0
<b>TOTAL</b>	<b>\$3,582,166</b>	<b>\$0</b>	<b>\$3,582,166</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>FY 2022-23 RECOMMENDED APPROPRIATION</b>						
FY 2021-22 Appropriation	\$3,582,166	\$0	\$3,582,166	\$0	\$0	0.0
Centrally appropriated line items	507,686	0	507,686	0	0	0.0
<b>TOTAL</b>	<b>\$4,089,852</b>	<b>\$0</b>	<b>\$4,089,852</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>	<b>\$507,686</b>	<b>\$0</b>	<b>\$507,686</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Percentage Change	14.2%	0.0%	14.2%	0.0%	0.0%	0.0%
<b>FY 2022-23 EXECUTIVE REQUEST</b>	<b>\$3,958,176</b>	<b>\$0</b>	<b>\$3,958,176</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Request Above/(Below) Recommendation	(\$131,676)	\$0	(\$131,676)	\$0	\$0	0.0

**PHYSICIANS ACCREDITATION**

This line item funds the physicians’ accreditation training program, which trains and accredits physicians to work on workers' compensation claims. Physicians seeking accreditation pay a fee, which is deposited into the Physician Accreditation Cash Fund. Currently accredited physicians also use the program to stay current on approved workers’ compensation policies and treatment plans. Pursuant to Section 8-42-101 (3.6) (I), C.R.S., these funds are continuously appropriated and are included for informational purposes only.

*STATUTORY AUTHORITY:* Pursuant to Section 8-42-101, C.R.S.

*REQUEST:* The Department requests an appropriation of \$120,000 cash funds, which represents a continuation of level funding.

**RECOMMENDATION:** Staff recommends approval of the request for a continuation level of \$120,000 cash funds shown for informational purposes.

**UTILIZATION REVIEW**

This line item funds Department reviews of an independent physician’s treatment of workers' compensation claimants. Any party involved with a claim can request reviews. The program is continuously appropriated moneys from the Utilization Review Cash Fund, which is funded by fees paid by the requesting party pursuant to Section 8-43-501 (2) (a), C.R.S. The appropriation is included in the Long Bill for informational purposes.

*STATUTORY AUTHORITY:* Pursuant to Section 8-43-501, C.R.S.

*REQUEST:* The Department requests an appropriation of \$35,000 cash funds, which represents a continuation of level funding.

*RECOMMENDATION:* **Staff recommends approval of the request for a continuation level of \$35,000 cash funds shown for informational purposes.**

#### IMMEDIATE PAYMENT

These funds are used to pay workers' compensation claims brought against bankrupt employers who were self-insured. The program is funded with an assessment imposed by the Department on each self-insured employer. This line item is continuously appropriated from the Immediate Payment Fund pursuant to Section 8-44-206 (3)(b)(I), C.R.S. The appropriation is included in the Long Bill for informational purposes.

*STATUTORY AUTHORITY:* Pursuant to Section 8-44-206, C.R.S.

*REQUEST:* The Department requests an appropriation of \$1,000 cash funds, which represents a continuation of level funding.

*RECOMMENDATION:* **Staff recommends approval of the request for a continuation level of \$1,000 cash funds shown for informational purposes.**

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

The Major Medical Insurance Fund and the Subsequent Injury Fund receive revenues from the workers' compensation premium surcharge to cover claimants with approved injuries, sustained before 1981 and 1994 respectively.

#### LINE ITEM DETAIL – (B) MAJOR MEDICAL INSURANCE AND SUBSEQUENT INJURY FUNDS

##### PERSONAL SERVICES

This line item provides funding to support personal services expenditures within the subdivision.

*STATUTORY AUTHORITY:* Pursuant to Sections 8-46-101 and 8-46-202, C.R.S.

*REQUEST:* The Department requests an appropriation of \$1,470,992 cash funds and 16.0 FTE.

*RECOMMENDATION:* **The staff recommendation is an appropriation of \$1,470,992 cash funds and 16.0 FTE, reflected in the table below.** This includes an annualization of prior year salary survey.

DIVISION OF WORKERS' COMPENSATION, MAJOR MEDICAL INSURANCE AND SUBSEQUENT INJURY FUNDS, PERSONAL SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2021-22 APPROPRIATION</b>						
SB 21-205 (Long Bill)	\$1,435,985	\$0	\$1,435,985	\$0	\$0	16.0
<b>TOTAL</b>	<b>\$1,435,985</b>	<b>\$0</b>	<b>\$1,435,985</b>	<b>\$0</b>	<b>\$0</b>	<b>16.0</b>
<b>FY 2022-23 RECOMMENDED APPROPRIATION</b>						
FY 2021-22 Appropriation	\$1,435,985	\$0	\$1,435,985	\$0	\$0	16.0
Annualize prior year legislation and budget actions	35,007	0	35,007	0	0	0.0
<b>TOTAL</b>	<b>\$1,470,992</b>	<b>\$0</b>	<b>\$1,470,992</b>	<b>\$0</b>	<b>\$0</b>	<b>16.0</b>
<b>INCREASE/(DECREASE)</b>	<b>\$35,007</b>	<b>\$0</b>	<b>\$35,007</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Percentage Change	2.4%	0.0%	2.4%	0.0%	0.0%	0.0%
<b>FY 2022-23 EXECUTIVE REQUEST</b>						
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

### OPERATING EXPENSES

This line item provides funding for operating expenses of the subdivision.

*STATUTORY AUTHORITY:* Pursuant to Sections 8-46-101 and 8-46-202, C.R.S.

*REQUEST:* The Department requests an appropriation of \$88,324 cash funds, which represents a continuation of level funding.

*RECOMMENDATION:* **Staff recommends approval of the request for a continuation level of \$88,324 cash funds.**

### MAJOR MEDICAL BENEFITS

The Major Medical Insurance Fund (MMIF) was established in 1971 to provide unlimited benefits to industrial workers who had sustained catastrophic injuries. Claims are approved for individuals who sustained qualified injuries from 1971 to 1981. Expenses fluctuate each year depending on the specific medical treatments required by clients. Funds are continuously appropriated pursuant to Section 8-46-202 (1) (c), C.R.S. The appropriation is included in the Long Bill for informational purposes.

*STATUTORY AUTHORITY:* Pursuant to Section 8-46-202, C.R.S.

*REQUEST:* The Department requests an appropriation of \$6,000,000 cash funds, which represents a continuation of level funding.

*RECOMMENDATION:* **Staff recommends approval of the request for a continuation level of \$6,000,000 cash funds shown for informational purposes.**

## MAJOR MEDICAL LEGAL SERVICES

This line item is used to purchase legal services from the Department of Law for any of the following purposes: to defend a decision to deny a claimant's eligibility request or denial of certain medical benefits; to defend the program in the event that a doctor appeals the decision of removal from a case during utilization review. Funds are continuously appropriated pursuant to Section 8-46-202 (1) (c), C.R.S. The appropriation is included in the Long Bill for informational purposes.

*STATUTORY AUTHORITY:* Pursuant to Sections 24-31-101 (1) (a), C.R.S., defined in Section 24-75-112 (1) (i), C.R.S., and 8-46-202, C.R.S.

*REQUEST/RECOMMENDATION:* Funding for this line item was consolidated in the Executive Director's Office in FY 2020-21. The Department does not request, and staff does not recommend an appropriation for this line item.

## 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. Funds are continuously appropriated pursuant to Section 8-46-101 (4)(b), C.R.S. The appropriation is included in the Long Bill for informational purposes.

*STATUTORY AUTHORITY:* Pursuant to Section 8-46-101, C.R.S.

*REQUEST:* The Department requests an appropriation of \$2,000,000 cash funds, which represents a continuation of level funding.

*RECOMMENDATION:* **Staff recommends approval of the request for a continuation level of \$2,000,000 cash funds shown for informational purposes.**

## 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. Legal Services paid from the Subsequent Injury Fund are continuously appropriated pursuant to Section 8-46-101 (4)(b), C.R.S. The appropriation is included in the Long Bill for informational purposes.

*STATUTORY AUTHORITY:* Pursuant to 24-31-101 (1)(a), C.R.S., and defined in Section 24-75-112 (1) (i), C.R.S., and Section 8-46-101, C.R.S.

*REQUEST/RECOMMENDATION:* Funding for this line item was consolidated in the Executive Director's Office in FY 2020-21. The Department does not request, and staff does not recommend an appropriation for this line item.

## MEDICAL DISASTER

This line item is used to offset employee incurred medical, nursing, hospital, and drug expenses that are in excess of the allotted expenses pursuant to the "Workers' Compensation Act of Colorado."

Employees must validate their entitlement to disability benefits under the Act, and the incurred expenses can be for recovery, to alleviate chronic pain, or to reduce a disability. The Medical Disaster Insurance Fund is continuously appropriated pursuant to Section 8-46-303 (2), C.R.S. The appropriation is included in the Long Bill for informational purposes.

*STATUTORY AUTHORITY:* Pursuant to Section 8-46-303, C.R.S.

*REQUEST:* The Department requests an appropriation of \$1,000 cash funds, which represents a continuation level of funding.

*RECOMMENDATION:* **Staff recommends approval of the request for \$1,000 cash funds shown for informational purposes.**

## (7) DIVISION OF VOCATIONAL REHABILITATION AND INDEPENDENT LIVING SERVICES

This division oversees vocational rehabilitation programs designed to enable individuals with any type of disability to participate in the work force. 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. This division also includes funding for grants and technical assistance to independent living centers, which support individuals with disabilities living in the community.

DIVISION OF VOCATIONAL REHABILITATION AND INDEPENDENT LIVING SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2021-22 Appropriation</b>						
SB 21-205 (Long Bill)	\$61,256,531	\$11,874,748	\$605,570	\$5,201,819	\$43,574,394	237.7
<b>TOTAL</b>	<b>\$61,256,531</b>	<b>\$11,874,748</b>	<b>\$605,570</b>	<b>\$5,201,819</b>	<b>\$43,574,394</b>	<b>237.7</b>
<b>FY 2022-23 RECOMMENDED APPROPRIATION</b>						
FY 2021-22 Appropriation	\$61,256,531	\$11,874,748	\$605,570	\$5,201,819	\$43,574,394	237.7
R2 Continue employment first	290,744	63,382	0	0	227,362	4.0
Community provider rate adjustment	125,723	125,723	0	0	0	0.0
Annualize prior year legislation and budget actions	(1,952,221)	(400,323)	0	0	(1,551,898)	(4.0)
Centrally appropriated line items	5,206	1,413	0	0	3,793	0.0
<b>TOTAL</b>	<b>\$59,725,983</b>	<b>\$11,664,943</b>	<b>\$605,570</b>	<b>\$5,201,819</b>	<b>\$42,253,651</b>	<b>237.7</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$1,530,548)</b>	<b>(\$209,805)</b>	<b>\$0</b>	<b>\$0</b>	<b>(\$1,320,743)</b>	<b>0.0</b>
Percentage Change	(2.5%)	(1.8%)	0.0%	0.0%	(3.0%)	0.0%
<b>FY 2022-23 EXECUTIVE REQUEST</b>						
Request Above/(Below) Recommendation	\$9,589	(\$96,306)	\$0	\$0	\$105,895	0.0

### DECISION ITEMS - DIVISION OF VOCATIONAL REHABILITATION AND INDEPENDENT LIVING SERVICES

#### → R2 CONTINUE EMPLOYMENT FIRST

**REQUEST:** The Department requests a \$427,464 and 4.0 FTE continuation in funding for FY 2022-23 made up of \$93,187 General Fund and \$334,277 federal funds for the Employment First Initiatives program. Initial funding for this program through S.B. 16-077 is set to end in June 2022, and S.B. 21-095 continued indefinitely the Employment First Partnership in the Department with no additional funding allocated for the program. These positions do not provide services directly to individuals with disabilities; they provide support for direct service providers who work with individuals with most significant disabilities. The Department indicates that funding is for the implementation of a theory-informed program as defined in S.B. 21-284 (Evidence-based evaluation for budget).

**RECOMMENDATION:** Staff is recommending \$290,744 in total spending authority with \$63,382 coming from General Fund and \$227,362 in federal funds.



*LEVEL OF EVIDENCE PURSUANT TO S.B. 21-284*

Theory of Change	By maintaining the four key FTE supporting Employment First Initiatives, DVR will be able to continue providing opportunities for competitive integrated employment in Colorado.
Program Objective	Supporting opportunities for all people to work in competitive integrated employment should they choose to do so.
Outputs being measured	Training and technical assistance provided to DVR Counselors, Job Search and Placement Service providers, individuals with disabilities and their representatives, community partners, and employers.
Outcomes being measured	DVR measures competitive integrated employment outcomes, wages of people achieving employment, and earnings after exit for those receiving services. Additionally, DVR monitors the provision of supported employment and customized employment services, both of which support the competitive integrated employment of individuals with the most significant disabilities. Lastly, DVR partners with the Colorado Office of Employment First, Health Care Policy & Financing, Department of Human Services, and others to monitor key indicators of successful implementation of Employment First across the system.
Cost/Benefit ratio	Cost/Benefit cannot be readily calculated for this request.

The Department identified this budget request as a theory-informed intervention. They present measurable outputs and outcomes for evaluation of the program, and JBC staff was able to identify research that led them to this conclusion. JBC staff would characterize this request as an evidence-informed program, pursuant to S.B. 21-284 (Evidence-based Evaluations for Budget).

**EMPLOYMENT FIRST**

Employment First is a framework that centers the idea that everyone is capable of full participation in employment and community. It identifies employment as the preferred outcome for people with disabilities and encourages those supporting people with disabilities to promote employment as an outcome first, before looking at alternatives. A central tenet of the Employment First framework is the ability for individuals with disabilities to work in integrated settings in the community, with access to the same wages and benefits as people without disabilities.

Employment First is still an emerging and developing policy focus across the country over the last 15 years. While there are now 38 states with Employment First policy, Colorado is often seen as a national leader and is the first state to have developed an Office of Employment First to lead this work. The organizational structure that DVR has developed to support Employment First is unique to Colorado and not a program that is directly replicated in other states. The Department states that research consistently demonstrates that competitive employment has a positive impact on well-being, including improving quality of life, reducing psychiatric symptoms, and can reduce the cost of mental health care costs over time.

**RESEARCH AND EVIDENCE**

Currently, the focus for Colorado is on building capacity to more broadly utilize vocational strategies such as Individualized Placement and Supports (IPS) and Customized Employment (CE) to create employment opportunities for individuals who have often been seen as unable to achieve competitive integrated employment. IPS is an evidence-based practice<sup>7</sup>, consistently demonstrating increased rates of competitive employment when compared to other employment strategies. Historically, IPS focused on individuals with behavioral health needs. However, the research is expanding<sup>8</sup> on the use of IPS with other disability groups, including those with co-occurring behavioral health and Intellectual &

<sup>7</sup> [Experiences with Individual Placement and Support and employment – a qualitative study among clients and employment specialists](#), (Vukadin et al., 2021)

<sup>8</sup> [Individual Placement and Support Background and Directions for Future Research](#), (Elkin & Freedman, 2020)

Developmental Disabilities (IDD). The Colorado Employment First initiative currently has a pilot to work with this population.

CE is a promising practice<sup>9</sup> with a building body of evidence supporting its effectiveness in improving competitive integrated employment outcomes for those with the most significant disabilities. These individuals are often excluded from the workforce without the option of flexible and customized employment strategies. Both IPS and CE require specialized training for providers and a systems approach to ensure effective implementation, including the availability of benefits planning services to ensure individuals entering the workforce understand how to best plan for the impact of earned income on their public benefits. The positions will continue to support implementation of existing evidenced-based practices and the identification of other promising practices to effectively support people with the most significant disabilities achieve their employment goals.

### **MEASURABLE OUTCOMES**

The Division continues to provide services and assist individuals, including those with the most significant disabilities, to achieve competitive integrated employment outcomes. To achieve an employment outcome, an individual must be employed at least 90 days and have become stable in their employment so that it is expected to continue without additional vocational rehabilitation services. In FY 2020-21, approximately:

- 2,335 participants required supported employment services with 314 or 13.5 percent of these individuals receiving supported employment services successfully achieved competitive integrated employment outcomes; and
- 81 individuals received customized employment services.
- The division anticipates at least the same level of participants would receive supported employment services in the future.

*ANALYSIS:* Employment First allows individuals with even the most significant disabilities to participate in the workforce, increasing their self-sufficiency and decreasing their reliance upon public benefits. Further, Employment First provides the opportunity for individuals with disabilities to fully engage and participate in the Colorado economy. Maintaining these positions allows DVR to continue to build on existing work and continue to implement Employment First initiatives in the state

### **PROGRAM OUTPUTS**

These positions do not provide services directly to individuals with disabilities. These positions support counselors who directly provide services to individuals with most significant disabilities more effectively. Initial efforts related to Employment First in Colorado have been related to building capacity and supporting cultural change so Colorado communities understand that anyone is capable of competitive integrated employment with appropriate supports, should they choose to work. So far, the Employment First initiative has completed:

- 244 Employment First training sessions for staff and partners covering CE, IPS, and Benefits Planning.
- 12 Supported Employment Steering Committee meetings to support effective implementation of supported employment within DVR.
- 12 IDD Roundtables to provide a collaborative opportunity for DVR and Community Centered Board staff to explore opportunities for improved service delivery.

<sup>9</sup> [Defining customized employment as an evidence-based practice: The results of a focus group study](#), (Inge et al., 2017)

- Increased provider capacity with requires trainings and certifications resulting in:
  - 9 Certified Employment Support Providers;
  - 21 IPS certified providers; and
  - 297 provider trainings completed.

The initiative also supported:

- Increased use of IPS within the Mental Health Supported Employment Program;
- Two new community mental health providers expected to participate in the program next year;
- Expansion of the use of IPS as a service for individuals with IDD in partnership with Colorado Center Boards and HCPF; and
- Completion of a new quality assurance process on 215 supported employment cases.

**FUNDING**

Funding allocated in S.B. 16-077 provided the EFAP recommendations to the Developmental Disability Council cash funds to support Employment First initiatives within DVR; this refinance only provides funding through June 30, 2022. Senate Bill 21-095 (Sunset Employment First Advisory Partnership) implements the DORA recommendation in its sunset review and report on the EFAP to continue the partnership indefinitely. Additionally, S.B. 21-095, which created a pilot program for the implementation of a hiring preference for people with disabilities in state government, will not be supported by these FTE without continued funding for the Employment First Initiatives. The 4.0 FTE that were funded through the refinanced dollars through FY 2021-22 to support the implementation of Employment First within Colorado. Under the fund splits for the federal vocational rehabilitation grant, the fund split would be 21.3 percent General Fund and 78.7 percent federal funds.

EXPENDITURES	FY 2022-23
Personal Services	\$260,544
FTE	4.0
Centrally Appropriated*	\$0
Operating Expenses**	\$30,200
Total	\$290,744
*Already accounted for in Department budget request	
**Operating expenses less one-time costs already expended	

**STAFF RECOMMENDATION**

The 4.0 FTE requested are unique to Colorado and are intended to allow DVR to be responsive to the dynamic employment needs of Coloradans with the most significant disabilities. Continuing funding for the Employment First Initiative will allow for continued service provision to individuals with disabilities as they seek competitive employment outcomes and continue the administrative coordination, training, and resources designed to reorient employment services for people with the most significant disabilities throughout State. Staff believes it is important to continue collecting and reviewing data and outcomes associated with the initiative and recommends continuing the RFI related to the Employment First initiative in order to continue to understand its impact. Because of the current outcomes associated with the program, and the General Assembly’s desire to continue to the initiative with the passage of S.B 21-095, staff does recommend continued funding for the initiative.

## → COMMUNITY PROVIDER RATE INCREASE

*REQUEST:* The request did not include a community provider rate increase for the Independent Living Centers.

*RECOMMENDATION:* The staff recommendation includes a 2.0 percent increase consistent with committee common policy. **The adjustment requires an increase of \$125,723 General Fund on a base of \$6,286,160 General Fund for Independent Living Services.** The recommendation does not include an adjustment to federal funds, as federal funding in this line item is not affected by state common policy.

These funds are allocated to the nine nonprofit independent living centers across the state that provide services and supports for individuals with disabilities. These services include, among others:

- Information and referral services;
- Independent living skills training;
- Peer counseling, including cross-disability peer counseling;
- Individual and systems advocacy; and
- Transition services or diversion from nursing homes and institutions to home- and community-based living;
- Transition services upon leaving secondary education.

**Staff requests permission to incorporate any subsequent modifications to common policy in the appropriation for Independent Living Centers.**

### (A) VOCATIONAL REHABILITATION PROGRAMS

This Division oversees vocational rehabilitation programs designed to enable individuals with any type of disability to participate in the work force. 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.

The federal government supports vocational rehabilitation programs based on a match of 21.3 percent non-federal to 78.7 percent federal funds. The General Fund provides a portion of the match. A portion is from other sources, including reappropriated funds from school districts, which provide matching funds to draw down federal vocational rehabilitation funding under the School to Work Alliance Program. Pursuant to Section 8-84-105 (1)(b.5), C.R.S., the Division has continuous spending authority for cash funds and reappropriated funds received from governmental and non-governmental sources to carry out the Division's duties.

The State operates 27 vocational rehabilitation offices located throughout the state, which are staffed with state personnel. Federal regulations dictate the program's structure: who may be served, allowable services, which groups receive priority of service, and who is qualified to provide services. Consistent with federal requirements, most service providers are masters-level rehabilitation counselors.

To be eligible services, individuals must meet certain criteria:

- Have a documented disability, such as a physical, mental, or learning disability;
- Due to the disability, have difficulty getting, doing, keeping, or advancing in a job;
- Must be able to work after the vocational rehabilitation program is complete; and
- Must need vocational rehabilitation services in order to go to work successfully.

In FY 2020-21, the Department reported serving 7,634 “regular” vocational rehabilitation clients, including those who had completed eligibility determinations but were not yet receiving services. In addition, it served 1,630 students through the School to Work Alliance Program who have not undergone full vocational assessments. The Department identifies client service costs of \$3,743 per client excluding the students or \$3,803 per client if the student population is included, but these figures exclude costs for vocational rehabilitation staff. Based on total actual expenditures of \$50,381,833 in FY 2020-21 and total regular and student clients served of 9,264, *staff calculates the total estimated cost per client per year at \$5,439 if vocational rehabilitation staff are included.* Clients are typically served for several years. The Department reported 1,515 successful closures in FY 2020-21, with clients exiting with an average wage of \$16.65 per hour.

Individuals with reasoning and perceptual disabilities typically comprise about 30 percent of clients and those with interpersonal/behavioral issues typically comprise an additional 30 percent of clients. The balance have a range of physical, sensory, and other disabilities.

## LINE ITEM DETAIL - VOCATIONAL REHABILITATION PROGRAMS

### PERSONAL SERVICES

This line item funds the personnel costs of programmatic and administrative staff including the vocational rehabilitation counselors responsible for the provision of client services.

*STATUTORY AUTHORITY:* Pursuant to Section 8-84-103, C.R.S.

*REQUEST:* The Department requests an appropriation of \$17,872,857 total funds, including \$3,800,289 General Fund, and 223.7 FTE.

*RECOMMENDATION:* **The staff recommendation is reflected in the table below.** The General Fund amount in this line item includes an (M) notation, which requires an adjustment to General Fund if the federal match rate changes. This includes an annualization of prior year salary survey.

DIVISION OF VOCATIONAL REHABILITATION AND INDEPENDENT LIVING SERVICES, VOCATIONAL REHABILITATION PROGRAMS, PERSONAL SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2021-22 APPROPRIATION						
SB 21-205 (Long Bill)	\$17,423,502	\$3,694,074	\$0	\$0	\$13,729,428	223.7
<b>TOTAL</b>	<b>\$17,423,502</b>	<b>\$3,694,074</b>	<b>\$0</b>	<b>\$0</b>	<b>\$13,729,428</b>	<b>223.7</b>
FY 2022-23 RECOMMENDED APPROPRIATION						
FY 2021-22 Appropriation	\$17,423,502	\$3,694,074	\$0	\$0	\$13,729,428	223.7

DIVISION OF VOCATIONAL REHABILITATION AND INDEPENDENT LIVING SERVICES, VOCATIONAL REHABILITATION PROGRAMS, PERSONAL SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Annualize prior year legislation and budget actions	449,355	106,215	0	0	343,140	0.0
<b>TOTAL</b>	<b>\$17,872,857</b>	<b>\$3,800,289</b>	<b>\$0</b>	<b>\$0</b>	<b>\$14,072,568</b>	<b>223.7</b>
<b>INCREASE/(DECREASE)</b>	<b>\$449,355</b>	<b>\$106,215</b>	<b>\$0</b>	<b>\$0</b>	<b>\$343,140</b>	<b>0.0</b>
Percentage Change	2.6%	2.9%	0.0%	0.0%	2.5%	0.0%
<b>FY 2022-23 EXECUTIVE REQUEST</b>	<b>\$17,872,857</b>	<b>\$3,800,289</b>	<b>\$0</b>	<b>\$0</b>	<b>\$14,072,568</b>	<b>223.7</b>
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

OPERATING EXPENSES

This line item funds the operating expenses of the Vocational Rehabilitation program.

*STATUTORY AUTHORITY:* Pursuant to Title 8, Article 84, C.R.S.

*REQUEST:* The Department requests an appropriation of \$2,539,404 total funds (\$540,893 reappropriated funds and \$1,998,511 federal funds), which represents a continuation level of funding.

*RECOMMENDATION:* **Staff recommends the request for a continuation level of funding of \$2,539,404 total funds.**

ADMINISTRATIVE LAW JUDGE SERVICES

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

*STATUTORY AUTHORITY:* Pursuant to Section 24-31-101 (1) (a), C.R.S., and defined in Section 24-75-112 (1)(i), C.R.S.

*REQUEST:* The Department requests an appropriation of \$40,535 total funds (\$11,386 General Fund and \$30,557 federal funds).

*RECOMMENDATION:* **Staff recommendation is provided in the table below and reflects the Committee’s decision on common policy.** JBC staff requests permission to make adjustments as necessary to reflect Committee final action for this line item.

DIVISION OF VOCATIONAL REHABILITATION AND INDEPENDENT LIVING SERVICES, VOCATIONAL REHABILITATION PROGRAMS, ADMINISTRATIVE LAW JUDGE SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2021-22 APPROPRIATION</b>						
SB 21-205 (Long Bill)	\$36,737	\$9,973	\$0	\$0	\$26,764	0.0
<b>TOTAL</b>	<b>\$36,737</b>	<b>\$9,973</b>	<b>\$0</b>	<b>\$0</b>	<b>\$26,764</b>	<b>0.0</b>
<b>FY 2022-23 RECOMMENDED APPROPRIATION</b>						

DIVISION OF VOCATIONAL REHABILITATION AND INDEPENDENT LIVING SERVICES, VOCATIONAL REHABILITATION PROGRAMS, ADMINISTRATIVE LAW JUDGE SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2021-22 Appropriation	\$36,737	\$9,973	\$0	\$0	\$26,764	0.0
Centrally appropriated line items	5,206	1,413	0	0	3,793	0.0
<b>TOTAL</b>	<b>\$41,943</b>	<b>\$11,386</b>	<b>\$0</b>	<b>\$0</b>	<b>\$30,557</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>	<b>\$5,206</b>	<b>\$1,413</b>	<b>\$0</b>	<b>\$0</b>	<b>\$3,793</b>	<b>0.0</b>
Percentage Change	14.2%	14.2%	0.0%	0.0%	14.2%	0.0%
<b>FY 2022-23 EXECUTIVE REQUEST</b>	<b>\$40,535</b>	<b>\$10,998</b>	<b>\$0</b>	<b>\$0</b>	<b>\$29,537</b>	<b>0.0</b>
Request Above/(Below) Recommendation	(\$1,408)	(\$388)	\$0	\$0	(\$1,020)	0.0

### VOCATIONAL REHABILITATION SERVICES

This line item funds direct client services provided by the Vocational Rehabilitation Programs for individuals whose disability results in barriers to employment of independent living. These services provide individuals with the skills to obtain and maintain employment and live independently in the community. Services include:

- Vocational rehabilitation assessments, counseling and guidance;
- Vocational and academic training, personal and vocational adjustment training, job coaching, on-the-job training, job-seeking skills training;
- Placement services provided to assist an individual with a disability to find adequate and suitable employment in his/her chosen career;
- Supportive services including transportation, personal assistance services and services to family members may also be provided if necessary for the individual to utilize the services identified above; and
- Post-employment services may be provided to previously rehabilitated individuals to maintain or regain suitable employment.

*STATUTORY AUTHORITY:* Pursuant to Section 8-84-106, C.R.S.

*REQUEST:* The Department requests an appropriation of \$15,301,106 total funds (\$1,143,950 General Fund, \$2,115,185 reappropriated funds, and \$12,041,971 federal funds), which represents a continuation of level funding.

*RECOMMENDATION:* **Staff recommends the request for a continuation of \$15,301,106 total funds.**

### SCHOOL TO WORK ALLIANCE PROGRAM

This line item funds the School to Work Alliance Program (SWAP) Contracts. SWAP is a collaborative program between Vocational Rehabilitation and the Colorado Department of Education (CDE). Vocational Rehabilitation contracts with School Districts and Boards of Cooperative Education Services (BOCES) to provide services to youth with mild to moderate disabilities who are transitioning from school into the workforce. School districts participating in the program receive a 1:1 federal match for funds they provide for the program. These funds support direct services to eligible students

within the school district. The balance of the federal 78.7 percent match pays for division staff support for the SWAP program and other DVR programs.

*STATUTORY AUTHORITY:* Pursuant to Section 8-84-106, C.R.S.

*REQUEST:* The Department requests an appropriation of \$10,323,261 total funds (\$2,173,378 reappropriated funds from school districts, and \$8,866,282 federal funds).

*RECOMMENDATION:* **Staff recommends the request for a continuation level of funding.** Funds received from the school districts are continuously appropriated via statute, so this is effectively an informational line item.

## VOCATIONAL REHABILITATION MENTAL HEALTH SERVICES

This line item funds the provision of mental health services to eligible individuals who are receiving vocational rehabilitation services. The Vocational Rehabilitation Program contracts with mental health providers for these services.

*STATUTORY AUTHORITY:* Pursuant to Section 8-84-106, C.R.S.

*REQUEST:* The Department requests an appropriation of \$1,748,180 total funds (\$372,363 reappropriated funds and \$1,375,817 federal funds), which represents a continuation of level funding.

*RECOMMENDATION:* **Staff recommends the request for a continuation level of \$1,748,180 total funds.**

## BUSINESS ENTERPRISE PROGRAM FOR PEOPLE WHO ARE BLIND

The Business Enterprise Program assists blind or visually-impaired individuals in operation of vending and food service businesses. The Program is the result of the federal Randolph-Sheppard Vending Facility program, which gives priority to blind and visually impaired individuals who wish to operate and manage food and vending services in federal and state government office buildings and facilities. The Program utilizes funding from this line item to support site development, initial merchandise and supply inventory, purchasing equipment, and providing technical support to vendors.

*STATUTORY AUTHORITY:* Pursuant to Sections 8-84-201, C.R.S., et seq.

*REQUEST:* The Department requests a continuing appropriation of \$1,595,200 total funds (\$338,935 cash funds and \$1,256,265 federal funds) and 6.0 FTE.

*RECOMMENDATION:* **Staff recommends the request for a continuation level of \$1,595,200 total funds (\$338,935 cash funds and \$1,256,265 federal funds) and 6.0 FTE.**



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

This line item pays for costs associated with the Business Enterprise Program that are not eligible for the federal match. This includes: costs associated with temporary state operation of vending facilities when a vendor leaves the program; equipment maintenance and repair during this interim period; and payments to operators to support their health insurance, IRA contributions, and vacation pay (operators are not state employees). Revenues from the operation of the vending stands and payments by the vendors support this program. Expenses and revenues in this line item are highly unpredictable, as they are dependent upon whether one or more operators abandon sites during the year.

*STATUTORY AUTHORITY:* Pursuant to Sections 8-84-201, C.R.S., *et seq.*

*REQUEST:* The Department requests an appropriation of \$229,000 cash funds, which represents a continuation of level funding.

*RECOMMENDATION:* **Staff recommends the request for a continuation level of \$229,000 cash funds.**

## FEDERAL SOCIAL SECURITY REIMBURSEMENT

This line item funds the purchase of services outlined in a consumer's individualized plan for employment including training and assistive technology. The federal funds in this line item represent incentive payments from the federal Supplemental Security Income Program (SSI Program) when vocational rehabilitation programs successfully remove people from the SSI Program.

*STATUTORY AUTHORITY:* Pursuant to Section 8-84-107, C.R.S.

*REQUEST:* The Department requests a continuation level of \$2,400,000 federal funds.

*RECOMMENDATION:* Staff recommends a continuation level of \$2,400,000 federal funds.

## OLDER BLIND GRANTS

This line item provides independent living services to persons age 55 or older who are blind or visually impaired. Most of the individuals served through these grants have become blind older in life, and are provided assistance in learning new strategies for accomplishing daily tasks and participating in community and family activities. The appropriation is included in the Long Bill for informational purposes.

*STATUTORY AUTHORITY:* Pursuant to Section 26-8.1-108, C.R.S.

*REQUEST:* The Department requests a continuation level of appropriation of \$362,000 federal funds.

*RECOMMENDATION:* **Staff recommends the request for \$362,000 federal funds shown for informational purposes.**

EMPLOYMENT FIRST INITIATIVES

Employment First is a nationally recognized model for achieving increased, successful employment outcomes for people with disabilities. This line item provides support for Employment First initiatives including an Office of Employment First contracted to the university center of excellence in developmental disabilities at the University of Colorado, vocational rehabilitation staff charged with specific Employment First responsibilities, and several customized employment pilot programs.

*STATUTORY AUTHORITY:* Pursuant to Section 8-84-106, C.R.S.

*REQUEST:* The Department requests an appropriation of \$427,464 total funds, including \$93,187 from the General Fund.

*RECOMMENDATION:* **Staff recommends \$290,744 in total funding, with \$63,382 General Fund.** This includes an annualization of prior year legislation.

DIVISION OF VOCATIONAL REHABILITATION AND INDEPENDENT LIVING SERVICES, VOCATIONAL REHABILITATION PROGRAMS, EMPLOYMENT FIRST INITIATIVES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2021-22 APPROPRIATION</b>						
SB 21-205 (Long Bill)	\$2,407,926	\$512,888	\$0	\$0	\$1,895,038	4.0
<b>TOTAL</b>	<b>\$2,407,926</b>	<b>\$512,888</b>	<b>\$0</b>	<b>\$0</b>	<b>\$1,895,038</b>	<b>4.0</b>
<b>FY 2022-23 RECOMMENDED APPROPRIATION</b>						
FY 2021-22 Appropriation	\$2,407,926	\$512,888	\$0	\$0	\$1,895,038	4.0
R2 Continue employment first	290,744	63,382	0	0	227,362	4.0
Annualize prior year legislation and budget actions	(2,407,926)	(512,888)	0	0	(1,895,038)	(4.0)
<b>TOTAL</b>	<b>\$290,744</b>	<b>\$63,382</b>	<b>\$0</b>	<b>\$0</b>	<b>\$227,362</b>	<b>4.0</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$2,117,182)</b>	<b>(\$449,506)</b>	<b>\$0</b>	<b>\$0</b>	<b>(\$1,667,676)</b>	<b>0.0</b>
Percentage Change	(87.9%)	(87.6%)	0.0%	0.0%	(88.0%)	0.0%
<b>FY 2022-23 EXECUTIVE REQUEST</b>						
Request Above/(Below)	\$427,464	\$93,187	\$0	\$0	\$334,277	4.0
Recommendation	\$136,720	\$29,805	\$0	\$0	\$106,915	0.0

(B) OFFICE OF INDEPENDENT LIVING SERVICES

Independent Living Centers (ILC) are consumer-controlled, community-based, nonresidential, agencies that provide an array of independent living services to people of any age with any disability.

LINE ITEM DETAIL - OFFICE OF INDEPENDENT LIVING SERVICES

PROGRAM COSTS

This line item funds the personnel and operating costs associated with state support for the provision of independent living services by the nine Independent Living Centers.

*STATUTORY AUTHORITY:* Pursuant to Section 8-85-103 (1), C.R.S.

*REQUEST:* The Department requests an appropriation of \$234,053 General Fund and 4.0 FTE.

*RECOMMENDATION:* **Staff recommends an appropriation of \$234,053 General Fund and 4.0 FTE.** This includes an annualization of prior year salary survey.

DIVISION OF VOCATIONAL REHABILITATION AND INDEPENDENT LIVING SERVICES, OFFICE OF INDEPENDENT LIVING SERVICES, PROGRAM COSTS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2021-22 APPROPRIATION</b>						
SB 21-205 (Long Bill)	\$227,703	\$227,703	\$0	\$0	\$0	4.0
<b>TOTAL</b>	<b>\$227,703</b>	<b>\$227,703</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>4.0</b>
<b>FY 2022-23 RECOMMENDED APPROPRIATION</b>						
FY 2021-22 Appropriation	\$227,703	\$227,703	\$0	\$0	\$0	4.0
Annualize prior year legislation and budget actions	6,350	6,350	0	0	0	0.0
<b>TOTAL</b>	<b>\$234,053</b>	<b>\$234,053</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>4.0</b>
<b>INCREASE/(DECREASE)</b>	<b>\$6,350</b>	<b>\$6,350</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Percentage Change	2.8%	2.8%	0.0%	0.0%	0.0%	0.0%
<b>FY 2022-23 EXECUTIVE REQUEST</b>	<b>\$234,053</b>	<b>\$234,053</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>4.0</b>
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

### INDEPENDENT LIVING SERVICES

This line item provides funding for independent living services provided by the nine independent living centers. These services include:

- Information and referral services;
- Independent living skills training;
- Peer counseling, including cross-disability peer counseling;
- Individual and systems advocacy; and
- Transition services or diversion from nursing homes and institutions to home- and community-based living;
- Transition services upon leaving secondary education; and
- Any other services and assistance as defined by federal regulations.

*STATUTORY AUTHORITY:* Pursuant to Section 8-85-103 (2) (a), C.R.S.

*REQUEST:* The Department requests a continuation level of appropriation of \$6,662,512 total funds, including \$6,286,160 General Fund.

*RECOMMENDATION:* **The staff recommendation is shown below.** The recommendation adds the 2.0 percent community provider rate adjustment consistent with Committee common policy.

DIVISION OF VOCATIONAL REHABILITATION AND INDEPENDENT LIVING SERVICES, OFFICE OF INDEPENDENT LIVING SERVICES, INDEPENDENT LIVING SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2021-22 APPROPRIATION</b>						
SB 21-205 (Long Bill)	\$6,662,512	\$6,286,160	\$37,635	\$0	\$338,717	0.0
<b>TOTAL</b>	<b>\$6,662,512</b>	<b>\$6,286,160</b>	<b>\$37,635</b>	<b>\$0</b>	<b>\$338,717</b>	<b>0.0</b>
<b>FY 2022-23 RECOMMENDED APPROPRIATION</b>						
FY 2021-22 Appropriation	\$6,662,512	\$6,286,160	\$37,635	\$0	\$338,717	0.0
Community provider rate adjustment	125,723	125,723	0	0	0	0.0
<b>TOTAL</b>	<b>\$6,788,235</b>	<b>\$6,411,883</b>	<b>\$37,635</b>	<b>\$0</b>	<b>\$338,717</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>	<b>\$125,723</b>	<b>\$125,723</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Percentage Change	1.9%	2.0%	0.0%	0.0%	0.0%	0.0%
<b>FY 2022-23 EXECUTIVE REQUEST</b>						
Request Above/(Below) Recommendation	(\$125,723)	(\$125,723)	\$0	\$0	\$0	0.0

## (8) DIVISION OF FAMILY AND MEDICAL LEAVE INSURANCE

The Division of Family and Medical Leave Insurance (FAMLI) provides paid family and medical leave insurance benefits to eligible employees. FAMLI's funding will be entirely cash funded from the collection of premium revenues beginning in January of state budget year 2022-23. After the program has been collecting premium payments from employers and employees for one year, employees can begin receiving paid family and medical leave benefits.

DEPARTMENT OF LABOR AND EMPLOYMENT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2021-22 APPROPRIATION</b>						
Other legislation	\$1,162,202	\$0	\$1,162,202	\$0	\$0	6.0
<b>TOTAL</b>	<b>\$1,162,202</b>	<b>\$0</b>	<b>\$1,162,202</b>	<b>\$0</b>	<b>\$0</b>	<b>6.0</b>
<b>FY 2022-23 RECOMMENDED APPROPRIATION</b>						
FY 2021-22 Appropriation	\$1,162,202	\$0	\$1,162,202	\$0	\$0	6.0
Annualize prior year legislation and budget actions	(50,916)	0	(50,916)	0	0	0.0
<b>TOTAL</b>	<b>\$1,111,286</b>	<b>\$0</b>	<b>\$1,111,286</b>	<b>\$0</b>	<b>\$0</b>	<b>6.0</b>
<b>Increase/(Decrease)</b>	(\$50,916)	\$0	(\$50,916)	\$0	\$0	0.0
Percentage Change	(4.4%)	0.0%	(4.4%)	0.0%	0.0%	0.0%
<b>FY 2022-23 EXECUTIVE REQUEST</b>	<b>\$1,111,286</b>	<b>\$0</b>	<b>\$1,111,286</b>	<b>\$0</b>	<b>\$0</b>	<b>6.0</b>
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

### DECISION ITEMS - DIVISION OF FAMILY AND MEDICAL LEAVE INSURANCE

CDLE did not submit any decision items for this division.

### LINE ITEM DETAIL - DIVISION OF FAMILY AND MEDICAL LEAVE INSURANCE

#### PROGRAM COSTS

This line item funds the personnel and operating costs associated with state support for the provision of independent living services by the nine Independent Living Centers.

*STATUTORY AUTHORITY:* Pursuant to Section 8-13.3-516 (1), C.R.S.

*REQUEST:* The Department requests an appropriation of \$1,111,286 General Fund and 6.0 FTE.

*RECOMMENDATION:* Staff recommends \$1,111,286 General Fund and 6.0 FTE.

## LONG BILL FOOTNOTES AND REQUESTS FOR INFORMATION

### LONG BILL FOOTNOTES

The General Assembly includes footnotes in the annual Long Bill to: (a) set forth purposes, conditions, or limitations on an item of appropriation; (b) explain assumptions used in determining a specific amount of an appropriation; or (c) express legislative intent relating to any appropriation.

Staff recommends **continuing** the following footnotes:

- 66 Department of Labor and Employment, Division Of Vocational Rehabilitation and Independent Living Services, Vocational Rehabilitation Programs -- In addition to the transfer authority provided in Section 24-75-108, C.R.S., the Department may transfer up to 15.0 percent of the total appropriation among the following line items in this section: Personal Services, Operating Expenses, Vocational Rehabilitation Services, School to Work Alliance Program, and Vocational Rehabilitation Mental Health Services.

**COMMENT:** This footnote provides additional flexibility to the Department, adding the ability to distribute funding among line items.

- 67 Department of Labor and Employment, Division of Vocational Rehabilitation and Independent Living Services, Vocational Rehabilitation Programs, Vocational Rehabilitation Services -- Amounts in this line item are calculated based on the assumed federal match rate of 78.7 percent federal funds to 21.3 percent nonfederal funds and are assumed to be demonstrated on a federal fiscal year basis.

**COMMENT:** This footnote expresses legislative intent, given that the (M) notation previously included on this line item was eliminated in FY 2020-21. The Department has consistently indicated that it complies with the required federal match rates for this program (78.7 federal/21.3 percent nonfederal). However, in order to obtain the greatest flexibility in the use of the federal funds, the Department may “overspend” the state share during the state fiscal year while compensating for this pattern on a federal fiscal year basis.

- 68 Department of Labor and Employment, Division of Vocational Rehabilitation and Independent Living Services, Vocational Rehabilitation Programs, Vocational Rehabilitation Services; and Office of Independent Living Services, Independent Living Services -- In addition to the transfer authority provided in Section 24-75-108, C.R.S., if authorized by an independent living center based on a cooperative agreement between the independent living center and the Division of Vocational Rehabilitation, the Department may transfer General Fund from the Independent Living Services line item to the Vocational Rehabilitation Services line item, in an amount agreed upon between the two entities, for the purpose of drawing down federal funds for the provision of vocational rehabilitation services.

**COMMENT:** This footnote provides additional flexibility to the Department, adding the ability to transfer among line items based on agreements between independent living centers and the

Department. Amounts in the Vocational Rehabilitation Services line item are subject to a 78.7 percent federal match rate, while direct appropriations for independent living services are not.

- 69 Colorado Department of Labor and Employment, Division of Vocational Rehabilitation and Independent Living Services, Office of Independent Living Services, Independent Living Services -- Of the General Fund appropriation in this line item, 10.0 percent remains available until the close of the 2022-23 fiscal year.

**COMMENT:** This footnote expresses multi-year departmental spending authority to allow Independent living offices greater flexibility.

## REQUESTS FOR INFORMATION

Staff recommends **continuing** the following request with some edits:

- 1 Colorado Department of Labor and Employment, Division of Unemployment Insurance - The Division is requested to identify key performance indicators for the state's unemployment insurance programs that indicates how promptly and effectively the Division is responding to the needs of unemployed Coloradans. This report should build on the Daily Dashboard developed by the Division and may include federal performance indicators that the Department believes are most relevant (e.g., UI claimant volume, payments, duration, and first-time payment timeliness) and measures such call volumes and response times, call center staffing, fraud holds, fraud releases, average time until fraud release, and, if available, data on the volume of fraudulent payments made and recovered. The Department is encouraged to identify the report elements it believes would be most relevant and helpful for internal and external stakeholders and to work with the Governor's Office, JBC staff, and other interested parties to develop report components. **The Department is requested to provide the report to the Joint Budget Committee and include the report on its website on a quarterly basis.**

**COMMENT:** This report provides useful information on the Unemployment Insurance Division and how it has handled the drastic increase of UI claims. While the number of claims has slowed, the Department is still trying to account for the increase in federal funds and programming that have not yet ended. Staff is recommending report delivery on a quarterly basis.

Staff recommends **continuing** the following requests:

- 2 Department of Labor and Employment, Division Of Vocational Rehabilitation and Independent Living Services, Vocational Rehabilitation Programs -- The Department is requested to provide a report by November 1 of each year on the number of individuals receiving vocational rehabilitation services, including: a break-down by category of the number of individuals receiving services and the number for whom a determination is pending; the average cost by category of services; the most recent actual fiscal year and projected current fiscal year expenditures, and the projected balance of the State's federal vocational rehabilitation account. The Department is also

requested to provide data on vocational rehabilitation employment outcomes, including Employment First outcomes.

**COMMENT:** This report provides useful information on program impacts. Staff has added a request for actual year data, which has been useful, as well as a request for Employment First data, since it is helpful to continue to understand the program's impact.

- 3 Department of Labor and Employment, Division of Vocational Rehabilitation and Independent Living Services, Office of Independent Living Services -- The Department is requested to submit to the Joint Budget Committee, by November 1 of each year, its annual report on independent living services and outcomes. As part of this report, the Department is requested to include data on the distribution of state funds to independent living centers and the numbers of clients served.

**COMMENT:** This report provides useful information on program impacts.



*JBC Staff Figure Setting - FY 2022-23*  
*Staff Working Document - Does Not Represent Committee Decision*

**Appendix A: Numbers Pages**

	FY 2019-20 Actual	FY 2020-21 Actual	FY 2021-22 Appropriation	FY 2022-23 Request	FY 2022-23 Recommendation
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<b>DEPARTMENT OF LABOR AND EMPLOYMENT</b> <b>Joe Barela, Executive Director</b>
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**(1) EXECUTIVE DIRECTOR'S OFFICE**

Personal Services	<u>9,024,401</u>	<u>10,533,608</u>	<u>9,984,511</u>	<u>10,494,833</u>	<u>10,443,973</u> *
FTE	108.5	110.7	110.7	111.7	111.7
General Fund	230,411	32,802	32,802	34,572	33,786
Cash Funds	4,803,992	3,680,299	4,977,274	5,363,022	5,312,354
Reappropriated Funds	171,093	229,709	383,466	394,970	394,970
Federal Funds	3,818,905	6,590,798	4,590,969	4,702,269	4,702,863
Health, Life, and Dental	<u>12,324,761</u>	<u>2,537,686</u>	<u>13,642,224</u>	<u>17,250,696</u>	<u>17,250,695</u> *
General Fund	794,942	587,822	969,089	1,013,465	1,013,465
Cash Funds	4,531,156	1,949,864	4,752,704	7,043,312	7,043,312
Reappropriated Funds	64,454	0	89,757	93,442	93,442
Federal Funds	6,934,209	0	7,830,674	9,100,477	9,100,476
Short-term Disability	<u>134,288</u>	<u>22,584</u>	<u>128,503</u>	<u>151,718</u>	<u>151,717</u> *
General Fund	7,791	8,328	8,627	8,496	8,495
Cash Funds	51,733	14,256	46,421	58,532	58,532
Reappropriated Funds	833	0	1,159	1,167	1,167
Federal Funds	73,931	0	72,296	83,523	83,523

*JBC Staff Figure Setting - FY 2022-23*  
*Staff Working Document - Does Not Represent Committee Decision*

	FY 2019-20 Actual	FY 2020-21 Actual	FY 2021-22 Appropriation	FY 2022-23 Request	FY 2022-23 Recommendation
Paid Family Medical Leave Insurance	0	0	0	<u>215,486</u>	<u>215,486</u>
General Fund	0	0	0	12,492	12,492
Cash Funds	0	0	0	84,188	84,188
Reappropriated Funds	0	0	0	1,636	1,636
Federal Funds	0	0	0	117,170	117,170
 S.B. 04-257 Amortization Equalization Disbursement	 <u>3,950,245</u>	 <u>657,125</u>	 <u>4,047,872</u>	 <u>4,788,623</u>	 <u>4,788,588</u> *
General Fund	229,128	245,854	271,324	277,637	277,602
Cash Funds	1,521,481	411,271	1,465,619	1,870,851	1,870,851
Reappropriated Funds	24,700	0	36,463	36,354	36,354
Federal Funds	2,174,936	0	2,274,466	2,603,781	2,603,781
 S.B. 06-235 Supplemental Amortization Equalization					
Disbursement	<u>3,950,245</u>	<u>657,102</u>	<u>4,047,872</u>	<u>4,788,623</u>	<u>4,788,588</u> *
General Fund	229,128	245,854	271,324	277,637	277,602
Cash Funds	1,521,481	411,248	1,465,619	1,870,851	1,870,851
Reappropriated Funds	24,700	0	36,463	36,354	36,354
Federal Funds	2,174,936	0	2,274,466	2,603,781	2,603,781
 PERA Direct Distribution	 <u>2,186,326</u>	 0	 <u>1,993,898</u>	 <u>2,362,201</u>	 <u>2,184,841</u>
General Fund	126,840	0	133,746	126,659	126,659
Cash Funds	842,254	0	720,163	1,030,954	853,594
Reappropriated Funds	13,568	0	18,073	16,587	16,587
Federal Funds	1,203,664	0	1,121,916	1,188,001	1,188,001

*JBC Staff Figure Setting - FY 2022-23*  
*Staff Working Document - Does Not Represent Committee Decision*

	<b>FY 2019-20 Actual</b>	<b>FY 2020-21 Actual</b>	<b>FY 2021-22 Appropriation</b>	<b>FY 2022-23 Request</b>	<b>FY 2022-23 Recommendation</b>
Salary Survey	<u>2,577,526</u>	<u>0</u>	<u>2,771,288</u>	<u>4,456,591</u>	<u>4,456,591</u>
General Fund	149,289	0	181,449	464,230	464,230
Cash Funds	991,325	0	1,081,734	2,254,663	2,254,663
Reappropriated Funds	20,209	0	19,984	23,897	23,897
Federal Funds	1,416,703	0	1,488,121	1,713,801	1,713,801
Paid Family and Medical Leave Funding	<u>0</u>	<u>0</u>	<u>0</u>	<u>371,656</u>	<u>371,656</u> *
General Fund	0	0	0	13,654	13,654
Cash Funds	0	0	0	97,950	97,950
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	260,052	260,052
Shift Differential	<u>13,177</u>	<u>0</u>	<u>15,066</u>	<u>17,002</u>	<u>15,066</u>
General Fund	0	0	0	0	0
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	13,177	0	15,066	17,002	15,066
Workers' Compensation	<u>620,340</u>	<u>465,404</u>	<u>464,560</u>	<u>421,286</u>	<u>588,134</u>
General Fund	22,187	18,440	16,506	14,968	27,376
Cash Funds	172,244	141,819	128,929	116,920	179,162
Reappropriated Funds	0	0	0	0	1,418
Federal Funds	425,909	305,145	319,125	289,398	380,178
Operating Expenses	<u>1,515,113</u>	<u>2,107,896</u>	<u>1,895,558</u>	<u>1,895,558</u>	<u>1,895,558</u>
General Fund	17,065	17,065	17,065	17,065	17,065
Cash Funds	783,970	736,921	810,505	810,505	810,505
Reappropriated Funds	0	0	0	0	0
Federal Funds	714,078	1,353,910	1,067,988	1,067,988	1,067,988

*JBC Staff Figure Setting - FY 2022-23*  
*Staff Working Document - Does Not Represent Committee Decision*

	<b>FY 2019-20 Actual</b>	<b>FY 2020-21 Actual</b>	<b>FY 2021-22 Appropriation</b>	<b>FY 2022-23 Request</b>	<b>FY 2022-23 Recommendation</b>
Legal Services	<u>1,057,906</u>	<u>971,691</u>	<u>1,247,704</u>	<u>870,177</u>	<u>890,423</u>
General Fund	110,860	5,629	177,798	96,644	96,644
Cash Funds	313,651	401,434	593,275	428,933	449,179
Reappropriated Funds	0	0	0	0	0
Federal Funds	633,395	564,628	476,631	344,600	344,600
Payment to Risk Management and Property Funds	<u>158,059</u>	<u>133,076</u>	<u>235,477</u>	<u>357,093</u>	<u>334,752</u> *
General Fund	7,211	6,603	8,651	13,121	17,264
Cash Funds	38,388	31,339	62,060	94,109	102,073
Reappropriated Funds	0	0	0	0	1,111
Federal Funds	112,460	95,134	164,766	249,863	214,304
Vehicle Lease Payments	<u>143,348</u>	<u>173,627</u>	<u>191,751</u>	<u>209,850</u>	<u>200,569</u>
General Fund	16,607	11,015	14,511	15,959	15,286
Cash Funds	74,190	101,748	116,580	127,439	120,165
Reappropriated Funds	0	0	0	0	101
Federal Funds	52,551	60,864	60,660	66,452	65,017
Leased Space	<u>6,009,039</u>	<u>6,086,028</u>	<u>6,486,369</u>	<u>7,241,200</u>	<u>7,241,200</u>
General Fund	420,281	432,972	432,972	481,974	481,974
Cash Funds	2,496,157	2,590,047	2,650,836	2,998,239	2,998,239
Reappropriated Funds	0	0	0	0	0
Federal Funds	3,092,601	3,063,009	3,402,561	3,760,987	3,760,987
Capitol Complex Leased Space	<u>34,995</u>	<u>37,916</u>	<u>42,555</u>	<u>41,400</u>	<u>45,963</u>
General Fund	5,125	5,125	5,125	4,986	5,425
Cash Funds	21,009	23,930	28,569	27,793	29,954
Reappropriated Funds	0	0	0	0	39
Federal Funds	8,861	8,861	8,861	8,621	10,545

*JBC Staff Figure Setting - FY 2022-23*  
*Staff Working Document - Does Not Represent Committee Decision*

	<b>FY 2019-20 Actual</b>	<b>FY 2020-21 Actual</b>	<b>FY 2021-22 Appropriation</b>	<b>FY 2022-23 Request</b>	<b>FY 2022-23 Recommendation</b>
Payments to OIT	<u>17,021,491</u>	<u>13,715,764</u>	<u>12,548,433</u>	<u>17,568,073</u>	<u>17,568,073</u> *
General Fund	3,886,824	3,209,632	2,969,665	4,127,584	4,127,584
Cash Funds	7,899,116	6,319,981	5,703,725	7,963,879	7,963,879
Reappropriated Funds	302,688	156,485	111,780	157,312	157,312
Federal Funds	4,932,863	4,029,666	3,763,263	5,319,298	5,319,298
CORE Operations	<u>389,151</u>	<u>510,397</u>	<u>400,815</u>	<u>424,768</u>	<u>430,413</u>
General Fund	0	0	0	0	2,604
Cash Funds	124,941	163,732	109,042	115,558	121,074
Reappropriated Funds	0	0	0	0	339
Federal Funds	264,210	346,665	291,773	309,210	306,396
Utilities	<u>173,392</u>	<u>205,388</u>	<u>260,309</u>	<u>260,309</u>	<u>260,309</u>
General Fund	0	0	0	0	0
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	173,392	205,388	260,309	260,309	260,309
Information Technology Asset Maintenance	<u>171,239</u>	<u>153,953</u>	<u>218,626</u>	<u>218,626</u>	<u>218,626</u>
General Fund	0	0	0	0	0
Cash Funds	69,243	60,093	69,243	69,243	69,243
Reappropriated Funds	0	0	0	0	0
Federal Funds	101,996	93,860	149,383	149,383	149,383
Statewide Indirect Cost Assessment	<u>500,073</u>	<u>513,438</u>	<u>695,261</u>	<u>1,821,112</u>	<u>1,821,112</u>
General Fund	0	0	0	0	0
Cash Funds	275,873	193,860	300,386	1,000,174	1,000,174
Reappropriated Funds	0	0	0	8,111	8,111
Federal Funds	224,200	319,578	394,875	812,827	812,827

*JBC Staff Figure Setting - FY 2022-23*  
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	FY 2019-20 Actual	FY 2020-21 Actual	FY 2021-22 Appropriation	FY 2022-23 Request	FY 2022-23 Recommendation
Wage Replacement Program Study	<u>0</u>	<u>0</u>	<u>75,000</u>	<u>0</u>	<u>0</u>
General Fund	0	0	75,000	0	0
Appropriation to the Immigration Legal Defense					
Fund	<u>0</u>	<u>0</u>	<u>100,000</u>	<u>98,653 0.1</u>	<u>98,653 0.1</u>
General Fund	0	0	100,000	98,653	98,653
State Apprenticeship Agency	<u>0</u>	<u>0</u>	<u>321,579</u>	<u>752,085</u>	<u>752,085</u>
FTE	0.0	0.0	3.1	8.0	8.0
General Fund	0	0	321,579	752,085	752,085
Office of New Americans	<u>0</u>	<u>0</u>	<u>0</u>	<u>354,432</u>	<u>195,783</u>
FTE	0.0	0.0	0.0	1.3	1.3
General Fund	0	0	0	354,432	195,783
Statewide training	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
General Fund	0	0	0	0	0
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Implementation Plan for Family and Medical Leave					
Insurance Program	<u>165,487</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
FTE	0.5	0.0	0.0	0.0	0.0
General Fund	165,487	0	0	0	0
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0

*JBC Staff Figure Setting - FY 2022-23*  
*Staff Working Document - Does Not Represent Committee Decision*

	<b>FY 2019-20 Actual</b>	<b>FY 2020-21 Actual</b>	<b>FY 2021-22 Appropriation</b>	<b>FY 2022-23 Request</b>	<b>FY 2022-23 Recommendation</b>
<b>TOTAL - (1) Executive Director's Office</b>	62,120,602	39,482,683	61,815,231	77,432,051	77,208,854
<i>FTE</i>	<u>109.0</u>	<u>110.7</u>	<u>113.8</u>	<u>121.1</u>	<u>121.1</u>
General Fund	6,419,176	4,827,141	6,007,233	8,206,313	8,065,728
Cash Funds	26,532,204	17,231,842	25,082,684	33,427,115	33,289,942
Reappropriated Funds	622,245	386,194	697,145	769,830	772,838
Federal Funds	28,546,977	17,037,506	30,028,169	35,028,793	35,080,346

*JBC Staff Figure Setting - FY 2022-23*  
*Staff Working Document - Does Not Represent Committee Decision*

	FY 2019-20 Actual	FY 2020-21 Actual	FY 2021-22 Appropriation	FY 2022-23 Request	FY 2022-23 Recommendation
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**(2) DIVISION OF UNEMPLOYMENT INSURANCE**

Program Costs	<u>39,059,442</u>	<u>100,571,705</u>	<u>72,073,617</u>	<u>73,046,105</u>	<u>73,046,105</u>
FTE	445.7	484.1	484.4	484.7	484.7
General Fund	38,361	0	5,741	0	0
Cash Funds	8,758,940	12,689,947	12,862,269	13,168,203	13,168,203
Reappropriated Funds	0	0	0	0	0
Federal Funds	30,262,141	87,881,758	59,205,607	59,877,902	59,877,902
Employment and Training Technology Initiatives	<u>6,370,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
FTE	18.0	0.0	0.0	0.0	0.0
General Fund	0	0	0	0	0
Cash Funds	6,370,000	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0

<b>TOTAL - (2) Division of Unemployment Insurance</b>	45,429,442	100,571,705	72,073,617	73,046,105	73,046,105
FTE	<u>463.7</u>	<u>484.1</u>	<u>484.4</u>	<u>484.7</u>	<u>484.7</u>
General Fund	38,361	0	5,741	0	0
Cash Funds	15,128,940	12,689,947	12,862,269	13,168,203	13,168,203
Reappropriated Funds	0	0	0	0	0
Federal Funds	30,262,141	87,881,758	59,205,607	59,877,902	59,877,902



*JBC Staff Figure Setting - FY 2022-23*  
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	FY 2019-20 Actual	FY 2020-21 Actual	FY 2021-22 Appropriation	FY 2022-23 Request	FY 2022-23 Recommendation
<b>(3) DIVISION OF EMPLOYMENT AND TRAINING</b>					
State Operations and Program Costs	<u>15,499,324</u>	<u>7,532,773</u>	<u>6,726,374</u>	<u>7,024,010</u>	<u>7,024,010</u>
FTE	126.2	109.2	110.1	110.1	110.1
General Fund	20,029	24,869	98,220	101,055	101,055
Cash Funds	10,005,385	2,810,807	3,197,206	3,399,763	3,399,763
Reappropriated Funds	0	0	0	0	0
Federal Funds	5,473,910	4,697,097	3,430,948	3,523,192	3,523,192
One-Stop Workforce Center Contracts	<u>9,102,450</u>	<u>17,883,194</u>	<u>20,812,034</u>	<u>20,844,306</u>	<u>20,844,306</u>
FTE	24.0	35.0	36.0	36.0	36.0
General Fund	0	0	0	0	0
Cash Funds	0	9,580,486	9,897,639	9,897,639	9,897,639
Reappropriated Funds	0	0	0	0	0
Federal Funds	9,102,450	8,302,708	10,914,395	10,946,667	10,946,667
Trade Adjustment Act Assistance	<u>1,910,529</u>	<u>1,835,692</u>	<u>2,000,000</u>	<u>2,000,000</u>	<u>2,000,000</u>
FTE	0.0	0.0	0.0	0.0	0.0
General Fund	0	0	0	0	0
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	1,910,529	1,835,692	2,000,000	2,000,000	2,000,000

*JBC Staff Figure Setting - FY 2022-23*  
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	FY 2019-20 Actual	FY 2020-21 Actual	FY 2021-22 Appropriation	FY 2022-23 Request	FY 2022-23 Recommendation
Workforce Innovation and Opportunity Act	<u>26,913,956</u>	<u>28,058,474</u>	<u>26,366,616</u>	<u>26,534,005</u>	<u>26,534,005</u>
FTE	56.4	51.2	51.2	51.2	51.2
General Fund	0	0	0	0	0
Cash Funds	807,540	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	26,106,416	28,058,474	26,366,616	26,534,005	26,534,005
Workforce Development Council	<u>1,111,952</u>	<u>1,162,767</u>	<u>1,136,089</u>	<u>1,853,355</u>	<u>1,553,075</u>
FTE	6.8	7.5	7.8	12.5	12.5
General Fund	629,196	523,653	596,343	1,306,032	1,005,752
Cash Funds	0	0	21,535	20,632	20,632
Reappropriated Funds	214,277	220,788	518,211	526,691	526,691
Federal Funds	268,479	418,326	0	0	0
CWDC Reskilling, Upskilling and Next-skilling Workers Program	<u>0</u>	<u>0</u>	<u>25,000,000</u>	<u>0</u>	<u>0</u>
Cash Funds	0	0	25,000,000	0	0
CWDC WorkForce Innovation Act - ARPA Money	<u>0</u>	<u>0</u>	<u>35,000,000</u>	<u>0</u>	<u>0</u>
Cash Funds	0	0	35,000,000	0	0
Workforce Improvement Grants	<u>694,659</u>	<u>799,977</u>	<u>1,000,000</u>	<u>1,000,000</u>	<u>1,000,000</u>
FTE	0.0	0.0	0.0	0.0	0.0
General Fund	0	0	0	0	0
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	694,659	799,977	1,000,000	1,000,000	1,000,000

*JBC Staff Figure Setting - FY 2022-23*  
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	FY 2019-20 Actual	FY 2020-21 Actual	FY 2021-22 Appropriation	FY 2022-23 Request	FY 2022-23 Recommendation
Veterans Service to Career Program	<u>464,128</u>	<u>369,950</u>	<u>500,000</u>	<u>500,000</u>	<u>500,000</u> *
FTE	0.0	0.0	0.0	0.0	0.0
General Fund	0	0	0	0	0
Cash Funds	464,128	369,950	500,000	0	500,000
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	500,000	0
Appropriation to the Skilled Worker Outreach and Key Training Program Fund	<u>3,300,000</u>	<u>0</u>	<u>0</u>	<u>15,642</u>	<u>0</u>
General Fund	3,300,000	0	0	15,642	0
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Hospitality Education Grant Program	<u>400,883</u>	<u>401,947</u>	<u>401,947</u>	<u>414,105</u>	<u>414,105</u>
FTE	0.5	0.5	0.5	0.5	0.5
General Fund	400,883	401,947	401,947	414,105	414,105
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Employment Support and Job Retention Services Program	<u>95,255</u>	<u>0</u>	<u>340,000</u>	<u>0</u>	<u>0</u>
FTE	0.5	0.0	0.5	0.0	0.0
General Fund	0	0	0	0	0
Cash Funds	0	0	340,000	0	0
Reappropriated Funds	95,255	0	0	0	0
Federal Funds	0	0	0	0	0

*JBC Staff Figure Setting - FY 2022-23*  
*Staff Working Document - Does Not Represent Committee Decision*

	FY 2019-20 Actual	FY 2020-21 Actual	FY 2021-22 Appropriation	FY 2022-23 Request	FY 2022-23 Recommendation
Just Transition Office	<u>274,141</u>	<u>316,704</u>	<u>366,625</u>	<u>377,724</u>	<u>377,724</u>
FTE	0.3	3.5	3.5	3.5	3.5
General Fund	155,758	158,352	366,625	377,724	377,724
Cash Funds	118,383	158,352	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Just Transition Plan Implementation/ Coal Transition					
Community Assistance	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
FTE	0.0	0.0	0.0	0.0	0.0
General Fund	0	0	0	0	0
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Coal Transition Worker Assistance	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
FTE	0.0	0.0	0.0	0.0	0.0
General Fund	0	0	0	0	0
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Innovative Industry Workforce Development	<u>608,631</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
FTE	1.1	0.0	0.0	0.0	0.0
General Fund	608,631	0	0	0	0
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0

*JBC Staff Figure Setting - FY 2022-23*  
*Staff Working Document - Does Not Represent Committee Decision*

	FY 2019-20 Actual	FY 2020-21 Actual	FY 2021-22 Appropriation	FY 2022-23 Request	FY 2022-23 Recommendation
Skilled Worker Outreach, Recruitment and Training					
Program	<u>2,029,261</u>	<u>2,574,479</u>	<u>0</u>	<u>0</u>	<u>0</u>
FTE	2.0	0.0	0.0	0.0	0.0
General Fund	0	0	0	0	0
Cash Funds	713,774	208,392	0	0	0
Reappropriated Funds	1,315,487	2,366,087	0	0	0
Federal Funds	0	0	0	0	0
Employment Support and Job Retention Services					
Program Cash Fund	<u>750,000</u>	<u>358,163</u>	<u>0.5</u>	<u>0</u>	<u>0</u>
General Fund	750,000	0	0	0	0
Cash Funds	0	358,163	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
<b>TOTAL - (3) Division of Employment and Training</b>	<b>63,155,169</b>	<b>61,294,120</b>	<b>119,649,685</b>	<b>60,563,147</b>	<b>60,247,225</b>
FTE	<u>217.8</u>	<u>207.4</u>	<u>209.6</u>	<u>213.8</u>	<u>213.8</u>
General Fund	5,864,497	1,108,821	1,463,135	2,214,558	1,898,636
Cash Funds	12,109,210	13,486,150	73,956,380	13,318,034	13,818,034
Reappropriated Funds	1,625,019	2,586,875	518,211	526,691	526,691
Federal Funds	43,556,443	44,112,274	43,711,959	44,503,864	44,003,864

*JBC Staff Figure Setting - FY 2022-23*  
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	FY 2019-20 Actual	FY 2020-21 Actual	FY 2021-22 Appropriation	FY 2022-23 Request	FY 2022-23 Recommendation
<b>(4) DIVISION OF LABOR STANDARDS AND STATISTICS</b>					
<b>(A) Labor Standards</b>					
Labor Program Costs	<u>2,288,079</u>	<u>3,079,758</u>	<u>4,086,257</u>	<u>4,302,070</u>	<u>4,266,721</u> *
FTE	27.9	39.0	51.1	52.1	52.1
General Fund	878,173	552,908	940,831	1,365,743	1,365,743
Cash Funds	1,409,906	2,526,850	3,145,426	2,936,327	2,900,978
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Whistleblower Protection for Public Health					
Emergency	<u>0</u>	<u>206,193</u>	<u>187,593</u>	<u>0</u>	<u>0</u>
FTE	0.0	2.5	2.5	0.0	0.0
General Fund	0	0	0	0	0
Cash Funds	0	206,193	187,593	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
<b>SUBTOTAL - (A) Labor Standards</b>	<u>2,288,079</u>	<u>3,285,951</u>	<u>4,273,850</u>	<u>4,302,070</u>	<u>4,266,721</u>
FTE	<u>27.9</u>	<u>41.5</u>	<u>53.6</u>	<u>52.1</u>	<u>52.1</u>
General Fund	878,173	552,908	940,831	1,365,743	1,365,743
Cash Funds	1,409,906	2,733,043	3,333,019	2,936,327	2,900,978
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0

*JBC Staff Figure Setting - FY 2022-23*  
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	FY 2019-20 Actual	FY 2020-21 Actual	FY 2021-22 Appropriation	FY 2022-23 Request	FY 2022-23 Recommendation
<b>(B) Labor Statistics</b>					
Labor Market Information Program Costs	<u>3,338,145</u>	<u>2,740,889</u>	<u>3,366,316</u>	<u>3,420,154</u>	<u>3,420,154</u>
FTE	15.5	30.3	30.3	30.3	30.3
General Fund	0	0	0	0	0
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	3,338,145	2,740,889	3,366,316	3,420,154	3,420,154
<b>SUBTOTAL - (B) Labor Statistics</b>	3,338,145	2,740,889	3,366,316	3,420,154	3,420,154
FTE	<u>15.5</u>	<u>30.3</u>	<u>30.3</u>	<u>30.3</u>	<u>30.3</u>
General Fund	0	0	0	0	0
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	3,338,145	2,740,889	3,366,316	3,420,154	3,420,154
<b>TOTAL - (4) Division of Labor Standards and Statistics</b>	5,626,224	6,026,840	7,640,166	7,722,224	7,686,875
FTE	<u>43.4</u>	<u>71.8</u>	<u>83.9</u>	<u>82.4</u>	<u>82.4</u>
General Fund	878,173	552,908	940,831	1,365,743	1,365,743
Cash Funds	1,409,906	2,733,043	3,333,019	2,936,327	2,900,978
Reappropriated Funds	0	0	0	0	0
Federal Funds	3,338,145	2,740,889	3,366,316	3,420,154	3,420,154

*JBC Staff Figure Setting - FY 2022-23*  
*Staff Working Document - Does Not Represent Committee Decision*

	FY 2019-20 Actual	FY 2020-21 Actual	FY 2021-22 Appropriation	FY 2022-23 Request	FY 2022-23 Recommendation
<b>(5) DIVISION OF OIL AND PUBLIC SAFETY</b>					
Personal Services	<u>5,764,745</u>	<u>5,932,681</u>	<u>5,583,158</u>	<u>5,721,749</u>	<u>5,721,749</u>
FTE	68.0	68.0	68.0	68.0	68.0
General Fund	0	0	0	0	0
Cash Funds	4,834,245	4,984,556	4,999,440	5,138,031	5,138,031
Reappropriated Funds	19,318	7,284	19,318	19,318	19,318
Federal Funds	911,182	940,841	564,400	564,400	564,400
Operating Expenses	<u>637,398</u>	<u>465,171</u>	<u>791,333</u>	<u>791,333</u>	<u>791,333</u>
General Fund	0	0	0	0	0
Cash Funds	629,257	434,576	646,312	646,312	646,312
Reappropriated Funds	0	0	0	0	0
Federal Funds	8,141	30,595	145,021	145,021	145,021
Underground Damage Prevention Safety					
Commission	<u>103,011</u>	<u>105,080</u>	<u>105,080</u>	<u>147,982</u>	<u>128,602</u> *
FTE	1.6	1.5	1.5	1.5	1.5
General Fund	103,011	105,080	105,080	108,602	108,602
Cash Funds	0	0	0	39,380	20,000
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
<b>TOTAL - (5) Division of Oil and Public Safety</b>	<b>6,505,154</b>	<b>6,502,932</b>	<b>6,479,571</b>	<b>6,661,064</b>	<b>6,641,684</b>
<b>FTE</b>	<b><u>69.6</u></b>	<b><u>69.5</u></b>	<b><u>69.5</u></b>	<b><u>69.5</u></b>	<b><u>69.5</u></b>
General Fund	103,011	105,080	105,080	108,602	108,602
Cash Funds	5,463,502	5,419,132	5,645,752	5,823,723	5,804,343
Reappropriated Funds	19,318	7,284	19,318	19,318	19,318
Federal Funds	919,323	971,436	709,421	709,421	709,421



*JBC Staff Figure Setting - FY 2022-23*  
*Staff Working Document - Does Not Represent Committee Decision*

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	<b>FY 2019-20 Actual</b>	<b>FY 2020-21 Actual</b>	<b>FY 2021-22 Appropriation</b>	<b>FY 2022-23 Request</b>	<b>FY 2022-23 Recommendation</b>
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*JBC Staff Figure Setting - FY 2022-23*  
*Staff Working Document - Does Not Represent Committee Decision*

	FY 2019-20 Actual	FY 2020-21 Actual	FY 2021-22 Appropriation	FY 2022-23 Request	FY 2022-23 Recommendation
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**(6) DIVISION OF WORKERS' COMPENSATION**

**(A) Workers' Compensation**

Personal Services	<u>7,704,308</u>	<u>7,744,488</u>	<u>7,985,013</u>	<u>8,149,172</u>	<u>8,149,172</u>
FTE	85.1	95.0	95.0	95.0	95.0
General Fund	0	0	0	0	0
Cash Funds	7,704,308	7,744,488	7,985,013	8,149,172	8,149,172
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
 Operating Expenses	 <u>540,441</u>	 <u>641,969</u>	 <u>659,145</u>	 <u>659,145</u>	 <u>659,145</u>
General Fund	0	0	0	0	0
Cash Funds	540,441	641,969	659,145	659,145	659,145
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
 Administrative Law Judge Services	 <u>4,159,995</u>	 <u>4,061,922</u>	 <u>3,582,166</u>	 <u>3,958,176</u>	 <u>4,089,852</u>
General Fund	0	0	0	0	0
Cash Funds	4,159,995	4,061,922	3,582,166	3,958,176	4,089,852
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
 Physicians Accreditation	 <u>77,700</u>	 <u>92,623</u>	 <u>120,000</u>	 <u>120,000</u>	 <u>120,000</u>
General Fund	0	0	0	0	0
Cash Funds	77,700	92,623	120,000	120,000	120,000
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0

*JBC Staff Figure Setting - FY 2022-23*  
*Staff Working Document - Does Not Represent Committee Decision*

	FY 2019-20 Actual	FY 2020-21 Actual	FY 2021-22 Appropriation	FY 2022-23 Request	FY 2022-23 Recommendation
Utilization Review	<u>17,116</u>	<u>5,063</u>	<u>35,000</u>	<u>35,000</u>	<u>35,000</u>
General Fund	0	0	0	0	0
Cash Funds	17,116	5,063	35,000	35,000	35,000
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Immediate Payment	<u>86</u>	<u>0</u>	<u>1,000</u>	<u>1,000</u>	<u>1,000</u>
General Fund	0	0	0	0	0
Cash Funds	86	0	1,000	1,000	1,000
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
<b>SUBTOTAL - (A) Workers' Compensation</b>	12,499,646	12,546,065	12,382,324	12,922,493	13,054,169
<i>FTE</i>	<u>85.1</u>	<u>95.0</u>	<u>95.0</u>	<u>95.0</u>	<u>95.0</u>
General Fund	0	0	0	0	0
Cash Funds	12,499,646	12,546,065	12,382,324	12,922,493	13,054,169
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0

**(B) Major Medical Insurance and Subsequent Injury Funds**

Personal Services	<u>1,269,282</u>	<u>1,377,419</u>	<u>1,435,985</u>	<u>1,470,992</u>	<u>1,470,992</u>
FTE	16.0	16.0	16.0	16.0	16.0
General Fund	0	0	0	0	0
Cash Funds	1,269,282	1,377,419	1,435,985	1,470,992	1,470,992
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0

*JBC Staff Figure Setting - FY 2022-23*  
*Staff Working Document - Does Not Represent Committee Decision*

	FY 2019-20 Actual	FY 2020-21 Actual	FY 2021-22 Appropriation	FY 2022-23 Request	FY 2022-23 Recommendation
Operating Expenses	<u>88,324</u>	<u>82,576</u>	<u>88,324</u>	<u>88,324</u>	<u>88,324</u>
General Fund	0	0	0	0	0
Cash Funds	88,324	82,576	88,324	88,324	88,324
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Major Medical Benefits	<u>3,545,347</u>	<u>2,530,355</u>	<u>6,000,000</u>	<u>6,000,000</u>	<u>6,000,000</u>
General Fund	0	0	0	0	0
Cash Funds	3,545,347	2,530,355	6,000,000	6,000,000	6,000,000
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Subsequent Injury Benefits	<u>1,085,531</u>	<u>909,905</u>	<u>2,000,000</u>	<u>2,000,000</u>	<u>2,000,000</u>
General Fund	0	0	0	0	0
Cash Funds	1,085,531	909,905	2,000,000	2,000,000	2,000,000
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Medical Disaster	<u>86</u>	<u>0</u>	<u>1,000</u>	<u>1,000</u>	<u>1,000</u>
General Fund	0	0	0	0	0
Cash Funds	86	0	1,000	1,000	1,000
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Major Medical Legal Services	<u>7,992</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
General Fund	0	0	0	0	0
Cash Funds	7,992	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0

*JBC Staff Figure Setting - FY 2022-23*  
*Staff Working Document - Does Not Represent Committee Decision*

	FY 2019-20 Actual	FY 2020-21 Actual	FY 2021-22 Appropriation	FY 2022-23 Request	FY 2022-23 Recommendation
Subsequent Injury Legal Services	<u>7,992</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
General Fund	0	0	0	0	0
Cash Funds	7,992	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
<b>SUBTOTAL - (B) Major Medical Insurance and Subsequent Injury Funds</b>	6,004,554	4,900,255	9,525,309	9,560,316	9,560,316
<i>FTE</i>	<u>16.0</u>	<u>16.0</u>	<u>16.0</u>	<u>16.0</u>	<u>16.0</u>
General Fund	0	0	0	0	0
Cash Funds	6,004,554	4,900,255	9,525,309	9,560,316	9,560,316
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
<b>TOTAL - (6) Division of Workers' Compensation</b>	18,504,200	17,446,320	21,907,633	22,482,809	22,614,485
<i>FTE</i>	<u>101.1</u>	<u>111.0</u>	<u>111.0</u>	<u>111.0</u>	<u>111.0</u>
General Fund	0	0	0	0	0
Cash Funds	18,504,200	17,446,320	21,907,633	22,482,809	22,614,485
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0

*JBC Staff Figure Setting - FY 2022-23*  
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	FY 2019-20 Actual	FY 2020-21 Actual	FY 2021-22 Appropriation	FY 2022-23 Request	FY 2022-23 Recommendation
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**(7) DIVISION OF VOCATIONAL REHABILITATION AND INDEPENDENT LIVING SERVICES**

**(A) Vocational Rehabilitation Programs**

Personal Services	<u>18,225,739</u>	<u>18,549,644</u>	<u>17,423,502</u>	<u>17,872,857</u>	<u>17,872,857</u>
FTE	230.2	223.7	223.7	223.7	223.7
General Fund	3,139,342	3,694,051	3,694,074	3,800,289	3,800,289
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	15,086,397	14,855,593	13,729,428	14,072,568	14,072,568
Operating Expenses	<u>2,021,313</u>	<u>1,669,436</u>	<u>2,539,404</u>	<u>2,539,404</u>	<u>2,539,404</u>
General Fund	0	0	0	0	0
Cash Funds	0	0	0	0	0
Reappropriated Funds	430,990	375,218	540,893	540,893	540,893
Federal Funds	1,590,323	1,294,218	1,998,511	1,998,511	1,998,511
Administrative Law Judge Services	<u>30,614</u>	<u>36,737</u>	<u>36,737</u>	<u>40,535</u>	<u>41,943</u>
FTE	0.0	0.0	0.0	0.0	0.0
General Fund	6,521	9,973	9,973	10,998	11,386
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	24,093	26,764	26,764	29,537	30,557

*JBC Staff Figure Setting - FY 2022-23*  
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	<b>FY 2019-20 Actual</b>	<b>FY 2020-21 Actual</b>	<b>FY 2021-22 Appropriation</b>	<b>FY 2022-23 Request</b>	<b>FY 2022-23 Recommendation</b>
Voc Rehab Services	<u>13,690,991</u>	<u>11,732,830</u>	<u>15,301,106</u>	<u>15,301,106</u>	<u>15,301,106</u>
General Fund	1,718,257	1,143,739	1,143,950	1,143,950	1,143,950
Cash Funds	0	0	0	0	0
Reappropriated Funds	2,147,951	1,163,476	2,115,185	2,115,185	2,115,185
Federal Funds	9,824,783	9,425,615	12,041,971	12,041,971	12,041,971
School to Work Alliance Program	<u>9,896,151</u>	<u>11,276,860</u>	<u>10,323,261</u>	<u>10,323,261</u>	<u>10,323,261</u>
General Fund	0	0	0	0	0
Cash Funds	0	0	0	0	0
Reappropriated Funds	2,107,880	1,867,711	2,173,378	2,173,378	2,173,378
Federal Funds	7,788,271	9,409,149	8,149,883	8,149,883	8,149,883
Voc Rehab Mental Health Services	<u>1,789,078</u>	<u>1,676,978</u>	<u>1,748,180</u>	<u>1,748,180</u>	<u>1,748,180</u>
General Fund	0	0	0	0	0
Cash Funds	0	0	0	0	0
Reappropriated Funds	381,526	357,196	372,363	372,363	372,363
Federal Funds	1,407,552	1,319,782	1,375,817	1,375,817	1,375,817
Business Enterprises Program for People Who Are Blind	<u>1,245,825</u>	<u>293,349</u>	<u>1,595,200</u>	<u>1,595,200</u>	<u>1,595,200</u>
FTE	4.1	6.0	6.0	6.0	6.0
General Fund	0	0	0	0	0
Cash Funds	268,072	62,515	338,935	338,935	338,935
Reappropriated Funds	0	0	0	0	0
Federal Funds	977,753	230,834	1,256,265	1,256,265	1,256,265

*JBC Staff Figure Setting - FY 2022-23*  
*Staff Working Document - Does Not Represent Committee Decision*

	FY 2019-20 Actual	FY 2020-21 Actual	FY 2021-22 Appropriation	FY 2022-23 Request	FY 2022-23 Recommendation
Business Enterprises Program	<u>50,241</u>	<u>(13,045)</u>	<u>229,000</u>	<u>229,000</u>	<u>229,000</u>
General Fund	0	0	0	0	0
Cash Funds	50,241	(13,045)	229,000	229,000	229,000
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Federal Social Security Reimbursements	<u>2,789,429</u>	<u>5,131,939</u>	<u>2,400,000</u>	<u>2,400,000</u>	<u>2,400,000</u>
General Fund	0	0	0	0	0
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	2,789,429	5,131,939	2,400,000	2,400,000	2,400,000
Older Blind Grants	<u>372,584</u>	<u>492,420</u>	<u>362,000</u>	<u>362,000</u>	<u>362,000</u>
General Fund	0	0	0	0	0
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	372,584	492,420	362,000	362,000	362,000
Employment First Initiatives	<u>996,594</u>	<u>1,974,751</u>	<u>2,407,926</u>	<u>427,464</u>	<u>290,744</u> *
FTE	3.7	4.0	4.0	4.0	4.0
General Fund	212,274	420,581	512,888	93,187	63,382
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	784,320	1,554,170	1,895,038	334,277	227,362



*JBC Staff Figure Setting - FY 2022-23*  
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	FY 2019-20 Actual	FY 2020-21 Actual	FY 2021-22 Appropriation	FY 2022-23 Request	FY 2022-23 Recommendation
<b>SUBTOTAL - (A) Vocational Rehabilitation</b>					
<b>Programs</b>	51,108,559	52,821,899	54,366,316	52,839,007	52,703,695
<i>FTE</i>	<u>238.0</u>	<u>233.7</u>	<u>233.7</u>	<u>233.7</u>	<u>233.7</u>
General Fund	5,076,394	5,268,344	5,360,885	5,048,424	5,019,007
Cash Funds	318,313	49,470	567,935	567,935	567,935
Reappropriated Funds	5,068,347	3,763,601	5,201,819	5,201,819	5,201,819
Federal Funds	40,645,505	43,740,484	43,235,677	42,020,829	41,914,934

**(B) Office of Independent Living Services**

Program Costs	<u>221,562</u>	<u>227,567</u>	<u>227,703</u>	<u>234,053</u>	<u>234,053</u>
<i>FTE</i>	4.0	4.0	4.0	4.0	4.0
General Fund	221,562	227,567	227,703	234,053	234,053
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Independent Living Services	<u>6,813,465</u>	<u>6,453,907</u>	<u>6,662,512</u>	<u>6,662,512</u>	<u>6,788,235</u>
General Fund	6,662,370	6,132,729	6,286,160	6,286,160	6,411,883
Cash Funds	0	0	37,635	37,635	37,635
Reappropriated Funds	0	0	0	0	0
Federal Funds	151,095	321,178	338,717	338,717	338,717

<b>SUBTOTAL - (B) Office of Independent Living</b>					
<b>Services</b>	7,035,027	6,681,474	6,890,215	6,896,565	7,022,288
<i>FTE</i>	<u>4.0</u>	<u>4.0</u>	<u>4.0</u>	<u>4.0</u>	<u>4.0</u>
General Fund	6,883,932	6,360,296	6,513,863	6,520,213	6,645,936
Cash Funds	0	0	37,635	37,635	37,635
Reappropriated Funds	0	0	0	0	0
Federal Funds	151,095	321,178	338,717	338,717	338,717

*JBC Staff Figure Setting - FY 2022-23*  
*Staff Working Document - Does Not Represent Committee Decision*

	<b>FY 2019-20 Actual</b>	<b>FY 2020-21 Actual</b>	<b>FY 2021-22 Appropriation</b>	<b>FY 2022-23 Request</b>	<b>FY 2022-23 Recommendation</b>
<b>TOTAL - (7) Division of Vocational Rehabilitation and Independent Living Services</b>	58,143,586	59,503,373	61,256,531	59,735,572	59,725,983
<i>FTE</i>	<u>242.0</u>	<u>237.7</u>	<u>237.7</u>	<u>237.7</u>	<u>237.7</u>
General Fund	11,960,326	11,628,640	11,874,748	11,568,637	11,664,943
Cash Funds	318,313	49,470	605,570	605,570	605,570
Reappropriated Funds	5,068,347	3,763,601	5,201,819	5,201,819	5,201,819
Federal Funds	40,796,600	44,061,662	43,574,394	42,359,546	42,253,651

*JBC Staff Figure Setting - FY 2022-23*  
*Staff Working Document - Does Not Represent Committee Decision*

	FY 2019-20 Actual	FY 2020-21 Actual	FY 2021-22 Appropriation	FY 2022-23 Request	FY 2022-23 Recommendation
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**FAMILY AND MEDICAL LEAVE INSURANCE DIVISION**

Program Costs	0	<u>1,162,202</u>	<u>1,111,286</u>	<u>1,111,286</u>	
FTE	0.0	6.0	6.0	6.0	
Cash Funds	0	1,162,202	1,111,286	1,111,286	
Program Costs	<u>64,991</u>	<u>0</u>	<u>0</u>	<u>0</u>	
FTE	0.5	0.0	0.0	0.0	
Cash Funds	64,991	0	0	0	

<b>TOTAL - Family and Medical Leave Insurance</b>					
<b>Division</b>	64,991	1,162,202	1,111,286	1,111,286	
FTE	<u>0.5</u>	<u>6.0</u>	<u>6.0</u>	<u>6.0</u>	
Cash Funds	64,991	1,162,202	1,111,286	1,111,286	

<b>TOTAL - Department of Labor and Employment</b>					
FTE	<u>1,246.6</u>	<u>1,292.7</u>	<u>1,315.9</u>	<u>1,326.2</u>	<u>1,326.2</u>
General Fund	25,263,544	18,222,590	20,396,768	23,463,853	23,103,652
Cash Funds	79,466,275	69,120,895	144,555,509	92,873,067	93,312,841
Reappropriated Funds	7,334,929	6,743,954	6,436,493	6,517,658	6,520,666
Federal Funds	147,419,629	196,805,525	180,595,866	185,899,680	185,345,338